

**VILLAGE OF RIVER FOREST
REGULAR MEETING OF THE BOARD OF TRUSTEES MINUTES
May 29, 2018**

A regular meeting of the Village of River Forest Board of Trustees was held on Tuesday, May 29, 2018 at 7:00 p.m. in the Community Room of Village Hall, 400 Park Avenue, River Forest, IL.

1. CALL TO ORDER/ROLL CALL

The meeting was called to order at 7:02 p.m. Upon roll call, the following persons were:

Present: President Adduci, Trustees Cargie, Vazquez, Corsini, Henek, and Gibbs

Absent: Trustee Conti

Also Present: Village Clerk Kathleen Brand-White, Village Administrator Eric Palm, Assistant Village Administrator Lisa Scheiner, Management Analyst Jon Pape, Police Chief James O'Shea, Fire Chief Kurt Bohlmann, Finance Director Joan Rock, Public Works Director John Anderson, Village Attorney Greg Smith

2. PLEDGE OF ALLEGIANCE

President Adduci led the pledge of allegiance.

3. CITIZENS COMMENTS

None.

4. ELECTED OFFICIALS COMMENTS AND ANNOUNCEMENTS

Trustee Gibbs stated that he was proud of the Village's participation in the Memorial Day Parade and complimented all those who organized it in order to recognize those who serve.

Trustees Henek, Vazquez, Cargie and Corsini recognized and thanked all those who participated in the Memorial Day parade.

Trustee Corsini recognized Jan Saeger for her role in working with School District 90 and the Oak Park River Forest Historical Society in obtaining a historic designation for the school building.

President Adduci echoed other trustees' comments regarding the Memorial Day parade and thanked Village staff for all they do on behalf of the residents. She reported that she attended a meeting with Oak Park Village President Abu-Talib and Forest Park Village President Calderone to discuss the recent rejection of the joint TIGER grant application for the Harlem Avenue viaduct and strategies to obtain funding for repair of the viaduct. She said she attended a meeting with Ralph Martiere and Ed Condon regarding the intergovernmental agreement (IGA) which will be discussed at this meeting. President Adduci stated she attended the Forest Park Bank 75th anniversary celebration, attended the Wednesday Journal Conversation featuring Jeff

Morrow, and also attended the Chamber luncheon with Trustees Henek and Vazquez regarding development in River Forest and Oak Park. She discussed information that she learned at the luncheon regarding market conditions and challenges for development. She reported that she attended the Roosevelt 8th Grade solar presentation at Eric Simon's house where she learned that Illinois is the #1 producer of nuclear energy and 33rd in sustainable energy. President Adduci encouraged residents to visit ProtectMyTown.us to urge legislators to protect the Local Government Distributive Fund.

5. CONSENT AGENDA

- a. Regular Village Board Meeting Minutes – May 14, 2018
- b. Executive Session Minutes – May 14, 2018
- c. Authorize Letter of Concurrence to IDOT for Award of a Contract for the Chicago Avenue Resurfacing Project
- d. Waive Formal Bid and Award Contract for the 2018 Alley Improvement Project - Design Engineering to Hancock Engineering in an amount not-to-exceed \$40,560
- e. Accounts Payable – April 2018 - \$1,549,651.39
- f. Village Administrator's Report

Trustee Corsini made a motion, seconded by Trustee Vazquez, to approve the Consent Agenda Items a. through f. as presented.

In response to a question from Trustee Henek, Village Administrator Palm stated the likelihood of receiving IDOT funds is very high.

Roll call:

Ayes: Trustees Cargie, Corsini, Henek, Vazquez, and Gibbs

Absent: Trustee Conti

Nays: None

Motion Passes.

6. CONSENT AGENDA ITEMS REQUIRING SEPARATE CONSIDERATION

- a. Motion to Approve Payments to Anderson Elevator in the amount of \$1,049.00

Trustee Gibbs withdrew himself from discussion on this matter due to a common law conflict of interest.

Trustee Cargie made a motion, seconded by Trustee Corsini, to approve payments to Anderson Elevator in the amount of \$1,049.00.

Roll call:

Ayes: Trustees Cargie, Corsini, Henek, and Vazquez

Absent: Trustee Conti

Nays: None

Abstain: Trustee Gibbs

Motion Passes.

- b. Motion to Approve the April 2018 Accounts Payable transactions for the Economic Development Fund totaling \$40.00, for the TIF-Madison Street Fund totaling \$328,988.00, and for the TIF-North Avenue Fund totaling \$4,983.00

Trustee Vazquez asked the Village Clerk not to call him for the vote due to a common law conflict of interest.

Trustee Corsini made a motion, seconded by Trustee Gibbs, to approve the April 2018 Accounts Payable transactions for the Economic Development Fund totaling \$40.00, for the TIF-Madison Street Fund totaling \$328,988.00 and for the TIF-North Avenue Fund totaling \$4,983.00.

Roll call:

Ayes: Trustees Corsini, Cargie, Henek, and Gibbs

Absent: Trustee Conti

Nays: None

Abstain: Trustee Vazquez

Motion Passes.

7. RECOMMENDATIONS OF BOARDS, COMMISSIONS AND COMMITTEES

- a. Traffic and Safety – Amend Title 9 of the Village Code – Stop Signs on Clinton Place North/South at Iowa – Ordinance

Trustee Gibbs made a motion, seconded by Trustee Henek, to accept the recommendations from the Traffic and Safety Commission to pass an Ordinance to install a 2-way stop intersection on Clinton Place at its intersection with Iowa Street.

Village Administrator Palm stated the Traffic and Safety Commission reviewed the intersection at the request of a resident on the 900 block of Clinton Place, agreed with the petitioner's original request, and recommended that two-way stop signs should be installed at the intersection of Clinton and with Iowa.

In response to a question from Trustee Cargie, Trustee Corsini stated that there was an online petition and noted that the traffic consultant did not recommend the placement of a stop sign. In response to a question from Trustee Cargie, Trustee Gibbs concurred the signs will stop north/south traffic. Trustee Henek stated that it was her understanding that the traffic consultant did recommend the stop sign based on one of three criteria which was the sight-line. Trustee Corsini noted there was not enough accident information to support it and there was a discussion of having a more comprehensive plan rather than piecemealing the placement of stop signs. She said she is not opposed to approving the stop signs but would like to see a more comprehensive plan in place. Trustee Cargie remarked that traffic has improved since the stop sign at Monroe was installed. There was a brief discussion regarding online petitions versus paper.

President Adduci concurred with Trustee Corsini in regard to a more comprehensive plan. Village Administrator Palm stated he envisions that will be one of the recommendations and action items coming out of the Comprehensive Plan. Trustee Corsini reported that Village

Engineer Jeff Loster said between the Compressive Plan and Safe Routes study a comprehensive traffic plan will come before the Traffic and Safety Commission.

Roll call:

Ayes: Trustees Cargie, Corsini, Henek, Vazquez, and Gibbs

Absent: Trustee Conti

Nays: None

Motion Passes.

b. Zoning Board of Appeals – Variation for Setbacks for Detached Garage - 631 Edgewood Avenue – Ordinance

Trustee Gibbs made a motion, seconded by Trustee Henek, to pass an Ordinance granting the requested variation to Sections 10-9-7(C) of the Zoning Ordinance at 631 Edgewood Place.

Note: Section 10-5-4 of the Village Code requires that a variation which fails to receive the approval of four members of the Zoning Board of Appeals shall not be passed except by the favorable vote of two-thirds of the Board of Trustees. In other words, four affirmative votes are required to grant the requested variations.

Maureen Huston of 631 Edgewood noted that she has been trying to obtain a permit to build this garage for several months. She stated that there are two versions of the D1 drawing and one of them was not renamed. She said she is mystified as to what to do next because the Zoning Board of Appeals (ZBA) denied her request again without providing a rationale, explanation, or ideas on how to revise the drawings in order to get them approved. She stated that it is not possible to build a garage on the property without a variation.

President Adduci explained that the Village Board has the final work and the ZBA makes recommendations and discussed the variation process. She concurred that the ZBA provided no direction.

In response to a question from President Adduci, Kevin Horan of 623 Edgewood stated that he submitted a letter to the ZBA regarding the revised D1 drawing reiterating his objection. He stated that any garage built on the property will require a variation but if it is built on buildable rear third of the property it will require less of a variation.

In response to a question from Trustee Cargie, Ms. Huston clarified that she is requesting a variation based on the D1 drawing revised on April 11, 2018.

Mr. Horan stated that his concerns in regard to the location of the garage are well documented. He said that the garage located so close to the property line will create a sight-line issue and he is concerned about the safety of his young children. In response to a question from President Adduci, Mr. Horan stated the plans have the placement of the garage within three feet of the property line and clarified that he is concerned about the sightline to and from the street. In response to a question from President Adduci, Mr. Horan stated the fence he is considering installing is in the rear portion of the property up to the gate. He added that there is also a density concern in regard to the front 2/3 of the property.

In response to a question from Trustee Cargie, Mr. Horan stated the sightline issue is from his front gate to the street. Trustee Cargie noted that the setback of the house is less than the proposed setback for the garage. Trustee Vazquez questioned how moving the garage back would make it safer. Mr. Horan stated if the tree were removed and the garage was set back another eight feet it would be safer. There was a brief discussion regarding which tree was to be removed. Ms. Huston stated that they brought a drainage engineer to the last meeting to address Mr. Horan's concern regarding flooding. She discussed the difficulties regarding the pitch of the yard if the garage was moved back. In regard to Mr. Horan's comment concerning tree removal, Ms. Huston stated she may remove the tree but whether it is removed or not it will not impact the location of the garage. She discussed additional issues that would arise if the garage was moved closer to the house. Ms. Huston noted that the proposed garage is a standard-sized, two-car garage and her lot is two to three feet lower than Mr. Horan's lot which minimizes the impact on that side of the fence. She explained that the three-foot setback is to the eave and it is five feet to the garage at front of the garage and that setback gets larger moving to the rear of the garage because of the diagonal lot line. She noted the standard setback is five feet and in 95% of the properties in River Forest, that does not require a variation. She concurred with Trustee Cargie regarding the setback of the garage from the street and added that it is set back further than the front face of Mr. Horan's house. Ms. Huston stated that there is a fence along the property line currently which obstructs the view though not as high as a garage. She said moving the garage back would further reduce the permeable space on the property by extending the driveway.

President Adduci clarified that the driveway and tree are unrelated to the garage variance. She concurred with Ms. Huston in regard to the fire issues involved in moving the garage closer to the house. President Adduci stated that the setback is six feet four inches in the revised drawing and that would require more fire-retardant material. In response to a question from Trustee Corsini, Assistant Village Administrator Scheiner stated if the side wall of the garage was located five feet from the house (five feet is the trigger) it would require that that side of the garage be made with non-combustible materials. She added that moving the garage more than five feet from the house would still require some additional fire proofing.

Trustee Corsini stated that the Board should take a look at the ZBA's findings of fact to determine why they voted against it. She said the ZBA determined there was no hardship and that hardship could be subjective. She stated there are a lot of drainage issues with the house and discussed what would be required in terms of grading with another plan. She suggested that from a design perspective a straight driveway from the garage might help the neighbors. Ms. Huston said it is a relatively straight drive into the garage and the tree has no affect. In response to a question from Trustee Corsini, Assistant Village Administrator Scheiner stated the variation only applies to the structure and not to the driveway.

Trustee Gibbs stated he visited the property. He said "uniqueness" is a term used in the Village Code and they would be hard-pressed to find a property that has seven sides. He discussed the depression in the rear of the property and how that part of the property helps with stormwater management. He stated he is in favor of the variation because of the seven-sided property line and the desire to let nature handle the water.

Trustee Cargie stated he likes to defer to the commissions on these types of issues because of the time and effort they put into them. He said there is a true hardship in this case and the property

owner is entitled to have a garage. He suggested that if it were moved a few feet it would not make a difference to the neighbor. He added that he is not in favor of cutting down a tree to gain one foot of setback. Trustee Cargie stated he concurs with Trustee Gibbs. He added that the language within the zoning code intends to give property owners an opportunity to deal with uniqueness that does not work within the confines of the ZBA.

Ms. Huston clarified that one foot would not affect the tree and that moving the garage back does not eliminate a variation because there is a larger setback from the other fence.

In response to a question from Trustee Corsini, Ms. Huston stated the existing driveway would be removed and replaced with grass increasing the permeable surface.

Mr. Horan said he understands that moving the garage closer to the house would significantly increase costs. He stated that Ms. Huston knew the issues of the property when she purchased it. He reiterated that he is requesting that the garage be moved back on the buildable part of the lot (six to eight feet from the proposed position) and noted that would still require a variation. He stated that the ZBA looked at inconvenience versus hardship in terms of the placement of the garage. He said the proposed placement of the garage will do nothing to alleviate the current water retention issues. Mr. Horan concurred with the desire to preserve trees. He thanked the ZBA and the Board and discussed the variation process for the A1 and D1 plans. He urged the Board to vote along with the ZBA's recommendation.

President Adduci stated that the Board appreciates the commissions. She said the ZBA minutes and audio are clear that there were discussions regarding moving the garage back and there was agreement that moving it back would cause a hardship for Ms. Huston.

Trustee Henek said all agree that the property is unique and has a lot of drawbacks and that would be so no matter who owned it. She stated our Code essentially says the Village would like all properties to have a two-car garage, and all are in agreement that Ms. Huston should have a garage. She noted that building that garage with no variance is virtually impossible. She said from all she has read, Ms. Huston has done a lot to try to make it work and to be as accommodating as possible to her neighbors. Trustee Henek stated she feels every angle has been explored.

Trustee Cargie asked for clarification in regard to what the Board is voting on. President Adduci stated the Board is voting on an Ordinance to grant the requested variations. In response to a question from Trustee Cargie, Village Attorney Smith stated Village Code provides that the Village Board of Trustees can accept, reject, or modify the recommendation of the Zoning Board. He noted that two thirds of the trustees (four of the six) have to vote in favor of the motion because it did not receive a positive recommendation from the ZBA. In response to a follow up question from Trustee Cargie, Village Attorney Smith stated the Board can proceed straight to adopting an Ordinance granting the variation and the Ordinance will reject the recommendation by its terms.

Trustee Corsini said she wanted to state on the record that the ZBA findings indicated Ms. Huston should have known about this when she purchased the property. Trustee Corsini stated there is no way Ms. Huston could have seen this coming. She said she knows the Commission

was doing what it believes it's supposed to do but she does not agree with their findings in this case. President Adduci stated she concurred that the findings of facts are convoluted.

Trustee Vazquez stated he is normally a proponent of going along with commission recommendations. He thanked them for the hard work.

Roll call:

Ayes: Trustees Cargie, Corsini, Henek, Vazquez, and Gibbs

Absent: Trustee Conti

Nays: None

Motion Passes.

Village Administrator Palm discussed next steps for Ms. Huston.

c. Board & Commission Appointments/Reappointments

- i. Development Review Board – Reappoint Mary Ann Fishman, Mike Ruehle, David Crosby and Tagger O'Brien to a two-year term
Expiring 4/30/2020
- ii. Plan Commission – Reappoint Lisa Ryan (Member and Chairperson) and David Crosby to a four-year term expiring 4/30/2022
- iii. Traffic & Safety Commission – Reappoint Doug Rees (Member and Chairperson) and Arun Jayaraman; and, Appoint Johann Buis all to a four-year term ending 4/30/2022
- iv. Board of Fire and Police Commission – Reappoint John Phelan to a three-year term expiring 4/30/2021
- v. Ethics Commission – Reappoint Gary Collins (Member and Chairperson) and Maria Cullerton to a three- year term expiring 4/30/2021

Trustee Henek made a motion, seconded by Trustee Corsini, to concur with the recommendation of the Village President for appointments 7c.i.-7c.v. for the Boards and Commissions appointments effective May 1, 2018.

President Adduci stated there will be two additional appointments next month and she did not want to hold up these appointments until she is able to touch base with the additional appointments.

Roll call:

Ayes: Trustees Cargie, Corsini, Henek, Vazquez, and Gibbs

Absent: Trustee Conti

Nays: None

Motion Passes.

8. UNFINISHED BUSINESS

9. NEW BUSINESS

a. Discussion: Parking Designations and Fees Regarding Village Owned Parking Spaces

Village Administrator Palm reviewed the types of parking in Village-owned lots and noted there is a limited number of spaces. He stated that the event that sparked this discussion was the change in ownership of the apartment building adjacent to the commuter lot. He said the building was previously owned by Dominican University and inhabited by international students who did not have cars. He stated the new tenants have cars and the Village does not have enough overnight parking to accommodate these tenants. Village Administrator Palm indicated that the west Thatcher daily lot was previously under an intergovernmental agreement with Metra, who helped fund improvements for that lot, and a requirement under that agreement was that the lot had to remain a daily parking lot. He noted that the agreement expired in November, 2017, which gives the Village the ability to reallocate the parking designations.

Village Administrator Palm discussed the proposed changes which include increasing the number of 24-hour and overnight parking in the east Thatcher lot, converting the west Thatcher lot to monthly permit parking, and increasing the number of daily commuter parking along Hawthorne.

In response to a question from Trustee Corsini, Village Administrator Palm stated the map provided in the packet is the current parking configuration and he described the proposed changes to the map. He noted that the 24-hour and overnight parking is not exclusively for the apartment building.

In response to a question from Trustee Corsini, Village Administrator Palm stated the 17 spaces in the north row of the east Thatcher lot will be dedicated 24-hour permit spaces, the 31 in the middle will be monthly permit Metra parking with 15 of these available for overnight parking, and the south row is designated for the Park District. In response to a comment from Trustee Corsini, Village Administrator Palm stated there is currently enforcement of parking restrictions. In response to a question from Trustee Corsini, Village Administrator Palm stated the Park District does not have an issue with the parking designations.

President Adduci suggested adding angled parking to increase the number of spaces. Village Administrator Palm said he does not think the street is wide enough.

Trustee Gibbs stated he likes being able to address overnight parking issues and feels it makes the Village more desirable when adequate parking is available.

President Adduci concurred that the proposed changes provide a great solution to the current parking issues.

Trustee Corsini suggested the spaces along **Central** could be used for overnight parking to avoid putting overnight parking on Lake Street. President Adduci stated the Village should be thinking about parking in general for that area. She suggested adding another level to the west Thatcher commuter lot and noted the businesses in the vicinity would welcome additional parking.

Village Administrator Palm stated the only concern he has in regard to the proposed plan is the daily parking inventory. He said he believes it is adequate but Staff will keep a close eye on it.

Trustee Corsini stated she is concerned about short-changing the people who use the daily parking. Village Administrator Palm noted that approximately half of the daily parking spaces are used by non-residents.

Village Administrator Palm noted that parking fees have not been adjusted since 2014. He reviewed the various fee categories and stated Staff's recommendation to increase the daily fee parking from \$2.50 to \$3.00 per day, the monthly parking fee from \$35 to \$45, the overnight parking fee from \$45 to \$55 and the 24-hour parking fee from \$75 to \$100.

He explained that the 24-hour parking increase is more significant due to the greater demand and since those spaces are dedicated they should come at a premium. Trustee Cargie said that Oak Park commuter parking is a dollar per hour. In regard to a comment from Trustee Corsini, Village Administrator Palm stated the parking fee increase was not added to the budget since some residents prepay for parking and demand is not yet known.

In response to a question from Trustee Corsini, Finance Director Rock stated the Village receives Passport parking fees less credit/debit card fees which are approximately \$0.50 per transaction. Trustee Corsini suggested further research to ensure the Village is recouping its costs. Village Administrator Palm stated that he will provide additional information so the Board may consider this matter at its first meeting in June.

b. Discussion: Village's Abilities to Regulate Items Regarding Trains

Village Attorney Smith stated that both railroad lines are property owners and subject to the Village Code in terms of property maintenance. He noted that the railroads cross numerous jurisdictional boundaries and Federal code supersedes all others. He stated that Village has the ability to enforce its property maintenance requirements provided they do not infringe on railroad operations. He explained that the Village's first step would be to try to get voluntary compliance and if that does not work, the next option would be to use a formal code enforcement effort.

In response to a question from President Adduci, Village Attorney Smith stated there are many cases that suggest that local train speed limits are not enforceable even if an ordinance is on the books.

In response to a question from Trustee Cargie, Village Attorney Smith stated there are Federal noise restrictions. He noted the Village has worked with Union Pacific in regard to idling and Union Pacific has paid fines to various villages on an agreed upon basis recognizing they have not been a good neighbor in this regard.

In response to a question from Trustee Corsini, Trustee Gibbs suggested the observed increase in overnight train whistles is due to the track construction at First Avenue.

President Adduci stated the Village has received resident complaints regarding the property maintenance along the Union Pacific (UP) tracks and these complaints need to be addressed. She noted that Village Administrator Palm has been working with the railroad on these issues.

In response to a question from Trustee Cargie, Village Attorney Smith stated he is not aware of requirements that would require the railroad to notify the Village of upcoming construction and noted there was no construction permit from the Village. He said the Federal government has primary jurisdiction of the construction, the State of Illinois has jurisdiction over rail crossings, and the Village does not have any road crossings.

In response to a question from Trustee Henek, Village Administrator Palm stated Union Pacific has said they want to be a good neighbor. In regard to communication, Village Administrator Palm stated the Village may have done a better job of getting out the word of the construction of the third track. He said the Village did not learn about the detour beforehand and he has expressed his concerns regarding that to UP.

In response to a question from Trustee Cargie, Village Administrator Palm stated UP set the detour route and IDOT approved it. Trustee Gibbs said there were no signs with detour information.

Trustee Corsini stated there is not only the landscaping issue but there is garbage on the tracks. President Adduci stated there is also an issue with their general maintenance especially the bridges which they are very slowly taking care of.

- c. Consideration of an Intergovernmental Agreement between the Village, River Forest Public Schools District 90 and Oak Park & River Forest High School District 200 Regarding the River Forest Madison Street Tax Increment Financing District and the Proposed River Forest North Avenue Tax Increment Financing District

Trustee Gibbs made a motion, seconded by Trustee Corsini, to approve an intergovernmental agreement between the Village, River Forest Public Schools District 90 and Oak Park & River Forest High School District 200 regarding the River Forest Madison Street Tax Increment Financing District and the proposed River Forest North Avenue Tax Increment Financing District.

Trustee Vazquez recused himself from the matter due to his common law conflict of interest and asked that the Village Clerk not call him for a vote.

Village Administrator Palm stated that District 90 approved this IGA and District 200 is expected to approve it at their meeting in June.

Roll call:

Ayes: Trustees Cargie, Corsini, Henek, and Gibbs

Absent: Trustee Conti

Nays: None

Motion Passes.

- d. Update on Summer Schedule

Village Administrator Palm updated the Village Board on the anticipated summer meeting schedule and matters that would be coming before them for consideration. He stated that staff

will attempt to conduct business during the first regularly scheduled meetings of the months of June, July and August, and hold a second meeting only if needed.

10. EXECUTIVE SESSION

Trustee Cargie made a motion, seconded by Trustee Henek, to adjourn to Executive Session for the purpose of discussing the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the Village.

Roll call:

Ayes: Trustees Henek, Corsini, Cargie, Gibbs, and Vazquez

Absent: Trustee Conti

Nays: None

Motion Passes.

The Village Board returned to open session at 9:00 p.m.

Roll call: Trustees Cargie, Corsini, Henek, Vazquez, Gibbs, and President Adduci

11. ADJOURNMENT

Trustee Cargie made a motion seconded by Trustee Henek, to adjourn the regular Village Board of Trustees Meeting at 9:01 p.m.

Roll call:

Ayes: Trustees Corsini, Henek, Gibbs, Cargie, and Vazquez

Absent: Trustee Conti

Nays: None

Motion Passes.


Kathleen Brand-White, Village Clerk