



MINUTES

DRAFT

PROCEDURES AND REGULATIONS COMMITTEE

February 5, 2008

7:00 p.m.

Mayor's Conference Room

Aldermen Present: Chairman Jim Allegretti, Alderman David Schmidt, and Alderman Thomas Carey

Other Alderman Present: Alderman Frank Wsol and Alderman Richard DiPietro

Staff Present: Deputy City Manager Juliana Maller, Assistant to the City Manager Cathy Doczekalski, and Sr. Administrative Assistant Raluca Bruce

I. APPROVAL OF MINUTES – December 4, 2007 Meeting

Moved by Ald. Allegretti, the Committee approved the minutes of the December 4, 2007 meeting.

II. NON-MEMBER ALDERMEN WISHING TO BE HEARD OF NON-AGENDA ITEMS

Alderman DiPietro made a few statements about the integrity of closed sessions that should remain intact for the protection of the City and the Park Ridge residents. He mentioned a couple of articles that were published in the local newspapers that contained quotes attributed to Alderman Schmidt relative to what was discussed in the January 28, 2008 City Council closed session. Alderman DiPietro raised the question of reviewing the Ethics ordinance in order to include "breach of confidentiality issues", for the protection of the City of Park Ridge and the residents. Alderman DiPietro stated that he would not vote to go into a closed session in the future until this is addressed.

III. CITIZENS PRESENT WISHING TO BE HEARD ON A NON-AGENDA ITEM

None.

IV. ACTION ITEMS

A. Modification to Article 14, Chapter 14 - Fair Housing Complaint Procedure

On September 26, 2007 the Fair housing Commission, on recommendation of the City Attorney, approved a revision to the complaint procedure. Previously, the Commission would both investigate and adjudicate the complaint, which causes a conflict. The proposed process would have the City Manager investigate the complaint and then issue a report to the Commission. If there is probable cause, the Commission may then have a conciliation conference if they so chose. If there is believed to be a bona fide complaint, the complaint

will be forwarded on to the Administrative Hearing Officer for a hearing. At the December 4, 2008 P&R Committee meeting, the Committee came to consensus to modify the ordinance to say that the Fair Housing Commission will hold a conciliation conference only if the City Manager finds that probable cause exists, based on his or her investigation of the complaint. Alderman Carey said that he received a Memo from Sue Bell (member of Fair Housing Commission) on 2/4/08 asking the P&R Committee to reconsider the recommended changes to Section 14-14-10 of the fair housing Ordinance. Ms. Bell stated in her memo that the changes to the ordinance would put the resolution of fair housing complaints solely in the hands of the City Manager. Fair Housing Commission members feel that this would give unilateral power to the City Manager, with no check and balance input from the Council-appointed Commission members. Ald. Carey moved to approve this item as written. The motion passed.

Action: Place on next City Council agenda for first reading.

B. Modification to Article 5, Chapter 17 - Smoke Free Illinois Act – Violations

In December, 2007, the City Council adopted the Smoke Free Illinois Act. The changes proposed allow the City's Health Department to issue citations for violations of the Act. Under the state law, the Department of Public Health, local law enforcement and state-certified local public health departments may issue citations and half of any fine entered must be given to the Department of Public Health. In addition, the changes allow the City to keep the entire amount of any fine imposed for a violation of this Act. The state law does not provide for a specific fine for failure to post no smoking signs or to remove ashtrays from areas where smoking is prohibited. These changes allow the City to impose fines for those violations. The Committee discussed how this law affects proprietors and enforcement of this law. Ald. Schmidt moved to approve this item. The motion passed.

Action: Place on the next City Council agenda for first reading.

C. Modification to Article 12, Chapter 6 – Employee list/BASSET Training

The Liquor License Review Board met in December to review the renewal applications for 2008. The Liquor Board raised a concern that restaurants were not updating employee lists and Beverage Alcohol Sellers and Services Education and Training (BASSET) Certificates as new employees began working throughout the year. Attorney Henn prepared a modification to section 12-6-7 that requires liquor license applicants to provide a sworn statement as to the current employees and adds a requirement that it must be updated within 30 days if there are any changes. The committee discussed how this would actually mean more paperwork for business owners, as the turnover in this industry is very high. Deputy City Manager Maller explained that this change helps ensure that the restaurants have all their employees BASSET trained and the City has the most current records. Ald. Allegretti moved to defer this item until the next meeting, so he can better review this issue in conjunction with the Liquor Ordinance currently in effect. The motion passed.

Action: Place on the next P&R agenda as an action item.

D. Resolution – Referendum regarding Staggered Terms for Aldermen

Currently all of the aldermen on the Park Ridge City Council are serving non-staggered 4 years terms. The current aldermen will serve until May 2011. In order for the terms starting in May 2011 to be staggered, the City Council must pass a resolution to place a referendum

question on the November 2008 ballot. The City Attorney has outlined this process in the memo dated October 19, 2007. Ald. Schmidt moved to approve this item. The motion passed.

Action: Place on the next City Council agenda for approval.

V. DISCUSSION ITEMS

A. Recusal, to go along with disclosure, if a direct, ongoing economic relationship with an applicant exists

At the P&R Committee meeting on November 6, 2007, Park Ridge resident Judy Barclay requested that the Committee discuss requiring recusal in addition to disclosure in regards to an ongoing economic relationship. City Attorney Hill drafted a memorandum dated November 29, 2007 outlining the issue and recommended no action. Ald. Schmidt moved to make this as an action item for the next P&R meeting and stated that he would draft language for the Committee's review. The motion passed.

Action: Place on next P&R agenda as an action item.

B. Process for inclusion of a court reporter at public hearings

The new Zoning Ordinance does not require a court reporter for public hearings. The hearings are tape-recorded and minutes are prepared. A court reporter is only provided upon request of the Applicant, Commission, or Board. No change was recommended to the Zoning Ordinance.

Action: None.

VI. ADMINISTRATION REPORT

A. Reschedule the April 2008 Procedures and Regulations meeting.
Deputy City Manager Maller will provide by e-mail options for the April 2008 meeting date.

VII. NEW BUSINESS

None.

VIII. PENDING ITEMS

A. Historic Preservation Ordinance

IX. ADJOURNMENT

With no further business, the meeting was adjourned at 8:10 p.m.