



Village of Oak Park

123 Madison Street
Oak Park, Illinois 60302
www.oak-park.us

Meeting Minutes

President and Board of Trustees

Monday, July 22, 2019

6:30 PM

Village Hall

I. Call to Order

Village President Abu-Taleb called the Meeting to order at 6:34 P.M.

II. Roll Call

Present: 5 - Village President Abu-Taleb, Village Trustee Andrews, Village Trustee Boutet, Village Trustee Taglia, and Village Trustee Walker-Peddakotla

By Phone: 1 - Village Trustee Buchanan

Absent: 1 - Village Trustee Moroney

III. Consideration of Motion to Adjourn to Executive Session to Discuss Litigation and Collective Bargaining.

It was moved by Village Trustee Andrews, seconded by Village Trustee Walker-Peddakotla, to enter into Executive Session pursuant to 5 ILCS 120/2(c) (11) - litigation and 5 ILCS 120/2(c)(2) - collective bargaining. The motion was approved. The roll call on the vote was as follows:

AYES: 6 - Village President Abu-Taleb, Village Trustee Andrews, Village Trustee Boutet, Village Trustee Buchanan, Village Trustee Taglia, and Village Trustee Walker-Peddakotla

NAYS: 0

ABSENT: 1 - Village Trustee Moroney

V. Reconvene to Regular Meeting in Council Chambers and Call to Order

The Regular Meeting reconvened at 7:38 P.M.

VI. Roll Call

Present: 5 - Village President Abu-Taleb, Village Trustee Andrews, Village Trustee Boutet, Village Trustee Taglia, and Village Trustee Walker-Peddakotla

By Phone: 1 - Village Trustee Buchanan

Absent: 1 - Village Trustee Moroney

VII. Agenda Approval

It was moved by Village Trustee Andrews, seconded by Village Trustee Walker-Peddakotla, to approve the Agenda. A voice vote was taken and the motion was approved.

VIII. Minutes

- A. [ID 19-221](#) **Motion to Approve Minutes from the July 8, 2019 Special Meeting and July 15, 2019 Regular Meeting of the Village Board.**

It was moved by Village Trustee Andrews, seconded by Village Trustee Walker-Peddakotla, to approve the Minutes. A voice vote was taken and the motion was approved.

IX. Non-Agenda Public Comment

Dr. Stephen Miller. Dr. Miller expressed concern regarding two properties in foreclosure which have not been maintained for several years.

Bruce Lehman. Mr. Lehman spoke about taxes eroding the value of Oak Park homes. He offered suggestions for budgeting.

X. Village Manager Reports

Deputy Village Manager Shelley commented that the Village Manager has included the Monthly Measures Report in the Board Packages.

- B. [ID 19-222](#) **Village Manager's Monthly Measures Report for May 2019**

There were no comments.

XI. Village Board Committees

There was nothing to report.

XII. First Reading

- C. [ORD 19-60](#) **First Reading of An Ordinance Amending Chapter 8 ("Business Licensing") Article 6 ("Comprehensive Regulation of Tobacco Products") as Recommended by the Board of Health and Reviewed at the Village Board Regular Meeting on January 14, 2019**

Kelly O'Connor, Prevention Services Manager, Oak Park Township. Ms. O'Connor discussed statistics regarding vaping of tobacco products and marijuana by teens.

Village Trustee Andrews was surprised at the magnitude of this issue. He thanked all who worked on the ordinance and endorses all recommendations from the Board of Health.

Village Trustee Taglia commented that waiting for the Federal Government to take control of this may take many years. He stated that vaping and the use of e-cigarettes is a massive public health crisis. He discussed a summit being planned by the Township addressing this. Village Trustee Taglia was surprised by the 2018 statistics regarding 38% of 12th graders in Oak Park having used marijuana within the past 30 days. In addition, two thirds of that 38% have done it through vaping. He asked Village Attorney Stephanides if the Village can totally ban flavored tobacco products and if the tax can be increased. Village Attorney Stephanides stated that the tax rate is controlled by the state. Village Trustee Taglia would like the Board of Health to look into completely

prohibiting flavored products in Oak Park. Village Trustee Boutet agreed.

Village Trustee Walker-Peddakotla expressed concern regarding enforcement for all, irregardless of race.

Village Trustee Buchanan agreed with Village Trustees Taglia and Boutet, preferring a ban of flavored products for all ages. She discussed the health consequences of vaping but she disagrees with completing banning these products as e-cigarettes are effective as a smoking cessation tool.

Village Trustee Andrews was also supportive. He was in favor of enforcement at the seller level only.

Village Trustee Boutet was comfortable with completion of a community based education, counseling or treatment program as a penalty for possession by minors. Ms. O'Connor described the program that is available.

Village Trustee Walker-Peddakotla asked what plans are underway to educate youths as a preventative measure. Ms. O'Connor stated that because vaping is relatively new, there is nothing that specifically addresses that but she discussed other outreach initiatives for smoking in general.

Village Trustee Boutet would like to see this done as a collaborative effort with the schools.

Village President Abu-Taleb thanked staff but is not sure if he is supportive of a total ban. He added that there is a lot of work to do that is associated with this ordinance, such as educating the businesses and deciding how it will be enforced. He asked if there was any input by the Police Department regarding enforcement.

Board of Health Chair Florence Miller explained that businesses have an understanding of this, as it is not totally new. However, it does need to be reinforced; the penalties and fines should support the importance of compliance with the ordinance.

Director of Public Health Mike Charley explained how the marketing of flavored tobacco caters to adolescents. The Health Department will support whatever the Board decides. He spoke about the grant the Village receives for tobacco enforcement and previous staff discussions regarding this ordinance. The police department will have primary enforcement authority but additional conversations are needed.

Village President Abu-Taleb stated that there is consensus to ban the purchase and sale of all flavored tobacco products and directed the Village Attorney to revise the language accordingly.

D. [ORD 19-45](#) **First Reading of an Ordinance Amending Chapter 8 (“Business Licensing”), Article 24 (“Food and Food Establishments”) of the Oak Park Village Code Regarding Food Program Definitions and Enforcement Provisions as Required by the Illinois Department of Public Health**

Deputy Village Manager Shelley commented that this is an amendment to the Code to keep it current with State requirements.

Mr. Charley stated that the Village is required by the Illinois Department of Public Health to adopt the 2017 FDA Food Code and applicable enforcement. The amendment will bring

the Village Code into compliance with the FDA Food Code 2017 provisions as well as updating other outdated language.

Village Trustee Boutet stated that the section of the ordinance entitled "Prevention of Foodborne Disease Transmission By Employees" could be used to discriminate against gay men suspected of having HIV. The language is overinclusive and asked that it be updated in the final version. The communicable disease has to be transmittable through food.

Village Trustee Andrews agreed.

Village President Abu-Taleb questioned how a restaurant owner can recognize if someone has a communicable disease. He wants the Board to be mindful that there is a liability to the employer to ask about an employee's health. Public safety is the number one priority to the employer. He does not want the employer to be put in a situation where they interfere in people's private lives.

Village Trustee Walker-Peddakotla gave a hypothetical example regarding a person who is unknowingly carrying salmonella. She asked who is liable if someone got infected from food handled by this person. Village President Abu-Taleb stated that employers are required to carry insurance but if it becomes an outbreak, the business could get shut down. Mr. Charley read from the 2017 FDA Food Code and stated that it puts the responsibility on the employee to report the illness to the employer. The employer also has a responsibility to report it to the Health Department that they were notified.

Village President Abu-Taleb does not want the local ordinance to be any more strict than the FDA language. There was consensus.

XIII. Consent Agenda

Approval of the Consent Agenda

It was moved by Village Trustee Andrews and seconded by Village Trustee Boutet to approve the items under the Consent Agenda. The motion was approved. The roll call on the vote was as follows:

AYES: 6 - Village President Abu-Taleb, Village Trustee Andrews, Village Trustee Boutet, Village Trustee Buchanan, Village Trustee Taglia, and Village Trustee Walker-Peddakotla

NAYS: 0

ABSENT: 1 - Village Trustee Moroney

E. [RES 19-185](#) A Resolution Approving an Intergovernmental Agreement with the City of Chicago for the Street Resurfacing of Austin Boulevard from Lake Street to North Avenue in an Amount Not to Exceed \$730,000 and Authorizing its Execution

This Resolution was adopted.

F. [RES 19-214](#) A Resolution Approving a Professional Services Agreement with Industrial/Organizational Solutions, Inc. for Fire Department and Police Department Testing Services in an Amount Not to Exceed \$59,985.00 and

Authorizing its Execution

This Resolution was adopted.

- G.** [RES 19-221](#) A Resolution Approving an Amendment to the Contract with K-Five Construction Corporation for Project 19-12, Madison Street Improvements, for Additional Scope of Services to Include Brick Replacement and Landscaping on Madison Street from Humphrey Avenue to Austin Boulevard and Authorizing its Execution
- This Resolution was adopted.
- H.** [RES 19-225](#) A Resolution Approving an Independent Contractor Agreement for the Rebuilding and Reconfiguring of the Public Works Department, Water & Sewer Division, Emergency Repair Service Truck by Sauber Manufacturing Company in an Amount Not to Exceed \$49,961.00 and Authorizing its Execution
- This Resolution was adopted.
- I.** [RES 19-226](#) A Resolution Approving an Independent Contractor Agreement with Allied Garage Door, Inc. to Replace Overhead Doors at the North and South Fire Stations and at the Public Works Center in an Amount Not to Exceed \$82,550.12 and Authorizing its Execution
- This Resolution was adopted.
- J.** [RES 19-227](#) A Resolution Approving an Independent Contractor Agreement with Waste Management of Illinois, Inc., for Village Wide Street Sweeping Services in 2019-2020 in an Amount not to Exceed \$140,000.00 and Authorizing its Execution
- This Resolution was adopted.
- K.** [RES 19-229](#) A Resolution Approving an Amendment to the Independent Contractor Agreement with Meade, Inc. for Emergency Contractor Street Lighting and Traffic Signal Repair Services to Change the Not to Exceed Amount from \$25,000 to \$45,000 and Authorizing Its Execution
- This Resolution was adopted.
- L.** [RES 19-230](#) A Resolution Approving an Amendment to the Independent Contractor Agreement with MJA Plumbing & Sewer Co., Inc. to Provide Plumbing Repair Work to Change the Not to Exceed Amount from \$20,000 to \$40,000 and Authorizing its Execution
- This Resolution was adopted.
- M.** [RES 19-231](#) A Resolution Approving an Amendment to the Independent Contractor Agreement with Oak Brook Mechanical Services, Inc. to Provide Emergency and Planned Heating, Ventilation and Air Conditioning Work and Repairs

to Change the Not to Exceed Amount from \$20,000 to \$40,000 and Authorizing its Execution

This Resolution was adopted.

- N. [RES 19-234](#) A Resolution Approving an Amendment to the Professional Services Agreement Between the Village of Oak park and Clark Dietz, Inc. for Construction Engineering for Project 18-16, Village Hall Parking Lot Improvements Project, to Change the Not to Exceed Amount from \$71,857 to \$87,875 and Authorizing its Execution as Reviewed at the Village Board Regular Meeting of June 17, 2019.

This Resolution was adopted.

- O. [RES 19-238](#) A Resolution Approving The Final Program Year 2019 Action Plan for Federal Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) Funds and Submitting The Plan to the U.S. Department of Housing and Urban Development (HUD)

This Resolution was adopted.

- P. [RES 19-239](#) A Resolution Approving a Parking Lot License Agreement Between the Village of Oak Park and Fenwick High School, Inc. for the Use of Lot #SB5 on the North Side of South Boulevard Between Wesley Avenue and East Avenue and Lot #SB4 on the North Side of South Boulevard Between East Avenue and Scoville and Authorizing its Execution

This Resolution was adopted.

- Q. [MOT 19-80](#) A Motion to Approve the Bills in the Amount of \$3,858,158.90 from June 4, 2019 through July 8, 2019

This Motion was approved.

- R. [MOT 19-81](#) A Motion to Approve the June 2019 Monthly Treasurer's Report for All Funds

This Motion was approved.

- S. [MOT 19-91](#) A Motion to Approve Staff Work in Excess of 2 hours, in Accordance with the Currently Adopted Village Board Protocols, Pursuant to a Trustee Request.

This Motion was approved.

XIV. Regular Agenda

- T. [RES 19-241](#) A Resolution Approving the Renewal of the Power Supply Agreement with MC-Squared (MC2) for the Oak Park Community Choice Aggregation Program for a ____ Year Period Inclusive of the 0.3¢/kWh to Support Sustainability and Renewable Energy Projects within the Village and Authorizing its Execution. Staff is

further directed to review feasibility of utility scale solar and come back to the Village Board for review within four to six months of the expiration of the adopted term of the MC2 contract.

Deputy Village Manager Shelley stated that this Item is for the Board to decide whether to renew the Village's contract with MC-Squared for a minimum of 12 months or a maximum of 24 months.

Jon Carson and Tomas de'Medizi, representing Trajectory Energy Partners. Mr. Carson stated that his firm is Illinois based and they are interested in working with Oak Park regarding a utility scale solar project. Mr. de'Medizi discussed some of the projects they have done.

Sustainability Coordinator Mindy Agnew discussed the presentation given on June 24. Staff is recommending extending the contract with MC-Squared for 12 or 24 months and expanding the program to include aiding residents seeking community solar subscriptions. In addition, staff is asking to explore the feasibility of utility scale solar and bring that back to the Board for review.

Mark Pruitt of Illinois Energy Choice Aggregation Network gave a presentation detailing the Community Choice Aggregation (CCA) Program and his recommendations. Although the current contract expires in October, the Illinois Commerce Commission requires a minimum of 60 days to begin a new aggregation program, either with a new supplier or an existing one. He explained that this is due to the opt-out structure that notifies residents of their choices. Mr. Pruitt stated that the floating MC-Squared rate matches the ComEd floating rate and pushes \$0.003/kWh to the Village for their CCA Fund. He explained that it is beginning to get more difficult to guarantee a price that provides savings as well as providing a fee to the municipality. He referred to a rate comparison chart illustrating MC-Squared and the lowest fixed-price bidder, which reflects a bigger savings for residents through the MC-Squared agreement since its inception. Mr. Pruitt discussed community solar subscriptions, which require residents to enroll on their own. What MC-Squared will do is assist residents in enrolling and finalizing their registration with developers. He discussed how this will benefit Oak Park residents and answered questions from the Board. He briefly discussed his recommendation to begin investigating utility scale solar projects and described the requirements.

Village President Abu-Taleb asked for a description of the opt-out process. Mr. Pruitt explained the process. Ms. Agnew stated that the cost to the Village for postage is approximately \$200,000. Village President Abu-Taleb asked if the mailings would have to be done twice if they entered into the agreement for 24 months. Mr. Pruitt stated that they anticipate two mailings per year for as many years as deemed necessary. Village President Abu-Taleb asked if there would be any savings possible by securing a two year agreement. Ms. Agnew stated that in her experience, the most effective way to build trust with residents regarding aggregation is communication coming from the Village. One notice will inform them of the availability of community solar and the other will be regarding aggregation. Mr. Pruitt commented that the Village can only offer the aggregation to residents and small businesses but community solar can be offered to all.

Village President Abu-Taleb supports a 24 month agreement, as well as reaching out to businesses in any way they can.

It was moved by Village Trustee Andrews, seconded by Village Trustee Boutet, that this Resolution be adopted to reflect a 24-month agreement with MC-Squared that includes assisting resident who wish to enroll in community solar and to allow staff to investigate utility scale solar options. The motion was

approved. The roll call on the vote was as follows:

AYES: 6 - Village President Abu-Taleb, Village Trustee Andrews, Village Trustee Boutet, Village Trustee Buchanan, Village Trustee Taglia, and Village Trustee Walker-Peddakotla

NAYS: 0

ABSENT: 1 - Village Trustee Moroney

U. [MOT 19-90](#) A Motion to Amend the Environment and Energy's Work Plan and Refer A Request to Work with Various Community Partners to Create a "Food Waste Awareness Week"

Scott Friesen, representing the Environment & Energy Commission. Mr. Friesen described the new level of communication among the commission and that they are available to advise the Board in any way they can.

Stephen Morales, representing the Environment & Energy Commission. Mr. Morales stated that there will need to be a lot of education to residents regarding the previous Item.

Village Trustee Andrews stated that the Interfaith Green Network and other groups are interested in bringing greater attention to the topic of food waste. He would like the Environment & Energy Commission to work on this.

Village Trustee Walker-Peddakotla suggested that this be used as an opportunity to promote composting.

It was moved by Village Trustee Andrews, seconded by Village Trustee Boutet, that this Motion be approved. A voice vote was taken and the motion was approved.

XV. Call to Board and Clerk

Village Trustee Boutet discussed her attendance at the Race Conscious Dialogues.

Village Trustee Andrews spoke about the Lime Scooters rented in Chicago that he has been seeing all over the Village. He would like to discuss mitigating some of the potential problems.

Village Trustee Walker-Peddakotla is speaking to a group in Detroit this week about increasing diversity in local office. She will report back.

Village Trustee Taglia would like to see a more comprehensive way of handling graffiti in the Village.

Village Trustee Buchanan thanked Mindy Agnew and Mark Pruitt for answering all her questions.

Village President Abu-Taleb thanked Village Trustee Buchanan for joining the meeting by phone.

XVI. Adjourn

It was moved by Village Trustee Boutet, seconded by Village Trustee Andrews, to

adjourn. A voice vote was taken and the motion was approved. Meeting adjourned at 9:30 P.M., Monday, July 22, 2019.

Respectfully Submitted,

MaryAnn Schoenneman
Deputy Village Clerk