

**THE REGULAR MEETING OF THE COUNCIL OF THE
VILLAGE OF FOREST PARK, COOK COUNTY, ILLINOIS
HELD ON TUESDAY EVENING OCTOBER 10, 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. Mayor Calderone stated that Mr. Tom Bastian of the Law Firm Storino, Ramello and Durkin is filling in for Village Attorney Michael Durkin this evening.

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

It was moved by Commissioner Hosty and seconded by Commissioner Doolin that the minutes from the Regular Council meeting on September 25, 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.

PUBLIC COMMENT

None

COMMUNICATIONS:

None

DEPARTMENT REPORTS:

The Finance Department and the Health and Safety Department submitted their September reports.

APPROVAL OF BILLS

It was moved by Commissioner Hosty and seconded by Commissioner Gillian 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

**R-49-06
RESOLUTION FOR THE
PAYMENT OF BILLS IN THE
AMOUNT OF \$252,996.71
APPROVED**

correct and recommends payment when funds are available.
The bills totaled \$252,996.71.

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Steinbach
and Mayor Calderone

NAYS: Commissioner Doolin

ABSENT: None

The motion carried.

UNFINISHED BUSINESS

None

NEW BUSINESS

It was moved by Commissioner Gillian and seconded by Commissioner Hosty that the Ordinance granting a variation to construct a single-family home re: ZBA 2006-19 for 108 Rockford be adopted. Commissioner Steinbach stated that she received an email regarding deplorable conditions at 108 Rockford and asked for assurance that the developer will clean up the property and that the Building Department will follow up to ensure continued safe conditions. Commissioner Doolin stated that he also received the email and he spoke to the developer who stated that the Fire Department may be to blame as he allowed them to use the property for training.

**O-55-06
ORDINANCE GRANTING A
VARIATION FOR 108
ROCKFORD
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 Ordinance granting a variation to Section 9-3A-4A to permit the construction of a carport pursuant to the Zoning Ordinance re: ZBA 2006-24 for 7659 Monroe be adopted.

**O-56-06
ORDINANCE GRANTING A
VARIATION FOR 7659
MONROE
APPROVED**

ROLL CALL:

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

NAYS: None

ABSENT: None

The motion carried unanimously.

**O-57-06
ORDINANCE AUTHORIZING
A CHANGE TO A NON-
CONFORMING BUILDING
AT 1107 CIRCLE
APPROVED**

It was moved by Commissioner Hosty and seconded by Commissioner Steinbach that the Ordinance authorizing a change to a nonconforming building pursuant to Section 9-9-3 of the Zoning Ordinance re: ZBA 2006-25 for 1107 Circle be adopted.

ROLL CALL:

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

NAYS: None

ABSENT: None

The motion carried unanimously.

**O-58-06
ORDINANCE GRANTING A
VARIATION FOR 608
MARENGO
APPROVED**

It was moved by Commissioner Hosty and seconded by Commissioner Steinbach that the Ordinance granting a variation to Section 9-3A-3B to increase lot coverage, and to Section 9-8-1B(1) to reduce the width of an off-street parking space and to section 9-3A-1 to reduce the side yard area to allow construction of a private garage pursuant to the Zoning Ordinance re: ZBA 2006-27 for 608 Marengo be adopted.

ROLL CALL:

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

NAYS: None

ABSENT: None

The motion carried unanimously.

**O-59-06
ORDINANCE AMENDING
CHAPTER 7 RE: VICIOUS
DOGS
APPROVED**

A discussion ensued pertaining to a proposed ordinance amending Chapter 7 entitled "Animal Control" re: Vicious Dogs. Commissioner Hosty asked whether it would be appropriate to approve the proposed ordinance if the Council is so inclined. Mr. Bastian stated that it would be allowed. Commissioner Gillian asked Mr. Bastian to explain and summarize the proposed ordinance. Mr. Bastian stated that this ordinance is an outgrowth of an amended state statute from August 2005 with regard to unprovoked attacks by certain dogs. It gives the local municipality the ability to amend their dog ordinance. The ordinance would deem a dog to be dangerous if it bites without provocation and without serious injury. There are exceptions if the dog is on its own property. The vicious dog designation would apply if a dog attacks unprovoked and inflicts serious injury or death. The ordinance also allows for the appointment of a local administrator who will do a thorough investigation if a complaint is received. Once a dog is designated as vicious or dangerous, there are restrictions on containing the dog in specified enclosure on the property of the owner with the exception of veterinarian visits. If the owner is non-compliant, it is possible for the dog to be impounded or euthanized in addition to criminal penalties to the owner for intentional violations. The fines are different for

Different locations and can range from \$250 for the first offense to \$1,000.00. Commissioner Gillian asked whether this ordinance applies to specific breeds of dogs. Mr. Bastian stated that it is prohibited to designate certain breeds as dangerous or vicious. Commissioner Gillian asked whether criminal penalties could be imposed upon the owner if the dog injures or kills a person once it is designated as dangerous or vicious. Mr. Bastian stated that State and Local law allow for the owner to be charged with class 4 felonies. Commissioner Hosty asked whether this ordinance would apply retroactively to current or past cases. Mr. Bastian stated that the ordinance would be in effect as of 10 days after publication.

Commissioner Steinbach stated that the registration form included for discussion does not specify the fee and wondered whether this registration is the same as the regular dog registration fee. Mr. Bastian stated that this registration fee would be a special license fee that would be set by the Village to cover the cost of administering the ordinance. This fee cannot be revenue raising or penal in nature. Mr. Sturino stated that the fee could be specified in the fee schedule by amending the schedule. Commissioner Doolin asked who would look into the cost of administering the ordinance and setting the fee. Mayor Calderone stated that the Village Administrator would work with staff to determine an appropriate fee. It was moved by Commissioner Gillian and seconded by Commissioner Steinbach to approve the Ordinance amending Chapter 7 entitled "Animal Control" re: Vicious Dogs and to amend the fee schedule once staff makes a recommendation.

ROLL CALL:

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

NAYS: None

ABSENT: None

The motion carried unanimously.

Mayor Calderone stated that the next item on the agenda is a motion for an ordinance for 233 Desplaines. He further stated that the staff recommendation was illustrated on the motion. It was moved by Commissioner Hosty and seconded by Commissioner Gillian to direct the Village Attorney to prepare an ordinance regarding ZBA 2006-14/PC 2006-10, approving a variation of Section 9-3B-3B3 to authorize 7 townhome units instead of 6; approving two variations of Section 9-3B-3A to allow the construction of townhomes that are 3 stories in height instead of 2.5 stories and to increase the maximum height from 35' to 43'8"; and approving a variation from Section 9-7-5E2, in order to reduce the number of required shade trees on the subject property, and to approve the Site Plan, subject to the following conditions:

**MOTION TO DIRECT
ATTORNEY TO DRAFT
AN ORDINANCE RE:
ZBA 2006-14 AND PC
2006-10 FOR 233
DESPLAINES
APPROVED**

1. Engineering plans shall be revised per the Village Engineer's requirements, to be forwarded under separate cover and per the "Required Changes" enumerated in the October 5, 2006 staff report memo from Jo Ellen Charlton to Michael Sturino.
2. The developer shall provide a completed Plat of Subdivision petition to create a one-lot townhome subdivision prior to the issuance of any building permit for this property. The Plat of Subdivision must be approved and executed before any certificate of occupancy will be granted. The Plat of Subdivision shall include a public access easement over the proposed sidewalk areas. If necessary, the developer shall be required to obtain construction easements for any work obtained on adjoining private property.
3. The façade along Desplaines shall be redesigned so that it appears more as a front façade, including the relocation of the front door of the unit from the north elevation to the east elevation.
4. The stairwell on the eastern unit should be pitched back from the Desplaines property line to de-emphasize that feature.
5. In lieu of the corrugated metal panels along the west elevation, glass block shall be used below the top level.
6. Lighting levels shall be enhanced along the sidewalk to improve pedestrian safety.

ROLL CALL:

AYES: Commissioners Gillian and Hosty and Mayor Calderone

NAYS: Commissioners Doolin and Steinbach

ABSENT: None

The motion carried.

It was moved by Commissioner Hosty and seconded by Commissioner Steinbach to set Trick-or-Treat hours on October 31, 2006 from 3:00 p.m. to 7:30 p.m.

MOTION TO SET TRICK-OR-TREAT HOURS FOR 3:00 TO 7:30 P.M. ON OCTOBER 31, 2006 APPROVED

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

None

ADJOURNMENT

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

Mayor Calderone declared the meeting adjourned at 7:24 P.M.

Respectfully submitted,

Vanessa Moritz
Village Clerk