

**THE REGULAR MEETING OF THE COUNCIL OF THE
VILLAGE OF FOREST PARK, COOK COUNTY, ILLINOIS
HELD ON MONDAY EVENING, OCTOBER 27, 2003**

Mayor Calderone led all assembled in the Pledge of Allegiance.

ROLL CALL

Commissioners Gillian, Hosty, Doolin, Steinbach and Mayor Calderone answered the Roll Call.

READING OF THE MINUTES OF THE PREVIOUS MEETING

It was moved by Commissioner Steinbach and seconded by Commissioner Gillian that the minutes from the previous Council meeting be passed without reading, as everyone has received copies thereof and found same to be correct.

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Doolin, Steinbach and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

PUBLIC COMMENT

Ellen Malad from 7314 Oak Avenue in River Forest stated that she is the volunteer coordinator of the Forest Park Ark and commented that the Village Council has three ways of moving forward in regards to the Animal Care and Control Shelter: Members can continue to put the Ark on the back burner, adopt the concept of an animal control service (i.e.: police dropping off animals), or plan to have a good transition in terms of placing existing animals and housing new needy ones. Ms. Malad stated that the Ark volunteers encourage the third choice, and stated that the formation of a task force to explore alternate revenue sources and housing is a good first step toward a smooth transition.

Kathy Capone from 940 East Avenue in Oak Park stated that she volunteers at the Ark and believes that Forest Park is exemplary in its good care of animals, as was evidenced by the Ark's ability to facilitate free eye surgery for a needy dog. The dog in question was just adopted yesterday.

Connie Donovan from 944 Fair Oaks in Oak Park thanked the Council members for allowing her and her family members to volunteer at the Ark. She stated that she now spends more time in Forest Park than she does in Oak Park, and would like to continue her support of Forest Park.

Jennifer Czech of 115 Marengo in Forest Park stated that she is a volunteer at the Ark and commented that it is a much needed facility. She encouraged Council members to adopt the task force option of revenue/housing exploration, and looked forward to actual action regarding relocation of the Ark.

Susan Kloch of 613 Park in River Forest stated that she and her daughter are volunteers at the Ark and thanked the Council for the opportunity to serve animals. Ms. Kloch asked if there was a plan for the Ark, and if so, what can the volunteers do to make it a reality?

Susan Bruno from 1016 Lathrop in Forest Park thanked the Council for the creation of the Ark and suggested that the current Ark be moved into the old Steve Lee Restaurant building on Roosevelt Road.

Gloria Backman from 329 Burkhardt Court in Forest Park stated that she visited Village Hall on Saturday night and was very happy to see the Council meeting agenda hanging in the glass display box and copies of it available to the public.

Bonnie Bransen from 835 Beloit in Forest Park stated that she volunteers at the Ark and it is a great facility. She stated that she would like to continue serving animals there.

Sandy Boy from 7538 Harrison Street in Forest Park stated that not only animals benefit from the Ark, but humans can as well.

Tracy O’Kean from 504 Ferdinand in Forest Park stated that she desires to see the Ark continue to operate because as a volunteer, she sees good adoptions of animals taking place there.

Joelle Goode from 605 Beloit in Forest Park stated that she is a recent volunteer and supports the Ark.

Mayor Calderone stated that the Village Council will determine what action will be taken regarding the Ark in the next couple of weeks and those plans will then be communicated to the public. Mayor Calderone thanked the public for its ongoing support of the Ark.

COMMUNICATIONS

None

DEPARTMENT REPORTS

The Department of Health and Safety submitted its report for September 2003.
The Community Center submitted its report for September 2003.

APPROVAL OF BILLS

It was moved by Commissioner Gillian and seconded by Commissioner Steinbach that the Resolution providing for the payment of bills be adopted. The Commissioner of Accounts and Finance has reviewed the bills as applicable to each department and found the aggregate amounts to be correct and recommends payment when funds are available. The bills totaled \$701,596.13.

**R-82-03
RESOLUTION FOR PAYMENT
OF BILLS**

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Doolin, Steinbach and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

UNFINISHED BUSINESS

Commissioner Hosty motioned to pass the Ordinance Amending Chapter 7 entitled “Alcoholic Liquor” of the Municipal Code of the Village of Forest Park by Creating New License Classifications. Commissioner Gillian seconded the motion. Commissioner Doolin asked if there was any resolution to the previous discussion about further defining meals in the Ordinance. Mr. Durkin, legal counsel, stated that in the end it is the circuit court judge who would decide if chips would constitute a meal, but it is the Village’s position that they do not. Commissioner Doolin stated that if the consensus is that chips are not a meal and that issue is enforceable, he favors the restricted liquor license. Mr. Durkin stated that the Village could do an annual review of a business with a Class “R” License or, if it had cause, a random review to ensure that 50% of its sales are food. Commissioner Steinbach questioned if language regarding annual proof of liquor vs. alcohol sales should be included in the Ordinance. Mr. Durkin stated that the Ordinance speaks to having finance records available for Village inspection for the renewal of the restricted license, and renewal is on a yearly basis.

**O-43-03
ORDINANCE AMENDING CHAPTER 7,
ENTITLED “ALCOHOLIC LIQUOR” OF
THE MUNICIPAL CODE BY CREATING
NEW LICENSE CLASSIFICATIONS**

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Doolin, Steinbach and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

Commissioner Gillian motioned and Commissioner Hosty seconded to reappoint Mr. Michael Espinosa to the Plan Commission. Commissioner Doolin stated that the Council must include and involve more residents on its boards and commissions. Commissioner Steinbach stated that she has nominated people and agrees with Commissioner Doolin that new residents should be appointed to Village boards.

**MR. MICHAEL ESPINOSA
REAPPOINTED TO PLAN COMMISSION
FOR A TERM EXPIRING MAY, 2008**

ROLL CALL:

AYES: Commissioners Gillian, Hosty, and Mayor Calderone

NAYS: Commissioners Doolin and Steinbach

ABSENT: None

The motion carried.

Commissioner Gillian motioned and Commissioner Hosty seconded to direct staff and counsel to investigate the feasibility of sandwich signs and prepare an Ordinance reflecting their use for Council review. Commissioner Steinbach asked if Commissioner Hosty has a conflict of interest regarding this subject matter. Mr. Durkin stated that Commissioner Hosty does not, as he is moving to prepare an ordinance to set general policy, policy which will deal with many establishments in the Village. Commissioner Hosty stated that sandwich signs have been used for years on Madison Street and added that outdoor cafes and planters share the right of way. Commissioner Hosty stated that since there is no enforcement of the signs, that they should either be outlawed or the ordinance changed to include them. Commissioner Steinbach stated that Ms. Hill reported that the sign ordinance restricting sandwich signs was enforced, and added that she is concerned about their liability. Commissioner Gillian stated that the signs bring something nice to the street, share the right of way with parking meters and lampposts, and agreed that there is some liability involved in their use. Commissioner Steinbach pointed out that previous analogies of objects in the public way to sandwich signs are inaccurate as outdoor cafes, lampposts, and parking meters are fixed, while the signs are not. Commissioner Gillian stated that café tables and chairs are not fixed and added that the person owning the sign should take on most of the liability. Mayor Calderone stated that the Village is liable when it erects things like temporary wooden horses during special events, and added that when done properly through regulation, you can allow for these things on public property. Commissioner Gillian stated that he would personally like to review an ordinance dealing with sandwich signs and debate the issue again. Commissioner Doolin stated that the signs are difficult to regulate because of the short amount of time that they are out, and the aesthetically pleasing component which differs from owner to owner and

**MOTION TO DIRECT STAFF AND
COUNSEL TO INVESTIGATE THE
FEASIBILITY OF SANDWICH SIGNS
AND PREPARE AN ORDINANCE
REFLECTING THEIR USE FOR
COUNCIL REVIEW**

passerby to passerby. In addition, Commissioner Doolin stated that outdoor cafes look nice because they are contained areas while the signs are free standing. Lastly, Commissioner Doolin asked does one start to give counsel direction to draft the ordinance by talking about sign placement in terms of distance from the business entranceway? Mayor Calderone suggested that staff could search other communities for sandwich sign ordinances in order to craft an ordinance for Forest Park and added that the practical side to the issue is that the signs have been utilized for more than eight years, and it has never before been an issue. Mayor Calderone added that nothing happened to disallow their use; rather, the crafter of the sign ordinance did not think of every nuance associated with every sign. Commissioner Steinbach stated that the signs and their associated liability were brought to her attention when she tripped over one at O'Sullivan's.

ROLL CALL:

AYES: Commissioners Gillian, Hosty and Mayor Calderone

NAYS: Commissioners Doolin and Steinbach

ABSENT: None

The motion carried.

NEW BUSINESS

Commissioner Steinbach motioned and Commissioner **O-44-03**

Doolin seconded to pass an Ordinance Dealing with the **ORDINANCE DEALING WITH THE**
Construction Requirements for Municipal Parking Lots. **CONSTRUCTION REQUIREMENTS**
Commissioner Hosty stated that the Code Department **FOR MUNICIPAL PARKING LOTS**

currently writes tickets to those residents who park on gravel at their homes and asked counsel if the noted ordinance could address a specific date on which gravel parking in these particular lots would be reviewed. Mr. Durkin stated that a provision could be written into the ordinance to require the Village to replace the gravel with a standard parking surface by a specific date, although this particular ordinance was written in this fashion to accommodate the receipt of a grant for parking resurfacing. Commissioner Steinbach verified for Commissioner Hosty that there is currently no grant monies identified for the 415 Beloit lot. Commissioner Hosty added that the lot could remain gravel for a long time period due to the current Village financial situation. Mayor Calderone stated that Council members need to weigh the need for parking vs. the necessity of parking on a standard parking surface.

Commissioner Gillian amended the motion to include a triggering date of the first Council meeting in April to evaluate the condition of the unpaved parking areas. Commissioner Hosty seconded the motion. Commissioner Doolin stated that the Council should either provide this parking or not and make an amendment to the Ordinance in April, if needed. Commissioner Gillian stated that the amended ordinance insures that the parking lot issue will be placed on the Council agenda in April and even parking permit fees could be reviewed at that time. Mayor Calderone stated that the triggering date language could be incorporated into the ordinance, but that in itself does not insure that it will appear on April's agenda. Mayor Calderone suggested that he schedule the parking lot review in his palm pilot for April and therefore the triggering date would not be needed in the ordinance. Commissioner Gillian agreed and withdrew his amendment. Mayor Calderone directed the Clerk to place a review of the parking surface integrity of the 7418 Randolph and 415 Beloit lots on the agenda the first Council meeting in April 2004.

ROLL CALL:

AYES: Commissioners Gillian, Doolin, Steinbach and Mayor Calderone

NAYS: Commissioner Hosty

ABSENT: None

The motion carried.

Commissioner Doolin motioned and Commissioner Hosty seconded to disperse payment for pay request #1 to MQ Construction Company for the CDBG #02-020 Circle/Brown & Lincoln St. Alley Project in the amount of \$69,542.55. Commissioner Steinbach asked Director Kutak if the work has been inspected and meets Village standards and Mr. Kutak stated that there are no problems with poor work.

MOTION TO DISPERSE PAYMENT TO MQ CONSTRUCTION COMPANY FOR THE CDBG ALLEY PROJECT IN THE AMOUNT OF \$69,542.55.

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Doolin, and Steinbach and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

Commissioner Hosty motioned and Commissioner Steinbach seconded to adopt the Resolution authorizing the Agreement between the Village of

**R-83-03
RESOLUTION AUTHORIZING THE AGREEMENT BETWEEN THE VILLAGE**

Forest Park, Fifth Third Bank, and the Forest Park Plaza.

**OF FOREST PARK, FIFTH THIRD BANK,
AND THE FOREST PARK PLAZA**

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Doolin, Steinbach, and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

Commissioner Hosty motioned and Commissioner Gillian seconded to pass the Ordinance Granting and Permitting an Amendment to the Official Zoning Map and a Variation in the Regulations of the Zoning Ordinance of the Village of Forest Park associated with 209 Des Plaines Avenue. Commissioner Doolin asked the petitioner, Robert Marani, to speak to the hardship associated with the original request. Mr. Marani stated that the lot created a serious density problem, should anything but a single family home be built there. Mr. Marani added that the irregularly shaped lot, complicated by the fact that the buildings on the adjoining properties sit on the lot lines, make the property difficult to redevelop. Commissioner Doolin asked Mr. Marani if he wanted a zoning change from B1 to R2 and Mr. Marani stated that he did. Commissioner Doolin asked Mr. Marani if he investigated placing the artist's studio on the first floor with the residential on the top floor. Mr. Marani stated that due to the required amount of square feet needed for the primary family residence, he needed both floors to accomplish the area. Commissioner Doolin asked if Mr. Marani checked how property taxes would be affected by this change and Mr. Marani stated that the tax would be one-half of what is paid presently. Commissioner Doolin asked if Mr. Marani investigated parceling adjacent properties and Mr. Marani stated that he could not undertake that large a project at this time. Mr. Marani added that he approached this project to fit into the community's needs, stating that the current property has been vacant for three years and is in a residential area. Mr. Marani stated that he believes this area cannot tolerate any more density or businesses and assured all that this home would benefit the surrounding neighborhood. Commissioner Gillian stated that it is nice to see a single family home being built and added that the ZBA looked favorably on this project. Commissioner Doolin stated that this parcel is one that the comprehensive plan suggests should be redeveloped as commercial

**O-45-03
ORDINANCE GRANTING AND PERMITTING
AN AMENDMENT TO THE OFFICIAL
ZONING MAP AND A VARIATION IN THE
REGULATIONS OF THE ZONING
ORDINANCE OF THE VILLAGE OF FOREST
PARK RE: 209 DES PLAINES**

property, and furthermore, that the three adjoining parcels should be developed together commercially. Commissioner Doolin stated that the comprehensive plan will lose its effect if we don't use it as a guidebook, added that the Council would not consider the building of a single family home on Madison Street, and emphasized that the change in use costs the Village \$3000 per year in tax revenues. Mr. Durkin explained that the zoning ordinance prohibits a use variation in B1 district that allows living quarters downstairs and art gallery upstairs. Commissioner Hosty stated that the project's tax revenue loss to the Village is \$1521 not \$3000 as was previously stated, and added that the Village has a great benefit of taking vacant property and finally using it. Commissioner Gillian added that everything south of the property in question is residential. Commissioner Doolin stated that one must draw the line somewhere, and weight needs to be given to the comprehensive plan so that development goes the way it is planned to go. Mayor Calderone stated that zoning issues are not based on financial impact. Commissioner Doolin stated that Code and plan purposes are based on financial impact and all things must be in harmony with the plan. Commissioner Doolin added that on several fronts, this project doesn't meet the standards for a variation. Mayor Calderone stated that the plan is not etched in stone and that the variance process is an appeals process so that petitioners receive due process. Commissioner Doolin stated that Council members are familiar with the process, but added without the plan, there is no lasting effect. Commissioner Doolin stated that three elected officials here adopted this plan, spent money on it, and it is now ignored, as it states that this property in question is identified as commercial. Mayor Calderone stated that the neighborhood district (B1) is Randolph Street.

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Steinbach and Mayor Calderone

NAYS: Commissioner Doolin

ABSENT: None

The motion carried.

Commissioner Gillian motioned and Commissioner Doolin seconded to move the regularly scheduled Council meeting from Monday, November 10th to Tuesday, November 11th, 2003 in observance of Veteran's Day.

**COUNCIL MEETING CHANGE FROM
NOVEMBER 10TH TO NOVEMBER 11TH,
2003**

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Doolin, Steinbach and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

ADMINISTRATOR'S REPORT

Mr. O'Shea stated that he has been updated by Mesirow Financial regarding the redevelopment bonds associated with the Roosevelt Road/Hannah TIF. Mr. O'Shea stated that the interest rate has increased from an estimated 3.5% to 4% on total bonds of \$1,150,000, and added that the bonds are spread over nine years.

Mr. O'Shea stated that the Roosevelt Road/Hannah TIF has produced \$240,000 and now the general fund will be reimbursed with this money. Mr. O'Shea noted that this is a large chunk of cash and added that there is good progress at the Forest Park Mall.

COMMISSIONER REPORTS

Commissioner Doolin stated that the Department of Streets and Public Improvements is beginning its annual leaf clean-up activity when a member of the public works department works overnight, pushing leaves to the end of the street so that the daytime crew can pick them up.

Commissioner Steinbach stated that the materials for the Dog Park fence will arrive next Friday, and the following Tuesday or Wednesday will begin the fence erection.

Mayor Calderone stated that a seminar entitled "Jog your Memory" will be presented on October 28th at the Community Center. Mayor Calderone added that the guest speaker will address age-related memory loss.

Mayor Calderone announced that on November 6th, the Cook County Board of Review will present a tax assessment appeals seminar at 6:30PM at the Community Center. Mayor Calderone stated that any interested resident is invited and should bring his or her PIN # to complete the appeals form.

Mayor Calderone stated that the Cindy Lyons Health Fair will take place at the Community Center on November 5th from 11:00AM to 3:00PM. The Secretary of State/mobile driving unit will be on hand to renew licenses and identification cards, flu shots will be available, and tests are available for many ailments. All are invited to attend.

Commissioner Hosty motioned to move into closed session to set a price for the sale or lease of property owned by the public body. Commissioner Doolin seconded the motion.

**MOTON TO MOVE INTO
CLOSED SESSION AT 8:30PM**

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Doolin, Steinbach and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

Commissioner Doolin motioned to end closed session and

MOTION TO RESUME

reconvene regular session. Commissioner Steinbach seconded the motion.

**REGULAR SESSION
AT 9:15PM**

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Doolin, Steinbach and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

ADJOURNMENT

There being no further business to be addressed, Commissioner Gillian motioned to adjourn the meeting. Commissioner Hosty seconded the motion. The motion carried unanimously.

Mayor Calderone declared the meeting adjourned at 9:25PM.

Respectfully submitted,

Joan M. White
Village Clerk