



Village of Oak Park

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

Meeting Minutes

President and Board of Trustees

Monday, November 7, 2022

6:30 PM

Village Hall

I. Call to Order

Village President Scaman called the meeting to order at 6:34 P.M.

II. 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

III. Agenda Approval

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

IV. Minutes

- A. [ID 22-375](#) Motion to Approve Minutes from Regular Meeting of October 17, 2022 and Special Meeting of October 25, 2022 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.

V. Non-Agenda Public Comment

There were no Non-Agenda Public Comments.

VI. Village Manager Reports

- B. [ID 22-379](#) Review of the Revised Village Board Meeting Calendar for November and December 2022

Village Manager Jackson presented the Board of Trustees calendar for November and December.

VII. Village Board Committees & Trustee Liaison Commission Reports

There were no comments.

VIII. Citizen Commission Vacancies

- C. [ID 22-376](#) **Board & Commission Vacancy Report for November 7, 2022.**

There were no comments.

IX. Citizen Commission Appointments, Reappointments and Chair Appointments

- D. [ID 22-377](#) **Motion to Consent to the Village President's Appointment of:**
Aging in Place Commission - Carl Spight, Appoint as Member
Aging in Place Commission - George Bailey, Appoint as Member
Community Design Commission - Julia Kuhn, Reappoint as Member
Disability Access Commission - Emily Lloyd, Appoint as Member
Environment & Energy Commission - Emily Neumann, Appoint as Member
Environment & Energy Commission - Madisyn Burke, Appoint as Member
Farmers Market Commission - Britta Cochran, Appoint as Member
Liquor Control Review Board - Melody Kratz, Appoint as Member
Transportation Commission - Julie Johnston-Ahlen, Appoint as Member

Village Clerk Waters read the names aloud.

It was moved by Trustee Buchanan, seconded by Trustee Enya, to approve the Report. The motion was approved. The roll call on the vote was as follows:

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

NAYS: 0

ABSENT: 0

X. Public Hearing

- E. [ID 22-132](#) **Truth in Taxation Public Hearing for the Proposed Tax Year 2022 Property Tax Levy**

President Scaman called the Public Hearing to Order at 6:39 P.M.

Village Attorney Paul Stephanides stated that "Notice of the Hearing was published by law in the *Wednesday Journal* on October 26, 2022."

There were no Public Comments.

Manager Jackson introduced CFO Steve Drazner.

CFO Drazner presented an overview of the tax levy in the proposed budget.

Trustee Parakkat asked about the corporate levy increase. CFO Drazner responded that because of the decrease of \$1.4M for the police and fire

pensions due to an actuarial assumption change, that amount was diverted to the general fund in order to provide a balanced budget without any increase from the Village for next year.

Trustee Wesley asked if there is an opportunity to offset some of the one-time spending in the corporate levy with reserves so as not to levy for spending that won't recur next year. CFO Drazner responded that it is the Village Board's discretion to adjust the levy. He recommends keeping the levy flat as the pension funds are still 40% to 50% under-funded and depend on how the market performs. If the Village Board were to reduce the levy, they would have to increase it at a higher incremental rate in the future to offset that.

Trustee Taglia requested more details about the \$2M increase in overall spending next year, which he thinks is a lot. Manager Jackson said the staff are working on a detailed analysis. CFO Drazner responded that the majority of the increase is built into the budget as part of contractual salary increases through the bargaining units. Trustee Parakkat said a \$2M increase represents a 5% or 6% levy increase.

President Scaman asked for an explanation as to why the tax levy conversation is happening now. CFO Drazner responded that the Village is legally not required to have this truth in taxation hearing because the increase is well below the 5% threshold. The Village decided to have the hearing for transparency as has been done for several years. The Village Board has the ability to change the levy amount or any part of the budget until it is adopted, which is scheduled for December 5.

President Scaman asked if any members of the public wanted to comment on the proposed tax levy. There were no comments. She requested a motion to adjourn the Public Hearing.

It was moved by Trustee Robinson, seconded by Trustee Wesley, to adjourn the Public Hearing. The motion was approved. The roll call on the vote was as follows:

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

NAYS: 0

ABSENT: 0

This Presentation was approved.

First Reading

F. [ORD 22-74](#) First Reading of an Ordinance Establishing the Annual Building and Construction Permit Fees and the Zoning Application Fees of the Village of Oak Park

Manager Jackson introduced Director of Development Customer Services Tammie Grossman.

Director Grossman introduced Permit Services Supervisor Stacy Dexter and presented the annual review of the Village's building permit fees.

G. [ORD 22-77](#) First Reading of an Ordinance Amending Chapter 15 ("Motor Vehicles and Traffic"), Article 3 ("Parking Meters, Parking Permits and Municipal Attendant Parking Lots"), Section 15-3-18 ("Parking Rates; Parking Meters, Pay By Space Machines, Village Operated Parking Structures, Permit, Extended Pass, Valet and Daytime On Street Permit Parking") of the Oak Park Village Code

Manager Jackson said this item is to follow up on the direction previously provided by the Village Board. He introduced Parking and Mobility Services Manager Sean Keane and Director Grossman.

Manager Keane gave a presentation on the Village parking fund that was also given to the business community on November 4.

Jason Smith, co-owner of The Book Table: Lives at 949 Lake and parks at the Lake and Forest garage. Requested the Village Board stop removing Village services it already gives business owners and stop chipping away at parking downtown. Parking used to be free Saturdays and Sundays. 30 minutes free in a garage is not enough time to do anything. The more time customers spend downtown, the more sales taxes will be collected from their shopping.

Michael Schiff, owner of Stride: His members have told him they'll be gone because they have other options that offer free parking. He feels blindsided as a member of the business community. He asked on the call last Friday if the revenue projections accounted for fewer cars. The response was an expected 50% attrition rate which is a high number. Fewer cars will lead to fewer customers. The Village needs to promote business and not create obstacles.

Mike Fox, owner and operator of the Carleton Hotel and president of DTOP: He previously served on the parking committee which had the Village's first ever major increase from 25 cents to \$1.50. The public went insane with anger and the committee ended up cutting the increase in half. This is a significant change and we need time to go through the numbers.

The garages are never going to be able to generate enough revenue to pay the debt.

Rob Guenthner on behalf of the OPRF Chamber: Concerned with the reduction of free parking in garages from 90 to 30 minutes, which is not enough time. Requests the Village Board to direct staff to revise the ordinance to retain the 90-minute free parking. The revenue impacts will likely be smaller because the garages are underutilized. The Business Advisory Council was not made aware of the proposal until a staff recommendation had already been made. Asks the Village to try to ensure transparency and visibility in matters like parking.

Trustee Taglia asked if the garage data was based on 2019 revenue. Manager Keane confirmed the Village analysis was based on 2019 revenue and was adjusted to take other factors into account.

Trustee Robinson asked if 2019 was the last increase. Manager Keane confirmed and said that 2019 was chosen because it was pre-COVID. 2020 and 2021 saw no increases. In 2019 the Village Board approved a \$2 increase to permit fees to recoup transaction fees from Passport.

Trustee Buchanan said the Village Board has not received feedback from the meeting with the business community. Manager Keane said the Business Association Council meeting on November 4 was recorded. Director Grossman added that the same feedback was heard tonight as was in the meeting.

Trustee Robinson asked if the roll-out would be January 1, 2023. Manager Keane confirmed.

Trustee Buchanan expressed concern that the Village Board did not hear feedback from the businesses or it seemed they were not included in the planning. She said she agrees about meter rates moving people into the garages and she likes that the employee discount has not changed. In light of feedback from businesses and a possible COVID surge, she proposed moving this back until at least April 1. President Scaman asked if she wanted to postpone the decision or the start time. Trustee Buchanan said she wanted to hear from other Trustees.

Trustee Wesley said he agrees with Trustee Buchanan about pushing it back. He expressed concerns using 2019 data and wondered if postponing the decision could allow for the use of 2022 data. He said he thinks the business community should have been involved sooner. He said he understands the garages are seriously underwater though he thinks the Village can wait a little longer to get there.

President Scaman said that communication can always be improved and that staff made the proposal in response to the Village Board's request to balance this fund. She asked what impact postponing the start date would have on the budget. Manager Jackson responded that staff will do the calculations and follow up with that information.

Trustee Taglia said the Village Board had unanimous consent at the October 3 meeting and discussed that the Village is losing \$2M annually year in this bankrupt enterprise fund that is still underwriting a significant amount of garage operations. The debt will roll off in 10-15 more years but right now the Village has to shoulder that debt and will still have a \$1M annual loss. He said he thinks postponing puts a wrench in the whole thing and a decision needs to be made. He said he does not think people will stop shopping in Oak Park if they have to pay \$1 to park. The Village Board has a fiduciary obligation and delaying this decision may result in a bigger problem later.

President Scaman said she regrets that she was not able to participate in the previous conversation. She said she wants the Village Board to have all of the information from the staff and business owners in making decisions that affect people's lives and livelihood. The Village Board has the ability to change its mind and should always be active listeners and be willing to learn and digest the information.

Trustee Buchanan asked why the garages are an enterprise fund. Manager Jackson responded that it is the typical business model in most cities to offset the cost of building and maintaining the infrastructure. Trustee Buchanan repeated her support of the increased meter rates now and clarified that the reason for wanting to now postpone the garages is because the Village Board has now heard feedback from the business owners.

Trustee Parakkat said he sees the deficit view of the parking fund which is only being filled by ARPA funds. A \$3M deficit in an enterprise fund is not a great place to be. The choice to make is whether to bridge the deficit on the backs of taxpayers or on service users. He said he thinks it needs to be somewhere in the middle and this proposal gets close enough to bridging the gap. He said now is as good a time as any to make a decision.

Trustee Enyia agreed that 30 minutes is not enough time and he favors keeping it at 90 minutes. He said he supports postponing this to later in the year to be able to use 2022 data and take the feedback from the business community.

Trustee Wesley asked if the Village has explored increasing rates after first 90 minutes from say \$2/hour to \$4/hour and how that would impact the budget. Director Grossman responded that it would also have to raise the meter rates because they have to work in tandem or else people won't park in the garages. She suggested reframing the dialogue away from free parking to parking for 2.5 hours for only \$2.00, which has not changed.

Trustee Robinson agreed with the need to refocus the conversation. The Board has a fiscal responsibility and there is a symmetry to using revenue from parking to pay debt from parking. Rates may need to be raised whether it is an enterprise fund or not. She said she likes the 30 minutes because there is a fairness to spreading out cost that is commensurate with usage and more equitable. Her preference is to focus ARPA or other funds on more directly assisting the businesses. She said it makes sense to her to use 2019 numbers and staff have provided a sound analysis.

Trustee Parakkat said there is a sustainability benefit that more people will walk into downtown instead of drive. He asked if the 30 minutes is really 45 minutes with a grace period. Director Grossman responded that the first 30 minutes are free and then there is a 15-minute window after paying at the kiosk to exit the garage.

Trustee Taglia said he thinks it will be a greater loss to the community to postpone this decision. He suggested a compromise of 45 minutes of free parking, which would be another \$100K in losses.

Trustee Wesley suggested a compromise of 60 minutes of free parking making the decision now.

Trustee Buchanan said supports the 45 minutes of free parking and making the decision now.

President Scaman and Trustee Enyia supported the 60 minutes of free parking.

Trustee Parakkat said he supports a compromise if it is something the Village can live with in the future. He said he supports 45 minutes of free parking to capture as much revenue as possible and then monitor it going forward.

President Scaman said staff initially proposed 60 minutes of free parking to collect data and get feedback from the business community. She said she feels unprepared to make the decision tonight because she has not received enough information from the business community, who she wants to engage with in Q1.

Trustee Robinson said she favors the 45 minutes of free parking and wants to be specific about what data points are being sought.

Trustee Parakkat said monitoring data and making adjustments will help the business community.

President Scaman determined the Village Board has consensus for 45 minutes of free parking effective January 1 and will ask staff to provide information about rate adjustments after the free parking period to the Village Board at the November 21 meeting. She said there is a belief that store employees are using the meters. Increasing the rates for parking after a few hours would push employees to the garages to free up the meters for short-term shoppers.

XI. Consent Agenda

Trustee Buchanan requested Item U be moved from the Consent Agenda to the Regular Agenda.

Approval of the Consent Agenda

It was moved by Village Trustee Buchanan, seconded by Village Trustee Wesley, to approve the items under the Consent Agenda as amended. 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

- H. [RES 22-274](#)** A Resolution Approving an Amendment to the Professional Services Agreement with Chastain & Associates LLC for Permit Plan Review and Inspection Services for the Public Works Department to Change the Not to Exceed Amount from \$175,000 to \$205,000 and Authorizing its Execution
This Resolution was adopted.

- I. [RES 22-275](#)** A Resolution Authorizing the Submission of a Metropolitan Water Reclamation District of Greater Chicago Stormwater Partnership Program Application for the Lombard Avenue Relief Sewer Project
This Resolution was adopted.

- J. [RES 22-279](#)** A Resolution Approving a Revised 2022 Illinois Project for Local Assessment of Needs (IPLAN) Five-Year Community Health Plan as Recommended by the Board of Health and as Directed by the Village Board at the October 17, 2022 Board Meeting and Authorizing Submission of the IPLAN to the Illinois Department of Public Health

This Resolution was adopted.

- K. [RES 22-280](#) A Resolution Authorizing the Execution of a Settlement Agreement in Workers' Compensation Case No. 2021 WC 11938

This Resolution was adopted.

- L. [RES 22-261](#) A Resolution Approving an Independent Contractor Agreement with CD, LLC, d/b/a Carbon Day Automotive for the Purchase and Installation of Two (2) Dual Electric Vehicle Charging Stations for The Avenue Parking Garage and Two (2) Dual Electric Vehicle Charging Stations for Lot #10 in an Amount Not To Exceed \$52,973.00, Authorizing Its Execution and Waiving the Village's Bid Process.

This Resolution was adopted.

- M. [RES 22-231](#) A Resolution Authorizing the Release of the Draft Program Year 2021 Consolidated Annual Performance and Evaluation Report (CAPER) for a Comment Period and Approval Thereafter

This Resolution was adopted.

- N. [RES 22-269](#) A Resolution Authorizing Subordination of a Lien for the Property Located at 1016 South Harvey Avenue (BPIP-026)

This Resolution was adopted.

- O. [RES 22-270](#) A Resolution Authorizing Subordination of a Lien for the Property Located at 822 South Austin Boulevard (MSA 2201-G)

This Resolution was adopted.

- P. [RES 22-271](#) A Resolution Authorizing Subordination of a Lien for the Property Located at 834 South Austin Boulevard (MSA 2202-G)

This Resolution was adopted.

- Q. [ORD 22-78](#) An Ordinance Updating and Replacing the Map Codified as Part of Section 15-1-26 of the Oak Park Village Code to Reflect the Village's Current Time Restrictions, Time Limits, and Prohibited Parking Areas

This Ordinance was adopted.

- R. [ORD 22-76](#) An Ordinance Amending Chapter 8 ("Business Licensing"), Article 40 ("Short-Term Rentals"), Section 8-40-1 ("Definitions") of the Oak Park Village Code

This Ordinance was adopted.

- S. [ORD 22-84](#) An Ordinance Amending Chapter 20 ("Public Health"), Article 2 ("Board of Health"), Section 20-2-1 ("Establishment; Term of Members") of the Oak

Park Village Code

This Ordinance was adopted.

- T. [RES 22-242](#) A Resolution Approving a Purchase Price Agreement with Traffic Logix Corporation for the Purchase of Eight Portable Speed Radar Signs and Equipment with a Four-Year Software License in an Amount not to Exceed \$32,080 and Authorizing its Execution

This Resolution was adopted.

- V. [ID 22-381](#) Monthly Report on Board Goals

This Report was received and filed.

XII. Regular Agenda

- U. [ORD 22-75](#) Concur with the Plan Commission's Recommendation and Adopt an Ordinance Granting a Special Use Permit for a Major Planned Development Containing a Five-Story Mixed Use Building Consisting of Residential Dwelling Units, Commercial Space and Parking at the Property Located at 839 Madison Street

Manager Jackson introduced Village Planner Craig Failor.

Planner Failor presented the plan development for a mixed use development with 24 residential units and 920 square feet of commercial space on Madison Street at Carpenter Avenue.

Trustee Buchanan said she wanted to hear from the developer about the building's sustainability plans building before voting. She consulted with the Plan Commission who approved it unanimously.

Charles Hoch manages the Oak Park Co-Housing LLC which consists of eight households. This is a five-story building with a common area on the fifth floor. It is a socially motivated development that is committed to sustainability. The challenge is to make it affordable to middle-income households. Heating water proved to be extremely challenging and created a hardship for pricing, so the decision was made to build the conduit to the solar panels on the roof. The building will be silver and exceed Village standards for environmental sustainability.

Trustee Buchanan asked if both the heating and air conditioning would be fully electric. Developer Hoch confirmed and said just the water will be gas and will be on the roof.

Trustee Robinson asked about the 8' 3" height. Developer Hoch responded that the largest units are planned for the front of the building and

the additional height is needed to meet the architectural requirements. Trustee Robinson asked if the building will have an elevator. Developer Hoch confirmed that it will.

Trustee Parakkat said he supports the effort.

Developer Hoch said the roof garden will be designed for vegetable gardening and passive use, with the idea to build a sense of community and invite year-round use of that space.

Trustee Wesley thanked the developer for his innovation and said he supports the project.

Trustee Enyia agreed with Trustees Parakkat and Wesley and said other communities can look to Oak Park at this unique and thoughtful co-living model. This is what the Village Board wants to see when it talks about a future forward-thinking community.

Trustee Taglia said he thinks it is a great idea and wishes the developer success.

President Scaman said it is exciting for the community and she is grateful for the members who have been part of the planning.

It was moved by Trustee Wesley, seconded by Trustee Taglia, to adopt the Ordinance. 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

W. [ID 22-350](#) **Presentation Regarding Rank Choice Voting**

League of Women Voters of Oak Park and River Forest (LWV)
Co-President Peggy Kell introduced Fair Vote Illinois Executive Director Andrew Szilva. She gave an educational presentation on ranked choice voting (RCV).

Trustee Taglia requested the deadline for moving this forward. Village Attorney Paul Stephanides responded that the Village Board has to adopt a resolution to put it on the April ballot in either December or January, which would be a binding referendum. Director Szilva said it would be 78 days prior to the election but doing it sooner would allow for voter education and outreach. Trustee Taglia said if residents are asking for this, they should decide and he would like to see it on the agenda because he thinks

it is worthy and exciting.

Trustee Parakkat clarified that the Village Board is not making the decision; it is allowing the residents to make the decision for the community and future and he supports putting it on the April ballot.

Trustee Robinson asked what the issue is in Oak Park that RCV is meant to be a solution to. Co-President Kell said Oak Park always seems to be on the cutting edge and this would be another way for Oak Park to lead the way in a fair way to have its citizens choose their elected officials. Trustee Robinson asked if it could be made an advisory referendum rather than a binding referendum. Attorney Stephanides responded that the Village Board can decide to do an advisory referendum to take the pulse of the community or it can do a binding one that would be in place for future elections.

Trustee Robinson said the presentation was a good primer but way more education is needed. Co-President Kell clarified that it would not go into effect until the 2024 municipal election. Trustee Robinson said she thinks it should be an advisory referendum which would not prohibit the push for education and encouraging voter turnout. Co-President Kell offered to provide more presentations to the Village Board. She clarified that right now it can only apply to the Village Board as a home rule community. It cannot apply to school districts, park boards, or library boards. Trustee Robinson said she would not be persuaded by how Evanston votes for RCV.

Trustee Buchanan asked if the decision would have to come from a referendum. Attorney Stephanides responded that it would have to be a binding referendum. He said there is a conflict with state law on RCV though home rule communities have the authority if the Village Board is interested in it. President Scaman requested Attorney Stephanides to provide a memo to the Village Board on that piece.

Trustee Buchanan referenced an email the Village Board received about the June 2021 election in Portland, Maine. A candidate was elected with only 4% of the vote heading into the run-offs and defeated another candidate who had the second-most votes out of the nine candidates, with four at-large seats on the ballot. Co-President Kell said candidates have to get 50% of the vote plus one to win. Director Szilva said that is unlikely and there may be an error. He said he will look into it. President Scaman said she will share the article with Director Szilva.

Trustee Wesley said he is a fan of RCV though he worries because it would only apply to Village Board elections and not the other five

governments, which he said he sees as an undue burden on voters. Co-President Kell said she believes Oak Park voters are smart and there is more than enough time to explain it to them and the state may decide to give RCV to all boards during that time. Trustee Wesley said he would be much more in favor of it if the state blessed it for all elections so the education would only have to be done once.

Trustee Enyia said he thinks education is the biggest key and there can be a lot of room for confusion at the ballot box. Giving residents that education will get them feeling more comfortable and is a step in the right direction.

President Scaman said she thinks RCV is the future in the state of Illinois. She said she is hearing from Trustees the desire to make this a binding referendum. She would feel more comfortable having voters come to the Village Board to ask for this. She asked who would be doing the education. Co-President Kell responded that it would be a combination of LWV and Fair Vote doing forums to get the word out.

Bruce Lehman added that they can do door-to-door literature handouts. A 2005 legal opinion from then attorney general Lisa Madigan stated that RCV is legal in Illinois and a *Chicago Tribune* reporter checked with the State Board of Elections who also confirmed RCV it is legal.

X. [MOT 22-86](#)

A Motion to Concur with the Oak Park Economic Development Corporation's (OPEDC) Recommendation to Enter Into a Sales Tax Rebate Sharing Agreement with RRV Motor Cars II LLC (RRV), for the Purpose of Attracting a Newly Constructed Polestar Dealership at 1047 Garfield Street and Direct Staff to Prepare the Necessary Agreement

Manager Jackson introduced Director Grossman.

Director Grossman introduced Oak Park Economic Development Corporation Executive Director John Lynch and Autobarn Volvo dealership owner Richard Fisher.

Director Lynch provided an overview of the proposed new Polestar dealership.

Trustee Taglia asked about the previous agreement that kicked in at \$50M in sales. Owner Fisher responded that at the time Volvo was struggling and the previous owners had a \$500K loan against their future sales tax sharing earnings and negative equity in their buildings. The new owners bought the dealership and overpaid for the real estate. The new owners agreed to do \$50M in sales first to prove they are not like the previous owners before they start to earn anything.

Trustee Parakkat said he thinks it is time for Oak Park to lead in certain

things over Evanston and he is in support of this.

Trustee Enyia said he agreed with Trustee Parakkat in terms of leading. He is aware that we are moving into an economy that needs to think about sustainability. He said he thinks it is a good move for Oak Park.

Trustee Wesley said he agreed with Trustee Enyia. Owner Fisher said he would like to make the Polestar dealership fully electric if it is possible in a commercial building. It will have solar panels and be at least silver and it will be very pretty.

Trustee Wesley noted the \$50K net new property taxes to Oak Park and \$95K in new sales tax revenue for three years after operation and escalating from there. Director Lynch confirmed those numbers.

Trustee Taglia asked what will happen in five years when Volvo stops making gas vehicles. Owner Fisher said Volvo and Polestar will always be separate brands. Trustee Taglia asked about the \$3M in anticipated sales annually. Director Lynch said the numbers are based on 2% for Oak Park so those numbers go up significantly.

President Scaman said she welcomes Polestar to the Village and is grateful for their commitment and to the future.

It was moved by Trustee Parakkat, seconded by Trustee Wesley, to approve the Motion. 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

Y. [ID 22-288](#) Presentation of the Leaf Blower Policy Analysis prepared by Metro Strategies Group

Manager Jackson introduced Deputy Village Manager Ahmad Zayyad and Sustainability Coordinator Marcella Bondie Keenan.

Coordinator Keenan provided a brief overview and then introduced Metro Strategies Group (MSG) Principal Seema Wadia.

Principal Wadia gave a presentation to present some options for gas-powered leaf blower regulations.

Matthew Gnabasik: He said the presentation did not include the residents. He started a group to collect 944 signatures from May through early

November via online and at the Farmers' Market. 90% were Oak Park residents. His colleague Kristi Sloniger sent the petition to the Village Board via email. People want to see the ban implemented as soon as possible. There are smaller subgroups concerned with equity and sustainability.

Kristi Sloniger: She pointed to the comments attached to the petition showing health concerns in addition to noise concerns. There are options for education and incentives to address the landscapers and residents to have a different relationship with their lawns. She suggests condensing the two-year timeline starting next spring with restricted hours, approved equipment, and outreach and education. Give warnings in the spring and start enforcement in the fall. She recommended hiring an administrative person.

Laura Derks: The Village did an excellent job with the Climate Ready Plan and getting community input and the petition presented tonight reflects that. Leaves do not cause harm and are not a public health threat. Leaves are an aesthetic cultural value here and they help biodiversity and habitat. Huge Bobcats and shovels are being used to move leaves. Recommends spending the first year focused on education and the second year with fines and giving people a place to report violations.

Deputy Manager Zayyad said that staff seek direction from the Village Board on which options to move forward with to be able to come back to the Village Board with a first reading of an ordinance.

Trustee Buchanan noted an NPR story about COP 27 and greenhouse gases needing to fall immediately. She said this is an aesthetic issue, not a public health issue. The Park District has transitioned and loves it. She is sensitive to the equity issues and small landscapers and would like to incentivize or have a rebate or have the cost passed onto the clients. She would like an ordinance passed before next spring, education and warnings in the spring, and start fining in a year.

Trustee Robinson said she thinks this is the first time the Village Board has dove into the equity piece and she is encouraged by that. Urgency is not about how quickly we can get things done, but how deliberately we can put resources to doing things the right way so they are successful. She said the Village Board needs DEI input from the equity piece and bilingual and multilingual communications. Of the 10 communities she reviewed, seven were phase-in/phase-out and three had immediate partial bans. She asked about the average phase-in/phase-out time. Principal Wadia responded that they range from 1-5 years. Evanston had a 21-month timeline. Glencoe has a partial ban and is looking into a full ban.

Trustee Robinson said she is not willing to sacrifice speed for success. She said she would like to see staff come back with shared education and fines because the business/homeowners are not part of the transient nature of this business and will be a way to get communication to the landscapers and a shared fine structure may lead to greater compliance.

Trustee Parakkat said he thinks the Village Board is not trying to decide whether to do this, but how quickly and with which constraints. The amount of time the Village is willing to give reduces the amount of money needed to spend. Principal Wadia said that was in terms of incentives specifically. A more condensed timeline may want to step up the incentives to support that transition. Trustee Parakkat asked about grants for incentives. Principal Wadia responded that other communities were supported by state grants. She recommended working with the Metropolitan Mayors Caucus.

Trustee Parakkat asked for the timeline for the additional staff person. Coordinator Keenan responded that ideally someone would start when the ban starts. The Village used to have a position that did code enforcement and worked non-traditional hours and a new hire could also do that previous work. Trustee Parakkat said he prefers to not have a financial impact on the community but use time to responsibly get the Village to the phased out ban and to the 2030 goal of reducing emissions by 60%. The Village is already looking at increasing the FTE count in this year's budget so he is in favor of the 2-3 year timeframe.

Trustee Enyia said that 2-3 years offers the opportunity to look at the technology, especially batteries which improve over time and will be sustainable and affordable for the average user. Regarding equity, the smaller companies will take a lot longer to adapt than the larger ones so a longer timeframe, education, and grants would help them make the transition. He made the point that Oak Park is an all-season community and he said he thinks three years is more realistic.

Trustee Taglia said he has an electric leaf blower that needs to be charged often. He said he understands how their use is not in harmony with the goals of the Climate Action Plan. He said he supports the phase out and he signed the petition. He agreed with Trustee Parakkat on minimizing the financial impact on the community and is in favor of 2-3 years. He said for most Oak Parkers, this might be more about preserving the peace from the noise and pollution of the leaf blowers. He asked how the landscape companies informed this process. Principal Wadia said they interviewed two larger ones and one smaller one. Their main concerns were battery costs and being able to charge in the field.

Trustee Taglia said he thinks leaf blowers are mostly used by landscape contractors and not residents. He asked about snowblowers which are highly polluting and some have two-stroke engines and he thinks those are a bigger issue than leaf blowers. Elli Cosky from MSG responded that perhaps this ordinance is a stepping stone for additional lawn equipment and snowblowers.

Trustee Parakkat said he thinks this has become more of an issue because there are more people working from home because of the pandemic.

President Scaman noted the difference between two and three years is that two years would likely need a buyback program. Trustee Taglia said he is not big on buyback programs which are difficult to implement. Regulations change all the time and they have to be absorbed to be in compliance. He said he favors a short duration with minimal expenditures.

Trustee Wesley said he has significant equity concerns and wonders what will happen if small landscapers cannot cope like the larger, predominantly white-owned companies. He said he also has an issue with the enforcement mechanism. He wouldn't want the predominantly white residents calling in on minority business owners who are out doing their jobs so he would like to see enforcement aimed at the property owner and not the service provider. He said he is concerned that property owners will move away from the smaller companies who cannot comply to the larger companies who can so he wants to protect the current ecosystem. He said he is not prepared to make a recommendation without some significant equity framework discussion.

President Scaman asked if the equity discussion is scheduled to happen after the Village Board sets a timeframe. Coordinator Keenan responded that it is something that could start now but it is a process question that would push back the timeline for the adoption. The programmatic elements could be worked out during the education and warning period, but an effective date is still needed.

Village Manager responded that the staff has enough feedback from tonight to develop options for two or three years. He said the equity analysis is built into the construction of the ordinance and the development of the program and will be part of the effort.

President Scaman said she is looking for the sweet spot of when the technology starts to get better and less of a need for incentive programs. She said discussions with the stakeholder groups can ideally identify

turnaround times. She asked when the staff will bring these options to the Village Board. Manager Jackson responded that staff can report back in a couple weeks after analyzing what it would take to bring those options to the Village Board. Coordinator Keenan said the staff can put together a project management plan for MSG's recommendations and also make recommendations for the DEI task force.

President Scaman said she is very in favor of a ban and understands that if the Village Board can set a timeline, it will help solidify our actions.

Trustee Buchanan wanted to remind everyone that we are talking about leaves falling on your lawn and she is extremely disappointed and finds this totally unacceptable.

President Scaman said her lawn has never looked worse and her landscaper quit when she told him. She thanked the staff and said she is ready to move on this.

Manager Jackson said that staff can make a recommendation in addition to presenting the options. President Scaman agreed that would be helpful.

Z. [ORD 22-80](#)

Concur with the Zoning Board of Appeals' Recommendation and Adopt an Ordinance Granting a Special Use Permit to Operate a Vehicle Repair-Minor Business at 6212 Roosevelt Road

Manager Jackson said this item was tabled on October 17. He introduced Village Planner Craig Failor.

Planner Failor presented on the neighborhood concerns about the BM Custom business at the Roosevelt Road property at the former Associated Tire business site.

Leon Sniegowski: He is a resident of 1150 S. Lombard block. He emailed the Village Board on October 19. BM Custom is a nuisance and he worries they will operate exclusively out of the alley and impact residents. Mr. Storey has made no attempt to try to compromise and he will yell at neighbors and follow them down the alley. Neighbors fear retribution and are afraid to speak out. BM Custom has been fined multiple times for operating without a license. He urges against handing out licenses to companies not willing to work with the ordinances.

The following public comments were read aloud by Clerk Waters:

Eileen and Thomas Wehrheim: The Village Board should deny the special use application for BM Custom located at 6212 Roosevelt Rd. The application has continued to operate business despite being told he could not operate his business without the special use permit and business

license and being cited by the Village several times on this. I urge the Board to deny BM Customs special use permit for 6212 Roosevelt Rd.

Michael Smith: I am writing to ask the Village Board to vote no on granting a special use permit at 6212 Roosevelt Road. The property is a constant nuisance with loud music, loud engines, blocking the alley, and unsafe driving through the alleys. The other two tenants told me Mr. Storey and others do loud engine work beyond the scope of work he claims in his application, install large speakers on cars, block the alley, and urinate in the alley because his unit does not have restrooms.

Sarah Smith: The Board should deny the special use application for BM Custom located at 6212 Roosevelt Road. The applicant has continued to operate his business despite being told he could not operate without the special use permit and business license and after being cited multiple times by the Village. The applicant has continued to operate his business even since this Board heard this issue on October 17th. BM Custom has been a nuisance to the neighborhood since it began operation.

Planner Failor said Mr. Storey is present if anyone has questions. President Scaman noted that Chief Johnson was also present.

Trustee Taglia said his understanding is that businesses must have bathrooms in order to get zoning. Planner Failor confirmed that is correct and the inspectors found a lot of violations so the tenants would have to bring everything up to building code in order to get the business license, including installing bathrooms.

Trustee Robinson asked if the fines are still outstanding. Planner Failor said they have been paid and there have been no new fines since the last meeting. She said it would pain her to say no and she asked what the path forward might be for this business if the Village Board votes no. Planner Failor said the next step would be for the business to cease operations and then it would be up to the property owner to ask them to leave. It would be a two-year wait for this business to file the same application.

Trustee Taglia said he met Trustee Robinson at the location and he walked the alley and made many trips. He said his impression based on what he has seen and the information he has been given is that the nuisance is coming from BM Custom. He said words used by the residents include mayhem, terror, misery, and suffering. He said his car windows were vibrating because the music was so loud. He said the Village Board had the application and the staff changed their mind, which he feels is very compelling.

Trustee Wesley asked if there have been any attempts at mediation before or since the last hearing between the neighbors and Mr. Storey. Planner Failor said he does not believe there has been.

Trustee Parakkat said he was ready to vote the last time. He said the history is not in favor of operating without a business license. He said he knows it is a contentious relationship between the neighbors and the business and it would be setting that up in a more permanent way for further issues to arise, which does not seem like the right thing to do, knowing what the Village Board knows from the history of this specific case.

President Scaman asked for the reasoning for a two-year wait before reapplying. Planner Failor responded it is the same for planned developments which is very rare. He said if it is voted down, the businesses generally do not come back. President Scaman said it is difficult for her to not want to support a person not wanting to do business in our community but she does not see evidence of this business being a good partner to our community. Not having some path for mediation or reconsideration and the building not having a bathroom are concerning to her.

It was moved by Trustee Parakkat, seconded by Trustee Wesley, to adopt the Ordinance. The motion failed. The roll call on the vote was as follows:

NAYS: 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

AA. [ORD 22-83](#) An Ordinance Amending Chapter 8 ("Business Licensing"), Article 1 ("General Provisions") of the Oak Park Village Code by Adding a New Section 8-1-16 ("Hours of Operation for Retail Goods Establishments and Service Stations")

Manager Jackson introduced Village Attorney Paul Stephanides.

Attorney Stephanides presented the Ordinance at the direction of the Village Board at the conclusion of the Public Hearing that was held on Ordinance 22-65 to add the retail goods establishments as defined in the zoning ordinance to the prohibition of the closing hours of 12:00 A.M. and reopening at 5:0 A.M. for service stations.

Trustee Enyia asked if this is just to review the additions of the two 7-Elevens. Attorney Stephanides confirmed that is correct and clarified that the two 7-Elevens are defined as retail goods establishments and are the only businesses that are open 24 hours a day other than the service stations.

Trustee Wesley asked if these two businesses would have been added to the ordinance if they had not requested it. Attorney Stephanides confirmed these businesses requested to be added to the ordinance and the Police Department memo presented statistics on violent criminal activity involving employees at those two locations.

Trustee Wesley said his concern is the precedent this might set for amending ordinances at the request of businesses. He said the businesses could decide to close earlier. Manager Jackson responded that their request was ancillary to our consideration and that the Village did not know these businesses were going to make the request. They came to the hearing and made the comments to the Village Board.

Trustee Enyia asked if the Dunkin Donuts is the one other establishment that would be open past 12:00 A.M. President Scaman responded that there is the Tacos El Tio #4 restaurant as well. Attorney Stephanides said there has not been criminal activity at either of those locations. Manager Jackson said the Village's issue is crime. President Scaman clarified that Oak Park has other establishments that are open past 12:00 A.M. but not 24 hours.

Trustee Taglia said he thinks the Village of Oak and Trustees have a duty to protect both patrons and employees of businesses in Oak Park. The data indicates that the vast majority of robberies of the 7-Elevens have occurred around the hours in question. There have been 11 robberies at these two 7-Eleven locations since 2020 and there was a shooting at the Chicago Avenue store. He said he agrees the 7-Elevens should be added to our ordinance. He said he believes the fundamental function of government is to respond to safety concerns and do something about it.

Chief Johnson said she believes that crime will shift as there will be no other place to go and purchase small items and 7-Eleven is just one block and a half away from 100 Chicago Avenue.

Trustee Wesley asked if the theory is that the 7-Eleven is drawing crime into Oak Park. Chief Johnson said that is not the theory. She said 7-Eleven has had violence and she agreed with Trustee Taglia that it is about protecting customers and employees. She said her concern is that if the hours of the service stations are limited, people will travel a block and a half away to get their small items.

Trustee Wesley asked if there are concerns about crime shifting away from the 7-Elevens to individuals out after dark. Chief Johnson said there needs to be a victim, a location, and an offender and 100 Chicago Avenue and

the other service stations are meeting grounds for offenders. Crime can happen anywhere but if there is no location for them to meet, the probability is lower. Trustee Wesley asked if the random encounters have happened at the 7-Eleven. Chief Johnson said it has not but the employees have been held up at gunpoint and one fired a weapon at an offender which could have hit a random person.

Trustee Wesley asked if the Village would seek to close the 24-hour Dunkin Donuts and Tacos El Tio #4 if they became victims of crime. Chief Johnson said the Dunkin Donuts has not had crime and is only open through the drive thru. Tacos El Tio #4 has not had crime but if there was significant violence there, she would recommend their closure because it is about the safety of the community.

Trustee Wesley asked if the working premise is that businesses that are open overnight attract crime and if there is evidence of that, the Village should shut them down. Chief Johnson said she is not saying that businesses that are open overnight attract crime. She is saying that the service stations seem to be a primary location where criminal offenses are happening between the hours of 12:00 A.M. and 5:00 A.M.

Trustee Wesley said he is more concerned about the slippery slope of expanding this ordinance to eventually cover anything that might be open beyond a certain hour in Oak Park. Chief Johnson said she can only speak to what is happening now, which is violence at certain service stations overnight. Trustee Wesley said he doesn't know if this is a scalable response to crime that happens in Oak Park overnight. Chief Johnson said we are speaking about multiple incidents and a homicide. There were 11 robberies at 7-Elevens with weapons implied or displayed.

President Scaman said the nuisance ordinance sets some benchmarks for measurement, which Chief Johnson confirmed.

Trustee Enyia asked about the path forward for the service stations and if there is a time period where they could come back to the Village Board or if this door is closed forever. Chief Johnson said she would collaborate with the Village Manager's Office and legal team regarding those questions. Manager Jackson asked for clarification if the question is about future incidents with other types of businesses. Trustee Enyia responded that he is asking about future and current. Attorney Stephanides responded that the door is never shut and the Village Board can always revisit this.

John Ellis, representing BP gas stations: He said the ordinance does not address the concerns raised by the circuit court, that this ordinance painted with too broad of a brush and businesses that have had no crime are being

closed by this ordinance. He said he cannot find any record on the Village website of three of the 11 crimes cited in the ordinance, which is alarming and should concern this Board. The reports should be made available to the public and to the Village Board before any decision is made. He said the dispute will continue though it does not have to and they are committed to figuring out a path forward and working together.

Chief Johnson explained the difference between a police summary and a police report. She said she will supply the police reports which she believes have already been made available. Mr. Ellis said the only way he has access is to go to the Village website. There are police report numbers in his July memo and he has made a FOIA request for those cited reports but he has not yet received the reports.

Public comment from previous Agenda Item:

Jeremy Storey, owner of BM Custom: He doesn't know why nobody comes and talks to him as he is there every day. He has a full washroom. He showed six residents that he is separated from everybody else. He has been gone for two and a half weeks so he is trying to see who heard music inside that shop. There is construction in there but there is no music being played for the last nine months when the first officer said it was too loud. He said he has never been aggressive since he has been back there and he meets and greets everyone.

President Scaman said her comments about the bathroom would not affect the decision at this time. She advised that he work with the Village staff for any potential to move forward with working in our community. Owner Storey asked how he can get in touch with the homeowners because it used to be Lombard and now it is here. President Scaman said the Village has a Community Relations Department. BM Custom did not have a business license to operate. The Village could have helped more when there were first challenges with the neighbors. There is a track record of behavior that is difficult for the Village to trust. It is the job of the Village to not put residents through any additional nuisance. The Village Board has voted and the staff are the best people to help find a path.

Owner Storey said he was told to put up security cameras seven months ago, which he did and he has proof that no one sees his door with cars blocking the alleys. President Scaman said he should present that to the staff.

It was moved by Trustee Parakkat, seconded by Trustee Wesley, that this Ordinance be adopted. 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 Parakkat, Village Trustee Robinson, and Village Trustee Taglia

NAYS: 1 - Village Trustee Wesley

ABSENT: 0

XIII. Regular Agenda for Items Pursuant to Village Code Chapter 3 Alcoholic Liquor Dealers or Related (President Pro-Tem)

AB. [ORD 22-82](#) An Ordinance Amending Chapter 3 ("Alcoholic Liquor Dealers"), Article 4 ("Term and Classification"), Section 3-4-2 ("Classification and Number of Liquor Licenses and Fees") of the Oak Park Village Code to Establish a New Class D-18 Movie Theatre Liquor License Classification and to Issue a Class D-18 Movie Theatre Liquor License to Tivoli Enterprises, Inc., DBA Lake Theatre

Manager Jackson introduced Attorney Stephanides.

Attorney Stephanides said the Liquor Control Review Board Chair Sarah Corbin was present as was the applicant, Tivoli Enterprises Owner Chris Johnson.

Chair Corbin said the Lake Theater is a wonderful longstanding business in our community and this is an opportunity for them to bring us up to date and make us marketable with other communities. It expands their business model and makes us a more fun place to come.

President Scaman asked what would be done with the license. Owner Johnson responded that it is an amendment many theaters have and they are trying to stay competitive. It is typical that someone purchases one or two drinks. There is no seating or a bar but rather a cooler with canned cocktails, wine, and beer. They are looking to re-seat the theater in early 2023 with heated recliners. They have not had any issues in any other communities that have instituted this.

Trustee Parakkat said it is a very exciting development that he fully supports.

Trustee Wesley said he loves the Lake Theater and thinks it is a great development to bring it up to what some other theaters are already doing. He said it is good for Oak Park in thinking about where you can go to be comfortable and reclining is a big thing for him and his bad back.

President Scaman said she cannot sit low to the ground and she thanked him for the new seats.

Trustee Taglia said it is a great idea and we should eat, drink, and be merry. He remembers watching Patton on the big screen when he was a kid.

It was moved by Trustee Wesley, seconded by Trustee Parakkat, to adopt the Ordinance. 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

AC. [ORD 22-81](#) An Ordinance Amending Chapter 3 ("Alcoholic Liquor Dealers"), Article 4 ("Term and Classification"), Section 3-4-2 ("Classification and Number of Liquor Licenses and Fees") of the Oak Park Village Code Regarding the Package Liquor Class C-1 Liquor License Classification to Allow for the Tasting or Sampling of Alcoholic Liquors

Attorney Stephanides said this allows package C-1 liquor licensees to have tasting or sampling events at their locations, which is basically grocery stores. The applicant is Carnival grocery store on Oak Park Avenue.

President Scaman asked for a summary of the dialogue that happened at the Liquor Control Review Board. Chair Corbin said that this opens up this ordinance for any grocery store. Carnival is a longstanding creative business and active community member. It opens up opportunity for them as a business and for us as a community. Carnival has fun events they would like to plan. They would invite vendors in for small tasting events that would benefit the community.

It was moved by Trustee Wesley, seconded by Trustee Parakkat, to adopt the Ordinance. 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

XIV. Call to Board and Clerk

Trustee Enyia said Saturday, November 12 is Husky Madness in the Fieldhouse from 6-8:30 P.M. sponsored by the OPRF boys basketball team. He gave his condolences to the family of resident and fellow schoolmate Joshua Jackson. He played basketball for OPRF and Eastern Illinois and came back to coach at OPRF and at Triton. He lost his life on Friday at age 36 and had just had a son. He was an impactful person in this community and a breath of fresh air and was kind to everyone he met. Another Hatch schoolmate Sean Varner passed away two weeks ago and he gives his condolences to the family. He was a great member of our

community and was in Boy Scouts and volleyball. Their memories will never be forgotten.

Trustee Buchanan mentioned the national issues of anti-Semitism and there are anti-Semitic comments that are rearing their ugly head this past week and she offers her full support to Jewish residents and synagogues.

Trustee Robinson announced the Library's Latinx Author Book Cafe. The last one for 2022 is meeting tomorrow and the Library is taking suggestions for Latinx authors for 2023.

Trustee Parakkat noted that there are 103 business permits issued in the first 10 months of this year, which is a new record and is amazing coming out of the pandemic. He congratulates everyone involved.

President Scaman thanked Interim Deputy Chief David Jacobson for participating in an anti-Semitism forum along with members of OPRF at Zion Temple in River Forest. It was educational about empowering each other to call things out when we see it, support each other, continue to learn, and how to respond when we witness anti-Semitism.

XV. Adjourn

It was moved by Trustee Parakkat, seconded by Trustee Wesley to Adjourn. A voice vote was taken and the motion was approved. Meeting adjourned at 11:32 P.M., Monday, November 7, 2022.

**Respectfully Submitted,
Deputy Clerk Hansen**