

**JOURNAL OF THE PROCEEDINGS
OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF PARK RIDGE, ILLINOIS
AT 505 BUTLER PLACE, PARK RIDGE, ILLINOIS
COUNCIL CHAMBERS
July 16, 2007
CALLED TO ORDER BY Mayor Howard P. Frimark
at 7:30 p.m.**

ROLL CALL

The following indicated their presence at the meeting on roll call vote:
Ald. Schmidt, DiPietro, Bach, Allegretti, Ryan, Carey, Wsol and Mayor Frimark

A quorum was present.

The City Council and guests pledged allegiance to the flag.

APPROVAL OF MINUTES

Mayor Frimark requested approval of the minutes from the Regular City Council Meeting held June 18, 2007. Moved by Ald. Bach. Seconded by Ald. DiPietro.

On voice vote, the motion passed.

CONSENT AGENDA

Mayor Frimark read the following consent agenda items into the record:

- Approval of the Purchase of Fire Hydrants – not to exceed \$45,075
- Approval of the Final Payout for the 2006/2007 Alley Paving Program - \$11,576.58
- Approval of the Change Order for Additional Watermain Work at Farrell Avenue and Dee Road – not to exceed \$70,000
- Approval of the Illinois Department of Transportation (IDOT) Resolution for Alley Paving
- Approve warrants, reviewed by Ald. Carey, for the period ending July 15, 2007 in the amount of \$1,430,675.70

Moved by Ald. DiPietro. Seconded by Ald. Bach.

On Roll Call Vote:

AYES: Ald. DiPietro, Bach, Allegretti, Ryan, Carey, Wsol and Schmidt

NAYS: None

ABSENT: None

The motion carried with 7 favorable votes.

REPORTS OF CITY OFFICIALS

MAYOR (Proclamation –Recognition of Liz Bondi / Proclamation – US Coast Guard Day)

Mayor Frimark welcomed Representative Rosemary Mulligan to the meeting.

City Clerk Henneman read a Proclamation for Liz Bondi recognizing her sport related accomplishments. She also read a Proclamation for the United States Coast Guard

Auxiliary in recognition of their Anniversary. Mayor Frimark presented a Proclamation to each recipient. Each recipient was given an opportunity to say a few words.

Mayor Frimark reported that the Taste of Park Ridge was very successful and that the Taste Committee would present a complete report at a future meeting.

CITY MANAGER

City Manager Schuenke explained that Nicor recently informed the City that liquid was discovered in some gas meters and pipelines within our City. City Manager Schuenke and Mayor Frimark insisted Nicor attend the City Council meeting and report to the community on what they found and how the situation is being addressed. City Manager Schuenke said Nicor, five members of the U.S. Environmental Protection Agency (USEPA), and members of the Illinois States Attorney's office were in attendance at the City Council meeting.

Mr. Rocco D'Alessandro, executive vice-president for Nicor Gas, explained small amounts of PCB's had been discovered in a total of 4 homes, with its initial finding in February 2007. Apparently, pipeline liquids in the meter had obstructed the flow of natural gas into the customer's homes. Upon further investigation, it was determined that the liquids migrated from the meter into the resident's hot water heater and furnace. Nicor replaced the affected appliances, in addition to the meter and gas pipe, at no expense to the customer. All homes involved have been cleaned, tested and retested by an independent environmental service company to verify no traces of PCB's had been left in the home. After the second discovery, Nicor disclosed the matter to the USEPA and other governmental agencies. Mr. D'Alessandro stated an occurrence of this nature is very rare and assured the City Council that the health or safety of Nicor's customers' has not been jeopardized, as guaranteed by experts in the health and PCB field. With the cooperation of the USEPA, Nicor initiated a study on July 9, 2007, involving forty homes in the City of Park Ridge within the parameter of the four homes initially affected. The study is to conclude on July 31, 2007. Another random area study will involve an additional forty homes. Nicor will check their gas lines and selected customer's equipment for pipeline liquids. Thus far, Nicor's investigation has not uncovered any further discovery of pipeline liquids. Appointments are being scheduled at the customer's convenience. Upon arriving at a testing residence, Nicor supplies the resident with a special number to call with questions (630/388-3440). In addition, they are given an *"In The Neighborhood"* newsletter explaining what Nicor is doing and the reason why it is being done.

Mr. James Jezerol, Jr., general manager of environmental health and safety at Nicor, defined what PCB's are, where they come from and how they affect gas service. Furthermore, he said that the EPA regulates PCB's and that Nicor has never used PCB's in their system. He explained that PCB's traveled into their system via the pipeline transmission companies. The PCB's originated in the compressors of the pipeline, leaked out, dissolved and transformed into liquids, making its way to the Nicor Gas system. Both Nicor and the transmission companies have equipment to remove most liquids from the system. He also mentioned that PCB's tend to duplicate previously traveled areas or "route preference". He explained PCB's are everywhere in the environment, including in wildlife and fish and that everyone carries a body dose of PCB's with a lifelong exposure. He reiterated that PCB's have not been found in the air at resident's homes, nor on any surface contact areas within the homes. Therefore,

experts believe Nicor customers have had no physical contact or that the quantity is too minuscule to be harmful.

Aldermen questioned Nicor about how they would choose the additional forty homes for testing, and whether any customers' homes are at risk of explosion. They also asked if a defective batch of gas meters might have caused the problem. Nicor was asked to explain their course of action in case the PCB's were not contained, and in addition, to explain Nicor's lack of communication to the City (4-month delay). Aldermen also requested the waiting time for test results and if there is a threat of ingesting the PCB's. Also, Ald. Bach requested proof from experts stating Nicor customer's are not at risk.

Mr. D'Alessandro explained he never heard of liquid passing beyond the meter. He said forty homes in the initial discovery area would be chosen for random checking. He added customers are at no risk of gas explosion. Affected homes may experience an interruption in the flow of gas. PCB's discovered were contained in the furnace (or boiler) and hot water heater. Furthermore, he said there is no health risk to the customers and that the source of the contamination has not yet been determined. He explained meters are tested regularly for accuracy throughout the territory and stated there are no defective meters. He disclosed that if any positive testing results occur, Nicor would evaluate the situation, perform additional testing if required, and work alongside the USEPA to decide how to move forward. He said test results can be obtained in one hour and follow-ups are being made to residents. He reiterated, what happened was a unique and isolated incident involving four homes in the Sixth Ward.

Mr. Jezerol mentioned that in order to ingest, one would need to be near the burner or pilot light area of furnace.

Igor Papadyne a resident at 1608 S. Crescent asked who owns the compressors, whether or not Nicor had any interest in the pipelines, if gas lines to the main and house had been checked and whether PCB's in Lake Michigan are man-made or natural. Mr. D'Alessandro stated that compressors are owned by Interstate Pipelines and that Nicor has no interest in the pipelines. Mr. Jezerol declined answering the Lake Michigan PCB question since he was not an expert, but did indicate PCB's are manmade. He also explained the technique used to check meters. Later in the discussion, Mr. Papadyne added that he worked in the gas industry for 15-years. In his opinion, he believes Nicor has something in their gas system leading into the homes.

Mr. D'Alessandro said the City would be included in the daily reports that Nicor sends to the USEPA and to the Attorney General's Office.

Illinois State Representative Rosemary Mulligan, 932 E. Lee Street, Des Plaines, IL, spoke and questioned if any of the meters changed had previous involvement with the mercury issue. She requested that any meters installed by sub-contractors be re-checked for proper installation. She also asked if cooking on outdoor gas grills or on indoor broilers creates a risk for ingestion. Mr. D'Alessandro replied that the mercury issue was separate and was involved specifically with the meter regulators. He explained that used meters must pass a re-inspection by the Illinois Commerce Commission (ICC) before they are put back into service. Mr. Jezerol addressed Representative Mulligan's question regarding the grills and said that since liquids were contained in equipment and the quantities were so low, he did not believe it was a safety

issue. Representative Mulligan stated it should be mandatory to report any incident such as this immediately to the USEPA.

Roderick Mayer, a resident at 425 S. Delphia lives across the street from one of the homes affected. His own meter had been changed and instead of the results coming within 24-hours, he was told they would be contacted only if there was a problem. He asked to hear Nicor's plan for future re-testing. Mr. D'Alessandro replied indicating they are testing a new clear riser pipe (see trough drip) to verify any liquid contained within. Mr. Jezerol added that a phone call is to be made within the 24-hour period to the customer and that Nicor is prepared to provide a written report, as well.

Mr. D'Alessandro said a drip was installed at one of the involved homes. After inspection, the "drip" device was dry but liquid still accessed the customer's meter. Henceforth, it is very difficult to capture the liquid. Nicor's objective is to find a way to remove the liquid - and if this cannot be done- react the correct way for the customer.

Pat Livensparger, a resident at 413 Courtland, said all her appliances are electric and would not know if there was a problem. In addition to providing a phone number, she asked Nicor to distribute an information guide indicating how residents can do a self-check for low-pressure. D'Alessandro replied stating that the USEPA distributed a flyer at the meeting containing the requested information.

Joe Kwasigroch, a resident at 424 S. Delphia said liquid was found at his home and asked why it took 8-days to be notified. Mr. D'Alessandro replied and explained Nicor was trying to gather facts together. This was also the time Nicor voluntarily notified the USEPA and other governmental agencies with its findings and sought guidance. He apologized to the customer for Nicor's delayed response.

Ken Balaskovits, a resident at 1111 N. Western asked if pipeline suppliers had been notified, if any federal pipeline standards exist, and if so, if any had been violated. He also asked if the USEPA or ICC examined the compressors or stations? Mr. D'Alessandro said the interstate pipeline suppliers were notified. He explained that the USEPA governs liquids found in pipelines and is aware that PCB's are contained within the pipeline. However, there is no regulation on the amount. It is the amount of release beyond a specific level that is reported to the USEPA.

Barbara Redneck, 1440 W. Talcott said she owns one of the homes that were affected. She referred to an incident that occurred in December 2005 when her meter was hissing and the difficult time she had in getting Nicor to come assess the problem. Liquid was present in 2005 when Nicor changed the meter but was never tested. The resident was instructed, "Just wipe it off the windows". A similar incident happened to her again in February 2007. Her father continued to ask, "What is in that liquid"? She explained that Nicor changed the soil, planted new flowers and lawn, cleaned the boiler and tested it for PCB's. She received a report containing many numbers. Her main concern is the length of time her family was exposed. Mr. D'Alessandro said equipment was removed that contained PCB's and that testing was administered based on office standards. In 2005, liquid (that later tested positive to containing PCB's) was evident in the meter, but it had not migrated past the meter.

Ald. Wsol said he appreciated Nicor's attendance and that of the residents from the 6th Ward. He stressed the importance of communication and keeping the City and its

residents informed. He requested the City be copied on every report that is sent to a resident. He is aware that verbal responses should occur within 24-hours. He asked when a resident could expect a written reply. Mr. Jezerol responded that Nicor is currently responding verbally, however, Nicor would provide a written report to the customer, if requested. Nicor responded to the four homes involved in the incident using both means of communication. Mr. D'Alessandro added residents would receive a verbal response, followed by a written response.

Ald. Bach asked if a full spectrum analysis was performed on the liquid. Mr. Jezerol indicated it was simply a PCB testing.

Ald. Allegretti inquired if the entire liquid content was 100% PCB's or what ratio was parts per million (PPM). Mr. Jezerol stated part of the liquid was PCB and part was petroleum product. He did not believe any liquids traveled beyond the system. The USEPA allows PCB's in the pipeline systems by regulation, and does not apply any type of concentration limit for PCB's.

Ald. Schmidt questioned Nicor as to why landscaping was replaced when nothing leaked into the home. Mr. D'Alessandro said Nicor was unaware of liquid leaking out of the meter or piping on to the ground after the first meter set was replaced. Nicor responded based on the customer's request.

Ald. Wsol asked if any of the removed items are stored at the Park Ridge Nicor location site, and if not, where they are being stored. Mr. D'Alessandro indicated no items have been stored at the Park Ridge location, and added Nicor uses a specially licensed environmental transport company to move items.

Representative Rosemary Mulligan said she spoke to the EPA and believed the amount (PPM) given to her was considerably more than what was allowed. She requested the EPA disclose the PPM amount at the meeting.

John Russell 420 S. Delphia said he believed the amount of PCB's found in the liquid was about 650 times the allowable amount.

Tony Martig, Chief Toxics Section / USEPA, Region 5 Office in Chicago Illinois said a similar incident happened twice in Indiana, this being the first time for Nicor. Regulations were amended in 1998 to allow the use of PCB's in gas pipelines that allows PCB's at any concentration with regulating starting at 50 PPM. The levels amount found in the homes was 5000-6000 PPM. Once a company reports findings of PCB's to the USEPA, the reporting company is put on a schedule to determine the extent, the source(s) and method to address the PCB's.

Rex Parker, 612 S. Greenwood, a resident of the Sixth Ward and former alderman, requested consideration from Nicor of expanding its testing zone due the high number of children in his neighborhood.

In summary, Mr. D'Alessandro advised there is no health risk with the amount of PCB's that have been found in homes in Park Ridge. He said Nicor would not put their customers' at risk and Nicor plans to continue working in tandem with the USEPA and would do whatever is necessary.

The mayor called a brief recess at 8:30 p.m. The City Council reconvened at 8:39 p.m.

City Manager Schuenke continued his City Manager's Report. He provided a memorandum, dated July 12, 2007 to the City Council and Mayor relative to the items discussed (Nicor, Target Area 2 and Police Facility Update) three days prior to the meeting.

He said that Stock Trade would be occupying 1800 square feet of irregular shaped space later this year in the Trader Joes building at a cost of \$350 per square foot, based on figures by Chico's, Jos. A. Banks and industry standards. Approximately 2000 square feet remains, however, a business has submitted a letter of intent to PRC Partners. He mentioned that it is appropriate to see more interest as completion draws nearer.

City Manager Schuenke offered solutions to Target Area II employees and construction workers who have found parking to be a problem. He said problems would most likely continue until the parking garage is completed. He also addressed parking in the Summit Mall lot. Manager Schuenke said it is a public lot and it is not solely intended for the use of Trader Joes.

Ald. DiPietro spoke of Sales Tax Revenue and why figures of the Trader Joes store were excluded. City Manager Schuenke explained Trader Joes has not reported any figures to date. He also explained there is a difference for an anchor or non-anchor space with Scott Trade being placed in a non-anchor space.

Ald. Schmidt believes Chic's and Jos. A. Banks may be hurting economically based on talks with the assistant managers. He suggested reviewing the Trader Joes agreement to confirm that the City is not missing out on any revenue.

City Manager Schuenke provided an update on the proposed Police Facility and disclosed that District 64 is willing to work with the City and provide any necessary information, as required. The City has ordered an appraisal on the property at Garden and Prospect Avenue. Once an appraisal is obtained, the City could procure architectural services. Ald. Ryan asked if any other properties were being considered for the location of the new police facility. City Manager Schuenke said they were but preferred not to disclose the information since they are owned by public entities. Ald. Ryan still believes there is a lack of information and that size is still a concern.

City Manager Schuenke proposed a City Council Workshop on July 30, 2007. Several aldermen indicated they might not be available on that date, therefore, it was suggested to determine another date.

Ald. Schmidt indicated he would still like additional information regarding the televising of City Council Meetings and utilizing Maine South students to assist in the broadcast. He requested Deputy City Manager Maller to contact Maine South High School.

Ald. Wsol suggested the City Council notify the City Manager of any other topic(s) that need(s) addressing at the workshop meeting.

City Manager Schuenke reported, in May 2007, he authorized a payment of \$25,000 to Commonwealth Edison damage caused due to concrete that fell and caused a water main to break, damaging a ComEd line.

City Manager Schuenke requested the City Council adjourn to closed session following the regular meeting to discuss a personnel matter (Chapter 5, Act 120, Article 4 (4)). Moved by Ald. DiPietro. Seconded by Ald. Allegretti.

On Roll Call Vote:

AYES: Ald. Bach, Allegretti, Ryan, Carey, Wsol, Schmidt and Allegretti

NAYS: None

ABSENT: None

The motion carried with 7 favorable votes.

CITIZENS WISHING TO ADDRESS THE COUNCIL ON NON-AGENDA ITEMS

Ken Balaskovits who resides at 1111 N. Western addressed the Council and spoke of several vacant commercial properties that he believes are a blemish (Heinz Property, Napleton Site, Barry Site/NW Highway). He added, the City is losing out on tax revenue with the delayed development of these properties. He said the City needs to better control the construction process and fine developers for needless delays. He commended Neri Architects for their efforts and development within the zoning parameters set by Park Ridge. Director Derifield explained the time parameters currently in existence.

Judy Barclay of 524 S. Courtland concurred, following up on comments made by Mr. Valaskovits and added that vacant homes also pose a problem. She said there is a lack of maintenance to the properties which results in deterioration to the neighborhood and that the City needs to find a way to prohibit neglect of properties.

Jane Reardon of 430 S. Prospect Avenue addressed the City Council on May 7, 2007 and stated her professional designations. She briefly explained an incident that occurred, involving herself and a few Park Ridge police officers, in a case where she was the victim of identity theft. She indicated the case to be near closure. Her story, as presented at the May City Council Meeting, was printed in local papers. Henceforth, she said many citizens have contacted her with similar incidents occurring to themselves or their family who are apprehensive about coming forth. An excel spreadsheet was distributed to the aldermen with types and numbers of occurrences (with names and addresses withheld). She disclosed examples of behavior and complaints and said she brought these complaints to the City Council's attention since it is their obligation to protect the citizens. She believes the City Council must address the alleged impropriety of the Police Department immediately to prevent further liability to the City.

Michael Rizzo, a resident at 805 W. Touhy Avenue spoke of assessors visiting the City from the Commission for Accreditation of Law Enforcement Agencies (CALEA) in December 2006. Feedback was requested either by public commentary, phone-in or submission in writing. Mr. Rizzo chose to write his commentary and no reply was ever received, even after follow-up calls. He questioned the integrity of the review process. A 2-page report was submitted to City Clerk Henneman and Mr. Rizzo asked that she attach his submission to the official record of the meeting. Mr. Rizzo spoke of corruption in government not only in municipalities but also the federal and state government. He spoke of a past incident when he felt threatened by one of the Park Ridge Police

Officers. The City needs a checks and balances system and suggested involving citizens in the disciplinary process or bringing in outside agencies for investigation of such matters.

David Mazza, 329 Courtland Avenue attended the meeting with his son and spoke of an incident in which his 12 year old son, along with 10-12 of his friends were treated unfairly and accused of an alleged theft of money from a local business' tip jar.

Lorena Lopez, a resident at 9 Talcott Road explained she has lived at the same address for several years with no problems. Recently, a restaurant next to her home, Nonna Silvia's, decided to add an outdoor café seating area. An alley separates the two properties. Many problems have surfaced with the Lopez residence in conjunction to this restaurant: constant noise from the alley and outdoor café area - when in use, an overabundance of trash, garbage trucks pick up at early morning hours, rodents, and construction upgrades being performed (door and plumbing) without the required permits. She requested assistance from the City to resolve these matters.

Ald. Wsol recommended Director Derifield investigate the alleged violations, Public Works Director Saccomanno communicate with ARC regarding the garbage pick-up times and Procedures and Regulations revisit the municipal code and make necessary enhancements to prevent matters similar to this from happening to others in the community.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES **SPECIAL COMMITTEES, BOARDS AND COMMISSIONS**

PLANNING AND ZONING – Ald. Schmidt (Approve Special Use for Summit of Uptown to Allow Increase in Building Height, 10 North Summit Avenue, Case Number: SU-07-02 / Approve Map Amendment from O-Office District to R-5 Multi-Family Residential and Planned Development, 225 Touhy and 1 and 111 South Washington Avenue, Case Numbers: MA-07-01 and PUD 06-02 (Ord. Prep.)

Mayor Frimark requested Item "B" be addressed first by Attorney Jack Owens from Owens, Owens & Rinn. Attorney Jack Owens requested, on behalf on his client, the matter pertaining to 225 Touhy Avenue, 1 South Washington and 111 South Washington be postponed until the August 20, 2007 City Council Meeting.

Ald. DiPietro moved that the City Council postpone, Item "B", Approval of the Map Amendment from O-Office District to R-5 Multi-Family Residential and Planned Development, 225 and 1 and 111 South Washington Avenue, Case Numbers: MA-07-01 and PUD 06-02 (Ord. Prep.) and be addressed at August 20, 2007 City Council meeting. Seconded by Ald. Carey.

On voice vote, the motion passed.

Ald. Schmidt moved the City Council approve the Special Use for Summit of Uptown to allow an increased building height at 10 North Summit Avenue, Case Number: SU-07-02, as part of remodeling, subject to granting and excepting to Section.06.E to allow a building height of 65 feet, for the tower element only, instead of the maximum 40 feet permitted in the B-5 District, in accordance with the elevation plans dated May 4, 2007. Seconded by Ald. Carey.

On Roll Call Vote:

AYES: Ald. Allegretti, Ryan, Carey, Wsol, Schmidt, DiPietro and Bach
NAYS: None
ABSENT: None

The motion carried with 7 favorable votes.

ZONING BOARD OF APPEALS – Ald. Schmidt (Approve Variance to Reduce Rear Yard Setback for Existing Single Family Residence, 314 Grant Place, Case Number: V-07-01 (Ord. Prep.) / Approve Variance to Reduce Reverse Corner Side Yard Setback for Detached Garage to Allow Fence Five Feet in Height and Non-Open Fence in Reverse Corner Side Yard, 1 Glenlake Avenue, Case Number: V-07-01)

Ald. Schmidt moved the City Council direct the City Attorney to prepare an Ordinance granting a variance to Section 7.02.E.3.b of the Park Ridge Zoning Ordinance to allow an existing single-family residence to encroach 9 feet into the required corner rear yard at 314 Grant Place, Case Number: V-07-01, subject to:

1. No certificate of occupancy be issued
2. No sale of property or transfer of the title be allowed without
3. The dismissal with prejudice of the Circuit Court Chancery proceedings and full compliance with the Settlement Agreement
4. City be indemnified of all claims relating to this case. (Ord. Prep.)

Seconded by Ald. Allegretti.

Ald. Ryan sought confirmation of conditions on the property. Director Derifield confirmed a final certificate of occupancy would be issued when all conditions of the variance are satisfied.

Ald. Wsol disclosed that he used the same architect.

Joseph Pagliari, Jr. of 300 Grant Place suggested the 20-foot setback be reinstated in the event the house is destroyed instead of making it an indefinite characteristic of the land.

Attorney John Pikarski, who represented the owner of the property, believes his client has been treated unfairly relative to this matter. He continued to explain circumstances for his belief and said municipalities are never involved in enforcement of private agreements. He explained all matters have been addressed with the exception of trees/shrubs receiving recommended maintenance (but recently retained Perricone & Associates, Volo, Illinois) of the trees and \$60,000 paid to the offended party. He said the City would not be held harmless for its own actions. Attorney Hill and Ald. Schmidt took his comment a threat. Therefore, Attorney Hill suggested the matter not be considered with the threat of a litigation aforesaid mentioned. Mr. Pikarski stated it was not a threat, but logic, and that the City would not be sued. Mr. Pikarski stated he would agree with Item #4. However, he felt the others were inappropriate.

The neighbor indicated he received \$45,000, not \$60,000 as indicated by Mr. Pikarski and \$15,000 was paid towards legal fees.

Attorney Hill suggested that if the Council agrees with Mr. Pagliari's aforesaid suggestion, the condition of the variation also be recorded.

Anne Tennes, Chairperson for the Zoning Board of Appeals (ZBA) Commission, residing at 828 South Aldine Avenue, indicated this is the most difficult case she has heard in her decade-long tenure on the ZBA. She believes the recommendations brought forth are more than fair and all decisions made based on input from the City Attorney. She also said recommendations would be made to the Procedures and Regulations Committee to prevent cases like this from recurring.

Judy Barclay, 524 Courtland Avenue spoke and concurred with Chairman Tennes regarding the recommendation to Procedures and Regulations.

Ald. DiPietro moved to amend the motion by adding to the end, "provided such variance will not carry forward if the existing house at 314 Grant Place is completely destroyed". Seconded by Ald. Carey.

The motion passed, for amending the main motion, on voice vote.

Ald. DiPietro encouraged an affirmative vote by the Aldermen. Ald. Allegretti concurred.

Ald. Schmidt moved to amend the motion by deleting Item #3, the dismissal with prejudice of the Circuit Court Chancery proceedings and full compliance with the Settlement Agreement. Seconded by Ald. Bach.

Ald. DiPietro requested to hear Attorney Hill's comments regarding the change. Attorney Hill fully explained the meaning of Item #3 and how it related to the City.

Kevin Martin, a resident at 111 Clinton requested clarification of the amendment. Construction around his home has continued for 3-years. He is anxious to have the neighboring house occupied.

On voice vote, the motion passed to delete Item #3.

Note: With the deletion of Item #3, Items #1 and #2 were also deleted since they were both directly related.

On voice vote, the main motion passed, as amended, retaining Item #4.

Ald Ryan excused himself from the meeting at 10:30 p.m. due to a personal matter.

Ald. Schmidt moved the City Council approve the variance to Reduce Reverse Corner Side Yard Setback for Detached Garage to Allow Fence Five Feet in Height and Non-Open Fence in Reverse Corner Side Yard, 1 Glenlake Avenue, Case Number: V-07-10. Seconded by Ald. Wsol.

On Roll Call Vote:

AYES: Ald. Carey, Wsol, Schmidt, DiPietro, Bach and Allegretti

NAYS: None

ABSENT: Ald. Ryan

The motion carried with 6 favorable votes.

STANDING COMMITTEES

PROCEDURES AND REGULATIONS COMMITTEE – Ald. James Allegretti (Final Approval of Modification to Article 10, Chapter 8, Section 1 – Rate of Taxicab Fares)

Ald. Allegretti moved the City Council's final approval of the modification to Article 10, Chapter 8, Section 1 – Rate of Taxicab Fares. Seconded by Ald. Schmidt.

On Roll Call Vote:

AYES: Ald. Carey, Schmidt, DiPietro, Bach and Allegretti

NAYS: Ald. Wsol

ABSENT: Ald. Ryan

The motion carried with 5 favorable votes.

PUBLIC WORKS COMMITTEE - Ald. Bach (Approval of the Purchase of Fire Hydrants – not to exceed \$45,075 / Approval of the Final Payout for the 2006/2007 Alley Paving Program - \$11,576.58 / Approval of the Change Order for Additional Watermain Work at Farrell Avenue and Dee Road – not to exceed \$70,000 / Approval of the Illinois Department of Transportation (IDOT) Resolution for Alley Paving / Approval of the 2007/2008 Proposed Mandatory Sidewalk Replacement List (Ord. Prep))

*Approval of the Purchase of Fire Hydrants – not to exceed \$45,075

Moved by Ald. DiPietro. Seconded by Ald. Bach.

On Roll Call Vote:

AYES: Ald. DiPietro, Bach, Allegretti, Ryan, Carey, Wsol and Schmidt

NAYS: None

ABSENT: None

The motion carried with 7 favorable votes.

*Approval of the Final Payout for the 2006/2007 Alley Paving Program - \$11,576.58

Moved by Ald. DiPietro. Seconded by Ald. Bach.

On Roll Call Vote:

AYES: Ald. DiPietro, Bach, Allegretti, Ryan, Carey, Wsol and Schmidt

NAYS: None

ABSENT: None

The motion carried with 7 favorable votes.

*Approval of the Change Order for Additional Watermain Work at Farrell Avenue and Dee Road – not to exceed \$70,000

Moved by Ald. DiPietro. Seconded by Ald. Bach.

On Roll Call Vote:

AYES: Ald. DiPietro, Bach, Allegretti, Ryan, Carey, Wsol and Schmidt

NAYS: None

ABSENT: None

The motion carried with 7 favorable votes.

*Approval of the Illinois Department of Transportation (IDOT) Resolution for Alley Paving

Moved by Ald. DiPietro. Seconded by Ald. Bach.

On Roll Call Vote:

AYES: Ald. DiPietro, Bach, Allegretti, Ryan, Carey, Wsol and Schmidt

NAYS: None

ABSENT: None

The motion carried with 7 favorable votes.

Ald. Bach moved the City Council direct the City attorney to prepare and ordinance for the 2007/2008 Proposed mandatory Sidewalk Replacement list for 2007/2008 (Ord. Prep.). Seconded by Ald. DiPietro.

Ald. Wsol disclosed 1 square of sidewalk at his residence is included in the 2007/08 list.

On voice vote, the motion passed.

DISCUSSION ON SELECTION AND PURCHASE OF PUBLIC ART

Discussion was had regarding the selection (the Storyteller and Celebration) and purchase of public art to be displayed on the grounds at the Library. Several residents, including Jayne Reardon, 430 S. Prospect said public art lifts the community spirit, complements landscaping and is a great asset to the community. Former Alderman Rex Parker, 612 S. Greenwood explained the history of the Public Art Commission, the artists and the reason why specific pieces of art were chosen.

Director Derifield disclosed the last meeting was held in May 2006.

Former Alderman Mary Wynn Ryan 737 S. Home, spoke of the positive affects on fine arts, music or otherwise, on people and encouraged the support of public art.

Alyssa Kulak, Executive Director of the Brickton Art Center at 147 S. Vine and member of the Public Arts Commission, said that art inspires children and families to come together. She supports the decision to acquire the two bronze statues. She explained the criteria sought when looking for sculpture artists and added that applications for consideration had been opened to all artists, local and otherwise.

Ald. David Schmidt supports public art and encouraged seeking local artists with historical significance to the City.

Noreen Gayford of 432 S. Crescent spoke of her recent trip to Holland Michigan and its display of sculpture throughout the town. She believes the process had been well conceived and the investment per resident would be just less than 50 cents. She supports the purchase of the statues.

Lloyd Godfrey of 1318 Elliott believes the Art Commission should be applauded for their work and said the statues would be a great asset to the Park Ridge community.

Pat Lofthouse, a member of the Park Ridge Library Board of Trustees residing at 611 Cedar Street, said the Board reviewed the Commissions selections. She added that the Board unanimously agreed on the two selections, adding that both visually reflect the Library's mission statement, giving examples of similarity. In her belief, the \$53,000 investment is well worth a more than a life-long investment to the community.

Marty Maloney, President of the Park Ridge Park Board, 1433 S. Ashland believes proper channels were followed and hopes the City accepts the wishes of the community, based on comments previously made, and continues the acquisition of the statues.

Ald. Allegretti spoke of a reading garden near the Waukegan Library that has bronze statues. He finds the visit to be in a very relaxing atmosphere and believes bronze statues would be a wonderful addition to the Park Ridge community.

Ald. Wsol agreed with Park Board Commissioner Maloney's comments. He also suggested the possibility of having local artists donate statues to the community.

Mayor Frimark spoke to members of the "Friends of the Library" who said they may be interested in providing financial support for the purchase of one of the statues.

Ald. Bach suggested to seek out community funding whenever possible.

Director Saccomanno concluded, that based on comments, he would discuss alternative means of funding for the statues with Deputy City Manager Maller.

FINANCE AND BUDGET COMMITTEE – Ald. Richard DiPietro (Approve warrants, reviewed by Ald. Schmidt, for the period ending June 29, 2007 in the amount of \$1,990,819.53. City Manager will comment on \$9,765.00 payment to Mr. Michael Mohar / Approve warrants, reviewed by Ald. Carey, for the period ending July 15, 2007 in the amount of \$1,430,675.70 / Approve payment of annual software maintenance and support fees in an amount not to exceed \$58,000.00 for the period of August 7, 2007 to August 6, 2008 to Tyler Technologies Inc., Munis Division, P. O. Box 678168, Dallas, TX 75267-8168 and should staff procure more economical long-term arrangements they will bring this before the City Council on July 16, 2007)

Ald. DiPietro moved the City Council approve the warrants, reviewed by Ald. Schmidt, for the period ending June 29, 2007 in the amount of \$1,990,819.53. Seconded by Ald. Wsol.

City Manager Schuenke provided explanation to a memorandum he had distributed to the City Council and Mayor Frimark, dated July 12, 2007, relating to a payment he had authorized pertaining to property damage sustained to Mr. Michael Mohar's property based on a water discharge decision made by the Community Preservation and Development Department at a neighboring property. Ald. Schmidt sought explanation of the City's policy regarding payments made to citizens because of mistakes made by City employees and the basis of the authority to make the payment, how often does it happen, and does the City keep a listing of such payments. He spoke of another incident that occurred on Touhy Avenue in December 2006.

City Manager Schuenke explained these types of occurrences are extremely rare and that he was only aware of Mr. Mohar's incident and the one mentioned by Ald. Schmidt. City Manager Schuenke said he is authorized to make a judgment and approve payments up to \$20,000.

Ald. Carey suggested if a similar situation arises (when a payment is made to a citizen due to City error), information be disclosed to the Council as a general courtesy.

On Roll Call Vote:

AYES: Ald. Wsol, Schmidt, DiPietro, Bach, Allegretti and Carey

NAYS: None

ABSENT: Ald. Ryan

The motion carried with 6 favorable votes.

*Approve warrants, reviewed by Ald. Carey, for the period ending July 15, 2007 in the amount of \$1,430,675.70

Moved by Ald. DiPietro. Seconded by Ald. Bach.

On Roll Call Vote:

AYES: Ald. DiPietro, Bach, Allegretti, Ryan, Carey, Wsol and Schmidt

NAYS: None

ABSENT: None

The motion carried with 7 favorable votes.

Ald. DiPietro moved approval for payment of annual software maintenance and support fees in an amount not to exceed \$58,000.00 for the period of August 7, 2007 to August 6, 2008 to Tyler Technologies Inc., Munis Division, P.O. Box 678168, Dallas, TX 75267-8168. Seconded by Ald. Wsol.

At Ald. Wsol's (Finance Committee) request, staff researched quotes for a long-term contract with the current software provider as a cost-savings measure. Ald. DiPietro said a new two-year agreement would be reviewed by the Finance Committee for consideration.

On Roll Call Vote:

AYES: Ald. Schmidt, DiPietro, Bach, Allegretti, Carey and Wsol

NAYS: None

ABSENT: Ald. Ryan

The motion carried with 6 favorable votes.

PUBLIC SAFETY – Ald. Wsol (Approval of Proposed Direct Connect Ordinance)

Ald. Wsol moved the City Council adopt an ordinance requiring that all current and future fire alarms required by the fire code, and all current and future police, burglary and hold-up alarms be directly connected to the City of Park Ridge. Seconded by Ald. Allegretti.

On Roll Call Vote:

AYES: Ald. DiPietro, Bach, Allegretti, Carey, Wsol and Schmidt

NAYS: None

ABSENT: Ald. Ryan

The motion carried with 6 favorable votes.

NEW BUSINESS

Mayor Frimark commented that he recently spoke with Ald. Bach and Wsol. A total of 186 homes have been approved for noise insulation through the City of Chicago/O'Hare Program. More homes may be considered in the future. A meeting is being planned with the homeowners chosen for the program.

Ald. Carey requested a breakdown of homes affected by Ward. Mayor Frimark responded that the homes chosen are in the 7th Ward, however, additional homes in the 4th or 6th Wards may be considered. Director Derifield, Ald. Wsol and Ald. Bach disclosed areas and criteria for soundproofing assistance.

ADJOURNMENT

Ald. DiPietro moved the City Council adjourn to closed session to discuss a personnel matter at 11:15 p.m. Seconded by Ald. Wsol.

The City Council returned to Open Session at 12:10 a.m.

On voice vote, the motion passed.

Ald. DiPietro moved the City Council adjourn the regular City Council meeting at 12:11 a.m. Seconded by Ald. Schmidt.

On voice vote, the motion passed.

Howard P. Frimark, Mayor

Attest:

Betty W. Henneman, City Clerk