

**THE REGULAR MEETING OF THE COUNCIL OF THE  
VILLAGE OF FOREST PARK, COOK COUNTY, ILLINOIS  
HELD ON MONDAY EVENING, DECEMBER 22, 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 Gillian and seconded by Commissioner Hosty 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**

Mayor Calderone stated that since more participation has been seen lately in the public comment portion of the Council meeting, rules would be reviewed. Mayor Calderone stated that the meetings are not public hearings, and the purpose of public comment during the Council meeting is to provide opportunity for the public to place statements into the official record. Mayor Calderone stated that each speaker has up to three minutes to comment; the speaker may or may not obtain an immediate answer to his or her question; and the speaker must state his or her name and address before commenting.

Marty Tellalian from 7335 Jackson stated that he wishes to review the intergovernmental Ark agreement and operating Ark expenses. Mayor Calderone invited Mr. Tellalian to contact Mr. Matthew O'Shea or Abbe Yacoben for this information.

**COMMUNICATIONS**

Jack Kubik of Kubik and Kubik Consulting delivered a legislative update and stated that the newest issue is the state ethics law, which directs that by late June, 2004, a local ordinance must be passed that details what elected officials can and cannot do.

Commissioner Steinbach asked when the \$688,000 worth of awarded grant money would be released to the Village. Mr. Kubik stated that Governor Blagojevich, who froze all discretionary

**LEGISLATIVE UPDATE:  
JACK KUBIK**

funds, is currently auditing the grants, and it his belief that money will be released this spring. Commissioner Doolin stated that the \$500,000 Illinois First Grant is a very important Village grant for alley replacement, backflow preventer placement, and Madison Street lighting upgrades, and encouraged Mr. Kubik to put in an extra phone call in order to secure the grant. Mr. Kubik stated that Senator Lightford sees the grant as her number one priority, and she has been most helpful facilitating the grant.

### **DEPARTMENT REPORTS**

The Community Center submitted its report for November 2003. Mayor Calderone stated that the employees of the Center were diligent when they mopped the floor after flooding was caused by heavy rains, in preparation for the morning's Health Fair.

### **APPROVAL OF BILLS**

It was moved by Commissioner Hosty and seconded by Commissioner Doolin 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 \$359,785.46.

Commissioner Steinbach questioned the Storino, Ramello, and Durkin bill of \$11,000, and requested an hourly fee breakdown. Mayor Calderone stated that all billing information re: legal counsel is not included because of its sensitive nature.

Commissioner Steinbach motioned to amend the main motion by moving to adopt the Resolution providing for the payment of bills with the exception of the Storino, Ramello, and Durkin bill of \$11,000. Commissioner Doolin seconded the motion. Commissioner Gillian stated that the village administrator has stated that the information is available to Council members, but not to the public, and invited Commissioner Steinbach to review the bill's detail in the office. Commissioner Doolin asked if the legal bills are coded by department use of service, and Mr. O'Shea stated that the bills are reviewed by the finance director and/or village administrator, and are coded according to department.

**R-95-03  
RESOLUTION FOR PAYMENT  
OF BILLS**

#### **ROLL CALL:**

**AYES:** Commissioner Steinbach

**NAYS:** Commissioners Gillian, Hosty, Doolin and Mayor Calderone

**ABSENT:** None

The amendment did not carry.

Mayor Calderone called for a vote on the main motion, to adopt the Resolution for the payment of bills in its entirety.

**ROLL CALL:**

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

**NAYS:** Commissioner Steinbach

**ABSENT:** None

The motion carried.

**UNFINISHED BUSINESS**

Commissioner Gillian motioned and Commissioner Steinbach seconded to pass the Annual Tax Levy Ordinance of the Village of Forest Park, Cook County, Illinois, for the Fiscal Year beginning May 1, 2003 and ending April 30, 2004. Commissioner Hosty asked if the County would adjust the levy if the equalized assessed valuation (EAV) proved to be higher than the estimate, and Abbe Yacoben stated that the County would adjust the levy accordingly.

**O-51-03  
TAX LEVY ORDINANCE FOR  
FISCAL YEAR BEGINNING  
MAY 1, 2003 AND ENDING  
APRIL 30, 2004.**

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

Commissioner Gillian motioned and Commissioner Doolin seconded to adopt the Resolution Authorizing the Submission of an Advisory Referendum Question on the Taxpayer Action Amendment to be submitted to the Voters of the Village of Forest Park at the General Primary Election to be Held on March 16, 2004. Commissioner Doolin summarized the Resolution, stating that it is a non-binding question to send a message to the legislators that taxes should be based on one's ability to pay. Mayor Calderone stated that the Lieutenant Governor is an activist, and the Resolution simply is an advisory referendum. Commissioner Hosty stated that the Lieutenant Governor will end up costing the average taxpayer more in the long run.

**R-96-03  
RESOLUTION AUTHORIZING THE  
SUBMISSION OF AN ADVISORY  
REFERENDUM QUESTION ON THE  
TAXPAYER ACTION AMENDMENT TO  
BE SUBMITTED TO THE VOTERS AT  
THE PRIMARY ELECTION TO BE HELD  
ON MARCH 16, 2004**

**ROLL CALL:**

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

**NAYS:** Commissioner Hosty

**ABSENT:** None

The motion carried.

**NEW BUSINESS**

Mayor Calderone introduced the presentation by the Forest Park Ark supporters by stating that an Ark Task Force has been created whose passionate members are researching shelter locations, a revenue-neutral business plan, and soliciting the continued involvement of participating communities. Mayor Calderone stated that it is his goal this evening to solicit preliminary approval from Council members to both find a new home for the Ark and enter into a real estate contract for the property. Mayor Calderone stated that if this approval was not granted tonight, he cannot allow the members of the Ark Task Force to continue their journey. Elliott Serrano, Director of the Ark, presented a summary of the Ark's history, stating that the Ark serves a need and provides an important service and now is a highly regarded institution in the community. Mr. Serrano stated that the possible locations for the Ark include the Gleason property and the Labelette building and added that municipal partners could be contributing more to the cause. Commissioner Gillian asked if the other communities involved in Ark utilization are willing to give their fair share and Mr. Serrano stated that he is optimistic in this regard. Mr. Serrano added that all eight municipalities probably do not board enough animals to make the charges worth their while, but other Villages utilize ark services and recognize their value. Commissioner Doolin asked about an alternative to the use of an animal care and control facility. Mr. Serrano stated that the alternative is to board animals at a veterinary hospital like Oak Park's current practice of utilizing Hanover Wellness Center. Commissioner Doolin asked if the Ark is under budget this year and Mr. Serrano stated that it is. Commissioner Doolin asked why other villages do not run shelters and Mr. Serrano stated that animals are not a priority in other communities. Mr. Tim Condon addressed the Ark's proposed business plan. Commissioner Doolin asked if several municipalities together can issue a bond, and Mr. Durkin stated that it is possible, but will affect the Village's capacity to borrow for other projects. Mr. O'Shea stated that there are some options possible, but said that the Village needs a financial advisor to speak of possible financial

**MOTION TO ALLOW ARK TASK  
FORCE MEMBERS TO GO FORWARD  
AND MEET WITH OTHER  
COMMUNITIES TO PLEDGE  
ASSISTANCE ON A REGIONAL  
LEVEL FOR A SHELTER/  
MOTION TO AUTHORIZE  
THE MAYOR TO ENTER INTO A  
REAL ESTATE AGREEMENT THAT  
WILL MEET THE NEEDS OF THE  
ANIMALS, CONTINGENT ON  
BOARD APPROVAL**

structures. Commissioner Doolin asked if the municipalities involved in the current intergovernmental agreement are proactive or if they are waiting for us to find property. Mayor Calderone stated that none of the participating communities are actively looking for property, but stated that Oak Park is currently looking for its own animal control facility. Mayor Calderone added that the village administrator in Oak Park recognizes the value of regional government, and stated that if Forest Park finds the Ark a home, he believes that Oak Park will join our facility. Commissioner Steinbach stated that other interested communities will be solicited also. Mr. Condon stated that when you spread the operational costs of a shelter over 20 years and with a number of municipalities, the cost is comparable to the vet service communities will be paying for anyway. Commissioner Doolin stated that property may be cheaper in other municipalities, and suggested that an intergovernmental task force might be formed to reach out beyond Forest Park and work to make this issue a regional one.

Commissioner Doolin added that it will create a hardship if the Village agrees to borrow \$800,000 for the Ark. Commissioner Doolin asked if the Village has the ability to buy real estate outside its corporate limits. Mr. Durkin stated yes, outside real estate can be bought, but the Village is not looking for that presently.

Commissioner Gillian asked why we are hurrying to enter into a contract. Mayor Calderone stated that the Taxman Corp. will begin redevelopment of the current Ark property in March, and task force members wish to address different Boards at their Council meetings now. Commissioner Doolin stated that the urgent intention should really be to get commitments from other municipalities which allow us to make a more informed decision; commitment first, then contract on property. Mayor Calderone stated that there are three different scenarios that can take place: municipalities don't want to participate and the Ark dissolves; talk to other municipalities to find out their interest; and a group of people find site, utilizing a volunteer architect and builder. Mayor Calderone stated that he has spoken to seven of the eight Mayors involved, and all seven stated that they would like the Ark operation to continue.

Commissioner Hosty motioned to allow the Ark Task Force to move forward and meet with other municipalities to obtain pledges of assistance for a shelter on a regional level and to authorize the Mayor to enter into a real estate agreement that will meet the needs of the animals, contingent on Board approval. Commissioner Gillian seconded the motion.

Commissioner Doolin motioned to divide the question and Commissioner Steinbach seconded the motion. Mayor Calderone asked for a vote on the issue to divide the question.

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

Vote on question to allow the Ark Task Force to move forward and meet with other municipalities to obtain pledges of assistance for a shelter on a regional level.

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

Vote on question to authorize Mayor Calderone to enter into a real estate agreement that will meet the needs of the animals, contingent on Board approval.

**ROLL CALL:**

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

**NAYS:** Commissioner Doolin

**ABSENT:** None

The motion carried.

Commissioner Gillian motioned and Commissioner Hosty seconded to enter into an agreement with Illinois Public Risk Fund for Workers' Compensation Insurance Coverage in the amount of \$285,333 for the 2004 policy year. Tracy Swanson, Mesirow representative, presented a synopsis of the plan, stating that the overall increase in premium this year is 8.2%, with a 5% increase in exposure and a 102% loss ratio over the past year. Commissioner Doolin asked if this rate was worse or better than average. Ms. Swanson stated that it is better than average. Commissioner Doolin asked if IPRF consists of municipalities pooling together for insurance. Ms. Swanson stated that in a sense that description is correct, but one municipality is not penalized for problems. Commissioner Steinbach asked if the rates are set by the state or by the experience of the pool. Ms. Swanson stated the rates are set by calculation of an experience modification factor for the Village, and that factor was .77 last year, which is a fine rate. Commissioner Steinbach asked if IPRF processes claims or does Mesirow. Ms. Swanson stated that IPRF via Joan White processes the claims, but Mesirow provides necessary resources like training opportunities and risk management assessment.

**MOTION TO ENTER INTO AN AGREEMENT WITH IPRF FOR WORKERS' COMPENSATION INSURANCE**

**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 enter into an agreement with Scottsdale Indemnity Company for Property and Casualty coverage in the amount of \$432,577 for the 2004 policy year. Tracy Swanson, Mesirow representative, stated that the Village's combined loss statement is 178%, but that the loss this past year for Scottsdale was just 30%. Ms. Swanson stated that Scottsdale's program will save the Village \$43,000 this year. Commissioner Doolin asked when the Village can expect to return to lower premium amounts. Ms. Swanson stated that an insurance company looks at the last five years of claims, and added that with each year that goes by with a clean record, we get closer to a lower annual property and casualty premium.

**MOTION TO ENTER INTO AN AGREEMENT WITH SCOTTSDALE INDEMNITY COMPANY FOR PROPERTY AND CASUALTY COVERAGE**

**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 pass the Ordinance Abating the Tax heretofore Levied for the Year 2003 to Pay the Principal of and Interest on a \$5,765,000 General Obligation Taxable Tax Increment Refunding Bonds, Series 2002.

**O-52-03  
ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR 2003 TO PAY THE PRINCIPAL OF AND INTEREST ON A \$5,765,000 GO TAX TIF BONDS, SERIES 2002**

**ROLL CALL:**

**AYES:** Commissioners Gillian, Hosty, Doolin, Steinbach and Mayor Calderone  
**NAYS:** None  
**ABSENT:** None  
The motion carried unanimously.

Commissioner Gillian motioned and Commissioner Steinbach seconded to pass the Ordinance Specifying Those Funds to be Reduced by the County Clerk in the Event that the Village Annual Tax Levy Exceeds a Statutory Tax Limitation.

**O-53-03  
ORDINANCE SPECIFYING THOSE FUNDS TO BE REDUCED BY THE COUNTY CLERK IN THE EVENT THAT THE TAX LEVY EXCEEDS A STATUTORY TAX LIMITATION**

**ROLL CALL:**

**AYES:** Commissioners Gillian, Hosty, Doolin, Steinbach and Mayor Calderone  
**NAYS:** None  
**ABSENT:** None

The motion carried unanimously.

Commissioner Steinbach motioned and Commissioner Gillian seconded to pass the Ordinance Granting and Permitting a Variation in the Regulations of the Zoning Ordinance of the Village of Forest Park re: 821 Ferdinand. Commissioner Gillian stated that although the ZBA forwarded a recommendation of approval for the petitioners to allow parking in the front yard, it detailed conditions that the petitioner needed to follow. Commissioner Gillian stated that tonight he was handed a letter by the petitioner, refusing to honor the conditions set by the ZBA and added that he will vote to deny the variance based on the petitioner's bad faith.

**DENIED:**  
**MOTION TO PASS THE ORDINANCE  
GRANTING AND PERMITTING A  
VARIATION IN THE REGULATIONS OF THE  
ZONING ORDINANCE ASSOCIATED WITH  
821 FERDINAND**

**ROLL CALL:**

**AYES:** None

**NAYS:** Commissioners Gillian, Hosty, Doolin, Steinbach and Mayor Calderone

**ABSENT:** None

The motion was unanimously defeated.

Commissioner Doolin asked what happens next.

Mayor Calderone stated that the Council will let the process work and allow the department heads to close the issue.

Commissioner Hosty motioned and Commissioner Steinbach seconded that the Ordinance amending Chapter 7, entitled "Alcoholic Liquor" of the Municipal Code of the Village of Forest Park by Creating a new "WR" License Classification and by Amending the Provisions Regarding the Locations of Licensed Establishments by passed. Commissioner Steinbach asked how the restaurant "Flavour" is to comply with conditions of the liquor license when it is stated the business cannot sell liquor between the hours of 11:00PM and 11:00AM any day of the week and the business is hosting a New Year's Eve party until 12:30 AM. Mayor Calderone stated that the liquor commissioner can grant this special late night sale of alcohol. Commissioner Steinbach asked when Flavour can get its license. Mayor Calderone stated that the owners have already applied and passed a background investigation, and the license can be issued very soon.

**O-54-03  
ORDINANCE AMENDING CHAPTER 7,  
ENTITLED "ALCOHOLIC LIQUOR" OF  
THE MUNICIPAL CODE BY CREATING A  
NEW "WR" LICENSE CLASSIFICATION  
AND BY AMENDING THE PROVISIONS  
REGARDING THE LOCATIONS OF  
LICENSED ESTABLISHMENTS**

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

Commissioner Gillian motioned and Commissioner Steinbach seconded to adopt a Resolution approving a 2004 Paratransit Service Provider Agreement between Suburban Bus Division of the Regional Transportation Authority (PACE) and the Village of Forest Park.

Commissioner Gillian stated that the Village pays \$50,000 out-of-pocket for the PACE bus service and must deal with the inefficient way PACE reimburses the Village for services, including bus repair. Commissioner Gillian asked Mayor Calderone to speak with other Mayors of neighboring municipalities in a group attempt to convince PACE to develop a more equitable reimbursement plan.

**R-97-03  
RESOLUTION APPROVING A 2004  
PARATRANSIT SERVICE PROVIDER  
AGREEMENT BETWEEN SUBURBAN  
BUS DIVISION OF THE REGIONAL  
TRANSPORTATION AUTHORITY  
(PACE) AND THE VILLAGE**

**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 authorize the transmittal of a Notice of termination of the French Market License Agreement and hereby authorize and direct the Village Administrator to prepare the appropriate Notification regarding the termination of said French Market License Agreement. Commissioner Steinbach asked if the Village incurs a penalty for breaking a ten year contract and Mr. O'Shea deferred to legal counsel, but stated that the agreement between the Village and Bensidoun is a license agreement that is revocable, and this was confirmed by legal counsel. Commissioner Doolin asked at what point the Village can enter into a conversation with Bensidoun to perpetuate the French Market relationship and Mayor Calderone responded that when Bensidoun gets the letter of contract termination, the company will seek us out to talk about it. Commissioner Steinbach asked if there is an opportunity not to continue the Market and Mayor Calderone answered in the affirmative. Mr. O'Shea stated that Main Street

**MOTION TO AUTHORIZE THE  
TRANSMITTAL OF A NOTICE OF  
TERMINATION OF THE FRENCH MARKET  
AGREEMENT AND HEREBY AUTHORIZE  
AND DIRECT THE VILLAGE  
ADMINISTRATOR TO PREPARE THE  
APPROPRIATE NOTIFICATION  
REGARDING THE TERMINATION OF  
SAID FRENCH MARKET LICENSE  
AGREEMENT**

and the Chamber have been updating Bensidoun re: the Madison Street parking lot sale and added that Director Heider is researching a new Market location. Mr. O'Shea stated that the real cost of first year Market start-up was \$17,000, and said that Bensidoun was remitting a \$2500 stipend years one and two back to the Village of Forest Park to offset costs. Mr. O'Shea said that the cost has been trimmed down for year two with estimates of \$13,000 - \$14,000 as total Village cost because anchors were placed for \$900 instead of \$5000, and the number of auxiliary police utilized at the Market were decreased due to less need. Mr. O'Shea ended by stating the actual costs to Main Street and the Chamber of Commerce were \$1000 each, as they continue to defray the marketing costs and volunteers only staff the Market from these organizations.

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

Commissioner Hosty motioned to authorize the transmittal of a notice of termination of the Intergovernmental Agreement between the Village of Forest Park, and Village of Broadview, and Village of Elmwood Park, and Village of Franklin Park, and City of Northlake, and Village of Oak Park, and Village of River Grove, and Village of Rosemont, and Leyden Township providing for the creation and development of the Forest Park Animal Shelter ("Intergovernmental Agreement") and hereby authorize and direct the Village Administrator to prepare the appropriate notification regarding the termination of said Intergovernmental Agreement. Commissioner Doolin seconded the motion. Commissioner Steinbach asked if the current shelter's 90 day window until closure has begun so that the Ark can stop accepting other animals and Mayor Calderone stated that the window has not yet begun.

**MOTION TO AUTHORIZE THE TRANSMITTAL OF A NOTICE OF TERMINATION OF THE INTERGOVERNMENTAL AGREEMENT WITH THE MUNICIPALITIES PARTICIPATING IN THE FOREST PARK ARK AND AUTHORIZE AND DIRECT THE VILLAGE ADMINISTRATOR TO PREPARE THE APPROPRIATE NOTIFICATION REGARDING THE TERMINATION OF SAID INTERGOVERNMENTAL AGREEMENT**

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

**ADMINISTRATOR'S REPORT**

None

### **COMMISSIONER REPORTS**

Commissioner Doolin wished all happy holidays.

Commissioner Hosty motioned and Commissioner Steinbach seconded to move into closed session to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body.

**MOTION TO MOVE INTO CLOSED SESSION:  
9:10PM**

**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 end closed session and reconvene regular session.

**MOTION TO END CLOSED SESSION  
AND RECONVENE REGULAR SESSION:  
9:45PM**

**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 Doolin motioned to adjourn the meeting. Commissioner Steinbach seconded the motion. The motion carried unanimously.

Mayor Calderone declared the meeting adjourned at 9:50PM.

Respectfully submitted,

Joan M. White  
**Village Clerk**