



Village of Oak Park

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

Meeting Minutes

President and Board of Trustees

Monday, May 7, 2018

6:30 PM

Village Hall

I. Call to Order

Village President Abu-Taleb called the Meeting to order at 6:32 P.M.

II. Roll Call

Present: 7 - Village Trustee Button, Village Trustee Taglia, Village President Abu-Taleb, Village Trustee Tucker, Village Trustee Moroney, Village Trustee Boutet, and Village Trustee Andrews

Absent: 0

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

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

AYES: 7 - Village Trustee Button, Village Trustee Taglia, Village President Abu-Taleb, Village Trustee Tucker, Village Trustee Moroney, Village Trustee Boutet, and Village Trustee Andrews

NAYS: 0

ABSENT: 0

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

The Regular Meeting reconvened at 7:30 P.M.

VI. Roll Call

Present: 7 - Village Trustee Button, Village Trustee Taglia, Village President Abu-Taleb, Village Trustee Tucker, Village Trustee Moroney, Village Trustee Boutet, and Village Trustee Andrews

Absent: 0

VII. Agenda Approval

Village Manager Pavlicek requested that the Proclamation regarding Fair Housing be addressed prior to Public Comment and that Item W on the Consent Agenda be tabled to the May 21 Board Meeting, as well as tabling Item Z to a future Study Session.

It was moved by Village Trustee Tucker, seconded by Village Trustee Button, to approve the Agenda as amended. A voice vote was taken and the motion was

approved.

VIII. Minutes

- A. [MOT 18-321](#) Motion to Approve Minutes from April 16, 2018 Regular Meeting and April 23, 2018 Special Meeting of the Village Board

It was moved by Village Trustee Button, seconded by Village Trustee Tucker, to approve the Minutes. A voice vote was taken and the motion was approved.

X. Proclamation

- B. [ID 18-867](#) Proclamation - Recognizing the 50th Anniversary of the Village Board's Adoption of the Fair Housing Ordinance

Village Trustee Tucker read the Proclamation aloud. Former Village employee Sherlynn Reid spoke about herself and her employment in the Community Relations Department. She discussed the importance of fair housing and racial diversity in Oak Park.

Frank Lipo, Executive Director of the Historical Society of Oak Park and River Forest. Mr. Lipo introduced the proposed efforts of the Fair Housing Steering Committee for the next 50 years.

Deborah Wess, representing the Real Estate Community. Ms. Wess discussed how the Steering Committee was established and planned activities.

Stuart Jamieson, representing the Oak Park Regional Housing Center. Mr. Jamieson spoke in support of the Proclamation. He invited all to the Housing Center's annual benefit, which will honor the Village of Oak Park for their 50-year commitment to this cause.

Director of Community Relations Department Cedric Melton concurred with Ms. Reid's speech and spoke admiringly of her. He discussed the efforts of the Community Relations Department and introduced Community Relations Coordinator Cassandra Hurt. He thanked and congratulated the community.

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

IX. Non-Agenda Public Comment

There was no Non-Agenda Public Comment.

XI. Village Manager Reports

Village Manager Pavlicek had nothing to report.

- C. [ID 18-862](#) Review of the Village Board Meeting Calendars for May, June and July 2018.

There were no comments.

XII. Village Board Committees

Village Trustee Boutet announced that the next I-Gov Meeting will be on May 19.

XIII. Citizen Commission Vacancies

- D. [ID 18-868](#) Board and Commission Vacancy Report for May 7, 2018.

There were no comments.

XIV. Citizen Commission Appointments, Reappointments and Chair Appointments

- E. [MOT 18-329](#) Motion to Consent to the Village President's Appointment of:
Board of Health - Susan Buchanan, Appoint as Member
Environment & Energy Commission - Elizabeth Judson, Appoint as Member
Plan Commission - Jeff Foster, Appoint as Member

Village Clerk Scaman read the names aloud.

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

XV. Consent Agenda

Village Manager Pavlicek clarified that Item O, regarding the Teamsters Contract, is for the period of April 1, 2018 through March 30, 2021. Item N, regarding the IBEW Contract, is for the period of January 1, 2018 through December 30, 2020.

Approval of the Consent Agenda

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

AYES: 7 - Village Trustee Button, Village Trustee Taglia, Village President Abu-Taleb, Village Trustee Tucker, Village Trustee Moroney, Village Trustee Boutet, and Village Trustee Andrews

NAYS: 0

ABSENT: 0

- F. [ORD 18-367](#) Concur with the Historic Preservation Commission and Adopt an Ordinance Amending Chapter 7 ("Building Regulations"), Article 9 ("Historic Preservation"), Section 7-9-8 ("Designation of Historic Landmarks and Interior Historic Landmarks") of the Oak Park Village Code to Designate the Exterior of the House Located 400 North Kenilworth Avenue as an Historic Landmark

This Ordinance was adopted.

- G. [ORD 18-363](#) An Ordinance Amending Chapter 2 ("Administration"), Article 18 ("Community Design Commission") of the Oak Park Village Code Related to the Membership of the Community Design Commission

This Ordinance was adopted.

- H. [RES 18-856](#) A Resolution Awarding a Small Rental Property Rehabilitation Loan and Authoring the Execution of a Loan Commitment and Agreement for the Property Located at 501-505 Madison Street (SRP-035)
- This Resolution was adopted.
- I. [RES 18-875](#) A Resolution Approving the Renewal of the Annual Software License and Support and Maintenance Agreement dated December 15, 2014 with CityView, a Division of N. Harris Computer Corporation, to Include Platinum Maintenance Membership for the Village's Permitting, Licensing and Inspection Services in an Amount not to Exceed \$146,270.90 and Authorizing its Execution
- This Resolution was adopted.
- J. [RES 18-876](#) A Resolution Approving Various Service Agreements with Call One Inc. to Provide Voice and Data Circuit Services in a Total Amount Not to Exceed \$70,000, Authorizing Their Execution and Waiving the Village's Bid Process for the Agreements
- This Resolution was adopted.
- K. [RES 18-877](#) A Resolution Awarding a Small Rental Property Rehabilitation Loan and Authorizing the Execution of a Loan Commitment and Agreement for the Property Located at 615 South Maple Avenue (SRP-034)
- This Resolution was adopted.
- L. [RES 18-878](#) A Resolution Approving the Purchase of One 2018 Ford F250 Pickup Truck with Plow from Currie Motors of Frankfort, Illinois through the Suburban Purchasing Cooperative (SPC) Joint Purchasing Program in an Amount Not to Exceed \$33,887.00 and Waiving the Village's Bid Process for the Purchase
- This Resolution was adopted.
- M. [RES 18-881](#) A Resolution Approving an Amendment to the Independent Contractor Agreement with Davis Tree Care and Landscape, Inc. for Fiscal Year 2018 Parkway Tree Pruning in an Amount not to Exceed \$220,000.00 and Authorizing its Execution
- This Resolution was adopted.
- N. [RES 18-888](#) A Resolution Approving a Collective Bargaining Agreement between the Village of Oak Park and the International Brotherhood of Electrical Workers, AFL-CIO, Local Union No. 9 for the Period of January 1, 2018 to December 31, 2020 and a Memorandum of Understanding and Authorizing their Execution

This Resolution was adopted.

- O. [RES 18-889](#) A Resolution Approving a Collective Bargaining Agreement between the Village of Oak Park and the Teamsters Union Local No. 705 for the Period of January 1, 2018 to December 31, 2020 and Authorizing its Execution
This Resolution was adopted.
- P. [RES 18-890](#) A Resolution Authorizing the Execution of a Settlement Agreement in Workers' Compensation Case Number 2016 WC 029609
This Resolution was adopted.
- Q. [RES 18-891](#) A Resolution Authorizing the Execution of a Settlement Agreement in Workers' Compensation Case Number 2016 WC 033910
This Resolution was adopted.
- R. [RES 18-892](#) A Resolution Authorizing the Execution of a Settlement Agreement in Workers' Compensation Case Number 2017 WC 030534
This Resolution was adopted.
- S. [RES 18-893](#) A Resolution Authorizing the Execution of a Settlement Agreement in Workers' Compensation Case Number 2015 WC 036717
This Resolution was adopted.
- T. [RES 18-903](#) A Resolution Approving a Second Amendment to the Intergovernmental Lease Agreement by and between the Village of Oak Park and the Board of Education of Oak Park Elementary School District 97 and Authorizing its Execution
This Resolution was adopted.
- U. [MOT 18-317](#) A Motion to Approve the March 2018 Monthly Treasurer's Report for All Funds
This Motion was approved.
- V. [MOT 18-318](#) A Motion to Approve the Bills in the Amount of \$2,306,695.98 from March 30, 2018 through April 24, 2018
This Motion was approved.
- W. [MOT 18-319](#) A Motion to Concur with the Transportation Commission's Recommendation to Upgrade the Two-Way, East-West YIELD Signs to Two-Way STOP Signs at the Intersection of Adams Street and Kenilworth Avenue and Direct Staff to Prepare the Necessary Ordinance

This Motion was tabled.

XVI. Regular Agenda

X. [RES 18-860](#) **A Resolution Approving a Contract with Trine Construction Corp. for Project 18-17, Water and Sewer Main Improvements, in an Amount not to Exceed \$2,304,749 and Authorizing its Execution**

Village President Abu-Taleb stated that he had requested for this Item to be moved from Consent to the Regular Agenda.

Village Engineer Bill McKenna stated that of the three bids received, the project was awarded to Trine Construction and is being carried forward from 2017. Mr. McKenna described the project and what road closures will be necessary. There will be a dedicated web page for the project.

Village President Abu-Taleb commented that this company was previously awarded the Ridgeland Sewer and Repaving Project. A resident and his family endured a sewer backup after the project was completed. It was eventually determined that the contractor had failed to reconnect the lateral sewer. It took over a year for the family to be reimbursed by the contractor for the damage to their home. This is unacceptable and concerning. This contractor should be disqualified from doing future work in the Village. Village President Abu-Taleb wants to understand why staff is hiring this contractor again.

The homeowner, Jeff Long, explained the incident, which resulted in six inches of sewage in his basement. He was upset that the Village took no responsibility for this and directed him to contact Trine on his own. Trine responded that their insurance company would not accept the claim and offered him less than one third of the amount of the damage. His neighbor, who works in construction, put together a 117-page document in order to reopen the claim with the insurance company. In the end, Mr. Long received only two thirds of the cost of repairs. He is requesting that the Village not use this contractor again.

Village Attorney Paul Stephanides stated that the Village Code requires that contracts such as this must go to the lowest qualified bidder, which in this case is Trine Construction.

Village President Abu-Taleb stated that the project should go forward as recommended by staff in order not to waste time. However, he gave direction to staff to look into it further, and screen contractors more thoroughly to better protect the taxpayers, whether or not they are the lowest bidder.

Mr. McKenna spoke favorably about the contractor; they have done other work for the Village without incident.

Village Trustee Button asked if the Village has indemnity agreements with contractors and why couldn't staff work directly with the resident in a case like this. Mr. Stephanides stated that ultimately, he was the one who communicated directly with the contractor. This incident took an inordinately long time to resolve. Village Trustee Button suggested that contracts be written with protection of residents in mind.

Village Trustee Moroney commented that mistakes happen. However, they did not handle the mistake properly. He asked if this is a common occurrence. Mr. McKenna explained that they have no way of knowing until something is reported by a resident. This

contractor otherwise has a good work history with the Village.

Village Trustee Tucker understands the need to move forward, but this is disconcerting. It is not so much the error, it is the lack of followup that disturbs him. He agreed with President Abu-Taleb regarding better screening of these contractors.

Village Trustee Andrews discussed a bond to guarantee a quick resolution. Village Manager Pavlicek stated that she would bring back alternatives to the Board regarding requiring a bond in the contract for future projects. Village Trustee Andrews wanted it in this contract. He is concerned that something like this will happen again. Village Manager Pavlicek stated that they will look into what can be done regarding this project; it will most likely require Board action due to the magnitude of the project.

Village Trustee Taglia would like to invite the contractor to explain himself to the Board. Village Manager Pavlicek stated that this can and should be arranged

Village President Abu-Taleb stated that for the sake of moving forward, he will vote yes although he would like to vote no. In the future, staff needs to move with a sense of urgency regarding problematic issues with residents.

There was additional discussion regarding communication with residents and businesses regarding street closures and other aspects of the project.

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

AYES: 7 - Village Trustee Button, Village Trustee Taglia, Village President Abu-Taleb, Village Trustee Tucker, Village Trustee Moroney, Village Trustee Boutet, and Village Trustee Andrews

NAYS: 0

ABSENT: 0

Y. [MOT 18-324](#) Discuss the Issuance of a Request for Proposals for the Purchase and Redevelopment of Village Owned Property at 700-728 Madison Street located within the Madison Street Business Corridor Tax Increment Finance (TIF) District

Village Manager Pavlicek gave a background regarding the properties. Staff is recommending that a combined RFP be issued and available for responses for approximately 45 days in order for developers to evaluate the two parcels and come to the Village with their proposals. Staff will work with the Oak Park Economic Development Corporation regarding the results of the RFP and ask them to make a recommendation to the Village Board. Staff is proposing that the RFP be issued this month and come back to the Village Board in July or August.

Village Trustee Boutet asked that the RFP be shown to the Board before issuance. Village Manager Pavlicek stated that staff would do that.

Village Trustee Moroney believes that time is of the essence, due to the upcoming TIF expiration. He would like to see Jupiter resubmit a new plan, as well as many new submittals.

Village Trustee Tucker concurred with Village Trustee Moroney as well as staff's

recommendation to combine the parcels.

Village Trustee Andrews asked what the process is. Village Manager Pavlicek explained, and discussed the zoning limitations. Village Trustee Andrews does not want an innovative project rejected due to zoning restrictions. He anticipates every developer to ask for some type of zoning variance. He commented that zoning variances should be decisions made by the Board, not the EDC. Village Manager Pavlicek stated that only industrial use is prohibited in that area. Village Trustee Andrews also wants the public to be kept informed of any decision by the EDC as well as being able to view all proposals submitted.

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

AYES: 7 - Village Trustee Button, Village Trustee Taglia, Village President Abu-Taleb, Village Trustee Tucker, Village Trustee Moroney, Village Trustee Boutet, and Village Trustee Andrews

NAYS: 0

ABSENT: 0

- Z.** [ORD 18-362](#) **Concur with the Plan Commission's Recommendation and Adopt an Ordinance Amending Article 8 ("Uses"), Section 8.3 ("Use Restrictions"), Table 8-1 ("Use Matrix"), and Article 8 ("Uses"), Section 8.4 ("Principal Use Standards"), Subsection 8.4E ("Community Residence") of the Oak Park Zoning Ordinance Regarding Community Residences.**

This Ordinance was tabled.

- AA.** [MOT 18-322](#) **A Motion to Refer to the Board of Health a Request for Review of Chapter 8 ("Business Licensing"), Article 6 ("Comprehensive Regulation of Tobacco Products") of the Oak Pak Village Code as it Relates to the Regulation of Electronic Cigarettes, Vaping and Specifically the Popular E-Cigarette Produced by JUUL Labs which has been Criticized for its Appeal to Children and Teenagers**

Village President Abu-Taleb stated that this topic was raised by Village Trustee Taglia.

Village Manager Pavlicek stated that the Board of Health took a significant action previously to change the age to purchase tobacco to 21. This includes electronic cigarettes. The concern is that the enforcement mechanisms and grants received from the state do not provide for checking compliance. These products have shown to help adults stop smoking but are being seen as gateway to tobacco use by juveniles. They cause the same health problems as tobacco products.

Village Trustee Tucker thanked Village Trustee Taglia for bringing this forward.

Village Trustee Taglia discussed the New York Times article that inspired him to pursue this. He discussed the harmful chemicals in e-cigarette and read other statistics regarding high school and middle school students' use of these. He described the predatory advertising being done and that it shouldn't be allowed.

Village Trustees Andrews and Button also thanked Trustee Taglia.

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

AYES: 7 - Village Trustee Button, Village Trustee Taglia, Village President Abu-Taleb, Village Trustee Tucker, Village Trustee Moroney, Village Trustee Boutet, and Village Trustee Andrews

NAYS: 0

ABSENT: 0

AB. [MOT 18-323](#) A Motion to Refer to the Environment and Energy Commission (EEC) a Request for Review and Recommendation Related to the Use of Plastic Straws

Village Trustee Andrews stated that several residents spoke to him about single use straws being an environmental hazard. As a former fast food restaurant owner, he understands the difficulty in balancing the requests of constituents with the needs of the business community. Because of that, he is suggesting that this be referred to the Environment and Energy Commission to get their recommendation on how to reduce the use of plastic straws and to do some research as to whether this is as much of an environmental hazard as it is assumed to be.

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

AYES: 7 - Village Trustee Button, Village Trustee Taglia, Village President Abu-Taleb, Village Trustee Tucker, Village Trustee Moroney, Village Trustee Boutet, and Village Trustee Andrews

NAYS: 0

ABSENT: 0

AC. [MOT 18-328](#) A discussion about I-Gov has been requested by Trustee Andrews and Mayor Abu-Taleb.

Village Manager Pavlicek stated that this Item was put on the Agenda at the request of Village President Abu-Taleb and Village Trustee Andrews, specifically regarding the 48-hour notice requirement, whether it is a committee of the Village Board and the use of Village funds to support it.

Sara Spivy, Vice-President of OPRF High School Board and Chair of I-Gov. Ms. Spivy stated that good governance requires that all stakeholders discuss issues of interest to the Village together. No taxing body in the Village has authority over any other. She expressed concern that there are members of the Village Board that want the Village to withdraw from I-Gov. She would be happy to discuss any suggestions for improvement this Board has.

Village Trustee Andrews stated that six years ago, I-Gov was founded with a very specific mission; for taxing bodies to work together to find cost efficiencies and reduce the tax burden. That did not happen. He does not believe that I-Gov has a vision, clearly defined

mission, measurable goals, an action plan or operating procedure. He believes that having something like I-Gov is important, but not in its current form.

Village Trustee Boutet attends the I-Gov meetings. She believes they are serving the public in a collaborative setting. However, there is a lot of opportunity for increased effectiveness. She recommends that this should be addressed at the next I-Gov meeting and brought back to the Board for discussion.

Village Trustee Taglia agreed with Village Trustee Boutet. He also stated that the agenda should be posted for the sake of transparency,

Although Village Trustee Button was sympathetic to Village Trustee Andrews' concerns, I-Gov is the only forum where issues can be discussed from government body to government body. She would like to give it some direction and a clearer mission statement. She asked that they come up with one and bring it back to the Board. The Board needs to have a conversation regarding how to make I-Gov better. She asked for an explanation of funding provided by the Village.

Village Manager Pavlicek explained that the Village funds expended are under \$1,000 per year and go towards payment of support staff provided by the reigning chair. That cost is split between all taxing bodies.

Village Trustee Tucker discussed how and why I-Gov was established. He shares the frustrations of this Board and the other Boards regarding what hasn't been accomplished. He was in agreement with Village Trustee Andrews; he was in favor of revisiting it to try to improve it, but if that does not happen it may be time to step aside from it.

Village Trustee Moroney stated that this discussion began due to a disagreement between the consensus of I-Gov and the Village Manager and Attorney over how the Open Meetings Act applies to I-Gov. He is in agreement with the Village Manager and Attorney. As a Board, they need to agree on a stance.

Village Trustee Boutet has no issue with posting an I-Gov agenda. Between the Village Clerk and the Village Manager, she expects the agendas to get posted in a timely manner. She does not want to find out at the last minute that it was not posted. She directed the Manager to make sure that the posting is done correctly.

Village Manager Pavlicek commented that she does not attend those meetings and has no knowledge of when they are unless someone communicates that to her.

Village Trustee Moroney stated that when people are tasked with something above and beyond their elected positions, he expects some results. He would like I-Gov to address the rising, already high taxes and believes that should be their mission.

Village Trustee Andrews is not looking to end I-Gov. However, collaboration outside of I-Gov happens with better results. He asked what I-Gov has produced that is of any value.

Village President Ab-Taleb asked that since no taxing body has authority over another, why should the Village be responsible to post the agenda. He believes I-Gov should continue to exist, as they provide valuable information and create relationships. He suggested directing staff to remove I-Gov from protocol as a Board committee and to handle it as they do the Collaboration for Early Childhood and other groups. I-Gov will continue to do what it is doing, but will not be subject to the Open Meetings Act. He

added that expecting I-Gov to determine how to lower taxes is unreasonable. It does, however, create relationships and provide for sharing of information.

Village Trustees Boutet and Tucker agreed.

Village Trustee Button asked what will ensure that there will be representatives at the table. Village Trustee Boutet explained that there will still be two trustees assigned to represent the Village, similar to the OPEDC and Collaboration for Early Childhood. It will just not be considered a Committee of the Board like the Finance Committee, etc. Village Trustee Button would like to see an organizational document.

There was further discussion.

It was moved by Village Trustee Andrews, seconded by Village Trustee Button, to remove I-Gov from the Board Protocols as a Committee of the Board. A voice vote was taken and the motion was approved.

AD. [RES 18-885](#) **A Resolution Approving Amendments to Appendix VII ("Appointee Pay Plan Schedule") of the Personnel Manual for the Village of Oak Park**

Village Manager Pavlicek stated that this Item was removed from the last Regular Meeting Agenda. Staff has updated the overview in the commentary but the remainder of the document has stayed the same.

It was moved by Village Trustee Tucker, seconded by Village Trustee Taglia, that this Resolution be adopted. A voice vote was taken and the motion was approved.

XVII. Call to Board and Clerk

Village President Abu-Taleb stated that Oak Park is open for business and business friendly.

XVIII. 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 9:31 P.M., Monday, May 7, 2018.

Respectfully Submitted,

**MaryAnn Schoenneman
Deputy Village Clerk**