



Village of Oak Park

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

Meeting Minutes

President and Board of Trustees

Monday, January 28, 2019

7:30 PM

Village Hall

I. Call to Order

Village President Pro Tem Taglia called the Meeting to order at 7:31 P.M.

II. Roll Call

Present: 5 - Village Trustee Taglia, Village Trustee Tucker, Village Trustee Moroney, Village Trustee Boutet, and Village Trustee Andrews

By Phone: 1 - Village Trustee Button

Absent: 1 - Village President Abu-Taleb

III. Agenda Approval

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

IV. Minutes

- A. [MOT 19-18](#) Motion to Approve Minutes from the November 29, 2018 Tri-Board Meeting, December 10, 2018 Special Meeting and January 14, 2019 Special Meeting of the Village Board.

It was moved by Village Trustee Andrews, seconded by Village Trustee Tucker, to approve the Minutes. The motion was approved. The roll call on the vote was as follows:

AYES: 6 - Village Trustee Button, Village Trustee Taglia, Village Trustee Tucker, Village Trustee Moroney, Village Trustee Boutet, and Village Trustee Andrews

NAYS: 0

ABSENT: 1 - Village President Abu-Taleb

V. Non-Agenda Public Comment

Jerry Murray, representing Oak Park Area Climate Action. Mr. Murray proposed a resolution committing to 100% renewable energy.

Velga Drillis-Eigis, representing Oak Park Area Climate Action. Ms. Drillis-Eigis spoke in support of 100% renewable energy.

Mark Burger, representing Seven Generations Ahead. Mr. Burger also spoke in favor of 100% renewable energy in Oak Park.

VI. Village Manager Reports

B. [ID 19-27](#) Review of the Village Board Meeting Calendars for January, February and March 2019.

Village Manager Pavlicek commented that warming center information is on the Village website. Rush Oak Park is open 24 hours and West Suburban has extended hours. Crews have been working consistently for multiple days to clear snow on the roads. She referred to the meeting calendars for the next few months and asked that any conflicts be brought to her attention.

Village Trustee Boutet expressed gratitude to the Public Works Department as well as Police and Fire.

VII. Village Board Committees

There was nothing to report.

VIII. Citizen Commission Vacancies

C. [ID 19-34](#) Board and Commission Vacancy Report for January 28, 2019.

There were no comments.

IX. Citizen Commission Appointments, Reappointments and Chair Appointments

AD. [MOT 19-22](#) Motion to Consent to the Village President's Appointment of:
Historic Preservation Commission - David Sokol, Reappoint as Member
Historic Preservation Commission - Louis Garapolo, Appoint as Member
Plan Commission - Jeffrey Clark, Appoint as Member
Transportation Commission - Aaron Stigger, Appoint as Member

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

X. Consent Agenda

Approval of the Consent Agenda

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

AYES: 6 - Village Trustee Button, Village Trustee Taglia, Village Trustee Tucker, Village Trustee Moroney, Village Trustee Boutet, and Village Trustee Andrews

NAYS: 0

ABSENT: 1 - Village President Abu-Taleb

- D. [ORD 19-2](#) An Ordinance Approving the Renewal of a Lease with Greenplan Management, Inc. for the Property Located at 618 South Austin Boulevard and Authorizing its Execution

This Ordinance was adopted.
- E. [ORD 19-3](#) An Ordinance Declaring Surplus Revenue in the Village of Oak Park Downtown Tax Increment Finance District Special Tax Allocation Fund for the 2017 Tax Year and Authorizing the Payment of that Surplus Revenue to the Cook County Treasurer for Distribution to Affected Tax Districts on a Pro-Rata Basis

This Ordinance was adopted.
- F. [RES 19-2](#) A Resolution Approving a Funding Grant Agreement between the Village of Oak Park and the Oak Park Area Arts Council in the Amount of \$212,000 for 2019 and Authorizing Its Execution

This Resolution was adopted.
- G. [RES 19-5](#) A Resolution Approving the Annual Postage Replenishment with the United States Postal Service in an Amount Not To Exceed \$75,000.00

This Resolution was adopted.
- H. [RES 19-15](#) A Resolution Approving an Annual Subscription Agreement with Lexipol LLC for Law Enforcement Policy Manual Services and a One-Time Implementation Fee for a Combined Total Not To Exceed Amount of \$122,511, Authorizing Its Execution and Waiving the Village's Bid Process for a Sole Source Vendor

This Resolution was adopted.
- I. [RES 19-16](#) A Resolution Approving a Professional Services Agreement with Gilbert Grossi to Act as an Administrative Law Judge for the Village of Oak Park for a One Year Period and Authorizing its Execution.

This Resolution was adopted.
- J. [RES 19-17](#) A Resolution Approving a Professional Services Agreement with Rhonda Sallee to Act as an Administrative Law Judge for the Village of Oak Park for a One Year Period and Authorizing its Execution.

This Resolution was adopted.
- K. [RES 19-18](#) A Resolution Approving a Bailiff Services Agreement with Edward Polfus to Act as a Bailiff for the Village of Oak Park for a One Year Period and Authorizing its Execution

This Resolution was adopted.

- L. [RES 19-19](#) A Resolution Approving A Bailiff Services Agreement with Joseph Giammona to Act as a Bailiff for the Village of Oak Park for a One-Year Period and Authorizing its Execution
This Resolution was adopted.
- M. [RES 19-22](#) A Resolution Authorizing A Single Family Housing Rehabilitation Loan And A Lead Hazard Reduction Grant (SFR-081)
This Resolution was adopted.
- N. [RES 19-23](#) A Resolution Approving a Professional Services Agreement with Carrie B. Washington to Act as an Administrative Law Judge for the Village of Oak Park for a One Year Period and Authorizing its Execution
This Resolution was adopted.
- O. [RES 19-24](#) A Resolution Approving a Professional Services Agreement with Susan Davis Brunner to Act as an Administrative Law Judge for the Village of Oak Park for a One Year Period and Authorizing its Execution.
This Resolution was adopted.
- P. [RES 19-25](#) A Resolution Approving a Renewal of the Independent Contractor Agreement with Midway Building Services Ltd., for Village Wide Litter Pick Up Services in 2019 in an Amount not to Exceed \$70,000.00 and Authorizing its Execution
This Resolution was adopted.
- Q. [RES 19-28](#) A Resolution Approving and Adopting Amendments to Appendix VII ("Appointee Pay Plan Schedule") of the Village of Oak Park Personnel Manual For the Purpose of Correcting Job Titles
This Resolution was adopted.
- R. [RES 19-44](#) A Resolution Approving a Professional Services Agreement with Brian Porter to Act as an Administrative Law Judge for the Village of Oak Park for a One Year Period and Authorizing its Execution.
This Resolution was adopted.
- T. [MOT 19-6](#) A Motion to Approve the November 2018 Monthly Treasurer's Report for All Funds
This Motion was approved.
- U. [MOT 19-7](#) A Motion to Approve the Bills in the Amount of \$4,834,227.59 from November 21, 2018 through January 8, 2019 and Payroll Expenditures for November and December 2018 totaling \$2,380,838 and \$2,550,802, respectively.

This Motion was approved.

XI. Regular Agenda

V. [ORD 19-12](#) **An Ordinance for a Parking Citation Amnesty Program for the Time Period of 2017 and Prior Related to Parking Citation Late Fees as Directed at the January 14, 2019 Regular Meeting**

Village Manager Pavlicek stated that this was discussed earlier in the month. The Board proposed extending the amnesty period to 12 weeks and to do a mailing to individuals with outstanding citations prior to 2018. Staff is recommending an ordinance with an eight week duration, from February 4 through April 4. Extending that to 12 weeks would require a budget amendment in order to extend the PeopleSoft license. Staff is also looking to do a postcard mailing at a reduced cost through their collection vendor.

Village Trustee Moroney noted that he had concerns about the cost of a mailing but was in agreement with the lower cost of the postcards as well as having only recipients of more recent citations notified.

Village Trustee Button commented that Village Trustee Andrews was in favor of a three month period and asked what the cost would be to extend the current software license.

Director of Adjudication Robert Anderson commented that the Village's last amnesty recovered only \$100,000. He does not believe it would be worth extending the license in hopes of collecting enough to cover or exceed that cost. Village Manager Pavlicek added that the cost of the license extension would be approximately \$20,000.

There was Board consensus to go with the eight week period.

Village President Pro Tem Taglia supports the mailing. He asked if there was any Board interest in extending the initial timeframe to pay a ticket from seven days to 21. Village Trustees Boutet and Tucker were in agreement.

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

AYES: 6 - Village Trustee Button, Village Trustee Taglia, Village Trustee Tucker, Village Trustee Moroney, Village Trustee Boutet, and Village Trustee Andrews

NAYS: 0

ABSENT: 1 - Village President Abu-Taleb

W. [RES 19-34](#) **A Resolution Awarding an Electric Power Sale Agreement with Constellation NewEnergy, Inc. at the Rate of .0535520 per kWh for a 12 Month Period for the Purchase of Fixed Price Electricity for Certain Municipal Facilities and Authorizing its Execution**

Kitty Conklin. Ms. Conklin expressed concern that the contract is not very definitive. With that said, a one-year contract is not the right approach.

Village Manager Pavlicek stated that this is for electricity purchased for the Village's revenue producing facilities; the public parking garages and water pumping stations.

Sustainability Manager Mindy Agnew discussed the financial benefits of a one year agreement. The lack of certainty is there because the actual sites are going to be chosen through a lottery later in the week. If the Village did a longer term two-year fixed rate contract, the return benefit of community solar would be less; the Village will get 3/10 of a cent back instead of 6 cents. Staff recommends the lowest rate from Constellation for one year.

It was moved by Village Trustee Andrews, seconded by Village Trustee Moroney, 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 Trustee Tucker, Village Trustee Moroney, Village Trustee Boutet, and Village Trustee Andrews

NAYS: 0

ABSENT: 1 - Village President Abu-Taleb

X. [ORD 19-1](#) Concur with the Plan Commission's Recommendation and Adopt an Ordinance Amending Article 4 ("Residential Districts"), Section 4.4 ("General Standards of Applicability") and Article 7 ("Design Standards") of the Oak Park Zoning Ordinance Regarding Design Standards for Detached Single Family Residential Dwellings

Village Manager Pavlicek commented that when the Zoning Ordinance was updated in 2017, the Board asked that residential design standards for single family dwellings be looked at. The Plan Commission reviewed this for several months and held three public hearings.

Village Planner Craig Failor commented that there were some developments in the community which were not compatible with the designs of surrounding properties. He discussed steps taken and considerations by the Plan Commission to arrive at the recommendations being presented.

Village Trustee Moroney expressed appreciation to the Plan Commission. This gives staff the tools to modify designs while still giving homeowners the right to control what their property will look like.

Village Trustee Boutet commented that this is a nice balance that allows residents to improve their property without damaging the aesthetics of the neighborhood.

Plan Commission Chair David Mann suggested that the Village do a review after a year to see how many applications were heavily reviewed or appealed. They want to ensure this is effective but not burdensome on the Village or homeowners. Mr. Mann spoke about second floor additions and other examples that do not compliment the character of Oak Park housing as well as good examples that influenced their recommendations.

There was consensus of the Board to do a one year review.

President Pro Tem Taglia asked why this was not in the original design standards. Mr. Failor stated that multi-family and commercial have been working well so far; there have been no appeals as of yet. President Pro Tem Taglia is not very fond of regulations and noted that Frank Lloyd Wright and others did not create typical designs of their times. He believes architects should have more artistic freedom. Mr. Failor stated this still allows

for creativity; the standards are reasonable and not overly restrictive.

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

AYES: 5 - Village Trustee Button, Village Trustee Tucker, Village Trustee Moroney, Village Trustee Boutet, and Village Trustee Andrews

NAYS: 1 - Village Trustee Taglia

ABSENT: 1 - Village President Abu-Taleb

Y. [RES 19-3](#)

A Resolution Approving a Collection Services Agreement with Northwest Collectors Inc. to Provide Debt Collection Services for Non-Resident Ambulance Service Delinquent Balances and Authorizing its Execution

Village Manager Pavlicek commented that taxpayers are paying property taxes to provide for paramedic services. Medicare, Medicaid and private insurances typically have a maximum reimbursement for fees charged. Uncovered costs for residents are not collected. However, unpaid amounts for non-residents covered by private insurance are billed for amounts not covered by insurance. Staff is seeking approval to utilize collection services for delinquent balances.

CFO Steve Drazner described how this collector operates.

Village Trustee Andrews expressed concern that this would be reflected on an individual's credit rating, regardless of residency. He is opposed.

Village Trustee Button stated that medical debt rarely goes to collections. It is usually the last thing that people can afford. She shares Village Trustee Andrews' concern.

Village Trustee Boutet agreed and does not want this community to report to collections. She discussed the repercussions people with poor credit ratings face.

Village Trustee Moroney asked what percentage goes uncollected. Mr. Drazner stated that the balance for non-residents is approximately \$470,000, which goes back to 2015. Village Trustee Moroney feels an obligation to collect what they can.

Village Trustee Tucker would like more information. He is sympathetic but ambulances are expensive. He also wants to make sure this is in compliance with the Fair Debt Collection Act.

President Pro Tem Taglia agreed with Village Trustees Boutet and Andrews. He commented that three and a half years is a very long time to wait to try to collect a debt. He would support going back a couple of years. Debt shouldn't sit that long and it is heavy handed to try to do it now.

The motion was amended to table the Item. Village Trustee Boutet asked for information regarding how other municipalities handle this type of debt.

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

AYES: 6 - Village Trustee Button, Village Trustee Taglia, Village Trustee Tucker, Village Trustee Moroney, Village Trustee Boutet, and Village Trustee Andrews

NAYS: 0

ABSENT: 1 - Village President Abu-Taleb

Z. [RES 19-40](#) **A Resolution Approving and Adopting the 2019 Special Event Fees**

Village Manager Pavlicek noted that this schedule has comparative data for 2018 and 2019.

Village Trustee Andrews stated that he has spoken to several people in the business community and expressed their gratitude. Despite some numbers going up, they are understanding of why.

Village Trustee Tucker agreed.

Village Trustee Boutet asked for clarification of "Any other applicable permit fee".

HR Director Julia Valdez stated that this is a header and applies to stage permit fees and electrical permit fees.

Village Trustee Boutet asked about the late food service fee. Ms. Valdez commented that this is part of the Public Health recommendation for temporary food service. Village Trustee Boutet asked that this be removed until the temporary food service item is discussed. There was Board consensus to leave it in.

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: 5 - Village Trustee Button, Village Trustee Taglia, Village Trustee Tucker, Village Trustee Moroney, and Village Trustee Andrews

NAYS: 1 - Village Trustee Boutet

ABSENT: 1 - Village President Abu-Taleb

AA. [MOT 19-8](#) **A Motion to Approve Staff's Recommendation to Overhire Police Officer and Firefighter/Paramedic Positions in FY19**

Village Manager Pavlicek commented that this program was approved in 2017 and 2018. It provides latitude to staff to extend job offers to police and fire candidates when they are aware that there is a pending retirement, prolonged leave, etc.

Ms. Valdez discussed the process and timing of recruiting officers and paramedics in instances when someone is on leave and anticipated not to return.

Village Trustee Boutet wanted to ensure that FMLA and ADA are being followed.

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

AYES: 6 - Village Trustee Button, Village Trustee Taglia, Village Trustee Tucker, Village Trustee Moroney, Village Trustee Boutet, and Village Trustee Andrews

NAYS: 0

ABSENT: 1 - Village President Abu-Taleb

AB. [RES 19-52](#) Concur with the Village Clerk and Village Manager's Recommendations to Clarify the Role of the Village Clerk in FOIA and Approve a Resolution Designating FOIA Officers

Village Manager Pavlicek stated that she and the Village Clerk met to review changes implemented in the FY18 budget process. The full time employee in the Clerk's Office retired and it was agreed that the position would not be filled and the use of technology would be implemented to streamline the fulfillment of FOIAs. The process was implemented in 2018 and she and Clerk Scaman have some modifications.

Kitty Conklin. Ms. Conklin thanked the Board for hearing the voices of the taxpayers.

Chris Donovan. Mr. Donovan discussed the diminishing role of the clerk. Approving this Item is a step in the right direction.

Paul Sakol. Mr. Sakol believes that, for the sake of transparency, the person responsible for FOIAs should be an elected official.

Greg Marsey. Mr. Marsey referred to the Village's Organizational Chart and noted that the Village Clerk works for and is accountable to the citizens of Oak Park. Changes in the Clerk's duties should not be directed by staff.

Lisa Pintado-Vertner. Ms. Pintado-Vertner asked why the process was changed. There are other things for the Board to spend their time on such as governing for racial equity.

President Pro Tem Taglia stated that President Abu-Taleb initiated a meeting with the Manager and the Clerk to craft the resolution. He asked Village Clerk Scaman to comment.

Village Clerk Scaman thanked Village President Abu-Taleb and the community for their support. She supports the changes. The intention is not to interfere with the staff roles but to assist community members for the best possible result. Aspects of the proposal will improve communication between the Village Manager's Office and the Clerk's Office. Village Clerk Scaman discussed the new process and improvements. The ultimate goal is to have fewer FOIAs and never have the need for an appeal.

Village Trustee Andrews spoke in support of the new process.

Village Trustee Tucker was happy to see the Manager and Clerk work together.

Village Trustee Boutet agreed. She asked for a walkthrough of the new process for the public.

IT Director Alvin Nepomuceno described the process; the requester fills out a form online, it is directed to the Law Department to distribute to the appropriate department(s), and it is processed by the department(s).

Village Trustee Boutet asked why Village Clerk Scaman, as the primary officer, doesn't have FOIAs referred directly to her instead of the Law Department. She also noted that the typical citizen doesn't necessarily know which department to ask for when filling out the form.

Village Clerk Scaman discussed how she assists residents with requests and how FOIAs that go to multiple departments are filled.

Village Trustee Boutet commented that if the Clerk is the primary FOIA Officer, the staff person processing FOIAs should be managed in the Clerk's Office not be in the Law Department. She would like to revisit that during the May/June status update.

Village Trustee Moroney commented that with FOIA's doubling in recent years, he would like to give the software a chance.

Village President Pro Tem Taglia supports the resolution as well as an independent Clerk. He spoke about the Clerk's role and thanked all who have helped put them on this path.

It was moved by Village Trustee Andrews, seconded by Village Trustee Tucker, 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 Trustee Tucker, Village Trustee Moroney, Village Trustee Boutet, and Village Trustee Andrews

NAYS: 0

ABSENT: 1 - Village President Abu-Taleb

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

AC. [ORD 19-11](#) An Ordinance Amending Chapter 3 ("Alcoholic Liquor Dealers"), Article 8 ("List of Licenses for Each License Class"), Section 3-8-1 ("Number of Licenses Permitted to be Issued Per License Class") and Section 3-8-2 ("Licenses by Name and Address Per License") of the Oak Park Village Code for the Issuance of a Restaurant Class B-6 Liquor License to Buzz Café, Inc., DBA Buzz Café

Village Trustee Button stated that this application has been unanimously approved by the Liquor Control Review Board for the Buzz Café to receive the first BYO in Oak Park.

The applicant, Laura Maychruk, spoke about the process, noting that it was not difficult. However, the ordinance is not written specifically for an establishment that doesn't serve liquor. She is not pleased with the fee, as she cannot recoup that since she does not charge for liquor. She has been advertising BYO for many years but will do additional advertising in order to increase business to try to recoup the costs.

Village Trustee Moroney stated that \$500 is onerous and would support reducing that to \$100 per year.

Ms. Maychruk added that the application fee was \$250. All five staff members had to complete BASSET training at \$50 each, as well as \$53 each for fingerprinting. This is all in addition to the \$500 license.

Village Trustee Boutet commented that this totals approximately \$1,200, and is for something the Buzz Café did in the past without regulation. She stated that it is reasonable to have knowledge of an establishment having BYO, but the fees are onerous. Ms. Maychruk added that the BASSET training is directed towards those who are serving

and selling alcohol, which she does not.

Village Trustee Button commented that this Item is to approve the license and that reducing the fee is a separate discussion. She is open to that discussion at another time.

Village Trustee Tucker thanked Ms. Maychruk for what she has done for the Harrison Street District and for being the first to apply for this license. He is sure the license can be tweaked and improved.

Village Trustee Andrews commented that his support for this license is in no way an endorsement for the fees. He agrees that the license and application fees are too much and he plans to support lowering them.

Village Trustee Boutet has a problem with charging a business owner \$1,200 for something that was already legal. She is concerned that if this is taken up later, Ms. Maychruk will be the only applicant who will have to pay these fees.

Village Attorney Stephanides commented that any changes to fees will be retroactive. However it cannot be done without a code amendment, which is not on this agenda.

Village President Pro Tem Taglia agreed that the fees need to be reduced but would like to at least address this Item tonight and address reducing the fees at another time.

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 Button, Village Trustee Taglia, Village Trustee Tucker, Village Trustee Moroney, Village Trustee Boutet, and Village Trustee Andrews

NAYS: 0

ABSENT: 1 - Village President Abu-Taleb

XIII. Call to Board and Clerk

Village Trustee Tucker thanked those who commented about 100% renewable energy and was interested in more information. He would also like a discussion about racial equity and see staff's recommendations before he leaves the Board.

Village Trustee Button echoed the comments of Village Trustee Tucker.

Village President Pro Tem Taglia would like to pursue governing for racial equity training.

Village Trustee Andrews asked all to check on neighbors, friends and family in light of the dangerous weather conditions this week.

Village Trustee Boutet discussed cultural sensitivity training and is looking forward to governing for racial equity training. She also urged all to stay home on Wednesday and to stay safe.

Village Clerk Scaman apologized about lack of captioning. She thanked the Board for the FOIA process resolution.

Village Manager Pavlcek announced warming centers in Oak Park.

XIV. Adjourn

It was moved by Village Trustee Tucker, seconded by Village Trustee Andrews, to adjourn. A voice vote was taken and the motion was approved. Meeting adjourned at 10:00 P.M., Monday, January 28, 2019.

Respectfully Submitted,

MaryAnn Schoenneman
Deputy Village Clerk