DRAFT MINUTES

REGULAR MEETING OF THE PARK RIDGE CITY COUNCIL

CITY HALL
COUNCIL CHAMBERS
505 BUTLER PLACE PARK RIDGE, IL 60068

MONDAY, SEPTEMBER 16, 2013, 7:00 P.M.

Mayor David Schmidt called the meeting to order at 7:05 p.m.

I. Roll Call
City Clerk Henneman read the Roll Call and the following Elected Officials indicated their presence: Ald. Sweeney, Milissis, Smith, Shubert, Knight, Mazzuca and Mayor Schmidt. Ald. Maloney was physically absent but participated in the meeting electronically.

II. Pledge of Allegiance
Meeting attendees recited the Pledge of Allegiance to the United States flag.

III. Approval of Minutes
A. Committee of the Whole Meeting – August 26, 2013
B. Regular City Council Meeting – September 3, 2013
C. Committee of the Whole Meeting – September 9, 2013

City Manager Hamilton requested a deferral of the minutes due to an error made in copying.

Motion to approve all three sets of minutes (August 26, September 3, and September 9, 2013)

Motion to defer approving the August 26, September 3 and September 9, 2013 draft minutes and place on the next related meeting date agenda.
Voice vote, motion carried.

IV. Consent Agenda
*All items listed with an asterisk are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of those items unless an Alderman so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

VII.C.1. Approve Resolution creating a Class M Liquor License for Whole Foods, 225 West Touhy Avenue

VII.E.1. Approve final reading of an Ordinance amending Article 5, Chapter 15 of the Municipal Code regarding Massage Therapy Establishments

VII.G.1. Approve first reading of an Ordinance Amending Article 13, Chapter 10, Section 18 of the Municipal Code regarding Registration Plates
VII.H.1. Approve warrants, reviewed by Ald. Shubert for the period ending September 15, 2013 in the amount of $989,025.01

Ald. Sweeney requested that item VII.H.1. be removed from the Consent Agenda.

Roll Call:
AYES: Ald. Sweeney, Milissis, Smith, Shubert, Knight, and Mazzuca (6)
NAYES: None (0)
ABSENT: Ald. Maloney (1)

Motion carried.

V. Reports of City Officials

A. Mayor
1. Proclamation – Celebrating the 20th Anniversary of the Park Ridge Civic Orchestra
Mayor Schmidt read and presented a Proclamation to the Park Ridge Civic Orchestra commemorating its 20th anniversary. The Proclamation recognized the achievements made over the last 20 years by the Park Ridge Civic Orchestra.

2. Sewer 101 Presentation
Mayor Schmidt complemented City Engineer Sarah Mitchell and Director Wayne Zingsheim for their excellent Sewer 101 presentation that they conducted at the September 9, 2013 Committee of the Whole meeting. A link has been placed on the City’s website for residents to view the presentation and allow them to ask questions of staff.

B. City Council
No report.

C. City Attorney
No report.

D. City Clerk
No report.

E. City Manager
1. Whole Foods Update
Park Ridge Whole Foods Store Team Leader, Jason Aragon, addressed the Council and explained that the store is on track to open November 6, 2013. Aragon attended the meeting with two associates, P.T. Moore and David Stone, both involved in store leadership. Nancy LeBreacht, the store’s marketing specialist, was also in attendance with her primary role focused on community partnerships. Mr. Aragon shared the store’s involvement in the community, to date. The store has currently hired 60 team members and plans to hire 130 more.

Ald. Sweeney inquired whether Mr. Aragon found a training location in Park Ridge. Mr. Aragon indicated that there was no facility large enough in Park Ridge to conduct the training.

2. Illinois Municipal League
City Manager Hamilton indicated that information was provided to the Elected Officials for the Illinois Municipal League conference which will be held in Chicago in October. According to Hamilton, this is a budgeted item and any Elected Official interested in attending should contact the Administration Services Department. Mayor Schmidt mentioned that the City’s attorneys will be conducting a seminar at the conference regarding Mayoral vetoes.

3. AT&T Permitting Process
City Manager Hamilton provided an update regarding the site plan visits. He also provided a memorandum with answers to questions that were presented at the September 9, 2013 Committee of the
Whole meeting. Ald. Knight sought confirmation of the size of the AT&T boxes. Jerry Mitak, Director of Internal Affairs for AT&T (IL) confirmed the size is 4x4x2 (ALP444).

Ald. Mazzuca addressed the sample letter provided by AT&T. It was his understanding that staff would be the primary contact.

City Manager Hamilton explained that the letter is from AT&T, not from the City. Hamilton indicated that AT&T provided the City Engineer's contact information in their letter. In his opinion, AT&T would be more equipped to handle questions regarding the site. He said that the City will make sure that questions brought forth by residents are being addressed. Communications are being tracked. Thus far, three residents have called.

Ald. Milissis questioned Mr. Mitak about the protocol for arranging the site visits of Fifth Ward scheduled for September 17.

Don McGuire (1821 Glenview Avenue) inquired about the AT&T equipment that will be placed on his property. He expressed his concerns about the box placement location due to traffic on Glenview Avenue. His concern was safety related with impaired sight lines. Mayor Schmidt explained that the City has set up a process and suggested that Mr. McGuire communicate his concern with staff and Ald. Milissis. Ald. Milissis explained that this is a textbook example of a location that creates a safety issue.

4. Update on Uptown Streetscape Construction

City Engineer Sarah Mitchell provided an update on the Streetscape Beautification Construction Project on Prospect and Summit. The City received a Federal grant controlled by the State (IDOT) for the project and the City was provided minimal notice from the state in regards to the starting date for this project. The project is estimated to be complete by early December. However, it is estimated that parking for commuters should be available in six weeks. Engineer Mitchell explained that merchants are receiving weekly updates.

Ald. Mazzuca questioned staff when the merchants were initially informed about the project. Mayor Schmidt interjected, explaining that this is a project that has been in the works for some time, and only recently was the City informed of its start date by the State. The City had no control of determining when the project would start. Ald. Knight questioned whether there is a feedback program so that the City could provide its comments on the overall project specifics, including the lack of timely notifications. He believes the state should be aware of the disruption caused to businesses. Ald. Knight also made an inquiry about the maturity of the replacement trees.

Pam Benitez, President of the Park Ridge Civic Orchestra announced a community event they will be holding on October 30, inclusive of activities for the children and a concert at the Pickwick Theatre. She was concerned about the event due to the construction on the sidewalks. She reached out to the City for alternatives. City Manager Hamilton indicated that the Special Events committee has been addressing the safety concerns and suggesting alternative accommodations regarding the proposed event.

VI. Citizens Who Wish to Address the City Council on a Non-Agenda Item

Petia Paranova (1150B Higgins Road) recently purchased a property in Park Ridge at an auction. The City would not allow her to get transfer stamps without paying the outstanding water bill. Director Testin explained that Transfer Stamps are issued within his department and the Code states that stamps cannot be issued without clearing the water account balance. Finance Director Oliven previously suggested that Ms. Paranova place $2,000.00 in escrow until the final water billing amount could be determined. A refund would be issued if necessary. Mayor Schmidt suggested Ms. Paranova contact the City Manager’s office to resolve the matter.

VII. Reports of Boards, Commissions and Committees

A. Planning and Zoning Commission – Ald. Sweeney

1. Approve first reading of an Ordinance for a Special Use for a Planned Development and Stage 1 Development Plan for a Multi-Family Residential Project at 303 S.
Northwest Highway, Zoning Case PD-13-02, subject to 10 stipulations from the Planning and Zoning Commission


In response to Ald. Mazzuca’s question relating to the applicant’s responsibility of storm water management, Director Testin indicated that this area was designed with a storm water basin in place to serve Executive Plaza. It was Ald. Mazzuca’s belief that a developer would need to provide detention for fee in lieu up to the 100 year standard on their own property. Testin agreed, and indicated that the current applicant would provide a 38% increase to the basin. The expansion would be going beyond what these properties actually require. When questioned about the exact size of the pocket park, the applicant, Jerry James, could not provide the actual size. He estimated it was at least 1000-2000 square feet. In response to Ald. Mazzuca’s question, Director Zingsheim indicated that the Burke study did not include this area.

Mayor Schmidt inquired about the height of the townhouses to the east. Director Testin indicated they are approximately 40 feet in height.

Ald. Sweeney inquired about the basin. Director Zingsheim confirmed that the basin is owned and will be maintained by the City. The area would be landscaped according to the city forester’s recommendations at the cost of the builder. The depth would remain the same but the circumference would be increased. Ald. Sweeney inquired about runoff from Berry Parkway that leads into the pond.

Discussion ensued regarding a PVC pipe that leads into the pond from the east. Based on the applicant’s proposal, the applicant would not be accepting floodwater from neighboring area and only that from Executive Plaza. Director Zingsheim explained that during the excavation, the PVC pipe would be removed. Ald. Knight was concerned about the removal of the pipe and the how it would affect the water drainage from Berry Parkway.

Jerry James, the applicant, addressed water flowing out of the detention pond. He explained, in some cases, referring to 100 year flood occurrences, water flows out of the pond to neighboring property. He would be adding to the size of the pond to prevent that from occurring. Engineer Mitchell indicated that the pond is currently sized for the entire plaza area. Ald. Knight had concerns that the pond was at its rim recently. He wanted to be certain that the size proposed is adequate. Director Zingsheim was uncertain if it was the intensity of the rainfall or if it was the debris in the bottom of the pond which may have added to the decreased flow of drainage from the pond. According the Mr. James, the Ordinance indicates that there is no requirement for water detainment since it would be part of Executive Plaza and they would use the existing reservoir. They are proposing to enlarge the capacity by .78 acre feet, essentially increasing the capacity over what they would use by 38%. This is what the developer would be giving back in exchange for the variances they are requesting. In Director Zingsheim’s opinion, the increased capacity of the pond would help the entire Executive Plaza area, in addition to the Berry Parkway residents. According to Mr. James, the value would be approximately $40K-$50K, not including landscape improvements.

The plans presented are preliminary engineering plans according to Mr. James. In his opinion, it was more beneficial to provide detention for the entire area, benefitting surrounding businesses and Berry Parkway residents, instead of solely benefitting their development.

Mr. James expressed thanks to staff for their efforts up to this point. They started with 39 units and are currently proposing 33. It is his opinion that they will be providing a nicer unit to live in. In closing, he added that he was part of the Uptown Development team, commented on Park Ridge being a lovely community, and is grateful to come before the City with his proposal.

Pat Livensparger (413 Courtland) found it disappointing that no residents from Gateway Estates were present which leads her to believe that they are uncertain how the City works. She also mentioned that one of the documents had indicated that the pocket park was listed as being 80 square feet; she believes this is an error. She spoke about the original plans for Executive Plaza and its current state. Each
development was to be responsible for its own detention. By making the detention pond wider, it is getting closer to homes in Gateway Estates and Berry Parkway. She was uncertain if another detention basin existed based on her findings on page 53 of the documents provided. Director Zingsheim believed it was an underground dock based on the tomography of the area.

Missy Langan (1924 Canfield) echoed comments made by the previous speaker. The developer is requesting several variances in exchange for their proposal of enlarging the pond as a benefit. It is her suggestion that the City really needs to determine whether the builders one benefit is worthy of the variances they are requesting. She also believes there are many more topics of discussion that need to be addressed that have not been mentioned.

Jim Duerr (1200 Glendenning, Wilmette, IL) spoke on behalf of the property owners. He indicated there was never any detention on the property whatsoever. Before the builder’s proposal was presented, Mr. Duerr indicated that they were considering placing a call center at the location. The builder believes their proposal provided a better use, fitting with characteristic of the City.

Mayor Schmidt explained that the 3.9% exception for open space would result in a 13% variance based on the current open space requirement. The density variance is about 12% over what is currently allowed.

Ald. Milissis reiterated the fact that any pipe that exists between the pond and Berry Parkway would be destroyed. The developers made it clear that they would not accept any additional water in the basin from any outside area.

Ald. Sweeney believes the City of Park Ridge can do as it pleases with the detention pond since it is property belonging to the City, unless by Ordinance the City is restricted. Engineer Mitchell pointed out that there is a Reverted Clause on the deed: if the pond is not used for detention for Executive Plaza, the property reverts back to its owner, Advocate Healthcare. Ald. Sweeney suggested that the pipe be traced and removed. Engineer Mitchell agreed. Ald. Sweeney questioned the ponds overflow history. Staff could not recall the last time the pond overflowed and flood waters affected Berry Parkway residents. Director Zingsheim did not believe that Berry Parkway flooding is caused by runoff from Executive Plaza.

Ald. Sweeney believes there are benefits and tradeoffs. He believes the 38% increase in pond capacity is a big benefit.

Ald. Knight believes that Ald. Mazzuca made fine points. He is uncertain whether the value of the variance is a substantial benefit to the City and if the increased capacity of the pond meets the criteria.

Ald. Milissis opined that this offer would be a huge concession on the City's part for very little in return. He will not be voting to support the Ordinance.

Andy Coglan (600 W. Jackson, Chicago, and 720 S. Seminary, Park Ridge) explained, at the first Planning and Zoning Commission meeting, there were several Berry Parkway residents in attendance with a dominant conversation about flooding. He believes that staff addressed other areas of the City that were deemed higher priority in regards to flooding. After meeting with staff, the builder felt confident about their proposal. In his opinion, enlarging the detention pond would truly be a public benefit and an improvement to City property. He spoke about the building height, 1 foot higher than the adjacent building and 6 feet higher than what the Ordinance allows. He believes the Appearance Commission would find their plans to be acceptable.
Jerry James, the builder, was disheartened by the conversation. He has been doing this since 1985 and has been recognized for the work he has produced. He believes there has been a misconception about the engineering and the pond. He explained that they would be adding .74 acre feet to the pond, which in his mind is a real benefit. He explained that the expansion of the detention was chosen because it seemed to be a real concern among constituents. He pointed out that only one person spoke this evening with an objection. He asked what the City gains by cutting back four units – or what does it lose? In his opinion there is a direct correlation and benefit to utilizing this rare property for its most effective use. James indicated that he needs 33 units to make the project work. He explained the reason for the designing the building with a hip roof and east / west placement of the development. He spoke about the attractiveness of having an alternative housing available for couples who cannot yet afford to purchase a home and the business and taxes they would bring to the community. He believes he is offering something good for the community.

Mayor Schmidt explained, just because one person spoke this evening does not mean that 37,399 people approves Mr. James plan. Additionally, he believes that comments provided during the Public Hearing do count and have an impact this evening.

Ald. Milissis made a correction to Mr. James comments; two people spoke this evening. He mentioned a similar instance of poor attendance at a first reading relating to a property on N. Delphia Avenue. He understands the arguments made by the builder; Ald. Milissis is concerned with adding more density to the area.

Ald. Shubert commented about the number of people at the Public Hearing for N. Delphia and the lack of attendance of residents at its first reading.

Ald. Mazzuca did not believe it was appropriate to have a staff member comment about the Zoning Code indicating that it was a bad piece of legislation. Comments made by Mr. Coglan were not picked up by the recording since he did not speak at the microphone. Mr. Coglan clarified any misunderstanding by Ald. Mazzuca about comments made by an employee.

Roll Call:
AYES: Ald. Sweeney (1)
NAYS: Ald. Milissis, Smith, Shubert, Knight, and Mazzuca (5)
ABSENT: Ald. Maloney (1)
Motion failed.

VIII. Zoning Board of Appeals – Ald. Sweeney
A. Liquor License Review Board – Mayor Schmidt
   * 1. Approve Resolution creating a Class M Liquor License for Whole Foods, 225 West Touhy Avenue

Mayor Schmidt provided an update of the Liquor License Review Board meeting held earlier this evening. The Board will be recommending changes in three separate Liquor License classifications which would allow for the sale of single cans of beer, no smaller than 22 ounces, but would need to be sold warm. Modifications would be allowed according to Mayor Schmidt.

The second topic was regarding a Liquor License application for Vine Street Deli. Mayor Schmidt was not certain whether it was under new ownership or if the applicant was a lessor. The applicant wants to change the deli into a European style café, selling alcohol, and selling food but with no kitchen on the premises. No decision was made by the Board. They will resume discussion on the matter on October 7, 2013 at 6:30 p.m.
B. O'Hare Airport Commission – Ald. Maloney
   1. Next OAC meeting; September 18, 2013 at 7 p.m.
City Manager Hamilton announced that the next meeting for the O'Hare Airport Commission is September 18, 2013 at 7:00 p.m. He plans to disseminate information at the meeting. Mayor Schmidt explained that Congressman Quigley called a meeting and remained in attendance for about one hour, leaving before residents were able to ask questions and get answers. The answers were the same as they have been for years. Mayor Schmidt indicated no progress was made.

C. Procedures and Regulations Committee – Ald. Mazzuca
   1. Approve final reading of an Ordinance amending Article 5, Chapter 15 of the Municipal Code regarding Massage Therapy Establishments / Approved pursuant to the Omnibus Vote Designation

D. Public Works Committee – Ald. Maloney
   1. Reject all bids for the 2013 contract for Furnishing and Delivering twelve (12) Fire Hydrants, PW-13-04

In response to a question presented by Ald. Mazzuca, City Attorney Henn explained that Committee action is not final action. Whatever comes out of Committee comes before the Council for a final vote.

Ald. Sweeney was not certain why the City was rejecting the bids. He reviewed the process and does not believe this action is necessary.

Ald. Mazzuca provided an explanation as to why, in his opinion, the bids were rejected. He would like staff to provide a sharp price, receive more than one bid, and ultimately secure the best price for the residents.

ROLL CALL:
AYES:   Ald. Shubert, Knight, Mazzuca Milissis (4)
NAYS:    Ald. Smith and Sweeney (2)
ABSENT:   Ald. Maloney (1)
Motion carried.

E. Public Safety Committee – Ald. Milissis
   1. Approve first reading of an Ordinance Amending Article 13, Chapter 10, Section 18 of the Municipal Code regarding Registration Plates / Approved pursuant to the Omnibus Vote designation

F. Finance and Budget Committee – Ald. Knight
   1. Approve warrants, reviewed by Ald. Shubert for the period ending September 15, 2013 in the amount of $989,025.01

Ald. Sweeney did not question the processing of the warrants, but rather the report that provided the information. He saw several areas where the report was cut-off. He indicated that he reviews every detail of the report. Therefore, he wants staff to make sure all data is provided on that report.

ROLL CALL:
AYES:   Ald. Shubert, Knight, Mazzuca, Sweeney, Milissis, and Smith (6)
NAYS:    None (0)
ABSENT:   Ald. Maloney (1)
Motion carried.

THE CITY OF PARK RIDGE will provide reasonable auxiliary aids or services necessary to afford an individual with a disability an equal opportunity to participate in all services, programs and facilities. Persons requiring assistance are requested to notify the City of their needs well in advance to provide sufficient time for the City to make an accommodation. Requests for accommodation should be made by calling 947-318-5200, TDD 318-5252, or in the Administration Department at City Hall, 505 Butler Place.
IX. New Business – For announcement, deliberation, and/or discussion only; no official action will be taken.

Ald. Sweeney reported that he recently attended a meeting with SWANCC. The annual tonnage amount of waste delivered to SWANCC was over-estimated. Therefore, Park Ridge will receive a refund of $71,891.53.

Mayor Schmidt questioned who would be in charge in his absence in the event of an emergency. He asked City Attorney Henn to report back with her findings and suggested a revision if applicable.

X. Adjournment

The meeting adjourned at 9:26 p.m.

Transcribed by:

_________________________________
Cheryl L. Peterson, Deputy City Clerk

Approved by the City Council this 7th day of October, 2013.

_________________________________
David F. Schmidt, Mayor

Attest:

_________________________________
Betty W. Henneman, City Clerk