

**THE REGULAR MEETING OF THE COUNCIL OF THE
VILLAGE OF FOREST PARK, COOK COUNTY, ILLINOIS
HELD ON TUESDAY EVENING NOVEMBER 13, 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 Doolin and seconded by Commissioner Hosty that the minutes from the Regular Council meeting on October 23, 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

Mr. Richard Scafidi of 815 Marengo and a member of the Zoning Board of Appeals stated that the Village Council approved a site plan for 233 Desplaines on staff recommendation. Mr. Scafidi stated that the staff recommendation did not include the ZBA or Plan Commission recommendations. Mr. Scafidi suggested that the Council reconsider their decision because it was not per the recommendations of the Zoning Board of Appeals or the Plan Commission.

Ms. Patty McKenna of 419 Thomas stated that she is the owner of one property that is under consideration by the Village Council and asked why she was not notified that her property was listed on the agenda. She further stated that she has lived at this address for 13 years and she loves Forest Park and her home. Her home is 115 years old and has historic value and memories. She stated that she has a long term financial plan and that starting over now would financial capsize her. She asked that the council remember that her house is not a lifeless structure, but a home. She further suggested that the council put themselves in her shoes. She stated that she received a letter from the Mayor thanking her for taking pride in her home. She said that she does take pride in her home and would like to keep it.

Mr. Maneesh Kumar of 417 Thomas stated that his family has lived at this address for 26 years. They have lived and worked in this community and are rooted here. He further stated that they do not want to lose the property that they have. The family has plans to improve the property. He asked the Council not to take their property.

COMMUNICATIONS:

None

DEPARTMENT REPORTS:

The Finance Department and the Police Departments submitted their October 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 correct and recommends payment when funds are available. The bills totaled \$1,190,414.32.

**R-51-06
RESOLUTION FOR THE
PAYMENT OF BILLS IN THE
AMOUNT OF \$1,190,414.32
APPROVED**

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 Hosty and seconded by Commissioner Gillian to approve the grant agreement between the Illinois State Board of Education and the Village of Forest Park/Forest Park Police Department, for a grant in the amount of \$50,000.00, and hereby authorize and direct the Chief of Police of the Village of Forest Park to execute said agreement on behalf of the Village of Forest Park. Commissioner Steinbach asked whether there are any matching funds required from the Village. Mr. Durkin stated that there are no matching funds required.

**INTERGOVERNMENTAL
GRANT AGREEMENT WITH
ILLINOIS STATE BOARD
OF EDUCATION IN THE
AMOUNT OF \$50,000.00
APPROVED**

ROLL CALL:

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

NAYS: None

ABSENT: None

The motion carried unanimously.

Mayor Calderone introduced Village Administrator Michael Sturino and Village Planning Consultant, Jo Ellen Charlton, AICP to present a downtown parking study. Mr. Sturino stated that he was going to discuss the downtown Madison Street area and the perceived lack of parking. The parking issue has been raised on several levels: The comprehensive plan, the Business Improvement Meetings and a Study completed by R.H. Anderson and Associates. He further explained that R.H. Anderson and Associates was hired to complete a study that included an inventory of available parking near Madison Street, the usage and turnover of those parking spaces and the net parking demand. It was determined that the net parking demand is a deficit of 158 parking spaces. The most acute demand is the area near Circle and Madison with a shortage of 26 spaces and the Thomas/Beloit and Madison area with a shortage of 32 spaces. Ms. Charlton explained that the study uses 600 feet as the maximum distance a consumer is willing to park from their destination. To accommodate 158 spaces, we will need three locations, possibly 2 if positioned appropriately. Mr. Sturino stated that the objective was to be measured, prudent with minimal impact to the tax base and to be minimally disruptive as possible. Of the two types of parking (structure vs. surface), surface parking is the most economical at approximately \$25,000 per space on newly acquired property as opposed to \$90,000 per space on existing Village parking lots. The staff recommendations will be required to go before the Plan Commission before acquisition of the properties. Ms. Charlton introduced the plan to acquire 4 parcels north of the existing parking at the northwest corner of Circle and Madison. This plan would eliminate the two existing curb cuts into the lot and utilize the existing alley for access to the parking. This plan also includes pedestrian amenities and would provide an additional 35 to 40 new spaces. The new park, pay and go technology would be appropriate for this lot and the revenue would contribute to the improvements. Commissioner Steinbach expressed concern that trucks would be required to pass through the parking lot. Ms. Charlton assured Commissioner Steinbach that there would be adequate sight and minimal conflict. Ms. Charlton then presented the plan for the expansion of the Constitution Court parking area. The plan showed an addition of 20 to 25 spaces. The plan would require the acquisition of 2 properties on Thomas and would align with Constitution Court, allowing exit onto Beloit as well. This lot would also be a candidate for the park, pay and go metering system. Ms. Charlton explained that both of these plans are desirable because they are already highly recognized parking areas, they do not take away from Madison Street retail frontage and are in the areas with the highest net parking demand. Commissioner Steinbach asked why they did not consider the vacant Mobil station at Desplaines and Madison. Mr. Sturino explained that

PARKING STUDY PRESENTATION

The comprehensive plan identified this area to maintain

the street wall and retail character. The plan specified that parking be placed behind Madison not on Madison. This site would be most useful as the site of a tax generating retail property. Mr. Sturino further pointed out that Madison Commons added public parking as a part of their plan. Commissioner Steinbach stated that she disagreed with Mr. Sturino because the vacant site would provide parking for addresses west of Desplaines. Mayor Calderone stated that the five elected officials saw this presentation in closed session and had the opportunity to give comments and it was the opinion of the elected officials to fix the deficiency. He further stated that there is no easy fix for this problem. Commissioner Gillian stated that was his understanding as well and asked Village Attorney Michael Durkin to explain the process once the ordinances are passed. Mr. Durkin stated that once the Council approves the ordinances, the Village would obtain appraisals, negotiate with the property owners in good faith, offering no less than the appraised value. If the parties agree, the Village will acquire the properties and move forward. Mr. Durkin further stated that the property owners may realize an income tax benefit for the reinvestment of the proceeds of the sale. If the parties do not agree, the Village will file suit to acquire at the Council's direction. A jury will make a determination of the fair market value and verify that the proposed use is a public purpose. Mr. Durkin further stated that the entire process could take from 18 months to 2 years for a jury trial. Commissioner Steinbach asked how the property owner would be compensated for incidental costs such as higher interest rates and other hardships. Mr. Durkin stated that eminent domain allows a municipality to acquire property for public purpose and that fair compensation or fair market value is determined based upon the testimony of appraisers. Commissioner Doolin stated that he would like to clarify that the initial appraisal sets the minimum offer. It does not mean that the Village cannot negotiate additional costs to accommodate the property owner. In addition, Commissioner Doolin stated that the ordinance does not automatically trigger a condemnation lawsuit. Mr. Durkin confirmed that he would require further council direction in order to file a condemnation suit. Commissioner Steinbach asked why the eminent domain section is included in the ordinance. Mr. Durkin stated that the court requires that you state you intend to use eminent domain to acquire the property if necessary. Commissioner Steinbach asked whether it is possible to write into the ordinance that if negotiations fail, the matter will go back to the Council for further action as she feels it is a heavy handed tactic and not fair to the property owner. Mr. Durkin stated that it is not unfair or misleading to the property owner to think that eminent domain is possible. It is better to be up front with the owner. A suit would not be filed without separate authorization.

Commissioner Doolin stated that some of the homeowners are here and it is rather shocking for them. If we could reassure them that we identified a need (not randomly) and at some point an action plan needs to be put into place to minimize disruption and maximize parking. The desire is good faith negotiation. Commissioner Doolin further stated that expanding parking will help the residents as well because the business employees will be able to use off-street parking and the Village can enforce the 2 hour parking to alleviate congestion on residential streets. Commissioner Doolin then asked whether the ordinances can require a super-majority for condemnation of the properties. Mr. Durkin stated that the commission form of government states that 3 of 5 sitting members are required to approve this ordinance. In order to increase the required number of votes, the Village would have to pass that by referendum. Mayor Calderone stated that this is a tough task that they have known about since they were elected. They have known about the parking shortage since 1995. This is a very delicate matter and that there is no property to be acquired without upsetting someone. The elected officials all agreed to hire a parking consultant and agreed that a parking structure is not the best answer for Forest Park. There is no way to add parking without acquiring properties. This process doesn't give authority or an open checkbook. Mr. Durkin added that the process would be similar to the current process with the YMCA; they would talk with the property owner and then come back to the Village Council for direction. Mayor Calderone stated that each lot must go to the Plan Commission and the public will have the opportunity to comment before the closing. Resident Patty McKenna suggested that rather than the expansion to the Constitution Court lot, that the Village use the lot behind Charter One. Mayor Calderone stated that the Village looked at that and considered that property. The lots belong to the businesses and condominiums and are not feasible because there is no access to Madison Street from the parking area. Commissioner Steinbach asked whether the owners would be paid in installments. Mr. Durkin answered no. Commissioner Steinbach stated that items 2 through 7 are to be paid from the parking fund. According to Ms. Kovac's report, the parking fund has \$2 million. Commissioner Steinbach did not believe that would be enough money. Mr. Sturino stated that we believe that with the cash on hand and other methods including cash generated we can finance the acquisitions and construction. Discussing the specifics of the financing would be premature at this time. Commissioner Steinbach asked where our capacity to keep borrowing is. Mr. Sturino replied that we are well below our capacity to borrow and the plan considers the operational needs as well. Ms. McKenna stated that she would have liked to have the opportunity to speak with the elected officials other than at the Council meetings. Mr. Durkin pointed out that public comment is before the business

of the Council is done. It used to be at the end of the meeting. Mayor Calderone stated that it might be possible to have a special meeting or public hearing. Commissioner Doolin stated that he would be willing to postpone the decision for two weeks to give the public a chance to contact the elected officials, however we have agreed to move forward on a plan and this is only the beginning of the process. Commissioner Gillian agreed that there is no good way to deliver this news. It is however better to do it in the open. He further stated that he would be agreeable to a public hearing, but they have to make this decision ultimately. Commissioner Hosty stated that the one problem he sees is that four of the elected officials are running for office in a couple months and nobody wants to tick off a resident. He further stated that he thinks it is up to the council to do what the entire village of Forest Park elected them to do... make a tough decision and that tough decision is passing ordinances to begin the process of developing parking in Forest Park and if we don't have the guts to do that in this room, we shouldn't be running on that ballot in April. We should make the tough decisions were elected by the entire community to do tonight and let our hired staff start talking with the impacted people. Mayor Calderone stated that he would support a motion to table the items but only if we set aside up to ½ hour to receive comments from the public at the next council meeting. Commissioner Steinbach stated that she would have liked it if the property owners were notified earlier. Mayor Calderone asked whether Commissioner Steinbach had a suggested plan for notifying owners in the future. Commissioner Steinbach stated that she would rely on Village Administrator Sturino to determine what would be appropriate within the parameters of the law. Commissioner Steinbach then stated that she would like the Council to consider other alternatives such as the expansion of the lot on Circle south of the alley and Marengo south of the alley because there were less owner occupants. Mayor Calderone stated that the Village will still look at those properties as this is just the beginning of the process of eliminating the parking deficit. It was moved by Commissioner Gillian and seconded by Commissioner Steinbach to table items 2 through 9.

ROLL CALL:

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

NAYS: None

ABSENT: None

The motion carried unanimously.

It was moved by Commissioner Doolin and seconded by Commissioner Hosty that the Resolution approving a Water Supply Agreement between the Brookfield-North Riverside Water Commission and Village of Forest Park be adopted.

**MOTION TO TABLE ITEMS
2 THROUGH 9 REGARDING
ACQUISITION OF
PROPERTIES
APPROVED**

**R-52-06
RESOLUTION APPROVING
1 YEAR WATER SUPPLY
AGREEMENT WITH**

**BROOKFIELD-NORTH
RIVERSIDE WATER
COMMISSION
APPROVED**

Commissioner Steinbach stated that we were charging \$0.15; Burke Engineering recommended \$0.33 and the negotiated rate is \$0.22. Commissioner Steinbach asked how the rate affects the projections made earlier this year. Mayor Calderone stated that the \$0.22 equals a 47% increase even though it is less than the engineer's recommendation. This rate was agreed upon for a short term in order to maintain harmony and the ability to exchange ideas over the next year. Commissioner Steinbach asked whether staff could advise what the impact would be. Mr. Sturino stated that he could not say at this moment what was budgeted for this contract.

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 to extend contract number V69DP-5767 between the Village of Forest Park and the Department of Veteran's Affairs to provide fire protection services et al. to Edward J. Hines Jr. Hospital, on the same terms and conditions as set forth in said contract, for a one month period, to expire on December 21, 2006. Mr. Sturino stated that in dealing with the Federal Government, we will probably have another extension. The request for proposal has not been issued by the VA yet. The long-term contract will probably not be settled until late winter/early spring.

**1 MONTH EXTENSION OF
FIRE PROTECTION
AGREEMENT WITH
DEPARTMENT OF
VETERAN'S AFFAIRS
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 to approve that certain Agreement for Access to Geographic Information System between the Village of Forest Park and the cook County Assessor's Office, and hereby authorize and direct the Mayor to execute said agreement on behalf of the Village of Forest Park.

**ACCESS TO GEOGRAPHIC
INFORMATION SYSTEM
AGREEMENT WITH COOK
COUNTY ASSESSOR'S
OFFICE
APPROVED**

ROLL CALL:

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

NAYS: None

ABSENT: None

The motion carried unanimously.

**O-63-06
ORDINANCE AUTHORIZING
A CHANGE TO A NON-
CONFORMING BUILDING
RE: ZAH 2006-09: 631
MARENGO
APPROVED**

It was moved by Commissioner Hosty and seconded by Commissioner Steinbach that the Ordinance authorizing a change to a non-conforming building pursuant to Section 9-9-3A of the Zoning Ordinance of the Village of Forest Park, Cook County, Illinois re: ZAH 2006-09: 631 Marengo 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 Steinbach and seconded by Commissioner Hosty to reject the bid received by the Village of Forest Park for the combined SCADA and Back-Up Generator Bid Package, on the basis that the Village received only one bid, which exceeded the amount budgeted. In addition, I hereby move that the Village re-bid the SCADA portion of the work, using the cellular-based communication component.

**MOTION TO REJECT BID
RECEIVED AND RE-BID
SCADA PROJECT
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 unanimously.

Mayor Calderone declared the meeting adjourned at 8:40 P.M.

Respectfully submitted,

Vanessa Moritz
Village Clerk