

**THE REGULAR MEETING OF THE COUNCIL OF THE
VILLAGE OF FOREST PARK, COOK COUNTY, ILLINOIS
HELD ON MONDAY EVENING, MAY 10, 2004**

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 PREVIOUS MEETINGS

It was moved by Commissioner Steinbach and seconded by Commissioner Hosty that the minutes from the previous Regular Council meeting of April 26th, 2004 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

Suzanne Johnston from 7540 Harrison stated that she was in support of the homeowner who wishes to have a front driveway on her street because there are two or three other properties on the block with front driveways, and they are not eyesores.

Marty Tellalian from 7335 Jackson stated that he noted that the Oak Park Regional Housing Authority appears on the agenda, and requested that the associated speaker talk about property integration at that time.

COMMUNICATIONS

A letter by Carol Good from 844 Hannah was accepted into the record in support of Ms. Caldwell's request for front parking at 821 Ferdinand.

**LETTER OF SUPPORT:
821 FERDINAND VARIANCE**

George Welter, representing ComEd, presented ComEd's annual report. Causes of service interruptions, the average number of interruptions per customer, and length of interruptions were discussed. Mr. Welter thanked the Village of Forest Park for its continual cooperation in assisting ComEd deliver excellent service.

COM ED'S ANNUAL REPORT

Circle Theatre requested to utilize one of the Village parking lots in order to accommodate parking for 100+ guests associated with its "Private Party" fundraising event on May 22nd, 2004. The group requested to use the lot from 5:30PM until midnight. Commissioner Hosty stated that Circle Theatre is requesting the use of the lot in back of Circle Video for the event. Commissioner Doolin asked if the lot closure and associated impact to business was studied, and wondered what the Village's income loss would be. Mayor Calderone stated that he believes that both businesses and the arts are supported when theatre patrons spend money on food and drink in town after the performance. Commissioner Steinbach agreed with lot closure and pointed out that she has personally witnessed "spill-over" of theatre patrons into Brown Cow. Commissioner Gillian motioned and Commissioner Steinbach seconded to allow Circle Theatre to utilize the Village parking lot behind Circle Video the evening of May 22nd.

CIRCLE THEATRE REQUEST TO UTILIZE VILLAGE PARKING LOT BEHIND CIRCLE VIDEO ON MAY 22ND, 2004: APPROVED

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Steinbach and Mayor Calderone

NAYS: Commissioner Doolin

ABSENT: None

The motion carried.

Mayor Calderone directed the Clerk to notify Circle Theatre of lot approval.

BFI announced its adjusted rates, effective April 2004, based on the annual percentage change in the Consumer Price Index for February, which is 1.2%. Municipal Solid Waste rates, (1-4 unit buildings) will increase to \$8.29/month; Municipal Solid Waste (condominium units) will increase to \$6.28/month; Landscape Waste (1-4 Unit Properties) will increase to \$1.59/month. Commissioner Gillian stated that the Village subsidized waste collection in the amount of \$90,000 last year and added that this BFI fee increase will not be passed onto residents.

BFI ADJUSTED WASTE COLLECTION RATES

The Forest Park Library requested permission to place a drive-up book return on the parkway immediately east of the indented 15 minute parking area on Jackson Blvd. Commissioner Steinbach liked the idea of the box, but was concerned that the proposed location was too close to the alley and could cause congestion with vehicles entering and exiting the alley. Commissioner Doolin asked if there are any conflicts with box placement and the CMAQ project. Director Kutak stated that it is a concern, as driving lanes here will be reconfigured by

LIBRARY REQUEST FOR A DRIVE-UP BOOK RETURN ON THE PARKWAY EAST OF THE INDENTED 15 MINUTE PARKING AREA ON JACKSON BLVD. NEAR DES PLAINES: APPROVED

the CMAQ project. Commissioner Hosty doubted that any loss of space would occur at the Library along with the CMAQ project and added that the curb area in front would be painted yellow, designating a no parking zone. People would therefore momentarily pull up to the drop-off box, get out and drop off book, and drive away. Mayor Calderone suggested that the issue be addressed with the Village engineers, while Commissioner Hosty stated that since it will be one year until the CMAQ project is begun, the project should be allowed, and if it doesn't work, the box could be taken down. Commissioner Gillian motioned and Commissioner Hosty seconded to direct staff to perform any and all necessary procedures to facilitate the installation of a drive up book return on the parkway on Jackson near Des Plaines.

ROLL CALL:

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

NAYS: None

ABSENT: None

The motion carried unanimously.

DEPARTMENT REPORTS

The Finance Department submitted its Income Statement and Finance Report for end F/Y 2004.

APPROVAL OF BILLS

It was moved by Commissioner Steinbach and seconded by Commissioner Hosty 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 \$188,751.00.

**R-27-04
RESOLUTION FOR THE
PAYMENT OF BILLS**

ROLL CALL:

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

NAYS: None

ABSENT: None

The motion carried unanimously.

UNFINISHED BUSINESS

Ms. Aggie Stempniak, Executive Director of the Oak Park Regional Housing Center, requested continued annual support of the organization. Ms. Stempniak stated the goal of the organization is to maintain racial diversity in Oak Park and the surrounding communities and added that

**FUNDING FOR THE OAK PARK
REGIONAL HOUSING CENTER
TO BE DISCUSSED AT THE
BUDGET MEETING SCHEDULED
FOR MAY 19, 2004**

although the organization has no capacity to take Forest Park listings, it works with some Forest Park rental owners in a pilot program. Council members asked about the number of contacts the organization has with Forest Park renters and owners and how long Forest Park has been supporting the Housing Center. Commissioner Gillian motioned to support the Oak Park Regional Housing Center in the amount of \$2500. The motion died for lack of a second.

Commissioner Hosty suggested that funding the Housing Center be discussed within the budget meeting on May 19th, 2004. There were no objections from Council members.

NEW BUSINESS

Commissioner Hosty motioned and Commissioner Gillian seconded to pass the Ordinance amending Article XXXI, entitled "Gift Ban," of Chapter 1, entitled "Administration", of the Code of the Village of Forest Park, Pursuant to Public Act 93-615, as amended by Public Act 93-617. Commissioner Steinbach asked for an explanation of the new provisions. Mr. Durkin stated that the new Gift Ban prohibits elected and appointed officials from accepting gifts valued in excess of \$100 per year, or food or refreshments in excess of \$75 per day from prohibited sources that are defined in the Ordinance; includes golf and tennis in the gift ban; and further restricts political activities by officers and employees while on Village time. The Ordinance outlines the appointment of an ethics advisor to provide guidance to the officers and employees of the Village and an ethics commission to investigate and conduct hearings upon a written complaint of a violation of the gift ban. Mr. Durkin explained that the IML distributed a "bare bones" model ethics ordinance, but he utilized the attorney general's model ordinance to write the Gift Ban Ordinance for the Village of Forest Park, confident now that this Ordinance is no less restrictive than the state statute.

**O-20-04
ORDINANCE AMENDING
ARTICLE XXXI, ENTITLED
"GIFT BAN", OF CHAPTER 1,
ENTITLED "ADMINISTRATION",
OF THE CODE OF THE VILLAGE
OF FOREST PARK,
PURSUANT TO PUBLIC ACT
93-615, AS AMENDED BY
PUBLIC ACT 93-617**

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 an Ordinance amending Section 3-1, entitled "Created-Compensation," of Article 1 of Chapter 3, entitled "Fire Department" of the Municipal Code of the Village of Forest Park. Mr. Durkin stated that this Ordinance clarifies employee qualifications within the Fire Department for the codifier.

**O-21-04
ORDINANCE AMENDING SECTION 3-1
ENTITLED "CREATED-COMPENSATION,"
OF ARTICLE 1 OF CHAPTER 3
ENTITLED "FIRE DEPARTMENT" OF
THE MUNICIPAL CODE**

ROLL CALL:

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

NAYS: None

ABSENT: None

The motion carried unanimously.

Commissioner Steinbach motioned and Commissioner Doolin seconded to enter into a 36 month lease agreement with Advanced Business Tech for one Savin 4022 Copier with document feeder, finisher, and cabinet for use by Fire Department personnel in the amount of \$124.32 per month.

MOTION TO ENTER INTO A LEASE AGREEMENT WITH ABT FOR ONE SAVIN 4022 COPIER FOR USE BY FIRE DEPARTMENT PERSONNEL

ROLL CALL:

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

NAYS: None

ABSENT: None

The motion carried unanimously.

Commissioner Hosty motioned and Commissioner Doolin seconded to approve taxicab licensure associated with Citi-Suburban Taxi. Citi-Suburban Taxi desires to license five taxicabs in the Village.

CITI-SUBURBAN TAXI REQUEST FOR TAXICAB LICENSURE: APPROVED

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

NAYS: None

ABSENT: None

The motion carried unanimously.

Commissioner Steinbach motioned and Commissioner Doolin seconded to approve specifications prepared by Administrator Matt O’Shea for public maintenance and repairs exceeding \$1,500 for the purchase and installation of one Fuelmaster with pedestal, relay board, Fuelmaster software, and fifty encoded keys, and to accept the proposal of Superior Petroleum Marketers Inc. for an amount not to exceed \$9,700. Mr. O’Shea stated that this is the lowest of three proposals; the highest estimate quoted was \$11,000.

SPECIFICATIONS FOR PUBLIC MAINTENANCE & REPAIRS EXCEEDING \$1,500 FOR THE PURCHASE AND INSTALLATION OF 1 FUELMASTER WITH ACCESSORIES AND TO ACCEPT THE PROPOSAL OF SUPERIOR PETROLEUM MARKETERS INC. FOR AN AMOUNT NOT TO EXCEED \$9,700

ROLL CALL:

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

NAYS: None

ABSENT: None

The motion carried unanimously.

Commissioner Steinbach motioned and Commissioner Hosty seconded to adopt the Resolution approving a Collective Bargaining Agreement between the Village of Forest Park and the Automobile Mechanics' Union Local No. 701, IAM & AW.

**R-28-04
RESOLUTION APPROVING A
COLLECTIVE BARGAINING
AGREEMENT BETWEEN THE
VILLAGE AND THE AUTOMOBILE
MECHANICS' UNION LOCAL NO. 701**

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 accept the proposal by Blue Cross and Blue Shield of Illinois for employee health insurance benefits. The premium increase for PPO and HMOI Health is 12.5% and the premium increase for the new HMO BlueAdvantage Health is 2.3%.

**PROPOSAL BY BLUE CROSS AND
BLUE SHIELD OF ILLINOIS FOR
EMPLOYEE HEALTH INSURANCE
BENEFITS FOR CONTRACT YEAR
MAY 1, 2004 THRU APRIL 30, 2005**

ROLL CALL:

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

NAYS: None

ABSENT: None

The motion carried unanimously.

Commissioner Doolin motioned and Commissioner Steinbach seconded to adopt the Resolution authorizing the Award of the Contract for the Forest Park 2004-2005 50/50 Sidewalk Replacement Program. D'Land Construction, LLC was the low bidder at \$22,965.00.

**R-29-04
RESOLUTION AUTHORIZING THE AWARD
OF THE CONTRACT FOR THE 04-05
50/50 SIDEWALK REPLACEMENT
PROGRAM**

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 an Ordinance amending the Text of the Zoning Ordinance of the Village of Forest Park, Cook County, Illinois, to add Pet Grooming as a Permitted Home Occupation. Administrator O'Shea stated staff concerns about the difficulty of regulating and enforcing pet groomers working out of their homes throughout the community and added that staff wishes to deny this use.

**ORDINANCE AMENDING THE TEXT
OF THE ZONING ORDINANCE TO ADD
PET GROOMING AS A PERMITTED
HOME OCCUPATION:
DENIED**

ROLL CALL:

AYES: Commissioners Hosty and Mayor Calderone

NAYS: Commissioners Gillian, Doolin, and Steinbach

ABSENT: None

The motion did not carry. Mayor Calderone directed the Clerk to notify the petitioner regarding text amendment denial.

Commissioner Gillian motioned and Commissioner Hosty seconded to pass an Ordinance granting and permitting a Variation in the Regulations of the Zoning Ordinance of the Village of Forest Park, Cook County, Illinois re: ZBA 2004-05: 821 Ferdinand.

Dan Carrillo, attorney for the petitioner Kathy Caldwell, stated that his client is requesting relief to allow parking to occupy a portion of a front yard to alleviate congestion and encourage safety. Commissioner Doolin asked the petitioner questions relative to property sales date and her knowledge prior to purchasing the property of its associated parking situation. Additionally, Commissioner Doolin asked the petitioner if she attempted to make alternative parking arrangements.

Mr. Carrillo read a letter into the record that he wrote to Mayor Calderone on May 5, 2004 that outlines conditions associated with Mr. Carrillo instituting legal proceedings against the Village. Commissioner Doolin stated that Mr. Carrillo's recounting of some of the facts is inaccurate and unsubstantiated. Commissioner Doolin inquired about further legal action against the seller of the property and involvement of real estate brokers. Commissioner Doolin asked the Community Development Director about variance application processes and stated that the petitioner improperly appealed a self-imposed hardship, since she purchased the property knowing that parking did not exist.

Mr. Durkin stated that each individual member of the Council must determine if zoning standards can be met in this particular situation, and then must rule to agree or disagree with the zoning board's determination to recommend approval of the variation. Commissioner Doolin questioned the zoning ordinance's definition of a driveway and asked if a garage would be placed on the property. Commissioner Hosty stated that the Ordinance speaks to how the property meets a hardship standard. Commissioner Steinbach stated that she would agree with the variance only if the petitioner would be mandated to place a garage on the property. Mr. Carrillo stated that if other people in the same situation were not forced to place a garage on their property, why should his client be forced to do something that nobody else

**O-22-04
ORDINANCE GRANTING AND
PERMITTING A VARIATION IN THE
REGULATIONS OF THE ZONING
ORDINANCE RE: 821 FERDINAND**

has done? Mayor Calderone called for a vote on the original motion.

ROLL CALL:

AYES: Commissioners Gillian, Hosty and Mayor Calderone

NAYS: Commissioners Doolin and Steinbach

ABSENT: None

The motion carried.

Commissioner Gillian asked Commissioner Doolin about his intentions of approving or denying the driveway permit. Commissioner Doolin stated that he will review the permit when it is forwarded to him and then decide whether to approve it.

Commissioner Gillian told Commissioner Doolin that if he, in his capacity as Commissioner of Streets and Public Improvements, denies the driveway permit and curb cut associated with 821 Ferdinand, Commissioner Gillian will make a motion to remove that authority from that office, explaining that one Commissioner cannot vote against an entire Council. Commissioner Doolin reminded Commissioner Gillian that he voted against the previous variance associated with 821 Ferdinand. Commissioner Gillian explained that he voted against the previous variance because the property owner, at the last moment, refused to comply with the conditions of approval and added that he didn't want the Village to incur the additional cost of removing the original curb cut. Commissioner Gillian stated that he hopes Commissioner Doolin changes his mind and approves the curb cut and added that he would ask legal counsel to prepare an Ordinance stripping the Commissioner of Streets and Public Improvements of curb cut approval duty should he not approve this particular driveway permit.

ADMINISTRATOR'S REPORT

Mr. O'Shea announced that the third budget meeting will be held on May 19, 2004 at 6:30PM in Council Chambers and asked any meeting participants to forward issues directly to him.

Mr. O'Shea stated that Finance Director Yacoben has begun to work with the auditors on this year's audit.

COMMISSIONER REPORTS

Commissioner Doolin stated that a completed list of thermoplastic needs on crosswalks has been compiled and thanked the Citizens United for Forest Park for their input. Commissioner Doolin stated that the Constitution Court fountain is working, sewers and catch basins are being cleaned, and water project punch list items that could not be completed because of cold weather are now being addressed.

Commissioner Steinbach stated that tree trimming is being performed and encouraged any resident who needs a parkway tree trimmed to phone Village Hall. Commissioner Steinbach stated that the Public Works Department will pick up brush on Mondays only.

Mayor Calderone asked the other Council members how the Council will inform the majority of residents about important issues associated with living in the Village of Forest Park now that the Village newsletter has not been funded this year. Mayor Calderone voiced his concern that the newsletter be reconsidered for inclusion into the budget.

ADDITIONAL NEW BUSINESS

Commissioner Steinbach motioned and Commissioner Doolin seconded to move into closed session to consider the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body and to discuss pending litigation against the Village.

**MOTION TO MOVE INTO CLOSED
SESSION: 9:00PM**

ROLL CALL:

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

NAYS: None

ABSENT: None

The motion carried unanimously.

Commissioner Steinbach motioned and Commissioner Doolin seconded to close executive session.

**MOTION TO CLOSE EXECUTIVE
SESSION: 9:30PM**

ROLL CALL:

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

NAYS: None

ABSENT: None

The motion carried unanimously.

Commissioner Doolin and Commissioner Gillian seconded to reopen regular session.

**MOTION TO REOPEN REGULAR
SESSION: 9:32PM**

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 Gillian seconded the motion. The motion carried unanimously.

Mayor Calderone declared the meeting adjourned at 9:35PM.

Respectfully submitted,

Joan M. White
Village Clerk