



Village of Oak Park

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

Meeting Minutes

President and Board of Trustees

Monday, May 21, 2018

6:30 PM

Village Hall

Call to Order

Village President Abu-Taleb called the Meeting to order at 6:30 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

Consideration of Motion to Adjourn to Executive Session to Discuss Potential Litigation, Collective Bargaining, Setting the Price of Real Estate.

It was moved by Village Trustee Moroney, seconded by Village Trustee Button, to enter into Executive Session pursuant to 5 ILCS 120/2(c)(11) - litigation; 5 ILCS 120/2(c)(2) - collective bargaining and 5 ILCS 120/2(c)(6) - setting the price of real estate. 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 7:41 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 stated that Item R has been moved from Consent to the Regular Agenda.

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 18-333](#) Motion to Approve Minutes from the May 7, 2018 Regular Meeting and May 14, 2018 Special Meeting of the Village Board.

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

IX. Non-Agenda Public Comment

Chris Donovan. Mr. Donovan discussed the Board action regarding a contract to design the Madison Street Bend. He asked if the Village got a return on that investment.

Bonita Robinson. Ms. Robinson referenced her letter to the Wednesday Journal about her experience with her neighbor's intrusive lighting and her complaints to the Village regarding that.

XI. Village Manager Reports

Village Manager Pavlicek gave a reminder that Village Hall will be closed on Monday, May 28 in observance of Memorial Day. The Board will meet on Tuesday, May 29.

XII. Village Board Committees

Village Trustee Boutet shared comments from a presentation at the I-Gov meeting held on Saturday.

XIII. Citizen Commission Vacancies

- B. [ID 18-878](#) Board and Commission Vacancy Report for May 21, 2018.

There were no comments.

XIV. Citizen Commission Appointments, Reappointments and Chair Appointments

- C. [MOT 18-336](#) Motion to consent to the Village President's Appointment of:
Building Codes Advisory Commission - Tim Kelly, Reappoint as Chair
Community Development Citizens Advisory Committee - Catherine Bendowitz, Reappoint as Member
Disability Access Commission - Kathleen Yannias, Reappoint as Member
Housing Programs Advisory Committee - Amy Dean, Appoint as Member
Housing Programs Advisory Committee - Debby Macey, Appoint as Member
Plan Commission - Joseph Flowers, 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

Approval of the Consent Agenda

It was moved by Village Trustee Andrews and seconded by Village Trustee Tucker 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

- D.** [ORD 18-364](#) An Ordinance Authorizing the Sale of Surplus Property Owned by the Village of Oak Park
This Ordinance was adopted.
- E.** [RES 18-894](#) A Resolution Approving the Purchase and Installation of Three Dump Truck Bodies, One Plow, and the Replacement of Associated Electronics and Hydraulics from PB Loader Corporation in an Amount Not to Exceed \$272,952.00 and Waiving the Village's Bid Process for the Purchase
This Resolution was adopted.
- F.** [RES 18-895](#) A Resolution Approving an Independent Contractor Agreement with Chicagoland Renovations, Inc. for Repairs to the Geothermal Vault at Village Hall for an Amount Not to Exceed \$32,340.00 and Authorizing its Execution.
This Resolution was adopted.
- G.** [RES 18-896](#) A Resolution Approving an Independent Contractor Agreement with Konematic Inc., d/b/a Door Systems, Inc., to Install New Overhead Doors and a New Entrance Door at the Main Fire Station for an Amount Not to Exceed \$34,205.00 and Authorizing its Execution
This Resolution was adopted.
- H.** [RES 18-898](#) A Resolution Approving an Independent Contractor Agreement with Total Parking Solutions, Inc. for the Purchase and Installation of Eight (8) Pay-By-Plate Conversion Kits in an Amount not to Exceed \$22,400, Authorizing its Execution and Waiving the Village's Bid Process
This Resolution was adopted.
- I.** [RES 18-899](#) A Resolution Approving a Parking Lot License Agreement Between the Village of Oak Park and Fenwick High School, Inc. for the Use of Lot #SB5 on the North Side of South Boulevard Between Wesley Avenue and East Avenue and Lot #SB4 on the Northside of South Boulevard Between East Avenue and Scoville and Authorizing its Execution

This Resolution was adopted.

- J. [RES 18-901](#) A Resolution Authorizing the Subordination of a Lien for the Property Located at 1023 Lyman Avenue
This Resolution was adopted.
- K. [RES 18-902](#) A Resolution to Support and Consent to the Class 7C Incentive Application of 221 Harrison Street, LLC for the Property Located at 219-221 Harrison Street Consistent with Recommendation of the Oak Park Economic Development Corporation (Oak Park EDC)
This Resolution was adopted.
- L. [RES 18-904](#) A Resolution Approving an Amendment to a Professional Services Agreement with Alarm Detection Systems, Inc. for Burglar and Fire Alarm System Monitoring and Maintenance for Village Owned Buildings to Extend the Current Agreement to December 31, 2018 and to Adjust the Fiscal Year 2018 Not to Exceed Amount to \$35,000.00 and Authorizing its Execution
This Resolution was adopted.
- M. [RES 18-905](#) A Resolution Approving the Purchase of One 2018 Terex LT40 Bucket Truck from Terex Utilities Inc. through the National Joint Powers Alliance Joint Purchasing Program in an Amount Not to Exceed \$105,586.00 and Waiving the Village's Bid Process for the Purchase
This Resolution was adopted.
- N. [RES 18-907](#) A Resolution Requesting Village of Oak Park Geographic Information System Data from the Cook County Assessor's Office
This Resolution was adopted.
- O. [RES 18-908](#) A Resolution Approving a Professional Services Agreement with Engineering Resource Associates, Inc. for Professional Engineering Services for Design and Construction Engineering for Village Project Number 18-1, Water and Sewer Main Improvements in an Amount Not To Exceed \$186,364 and Authorizing its Execution
This Resolution was adopted.
- P. [RES 18-909](#) A Resolution Authorizing the Execution of a Settlement Agreement in Workers' Compensation Case Number W002079974
This Resolution was adopted.
- Q. [RES 18-912](#) A Resolution Approving a Memorandum of Understanding between the Metropolitan Planning Council (MPC) and the Village of Oak Park for MPC

to Provide Services for the Village's Taxing Bodies Efficiency Task Force and Authorizing its Execution

This Resolution was adopted.

- S. [MOT 18-332](#) A Motion to Approve the Bills in the Amount of \$1,070,165.86 from April 25, 2018 through May 9, 2018**

This Motion was approved.

XVI. Regular Agenda

- T. [MOT 18-331](#) A Motion to Concur with the Transportation Commission's Recommendation to Deny a Petition for Four-Way STOP Signs and Instead Recommends Upgrading the Existing 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**

Village Manager Pavlicek stated that the Transportation Commission had a public meeting regarding this petition from residents. Staff and the commission are recommending that instead of a four-way stop sign, the existing yield signs at the east-west intersection be upgraded to stop signs.

Village Engineer Bill McKenna stated that the residents' main concerns were speeding vehicles on Kenilworth and some near-miss accidents. Data was collected in December and reviewed by the Transportation Commission in March. The rationale for their decision included the relatively low traffic volume and speeds in the range of 23 to 27 miles per hour on those streets. There were three accidents within the past three years but none could've been corrected by a stop sign; two side swipes of parked cars and one accident as a result of a car evading police. Staff concurs with the Transportation Commission.

Village Trustee Tucker knows that area well; many young families live there. He asked about the study that produced the data. Mr. McKenna gave an explanation. Village Trustee Tucker expressed concern that the study was done on one very cold day and was compared to 20-year old data. He opposes the commission's recommendation. Village Trustee Andrews supported Village Trustee Tucker. Village Trustee Button agreed and noted that residents tend to know more than the Board and staff, even with studies, what the real risks and concerns are. Village Trustee Moroney stated that no matter where you live in the Village, there are strange traffic patterns. Most residents would like some type of traffic calming tool on their block but every request cannot be accommodated. He does not support a four-way stop sign.

Transportation Commission Chair Jack Chalabian stated that the commission's recommendation is what they believe is the best course of action. There was further discussion, and Village Trustee Tucker spoke about his concerns. Mr. McKenna answered additional questions from the Board.

The motion and second were amended to grant the petition to install four-way stop signs at this intersection.

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

AYES: 6 - Village Trustee Button, Village Trustee Taglia, Village President Abu-Taleb, Village Trustee Tucker, Village Trustee Boutet, and Village Trustee Andrews

NAYS: 1 - Village Trustee Moroney

ABSENT: 0

U. [MOT 18-320](#) A Motion to Concur with the Transportation Commission's Recommendation to Deny the Petition to Upgrade from Two-Way, East-West Stop Signs to All-Way Stop Signs at the Intersection of Cuyler Avenue and Iowa Street

It was moved by Village Trustee Andrews, seconded by Village Trustee Tucker, 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

V. [ORD 18-365](#) Concur with the Plan Commission's Recommendation and Adopt an Ordinance Granting a Special Use Permit for a Major Planned Development Containing 21 Residential Townhome Units at the Property located at 932-970 Madison Street

Village Manager Pavlicek gave a history of the property and the redevelopment agreement with Lexington.

Village Planner Craig Failor discussed the allowances requested by the developer; front yard setback, a variation for landscaping on the rear yard setback and the location of the handrail on the rooftop deck. Plan Commission Chair David Mann gave a summary of discussions held by the Plan Commission with the developer regarding changes to the original design. The commission has approved the final architectural design 7-1.

Village President Abu-Taleb discussed the original design, which the Board rejected. Village Trustee Moroney described the style of the current buildings. He commented that the new design is significantly different and something unique for Oak Park. Village Trustee Boutet wanted a sample of materials used for the project. She and Village Trustee Andrews were not impressed with the look of the exteriors. Mr. Mann believes that this particular style would work well on Madison Street; the drawings are not too detailed. He discussed some nuances in the design. John Agenlian with Lexington Homes spoke about the project and the architect of the development answered questions from the Board.

Village Trustees Andrews and Boutet thanked the developer for their contribution to the Village's Affordable Housing Fund. Village Trustee Button also acknowledged their contribution to public art and expansion of green space.

It was moved by Village Trustee Taglia, seconded by Village Trustee Button, that

this Ordinance 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

W. [ORD 18-370](#) Concur with the Plan Commission's Recommendation and Adopt an Ordinance Approving the "Lexington at Oak Park" Plat of Subdivision

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

AYES: 6 - Village Trustee Taglia, Village President Abu-Taleb, Village Trustee Tucker, Village Trustee Moroney, Village Trustee Boutet, and Village Trustee Andrews

NAYS: 0

ABSENT: 1 - Village Trustee Button

X. [RES 18-911](#) A Resolution Approving a Towing Services Agreement with O'Hare Truck Service, Inc., d/b/a O'Hare Towing Service for a Two-Year Period with an Option to Renew for a One-Year Period and Authorizing its Execution

Village Manager Pavlicek stated that this was tabled from a previous Agenda in April at the request of Village Trustee Boutet in order for Acting Chief Ladon Reynolds to be able to participate in the discussion. Acting Chief Reynolds stated that he led the process for the RFP.

Village Trustee Boutet asked for an explanation as to why, year after year, O'Hare Towing comes back as the higher bidder, yet is awarded the contract and all others are disqualified. She noted that there are items on the Area Towing proposal that were below what O'Hare has proposed. Acting Chief Reynolds stated that continuity of operations and the capability of the company, as well as transparency and full disclosure, were important to him when he began the RFP process. He described the process. Three bids were received and one was disqualified based on capabilities. O'Hare and Area were examined. He commented that disabled vehicles are seen on the road in various communities but not in Oak Park. O'Hare has 77 trucks and four facilities; Area did not meet the standards that O'Hare has. Village Trustees Andrews and Tucker agreed with Village Trustee Boutet in terms of the bidding process, however, they appreciate the due diligence done by staff, as the towing business can be complicated. They support staff's recommendation. Village Trustee Moroney suggested evaluating O'Hare over the next two years. Village Trustee Taglia commented that there was a bidder higher than O'Hare that was pulled out. He compared O'Hare with the other companies and feels the others would not be as capable.

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

AYES: 6 - Village Trustee Button, Village Trustee Taglia, Village President Abu-Taleb, Village Trustee Tucker, Village Trustee Moroney, and Village Trustee Andrews

NAYS: 1 - Village Trustee Boutet

ABSENT: 0

Y. [RES 18-910](#) **A Resolution Approving an Amendment to the 2017-2019 Village Board Protocols to remove I-Gov as a Village Board Committee**

Village Trustee Boutet clarified that this does not mean the Village is no longer a part of I-Gov. It is just being removed from Board Protocols.

It was moved by Village Trustee Tucker, 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

R. [MOT 18-325](#) **A Motion to Approve the April 2018 Monthly Treasurer's Report for All Funds**

Village Trustee Boutet stated that when the Board gets the monthly Treasurer's Report, it would be helpful if the CFO did a presentation regarding general trends.

Chief Financial Officer Steve Drazner stated that this report includes the April 2018 balance compared to the March 2018 balance and the April 2017 balance. The reason for some of the major variances from last year to this year is due to the change in accounting software. The new software is more efficient and reflects actual cash balances on funds.

Village Manager Pavlicek stated that this is required by State Statute and she and CFO Drazner agree that this should be discussed every month.

Mr. Drazner answered questions from the Board and heard their comments.

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

Z. [MOT 18-327](#) **A Motion to Approve the Unaudited Year-to-Date Quarterly Financial Report as of March 31, 2018**

It was moved by Village Trustee Andrews, seconded by Village Trustee Tucker, 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

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

Village President Abu-Taleb recused himself from the Meeting and the following Items were presided over by President Pro-Tem Boutet.

AA. [ORD 18-371](#) An Ordinance Amending Chapter 3 ("Alcoholic Liquor Dealers"), Article 4 ("Alcoholic Liquor Dealers"), Section 3-4-2 ("Classification of and Number of Liquor Licenses and Fees") of the Oak Park Village Code to Create a New Bring-Your-Own Restaurant Class B-6 Liquor License Classification

Village Manager Pavlicek stated that the Liquor Control Review Board reviewed this and are making the recommendation to the Board.

Village Trustee Button, the Local Liquor Commissioner, stated that the LCRB has long debated whether the Village should have a BYO license. This Board had previously approved a BYO license for Festival Theater. They have a history of allowing patrons to bring their own alcohol to consume on the premises prior to getting the license, and other establishments followed suit. They were instructed to cease and desist until staff could look into this further. Recently the LCRB had a discussion regarding this and unanimously agreed that there should be an ordinance on the books. However, there was some reservation regarding what types of businesses should be allowed to have a BYO license. One of the issues raised was to allow venues the opportunity to offer BYO; the Liquor Board is suggesting allowing BYO in establishments other than restaurants.

Jean Schultz Angel, Executive Director of the Nineteenth Century Club. Ms. Schultz Angel spoke about her organization, including their privately owned Oak Park Banquets, whose proceeds benefit the Nineteenth Century Club. She would like the non-for-profit organizations that hold events at the club to be able to bring their own alcohol in order to save money.

Village Manager Pavlicek commented that the BYO is essentially for a person to bring their own alcohol somewhere for their own consumption. The Village taxes liquor when it is sold because of the impact to services. The category done for the Festival Theater was much different and very unique for a very few limited times in the year. It was not intended for the Village to not have the ability to charge for resources through the 3% liquor tax when somebody has a large event. There is also the serving of alcohol; BYO is not serving through a bartender.

Village Trustee Boutet mentioned other communities that chose not to regulate it and others where the BYO is connected to an existing liquor license that charge a corkage fee and have personnel regulating it somewhat.

Village Trustee Andrews asked what law is being broken if someone brought their own liquor to a restaurant. Village Attorney Stephanides stated that since the Village has no BYO classification, it is illegal. The community has been told that because there is no license on the books, it is not permitted in Oak Park. Village Trustee Boutet stated that because the state only regulates the sale, distribution and manufacturing of liquor, BYO should be considered legal in Illinois unless otherwise specified by a municipality. There was a discussion regarding whether BYO is currently legal in the Village based on having no ordinance specifying that it is not allowed. Village Trustee Button commented that approving this Item will put an ordinance in place that will resolve this conversation; \$500

is a reasonable amount to absorb the cost of any Village resources used. Village Trustee Andrews did not agree, as he believes this is already legal and requiring a license will do nothing but impose extra costs on businesses. Village Trustee Moroney stated that the Village should offer a BYO license as a benefit to restaurants and that it is reasonable for the Village to set parameters. Village Trustee Tucker agreed and supported the ordinance. There was further discussion. Village Attorney Stephanides clarified that the license would only apply to restaurants that have no other liquor license. There was a discussion regarding the fee. Village Trustee Taglia stated that the Village will be losing revenue on liquor sales because patrons are bringing it in. The fee, although high, offsets that. Village Trustee Andrews stated that \$500 is too much; he would support \$75 to \$100.

It was moved by Village Trustee Moroney and seconded by Village Trustee Tucker to call the question.

The roll call was as follows:

AYES: Village Trustees Moroney, Tucker, Button and Taglia

NAYS: Village Trustees Andrews and Boutet

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

AYES: 4 - Village Trustee Button, Village Trustee Taglia, Village Trustee Tucker, and Village Trustee Moroney

NAYS: 2 - Village Trustee Boutet, and Village Trustee Andrews

ABSENT: 0

ABSTAINED: 1 - Village President Abu-Taleb

AB. [MOT 18-334](#) A Motion to Reject the Liquor Control Review Board's Recommendation to Allow Village of Oak Park Non-Restaurant Business Licensees to Apply for a Bring-Your-Own Liquor License and Permit BYO Beer and Wine Consumption at Their Businesses

Village Manager Pavlicek clarified that the Liquor Board's discussion regarding this proposed ordinance was to expand the BYO license to any non-restaurant business.

Liquor Control Review Board Chair Jane Miller stated that this is a good idea but needs to be written carefully to ensure that those who are doing the BYO understand that they can't sell any alcohol.

Village Trustee Button explained the intent of the ordinance, which would allow, for example, patrons of a hair salon to bring in wine for a bridal party appointment. She stated that perhaps this is worth a little more study. Staff had advised against this in order not to open the floodgates. She suggested tabling the Item to have more time to explore the concept.

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

AYES: 4 - Village Trustee Taglia, Village Trustee Tucker, Village Trustee Moroney, and Village Trustee Boutet

NAYS: 2 - Village Trustee Button, and Village Trustee Andrews

ABSENT: 0

ABSTAINED: 1 - Village President Abu-Taleb

XVIII. Call to Board and Clerk

There was nothing to report.

XIX. Adjourn

It was moved by Village Trustee Tucker, seconded by Village Trustee Button, to adjourn. A voice vote was taken and the motion was approved. Meeting adjourned at 9:24 P.M., Monday, May 21, 2018.

Respectfully Submitted,

MaryAnn Schoenneman
Deputy Village Clerk