

VILLAGE OF JUSTICE
PRESIDENT AND BOARD OF TRUSTEES
7800 ARCHER ROAD, JUSTICE, IL
SECOND REGULAR BOARD MEETING
OF APRIL
Minutes of Monday, May 14, 2012
7:30 PM.

The Meeting was called to order at 7:30 pm.

PLEDGE:

Mayor Kris Wasowicz led the reciting of the Pledge of Allegiance.

ROLL CALL:

Clerk Kathy Svoboda called the roll. Present are Village President Kris Wasowicz; Trustees: Rick Symonds, Ed Rusch, Melanie Kuban, Kinga Bartoszek and Sue Small. Trustee Sparr is absent this evening with prior notice. Attorney Joseph Cainkar of the firm of Louis F. Cainkar Ltd. is also present.

APPROVAL OF MINUTES:

The Chair will entertain a Motion: To approve the minutes of the Regular Board Meeting of April 23, 2012 as submitted, or if necessary as corrected.

MOTION: Trustee Symonds so Moves: To approve the minutes as submitted.

SECOND: Trustee Kuban

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

VILLAGE PRESIDENT'S REPORT:

Action to appoint a Zoning Board Commissioner is tabled to a later date.

The Chair will entertain a Motion: To approve a Resolution Authorizing Initial Actions and Inducement for Development to Compass Holdings LLC for the Village of Justice, County of Cook, State of Illinois.

MOTION: Trustee Kuban Moves: To approve Resolution 2012-14

SECOND: Trustee Small seconded for discussion.

Mayor Wasowicz explained that the only point to this resolution was to confirm that if indeed Compass Holdings, LLC were to propose a plan for redevelopment that reimbursement for expenses incurred creating the plan would be eligible for reimbursement from the TIF District.

Attorney Cainkar reiterated that only if and when a redevelopment plan were to be agreed upon would expenses become reimbursable and even then only to the degree that they were negotiated by the board with an approved redevelopment plan.

Discussion occurred regarding the need for such a Resolution. Representatives of Compass presented a plan before the board some time ago and were instructed at that time to further review the financial expectations of the proposed development and come back with a better evaluation of the benefit to the community and more

detail in the costs expected to be incurred by TIF funds and by the developer. There have been no updates since then.

Trustee Rusch added that he is ashamed by the condition of the current business and how it looks as one enters the Village of Justice, eastbound on 79th Street. It seems to him before the Village makes any concessions to this developer, the condition of the property should be his first order of business.

Mayor Wasowicz reminded all that Compass has shown a spirit of cooperation by cleaning up the business as much as is currently possible and has straightened out issues with his licensing and vehicles.

Trustee Small asked if this action will provide an open checkbook in the event of redevelopment of the property.

Attorney Cainkar stated that this action does not bind the village to allow payment of any costs incurred, only that those costs would be considered in a redevelopment agreement if and when one would be negotiated.

Trustee Bartoszek asked if a plan would be forthcoming.

The attorney for Compass explained that all they were expecting today was to take a snapshot in time so that an appropriate development could be properly evaluated by the appropriate consultants and that additional expenses that will arise can be spent in hope of creating a development that is acceptable to the village and that will allow for the investment of considerable dollars in creating that plan can be considered for reimbursement if and when the plan is deemed acceptable by the village.

Trustee small asked how we can be expected to give the developer a vote of confidence in his efforts when no revised plan has been provided.

Redevelopment of TIF #3 is greatly contingent on the opening of the ramp and the cooperation of IDOT. An actual plan to develop at this time is unrealistic. It may be a few years down the road. The only way the developer can be motivated to spend the necessary dollars to develop an acceptable plan is to feel some confidence that if he brings an acceptable plan to the village, where the development is eventually approved, then the costs to the developer incurred in creating the plan will be considered by the village as eligible expenses to be considered for payment by the TIF.

VOTE: Trustee Rusch, nay, Trustees Symonds, aye, Trustee Kuban, aye, Trustee Bartoszek, abstain, Trustee Small, aye, Mayor Wasowicz, aye. There were four ayes, one nay and one abstention. Motion passed.

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VILLAGE CLERK'S REPORT:

The Second Regular Board Meeting of May, originally scheduled for May 28, 2012, will be held on Tuesday, May 29th due to the Memorial Day Holiday.

COMMITTEE REPORTS:

FINANCE & INSURANCE –Trustee Rusch for Trustee Bartoszek

MOTION: Trustee Bartoszek Moves: To approve payables numbers 1-35 in the amount of \$43,297.70, recurring expenses of \$139,904.71 and MFT expenses of \$6,548.02,

TIF #2 expenses of \$185.00, and TIF #3 expenses of \$300.00, for a total of \$190,235.43.

SECOND: Trustee Small

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

Trustee Bartoszek asked if the life and dental proposals that were presented by Mesirow had been finalized.

Clerk Kathy Svoboda stated that the life insurance with Mutual of Omaha was already in place with a more that 30% saving from our prior carrier.

The dental however was still being evaluated. Mesirow is preparing a side by side comparison of the two plans for review by the employees who purchase the coverage.

PUBLIC UTILITIES – Trustee Rick Symonds

Trustee Symonds reported that Public Works has been working on a street repair project on 85th Ave. from 80th to 81st at a cost of about \$30,000.00 in asphalt. They did a great job.

Grass cutting, chipping, and installation of the speed bumps in front of the park district were performed. Cleaning and checking of sewers and drainage easements and sign replacements have also been completed. The Village-wide Garage Sales signs were installed and maintenance of squad cars and repairs of public works equipment was completed. Street sweeping is ongoing.

MOTION: Trustee Symonds Moves: To approve a quote from John's Pro Tree Service to remove two trees from village property, one on village property on 84th Place and the other on village right-of-way on 86th Ave., at a cost not to exceed \$2,500.00, contingent upon proof of a valid contractor's license.

SECOND: Trustee Kuban Seconded for discussion.

Trustee Kuban asked if the contractor is licensed to work in the village.

Building Inspector Ed Shilka offered that his contractor's license is currently expired, but will be renewed if he is approved to do the work.

Trustee Symonds explained that many communities contract a service to take down trees when necessary. Ken White has negotiated a contract to remove any dangerous trees in Justice for a period of one year with John's Pro Tree Service for \$6,000.00.

MOTION: Trustee Symonds Moves: To Amend the original Motion to allow Ken White to negotiate and sign a contract to remove and or trim trees that are creating hazardous conditions on village property for a period of one full year at a cost not to exceed \$6,000.00.

SECOND: Trustee Kuban

VOTE: Trustees Bartoszek, Small, Symonds, Rusch, and Kuban, aye. All ayes. Motion to amend the original Motion is passed.

Trustee Kuban asked how much was spent in 2011 for such work.

Trustee Symonds stated that he was not aware of any expenditure for removal of hazardous trees last year, but upon consultation with our attorney, once we are

aware of a hazardous condition it creates a liability for the village and that is why so many communities enter into such contracts. Trustee Kuban reminded Trustee Symonds that this expense was not budgeted for. It would come out of the Public Works budget. Trustee Symonds added that this would create a change in policy.

A vote was called on the Amended Motion:
VOTE: Trustees Bartoszek, Rusch and Symonds, aye. Trustee Small, Kuban and Mayor Wasowicz, nay. Motion failed.

A vote on the original Motion was called.
VOTE: Trustee Symonds and Rusch, nay. Trustees Bartoszek, Small, Kuban and Wasowicz, aye. Motion passed.

Trustee Symonds stated that he was not sure if a Motion is needed to purchase a lawn mower for the Administration Building. The prices gathered by Ken White range from about \$1,000.00 to \$2,100.00. Mayor Wasowicz suggested that the action be tabled until an appropriate piece of equipment is chosen
Action on this item is tabled.

PUBLIC SAFETY – Trustee Melanie Kuban

MOTION: Trustee Kuban Moves: Motion: To approve AN ORDINANCE OF THE VILLAGE OF JUSTICE AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH THE ILLINOIS OFFICE OF THE COMPTROLLER REGARDING ACCESS TO THE COMPTROLLER’S LOCAL DEBT RECOVERY PROGRAM.

SECOND: Trustee Bartoszek
Trustee Kuban explained that this limited the age of a debt to be collected and also set a minimum debt of \$10.00 to be eligible for collection.

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

ADMINISTRATION BUILDING & RECREATION – Trustee Sue Small

A Meeting of the Historical branch of the Centennial Committee will be held on Monday, May 21, at 7:00 pm in the all-purpose room for those who are interested in how that committee might proceed.

ORDINANCES, LICENSES & PUBLIC PRINTING – Trustee Rusch

MOTION: Trustee Rusch Moves: To approve the Business License of We Care Recycling doing the business of providing recycling containers for books and clothing in various locations throughout the Village, being in compliance with all codes and ordinances.

SECOND: Trustee Bartoszek

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

MOTION: Trustee Rusch Moves: To approve Motion: To approve A Motion : To approve AN ORDINANCE OF THE VILLAGE OF JUSTICE APPROVING A FIRST AMENDMENT TO PCS SITE AGREEMENT WITH STC TWO LLC FOR THE PROPERTY LOCATED AT 8741 INDUSTRIAL DRIVE.

SECOND: Trustee Kuban

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

BUILDING, PLATS AND ZONING – Trustee Symonds for Trustee Rich Sparr

MOTION: Trustee Symonds Moves: To approve the convening of the Zoning and Planning Commission on a monthly basis for the purpose of discussion of zoning and planning issues.

SECOND: Trustee Rusch

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

Discussion occurred about whether it was necessary to review the action of subdividing the lot at Classic Truck and Trailer Repair on 82nd Place, in order for the village to obtain ownership of a detention pond and drainage easement. It was determined that it was not necessary.

ATTORNEY’S REPORT: Attorney Joe Cainkar

There was no report.

CORRESPONDENCE:

There was none of note.

OLD BUSINESS:

There was none.

NEW BUSINESS:

SCHEDULE OF COMMITTEE MEETINGS:

Wednesday, May 23, 2012

7:00 p.m.

FINANCE & INSURANCE: Trustee Bartoszek

Review of posted payables, review of two options for employee funded dental insurance and other financial matters.

ADMINISTRATION BLDG. & RECREATION: Trustee Small

Any matters before the committee including discussion of revising the duties and compensation of a full-time village clerk to include the duties of village collector, an update regarding the plans to re-create the village website and a presentation regarding the proposed Special Service Areas for the purpose of evaluating the scope and cost of street reconstruction.

PUBLIC SAFETY: Trustee Kuban

Discussion regarding legislation updating code with regard to part-time police officers, and other matters before the committee.

BUILDING, PLATS & ZONING: Trustee Sparr

Hank Oszakiewski and Jim Lurquin will update the board on a seminar they attended recently, regarding the role of elected and appointed officials in economic development and other matters before the committee.

ORDINANCES, LICENSES & PUBLIC PRINTING: Trustee Rusch

Review of any new licenses, ordinances or code amendments available for review.

PUBLIC UTILITIES: Trustee Symonds

Any matters before the 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) Potential or Pending litigation.

PUBLIC COMMENTS:

Mrs. Rene Myslinski has her new survey and will be discussing the installation of a fence with the Building Department later this week.

Mrs. Shirley Wagner commented that Direct TV told her much of the problems with her service were due to the cell towers in the area.

Complaints were issued regarding the condition and lack of an on-site attendant at the Marathon Station on 79th.

The no-attendant policy is not illegal, but Jim Lurquin will be calling on the owner for building and landscape maintenance this coming week.

Mrs. Shirley Wagner asked if the Special Service Areas were likely to be implemented, and at what level would the streets be improved.

Mayor Wasowicz replied that the residents would need to be on board since they have the ability, collectively to stop a Special Service Area.

The engineer and the attorney will be working on tightening the estimates of cost to the residents for each area, and the level of improvement. No matter what, concrete shoulders or better, to insure the improvement would last the twenty or more years are proposed.

Public Hearings are necessary to the process and will allow residents an opportunity to discuss the proposed improvements and voice their opinions on the initiative to the Mayor and Board of Trustees.

There will be a period of 100 days for the voters and homeowners to stop the initiative with 51% of the owners and 51% of the electors.

Mrs. Patty Baines asked if she could see the map with the proposed areas. Trustee Sue Small will show her after the meeting and will make copies available to those interested.

The Chair will entertain a Motion: To Adjourn

MOTION: Trustee Bartoszek so Moves.

SECOND: Trustee Kuban

VOICE VOTE: All ayes.

Meeting Adjourned at 8:46 pm.

Respectfully Submitted,
Kathleen M. Svoboda
Village Clerk