

**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
April 2, 2007
CALLED TO ORDER BY Mayor Howard P. Frimark
at 7:30 p.m.**

The following indicated their presence at the meeting on roll call vote:

Ald. Crampton, Machon, DiPietro, Markech, Bateman, Jones, Radermacher, Allegretti, Baldi, Anderson, Ryan, Parker, Wsol, Cox and Mayor Frimark.

A quorum was present.

The City Council and guests pledged allegiance to the flag.

APPROVAL OF MINUTES (March 19, 2007)

Mayor Frimark requested approval of the minutes from the regular City Council Meeting held March 19, 2007.

Moved by Ald. DiPietro. Seconded by Ald. Allegretti.

On voice vote, the motion passed.

CONSENT AGENDA (Motions included in the consent agenda are discussed in the body of these minutes)

Mayor Frimark read the consent agenda items into the record.

- Proclamation – Sexual Assault Awareness Month
- Approve warrants, reviewed by Ald. Crampton, for the period ending March 30, 2007 in the amount of \$1,681,715.73

Ald. Markech requested the Sexual Assault Awareness Proclamation be removed from the consent agenda and read into the record.

Moved by Ald. DiPietro. Seconded by Ald. Cox.

On Roll Call Vote:

AYES: Ald. Baldi, Anderson, Ryan, Parker, Wsol, Cox, Crampton, Machon, DiPietro, Markech, Bateman, Jones, Radermacher and Allegretti

NAYS: None

ABSENT: None

The motion carried with 14 favorable votes.

MAYOR

Mayor Frimark read the Proclamation regarding Sexual Assault Awareness, which explained many different kinds of assaults, that anyone can be a victim of sexual assault and what the community can do, as a whole, to prevent sexual assault and how to help those who have become a victim. Mayor Frimark urged all citizens to commit to taking action against rape and sexual assault.

Moved by Ald. Crampton. Seconded by Ald. Markech.

On voice vote, the motion passed.

Mayor Frimark also read the Fair Housing Resolution, which explained that every citizen in our community has the right to fair and equal housing opportunities.

Moved by Ald. DiPietro. Seconded by Ald. Jones.

On voice vote the motion passed.

Ald. Anderson recognized three members of the Fair Housing Commission that were present at the meeting (Nan Parson, Chairman – Joan Duerkop – Cathy Doczekalski, Staff Liason). Nan Parson indicated an annual report covering accomplishments and goals would soon be available. She thanked Ald. Anderson for his efforts and assistance.

Mayor Frimark stated he had received a letter from Mr. Larry Boubel, owner of Rita's on the Run, requesting a change in address location for his liquor license (678-D North Northwest Highway). He will use this location solely for the storage of supplies. The mayor indicated, based on Article 6, Chapter 6, Section 19 of the Municipal Code, that he is required to report this change to the City Council before a revised license is issued.

Mayor Frimark made four disclosures:

Summit Retirement has made an application for City Consideration at the Appearance Commission. Mayor Frimark indicated he received a campaign contribution from Summit Retirement Home when he ran for Alderman in 2003.

Sam Markos of Diplomat Banquets, d/b/a Crystal Palace Banquet Hall, 2648 W. Dempster Street, has contributed to the mayor's campaign fund.

Frimark Insurance Company was asked to quote IL Mundo, Inc. d/b/a Al Fresco at 11 N. Northwest Highway in Park Ridge. Mayor Frimark indicated he has reason to believe they may be applying for a liquor license, and therefore, he would refrain from acting on this matter.

Lastly, Mayor Frimark previously disclosed that he had a brief, chance conversation with the owner of Norwood Builders who is hoping to complete a development in Park Ridge. After further review of the policy, Mayor Frimark learned that the economic relationship must be disclosed, not the conversation. Mayor Frimark disclosed Bruce Adreani made a campaign contribution for the 2005 Mayoral election.

Mayor Frimark proudly announced that the Commission on Accreditation of the Law Enforcement Agencies has awarded full re-accreditation to the Park Ridge Police Department. Mayor Frimark recognized and thanked Chief Caudill along with the entire Police Department for its prestigious, outstanding accomplishment. Furthermore, Mayor Frimark explained Park Ridge is one of only 37 communities in the entire United States that has both Law Enforcement (CALEA) and Fire (CFAI) Accredited Agencies. Fire Chief Dubowski was also recognized.

Mayor Frimark, Senator Kotowski, and the Illinois Tollway's Director and Chief Engineer met to discuss the sound wall at Park Ridge Pointe. The Tollway Authority has made an offer to the City and to Park Ridge Pointe. The Mayor will disclose the outcome to the City Council once it is received in writing.

On March 22, 2007 the Advocate Newspaper printed a statement from closed session minutes. Mayor Frimark reminded all elected officials and staff, matters discussed in closed sessions are not meant to be made public until the City Council votes to release the minutes. Furthermore, he explained legislature has permitted closed sessions for a reason and the City Council has an obligation to the City and should abide by the law accordingly. Ald. Markech made an inquiry to Attorney Hill regarding sanctions are available to elected officials in this type of scenario, with Attorney Hill responding that no sanctions currently exist.

CITY COUNCIL

Ald. DiPietro moved to suspend the rules to allow the mayor to speak on all action items discussed under the Procedures and Regulations Committee and all action items pertaining to the Public Safety Committee coming before the Council at this meeting. Seconded by Ald. Allegretti.

On voice vote the motion passed.

CITY CLERK

City Clerk Henneman announced early voting is underway with City Hall serving approximately 65 voters thus far. Early voting will end on April 12th at 5:00p.m.

CITIZENS WISHING TO ADDRESS THE COUNCIL ON NON-AGENDA ITEMS

None

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

PLANNING & ZONING - Ald. Crampton (Approve Final Plat of Goro's Resubdivision, 400-404 North Dee Road, Case Number: S-0701)

Ald. Crampton moved the City Council approve the Final Plat of Goro's Resubdivision, 400-404 North Dee Road, Case Number: S-07-01, subject to:

1. A variation to allow the existing, substandard right-of-way and pavement widths of Dee Road to remain;
2. Maintaining the front setback of 46 feet along Dee Road for Lot 2 on the final plat;
3. A variation to allow a front setback of 16 feet for Lot 1 along the ingress/egress easement on the final plat, and;
4. Eliminating all side yard setbacks from the final plat, as they are not required to be shown as part of the Subdivision Regulations.

Seconded by Ald. DiPietro.

On Roll Call Vote:

AYES: Ald. Anderson, Ryan, Parker, Wsol, Cox, Crampton, Machon, DiPietro, Markech, Bateman, Jones, Radermacher, Allegretti and Baldi.

NAYS: None

ABSENT: None

The motion carried with 14 favorable votes.

ZONING BOARD OF APPEALS – Ald. Baldi (Approve Variance to Reduce Reservoir Parking for Drive-In Banking Facility, 2400 Oakton Street, Case Number: V-07-03)

Ald. Baldi moved the City Council approve a Variance to reduce reservoir parking for drive-in banking facility located at 2400 Oakton Street, Case Number: V-07-03, subject to:

1. Approval of site plan by the Planning and Zoning Commission;
2. All drive-in lanes must be open for customers when the drive-in facility is in use; and
3. Site plan by VRA Architects, Exhibit Number 14.

Seconded by Ald. Crampton.

On Roll Call Vote:

AYES: Ald. Ryan, Parker, Wsol, Cox, Crampton, Machon, DiPietro, Markech, Bateman, Radermacher, Allegretti, Baldi and Anderson

NAYS: Ald. Jones

ABSENT: None

The motion carried with 13 favorable votes.

STANDING COMMITTEES:

PROCEDURE & REGULATIONS COMMITTEE-Ald. Cox (Modification to Article 3, Chapter 2, Section 4.1 – Inauguration of Newly Elected Officials / Modification to the Municipal Code Article 3, Chapter 2, Section 6 – Recording of Minutes / Final Approval of Modification to Article 12, Chapter 6, Section 10 – Classification of Licenses and Schedule of Fees / Modifications to Article 2, Chapter 5 – Ethics Provisions / Modification to Article 2, Chapter 24 – Disclosures Required From Persons Seeking Considerations From or Doing Business with the City)

Ald. Cox moved the City Council's final approval of modification to Article 3, Chapter 2, Section 4.1, Inauguration of Newly Elected Officials.

Seconded by Ald. DiPietro.

In summary, due to the late election date, the ordinance would set the date for the swearing-in of newly elected officials.

On Roll Call Vote:

AYES: Ald. Parker, Wsol, Cox, Crampton, Machon, DiPietro, Markech, Bateman, Jones, Radermacher, Allegretti, Baldi, Anderson and Ryan

NAYS: None

ABSENT: None

The motion carried with 14 favorable votes.

Ald. Cox moved the City Council's final approval of the modification to Article 3, Chapter 2, Section 6 – Recording of Minutes.

Seconded by Ald. Wsol.

In summary, the ordinance would require all Meetings-of- the-Whole to be recorded in addition to any other City Council meetings.

On Roll Call Vote:

AYES: Ald. Wsol, Cox, Crampton, Machon, DiPietro, Markech, Bateman, Jones, Radermacher, Allegretti, Baldi, Anderson, Ryan and Parker

NAYS: None

ABSENT: None

The motion carried with 14 favorable votes.

Ald. Cox moved the City Council's approval for the modification to Article 12, Chapter 6, Section 10 – Classification of Licenses and Schedule of Fees.
Seconded by Ald. Anderson.

In summary, the modification would allow the sale of liquor in large stores between the hours of 8 a.m. and midnight, and in addition, allow an increased display area.

Margaret Polovchak (MCYAF, 819 Busse Highway), Pat Christensen (1123 S. Courtland), Peter Ryan (Community Health Commission), Tony Emilio (Liquor Board Commissioner, 2200 Mary Jane), Per Hugo Kristensson (1123 S. Courtland), Ald. DiPietro, Ald. Machon and Ald. Wsol all spoke independently. They offered their viewpoints, which were against the extension of hours for liquor sales, and stressed, it is a quality of life issue. Ald. Cox was in favor of extending the hours for liquor sales and indicated tax revenues received could be used to fund community groups or organizations. Furthermore, he indicated it is a convenience for the residents in the community, which would generate additional tax revenue. Mayor Frimark indicated that the liquor commissioners' are not in favor of this modification.

On Roll Call Vote:

AYES: Ald. Cox, Crampton, Markech and Anderson

NAYS: Ald. Machon, DiPietro, Bateman, Jones, Radermacher, Allegretti, Baldi,
Ryan, Parker, and Wsol

ABSENT: None

The motion was defeated with 10 nay votes.

Ald. Cox moved the City Council approve modifications to Article 2, Chapter 5 – Ethics Provisions. Seconded by Ald. Anderson.

In summary, the changes will codify a policy enacted approximately one year ago requiring economic disclosures of relationships for petitioners seeking consideration with the City and add penalties if there is a failure to comply with required disclosures.

Ald. DiPietro discussed the absence of having a “statute of limitations” in this ordinance and also clarified instances of elected officials receiving donations.

Ald. Baldi requested further explanation of “acting on a matter”.

In the mayor's opinion, the ordinance proposed was motivated by politics rather than integrity, with means of intimidating local business owners who wish to remain in office or run as an elected official in the future. He continued by stating that the proposed ordinance is one that is set to be carried out by the new aldermen running for office and would not pertain to those leaving, which he believes are the ones pursuing this matter the hardest. As proposed in the ordinance, any elected official will need to consult with an attorney and address the City Council before discussing any matter with a constituent. The word “discussion” is an undefined term and a primary concern, making every elected official concerned about speaking with a constituent. The mayor wished to inform all residents in the community, that if the ordinance passes, as proposed, he would seek consideration from the new City Council for a new version of the ordinance that encourages, rather than discourages, dialogue with community residents.

Ald. Baldi requested an amendment to the Ordinance in Section 1: Act on a Matter or Acting on a Matter shall mean discussion or vote at a public meeting on a matter...
Seconded by Ald. Wsol.

Ald. Allegretti, Ald. Crampton and Ald. Markech sought the proper handling of various situations, with replies being given by Attorney Hill and Ald. Baldi. Ald. Cox and Ald. Baldi continued to discuss changes in wording for the ordinance with the assistance of the City Attorney.

Ald. Baldi amended the amendment to read: Act on a Matter or Acting on a Matter shall mean discussion or vote at a public meeting on a matter or when sanctioned by the City Council to act on behalf of the City.

Ald. Crampton recognized Ald. Baldi for his excellent idea pertaining to the wording in the ordinance.

Ald. Wsol accepted the changed amendment.

On voice vote, the amendment passed.

Further discussion continued, with Ald. Machon offering his suggestions of ordinance wording changes regarding campaign contributions. Ald. Crampton and Cox offered their opinions on the changes that were requested. Mayor Frimark thought the changes might create an accounting nightmare and requested further clarification. Ald. Cox said, "If the contribution is not \$150 at one time, it is not an economic relationship, as defined in the ordinance as an economic relationship." Mayor Frimark requested Ald. Cox's statement be recorded in the minutes.

Ald. Machon offered the following wording changes to the 2nd sentence, 2nd paragraph of Item #2: "In the case of a campaign contribution that must be disclosed, the actual amount of that campaign contribution must be disclosed".

Ald. Crampton, Ald. Allegretti, Ald. Cox, Ald. Radermacher and Mayor Frimark continued discussion relating to economic disclosures and the reporting period for campaign contributions. Several suggestions of wording changes were brought forth.

Ald. Cox requested point-of –personal –privilege for allowing a 5-minute recess at 8:47. The City Council reconvened at 8:58 p.m.

Attorney Hill was directed by Ald. Machon to offer the 4 following amendments:

- 1) Moving the 1st sentence of 2nd paragraph of Item #2 on Page 3: "Disclosure shall mean the filing"... to the definition section.
- 2) Substitute another sentence for the second sentence, which will read, "In the case of disclosure of campaign contributions, the actual amount of the contributions shall be disclosed.
- 3) The next sentence would read, "The disclosure statement shall be filed"...
- 4) The last sentence would read "Economic relationships shall also specifically include campaign contributions totaling more than \$150 whether in case or in kind, by the petitioner made to or by the benefit of the City Official or the City Officials campaign committee or campaign fund in any four year period.

Ald. Machon moved the City Council approve the amendment read by Attorney Hill as his substitute amendment to the Ethics Ordinance. Seconded by Ald. Crampton.

On voice vote, the motion passed.

Ald. DiPietro offered the following amendment to Section 1, Page 2, Consideration from the City: Consideration from the City shall include zoning variations, zoning text amendments, zoning map amendments, subdivision, developmental approval...
Seconded by Ald. Cox.

On voice vote, the motion passed.

Ald. Radermacher sought approval from the mayor of the revisions made thus far and asked if he would be withdrawing his comments made earlier regarding the ordinance. Mayor Frimark indicated he would sign the ordinance, once approved, but could not retract words from the minutes that have been already been recorded. Ald. Radermacher said if there is no issue, why is there a problem with enacting this measure. Continuing, he added, "Saying to the public that we will not tolerate such behavior is the absolute right thing to do". He indicated, that the mayor referred to this ordinance as a political maneuver and then accused the mayor of political maneuvers for the last four years. Furthermore, Ald. Radermacher suggested the mayor use his veto powers to approve the ordinance if he sees it to be onerous. In closing, Mayor Frimark indicated, he believes excellent changes have been made to the ordinance.

On Roll Call Vote (for the Ethics Ordinance, as amended):

AYES: Ald. Crampton, Machon, DiPietro, Markech, Bateman, Jones,
Radermacher, Allegretti, Baldi, Anderson, Ryan Parker, Wsol and Cox
NAYS: None
ABSENT: None

The motion carried with 14 favorable votes.

Ald. Cox moved the City Council approve modifications to Article 2, Chapter 24 – Disclosures Required From Persons Seeking Considerations From or Doing Business with the City. Seconded by Ald. Wsol.

In summary, actual names of owners from L.L.C.'s and D/B/A's would need to be disclosed.

On Roll Call Vote:

AYES: Ald. Machon, DiPietro, Markech, Bateman, Jones, Radermacher,
Allegretti, Baldi, Anderson, Ryan Parker, Wsol, Cox and Crampton
NAYS: None
ABSENT: None

The motion carried with 14 favorable votes.

Ald. Cox made a motion to suspend the rules and revise the agenda order, allowing Ald. Anderson to present the Public Safety Committee Report. Seconded by Ald. DiPietro.

On voice vote, the motion passed.

PUBLIC SAFETY – Ald. Anderson (Action Plan for New Police Facility: 1. After thoroughly analyzing the economic impact and redevelopment opportunities of proposed building locations in Target Area 4, staff shall be directed to commence the process of acquiring the necessary adjacent properties at a cost, which is fair to the City and to the current owners, and to pursue all appropriate avenues to effect such acquisitions. Upon securing the necessary properties, staff shall sell the Courtland property and apply the proceeds toward financing of the new construction of a facility on the selected location. 2. Staff shall be directed to commence an RFP process to identify and select a qualified architect/construction consultant to design the new police facility, and to oversee construction and related efforts. The firms invited to participate shall include the “finalists” from last year’s Police Facility Needs Analysis competition. 3. An aesthetically pleasing and efficiently functioning facility shall be designed and constructed. The facility shall consist of approximately 37,000 square feet of “people” space and approximately 12,000 square feet of secured vehicle parking, and shall be otherwise generally consistent with the recommendations set forth in the SRBL findings. Where economically feasible, “green” technology shall be incorporated. The committee understands that these sizes may be revised and the numbers are not meant to be final figures. 4. Costs are to be held to the minimum necessary to provide for a facility consistent with paragraph 3 above. Financing shall be provided primarily through proceeds of a bond issuance structured to result in zero upward change in the ongoing cost to taxpayers (or if possible, a lower payment stream than currently in place for the 1998 Public Works Service Center/alley bonds). 5. Facility Completion shall be targeted for calendar 2008 / Approve a Resolution Declaring the City’s Official Intent to Reimburse Certain Capital Expenditures from the Proceeds of Future Debt Issues)

Ald. Anderson moved approval of the 5-point action plan for the new Police Facility:

1. After thoroughly analyzing the economic impact and redevelopment opportunities of proposed building locations in Target Area 4, staff shall be directed to commence the process of acquiring the necessary adjacent properties at a cost, which is fair to the City and to the current owners, and to pursue all appropriate avenues to effect such acquisitions. Upon securing the necessary properties, staff shall sell the Courtland property and apply the proceeds toward financing of the new construction of a facility on the selected location.
2. Staff shall be directed to commence an RFP process to identify and select a qualified architect/construction consultant to design the new police facility, and to oversee construction and related efforts. The firms invited to participate shall include the “finalists” from last year’s Police Facility Needs Analysis competition.
3. An aesthetically pleasing and efficiently functioning facility shall be designed and constructed. The facility shall consist of approximately 37,000 square feet of “people” space and approximately 12,000 square feet of secured vehicle parking, and shall be otherwise generally consistent with the recommendations set forth in the SRBL findings. Where economically feasible, “green” technology shall be incorporated. The committee understands that these sizes may be revised and the numbers are not meant to be final figures.
4. Costs are to be held to the minimum necessary to provide for a facility consistent with paragraph 3 above. Financing shall be provided primarily through proceeds of a bond issuance structured to result in zero upward change in the ongoing cost to taxpayers (or if possible, a lower payment stream than currently in place for the 1998 Public Works Service Center/alley bonds).
5. Facility Completion shall be targeted for calendar 2008.

Seconded by Ald. Baldi

In summary, Ald. Anderson indicated the Public Safety Committee approved the plan with a 5-1 vote. A new police facility is needed to keep the community safer, protect the taxpayer from liability lawsuits, and provide our police department with a proper facility needed to do their job. According to Ald. Anderson, the proposed facility would be of appropriate size (37,000 feet) to direct the community’s needs.

Commander Jogmen displayed a site plan for the proposed Police Department on the projection screen.

