

JOURNAL OF THE PROCEEDINGS OF THE REGULAR CITY COUNCIL MEETING

Park Ridge City Hall
Council Chambers
505 Butler Place
Park Ridge, IL 60068

Monday, May 2, 2011

Mayor Schmidt called the meeting to order at 7:34 p.m.

I. ROLL CALL

City Clerk Henneman read the roll call. The following Elected Officials indicated their presence at the meeting: Ald. Sweeney, Di Pietro, Bach, Allegretti, Ryan, Carey, Wsol and Mayor Schmidt. There was a quorum.

II. PLEDGE OF ALLEGIANCE

Attendees of the meeting recited the Pledge of Allegiance.

III. APPROVAL OF MINUTES

a. Ald. Bach moved approval of the Committee of the Whole Meeting Minutes dated March 28, 2011. Seconded by Ald. Di Pietro. Ald. Carey, Ryan and Wsol abstained.
Voice Vote /Motion carried.

b. Ald. Allegretti moved approval of the Committee of the Whole Meeting Minutes dated April 11, 2011. Seconded by Ald. Bach. Ald. Carey abstained.
Voice Vote /Motion carried.

c. Ald. Allegretti moved approval of the regular City Council Meeting Minutes dated April 18, 2011. Seconded by Ald. Carey. Ald. Di Pietro requested to have the spelling of Mr. Taber's name corrected (page 5).
Voice Vote /Motion carried.

d. Ald. Carey moved approval of the Special City Council Meeting Minutes dated April 25, 2011. Moved by Ald. Di Pietro. Ald. Bach and Ryan abstained.
Voice Vote /Motion carried.

e. Ald. Allegretti moved approval of the Committee of the Whole meeting minutes dated April 25, 2011. Seconded by Ald. Sweeney. Ald. Bach and Ryan abstained.
Voice Vote /Motion carried.

IV. RECOGNITION OF RETIRING COUNCIL

Mayor Schmidt presented a Proclamation to each of the retiring Aldermen: Ald. Bach, Allegretti, Ryan, Carey and Wsol. The Proclamations recognized each Alderman individually for their achievements and dedication during their tenure.

Mayor Schmidt thanked the retiring Aldermen, referring to the time they served as "a very interesting four years." He indicated, although disagreements occurred, accomplishments were achieved. He welcomed them back at anytime and encouraged them to keep active on the City's Boards and Commissions.

No report.

IX. CITIZENS WISHING TO ADDRESS THE CITY COUNCIL ON A NON-AGENDA ITEM

No comments.

X. REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

A. SPECIAL COMMITTEES, BOARDS AND COMMISSIONS

Planning & Zoning Commission – Ald. Sweeney

No report.

Zoning Board of Appeals – Ald. Sweeney

a. Ald. Sweeney moved to approve the first reading of Ordinance for a variance to allow a secondary wall sign facing a public street at 41 South Prospect Avenue, Zoning Case Number V-11-01. Seconded by Ald. Di Pietro.

Cathy Doczekalski, Community Preservation and Development Manager summarized the case and indicated that the Zoning Board recommended its approval.

Judy Barclay (524 Courtland) noticed that "DRAFT" minutes were provided. Additionally, she said that the "Findings of Facts" changed at the last meeting. Therefore, she cautioned moving forward with the case at this stage.

Ms. Doczekalski understood that the change was a typographical error. Furthermore, she indicated this was the first reading of Ordinance and that the final reading of this case would occur after the Zoning minutes had been approved.

Pat Livensparger (413 Courtland) referred to the February 17, 2011 Appearance Commission meeting when approval was granted for a sign to be placed above the transom of the doorway which she believes in conflict with the Zoning Ordinance, 14.F.3. She indicated that Mr. Zimmerman requested that the opinion of the City Attorney be memorialized with the case. She said that the Attorney's opinion indicating why 14.F.3. was not applicable to this case was not included in information provided to the Council, nor was it available on the City's website. Ms. Doczekalski stated that she has a copy of Ms. Henn's opinion and shared a summary of the opinion. Ms. Livensparger requested that the opinion be made public, in writing. Ms. Livensparger indicated that she does not oppose the sign; she believes another variance is required.

The applicant, Rahul Patel (41 S. Prospect, Suite 204) said he started the sign process last November and until now, there had not been any problem. He explained that he is 6 months into his lease and would like identification that his business exists. He was open for suggestions.

Ald. Di Pietro moved that the matter be deferred until May 16, 2011. Seconded by Ald. Raspanti.

Ald. Di Pietro believes the opinion of the City Attorney should have been provided to the Council. He also indicated that the question exists whether or not the applicant would be required to get a second variance. Relative to the delay of the case's approval, Ald. Di Pietro suggested that a motion to suspend the rules could be in order on May 16, 2011. He asked that the City Attorney review the matter and provide an opinion regarding the legality of the first variance being granted and whether a second variance would be required. If a second variance is not required, Ald. Di Pietro would like to know the reason.

Mayor Schmidt explained to the newly Elected Officials the reason for having two readings. He indicated his preference not to suspend the rules, unless it is a true matter of urgency. In the Mayor's opinion, this matter did not seem to be an emergency and urged the Council not to waive its second reading.

City Manager Hock reiterated the reason for having two readings of Ordinance. He indicated, since this was the first reading of Ordinance, staff has an opportunity to gather additional requested information and provide

it to the Council before the final reading. He recognized Mr. Patel's dilemma and the six months that Mr. Patel has spent following every procedure set forth by the City. In closing, City Manager indicated that the City is often criticized of being an impediment in the business community. He asked the City balance the process and the needs of the applicant. Ald. Knight concurred with comments made by City Manager Hock. In an effort to be accommodating, Ald. Knight requested that the City Attorney's opinion letter be provided to the Council prior to the final reading on May 16, 2011.

On roll call vote (to defer):

AYES: Ald. Di Pietro

NAYS: Ald. Maloney, Sweeney, Smith, Raspanti, Knight and Bernick

ABSENT: None.

Motion carried.

For approval of the first reading of Zoning Case V 11-01:

Voice Vote / Motion carried.

b. Ald. Sweeney moved approval of the first reading of Ordinance for two variances for a wall sign at 10 North Summit Avenue, Zoning Case Number V-11-07. Seconded by Ald. Di Pietro.

Ms. Doczekalski provided background information and summarized the case before the Council. The Summit of Uptown is requesting to place a wall sign, not on a public street, but rather on the side of its building facing Trader Joe's. She indicated that this would be in conflict with the Zoning Ordinance. Furthermore, she explained that the second variance would allow the sign 16' above (instead of 16" below) the second floor windowsill, which is also in conflict with the Zoning Ordinance. The Zoning Board unanimously approved the variances at its April 7, 2011 meeting.

Voice Vote / Motion carried.

Ald. Sweeney made a comment on the increased number of sign cases coming before the City. He suggested that the City remove the sign portion of the Zoning Ordinance and consider a re-write of the section pertaining to sign regulations.

Liquor License Review Board – Mayor Schmidt

No report.

O'Hare Airport Commission

Ald. Knight requested an update on the letter being drafted by Mr. Taber. City Manager Hock indicated that a draft had been received and was provided to the Chairman of the O'Hare Commission, the Mayor and the City Attorney. Ald. Knight did not understand why, after hiring an Attorney to draft a letter, the Commission or City Attorney would need to critique the letter. Ald. Knight sought a date that the letter would be sent to its recipient.

B. STANDING COMMITTEE REPORTS

Procedures & Regulations Committee – Ald. Di Pietro

a. Approval of parking lease at 119 South Northwest Highway

Consent Agenda item / Approved by the Omnibus Vote designation

b. First reading to approve modifications to Article 12 – Class L Liquor License

Consent Agenda item / Approved by the Omnibus Vote designation

Public Works Committee – Ald. Maloney

a. Final approval of modifications to Article 13, Chapter 12 (6) - One Handicap Parking Space on Fairview at Devon Avenue

Consent Agenda item / Approved by the Omnibus Vote designation