

**MINUTES OF THE REGULAR MEETING OF THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF OAK PARK
HELD ON DAY, FEBRUARY 21, 2006 AT TIME P.M.
IN THE COUNCIL CHAMBERS OF THE VILLAGE HALL**

OFFICIAL RECORD:

PRESENT: Trustees Baker, Brady, Brock, Johnson, Marsey, Milstein and President Pope

ABSENT: None

QUORUM: President Pope called the meeting to order at 7:42 PM and declared that a quorum was present.

MINUTES:

It was moved by Trustee Brock, seconded by Trustee Milstein, that the Minutes of the Regular meeting of February 6, 2006 be approved. Trustee Milstein suggested that Trustee Brady's comments on precedent during the Proclamations be included, as well as more of his own comments during the discussion of the Forestry Commission appointment. A voice vote was taken and the motion was accepted.

PROCLAMATION: COMMUNITY READING PROJECT "ONE BOOK, TWO VILLAGES" MARCH-APRIL 2006

It was moved by Trustee Brady, seconded by Trustee Milstein, to concur in the issuance of a Proclamation entitled **COMMUNITY READING PROJECT "ONE BOOK, TWO VILLAGES" MARCH-APRIL 2006.**

A voice vote was taken and the motion was unanimously adopted.

President Pope thanked Library Board President Janet Kelenson and Executive Director Ed Byers for their work to support this very important effort.

COMMENDATIONS: THREE POLICE OFFICERS AND A DISPATCH TELECOMMUNICATOR INVOLVED IN THE CAPTURE OF ESCAPEES FROM COOK COUNTY JAIL

President Pope began the commendatory proceedings by stating, "We have commendations this evening for three officers and a telecommunicator of our West Suburban Dispatch Center who were involved in the capture of inmates who had escaped from the Cook County Jail which was big news here over the course of the past week. We are incredibly fortunate to be protected and guarded by the men and women in blue who are here this evening."

REGULAR
MEETING
FEBRUARY 21,
2006

MINUTES OF
FEBRUARY 21,
2006 MEETING
APPROVED

PROCLAMATION
COMMUNITY
READING
PROJECT "ONE
BOOK, TWO
VILLAGES"
MARCH-APRIL
2006

COMMENDATIONS
FOR THREE
POLICE AND ONE
TELECOMMUNICATOR
INVOLVED IN THE
CAPTURE OF
ESCAPEES FROM
COOK COUNTY
JAIL

Police Chief Tanksley began, "Before we give out the commendations, I would like to say just one thing. After the capture of these two escaped individuals from the county jail, it was initially reported that there were four additional subjects loose in Oak Park. So at this point I would like to publicly thank the patrol and area units of the Chicago Police Department, the area unit of the Chicago Fire Department, Forest Park, U.S. Marshalls, Union Pacific Railroad Police, and the Cook County Sheriff's Police."

OFFICER DAWN
CARVER

OFFICER
ANTHONY KASS

OFFICER
ROBERT
RITCHEY

Deputy Police Chief Scianna stepped to the microphone. He called each officer forward, one by one, describing their individual courageous actions on that Sunday morning, February 12th at 6:30 AM.

TELECOMMUNICATOR
JAMES FALKMAN

Officer Dawn Carver (joined 2/04) was told of two suspicious male subjects in the area of Lake and Ridgeland who fit the description of escapees from Cook County Jail. She immediately drove to the area and exited her squad car. The subjects fled in opposite directions. Officer Carver radioed for assistance and chased one of the subjects into Ridgeland Commons where with assistance he was taken into custody.

Officer Anthony Kass (joined 4/03) responded to Officer Carver's call for assistance and immediately drove to the area of Lake and Ridgeland. Officer Kass saw Officer Carver chasing a male subject into Ridgeland Commons. He exited his squad car and joined the foot chase, assisting her in taking the subject into custody.

Officer Robert Ritchey (25 year veteran) also responded to Officer Carver's call for assistance. He immediately drove to the area of Lake and Ridgeland and saw the second male subject fleeing on foot. Officer Ritchey exited his squad car and chased the subject into an alley where he single handedly took him into custody.

Telecommunicator James Falkman (8 year veteran) was driving to his Oak Park home after having finished his 10:30 PM to 6:30 AM shift at the West Suburban Consolidated Dispatch Center. At Lake and Ridgeland he saw two suspicious subjects matching the descriptions of the subjects who had escaped earlier from Cook County Jail. He spotted Officer Carver and informed her of his suspicions. Telecommunicator Falkman remained on scene until both subjects were taken into custody.

The three officers were cited for their quick response and decisive actions which led to the capture of dangerous felons who had escaped from the maximum security section of the Cook County Jail. The commendations were awarded for courage and dedication to duty. Police Chief Tanksley commended Telecommunicator Falkman for his professionalism and his commitment to the community in which he lives and serves.

VILLAGE MANAGER REPORTS

VILLAGE
MANAGER
REPORTS

A. Reports:

1. Village Board Calendars for February & March

CALENDAR

2. Draft 2006 Legislative Agenda

DRAFT 2006
LEGISLATIVE
AGENDA

The 2006 legislative and intergovernmental agenda is intended to be used as a framework for guiding the Village’s intergovernmental and legislative advocacy efforts over the course of the year. This list of priorities is shared with each of Oak Park’s state and federal legislators.

Citizen Involvement Commission Recommendations

APPOINTMENTS

B. Appointments

Stacy Sorg, Chairperson of the Citizen Involvement Commission, introduced the topic of appointments and reviewed how volunteers can obtain applications (on the Village website or at the Village Clerk’s Office) and attend a prospects meeting (the next to be held Wednesday, April 5th). Ms. Sorg called out an “invitation to every citizen out there.” She also stressed there are “always vacancies on our Boards and Commissions.”

It was moved by Trustee Johnson, seconded by Trustee Milstein, to concur in the appointment of Mr. Charles Davis as Member of the Citizen Police Oversight Committee, with a term to expire February 21, 2009.

A voice vote was taken and the motion was adopted unanimously.

Environmental & Energy Commission Recommendation

C. Motion to Accept 2006 Environmental & Energy Citizen Advisory Commission Recommendation to Implement the I-GO Car Share Program in Oak Park

ENVIRONMENTAL
& ENERGY
COMMISSION
I-GO CAR SHARE
PROGRAM
RECOMMENDATION

This is the Environmental & Energy Citizens Advisory Commission (EEAC) recommendation to implement the I-GO Car Share program using two spaces in the Avenue Garage. This project is included in the 2006 work plan.

President Pope asked Karen Rozmus of Oak Park Village Staff to introduce this program. Ms. Rozmus reported that the EEAC reviewed the program and checked other locations where the program is in place. The Commission thought this would be a great fit in the heart of the Village at the Avenue Garage and the Avenue Business Association is in full agreement. The two I-GO parking spaces would be on the ground floor and would be unmistakable as one walked into the garage.

Richard Kosmacher, Sales and Marketing Manager with I-GO Car Share, clarified the car sharing model. It is a not for profit, member based organization dedicated to reducing the number of cars on the road by encouraging car sharing and decreasing ownership of underutilized second vehicles. The cost – \$6.00 per hour and 50¢ per mile – includes insurance and gasoline, “so it’s something that folks can afford,” said Mr. Kosmacher. Drivers need to be 21 years old, have a valid driver’s license and a good driving record. I-GO vehicles are reserved in advance in 30 minute increments. Mr. Kosmacher explained, “Generally people use them for a few hours at a time errand running, grocery shopping, doctor visits, job interviews, real basic life functions that you use with your own car. The idea is get rid of your old car if you don’t have to have it and use our car instead. Statistically a good I-GO car can replace eight to twelve regular cars. Get cars that don’t have to be on the road off the road. Save folks money. Save money in something that’s a depreciating asset...and put that money into a real estate investment or a first condominium or a first home.” For more information residents can go to www.i-gocars.org, or call (773) 278-4446. During the month of March Oak Park residents who join will receive a \$25 discount on their membership fee.

1. Resolution Authorizing Execution of an Agreement between the Village of Oak Park and I-GO

It was moved by Trustee Baker, seconded by Trustee Brady, that Resolution 2006-R-79 entitled **RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF OAK PARK AND I-GO** be adopted as submitted, a true and correct copy of said Resolution herewith being ordered filed in the Office of the Village Clerk.

A voice vote was taken and the motion was unanimously adopted.

Liquor Control Review Board Recommendation

D. An Ordinance Amending Chapter 3 of the Code of the Village of Oak Park – Cancellation and Creation of Restaurant Class B-4 (Lounge) Liquor License for Avenue Ale House, 825 S. Oak Park Avenue, Oak Park, IL

Village Manager Carl Swenson introduced this topic by explaining that the owners of the Avenue Ale House had recently sold the business to a new entity, which under the current ordinance requires that the old license be cancelled and a new one be created. Trustee Johnson explained that the Liquor Control Review Board reviews the credentials of the new owner who must meet over twenty specific requirements under local liquor ordinance to qualify.

It was moved by Trustee Baker, seconded by Trustee Johnson, that Ordinance 2006-O-6 entitled **AN ORDINANCE AMENDING CHAPTER 3 OF THE**

CANCEL AND
CREATE LIQUOR
LICENSES FOR
AVENUE ALE
HOUSE

CODE OF THE VILLAGE OF OAK PARK – CANCELLATION AND CREATION OF RESTAURANT CLASS B-4 (LOUNGE) LIQUOR LICENSE FOR AVENUE ALE HOUSE, 825 S. OAK PARK AVENUE, OAK PARK, IL be adopted as submitted, a true and correct copy of said Ordinance herewith being ordered filed in the Office of the Village Clerk.

The roll call on the vote was as follows:

AYES: Trustees Baker, Brady, Brock, Johnson, Marsey, Milstein and President Pope

NAYS: None

The motion was unanimously adopted.

Plan Commission Recommendation

E. Resolution Authorizing the Adoption of the “Chicago Avenue Neighborhood Plan” For The Chicago Avenue Business District at Austin Boulevard

Manager Swenson introduced Item E, a continuation of the Village Board’s goal to develop a plan for each business district. The Chicago Avenue Neighborhood Plan had been competed and reviewed at a study session by the Village Board on February 13, 2006. The Village Board accepted the plan and directed staff to prepare a resolution for adoption. This resolution was the result.

It was moved by Trustee Milstein, seconded by Trustee Marsey, that Resolution 2006-R-80 entitled **RESOLUTION AUTHORIZING THE ADOPTION OF THE “CHICAGO AVENUE NEIGHBORHOOD PLAN” FOR THE CHICAGO AVENUE BUSINESS DISTRICT AT AUSTIN BOULEVARD** be adopted as submitted, a true and correct copy of said Resolution herewith being ordered filed in the Office of the Village Clerk.

Trustee Johnson articulated his concern that the Community Design Commission did not have the opportunity to provide all of their feedback on the Chicago Avenue Plan. An issue emerged during discussion: if this resolution was tabled until feedback was completely delivered, street scape improvements might not have time to move forward during this building season. Village Planner Craig Failor clarified that the Plan is a recommendation, not a blueprint. If the Design Commission finds an element to be inappropriate it can be changed without rejecting the plan as a whole. Trustee Baker agreed then it was no longer wise to consider tabling the motion.

President Pope invited a citizen, who had filed a request with the Village Clerk, to step forward and make a statement on this issue.

RESOLUTION
ADOPTING
CHICAGO
AVENUE
NEIGHBORHOOD
PLAN

Daniel Fore, 1116 Garfield. Mr. Fore reminded the assembly that during the Chicago Avenue Plan Neighborhood Meetings, issues discussed had been the safety of school crossings on Chicago, the speed of traffic on the uninterrupted stretch of Chicago between Ridgeland and Austin, and the ambulance traffic headed toward West Suburban Hospital.

The roll call on the vote was as follows:

AYES: Trustees Baker, Brady, Brock, Johnson, Marsey, Milstein and President Pope

NAYS: None

The motion was unanimously adopted.

Public Art Advisory Commission Recommendation

F. Motion to Accept the Public Art Advisory Commission Recommendation to Proceed with a Public Mural Project to be Completed in 2006

Village Manager Carl Swenson presented the next Item, F, a motion from the Public Art Advisory Commission to proceed with a Mural Project to be completed in 2006.

It was moved by Trustee Baker, seconded by Trustee Brock, that the motion entitled **MOTION TO ACCEPT THE PUBLIC ART ADVISORY COMMISSION RECOMMENDATION TO PROCEED WITH A PUBLIC MURAL PROJECT TO BE COMPLETED IN 2006** be accepted as submitted.

A voice vote was taken and the motion was accepted unanimously.

NON-AGENDA PUBLIC COMMENT

President Pope announced the Non-Agenda Public Comment portion of the agenda. Non-Agenda Public Comment provides citizens the opportunity to address the Board of Trustees on any topic by completing a short form and handing it to the Village Clerk. When called forward by the President, individuals are asked to limit their speech to three-minutes.

Daniel Fore, P.O. Box 1104, Oak Park. During Hurricane Katrina, New Orleans became part of the sea and 250,000 homes were rendered uninhabitable. Gulf region citizens scattered across the nation. The hurricane is gone from the headlines, but the broken lives persist. Now as some evacuees return home there is a need for clean up supplies. Donations can be dropped off on Saturday at 809 South Oak Park Avenue

PUBLIC ART
ADVISORY
COMMISSION
RECOMMENDATION
TO PROCEED
WITH PUBLIC
MURAL PROJECT

NON-AGENDA
PUBLIC
COMMENT

between 9AM and 5PM. A truck provided by Congressman Danny Davis will deliver the supplies to Louisiana.

Barbara Alexander Mullarkey, 204 South Elmwood, requested that the Commission Members Listing, provided by the Village Clerk's Office, also include the date each person was first approved for commission or committee duty. Ms. Mullarkey also requested that everything printed at Village Hall be done on recycled paper and be printed on both sides of the page. Finally she requested that the Village web site showing the dates and times of commission and committee meetings also have access to all meeting agenda.

President Pope responded that the Citizen Involvement Commission is currently considering a number of process changes, including, "some transparency both to the community and to the CIC and the members of the Board with respect to how long individual terms are, when people have been appointed, when they are going to be coming up toward the end of their term and eligible for renewal. Then when they may be completing again their second term, when they would typically expect to shift off of the commission that they are serving on at a given point."

REGULAR AGENDA

P. Motion Appointing an Interim Village Manager by the Village Board for a Period of Time Beginning on April 8, 2006 and Ending Upon the Appointment by the Village Board of a Village Manager

Village Manager Swenson explained this action is the appointment of an Interim Village Manager and will be effective the day after he leaves, April 7th. The motion is to appoint long time Village employee Ray Wiggins as Interim Village Manager.

It was moved by Trustee Johnson, seconded by Trustee Brock, that the motion entitled **APPOINTING AN INTERIM VILLAGE MANAGER BY THE VILLAGE BOARD FOR A PERIOD OF TIME BEGINNING ON APRIL 8, 2006 AND ENDING UPON THE APPOINTMENT BY THE VILLAGE BOARD OF A VILLAGE MANAGER** be submitted for acceptance.

President Pope expressed the Board's appreciation to Mr. Ray Wiggins and his willingness to step into this role, and expressed his confidence to have the organization in his hands. Trustee Milstein noted that Mr. Wiggins was "picked not only for his technical skills but also for his expected leadership and relationship skills that are essential in the relationships that one will have with staff, our citizens and fellow management members."

Deputy Village Manager Ray Wiggins came forward to the podium and spoke saying, "I'm very appreciative of the opportunity to serve the community at this level. I'm humbled by your confidence in me to work with both you and to work with the staff."

REGULAR
AGENDA

MOTION
APPOINTING
INTERIM VILLAGE
MANAGER

The roll call on the vote was as follows:

AYES: Trustees Baker, Brady, Brock, Johnson, Marsey, Milstein and President Pope

NAYS: None

The motion was unanimously adopted.

G. Ordinance Authorizing the Exercise of Village of Oak Park’s Option to Purchase Pursuant to the Put/Call Agreement for the Colt Building Located at 1138-1146 Westgate Street and Authorizing the Execution and Delivery of an Agreement for the Purchase of the Property at 1145 Westgate Street

Village Manager Swenson submitted Agenda Item G, an ordinance and a resolution which together allow Village Staff to proceed with the purchase of the Colt Building, and financing of that purchase. The first item, the ordinance, authorizes the acquisition of the building. The second item, the resolution, is for the financing mechanism through its partner agency, the Oak Park Development Corporation and its member banks.

Village Attorney Ray Heise clarified as follows, “It is an ordinance authorizing the execution of the real estate contract that was appended to the Put/Call Agreement by way of explanation on...February 14th. We had notified the Taxman Corporation of our intention to...exercise the call on the Put/Call Agreement and had prepared an agenda item for the Board’s action with regard to the authorization of the call. Within a day or two of our delivering that agenda item, the Taxman Corporation had in fact issued its notice to put the title to us which was also their right under the Put/Call Agreement. So what we have before you tonight is simply an ordinance authorizing the execution of the real estate contract that was appended to the original Put/Call Agreement...We are obligated under the Put/Call Agreement to take title to the Colt Building upon the Taxman Corporation putting that to us under our Put/Call Agreement.”

It was moved by Trustee Milstein, seconded by Trustee Baker, that Ordinance 2006-R-81 entitled **ORDINANCE AUTHORIZING THE EXERCISE OF VILLAGE OF OAK PARK’S OPTION TO PURCHASE PURSUANT TO THE PUT/CALL AGREEMENT FOR THE COLT BUILDING LOCATED AT 1138-1146 WESTGATE STREET AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT FOR THE PURCHASE OF THE PROPERTY AT 1145 WESTGATE STREET** be adopted as submitted, a true and correct copy of said Ordinance herewith being ordered filed in the Office of the Village Clerk.

President Pope submitted that – essentially – the Board made a decision to “look at calling the building from the Taxman Corporation.” A few days later

ORDINANCE TO EXERCISE VILLAGE’S OPTION TO PURCHASE COLT BUILDING AT 1138-1146 WESTGATE PURSUANT TO PUT/CALL AGREEMENT

the Board received a letter from the Taxman Corporation “putting the building to the Village pursuant to an agreement that was originally reached in August of 2001. As a result, the Put/Call Agreement has been exercised.” President Pope then emphasized and stressed that what was taking place at the Board table that evening was an administrative act. All decisions had been made previous to this evening’s proceedings.

President Pope called forward citizens who had completed forms to speak on this topic.

Jim Kelly, 1043 South Harvey. Mr. Kelly claimed that the process leading up to the impending decision to ratify the purchase of the Colt Building has lead him to two conclusions. One is the NLP party leadership will not tolerate differences of opinion. The second is the people have placed their loyalty to their party instead of the Village. He maintained the efficacy of public dialog had been destroyed.

Marge Epstein, 307 S. Taylor, representing Forum Oak Park, felt the decision to buy the Colt Building made no sense. The Citizen Steering Committee worked for months creating their roadmap to developing the super block. She disagreed with the Board’s decision to pick and choose among the committee’s recommendations as if the integrity of the plan could be maintained that way. Ms. Epstein listed several initiatives that “make no sense” to her, including opening Marion Street to vehicular traffic, building a parking garage without understanding demand, forcing the redevelopment of certain downtown shops, and issuing an RFP without a guiding Master Plan.

Bob Kane, 1133 Gunderson, President of the Village Manager’s Association, spoke on behalf of the VMA. Mr. Kane speculated on the broader message being communicated this evening, and suggested that the VMA expects more from elected representatives. “What we are seeing now is a group being led by an uncompromising vocal minority.” Mr. Kane suggests that the \$7.5 million dollars to be spent on the Colt Building are not likely to be reinvested in Oak Park, and is thus an irresponsible decision. He suggested that it is both naïve and damning to think that the Board’s actions this night won’t impact future potential developers and investors, and that the tax burden won’t continue to fall to citizens.

Christine G. Vernon, 7 Elizabeth Court, began by thanking the Trustees “for moving to protect and preserve our architectural heritage. People trade in this heritage every day in Oak Park. We have tens of thousands of tourists every year that demonstrate this.” Ms. Vernon went on to declare that everything in our country seems to be for sale to the lowest bidder, and that we lose something important when this happens. She said again, “Thank you very much for moving to protect our architectural heritage in Oak Park.”

President Pope began the Board discussion himself with a small history review. The Put/Call Agreement was signed in 2001 with a three-year duration. It’s been extended several times since then. The “primary condition” was that the

Village of Oak Park and the Taxman Corporation would reach an accord regarding the redevelopment of the Colt Building; when that happened, the two entities could proceed in some way. If that condition was not reached, the Taxman Corporation would “put” the building to the Village, or the Village would “call” the building from Taxman, both at a locked in, preset price.

President Pope declared that he personally favors the Steering Committee Plan and in particular the linkage from Lake Street to North Boulevard. However, at the time the last Put/Call extension went through, President Pope felt there were three components that needed to be considered on the table together. One was the redevelopment, preservation, or addressing of the Colt Building. Second was the redevelopment of the Shops of Downtown Oak Park. Last were financial terms. “To make a reasonable decision,” said President Pope, “you needed to have all three of those things come together. Since June 28th to now we’ve never received a proposal that has all three of those elements.” The Steering Committee’s Plan did not preserve the Colt Building (President Pope’s personal position), but the majority of the Board wanted to save it.

President Pope continued, “Now the circumstance that we have in front of us tonight is basically that the building has been put to us....It’s been put to us because the Board indicated it was going to call the building.” The action tonight, he emphasized, is really administrative in nature. The formal decisions have already been made, long ago.

President Pope went on to outline how moving forward with the Colt Building must take into account a variety of factors each bearing an equal weight. Historic preservation is one; economic vitality of the Business District is another. Parking and traffic issues are a third. We may decide that preserving the Colt Building does not make sense. But that decision comes after this decision we vote on here tonight.

President Pope also wanted to address the economic implications of this \$7.5 million decision, and other decisions like it, with respect to keeping Oak Park an affordable community. Our taxes and their increases are driven by costs. These are almost impossible to offset completely on the revenue side, no matter what we do. On the subject of affordability both sides [parties] need to engage each other on a much higher level, and not just on a specific development proposal. That is the very best thing for the community.

Trustee Milstein thanked Mr. Kane and Mr. Kelly for being here this evening. He remarked that supporting development solely in terms of profit and economic criteria is not in and of itself right. “We need to remember that character and historic values do matter. Saying yes to portions of the Steering Committee plan and no to a developer is appropriate. It is neither anti-growth nor is it anti-commission.” He went on to say that elected leaders have a responsibility to look at the broader implications of their decisions. He understands that change is inevitable, but how we change is our choice, and that we can direct our change and growth. Trustee Milstein pointed out that growth policies increase taxes, and that anyone who claims that all growth is good and

will result in a decline in property taxes “is lying to you.” While development in Downtown Oak Park will increase our tax base, it will also cost us to operate with more people in the Village and services needed.

Trustee Milstein said, “It is true that we have reached our tax capacity. People can’t afford to live here, virtually. It is very expensive. But it’s highly unlikely that taxes go down as you build your tax base. In fact for most of us we know when you read the newspapers during tax appeal time, the appeal process favors businesses and multi-family building owners and single-family owners continue to subsidize all of the others. Until we reform as David is talking about...the school system based on property tax, taxes will continue to rise in the Village of Oak Park and surrounding communities.”

Trustee Milstein reminded the assembly that President Pope is the first independent president in the history of Oak Park, and the programs and achievements of this Board are just beginning to be felt. The previous controlling party – the VMA (Village Manager’s Association) – was dominant for fifty-two years. The VMA has been pro-growth in Oak Park, and denigrated the decision to buy the Colt. The downtown business leaders will say that their area looks blighted and dilapidated. “For 52 years the VMA had control of that. And they still didn’t look good.”

Despite that Trustee Milstein quoted the Village of Oak Park’s Comprehensive Annual Financial Report, showing a 22.6% increase in retail sales. Employment levels in Oak Park surpass that of Cook County and the State of Illinois. Median family incomes demonstrate that Oak Park residents far exceed all county and state averages. “New commercial and residential construction has significantly increased in ’04 and ’05 with a total value of some \$128 million in permit valuations.” Trustee Milstein closed his remarks by saying what we have here is “a vibrant community doing well.” Our biggest problem is the way we fund our schools through property tax. That will require an initiative involving our neighbors, the township and the county.

Trustee Johnson began by agreeing with President Pope on two points, but disagreeing on the Presidents characterization of the timeline. The Citizen Steering Committee didn’t complete their work until October 20th, and the Board didn’t take up their work until the end of November. Negotiations with Taxman Corporation picked up steam in December and January. Momentum on the Colt Building stopped other things that needed decisions. The Board never sat down with the investment partner for the shops of Downtown Oak Park, and didn’t move forward with negotiations there.

Trustee Johnson also commented on Trustee Milstein’s remarks. He found it troubling that Trustee Milstein would call “people out” who had made public comment. Trustee Johnson said he’d never heard anyone say taxes might go down, but he had heard school district people say that the expansion of the tax base is critical to their success. Trustee Johnson admitted that we didn’t create the environment that we’re in with the school funding issues, and “we’re not going to change it overnight. People have been trying to change it for 45

years.” Trustee Johnson asserted that Illinois still ranks 48th in the nation in the way ‘they’ rank schools.

Trustee Brady started her remarks by saying this discussion is not just about the Colt Building but about “our vision for Oak Park and how does expanding our tax base fit into that.” We could build a lot of townhouses and condos and homes because we generate most of our tax base from property taxes, but we know that’s not the right answer. So where do we seek a balance in the community? How do we weigh all the elements President Pope eloquently spoke to in his vision? Trustee Brady held up a magazine, “Triple A Living,” which featured Oak Park on the cover of its November-December issue. She summarized the article describing our famous restaurants, popular downtown, historical values and unique shopping. Trustee Brady then remarked, “so when we talk about expanding the tax base, what do we do? Do we tear down and build new or do we try to polish the gem that we have? Our reputation is being unique and historical and eclectic. The way to preserve that unfortunately through this painful event had to come through a long learning process. We are there now. I hope we can move forward.”

Trustee Baker commented briefly on the value of sincere debate among his fellow Board members, and invited Mr. Kane to join a discussion with positive suggestions and ideas for solutions. Although some might call the decision to buy the Colt Building foolish, Trustee Baker called the idea that a six story development on “New” Street would be free from cost equally wrong headed. He called for constructive conversation all around.

Village Manager Swenson offered that two weeks from this evening Village staff are planning to present information of the various elements the Board has agreed upon out of the Downtown Oak Park discussions since the presentation of the Steering Committee Plan. It will be a work plan, and it will come together in an overall direction or vision for the Downtown. It will be fairly detailed, with milestones, but flexible and open to adjusting or modifying.

Trustee Marsey added his opinion that the Board should move forward this evening, because the other options to do nothing or continue with negotiations are both unacceptable. Trustee Brock voiced that one of things she’s learned as Trustee is that one cannot please all the people all the time. One must learn to compromise. Trustee Brock said, “I believe what we’ve been given tonight with the suggestions that the attorney has given us, we need to move forward the way that it has been clarified to us on the agenda. We just need to move forward.”

Trustee Johnson concurred with Trustee Brock that one learns to make the best decisions possible. “While I respect the way everyone has approached this,” Trustee Johnson said, “I strongly disagree with how we got here.” Trustee Johnson began reading from a prepared statement, quoted here in part.

“In a January New York Times from David Brooks entitled ‘A Nation, A Village,’ he writes that, ‘new developments

combine New Urbanist ideas such as mixed-use downtown neighborhoods with lofts over shops with traditional car and backyard-friendly neighborhoods that people move to the suburbs to get.' Quite frankly, this is not new news to any of us – it's what Oak Park has been working to create since 1999. And we have several great examples of successful and completed developments in town which mirror these New Urbanist concepts....

The US Conference of Mayors recently recognized the Village of Arlington Heights due to their efforts in turning around vacant store fronts and bland curb appeal in their downtown to a revitalized urban neighborhood.... Naperville is featured in the March issue of Chicago magazine in an article titled 'Why Everybody Loves Naperville' – and the answer is due to their vibrant downtown.

In the heart of our Village...we have struggled to fully realize New Urbanist ideals. But for the RSC development of 2003 which rises on the north side of Lake St. directly across from the Colt Building (and which is 98% sold)...we have not seized our opportunities to truly create a vibrant hub in DTOP.....

But planning experts will continue to tell us we will need to keep a sharp eye on Downtown Oak Park. The main sales tax engine for our community.... It is not fiscally prudent for unlimited borrowing to implement every idea that we have.... 'Urban Acupuncture' [is] targeted intervention to create positive change... The move to purchase [the Colt Building] is acupuncture. But in the wrong place at the wrong time. It's actually creating a headache....

The plan from the Citizen Steering Committee as it relates to the Colt Building stated four points. The Village should not purchase the building. Costs associated with buying and renovating the building to its historic arcade status are too high, with a negative return on investment. Costs associating (sic) with buying and improving the building in its current configuration are too high.... TIF monies can be better spent elsewhere to preserve and enhance the Westgate and Marion Street areas.

The \$5M proposed purchase of the Colt Building and the analysis done by outside consultants which indicates the need for another \$5-6M to reconstruct the building to its original design is a reckless expenditure within the uncertain economic environment we now find ourselves.

To issue RFP's so we can 'know with certainty' what the true costs will be puts the Village of Oak Park and in turn our own taxing bodies at risk.

...Most clearly, we are no longer operating under the guise of any type of cohesive and well-informed plan but are ironically developing parcels site by site without confidence that the whole will be greater than the parts."

President Pope took that opportunity to emphasize that the ordinance before the Board was to authorize the execution of the real estate contract that was appended to the Put/Call Agreement with the Taxman Corporation for the Colt Building, pursuant to the Taxman Corporation's having already exercised their Put right. The vote was administrative in nature and not a policy decision.

Trustee Milstein commented that this Board has supported development "up and down the various major corridors." He denied hostility toward developers. However he stated that Oak Park has architectural and historic values that are not for sale.

The roll call on the vote was as follows:

AYES: Trustees Baker, Brady, Brock, Marsey, Milstein and President Pope

NAYS: Trustee Johnson

The motion was adopted.

1. Resolution Authorizing the Village Staff to Proceed to Negotiate with Oak Park Development Corporation (OPDC) Member Banks for the Financing of Downtown TIF District Property Acquisition

Village Manager Carl Swenson explained that this Resolution provides authorization for the staff to negotiate a debt instrument with OPDC and its member banks for acquisition funding related to the Village's decision to execute the call provision with the Taxman Corporation.

President Pope said it "is clearly in the interest of the community as a whole" to work with our partner agency, the Oak Park Development Corporation, and area banks, to provide financing for this Board decision. Trustee Marsey agreed that without a doubt it is advantageous to work with in-town banks on projects of this nature.

It was moved by Trustee Baker, seconded by Trustee Milstein, that Resolution 2006-R-81 entitled **RESOLUTION AUTHORIZING THE VILLAGE STAFF TO PROCEED TO NEGOTIATE WITH OAK PARK DEVELOPMENT CORPORATION (OPDC) MEMBER**

RESOLUTION TO
NEGOTIATE
FINANCING WITH
OPDC AND
MEMBER BANKS

BANKS FOR THE FINANCING OF DOWNTOWN TIF DISTRICT PROPERTY ACQUISITION be adopted as submitted, a true and correct copy of said Resolution herewith being ordered filed in the Office of the Village Clerk.

The roll call on the vote was as follows:

AYES: Trustees Baker, Brady, Brock, Johnson, Marsey, Milstein and President Pope

NAYS: None

The motion was unanimously adopted.

H. Resolution & Ordinance Related to the Annual TIF District Distribution to Taxing Agencies

Village Manager Swenson asked that Finance Director Greg Peters assist him in introducing these three items concerning Annual Tax Increment Funding (TIF) District Distribution to the taxing agencies. Mr. Peters clarified that the two resolutions are governed by a settlement agreement which requires the Village to make annual distributions of funds from the Downtown and Madison Street TIF Districts based on whether a deficiency exists in the collection of District 97's tax levy because the TIF exists. In the case of the Downtown TIF District, that percentage is 22.5% of their deficiency. In the case of Madison Street, it's 25%. The law also requires proportional distributions to all taxing district partners which include Cook County, the hospital and the Forest Preserve. Because the 2006 Budget is affected, the Board also has a Budget Amendment for approval.

1. Resolution Declaring a Distribution of \$982,498.12 in Tax Increment Revenues from the Downtown Oak Park TIF District to Taxing Districts Based Upon 2004 Tax Rates

This Resolution provides authorization for the staff to distribute to all tax districts a prorated distribution of 22 ½% of School District 97's property tax deficiency of TIF Revenues from the Downtown TIF District for the 2004 levy year.

2. Ordinance Amending the 2006 Annual Budget to Provide an Additional \$132,499 for Tax Agency Distribution from the Downtown Special Tax Allocation Fund

This ordinance amends the 2006 budget to provide \$132,499 in additional funding to the Downtown TIF Fund for the 2006 tax agency distribution provided in the Settlement Agreement with School District 97.

RESOLUTIONS
RELATED TO THE
ANNUAL TIF
DISTRICTS
DISTRIBUTION TO
SCHOOLS #97
AND OTHER
TAXING
AGENCIES, AND
BUDGET
AMENDING
ORDINANCES

3. Resolution Declaring a Distribution of \$314,619.78 in Tax Increment Revenues from the Madison Street TIF District to Taxing Districts Based upon 2004 Tax Rates

This Resolution provides authorization for the staff to distribute to all tax districts a prorate distribution of 25% of School District 97's property tax deficiency of TIF Revenues from the Madison Street TIF District for the 2004 levy year.

It was decided to take the three items under Agenda Item H together.

It was moved by Trustee Johnson, seconded by Trustee Brock, that Resolution 2006-R-82 entitled **RESOLUTION DECLARING A DISTRIBUTION OF \$982,498.12 IN TAX INCREMENT REVENUES FROM THE DOWNTOWN OAK PARK TIF DISTRICT TO TAXING DISTRICTS BASED UPON 2004 TAX RATES**, and Ordinance 2006-O-8 entitled **ORDINANCE AMENDING THE 2006 ANNUAL BUDGET TO PROVIDE AN ADDITIONAL \$132,499 FOR TAX AGENCY DISTRIBUTION FROM THE DOWNTOWN SPECIAL TAX ALLOCATION FUND**, and Resolution 2006-R-83 entitled **RESOLUTION DECLARING A DISTRIBUTION OF \$314,619.78 IN TAX INCREMENT REVENUES FROM THE MADISON STREET TIF DISTRICT TO TAXING DISTRICTS BASED UPON 2004 TAX RATES** be adopted as submitted, a true and correct copy of said Ordinance and Resolutions herewith being ordered filed in the Office of the Village Clerk.

The roll call on the vote was as follows:

AYES: Trustees Baker, Brady, Brock, Johnson, Marsey, Milstein and President Pope

NAYS: None

The motion was unanimously adopted.

I. Ordinance Amending the 2006 Annual Budget to Authorize a Position of Assistant Village Planner in the Community Planning and Development Department and the Transfer of \$46,962 from Contractual Services to Related Personnel and Employee Benefit Accounts in that Department

Village Manager Swenson explained that this Ordinance amends the 2006 budget to authorize an additional planner in the Community Development and Planning Department and authorize a transfer of \$46,962 from Contractual Services line-item in the same department and program. There is no fiscal impact to the General Fund. Village Manager Swenson pointed out the ongoing need to examine workload and tasks as they relate to accomplishing Board

ORDINANCE
AMENDING
BUDGET FOR
POSITION OF
ASSISTANT
VILLAGE
PLANNER

goals, and determine the need for additional human resources.

It was moved by Trustee Marsey, seconded by Trustee Milstein, that Ordinance 2006-O-9 entitled **ORDINANCE AMENDING THE 2006 ANNUAL BUDGET TO AUTHORIZE A POSITION OF ASSISTANT VILLAGE PLANNER IN THE COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT AND THE TRANSFER OF \$46,962 FROM CONTRACTUAL SERVICES TO RELATED PERSONNEL AND EMPLOYEE BENEFIT ACCOUNTS IN THAT DEPARTMENT** be adopted as submitted, a true and correct copy of said Ordinance herewith being ordered filed in the Office of the Village Clerk.

The roll call on the vote was as follows:

AYES: Trustees Baker, Brady, Brock, Johnson, Marsey, Milstein and President Pope

NAYS: None

The motion was unanimously adopted.

CONSENT AGENDA

J. Resolution Authorizing a Subordination of Lien: BPIP-021

The loan recipients are requesting a subordination of their Barrie Park loan to refinance their first mortgage. The Village remains secure in junior position on title.

Resolution 2006-R-84 entitled **RESOLUTION AUTHORIZING A SUBORDINATION OF LIEN: BPIP-021** was submitted for adoption.

L. Ordinances Authorizing the Village of Oak Park to enter into an Agreement with Fenwick High School for a Partial Vacation of an Alley at 515 Washington Boulevard As Reviewed at the February 6, 2006 Regular Board Meeting

The Village Board accepted the Plan Commission’s recommendation to vacate a portion of an alley abutting Fenwick High School and directed staff to prepare the necessary documents to cause the alley vacation.

1. Ordinance Authorizing Agreement for Vacation of Alley

Ordinance 2006-O-10 entitled **ORDINANCE AUTHORIZING AGREEMENT FOR VACATION OF ALLEY** was submitted for adoption.

2. Ordinance Vacating an Alley

CONSENT
AGENDA

SUBORDINATION
OF LIEN BPIP-021

ORDINANCES
AUTHORIZING
AGREEMENT
WITH FENWICK
HIGH SCHOOL
FOR PARTIAL
VACATION OF
ALLEY

Ordinance 2006-O-11 entitled **ORDINANCE VACATING AN ALLEY** was submitted for adoption.

N. Resolution Authorizing a First Amendment to the Contract for Services Between the Village of Oak Park and the Oak Park Development Corporation as Reviewed at the September 12, 2005 Board Study Session

Item N is a resolution authorizing a first amendment to the Commercial Loan Program currently facilitated through Oak Park Development Corporation providing additional 1.5% interest subsidy for Commercial Loan Program participants investing in three (3) gateway areas. Roosevelt-Austin to Ridgeland; Lake St. – Austin to Ridgeland; North Ave – Austin to Ridgeland.

Resolution 2006-R-85 entitled **RESOLUTION AUTHORIZING A FIRST AMENDMENT TO THE CONTRACT FOR SERVICES BETWEEN THE VILLAGE OF OAK PARK AND THE OAK PARK DEVELOPMENT CORPORATION AS REVIEWED AT THE SEPTEMBER 12, 2005 BOARD STUDY SESSION** was submitted for adoption.

O. Resolution Authorizing Execution of a Contract with Suburban Concrete, Inc. of Hawthorn Woods, Illinois for Project 06-3, Sidewalk and Curb Replacement

Bids were opened for the Village’s annual sidewalk and curb replacement program. This project includes replacement of approximately 75,000 square feet of sidewalk, 4400 feet of curb, and 400 square yards of driveways. The work will take place at roughly 500 locations throughout the Village. It is recommended to award this contract on a not to exceed the project maximum allowable amount of \$440,000.

Resolution 2006-R-86 entitled **RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH SUBURBAN CONCRETE, INC. OF HAWTHORN WOODS, ILLINOIS FOR PROJECT 06-3, SIDEWALK AND CURB REPLACEMENT** was submitted for adoption.

President Pope invited a citizen, who had filed a request with the Village Clerk, to step forward and make a statement on Item O.

Daniel Fore, P.O. Box 1104, Oak Park. The condition of the sidewalks is acutely important to the elderly and disabled residents of Oak Park. As a volunteer in the Universal Access Commission’s Sidewalk Survey, Mr. Fore walked “all” the sidewalks of Oak Park. The group identified eleven areas of concern.

Trustee Milstein commented that the homeowner’s share is 50% of the cost of sidewalk and curb replacement. He suggested that the Board sometime

RESOLUTION AMENDING COMMERCIAL LOAN PROGRAM WITH OPDC (OAK PARK DEVELOPMENT CORPORATION)

RESOLUTION AUTHORIZING CONTRACT WITH SUBURBAN CONCRETE FOR SIDEWALK AND CURB REPLACEMENT

consider lowering the percentage to 25% to for those residents on fixed incomes, or who are disabled or seniors.

Approval of the Consent Agenda

It was moved by Trustee Marsey, seconded by Trustee Brock, to approve the items under the Consent Agenda. True and correct copies of the Resolutions and Ordinance are herewith ordered to be filed in the Office of the Village Clerk.

The roll call vote was as follows:

AYES: Trustees Brock, Johnson, Marsey and President Pope

NAYS: None

The motion was adopted unanimously.

Village Board Committee Reports

It was moved by Trustee Marsey, seconded by Trustee Brock, to adjourn the meeting. A voice vote was taken and the motion was approved. The meeting adjourned at 10:05 PM, Tuesday, February 21, 2006.

SUBMITTED AND RECORDED IN THE OFFICE OF:

Sandra Sokol, Village Clerk

By: Karen Morris Muriello
Deputy Village Clerk

APPROVAL OF
CONSENT
AGENDA

ADJOURN