

**THE REGULAR MEETING OF THE COUNCIL OF THE  
VILLAGE OF FOREST PARK, COOK COUNTY, ILLINOIS  
HELD ON MONDAY EVENING AUGUST 28, 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 Gillian that the minutes from the Regular Council meeting on August 14, 2006 be approved without reading, as everyone has received copies thereof and found same to be correct.

**ROLL CALL:**

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

**ABSTAIN:** Commissioner Steinbach

**ABSENT:** None

The motion carried.

**PUBLIC COMMENT**

Mr. John Plepel of 532 Elgin thanked the ZBA for a good job on their recommendation for the 400-500 blocks of Elgin. He stated that their recommendation has 2 parts: the first being changing the zoning to R-2, the second being the adoption of a 5-tier zoning classification as outlined in the comprehensive plan. Mr. Plepel urged the Village council to consider the R-2 Recommendation and the 5-tier zoning as appropriate for these two blocks as they have double-frontage lots.

Ms. Linda Marianiello of 505 Elgin stated that she is representing herself and her husband, Franz Vote and that they have been through the neighborhood rezoning scenario before in Colorado. She further stated that she and her husband have lived in Forest Park just over a year. She reminded the Council that the decision they make will have a big effect on future decisions. She further urged the Council to consider rezoning the 400-500 blocks of Elgin R-2 as well as the 5-tier zoning per the Village's comprehensive plan. She stated that it would be better for everyone not just those two blocks. Mayor Calderone explained that the Council will not be voting or taking any official action at this meeting but will have information and a discussion.

**COMMUNICATIONS:**

Mayor Calderone stated that there are no communications listed on the meeting agenda, but requested approval for the Centennial Committee to present an update. There were no objections from the Council.

Mr. Maurice Sivek of 611 Harlem addressed the Council as well as passed out an outline of the plans of the Centennial Committee. He explained that after two meetings, they have compiled a plan of action. The committee is planning several events to educate and celebrate the history of

Forest Park. Mr. Sivek then reviewed the outline of the plan. Mr. Bud Boy addressed the Council as the chair of the "Elephant" committee. The committee is running a promotion for local businesses and residents to sponsor an elephant, which will be decorated and displayed around town to raise money to pay for the events of the celebration. Sandra Boy spoke as the chair of the fundraising committee. She stated that they are in the process of compiling a collectible handbook and an ad book. She stated that they are planning to distribute 10,000 of the handbooks over 5 months. There will be input from the Historical Society as well. The goal is to raise \$20,000.00 for the Centennial Committee and stated that they secured the headline sponsor today. Maureen Booth was recognized for her donation of graphic arts and production. Mayor Calderone expressed his gratitude to the committee members.

### **DEPARTMENT REPORTS:**

The Community Center and the Department of Public Health and Safety submitted their June and July reports.

### **APPROVAL OF BILLS**

It was moved by Commissioner Hosty 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 \$568,485.80.

**R-42-06  
RESOLUTION FOR THE  
PAYMENT OF BILLS IN THE  
AMOUNT OF \$568,485.80  
APPROVED**

### **ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

### **UNFINISHED BUSINESS**

None

### **NEW BUSINESS**

Mayor Calderone stated that the first order of new business was an ordinance regarding a referendum requested by the Library. He explained that action was taken at a prior Council meeting, however the Library's attorney asked for a change. It was moved by Commissioner Gillian and seconded by Commissioner Hosty that the Ordinance authorizing the submission of a public question by referendum to the

**O-48-06  
ORDINANCE AUTHORIZING  
SUBMISSION OF PUBLIC  
QUESTION ON NOVEMBER  
7, 2006 BALLOT  
APPROVED**

electors of the Village of Forest Park at the general election scheduled for November 7, 2006, to increase the limiting rate under the Illinois Property Tax Extension Limitation Law for the Library funds of the Village of Forest Park, Cook County, Illinois, by an additional amount equal to 0.150% above the limiting rate for levy year 2005 and be equal to 0.346% of the equalized assessed value of the taxable property therein for levy years 2006, 2007, 2008, and 2009 be adopted.

Commissioner Steinbach asked Village Attorney, Michael Durkin, to give a short explanation of what this is and how it is different from the ordinance previously approved. Mr. Durkin stated that the wording for the years in the ordinance was changed and there is additional information as to the cost to the average homeowner of a home with an assessed value \$100,000.00 as dictated by recent legislation. He further stated that the Village Council adopted the Library's language and that the Library asked for additional language. Mr. Durkin explained that there is no change in the question, however the prior ordinance is rescinded by this ordinance. Last, Mr. Durkin stated that this ordinance would be filed with the Cook County Clerk to be placed on the November ballot.

**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 to appoint Mr. Rory Hoskins to the Traffic & Safety Commission.

**MR. RORY HOSKINS  
APPOINTED TO TRAFFIC &  
SAFETY COMMISSION**

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

Mayor Calderone introduced Mr. Hoskins and thanked him for volunteering for the committee.

Mayor Calderone stated that the Council has before them a decision about offering an Early Retirement Incentive (ERI) for employees who are members of the Illinois Municipal Retirement Fund (IMRF). If adopted, the plan opens a window of one year for eligible employees to retire. Employees are not obligated to disclose their intentions in advance. There is significant benefit not only to the employee, but to the Village of Forest Park, who will need to reexamine the work force

**DISCUSSION ABOUT  
ADOPTION OF EARLY  
RETIREMENT INCENTIVE  
PLAN FOR ELIGIBLE  
EMPLOYEES CONNECTED  
WITH THE ADOPTION OF A  
HIRING FREEZE**

To determine whether to replace positions. The savings will only be realized if the retired positions are either not replaced or replaced at a substantially reduced rate of pay. Commissioner Hosty suggested that the Council discuss hiring in closed session before they pass a motion. Mayor Calderone stated that he recommends that the issue be brought back at the next council meeting along with the establishment of a hiring freeze or budget amendment. Mayor Calderone suggested that staff be prepared to introduce an ordinance to implement a conditional hiring freeze and include measures regarding budgeting. Commissioner Steinbach asked whether retirees are able to stay on the Village's group health insurance plan. Mayor Calderone stated that all retirees have the option to stay on the plan, however the individual must pay 100% of the premium. Commissioner Doolin pointed out the fact that the implementation of the ERI could potentially cut the Building and Clerk's departments in half, which is not practical. Commissioner Steinbach stated that the rationale is to give authority to the Village Council to control filling positions as necessary. Absent that, the salaries are in the budget and the various commissioners would be able to fill the positions without Council action. There was a consensus to address these two issues at the next council meeting.

It was moved by Commissioner Hosty and seconded by Commissioner Doolin to direct the Village Attorney to prepare an ordinance regarding ZBA 2006-16 authorizing approval of a variation from Section 9-3A-3B of the Zoning Code to permit 44.13% lot coverage and approval to alter a legal non-conforming single-family residence, which property has a nonconforming west side yard of .51 feet and an east side yard of 2.35 feet when 3 feet is required for each side yard, to allow for the construction of a second story addition and alteration of the front and rear porches for the property located at 7630 Monroe Street, in an R-1 Low Density Residential District.

**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 Doolin to direct the Village Attorney to prepare an ordinance regarding ZBA 2006-23 amending the text of the Zoning Ordinance to identify and provide for group day care homes as a conditional use in the R-1 Low Density Residential District, as recommended by the Zoning Board of Appeals. Mayor Calderone explained that this motion is not for a specific address, but changes the zoning to allow for a day

**MOTION TO DIRECT  
VILLAGE ATTORNEY TO  
PREPARE ORDINANCE RE:  
ZBA 2006-16 ALLOWING  
44.13% LOT COVERAGE  
FOR 7630 MONROE  
STREET  
APPROVED**

**MOTION TO DIRECT  
VILLAGE ATTORNEY TO  
PREPARE ORDINANCE RE:  
ZBA 2006-23 ALLOWING  
GROUP DAY CARE HOMES  
AS CONDITIONAL USE IN  
R-1 ZONING DISTRICT  
APPROVED**

care as conditional use in R-1. Commissioner Doolin asked why the recommendation is for R-1 rather than R-2. Jo Ellen Charlton stated that in this case, the applicant requested for R-1 and that is what was evaluated. Commissioner Doolin asked whether it would hold up in court if the use was approved in R-2 or R-3. Village Attorney, Michael Durkin, stated that the Village is required to allow small day cares in single-family homes in a residential district. Approving as a conditional use would require a hearing and notice to the surrounding property owners. In addition, Mr. Durkin stated that because the day care would require state licensure, we need to allow the use as a conditional use. Jo Ellen Charlton pointed out that this use would be permitted as a home occupation as long as all caregivers are family members who live in the home. She further stated that this use is not allowed in any zoning district and that would not hold water in court as demonstrated by a case in Olympia Fields. Attorney Durkin stated that the Council can approve this conditional use with criteria to satisfy the Council and Villages best interests. Those criteria could be 1) must be licensed by the State of Illinois, 2) Designate the Drop off zones, etc. These criteria would allow more control by the Village. Mr. Durkin also recommended that the Council look at group homes sometime down the road because it is not currently addressed in the Zoning Code and if the use is not permitted somewhere, the use will be allowed anywhere. Commissioner Steinbach stated that we should address all the possibilities of residential group homes as we currently have some in Forest Park. Mayor Calderone stated that maybe we should consider group day care homes as a conditional use in any residential district. Mr. Durkin stated that those concerns could be addressed by the conditional use hearing process.

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** None

The motion carried unanimously.

Mayor Calderone announced that the next order of business was to discuss the Zoning Map Amendment for the east side of the 400-500 blocks of Elgin from R-3 to R2 as recommended by the Zoning Board of Appeals. Mayor Calderone further stated that as mentioned earlier, this speaks to the 5-tier zoning code for the long term and he did not know whether that would satisfy the residents of the 4-500 block of Elgin. Staff recognized the complexity of changing to a 5-tier zoning and has provided a preliminary analysis to determine the elements involved. Village Administrator, Michael Sturino, stated that when this issue was first raised, there was a memo to the Village Council by staff stating that they had no opinion

**DISCUSSION RE: ZBA  
2006-21 AMENDING  
ZONING MAP TO CHANGE  
ZONING ON EAST SIDE OF  
400-500 BLOCKS ELGIN  
AVENUE TO AN R-2  
MEDIUM DENSITY  
RESIDENTIAL DISTRICT**

as to the appropriateness.  
There was a public hearing

and some of the affected property owners attended. Mr. Sturino further stated that as a side note, at some point, multi family buildings were dropped completely as an approved use in any zoning district. Jo Ellen Charlton added that Multi family is not specifically listed as a permitted or conditional use and that it may have been removed from the list of uses, however it is referred to in the bulk requirements and definitions. We are not sure how this occurred. Commissioner Gillian stated that the implementing a 5-tier zoning plan would require a block-by-block analysis. Jo Ellen Charlton stated that staff would look at all properties and uses and compare them to the comprehensive plan in place. Commissioner Gillian stated that it would take a lot of time and money to implement and asked whether it would be implement in sections. Attorney Durkin stated that notice is only required for affected parties. He further explained that if generally the zoning map can be amended if not arbitrary and capricious – existing properties would be grandfathered in. If this area is changed from R-3 to R-2, it would be a less intensive use. Jo Ellen Charlton stated that R-2 permits town home development with a 30' high limit. It would be the same density and use, but not as high as allowed in R-3. Mr. Durkin stated that R-3 zoning would allow multi family use even though it is not in the zoning code. Mr. Sturino stated that something happened between 1987 and 1991 with the language in the R-3 district. Mr. Durkin stated that the Village must allow multi-family use somewhere in their code and that the logical place would be in R-3. Mayor Calderone stated that this discussion was intended to initiate a thinking process. He further stated that we have an 1800's community with 1950s zoning code. Almost every block has a problematic mix of properties. Mr. Durkin stated that there are two tasks necessary to go to the 5-tier zoning... 1) to draft the text and 2) amend the zoning map. The process is complicated further with mixed uses on the same block and applying even a 5-tier system would be hard. Commissioner Doolin stated that the Village should revert to the comprehensive plan. He further stated that the comprehensive plan tells the council what to do with this issue and suggests that since this area is considered a gateway near public transportation, we need to move forward with R-2 zoning. Commissioner Doolin continued that the 5-tier plan is not practical to implement now for this property. In addition, Commissioner Doolin requested to be informed of the proposed plan for this particular property before the next council meeting. Commissioner Doolin pointed out that there would be 28% non conforming properties on these blocks if changed to R-1 and similar percentage for R-2 and asked whether that would be an acceptable number. Mr. Durkin stated that typically would not be acceptable. Commissioner Doolin stated that these facts make the developers plan that much more important. Mr. Sturino stated that the current

Plans would be distributed before the next council meeting. Commissioner Gillian requested an analysis of the steps to the process of changing to a 5-tier zoning system to see how that would work out. Mayor Calderone stated that most significantly, staff was trying to get some direction from the Village Council and the 5-tier zoning would be a long-term process. Jo Ellen Charlton stated that if the Council wishes to change the zoning to R-2 they need to go through the process and treat this as a discussion and the next meeting as the first reading to refer to the attorney for drafting an ordinance and then the ordinance would be passed at the following meeting. A straw poll was held and the Council wishes to change the zoning to R-2.

**ADMINISTRATOR’S REPORT**

No Report

**COMMISSIONER’S REPORTS**

No Reports

**ADJOURNMENT**

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

Mayor Calderone declared the meeting adjourned at 8:47 P.M.

Respectfully submitted,

Vanessa Moritz  
**Village Clerk**