

**VILLAGE OF RIVER FOREST
REGULAR MEETING OF THE BOARD OF TRUSTEES MINUTES
January 23, 2017**

A regular meeting of the Village of River Forest Board of Trustees was held on Monday, January 23, 2017 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 7:03 p.m. Upon roll call, the following persons were:

Present: President Adduci, Trustees Colwell-Steinke, Conti, Corsini, Cargie, Dwyer, and Gibbs

Absent: None

Also Present: Village Clerk Sharon Halperin, Assistant Village Administrator Lisa Scheiner, Police Chief Greg Weiss, Fire Chief Jim Eggert, Public Works Director John Anderson, Finance Director Joan Rock, Deputy Police Chief James O'Shea, Village Attorney Greg Smith

2. PLEDGE OF ALLEGIANCE

President Adduci led the pledge of allegiance.

3. CITIZENS COMMENTS

Robert Sugg, 411 Ashland Avenue, stated he is a retired risk management consultant and discussed his concerns regarding the Lake and Lathrop development and the contamination identified by the Environmental Protection Agency (EPA). He encouraged the Board of Trustees to find a developer to redevelop the property as condominiums and eliminate the contamination.

Ray Heise, 611 Forest Avenue, stated he was speaking on behalf of a group of concerned citizens called the Gun Responsibility Advocates (GRA) and noted some members were present. He said the group formed in support of sensible gun legislation to help stem the tide of gun violence. He urged the Village Board to adopt a Universal Background Check (UBC) resolution and discussed its importance in the prevention of fire arms from being acquired by criminals, terrorists, and those with mental health issues. He discussed public support for this legislation and the importance of municipalities passing this type of resolution.

President Adduci acknowledged the large support of River Forest residents for UBC legislation and noted that this support was not enough for the State of Illinois to enact such legislation. She suggested that the GRA find out who did not support this legislation and lobby them. She stated that if citizens are required to register a car and have insurance for that car, we should do the same for guns.

Mr. Heise stated the car analogy is a good one and that the purpose of the Resolution is to turn up the volume on the issue.

Trustee Steinke asked for clarification regarding whether a Resolution would be showing support by the River Forest community and whether it would indicate a commitment to anything beyond what the State requires. Mr. Heise confirmed that is it not legislation, there is no risk of liability for the Village, and it is simply giving voice to the overwhelming majority of citizens that favor UBC.

President Adduci noted that there was an advisory referendum in 2014 and 86% of River Forest voters voted in favor of UBCs.

Trustee Cargie stated that he agrees with what President Adduci stated and noted that the Cook County ballot proposition did not affect any change because it was too diffused. He said that the Village would amplify the clear will of River Forest residents by passing the Resolution. Trustee Steinke concurred with Trustee Cargie.

4. ELECTED OFFICIALS COMMENTS AND ANNOUNCEMENTS

Trustee Gibbs mentioned that at the Citizen Corp meeting they met with a potential leader of the group who has a background in emergency preparedness. He described the purpose of the Citizen Corps and gave examples of the assistance they have provided to the community.

Trustee Corsini announced that the Oak Park River Forest High School superintendent has been hired, and Superintendent Joylynn Pruitt-Adams will be going on a listening tour throughout the two communities. She encouraged River Forest residents to participate in the events on Monday, February 6th from 6:00 p.m. to 8:00 p.m. and Saturday, March 18th from 9:30 a.m. to 11:30 a.m. at Roosevelt Middle School. She noted that a light meal will be provided and childcare is available. She requested that the RSVP phone number is added to the Village website. Village Administrator Palm confirmed that it is already available.

President Adduci reported that she and Village Administrator Palm attended the Council of Government (COG) meeting on Friday, January 13, 2017 and noted that Dr. Pruitt-Adams was in attendance. She said Ralph Marterie spoke about the achievement gap and equity and he applauded the River Forest firefighters for their response to the flooding which saved the gymnasium floor and a significant sum of money for Roosevelt School. She stated that she attended the West Central Municipal Conference meeting and noted that the Legislative Breakfast is on the 18th of February.

5. CONSENT AGENDA

- a. Regular Village Board Meeting Minutes – January 9, 2017
 - b. Village Attorney Invoice December 2016 - \$10,274.29
 - c. Change Order #1 (Final) for the West Thatcher Commuter Parking Lot - \$12,494.25
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- d. Restated Tolling Agreement with the Illinois Municipal Investment Fund (IMET) through January 31, 2018 – Resolution
- e. Purchase of LED Street Lights from Crescent Electric Company for \$38,012
- f. Monthly Financial Report
- g. December 2016 Accounts Payable - \$ 2,042,342.72
- f. Village Administrator's Report

Trustee Gibbs made a motion, seconded by Trustee Corsini, to approve the Consent Agenda.

Roll call:

Ayes: Trustees Gibbs, Corsini, Dwyer, Colwell-Steinke, Conti, and Cargie
Absent: None
Nays: None

Motion Passes.

6. RECOMMENDATIONS OF BOARDS, COMMISSIONS AND COMMITTEES

7. UNFINISHED BUSINESS

- a. Presentation of Information Requested from the Sustainability Committee (Parks Foundation)

It was requested that the discussion of this item be after item 8.a. to allow time for all presenters to arrive. There were no objections.

President Adduci thanked the Trustees who sent in their questions.

Katie Brennan, a member of the Sustainability Committee (a part of the Parks Foundation in association with River Forest Park District) recapped the October presentation of the Committee to the Village Board. She stated that the Committee provided the Board with answers to their questions, a survey of 12 west suburban environmental commissions, and a draft ordinance creating a sustainability commission for River Forest.

In response to the question regarding the necessity of a commission, Ms. Brennan stated that the Committee and the Parks Foundation have worked hard to fulfill their responsibility under the intergovernmental agreement (IGA) to serve residents' needs for sustainable programs and to act as a Village resource for research and input on environmental initiatives and specific projects. She indicated that under the umbrella of the Park District, the Committee's projects and initiatives have been difficult for residents to find the Committee; therefore, it has been difficult for residents to engage in its programs. She stated there are not enough resources on the Park's Foundation's board and Sustainability Committee to be effective for both the parks and recreation and sustainability piece. She said the work of the Committee has become almost entirely village-based and very little park-based. She said the creation of a sustainability commission would signal to residents, potential home buyers, and the community that the

Village prioritizes environmental initiatives. She stated that the Committee would offer engagement opportunities and relieve pressures on Trustees and Village Staff in regard to sustainability questions from various sources. Ms. Brennan stated the Committee would streamline communications with these various sources through a single point of contact. She said it would allow the sustainability work to continue within the Village.

Ms. Brennan stated that the creation of a sustainability commission is not unusual and reiterated that the Committee identified 40 municipalities with such commissions. She said that a commission could tap into the resources of other sustainability commissions in the area. She stated the Committee used the Glen Ellyn ordinance as a template for the River Forest draft ordinance they created. She thanked Trustee Corsini for directing the Committee to the Glen Ellyn ordinance. She listed municipalities that created staff paid positions either in lieu of or in addition to sustainability commissions or have incorporated sustainability into existing staff positions.

Edith Makra, the Metropolitan Mayors Caucus Director of Environmental Initiatives, thanked the Board for listening and the residents for supporting this initiative. She described the organization, her background, and her work. She said a study was performed about sustainability commissions and found the commissions are typically a cadre of volunteers who provide services to the municipality it would otherwise not have, mayors often expressed they bring expertise to the village. She indicated that 78% of 40 mayors surveyed reported the overall perception of sustainability as very valuable, 20% found them to be somewhat helpful, and only one mayor felt they were not helpful.

Trustee Gibbs stated that the Village already has a Sustainability Committee and reiterated his concern that a change of status would slow the progress of the group by adding bureaucratic burdens that they currently do not have. In response to a question from Trustee Gibbs, Ms. Makra stated that they were able to look at commissions which are more formal and have a statutory relationship with the community. She said she has encountered advisory committees that appear to take on one particular issue. She noted that the transparency a commission would have seems to be an asset. She discussed "green teams" consisting of business owners, schools, park district, etc. working together on sustainability issues which are typically committees. She said she has not encountered an arrangement of a committee split between two local governments in her work with commissions. In response to a follow up question from Trustee Gibbs, Ms. Makra stated she cannot speak to the loss of flexibility with the creation of a commission. Trustee Gibbs commented that the product that has come forth from this Committee has been exemplary and he hopes that the change in status will not affect that. Ms. Makra discussed the connection village officials have with trusted committees in the decision making process in regard to policy in addition to events.

Julie Moller discussed her interactions with staff in regard to the website, general advice, compost handling, block parties, and the E-Newsletter. She said any additional staffing moving forward would include attending meetings, and she noted the commission would take their own minutes. She stated they understand they would have to follow a grant process and work with the finance director. In regard to the costs of a sustainability commission to the Village, Ms. Moller stated the costs would be based on objectives that would be run through the Village

Board. She said that as a commission they would still be able to apply for grants. She said the commission would have a strategic plan and a budget and noted that that it is how they operate now.

In response to a question from Trustee Cargie, Ms. Moller stated that as a commission they would be able to apply for the same grants they have applied for as a committee.

In response to a question from Trustee Gibbs, Trustee Dwyer stated that it is his understanding that the Parks Foundation is not going away and that charitable contribution to the Foundation would be tax deductible and could be used by the Village to fund a sustainability commission's projects. Ms. Moller said she believes there is a split with the Parks Foundations 501C3s and the Parks Foundations contributions are used for the Park District. She stated that the monies the Sustainability Committee received were from gifts from not-for-profits and private foundations which are not gifts that the Village could get. She said moving forward the Village could set up funds at the community foundation through Planet Green and indicated that the donations the Committee received were very little.

In response to a question from Trustee Steinke, Trustee Gibbs stated that if the Committee becomes a commission, they are leaving the umbrella of the Parks Foundation. Trustee Steinke commented that commission members could be on both boards. Trustee Corsini noted there would be two missions. Trustee Corsini said that this brings a question about how a commission will relate with Green4Good, a school-based initiative, and PlanIt Green. Ms. Moller reiterated that a commission would elevate the initiative and indicated a commission would look at everything and how they connect.

In response to a question from Trustee Conti, Ms. Moller stated a commission member would represent the Village at Planet Green meetings as well as Greenest Region Pact meetings.

In response to a question from Trustee Conti, Ms. Moller stated they feel seven members is appropriate based on their survey of other sustainability commissions. Trustee Conti opined that it would be more efficient with five members. Ms. Moller said there is a lot of work to do.

Trustee Conti stated that a formalized relationship does make sense for River Forest and hopes it will attract additional volunteers.

Trustee Cargie said he believes seven is an appropriate number for a commission and thanked the Committee for the work that they do.

Trustee Corsini thanked the Committee for all the work and research they did. She said the Board is not against moving towards a sustainability commission but is concerned about process and unintended consequences. She discussed the process a commission would have to follow and noted it would be slower than they are used to.

In regard to the Ordinance, Trustee Corsini questioned the ex-officio paragraph and requested the language in that paragraph be reviewed for clarity and consistency.

President Adduci stated that there are some processes that the Village has that the Committee will welcome as a commission and there are others they are already following. She suggested that the Committee review the draft ordinance once more with the Village Administrator and Village Attorney and bring it back for a vote.

In response to a question from Trustee Steinke, President Adduci stated there is one ex-officio that is not a resident.

Trustee Gibbs stated that the first time they heard the issue was in October and reiterated his concerns regarding whether all unintended consequences have been considered. Ms. Moller stated she hopes they have demonstrated that they are up for the challenge and they are ready to get back to the substantive work.

President Adduci and Trustee Corsini noted that once a commission is established, the commission positions will be open and residents would have to go through the application process.

In response to a question from Trustee Cargie, Ms. Moller stated that the Parks Foundation consists of six members.

8. NEW BUSINESS

a. Discussion: Cook County Minimum Wage and Sick Leave Rules

President Adduci stated that the Illinois State's Attorney's Office weighed in on the County's actions in regard to minimum wage and sick leave rules. She explained that there are multiple minimum wage bills (Senate Bill 2, City of Chicago's bill, the bill recently passed by Cook County and the Federal bill) which makes things confusing.

Village Attorney Smith stated that a legal opinion was requested regarding the Cook County minimum wage law that is to take effect on July 1, 2017. He said that Assistant State's Attorney Donald Pechous opined that the County, a home rule unit of government, lacks the authority to impose a minimum wage and that minimum wage is a statewide policy. He indicated that the law is on the books but no law suits have been filed. He stated that municipalities can opt out of this law if it conflicts with municipal law. He noted that the Village of Barrington passed its own minimum wage law and other municipalities are doing the same.

In response to a question from Trustee Steinke, Attorney Smith affirmed that the rules go in effect July 1, 2017.

In response to a question from Trustee Cargie, Attorney Smith replied the State did not grant power to the County to determine minimum wage in the State bill. In response to a follow up question from Trustee Cargie, Village Attorney Smith stated there is no express preemption in regard to sick leave but it is implied.

In response to a question from Trustee Steinke, Attorney Smith stated a legal analysis will determine whether a non-home rule community can pass its own minimum wage law. He noted that the Village of Barrington is non-home rule and the opinion letter of State's Attorney's Office specified there is no distinction in the Constitution on what type of municipality can create a conflicting ordinance.

Trustee Gibbs stated he does not support the example the County set by passing a rule that businesses would be required to follow but the County would not. He stated that he would support passing an Ordinance that opts out of the County's Ordinances.

President Adduci stated she would like to have simplicity and continuity in regard to minimum wage. In response to a question from President Adduci, Village Attorney Smith stated the attorney for Oak Park opined that the Village of Oak Park lacks the authority to impose a higher minimum wage than what the State had set. In response to a question from Trustee Cargie, Attorney Smith stated he does not know whether Oak Park will opt out of the County law.

In response to a question from Trustee Corsini, President Adduci stated that the West Central Municipal Conference (WCMC) does not have a position on this issue and affirmed that a number of municipalities are discussing it. She said she believes their advice and counsel is to wait to see what Senate Bill 2 looks like.

Trustee Corsini stated that she believes this is an unfunded mandate and that it creates confusion for the business owner. She gave examples of other taxes and fees that are being imposed on other businesses which are passed on to consumers. She said she would be interested in exploring the Barrington model.

Trustee Dwyer suggested that the Village do nothing but the Village Board members stated that if the Village does not opt out it will apply to businesses in River Forest. Trustee Dwyer said he would prefer the Village opt out.

There was a brief discussion regarding the various state and federal proposals for minimum wage and when they might go into effect.

Trustee Conti said for clarity and continuity it makes sense for the Village to opt out and follow the State's rules. Trustee Corsini said the County does not have the authority to impose these rules.

President Adduci indicated there is Board consensus and the next step would be to obtain a legal opinion. Village Attorney Smith stated that prior to July when the rules are in effect, it is possible that a suit challenging the rules could be filed to put them on hold or the rules could be repealed beforehand. Trustee Gibbs stated that in the interest of the River Forest business owners, he feels it would be better to opt out to put their minds at ease.

In response to a question from Trustee Steinke, Village Attorney Smith stated it is his understanding that this is the first time Cook County enacted a minimum wage rule. In response to another question from Trustee Steinke, Attorney Smith stated that both ordinances adopted by

the County had “whereas” clauses, and he read the clause that states a reason for the minimum wage ordinance is promoting the welfare of those who work within the County borders.

President Adduci directed Village Attorney Smith to look into the merits of opting out and report back to the Board.

In response to a question from Trustee Steinke, Attorney Smith stated that Cook County is the only home rule county in Illinois and as such the only county in Illinois to enact minimum wage legislation. He added that what has taken place in other states is not as informative because their constitutions differ from that of Illinois.

9. EXECUTIVE SESSION

10. ADJOURNMENT

Trustee Cargie made a motion seconded by Trustee Gibbs, to adjourn the regular Village Board of Trustees Meeting at 8:21 p.m.

Roll call:

Ayes:	Trustees Colwell-Steinke, Cargie, Corsini, Conti, Dwyer, and Gibbs
Absent:	None
Nays:	None

Motion Passes.



Sharon Halperin, Village Clerk