



## CITY OF PARK RIDGE

### MINUTES

#### COMMITTEE OF THE WHOLE

Monday, April 27, 2009

7:00 P.M.

Council Chambers

**MEMBERS PRESENT:** Allegretti, Bach, Carey, DiPietro, Ryan, Wsol

**MEMBERS ABSENT:** Schmidt

**STAFF PRESENT:** Beil, Davis, Doczekalski, Hock, Kaderabek, Maller, Mitchell, Zingsheim

**OTHERS PRESENT:** Mayor Frimark, Betty Henneman  
John Peterson (William Blair & Co.)  
City Attorney Hill, Attorney Henn  
Citizens

#### **I. ROLL CALL**

Mayor Howard Frimark called the meeting to order at 7:07 p.m. On roll call vote the following Aldermen indicated their presence at the meeting: DiPietro, Bach, Allegretti, Ryan, Carey and Wsol

#### **II. APPROVAL OF MINUTES**

Ald. Bach motioned approval of the March 23, 2009 Committee of the Whole Meeting Minutes, Ald. DiPietro seconded. Ald. Carey abstained. The motion passed.

#### **III. CITIZENS WISHING TO BE HEARD ON NON-AGENDA ITEMS**

#### **IV. OTHER CITY BUSINESS**

- A. Adjourn to Closed Session to discuss collective bargaining pursuant to Chapter 5, Act 120, Section 2 (c) (2) of the ILCS and to discuss the discipline, performance, dismissal or employment of specific employee (s) pursuant to Chapter 5, Act 120 Section 2 (c) (1) of the ILCS

Ald. Carey motioned to go into Executive Session at the end of the meeting, Ald. DiPietro seconded. On roll call vote the motion passed.

- B. Approval of the MGP, Inc., 2009-2010 annual contract for services in connection with the Geographic Information System program.

This is the service provider for the City's GIS system. Ald. Bach asked if this item went out to bid, Ms. Davis explained that this works a little differently due to the fact that we are part of a 16-community consortium. The consortium does the competitive bidding process and MPG was the lowest bidder.

C. Director's Report

1. Director's Schedule

On May 11, 2009 Mike Nugent the City's Insurance Consultant will review the general liability, property and worker's compensation insurance proposals. Insurance will be scheduled for final approval at the May 18<sup>th</sup> City Council meeting.

2. Use of Water and Other Cash Balance Funds

This was covered under the water/sewer rate increases. There were no further questions or comments.

VI. PROCEDURES AND REGULATIONS

A. Action Items

1. Set Public Hearing for consideration of a new Certificate of Operation for American Taxi

Ald. Ryan inquired how we prove there is a need for another taxi company. Ald. Carey reminded the Committee that in two years there have only been two minor complaints against Park Ridge Taxi. After some discussion the Committee felt there was no need at this time for a second taxi company in Park Ridge.

**Ald. Carey moved to set a public hearing for April 27, 2009 to consider an application from American Taxi for a Certificate of Operation. Ald. Wsol seconded the motion. Ald. Bach moved to amend the motion from April 27, 2009 to June 22, 2009. Ald. DiPietro seconded the motion as amended. Both motions failed.**

2. Modification to Article 13, Chapter 21, Section1 – Penalties and Fees for Overweight Truck Violations

Though in favor of the increase, Ald. Bach thinks the fee should be higher. Ms. Maller added that there is already a large fine for the overweight truck and that this is just an administrative charge.

**Ald. Bach moved approval of the proposed ordinance changing the overweight truck violation administrative fee from \$25 to \$40. Ald. DiPietro seconded the motion. Ald. Allegritti, Bach, Carey, DiPietro, Ryan and Wsol voted in favor of the motion. The motion passed.**

3. Appeals Process for Text Amendments Denied by P & Z

The proposed change is to have every Planning and Zoning text amendment denial read into the record at a City Council meeting. When you say it needs and extraordinary majority, Ald. Carey asked if this meant to override a text amendment? Yes, you would need five Aldermen to override a text amendment. Ald. Allegritti reminded the Committee that as the legislative body it should be their job to review denials of text amendments. Ald. Bach added that it's important for all Aldermen to be prepared and knowledgeable and that all parties should be able to have all the time they need to present their case to the Council.

Ms. Markech asked if an applicant is denied by Planning and Zoning can they appeal to the Circuit Court. Mr. Hill advised an applicant always has the right to appeal. Ms. Barclay asked

how many text amendments have been denied in the last five years and there were none. Ms. Barclay is concerned that it could become political.

Ald. Ryan feels there should be a super majority to review as well as a super majority to override a denial of the Planning and Zoning Commission.

Ald. DiPietro moved that the City Council ask the Planning and Zoning Commission to consider a text amendment to Section 4.8.D.2.c of the Zoning Ordinance to have all denials of all text amendments by the Planning and Zoning Commission come before the City Council for review. Provided an extraordinary majority vote of the City Council would be required for approval by the City Council to override the denial of the text amendment. Ald. Wsol seconded the motion.

Ald. Allegretti moved to keep the current system in place, except that a report of any Planning and Zoning denials must be read into the record at a City Council meeting not more than thirty days after the denial. The City Council would then have the right, on its own motion, to review a denial. Ald. Bach seconded the motion.

Ald. Carey moved to defer this discussion until the June 22, 2009 Committee of the Whole meeting. Ald. Wsol seconded the motion. Ald. Allegretti, Carey, DiPietro, Ryan and Wsol voted for. Ald. Bach voted against. The motion passed.

Mr. Hill reminded the City Council that the original motion and substitute motion are the items that are being deferred. Staff should also have a motion to present to City Council that would be an amalgamation of both motions.

**B. Discussion Items**

**1. Snow Shoveling Ordinance**

Ald. Wsol doesn't like the recommended motion. Mr. Zingsheim feels that things should stay as they are. Ald. Bach thinks that we need to consider making businesses shovel their sidewalks, he has had many complaints from people leaving the Dee Road train station. Ald. Ryan is concerned about the wording of the 2007 draft ordinance because it includes residences as well as businesses. Mr. Zingsheim suggested a rewrite of the ordinance that only targets business owners.

This item has been deferred until the June 22, 2009 Committee of the Whole meeting for further discussion.

**2. Annual Fair Housing Report**

Nan Parsons presented the Annual Fair Housing Report to the City Council.

**C. Director's Report**

**VII. NEW BUSINESS**

**VIII. ADJOURNMENT**

Ald. DiPietro moved to adjourn to closed session. Ald. Bach seconded the motion.

The meeting adjourned at 10:42 p.m.