

VILLAGE OF JUSTICE
7800 ARCHER ROAD, JUSTICE, IL
PRESIDENT AND BOARD OF TRUSTEES
FIRST REGULAR BOARD MEETING
OF MARCH
Minutes of Monday, March 14, 2011

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: John Koslowski, Ed Rusch, Mary McGee, Kinga Bartoszek and Phil DePaola are present. Attorney Michael 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 February 28, 2011 and the Special Board Meeting of February 26, 2011, each as submitted, or if necessary as corrected.

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

SECOND: Trustee Koslowski

VOTE: Trustees Koslowski, Rusch, McGee, Bartoszek and DePaola, aye. All ayes.
Motion passed.

VILLAGE PRESIDENT'S REPORT: Mayor Kris Wasowicz

Village President Kris Wasowicz had no formal report.

VILLAGE CLERK'S REPORT: Village Clerk Kathy Svoboda

Clerk Svoboda had no report.

AREAS OF OVERSIGHT REPORTS:

FINANCE, INSURANCE & ADMINISTRATION – Trustee Bartoszek

MOTION: Trustee Bartoszek Moves: To approve payables posted for the period of 02/10/11 – 02/23/11, numbers 1-26 in the amount of \$20,089.83 plus recurring expenses of \$37,383.78 and MFT expenses of \$18,963.70 for a total of \$76,437.31.

SECOND: Trustee McGee

VOTE: Trustees Rusch, McGee, Bartoszek, DePaola and Koslowski, aye. All ayes.
Motion passed.

PUBLIC UTILITIES – Trustee Mary McGee

MOTION: Trustee McGee Moves: To approve Resolution 2011-07 , A Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code (Fiscal Year 2009)

SECOND: Trustee Koslowski

VOTE: Trustees McGee, Bartoszek, DePaola, Koslowski and Rusch, aye. All ayes.
Motion passed.

MOTION: Trustee McGee Moves: To approve Resolution 2011-08 , A Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code (Fiscal Year 2010).

SECOND: Trustee DePaola

VOTE: Trustees Bartoszek, DePaola, Koslowski, Rusch and McGee, aye. All ayes. Motion passed.

MOTION: Trustee McGee Moves: To approve Resolution 2011-09, A RESOLUTION APPROVING CONSTRUCTION ENGINEERING SERVICES AGREEMENT FOR FEDERAL PARTICIPATION.

SECOND: Trustee Koslowski

VOTE: Trustees DePaola, Koslowski, Rusch, McGee and Bartoszek, aye. All ayes. Motion passed.

Mayor Wasowicz explained that the previous and the next resolutions are in regard to the sidewalk projects that are planned for construction this year.

MOTION: Trustee McGee Moves: To approve Resolution 2011-10, A RESOLUTION APPROVING A LOCAL AGENCY AGREEMENT FOR FEDERAL PARTICIPATION.

SECOND: Trustee DePaola

VOTE: Trustees Koslowski, Rusch, McGee, Bartoszek and DePaola, aye. All ayes. Motion passed.

ORDINANCES, LICENSES & PUBLIC PRINTING –Trustee John Koslowski

MOTION: Trustee Koslowski Moves: To approve the Home Occupation Licenses as listed, having passed inspection and being in compliance with all codes and ordinances.

AMP Trucking Inc. (Trucking) 7441 S. Blackstone
Nile Realty, Inc. (Real Estate) 7236 Arbor Lane
Pituch, Inc. (Trucking) 8055 W. 82nd Street
Andrius Trucking, Inc (Trucking) 8959 W. 84th Street
JAK Transport (Trucking) 8125 “G” Concord Lane
KMX Design, Inc. (Photo Graphics Design) 8142 Marion Drive
Sabala Construction, Inc. (Carpenter) 7835 S. Blazer Avenue
Midway Transport, Inc. (Trucking) 8212 S. Daniel Drive
G. Quality Transportation, Inc. (Trucking) 8125 “I” Concord Lane
CHR Trucking, Inc. (Trucking) 8133 W. 84th Street
J N Trucking, Inc. (Trucking) 8313 S. 79th Court
Lake Group Development (Real Estate Dev.) 7321 S. Banks
Varas Transportation, Inc. (Trucking) 8504 S. 79th Court
V V Max Co. (Trucking) 8814 “D” Concord Lane

SECOND: Trustee DePaola

VOTE: Trustees Rusch, McGee, Bartoszek, DePaola and Koslowski, aye. All ayes. Motion passed.

ECONOMIC DEVELOPMENT: Trustee John Koslowski

MOTION: Trustee Koslowski Moves: To approve Resolution 2011-11, A RESOLUTION APPROVING AND AUTHORIZING THE ENTRY INTO A PROFESSIONAL SERVICES AGREEMENT WITH THE LAKOTA GROUP, INC.

SECOND: Trustee Bartoszek

VOTE: Trustees McGee, Bartoszek, DePaola and Koslowski, aye. Trustee Rusch voted no. Motion passed.

PUBLIC SAFETY:

Trustee DePaola had no report.

BUILDING, PLATS AND ZONING – Trustee Phil DePaola

Tomorrow, Tuesday, March 15th the Zarecki Subdivision Findings & Recommendations will be considered for approval at a meeting of the Zoning & Planning Commission.

CORRESPONDENCE:

There was none of note.

VILLAGE ATTORNEY:

Attorney Castellino had no report.

OLD BUSINESS:

MOTION: Trustee DePaola Moves: To Override the Veto of Mayor Wasowicz of February 28, 2011 of a Motion passed at the February 23, 2011 Special Board Meeting to establish that preapproval of Village Newsletter content be required by the Board of Trustees, prior to printing or distribution.

SECOND: Trustee Koslowski

VOTE: Trustees McGee, DePaola, Koslowski, aye. Trustee Rusch voted present. Motion passed.

Trustee Rusch explained that although he approves of the hiring of a consulting firm to create a comprehensive development and marketing plan, he is aware that there were additional companies interviewed and other proposals. He feels that the whole board should have had an opportunity to review those other proposals and choose the firm to be retained.

NEW BUSINESS:

COMMITTEE OF THE WHOLE MEETING:

Wednesday, March 23, 2011

7:00 p.m.

Reporting Officers' Reports:

FINANCE, INSURANCE & ADMINISTRATION: Trustee Bartoszek
Review of posted payables and possible discussion regarding health insurance renewal quotes.

PUBLIC UTILITIES: Trustee McGee - Any matters pertaining to Public Utilities.

BUILDING, PLATS & ZONING: Trustee DePaola
Any matters pertinent to Building, Plats & Zoning.

PUBLIC SAFETY: Any matters regarding the Police Department or the safety and welfare of the community.

ORDINANCES, LICENSES & PUBLIC PRINTING: Trustee Koslowski
Any new business licenses or ordinances, code amendments, and specifically a review of the draft ordinance amending village code regarding peddlers, solicitors and street corner solicitation within the Village.

Executive Session: If necessary, a 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
(4) Acquisition of property

PUBLIC COMMENTS:

Mayor Wasowicz asked the public to please refrain from electioneering during the Public Comment period.

Mr. Tom Janes asked if a trucking business that is approved for a home occupation license would be allowed to park trucks at a residential location. No, only one B-Plated vehicle is allowed to be parked at a home-based business. Most home occupations are home offices and in the case of trucking, they may do dispatching from the home.

Mr. Janes stated that there is a business near his home that has numerous pieces of construction machinery and trucks parked in a residential area. Code enforcement will be sent to review the situation.

Ms. Melanie Kuban asked again about the investigation into the use of the Lipinski Center on February 13th by the organization that did not fill out an application or pay a deposit before their event.

Ms. Kuban continued, asking if it was confirmed that the Park District had indeed blocked out that date for their use.

Trustee Bartoszek stated that there was a miscommunication between the individual that booked the center and Mr. Gabrys. She is not sure who was at fault but once the miscommunication became evident the situation was rectified.

Trustee Bartoszek continued stating that she is not inclined to discuss the matter further since it would then become a political discussion which is not appropriate at a board meeting.

Ms. Kuban quoted a memo from Mr. Gabrys that she obtained through a FOIA request. In the memo, Mr. Gabrys states that he spoke to Mr. DePaola sometime prior to the February 13th event, and that Trustee DePaola confirmed for Mr. Gabrys that the event was indeed sponsored by the Justice Park District. Trustee Bartoszek felt that the discussion was now clearly violating Section 2-94 of the Justice Village Code.

MOTION: Trustee DePaola Moves: To Adjourn
SECOND: Trustee Koslowski

Mayor Wasowicz admonished that it was not an appropriate time to adjourn. Trustee DePaola reminded Mayor Wasowicz that there is a Motion and a Second on the floor to adjourn. Attorney Castellino explained that there is a provision in the law that allows the public an opportunity to be heard with reasonable rules and provisions in place in the village code. The Public Comments portion of the meeting is allowed to continue.

Trustee Bartoszek asked that the subject of the Lipinski Center rental be closed. More than five minutes of discussion with Ms. Kuban regarding the rental has been expended and this same discussion was explored at a prior meeting. The subject was closed without further discussion.

Mayor Wasowicz asked if there were any other questions or comments. Mrs. Edwina Gaskin asked from where the \$130,000.00 was appropriated for payment to the Lakota Group. The cost of the consultant is a TIF eligible expense and will be paid from TIF Funds allocated for that purpose. Mrs. Gaskin continued, asking about the deplorable condition of 86th Avenue, especially at 75th Street and at the intersection of Archer and 86th Ave. Mayor Wasowicz stated that the intersection can be improved with funds from TIF #4, and that the potholes are being filled with cold-patch until the asphalt plants open around April 15th, when a more permanent fix can be accomplished. Mrs. Gaskin asked if Stimulus Funds had been sought by the village. Mayor Wasowicz replied that Stimulus money was designated for FAU Routes and we do not have any streets that qualify that are village-owned. There are ARRA funds allocated to the repaving of Archer Road from Roberts Road to Willow Springs. The bid-letting is in April. We are relying on help from Senator Sandoval and Speaker Madigan to improve 85th Ave., 86th Ave. and 73rd Street.

Trustee Bartoszek asked what Stimulus Grants we applied for. Mayor Wasowicz replied that we did not qualify for Stimulus funds.

Ms. Kuban then asked if the Park District will be allowed to continue to use the Lipinski Center at will, at no cost.

Mayor Wasowicz said that they will not. They did not execute the Intergovernmental Agreement that was proposed so they will need to pay for the use when they are collecting fees for the events they hold there.

Mr. Gerry Mendralla asked how it is prudent and fiscally responsible to pay an I.T. consultant \$90.00 per hour to load software, when the I.T. person who was on staff was doing it for \$12.00 per hour.

Trustee Bartoszek replied that if the village trustees gave up their pay to purchase and equip new computers in the Finance office, they should be able to hire whomever they choose to do the work of installing those computers.

Trustee Bartoszek added that the new I.T. consultant had to correct a number of security issues that arose after the staff I.T. person was dismissed.

Mr. Mike Maruszak asked that the trustees state the resolution number and the ordinance number when they pass an ordinance or resolution, so the public can make note of the number should they want more information about the action.

Trustee DePaola said it is the clerk that provides those numbers.

Clerk Svoboda told Trustee DePaola that she places the next available ordinance and resolution numbers on the Agenda so that the trustees know what the next number should be. She doesn't number them before passage, in case they do not pass. Otherwise the numbers assigned would be incorrect.

Mrs. Karen Warner asked some questions at the last meeting about the village signs. She was told that answers would be forthcoming at a subsequent meeting. Recently, she received a phone call from Trustee Koslowski stating that he and Trustee DePaola would like to stop by her home to discuss the issue. Mrs. Warner would prefer to hear the answers now, during the public meeting.

Trustee DePaola stated that he would be glad to speak to Mrs. Warner after the meeting.

She countered that she prefers to hear what he has to say during the meeting.

Trustee DePaola stated that he does not choose to participate in a public discussion of the issue.

Mr. Joe Egas asked about the disposition of the mangled Neighborhood Watch sign at 71st Street and 87th Ave.

Chief Gedville will let Officer DeBella know to order a replacement sign.

Mrs. Brenda Egas asked if the Justice Park District will have to pay for their use of the Lipinski Center from last July until now.

Mayor Wasowicz answered that he thought the Intergovernmental Agreement was in place so no fees were collected, but moving forward, they will have to pay.

Mrs. Karen Warner asked if she has any recourse regarding the refusal of a trustee to have an open discussion with her during the meeting.

Attorney Castellino stated that indeed, she does not. If a trustee chooses not to answer a question, that is his prerogative.

Mr. Tom Janes suggested that we all stay after the meeting to hear the discussion with Trustee DePaola.

The Chair will entertain a Motion: To Adjourn

MOTION: Trustee Bartoszek so Moves.

SECOND: Trustee McGee

VOICE VOTE: All ayes.

Meeting adjourned at 8:09 pm.

Respectfully submitted,
Kathleen M. Svoboda
Village Clerk