

**APPROVED MINUTES OF THE REGULAR MEETING
OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK
HELD ON MONDAY, FEBRUARY 2ND, 2009 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 7:37 P.M. and declared that a quorum was present.

REGULAR
MEETING
2/2/2009

AGENDA:

President Pope suggested that the Agenda dated February 2nd, 4:49 P.M. be approved. It was moved by Trustee Marsey, seconded by Trustee Lueck, that the agenda be approved as printed.

AGENDA FOR
THIS
MEETING
APPROVED

A voice vote was taken and the agenda was approved.

MINUTES:

It was moved by Trustee Johnson seconded by Trustee Hedges that the draft minutes of the Regular Board Meeting of January 20th, 2009 be approved.

MINUTES FOR
1/20/2009
APPROVED

A voice vote was taken and the minutes of January 20th, 2009 were approved as written.

PROCLAMATION:

National African-American History Month

It was moved by Trustee Pate, seconded by Trustee Lueck, to concur in a Proclamation to declare February 2009 as National African-American History Month.

PROCLAMATION
NATIONAL
AFRICAN-
AMERICAN
HISTORY
MONTH

A voice vote was taken and the Proclamation was approved.

PRESENTATION:

2008 Community Survey Results

Assistant Village Manager Rob Cole provided a review of the 2008 Community Survey produced by the National Research Center. The bi-annual survey furnishes the Board with data on how Village services are perceived by residents.

PRESENTATION
2008
COMMUNITY
SURVEY
RESULTS

NON-AGENDA PUBLIC COMMENT

President Pope requested that Public Comment portion of the agenda be a "No Politics Zone," and that speakers refrain from announcing candidacy.

NON-AGENDA
PUBLIC
COMMENT

Daniel E. Fore, P.O. Box 1104. Mr. Fore read from a December 28, 2008 letter thanking him for organizing the holiday dinners for servicemen. Then Mr. Fore showed color photographs of sailors from Great Lakes Naval Base enjoying the hospitality of Oak Park residents.

Kevin Scott, 255 South Marion. Three weeks ago, Mr. Scott was charged with disorderly

conduct by YMCA CEO Scott Gaalaas. Mr. Scott felt the charge was without merit and that he should be exonerated.

VILLAGE MANAGER REPORTS

A. Reports

Village Manager Tom Barwin reported that the Cook County Board is considering moving its Board of Health office out of its Lake Street Office. President Pope introduced a Resolution addressing that relocation.

VILLAGE
MANAGER
REPORTS

RESOLUTION:

Opposition to the Relocation of the Cook County Department of Public Health

It was moved by Trustee Johnson, seconded by Trustee Hedges, to concur in a Resolution declaring Opposition to the Relocation of the Cook County Department of Public Health from Lake Street in Oak Park to another location in South Suburban Cook County.

RESOLUTION
OPPOSING
RELOCATION
OF COOK
COUNTY
DEPARTMENT
OF PUBLIC
HEALTH
OFFICE

A voice vote was taken and Resolution was approved.

CITIZEN ADVISORY BOARDS AND COMMISSIONS RECOMMENDATIONS

Citizen Involvement Commission

CITIZEN
ADVISORY
BOARDS AND
COMMISSIONS

B. Citizen Commission Vacancies

A Commissions Vacancy Report was distributed.

C. Citizen Commission Appointments

There were no appointments.

REGULAR AGENDA

REGULAR
AGENDA

D. It was moved by Trustee Marsey, seconded by Trustee Johnson, that Ordinance 2009-O-07 entitled **ORDINANCE AUTHORIZING ISSUANCE OF A SPECIAL USE PERMIT TO PERMIT A RESTAURANT DRIVE-THROUGH FACILITY AT 217 MADISON STREET** be adopted, true and correct copies of said Ordinance herewith being ordered filed in the Office of the Village Clerk.

SPECIAL USE
PERMIT FOR
DRIVE-
THROUGH AT
217 MADISON,
DUNKIN'
DONUTS

PUBLIC COMMENT

Alan L. Stefaniak, 216 W. Higgins Road, Park Ridge; attorney representing Ashok Pandya, owner of the property at 217 Madison Street. Mr. Stefaniak urged the Board to pass the Ordinance, seeing how his client has been cooperative and has modified his plans.

Mark Nichols, 518 South Harvey; representing a concerned citizens group. Mr. Nichols asserted the Dunkin' Donuts business, along with the Madison-Highlands development, will create new volumes of vehicular traffic in the area. He asked for a traffic diverter or cul-de-sac, along with reconsideration of the 4:30 A.M. start time.

Tom Hafner, 609 South Harvey. Mr. Hafner called for no drive through; but if the drive-through must be approved let the start of operation be “civilized” at 6:00 A.M. Mr. Hafner also proposed that landscaping be used to restrict outdoor seating.

Michael Stewart, 1187 South Grove. Mr. Stewart lives across the street from an operating 24 hour Dunkin’ Donuts in Oak Park on Roosevelt Road. Mr. Stewart described his first-hand experience with the noise of vehicle horns, car radios and daily delivery trucks, the invasiveness of flood lights, diesel fumes and street trash.

AMENDMENT ONE

It was moved by Trustee Johnson, seconded by Trustee Marsey, to amend the Ordinance by stipulating a monument type sign instead of a pole sign.

AMEND FOR
MONUMENT
SIGN

The roll call on the amendment was as follows:

AYES: Trustees Johnson and Marsey and President Pope

NAYS: Trustees Hale, Hedges, Lueck and Pate

ABSENT: None

The amendment was defeated.

AMENDMENT TWO

It was moved by Trustee Marsey, seconded by Trustee Johnson, to amend the Ordinance by requiring architectural articulation and enhancement on the sidewalls of the building, to be approved by the Village Manager.

AMEND FOR
ENHANCEMENT
ON SIDES OF
BUILDING

The roll call on the amendment was as follows:

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

NAYS: None

ABSENT: None

The amendment was approved.

AMENDMENT THREE

It was moved by Trustee Pate, seconded by Trustee Marsey, to amend the Ordinance by stipulating a monument type sign instead of a pole sign, with input of the Village Planner and approval by the Village Manager.

AMEND FOR
MONUMENT
SIGN

The roll call on the amendment was as follows:

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

NAYS: None

ABSENT: None

The amendment was approved.

AMENDMENT FOUR

It was moved by Trustee Johnson, seconded by Trustee Hedges, to amend the Ordinance by stipulating the inclusion of three to four trees and planting of ivy to soften and green the area.

AMEND FOR
TREES AND
IVY

The roll call on the amendment was as follows:

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

NAYS: None

ABSENT: None
The amendment was approved.

AMENDMENT FIVE

It was moved by Trustee Johnson, seconded by Trustee Hale, to amend the Ordinance by modifying the start of business from 4:30 A.M. to 6:00 A.M.

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

AMEND FOR
6:00 AM
START

AMENDMENT SIX

It was moved by Trustee Marsey, seconded by Trustee Johnson, to amend the Ordinance by modifying the start of business from 4:30 A.M. to 5:00 A.M. and stipulating the close of business at 10:00 P.M.

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

AMEND FOR
5:00 AM
START

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

- F.** It was moved by Trustee Hale, seconded by Trustee Marsey, to table Item F, **ORDINANCE APPROVING THE ZONING ORDINANCE TEXT AMENDMENT FOR AN AMENDMENT OF THE PLANNED DEVELOPMENT SECTIONS OF THE ZONING ORDINANCE**, until a future meeting.

ZONING
ORDINANCE
TEXT
AMENDMENT
TABLED

The roll call on the vote was as follows:
AYES: Trustees Hale, Lueck, Marsey and Pate
NAYS: Trustees Hedges, Johnson and President Pope
ABSENT: None
The motion to table Item F was approved.

- E. Recommendations from Telecommunications Commission Regarding the Installation, Maintenance and Documentation of Above Ground Services**

- E1.** It was moved by Trustee Marsey, seconded by Trustee Hedges, to concur in **Consideration of the Telecommunications Commission Recommendation to Draft a New Ordinance for the Future Installation, Maintenance and Documentation of Above Ground Services.**

TELECOM-
MUNICATIONS
RECOMMEN-
DATIONS
REGARDING
ABOVE
GROUND
SERVICES

A voice vote was taken and the motion was approved.

- E2. It was moved by Trustee Johnson, seconded by Trustee Marsey, to concur in **Consideration of the Telecommunications Commission Recommendation to Refer to the Transportation Commission a Review of Existing Installations.**

The roll call on the vote was as follows:

AYES: Trustees Hale, Hedges, Johnson, Lueck and Marsey

NAYS: Trustee Pate and President Pope

ABSENT: None

The motion was approved.

President Pope asked that Item D be reconsidered. There was no objection.

- D. It was moved by Trustee Johnson, seconded by Trustee Lueck, to reconsider the **ORDINANCE AUTHORIZING ISSUANCE OF A SPECIAL USE PERMIT TO PERMIT A RESTAURANT DRIVE-THROUGH FACILITY AT 217 MADISON STREET.**

MOTION TO RECONSIDER ITEM D

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: Trustee Marsey

The motion to reconsider was approved.

It was moved by Trustee Marsey, seconded by Trustee Johnson, that Ordinance 2009-O-07 entitled **ORDINANCE AUTHORIZING ISSUANCE OF A SPECIAL USE PERMIT TO PERMIT A RESTAURANT DRIVE-THROUGH FACILITY AT 217 MADISON STREET** be adopted, true and correct copies of said Ordinance herewith being ordered filed in the Office of the Village Clerk.

NEW VOTE ON SPECIAL USE PERMIT FOR DUNKIN' DONUTS

The roll call on the Ordinance as amended was as follows:

AYES: Trustees Hale, Hedges, Johnson, Lueck and Pate

NAYS: President Pope

ABSENT: Trustee Marsey

The Ordinance as amended was approved.

CONSENT AGENDA

CONSENT AGENDA

Given the hour, the Trustees agreed to dispense with a reading of the Consent Agenda.

BARRIE PARK GRANT & LOAN BPIP-084

- G. Resolution 2009-R-024 entitled **RESOLUTION AUTHORIZING A BARRIE PARK GRANT AND LOAN BPIP-084**

- H. Resolution 2009-R-025 entitled **RESOLUTION AMENDING THE GUIDELINES OF THE MULTI-FAMILY HOUSING INCENTIVES**

MULTI-FAMILY HOUSING INCENTIVES PROGRAM

PROGRAM TO REFLECT FUNDING LEVELS PASSED IN THE 2009 BUDGET

- | | | |
|------------|--|---|
| I. | Resolution 2009-R-026 entitled RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF OAK PARK AND THE OAK PARK AREA CONVENTION AND VISITORS BUREAU FOR 2009 NOT TO EXCEED \$225,160 | AGREEMENT WITH OAK PARK AREA CONVENTION & VISITORS BUREAU |
| J. | Resolution 2009-R-027 entitled RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF OAK PARK AND THE OAK PARK AREA ARTS COUNCIL FOR 2009 NOT TO EXCEED \$113,820 | AGREEMENT WITH OAK PARK AREA ARTS COUNCIL |
| K. | Ordinance 2009-O-08 entitled ORDINANCE AUTHORIZING THE SPECIAL USE FOR A WIRELESS FACILITY AT 169 N. GROVE AVENUE AS REVIEWED AT THE JANUARY 20, 2009 MEETING | SPECIAL USE FOR WIRELESS FACILITY AT 169 N. GROVE |
| L. | Motion to Amend the 2009 Community Relations Commission Work Plan to Include the Review of the Advisory Referendum for a Local Living Wage Ordinance and Make Recommendations to the Village Board as Reviewed at the January 26, 2009 Special Meeting | MOTION FOR CRC TO REVIEW LIVING WAGE ORDINANCE |
| M1. | Resolution 2009-R-028 entitled RESOLUTION AUTHORIZING THE SETTLEMENT AND EXECUTION OF A WORKER'S COMPENSATION COMMISSION SETTLEMENT CONTRACT FOR CASE NUMBERS 07-WC-09806 AND 07-WC-05484 | WORKER'S COMPENSATION SETTLEMENTS |
| M2. | Resolution 2009-R-029 entitled RESOLUTION AUTHORIZING THE SETTLEMENT AND EXECUTION OF A WORKER'S COMPENSATION COMMISSION SETTLEMENT CONTRACT FOR CASE NUMBERS 07-WC-37755 AND 07-WC-37696 | |
| N. | Resolution 2009-R-030 entitled RESOLUTION AUTHORIZING AN AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS (IAM), DISTRICT 8 FOR A SUCCESSOR COLLECTIVE BARGAINING AGREEMENT FOR THE PERIOD OF JANUARY 1, 2009 THROUGH DECEMBER 31, 2010 AND RELATED MEMORANDUM OF UNDERSTANDING | LABOR AGREEMENT WITH IAM FOR 1/1/2009 THROUGH 12/31/2010 |

Approval of the Consent Agenda

It was moved by Trustee Lueck, seconded by Trustee Hedges, to approve the items under Consent. True and correct copies of the Resolutions, Ordinance and Motion 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, Pate and President Pope

NAYS: None

APPROVE
CONSENT
AGENDA

ABSENT: Trustee Marsey
The Consent Agenda was approved.

CALL TO BOARD AND CLERK

Referring to the Community Survey, Trustee Lueck was sad to note that even in a community such as ours where public transportation is abundant, two-thirds of people drive to work.

Trustee Hedges thought the survey reflected high expectations by residents, and lots of work for the Trustees.

President Pope sent out his thanks and appreciation for the effort and hard work that went into tonight's meeting.

ADJOURN

It was moved by Trustee Pate, seconded by Trustee Hedges, to adjourn the meeting. A voice vote was taken and the motion was approved. The meeting was adjourned at 11:40 P.M. Monday, February 2nd, 2009.

SUBMITTED AND RECORDED IN THE OFFICE OF:

Sandra Sokol, Village Clerk

By: Karen Morris Muriello
Deputy Village Clerk

CALL TO
BOARD AND
CLERK

ADJOURN