

**THE REGULAR MEETING OF THE COUNCIL OF THE
VILLAGE OF FOREST PARK, COOK COUNTY, ILLINOIS
HELD ON MONDAY EVENING JANUARY 22, 2007**

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 Steinbach that the minutes from the Regular Council meeting on January 8, 2007 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. Carl Nyberg of 139 Brown stated that he would like to see smoking in some bars in Forest Park with options for non-smoking in other bars. He also suggested that bar owners provide uniforms or pay for laundering of employee clothing due to allowing patrons to smoke. Mr. Nyberg also commented that there is a \$10,000.00 donation from Christopher Burke Engineering and later in the agenda there are contracts to them being recommended and he felt that was somehow connected.

Mr. Mike Stirk of Christopher Burke Engineering stated that for the record, he is against smoking. He further stated that last year when he heard the Village of Forest Park was turning 100, he wanted to volunteer to help. However, he realized that he did not have time available and asked his company to make a donation to help celebrate Forest Park's Centennial.

COMMUNICATIONS:

Mr. Christopher B. Burke sent a letter and two checks totaling \$10,000.00 to be used towards the upcoming Centennial celebration.

The Park District of Forest Park extended congratulatory wishes on the Centennial Birthday Celebration of the Village and expressing birthday wishes to the entire community with a custom designed billboard at the corner of Desplaines and Harrison.

Ms. Sally Cody, Centennial Ad-Hoc Committee Co-Chair requested, on behalf of the Centennial Committee, to utilize the Village Vehicle Sticker application to solicit donations from the community

in support of the Centennial Fest slated for Labor Day weekend, 2007. Commissioner Hosty asked whether we could maintain the fireworks donations as well. Ms. Cody stated that the Park District voluntarily gave up the opportunity to the Centennial celebration. She further stated that the agreement with the Park District in 2006 was a one-year intergovernmental agreement that is expired. There were no objections by the Village Council and staff was directed to put the check off donation on the Vehicle Sticker applications for 2007.

Ms. Abigail Seiple, Manager of O'Sullivan's Public House requested permission to erect a tent on Marengo sough of Madison on February 3 to provide additional seating for the super bowl on February 4. There were no objections by the Village council and staff was directed to notify Ms. Seiple of the approval. Commissioner Gillian suggested that if further similar requests come in from other businesses for the Super Bowl, they be evaluated by staff and allowed if the Police and Fire departments and staff agree.

DEPARTMENT REPORTS:

The Public Works Department and the Department of Health and Safety submitted their December 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 \$338,297.87.

**R-04-07
RESOLUTION FOR THE
APPROVAL OF BILLS IN
THE AMOUNT OF
\$338,297.87
APPROVED**

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Steinbach
and Mayor Calderone

NAYS: Commissioner Doolin

ABSENT: None

The motion carried.

UNFINISHED BUSINESS

Ms. Jennifer Wolf, Chair of the Recreation Board, made a request to the Village Council for a budget increase for fiscal year 2007/08. Ms. Wolf stated that their priorities are 1) upgrading the fencing, 2) installation of functional art, 3) identifying signage, and 4) landscaping improvements. Ms. Wolf proceeded to distribute photos of sample parks as opposed to the current state of our parks. In addition, she stated that they have many volunteers who are willing to help. Commissioner Doolin asked whether Ms. Wolf had a specific dollar amount that is being requested. Ms. Wolf stated that

**RECREATION BOARD
PRESENTATION
REGARDING BUDGET
REQUEST**

they are still researching costs and will produce a solid budget number soon. Mayor Calderone stated that about 1-1/2 months ago, there was a proposal to replace a chain link fence with another chain link fence. That was the catalyst for this presentation. He further stated that he prefers a non-chain link fence because it is more inviting.

It was moved by Commissioner Gillian and seconded by Commissioner Hosty that the Ordinance authorizing and approving the purchase of real property by the Village of Forest Park, County of Cook, State of Illinois re: 1000 Beloit Avenue and 7440 Harvard, Forest Park, Illinois be adopted. Mayor Calderone stated that 2 meetings ago, it was agreed to negotiate the purchase of this property and the contract will be valid upon approval by the Village council. Commissioner Doolin pointed out that the approval was a 3:2 vote and restated his previous objections to acquiring this property for a police sub-station and stated that it would not be a prudent expenditure because it is not quantified. Commissioner Doolin stated that there are no plans or justification and he would like to see the cost of the sub-station. Commissioner Doolin further stated that the vacant lot at 1100 Lathrop could be used for a fraction of the cost. Commissioner Steinbach asked whether the use could be for purposes other than a sub station and where the funding is coming from. Village Attorney, Durkin stated that the property could be used for any public purpose. Finance Director, Judy Kovacs, stated that the Village sold the Ark on Madison for approximately \$350,000.00 that was put in cash reserves in anticipation of purchasing property of another sort. Commissioner Doolin asked whether the losses realized by the Ark were considered. Ms. Kovacs stated that any losses were accounted as part of the losses for the year realized and were not accounted for separately. Commissioner Gillian stated that the original purchase price for the Ark property was around \$325,000.00. Commissioner Steinbach asked where the Village reserves stand. Ms. Kovacs stated that they are \$3.3 million in total unrestricted funds. Commissioner Steinbach stated that there are no costs stated for developing the sub station. Mayor Calderone stated that the plan is not completed yet and those plans will be at the desire of the Council. The work will most likely be addressed in the next fiscal year budget. Commissioner Steinbach stated that we would be purchasing this property without knowing exactly what we are doing and that is not prudent, efficient or well thought out. Commissioner Hosty stated that in the last eight years, the Village has purchased several properties with no long term plans such as the grocery store adjacent to Village Hall, the property that is now Village Hall employee parking, Altenheim (which will provide a profit of about \$800,000 as well as allowing the Village to retain the property they desire). Acquiring this property is the right thing and a good opportunity. In addition, Commissioner Hosty

**O-04-07
ORDINANCE AUTHORIZING
PURCHASE OF REAL
PROPERTY AT 1000
BELOIT AND 7440
HARVARD
APPROVED**

stated that the last time long term goals were defined for parking Commissioners Doolin and Steinbach voted against paying the appraisal bills because it was done in advance. Commissioner Hosty asked the Council to show vision when we have the opportunity and responsibility to act. Commissioner Steinbach stated that if the property has code violations, why not work with the owner to bring it up to code. Commissioner Gillian stated that he would like the Village Administrator to research the possibility of financing the \$330,000 so as not to cut into the reserves. Commissioner Gillian expressed his opinion that long-term finances should be spread over a period of time. Commissioner Steinbach pointed out that if we finance the purchase, it increases the overall expense.

ROLL CALL:

AYES: Commissioners Gillian, Hosty,
and Mayor Calderone

NAYS: Commissioners Doolin and Steinbach

ABSENT: None

The motion carried.

It was moved by Commissioner Hosty and seconded by Commissioner Doolin that the Ordinance granting and permitting a variation in the regulations of the Zoning Ordinance and authorizing preliminary and final plat approval of the Tri-Power Consolidation Plat Village of Forest Park, Cook County, Illinois re: ZBA 2006-30 / PC 2006-11: 1234 Elgin e adopted.

**O-05-07
ORDINANCE GRANTING A
VARIATION IN THE ZONING
ORDINANCE AUTHORIZING
PLAT APPROVAL FOR ZBA
2006-30 / PC 2006-11:
1234 ELGIN AVENUE
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 Gillian that the Ordinance granting and permitting variations in the regulations of the Zoning Ordinance of the Village of Forest Park, Cook County, Illinois re: ZBA 2006-31: 1108 Ferdinand Avenue be adopted.

**O-06-07
ORDINANCE PERMITTING
ZONING VARIATIONS RE:
ZBA 2006-31: 1108
FERDINAND
APPROVED**

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Steinbach
and Mayor Calderone

NAYS: Commissioner Doolin

ABSENT: None

The motion carried.

NEW BUSINESS:

Police Chief Ryan presented Mr. Patrick Cerceo with a Citizen Recognition Award for his active participation in the apprehension of three burglary suspects on December 14, 2006. Mr. Cerceo alerted police and was able to identify the burglary suspects even after being beaten severely by the offenders. Mr. Cerceo was instrumental in the arrest of these three repeat offenders who subsequently confessed to four burglaries in Forest Park. In addition, many of the stolen items were recovered and returned to their owners. Mayor Calderone expressed his gratitude and recognized Mr. Cerceo for his brave and valiant efforts and for standing up to the offenders. Commissioner Gillian asked whether the offenders had received a verdict at court yet. Chief Ryan stated that they were just indicted by the Grand Jury.

**CITIZEN RECOGNITION
AWARD PRESENTED TO
MR. PATRICK CERCEO**

Chief Ryan presented a Unit Citation Award for outstanding team effort to Tactical Officers Ken Gross and Young Lee, Tactical Sergeant Mike Keating, Officer Pat Tierney and Detectives Pete Morrissette and Scott Frey for identifying and apprehending a suspect involved in several residential burglaries near 1000 Beloit. Sgt. Keating developed a pin map and researched known offenders. Sgt. Keating, knowing a resident of 1000 Beloit was on parole for burglary to auto, spent two days of surveillance with Officers Lee and Gross until January 11, when the suspect broke into an apartment. The team took this person into custody, recovered stolen items, and obtained a confession from the offender.

**UNIT CITATION AWARD
PRESENTED TO TACTICAL
OFFICERS KEN GROSS
AND YOUNG LEE,
TACTICAL SERGEANT
MICHAEL KEATING ,
OFFICER PATRICK
TIERNEY AND DETECTIVES
PETE MORRISSETTE AND
SCOTT FREY**

It was moved by Commissioner Steinbach and seconded by Commissioner Hosty that the resolution honoring Mr. Terry Uidl upon his retirement from the Village of Forest Park be adopted.

**R-05-07
RESOLUTION HONORING
MR. TERRY UIDL UPON HIS
RETIREMENT
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 Gillian to authorize and approve execution, pursuant to Section 1-8A-3E of the Code of the Village of Forest Park, of that certain Preliminary Engineering Services Agreement for Federal Participation, between Christopher B. Burke Engineering, Ltd., as Consultant (Engineer) and the Village of Forest Park, regarding the Harvard Avenue Rehabilitation/Reconstruction Project, as described in said Agreement, and hereby authorize and direct the Mayor and the Village Clerk to execute and attest, respectively, said

**MOTION AUTHORIZING
ENGINEERING SERVICES
AGREEMENT WITH
CHRISTOPHER B. BURKE
ENGINEERING, LTD RE:
HARVARD AVENUE
REHAB/RECONSTRUCTION
PROJECT
APPROVED**

Agreement. Commissioner Steinbach asked whether the scope of work for this agreement is identical to the Jackson project, and if so, why is it more costly for Harvard than Jackson. Mr. Mike Stirk of CBBEL stated that more traffic calming and urban design measures are being included. Mr. Stirk further stated that there is a \$2.2 million STP for Jackson and that the Harvard project has an \$800,000.00 grant through the Federal government and that we must design the project to fit the budget. That project will be paid for by 80% Federal Funding and 20% by the Village. Commissioner Steinbach asked whether the left over VIP funding would be used for these projects. Mr. Stirk stated that it was his understanding that the sales tax revenue would cover this project in the long run.

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 authorize and approve execution, pursuant to Section 1-8A-3E of the Code of the Village of Forest Park, of that certain Preliminary Engineering Services Agreement for Federal Participation, between Christopher B. Burke Engineering, Ltd., as Consultant (Engineer) and the Village of Forest Park, regarding the Jackson Boulevard Rehabilitation/Reconstruction Project, as described in said Agreement, and hereby authorize and direct the Mayor and the Village Clerk to execute and attest, respectively, said Agreement.

**MOTION AUTHORIZING
ENGINEERING SERVICES
AGREEMENT WITH
CHRISTOPHER B. BURKE
ENGINEERING, LTD RE:
JACKSON BOULEVARD
REHAB/RECONSTRUCTION
PROJECT
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 Doolin and seconded by Commissioner Steinbach to approve the Cook County Smoking Ordinance as written.

**MOTION TO ADOPT AND
APPROVE COOK COUNTY
SMOKING BAN:
FAILED**

ROLL CALL:

AYES: Commissioners Doolin and Steinbach

NAYS: Commissioners Gillian, Hosty and Mayor Calderone

ABSENT: None

The motion failed.

**O-07-07
ORDINANCE
ESTABLISHING SMOKING
REGULATIONS WITHIN
THE VILLAGE OF FOREST
PARK:
APPROVED**

It was moved by Commissioner Gillian and seconded by Commissioner Hosty that the Ordinance Establishing Smoking Regulations within the Village of Forest Park, Cook County, Illinois be adopted. Commissioner Steinbach noted that the proposed Ordinance contains a sunset provision in case the State passes a Statewide Law. She further stated that the Local Municipality could provide an ordinance that supercedes the State law as long as it is not less restrictive.

Commissioner Steinbach asked whether the County Ordinance would be in effect if the State does not pass a law and the Village Ordinance expires. Mayor Calderone stated that in the event that the State law fails, the Village Council can readdress the issue. Village Attorney, Michael Durkin stated that if on January 1, 2008 there is no state law, then the Cook County law would control. He further stated that we would know before January 1, 2008 in time to pass a local ordinance. Commissioner Steinbach asked whether the current state clean air act specifies the space to be provided for non-smokers. Mr. Durkin responded "no." Commissioner Steinbach stated that Oak Park does not allow smoking anywhere and the owner of Papaspiros, who was the most vocal opponent of the ban, reported that not only did his business not suffer, it improved. Al's Grill in Oak Park reported the same results and therefore the economic argument does not seem to hold true. Mayor Calderone stated that this is a touchy issue and his initial thought was to hold public hearings. Then if we did adopt a modified ordinance and the State enacted a law, we would have done the Ordinance for naught. Commissioner Gillian stated that it is likely that the State will enact a law. He further stated that while researching the subject, he discovered statistics that support both sides. In addition, Commissioner Gillian stated that 3 communities recently lifted their no smoking bans for the NFL playoffs. Commissioner Gillian further stated that he thought it seemed reasonable to let the state decide and do their job and the Village Council can adopt further action if needed.

Commissioner Doolin stated that we should not punt this issue back down to Springfield. This is a preventable health issue and the Village Council should regulate, as they are able when the dangers are so apparent. Commissioner Doolin further stated that it is a disservice to Forest Park by not implementing the Cook County ban. He then requested the Village council to support the Cook County smoking ban. Commissioner Steinbach stated that if the Village Council does not pass the Ordinance before them tonight, the Cook County Ban will be in effect automatically on March 15, 2007.

ROLL CALL:

AYES: Commissioners Gillian, and Mayor Calderone

NAYS: Commissioners Doolin and Steinbach

ABSENT: None

The motion carried.

It was moved by Commissioner Steinbach and seconded by Commissioner Hosty to waive the provisions of Section 1-8A-3D of the Code of the Village of Forest Park to obtain three (3) written proposals, and authorize the purchase of an F450 4x2 chassis pursuant to the State Purchasing Program, from Freeway Ford Truck Sales, Lyons, Illinois, in an amount not to exceed \$32,173.00.

**MOTION AUTHORIZING
PURCHASE OF F450 4X2
TRUCK CHASSIS NOT TO
EXCEED \$32,173.00.
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, pursuant to Section 1-8A-3D of the Code of the Village of Forest Park, to authorize the purchase of a dump body hydraulics, snow plow and salt spreader, from Auto Truck Group in an amount not to exceed \$26,485.00.

**MOTION AUTHORIZING
PURCHASE OF DUMP
BODY HYDRAULICS,
SNOW PLOW AND SALT
SPREADER FROM AUTO
TRUCK GROUP NOT TO
EXCEED \$26,485.00.
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, pursuant to Section 1-8A-3D of the Code of the Village of Forest Park, to approve the purchase of furniture for the Village Clerk's office, as specified in the Village Clerk's memorandum dated January 12, 2007, from Arthur P. O'Hara for an amount not to exceed \$19,975.00 for the furniture, and installation of said furniture by Arthur P. O'Hara, at an approximate cost of \$5,000.00.

**MOTION AUTHORIZING
PURCHASE OF FURNITURE
FROM ARTHUR P. O'HARA
NOT TO EXCEED
\$19,975.00 PLUS
INSTALLATION OF
\$5,000.00.
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 Doolin seconded the motion. The motion carried unanimously.

Mayor Calderone declared the meeting adjourned at 8:16 P.M.

Respectfully submitted,

Vanessa Moritz
Village Clerk