

**JOURNAL OF THE PROCEEDINGS OF THE REGULAR CITY COUNCIL MEETING
OF THE CITY OF PARK RIDGE, ILLINOIS
(DRAFT)**

City Hall - Council Chambers
505 Butler Place
Park Ridge, IL 60068

Monday, January 16, 2012

Mayor Schmidt called the meeting to order at 7:00 p.m.

I. ROLL CALL

City Clerk Henneman read the roll call. The following Elected Officials indicated their presence at the meeting: Ald. Sweeney, Di Pietro, Smith, Raspanti, Knight and Maloney and Mayor Schmidt. There was a quorum.

Ald. Bernick was absent.

Staff present: Stutts, Kaminski, Zywanski, Hill, Hock, Peterson, Maller, Doczekalski, Zingsheim and Mitchell

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

Ald. Sweeney moved approval of the December 19, 2011 Regular City Council meeting minutes.

Seconded by Ald. Di Pietro.

Voice Vote / Motion carried.

Ald. Sweeney moved approval of the January 9, 2012 Committee of the Whole meeting minutes.

Seconded by Ald. Di Pietro.

Voice Vote / Motion carried.

IV. CONSENT AGENDA

Items listed under the Consent Agenda were considered as routine by the City Council and were enacted by one motion. No separate discussion took place on the listed items unless indicated.

CITY MANAGER

- c. Final approval of an ordinance for a landmark designation for 201 Grand Boulevard
- d. Final approval of an ordinance for a landmark designation for 255-257 N. Northwest Hwy.

PROCEDURES AND REGULATIONS COMMITTEE

- a. Final approval of Ordinance to approve the use of the City Flag

PUBLIC WORKS COMMITTEE

- a. First Reading of Groundwater Ordinance for 1200 Touhy
- b. Approval of Highway Authority Agreement for 801 Devon Avenue
- c. Approval of Environmental Indemnity Agreement for 801 Devon Avenue
- d. Approval to Continue Participation with NIMEC in Power Auction
- e. Purchase Order Approval – Water Resources, self-read meters for Boardwalk Assoc., \$30,000
- f. Purchase Order Approval – Standard Equipment, hub repair, \$6,712.95
- g. Approval of 12 month extension to Steve Piper & Sons contract for tree & stump removal
- h. Purchase Order Increase – Healy Asphalt, \$9,500
- i. Purchase Order Increase – Pipe Locating & Televising, \$7,250
- j. Purchase Order Increase – DiMeo Bros., \$37,675

PUBLIC SAFETY

- a. Purchase Order Approval - 2012 NIPSTA (Northeastern Illinois Public Safety Training Academy) dues, \$20,555.00

FINANCE AND BUDGET COMMITTEE

- a. Approve warrants, reviewed by Ald. Raspanti for the period ending January 15, 2012 in the amount of \$603,930.26
- b. Final approval of an ordinance amending Article 2, Chapter 9 - Budget Policy Update

Ald. Smith indicated that the warrants he reviewed for the period ending December 30, 2011 were not included in the items listed on the Consent Agenda items for approval. Mayor Schmidt requested that the item be placed on an upcoming agenda. .

Ald. Sweeney moved approval of the Consent Agenda. Seconded by Ald. Di Pietro.

On roll call vote:

AYES: Ald. Sweeney, Di Pietro, Smith, Raspanti, Knight and Maloney

NAYS: None

ABSENT: Ald. Bernick

Motion carried. 6 AYES – 0 NAYS

V. REPORTS OF CITY OFFICIALS

MAYOR

Mayor Schmidt congratulated the Maine South High School Constitution Team for advancing to the National Finals. He is proud of the team and recognized the importance of the U.S. Constitution.

Mayor Schmidt congratulated the Brickton Art Center for recently being awarded \$10,000 from the SunTimes Charity. The Mayor believed this is a great example of what can and should be done by other City groups seeking monetary assistance.

Mayor Schmidt announced that the first Economic Development Task Force meeting is planned for January 17, 2012.

Mayor Schmidt announced that he would be absent for a few meetings due to medical reasons. His goal is to be back on February 20, 2012. He plans to deliver the State of the City address on March 5, 2012.

CITY COUNCIL

Ald. Di Pietro indicated that City Manager Hock has provided a list of focus areas which included 5 main areas with 21 sub areas. The information was distributed to the City Council and was also available to the public, via the website.

City Manager Hock explained that he added Item 1b, listed under Finance and Budget, per the request of Ald. Knight. The addition of this item ensured cooperation and compliance from all department directors. Additionally, City Manager Hock asked the department directors for their assistance in an effort to improve departmental processes.

City Manager Hock intends to place items into a flow chart or timetable to enhance readability.

Discussion ensued among the Aldermen regarding: cost containment, funds to cover the cost of customer service training for Community Preservation and Development (CP&D) Department; an explanation of SWOT analysis and how it relates to CP&D (strength, weaknesses, opportunities and threats); CP&D customer satisfaction survey; and monthly reviews including invoicing processes (listed under Budget Process and Financial Practices).

Ald. Knight inquired about the status of the regular Economic Development report. Deputy City Manager Maller said the Council is due a report and would try to have that to the Council the following week.

Relative to funds designated in the 2012-13 budget for an outside Consultant, Ald. Knight would like an explanation for the use of \$40,000 in funds.

Mayor Schmidt had hoped that the cost containment process would have been completed prior to the budget sessions. City Manager Hock indicated that it could take several months to look at operation functions within a department. Moving forward, deficiencies would be identified.

CITY ATTORNEY

Attorney Hill explained, pursuant to Public Act 97504, effective January 1, 2012, electronic Open Meetings Act (OMA) training must be completed by all elected officials and any member of the City who is appointed. Training can be obtained on the Public Access Counselor's website. Upon completion of the training, the certificate should be filed with Deputy City Clerk Cheryl Peterson, before December 31, 2012.

CITY CLERK

City Clerk Henneman announced that early voting starts at City Hall February 27, 2012 and ends on March 15, 2012 and is available for any registered voter residing in suburban Cook County. Absentee ballots can be obtained at the City Clerk's office or downloaded from the Cook County Clerk's website. Election day is March 20, 2012.

CITY MANAGER

a. Transparency – IL Public Policy

City Manager reported on the City's transparency efforts. The City performed an internal audit based on the Illinois Institute of Public Policy list. He believes all material is available on the City's website with the exception of the City's vendors list. A master list will be created and placed on the website. After this is accomplished, he will request a review from the IIPP.

b. H/R Update Report

City Manager Hock reported the resignation of the Human Resource director. Her last day of work was January 13, 2012. He would be conducting an interview tomorrow with an individual who would serve as a temporary director in the interim until a decision is made how to fill the position.

c. Final approval of an ordinance for a landmark designation for 201 Grand Boulevard

Consent Agenda item / Approved by the Omnibus Vote designation

d. Final approval of an ordinance for a landmark designation for 255-257 N. Northwest Hwy.

Consent Agenda item / Approved by the Omnibus Vote designation

VI. CITIZENS WISHING TO ADDRESS THE CITY COUNCIL ON A NON-AGENDA ITEM

Jaime Hecker (984 Walter Avenue, Des Plaines), a representative for Maine Community Youth Assistance Foundation (MCYAF) spoke at the meeting to discuss "Sticker Shock." She explained that MCYAF is a community coalition made up of representatives from Niles, Des Plaines and Park Ridge. Representatives from various agencies include schools, law enforcement agencies, healthcare providers and other youth-serving organizations. They work together with a shared mission of preventing youth substance abuse in Maine Township. Their current campaign is "Talk Early, Talk Often." She explained that underage drinking is a community-wide issue, not just a parenting issue, school issue or law enforcement issue. Details of their next event, "Sticker Shock," was explained which is planned for April 18, 2012. A student, also a volunteer and member of MCYAF, spoke and explained why she believes in the MCYAF program. Both speakers received applause from the Elected Officials and attendees of the meeting.

VII. REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES
A. SPECIAL COMMITTEES, BOARDS AND COMMISSIONS

Planning & Zoning Commission – Ald. Sweeney (for Ald. Bernick)

a. Ald. Sweeney moved to approve a special use for a personal services establishment on the ground floor of the B-4 Uptown Business District – Uptown Core Sub-District at 147 Vine Avenue, Zoning Case SU-11-04. Seconded by Ald. Di Pietro.

Ms. Doczekalski provided a brief background of the applicant's request to establish a hair salon at 147 Vine. The applicant was not present.

AYES: Ald. Di Pietro, Smith, Raspanti, Knight, Maloney and Sweeney (6)

NAYS: None (0)

ABSENT: Ald. Bernick (1)

Motion carried.

b. Ald. Sweeney moved approval of an Ordinance for a Map Amendment to change the zoning from R-2 Single Family Residential to B-2 General Commercial at 1905 South Cumberland Avenue, Zoning Case Number MA-11-02. Seconded by Ald. Di Pietro.

Ald. Sweeney provided a brief explanation of the case before the Council. He explained that a motor vehicle service station is planned for the site. The applicant has proposed to expand the site which would include one residential lot to the north of the property. Doing so would require changing the zoning of the residential property to B-2 commercial.

Mike Cavalla (910 Glenlake) spoke against the use of the residential property north of the proposed site.

On roll call vote:

AYES: Ald. Smith, Raspanti, Knight, Maloney, Sweeney and Di Pietro (6)

NAYS: None (0)

ABSENT: Ald. Bernick (1)

Motion carried.

c. Ald. Sweeney moved to approve the first reading of Ordinance for a Special Use to allow a motor vehicle service station at 814 Higgins Road and 1905 South Cumberland Avenue in the B-2 General Commercial District, Zoning Case Number SU-11-05. Seconded by Ald. Di Pietro.

Ald. Sweeney explained that the applicant would combine both sites and redevelop the layout of the existing site totaling 24, 277 square feet. The proposed plans include additional parking spaces for the convenience store, two additional service pumps (totaling six) and an expanded area which would enhance the ease of vehicular maneuverability at the station.

Attorney Jack Owens spoke on behalf of the applicant. His client is agreeable to everything in the Ordinance. However, after explanation, Mr. Owens confirmed that his applicant is seeking for the Council to approve a five-foot setback instead of the required ten-foot setback (Section 3 Subsection 1).

Julia Zumudio (2815 S. Justin Road, McHenry) explained that the site was developed in the 1970's and was taken over by Citgo approximately 20 years ago. The tanks need replacement. The existing site lacks efficiency for the volume of customers. The proposed triangular shape of the planned building is workable with the use of the additional land on the adjacent property to the north with 5-foot setback. Ms. Zumudio stated that she spoke to the property owner of the residence just of the station. She said he is supportive of the development, commenting that he would not know if the proposed building is five or ten feet away since a six-foot fence, provided by the developer, would separate the two properties. Ms. Zumudio stated that they have also worked with neighbors regarding the light shielding.

Ms. Doczekalski believes that the Planning and Zoning Commission had based their decision on the closeness of the development to the lot line.

Discussion ensued among the Aldermen and Ms. Zumudio regarding the loss of space which would

approximate to 12% or 350 square feet without the approval of the 5-foot setback.

In response to Ald. Smith's questions, Attorney Owen indicated that \$100,000 was generated in sales tax revenue and on an average, 2.5 millions gallons of gasoline was pumped annually. Adding two additional pumps could result in a 75-100% increase.

Terry Bohnert (11606 Glenn Circle, Plainfield) indicated that the current operation generates approximately \$74,000 for merchandise services, \$101,000 for gasoline on an annual basis, and the projected increase is estimated at 25% for merchandise and 74-75% or \$100,000 on an annual basis.

Mayor Schmidt reminded the Council that they should be discussing a land use issue, not an economic issue.

Ald. Maloney questioned the applicant about their options if the variance was denied. Ms. Zumudio was uncertain of the answer and stated that the corporate office in Dallas would make any final decision. She elaborated on the benefits of the proposed layout of the facility.

Ald. Di Pietro moved to amend Section 3 Subsection 1 of the Ordinance, granting an exception to allow the building to encroach 10 feet. Seconded by Ald. Sweeney.

Ald. Di Pietro reminded the Council that this is the first reading. If the neighbor to the north has any objections, he is welcome to attend the next meeting. Any issues were addressed. Therefore, Ald. Di Pietro urged the Council to approve the amendment (5' setback) and allow for the construction that he believes would benefit the entire community.

On roll call vote (to approve the amendment):

AYES: Ald. Raspanti, Knight, Maloney, Sweeney and Di Pietro (6)

NAYS: Ald. Smith (1)

ABSENT: Ald. Bernick (1)

Motion carried.

On roll call vote (for the main motion, as amended):

AYES: Ald. Knight, Maloney, Sweeney, Di Pietro, Smith and Raspanti (6)

NAYS: None

ABSENT: Ald. Bernick (1)

Motion carried.

Zoning Board of Appeals – Ald. Sweeney (for Ald. Bernick)

No report.

Liquor License Review Board – Mayor Schmidt

No report.

O'Hare Airport Commission – Ald. Knight (for Ald. Bernick)

Ald. Knight questioned the status of the Supplemental Environmental Impact Study. City Manager Hock indicated that the attorney representing the City should be receiving a response from the FAA by the end of January 2012. Ald. Knight also questioned the Airport Commission's open forum meeting which was recently held at the library on January 11, 2012. City Manager Hock reported that staff member Barb Cannon attended the meeting. Approximately 15 people were in attendance. He did not receive any feedback. Ald. Knight questioned the attendance of the O'Hare Airport Commission regular meetings. City Manager Hock reported that there has been at least a 50% turnover in the Commission and attendance is sporadic. He has suggested that the Commission consider meeting once a month in an attempt to achieve better attendance.

B. STANDING COMMITTEE REPORTS

Procedures & Regulations Committee – Ald. Di Pietro

a. Final approval of Ordinance to approve the use of the City Flag
Consent Agenda item / Approved by the Omnibus Vote designation

Public Works Committee – Ald. Maloney

a. First Reading of Groundwater Ordinance for 1200 Touhy
Consent Agenda item / Approved by the Omnibus Vote designation

b. Approval of Highway Authority Agreement for 801 Devon Avenue
Consent Agenda item / Approved by the Omnibus Vote designation

c. Approval of Environmental Indemnity Agreement for 801 Devon Avenue
Consent Agenda item / Approved by the Omnibus Vote designation

d. Approval to Continue Participation with NIMEC in Power Auction
Consent Agenda item / Approved by the Omnibus Vote designation

e. Purchase Order Approval – Water Resources, self-read meters for Boardwalk Association, \$30,000
Consent Agenda item / Approved by the Omnibus Vote designation

f. Purchase Order Approval – Standard Equipment, hub repair, \$6,712.95
Consent Agenda item / Approved by the Omnibus Vote designation

g. Approval of 12 month extension to Steve Piper & Sons contract for tree & stump removal
Consent Agenda item / Approved by the Omnibus Vote designation

h. Purchase Order Increase – Healy Asphalt, \$9,500
Consent Agenda item / Approved by the Omnibus Vote designation

i. Purchase Order Increase – Pipe Locating & Televising, \$7,250
Consent Agenda item / Approved by the Omnibus Vote designation

j. Purchase Order Increase – DiMeco Bros., \$37,675
Consent Agenda item / Approved by the Omnibus Vote designation

Public Safety Committee – Ald. Raspanti

a. Purchase Order Approval - 2012 NIPSTA (Northeastern Illinois Public Safety Training Academy) dues, \$20,555.00
Consent Agenda item / Approved by the Omnibus Vote designation

Finance and Budget Committee – Ald. Knight

a. Approve warrants, reviewed by Ald. Raspanti for the period ending January 15, 2012 in the amount of \$603,930.26.
Consent Agenda item / Approved by the Omnibus Vote designation

b. Final approval of an ordinance amending Article 2, Chapter 9 – Budget Policy Update
Consent Agenda item / Approved by the Omnibus Vote designation

VIII. NEW BUSINESS

Mayor Schmidt believed it was nonsensical to have an applicant present their case before the Appearance Commission prior to having their case heard before the Planning and Zoning Commission. Ald. Sweeney concurred and indicated that when he served as liaison, he brought up the same matter. Mayor Schmidt would like this procedure to be reevaluated when creating a flow chart for the Community Preservation and Development Department.

Judy Barclay (524 Courtland) concurred.

Ald. Knight moved to reconsider final approval of Ordinance to approve the use of the City Flag.

Seconded by Ald. Smith.

Ald. Knight specifically found a problem listed in the Municipal Code relating to 2-1-3.1, Prohibited Use of City Flag, specifically the definitions of commercial and political enterprise. Discussion ensued among Ald. Knight, the City Manager and the City Attorney regarding the interpretation. Attorney Hill explained, if the likeness of the flag was to be used, a prominent disclaimer would be required. Ald. Smith inquired on the legal basis for regulating political enterprises. Attorney Hill explained the City is not regulating a political enterprise but rather the likeness of the flag or the use of something that the City has an interest. Ald. Knight questioned a person draping the flag on their body. Attorney Hill believes that issue would need to be clarified in the Ordinance and suggested a revision that would prohibit the use the City flag in non- City business without a disclaimer.

Ald. Di Pietro suggested that the Council vote no on the matter. He believes the item could be revisited before the Procedure and Regulations Committee at a later date if Ald. Knight believed that the ordinance requires improvement.

Ald. Maloney questioned the public use of the American flag. He suggested removing the word "political." Attorney Hill had thoughts that the City might be better served not speaking whether to reconsider, but instead, rephrasing; "If it is not a City sponsored publication or official use, a disclaimer should be used."

On roll call vote (to reconsider)

YES: Ald. Maloney, Smith and Knight (3)

NAYS: Ald. Sweeney, Di Pietro, Raspanti and Mayor Schmidt (4)

ABSENT: Ald. Bernick (1)

Note: Mayor Schmidt's vote was included since there was a tie 3/3 vote.

Motion carried.

ADJOURNMENT

The regular City Council meeting adjourned at 8:26 p.m.

Transcribed by:

Cheryl L. Peterson, Deputy Clerk

Attest:

David F. Schmidt, Mayor

Betty W. Henneman, City Clerk

NEXT REGULAR MEETING: February 6, 2012 at 7:00 p.m.