

VILLAGE OF JUSTICE
7800 ARCHER ROAD, JUSTICE, IL
PRESIDENT AND BOARD OF TRUSTEES
SECOND REGULAR BOARD MEETING
Minutes of October 23, 2006

President Pro Temp Jim Gabrys called the Meeting to order at 7:30 p.m.

PLEDGE: President Pro Temp Jim Gabrys led the Village Board in reciting the Pledge of Allegiance.

ROLL CALL: Village Clerk Kathy Svoboda called the roll. Present are: Trustees: Ed Jurgel, Mike Maruszak, Rich Berkowicz, Rich Sparr and Jim Gabrys. Attorney Karl Ottosen is in attendance.

REVIEW OF MINUTES:

MOTION: Trustee Jurgel Moves: TO WAIVE READING OF THE REGULAR BOARD MEETING MINUTES OF OCTOBER 9, 2006 AND TO APPROVE AS SUBMITTED.

SECOND: Trustee Berkowicz

VOTE: Trustees Jurgel, Maruszak, Berkowicz, Sparr and Gabrys, aye. All ayes. Motion passed.

COMMITTEE REPORTS:

FINANCE AND INSURANCE: - Trustee Maruszak

MOTION: Trustee Maruszak MOVES: To approve payables posted October 18, 2006, numbers 1-48, in the amount of \$52,370.76.

SECOND: Trustee Sparr

VOTE: Trustees Maruszak, Berkowicz, Sparr, Jurgel and Gabrys, aye. All ayes. Motion passed.

MOTION: Trustee Maruszak MOVES: To approve Midwest HealthWorks in Willowbrook, IL to be the preferred medical and testing services provider for the Village of Justice, effective November 1, 2006.

SECOND: Trustee Berkowicz

VOTE: Trustees Berkowicz, Sparr, Jurgel, Maruszak and Gabrys, aye. All ayes. Motion passed.

PUBLIC UTILITIES –Trustee Gabrys

Trustee Gabrys quoted a report from Public Works Director Phil DePaola indicating that Midwest HealthWorks was his recommendation for medical services after evaluation of a number of potential providers. They will perform

work comp care, DOT physicals, pre-employment physicals and alcohol and drug testing.

Our JCB, 2400XL tractor/front loader is in need of a new engine. We have nursed this piece of equipment along but at this point, must either replace or repair the JCB before the winter season. For the most economical action, a new engine needs to be installed by Casey Equipment at a cost of \$11,759.75, which includes a \$3,000.00 core charge that will be rebated upon return of the old core.

MOTION: Trustee Gabrys MOVES: To approve the expenditure as described.
SECOND: Trustee Berkowicz
VOTE: Trustees Sparr, Jurgel, Maruszak, Berkowicz and Gabrys, aye. All ayes. Motion passed.

Trustee Gabrys reported that the 81st Street improvements are proceeding but we have experienced delays due to the weather. The curbs are installed, the grinding is completed and the grading for the walking path is done. The next step will be to install the asphalt.

The IMRF Early Retirement Incentive for those employees who have reached at least age 50 and who have at least 20 years of creditable service in IMRF has been discussed in committee, at length. If the employee agrees to retire and purchases 5 years of creditable service, and the Village contributes our share to IMRF for the extra service credit, the employee retires with an increase to both their years of service and age, if necessary. IMRF discounts pensions for those under 60 years of age.

Currently, we have only two employees who are eligible. We also looked into the buyback of Military Service Credit and extending the Resolution already on file to expand the retroactive service credit for elected officials to include from 1985 forward.

It was determined that the Retroactive Service Credit is the better option economically. Attorney Ottosen described the Resolution proposed that would open a window from May 1, 2007 until April 30, 2008 for eligible employees to apply for this benefit.

The cost to the Village for this program can be paid over 10 years unless a subsequent window should be opened, then the balance for the first program year would become due. The cost, should both eligible employees retire, would be around \$14,000.00 to 18,000.00 per year.

MOTION: Trustee Gabrys MOVES: To approve Resolution 2006-24, A Resolution Authorizing an IMRF, Early Retirement Incentive Program as described, and to amend the qualifications for Retroactive Service Credit for elected officials to from 1985 forward.
SECOND: Trustee Berkowicz

VOTE: Trustees Gabrys, Jurgel, Maruszak, Berkowicz and Sparr, aye. All ayes. Motion passed.

PUBLIC SAFETY – Trustee Jurgel
Trustee Jurgel had no report.

ADMINISTRATION BUILDING & RECREATION – Trustee Kelly
Trustee Kelly is ill and was unable to attend this evening. She sends her apologies.

ORDINANCES, LICENSES & PUBLIC PRINTING – Trustee Berkowicz
Trustee Berkowicz reminded all that the Trick-or Treat hours in the Village of Justice would be from 3:00 to 7:00 pm on Tues. October 31, 2006.
The Clean Air meetings in Orland Park continue. Trustee Berkowicz has attended and participated in discussion regarding a sample ordinance to be implemented across the southwest suburbs in place of county legislation. We must have our own Clean Air ordinance in place before the County legislation takes effect.

BUILDING, PLATS AND ZONING –Trustee Sparr
Trustee Sparr explained that a property owner came forward to submit a petition to request an inspection and list of necessary upgrades to his building to allow legal, three family use of a three flat building located in an R2 zoning district. All of the necessary upgrades to the building have been completed and duly inspected and the fees for this action have been paid.

MOTION: Trustee Sparr MOVES: To approve Ordinance 2006-17, AN ORDINANCE GRANTING LEGAL NON CONFORMING USE PERMIT TO 7560 BANKS STREET.

SECOND: Trustee Maruszak

VOTE: Trustees Maruszak, Berkowicz, Sparr, Gabrys and Jurgel, aye. All ayes. Motion passed.

MOTION: Trustee Sparr MOVES: To approve Ordinance 2006-18, AN ORDINANCE GRANTING A PETITION TO REZONE, CONSOLIDATE AND SUBDIVIDE WITHOUT VARIANCE THE PROPERTY LOCATED AT 7551 S. CRONIN AVENUE, JUSTICE, ILLINOIS.

SECOND: Trustee Berkowicz

Trustee Sparr explained that the property is being consolidated and then subdivided to create eight, single family lots of about 65'x 139' each, requiring no variances.

VOTE: Trustees Sparr, Jurgel, Maruszak, Berkowicz and Gabrys, aye. All ayes. Motion passed.

VILLAGE ATTORNEY:

Attorney Ottosen presented a Resolution, 2006-25, A Resolution Authorizing the Execution of An Amendment To The Preliminary Development Agreement Between The Village of Justice And The Infill Market Development Corporation And Rigers LLC.

In November of 2004, Resolution 2004-25 was passed authorizing a preliminary redevelopment agreement that provided for \$50,000.00 of reimbursement for

eligible expenses relating to a TIF 3. Recently a request for TIF 3 funds for the acquisition and development of the corner of Frontage Rd. and Oak Grove came up for discussion. The amount of \$545,000.00 is agreed upon, if and only if TIF 3 is created and for eligible expenses relating to that part of the development.

The Chair will entertain a Motion: To approve Resolution 2006-25 as described by the attorney.

MOTION: Trustee Jurgel so Moves:

SECOND: Trustee Maruszak

VOTE: Trustees Sparr, Gabrys, Jurgel, Maruszak and Berkowicz, aye. All ayes. Motion passed.

Attorney Ottosen introduced an Ordinance that supercedes an ordinance passed in March of 2004 that expressly prohibited the drilling of wells within the Village of Justice. This ordinance expressly adds the Village of Justice to those that are prohibited from drilling any wells.

The Chair will entertain a Motion: To approve Ordinance 2006-19, AN ORDINANCE EXECUTING AN AGREEMENT WITH IEPA ON POTABLE WATER USAGE AND ESTABLISHING WITHIN THE VILLAGE OF JUSTICE A PROHIBITION OF FUTURE POTABLE UNDERGROUND WATER USE NUNC PRO TUNC TO MARCH 8, 2004.

MOTION: Trustee Sparr so Moves:

SECOND: Trustee Jurgel

VOTE: Trustees Gabrys, Jurgel, Maruszak, Berkowicz and Sparr, aye. All ayes. Motion passed.

OLD BUSINESS:

Trustee Berkowicz stated that the business, On the Double Carpet Cleaning Service, formerly at 8646 S. Roberts Rd. has returned to that address and is in compliance with all codes and ordinances.

MOTION: Trustee Berkowicz Moves: To approve the renewed business license for On the Double Carpet Cleaning.

SECOND: Trustee Sparr

VOTE: Trustees Jurgel, Maruszak, Berkowicz, Sparr and Gabrys, aye. All ayes. Motion passed.

NEW BUSINESS:

SCHEDULE OF COMMITTEE MEETINGS:

The following meetings will begin at 7:00 p.m. and follow consecutively with topics of discussion listed in each committee:

Wednesday, November 8, 2006

OPEN SESSION

BUILDING, PLATS & ZONING: Discussion regarding the no-bid contract for replacement of the Lipinski Center roof.

Review of the recommendations of the Zoning and Planning Commission regarding the Egan petition at 8317 S. 79th Ct. to subdivide one lot into two, in Roberts Park.

FINANCE & INSURANCE: Posted Payables. Discussion regarding the timeline and potential action on TIF # 3.

ORDINANCES LICENSES & PUBLIC PRINTING: Potential business licenses, in particular Made to Order Parts, a home occupation, and any new ordinances for review by the committee.

PUBLIC UTILITIES: Discussion regarding drainage concerns at the Courtyard of Justice pond and other matters before the committee

PUBLIC SAFETY: Possible discussion regarding the disposition of the ladder truck.

CLOSED SESSION

PUBLIC SAFETY: Collective bargaining matters.

COMMITTEE OF THE WHOLE: Discussion regarding the appointment of certain officials.

Discussion regarding the sale of property.

CORRESPONDENCE:

There was none.

WRITTEN QUESTIONS OR PETITIONS REGARDING ITEMS ON THE AGENDA:

Mr. John Small asked if more agendas could be provided for tonight's meeting.

Clerk Svoboda offered to make additional copies available after the meeting.

Mr. John Small asked why a resolution for an amendment to a third TIF?

Attorney Ottosen explained that the resolution was an amendment to a previous resolution authorizing a preliminary redevelopment agreement and this resolution amends that agreement to allow for reimbursement of eligible expenses for the creation of a TIF and also payment of certain development costs. No monies will be paid or reimbursed by the village in the event a TIF 3 is not created.

Mr. Jerry Carter asked why open an Early Retirement Incentive through IMRF and create retirement incentives for Police Department employees rather than pay the money owed to the Police Pension.

Mr. Ed Rusch asked for clarification of the IMRF Early Retirement Incentive Program.

Attorney Ottosen explained that an eligible employee, one who has at least 20 years of service and had reached at least age 50, could buy five years of additional service credit toward retirement and that the Village would have to contribute as well, amortized over a ten year period, or paid in full if another window is opened, based on the IMRF cost study.

The Chair will entertain a Motion: To Adjourn

MOTION: Trustee Sparr so MOVES:

SECOND: Trustee Berkowicz

VOICE VOTE: All ayes.

Meeting Adjourned at 7:59 pm.

Respectfully submitted,

Kathleen M. Svoboda

Village Clerk/Collector