



# Village of Oak Park

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

## Meeting Minutes

### President and Board of Trustees

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Monday, September 19, 2016

6:30 PM

Village Hall

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#### I. Call to Order

Village President Abu-Taleb called the meeting to order at 6:35 P.M.

#### II. Roll Call

**Present:** 4 - Village Trustee Barber, Village Trustee Lueck, Village Trustee Salzman, and Village President Abu-Taleb

**Absent:** 3 - Village Trustee Brewer, Village Trustee Button Ott, and Village Trustee Tucker

#### III. Consideration of Motion to Adjourn to Executive Session to Discuss Pending Litigation, Purchase of Property, and Sale of Investments (Bonds).

It was moved by Village Trustee Salzman, seconded by Village Trustee Lueck, to enter into Executive Session pursuant to 5 ILCS 120/2(c)11 - discussion of pending litigation, 5 ILCS 120/2(c)(5) - purchase of property and 5 ILCS 120/2(c)(7) - sale of investments. The motion was approved. The roll call on the vote was as follows:

**AYES:** 4 - Village Trustee Barber, Village Trustee Lueck, Village Trustee Salzman, and Village President Abu-Taleb

**NAYS:** 0

**ABSENT:** 3 - Village Trustee Brewer, Village Trustee Button Ott, and Village Trustee Tucker

#### 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:** 5 - Village Trustee Barber, Village Trustee Button Ott, Village Trustee Lueck, Village Trustee Salzman, and Village President Abu-Taleb

**Absent:** 2 - Village Trustee Brewer, and Village Trustee Tucker

#### VII. Agenda Approval

Village Manager Pavlicek commented that Item I has been removed from the agenda and will be added to the October 4 agenda.

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

#### VIII. Minutes

- A. [ID 16-278](#) **Motion to Approve the Minutes of the Regular Village Board Meeting of September 6, 2016.**

It was moved by Village Trustee Barber, seconded by Village Trustee Button Ott, that the Minutes be approved. A voice vote was taken and the motion was approved.

## **IX. Non-Agenda Public Comment**

Chris Donovan. Mr. Donovan discussed the RFP for the Village-owned property at Madison and Oak Park Avenue.

David Holmquist, representing Go Green Oak Park. Mr. Holmquist asked the Board to consider a resolution urging the state to re-establish the right of local home rule government to adopt pesticide regulations.

Dottie Hetzel, representing Go Green Oak Park. Ms. Hetzel also discussed the resolution concerning home-rule rights in regards to the use of pesticides.

Doris Davenport, representing Oak Park Climate Action Committee. Ms. Davenport asked the Board to support the petition being presented to the governor regarding implementation of a Clean Power Plan.

Mark Burger, representing Oak Park Climate Action Committee. Mr. Burger also discussed the Clean Power Plan.

## **X. Proclamation and Presentations**

- B. [ID 16-280](#) **Motion to Approve Proclamation for A Day of Remembrance in Honor of Retired Oak Park Police Chief Joseph Mendrick**

It was moved by Village Trustee Button Ott, seconded by Village Trustee Barber, that the Proclamation be read. Village President Abu-Taleb read the Proclamation aloud and presented a copy to the family of Joseph Mendrick.

- N. [ID 16-115](#) **Presentation of the Annual Public Health Awards**

Board of Health Chair Florence Miller announced this year's recipients of the Annual Dr. William Fitzsimmons Awards for Excellence in Public Health. They are: Peggy LaFleur, OPRF Infant Welfare Society; John Owens, Shawnash Institute; Warren Bakker, Shawnash Institute; Ryan Bradley; Anne Pezella and Kate Pezella Marlin, Lively Athletics; Denise and Jay Nacu, Enso Oak Park and Rachel Moore, Crossing Guard (posthumously).

Interim Director of Public Health Mike Charley announced this year's recipients of the Annual Johnson Restaurant Awards for Excellence in Food Service Sanitation. They are: Boss Burrito, King & I, Sagano Sushi, Jerusalem Cafe, Buzz Cafe, Penny's Noodle Shop, Michael's Beef House, Munch, Cucina Paradiso and Wendy's Store #66-1060.

## XI. Village Manager Reports

There was nothing to report.

## XII. Village Board Committees

Village Trustee Salzman reported that much of last Monday's meeting of the Finance Committee was devoted to discussing upgrading the Village's fiber optic network infrastructure. The recommended upgrades will cost \$1.6 million over three years. Further discussion is being postponed until the IT Strategic Plan is reviewed by the Board.

## XIII. Citizen Commission Vacancies

- C. [ID 16-279](#) Board and Commission Vacancy Report for September 19, 2016.

There were no comments.

## XIV. Citizen Commission Appointments, Reappointments and Chair Appointments

- D. [MOT 16-111](#) Motion to consent to the Village President's Appointment of:
- Board of Health** - Andrienne Rogers, Appoint as Member
  - Building Codes Advisory Commission** - Kenneth Floody, Reappoint as Member
  - Citizen Involvement Commission** - Conrad Terry, Appoint as Member
  - Community Development Citizens Advisory Committee** - Cindy Schneider, Appoint as Member
  - Community Development Citizens Advisory Committee** - Richard Rogers, Appoint as Member
  - Community Relations Commission** - Kelly Benkert, Appoint as Member
  - Environment & Energy Commission** - Nick Bridge, Reappoint as Chair
  - Environment & Energy Commission** - Bailey Townsend, Reappoint as Member
  - Historic Preservation Commission** - Jennifer Bridge, Appoint as Member

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

## XV. Second Reading

- E. [ORD 16-110](#) Second Reading and Adoption of an Ordinance Amending Chapter 7 ("Buildings"), Article 7 ("Signs"), Section 7-7-13 ("Temporary Signs") of the Oak Park Village Code to Delete the Permit Requirement for A-Frame Signs in the Public Way

There were no comments.

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

**AYES:** 5 - Village Trustee Barber, Village Trustee Button Ott, Village Trustee Lueck, Village Trustee Salzman, and Village President Abu-Taleb

**NAYS:** 0

**ABSENT:** 2 - Village Trustee Brewer, and Village Trustee Tucker

**F. [ORD 16-109](#) Second Reading and Adoption of an Ordinance Amending Chapter 23A ("Taxes"), Article 4 ("Hotel/Motel Tax") of the Oak Park Village Code to Include Transient Occupancy Rental Units**

Village Trustee Barber stated that an email received from a resident noted that the Board has been focusing on AirBnB, but there are other similar services that have postings of Oak Park homes. He asked if staff has looked into how they might collect tax from those organizations. Village Manager Pavlicek replied that the first step is to adopt the ordinance and then the individual agreements. Discussions have begun with the parent companies of Vacation By Owner Rentals and Home Away. Contractual agreements with these entities should go before the Board by year end.

Village Trustee Salzman expressed concern that proceeds will be used to fulfill the Village's financial obligation to the Visitors Bureau, as well as surplus funds being used to promote tourism. He asked if it would be beneficial to have some flexibility to use that surplus revenue for something other than promoting tourism. Village Manager Pavlicek stated that any changes in the ordinance regarding use of the proceeds is the Board's decision. However, staff does not expect a surplus this year.

Village Trustee Salzman suggested broadening the language prior to approving the ordinance in order to have that flexibility in the future.

Village Trustee Lueck commented that the language is broad already; there is a lot of room to do other things in terms of promoting Oak Park and added that she believes in keeping revenue tied to where the money came from.

Village Trustee Button Ott asked if there was an estimate of how much would be collected. Director of Development Customer Services Tammie Grossman stated that staff does not anticipate the tax exceeding their contractual obligation to Visit Oak Park this year or perhaps even next year. Staff would like to see what a year's worth of collection will be in order to evaluate strategy going forward. Village Trustee Button Ott asked that this be revisited in a year.

Village Trustee Salzman agreed with this as public policy but felt it was problematic imposing a tax in order to meet a contractual agreement with a partner agency. It was reasonable to do this in the short term but he wanted to preserve the option to do something different in the future.

There was further discussion regarding language flexibility, and where the proceeds would be best used. Ms. Grossman explained how the Visitors Bureau is funded and why the hotel/motel tax was created.

**It was moved by Village Trustee Barber, seconded by Village Trustee Lueck, that**

this Ordinance be adopted. The motion was approved. The roll call on the vote was as follows:

**AYES:** 5 - Village Trustee Barber, Village Trustee Button Ott, Village Trustee Lueck, Village Trustee Salzman, and Village President Abu-Taleb

**NAYS:** 0

**ABSENT:** 2 - Village Trustee Brewer, and Village Trustee Tucker

## **XVI. Consent Agenda**

### ***Approval of the Consent Agenda***

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

**AYES:** 5 - Village Trustee Barber, Village Trustee Button Ott, Village Trustee Lueck, Village Trustee Salzman, and Village President Abu-Taleb

**NAYS:** 0

**ABSENT:** 2 - Village Trustee Brewer, and Village Trustee Tucker

- G.**     [RES 16-305](#)   A Resolution Approving a Voluntary Collection Agreement with Village of Oak Park Transient Occupancy Tax with Airbnb, Inc. and Authorizing its Execution

This Resolution was adopted.

- H.**     [RES 16-297](#)   A Resolution Approving an Amendment to the Professional Services Agreement between the Village of Oak Park and Strand Associates, Inc. for Construction Inspection Services for the Site/Civil Work at the Oak Park Station Development Project for an Additional \$65,000 and Authorizing its Execution

This Resolution was adopted.

- J.**     [RES 16-303](#)   A Resolutions Approving Program Year 2016 Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) Agreements and Authorizing their Execution

This Resolution was adopted.

- K.**     [RES 16-306](#)   A Resolution Approving an Increase of the Not to Exceed Amount from \$165,000.00 to \$191,000.00 for the Purchase and Planting of Parkways Trees in 2016 through Contracts Secured by the Suburban Tree Consortium, and Waiving the Village's Bid Process

This Resolution was adopted.

- L.     [ORD 16-112](#)   **An Ordinance Authorizing the Sale of Surplus Exterior and Interior Signage, Furniture, Memorabilia and Equipment Owned by the Village of Oak Park.**

This Ordinance was adopted.

- M.     [ORD 16-113](#)   **An Ordinance Amending Chapter 17 ("Offenses"), Article 1 ("Identification of Specific Offenses") of the Oak Park Village Code to Add New Sections 17-1-35 ("Possession, Manufacture or Delivery of Cannabis") and 17-1-36 ("Possession of Drug Paraphernalia")**

This Ordinance was adopted.

## **XVII. Regular Agenda**

- O.     [RES 16-307](#)   **A Resolution Approving an Agreement for Municipal Solid Waste, Recycling and Landscape Waste Collection with Waste Management of Illinois, Inc. for a Five Year Period and Authorizing its Execution**

Village Manager Pavlicek noted that in March, the Board gave direction to negotiate with Waste Management for a successor agreement that will be in effect from 2017 through 2022.

Director of Public Works John Wielebnicki stated that the current agreement expires at year end. He discussed the new services that are being proposed in the agreement. These include "At Your Door" service, to collect hazardous waste and electronics, as well as other hard to dispose of items. Residents will just call Waste Management to schedule a time for pick up. Oak Park will be the first community in Cook County to offer this service. This will benefit the Village, as it will replace their electronics recycling events as well as the recent paint exchange. Waste Management will introduce a recycling education program and work with the Village to communicate this to residents. In addition, rates negotiated with Waste Management include an annual rate adjustment at CPI of no less than 2.5% and no more than 4.5%. Staff is also requesting that the contract be extended past December 31 to March 31, as that is a difficult time to change waste haulers. Mr. Wielebnicki also discussed the Most Favored Nations Clause of the agreement, which enables Oak Park to receive a lower rate if a similar community has a similar program at a lower cost.

There was a discussion regarding the composting program. It was noted that Oak Park is still a leader in this effort. Environmental Services Manager Karen Rozmus noted that in year two of the contract, Waste Management will be looking into expanding the program to residents in multi-unit dwellings.

Mr. Wielebnicki discussed how the Village will be saving money by implementation of the "At Your Door" program.

Village President Abu-Taleb was not comfortable being locked into a five year agreement. Ms. Rozmus spoke about Waste Management's willingness to work with the Village with new ideas, for example, composting. Village Trustee Barber discussed the benefits of the Most Favored Nations Clause, which enables them to offer the Village a better rate with better services. Mr. Wielebnicki discussed why staff prefers a five-year contract and explained the Most Favored Nations Clause.

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

**AYES:** 4 - Village Trustee Barber, Village Trustee Button Ott, Village Trustee Lueck, and Village Trustee Salzman

**NAYS:** 1 - Village President Abu-Taleb

**ABSENT:** 2 - Village Trustee Brewer, and Village Trustee Tucker

**P. [MOT 16-109](#) Motion to Concur with the Environment and Energy Commission (EEC) to Impose a Fee on Single-Use Bags and Direct Village staff to Prepare the Necessary Ordinance**

Village Manager Pavlicek stated that in May, 2014, Trustee Lueck had requested a resolution that this topic be referred to the Environment and Energy Commission (EEC). This was in advance of the 2015 plastic bag restriction in the City of Chicago.

Ms. Rozmus noted that after much discussion and researching of ordinances all over the country, the EEC concluded that a bag ban would not have the intended effect on behavior that a fee would.

EEC Member Carolyn Cullen stated that Chicago has banned thin plastic bags but still allow heavier plastic bags that are claimed to be reusable. However, there is evidence that these are also being disposed of, with an end result of a much greater amount of plastic in the waste stream. She discussed the positive aftereffects other communities and countries have experienced in regards to charging a fee for bags. The EEC recommended to impose this fee for all plastic and paper bags for all businesses. Other details such as how the fees would be collected and where the revenue will go will be considered and put into the ordinance.

Village Trustee Barber did not think there should be a fee for paper bags. Ms. Cullen explained that it would become a burden for businesses to offer free paper bags as they pay more for them than they do for plastic bags. Village Trustee Barber stated that it should be up to the retailer whether or not to charge for paper bags; the Village shouldn't impose this restriction on them.

Village Manager Pavlicek stated that the Board will have the opportunity to fine tune the ordinance during the First Reading.

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

**AYES:** 5 - Village Trustee Barber, Village Trustee Button Ott, Village Trustee Lueck, Village Trustee Salzman, and Village President Abu-Taleb

NAYS: 0

ABSENT: 2 - Village Trustee Brewer, and Village Trustee Tucker

- Q. [ID 16-277](#) **Review the Recommended Five Year Capital Improvement Plan (2017-2021) and Direct Staff to Prepare the Necessary Actions for Approval of the Plan in October 2016.**

Chris Donovan. Mr. Donovan noted that the CIP and budget include the Madison Street Road Diet and gave a synopsis of Board action regarding that.

Village Manager Pavlicek noted that the recommended five-year Capital Improvement Plan is being transmitted to the Board for review. The Finance Committee held public meetings on August 29 and September 12 to review the document. The Finance Committee wanted to make it clear that additional discussion related to the fiber optic project is needed. The IT Strategic Plan will be presented for discussion on October 4. Once that is addressed, this will be further discussed by the Board.

- R. [RES 16-309](#) **A Resolution Approving a Second Amendment to Settlement Agreement Between the Village of Oak Park, Oak Park and River Forest High School District Number 200 and Oak Park Elementary School District Number 97 and Authorizing its Execution**

Village Manager Pavlicek announced that the Boards of School Districts 97 and 200 will also be taking up this matter later in September. It involves TIF eligible expenses for environmental cleanup costs related to the redevelopment of parcels commonly referred to as the Colt-Westgate development.

Village President Abu-Taleb gave a brief synopsis of the settlement agreement entered into with the School Districts regarding the Downtown TIF District. The first amendment to the agreement in 2013 states that the surplus funds would be distributed among all taxing bodies and removes the Village's authority to remove the TIF surplus for the development of downtown. However, it allows the Village to use new revenue that is generated from the Lake and Forest site and the Colt site to be used for those expenses. The recent unforeseen environmental remediation expense led the Village to approach Districts 97 and 200 to revisit the 2013 amendment. There was discussion with the School Districts regarding the Village's cost of the development of the downtown and the unforeseen expense as well as the benefits of the development to the schools and other taxing bodies. This Item is a potential second amendment to the agreement that the Village Board will vote on tonight. The School Districts will have the same opportunity at their next meetings. He thanked all who were involved in this effort.

The Trustees gave positive feedback.

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



**AYES:** 5 - Village Trustee Barber, Village Trustee Button Ott, Village Trustee Lueck, Village Trustee Salzman, and Village President Abu-Taleb

**NAYS:** 0

**ABSENT:** 2 - Village Trustee Brewer, and Village Trustee Tucker

### **XVIII. Call to Board and Clerk**

Village Clerk Powell discussed voter registration and gave information regarding how to vote by mail.

Village Trustee Barber stated that he would like to support the Oak Park Climate Action Committee regarding State action for a Clean Power Plan.

Village Trustee Salzman agreed and also supported the legislation in Springfield that would restore the Village's Home Rule authority with respect to the use of pesticides. He noted that Senator Harmon introduced it and that the Board should communicate with their elected representatives more frequently. This would be a good opportunity to do that.

Village Trustee Button Ott commented that it has been a very green evening and some good environmental decisions were made. She is proud to be part of a community that is a leader in environmental initiatives and hopes it continues.

Village President Abu-Taleb stated that Oak Park is open for business and is business friendly. He invited all to attend the grand opening of the Vantage tomorrow from 5:00 P.M. till 8:00 P.M. and celebrate the building.

### **XIX. Adjourn**

**It was moved by Village Trustee Button Ott, seconded by Village Trustee Salzman, to adjourn. A voice vote was taken and the motion was approved. Meeting adjourned at 9:40 P.M., Monday, September 19, 2016.**

**Respectfully Submitted,**

**MaryAnn Schoenneman  
Deputy Village Clerk**