



JOURNAL OF THE PROCEEDINGS

REGULAR MEETING OF THE PARK RIDGE CITY COUNCIL

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

MONDAY, MARCH 21, 2016 AT 7:00 P.M.

**I. Roll Call**

Acting Mayor Marty Maloney called the meeting to order at 7:02 p.m.

City Clerk Henneman read the roll and the following Elected Officials indicated their presence:

Ald. Moran, Milissis, Van Roeyen, Knight, Mazzuca, and Acting Mayor / Ald. Maloney

Ald. Shubert was absent. There was a quorum.

Staff present: J. Gilmore, J. Sorensen, F. Kaminski, J. Tappendorf, S. Hamilton, C. Peterson, J. Testin, W. Zingsheim and S. Mitchell

**II. Pledge of Allegiance**

Meeting attendees pledged their allegiance to the United States flag.

**III. Approval of Minutes**

**1. Regular City Council – March 7, 2016**

Moved by Ald. Moran. Seconded by Ald. Milissis.

**Motion carried; voice vote.**

**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.F.1. Approve final reading of ordinance amending Section 12-6-7 to create a new complementary service liquor license and 12-6-10, to provide a late fee for renewals**

**VII.F.2. Approve final reading of ordinance amending Section 12-6-7 of the Liquor Code modifying the “proof of age” restrictions for package liquor sales**

**VII.G.1. Approve first reading of Ordinance amending 13-12-5 of the Municipal Code to revise restricted parking hours on Prospect Avenue, Summit to Northwest Highway**

**VII.G.2. Approve contract for the 2015-2016 Watermain Replacement Program, PW-FY16-13 with Lampignano & Son Construction Co., 501 South Arthur Avenue, Arlington Heights, Illinois 60005 and approve a purchase order not to exceed \$790,575.00**

**VII.G.3. Approve award of a bid to Morrow Brothers Ford, U.S. Rt. 267 South, Greenfield, Illinois, through the Illinois Joint Purchase Program, for the purchase of two (2) Ford F-450 Standard Cab 4X4 Chassis at \$34,205.00 each and a purchase order in the amount of \$68,410.00**

**VII.H.1. Approve the contract for File Systems Shelving Purchase PD-FY16-01 for Ellis Systems Corporation, 28457 N. Ballard Drive, Suite F, Lake Forest, IL 60045**

**VII.H.2. Approve first reading of an Ordinance amending 13-13-2 of the Municipal Code to approve the addition of No Parking on the south side of Granville, from Cumberland to Clifton, between 1:00 p.m. to 4:00 p.m. Monday through Friday with resident permits excepted**

**VII.I.1. Approve FY16 warrants for period ending March 15, 2016 reviewed by Ald. Maloney in the amount of \$2,974,527.70**

Moved by Ald. Van Roeyen. Seconded by Ald. Milissis.

**ROLL CALL**

**AYES: Ald. Moran, Milissis, Van Roeyen, Knight, Mazzuca, and Maloney (6)**

**NAYS: None (0)**

**ABSENT: Ald. Shubert (1)**

**Motion carried, 6 – 0.**

**V. Reports of City Officials**

**A. Mayor's Report**

**1. Legislative update**

Acting Mayor Maloney explained that he and City Manager Hamilton will be meeting with State Representative Michael McAuliffe on April 25 at City Hall to discuss the Local Government Distributive Fund.

**2. Approve Resolution of the City Council of the City of Park Ridge objecting to the Map Amendment application described in Cook County Zoning Board of Appeals Docket No. MA-16-01**

Attorney Tappendorf explained that a draft Resolution was provided along with the notice received by the City in regards to an April 6 Public Hearing before the Cook County Zoning Board of Appeals for an unincorporated parcel adjacent to the City known as the VFW parcel. There is a proposal to rezone the parcel from an R-5 to I-1. An extensive list of possible uses was also provided. Park Ridge has no control over the process because it is an unincorporated parcel and it is not within the City's boundaries.

Ms. Tappendorf explained there is a procedure under state statute that allows an adjacent property owner or the City to file an objection to the rezoning in the form of a Resolution, which would be filed with the County, presented to the County ZBA. This was immediate action Park Ridge could take. The Resolution triggers the need for a super majority vote of the County to approve the rezoning. It puts Chicago on notice that Park Ridge does not favor the rezoning. Ms. Tappendorf proposed options in addition to the Resolution. The City could annex the property under 7.1.13 involuntary annexation, making it a part of its jurisdiction. This would involve notice provisions and time.

Ald. Moran questioned the jurisdiction that handles current emergency responses.

Ald. Mazzuca inquired about the requirements for annexation. Attorney Tappendorf explained that besides distribution and publication of the required notices (15 days before the adoption of an ordinance), the annexation is simply done by adopting an ordinance. According to Attorney Tappendorf, the notice was received by the City today. If it meets the standards for annexation, the City can annex the property. Director Testin has tried to reach out to the property owner's attorney; he believes they are seeking industrial zoning. He plans to follow-up with an attorney for additional information on March 23.

If the City is opposed to rezoning the property to industrial, Attorney Tappendorf suggested passing the Resolution to express the City's opposition to the rezoning. This is a formal message from the City.

**Approve Resolution of the City Council of the City of Park Ridge objecting to the Map Amendment application described in Cook County Zoning Board of Appeals Docket No. MA-16-01**

Moved by Ald. Mazzuca. Seconded by Ald. Knight.

Gina, a resident who lives in the vicinity, indicated that she received notification in November. She is concerned about what will be developed on the site. She is pleased that the City is moving forward with a Resolution. She supports annexation of the property.

Missy Langan (1924 Canfield) learned about the proposal to rezone from a neighbor. She researched the Cook County website for a site plan which is listed as a requirement, but could not be found. She asked Park Ridge to make certain this is provided. She also supports annexation.

**ROLL CALL**

**AYES:** Ald. Milissis, Van Roeyen, Knight, Mazzuca, Maloney, and Moran (6)

**NAYS:** None (0)

**ABSENT:** Ald. Shubert (1)

**Motion carried, 6 - 0.**

Ald. Knight supports the annexation; he was curious about any downside. Attorney Tappendorf explained the benefits with having control of the property; tax dollars, provision of city services, zoning control, etc. The biggest concern is the timing with Cook County for zoning. If Park Ridge annexes the property, the current use is grandfathered along with the property. The City could not apply for any zoning contrary to any existing continuing use of the property. Ms. Tappendorf believes they have only applied for rezoning, not a special use. She emphasized the importance of timing for notices; 10 days prior to passing the Ordinance the City must publish a notice in a newspaper; 15 days prior to passing the Ordinance a notice must be sent to the taxpayer of the property, 10 days prior to passage to the County, along with a variety of other notices.

Ald. Mazzuca would like to know from staff as soon as possible the pros/cons and the cost of providing services to the parcel. According to Director Zingsheim, there is water and sewer in the area. Ald. Knight would like to have information along this line presented at the March 28 Committee meeting before taking on this task. There was discussion about scheduling a Special Meeting on April 11 for the first and final reading of Ordinance.

Clerk Henneman shared a memory from many years ago when the City Council was offered the property on the south side of Higgins. The City turned it down. She is glad to see that the current Council is more proactive.

**B. City Council**

No report.

**C. City Attorney**

No report.

**D. City Clerk**

No report.

**E. City Manager**

- 1. Approve agreement allowing Uptown Station LLC to enter into a lease agreement with Pure Barre based on a guarantee of sales tax revenue of \$300.00 per square foot, plus annual sales increases based on Consumer Price Index**

Moved by Ald. Knight. Seconded by Ald. Milissis.

City Manager Hamilton explained that the Special Use for Pure Barre will be addressed later on the agenda and that this agreement must be adopted before approving the Special Use.

**ROLL CALL**

**AYES:** Ald. Van Roeyen, Knight, Mazzuca, Maloney, Moran, and Milissis (6)

**NAYS:** None (0)

**ABSENT:** Ald. Shubert (1)

**Motion carried, 6 - 0.**

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

**VII. Reports of Boards, Commissions and Committees**

**A. Planning and Zoning Commission – Ald. Van Roeyen**

- 1. Motion to reconsider the first reading of an ordinance for a map amendment to change the zoning of the property from the R-2 Single Family Residential District to the R-4 Multifamily District at 1200 Elm Street, Zoning Case Number MA-16-01**

Moved by Ald. Van Roeyen. Seconded by Ald. Knight.

Acting Mayor Maloney explained that this matter was brought before the City Council two weeks ago; the vote on the first reading failed. The motion to reconsider would determine whether the case would be heard again by the City Council. If the motion failed, the case would not be reintroduced. A motion would need to be introduced by an Alderman who opposed the last vote. All aldermen would be eligible to vote. The motion presented is all-inclusive addressing both actions; reconsideration and approval of the first reading.

Pat Livensparger (413 Courtland Avenue) questioned Ald. Van Roeyen if it was he who had requested the motion or if he was simply presenting the motion. Ald. Van Roeyen indicated he was doing both.

Ald. Mazzuca sought reasons from Ald. Van Roeyen why he is requesting to reconsider this matter. Ald. Van Roeyen explained that was contacted by a number of residents interested in hearing more about the development. He believes that the last presentation was rushed through and that there is more information that could be presented. Ald. Knight concurred with Ald. Van Roeyen.

**ROLL CALL [to reconsider]**

**AYES: Ald. Knight, Maloney, Moran, Milissis, and Van Roeyen (5)**

**NAYS: Ald. Mazzuca (1)**

**ABSENT: Ald. Shubert (1)**

**Motion carried, 5 - 1.**

**Approve first reading of ordinance for a map amendment to change the zoning of the property from the R-2 Single Family Residential District to the R-4 Multifamily District at 1200 Elm Street, Zoning Case Number MA-16-01**

Moved by Ald. Van Roeyen. Seconded by Ald. Knight.

Lawrence Freedman, Attorney for the Petitioner thanked the City Council for allowing another presentation. Members of the development team took turns explaining specifics of the proposed development.

John Nelson, Principal at JEN Land LLC explained the basics of the development plan he had prepared and the uses of adjacent properties surrounding the proposed development. He believes the property would be great transitional property since the maximum height standard is the same allowed for single residential family residences. Although R-4 zoning is sought, the intensity would not be maximized. In an R-4, building coverage of 50% is allowable; they are only covering 27.1 % of the site, which is also less than a single family development. Additionally, more open space will be provided than what is required. The development is benefiting the area since less runoff would be placed into the system. No bulk variations are being requested. The site has three frontage roads; he provided the setbacks for each, all which are in compliance. On-site guest parking has been provided, eliminating the need for guests to park on side streets. Drive access has been thoughtfully planned; no access from Greenwood will be allowed. He spoke about the City's comprehensive plan and its intention to meet the housing needs of the City's residents.

Ald. Mazzuca compared the proposed development with the attached housing units further to the east which he thought was R-2; Mr. Nelson indicated the townhomes are zoned R-4.

Javier Millan, Senior Consultant for KLOA, estimated there being less than 20 total vehicle trips during peak hours, based on over 200 surveys. He explained that the previous land use as a Public Works

facility generated approximately 2-3 times more traffic than what is being proposed. According to Millan, a townhome generates less traffic than a single family residence in terms of daily trips.

Ald. Mazzuca did not believe the right comparisons to traffic were being made. Mr. Millan explained that making a comparison based on proposed and past usage is quite normal.

Mr. Freedman recalled the significant discussion had by the Elected Officials a few weeks ago about storm water management. He sensed that the Council wanted more than "just the standard" so Lexington had the engineer revise the plan to accommodate storm water from surrounding properties.

Len Kleinjan, Haeger Engineering LLC, explained the property will be going from being 85% impervious to 55%, a benefit increase of 30%. He indicated that there is no storm water detention currently on site. Storage for 140K gallons of storage was calculated. By oversizing pipes and adding more storm sewers, they would be increasing the storm water storage 14%. Water would be picked up from the railroad and from Greenwood adding a tributary benefit, and adding a regional benefit to the property. In response to Ald. Mazzuca's inquiry about cutting into the railroad, Mr. Kleinjan explained that they would be well away from railroad property and noted that the Service Center currently impinges on the railroad land 5-10 feet. Based on a hypothetical question from Ald. Milissis, Mr. Kleinjan estimated the retention to be very similar if the project included townhomes or single family homes.

Mr. Freedman indicated that the starting sale price per unit would range \$375K - \$475K. He also spoke of the site appraisal from Marous and Company which determined that the best use of the land would be multi-family and that the property should be rezoned accordingly. Freedman indicated that the assumption and conclusion of the appraisal is consistent with the Findings of Fact.

Ald. Mazzuca sought conformation from City Manager Hamilton that Lexington was the only bidder on the property that offered the legal minimum, just over 80%, and the property was sold as an R-2 with no representation that it could be rezoned. City Manager Hamilton confirmed Ald. Mazzuca's statements.

Acting Mayor Maloney wanted more information about the gate.

Bill Rotolo, vice-president of Lexington Homes, explained that the same type of gate that is used at its development on Dee Road would be used; it is an unmanned gate with a transponder. He indicated that the gate is not mandatory, but rather for added security and is a well-received added benefit. Emergency personnel/vehicle access was discussed. There is a 25' setback before the gate which would prevent any backups on Elm Street.

Barbara Gaffke (747 N. Delphia) questioned the sewer connection and the direction of flow. Engineer Mitchell and Director Zingsheim indicated that it is currently unclear; staff would know more upon final review of the plans. She inquired about the amount of waste water generated for townhomes verses single family residences on the property. Engineer Mitchell confirmed the property size was 1.76 acres.

Missy Langan believes the gated perimeter adds isolation.

Pat Livensparger (413 Courtland) questioned the City Attorney about the reconsideration vote since one alderman who was on the prevailing side was absent. Attorney Tappendorf explained that according to state statute, if the reconsideration was done at a special meeting, those who originally voted would need to be present; this is not applicable at a regular meeting.

Ald. Milissis wanted confirmation that water was being held on the property and that restrictors would limit the amount of water released into the City's system.

Ald. Moran recognized that the property has been gated for many years. Therefore, no property is being taken away from the neighborhood. He supported the plans. He was pleased to see that the property was not maxed out; open space was added; there are no anticipated traffic issues; and, the development is adding a regional benefit. He thanked Ald. Van Roeyen for requesting reconsideration.

Ald. Knight concurred with Ald. Moran, and pointed out that the fence is a modest, 5 foot ornamental fence that adds additional security. He intends to support the motion.

Acting Mayor Maloney was pleased with the additional information that was presented and supports the project for the same reasons as Ald. Moran and Ald. Knight. He does worry about the impact of children in the school system. He believes it is a good plan that it is good for the City.

Ald. Mazzuca did not believe there were adequate criteria to justify a zoning change to R-4 since no other adjacent properties in the area are zoned greater than an R-2. In his opinion, the existing R-2 zoning does not diminish the value of neighboring property. Although a smaller development is being proposed, the change to an R-4 could significantly change the area allowing for a much larger future development. The relative gain to the public is limited versus the alleged hardship of the applicant. He does not understand how a gated community adds a public benefit. He believes the development of single family homes would have been a better choice for the property.

Acting Mayor Maloney explained that although Ald. Shubert was unable to attend, he is aware of the reconsideration of this case and that he [Ald. Shubert] will have an opportunity to comment at the final reading.

Based on a hypothetical question from Ald. Milissis, Mr. Kleinjan estimated the water retention to be very similar if the project included townhomes or single family homes.

Ald. Milissis had two main concerns initially: water management and traffic. He would like to see projects that come forward exceed the standards and it should be somethings that is asked of all developers. He recognized that Lexington heard the City's concerns and came back with beneficial improvements to a troubled area. The gate is a secondary consideration and not too important in his mind. He heard that townhomes would offer less traffic than residential single family homes. He intends to change his vote, supporting the project.

Ald. Van Roeyen spoke of the R-4 zoned property with townhomes located on Cedar (between Grace and Clifton) next to the train tracks, indicating that they fit in beautifully and are across from single family homes. He was pleased with the water detention plan, the increase in open area, and the overall improvements that have been proposed. He intends to support the motion.

#### **ROLL CALL**

**YES: Ald. Maloney, Moran, Milissis, Van Roeyen, and Knight (5)**

**NAYS: Ald. Mazzuca (1)**

**ABSENT: Ald. Shubert (1)**

**Motion carried, 5 - 1.**

**2. Approve the final reading of an ordinance for a special use for an assisted living facility in the B-2 General Commercial District, at 501 Busse Highway, Zoning Case Number SU-16-04**  
Moved by Ald. Van Roeyen. Seconded by Ald. Milissis.

Ald. Mazzuca does not believe the proposed development is suitable for this location.

Ald. Van Roeyen supports the project and has received calls from constituents who are pleased with what has been proposed. He believes it will fit beautifully in the area.

Acting Mayor Maloney continues to support the project and believes it will be a good use of the property and looks forward to its development.

#### **ROLL CALL**

**YES: Ald. Maloney, Moran, Milissis, and Van Roeyen, (4)**

**NAYS: Ald. Knight and Mazzuca (2)**

**ABSENT: Ald. Shubert (1)**

**Motion carried, 4 - 2.**

3. **Approve the final reading of an ordinance for a special use to allow a health/fitness center in the B-4 Uptown Business District, Uptown Commercial Sub-District at 110 North Northwest Highway, Zoning Case Number SU-16-05**

Moved by Ald. Van Roeyen. Seconded by Ald. Knight.

**ROLL CALL**

**YES: Ald. Moran, Milissis, Van Roeyen, Knight, Mazzuca, and Maloney (6)**

**NAYS: None (0)**

**ABSENT: Ald. Shubert (1)**

**Motion carried, 6 – 0.**

4. **Approve the first reading of ordinance for a map amendment change to the zoning of the property from the R-1, Single family Residential District, to the OS, Open Space District, at 622 North Prospect, Zoning Case Number MA-16-02**

Moved by Ald. Van Roeyen. Seconded by Ald. Knight.

Ald. Van Roeyen explained that this is for a new paddle tennis court addition on the northeast corner of the Country Club property. Director Testin indicated that the site plan had already been approved. Ald. Moran indicated that the lighting for the courts meet all standards.

**ROLL CALL**

**YES: Ald. Milissis, Van Roeyen, Knight, Mazzuca, Maloney, and Moran (6)**

**NAYS: None (0)**

**ABSENT: Ald. Shubert (1)**

**Motion carried, 6 – 0.**

**B. Zoning Board of Appeals – Ald. Moran**

No report.

**C. Liquor License Review Board – Acting Mayor Maloney**

No report.

**D. O'Hare Airport Commission – Ald. Mazzuca**

Ald. Mazzuca recognized members from the City of Wood Dale for attending the O'Hare Airport Commission meeting.

**E. Historic Preservation – Ald. Shubert**

No report.

**F. Procedures and Regulations Committee – Ald. Mazzuca**

1. **Approve final reading of ordinance amending Section 12-6-7 to create a new complementary service liquor license and 12-6-10, to provide a late fee for renewals / Approved by omnibus vote**
2. **Approve final reading of ordinance amending Section 12-6-7 of the Liquor Code modifying the "proof of age" restrictions for package liquor sales / Approved by omnibus vote**

**G. Public Works Committee – Ald. Shubert**

1. **Approve first reading of Ordinance amending 13-12-5 of the Municipal Code to revise restricted parking hours on Prospect Avenue, Summit to Northwest Highway / Approved by omnibus vote**
2. **Approve contract for the 2015-2016 Watermain Replacement Program, PW-FY16-13 with Lampignano & Son Construction Co., 501 South Arthur Avenue, Arlington Heights, Illinois 60005 and approve a purchase order not to exceed \$790,575.00 / Approved by omnibus vote**

3. **Approve award of a bid to Morrow Brothers Ford, U.S. Rt. 267 South, Greenfield, Illinois, through the Illinois Joint Purchase Program, for the purchase of two (2) Ford F-450 Standard Cab 4X4 Chassis at \$34,205.00 each and a purchase order in the amount of \$68,410.00 / Approved by omnibus vote**

4. **Approve the Tree and Stump Removal contract to Trees "R" Us, Inc., Box 6014, Wauconda, Illinois 60084**

Moved by Ald. Milissis. Seconded by Ald. Knight.

Director Zingsheim explained that the item was not on consent based on a question that came up regarding the consumer price index. He added, if a decision is made to extend the contract, the Chicago CPI would apply with a maximum 3% increase.

Ald. Mazzuca questioned the rationale for structuring this as a three-year agreement. According to Director Gilmore, the rationale was to secure the best price. According to Director Zingsheim, if approved tonight, it would not need to come before the Council for renewal.

#### **ROLL CALL**

**YES: Ald. Van Roeyen, Knight, Maloney, Moran, and Milissis (5)**

**NAYS: Ald. Mazzuca (1)**

**ABSENT: Ald. Shubert (1)**

**Motion carried, 5 – 1.**

5. **Approve the Oakton Street Stump Removal Project contract to Steve Piper & Sons, Inc., 31W320 Ramm Drive, Naperville, Illinois 60564**

Moved by Ald. Milissis. Seconded by Ald. Moran.

#### **ROLL CALL**

**YES: Ald. Knight, Maloney, Moran, Milissis, and Van Roeyen (5)**

**NAYS: Ald. Mazzuca (1)**

**ABSENT: Ald. Shubert (1)**

**Motion carried, 5 – 1.**

#### **H. Public Safety Committee – Ald. Milissis**

1. **Approve the contract for File Systems Shelving Purchase PD-FY16-01 for Ellis Systems Corporation, 28457 N. Ballard Drive, Suite F, Lake Forest, IL 60045 / Approved by omnibus vote**

2. **Approve first reading of an Ordinance amending 13-13-2 of the Municipal Code to approve the addition of No Parking on the south side of Granville, from Cumberland to Clifton, between 1:00 p.m. to 4:00 p.m. Monday through Friday with resident permits excepted / Approved by omnibus vote**

#### **I. Finance and Budget Committee – Ald. Knight**

1. **Approve FY16 warrants for period ending March 15, 2016 reviewed by Ald. Maloney in the amount of \$2,974,527.70 / Approved by omnibus vote**

### **VIII. New Business – For announcement, deliberation, and/or discussion only; no official action will be taken.**

Referencing the Police Department's budget, Ald. Moran requested an opportunity to further discuss the social worker position, its job description, full time/part time, salary, etc. at a meeting, prior to adoption of the budget. City Manager Hamilton agreed to place this topic on the Public Safety/Public Works COW on April 11.

### **IX. Adjournment**

The meeting adjourned at 8:53 p.m.

Note: The minutes are a summary of business transacted at the meeting.  
It is not a verbatim copy of the recording.

Transcribed by:

\_\_\_\_\_  
Cheryl L. Peterson, Deputy City Clerk

Attest:

\_\_\_\_\_  
Marty Maloney, Acting Mayor

\_\_\_\_\_  
Betty W. Henneman, City Clerk