

**APPROVED MINUTES OF THE REGULAR MEETING  
OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK  
HELD ON TUESDAY, SEPTEMBER 2<sup>ND</sup>, 2008 AT 7:30 P.M.  
IN THE COUNCIL CHAMBERS OF OAK PARK VILLAGE HALL**

**OFFICIAL RECORD:**

**PRESENT:** Trustees Hale, Hedges, Johnson, Lueck, Marsey, Pate and President Pope  
**ABSENT:** None  
**QUORUM:** President Pope called the meeting to order at 7:35 P.M. and declared that a quorum was present.

REGULAR  
MEETING  
9/2/2008

**AGENDA:**

It was moved by Trustee Johnson, seconded by Trustee Pate, that the meeting agenda be approved. President Pope reviewed certain alterations, that Items L and M be removed from the agenda, and that Item O be moved from Consent to the Regular agenda.

AGENDA FOR  
THIS MEETING  
APPROVED

A voice vote was taken and the modified agenda was approved.

**MINUTES:**

It was moved by Trustee Hedges, seconded by Trustee Lueck, that the draft minutes of the Regular Board Meeting of July 21<sup>st</sup>, 2008 be approved.

MINUTES FOR  
7/21/2008  
APPROVED

A voice vote was taken and the minutes of July 21<sup>st</sup> were approved as written.

**RESOLUTION:**

**Requesting the Illinois Attorney General to Investigate  
Sodium Chloride (Rock Salt) Prices**

It was moved by Trustee Marsey, seconded by Trustee Johnson, to concur in a Resolution requesting the Illinois Attorney General to investigate the rapid increase in the price of sodium chloride (rock salt) to Oak Park and other Northern Illinois communities.

RESOLUTION  
REQUESTING  
INVESTIGATION  
INTO THE  
PRICE OF ROCK  
SALT

A voice vote was taken and the Resolution was approved.

**RESOLUTION:**

**Requesting Condominium Associations in the Village of Oak Park Consider  
Removal of Right of First Refusal Clause from Their Declarations and Bylaws**

It was moved by Trustee Johnson, seconded by Trustee Hedges, to concur in a Resolution requesting Condominium Associations in the Village of Oak Park to consider removing any Right of First Refusal Clauses from association Declarations or Bylaws in order to facilitate the sales.

RESOLUTION  
REQUESTING  
CONDO ASSN'S  
REMOVE RIGHT  
OF FIRST  
REFUSAL  
CLAUSES FROM  
THEIR BYLAWS

**PUBLIC COMMENT:**

David Barsotti, 1112 Ontario Street. Mr. Barsotti commented that the rules of FHA (Federal Housing Administration) Loans preclude FHA funding of purchases in buildings with right-of-first-refusal clauses in their declarations or bylaws. He also speculated that Oak Park might have over-built its supply of condominiums.

Gary Mancuso, 222 Marion Street. Representing the Oak Park Area Association of Realtors®. Mr. Mancuso commented that removing such clauses would help to move the glut of over 400 condos, and help free up FHA monies.

Housing Programs Manager Tammie Grossman asked and answered the question, Why does the FHA make this restriction? Because such clauses *have* been used for discriminatory purposes by others in the past.

It was moved by Trustee Hale, seconded by Trustee Johnson, to amend the Resolution by deleting the sixth whereas clause which reads “Whereas, the FHA considers the Right of First Refusal clause could be used for a discriminatory purpose, and.”

A voice vote was taken and the deletion was approved.

It was moved by Trustee Marsey, seconded by Trustee Hale, to amend the Resolution by modifying the language in the third whereas clause to read “Whereas, conventional lenders are becoming stricter in their overall criteria and including 10 to 15% down payment and the FHA has the backing of the Federal government.”

A voice vote was taken and the modification was approved.

It was moved by Trustee Johnson, seconded by Trustee Lueck, to amend the amendment by restoring to the third whereas clause “requires a buyer to have 3% down payment.”

A voice vote was taken and the amendment to the modification was approved

A voice vote was taken on the amended Resolution. Trustee Marsey voiced the only NO vote. The amended Resolution was approved.

**PROCLAMATION:  
School’s Open Safety Month September 2008**

It was moved by Trustee Pate, seconded by Trustee Hedges, to concur in a Proclamation urging all residents to keep a careful eye out for children returning to school.

A voice vote was taken and the Resolution was approved.

**NON-AGENDA PUBLIC COMMENT**

Denise and James Palfy, 738 Woodbine Avenue. Mr. and Mrs. Palfy reported that they are 44 year residents, owning a home in an Historic District of the Village, and have a property concern. Their next door neighbors received approval to build a garage right next to their property, and the Palfy’s are concerned about density.

President Pope responded that Zoning Administrator Michael Bruce would respond to

PROCLAMATION  
FOR SCHOOL’S  
OPEN SAFETY  
MONTH  
SEPTEMBER  
2008

NON-AGENDA  
PUBLIC  
COMMENT

their concerns.

Liz Melara, 521 South Lombard. Ms. Melara spoke on behalf of Village of Oak Park employees, commenting about budget cuts. She felt that the budget can be trimmed without cutting jobs.

Marijo Lopez, 927 Clinton. A thirteen year employee, Ms. Lopez commented that outsourcing basic services as a way to save Village money did not work when it was last tried years ago. She also urged the Board of Trustees against cutting staff.

Daniel E. Fore, P.O. Box 1104. Mr. Fore announced that he had spoken to Congressman Danny Davis about Hurricane Gustav. Mr. Fore then remarked about the National Day of Prayer.

James P. Larson, 6717 Kentucky Avenue, Hammond, Indiana. Mr. Larson is a Village of Oak Park employee in the Streets Department, representing Teamsters Union Local 705. Pertaining to the Budget, Mr. Larson stated that the Union’s Health and Welfare plan had been offered to the Village, which would have saved money. The offer was not accepted.

Thomas Blecha, 1902 Springfield Drive, Plainfield, Illinois. Mr. Blecha is a Union Leader representing Oak Park Fire Fighters Local 95. He explained that he had been talking to Fire Chief Bell, negotiating for the Fire Fighters’ Union. Mr. Blecha wanted the Trustees to be aware of the firemen who had come to this meeting, and not cut their jobs.

President Pope responded that with the budget for 2009, tough decisions lay ahead. The Board of Trustees has responsibilities to protect the residents of the Village and not push them out of the community by raising their taxes.

**VILLAGE MANAGER REPORTS**

**A. Reports**

**Construction updates** included reports on the Whiteco Project, water/sewer work on Humphrey and Lyman, the Elevator Tower in the Holley Court Parking Garage, and the North Avenue improvement project. Mr. Barwin also reported that all alley work had been completed for 2008, as well as a sidewalk survey for the coming year. Microsurfacing will take place in September.

VILLAGE  
MANAGER  
REPORTS

**CITIZENS ADVISORY BOARDS AND COMMISSIONS**

**Citizen Involvement Commission Recommendations**

**B. Citizen Commission Vacancies**

A Vacancy Report was distributed, and Village Clerk Sokol pointed out two additional resignations. President Pope called for volunteers, noting that commissions are policy guidance entities for the Board and critically important.

BOARDS AND  
COMMISSIONS

CITIZEN  
INVOLVEMENT  
COMMISSION

VACANCIES

**C. Appointments**

President Pope suggested that the appointments be taken together. There was no

objection. It was moved by Trustee Marsey, seconded by Trustee Pate, to concur in the following appointments by President Pope:

APPOINTMENTS

**Citizen Police Oversight Committee**

Appointment of Bill Moor, as Member, with a term to expire September 2, 2011

**Board of Health**

Re-appointment of Deno J. Andrews, as Member, with a term to expire July 5, 2011

Re-appointment of Brian R. Crawford, as Member, with a term to expire June 20, 2011

**Housing Authority**

Appointment of Linda Hill, as Member, with a term to expire on September 2, 2013

**Liquor Control Review Board**

Re-appointment of Daniel G. Suber, as Member, with a term to expire on May 16, 2011

**Plan Commission**

Appointment of Gail Moran, as Member, with a term to expire September 2, 2011

Appointment of Susan Roberts, as Member, with a term to expire September 2, 2011

**Transportation Commission**

Re-appointment of Mary Ann Shiffer, as Member, with a term to expire October 18, 2010

**Universal Access Commission**

Re-appointment of Jeanne Friedell, as Chair, with a term to expire September 7, 2010

A voice vote was taken and the appointments were approved.

**D. & E.** It was suggested by President Pope that items D and E be taken together. There was no objection. It was moved by Trustee Johnson, seconded by Trustee Hedges, that Ordinance 2008-O-033 entitled **ORDINANCE AMENDING CHAPTER 3, ARTICLE 8 OF THE CODE OF THE VILLAGE OF OAK PARK – CREATION OF A RESTAURANT CLASS B-1 LICENSE FOR FUEGO LOCO**, and Ordinance 2008-O-034 entitled **ORDINANCE AMENDING CHAPTER 3, ARTICLE 8 OF THE CODE OF THE VILLAGE OF OAK PARK – CANCELLATION OF A RESTAURANT CLASS B-3 LICENSE FOR TACO FRESCO LAKE, INC. d/b/a/ FUEGO LOCO** be adopted, true and correct copies of said Ordinances herewith being ordered filed in the Office of the Village

ORDINANCES  
CANCELLING  
AND CREATING  
LIQUOR  
LICENSES FOR  
FUEGO LOCO  
DUE TO  
CHANGE IN  
OWNERSHIP

Clerk.

The roll call on the vote was as follows:

AYES: Trustees Hale, Hedges, Johnson, Lueck, Marsey, Pate and President Pope

NAYS: None

ABSENT: None

The Ordinances were adopted.

**REGULAR AGENDA**

REGULAR  
AGENDA

- F. It was moved by Trustee Pate, seconded by Trustee Hedges, that Resolution 2008-R-105 entitled **RESOLUTION WAIVING THE VILLAGE'S BIDDING PROCESS WITH RESPECT TO THE PURCHASE OF ROCK SALT, AND ENABLING STAFF TO PURSUE OTHER OPTIONS**, be adopted, true and correct copies of said Resolution herewith being ordered filed in the Office of the Village Clerk.

RESOLUTION  
TO WAIVE  
BIDDING  
PROCESS TO  
ENABLE THE  
PURCHASE OF  
ROCK SALT

The roll call on the Resolution was as follows:

AYES: Trustees Hale, Hedges, Johnson, Lueck, Marsey, Pate and President Pope

NAYS: None

ABSENT: None

The Resolution was adopted.

- G. It was moved by Trustee Lueck, seconded by Trustee Johnson, that Ordinance 2008-O-035, entitled **ORDINANCE AMENDING CHAPTER 4 OF THE VILLAGE CODE RELATING TO VILLAGE AMBULANCE SERVICES; FEES** be adopted, true and correct copies of said Ordinance herewith being ordered filed in the Office of the Village Clerk.

ORDINANCE  
RELATIING TO  
VILLAGE  
AMBULANCE  
SERVICES –  
FEES

The roll call on the Ordinance was as follows:

AYES: Trustees Hale, Hedges, Johnson, Lueck, Marsey, Pate and President Pope

NAYS: None

ABSENT: None

The Ordinance was Adopted.

- O. It was moved by Trustee Johnson, seconded by Trustee Hale, that Resolution 2008-R-104 entitled **RESOLUTION AUTHORIZING THE EXTENSION OF THE AGREEMENT WITH WASTE MANAGEMENT-METRO FOR THE COLLECTION AND TRANSPORTATION OF REFUSE AND THE COLLECTION, TRANSPORTATION AND PROCESSING OF RECYCLING AND YARDWASTE FROM JANUARY 1, 2009 TO DECEMBER 21, 2011** be adopted, true and correct copies of said Resolution herewith being ordered filed in the Office of the Village Clerk.

EXTENSION OF  
AGREEMENT  
WITH WASTE  
MANAGEMENT  
FOR REFUSE  
AND  
RECYCLING

The roll call on the Resolution was as follows:

AYES: Trustees Hale, Hedges, Johnson, Lueck, Marsey, Pate and President Pope

NAYS: None

ABSENT: None

The Resolution was adopted

**CONSENT AGENDA**

- |           |  |  |
|-----------|--|--|
| <b>H.</b> | Resolution 2008-R-101 entitled <b>RESOLUTION AUTHORIZING A SUBORDINATION OF LIEN: MSA06003/A</b>   | CONSENT AGENDA<br>SUBORDINATION OF LIEN<br>MSA0603/A         |
| <b>I.</b> | Ordinance 2008-O-036 entitled <b>ORDINANCE AUTHORIZING EXECUTION OF A PLAT OF SUBDIVISION (CONSOLIDATION) FOR WHITECO CORPORATION (WRXXIV, LLC)</b>  | PLAT OF SUBDIVISION FOR WHITECO CORP.                        |
| <b>J.</b> | Resolution 2008-R-102 entitled <b>RESOLUTION AUTHORIZING EXECUTION OF A GRANT AGREEMENT WITH ILLINOIS DEPARTMENT OF PUBLIC HEALTH TO PROVIDE LOCAL HEALTH PROTECTION SERVICES IN THE AMOUNT OF \$63,201 FOR THE TERM OF JULY 1, 2008 THROUGH JUNE 30, 2009</b>   | GRANT WITH IL. DEPT. PUBLIC HEALTH FOR LOCAL HEALTH SERVICES |
| <b>K.</b> | <b>Motion to Approve a Staff Recommendation to Establish a No Parking 7am to 9am Tuesday Restriction on the South Side of Elizabeth Court</b>  | NO PARKING 7-9AM TUES. SOUTH SIDE ELIZABETH CT.              |
| <b>N.</b> | Resolution 2008-R-103 entitled <b>RESOLUTION AUTHORIZING THE VILLAGE OF OAK PARK TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS, AUTOMOBILE MECHANICS LOCAL NO. 701, REPRESENTING EMPLOYEES OF THE PUBLIC WORKS DEPARTMENT/FLEET SERVICES CONCERNING TERMS AND CONDITIONS OF EMPLOYMENT FOR THE PERIOD OF JANUARY 1, 2008 TO DECEMBER 30, 2010</b> | LABOR AGREEMENT WITH I.A.M. FOR FLEET SERVICES               |
| <b>P.</b> | Ordinance 2008-O-037 entitled <b>ORDINANCE AMENDING CHAPTER 17, ARTICLE 1, SECTION 7, OF THE VILLAGE CODE ENTITLED "DESTROYING PROPERTY"</b>   | AMEND VOP CODE RE: DESTROYING PROPERTY                       |

**Approval of the Consent Agenda**

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

The roll call on the vote was as follows:  
AYES: Trustees Hale, Hedges, Johnson, Lueck, Marsey, Pate and President Pope  
NAYS: None  
ABSENT: None  
The Consent Agenda was approved.

**CALL TO BOARD AND CLERK**

Village Clerk Sandra Sokol mentioned the increase in residents registering to vote in anticipation of the November election.

APPROVE  
CONSENT  
AGENDA

CALL TO  
BOARD AND  
CLERK

**Village of Oak Park      Minutes of the Regular Meeting of the Board of Trustees, September 2<sup>nd</sup>, 2008**

Trustee Lueck voiced her approval that items on parking would be taken up at the next meeting.

Trustee Pate urged citizens to remain engaged and stay informed about the national election campaign; many important issues are being debated.

Trustee Johnson commented that two events, which took place on the same day, were both wildly successful: The Roosevelt Road Block Party, and the Micro Brewers' Showcase on Marion Street.

President Pope admitted he owes the Board of Trustees a letter regarding Village Manager Barwin's review process.

Trustee Marsey thanked all those who attended the Micro Brewers' Showcase.

Trustee Hale disclosed he will look very closely at parking proposals in the week to come. He expressed his concern for businesses.

Trustee Hedges pointed out that while we are discussing rock salt and snow, at least we do not need to discuss hurricanes (Hurricanes Gustav, Hanna and Ike were active.)

**ADJOURN**

It was moved by Trustee Hale, seconded by Trustee Johnson, to adjourn the meeting. A voice vote was taken and the motion was approved. The Meeting was adjourned at 10:37 P.M. Monday, September 2<sup>nd</sup>, 2008.

ADJOURN

SUBMITTED AND RECORDED IN THE OFFICE OF:

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Sandra Sokol, Village Clerk

By: Karen Morris Muriello  
Deputy Village Clerk