

**APPROVED MINUTES - REGULAR BOARD MEETING
PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK
HELD ON MONDAY, NOVEMBER 5TH, 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 6:34 p.m.

II. ROLL CALL

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

**III. CONSIDERATION OF MOTION TO ADJOURN TO EXECUTIVE SESSION
TO DISCUSS LITIGATION AND COLLECTIVE BARGAINING IN ROOM 130**

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

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: Trustees Johnson and Lueck

The motion was approved.

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

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

The Regular Meeting reconvened at 7:30 p.m. in Council Chambers.

V. AGENDA APPROVAL

It was moved and seconded to approve the agenda for the meeting. A voice vote was taken and the agenda was approved as presented.

VI. MINUTES

It was moved and seconded that the minutes of the Special Meeting of October 11, 2012 and the Regular Meeting of October 15, 2012 be approved. A voice vote was taken and the minutes were approved as presented.

VII. NON-AGENDA PUBLIC COMMENT

There was no non-agenda public comment.

**VIII. PROCLAMATION – NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK
NOVEMBER 10-18, 2012**

President Pope read the proclamation aloud. It was moved and seconded that the proclamation entitled **NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK NOVEMBER 10-18, 2012** be adopted. A voice vote was taken and the proclamation was adopted.

President Pope noted that tomorrow is Election Day; polls will be open from 6:00 a.m. until 7:00 p.m.

IX. VILLAGE MANAGER REPORTS

Deputy Village Manager Lisa Shelley announced that the water and sewer main improvement project on Lemoyne Parkway is about to begin.

X. VILLAGE BOARD COMMITTEES

There were no Village Board Committee reports.

XI. CITIZEN COMMISSION VACANCIES

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

**XII. CITIZEN COMMISSION APPOINTMENTS, REAPPOINTMENTS, REMOVAL,
RESIGNATION AND CHAIR APPOINTMENTS**

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

Citizen Police Oversight Commission

Reappointment of Andreen Neukranz-Butler, as Member, with a term to expire November 2, 2015

Historic Preservation Commission

Appointment of Tom Sundling, as Member, with a term to expire November 5, 2015

A voice vote was taken and the motion was approved.

XIII. PUBLIC HEARING**A. Public Hearing for the 2013 Proposed Budget**

Ms. Shelley noted that Chief Financial Officer Craig Lesner would open the public hearing for the proposed 2013 budget. The proposed budget and public comment from the Finance Committee meetings held since August are available online for review.

Mr. Lesner explained that state statute requires a public hearing prior to final passage of the budget each year. Mr. Lesner gave a brief history of this year's budget process and answered questions from the Board.

XIV. PUBLIC HEARING**B. Truth in Taxation Hearing**

Also grounded in statute is the Truth in Taxation Hearing, which is required if the tax levy exceeds the previous year by 105%, which it does not this year. Oak Park has generally taken the position that, even though it might not be statutorily required, this is held as an opportunity for the public to comment and the Board to ask questions. Mr. Lesner added that the tax levy is expected to go down approximately 2%. He gave an overview of the allocations.

XV. FIRST READING**C. Ordinances Related to Water & Sewer Rates, Refuse & Recycling Rates, Parking Rates and Performance Management as Proposed in the FY13 Budget****1. First Reading of an Ordinance Amending Sections 26-2-2(A) and 26-2-2(B) of the Village Code Relating to the Meter Charges for Water and Sewer Services**

Trustee Johnson commented that the City of Chicago is increasing water rates by 15% yet the Village is only passing on a 10% increase to residents. He asked why the additional 5% isn't being passed on when the Water and Sewer Fund showed a deficit. Mr. Lesner stated that the Village will only pass along the costs necessary to incorporate the cost of the increase, which amounted to 10% and noted that this will not add to the deficit.

2. First Reading of an Ordinance Amending Section 20-7-2(E) of the Village Code Relating to Rates for Collection of Garbage, Refuse and Recycling Charges

Mr. Lesner stated that a 1% increase is being proposed for 2013.

3. Ordinance Amending Quarterly Parking Permit Fees for On-Street Lots/Garages as Set Forth in Chapter 15 of the Village Code

Trustee Johnson expressed concern regarding the impact of these increases to multi-family residents, noting that fees have increased for on-street lots annually

for the past several years. He questioned the equity of that from the standpoint of those who use on-street meters or the garages on an hourly basis. Interim Parking Services Manager Jill Velan stated that last year a substantial increase for both garages and permits for on-street and off-street parking was implemented. She added that it has been the practice to propose a larger increase one year and evaluate the effects of that the following year, when a small increase or no increase may be implemented. She spoke about the limitations of the current meters which cannot be easily adjusted for higher price increments. Ms. Velan discussed alternate systems being considered, such as pay-by-phone and additional pay-by-space machines.

4. It was moved and seconded to **Direct Staff to Prepare an Ordinance Related to the Inclusion of a Performance Management Program in the Village Code.**

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: Trustee Lueck

The motion was approved

XVII. SECOND READING

- E. **Second Reading of an Adoption of State Mandated Regulations Related to Building Construction as Recommended by the Building Code Advisory Commission**

There were no comments.

XVIII. REGULAR AGENDA

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

- F. It was moved and seconded to **Approve an Application for Special Use for Oak Leaf Academy, LLC Relative to a Daycare Facility Located at 206-208 South Marion Street and Request Staff to Prepare the Necessary Documents.**

Joseph Terry, 909 Lathrop, Forest Park. Mr. Terry spoke in support of Oak Leaf Academy's non-denominational educational program, adding that it will bring diversification of business to this area.

Jo Ann Gantar, 308 S. Kenilworth Ave. Ms. Gantar, co-owner of Oak Leaf Academy, spoke about the potential of her business to fill the need for high quality early childhood care in the community as well as the potential to increase the amount of foot traffic to existing businesses in the area.

Rachel Rettberg, 1030 N. Oak Park Ave. Ms. Rettberg disagreed that a daycare facility would decrease foot traffic and dollars spent on South Marion Street and urged the Board to approve the application.

Nancy Nemetz, 1035 Pleasant St. Ms. Nemetz, a leasing agent for Mills Park Apartments and member of the Pleasant District Association, asked the Board to deny the application. A daycare facility would take away prime retail space when there are two other childcare facilities within a two block radius of this location.

Plan Commission Chair Linda Bolte stated that traffic issues, transit overlay district issues and inconsistency with the Greater Downtown Master Plan and the Retail Strategy Report were discussed extensively by the commission. A significant amount of evidence was presented to suggest that parking would not be a problem, but one of their findings did address pickup and drop-off issues as well as parking for employees. The commission noted that vacant storefronts may be more detrimental to future development of the corridor than a facility that may generate some local foot traffic. Ms. Bolte added that being close to transit makes it very attractive for parents commuting by public transportation and also encourages pedestrian traffic. Even though this is not a retail establishment, the commission noted a need for this type of business. None of the neighboring property owners or tenants came forward in opposition to the project. They also felt that the applicants were very solid and committed to the project as well as skilled in the area of the business they were proposing.

Village Planner Craig Failor stated that staff's input in their report to the Plan Commission indicates that this type of use does not meet the intent of the Greater Downtown Master Plan for this area based on the land use. Staff agrees that early childhood development is important in the Village but this is not the best location for it. The proposed use would take away from the first floor service office character of the commercial neighborhood by introducing a use not in line with the intent of the business district. It could also create a climate where it's more difficult for retail service oriented businesses to thrive due to the disruption of continuity of the corridor

Business Services Manager Loretta Daly stated that an early childhood learning facility will bring people into the area but doesn't have the same impact as a restaurant or a 4,000 square foot retail space. It also lacks weekend and evening activity.

Ms. Bolte, Mr. Failor and Ms. Daly answered questions from the Board. Following discussion, President Pope stated that as much as he supports that use for the community, he was concerned about the location. He also spoke about potential traffic and public safety issues of drop-offs and pickups.

The roll call on the vote was as follows:

AYES: Trustees Salzman and Tucker

NAYS: Trustees Brewer, Hedges and Johnson; President Pope

ABSENT: Trustee Lueck

The motion was defeated.

XIX. CONSENT AGENDA

- H. Resolution 2012-R-234 entitled **RESOLUTION AWARDING A SMALL RENTAL PROPERTIES REHABILITATION LOAN AND ENERGY IMPROVEMENT LOAN: SRP-017**

- I. Resolution 2012-R-235 entitled **RESOLUTION AWARDING A SMALL RENTAL PROPERTIES REHABILITATION LOAN: SRP-021**
- J. Resolution 2012-R-236 entitled **RESOLUTION AUTHORIZING A REHABILITATION LOAN: SFR-049**
- K. Resolution 2012-R-237 entitled **RESOLUTION AUTHORIZING A SUBORDINATION OF LIEN: BPIP-010**
- M. Ordinance 2012-O-60 entitled **ORDINANCE AUTHORIZING AMENDMENT OF SECTION 7-9-8F OF THE VILLAGE CODE DESIGNATING 743 COLUMBIAN AVENUE AS A HISTORIC LANDMARK**
- N. Referral of an Application Amending Ordinance No. 2009-0-051 Authorizing Issuance of a Special Use to Permit a Planned Development for a Multi-Tenant Commercial Development with On-Site Parking (801-811 Madison Street) Located at the Southwest Corner of Madison Street and Oak Park Avenue
- O. Motion to Accept Recommendation to Expand the Overnight Permit Parking Area Within the Z7 Zone and Direct Staff to Prepare the Necessary Ordinance
- P. Ordinance 2012-O-61 entitled **ORDINANCE AMENDING CHAPTER 26 RELATING TO WATER TO ADD A NEW ARTICLE 7 ENTITLED "SEWER CONNECTIONS"**
- Q. Ordinance 2012-O-62 entitled **ORDINANCE AMENDING THE FISCAL YEAR 2012 BUDGET CHANGING THE APPROPRIATION FOR THE DEPARTMENT OF LAW WITHIN THE SELF-INSURED FUND IN THE AMOUNT OF \$663,300**
- R. Resolution 2012-R-238 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A ONE YEAR EXTENSION WITH GOVTEMPS FOR AN EMPLOYEE LEASE AGREEMENT FOR PERMITS AND LAND USE MANAGER**
- S. Resolution 2012-R-239 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A MONTH TO MONTH EXTENSION NOT TO EXCEED SIX MONTHS WITH GOVTEMPS FOR AN EMPLOYEE LEASE AGREEMENT FOR AN INTERIM PARKING MANAGER**
- T. Ordinance 2012-O-63 entitled **ORDINANCE AUTHORIZING THE EXECUTION OF A DESIGN RELATED AMENDMENT TO THE AMENDED AND RESTATED REDEVELOPMENT AGREEMENT BETWEEN THE VILLAGE OF OAK PARK AND LAKE STREET INVESTORS, L.L.C. FOR THE NORTHEAST CORNER OF LAKE AND FOREST TO MODIFY THE DEFINITION OF PARKING PARCEL, AND APPROVAL OF DESIGN OF PARKING GARAGE AS REVIEWED BY THE VILLAGE BOARD AT THE OCTOBER 1, 2012 AND OCTOBER 15, 2012 REGULAR MEETINGS**
- U. Ordinance 2012-O-64 entitled **ORDINANCE AMENDING AND CORRECTING STAFF TITLES IN §2-4-2.1 AND 2-25-3A OF THE MUNICIPAL CODE**
- V. Motion to Approve the Bills in the Amount of \$2,331,287.39 for the week beginning October 15, 2012 through November 2, 2012.

- W. Resolution 2012-R-240 entitled **RESOLUTION APPROVING 2013 EMPLOYEE HEALTH AND DENTAL PROVIDERS, PLAN DESIGN AND PREMIUMS**
- X. Resolution 2012-R-241 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A PARKWAY LICENSE AGREEMENT BY AND BETWEEN THE VILLAGE OF OAK PARK AND JENS AND CARA BOGEHEGN**

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, Salzman and Tucker; President Pope

NAYS: None

ABSENT: Trustee Lueck

The Consent Agenda was approved.

CALL TO THE BOARD AND CLERK

Village Clerk Powell discussed early voting totals and reminded residents that polls are open tomorrow from 6:00 a.m. to 7:00 p.m.

Trustee Salzman spoke about his attendance at the OPALGA event.

Trustee Johnson stated that State Representative Greg Harris has indicated he would be bringing the gay marriage bill to the House floor during the veto session this fall. He urged all supporters to contact legislators both from Oak Park and outside of Oak Park to encourage support from them.

Trustee Tucker recognized West Suburban PADS and the Oak Park Food Pantry for the good work that they do.

Deputy Village Manager Shelley announced that the Holiday Gift Basket program will be starting soon and asked for volunteers.

ADJOURN

It was moved and seconded to adjourn. A voice vote was taken and the motion was approved. The meeting adjourned at 9:32 P.M. Monday, November 5, 2012.

SUBMITTED AND RECORDED IN THE OFFICE OF:

By: MaryAnn Schoenneman
Interim Deputy Village Clerk

Teresa Powell, Village Clerk