

**APPROVED MINUTES - REGULAR BOARD MEETING
PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK
HELD ON MONDAY, AUGUST 6th, 2012 AT 6:30 P.M.
IN THE COUNCIL CHAMBERS OF OAK PARK VILLAGE HALL**

I. CALL TO ORDER

President Pope called the meeting to order at 6:30 p.m.

II. ROLL CALL

PRESENT: Trustees Brewer, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope
ABSENT: None

**III. CONSIDERATION OF MOTION TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS
COLLECTIVE BARGAINING, AND LITIGATION IN ROOM 130**

In compliance with the Open Meetings Act, it was moved and seconded to adjourn to Executive Session to discuss collective bargaining and litigation in Room 130.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope

NAYS: None

ABSENT: None

The motion was approved.

IV. RETURN TO OPEN MEETING 7:30 PM IN COUNCIL CHAMBERS

PRESENT: Trustees Brewer, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope
ABSENT: None

The Regular Meeting reconvened at 7:36 p.m. in Council Chambers.

V. AGENDA APPROVAL

President Pope noted that Item T had been moved from the Consent Agenda to the Regular Agenda. It was moved and seconded to approve the agenda for the meeting. A voice vote was taken and the agenda was approved as presented.

VI. MINUTES

It was moved and seconded that the minutes of the Regular Meeting of July 16, 2012, the Special Meeting of July 23, 2012 and the Special Meeting of July 30, 2012 be approved. A voice vote was taken and the minutes were approved as presented.

VII. NON-AGENDA PUBLIC COMMENT

Marla Rose, 1227 N. Taylor. Ms. Rose voiced her opposition towards the PreLabs facility in Oak Park, noting that this firm is known to test products on animals.

VIII. PROCLAMATIONS, RESOLUTIONS, AWARDS AND PRESENTATIONS

There were no proclamations, resolutions awards or presentations.

IX. VILLAGE MANAGER REPORTS

Interim Village Manager Cara Pavlicek stated that effective tomorrow, the HVAC system in the Council Chambers will be out of service for approximately 30 days as the new geothermal system is completed and comes online. When the Board reconvenes in September, the new system will be in operation. She also announced that IDOT will be completing the final layer of asphalt on Harlem Avenue this week and advised residents to contact the Village with any questions.

X. VILLAGE BOARD COMMITTEES

There were no reports from the Village Board Committees.

XI. CITIZEN COMMISSION VACANCIES

President Pope referred to the Board and Commission vacancy report, and urged residents to volunteer.

XII. CITIZEN COMMISSION APPOINTMENTS, REAPPOINTMENTS, REMOVAL, RESIGNATION AND CHAIR APPOINTMENTS

It was moved and seconded to concur in the following appointment by President Pope:

Environmental and Energy Commission

Appointment of Laura Haussmann, as Chair, with a term to expire September 7, 2013

Housing Programs Advisory Committee

Appointment of Matthew Rogina, as Member, with a term to expire August 6, 2015

Transportation Commission

Appointment of Mark Patzloff, as Member, with a term to expire August 6, 2015

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope

NAYS: None

ABSENT: None

The motion was approved.

XIII. SECOND READING**A. Second Reading of an Ordinance Amending Chapter 8 of the Village Code Related to Business Licensing**

Ms. Pavlicek stated that staff took Board comments from the First Reading as well as internal concerns that were thought to be problematic into consideration. These noted changes are presented in the current proposed ordinance.

Village Clerk Teresa Powell noted that there will be a 10% penalty as well as a citation issued for those who have not renewed their licenses by January 1. The late fee will increase to 30% a month later. Once a business owner pays for the license and any late fee, the citation will become non-suited. She referred to the information provided regarding policies of other communities, indicating that penalties include fees that would double the initial cost and license revocation.

Trustee Johnson asked where Oak Park stood as far as compliance rates compared to these other communities. Clerk Powell stated that the others are in the range of 80% to 90% whereas Oak Park is at 70% and was as low as 50% last year. The new procedure would also save staff's time, as the citations will be generated as part of the late notice. With effective messaging, she was optimistic that only a small portion will ultimately go through the adjudication process. Clerk Powell also commented that business licenses are not just a source of revenue for the Village but also regulate these businesses to ensure they are in compliance with the law.

President Pope asked for a description of the notification process. Clerk Powell stated that this will be publicized in the OP/FYI newsletter as well as through other methods. All currently registered businesses will receive a notice by mid-October informing them of the new process. In addition, a letter will accompany the renewal form that is mailed in November indicating what the next steps will be if they fail to respond. On January 1, a late notice and citation with a court date will be sent. This will be a two-page form explaining that if payment is received in January the citation will be non-suited. As of the beginning of February, though, there will be an additional late fee as well as the possibility of being cited on a daily basis for operating a business without a license. President Pope suggested that it might be helpful if the language is more friendly rather than punitive as well as communicating the rationale for having these fees in place.

XIV. REGULAR AGENDA

All Ordinances and Resolutions adopted herein are herewith ordered filed in the Office of the Village Clerk

- B. It was moved and seconded that Ordinance 2012-0-43 entitled **ORDINANCE AMENDING CHAPTER 8 OF THE VILLAGE CODE RELATED TO BUSINESS LICENSING** be adopted.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope

NAYS: None

ABSENT: None

The ordinance was adopted.

- D. It was moved and seconded that an **Ordinance Imposing a Temporary Moratorium on the Issuance of Peddlers' Licenses for Mobile Food Vendors** be adopted.

Ms. Pavlicek stated that this is being proposed to allow time to modify the current Peddlers' Ordinance to incorporate mobile food vendors in a positive manner within the community while not being problematic for those who have invested in a brick and mortar establishment. She noted that neighboring communities are having similar discussions.

Clerk Powell added that recently there have been issues with a coffee vendor parking for longer than what is allowed by ordinance. Trustee Brewer stated that while he appreciates trying to find a solution to the perceived problem of these vendors taking business away from the established businesses, this is more of an enforcement problem and does not tie into a moratorium on issuing licenses. Trustee Salzman agreed and suggested improving police involvement if necessary. It would be more appropriate to evaluate the ordinance. Clerk Powell stated that she has been making recommendations regarding the ordinance for three years but its evaluation has not been a priority. She added that mobile food vendors fall under the Peddlers' Ordinance, which does not sufficiently address them since the ordinance was written prior to this type of business becoming prevalent. Village Attorney Simone Boutet commented that the entire ordinance is in need of clarification.

Trustee Lueck commented that public policy cannot be set based on one example and suggested bringing a full recommendation back to the Board. She also noted that with mobile food vendors becoming more popular, the brick and mortar businesses are going to have to adapt.

Trustee Tucker agreed, but added that a moratorium would seem appropriate until the ordinance is amended to cover that subject area.

Trustee Hedges asked if there was any other compelling reason why the Board would need to address this other than the restaurant community not supporting this. Trustee Johnson clarified that due to the increasing popularity of food trucks, staff was just looking for a respite in order to analyze the situation before adding anyone new to the process.

Trustee Salzman noted that there is no reason why developing a new ordinance targeted specifically at food trucks can't coincide with enforcing the existing Peddlers' Ordinance.

The roll call on the vote was as follows:

AYES: Trustees Johnson and Tucker

NAYS: Trustees Brewer, Hedges, Lueck and Salzman; President Pope

ABSENT: None

The motion was defeated.

It was moved and seconded to move Item R from the Consent Agenda to the Regular Agenda. A voice vote was taken and the motion was approved.

E. Presentation of a Six Month Report for the Oak Park Community Choice Aggregation Program

Sustainability Manager K.C. Poulos gave a brief history of the aggregation program since the approval of the Integrys Energy Services contract in October 2011. She noted that estimated savings at the six-month mark is at \$1.6 million. Other villages contracting this summer or fall may see a better rate than what Oak Park has due to fluctuations in the market but because Oak Park started earlier, the overall savings will be greater. Future considerations for this program include an aggregation program for natural gas, a peak time rebate program and the possibility of future energy contracts directly with local renewable energy suppliers.

President Pope asked for information regarding natural gas aggregation. Ms. Poulos stated that the opt-out concept is the same as electric but added that recent legislative changes in the program have made small businesses ineligible to participate in electric aggregation. She was not sure if that was true for natural gas as well.

Trustee Hedges asked for details regarding the peak time rebate program. Adler Farrell of Integrys explained that the utility would notify residents of a particular time period where, if they shut off their power, they will receive a credit on their Com Ed bill.

Trustee Johnson asked if the Village would save money by aggregating with other communities. Jay Dalicandro of Integrys stated that Oak Park, as well as other communities that have explored this option, would most likely see more savings by standing alone.

1. It was moved and seconded that Resolution 2012-R0-171 entitled **RESOLUTION TO AMEND OAK PARK'S COMMUNITY CHOICE AGGREGATION PLAN OF OPERATION AND GOVERNANCE TO INCLUDE ALL-ELECTRIC HEAT CUSTOMERS** be adopted.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope

NAYS: None

ABSENT: None

The resolution was adopted.

2. Resolution to Amend the Village's Contract with Integrys Energy Services to Include All-Electric Heat Customers

President Pope noted that Ms. Boutet had suggested some alternate language. Following discussion, Ms. Boutet stated that the language in Paragraph 2 of the amendment should be amended to read "Seller shall offer the same blended rate of 5.79 cents per kWh as offered to the current aggregation customers *or lower* and for the same service agreement period which will expire on December 31, 2013."

3. It was moved and seconded that Resolution 2012-R-172 entitled RESOLUTION TO AMEND THE VILLAGE'S CONTRACT WITH INTEGRYS ENERGY SERVICES TO INCLUDE ALL-ELECTRIC HEAT CUSTOMERS be adopted.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope

NAYS: None

ABSENT: None

The resolution was adopted.

R. Resolution Authorizing an Agreement Between the Park District of Oak Park and the Village of Oak Park for Improvements at the Intersection of Oak Park Avenue and Ontario Street in an Amount Not to Exceed \$58,368

Village Engineer Jim Budrick stated that these enhancements to the public right-of-way would be in conjunction with the Park District's improvements related to Scoville Park. Work to be completed includes curb extensions at all four corners of the intersection, sidewalk construction at the three corners opposite the park and thermoplastic pavement markings for the crosswalks. Mr. Budrick explained that the Park District was covering the entire cost of one corner and the Village would share in the cost of the other three. The Park District will be using stone pavers for the sidewalk in which they will absorb the full cost. For the Village to use that material, the cost would be \$94,968. Instead, Mr. Budrick was proposing to use concrete at a cost of \$58,368.

President Pope questioned the value of an additional \$50,000, beyond the cost of the thermoplastic markings, to bump the corners out in concrete before definite plans are in place regarding improvements to that street. Trustee Tucker agreed. Trustee Johnson commented that over the years, a number of trustees have advocated that less disruption would occur if coordination of work between the Village and the Park District took place. Trustee Brewer appreciated the safety concerns but noted that redesigning the three corners does not necessarily need to be addressed at the moment. Mr. Budrick stated that the visibility of the crosswalks can be improved as well as upgrading signage at that intersection but the crossing distance will remain the same.

President Pope suggested that staff look at what interim safety options might exist in terms of pavement markings and signage as the Park District completes the work that is currently underway. Other recommendations regarding design will be taken up at a later time. The Item was tabled.

T. Resolution Authorizing the Execution of a Contract with Breakthrough Technologies, LLC, of Evanston, Illinois, for the Redesign of the Village's Web Site www.oak-park.us and for the Implementation of a Content Management System (CMS) for Subsequent Web Site Maintenance by Village Staff in an Amount Not to Exceed \$75,000

Ms. Pavlicek stated that the Board of Trustees had appropriated funding for web redesign as part of the FY 2012 budget.

Communications Director David Powers spoke about the website, launched in 2001, noting that it can no longer meet the Village's current needs. For the last five years, funds were budgeted for a redesign but it was determined each year that financially, this was not a priority.

Mr. Powers described the process used to assess the current site and user patterns. There were nine responses to the RFP and he explained what qualifications were being looked at regarding selection of the successful candidate.

Mr. Powers discussed the content management system, noting that the RFP had originally requested the site to be built in Umbraco; Breakthrough Technologies will be using Drupal. Both are open source systems which offer more flexibility than what is currently used and will allow other staff to take responsibility for portions of the site.

Trustee Johnson commented that Mr. Powers had previously reported negative feedback on Drupal from the Oak Park Public Library. He asked if there was a compelling reason for going in a different direction when the RFP asked for that particular system. Mr. Powers clarified that the Library had some difficulty in teaching staff to use Drupal, but that does not affect the site or administration of it. While he was leaning towards Umbraco, the RFP requirement was for any open source system. He stated that Breakthrough presented examples of sites built in both systems. Umbraco offers 400 modules, some are free and some are available for an additional charge. Drupal offers over 14,000 modules; all are free and will allow for more flexibility and growth potential.

Trustee Johnson expressed concern that perhaps the Drupal system had more capabilities than what was needed as an organization. He also asked whether the Civic Information Systems Commission (CISC) had evaluated the proposals. Mr. Powers replied that they did review them but agreed not to make a recommendation to the Board as this was beyond the scope of their advisory role. However, they did express support for the Breakthrough proposal. He spoke briefly about the other proposals that were received.

President Pope asked if Drupal is intended for organizations that are larger or more complex than the Village of Oak Park. Kevin Leonard of Breakthrough Technologies stated that complexities are only added as more modules are installed. Drupal has been used for items as simple as personal blogs to large sites for Federal agencies and universities.

Trustee Salzman discussed the proposal's reference to the site as "user friendly" and asked for clarification. Mr. Leonard stated that the design of the website will allow for

easy navigation and the usability of the management tools will allow staff to present information in a way that will be easily read by visitors to the site. Trustee Salzman asked Mr. Leonard if his firm had designed sites for other municipalities. Mr. Leonard said that they have not, although he personally had some experience and discussed that briefly. There was further discussion regarding ease of use of the Drupal system.

It was moved and seconded that Resolution 2012-R-173 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH BREAKTHROUGH TECHNOLOGIES, LLC, OF EVANSTON, ILLINOIS, FOR THE REDESIGN OF THE VILLAGE'S WEB SITE WWW.OAK-PARK.US AND FOR THE IMPLEMENTATION OF A CONTENT MANAGEMENT SYSTEM (CMS) FOR SUBSEQUENT WEB SITE MAINTENANCE BY VILLAGE STAFF IN AN AMOUNT NOT TO EXCEED \$75,000** be adopted.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hedges, Lueck, Salzman and Tucker; President Pope

NAYS: Trustee Johnson

ABSENT: None

The resolution was adopted.

XV. CONSENT AGENDA

- F. **Motion To Refer Application For Special Use Permit from Primit P. Shah to Operate a Medical Services Facility (Suburban Physical Therapy) at 6804 Roosevelt Road to the Zoning Board of Appeals to Hold a Public Hearing**
- H. **Motion Authorizing the Release of Amendment to the 2012 Action Plan for a 30-Day Public Comment Period and Resolution 2012-R-174 entitled RESOLUTION APPROVING THE SUBMITTAL OF THE AMENDMENT TO HUD AT THE COMPLETION OF THE COMMENT PERIOD**
- I. **Resolution 2012-R-175 entitled RESOLUTION AUTHORIZING THE EXECUTION OF A ONE-YEAR CONTRACT EXTENSION WITH ELGIN SWEEPING SERVICES INC. OF CHICAGO, ILLINOIS, FOR VILLAGE WIDE STREET SWEEPING IN AN AMOUNT NOT TO EXCEED \$120,000.00**
- J. **Resolution 2012-R-176 entitled RESOLUTION AUTHORIZING THE EXECUTION OF A PARKWAY CONSTRUCTION PERMIT AGREEMENT TO ALLOW FOR BRICK PAVERS TO BE PLACED IN THE PUBLIC RIGHT OF WAY AT 706 WOODBINE AVENUE**
- K. **Resolution 2012-R-177 entitled RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH CHICAGOLAND PAVING FOR PROJECT 12-2, RESURFACING OF VARIOUS STREETS IN AN AMOUNT NOT TO EXCEED \$1,397,876**
- L. **Resolution 2012-R-178 entitled RESOLUTION AUTHORIZING EXECUTION OF A CONDITIONAL COMMITMENT LETTER BETWEEN THE ILLINOIS HOUSING AND DEVELOPMENT AUTHORITY AND THE VILLAGE OF OAK PARK FOR THE FUNDS FROM THE ILLINOIS AFFORDABLE HOUSING TRUST FUND TO ADMINISTER A HOME MODIFICATION FORGIVABLE LOAN PROGRAM**

- M. Resolution 2012-R-179 entitled **RESOLUTION AWARDDING A SMALL RENTAL PROPERTIES REHABILITATION LOAN:SRP-020**

- N.1 Resolution 2012-R-180 entitled **RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH FRANECZEK RADELET FOR LEGAL SERVICES**

- N.2 Resolution 2012-R-181 entitled **RESOLUTION AUTHORIZING THE EXECUTIVE OF A PROFESSIONAL SERVICES AGREEMENT WITH HERVAS, CONDON & BERSANI, P.C. FOR LEGAL SERVICES**

- O. Resolution 2012-R-182 entitled **RESOLUTION AUTHORIZING THE PURCHASE OF ONE 2012 DODGE CHARGER, WITH POLICE PACKAGE, FROM NAPLETON FLEET GROUP OF WESTMONT, ILLINOIS THROUGH THE SUBURBAN PURCHASING COOPERATIVE JOINT PURCHASING PROGRAM, WAIVING THE VILLAGE'S BID PROCESS**

- P. Resolution 2012-R-183 entitled **RESOLUTION TO APPROVE A CONTRACT WITH THE INTERNATIONAL CODE COUNCIL FOR PERFORMING A PLAN REVIEW OF THE PERMIT SUBMITTAL DRAWINGS FOR THE LAKE & FOREST DEVELOPMENT TO BE LOCATED AT 150 FOREST AVENUE IN AMOUNT NOT TO EXCEED \$36,000**

- Q. Ordinance 2012-O-44 entitled **ORDINANCE AMENDING ORDINANCE NO. 2012-O-05 AS PREVIOUSLY AMENDED BY ORDINANCES 2010-O-91, 2010-O-14, 2011-O-15 AND AUTHORIZING ISSUANCE OF AN AMENDED SPECIAL USE TO PERMIT A PLANNED DEVELOPMENT FOR A MIXED USE RESIDENTIAL AND COMMERCIAL DEVELOPMENT WITH RESIDENTIAL APARTMENTS, RETAIL SPACE, AND PUBLIC PARKING FOR LAKE AND FOREST (940-954 LAKE STREET, 938 LAKE STREET AND 170 FOREST AVENUE) LOCATED AT THE NORTHEAST CORNER OF LAKE STREET AND FOREST AVENUE**

- S. Resolution 2012-R-184 ENTITLED **RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT FOR AN EMPLOYEE LEASE AGREEMENT WITH GOVTEMPS FOR PLAN REVIEW SERVICES IN AN AMOUNT NOT TO EXCEED \$25,000**

- Z. **Motion to Approve the Bills in the Amount of \$1,325,092.69 for the Week Beginning July 16th through August 3rd**

APPROVE THE CONSENT AGENDA

It was moved and seconded to approve the items under the Consent Agenda.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope

NAYS: None

ABSENT: None

The Consent Agenda was approved.

CALL TO THE BOARD AND CLERK

Village Clerk Powell commended all who were involved with the website redesign process.

Trustee Lueck referred to Clerk Powell's comment and stated that trustees are often called upon to make decisions about things they know very little about. She added that in this case they had to rely on the skill and expertise of staff and hoped that they made the right choice.

Trustee Salzman announced that the Sugar Beet Co-op will be holding an Edible Garden Tour on Saturday from 11 a.m. to 3 p.m. Regarding the website redesign, he stated that this is the first step on a very long journey and that the Board will be called upon to weigh in at different points in the process. He hoped to get to the point where people think of the website as an online extension of Village Hall.

Trustee Johnson suggested scheduling a Board Outreach for some time in August.

Trustee Brewer commended Housing Services for securing grant funds for the Home Modification Forgivable Loan Program. He also said he was looking forward to the Bud Billiken Parade on Saturday. Trustee Brewer urged residents to attend the Oak Park Township Open House on Saturday if they were not watching the parade.

Trustee Tucker spoke about US Wrestling Team member Ellis Coleman of Oak Park competing in the Olympics today.

President Pope stated that this will be the last Board Meeting until September. He added that anyone interested in seeing the original presentation of the budget may attend the Finance Committee meeting on August 20. He also encouraged residents to attend the Township Open House and also the Microbrew Festival on August 18 from 3 to 8 p.m. in Downtown Oak Park. President Pope reminded all to be watchful of children while driving, as school was starting the following week.

ADJOURN TO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION

In compliance with the Open Meetings Act, it was moved and seconded to adjourn to Executive Session to discuss litigation and collective bargaining in Room 130.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope

NAYS: None

ABSENT: None

The motion was approved.

The meeting adjourned at 10:16 P.M. Monday, August 6, 2012.

SUBMITTED AND RECORDED IN THE OFFICE OF:

Teresa Powell, Village Clerk

By: MaryAnn Schoenneman
Interim Deputy Village Clerk