



Village of Oak Park

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

Meeting Minutes

President and Board of Trustees

Tuesday, October 25, 2022

6:00 PM

Village Hall

I. Call to Order

Village President Scaman called the Public Hearing to order at 6:04 P.M.

II. Roll Call

Trustee Buchanan arrived to the meeting at 6:36 P.M.

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

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

It was moved by Village Trustee Wesley, seconded by Village Trustee Enyia, to enter into Executive Session pursuant to 5 ILCS 120/2(c)(2) - Collective Bargaining, and 5 ILCS 120/2(c)(11) - Pending Litigation. The motion was approved. The roll call on the vote was as follows:

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

NAYS: 0

ABSENT: 1 - Village Trustee Buchanan

IV. Adjourn Executive Session

The Public Hearing went into Executive Session at 6:06 P.M.

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

The Public Hearing reconvened at 7:03 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 Village Trustee Wesley, seconded by Village Trustee Buchanan, to approve the 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

VIII. Non-Agenda Public Comment

The following person spoke the Non-Agenda Public Comment aloud:

Sylvia Schweri: Sylvia Schweri spoke their public comment on behalf of Bike Walk Oak Park regarding their recently produced D-97 School Safety Report that analyzes car, bike, and pedestrian crash rates near D-97 schools with recommended improvements for active transportation safety. They hope that the Village will support specific proposals or requests that arise. We also hope that this report will sway the Board to support a larger appropriation for active transportation infrastructure in 2023.

Clerk Waters read the following Non-Agenda Public Comment aloud:

Liz Holt: Liz Holt submitted their public comment on behalf of the Oak Park River Forest Chamber of Commerce regarding the proposed action of the Village Board to reduce free parking in the garages and increase revenue by increasing current parking fees at the Village’s parking garages and metered parking. They urged the Board to hold off on taking action as there is an overwhelming lack of understanding of the need for these changes and the impact of them, and the process that went into arriving at the proposal. They feel the community has not been heard on the issue which may have direct economic and social impacts on both residents and businesses in the Village.

IX. Public Hearing

- A. [ID 22-360](#) A Public Hearing to Determine Whether Ordinance 22-65, “An Ordinance Amending Chapter 8 (“Business Licensing”), Article 20 (“Service Stations”), of the Oak Park Village Code to Add a New Section 8-20-7 (“Hours of Operation),” Shall Be Amended

It was moved by Village Trustee Wesley, seconded by Village Trustee Enyia, to open the Public Hearing. 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

President Scaman opened the Public Hearing.

Village Attorney Paul Stephanides provided background on the reason for the Public Hearing.

President Scaman then gave instructions for Public Comment.

Village Manager Kevin Jackson introduced Interim Police Chief Shatonya Johnson who then gave a presentation regarding the public safety concerns with 24-hour service stations in Oak Park.

Attorney John Ellis, legal counsel for seven of the 24-hour service stations, gave a presentation regarding the Ordinance in question and its impact on the 24-hour service stations.

Harry Singh, manager of the BP Gas Station at 100 Chicago Avenue, provided comments regarding the impact of the Ordinance on his business and the community, as well as steps he has taken to ensure the safety at his service station.

Albin Poothurail, representing the BP Gas Station at 7140 Roosevelt Road, provided comments regarding the impact of the Ordinance on his business and the community, including multiple franchise supplier agreements that require their station to receive gas at all times of the day

Attorney Ellis then noted the crime statistics cited by the Ordinance - out of the 16 violent incidences, 5 were committed outside the hours covered in the Ordinance. He then reviewed the incidences at each 24-hour service station and spoke of correlation versus causation; he does not see any indication that these incidents happened at the service stations because they were open between 12 and 5 A.M. He does not believe that these businesses being open cause crime and believes less crime happens when these businesses are well lit, attended, constantly surveilled, and protected by private security in connection with Village police presence.

Steven Kent, President of Chicago Security Professionals, provided

comments regarding how implementing security measures such as mobile patrols, increased lighting and surveillance, could make a difference in the safety at 24-hour service stations.

Attorney Ellis then requested that the Ordinance be amended with an expiration date, and with a requirement that the service stations will continue to implement mitigation measures including security cameras, lighting, and having private security patrol all the stations between the hours of 11:30 P.M. and 5:30 A.M.

A recess was called by President Scaman at 7:48 P.M.

The Public Hearing resumed at 8:02 P.M.

The following person spoke their Public Comments aloud:

Josephine Smith: Josephine Smith spoke their public comment in support of closing service stations between 12 A.M. and 5 A.M. They feel like they are in a world where there is nothing they can do to stop the violence surrounding us, but closing Oak Park gas stations from midnight to 5 A.M. is something we can do.

Interim Chief Johnson commented there are three things that need to be present at the same time in order for a crime to occur: a victim, an offender, and a location. The Village is trying to eliminate the location so they can eliminate crime. The service stations who are not open 24 hours do not experience crime or merchandise theft during their closed hours of operation. Regarding security measures, cameras are great but do not deter crime, and the armed security guards would protect property and vacant lots, not human lives.

Interim Chief Johnson added there are other businesses that are open 24 hours; no violent crimes have occurred at those other locations between 12 A.M. and 6 A. M., other than the two 7-Eleven locations in the Village which have experienced violent crimes.

The following persons spoke their Public Comments aloud:

No Name Stated: A person who did not introduce themselves spoke their public comment regarding the 7-Eleven store he owns that has been robbed at gunpoint. Their employees do not want to work the overnight hours as they are scared, and he is unable to voluntarily close his location due to his contract with 7-Eleven. He would be able to close if the village passed an Ordinance. He requested the Board to include his stores in the Ordinance so that he would be able to close his stores from 12 A.M. to 6

A.M.

Ashish Patel: Ashish Patel spoke their public comment regarding the 7-Eleven store he owns at 240 Chicago Avenue. They indicated there is a lot of crime on Chicago Avenue and are unable to maintain staff to work the overnight shift, but they are obligated with 7-Eleven to remain open. They expressed their support for this Ordinance and would like his business be a part of it.

Brad Farris: Brad Farris spoke their public comment regarding safety in their neighborhood and the fact that the 24-hour gas stations are crime hotspots based on information they received through FOIA. They rebutted that the gas stations serve as an overnight convenience for gas or would go out of business if they were not open 24 hours. He also rebutted the service station's claim that they care about security as they have not taken any action for security of the neighborhood prior to the murder.

Karen Burke: Karen Burke spoke their public comment regarding the neighbors of 100 Chicago Avenue were in the process of trying to address a myriad of issues with the BP Gas Station when we lost Jaelyn Logan Bledsoe. She is sorry for the loss of income the business owners face but that pales in comparison to the loss of life. Any victim of violent crime knows there is a cost they carry for the rest of their life if they survive it. Right now we are looking at the cost of negligence and a failure to respond.

Karl Leonard: Karl Leonard, who lives on the 600 block of North Taylor, spoke their public comment thanking the Board for doing something regarding the violent crime. He commented the Board had the right priorities when it took steps to protect his kids and the other people that live there. The gas station has different priorities. Inaction has consequences and they could have taken steps sooner but chose not to. He thanked the Board for doing what the gas station owners would not and asked to keep the Ordinance in place and take further action to keep the community safe.

Carolyn Newberry Schwartz: Carolyn Newberry Schwartz, who lives on the 500 block of North Taylor, spoke their public comment expressing their gratitude for the Board's time considering this issue and responsiveness to the residents. They believe the Ordinance is a necessary response to the increasing violence and reducing opportunities for violence, or the location of where violence occurs, makes a lot of sense. There has been a positive change in their neighborhood since the BP Gas Station has closed at night - they are living a quieter more peaceful life, all using non-law enforcement activities.

Diane Ratekin: Diane Ratekin spoke their public comment requesting the Board to maintain the Ordinance. Government has the ability to make laws and ordinances in order to protect their citizens. They thought it was telling the 7-Eleven owners have a provision in their contracts that they do not need to meet certain standards if the government changes the rules on them, and assumes the gas stations also have similar provisions.

Kristi Osga: Kristi Osga, who lives on the 500 block of North Taylor, spoke their public comment regarding when they moved to the block 50 years ago it was a very safe neighborhood to raise a family in. The neighborhood is not safe anymore and one problem is the 24-hour gas station that is attracting nuisances and creating havoc. They added we need to think first for the safety of the children and everybody.

Kim Vulinovic: Kin Vulinovic, a resident of the 400 block of North Taylor, spoke their public comment regarding the benefit to the neighborhood's quality of life since the BP Gas Station has been closed. They thanked the Board for the Ordinance and requested that they stand firm not only for the safety of the community, but also for the value of our homes.

Susan Abbott: Susan Abbott, a resident of the 500 block of North Taylor, spoke their public comment regarding how safe they felt raising their family in the neighborhood, but do not feel safe anymore. They feel 2.75 violent crimes per year is not a selling point, and spoke of the effect the violent crimes may have and the trauma the neighborhood children and adults may carry for the rest of their lives. They thanked the Board for their action, adding a 12-35% loss in revenue will never be weighed against a loss of life and loss of mental health of our children and adults who are suffering in the community.

Georgina Swanson: Georgina Swanson, a resident of the 500 block of North Taylor, spoke their public comment expressing their appreciation of the action taken by the Board in September. They believe things can change, change to make things better and safer for the entire community while supporting local businesses. They were shocked that the neighborhood was only given 24 hours notice that the public hearing was taking place. They are counting on the elected officials to keep their community safe, and citizen's safety must be a top priority.

Bill Donovan: Bill Donovan spoke their public comment applauding the village for taking the action that they have. They are afraid for their family, their neighbors, and the community if we cannot protect them. Violence at late night establishments is well known, and if we can control the violence by limiting the hours of operation then we should. A safer community is what we all want, and he urged the Board to stay vigilant and support the

Ordinance.

Caitlin Roukin: Caitlin Roukin, a resident of the 600 block of North Taylor, spoke their public comment expressing their concerns over the lack of safety concerns by the gas station for their patrons. They have seen on two separate occasions someone smoking by the gas pumps. When the gas station was made aware, they did not do anything. They asked isn't a living taxpayer more financially viable than a deceased one; isn't an injured person who needs social services and health services more of a burden on the community.

Attorney Ellis commented they were not going to make a closing argument, but that they have heard everything said tonight and respect it, and they take the concerns seriously. They thanked the Board for allowing them the chance to be there, and remain committed to working with the village throughout the rest of this.

President Scaman stated all persons who wish to be heard have been given the opportunity to do so.

President Scaman asked for a motion to close the Public Hearing.

It was moved by Village Trustee Enyia, seconded by Village Trustee Wesley, to close the Public Hearing. 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

President Scaman then announced the Board would proceed with a discussion of Ordinance 22-65.

Trustee Buchanan requested clarification regarding the claims that the gas station owners have made on a repeated basis, including in the newspaper, that they would have to close if they were to close down between midnight and 5 A.M. They were given the percentages of income or revenue gained during those hours between 12-35%, but the attorney actually used the term "at night". She wondered if there is any actual data on the amount of revenue loss between midnight and 5 A.M.

Village Manager Jackson responded the Village had requested data this past summer from the service stations and had not received any response to the request prior to the adoption of the Ordinance.

Attorney Ellis added each of the owners has submitted a sworn affidavit under oath testifying what their particular percentage of lost revenue would be for those 5 hours. The percentages range from 12-35% but differs for all those affidavits. After the proceedings began, the parties requested and exchanged written discovery. One of the things the Village requested was additional data on that and they were in the process of producing that when the court entered into a state of discovery.

Trustee Enyia commented one of the factors the gas station owners brought up was their 10 year contracts, and requested clarification if there are any opportunities or remedies to receive the shipments of gas at different periods of time.

Mr. Sign responded before he had voluntarily closed his station they were doing 58,000 gallons per month and are now down to 40,000 gallons per month which is roughly 2.4 million gallons of gas over ten years. There is a way out but they would have to pay off the lost gas or extend their contract.

Trustee Taglia expressed his appreciation for both sides coming together tonight. He heard some things that he hadn't heard before and appreciated that. He feels what the Board is trying to do is be proactive and listen to the statistics as they were presented and the numbers of when the violence was occurring. That is the function of government - to listen and adapt accordingly.

Trustee Robinson expressed their gratitude for everyone who came out to share their thoughts and comments. As an elected official, they are charged with prioritizing policies that help the community and promote the core community values including prioritizing safety of our residents, visitors, and businesses. The crime statistics are significant as they have continuing effects in the committing of additional crimes or the expansion of the range of crimes. Even with safety protocols in place, we have seen an environment that has a propensity towards being unsafe, and the goal is to determine the safest measure to take, not the bare minimum. The community deserves measures that are comprehensive and achieve the greatest opportunity for the safety of everyone.

Trustee Parakkat expressed empathy towards the business owners in the loss of revenue. Based on the facts we have to prioritize community safety. Unfortunately, the location of the violent crimes is one of the things that can

be controlled, but he recognized that does not take away from the macroeconomic factors that are the underlying reason for crime such as economic disparities, gun violence or gun reform. Those are not under the Board's control to mandate, so the Board has to necessarily do what is required to keep the community safe.

Trustee Wesley expressed his appreciation for everyone who came out to express their concerns. As he was not an elected official at the time the Ordinance was enacted, this evening's discussion was very helpful for his understanding of both sides of the issue.

Trustee Enyia commented he has been a resident of Oak Park for over thirty years and is very familiar with the gas stations and the fact that there has been an increase in violence for a while at the 100 Chicago Avenue location. It is unfortunate that it takes someone losing their life to come together and talk about some of the problems and issues that face our community and business owners. Business owners are part of the community and it is on them to create a sense of community with the rest of the residents. Businesses need to do more if they want residents feel they are part of the community. He understands the financial impact that the businesses are going through, but when you think about one person's life, people would pay anything to have a lost loved one back in their lives.

President Scaman asked if there was a desire from the Board to direct staff to amend the Ordinance to potentially add the 7-Eleven stores or make any other adjustments, and to bring it back to the Board for consideration on November 7, 2022.

Trustee Buchanan was in favor of bringing forward the Ordinance again and to include the 7-Eleven stores. Trustee Taglia agreed.

President Scaman then directed staff to bring the Ordinance back to the Board on November 7 for further discussion at that time.

It was moved by Village Trustee Wesley, seconded by Village Trustee Enyia, to open the Public Hearing. 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

X. Adjourn

It was moved by Village Trustee Parakkat, seconded by Village Trustee Enyia, to Adjourn. A voice vote was taken and the motion was approved. The Meeting

adjourned at 9:06 P.M., Tuesday, October 25, 2022.

Respectfully Submitted,
Deputy Clerk DeViller