

**THE REGULAR MEETING OF THE COUNCIL OF THE  
VILLAGE OF FOREST PARK, COOK COUNTY, ILLINOIS  
HELD ON MONDAY EVENING JUNE 12, 2006**

Mayor Calderone led all assembled in the Pledge of Allegiance.

**ROLL CALL**

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

**APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS**

It was moved by Commissioner Hosty and seconded by Commissioner Doolin that the minutes from the Special Council meeting on May 8, 2006 be approved 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.

It was moved by Commissioner Hosty and seconded by Commissioner Gillian that the minutes from the Regular Council meeting on May 22, 2006 be approved without reading, as everyone has received copies thereof and found same to be correct.

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

**ABSTAIN:** Commissioner Steinbach

The motion carried.

**PUBLIC COMMENT**

Mr. Iron Goodlaw of 906 Ferdinand stated that he felt he was being harassed by the Park manager and the police and asked why. In addition he asked why Forest Park has no place for teenagers to hang out. Mayor Calderone explained to Mr. Goodlaw that the Park District is a separate governing body with their own board meetings. Mayor Calderone further stated that if Mr. Goodlaw would like to discuss his issue with Deputy Chief Aftanas, he would make himself available after the council meeting.

Dr. Jackson of 324 Marengo asked whether the Village can get youth programs. Mayor Calderone encouraged Dr. Jackson to interact with staff during normal working hours to ascertain the available youth programs throughout the village.

Mr. John Plepel of 532 Elgin thanked the board for recognizing a problem on the 400 & 500 blocks of Elgin and asked for support of the zoning changes by urging the Council members to vote yes tonight and to consider the benefits these proposed changes will have.

**COMMUNICATIONS:**

Ms. Dorothy Gillian of Forest Park Main Street notified the Village Council that they are in the process of planning the 6<sup>th</sup> annual Progressive Dinner for Sunday, July 16<sup>th</sup> and advised that she would be in contact with the Village to determine special needs for this event.

Mr. David Goetz of St. Peter’s Lutheran Church requested permission to close Adams Street between Hannah and the alley behind St. Peters on Sunday, June 25, 2006 from 9 a.m. until 2 p.m. There being no objections from the council, the clerk was instructed to notify Mr. Goetz of the approval.

Mrs. Joyce Oberg of First United Church of Christ requested permission to close street parking adjacent to the Church on Saturday, June 17<sup>th</sup> to hold a rummage sale. In addition, Mrs. Oberg requested the use of village barricades for the event. There being no objections from the council, the clerk was instructed to notify Mrs. Oberg of the approval.

Ms. Kim Smith of Little City Foundation requested permission to hold its 32<sup>nd</sup> Annual Smiles Tagging Campaign on September 29 and 30. There being no objections from the council, the clerk was instructed to notify Ms. Smith of the approval.

Mr. Art Sundry of the Forest Park Main Street Redevelopment and Mr. Rob McAdam of the Forest Park Chamber of Commerce expressed their interest in and requested the Village Council’s support of the privatization of the Forest Park Naval Reserve Center at 7410 Roosevelt Road.

**DEPARTMENT REPORTS:**

The Finance, Fire and Health & Safety Departments submitted their May reports.

**APPROVAL OF BILLS**

It was moved by Commissioner Gillian 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 \$1,024,177.82.

**R-30-06  
RESOLUTION FOR THE  
PAYMENT OF BILLS IN THE  
AMOUNT OF \$1,024,177.82  
APPROVED**

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

## **UNFINISHED BUSINESS**

### **NEW BUSINESS**

It was moved by Commissioner Steinbach and seconded by Commissioner Hosty that T. J. Janopoulos be appointed to the Recreation Board.

**T.J. JANOPOULOS  
APPOINTED TO THE  
RECREATION BOARD**

#### **ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

Mayor Calderone stated that recent legislation has changed the ability of Municipalities to regulate code for condominium conversions as follows:

**DISCUSSION REGARDING  
CONDOMINIUM  
CONVERSIONS AND  
RECENT LEGISLATION**

1. Authority through state statute to require the owner to bring the building up to building code standards.
2. Authority to require the owner to bring the building up to zoning standards with regard to parking requirements.
3. Require developer to make a payment in lieu of providing parking for the units.

Commissioner Hosty stated that his initial feeling is that when converting apartments to condos, it is a even exchange and that it would not change the number of cars in town. He further expressed his feeling that when you charge the developer in lieu of providing parking, that doesn't necessarily provide additional parking. This penalizes the buyers and Commissioner Hosty did not believe that would be good.

Commissioner Doolin agreed with Commissioner Hosty and stated that it would depend on the goal of the proposal and whether it would be to provide revenue for the parking fund. He further stated that Forest Park is unique with about 50% owner occupancy. The enforcement of the parking requirements would discourage ownership vs. rentals. If we charge in lieu of parking spaces, it would pass through to the buyer. Ownership naturally means a greater commitment to the community. Commissioner Doolin stated that this would not perpetuate ownership, rather it would discourage it. He further stated that he is not aware of any conversion that created an increase in the number of units and that to place that burden on developers and purchasers doesn't make sense. With regard to real estate tax revenue, in some cases the taxes can go down while in others it will go up. Revenue potential should not be a reason to enforce the parking requirements. He further stated that he agrees that we should step up code enforcement in order to deliver a quality product.

In addition, Commissioner Doolin stated that the price of new construction is approximately \$231 to \$265 p.s.f. where conversions are approximately \$200 to \$225 p.s.f.

Commissioner Steinbach expressed her concern that the Village of Forest Park maintain the mandated amount of affordable housing and asked whether the 66 units presently pending conversion would impact the affordable housing requirements. Mayor Calderone stated that Forest Park is well within the guidelines for affordable housing. That requirement is typically for communities with a base housing stock at \$3/4 million and offered to have staff research whether the 66 units would make the Village of Forest Park close to the mandated amount of affordable housing.

Commissioner Gillian concurred with the above discussions and comments.

Mayor Calderone stated that at one time he was a proponent of charging in lieu of providing parking for the business district and added that it is our responsibility to provide parking. He further stated that this is an opportunity that didn't exist before and can be a way to find funds to provide parking to these residents. Mayor Calderone further stated that we will try to create public parking if/when the funding becomes available. He further agreed that the number of people probably won't change but noted that we didn't have the authority prior to now. There did not seem to be enough support by the council and Mayor Calderone stated that they would let it lie.

It was moved by Commissioner Hosty and seconded by Commissioner Gillian that the Ordinance making transfers within departments of sums previously appropriated in the appropriation ordinance of the Village of Forest Park for the fiscal year beginning May 1, 2005 and ending April 30, 2006 be adopted.

**O-34-06  
AMENDMENT TO  
APROPRIATION  
ORDINANCE FOR FISCAL  
YEAR 2006  
APPROVED**

**ROLL CALL:**

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

**NAYS:** Commissioner Doolin

**ABSENT:** None

The motion carried.

It was moved by Commissioner Gillian and seconded by Commissioner Hosty that the Annual Appropriation Ordinance for the fiscal year 2007 be adopted.

**0-35-06  
APPROPRIATION  
ORDINANCE FOR FISCAL  
YEAR 2007**

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

It was moved by Commission Hosty and seconded by Commissioner Doolin that the Ordinance authorizing a lot coverage variation and a change to a non-conforming building pursuant to section 9-9-3 re: ZBA 2006-13: 1043 Thomas be adopted.

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

It was moved by Commission Hosty and seconded by Commissioner Doolin that the Ordinance authorizing a lot coverage variation and a change to a non-conforming building pursuant to section 9-9-3 re: ZBA 2006-12: 901 Dunlop be adopted.

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

It was moved by Commissioner Hosty and seconded by Commissioner Doolin that the Ordinance authorizing a change to a non-conforming building pursuant to section 9-9-3 re: ZAH 2006-06: 620 Ferdinand be adopted. Commissioner Steinbach asked whether there was a procedural change because there was not a previous motion by the board to refer this matter to the attorney for drafting an ordinance. In addition, Commissioner Steinbach asked whether the Village Administrator states in his staff recommendation that he agrees with the Zoning Administrator in his recommendation to deny. Village Administrator, Michael Sturino stated that he was recommending that contrary to the written error in the recommendation, the authorization be granted and further stated that because of a problem with the original notice, the matter had to be re-noticed and the procedure was expedited to help the resident.

**ROLL CALL:**

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

**NAYS:** None

**O-36-06  
ORDINANCE AUTHORIZING  
A LOT COVERAGE  
VARIANCE AND CHANGE  
TO A NON-CONFORMING  
BUILDING RE: ZBA 2006-13  
1043 THOMAS  
APPROVED**

**O-37-06  
ORDINANCE AUTHORIZING  
A LOT COVERAGE  
VARIANCE AND CHANGE  
TO A NON-CONFORMING  
BUILDING RE: ZBA 2006-12  
901 DUNLOP  
APPROVED**

**O-38-06  
ORDINANCE AUTHORIZING  
A CHANGE TO A NON-  
CONFORMING BUILDING  
RE: ZAH 2006-06  
620 FERDINAND  
APPROVED**

**ABSENT:** None  
The motion carried  
unanimously.

Mayor Calderone explained that he is requesting to table the Nicor grant of easement for the time being. It was moved by Commissioner Steinbach and seconded by Commissioner Hosty that the Resolution approving a grant of easement between the Village of Forest Park and Northern Illinois NICOR Gas Company be tabled.

**RESOLUTION APPROVING  
EASEMENT BETWEEN  
VILLAGE AND NICOR  
TABLED**

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

It was moved by Commissioner Gillian and seconded by Commissioner Steinbach that the Ordinance providing for the declaration of the General Prevailing Rate of hourly wages for the Public Works within the Village of Forest Park be adopted.

**0-39-06  
ORDINANCE DECLARING  
PREVAILING RATE OF  
WAGES FOR PUBLIC  
WORKS  
APPROVED**

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

It was moved by Commissioner Steinbach and seconded by Commissioner Hosty that the Resolution regarding the review of closed meeting minutes be adopted.

**R-31-06  
RESOLUTION REGARDING  
REVIEW OF CLOSED  
MEETING MINUTES  
APPROVED**

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

It was moved by Commissioner Gillian and seconded by Commissioner Hosty that the Ordinance authorizing the sale or disposition of surplus property of the Village of Forest Park be adopted.

**O-40-06  
ORDINANCE AUTHORIZING  
SALE OF SURPLUS  
PROPERTY  
APPROVED**

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

It was moved by  
Commissioner Hosty and

seconded by Commissioner Steinbach that the Resolution authorizing the award of contract for the 2006 50/50 sidewalk replacement program be adopted.

**RESOLUTION  
AUTHORIZING AWARD OF  
50/50 SIDEWALK  
CONTRACT  
APPROVED**

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

It was moved by Commissioner Steinbach and seconded by Commissioner Hosty that the Resolution authorizing the award of contract for the CDBG Beloit-Thomas and Hannah-Circle alley reconstruction project be adopted.

**R-33-06  
RESOLUTION  
AUTHORIZING AWARD OF  
CDBG PROJECTS  
APPROVED**

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

It was moved by Commissioner Steinbach and seconded by Commissioner Gillian that the Village of Forest Park petition the Forest Park Zoning Board of Appeals for an amendment to the Zoning Map to change the zoning classification for the east side of the 400 and 500 blocks of Elgin Avenue, as indicated on the map attached hereto, from R-3 High Density Residential to R-1 Low Density Residential District. Commissioner Doolin stated that he thought that a public hearing is necessary. In addition he agreed that Mr. Plepel had good vision, however the 500 block was proposed in the comprehensive plan to be a medium density area or R-2. Commissioner Doolin stated that he thought that R-2 would be the most appropriate zoning classification for these areas and would create at least one non-conforming property. He further stated that the maximum density for R-2 is 30 units per acre. The current use is 37.7 units per acre and would not fall under the R-2 parameter. The 400 block is earmarked to be a commercial corridor or "gateway" in the comprehensive plan. Commissioner Doolin stated that the Village should stick with the comprehensive plan with the input and guidance of the residents and encouraged the Village Council and the ZBA to use the comprehensive plan as a blueprint as it was intended for a final decision. Commissioner Hosty asked whether when this matter comes before the ZBA if they will consider R-2 as well as R-1. Mayor Calderone stated that the ZBA recommendation is non-binding and there will be a public hearing for comments. The Village Council can accept,

**MOTION TO PETITION THE  
ZONING BOARD OF  
APPEALS TO REZONE THE  
400 AND 500 BLOCKS OF  
ELGIN AVENUE FROM R-3  
TO R-1  
APPROVED**

**R-32-06**

reject or modify the ZBA recommendation. Commissioner Steinbach asked who would present the case if the Village is the petitioner. Village Attorney, Mike Durkin stated that typically staff would present the case to the ZBA.

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

**ADMINISTRATOR'S REPORT**

None

**COMMISSIONER'S REPORTS**

Commissioner Hosty expressed his thanks to the Public Works, Police and Fire Departments for helping run a smooth Summerfest.

Commissioner Doolin announced that Citizens United in Forest Park is hosting a spring clean up on June 24<sup>th</sup>. He requested that the Village of Forest Park provide the use of safety vests and trash receptacles and bags for the event. Volunteers interested can visit the CUinFP website.

Commissioner Steinbach announced that the Village has approximately 5,200 paver bricks for sale for \$1.00 per brick. She recommended that interested parties check the Village website or the Review newspaper for more information.

Mayor Calderone discussed the merits of convening in closed session. There is appropriate business for closed session and asked for input from the Village Council whether closed session items should remain closed. Mayor Calderone further stated that on May 22 personnel issues were discussed including information on reviews and payroll recommendations. Each commissioner received clearly marked confidential information. He is concerned because someone released, either verbally or in writing, that confidential information and the Mayor requested feedback on 1) what public policy is achieved and how is the public best served by doing so and 2) how does this help or hurt Village Administrator, Mike Sturino, to interact with his staff. Commissioner Hosty stated that the release of this information hurts the process and continues to happen. He further stated that this particular release causes animosity between Mr. Sturino and the department heads. Commissioner Gillian stated that he is aware that there is no law stating that the closed information must stay closed, however this incident blind-sided the Village Administrator. The goal was to speak to the individuals before the employees heard on the street. Commissioner Gillian further stated that the Village Administrator was placed in a bad position with staff. He continued that if the council members are willing to divulge confidential personnel information, what is to stop them from talking about Real Estate issues. Commissioner Gillian stated that the best practice should be that the information should be kept closed. Commissioner Steinbach stated that she was out of town on May 22<sup>nd</sup> and that she was not given the evaluations. Commissioner Hosty stated that the information was given out 1 week prior to the May 22<sup>nd</sup> meeting and that is the information that was leaked. Commissioner Doolin stated that the reason why no law exists is because it would violate the spirit of open and transparent government and that the council members should be willing to say anything in open

session and that it should be left up to the individual's judgment. In addition, Commissioner Doolin stated that the closed session information is a public record and the commissioners should take a public position on things. Commissioner Gillian stated that he is not suggesting a new law and does not propose that closed session is a way to have secret meetings, however the elected officials are not supposed to comment on staff appointments, evaluations, discipline, and pay raises as they are confidential. Commissioner Gillian further stated that he does not see where any good judgment was used in this case. Commissioner Hosty stated that the content of the closed session meetings should be secret with regard to real estate transactions in order to save the Village of Forest Park taxpayers money. Mayor Calderone stated that it was not about secrecy, but responsibly treating confidential information. He further stated that he is asking how leaking helped Mike Sturino in evaluating his subordinates and how did it help employees to find out prior to speaking with Mr. Sturino and whether anyone was better served. Commissioner Doolin stated that Mr. Sturino's evaluation process was convoluted, random and arbitrary and further stated that it was like pulling teeth to get the assessments in writing. Commissioner Doolin further stated that the Village Council makes the final decision and he thinks that everyone should be entitled to get information in advance. Mayor Calderone stated that he agreed, however someone leaked clearly marked confidential information and asked the Village Attorney for an opinion whether those discussions are public record. Mike Durkin stated that the closed session discussions are not public records even after final action is taken in open session. Information can be made confidential forever. The law requires a tape recording be made of closed session to prove that the discussions were requisite subjects for closed session; however the tapes can only be listened to by a judge to evaluate whether the discussions qualified for closed session. The tapes can be destroyed after 18 months. In addition, Mr. Durkin stated that the law recognizes that some information should remain confidential however it is not prohibited to be discussed outside the closed session. The public does not have access to the minutes or the tape recordings. He further explained that these minutes are not subject to the Freedom of Information Act. The FOIA also exempts all personnel records. Mayor Calderone stated that the council goes into closed session to discuss pay and benefits for bargaining unit members and asked how negotiations would take place if the information was made public. He further stated that it is disheartening to be on the receiving end of comments by department heads who had many specifics about this confidential document and stated that we shouldn't condone this behavior even though it is not illegal.

It was moved by Commissioner Gillian and seconded by Commissioner Hosty to recess into closed session to set a price for the sale or lease of property owned by the public body and to consider the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body.

**MOTION TO RECESS INTO CLOSED  
SESSION AT 8:15 P.M.  
APPROVED**

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

It was moved by Commissioner Gillian and seconded by Commissioner Steinbach to adjourn closed session and reconvene open session.

**MOTION TO ADJOURN CLOSED  
SESSION AND RECONVENE  
OPEN SESSION AT 8:58 P.M.  
APPROVED**

**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 open meeting and reconvene closed session. Commissioner Steinbach seconded the motion. The motion carried.

Mayor Calderone declared the meeting adjourned at 9:00 P.M.

Respectfully submitted,

Vanessa Moritz  
**Village Clerk**