



Village of Oak Park

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

Meeting Minutes

President and Board of Trustees

Monday, October 2, 2017

6:30 PM

Village Hall

I. Call to Order

Village President Abu-Taleb called the Meeting to order at 6:34 P.M.

II. Roll Call

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

Absent: 0

III. Consideration of Motion to Adjourn to Executive Session to Discuss Personnel, Collective Bargaining, Imminent and Pending Litigation.

It was moved by Village Trustee Andrews, seconded by Village Trustee Moroney, to enter into Executive Session pursuant to 5 ILCS 120/2(c)(1) - personnel, 5 ILCS 120/2(c)(2) - collective bargaining and 5 ILCS 120/2(c)(11) - litigation. 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 7:33 P.M.

There was a moment of silence in honor of the victims of the recent shooting in Las Vegas.

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

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

VIII. Minutes

- A. [MOT 17-235](#) **Motion to Approve Minutes from September 18, 2017 Regular Meeting and September 25, 2017 Special Meeting Minutes of the Village Board.**

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

IX. Non-Agenda Public Comment

Kirsten De Brown. Ms. De Brown asked the Board to consider not only the character of Oak Park, but also its open spaces in their future decisions.

Rob Kleps. Mr. Kleps suggested the the Oak Park Economic Development Corporation make developers aware of residents' opinions before proposals are sent to the Plan Commission.

Lorraine Owles. Ms. Owles commented that the windows at 1000 Lake Street need to be cleaned and that there is usually trash left in the doorway. She suggested art be displayed at that location.

Paul Sakol. Mr. Sakol discussed transparency and noted that if a developer changes their design, it should be referred back to the Plan Commission.

Steve Krasimsky. Mr. Krasimsky also spoke about transparency in Village government.

Lisa Pintado. Ms. Pintado discussed campaign promises that were made and asked if the elected officials are representing the residents or the businesses.

Susan Wagner. Ms. Wagner commented that many residents object to the Board's mandate of barring trustees from talking with their constituents. She asked that the process in Oak Park be kept transparent.

Tom Basset-Dilley. Mr. Basset-Dilley stated that he opposed removing the LEED certification requirement from the Zoning Ordinance.

X. Proclamation

- B. [ID 17-636](#) **Motion to Approve Proclamation for Domestic Violence Awareness Month, October 2017**

Village Trustee Boutet read the Proclamation aloud.

A representative from Sarah's Inn was presented with a copy of the Proclamation.

This Proclamation was adopted.

XI. Village Manager Reports

Village Manager Pavlcek reported that work related to the installation of the traffic light at Washington and Wisconsin is continuing. The tentative installation date of November 1 will be delayed due to materials being diverted to hurricane stricken areas.

XII. First Reading

C. [ORD 17-268](#) **First Reading of An Ordinance Amending Chapter 8 ("Business Licensing") of the Oak Park Village Code to add a new Article 38 ("Massage Establishments and Massage Services")**

Village Manager Pavlicek stated that staff has been reviewing ordinances from other communities and are asking the Board to consider an amendment to strengthen the Village's ordinance in response to recent events.

Director of Development Customer Services Tammie Grossman discussed the new regulations and requirements for massage establishments, which is a new article in the chapter regarding business licensing.

Village Trustee Boutet moved and Village Trustee Andrews seconded to waive the Second Reading and adopt the Ordinance. After discussion, both withdrew their motions to allow time for public response to the First Reading.

XIII. Consent Agenda

Approval of the Consent Agenda

It was moved by Village Trustee Tucker and seconded by Village Trustee Boutet 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 17-263](#) **(*)Concur with the Plan Commission's Recommendation and Adopt an Ordinance Granting a Special Use Permit for a Major Planned Development for an Emergency Room Facility Located at 520 South Maple Avenue**
This Ordinance was adopted.

E. [ORD 17-264](#) **(*) Concur with the Plan Commission's Recommendation and Adopt an Ordinance Amending Village of Oak Park Ordinance Number 199-O-52 Titled "Ordinance Amending the Oak Park Zoning Ordinance and Granting a Special Use Permit (Oak Park Hospital)"**
This Ordinance was adopted.

F. [ORD 17-265](#) **(*)Concur with the Plan Commission's Recommendation and Adopt an Ordinance Granting a Zoning Map Amendment for the Property Located at 533 Wenonah Avenue, Including the Abutting Vacated Alley, from R-3 Single Family District to H-Hospital District**
This Ordinance was adopted.

G. [ORD 17-266](#) **(*) Concur with the Plan Commission's Recommendation and Adopt an**

Ordinance Authorizing the Vacation of the Remaining Thirty-Seven (37) Feet of a Public Alley Abutting 535 Wenonah Avenue to the West in the Village of Oak Park, Cook County, Illinois

This Ordinance was adopted.

- H. [RES 17-510](#) A Resolution Approving an Independent Contractor Agreement with K.L.F. Enterprises, Inc. for Project 17-11, Building Demolition at 932-946 Madison Street and 970 Madison Street, in an Amount not to Exceed \$369,187.75 and Authorizing its Execution

This Resolution was adopted.

- I. [RES 17-622](#) A Resolution Approving a Professional Services Agreement for Police and Firefighters' Pension Plan Actuarial Services with Lauterbach & Amen, LLP for Fiscal Years Ending December 31, 2017, 2018, and 2019 in a Total Amount not to Exceed \$27,000 and Authorizing its Execution

This Resolution was adopted.

- J. [RES 17-631](#) A Resolution Approving a Renewal Agreement with Edwin Hancock Engineering, Co. for Design and Construction Engineering Services for the 2018 Alley Improvements Project in an Amount not to Exceed \$299,295 and Authorizing its Execution.

This Resolution was adopted.

- K. [RES 17-652](#) A Resolution Approving a Contract with Unique Plumbing Co., Inc. for Project 17-9, Watermain Valve Replacements, in an amount not to exceed \$100,000 and Authorizing its Execution

This Resolution was adopted.

- L. [RES 17-655](#) A Resolution Authorizing Subordination of a Lien for the Property Located at 146-154 North Humphrey Avenue

This Resolution was adopted.

- M. [RES 17-656](#) A Resolution Authorizing the Submission of a United States Department of Transportation TIGER 2017 Discretionary Grant Application for the Harlem Avenue Multimodal Bridge Project

This Resolution was adopted.

- N. [RES 17-658](#) A Resolution Approving a Settlement Agreement in Cook County Circuit Court Case Number 2016 L 001396 and Authorizing its Execution

This Resolution was adopted.

- O. [RES 17-651](#) A Resolution Approving a Contract with MYS, Incorporated, for Project 17-26, Lake Street Sidewalk Repairs, in an Amount not to Exceed \$37,950

and Authorizing its Execution

This Resolution was adopted.

- P. [RES 17-657](#) A Resolution Authorizing a Change Order to the Contract with Crowley Sheppard Asphalt, Inc., for Project 17-2, Resurfacing of Various Streets and Parking Lots to Include the Costs for Pavement Resurfacing of Westgate Street and North Boulevard in the Amount of \$300,000 and Authorizing its Execution

This Resolution was adopted.

- Q. [MOT 17-233](#) A Motion to Approve the Year-to-Date August 2017 Monthly Treasurer's Report for All Funds

This Motion was approved.

- R. [MOT 17-230](#) A Motion to Approve the Bills in the Amount of \$3,101,156.63 from September 1, 2017 through September 26, 2017

This Motion was approved.

XIV. Regular Agenda

- S. [ORD 17-270](#) **(*)Concur with the Plan Commission's Recommendation and Adopt an Ordinance Denying a Special use Permit for a Major Planned Development Containing a Mixed Use Multiple Story Building with Residential, Commercial and Parking Uses and Associated Allowances at the Property Located at 1000 Lake Street**

Village President Abu-Taleb explained the procedure that will be followed for this Item. There was discussion regarding whether to make a motion to adopt Item S (to deny) or the alternate version, Item S.2 (to grant). There was consensus to treat them as separate Items.

Village Manager Pavlicek provided an overview and explained the Board's options.

Jan Arnold. Ms. Arnold is the Executive Director of the Park District of Oak Park. The Park District is not opposed to development. However, this building will have negative impacts to Austin Gardens. She asked that the developer provide funds in the amount of \$400,000 directly to the Park District for the damage that may occur.

Joshua Klayman. Mr. Klayman commented that this project will not raise money for the Village but will cost the Village more money than it will contribute in property taxes. He discussed the rationale behind his opposition and distributed a report he had compiled about the development.

Brian Hammersley. Mr. Hammersley, an architect, encouraged the Board to vote against the project, as Oak Park can do better. He discussed why he was not in favor of the project and made other suggestions regarding development in the community.

Cindy Summers, owner of Sugar Fixe and Board President of the Downtown Oak Park Business District. Ms. Summers stated that the DTOP Board is in favor of the project.

As a small business owner, she couldn't be more grateful for the success of her business and sees this development as an opportunity to bring in additional business for her and the rest of the district.

Jon Hale. Mr. Hale, a former member of both the Plan Commission and the Village Board, commented that as trustees, they have to do what is best for the community, not simply reflect what public opinion is. For Downtown to prosper, it needs to be a real lived in neighborhood, not just a collection of commercial buildings. He spoke about the merits of the project.

Mary Ludgin. Ms. Ludgin discussed her professional background and involvement in the community. She stated why she is in favor of this project and how it will be valuable to Oak Park.

Village Trustee Boutet thanked all who worked on this. She acknowledged some of the benefits of the project. However, the Village should be honoring its Comprehensive Plan and preserve the character of the neighborhoods. Oak Park is attractive to developers and the Board should provide vision to the Oak Park Economic Development and set reasonable parameters. In addition, she would like more data regarding the financial impact to the Village.

Village Trustee Moroney thanked the Plan Commission for their work and agrees with their recommendation. In order to consider the proposal, he would need to see a massive reconfiguration of the north side that is sensitive to the park. He stated that it is worth talking about the revised design.

Village Trustee Button asked if the Board can vote on the new proposal tonight. Village Attorney Paul Stephanides replied that they can, as the developer is not requesting any new variances. It is up to the Board to decide whether to vote or not.

Village Trustee Boutet commented that the new proposal should be referred to the Plan Commission.

Village Attorney Stephanides reiterated that it is the prerogative of the Board as to what they will or will not vote on tonight.

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

AYES: 1 - Village Trustee Boutet

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

ABSENT: 0

Adopt an Ordinance Granting a Special use Permit for a Major Planned Development Containing a Mixed Use Multiple Story Building with Residential, Commercial and Parking Uses and Associated Allowances at the Property Located at 1000 Lake Street

Village Manager Pavlicek stated that following the Plan Commission's recommendation to deny the application, several trustees asked for updated architectural drawings. These have been provided and considerably impact the north side of the building. If the Board decides to vote on this Item, it will require a supermajority vote. In addition, the Board

cannot make modifications greater than what the public hearing process considered in regard to setback, height and density.

Development Customer Services Director Tammie Grossman gave additional details regarding the updated design.

Plan Commission Chair David Mann discussed why the Plan Commission denied the proposal. The height and massing was a big part of that, as well as the impact to the park. The commission did ask for some modifications to the design, which the developer could not do at that time.

Andrew Yule, the developer, discussed how the new drawings came about. After the vote, they worked with staff to address changes in response to the Plan Commission's request and later to Trustees Andrews and Moroney. He explained how the step design will affect the shadow impact on the park. Mr. Yule clarified the elevation, set backs and other specifications. The height has not changed.

Village Trustee Button asked whether the project will be LEED certified. Mr. Yule stated that the building will be LEED certified and described greenery locations and how the back of the building will look. He also will be working with the Oak Park Area Arts Council to display art, as well as the Frank Lloyd Wright group and others to bring in art.

Village Trustee Button commented that there is more bicycle parking than car parking. She asked if they have considered reducing parking, as she believes there will be less car use in the future. Mr. Yule discussed changes in car use and noted that the parking area could be used for other things if it is not being utilized. Village Trustee Button asked if this design will reduce impact on the park. Mr. Yule stated that the impact is less, although he does not have exact figures.

The architect of the building answered additional questions regarding the design. Mr. Yule discussed the outdoor space and greenery.

Village Trustee Andrews asked about financing. The developer responded that they have adequate financing.

Village Trustee Moroney asked the developer if they had concerns with the market, as there will be 800 competing units between the Emerson and Lincoln Developments. Mr. Yule stated that they are watching the market very closely and feel they are filling voids that exist. He gave the breakdown of the mix of units. He also stated that a third party analyst has projected that eleven school aged children will be living in the building, who may be enrolled in private schools. He believes this project will lease up quickly.

The architect discussed wind concerns and noted that the new design will be blocking the wind more.

Village Trustee Boutet initiated a discussion on whether or not the new design should go through the Plan Commission process under a new application. Ms. Grossman stated that a provision is included in the ordinance that states the applicant will negotiate finishes with staff and the Village architect and that staff has already discussed this with the Plan Commission Chair. Mr. Mann stated that it can be sent back, but the Village Board will have the final say regardless. However, it must go through the entire process, which went six meetings for the original design. Ms. Grossman added that the new design makes no significant changes that would warrant sending it back to the Plan Commission unless that is what the Board desires. Mr. Mann stated that his biggest

issues were massing and height; the new design takes a significant step in addressing some of the concerns he had.

Village Trustee Andrews asked Joshua Klayman, who gave public comment in opposition to the project, how he estimated the financial impact of the project on the community. Mr. Klayman stated that Albion was compared with the projections made regarding school age children residing at other developments in the Village. Even at the low end of the estimate, it is a break even situation regarding the school districts and property taxes. Village Trustee Andrews commented that Holmes School is expanding in anticipation of growth in Oak Park.

Village Trustee Moroney commented that the Village should have the capacity to handle the impact of the project in terms of infrastructure. He asked if the Fire Department is fully equipped to handle this building. Ms. Grossman replied that a sprinkler system will be installed throughout the building. In addition, the Fire Department does not anticipate a significant increase in calls for paramedic services because of the projected age group of the residents. No increase of police activities is expected due to this building as well.

The Village's contracted architect stated the developer is taking the right steps in regards to the bulk of the building. However, he has not had a chance to discuss this with the developer's architect and would like more dialogue to understand the intent.

Fire Chief Tom Ebsen discussed fire protection for high rises, which are not designed to be protected in the same way that a house or apartment building would be. In addition to the sprinklers protecting the building from the inside, there are standpipes in every stairway that go up, and on every floor there are hose connections. If there is a fire in the building, the fire would be suppressed by the sprinkler activation and the fire crew would enter with dry hose packs that are hooked into the connections. It is fought on the inside and the department does have the capability to fight fires like this. No additional equipment is needed and the firefighters train for this on a regular basis.

Village Trustee Moroney stated that after some research, he found the high end condo market softer than he thought. He expressed concern about flooding the market with \$480,000 condos in one place, given the softness of the market. He asked John Lynch, Executive Director of the Oak Park Economic Development Department, why an eight story rental building would be hard to achieve in this location. Mr. Lynch compared other developments. The number of units in Albion would have to dramatically drop. The design would need to be configured and the units would have to be smaller. There would not be enough livable space to make up for the cost of the building. It would not make economic sense.

Village Trustee Moroney stated that if the development is denied, the property value drops because the Village is sending the message that developers have to build within zoning. The Village is relying on the current owner selling the parcel and is taking a risk if Albion is turned down. If the owner can't sell the lot for a satisfactory amount, they may renovate the current two story structure there or sell it. Oak Park's hands are tied in regards to what will happen in the future with this lot.

Village Trustee Boutet moved to remand this to the Plan Commission. Village Trustees Andrews and Button withdrew their original motions.

Village Trustees Button, Taglia, Moroney and Tucker and Village President Abu-Taleb did not think it was necessary to refer this back to the Plan Commission. Village Trustee Boutet called the question. Village Trustee Andrews seconded.

The roll call to cease debate was as follows:

AYES: Village Trustees Andrews, Boutet, Button, Moroney, Taglia and Tucker; Village President Abu-Taleb

NAYS: None

The roll call to remand to the Plan Commission was as follows:

AYES: Village Trustee Boutet

NAYS: Village Trustees Andrews, Button, Moroney, Taglia and Tucker; Village President Abu-Taleb

Village Trustee Boutet stated she would like to see this building modified further to be smaller in scale.

Village Trustee Button thanked those who spoke tonight. Whatever happens with this vote, she urged residents to continue to fight for what they believe in. She discussed emails she received. She gave a brief summary of how the new design came about and why it should be voted on tonight. Village Trustee Button discussed the guiding principles of the Comprehensive Plan, and how the project conforms to them. She feels comfortable voting yes.

Village Trustee Andrews commented that he campaigned against the project. He believed then and believes now that the original design was too tall and uninteresting. He discussed why he asked to see if the design could be modified as well as the merits of the project. Village Trustee Andrews stated that as a trustee, he has to push aside his own opinions and do what is best for Oak Park now and in the future. He discussed the pros and cons of the development. He supports the revised plan.

Village Trustee Moroney put this issue into perspective. He spoke about the conflicting comments he has received and how this building will have a positive impact on the community. He also discussed the recent changes in the Village and the vibrancy these new developments are bringing to Downtown Oak Park.

Village Trustee Tucker thanked all for coming out as well as for the emails sent by residents. He believes this will be a huge support for Oak Park's retail base and add to the vitality downtown. He thanked Trustees Andrews and Moroney for their advocacy for the new design, as he likes it and doesn't know if he would've approved the original. He supports it.

Village Trustee Taglia stated that there are no perfect solutions regarding that site. Change can be difficult for people to accept, but when he thinks of what Downtown Oak Park looked like 20 years ago compared to today, he knows they are going in the right direction. He discussed the impact on the tax base and carbon footprint. Any development will have its positives and its negatives; it takes compromise to succeed.

Village President Abu-Taleb stated he is sensitive to Austin Gardens and asked to go over what is being recommended by staff in terms of the impact that the developer is taking on. Village Manager Pavlicek read from a section of the ordinance that stated the monetary contributions that will be made by the developer upon issuance of final certificate of occupancy for the building. Village President Abu-Taleb wanted to see dates that they can work with the developer for completion. Mr. Yule is looking at ground breaking some time in June 2018 and expects the first units to be available 14 months later with the remainder 5 months after that.

Village President Abu-Taleb spoke about his family's history and living in a war zone and the aftermath that goes with it. He believes this shaped his views on economic development and seizing an opportunity. Jobs and the vitality and prosperity of the Village are important to him. He has been in favor of this project from the beginning. He thanked the developers for how accessible and accommodating they have been for all stakeholders. The Board is elected to exercise their judgement in the best way and view issues from a broad perspective. He believes this is a project that is good for Oak Park.

It was moved by Village Trustee Andrews, seconded by Village Trustee Button, 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 President Abu-Taleb, Village Trustee Tucker, Village Trustee Moroney, and Village Trustee Andrews

NAYS: 1 - Village Trustee Boutet

ABSENT: 0

T. [ORD 17-271](#) (*)Concur with the Plan Commission's Recommendation and Adopt an Ordinance Approving the "Albion At Oak Park" Plat of Subdivision

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: 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

U. [MOT 17-231](#) Motion to Defer until the Regular Meeting of October 16, 2017 Acceptance of the Five Year Capital Improvement Plan (2018-2022) as Reviewed by the Finance Committee of the Village Board on September 11th, September 12th, and September 19th and at a Special Meeting of the Village Board on September 25th.

It was moved by Village Trustee Tucker, seconded by Village Trustee Andrews, that this Motion be tabled. 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. [RES 17-653](#) A Resolution Approving the 2018 Employee Health, Dental, Vision, Life and

**Accidental Death and Dismemberment Insurance Providers' Plan Designs
and Premiums and Authorizing their Execution**

**It was moved by Village Trustee Moroney, seconded by Village Trustee Button,
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

XV. Call to Board and Clerk

Village Clerk Scaman stated that there are vacancies on Boards and Commissions and
asked to spread the word.

XVI. Adjourn

**It was moved by Village Trustee Moroney, seconded by Village Trustee Tucker,
to adjourn. A voice vote was taken and the motion was approved. Meeting
adjourned at 11:30 P.M., Monday, October 2, 2017.**

Respectfully Submitted,

**MaryAnn Schoenneman
Deputy Village Clerk**