



Village of Oak Park

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

Meeting Minutes

President and Board of Trustees

Tuesday, February 21, 2023

6:00 PM

Village Hall

I. Call to Order

Village President Vicki Scaman called the Regular Meeting to order at 6:05 P.M.

II. Roll Call

Trustee Enyia joined the Meeting at 6:19 P.M. during Executive Session.

Present: 6 - Village President Scaman, Village Trustee Buchanan, Village Trustee Parakkat, Village Trustee Robinson, Village Trustee Taglia, and Village Trustee Wesley

Absent: 1 - Village Trustee Enyia

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

It was moved by Trustee Wesley, seconded by Trustee Parakkat, to adjourn into Executive Session. The motion was approved. The roll call on the vote was as follows:

AYES: 6 - Village President Scaman, Village Trustee Buchanan, Village Trustee Parakkat, Village Trustee Robinson, Village Trustee Taglia, and Village Trustee Wesley

NAYS: 0

ABSENT: 1 - Village Trustee Enyia

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

The Regular Meeting reconvened at 7:09 P.M.

VI. Roll Call

Present: 7 - Village President Scaman, Village Trustee Buchanan, Village Trustee Enyia, Village Trustee Parakkat, Village Trustee Robinson, Village Trustee Taglia, and Village Trustee Wesley

Absent: 0

VII. Agenda Approval

It was moved by Trustee Wesley, seconded by Trustee Buchanan, to approve the Agenda. A voice vote was taken and the motion was approved.

VIII. Minutes

- A. [ID 23-123](#) **Motion to Approve Minutes from Regular Meeting of January 17, 2023 and Special Meeting of January 23, 2023 of the Village Board.**

It was moved by Trustee Wesley, seconded by Trustee Enyia, to approve the Minutes. A voice vote was taken and the motion was approved.

IX. Non-Agenda Public Comment

Clerk Waters read the following Non-Agenda public comments aloud.

Jen Packheiser, co-chair of Go Plastic Free Oak Park: Various groups have been working to reduce Single Use Plastics (SUP) in restaurants in Oak Park. Now is the time to make SUP available on request only. This will save restaurants money and reduce plastic in our waste stream. Encourages education to inform the public they need to request these items. Supports banning Styrofoam in restaurants. Proposes farmers use compostable recyclable brown bags at the Farmers' Market instead of plastic.

Michael Baldwin and 14 residents: Saddened by the increase in murders, armed robberies, and car-jackings and are aware of the important role of police in preventing crime and apprehending individuals. Requests that the Village fill the vacancies in the Oak Park Police Department. Having a fully staffed, well funded police department is crucial to fighting violent crime. Requests the Village issue a statement of support of our police which will attract applicants and resonate with current officers. Gave the example of the effects of Evanston's police shortages.

X. Village Manager Reports

- B. [ID 23-127](#) **Review of the Revised Village Board Meeting Calendars for February, March and April 2023**

Village Manager Kevin Jackson stated the calendars are available for February, March, and April. The April 3 meeting has been moved to March 20 per the Village Board's request. April 24 is tentatively scheduled if the Village Board needs to meet in April.

The Public Safety Annual Report is tentatively scheduled for February 27 and could be postponed to March 13. Three additional items will be scheduled before the end of Q1: Mike's Place; cashless businesses; and the report on OPCAN's recommendations.

Trustee Buchanan asked if reparations are going to be discussed. Manager Jackson responded that they will be discussed in Q2 or Q3.

President Scaman asked if ranked choice voting (RCV) is scheduled. Manager Jackson said RCV is not on the schedule for Q1.

Trustee Wesley asked how far the Village Board can push the RCV discussion. Village Attorney Stephanides said the Village has plenty of time to discuss RCV.

C. [ID 23-130](#) Pedestrian Stop Report - Staff Update

Manager Jackson introduced this report which was requested by Trustees Wesley and Robinson. The original request was for a monthly report, though staff recommends doing a quarterly report that will also include overall crime statistics.

OPPD Chief Shatonya Johnson shared data for the nine pedestrian stops in January, of which one was a test and will be removed from the data. 5 stops were calls for service. 3 stops were self-initiated activities, of which one involved two individuals where the foot patrol officer received a call from a business owner saying there were trespassers after business hours. That officer located the two individuals at a later time. There was one on-view activity of a foot patrol officer assigned downtown who happened to walk past Target as an individual was exiting with products that were not paid for.

For the racial breakdown of the 8 stops, there were 6 male blacks, 2 of which were juveniles resulting from a call for service about two juveniles checking car door handles. There was one male white and one Hispanic male.

Based on BerryDunn's recommendations and Trustee Robinson's request to include a field for the Hispanic population, it is included on this report but it is combined to be consistent with the traffic stop data that will be reported later so as not to create confusion.

Trustee Robinson asked for clarification of how the Hispanic population will be showed. Chief Johnson responded that it will say race/ethnicity. Trustee Robinson said she finds the crime map on OPPD's social media page hugely helpful. Chief Johnson responded that it is updated almost daily.

Trustee Wesley asked if the reports would include the same level of detail if they are presented quarterly instead of monthly. Chief Johnson confirmed they will. Trustee Wesley asked if additional insights and trend analyses would be included in the quarterly reports. Chief Johnson responded that most of the stops this months were calls for service and involved trespassing, suspicious individuals, and retail theft. Manager Jackson added that quarterly reports provide more data to be able to look at trends.

Trustee Wesley asked if this data and all of the crime data that is published can be provided to the Village Board as an Excel spreadsheet. Chief Johnson said she will look into making that happen.

Trustee Taglia asked if the term "suspicious person" is going to be phased out. Chief Johnson said it is something we have to educate the public about because it is suspicious activity.

Trustee Parakkat asked if the data indicates gender bias because all 8 stops were males. Chief Johnson said OPPD responds to calls for service.

President Scaman said she wonders how the education to the public also questions their biases. Chief Johnson said if someone says "suspicious person," they need to explain what makes them suspicious, which they did in this case.

Trustee Wesley asked if it is possible to provide the public with a list of suspicious activities to help them understand the difference from a suspicious person. Chief Johnson responded that the resident beat officers spend time explaining the difference during the monthly zone meetings and more of a broadcast needs to be done.

Trustee Wesley suggested sharing the list on social media. Chief Johnson noted it would be a long list because there are many suspicious activities. Trustee Wesley suggested sharing a group of examples rather than listing every possible suspicious activity. Chief Johnson agreed.

Trustee Enyia asked what the resolution was for the juveniles. Chief Johnson said their parents were called and it was the subject of a citizen investigation.

XI. Village Board Committees & Trustee Liaison Commission Reports

President Scaman said C4 has engaged an environmental energy firm for workforce development. The first class will be April 10. A flyer will be shared with the C4 communities with a goal of 50 young people by the end of the year.

XII. Citizen Commission Vacancies

D. [ID 23-128](#) Board & Commission Vacancy Report for February 21, 2023.

President Scaman noted there are a number of vacancies on the Farmers' Market Commission.

XIII. Citizen Commission Appointments, Reappointments and Chair Appointments

- E. [ID 23-131](#) **Motion to Consent to the Village President's Appointment of:
Farmers Market Commission - Summer Fields, Appoint as Member**

Village Clerk Waters read the name aloud

It was moved by Trustee Wesley, seconded by Trustee Enyia, that this
Appointment be approved. A voice vote was taken and the motion was approved.

XIV. Consent Agenda

Approval of the Consent Agenda

It was moved by Trustee Wesley, seconded by Trustee Robinson to approve the items under the Consent Agenda. The motion was approved. The roll call on the vote was as follows:

AYES: 7 - Village President Scaman, Village Trustee Buchanan, Village Trustee Enyia, Village Trustee Parakkat, Village Trustee Robinson, Village Trustee Taglia, and Village Trustee Wesley

NAYS: 0

ABSENT: 0

- F. [MOT 23-9](#) **A Motion to Approve the Bills in the Amount of \$4,909,409.81 from December 13, 2022 through January 12, 2023.**

This Motion was approved.
- G. [MOT 23-10](#) **A Motion to Approve the January 2023 Monthly Treasurer's Report for All Funds**

This Motion was approved.
- H. [RES 23-66](#) **A Resolution Approving the Purchase of Cellular Phone Services from Verizon Wireless through the State of Illinois Master Contract in an Amount Not to Exceed \$120,000.00 Annually for Fiscal Years 2023 through 2025 and Waiving the Village's Bid Process for Said Purchase**

This Resolution was adopted.
- I. [RES 23-76](#) **A Resolution Approving a Local Public Agency Formal Contract with R.W. Dunteman Co. for the Division Street Resurfacing Project, Section No. 22-00266-00-FP, in an Amount Not to Exceed \$2,725,300 and Authorizing its Execution**

This Resolution was adopted.
- J. [RES 23-77](#) **A Resolution Approving a Task Order for Professional Engineering Services with Edwin Hancock Engineering Co. for Construction Engineering Services for the 2023 Division Street Projects, in an Amount Not to Exceed \$286,558 and Authorizing its Execution**

This Resolution was adopted.

- K. [RES 23-79](#) A Resolution Authorizing the Submission of an Illinois Department of Transportation (IDOT) Sustained Traffic Enforcement Program (STEP) Grant Application that Focuses on High Visibility Traffic Enforcement During Specific Dates and Times of the Year, Primarily Around National Holidays
This Resolution was adopted.

- L. [ORD 23-15](#) Concur with the Zoning Board of Appeals' Recommendation and Adopt an Ordinance Granting a Special Use Permit for a Daycare Center at 404 Lake Street
This Ordinance was adopted.

- M. [RES 23-81](#) A Resolution Approving a Contract with Lyons Electric Company, Inc. for Project 23-7, Alley Lighting Improvements, in an Amount Not to Exceed \$665,777 and Authorizing its Execution
This Resolution was adopted.

- N. [RES 23-82](#) A Resolution Approving the Improvement Under the Illinois Highway Code and the Appropriation of up to \$2,900,000 from the REBUILD Illinois Motor Fuel Tax Fund to Fund the Construction of the 2023 Division Street Resurfacing Project, Section No. 22-00266-00-FP, and Authorizing the Execution of the Necessary Documents
This Resolution was adopted.

- O. [ORD 23-14](#) Concur with the Zoning Board of Appeals' Recommendation and Adopt an Ordinance Granting a Special Use Permit to Operate a Daycare Center at 326 Lake Street
This Ordinance was adopted.

- P. [RES 23-72](#) A Resolution Approving a Funding Grant Agreement Between the Village of Oak Park and New Moms, Inc. in an Amount Not to Exceed \$47,500.00 and Authorizing its Execution
This Resolution was adopted.

- Q. [RES 23-10](#) A Resolution Approving a Funding Grant Agreement Between the Village of Oak Park and Children's Museum of Oak Park, Inc. in an Amount Not to Exceed \$202,113.00 and Authorizing its Execution
This Resolution was adopted.

- R. [RES 23-73](#) A Resolution Approving a Funding Grant Agreement Between the Village of Oak Park and the Historical Society of Oak Park and River Forest in an Amount Not to Exceed \$500,000 and Authorizing its Execution

This Resolution was adopted.

- S. [RES 23-70](#) A Resolution Approving the Renewal of the Independent Contractor Agreement with Everest Snow Management, Inc. for Village Wide Parkway Tree Watering Services in an Amount not to Exceed \$65,000.00 and Authorizing its Execution

This Resolution was adopted.

- T. [RES 23-74](#) A Resolution Approving a Funding Grant Agreement Between the Village of Oak Park and the Oak Park Area Arts Council in an Amount Not to Exceed \$103,100 and Authorizing its Execution

This Resolution was adopted.

- U. [RES 23-83](#) A Resolution Approving a Funding Grant Agreement Between the Village of Oak Park and the Collaboration for Early Childhood in an Amount Not to Exceed \$1,109,300 and Authorizing its Execution

This Resolution was adopted.

- V. [RES 23-88](#) A Resolution Authorizing the Submission of a Fiscal Year 2023 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program Application for the Harlem Avenue Multimodal Bridge Project

This Resolution was adopted.

- W. [RES 23-92](#) A Resolution Authorizing the Submission of a Fiscal Year 2022 Community Project Funding (CPF) Grant Application for the North Avenue Safety Improvement Project and Authorizing Execution of the Necessary Documents

This Resolution was adopted.

- X. [RES 23-96](#) A Resolution Approving an Agreement between the State of Illinois, Illinois Department of Transportation and the Village of Oak Park for a Vision Zero Plan in an Amount Not to Exceed \$120,000 and Authorizing its Execution

This Resolution was adopted.

- Y. [RES 23-69](#) A Resolution Approving the Purchase and Planting of Parkways Trees through Contracts Secured by the Suburban Tree Consortium in an Amount Not to exceed \$146,000.00 for the 2023 Tree Planting Program and Waiving the Village's Bid process for said Purchase

This Resolution was adopted.

- Z. [RES 23-101](#) A Resolution Authorizing the Execution of a Settlement Agreement in Workers' Compensation Case No. 2022 WC 12769

This Resolution was adopted.

XV. Regular Agenda

AA. [MOT 23-7](#) A Motion to Receive the Citizen Police Oversight Committee's Semi-Annual Report

Manager Jackson introduced the Item of the semi-annual report of the Citizen Police Oversight Committee (CPOC).

HR Director/Assistant Village Manager Kira Tchang introduced CPOC Chair Donovan Pepper who provided a summary of the semi-annual report along with CPOC recommendations.

President Scaman asked if staff could share what CPOC's future role might be or if that is to be determined. Manager Jackson responded it is to be determined. Staff are working on a framework to evaluate the Village's oversight function and will have information to report on at a later date.

Trustee Taglia said he wants to hear CPOC's voice regarding the policing report and recommendations and what guidance CPOC can provide to the Village. He asked what data is examined for the flock cameras. Chief Johnson responded that OPPD provides CPOC with a list of the communities that searched our cameras via the flock network. We have not identified any communities that specifically search Oak Park's cameras. Specific data provided would include an OPPD officer making contact with an individual who came across a flock camera for a stolen or wanted vehicle; arrests made by OPPD; assistance and arrests made by OPPD in other jurisdictions; the demographics of the individuals stopped; and the results of the stop.

Chair Pepper added that CPOC has received two months' worth of data which shows 4-5 actual stops. The data includes the race of the vehicle operator and what the follow-up was with respect to that stop.

Trustee Enyia said he wonders how the Village Board can help CPOC do the work of looking at the data and giving valuable insight. He recommends giving CPOC more tools to do what they need to do. He noted the issue of when the camera is not turned on and requested a better way to break it down and provide a correction if the camera is not on, like a probationary period.

Chief Johnson responded that the camera is inside the squad car and officers must activate a mic pack, to prepare them for next year's mandate. The mic pack was designed for traffic stops and not for community engagement so the range is a short distance. If it is a hot call requiring rapid response, sometimes officers don't turn on their mic packs by accident. OPPD takes a proactive approach to correct officers by

discipline, which is usually in the form of coaching and counseling if it is the first time and we usually don't see it happen again. If it does, then the discipline gets progressively worse.

Trustee Parakkat clarified that this is in anticipation of the body cameras roll-out next year to make sure officers are in the habit of turning on the packs, which Chief Johnson confirmed.

Trustee Enyia asked if the body cam will include audio. Chief Johnson responded that the MAV system will go away and she is happy about that because of the low video quality. This will have a good front-facing HD quality video.

Trustee Wesley asked if the flock data was within the time bounds of this report and if so, the reason it was not included. Chair Pepper responded that CPOC did not include it in this data because it is brand new. If CPOC wants to share it in this semi-annual report, it can do that. Director Tchang anticipated that CPOC will include it in the next semi-annual report. There was an education session on the data in January.

Trustee Wesley requested that the Village Board be walked through the complaint process. Chair Pepper responded once a complaint is presented, OPPD will do its own investigation. CPOC will be notified when the complaint comes in and there is a time period in which that investigation has to be completed. Once the investigation is completed, it will be sent to CPOC with a recommendation. Based on that recommendation, CPOC will review the complaint during a closed session.

Trustee Wesley asked if CPOC's review involves speaking to the complainant. Chair Pepper responded that CPOC does not interview complainants. CPOC's review is of OPPD's investigation, the background submitted with the original complaint, and Chief Johnson's recommendation. CPOC received the racial and gender demographics and what zone and time the complaint occurred.

Trustee Wesley said there seem to be a lot of categories that may mean the same thing, like sustained, unfounded, not sustained, exonerated, and unfounded. He requested to either standardize a smaller amount of statuses or include a legend with the report with an explanation of the statuses. Chief Johnson responded that a legend can be provided to the Village Board on the five possible outcomes. Manager Jackson added that those categories are standard across the industry.

Trustee Wesley agreed with Trustee Enyia's concerns about the MAVs and said he is glad to hear we do not have repeat occurrences once an officer

has been coached. Chair Pepper agreed and said CPOC was very concerned with that and decided to review those cases to ensure officers are being trained to do the right thing prior to the body cam roll-out.

Trustee Enyia asked what the smoking materials means. Chief Johnson responded that it is a vape pen. She said the MAVs did not come in as a complaint. They came in when her staff conducted the investigation and determined that it wasn't activated. OPPD was definitely being proactive and transparent with CPOC to let them know that this had occurred.

Trustee Wesley suggested noting in the report those instances when OPPD proactively brought those MAV calls to CPOC because that demonstrates transparency and accountability which is important for the community to see.

Trustee Robinson said the Village Board previously unanimously approved a rule change to give CPOC access to video and audio recordings inclusive of MAV and cell phone footage. She requested an update on whether that information is being received, whether it is helpful, and how it is being incorporated into CPOC's recommendation. Chair Pepper said it has been helpful for CPOC to be able to review the actual audio and video associated with the complaints in making a determination.

Trustee Robinson raised the issue of higher privacy and confidentiality thresholds when the video includes minors and when it is part of an ongoing investigation. When the body cam statute rolls out, we are not going to be able to redact or alter that video in any way to be able to blur the faces of children, for example. That video will go to CPOC which is fine so long as there are appropriate controls in place to meet those privacy concerns. Chair Pepper said a lot of the personal data is redacted in the investigation material CPOC currently receives. CPOC has received video where the confidentiality is maintained and it will be more of a concern when CPOC starts accessing high quality video from the body cameras.

Trustee Taglia asked if it is possible to understand how many stops there have been based on flock cameras and whether residents have complained about flock cameras or being stopped. Chief Johnson said OPPD has not received any complaints regarding flock cameras. She will provide specific data when she reports on the crime stats. She said OPPD has had successes but has also had individuals who have taken off on officers. OPPD does not pursue for stolen vehicles; it has to be something more serious. She said OPPD will be able to redact faces but not voices. If it is a FOIA, it may have to be released unredacted.

Trustee Parakkat said he supports further engagement of CPOC's

expertise in implementing recommendations. He acknowledged former Trustee Arti Walker-Peddakotla.

Trustee Enyia asked if there have been instances where the flock cameras picked up the wrong person. Chair Pepper said CPOC has seen one or two cases where a car had been reported stolen but was not taken out of the state's system. Trustee Enyia asked if the Village holds any liability. Attorney Stephanides responded that as long as there is probable cause for a stop, no.

Trustee Wesley asked how much contact is maintained with the complainant, whether they receive the results of the investigation, and if so, how much detail is provided. Chief Johnson responded that the complainant receives a letter from her indicating if the investigation was sustained or not. If they do not agree, they have the option to send it back to CPOC for further review. The complainant is always contacted during the investigation. Once the sergeant completes the investigation, their immediate supervisor (commander) will review it and make a determination and recommend discipline. It then goes to the deputy chief and then to Chief Johnson. The deputy chief can make a determination other than what the commander recommended or they can send it back for further investigation. There is a process that OPPD review it on multiple levels to ensure the investigation was thorough and accurate.

Trustee Wesley asked when the complainant can expect to hear back after filing a complaint. Chief Johnson responded that the complainant will hear back within a week or so because they have to be interviewed. After the investigation concludes and Chief Johnson signs off on it, the letter is sent to the complainant, which happens before it goes before CPOC. Chief Johnson added that the video and audio helps CPOC to see that OPPD is doing what we say we are doing in the investigations.

President Scaman asked for an explanation on how to make a complaint. Chief Johnson shared the ways a complaint can be filed: in person at the police station; anonymously online; and by contacting the Village Manager's Office, Community Relations, or CPOC.

President Scaman asked if there is a similar disciplinary process if an officer does not follow the flock policy. Chief Johnson responded that that would be an internal investigation on the police side, which is different than a citizen complaint investigation, though OPPD does report out to CPOC, which will now be shared with the Village Board.

Trustee Wesley asked if CPOC only reviews citizen complaints and not internal investigations. Chief Johnson confirmed that CPOC reviews

investigations of citizen complaints against officers. Trustee Wesley asked Chief Johnson if she is the ultimate authority on what officers do, such as an officer accessing flock incorrectly or maliciously. She confirmed it would go through the process and come to her desk.

It was moved by Trustee Wesley, seconded by Trustee Robinson, that this Motion be approved. The motion was approved. The roll call on the vote was as follows:

AYES: 7 - Village President Scaman, Village Trustee Buchanan, Village Trustee Enyia, Village Trustee Parakkat, Village Trustee Robinson, Village Trustee Taglia, and Village Trustee Wesley

NAYS: 0

ABSENT: 0

AB. [RES 23-86](#) A Resolution Approving a Parking Lot Temporary License Agreement with JD North Blvd. Holdings, LLC d/b/a The Beer Shop, through April 30, 2024 and Authorizing its Execution

Trustee Parakkat recused himself from this Item due to any perceived conflict of interest with his role on Take Out 25. He left the meeting at 8:10 P.M.

Manager Jackson introduced Assistant Director of Development Customer Services Cameron Davis to present this Item and acknowledged that Beer Shop Owner John Dengel was present to respond and answer questions. Staff's recommendation is to approve the licensing agreement and payment option 2 for the three spaces under consideration at \$10 per space daily which would be 50% of the customary parking meter rate of \$20 per space daily.

Assistant Director Davis presented a brief overview of the Item.

John Dengel, owner of Beer Shop: Beer Shop's chalet has offered a safe environment for residents to return downtown. Has always encouraged customers to bring food from neighboring restaurants. Options 1 and 2 concern temporary rentals; Option 3 is long-term utilization of sidewalk space for outdoor dining. Proposes a modification to the rate that compensates the Village for the use of three spaces while setting a fee structure that more closely aligns with the rates for outdoor dining. Proposes a one-time fee for each space similar to the rental fee for Farmers' Market vendors; an additional monthly rental fee equivalent to the outdoor dining space rental rate of 50 cents/square foot; and the annual permit fee of \$50, for a total of \$5,952 over 13 months. Open to sharing the chalet space with neighboring businesses and requests a temporary continuation of the current agreement during negotiations.

Assistant Director Davis said the decision the Village Board makes tonight

will transfer over to the 6 or 7 other businesses that want to use parking spaces for this year.

President Scaman inquired about Il Vicolo Trattoria's outdoor space. Assistant Director Davis responded that they are the largest payer for their outdoor space, which is about \$1,000 for the season.

President Scaman said the two decisions to be made tonight are the options and the timeline.

Trustee Wesley said he feels the spirit of what the Village granted during COVID-19 was temporary and what was taken was permanent and he has a problem rewarding that permanence post-pandemic. He said he sees the impact on the business community and their potential lost revenue from shoppers leaving because they cannot find parking as greater than the revenue to the Village. The proposed 13-month extension would last through another holiday season. He said he cannot support that duration and would end up towards the lower end of the pricing structure of Option 2.

Assistant Director Davis said other businesses have used spaces similar to these for on-street dining and that number has decreased. Restaurants understand the importance of parking. We want to be equitable and treat all businesses the same. These agreements are month to month so Beer Shop can decide to remove the chalet at any time.

Trustee Enyia stressed the importance of having community spaces and the Beer Shop Chalet offers that opportunity and is dog friendly. There will always be a place to find parking and people are not likely to cancel their plans if they don't find a space in front. He said he feels the benefits this has added over time and would like to see it extended.

Assistant Director Davis clarified that Beer Shop's proposal is \$4,600 for 13 months. Option 2 is \$10/day or \$10,170 for 13 months. Option 1 is \$20/day would be \$20,340 for 13 months. All would be paid monthly. President Scaman noted that Option 1 is what the Village charged prior to COVID-19.

Trustee Buchanan said she thinks everyone likes the Beer Shop and what it has added to downtown Oak Park. She asked when the lot will be resurfaced and if it will affect the number of spaces. Assistant Director Davis said Public Works is having discussions. One goal is to increase the sidewalk width in front of the businesses which would offer more room for outdoor dining. Director Grossman said the Village is considering not having two lanes of traffic down the middle of the lot, which would allow for sidewalk expansion.

Trustee Buchanan asked if Downtown Oak Park (DTOP) or the Chamber of Commerce has given their input on the use of parking spaces. Assistant Director Davis said the Village has not heard from them about this issue. Director Grossman said DTOP decided not to take a position because this is a short-term agreement though they have heard from a number of businesses who did not support the Beer Shop Chalet because of the loss of parking spaces.

Trustee Taglia said prior to adjust rates last November, the Village was looking at a \$3M deficit in the parking fund for 2023. Even with the increase effective January 1, the 2023 deficit will approach \$1M. Charging a business \$10K is not an insignificant sum and is reflective of considerable compromise and allows for continued recovery and support of the business community coming out of the pandemic. He said he believes the Village has been patient and thoughtful in considering the options, though it still bothers him to lose three spaces in one of the most congested lots. He said he supports Option 2.

Trustee Robinson said she wondered if any of the 7 businesses utilizing parking spaces in 2022 said they expect to use spaces in 2023. Assistant Director Davis responded that there are 3 so far. She asked why the Village was assuming it be spread out and applied equally to the other businesses when the Village has not done that in reverse by giving other businesses a free temporary license that spanned over two years. She asked why there is an evenness being applied now. Assistant Director Davis responded that everyone who uses a parking space has to sign an agreement to be approved by the Village Board. If the Village starts to charge Beer Shop for using these three spaces, staff assumes the Village Board would want to be equitable and also start charging the other businesses to use spaces.

Manager Jackson said that in previous discussions last fall, the Village said it would evaluate the Beer Shop and return to outdoor dining fees for everyone. This is simply applying the customary rates, whether on the sidewalk or in a parking space. Director Grossman noted that the other businesses were using on-street spaces, which the Village could not allow them to continue through the winter due to plowing. Assistant Director Davis said the temporary license agreements for the on-street spaces are shorter in duration.

Trustee Robinson said it is clear to her that the Village has a parking fund that is hemorrhaging money and has an arrangement that has favored one business to the detriment of surrounding businesses. She noted she was the only no vote last time. The Village should absolutely be charging

because it is giving something of value. She said she supports Option 2.

Trustee Wesley asked how the Village would respond if Careful Peach requests two temporary parking spaces in front of their store and then builds a semi-permanent structure on it. He said this creates the precedent that any business can request temporary spaces and then it becomes permanent. He said the further the Village allows this to continue, the more likely this behavior will be replicated.

President Scaman said the structure has to come down when construction is done to redesign the lot to benefit the downtown and festivals. She said she considers the Chalet as an immediate necessity during COVID-19 that added vitality to the area. She said she appreciates that Beer Shop is interested in finding a solution that is mutually beneficial. She said she struggled with the way she addressed the vote last time and undervalued the strain on the other businesses. She said she supports Option 2 though she worries it is still a lot of money. She said the Village wants to see the Beer Shop succeed and needs to be fair to the other businesses in the area.

Trustee Wesley said even with the compromise on the payment, he worries about the duration going into another holiday season, where the impact of those spaces will be even greater. He said he would like to pull back on the duration and cut it off at the holiday season.

President Scaman noted that there are two surface lots in that area. She said she is very undecided and wonders if the cost is going to become cost prohibitive to the Beer Shop in the winter months.

Trustee Taglia said he would not oppose shortening the duration. He agreed that those three spaces matter during the holiday season and the Village received complaints and concerns by other businesses. President Scaman suggested shortening the duration to November 1.

Trustee Robinson asked Owner Dengel if he had feedback. President Scaman inquired when Beer Shop learned of the three options. Owner Dengel responded that he received them 3-4 weeks ago. He said it would be in his best interest to take more time. He said he loves the Careful Peach and he would be fine with a November date and not pursuing any further license agreements. He said he thinks that is completely fair and will give him one more summer.

Trustee Robinson inquired about Beer Shop's proposal to share the space with other businesses. Owner Dengel responded that he has no intention of charging Careful Peach for the use of the space for their Bastille Day

celebration. He said he feels that they have already paid in the loss of parking and he would extend that benefit to them because he sees it as a shared community space.

Trustee Robinson asked if that would come up on an ad hoc basis. Owner Dengel said he does not see an issue with events and he would check with his lawyer from a liability standpoint. He said in addition to special events he would offer them a continual access to the space. Beer Shop does not require someone to be its customer to use the space. Trustee Robinson said she would be willing to support the shortened duration to November 1.

President Scaman said she wishes she had Beer Shop's proposal sooner. Owner Dengel apologized for the late response to the Village, especially because he was offering an alternative fee structure. \$10,000 is not a small sum for a small business and Beer Shop prides itself of paying staff a living wage and has to compete with Jewel-Osco and Whole Foods for pricing for retail beer. He said it is a fee he is comfortable with. President Scaman said the total through October 31 would be \$5,476. Owner Dengel said the summer months are the most busy and make that amount more doable.

Trustee Wesley said the structure looks like it is built on a base to make it moveable. He asked if Beer Shop has assessed that. Owner Dengel said Beer Shop has explored it and it may require cutting it down the middle. He said Beer Shop is considering moving it as a way to defray the significant cost of demolition.

President Scaman requested to amend the Resolution and change the license agreement duration from April 30, 2024 to October 31, 2023.

It was moved by Trustee Wesley, seconded by Trustee Enyia, that this Resolution be adopted as amended. The motion was approved. The roll call on the vote was as follows:

AYES: 6 - Village President Scaman, Village Trustee Buchanan, Village Trustee Enyia, Village Trustee Robinson, Village Trustee Taglia, and Village Trustee Wesley

NAYS: 0

ABSENT: 0

ABSTAINED: 1 - Village Trustee Parakkat

XVI. Call to Board and Clerk

Trustee Enyia thanked Dr. Walker for putting together the Black History Month event. He thanked Juanta Griffin for doing the Uniquely You Tea Party at the Nineteenth Century Club. Those events helped our black community have more of a sense of belonging and pride, including his daughter.

Trustee Buchanan thanked Dr. Walker for a wonderful celebration and talent and everyone who worked on the Black History Month event.

Trustee Wesley said hi to his son.

Trustee Robinson said she was blown away by the Black History Month celebration. She said she hopes the photos and video will be shared to the Village website soon. She said she felt every range of emotion through the presentations and noted the creativity in pairing the narrative and informative piece with an artistic piece. She said she was so proud to be a part of this community at that event and has enormous gratitude for Dr. Walker and all of the effort that went into the event.

Manager Jackson thanked the Village Board for the acknowledgement of Dr. Walker and the Black History Month event. He thanked Oak Park Public Library and Juanta Griffin and the Tea Party where his daughter also had a great experience. He said Saturday's event was about community and we saw that again tonight with our previous agenda item and he appreciates the outcome.

President Scaman thanked Dr. Walker and Manager Jackson and the staff for the Black History Month event. She said she was filled with great pride for the Village Board and staff we have supporting us.

XVII. Adjourn

It was moved by Trustee Wesley, seconded by Trustee Enyia to Adjourn. A voice vote was taken and the motion was approved. Meeting adjourned at 9:14 P.M., Tuesday, February 21, 2023.

**Respectfully Submitted,
Deputy Clerk Hansen**