

**APPROVED MINUTES - SPECIAL BOARD MEETING
PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK
HELD ON WEDNESDAY, JANUARY 18TH, 2012 AT 6:30 P.M.
IN THE COUNCIL CHAMBERS OF OAK PARK VILLAGE HALL**

I. CALL TO ORDER

President Pope called the meeting to order at 6:32 p.m.

II. ROLL CALL

PRESENT: Trustees Brewer, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope

ABSENT: None

**III. ADJOURN TO EXECUTIVE SESSION TO REVIEW EXECUTIVE SESSION MINUTES,
DISCUSS COLLECTIVE BARGAINING, SALE OF PROPERTY AND LITIGATION**

In compliance with the Open Meetings Act, it was moved and seconded to adjourn to Executive Session to review Executive Session minutes and discuss collective bargaining, sale of property and litigation in Room 130.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: None

The motion was approved.

IV. RETURN TO OPEN MEETING 7:30 PM IN COUNCIL CHAMBERS

PRESENT: Trustees Brewer, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope

ABSENT: None

The Regular Meeting reconvened at 7:35 p.m. in Council Chambers.

V. AGENDA APPROVAL

President Pope noted that Item H would be moved from the Consent agenda to the Regular agenda. It was moved and seconded to approve the agenda for the meeting. A voice vote was taken and the agenda was approved as amended.

VI. MINUTES

It was moved and seconded that the minutes of the Regular Meeting of January 3, 2012 be approved. A voice vote was taken and the minutes were approved as presented.

VII. NON-AGENDA PUBLIC COMMENT

Saji Thomas, Owner, B P Gas Station, 7140 W. Roosevelt Rd. Mr. Thomas spoke about the Village gas tax, noting that gas station owners are competing with neighboring communities that have a lower rate or no tax, and asked the Board to consider reducing it.

Zachariah Chacku, Owner, B P Gas Station, 727 N. Harlem. Mr. Chacku discussed the cost of doing business as well and asked the Board to consider eliminating the gas tax temporarily and reintroducing it at a lower rate.

Cliff Stevens, Owner, B P Gas Station, 520 S. Austin. Mr. Stevens stated that it is difficult to compete with suburbs such as Forest Park and River Forest, which do not have a gas tax to work into their costs.

President Pope stated that perhaps the Finance Committee should discuss this issue to understand what the implications of these taxes have been on the Village's budget as well as on the owners of the gas stations.

Jeffrey Taren, 134 N. Taylor, representing the Oak Park Housing Authority. Mr. Taren asked the Board to reconsider the Housing Authority's request for funding for 2012.

VIII. PROCLAMATION – OAK PARK ART LEAGUE CELEBRATES 90 YEARS OF PROVIDING THE COMMUNITY WITH OPPORTUNITIES IN THE ARTS

President Pope read the proclamation aloud. It was moved and seconded that the proclamation entitled **OAK PARK ART LEAGUE CELEBRATES 90 YEARS OF PROVIDING THE COMMUNITY WITH OPPORTUNITIES IN THE ARTS** be adopted. A voice vote was taken and the proclamation was adopted.

IX. FEDERAL RESERVE BANK OF CHICAGO PRESENTATION

Housing Services Manager Tammie Grossman introduced Susan Longworth, author of Suburban Housing Collaborative: A Case for Interjurisdictional Collaboration.

Ms. Longworth stated that interjurisdictional collaboration is defined as communities addressing their housing challenges collectively without affecting any existing municipal governance structures. She discussed how and why these are formed as well as specific issues being worked on by collaboratives in the Chicago metro region.

X. VILLAGE MANAGER REPORTS

Village Manager Tom Barwin spoke about a new Village service, Rapid Notify, which enables residents to receive an email, text message or telephone call informing them of any unexpected situation that the Village wants residents to be notified of. He gave instructions on how to sign up for the service. Mr. Barwin also announced that repairs will begin tomorrow at 201 Harrison and should be completed by spring.

XI. VILLAGE BOARD COMMITTEES

Trustee Johnson announced that the Personnel Committee sent out the template for the 2011 Manager's Performance Review and asked that it be returned by January 27 so that they may move forward.

XII. CITIZEN COMMISSION VACANCIES

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

XIII. CITIZEN COMMISSION APPOINTMENTS, REAPPOINTMENTS, REMOVAL, RESIGNATION AND CHAIR APPOINTMENTS

It was moved and seconded to concur in the following appointments by President Pope:

Environment and Energy Commission

Reappointment of Laura Haussmann, as Member, with a term to expire January 5, 2015

Farmers Market Commission

Appointment of Alyson Sowers, as Member, with a term to expire January 18, 2015

Public Art Advisory Commission

Reappointment of Christine Worley, as Member, with a term to expire January 5, 2015

A voice vote was taken and the motion was approved.

XIV. FIRST READING

A. First Reading of Ordinances Related to IMPACT Recommendations

Police Chief Rick Tanksley gave a history of the efforts of the citizens group IMPACT and staff in preparing these ordinances. The proposed ordinances before the Board this evening refer to tobacco and cannabis possession; an alcohol related ordinance would be presented at the next meeting.

1. First Reading of an Ordinance Prohibiting the Possession of Tobacco by a Minor

Village Attorney Simone Boutet stated that the current ordinance does not allow for the sale of tobacco to a minor; it has been revised to include possession as well.

David Boulanger, 207 N. Elmwood, Supervisor, Oak Park Township. Mr. Boulanger expressed support for the ordinance.

George Thompson, 1128 N. Ridgeland, representing a law committee of the citizens group IMPACT. Mr. Thompson discussed the advantages of adopting local ordinances as opposed to state law and asked the Board to support these ordinances.

Trustee Tucker noted that the fines for possession of both tobacco and cannabis were the same and suggested that cannabis be higher.

Trustee Lueck asked for clarification of the citation and local adjudication procedures, adding that referral to a community based program would be a more appropriate consequence. Ms. Boutet explained the process and noted that neither penalty would result in a juvenile record. Trustee Lueck suggested a series of progressive consequences.

Mr. Boulanger spoke about Face It, a community based program run out of the Township.

President Pope directed Ms. Boutet to expand the alternatives that are available to include community based programs. He also stated that a tiered system approach regarding penalties would be reasonable.

2. First Reading of an Ordinance Prohibiting the Possession of Cannabis in an Amount Not to Exceed 30 Grams and Cannabis Paraphernalia by Minors

Kristine Raino-Ogden, 559 Edgewood Place, River Forest, Chairperson, IMPACT. Ms. Raino-Ogden spoke about the importance of early intervention, noting that this is the intention of both ordinances.

Chief Tanksley stated that there is no ordinance addressing possession of cannabis or drug paraphernalia in Oak Park. While any amount is illegal, over 30 grams constitutes a felony and must go to court. What is being proposed is that possession of 30 grams or less be referred to local adjudication. He added that what is significant about cannabis is that currently, possessing any amount will result in a juvenile arrest record for marijuana that could follow an individual for the rest of their life, unless expunged. Penalties imposed for violation of this ordinance would not result in a permanent record.

Following a discussion, President Pope suggested that the penalty language be changed to “shall be fined \$300 for the first offense and \$500 for any subsequent offense”. Trustee Johnson noted the possibility of reasonable public service in lieu of a fine. He also commented that this needed to be consistent with River Forest’s ordinance, so the same message is sent out to all students at Oak Park and River Forest High School.

XV. REGULAR AGENDA

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

B. Discussion and Consideration of Draft Conditions for the Amendment to the Planned Development Ordinance 2010-0-014 as Directed on January 9, 2012

Village Planner Craig Failor and Plan Commission Chair Linda Bolte briefly discussed how the proposed conditions were determined. President Pope stated that further discussion would take place at a subsequent meeting.

C. It was moved and seconded that a Resolution Authorizing the Execution of Agreement between the Village of Oak Park and the Oak Park Regional Housing Center for 2012 in an Amount Not to Exceed \$365,000 for 2012 be adopted.

Rob Breymaier, 1041 South Blvd., representing Oak Park Regional Housing Center. Mr. Breymaier asked the Board to consider the additional \$20,000 for OPRHC included in their original request due to increased activity as well as a decrease in Federal funding.

Trustee Johnson stated that the Village does not have the resources. Trustee Hedges agreed, adding that because the Federal government has reduced allocations to partner agencies, they are looking to the local government to offset that. Instead of allocating amounts based on what was given the previous year, the Village needs to examine what services are being provided and base the amounts given on how critical these services are.

Trustee Lueck stated that partner agency contracts were never discussed during the budget process. She agreed that the Village cannot be a funding source to make up for Federal cuts, but noted that an increase in demand for the service would justify an increase in dollars. Trustee Brewer agreed, adding that all partner agency contracts should be reviewed.

It was moved and seconded to amend the amount to OPRHC to \$385,000.

Trustee Johnson stated that the Village's debt and fund balance should prevent the Board from adjusting the budget.

The roll call on the vote was as follows:

AYES: Trustees Brewer and Lueck; President Pope

NAYS: Trustees Hedges, Johnson, Salzman and Tucker

ABSENT: None

The motion was defeated.

It was moved and seconded that Resolution 2012-R-11 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENT BETWEEN THE VILLAGE OF OAK PARK AND THE OAK PARK REGIONAL HOUSING CENTER FOR 2012 IN AN AMOUNT NOT TO EXCEED \$365,000 FOR 2012** be adopted.

The roll call on the vote was as follows:

AYES: Trustees Hedges, Johnson, Lueck, Salzman and Tucker; President Pope

NAYS: Trustee Brewer

ABSENT: None

The resolution was adopted.

- D. It was moved and seconded that Resolution 2012-R-12 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENT BETWEEN THE VILLAGE OF OAK PARK AND THE OAK PARK RESIDENCE CORPORATION FOR 2012 IN AN AMOUNT NOT TO EXCEED \$25,000 TO ADMINISTER A CONDOMINIUM MANAGEMENT PROGRAM** be adopted.

The roll call on the vote was as follows:

AYES: Trustees Hedges, Johnson, Lueck, Salzman and Tucker; President Pope

NAYS: Trustee Brewer

ABSENT: None

The resolution was adopted.

- E. It was moved and seconded that Resolution 2012-R-13 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENT BETWEEN THE VILLAGE OF OAK PARK AND THE OAK PARK AREA CONVENTION AND VISITORS BUREAU FOR 2012 IN AN AMOUNT NOT TO EXCEED \$132,000** be adopted.

The roll call on the vote was as follows:

AYES: Trustees Hedges, Johnson, Salzman and Tucker; President Pope

NAYS: Trustees Brewer and Lueck

ABSENT: None

The resolution was adopted.

- F. It was moved and seconded that Resolution 2012-R-14 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENT BETWEEN THE VILLAGE OF OAK PARK AND THE OAK PARK DEVELOPMENT CORPORATION FOR 2012 IN AMOUNT NOT TO EXCEED \$ 348,000 IN GENERAL FUNDS, WITH AN ADDITIONAL \$50,000 IN MADISON STREET TIF FUNDS FOR THE GRANT PROGRAM, FOR A TOTAL OF \$398,000** be adopted.

The roll call on the vote was as follows:

AYES: Trustees Hedges, Johnson, Salzman and Tucker; President Pope

NAYS: Trustees Brewer and Lueck

ABSENT: None

The resolution was adopted.

- G. It was moved and seconded that Resolution 2012-R-15 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR SERVICES BETWEEN THE VILLAGE OF OAK PARK AND THE OAK PARK AREA ARTS COUNCIL FOR 2012 IN AN AMOUNT NOT TO EXCEED \$119,740** be adopted.

The roll call on the vote was as follows:

AYES: Trustees Hedges, Johnson, Salzman and Tucker; President Pope

NAYS: Trustees Brewer and Lueck

ABSENT: None

The resolution was adopted.

- O. It was moved and seconded that a **Recommendation from the Plan Commission to Deny Zoning Ordinance Text Amendments Relative to Beauty Supply Stores within the Madison Street Overlay District** be approved.

President Pope clarified that approving this would result in supporting the Plan Commission's recommendation to deny the imposition of a 500 foot limit through the entire Madison Street Corridor.

Ms. Bolte stated that it had been debated and discussed as being inappropriate to have concentrations of this type of development in the Perimeter District. No such restriction exists within the Madison Street District. Mr. Failor explained that this doesn't restrict beauty supply stores from coming to the community; rather it separates them in the Perimeter Overlay District, which is on the first block on either end of Madison Street.

Ms. Bolte noted that having, for example, several fast food restaurants in an area is not considered to be undesirable. One of the concerns of the Plan Commission members was why beauty supply stores have that kind of designation and why the decision was made to limit them in the Perimeter District.

Trustee Hedges agreed that retail strategy places like businesses together to allow choices for consumers and did not understand why the Village would restrict this. Mr. Failor explained that an applicant came to them with the request; the Plan Commission is recommending denial of this. He suggested that the applicant be asked why they want this restriction, as it did not come from staff.

Bates Larson, Attorney, K-Stone Beauty Supply, 20 W. Madison. Ms. Larson stated that they sought this restriction due to a perceived inconsistency within the various overlay districts. Also, her clients were made aware of a beauty supply store opening at 44 W. Madison and that this concentration may be harmful to their business.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hedges, Johnson, Lueck and Salzman

NAYS: Trustee Tucker; President Pope

ABSENT: None

The recommendation was approved.

- H. It was moved and seconded that a **Motion to Approve Zoning Ordinance Text Amendments, Relative Motion to Approve Plan Commission Recommendation Proposing New Language Defining the Term "Vegetative/Green Roof" and Allowing the Construction of Vegetative/Green Roofs to be Used to Fulfill Limited Open Space Requirements, and Direct Staff to Prepare Necessary Documents** be approved.

Mr. Failor stated that this is the findings of fact that discuss the various sections within the zoning code where this would be inserted. Also, it provides a definition of vegetative/green roof, which is currently not in the zoning code. He added that it covers the different scenarios that may occur based on the reconstruction of open space. The zoning code currently requires 25% open space in these three areas. This allows the developer to reduce that open space requirement.

Ms. Bolte explained the process completed by the Plan Commission. Trustee Tucker suggested this be brought before the Community Design Commission for their input.

After discussion, the motion was withdrawn. President Pope stated that this would come back to the Board once presented before the Community Design Commission.

- S. It was moved and seconded that a **Motion to Approve a Name Change for the Universal Access Commission** be approved and an **Ordinance Amending Chapter 2 Article 33, Section 1 of the Code of the Village of Oak Park Regarding the Universal Commission** be adopted.

Trustee Tucker stated that the current name of this commission is misleading. The chair was requesting a more memorable name for people in the community to associate with the commission and to advance the work that they do.

There was a brief discussion. President Pope stated that this would be brought back to a future Consent Agenda once staff provided the completed ordinance.

- P. It was moved and seconded that a **Resolution Authorizing An Amendment to Agreement with Ray Heise for Certain Legal Consulting Services** be adopted.

Trustee Johnson commented that the length and time in the first agreement was reduced due to the Board's intent to make a decision regarding how to handle legal services. Since that decision has not yet been made, he suggested that this be moved forward but with a maximum number of hours added.

It was moved and seconded that the resolution be amended to include a maximum of 300 hours for legal services.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: None

The motion was approved.

It was moved and seconded that Resolution 2012-R-16 entitled **RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT WITH RAY HEISE FOR CERTAIN LEGAL CONSULTING SERVICES** be adopted.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: None

The resolution was adopted.

XVI. CONSENT AGENDA

- J. Resolution 2012-R-17 entitled **RESOLUTION AUTHORIZING THE RELEASE OF CERTAIN EXECUTIVE SESSION MATERIALS**
- K. Ordinance 2012-O-04 entitled **ORDINANCE AMENDING CHAPTER 15, ARTICLE 4 OF THE VILLAGE CODE ENTITLED "VEHICLE LICENSES"**

- L. Resolution 2012-R-18 entitled **RESOLUTION AUTHORIZING A LEAD HAZARD REDUCTION GRANT: SFR-040A**
- M. Resolution 2012-R-19 entitled **RESOLUTION AUTHORIZING A SUBORDINATION OF LIEN, BPIP-002**
- N. Resolution 2012-R-20 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE VILLAGE OF OAK PARK AND SPEARMC MANAGEMENT CONSULTING, INC. FOR PEOPLESFT RELATED SERVICES**
- Q. Resolution 2021-R-21 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 95 REPRESENTING FIRE FIGHTERS AND LIEUTENANTS IN THE OAK PARK FIRE DEPARTMENT CONCERNING TERMS AND CONDITIONS OF EMPLOYMENT FOR THE PERIOD JANUARY 1, 2012 TO DECEMBER 31, 2013**
- R. **Motion to Approve the 2012 Work Plans for the Following Commissions:**
 - A. Citizen Advisory Board or Commission
 - B. Citizen Involvement Commission
 - C. Citizens Police Oversight Committee
 - D. Community Design Commission
 - E. Community Development Citizens Advisory Committee
 - F. Community Relations Commission
 - G. Environment and Energy Commission
 - H. Farmers' Market Commission
 - I. Board of Health
 - J. Historic Preservation Commission
 - K. Housing Programs Advisory Committee
 - L. Liquor Control Review Board
 - M. Plan Commission
 - N. Public Art Advisory Commission
 - O. Transportation Commission
 - P. Universal Access Commission
- T. Resolution 2012-R-22 entitled **RESOLUTION AUTHORIZING THE PURCHASE OF NEW MONITORS IN THE AMOUNT OF \$43,685.80 WAIVING THE VILLAGE'S BID PROCESS**
- XVII. **Approval of Bills for the week beginning January 2, 2012 through January 13, 2012 in an amount of \$999,837.70**

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, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope

NAYS: None

ABSENT: None

The Consent Agenda was approved.

CALL TO THE BOARD AND CLERK

Village Clerk Powell spoke about “Celebrating Seniors” and urged residents to nominate individuals to be honored for the “60 over 60” recognition.

Trustee Salzman spoke about the public forum regarding firearms scheduled for January 24 and encouraged those interested to attend.

Trustee Lueck asked that staff, while doing the study on the impact of the gas tax, research the number of gas stations that have closed in the last year or two in Oak Park. Also, she suggested that Mr. Taren’s request regarding funding for the Housing Authority be referred to the Finance Committee. She added that the Board needed to set their priorities. Lastly, Trustee Lueck spoke about a play she attended at the Madison Street Theater.

Trustee Johnson commended the Commission Work Plans that were approved this evening, particularly the Transportation Commission’s. He agreed with Trustee Lueck regarding board goals and suggested January 23. He also announced that he was appointed to a new advocacy group called CLAIM.

President Pope spoke about his experience moderating a session in Washington earlier today with the Secretary of Transportation.

ADJOURN

It was moved and seconded to adjourn. A voice vote was taken and the motion was approved. The meeting adjourned at 11:47 P.M. Wednesday, January 18, 2012.

SUBMITTED AND RECORDED IN THE OFFICE OF:

Teresa Powell, Village Clerk

By: MaryAnn Schoenneman
Interim Deputy Village Clerk