



Village of Oak Park

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

Meeting Minutes

President and Board of Trustees

Thursday, May 28, 2020

5:00 PM

Village Hall

I. Call to Order

Village President Abu-Taleb called the Meeting to order at 5:00 P.M.

II. Roll Call

Present: 7 - Village President Abu-Taleb, Village Trustee Andrews, Village Trustee Boutet, Village Trustee Buchanan, Village Trustee Moroney, Village Trustee Taglia, and Village Trustee Walker-Peddakotla

Absent: 0

Village President Abu-Taleb called for a moment of silence to mourn the death and honor the life of George Floyd. He is angry about the tragedy in Minneapolis and is grateful for the police officers of Oak Park. They are committed to treating everyone with respect and dignity and are trained to deescalate situations and respond with compassion. The Village of Oak Park condemns racism in all forms.

III. Agenda Approval

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

IV. Non-Agenda Public Comment

There was no Non-Agenda Public Comment.

V. Regular Agenda

- A. [ORD 20-041](#) **An Ordinance Amending Chapter 20 ("Public Health"), Article 1 ("Oak Park Department of Public Health"), Section 20-1-6 ("Authority and duties of the Director") of the Oak Park Village Code to Permit the Public Health Director to Make Reasonable Rules, Regulations and Orders due to the Outbreak of COVID-19 Disease**

Village Manager Pavlicek stated that on Monday, the existing Declaration of Emergency Affecting Public Health will expire. Staff is not proposing to bring an extension, as the state is moving to Phase 3 of the Restore Illinois Plan. However, the Public Health Director will continue working as he has been through Phases 3 and 4, as there are a number of items that the Governor has left to the discretion of local authority. Staff wants to ensure that the Director of Public Health will be able to respond to these items, whether in an economic environment or a public environment, as he has been doing for

the past 75-plus days. This ordinance would sunset on November 15.

Village Trustee Andrews asked if the Board is giving up any of their authority, and what that might be. Village Manager Pavlicek stated an example would be having local law enforcement authority over issues related to long term care facilities. She is not sure it would be timely to bring these issues to the Board to have them debated as policy, as these are public health matters. The Board could request at any meeting to have this authority altered or removed.

Village Trustee Buchanan asked if the Public Health Director didn't already have this authority under the Governor's order. Village Attorney Stephanides stated that as of Phase 3 he will not. Village Trustee Buchanan asked for an example of when he would need to use this authority if the Board did not grant it. Director of Public Health Mike Charley stated that all of these orders have been extremely helpful in managing the pandemic. The pandemic is changing so quickly and decisions need to be made quickly. Many of the documents released by the state are intended as guidance. At a local level, it provides a tool to communicate CDC and state guidelines, but also allows local authority to enforce provisions of the order and guidance of the state. In addition, there are certain things in the local orders that aren't contained in the state documents. The orders are a legal way for the Village to require that facilities use best practice.

Village Trustee Taglia asked what the differences are between this ordinance and the prior ones granting this authority. Village Attorney Stephanides stated there is no difference other than the sunset date of November 15.

Village Trustee Boutet commented that the items in the ordinance are too broad to not have to get Board approval. It also notes that all the rules put in place stay in place until November 15. The first Phase orders may not apply to Phase 4. She is comfortable with the powers that already exist.

Village Trustee Moroney clarified that this can be altered at any time at the will of the Board, and he is comfortable with it.

Village Trustee Boutet asked what exactly is needed here that is not already in the existing code. She is not sure of the necessity of this and why Board authority is being removed from the COVID situation.

Village Trustee Andrews acknowledged those concerns, but supports the ordinance and does not feel the Board is giving up any authority. In addition, staff is giving daily updates. He would feel differently if this was not related to a public health crisis and believes that staff should be able to act without unnecessary bureaucracy. Village Trustees Buchanan and Walker-Peddakotla expressed the same concerns as Village Trustee Boutet. There was discussion.

Village Attorney Stephanides clarified that under Item Z in the ordinance, the Public Health Director only has that authority through the Declaration of a Public Health Emergency, which expires on Monday. Going forward, he does not have this authority because there is no declared emergency. Item AB extends the authority of the Public Health Director only for issues related to COVID-19.

Village Trustee Walker-Peddakotla expressed concern that the Board of Health has not been involved in the response to COVID-19, which needs to be addressed through a racial equity lens. Village Manager Pavlicek stated that the Board of Health can be used in an advisory role but not in an emergency response role. Village Trustee

Walker-Peddakotla suggested that using the Board of Health in an advisory role be added to this ordinance.

Village Trustee Boutet suggested a continuance of the Declaration of Public Health Emergency in response to Phase 3.

Village President Abu-Taleb stated that things are working in Oak Park in terms of flattening the curve and not overwhelming the health system. This is just an extension of what has already been in place, and needs to be used for enforcement at grocery stores, nursing homes and other places that need attention at a local level. He added that this pandemic nationwide could have been handled better if health care experts rather than politicians managed it. He urged the Board to allow Mr. Charley to continue the excellent work he has been doing.

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

AYES: 5 - Village President Abu-Taleb, Village Trustee Andrews, Village Trustee Buchanan, Village Trustee Moroney, and Village Trustee Taglia

NAYS: 2 - Village Trustee Boutet, and Village Trustee Walker-Peddakotla

ABSENT: 0

B. [ORD 20-043](#) An Ordinance Authorizing Outdoor Dining in the Village of Oak Park to Provide Emergency Assistance Due to the Covid-19 Disease

Village Manager Pavlicek stated that the Board received a number of recommendations from the Business Recovery Task Force at their May 18 meeting. One of the recommendations was for staff to proceed with flexibility and work with the businesses in regards to outdoor dining. This ordinance allows staff to provide those opportunities and removes the fee associated with that. A permit at no charge is required, however.

Director of Development Customer Services Tammie Grossman stated that she has been working with all of the restaurants that have outdoor dining areas on public property as well as those with private outdoor dining. They have been provided with information on the permit process, which are being approved immediately once applications are submitted, as well as insurance information and state guidelines. Inspectors will make sure everything is set up appropriately. Staff is looking to have more congregate areas as well as some street closures.

Village Trustee Walker-Peddakotla asked if the Transportation Commission was consulted on this. Village Manager Pavlicek commented that direction was to consult with them regarding the promenade, which would be street closure for walking, biking, etc. Ms. Grossman added that the Transportation Commission has been informed about the promenade concept and that a call has been scheduled with the chair to discuss holding a meeting for that purpose.

Ms. Grossman discussed staff's plans regarding street closures, which she will be exploring early next week. She noted each business district will likely have their own plan.

Village Trustee Boutet was under the impression that the plan for street closure was a Board approval item. Village President Abu-Taleb stated that at the last meeting, staff was instructed to move quickly on this. Ms. Grossman stated that she has had

conversations with the business districts and feels that they are on board with these decisions.

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: 7 - Village President Abu-Taleb, Village Trustee Andrews, Village Trustee Boutet, Village Trustee Buchanan, Village Trustee Moroney, Village Trustee Taglia, and Village Trustee Walker-Peddakotla

NAYS: 0

ABSENT: 0

VI. Regular Agenda for Items Pursuant to Village Code Chapter 3 Alcoholic Liquor Dealers or Related

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

C. [ORD 20-044](#) An Ordinance Amending Chapter 3 ("Alcoholic Liquor Dealers"), Article 5 ("Miscellaneous") of the Oak Park Village Code to Add a New Section 3-5-11 ("Delivery and Carry Out of Mixed Drinks Permitted") on an Emergency Basis due to the Outbreak of COVID-19 Disease

Village President Pro Tem Boutet stated that this will allow carry out mixed drinks in the Village as already authorized by State Law.

It was moved by Village Trustee Andrews, 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 Andrews, Village Trustee Boutet, Village Trustee Buchanan, Village Trustee Moroney, Village Trustee Taglia, and Village Trustee Walker-Peddakotla

NAYS: 0

ABSENT: 0

RECUSED: 1 - Village President Abu-Taleb

Adjourn

It was moved by Village Trustee Andrews, seconded by Village Trustee Moroney, to adjourn. A voice vote was taken and the motion was approved. Meeting adjourned at 5:53 P.M., Thursday, May 28, 2020.

Respectfully Submitted,

**MaryAnn Schoenneman
Deputy Village Clerk**