

**MINUTES OF THE REGULAR MEETING OF THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF OAK PARK
HELD ON MONDAY, JANUARY 5, 2004 AT 7:50 P.M.
IN THE COUNCIL CHAMBERS OF THE VILLAGE HALL**

OFFICIAL RECORD:

REGULAR
MEETING
1/05/04

PRESENT: Trustees Carpenter, Gockel, Johnson, Milstein and Pope and
President Pro Tem Kostopulos

ABSENT: President Trapani

QUORUM: President Pro Tem Kostopulos convened the Regular meeting of
the Village Board and declared that a quorum was present.

President Pro Tem Kostopulos wished everyone a Happy New Year and
explained that he was sitting in for President Trapani who could not be at the
meeting due to illness.

MINUTES:

MINUTES OF
12/01/03
APPROVED

It was moved by Trustee Carpenter, seconded by Trustee Johnson that the
Minutes of the Regular meeting of December 1, 2003, be approved as submitted.
The motion was unanimously adopted.

**PROCLAMATION: DR. MARTIN LUTHER KING, JR. BIRTHDAY –
JANUARY 15, 2004**

PROCLAMA-
TION: MARTIN
LUTHER KING,
JR, BIRTHDAY –
JANUARY 15,
2004

It was moved by Trustee Milstein, seconded by Trustee Carpenter, to
concur in the issuance of a Proclamation by President Pro Tem Kostopulos
entitled **PROCLAMATION: DR. MARTIN LUTHER KING, JR.
BIRTHDAY – JANUARY 15, 2004**. The motion was unanimously adopted.

RESOLUTION: IN MEMORIAM OF JOHN G. HOPPE, JR.

RESOLUTION: IN
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JOHN G. HOPPE,
JR.

It was moved by Trustee Gockel, seconded by Trustee Carpenter, to concur
in the issuance of a Resolution by President Pro Tem Kostopulos entitled
RESOLUTION IN MEMORIAM – JOHN G. HOPPE, JR. The motion was
unanimously adopted.

APPOINTMENTS:

APPOINTMENTS

It was moved by Trustee Milstein, seconded by Trustee Pope, to concur in

the following appointments by President Pro Tem Kostopulos:

Environmental & Energy Advisory Commission

Reappointment of Ilhan Avcioglu, as Member, and Appointment as Chair, with a term to expire January 30, 2007

Fire & Police Commission

Appointment of Lynn Adams-Whitaker, as Chair, with a term to expire May 7, 2004

Appointment of Donna Cervini, as Member, with a term to expire January 30, 2007

Telecommunications Commission

Appointment of Roy Newman, as Member, with a term to expire January 30, 2007

Universal Access Commission

Appointment of Vince Bray, as Chair, with a term to expire October 7, 2006

The motion was unanimously adopted.

Citizen Advisory Boards and Commissions

Community Relations Commission Recommendation

- A. Resolution Urging the Repeal or Revision of Certain Sections of the USA Patriot Act and Similar Legislation

President Pro Tem Kostopulos asked Trustee Gockel to read the Resolution. Trustee Gockel introduced the document by saying that the Community Relations Commission has studied the Patriot Act and worked on this Resolution for about nine months.

It was moved by Trustee Gockel, seconded by Trustee Pope, that Resolution 2004-R-01 entitled **RESOLUTION URGING THE REPEAL OR REVISION OF CERTAIN SECTIONS OF USA PATRIOT ACT AND SIMILAR LEGISLATION** be adopted as submitted, a true and correct copy of said Resolution herewith being ordered filed in the Office of the Village Clerk.

Public comment followed the reading of the Resolution.

CITIZEN
ADVISORY
BOARDS &
COMMISSIONS

AMENDED
RESOLUTION
URGING REPEAL
OF SECTIONS
OF THE USA
PATRIOT ACT
APPROVED

Marc Blesoff, 318 S. Humphrey Avenue, thanked the Board members for the job they do and for allowing him the opportunity to speak. He said that his daughter recently assisted Mayan women in Guatemala to vote in their Presidential election. Many people waited five hours in line for an opportunity to vote. He suggested that many Americans take democracy and freedom for granted. A carving on a Washington, D. C. landmark reads, "Eternal Vigilance is the Price of Freedom" and Mr. Blesoff said that citizens must take a "thoughtful and active role in the world's fight for peace and democracy." He stated, "The Patriot Act is a blatant attack on the freedoms our predecessors fought to ensure," and he urged passage of the Resolution, with language "calling for the immediate sunset of this law."

Rafiq Ahmed, 851 N. Harvey Avenue, stated that for him, the Patriot Act isn't about ancestors or people demonstrating with banners; it is about him. His 12 year old son is on an FAA terrorist watch list; so each time they go to the airport, someone has to check on his son's name. He noted that many terrorists have the same last name as he. But he is not a terrorist. He asked if passage of the resolution will make a difference and then said that each person must do what he/she can do. Mr. Ahmed said that he came to America 20 years ago to study. The United States was "a beacon of light for the whole world." But he indicated that he has never felt as threatened as he does now.

Mr. Ahmed explained that he grew up in East Pakistan and he has memories about the civil war in Bangladesh. Within a nine-month span, the Pakistan Army killed between 1.5 – 3 million people. Mr. Ahmed showed a picture of a soldier checking to see if a man was circumcised—he was checking to see if the man was Muslim or Hindu. Muslim men are circumcised, while Hindus are not. He said that while it seems impossible that such a thing could happen in the United States, some of the things that are going on are things people thought would never happen here. He thanked the Board for listening.

Kevin McDermott, 718 S. Taylor Avenue, thanked the Board for permitting him to speak. Like Mr. Ahmed, he spent time overseas and, in fact, has just come back from Pakistan. Pakistan is ruled by a military dictator and human rights, as we think of them, do not exist. He personally knows people in Pakistan and they are not happy about how people are treated there. Additionally, they are angry with the response of the United States to the events of September 11. They are angry about the Patriot Act and the "legislation around it, the executive orders accompanying it." Mr. McDermott said that that these things are not making us safer or freer. And they are not making us a "beacon to the world." He urged the Village Board to approve the Resolution and to make Oak Park's voice heard, as 230 other municipalities have.

Benjamin Iglar-Mobley, 641 S. Scoville Avenue, indicated that he was representing the Oak Park Coalition for Truth and Justice and that he was going to present the Board with signed petitions urging the Village Board to pass a

Resolution opposing the Patriot Act. He said that 742 signatures were collected. Although in the past the group has presented petitions with more signatures, they believe these petitions indicate a show of community support. The process was slower in that the group chose to educate people about the Patriot Act and the implications for civil rights and civil liberties. Very few people approached indicated that they were in favor of the Act. He urged the Village Board to approve adoption of the Resolution.

Jean Peterman, 747 S. Cuyler Avenue, indicated that she was speaking on behalf of West Suburban NOW (National Organization for Women), which is the largest feminist organization in the United States. Membership is diverse by "race, ethnicity, sexual orientation, age, physical ability and, yes, gender" and the West Suburban Chapter of the organization is concerned with a wide range of human rights and welfare issues, including invasion of privacy and the seizure of records with little oversight. Additionally there is concern regarding basic rights being denied to targeted individuals, about suppression of dissenting opinions and about religious and ethnic profiling. The Patriot Act and "related government policies" have been addressed in workshops, on the website and in newsletter articles. The organization urges passage of the Resolution.

Village Manager Swenson commented that the Board and the Community Relations Commission should be given credit for their hard work. Trustee Gockel noted that the initial draft was crafted by the Village Attorney and that it came to the Board as a result of staff and Commission review and effort.

Although he wishes that the Resolution directed the Police Department and others not to "follow any aspect of the Patriot Act," Trustee Milstein noted that he thinks it is a good resolution. He indicated, however, that he would like to see a revision to Section 5, eliminating the words "or revise." The mover and seconder agreed with the amendment.

President Pro Tem Kostopulos indicated that while he does not agree with the restrictions of the Patriot Act and thinks that it is a threat to citizens' liberties, he said that it is Congress "that is charged with looking [out] for our protection and welfare." He has confidence in our judicial system and feels "it's up to them to see how it turns out."

The roll call on the vote was as follows:

AYES: Trustees Carpenter, Gockel, Johnson, Milstein and Pope

NAYS: President Pro Tem Kostopulos

The motion was adopted.

Trustee Pope stated that he wanted to note that the Oak Park Coalition for

Truth and Justice was instrumental in focusing attention on this issue early on. He thanked the group for its efforts and noted that the Board appreciates the work of many citizen-led groups in the community.

Liquor Control Review Board Recommendations

Before introducing this item, Village Manager Swenson announced that the item regarding placement of the cell tower was removed from the Agenda and will be rescheduled.

B. Ordinances Amending Chapter 3 of the Village Code Creating New Class B-2 and Class C-2 Liquor Licenses

LIQUOR
LICENSES
APPROVED FOR
THREE
BUSINESSES

1. An Ordinance Amending Chapter 3 of the Code of the Village of Oak Park – Creation of a Restaurant Class B-2 Liquor License (Beer & Wine) for New Pot Rice & Noodles, Inc. at 727 Lake Street

2. An Ordinance Amending Chapter 3 of the Code of the Village of Oak Park – Creation of a Restaurant Class B-2 Liquor License (Beer & Wine) for Sagano Sushi, 731 Lake Street

3. An Ordinance Amending Chapter 3 of the Code of the Village of Oak Park – Creation of a Class C-2 Package Wine and Beer Liquor License for Oak Park Food Market, 133 S. Oak Park Avenue

Liquor Control Review Board Chair John Martin was present to answer questions.

Trustee Carpenter asked who provides the Bassett training. Mr. Martin said that while he does not know who provides it, he understands that it is State sponsored and it is a requirement for obtaining a license. The applicant must indicate on the license application that the training program has been completed. He believes provision of a certificate is also part of the application.

Trustee Carpenter noted that the Minutes indicate that there was a request for cancellation of a liquor license on North Avenue; she said that she didn't know that licenses are ever cancelled. Mr. Martin explained that Michael's Beef House requested withdrawal of its license. Village Clerk Sokol explained further that this occurs occasionally and since a license is created by ordinance, it must be withdrawn by ordinance.

Mr. Martin indicated that the application for Sagano Sushi Restaurant indicated the intent to serve Saki, which is rice wine. The LCRB considers rice wine as wine and had no concerns about approving the application.

Trustee Pope commented that New Pot offers some wonderful food.

Trustee Johnson said that he wanted to clarify that for both New Pot and Sagano Sushi, there is table service only—not bar service. Mr. Martin agreed. Trustee Johnson, referring to the Minutes of the LCRB, noted that there were some concerns about "precedent" in connection with a license for the Oak Park Food Market. Mr. Martin said that this is a "smaller" business and there was a long discussion in connection with this application for a Package Liquor License. A hearing was held, with notice being sent to everyone within 500 feet of the business. There was no community opposition to the issuance of this license. In the end, the LCRB members did not feel much concern about the precedent this license is setting for several reasons: the business has been in the community for a long time, it is located in an area where its neighbors are other commercial food establishments and there were no objections presented.

Trustee Pope asked what steps the LCRB would take if it were determined that the issuance of this license was having a negative effect on the community and needed to be withdrawn. Mr. Martin responded that the Liquor Commission has some questions about the C-2 license generally. If the issuance of the license for the Oak Park Food Market proved to be a negative experience, that part of the ordinance might need to be examined. Licenses come up for review and renewal on an annual basis. If this license were having a deleterious effect, the issue would be raised at the time of renewal. The Commission does not have any reason to believe there will be a problem; the applicant made every effort to be cooperative and to address the concerns of the LCRB.

Trustee Gockel commented that, speaking of precedents, since the Village issued a license to Dominick's, it would be difficult to deny a license to a smaller grocery store. Mr. Martin agreed. Dominick's has a C-1 license and in the case of Dominicks, the LCRB had a lot of guidance with regard to what should be considered.

Assistant Village Attorney Jack Tibbetts explained that a liquor license is unlike any other type of license—it is unique and is highly regulated under federal, state and municipal law. Unless the ordinance specifically or "absolutely" allows a business to have a particular license, the business does not have a "right" to a liquor license.

Trustee Johnson said he was reminded of the fact that when Dominick's C-1 license was approved, signage was to be placed at each register "spelling out the minimum age requirement." He said that he'd been at Dominick's the previous weekend, the signage was not posted. Village Clerk Sokol said that Dominick's received a copy of the ordinance and the necessary signage. Ms. Sokol and Mr. Swenson said that the Village will follow up on this issue.

It was moved by Trustee Carpenter, seconded by Trustee Milstein, that Ordinance 2004-O-01 entitled **AN ORDINANCE AMENDING CHAPTER 3**

OF THE CODE OF THE VILLAGE OF OAK PARK, Ordinance 2004-O-02 entitled **AN ORDINANCE AMENDING CHAPTER 3 OF THE CODE OF THE VILLAGE OF OAK PARK** and Ordinance 2004-O-03 entitled **AN ORDINANCE AMENDING CHAPTER 3 OF THE CODE OF THE VILLAGE OF OAK PARK** be adopted as submitted, true and correct copies of said Ordinances herewith being ordered filed in the Office of the Village Clerk.

The roll call on the vote was as follows:

AYES: Trustees Carpenter, Gockel, Johnson, Milstein and Pope and President Pro Tem Kostopulos

NAYS: None

The motion was unanimously adopted.

Housing Programs Advisory Committee Recommendations

C. Resolutions Authorizing Security Improvement Grant and Marketing Services Agreements

1. Resolution Authorizing a Security Improvement Grant: SIG-183

2. Resolution Authorizing Execution of Marketing Services Agreement MSA-0401-B with Grant

3. Resolution Authorizing Execution of Marketing Services Agreement MSA-0402-A with Grant

SECURITY IMPROVEMENT GRANT SIG-183, MARKETING SERVICES AGREEMENT MSA-0401-B, and MARKETING SERVICES AGREEMENT MSA-0402-A APPROVED

It was moved by Trustee Carpenter, seconded by Trustee Johnson, that Resolution 2004-O-02 entitled **RESOLUTION AUTHORIZING A SECURITY IMPROVEMENT GRANT – SIG-183**, Resolution 2004-O-03 entitled **RESOLUTION AUTHORIZING EXECUTION OF MARKETING SERVICES AGREEMENT – MSA0401-B** and Resolution 2004-O-04 entitled **RESOLUTION AUTHORIZING EXECUTION OF MARKETING SERVICES AGREEMENT – MSA0402-A** be adopted as submitted, true and correct copies of said Resolutions herewith being ordered filed in the Office of the Village Clerk.

The roll call on the vote was as follows:

AYES: Trustees Carpenter, Gockel, Johnson, Milstein and Pope and President Pro Tem Kostopulos

NAYS: None

The motion was unanimously adopted.

Parking and Traffic Commission Recommendations

Village Manager Swenson introduced the item, indicating that 11 recommendations were coming from the Parking and Traffic Commission after extensive discussions with residents of the Santa Maria condominium building in an effort to improve parking around the building.

Mr. Swenson indicated that Parking and Traffic Commission Chair Tom Murtha and Mike Koperniak of the Engineering Division were present. Mr. Murtha said the issue was brought to the Parking and Traffic Commission at the December meeting as staff had been working with the Condominium Association regarding daytime parking issues in the area of the building. Night time permits are available in that area, but current daytime restrictions designed to prevent parking by commuters, negatively impact the residents of the building. The Condominium Association suggested a number of changes in the regulations that would allow all-day parking for building residents and other users of the area. Staff brought these recommendations forward to the Commission, with the support of building residents and some residents of neighboring multi-unit buildings. Because there was extensive positive testimony and positive experience with similar restrictions "being lifted and passed" in the Downtown Oak Park area, the Commission voted to forward the recommendations to the Village Board for approval.

PARKING
RESTRICTION
RECOMMENDA-
TIONS FOR 200
AND 300 BLOCKS
OF NORTH OAK
PARK AVENUE,
THE 700 BLOCK
OF ONTARIO
STREET AND
THE 700 AND 800
BLOCKS OF ERIE
STREET
APPROVED

Katherine Susmilch, 214 N. Oak Park Avenue, #3BB, indicated that she is President of the Santa Maria Condo Association. The building has 112 units and is located on Oak Park Avenue, two block north of Lake Street. Before buying her unit two years ago, she checked to be sure overnight parking would be available, but she didn't think to look at daytime parking restrictions and she did not know that she would not be able to park her car in that area during the daytime. The building is three blocks from the Green Line stop. She learned that at 6:00 A.M., she had to move her car to the other side of Euclid for the day and then upon returning from work, move the car back to the nighttime area. When changes were made in connection with Oak Park-River Forest High School, she lost the opportunity to park on Euclid during the day. Other residents who work swing shifts, or who stay home with a child have other problems. One resident drives to work four blocks away because she doesn't have a place to park during the daytime.

In trying to figure out how the situation might be rectified, building residents approached Village staff who suggested that the residents be surveyed. Fifty-five percent of the residents responded to a four-page survey. After looking at other areas in Oak Park with similar situations and trying to find out what solutions worked for people in those areas, it was determined that help would come from the lifting of the daytime restrictions. The recommendations before

the Board propose lifting the two-hour restrictions, which they believe will aid residents and shoppers, alike.

Justin Lewis, 222 N. Oak Park Avenue, 1-R, said that there are 112 units in the building and 112 owners. His tax bill was over \$3,000 and he's estimating that the residents in the building pay over \$300,000 a year in taxes. While they believe that they receive great services from the Village in most areas, they want to be able to park their cars on the street in the daytime. He asked that the Board please approve the recommendations.

Village Manager Swenson proceeded to read the recommendations.

- D. Recommendations to Change Parking Restrictions on the 200 and 300 Blocks of North Oak Park Avenue, the 700 Block of Ontario Street and the 700 and 800 Blocks of Erie Street
1. Motion to remove the 2 Hour Parking 10AM – 5PM, Monday – Friday restriction on the 200 block of North Oak Park Avenue between Ontario and Erie Streets.
 2. Motion to remove the 2 Hour Parking 9AM – 5PM, Monday – Friday and the 2 Hour Parking 10AM – 5PM, Monday – Friday restrictions on the 700 block of Ontario Street between Euclid and Oak Park Avenues.
 3. Motion to remove the No Parking 8AM – 10AM, Monday – Friday restriction on the north side of the 700 block of Erie Street between Euclid Avenue and the alley to the west.
 4. Motion to remove the OPRF High School Staff permit parking restriction on the south side of the 700 block of Erie Street between Euclid Avenue and the alley to the west.
 5. Motion to remove the No Parking 1PM – 3PM, Monday – Friday restriction on both sides of the 700 block of Erie Street between Oak Park Avenue and the alley to the east.
 6. Motion to remove the No Parking 8AM – 10AM, Monday – Friday restriction on the south side of the 800 block of Erie Street between Oak Park and Grove Avenues.
 7. Motion to replace the No Parking 8AM – 10AM, Tuesday or Wednesday restrictions (for street cleaning) with No Parking 10AM – 12PM, Tuesday or Wednesday restrictions on the 200 and 300 blocks of North Oak Park Avenue between Ontario and Superior Streets for street cleaning purposes.
 8. Motion to replace the No Parking 8AM – 10AM, Tuesday or Wednesday

restrictions (for street cleaning) with No Parking 10AM – 12PM, Tuesday or Wednesday restrictions on the 700 block of Ontario Street between Euclid and Oak Park Avenues for street cleaning purposes.

9. Motion to Install a No Parking 10AM – 12PM, Tuesday or Wednesday restriction on the 700 block of Erie Street between Euclid and Oak Park Avenues for street cleaning purposes.

10. Motion to install a No Parking 10AM – 12PM, Wednesday restriction on the south side of 800 block of Erie Street between Oak Park and Grove Avenues.

11. All other parking restrictions on the 200 and 300 blocks of North Oak Park Avenue, the 700 block of Ontario Street, the 700 block of Erie Street and the 800 block of Erie Street between Oak Park and Grove Avenues not specifically mentioned in recommendations 1 through 10 above will remain unchanged.

Trustee Johnson noted that this is an issue in other parts of the Village, as well; and he asked if this situation is being considered from a "more holistic approach." Village Manager Swenson responded, "Yes." He continued that the Board talked about parking restrictions in multi-family areas during a study session about two months ago. The restrictions have been put in place for various purposes and sometimes are layered on top of each other. Sometimes the restrictions create situations where residents have a hard time finding parking in the area of their residences. It is anticipated that the Board will have before them in the next few weeks suggestions for broad changes that will alleviate parking issues in a variety of places throughout the Village.

Trustee Johnson is pleased that six of the 11 recommendations are concerned with removing signs completely. He is supportive of the recommendations. Trustee Kostopulos asked about accommodations for guest parking. Mr. Koperniak said that guests who find an available space will be able to park just as anyone else can. At night they will have to go through the Village process of obtaining a "guest permit pass."

Trustee Pope said that he will support the recommendations but has concerns about how this fits into the broader context as the Board looks at parking in general throughout the Village. He looks forward to discussing what it is that the Village is trying to achieve with regard to parking. It is interesting to him that the changes made just a few months ago concerning parking requirements around the High School have had an "unintended negative effect" on the Santa Maria residents. He looks forward to the Board's being able to make decisions with a broader understanding of what parking needs exist in the community.

Village Manager Swenson interjected that there might be two different discussions. The ordinance and restriction changes mentioned by Trustee Johnson were scheduled to come out of the study session held earlier. The regional approach Trustee Pope spoke about was begun in this area of the Village and merits time at a study session to determine how it might be used in other parts of the Village. There are competing demands for parking throughout the Village.

Trustee Pope stated that a second issue is "a kind of de facto sense of ownership of a parking space on the street," the implications of which he thinks need to be considered as the Board looks at other interests in the Village. He said, "For example, the interest of preserving rental housing in the community juxtaposed against the interest of converting some rental units into condominium units and what effects or what impacts are we likely to have with some of the decisions that we make here."

Mr. Murtha said that the Parking and Traffic Commission adopted the policy adopted by the Village Board that parking should be shared, linked with the questions of what needs must be met and how.

Trustee Carpenter commented that she's worked in the multi-family "arena" for a long time and parking is a scarce commodity. She believes the Board must look continually at how parking resources can be shared. The residents of the Santa Maria building have struggled with the parking situation since before the conversion to condominiums. That is an extremely dense area with other multi-family buildings, the Write Inn, the High School and the business district. She said that with the conversion to condominiums, she thinks the Board must be aware that "home ownership has more of an entitlement kind of feeling" than does the renter's need for parking. She has argued against that thought for years, saying that tenants are citizens, too and their parking needs are real. There are many layers of situations that revolve around parking. Trustee Carpenter asks that staff review the parking situation in this area in one year. She thinks that as human nature asserts itself, problems may arise—commuters may park in those spaces or people will discover their friends and guests can park there overnight. She asked that there be an evaluation in one year to determine if changes need to be made and she added that residents of multi-family buildings need to be contacted when parking changes are being contemplated.

Trustee Gockel noted that anyone finding a space and wanting to go to the Library all day or wishing to have a very long lunch will be able to park in front of the Santa Maria. He suggested that it may turn out that the residents of the Santa Maria may not be able to park there because other people are using the spaces. Mr. Murtha responded, "On the other hand, they are not leaving." They can't park there now and if they cannot park there in the future, he asked, "Where is the harm?" Trustee Gockel commented that it is really a matter of

"first come, first served. . . ." Mr. Murtha said this has been done in other parts of the Village on a smaller scale and overall, the response has been positive.

President Pro Tem Kostopulos said that as Chair of the Parking Committee, he thinks the Village has come a long way. Staff and the Parking and Traffic Commission have done a fine job of making the Board aware of problems with the old parking regulations. The real challenge is finding additional parking spaces and he said that he would encourage development of parking in the basement of the large apartment buildings, or condominium buildings. He thinks the Santa Maria would be a perfect site for such development. Village Manager Swenson acknowledged that Mr. Kostopulos has been consistent in suggesting such a solution and he said that creating more of a supply is an important way of addressing the problem.

Trustee Pope indicated that he thinks Trustee Carpenter's suggestion that a review should be conducted in one year is helpful. Concerning Trustee Gockel's comments about people going to the Library or to a restaurant parking in the area all day, Trustee Pope's concern is that the people who want to go to the Library or to the Write Inn will not find a space. It may be that people who have permitted locations in the evening will not move their cars during the day, except when they are required to move for street cleaning purposes. Having parking during the day may encourage residents of the building to take the El, rather than driving to work; but such a choice may impact parking availability in other ways. Conducting a review after one year is a positive suggestion.

President Pro Tem Kostopulos noted that the Library now has its own garage. Additionally, the Avenue Garage and the High School garage provide spaces that help to alleviate parking problems in the area.

It was moved by Trustee Milstein, seconded by Trustee Johnson, TO APPROVE ALL OF THE RECOMMENDATIONS OF THE PARKING AND TRAFFIC COMMISSION TO CHANGE PARKING RESTRICTIONS ON THE 200 AND 300 BLOCKS OF NORTH OAK PARK AVENUE, THE 700 BLOCK OF ONTARIO STREET AND THE 700 AND 800 BLOCKS OF ERIE STREET AS SET FORTH ABOVE, WITH STAFF REVIEW IN ONE YEAR.

The roll call on the vote was as follows:

AYES: Trustees Carpenter, Gockel, Johnson, Milstein and Pope and President Pro Tem Kostopulos

NAYS: None

The motion was unanimously adopted.

NON-AGENDA PUBLIC COMMENT

NON-AGENDA
PUBLIC
COMMENT

President Pro Tem Kostopulos asked those who wished to speak to limit their comments to three minutes.

George Lazewski, 1014 S. Wesley, spoke on behalf of disabled firefighter Greg Mortlock, who was with the Fire Department for 25 years. Mr. Lazewski said that Mr. Mortlock was on a fire call, became injured and was found by the Fire Pension Board to be permanently disabled. Mr. Mortlock has been paying full hospitalization which, Mr. Lazewski said should be paid by the Village, according to the State Supreme Court. He said that the Village has not responded to letters from the attorney who was hired to handle this matter. As a result, Mr. Mortlock has filed a lawsuit in an attempt to resolve the issue. Mr. Lazewski said he thinks this situation could have been resolved without having to go to court.

President Pro Tem Kostopulos asked Village Manager Swenson to provide the Board with information regarding this matter.

Patricia Spagat and David Spagat, 945 N. Elmwood Avenue. Ms. Spagat stated that with regard to a new animal control and adoption center, the question should be, "What is best for the animals?" She believes that Oak Park needs its own facility and should not "team up" with another community. That approach has been taken before without success. Community input will generate possibilities. A board of experts should be created to guide operations. Professional help is available through the Humane Society of Illinois and other agencies, at little or no cost. The new center should be in Oak Park and can be a show place. She said that she was informed that Oak Park has been ruled out as a site for the facility and that the search for a local site has been discontinued. She asked who made that decision.

Mr. Spagat said that President Trapani appointed Trustees Kostopulos and Johnson to look at the animal control and adoption center issues. He said that it was suggested that the Trustees name two to four interested residents to serve on a committee with them to "pick out a site within the Village for a shelter." This should occur within 15 to 30 days. With caring people working on the issue, it will be possible to bring closure to the matter at a reasonable cost to the Village.

Trustee Milstein asked Village Manager Swenson if the search for a site in the Village is continuing. Mr. Swenson said that during the last discussion on the topic, Board members indicated that they were interested in having the search for a site in the Village continue and in having the possibility of a partnership explored. Sites in Oak Park have not been ruled out. He said that the Board will make the decision as to the location, the level of funding and

whether or not there will be partnerships with other communities. Those decisions are within the control of the Village Board. President Pro Tem Kostopulos said that he and Trustee Johnson met with staff to provide some direction and he believes there will be a study session on this issue on January 26th.

Gloria Ryan, 408 South Grove Avenue, advised the Board to "start small" with regard to the animal shelter, noting that "any organization that wants to be successful starts small and handles only what it can handle. . . ." She thinks it would not be a good idea to establish a joint venture. She asked what the strategy is for developing an animal shelter and asked who is setting the goals. She suggested that there is "no vision or planning." President Pro Tem Kostopulos assured her that she will "find a complete change here in the next couple of weeks."

Kenneth Carr, 510 S. Ridgeland, indicated that he wanted to address traffic safety with regard to the CVS that is located right next to his building. He stated that there have been a number of accidents involving cars turning into CVS from Ridgeland and he is concerned about the proximity of the accidents to his property. He wondered if there have been any traffic studies in that area and how safety can be improved. Village Manager Swenson said that he will look into the issue and report to the Board. He also asked Mr. Carr to provide Deputy Village Manager Ray Wiggins with information as to how he can be contacted.

Sheila Haennicke, 829 S. Grove Avenue, said that she has been in touch with Jill Juliano of the Engineering Division regarding more traffic control for the corner of Van Buren and Grove. Van Buren jogs at Grove and there is a cul-de-sac at the end of the block. Children love to play there. She said that it is a strange block, however. There is no alley; so driveways and garages are in the front. The house numbers are unusual, too—one side of the street is 700, while the other side is 800. Because they are near businesses, there are a lot of parked cars. The Village provided "No Parking" signs around the intersection, which are very helpful because people had been parking right up to the sidewalk, making it difficult to see children or pedestrians. Ms. Haennicke had been told that a recommendation might come to the Board at this meeting to put east-west yield signs on Van Buren. When she saw that the item wasn't on the agenda, she decided to stay at the meeting in order to make the Board aware of the issue. While the neighbors will be happy with yield signs, they would prefer stop signs. She said that the Board will see the neighborhood petition and, hopefully, there will be a motion in the future.

President Pro Tem Kostopulos asked Mr. Swenson if he knew whether or not the item was scheduled for a future meeting. Mr. Swenson said he thought that it is. He will check and will make sure that Ms. Haennicke is made aware of the correct meeting date.

Daniel Fore, P. O. Box 1104, read from a number of documents regarding the application of the YMCA to the Zoning Board for the establishment of off-street parking and the Village's responses indicating that the project, as designed, does not comply with building codes. A letter from Stephen Witt, Assistant Director of Building and Property Standards, said that the existing diagonal parking spaces on the west side of the building are non conforming. Mr. Fore said that these non conforming spaces were created without the benefit of a permit. Additionally, Mr. Fore stated that while the YMCA asserted that traffic generated in connection with the YMCA does not cause significant congestion on the public way, the Village's study does not agree.

Trustee Milstein said that he would like to have copies of the letters and President Pro Tem Kostopulos asked that Mr. Swenson provide a follow-up to the Board on these issues.

Consent Agenda

CONSENT
AGENDA

President Pro Tem Kostopulos asked Village Manager Swenson to take the Board through the Consent Agenda.

- F. Resolution Authorizing Execution of a Successor Collective Bargaining Agreement Between the Village of Oak Park and the Chicago Plumbers Local 130, July 1, 2003 through June 30, 2006

AMENDMENTS
TO THE
CHICAGO
PLUMBERS'
UNION LOCAL
130 COLLECTIVE
BARGAINING
AGREEMENT

Mr. Swenson explained that this contract covers employees in the Public Works Department who work on the Village's water and sewer distribution system.

Resolution 2004-R-05 entitled **RESOLUTION AUTHORIZING EXECUTION OF AMENDMENTS TO THE CHICAGO PLUMBERS' UNION LOCAL 130 COLLECTIVE BARGAINING AGREEMENT** was submitted for adoption.

- G. Resolution Authorizing Acceptance of B.A.D.G.E. Grant Funds

ACCEPTANCE
OF B.A.D.G.E.
GRANT FUNDS

Mr. Swenson explained that this is a grant program of Cook County that provides funding for gang and drug resistance and adolescent health and well-being programs. The Village has received funding in the past and is fortunate to be a recipient of funds again. The grant is for approximately \$52,000. Deputy Chief Toll was present to answer questions.

Trustee Johnson noted that there is a wide range of participation in the programs, with some programs having 80 participants, while another had 20 youths participating. He asked if the low participation was due to lower funding for the program or lack of interest, or both. Deputy Chief Toll said that they've tried to keep the funding the same for each program. The F.R.E.E. Program was

a new program for female students at the High School last year. It started out with four or five participants and increased to 19. The Neutral Ground program is the same kind of program for male students. Trustee Johnson suggested that perhaps more aggressive outreach is needed to encourage youths to participate in the available programs. He wondered whether it might be valuable to have Mr. Swenson contact District 97 and 200 Board Presidents about the programs available. Mr. Swenson responded that he meets regularly with both superintendents and that he will bring the topic up to them.

Resolution 2004-R-06 entitled **RESOLUTION AUTHORIZING ACCEPTANCE OF B.A.D.G.E. GRANT** was submitted for adoption.

H. Ordinance Authorizing Disposition of Surplus Fire Hose

DISPOSITION OF
SURPLUS FIRE
HOSE

Ordinance 2004-0-04 entitled **ORDINANCE AUTHORIZING THE DISPOSAL OF SURPLUS FIRE DEPARTMENT PERSONAL PROPERTY TO THE STICKNEY, ILLINOIS FIRE DEPARTMENT** was submitted for adoption.

I. Ordinance Authorizing the Disposition of Surplus Equipment on an "As Is" Basis Utilizing the Services of B&P Apparatus, Inc.

DISPOSITION OF
SURPLUS
SPARTAN/
DARLEY
PUMPER

Mr. Swenson explained that the Spartan/Darley pumper was replaced with a new piece of equipment. At that time, the pumper was declared surplus equipment and the Village Board authorized the sale of the vehicle for a minimum price of \$80,000 utilizing the services of B&P Apparatus, Inc. However, there was never a successful sale of the fire truck. The Board is being asked to authorize a potential minimum sale price of \$50,000 and the use of the services described in the material provided.

Trustee Pope asked if the ten percent commission rate that B&P will charge is standard for this kind of sale. Deputy Fire Chief Mark Puknaitis said that the Training Division has done a lot of research on this issue to determine what other communities do. He said, "This is really the normal course of operations."

Ordinance 2004-0-05 entitled **ORDINANCE AUTHORIZING THE DISPOSITION OF SURPLUS EQUIPMENT ON AN "AS IS" BASIS UTILIZING THE SERVICES OF B&P APPARATUS, INC.** was submitted for adoption.

J. Resolution Authorizing Execution of Subordination of Lien: CDS-431

SUBORDINA-
TION OF LIEN:
CDS-431

Resolution 2004-R-07 entitled **RESOLUTION AUTHORIZING EXECUTION OF SUBORDINATION OF LIEN – CDS-431** was submitted for adoption.

- K. Resolution Authorizing the Extension of a Contract with O'Wallace Landscaping, Inc. for Stump Removal and Restoration Services in 2004

EXTENSION OF
CONTRACT WITH
O'WALLACE
LANDSCAPING,
INC.

Trustee Johnson asked if the Village has considered working with other communities on this kind of an item. He thinks that a joint purchase of some kind with neighboring communities for stump removal could potentially save the Village money. Village Manager Swenson said that to his knowledge, this has not been done. Village Forester Jim Semelka asked if Trustee Johnson was talking about a joint equipment purchase or a joint contract. Mr. Johnson indicated that he was talking about a joint contract for stump removal. Mr. Semelka responded that he has not looked into a multi-municipality contract, although he could do so. The stump contractor is used for stump removal and also sometimes for tree planting. He added that the work tends to be seasonal. River Forest has its own equipment for stump removal; so that work is done in-house. He said that he can look into a multi-community contract which would require finding a contractor who has the capacity to work with multiple municipalities.

Resolution 2004-R-08 entitled **RESOLUTION AUTHORIZING THE EXTENSION OF A CONTRACT WITH O'WALLACE LANDSCAPING, INC. FOR STUMP REMOVAL AND RESTORATION SERVICES IN 2004** was submitted for adoption.

- N. Resolution Authorizing the Purchase of One (1) 2004 Elgin Pelican Street Sweeper from Standard Equipment Company of Chicago, Illinois

PURCHASE OF
STREET
SWEEPER

Resolution 2004-R-09 entitled **RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) 2004 ELGIN PELICAN STREET SWEEPER TRUCK AND THE TRADE-IN OF ONE (1) 1996 ELGIN SWEEPER FROM STANDARD EQUIPMENT COMPANY IN CHICAGO, ILLINOIS** was submitted for adoption.

- O. Motion to Approve a Fence Height Variation and Zero Percent Openings in the Fence Along the Front Yard of the Property at 814 Chicago Avenue

FENCE HEIGHT
VARIATION AT
814 CHICAGO
AVENUE

Trustee Gockel asked if the fence is running north-south along the west edge of the property. Mr. Stephen Witt indicated that is correct.

MOTION TO APPROVE A FENCE HEIGHT VARIATION AND ZERO PERCENT OPENINGS IN THE FENCE ALONG THE FRONT YARD OF THE PROPERTY AT 814 CHICAGO AVENUE was submitted for adoption.

- Q. Resolution Authorizing Purchase of a Type III Ford E450 Custom Series Ambulance from Wheeled Coach

PURCHASE OF
AMBULANCE

Resolution 2004-R-10 entitled **RESOLUTION AUTHORIZING THE**

PURCHASE OF A TYPE THREE FORD E-450 CUSTOM SERIES AMBULANCE FROM WHEELED COACH INDUSTRIES was submitted for adoption.

Approval of Consent Agenda

APPROVAL OF
CONSENT
AGENDA

It was moved by Trustee Carpenter, seconded by Trustee Johnson, to approve the items under the Consent Agenda. True and correct copies of the Ordinances and Resolutions are to be filed in the Office of the Village Clerk.

The roll call on the vote was as follows:

AYES: Trustees Carpenter, Johnson, Milstein and Pope and President Pro Tem Kostopulos

NAYS: None

The motion was unanimously adopted.

Village Manager Reports

P. Reports

1. Village Board Calendars for January and February, 2004

VILLAGE
MANAGER
REPORTS

A lengthy discussion followed concerning meeting dates. Trustee Johnson noted that the tentative January 15 study session is scheduled for 8 p.m. The topic is economic development, with public comment on three upcoming developments: the north side of Lake Street, South Boulevard and Harlem and the RFQ for Downtown Oak Park. He thinks that is a lot to tackle in one session. Additionally, he thought the north side of Lake Street development was to be a dialog session with the community—not a work session. Mr. Swenson said that staff listed the meeting as a study session, but the Board can decide the format for the meeting. If a dialog session is desired, the calendar notation can be changed. He explained that President Trapani suggested the 8:00 start time so that interested persons could attend both the UIC meeting and the Board session. Mr. Swenson's understanding was that the Board wanted to have an open discussion with interested citizens on the three topics as soon as possible in January. Direction to staff was to poll the Board regarding available dates for this meeting, a Barrie Park meeting and a meeting with School District 97. January 13 is the night that works for the District 97 Board.

CALENDARS

Trustee Pope agreed that the Board is interested in a dialog session with residents on the topics listed for January 15, rather than a study session. He also agreed with Trustee Johnson that trying to handle all three development items in one night might not be productive. He suggested that the conversation

regarding the RFQ for Downtown Oak Park might be more involved and thinks it might be good to find another date to address that item. Mr. Swenson indicated that staff can poll the Board on availability of other nights for January or early February.

Trustee Johnson noted that the Board is very mindful that January 31st is the date targeted by the utility for moving people back into their homes. There has been conversation among Board members about meeting earlier than the tentatively scheduled January 22nd date to talk about open issues relating to Barrie Park. Additionally, there needs to be a firm deadline to finalize questions about reinvestment, grant programs, low interest loans and buyouts. Perhaps a dialog could occur on January 22 regarding open residential remediation questions and a meeting can be scheduled for the 29th to discuss the reinvestment issues. The draft Barrie Park reinvestment proposal should be released so that residents have an opportunity to review it and be able to comment on it on the 29th. The release of the proposal might occur in conjunction with Minutes from the most recent discussions on Barrie Park, since the draft "doesn't necessarily reflect the most recent conversations" with regard to loans, grants and buyouts. He would like to know if residential remediation agreements have been signed. He thinks the Board needs to know where residents are and how the Village can assist, if necessary.

Trustee Milstein received a call from a resident who indicated that a letter was received saying that the money for relocation would soon end. Mr. Milstein would like to know if other residents are receiving letters to that effect. He is getting a copy of the letter and will see that other Board members receive a copy.

Trustee Milstein said that while the joint meeting with the School District is very important, he thinks the Barrie Park meeting needs to be moved up to the 2nd week in January. He suggested that a Barrie Park discussion occur on the 13th, noting that residents of the Barrie Park area are feeling great anxiety, and that the joint meeting be shifted to another slot. He does not think that waiting until the 29th to have a meeting, when people are being told they must move back into their homes on the 30th is a good plan.

Trustee Carpenter noted that it is hard to get the School District Boards and the Village Board together; she would like to maintain the schedule for the 13th. She suggested that the citizen dialog on Barrie Park be scheduled for the 14th, with the 22nd being the date for final discussion regarding compensation. If necessary, a third meeting on Barrie Park could be scheduled for the last week of January. Village Manager Swenson asked for confirmation of his understanding that the residential remediation discussion with citizens should be moved to the 14th and that the finalizing of the economic considerations will occur on the 22nd. Trustee Carpenter confirmed that those dates are what she was proposing.

Trustee Gockel said that he would support "almost anything to dislodge us

and get us moving" and noted that the Board needs to commit to doing a lot of work over the next three months. That might mean scheduling things at an "accelerated pace." He indicated that he would not be adverse to meeting on Saturday afternoons. With regard to scheduled meetings, Mr. Gockel said the Board must be very clear about the purpose of the meeting, when it will occur, what the format will be and what outcome is anticipated or hoped for. Trustee Carpenter indicated that Saturday is a work day for her and that she cannot be available for Saturday meetings. President Pro Tem Kostopulos said that he does not mind meetings but that he has a full time private practice and must devote some time to his work. He did not take on being a Village Trustee as a full time job. His time is valuable and he assumes the time of the rest of the Board is valuable, too. He suggested that too much time is wasted talking about things, without coming to any conclusion or making a decision. He is concerned that the Board will not achieve anything but simply talk.

Trustee Carpenter asked if it would be possible to have a discussion and citizen input regarding the RFQ for Downtown Oak Park during the first week of February. She noted that while there is some urgency in connection with this item, it is probably not as great as with the Barrie Park and School District issues. President Pro Tem Kostopulos said that all of the issues are important and that is why he thinks it is important to meet, spend time in discussion and then make a decision so that the same issues are not brought back, along with others, in February and March.

Trustee Milstein said that he is hearing Trustees say that definitive decisions must be made. He said that he thinks it is important to differentiate between matters of "urgency" and matters of "importance." He thinks the matter of top priority and of urgency in the Village is that of Barrie Park. Mr. Milstein suggested that the items scheduled for January 12, while important, could be pushed back so that a meeting about Barrie Park could occur on that date. President Pro Tem Kostopulos said that he is willing to devote whatever time is necessary to come to consensus. He does not want issues to drag on; he wants to see decisions made. Trustee Pope indicated he thinks scheduling the Barrie Park discussion for the 12th would be fine, but he was concerned about "Notice" issues. Village Clerk Sokol noted that representatives of the newspaper were present and that "Notice" is not an issue. Mr. Swenson said that Deputy Village Manager Lisa Shelley has e-mail addresses and phone numbers of most of the affected/interested persons and that people can be notified quickly.

Mr. Swenson noted that meeting every night during the week of the 12th might be difficult. He suggested having the Barrie Park meeting on the 12th, leaving the 14th open and then holding a study session on Boards and Commissions either the week of the 19th or the 26th. President Pro Tem indicated that he thinks that is a good plan. Trustee Pope agreed. He indicated that he wanted to revisit the idea of having an open dialog with citizens as a full Board. He originally thought the 5th Monday might be a good time, but in looking at the

schedule of assignments and responsibilities that Board members have, it appears that on a quarterly basis, the 4th Wednesday of the month might work for such purpose. He asked that the Board hold the date of Wednesday, January 28, as an opportunity for dialog with the community on issues of concern. Envisioned is an opportunity for "meaningful, two-way dialog which can help to provide answers and, perhaps, a more fulfilling understanding on the part of citizens."

Trustee Carpenter asked about the plan for discussion of the Downtown Oak Park RFQ. Mr. Swenson said a date would have to be determined for the week of the 20th or the week of the 26th. Trustee Pope said that if the RFQ discussion is to be pushed back, the Board may want to extend the date for when people can provide written comments back to the Board. Village Manager Swenson said that staff will try to get a revised calendar to the Board on Tuesday.

Trustee Johnson said that with regard to format and structure, he will be glad to suggest ideas regarding how the meeting might be held. Trustee Pope asked that he draft something and get copies to the Board members. President Pro Tem Kostopulos agreed.

2. Neighborhood Intervention Overview Report

It was moved by Trustee Carpenter, seconded by Trustee Johnson, to adjourn the meeting. The motion was unanimously adopted. The meeting adjourned at 10:10 p.m.

ADJOURNMENT

SUBMITTED AND RECORDED
IN THE OFFICE OF:

By: Kathleen M. Cannon
Deputy Village Clerk