

**APPROVED MINUTES - REGULAR BOARD MEETING
PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK
HELD ON MONDAY, JANUARY 3RD, 2011 AT 7:30 P.M.
IN THE COUNCIL CHAMBERS OF OAK PARK VILLAGE HALL**

OFFICIAL RECORD

PRESENT: Trustees Brewer, Hale, Hedges, Johnson and Lueck; President Pope
ABSENT: Trustee Pate
QUORUM: President Pope called the meeting to order at 7:35 p.m. and declared that a quorum was present.

AGENDA

President Pope announced that Items J and R would be removed from the agenda and Item T would be amended by removing the words "cited above" from page 6 of the contract. It was moved and seconded to approve the amended agenda for the meeting . A voice vote was taken and the agenda was approved as amended.

MINUTES

It was moved and seconded that the minutes of the Special Meeting of November 11, 2010, the Regular Meeting of November 15, 2010 and the Special Meeting of November 22, 2010 be approved. A voice vote was taken and the minutes were approved as presented.

Appointments - Madison Street Streetscape Steering Committee

It was moved and seconded to approve the appointments for the Madison Street Streetscape Steering Committee.

Trustee Hedges commented about the number of staff on the committee. He and Trustee Johnson were concerned that a meeting time of 2:00 – 4:00 p.m. would not be convenient for members who are not staff. Village Manager Tom Barwin stated that the resident members were aware and would be able to attend.

A voice vote was taken and the appointments were approved.

VILLAGE MANAGER REPORT

A. Mr. Barwin thanked all the Village employees who worked over the holiday.

CITIZEN COMMISSION VACANCIES AND APPOINTMENTS

B. President Pope referred to the Board and Commission vacancy report, and urged residents to volunteer.

FIRST READING**E. First Reading of an Ordinance Amending Chapter 30 of the Village Code Regulating Special Events**

Village Clerk Teresa Powell summarized the amendment. This would consist of the removal of an inspection fee that was also included in the permit fee, and the addition of a double-time wage rate to the fee schedule for Public Works personnel who are required to work the occasional Sunday or holiday.

President Pope asked if this information had been shared with members of the business community who typically sponsor these events. Village Clerk Powell replied that she had discussed this with Downtown Oak Park and that the entire process would be presented to event sponsors at the Special Event Summits scheduled for January 20 and 21.

SECOND READING**F. Second Reading of an Ordinance Amending Chapter 24, Articles 1 and 2 of the Village Code Regarding Taxicabs**

Village Attorney Ray Heise described two new proposed changes; modifying the sections regarding pre-payment of fares and cruising streets. All other proposed changes were consistent with what had already been presented to the Board.

Trustee Hale commented that asking for prepayment from anyone who is unfamiliar to the driver was too broad. He also stated that he did not recall discussing requiring drivers to keep a log of pre-paid fares. President Pope agreed.

Trustee Brewer suggested it would be simpler prohibiting pre-payment altogether to avoid implying discrimination.

Trustee Hale added that there has been no evidence of discrimination by cabdrivers. The job was a dangerous one with instances of non-payment. It was reasonable for them to ask for prepayment under the circumstances noted, but logging and reporting of pre-payment fares was excessive.

After discussion, it was suggested to amend the language under 24-1-18A1c to read "is unfamiliar to the driver and does not exit from the address to which the driver was dispatched."

REGULAR AGENDA

*All Ordinances and Resolutions adopted herein
are herewith ordered filed in the Office of the Village Clerk*

G. Ordinance Amending Chapter 24, Articles 1 and 2 of the Village Code Regarding Taxicabs

It was moved and seconded to amend the language under 24-1-18A1c to read "is unfamiliar to the driver and does not exit from the address to which the driver was dispatched." A voice vote was taken and the amendment was approved.

It was moved and seconded that Ordinance 2011-0-1 entitled **ORDINANCE AMENDING CHAPTER 24, ARTICLES 1 AND 2 OF THE VILLAGE CODE REGARDING TAXICABS** be adopted.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hale, Hedges, Johnson and Lueck; President Pope

NAYS: None

ABSENT: Trustee Pate

The ordinance was adopted.

I. It was moved and seconded that Resolution 2011-R-1 entitled RESOLUTION AUTHORIZING THE EXECUTION OF A WATER METER AND WATER METER PARTS PURCHASE AGREEMENT WITH NORTHERN WATER WORKS SUPPLY/FERGUSON WATER WORKS FOR THE TOTAL AMOUNT NOT TO EXCEED \$331,600 WAIVING THE VILLAGE'S BID PROCESS and Resolution 2011-R-2 entitled RESOLUTION AUTHORIZING THE EXECUTION OF A SERVICE AGREEMENT WITH NORTHERN WATER WORKS IN AN AMOUNT NOT TO EXCEED \$23,400 FOR ADMINISTRATIVE SUPPORT FOR THE VILLAGE'S WATER METER CHANGE OUT PROGRAM IN 2011 be adopted.

Trustee Johnson asked that it be explained for the record why the Village is waiving the bid process.

Director of Public Works John Wielebnicki explained that the process of replacing water meters from this vendor began in 2000 and the Village is not in a position to swap out different types of manufacturers' meters, considering the meter reading equipment that they have. He added that, regardless of not bidding, the prices are extremely competitive.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hale, Hedges, Johnson and Lueck; President Pope

NAYS: None

ABSENT: Trustee Pate

The resolutions were adopted.

H. Motion to Direct Staff to Prepare an Ordinance Providing for the Submission to the Electors of the Village of Oak Park, Cook County, the Question Whether the Village Should Have the Authority Under Public Act 096-0176 to Arrange for the Supply of Electricity for its Residential and Small Commercial Retail Customers who Have Not Opted Out of Such Program

Mr. Barwin explained that the voters will have to authorize the Village to move forward on this initiative and for that to occur, the Board had to authorize staff to allow this question to be put on the ballot in the April election. There was a very

limited window to be able to do this. He turned the discussion over to Sustainability Manager K.C. Poulos.

Ms. Poulos explained that community choice aggregation is an opt-out program that allows local governments the option to combine residential and small commercial retail electric accounts and seek bids for a cheaper and possibly cleaner source of energy. Village staff will prepare an RFP once the referendum is approved. The bid that comes closest to achieving the goals of the aggregation plan will be accepted. However, if none of the bids are competitive, there is no obligation to accept them, and the aggregated accounts continue with the status quo. There is little risk or downside because the Village is not obligated to accept bids, and each account has the ability to opt out of the program.

Ms. Poulos introduced local energy experts Jim Belden, Emmet George and Craig Schuttenberg representing Energy Choices, Chris Townsend and Chris Skey of DLA Piper, Mike Mudge of Rock River Energy Services, Brenda Fargo of First Energy Solutions and John Kelly of Galvin Electric Initiatives, who were available to answer questions from the Board.

Trustee Brewer expressed concern that a lower cost from a supplier may encourage Com Ed to increase their rates. Ms. Poulos stated that Com Ed's rates are heavily regulated by the Illinois Commerce Commission and any rate increase would have to be justified to them. Mr. Belden of Energy Choices further explained that Com Ed, as distributor, would receive the same amount no matter who the supplier was or what the cost was.

Trustee Lueck commented that from now until April was a short time to educate the public on this issue, as many people are not aware that Com Ed, as the distribution agent, provides billing and maintains the grids, but does not provide the power.

Ms. Fargo from First Energy Solutions suggested holding informational meetings and informing people through the OP/FYI. The referendum is written in statute required language; it cannot be changed to make known the potential savings this would allow. Ms. Poulos added that two public hearings are required before the election should the Board approve the ordinance.

There was further discussion and questions for the local energy experts.

Trustee Hale asked if this referendum passes, would the Village be permanently away from Exelon, the current supplier, unless an individual resident or store owner opts out? Ms. Poulos replied no; if there is a one year contract, the following year when the Village goes back out to bid, Exelon may come back with the best rate.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hale, Johnson and Lueck; President Pope

NAYS: Trustee Hedges

ABSENT: Trustee Pate

The motion was approved.

CONSENT AGENDA

- L. Resolution 2010-R-3 entitled **RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH G.A. PAVING CONSTRUCTION, INC. OF OAK BROOK, IL FOR SNOW REMOVAL SERVICES IN 2011 IN AN AMOUNT NOT TO EXCEED \$65,000**
- M. Resolution 2010-R-4 entitled **RESOLUTION AUTHORIZING THE USE OF MOTOR FUEL TAX FUNDS FOR MAINTENANCE OF STREETS IN THE VILLAGE OF OAK PARK FOR FISCAL YEAR 2011**
- N. Resolution 2010-R-5 entitled **RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN VILLAGE OF OAK PARK AND VILLAGE OF RIVER FOREST FOR ENVIRONMENTAL HEALTH SERVICES - 2011**
- O. Resolution 2010-R-6 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A ONE YEAR AGREEMENT WITH B. HANEY & SONS OF LOMBARD, ILLINOIS FOR 2011 TREE REMOVAL AND EMERGENCY SERVICES, NOT TO EXCEED \$500,000**
- P. Resolution 2010-R-7 entitled **RESOLUTION AUTHORIZING A SUBORDINATION OF LIEN: MSA-1002-G**
- Q. Ordinance 2010-O-2 entitled **ORDINANCE AUTHORIZING AMENDMENT OF SECTION 7-9-8F OF THE VILLAGE CODE DESIGNATING 308 N. OAK PARK AND 633 N. EAST AS OAK PARK HISTORIC LANDMARKS AS REVIEWED AT THE NOVEMBER 22, 2010 VILLAGE BOARD MEETING**
- S. **Motion to Approve Parking Restriction Changes on the Northwest Corner of Randolph Street and East Avenue and Direct Staff to Prepare an Amendment to Resolution 1995-R-152**
- T. Resolution 2010-R-8 entitled **RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS, LOCAL 702 REPRESENTING EMPLOYEES OF THE PUBLIC WORKS DEPARTMENT/FLEET SERVICES CONCERNING TERMS AND CONDITIONS OF EMPLOYMENT FOR THE PERIOD JANUARY 1, 2011 THROUGH DECEMBER 31, 2012**

APPROVE THE CONSENT AGENDA

It was moved and seconded to approve the items under the Consent Agenda.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hale, Hedges, Johnson and Lueck; President Pope

NAYS: None

ABSENT: Trustee Pate

The Consent Agenda was adopted.

CALL TO THE BOARD AND CLERK

Village Clerk Powell wished all a happy new year and spoke about voter registration for the upcoming election in April.

Trustee Brewer wished all a happy new year and discussed sales tax receipts for December 2010 and shopping local.

Trustee Lueck commented that it was a wonderful holiday season and, that individually and collectively as a board, they will be thinking goals for the upcoming year.

.Trustee Johnson thanked Public Works personnel who worked over Christmas and acknowledged the strong efforts of the retail and restaurant community during the holiday season. He also urged residents to vote on the sculptures on display at Village Hall, the winner of which will be displayed at the corner of Harlem and Ontario.

Village Manager Barwin hoped that the Board had a restful break and announced topics for next Monday's meetings. He also thanked everyone for their participation in the discussion regarding the energy initiative this evening.

President Pope discussed his plans to attend the U.S. Conference of Mayors meeting in Washington, D.C. and looked forward to reviewing established performance measures, such as sales tax receipts.

ADJOURN

It was moved and seconded to adjourn. A voice vote was taken and the motion was approved. The meeting adjourned at 9:45 P.M. Monday, January 3, 2011.

SUBMITTED AND RECORDED IN THE OFFICE OF:

By: MaryAnn Schoenneman
Interim Deputy Village Clerk

Teresa Powell, Village Clerk