



Village of Oak Park

123 Madison Street
Oak Park, Illinois 60302
www.oak-park.us

Meeting Minutes

President and Board of Trustees

Monday, April 17, 2017

6:30 PM

Village Hall

I. Call to Order

Village President Abu-Taleb called the Meeting to order at 6:36 P.M.

II. Roll Call

Present: 5 - Village Trustee Button, Village Trustee Taglia, Mayor Abu-Taleb, Village Trustee Barber, and Village Trustee Lueck

Absent: 2 - Village Trustee Brewer, and Village Trustee Tucker

III. Consideration of Motion to Adjourn to Executive Session to Discuss Litigation.

It was moved by Village Trustee Barber, seconded by Village Trustee Button Ott, to enter into Executive Session pursuant to ILCS 5 120/2(c)(11) - litigation. The motion was approved. The roll call on the vote was as follows:

AYES: 5 - Village Trustee Button, Village Trustee Taglia, Mayor Abu-Taleb, Village Trustee Barber, and Village Trustee Lueck

NAYS: 0

ABSENT: 2 - Village Trustee Brewer, and Village Trustee Tucker

V. Reconvene to Regular Meeting in Council Chambers and Call to Order

The Regular Meeting reconvened at 7:33 P.M.

VI. Roll Call

Present: 6 - Village Trustee Button, Village Trustee Taglia, Mayor Abu-Taleb, Village Trustee Brewer, Village Trustee Barber, and Village Trustee Lueck

Absent: 1 - Village Trustee Tucker

VII. Agenda Approval

It was noted that Item S has been moved from the Consent Agenda to the Regular Agenda.

It was motioned by Village Trustee Button Ott to table Item S. There was a brief discussion regarding the desire for public comment and Trustee input regarding that Item. Village Trustee Button Ott withdrew the motion.

It was moved by Village Trustee Barber, seconded by Village Trustee Brewer to approve the Agenda. A voice vote was taken and the motion was approved.

VIII. Minutes

- A. [MOT 17-168](#) **Motion to Approve Minutes from March 6, 2017 Regular Meeting and March 13, 2017 Special Meeting of the Village Board.**

It was moved by Village Trustee Lueck, seconded by Village Trustee Brewer, to approve the Minutes. A voice vote was taken and the motion was approved.

IX. Non-Agenda Public Comment

Chris Donovan. Mr. Donovan thanked the outgoing elected officials for their service.

Carolyn Sheehan. Ms. Sheehan spoke in favor of preserving Austin Gardens versus building another high rise full of luxury apartments.

Dean Blobaum. Mr. Blobaum spoke in opposition to the Albion Development, which does not add to the architectural richness of Oak Park.

Laurie Wardell. Ms. Wardell also discussed why she was opposed to the Albion Development.

Laura Stamp, representing Austin Guards. Ms. Stamp read a comment on behalf of Adrian Fisher, opposing the Albion Development.

Debra McQueen. Ms. McQueen lives across the street from Austin Gardens and discussed the negative effects of moving forward with the Albion project.

Joshua Klayman. Mr. Klayman commented that public opposition to the Albion Development and others like it has been mounting and noted that Albion's own shade study results in the potential loss of eleven mature trees.

James Robinson-Parran. Mr. Robinson-Parran thanked the outgoing elected officials for their service and congratulated the incoming ones. He reminded residents to continue to be engaged in the community.

X. Proclamation

Patricia Koko. Ms. Koko spoke about Celebrating Seniors week and expressed her appreciation to the Village for recognizing it for so many years.

Village President Abu-Taleb read the Older Americans Month Proclamation aloud.

Kristin Carlson Vogen. Ms. Vogen discussed the second annual Volunteer Meet and Match event.

Village President Abu-Taleb read the Volunteer Day Proclamation aloud.

- B. [ID 17-456](#) **Motion to Approve Various Proclamations for April 17, 2017**

It was moved by Village Trustee Button Ott, seconded by Village Trustee Brewer, that these Proclamations be adopted. A voice vote was taken and the motion was approved.

XI. Village Manager Reports

Village Manager Pavlicek stated that Friday is the first deadline for artists to apply to participate in the Village funded mini mural program. Interested parties can get more information from the Oak Park Area Arts Council. Also, Earth Fest will be celebrated on Saturday at the Public Works building. There will be no Village Board Meeting on Monday, April 24. The next Meeting will be May 1, during which the newly elected public officials will be sworn into office.

XII. Village Board Committees

There was nothing to report.

XIII. Citizen Commission Vacancies

There were no comments.

- C. [ID 17-457](#) Board and Commission Vacancy Report for April 17, 2017.

XIV. Citizen Commission Appointments, Reappointments and Chair Appointments

- D. [MOT 17-166](#) Motion to consent to the Appointment of:
Community Design Commission - Jonathan Kirk, Appoint as Member
Disability Access Commission - Alap Shah, Appoint as Member
Farmers Market Commission - Sandra Novack-Gottshall, Appoint as Chair
Transportation Commission - Roya Basirirad, Appoint as Member

It was moved by Village Trustee Barber, seconded by Village Trustee Brewer, that this Motion be approved. A voice vote was taken and the motion was approved.

XV. Consent Agenda

Approval of the Consent Agenda

It was moved by Village Trustee Lueck, seconded by Village Trustee Brewer, to approve the Items under the Consent Agenda. The motion was approved. by the following vote:

AYES: 6 - Village Trustee Button, Village Trustee Taglia, Mayor Abu-Taleb, Village Trustee Brewer, Village Trustee Barber, and Village Trustee Lueck

NAYS: 0

ABSENT: 1 - Village Trustee Tucker

- E. [RES 17-491](#) A Resolution Approving a Three Year Lease Agreement, Maintenance Agreement and Addendum with Xerox Financial Services LLC for Copier and Printer Equipment at a Cumulative Three Year Cost Not to Exceed \$108,000 and Authorizing Their Execution

This Resolution was adopted.

- F. [RES 17-496](#) A Resolution Approving a Professional Services Agreement with Industrial/Organizational Solutions, Inc. for Fire Department Testing Services in an Amount not to Exceed \$25,985.00 and Authorizing its Execution

This Resolution was adopted.
- G. [RES 17-500](#) A Resolution Approving an Independent Contractor Agreement with Everest Snow Management, Inc. in an Amount not to Exceed \$50,000.00 for the 2017 Parkway Tree Watering Program and Authorizing its Execution

This Resolution was adopted.
- H. [RES 17-501](#) A Resolution Approving an Independent Contractor Agreement with Cerniglia Co. for the Modification of Piping and the Installation of Water Meters for the City of Chicago Water Supply in an Amount Not to Exceed \$28,410.00 and Authorizing its Execution

This Resolution was adopted.
- I. [RES 17-503](#) A Resolution Approving an Independent Contractor Agreement with All Tech Energy, Inc. for the Fleet Shop Electrical and Lighting Upgrade Project at the Public Works Center in an Amount Not to Exceed \$30,539.51 and Authorizing its Execution

This Resolution was adopted.
- J. [RES 17-511](#) A Resolution Authorizing OP South Boulevard LCC to Reconstruct the North-South Public Alley Adjacent to the Development Site located at the Southeast Corner of Harlem Avenue and South Boulevard in an Amount not to Exceed \$102,338.00

This Resolution was adopted.
- K. [RES 17-512](#) A Resolution Authorizing the Brookfield-North Riverside Water Commission to Install Water Main and Sewer Main Improvements on Fillmore Street for the Village of Oak Park in an Amount not to Exceed \$764,440.00

This Resolution was adopted.
- L. [RES 17-515](#) A Resolution Authorizing the Release of Certain Executive Session Minutes

This Resolution was adopted.
- M. [RES 17-517](#) A Resolution Authorizing the Village of Oak Park to Enter Into a Collective Bargaining Agreement and Memorandum of Understanding with the Illinois Fraternal Order of Police Labor Council Representing the Oak Park Lieutenants and Sergeants Association for the Period of January 1, 2017 to December 31, 2019

This Resolution was adopted.

- N. [RES 17-527](#) A Resolution Approving a Memorandum of Agreement Between the Village of Oak Park, Illinois and Local 95 International Association of Fire Fighters, AFL-CIO and Authorizing its Execution

This Resolution was adopted.

- O. [RES 17-524](#) A Resolution Amending Appendix VII ("Appointee Pay Plan Schedule") of the Personnel Manual for the Village of Oak Park

This Resolution was adopted.

- P. [RES 17-497](#) A Resolution Approving a Contract Renewal with ABC Commercial Maintenance Services, Inc. for Custodial Services for Village Hall, Police Department, Public Works Center, Dole Learning Center and Metra Station Through December 31, 2017 for an Amount not to Exceed \$52,800.00 and Authorizing its Execution

This Resolution was adopted.

- Q. [RES 17-520](#) A Resolution Approving a Consultant Services Agreement with Sikich LLP for Accounting and Financial Services in an Amount Not to Exceed \$65,000 and Authorizing its Execution

This Resolution was adopted.

- R. [RES 17-423](#) A Resolution Approving and Adopting Updates to the Village of Oak Park Emergency Operating Plan and Authorizing its Implementation

This Resolution was adopted.

- U. [ORD 17-194](#) An Ordinance Approving a Highway Authority Agreement and an Environmental Indemnity Agreement between Second Century Enterprises, Inc. and the Village of Oak Park for the Property Located at 427 Madison Street and Authorizing their Execution

This Ordinance was adopted.

- V. [RES 17-514](#) A Resolution Approving an Amendment to the Professional Services Agreement with Edwin Hancock Engineering, Co. for Professional Engineering services for Design and Construction Engineering of the 2018 and 2019 Alley Improvements and Authorizing its Execution

This Resolution was adopted.

- W. [RES 17-521](#) A Resolution Approving an Independent Contractor Agreement with Chicagoland Renovations, Inc. for the Village Hall Soundproofing Project in an Amount Not to Exceed \$12,000.00 and Authorizing its Execution

This Resolution was adopted.

- X. [ORD 17-205](#) An Ordinance Amending Chapter 2 ("Administration"), Article 16 ("Emergency Telephone System Board") of the Oak Park Village Code

 This Ordinance was adopted.
- T. [RES 17-525](#) A Resolution Approving an Extension of the Electric Power Supply Contract with Constellation Energy Services, Inc. for the Oak Park Community Choice Aggregation Program at a Projected Rate of 7.179¢/kWh (Standard Power) for Four (4) Months Inclusive of the 0.3¢/kWh Local Fee to Support the Smart City USA or Renewable Energy Projects within the Village and Authorizing its Execution.

 This Resolution was adopted.
- Y. [RES 17-526](#) A Resolution Approving the West Suburban Consolidated Dispatch 9-1-1 System Intergovernmental Cooperation Agreement (IGA) and Authorizing its Execution.

 This Resolution was adopted.
- Z. [ORD 17-197](#) An Ordinance Amending the First Quarter Year, 2017 Annual Budget.

 This Ordinance was adopted.
- AA. [MOT 17-162](#) Motion to Approve the Bills in the Amount of \$3,481,093.90 from February 28, 2017 through April 6, 2017

 This Motion was approved.
- AB. [MOT 17-164](#) A Motion to Approve the February 2017 Monthly Treasurer's Report for All Funds

 This Motion was approved.

XVI. Regular Agenda

- S. [ORD 17-201](#) An Ordinance Amending Chapter 30 ("Special Events"), Article 1 ("General Regulations") of the Oak Park Village Code
- Village Manager Pavlicek stated that the special event procedure was regulated by ordinance in 2010. A Special Event Committee was established at that time, with the Clerk named as chair and issuer of permits. Since that time, events have increased and through discussions with retired Police Chief Tanksley and Chief Ambrose, staff is recommending that issuance of permits be transferred to the Police Chief due to public safety concerns. In addition, from an operational standpoint, they believe this should be handled by the day-to-day staff.
- Village Trustee Barber asked what types of events these are. Village Manager Pavlicek stated these are large events that happen in the public right-of-way, such as the Microbrew Review and Uncork Illinois. They require street closures, re-routing of traffic, etc. Village Trustee Barber asked if this is typically handled by police in other municipalities. She replied that she has seen it handled several different ways.
- James Robinson-Parran. Mr. Robinson-Parran stated that he was going to request that

the Board table this Item.

Vicki Scaman. Ms. Scaman, the newly elected incoming Village Clerk, commented on the timing of this change and that it would remove the duty from the Clerk's Office and task it with the Chief of Police. She felt certain that she and the Chief would collaborate successfully and that this duty should remain in the Clerk's Office.

Village Trustee Lueck commented that additional information regarding events is needed as part of the decision making process.

Village Trustee Barber did not agree with how this ordinance was presented; this is not the kind of transparency that the Board wants to have in the future. He urged the Board to have a broader discussion regarding what they want the role of the Village Clerk to be in Oak Park. The Clerk has traditionally had more responsibility than what is established in State Code. Regardless of the outcome of this particular Item, it is a discussion that needs to occur.

Village Trustee Brewer agreed, adding that it should happen sooner rather than later.

It was moved by Village Trustee Button Ott, seconded by Village Trustee Taglia, that this Ordinance be tabled to a future Meeting. The motion was approved. The roll call on the vote was as follows:

AYES: 6 - Village Trustee Button, Village Trustee Taglia, Mayor Abu-Taleb, Village Trustee Brewer, Village Trustee Barber, and Village Trustee Lueck

NAYS: 0

ABSENT: 1 - Village Trustee Tucker

AC. [ORD 17-187](#) **An Ordinance Approving a First Amendment to the Redevelopment Agreement between the Village of Oak Park and District House LLC (708 Lake Street) and Authorizing its Execution**

Village Manager Pavlicek stated that when the Redevelopment Agreement for District House was approved, there was an understanding that the Village would share in the cost of the streetscape. The discussion regarding what materials would be used was inconclusive. She noted that the completed Vantage Development gives a good visual of what the front of District House will look like. The Village Engineer and staff have completed that work and the agreement is being amended to quantify allocation of responsibilities, which is approximately \$35,000 to the Village and \$184,000 to the developer for sidewalk and curbing materials.

Village Trustee Button Ott asked what the status was regarding the amount set aside for affordable housing. Village Manager Pavlicek clarified that has been put into a restricted fund to be used for that purpose when the Board gives direction.

It was moved by Village Trustee Button Ott, seconded by Village Trustee Brewer, that this Ordinance be adopted. The motion was approved. The roll call on the vote was as follows:

AYES: 6 - Village Trustee Button, Village Trustee Taglia, Mayor Abu-Taleb, Village Trustee Brewer, Village Trustee Barber, and Village Trustee Lueck

NAYS: 0

ABSENT: 1 - Village Trustee Tucker

AD. [ORD 17-204](#) **An Ordinance Approving a Third Amendment to the Redevelopment Agreement to the Redevelopment Agreement Between the Village of Oak Park and OP South Boulevard LLC and Authorizing its Execution**

Village Manager Pavlicek stated that this ordinance provides for timing amendments within the Redevelopment Agreement for the property at Harlem and South Boulevard. The Village had anticipated closing on the land and issuing building permits shortly after the first of this year. Staff has been working with the developer to bring an extension of that to the Board. She noted that there were Board Meetings in March that were cancelled and that is why it is coming to the Board at this time.

Director of Development Customer Services Tammie Grossman explained that upon looking at some of their construction costs associated with the building, the developer is exploring alternate means of construction. That necessitates resubmitting the building permit application, including drawings. It will take some time for the developer to submit these as well as Development Customer Services to review them. Ms. Grossman believed that the dates set forth in the amendment are outside dates at best; closing should be within the next two months.

Developer Joe Segobiano and Ms. Grossman answered questions from the Board.

Village President Abu-Taleb discussed the penalty of \$75,000 if they do not close by June 29. Mr. Segobiano assured the Board he would close by that day or sooner and spoke highly of his experience working with staff.

It was moved by Village Trustee Lueck, seconded by Village Trustee Brewer, that this Ordinance be adopted. The motion was approved. The roll call on the vote was as follows:

AYES: 6 - Village Trustee Button, Village Trustee Taglia, Mayor Abu-Taleb, Village Trustee Brewer, Village Trustee Barber, and Village Trustee Lueck

NAYS: 0

ABSENT: 1 - Village Trustee Tucker

AE. [MOT 17-167](#) **A Motion to Reject all Proposals for Consulting Services Related to the Proposed Formation of an Intergovernmental Environmental Community Organization or i-ECO and Direct Staff to Prepare the Necessary Actions to Establish a Full-Time Sustainability Coordinator.**

Village Manager Pavlicek noted that in 2009 the Village hired a Sustainability Manager, funded by a one time Federal Grant, who took a job elsewhere in 2014. At that time, staff asked the Board for direction on whether to fill the position, eliminate it, outsource it or develop a collaborative model. The 2015 budget included the collaborative model, Intergovernmental Environmental Community Organization (i-ECO). Staff worked with taxing bodies both outside and within Oak Park and had some very positive discussions. Through that group's direction, staff brought to the Board a Request for Qualifications to identify professional services that could develop a mission and vision for the new organization as well as create it as its own not-for-profit and develop a strategic plan. Bids containing a wide range of responses came back after a competitive process and interviews were held last fall. Costs for those services ranged between \$60,000 to \$100,000 and timing of the budget process prevented it being brought to the Board at that time. Staff is now recommending that it would be more effective and efficient to go back to the original conversation to restore the sustainability position on staff.

Village Trustee Button Ott added that after discussions with representatives from each jurisdiction they determined that an ad hoc committee should be created to hone in on what the organization would be and do. However, it became clear after a few meetings that there were divergent opinions of what needed to be done and that an expert should be consulted to put this together. At this point in time, there is still interest but it is difficult to get everyone together as well as other challenges. Village Trustee Button Ott stated that there seems to be public support for a Sustainability Coordinator at Village Hall. The drawback to this, however, is how will this position interact with other jurisdictions to promote and collaborate projects that can be funded from one jurisdiction to another. Village Manager Pavlcek noted that if there are programs or opportunities that cross over from the Village into other jurisdictions; staff would be supportive of them working with another agency to the extent that agency is receptive to it.

Village Trustee Lueck commented that all the governing bodies already coordinate around many things, including sustainability. She expressed concern that no other entities were present to give comment. In addition, a staff person within the Village will have no authority across other governmental bodies other than sharing ideas since there will be no real intergovernmental agreement in place. She compared this to the Early Childhood Collaboration, which is very structured and is an intergovernmental commitment to advancing this issue. Based upon the information given, she cannot vote for this as there is no description of what this person will actually be doing.

Village Trustee Barber agreed. He acknowledged that there is public interest in the position but would like some type of job description to refer to as well as exactly what initiatives the Village would like to lead. In regards to Trustee Lueck's point, there is really no authority in that role. There's an opportunity to make this a more meaningful and important position. He also expressed concern that the position would be another direct report to the Village Manager. There have been a number of Board conversations regarding decreasing the direct reports. He suggested tabling this Item and rethinking the position.

Village Trustee Button Ott stated that it doesn't need to be voted on tonight, but soon. She added that the model that was originally used for the Village's former Sustainability Coordinator is no different than that of other municipalities. Responsibilities would include seeking funding for projects, determining how to allocate the dollars the Village has in place from the aggregation program, community solar projects, etc. The Village needs someone who's an expert in those areas in order to be as proactive as possible on the environmental front.

Village President Abu-Taleb added that the intergovernmental group discussed many ideas, but no one was willing to contribute funds and looked to the Village to pick up all costs. He noted that the Environment and Energy Commission works with these issues and having a staff person to communicate with on a regular basis will bring a bigger impact than what the Village has now. Chair of the Environment and Energy Commission Nick Bridge discussed the advantages of having an on-staff person working with the commission. He noted that many initiatives have been put aside due to the lack of staffing.

There was additional discussion regarding the two motions included in the Item and the need for additional information.

It was moved by Village Trustee Button Ott, seconded by Village Trustee Barber, that this Motion be approved. The motion was approved. The roll call on the vote was as follows:

AYES: 5 - Village Trustee Button, Village Trustee Taglia, Mayor Abu-Taleb, Village Trustee Brewer, and Village Trustee Lueck

NAYS: 1 - Village Trustee Barber

ABSENT: 1 - Village Trustee Tucker

AF. [ORD 17-203](#) **An Ordinance Amending Chapter 20 ("Public Health") of the Oak Park Village Code to Add a New Article 14 - ("Retail Single-Use Bag Pilot Program")**

Village Manager Pavlicek stated that in May of 2014, Village Trustee Lueck asked that the Environment and Energy Commission (EEC) review Chicago's newly adopted ordinance relative to banning plastic bags. After discussions and recommendations, the ordinance was drafted similar to Chicago's second version that imposes a bag tax. The ordinance is meant to be a pilot program in effect for two years and will allow a six month period to be reviewed by the EEC after the first year. They would then make their recommendations to the Village Board, who would have three months to make a decision before the end of the program. This will be a voluntary program and would only be offered to retailers over 5,000 sq. ft. They would require that anyone asking for any single use bag, paper or plastic, pay a ten cent fee. The retailer would keep half and half would be returned to the Village, to be used to market those retailers as green partners, as well as retain these funds for other sustainable activities. In addition to the EEC, this was discussed with the Business Associations Council; there are diverse opinions on this topic.

Emily DiFrisco, representing Plastic Pollution Coalition. Ms. DiFrisco spoke in favor of the ordinance, although she preferred banning plastic bags altogether.

Mr. Bridge spoke about problems caused by plastic bags. He compared eliminating single use bags to other behavioral issues that people have adapted to such as picking up after a pet and not smoking indoors. He and the commission did not recommend making this voluntary, although they were in agreement that it should apply to only the larger retailers. Carolyn Cullen, member of the EEC, and Staff Liaison Karen Rozmus explained why the commission recommend this be mandated rather than voluntary.

Village Trustee Lueck noted that there was no information regarding discussions held with the EEC and that there is no incentive for retailers to participate. There was a discussion regarding that as well as the possible effects on lower income consumers. Ms. Rozmus and Village Manager Pavlicek answered questions from the Board.

It was moved by Village Trustee Button Ott, seconded by Village Trustee Brewer, that this Ordinance be adopted. The motion was approved. The roll call on the vote was as follows:

AYES: 5 - Village Trustee Button, Village Trustee Taglia, Mayor Abu-Taleb, Village Trustee Brewer, and Village Trustee Barber

NAYS: 1 - Village Trustee Lueck

ABSENT: 1 - Village Trustee Tucker

AG. [RES 17-509](#) **A Resolution Approving a Contract with Brothers Asphalt Paving, Inc. for Project 17-15, Resurfacing of Various Streets, in an amount not to exceed \$1,007,005 and Authorizing its Execution.**

Village Trustee Button Ott excused herself from the Meeting.

Village Manager Pavlicek commented that this Item is part of the Village's Capital Improvement Plan.

Village Engineer Bill McKenna stated that this project includes the resurfacing of 23 blocks within the Village. The streets included require patching of the curbs and gutters, upgrading corners to be ADA compliant and resurfacing of the asphalt surface layer.

It was moved by Village Trustee Barber, seconded by Village Trustee Taglia, that this Resolution be adopted. The motion was approved. The roll call on the vote was as follows:

AYES: 5 - Village Trustee Taglia, Mayor Abu-Taleb, Village Trustee Brewer, Village Trustee Barber, and Village Trustee Lueck

NAYS: 0

ABSENT: 2 - Village Trustee Button, and Village Trustee Tucker

XVII. Regular Agenda for Items Pursuant to Village Code Chapter 3 Alcoholic Liquor Dealers or Related (President Pro-Tem Trustee Barber)

Village President Abu-Taleb and Village Trustee Brewer recused themselves from the Meeting.

Village Trustee Button Ott rejoined the Meeting.

The following Items were presided over by Village President Pro Tem Barber.

- AH.** [ORD 17-198](#) **An Ordinance Amending Chapter 3 ("Alcoholic Liquor Dealers"), Article 8 ("List of Licenses for Each License Class"), Section 3-8-1 ("Number of Licenses to be Issued Per License Class") and Section 3-8-2 ("Licenses by Name and Address Per License") of the Oak Park Village Code for the Issuance of a Restaurant Class B-4 Liquor License to Nueva Era in Oak Park, Inc., DBA Altiro**

Chair of the Liquor Control Review Board Vicki Scaman spoke about the new partnership at this location and that it is going to be a tapas restaurant. She noted that the prior business located there may relocate to a different location in the Village.

It was moved by Village Trustee Lueck, seconded by Village Trustee Button Ott, that this Ordinance be adopted. The motion was approved. The roll call on the vote was as follows:

AYES: 4 - Village Trustee Button, Village Trustee Taglia, Village Trustee Barber, and Village Trustee Lueck

NAYS: 0

ABSENT: 1 - Village Trustee Tucker

RECUSED: 2 - Mayor Abu-Taleb, and Village Trustee Brewer

- AI.** [ORD 17-199](#) **An Ordinance Amending Chapter 3 ("Alcoholic Liquor Dealers"), Article 4 ("Term and Classification"), Section 3-4-2 ("Classification and Number of**

Liquor Licenses and Fees”) of the Oak Park Village Code to Establish a New B-5 Liquor License Classification and to Issue a B-5 Liquor License to Two Brothers Restaurant Group, LLC

The applicant spoke about his business, which will be located in the former Marion Street Cheese Market location. Opening is targeted for next month, as only minor renovations are being completed.

It was moved by Village Trustee Button Ott, seconded by Village Trustee Lueck, that this Ordinance be adopted. The motion was approved. The roll call on the vote was as follows:

AYES: 4 - Village Trustee Button, Village Trustee Taglia, Village Trustee Barber, and Village Trustee Lueck

NAYS: 0

ABSENT: 1 - Village Trustee Tucker

RECUSED: 2 - Mayor Abu-Taleb, and Village Trustee Brewer

AJ.

An Ordinance Amending Chapter 3 (“Alcoholic Liquor Dealers”), Article 4 (“Term and Classification”), Section 3-4-2 (“Classification and Number of Liquor Licences and Fees”) of the Oak Park Village Code by Adding a new Special Events Class E-3 Liquor License Classification and Amending Article 8 (“List of Licenses for Each Class”), Section 3-8-1 (“Number of Licenses Permitted to be Issued Per License Class”) and Section 3-8-2 (“Licenses by Name and Address Per License”) to Issue a Class E-3 License to the Park District of Oak Park

Village Attorney Paul Stephanides stated that the Park District of Oak Park is asking for a Special Events Liquor License to allow BYO possession and consumption of beer and wine within Austin Gardens during theatrical performances. There is an alternate version preferred by the Village that includes a license fee, BASSET training required for all Park District employees and volunteers who provide services during these events, an insurance requirement and to indemnify and hold harmless the Village for any claims, etc. arising out of alcohol consumption. The Board will be voting on the Park District preferred ordinance, without these clauses.

Mark Burkland, Attorney for the Park District, spoke highly of the Liquor Control Review Board's (LCRB) review of the concept, as well as Local Liquor Control Commissioner Trustee Button Ott and Police Chief Ambrose. He stated that the Park District is supportive of the Village's ordinance but with certain changes. One of the conditions they had proposed was removed, although they are not opposed to that. However, the Park District would like the four other standards added by the Village adjusted. Mr. Burkland has represented municipalities throughout his 35 years of practice and has written and rewritten numerous liquor codes. He stated that he has never before seen the condition related to indemnification and hold harmless and noted that the Village's liquor code has no provision related to that. He asked that it be removed. The next item he discussed was the BASSET requirement, noting that it is written much broader than what the Village requires from itself. There is no other form of license that includes this requirement by the Village. He asked that the requirement of having all Park District employees and volunteers at these events BASSET trained be changed to two employees or volunteers. The final item Mr. Burkland discussed was the fee of \$1,000 for the license. He stated that no other liquor license in the Village Code related to not-for-profits or charitable events

is at this amount. The Park District is requesting the fee to be waived but would agree to a fee that is no more than the current maximum of \$500 for a non-profit event.

Mr. Stephanides commented that the Village does not currently have a BYO license and that staff is recommending to not adopt the ordinance.

Police Chief Ambrose stated that the department does not have the manpower to provide enforcement support to the Park District. In addition, due to Austin Gardens being an open outdoor area, the personnel present in the park may not be able to determine who is bringing alcoholic beverages into the park when the BYO is permitted. Finally, it could lead to illegal consumption of alcoholic beverages by minors and become an enforcement concern outside the park before, during and after the performances, as people will be carrying alcoholic beverages in public.

Village Trustee Button Ott stated that this definitely requires further discussion. She gave some background on this Item, and noted that the LCRB was overwhelmingly supportive of the ordinance. The theater conducting these performances has been doing so for 45 years. People have been bringing wine to the park for these events for a very long time but it has never been regulated. She spoke in favor of the ordinance as discussed with the Park District and the LCRB. The Board can either adopt that one or the ordinance drafted by the Village Attorney. Otherwise, it has to be redone to include everything that was agreed upon or rejected altogether and continue to have drinking unregulated. She added that by putting a law in place, it will protect people as well as the Village.

Village President Pro Tem Barber asked the Board if there was interest in this. There was further discussion.

Ms. Scarman stated that this ordinance is not what the LCRB agreed to. She noted that it is an uncomfortable position for a police officer to come into Austin Gardens and tell people they cannot drink when it has been a 45 year tradition. The obligation of the police would only be if there were complaints, which is how it is currently. If they are able to enforce it during a Festival Theater event, it will be easier to enforce in other parks. She added that it is not uncommon for non-profits to have the license fee waived as well.

There was consensus to direct Mr. Stephanides to look at the language relative to some of the things that the Park District is suggesting and to collaborate with Chief Ambrose to see if there is an opportunity to be very specific in the language regarding Festival Theater to perhaps limit some of the police concerns and give the Park District what they need.

It was moved by Village Trustee Barber, seconded by Village Trustee Button, that this Ordinance be tabled. The motion was approved. The roll call on the vote was as follows:

AYES: 4 - Village Trustee Button, Village Trustee Taglia, Village Trustee Barber, and Village Trustee Lueck

NAYS: 0

ABSENT: 1 - Village Trustee Tucker

RECUSED: 2 - Mayor Abu-Taleb, and Village Trustee Brewer

XVIII. Call to Board and Clerk

Village President Abu-Taleb and Village Trustee Brewer rejoined the Meeting.

Village Clerk Powell clarified that the clerk is an independently elected public official that reports directly to the people of Oak Park.

Village Trustee Barber announced that this will be his last meeting. He thanked staff and his colleagues and noted that this has been a very good board. He spoke about the Board's accomplishments and is proud to be a part of that. It is important for future Boards to continue working together, even though they may not agree all the time, and to continue keeping diversity front and center.

Village Trustee Taglia thanked Village Trustee Barber for his service and said that it was a pleasure working with him on the I-Gov Committee.

Village Trustee Button Ott stated that she has enjoyed working with Village Trustee Barber, and that he has always treated everyone on the Board with respect. She is sorry to see him go.

Village Trustee Brewer said it was a pleasure working with Village Trustee Barber and noted that they worked together on a lot of things the past four years. He hopes that, like him, he will stay involved in the Village and find the time to help keep Oak Park first.

Village Trustee Lueck stated that Village Trustee Barber's service at D97 helped give the Board a different perspective. She spoke about how she enjoying working with him on I-Gov and how they got to know each other. She then discussed Albion and expressed concern that the public has gotten ahead of the process. They have not heard the entire story. It is easy to say it would be nice to have Founders Park. However, who will pay for that? The conversation should be what the tradeoff will be if the building is not built.

Village Manager Pavlicek stated she enjoyed working with Village Trustee Barber and thanked him on behalf of the staff.

Village Attorney Stephanides said he will miss having Village Trustee Barber on the Board.

Village Clerk Powell discussed how the two of them met and stated that he brought some great ideas to the Board.

Village President Abu-Taleb stated that the Board will miss Village Trustee Barber's energy, marketing skills and creative way of thinking, as well as how he articulated his views on issues close to him. The Village of Oak Park should be grateful for his service.

XIX. Adjourn

It was moved by Village Trustee Barber, seconded by Village Trustee Brewer, to adjourn. A voice vote was taken and the motion was approved. Meeting adjourned at 10:25 P.M., Monday, April 17, 2017.

Respectfully Submitted,

**MaryAnn Schoenneman
Deputy Village Clerk**