Village of Oak Park

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

Meeting Minutes

President and Board of Trustees

Monday, July 9, 2018 | **7:30 PM** | **Village Hall**

I. Call to Order

Village President Abu-Taleb called the Meeting to order at 7:32 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. Agenda Approval

Item M was moved from the Consent Agenda to the Regular Agenda at the request of Village Trustee Boutet.

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

IV. Minutes

A. MOT 18-350 **Motion to Approve Minutes from the June 18, 2018 Regular Meeting and June 25, 2018 Special Meeting of the Village Board.**

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

V. Non-Agenda Public Comment

Cheryl Terhorst. Ms. Terhorst, a resident of the 500 N. Harvey block, spoke on behalf of herself and other residents of that block requesting temporary parking relief for the duration of the alley work being done by the Village.

Chris Donovan. Mr. Donovan spoke about the Board's discussion concerning the Madison Street road diet that was recorded in the Minutes of their June 4 Meeting.

Kelly Arquette. Ms. Arquette asked the Board to address the Village's lack of interest in improving North Avenue.

Laura Maychruk. Ms. Maychruk, the owner of Buzz Cafe, discussed the BYO Ordinance and noted that this was legal prior to the ordinance being adopted. To pay for a license is unfair.

VII. Village Manager Reports

C. ID 18-914 **Review of the Village Board Meeting Calendars for July, August, September, October, November and December 2018.**

Deputy Village Manager Shelley referred to the calendars through year's end and asked that any conflicts be brought to the attention of the Village Manager's Office.

Village Trustee Boutet requested that a meeting in August be added to discuss Madison Street. She also asked why the Beer Shop dog issue wasn't on this agenda.

Deputy Manager Shelley stated that a discussion on Madison Street is on the next Regular Meeting Agenda and the dog issue has been referred to the Board of Health; staff is awaiting their findings.

VIII. Village Board Committees

There was nothing to report.

IX. Citizen Commission Vacancies

There were no comments.

X. Citizen Commission Appointments, Reappointments and Chair Appointments

There were no appointments or reappointments.

XI. First Reading

D. ORD 18-387 **First Reading of An Ordinance Providing for the Regulation and Application for Small Wireless Facilities by Amending Chapter 22 ("Streets and Sidewalks") of the Oak Park Village Code to Add a New Article 14 ("Small Wireless Facilities")**

Village Trustee Moroney commented that Illinois legislature has set these regulations.

Village Attorney Stephanides stated that the Village has until August 1 to comply per State law. He is adding certain standards to the ordinance that would include a Village review and a license agreement to be entered into. However, it will still be subject to what is in the Act.

Village Trustee Moroney stated that with Oak Park being a Home Rule municipality, there should be more latitude to create their own regulations. He discussed what he would like to see in order to preserve the esthetics of the community.

Village Trustee Andrews voiced his concerns.

Village Attorney Stephanides discussed some of the regulations he will be adding to the ordinance and answered questions from the Board.

XII. 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

E. ORD 18-380 **Concur with the Zoning Board of Appeals' Recommendation and Adopt an Ordinance Granting a Special Use Permit to Operate a Day-Care Center at 54 Madison Street**

This Ordinance was adopted.

F. RES 18-920 **A Resolution Approving a Third Amendment to the Professional Services Agreement with Thomas Engineering Group LLC for the Design of the Lake Street Streetscape, Resurfacing, and Utility Improvement Projects to include Coordination with Developments and Revisions to Projects' Scope for an additional $179,440 and Authorizing its Execution**

This Resolution was adopted.

G. RES 18-928 **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 $150,625.00 and Waiving the Village's Bid Process for the Purchase**

This Resolution was adopted.

H. RES 18-929 **A Resolution Authorizing A Single Family Housing Rehabilitation Loan And A Lead Hazard Reduction Grant (SFR-070)**

This Resolution was adopted.

I. RES 18-930 **A Resolution Authorizing A Single Family Housing Rehabilitation Loan And A Lead Hazard Reduction Grant (SFR-079)**

This Resolution was adopted.

J. RES 18-934 **A Resolution Approving a Contract with Globe Construction Co., Inc. for Project 18-3, Sidewalk Improvements, in an Amount not to Exceed $225,000 and Authorizing its Execution**

This Resolution was adopted.

K. RES 18-936 **A Resolution Approving a Termination Agreement Concerning the**

Intergovernmental Lease Agreement by and between the Village of Oak Park and the Board of Education of Oak Park Elementary School District 97 and Authorizing its Execution

This Resolution was adopted.

L. MOT 18-355 **A Motion to Refer to the Board of Health a Request to Review Chapter 5 ("Animals"), Article 4 ("Owners Duties"), Section 5-4-11 ("Limitation on Animals per Household") of the Oak Park Village Code as it Relates to Limitations for a Person to Keep or Permit More than One Dog in any Dwelling Unit of a Multi-family Residential Building Containing Four (4) or More Dwelling Units within the Village**

This Motion was approved.

XIII. Regular Agenda

N. ORD 18-382 **An Ordinance Amending Chapter 8 ("Business Licensing") of the Oak Park Village Code, Article 38 ("Massage Establishments and Massage Services")**

Deputy Village Manager Shelley stated that the Board directed staff to amend this ordinance at the last meeting. It includes input given by members of the massage industry during public comment.

Village Trustee Boutet would like the ordinance to include requiring a poster advising those who may be victims of sex trafficking how and where to get help. Putting this in the break rooms or lounge areas in establishments with two or more employees would not harm anyone. There was no request to have it removed from the ordinance. Village Trustees Button, Andrews, Taglia and Tucker agreed.

There was consensus to amend the ordinance to reflect the change raised by Village Trustee Boutet.

It was moved by Village Trustee Andrews, seconded by Village Trustee Moroney, that this Ordinance be adopted as amended. 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

VI. Proclamation

B. MOT 18-353 A **Resolution in Honor of Virginia Cassin Oak Park Village Clerk 1973-1993**

Village President Abu Taleb read the Resolution aloud and presented a framed copy of the Resolution to Virginia Cassin.

Senator Don Harmon also recognized Mrs. Cassin in a Proclamation from the Illinois State Senate, naming the week of July 9, 2018 Virginia Cassin Week in Oak Park. She

was presented with a copy of that as well.

Mrs. Cassin spoke about her tenure as Village Clerk and her future plans. She thanked everyone for this tribute.

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

O. RES 18-943 **A Resolution Approving an Intergovernmental Agreement for Oak Park Township's Youth Interventionist Program for a Two Year Term and Authorizing its Execution**

Deputy Village Manager Shelley stated that this agreement would go into effect as of July 1 and noted the amount of the Village's contribution to the program.

David Yamashita. Mr. Yamashita discussed the importance of services provided by the Township Youth Interventionist program.

Village Trustee Tucker is a huge supporter of this program and acknowledged that there are concerns regarding where the funding is most properly placed. There is no question that the Village and the other entities funding this benefit from it. There is probably a legitimate reason why this should be funded more by the Township. He does not believe in quitting the program but would like to understand what is the best way to fund it going forward. He believes the Board should approve the contract for now but noted that this agreement allows the Village to cancel their second year's contribution with sufficient notice if, in the interim, there is no clarification as to how this money is being spent. He urged his colleagues to continue with the program.

Village Trustee Moroney noted that the program has been around for 20 years; he would never question the program as there have been good results. However, he believes the Youth Interventionist Program clearly falls under the purview of the Township. He discussed how the Township's stronger financial situation puts them in a better position than the Village to fund this The also have more flexibility as to what services will be provided. The Village's percentage of the tax levy has doubled in 20 years, mostly due to rising pension costs and other things that they have little control over. He supports collaboration, but in this case it would be better if one taxing body funded the program. If it were not already created, he would not create it in the manner that it is.

Village Trustee Button supports the program and the funding structure; having other entities involved creates accountability. She concurred with Village Trustee Tucker in regards to revisiting this in a year.

Jonathan Williams, Youth Services Director of the Township discussed how and why the program began. The different taxing bodies working together make the program stronger. In addition, funding from outside sources is not as prevalent as it was in the past. He believes that the Township would not be successful doing this alone.

Village Trustee Boutet supports the program. Changing the funding will not create any savings, as it all comes from the same taxpayer dollars. She would like to see communications continue among the different entities. She discussed the costs to society resulting from young people dropping out of high school. She is in favor of positive intergovernmental relationships. She also urged the school district to share their data regarding the impact of the program.

Village Trustee Taglia understands the value of the services provided. There can always be additional discussions regarding future funding. A township is a unit of government that is often not understood unless you are in need of their services. He would like to continue participating in the program.

Village Trustee Andrews admires the Township and supports the program. However, the Township is a taxing body with full authority to levy for this on their own. This is not a function of municipal government. In addition, the Township has zero debt and their pensions are 92 percent paid. The Village is $100 million in debt with no relief in sight. They have no control over the rising costs of public safety. The Township has the ability and the right to levy for programs that they manage. He is in favor of funding the program for one more year to give the Township time to levy for this on their own. He would like to amend the agreement to reflect that.

Village President Abu-Taleb supports the Township and the program. He commented that most likely none of the taxing bodies originally wanted to take the lead in addressing this issue. Eventually, the Township started the program with the support of the other taxing bodies. He has seen people who have benefited from the program. He understands the concerns regarding who should levy for it, but sees value in what the Village will contribute.

Acting Police Chief LaDon Reynolds spoke about how the program began. It bridges the gap between the Police Department and the community. The Township has the ability to engage youths in giving information that helps the police create a safe environment.

Village Trustee Andrews asked Township Manager Gavin Morgan if he has the authority and ability to levy the Village's contribution of $60,000. He stated that they have the authority but does not know if there is enough to cover that under the tax cap. There was further discussion.

It was moved by Village Trustee Andrews and seconded by Village Trustee Moroney that the Village enter into a one-year Intergovernmental Agreement with one year of funding, then continue on as a partner in the program under the assumption that the Township will levy for their own $60,000 but the Village will continue to participate. The roll call on the vote was as follows:

AYES: Village Trustee Andrews, Village Trustee Moroney
NAYS: Village Trustee Boutet, Village Trustee Button, Village Trustee Taglia, Village Trustee Tucker; Village President Abu-Taleb
ABSENT: None

The motion failed.

It was moved by Village Trustee Moroney, seconded by Village Trustee Taglia, 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 President Abu-Taleb, Village Trustee Tucker, and Village Trustee Boutet

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

ABSENT: 0

M. MOT 18-356 **Motion to Amend the Historic Preservation Commission 2018 Work Plan to**

Review a Proposed Option For a Renewable Energy Installation at Village Hall as Discussed at the June 11, 2018 Special Meeting

Village Trustee Boutet recalled that during this discussion, she and Village Trustee Tucker were hesitant to install solar panels on Village Hall due to the historic nature of the building as well as the roof angles. The direction was to investgate the possiblity of installing them in the Village Hall parking lot.

Village Trustee Tucker stated that this is a good point, but he is curious as to what the Historic Preservation Commission would respond with.

Deputy Village Manager Shelley stated that this review would be used for the final report from the Environment and Energy Commission.

There was a discussion.

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

AYES: 5 - Village Trustee Button, Village Trustee Taglia, Village President Abu-Taleb, Village Trustee Tucker, and Village Trustee Moroney

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

ABSENT: 0

P. RES 18-913 **A Resolution Approving a Parking Lot Temporary License Agreement with Careful Peach Boutique for a One Day Bastille Day 2018 Event and Authorizing its Execution**

Deputy Village Manager Shelley stated that this Parking Lot License Agreement is for six parking spaces in Lot 10 for a one day event.

Village Trustee Boutet would like to see the Village be partners with the businesses and not charge for lost revenue for parking. Village Trustee Tucker was supportive of the agreement, as it requires the licensee to obtain insurance to indemnify the Village. Village Trustee Andrews would like to see a charge for actual revenue lost instead of nickel and diming.

Director of Development Customer Services Tammie Grossman gave a breakdown of the charges, $10 per space and an additional $10 for a metered space.

Village Trustee Taglia stated that there should be a minimum amount before charging. Village Trustee Moroney stated that fees are a source of revenue and processes need to be set in place. Village President Abu-Taleb agreed.

Village Trustee Boutet noted that this fee is not part of the Special Event Ordinance. Village Attorney Stephanides commented that this does not fall under that ordinance, as it is a parking issue, not public right-of-way.

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

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

ABSENT: 0

Q. ORD 18-379 **An Ordinance Updating and Replacing the Map Codified as Part of Section 15-1-26 of the Oak Park Village Code to Reflect the Village's Current Time Restrictions, Time Limits and Prohibited Parking Areas**

Deputy Village Manager Shelley stated that staff is required to bring this to the Board bi-annually. Changes made since they last updated the map are noted.

Village Trustee Boutet referred to requests from the residents of the 500 block of North Humphrey and asked what these were and what staff did to address them. Also, the map was difficult to decipher what changes have been made.

Ms. Grossman discussed changes recommended by the Transportation Commission. She explained what the residents of the 500 block of North Humphrey requested and why.

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

R. RES 18-927 **A Resolution Approving a Settlement Agreement in Adjudication Case Number L3-16984 and Authorizing its Execution**

Deputy Village Manager Shelley stated that this Settlement Agreement was discussed in Executive Session and staff is bringing it forward for adoption.

Village Trustee Boutet believes it is in violation of the Open Meetings Act to not disclose any of the terms of the agreement and the settlement amount. In an effort to inform the public, she stated that this concerns a lien that the Village has on a particular property that has gone into foreclosure. Once a property is in foreclosure, any liens should be eliminated; the Village should not be trying to collect anything.

Village Trustee Andrews also commented that the public should be made aware.

Village President Abu-Taleb stated that if the Village is in a position to be sued, he, as a Board member, has a fiduciary duty to resolve the matter in favor of the taxpayers.

Village Trustee Boutet stated that this has been delaying the sale of a bank-owned property for two years. The Village's focus should be on allowing properties to transfer into an owner's hands rather than continuing to be bank-owned.

There was further discussion.

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

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

ABSENT: 0

S. ID 18-913 **Discussion Regarding the Elimination of Funding in the FY18 General Fund Budget for the Holiday Décor Program.**

Village President Abu-Taleb stated that this has been brought up for discussion due to various emails he has received on the subject.

Deputy Village Manager Shelley stated that this item was removed from the FY18 Budget and it is being brought back to reconsider.

Laura Maychruk. Ms. Maychruk commented that the program was very successful last year and benefits the Village as a whole. She added that the businesses also contribute to the cost of decorations.

Jim August. Mr. August owns the Irish Shop and is President of the Hemingway District. He explained the program and how it has worked for them. He was surprised that such a small amount of funding, $15,000, was cut from the Budget.

Village Trustee Button was against cutting it in the first place. Village Trustee Tucker was in favor of bringing it back. Village Trustee Andrews supported it but only if they could cut $15,000 elsewhere. Village Trustee Taglia likes seeing the districts working together and also expressed approval. Village Trustee Boutet supported it. Village Trustee Moroney asked for a breakdown of the expenses.

Ms. Grossman stated that this $15,000 has been in the Budget for as long as she can remember. She described the past process versus how it was done last year, which was a more coordinated effort through the Chamber of Commerce. She commented that not all the Business Districts participated in the past, but the Chamber was able to include all districts last year.

Village Trustee Moroney discussed his reservations regarding voting yes on this Item.

It was moved by Village Trustee Button, seconded by Village Trustee Andrews, to direct staff to bring back a Budget Amendment for $15,000 for holiday decorations for the Business Districts. 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

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

Village President Abu-Taleb recused himself from the Meeting and the following Item was

presided over by President Pro Tem Button.

T. ORD 18-383 **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-2 Liquor License to Saigon Pho & Café Corp.**

Village Attorney Stephanides stated that the applicant was at the last meeting of the Liquor Control Review Board, which unanimously recommended approval of the license.

The applicant stated that they have gone two years without a liquor license and are happy to have one again. He explained the circumstances regarding why they did not have it.

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

NAYS: 0

ABSENT: 0

ABSTAINED: 1 - Village President Abu-Taleb

XV. Call to Board and Clerk

Village President Abu-Taleb rejoined the Meeting.

Village Clerk Scaman wished Virginia Cassin luck in Minnesota.

Village Trustee Button did the same.

Village Trustee Andrews expressed his disappointment in the State of Illinois regarding small wireless facilities.

Village Trustee Taglia stated that if everyone supports the Township program discussed tonight, it shouldn't matter which taxing body the funds come from.

Village Trustee Boutet stated that she was notified that the Board of Health had voted in favor of recommending dogs be allowed at the Beer Shop. She wanted to know why this had not been brought to the Board tonight, as she had requested.

Village Trustee Moroney thanked staff for their work. He discussed his experience riding a dockless bike and suggesting reaching out to River Forest and Forest Park regarding this.

Village President Abu-Taleb commented that there were a lot of people at Village Hall today. He would like to revisit making the building accessible to everyone, including those in wheelchairs and people with small children in strollers.

XVI. 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 9:54 P.M., Monday, July 9, 2018.

Respectfully Submitted,

MaryAnn Schoenneman
Deputy Village Clerk