

VILLAGE OF JUSTICE
PRESIDENT AND BOARD OF TRUSTEES
7800 ARCHER ROAD, JUSTICE, IL
FIRST REGULAR BOARD MEETING
OF August
Minutes of Monday, August 8, 2011
7:30 PM.

Mayor Kris Wasowicz called the Meeting to order at 7:30 pm.

PLEDGE:

Mayor Wasowicz led the reciting of the Pledge of Allegiance.

ROLL CALL:

Clerk Kathy Svoboda called the roll. Present are Mayor Kris Wasowicz, Trustees: Rich Sparr, Rick Symonds, Ed Rusch, Melanie Kuban, Kinga Bartoszek and Sue Small. Attorney Mike Castellino of the Del Galdo Law Group is also present.

APPROVAL OF MINUTES:

The Chair will entertain a Motion: To approve the minutes of the Regular Board Meeting of July 25, 2011 as submitted, or if necessary as corrected.

MOTION: Trustee Sparr Moves: To approve the minutes as submitted.

SECOND: Trustee Small

VOTE: Trustees Sparr, Symonds, Rusch, Kuban, Bartoszek and Small, aye. All ayes. Motion passed.

VILLAGE PRESIDENT'S REPORT:

Village President Kris Wasowicz hereby appoints Trustee Melanie Kuban to the position of Chairperson of the Public Safety Committee and Member of the Administration Building & Recreation Committee and the Ordinances, Licenses & Public Printing Committee.

The Chair will entertain a Motion: To approve the appointment of Trustee Kuban as stated.

MOTION: Trustee Sparr so Moves:

SECOND: Trustee Small

VOTE: Trustees Symonds, Rusch, Bartoszek, Small and Sparr, aye. Trustee Kuban recused herself. Motion passed.

VILLAGE CLERK'S REPORT:

Clerk Kathy Svoboda read a note from the Argo Band Aids thanking her for her assistance with coordinating the annual car wash at the Roberts Park Fire Protection District Station 1; the kids had a great time. They love the fire department venue for this fundraiser. They raised money to help with the band programs.

Clerk Svoboda reminded all that ACH Transfers are available for payment of the Sewer and Garbage bills. The payments are collected from customer bank accounts on the due date with no possibility for late fees and avoiding the time it takes to write or mail a check and the cost of the stamp or the trip to the Finance Office.
We have about 124 customers signed up already.

COMMITTEE REPORTS:

FINANCE & INSURANCE –Trustee Kinga Bartoszek

- MOTION:** Trustee Bartoszek Moves: To approve payables numbers 1-25, in the amount of \$69,989.79, posted for the period of 07/21/2011 – 08/03/2011, plus re-occurring expenses of \$133,569.12, TIF #2 expenses of \$5,000.00 and MFT expenses of \$ 467.20 for a total of \$209,026.11.
- SECOND:** Trustee Small
- VOTE:** Trustee Kuban, Small, Sparr, Symonds, Rusch and Bartoszek, aye. All ayes. Motion passed.

Trustee Bartoszek explained that our financial consultant, Kelly Zabinski, has completed the projections for the July through December period. Ms. Zabinski forecasts that we will have an increasing deficit in the General and Sewer funds throughout the second half of the year with substantial cash flow difficulties in September and October. The total cumulative deficit is projected to be \$524,436.14 by the end of this fiscal year. There are no reserves after the remainder of the working cash bonds is spent to cover the payroll in September and October. The projections assume that the State will not become further behind in the payment of income tax and further assumes that the collection of property tax is paid in the same timeline as last year. The projected deficit is a result of revenues being less than expected, and due to the State being behind in some of the payments to the village.

We will do another comparison to budget with updated revenue projections in October.

PUBLIC UTILITIES – Trustee Rick Symonds

- MOTION:** Trustee Symonds Moves: To approve Resolution 2011-22, A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN EXPENDITURES FOR THE ROBERTS PARK ROAD CONSTRUCTION PROJECT. The release of said funds is contingent upon the receipt of funds from IDOT.
- SECOND:** Trustee Bartoszek
- Trustee Bartoszek asked if any more of the grant funds have been released by IDOT yet for payment of invoices.
Mr. Lurquin replied that no, not yet, but we are expecting the funds to be released soon.

We want to be ready to pay the approved invoices as soon as the funds are available.

VOTE: Trustee Small, Sparr, Symonds, Rusch, Kuban and Bartoszek, aye. All ayes. Motion passed.

MOTION: Trustee Symonds Moves: To approve Resolution 2011-23, A RESOLUTION PROVIDING FOR THE TEMPORARY CLOSURE OF PORTIONS OF CERTAIN STATE HIGHWAYS FOR THE CENTENNIAL CELEBRATION PARADE.

SECOND: Trustee Kuban

VOTE: Trustee Sparr, Symonds, Rusch, Bartoszek, Kuban and Small, aye. All ayes. Motion passed.

MOTION: Trustee Symonds Moves: To approve Resolution 2011-24, A RESOLUTION PROVIDING FOR THE TEMPORARY CLOSURE OF PORTIONS OF CORK AVENUE AND 76TH PLACE IN THE VILLAGE OF JUSTICE FOR THE JUSTICE PARK DISTRICT SUMMERFEST.

SECOND: Trustee Small

VOTE: Trustee Symonds, Rusch, Bartoszek, Kuban, Small and Sparr, aye. All ayes. Motion passed.

Trustee Symonds read a letter from Mr. George Pastorino commending Mr. Tony Fill for the outstanding job he is doing taking care of the flowers, and generally, handling the landscape maintenance tasks at the administration building. Mr. Fill has been extremely diligent about caring for the flowers and they look great.

Public Works is about four days into a drainage project at 72nd Street between 86th Court and 87th Ave. The feeder lines are installed but the rain the other day has delayed completion.

Pothole patching, chipping, weed removal and sewer line clean-outs continue. General maintenance of several squad cars was completed.

PUBLIC SAFETY – Trustee Melanie Kuban

Trustee Kuban had no formal report this evening.

ADMINISTRATION BUILDING & RECREATION – Trustee Sue Small

MOTION: Trustee Small Moves: To approve Resolution 2011-25, A RESOLUTION EXPRESSING THE INTENT OF THE VILLAGE OF JUSTICE WITH RESPECT TO AN INTERGOVERNMENTAL AGREEMENT WITH THE JUSTICE PARK DISTRICT AND REPEALING THE VILLAGE'S PRIOR LEGISLATIVE APPROVAL OF SAID AGREEMENT. .

SECOND: Trustee Kuban

VOTE: Trustee Sparr, Symonds, Rusch, Kuban, Bartoszek and Small, aye. Trustee Bartoszek voted nay. Motion passed.

Trustee Small explained that she is in receipt of a communication from Holy Cross Greek Orthodox Church inviting us to participate in their 50th Anniversary ad book. She proposes that we take a \$100.00 ad to commemorate the anniversary.

MOTION: Trustee Small Moves: To approve an ad in the Holy Cross Greek Orthodox Church ad book for \$100.00 to be paid from the Special Events account.

SECOND: Trustee Sparr

VOTE: Trustee Rusch, Kuban, Bartoszek, Small, Sparr and Symonds, aye. All ayes. Motion passed.

The Justice Centennial Committee is hosting a Homecoming Event at Szarotka's on Tues. August 16th from 7:00 – 10:00 pm. There will be food and festivities, so please join us. We will be participating in the Justice Park District Summerfest with a number of events that weekend.

We received the pole banners and signs. The signs are installed on the cemetery fences and the pole banners will be going up soon. The committee collected in excess of \$5,000.00 from businesses, vendors and friends of the village.

Trustee Small read the most recent letter from Randall J. Leise, Superintendent of the Bethania Association, accompanying a generous donation.

Mr. Leise eloquently states that it is a profound privilege to acknowledge and salute the celebration of the Village's 100th Anniversary. He heralds the coming of the next century in the Village's history. He adds that it is an opportunity to recognize the hard labors and leadership of many mayors, board members, employees and volunteers. He sincerely congratulates the Village and expresses his sincere wishes for success in the growth and prosperity planned for the Village with the vision of the Mayor and Board of Trustees.

ORDINANCES, LICENSES & PUBLIC PRINTING – Trustee Ed Rusch Jr.

MOTION: Trustee Rusch Moves: To approve the Business License of Permanent Make-up by Rawan doing business at 8432B S. 88th Ave. in Justice, having passed all inspections and being in compliance with all codes and ordinances and contingent upon receipt of an Illinois Department of Public Health Inspection..

SECOND: Trustee Sparr

VOTE: Trustees, Kuban, Bartoszek, Small, Sparr, Symonds and Rusch, aye. All ayes. Motion passed.

Trustee Rusch commented that there is another business license pending for Windy City Auto Sales Inc. at the old Why Not property. He understands that the auto sales will be primarily internet based. There are

concerns regarding the number of cars that can be staged at the property. They want to display as many as 40 cars. In reality, only about 11 or 12 cars will fit on the property. We will explore the possibilities within the village code.

Trustee Rusch asked the village attorney about the proposed amendment to the smoking regulations.

Attorney Castellino explained that zoning changes would not be required. Illinois State law allows for smoking in retail tobacco stores that derive more than 80% of revenue from the sale of tobacco. Further, the State legislates that there can be no food or alcohol sold on the premises. The village can restrict further to require minimum square footage, free-standing buildings, and licensure of retail tobacco businesses including setting a maximum number of licenses.

MOTION: Trustee Rusch Moves: To direct the Village Attorney to draft amendments to the Village Code concerning smoking and licensure of retail tobacco stores for review and consideration by the Village Board.

SECOND: Trustee Symonds

Trustee Symonds asked if we leave the ordinance as it is would there be any liability for not allowing such a business.

Attorney Castellino replied that it would not create a liability because our code can be more restrictive than that of the State.

Trustee Sparr asked if we could require that smoking be allowed only in a private club.

Attorney Castellino said he would have to check to see if that is one of the exceptions to the ban allowed by state code.

VOTE: Trustees Small, Sparr and Kuban voted aye. Trustees Bartoszek, Symonds and Rusch voted, nay. Mayor Wasowicz voted aye. Motion carried.

BUILDING, PLATS AND ZONING – Trustee Rich Sparr

Trustee Sparr offered information regarding the Archer Ave. resurfacing. The project goes from Tec Air Road in Willow Springs to Roberts Road and is proceeding well.

We still have only one bid for the Thomas Street Pond improvements.

The new bid deadline is August 19.

The Auto Show is scheduled for August 27th. Generous donations to sponsor the event were made by Technicraft Auto Body and Towing and State Farm Insurance on Archer Road. Thank you to Sebastian and George Jachymiak and Joanne Kearns.

Trustee Sparr is investigating wind-turbines as a source of energy for some of our buildings. We are interested in the cost/benefit ratios for such an undertaking.

Trustee Rusch stated that he is also investigation solar-energy options as well.

Trustee Sparr noted that there are currently four applicants for the position of Code Enforcement Officer. He will be bringing those applications before the committee.

The Gottwell Park construction is almost complete and all permits and plans were submitted and approved. The Grand Opening is scheduled for August 13, 2011 at 10:00 am.

ATTORNEY'S REPORT: Attorney Mike Castellino

Attorney Castellino had no report.

CORRESPONDENCE:

There was none of note.

OLD BUSINESS:

Trustee Small commented that we will be soliciting businesses who might like to sponsor the reconstruction of the remaining village signs.

NEW BUSINESS:

It was determined by discussion among the village board members that Safespeed will come in on the 17th of August to do a presentation of their business model to update the new board members and to answer any resulting questions.

We will schedule the NIMEC Presentation and the Safespeed presentations first on the committee agenda to accommodate our guests.

SCHEDULE OF COMMITTEE MEETINGS:

Wednesday, August 17, 2011, 7:00 p.m.

A presentation is scheduled by Mr. David Hoover of NIMEC, a company that purchases kilowatts in bulk for sale to the community.

PUBLIC SAFETY: Trustee Kuban

A presentation by Safespeed, a company that installs and administrates red-light cameras. Any matters pertaining to Public Safety including further discussion of the vehicle immobilization (boot) code amendment.

FINANCE & INSURANCE: Trustee Bartoszek

Review of posted payables, review of the second quarter financial report and other matters before the committee.

ORDINANCES, LICENSES & PUBLIC PRINTING: Trustee Rusch

Any new business licenses including Permanent Make-up by Rawan at 8432B S. 88th Ave., and any ordinances or code amendments available for review.

BUILDING, PLATS & ZONING: Trustee Sparr

Any matters pertinent to Building, Plats & Zoning.

ADMINISTRATION BUILDING & RECREATION: Trustee Small

Any matters before the committee including discussion regarding the proposed Employee Manual and a request for street closures for the Park District's Summerfest.

PUBLIC UTILITIES: Trustee Symonds

Matters before the Public Utilities Committee.

Possible executive session to discuss:

- (1) Appointment, employment, compensation, discipline, performance or dismissal of specific employees or classes of employees of the Village,
- (2) Collective negotiating matters between the Village and its employees or their representatives,
- (3) Potential or Pending litigation

PUBLIC COMMENTS:

Trustee Ed Rusch suggested that Roberts Road south of 79th Street needs clean-up. Can we contact someone to sweep the roadway, or can we send our street sweeper to perform that maintenance?

Also, sewer maintenance is badly needed along that stretch as well.

Mayor Wasowicz spoke to Senator/Mayor Landek and he has agreed to provide a map of the sewer systems along Roberts Road. The laterals need to be cleaned and the mains need serious attention. Mayor Wasowicz will work with Mayor Landek to exert the necessary pressure to see something is done.

Trustee Rusch also suggested that the SWCM and IML need to help to sponsor legislation to set the requirement to pay prevailing wage on public projects at over \$20,000.00. Are there any resolutions passed or pending anywhere to provide relief to municipalities on these small projects that are killing us financially? We need to see what other communities are doing to put pressure on our state legislators.

Mr. Brian Bernardoni indicated that State statute bans smoking even in private clubs. Only the retail tobacco stores have limited exemptions.

Mr. Mike Maruszak commented that kids are removing the caps in the detention area over by Damar. We need to have Public Works check regularly that the caps are on or find a way to secure the caps.

Mr. Maruszak then asked what the TIF 2 payables were for. The \$5,000.00 bill is to pay Trustee Fees at Bank of NY Mellon.

Is the Why Not property where the car lot is proposed in a TIF District?
Yes, but being placed in a TIF District does not change the zoning of a property. The zoning is B1 and the car lot is a permitted use if it complies with other codes and ordinances.

Mr. Ray Hodson asked why we are projecting being out of money in September or October.

Mayor Wasowicz replied that he has some possible relief to the projections up his sleeve, but the revenue deficits are caused by a sorely depressed economy, state incomes being late and less than hoped for, a community that has a very small commercial tax base, little or no construction occurring, and an extreme number of foreclosures. We hope that next year will be considerably better.

Mrs. Karen Warner asked why we would even want to change our code for a potential Hookah Bar.

Mayor Wasowicz replied that the Panicarian Brotherhood approached him with a free-standing building that they cannot think of a better use for. Times are changing. Hookah Bars are a cultural thing. Many college town and uptown Chicago is experiencing commercial growth due to the patrons being brought in by Hookah Bars. We could limit the number of licenses to just one if we wish. Adjacent businesses would benefit, like the fast food restaurants or maybe the golf driving range. No children would be allowed. The Lakota Group will be consulted to add their recommendations regarding the use.

Mr. John Koslowski stated that Bridgeview does not allow Hookah Bars and that the Iman doesn't support smoking the hookah.

Mr. Ray Hodson questioned the amount we are projected to be in deficit when we appear to be operating within our budget.

Mr. Rusch replied that it is the projected revenues that are short, not the expenditures being over what was estimated.

Jim Lurquin informed everyone that an Open House is planned for Saturday, September 24th with the Lakota Group. Notices will be going out soon.

Mr. John Koslowski asked if our borrowing power is truly expended how the board intends to proceed.

Mr. Ed Rusch replied with creative financing options and serious prioritizing.

Commissioner Dan McGee of the Justice Park District officially invited all to the Grand Reopening of Gottwell Park on Sat. August 13th, at 10:00 am.

ADJOURNMENT:

The Chair will entertain a Motion: To Adjourn

MOTION: Trustee Small so Moves.

SECOND: Trustee Symonds

VOICE VOTE: All ayes.

Meeting adjourned at 8:37 pm.

Respectfully submitted,

Kathleen M. Svoboda

Village Clerk