

**VILLAGE OF RIVER FOREST  
REGULAR BOARD MEETING MINUTES  
February 25, 2002**

A regular meeting of the Village of River Forest Board of Trustees was held at 7:30 p.m. on Monday, February 25, 2002 in the Community Room of the Village Hall, 400 Park Avenue, River Forest, Illinois.

**I. CALL TO ORDER/ROLL CALL**

Upon roll call, the following persons were:

Present: Trustees O'Brien, Prinz, Dillon, Rider and Swanson

Absent: President Paris, Trustee Heppes

Also Present: Village Clerk Hosty, Village Administrator Biondo, Assistant Village Administrator Gutierrez, Village Attorney Gilbert, Chief Holub, Chief Nummer, and Public Works Director Kramer.

Trustee Swanson made a motion seconded by Trustee O'Brien to nominate Trustee Rider as President Pro-Tem for tonight's meeting. Roll call.

Ayes: Trustees O'Brien, Prinz, Dillon and Swanson

Nays: None

Motion passed

**II. PLEDGE OF ALLEGIANCE**

President Pro-Tem Rider led the Pledge of Allegiance

**III. PUBLIC PARTICIPATION**

**A. Promotions in the Fire Department – Oath of Office**

Chief Nummer briefly explained the promotions, and then Village Clerk Hosty administered to oaths to Captain Nortier and Lieutenant Schoff.

**B. Public Testimony**

There was no public testimony.

**C. Statements from Clerk, Board, President**

None

**IV. APPROVAL OF MINUTES**

Trustee Swanson made a motion seconded by Trustee Prinz to approve the minutes of the January 28, 2002 Board meeting. Roll call.

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Ayes: Trustees O'Brien, Prinz, Dillon, Rider and Swanson  
Nays: None  
Motion passed

## **V. CONSENT AGENDA**

Mr. Biondo asked the Board's approval to add the following items to the Consent Agenda:

- E. Approval of Payment – Environmental Solutions, Inc. (ESI)
- F. Approval of Invoice - Light Fixture Replacement Project

Trustee Dillon made a motion seconded by Trustee Swanson to add the above items to the Consent Agenda. Roll call.

Ayes: Trustees O'Brien, Prinz, Dillon, Rider and Swanson  
Nays: None  
Motion passed

### **A. Approval of Payment – Village Attorney**

Trustee Dillon made a motion seconded by Trustee Swanson to approve the payment of \$2,472.50 to Mr. Gilbert for legal service. Roll call.

Ayes: Trustees O'Brien, Prinz, Dillon, Rider and Swanson  
Nays: None  
Motion passed

### **B. Approval of Payment – Special Counsel**

Trustee Dillon made a motion seconded by Trustee Swanson to authorize payment of \$4,678.44 to the firm of Hedlund, Hanley Koenigsknecht and Trafelet for legal services rendered. Roll call.

Ayes: Trustees O'Brien, Prinz, Dillon, Rider and Swanson  
Nays: None  
Motion passed

### **C. Approval of IDOT/Local Agency Agreement-Madison St. Bridge Replacement**

This item was removed from the Consent Agenda.

### **D. Approval of Monthly Financial Reports**

Trustee Dillon made a motion seconded by Trustee Swanson to approve the monthly Financial Reports. Roll call.

Ayes: Trustees O'Brien, Prinz, Dillon, Rider and Swanson

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Nays: None  
Motion passed

**E. Approval of Payment – Environmental Solutions, Inc. (ESI)**

Trustee Dillon made a motion seconded by Trustee Swanson to approve payment of \$10,966 to Environmental Solutions, Inc. for the previously described work.

Trustee Rider questioned this invoice, saying he is concerned that more contaminated soil will be found. Mr. Biondo said approximately 75% of the site has been excavated, and he does not think they will find more contaminated soil. Roll call.

Ayes: Trustees O'Brien, Prinz, Dillon, Rider and Swanson  
Nays: None  
Motion passed

**F. Approval of Invoice – Light Fixture Replacement Project**

Trustee Dillon made a motion seconded by Trustee Swanson to approve the 1<sup>st</sup> and final payment in the amount of \$14,400.00 to Sterling Mechanical Services.

Mr. Kramer explained to the Board that the old lighting was non-uniform and was well below the minimum standards for this type of use. The new lights meet the standards, and there is a noticeable difference. Roll call.

Ayes: Trustees O'Brien, Prinz, Dillon, Rider and Swanson  
Nays: None  
Motion passed

At this point, the Board agreed to discuss and vote on the following items: V. Consent Agenda C. Approval of IDOT/Local Agency Agreement-Madison St. Bridge Replacement; VIII. Resolutions IDOT-Madison Street Bridge Project; IX. Ordinances B. Waste Discharge-IDOT Madison Street Bridge Project; IX. Ordinances C. Parking-IDOT Madison Street Bridge Project; and IX. Ordinances D. Encroachments-IDOT Madison Street Bridge Project.

Mr. Kramer explained the bridge that is currently in place is an earth filled concrete arch structure. The hydraulics of the new bridge will be greatly improved. Trustee Swanson asked if it would help alleviate the flooding in the area. Mr. Kramer said that there will not be a dramatic improvement, but it will help. Trustee Rider asked if Madison Street would have to be closed down. Mr. Kramer answered that it would not be possible to have a lane of traffic open during the bridge re-construction, so from Spring of 2003 through that construction season Madison Street will be closed and traffic will be diverted to Lake Street. Truck traffic will be diverted to Roosevelt Road or North Avenue. Trustee Prinz asked if other bridges are of a similar design as the current bridge. Mr. Kramer said the Lake Street bridge is, however, it is not in the same condition. He added that the MFT Resolution and documents all three ordinances are boilerplate for this type of project.

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**C. Approval of IDOT/Local Agency Agreement-Madison St. Bridge Replacement**

Trustee Swanson made a motion seconded by Trustee O'Brien to approve the IDOT/Local Agency Agreement for the Madison Street Bridge Project. Roll call.

Ayes: Trustees O'Brien, Prinz, Dillon, Rider and Swanson

Nays: None

Motion passed

**VIII. Resolutions – IDOT – Madison Street Bridge Project**

Trustee Swanson made a motion seconded by Trustee O'Brien to approve a resolution appropriating an amount not to exceed \$6,900, of Motor Fuel Tax Funds for work associated with the IDOT Madison Street Bridge Project. Roll call.

Ayes: Trustees O'Brien, Prinz, Dillon, Rider and Swanson

Nays: None

Motion passed

**IX. Ordinances; B. Waste Discharge – IDOT Madison Street Bridge Project**

Trustee Swanson made a motion seconded by Trustee O'Brien to approve an ordinance prohibiting waste discharges on Madison Street. Roll call.

Ayes: Trustees O'Brien, Prinz, Dillon, Rider and Swanson

Nays: None

Motion passed

**IX. Ordinance; C. Parking – IDOT Madison Street Bridge Project**

Trustee Swanson made a motion seconded by Trustee O'Brien to approve an ordinance prohibiting parking on Madison Street. Roll call.

Ayes: Trustees O'Brien, Prinz, Dillon, Rider and Swanson

Nays: None

Motion passed

**IX. Ordinance; D. Encroachments – IDOT Madison Street Bridge Project**

Trustee Swanson made a motion seconded by Trustee O'Brien to approve an ordinance prohibiting encroachments on State Right of Way. Roll call.

Ayes: Trustees O'Brien, Prinz, Dillon, Rider and Swanson

Nays: None

Motion passed

**VI. BID OPENINGS**

None

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**VII. RECOMMENDATIONS OF BOARDS, COMMISSIONS AND COMMITTEES****A. Zoning Board of Appeals – Zoning Code Amendment Landscape Ordinance**

Mr. Biondo reminded the Board that the Zoning Board of Appeals approved the amendment by a 5-0 vote. Trustee Rider said that he feels this should be postponed until the full Board is present. Trustee Swanson said he does not think the ordinance should read retroactively. He asked if notice had been sent to the 37 property owners that would be affected. He also asked if the hearings had been noticed in the papers. Trustee Prinz asked what is the actual number of homes that would be in violation of the new ordinance. Mr. Gutierrez said that the only survey that has been completed is street intersections, staff has not surveyed driveway intersections with sidewalks, nor have commercial or multi-family properties been surveyed. Trustee Swanson stated that developers/owners previously approved planned developments are now going to be told that they have to make changes to their landscaping. Trustee Rider suggested the local papers publish a synopsis of the ordinance so residents can see it. Trustee Dillon said she was concerned that if the Board waited until the March 25<sup>th</sup> meeting, some residents may have already started their spring planting. Attorney Gilbert suggested sending notice of the meeting to homeowners. Trustee O'Brien asked if there is a list of the homes that would be affected. Mr. Gutierrez said there is not, but it will be more than 37 properties because the survey was based on a 30' site triangle, and the site triangle is now 40'. He asked if commercial property owners should also be notified. Trustee Swanson said he felt they should. Mr. Biondo said staff cannot complete the required survey in one week, they will need additional time. Trustee Prinz asked if the Village should send a mailing to all residents. Clerk Hosty asked if the Village followed due process with noticing the meetings. Mr. Biondo said we did. Clerk Hosty then stated the Village cannot identify every property owner who may think they should have been noticed. Mr. Biondo said the Village is not required by law to notice every resident in the Village, we post our notices as required, and have complied with our Municipal Code. Trustee O'Brien asked if there was a lot of participation at the Zoning Board of Appeals meeting. He was told there were not any residents in attendance. Mr. Biondo suggested the Board table the issue and bring it back to be discussed at a later date, and in the meantime, staff will proceed with the survey so there will be a better indication of how many owners will be affected. Trustee Prinz asked how the Village would enforce this ordinance. Mr. Biondo said they would be sent a letter explaining that they are in violation of Village Code and they are given one year to comply. A letter is then put in a "tickler file", and the property is checked one year later. If the owner has not complied, they are issued a ticket. Trustee O'Brien asked if this amendment is constitutional. Attorney Gilbert answered that some aspects of the ordinance can raise legal questions, and there is not a lot of precedent in the surrounding municipalities. He also added that a legal issue could be avoided if "retroactive" is made "prospective". Attorney Gilbert went on to say that the Village can regulate the parkway, because it is Village property and that the site line includes the parkways, it is other aspects of the ordinance that concern him. Trustee O'Brien said he is concerned about the Village telling a resident what they can and cannot plant on their property provided it does not conflict with the site triangle. Attorney Gilbert said the ordinance is mainly directed at commercial and multi-family property.

Trustee Swanson made a motion seconded by Trustee Rider to table this issue until the March 25, 2002 regular Board meeting.

Ayes: Trustees O'Brien, Prinz, Dillon, Rider and Swanson

Nays: None

Motion passed

## **VIII. RESOLUTIONS**

### **A. IDOT-Madison Street Bridge Project**

See Consent Agenda for motion

## **IX. ORDINANCES**

### **A. Amendment to Title 8, Chapter 5 – Liquor Control Ordinance**

Mr. Biondo explained the ordinance needs to be amended due to the confusion in dining space and square footage in Class 1 and Class 1A, and the number of liquor licenses currently issued in the Village. Roll call.

Ayes: Trustees O'Brien, Prinz, Dillon, Rider and Swanson

Nays: None

Motion passed

### **B. Waste Discharge-IDOT Madison Street Bridge Project**

See Consent Agenda for motion.

### **C. Parking – Madison Street Bridge Project**

See Consent Agenda for motion.

### **D. Encroachments – Madison Street Bridge Project**

See Consent Agenda for motion.

## **X. OTHER BUSINESS**

### **A. Computer Services Contract with Oak Park**

Trustee Swanson made a motion seconded by Trustee Prinz to enter into a Professional Services Contract with the Village of Oak Park to provide Information Technology Services for 2002. Roll call.

Ayes: Trustees O'Brien, Prinz, Dillon, Rider and Swanson

Nays: None

Motion passed

**B. Approval of Settlement Agreement, Indemnification and Release**

Trustee Swanson made a motion seconded by Trustee Prinz to approve the Settlement Agreement, Indemnification and Release with Texaco and to authorize the Village President to execute the document on behalf of the Village. Roll call

Ayes: Trustees O'Brien, Prinz, Dillon, Rider and Swanson  
Nays: None  
Motion passed

**C. Approval of Landscape Architecture and Engineering Service**

Trustee Swanson made a motion seconded by Trustee Prinz to approve an amendment to the AIA Agreement with Wolff Clements providing for additional professional services for a fee not to exceed \$25,000.

Mr. Biondo reminded the Board this agreement is for the extra design and project management services associated with the West End for the Lake Street Entryway project. He also informed the Board that the Village has received \$100,000 (the 1<sup>st</sup> half of the grant money) from the Illinois First Grant. Roll call.

Ayes: Trustees O'Brien, Prinz, Dillon, Rider and Swanson  
Nays: None  
Motion passed

**D. Pre-Budget Approval – Authorization for Competitive Bids**

Trustee Swanson made a motion seconded by Trustee Dillon to authorize staff to initiate the pre-budget competitive bid process for the 2002 Sidewalk/Curb Maintenance Program and the 2002 DED Injection Treatment Program.

Mr. Kramer stated that in an attempt to secure more competitive pricing, staff is seeking pre-budget approval from the Board to initiate the competitive bidding process for each project. Pre-budget approval will allow staff to pursue more competitive pricing from qualified contractors for both programs, and contractors are bidding this time of year which means their schedules fill up quickly. The proposed 2002 Sidewalk/Curb Maintenance Program remains unchanged from 2001 with the exception of an additional 75 lineal feet of curb at an estimated increase of \$10,000. The 2002 DED Injection Treatment Program will be in its fourth year. Since the program's first year, a total of 163 parkway trees have been inoculated, and only 3 or 1% have been removed due to DED. In comparison, staff has removed between 4.8% and 9% of the untreated Elm population between 1999 and 2001. Injections must be repeated every three years, therefore the trees treated in 1999 are scheduled for re-treatment in 2002. This re-treatment program will account for \$40,000 of the proposed \$55,000 project cost. Roll call.

Ayes: Trustees O'Brien, Prinz, Dillon, Rider and Swanson  
Nays: None

Motion passed

**F. Monthly Departmental Reports**

The reports were accepted.

**G. Village Administrator's Report**

The report was accepted as written.

Mr. Biondo reminded the Board that there is a Finance and Administration Committee meeting on Monday, March 4<sup>th</sup> and Wednesday, March 6<sup>th</sup> at 7:00 p.m.

**H. Executive Session**

There was no Executive Session

**XII. ADJOURNMENT**

Trustee Dillon made a motion seconded by Trustee Swanson to adjourn at 8:30 p.m. Roll call.

Ayes: Trustees O'Brien, Prinz, Dillon, Rider and Swanson

Nays:

Motion passed

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Patrick J. Hosty  
Village Clerk