

**VILLAGE OF MIDLOTHIAN  
COMMITTEE MEETING MINUTES  
FEBRUARY 20, 2019**

Mayor L'Heureux and the Board of Trustees of the Village of Midlothian, Cook County, Illinois, met in the Council Chambers at the Village of Midlothian on February 20, 2019. The meeting began at 7:00 p.m.

**CALL TO ORDER**

**ROLL CALL**

**Present:** Mayor L'Heureux, Clerk Moskal, Trustees Caveney, Crowley, Gillis, Ivan and Kreis, Attorney Valadez, Chief Delaney, Deputy Clerk Kolacki and Superintendent Weinert. Trustee Killelea arrived at 7:07 p.m.

**PLEDGE**

**PUBLIC COMMENT**

**Allen Krygowski** – He was checking on the status of the zoning. He received the letter of legal non-conforming use for his property, but unfortunately it doesn't help the situation since it does not say that the building can be rebuilt if destroyed. He wanted to know what kind of relief is in the plans. Mayor L'Heureux advised that the Village is not holding up the sale of the house, but the bank is. The property has been zoned commercial since 1968. We are looking at all zoning in town but could not give a timeframe. We are also in the process of getting assistance from interns who will be working with Superintendent Weinert and Trustee Caveney to look at the zoning for the entire village and will make their recommendations for any rezoning.

**COMMUNITY DEVELOPMENT**

**Trustee Kreis** reported on the following:

- She had a meeting on February 7<sup>th</sup> with the potential developers of the Honda Property. They are in the process of obtaining a Judicial Deed through a tax purchase. She provided the before and after pictures from the developers of properties purchased in Chicago Ridge. She also provided pictures and the plans of how the Honda Property would be developed. The developer is also interested in purchasing the Doctor's building and the Raday building. Superintendent Weinert explained that the developer strips the brick and puts new face brick on and for the Honda building, he will be taking the front of the building off and will make it a new storefront. The parking lot next door will be parking for the building.
- Mr. Pappas is still interested in the Nail School and has a meeting set up for next Tuesday at 10:00 a.m.
- She received an email from the broker handling the Kedzie property. He asked if the Village would consider making Sawyer Avenue southbound. He also wanted to know who owned 147<sup>th</sup> Place and the sidwell was provided to the broker. She is not sure who the end user is at this point, but there is some interest in the property.

- Trustee Caveney asked if Trustee Kreis was able to converse with Metra about having our own Village employees to park in their lot and she advised that it was on her To Do List.
- Discussion of the Rain Garden and parking lot. Trustee Kreis noted that if we move the parking lot 10 feet to the South, we will lose 1,250 square feet of the Rain Garden, which she did not want to do. She contacted Mark Miller in Blue Island since they had a similar green infrastructure grant and had entered into an intergovernmental agreement with Paul Revere School. She believed we could do the same thing with the VFW. She then reminded the Board that the \$200,000 grant for this project needs to be completed by July, otherwise we will lose the grant money. Part of our permeable parking lot would be on the VFW property and will allow for ingress and egress with the VFW. Trustee Caveney suggested that rather than encroaching the permeable pavers into the VFW property, we should put the permeable pavers on Village property, which is gravel, and continue the permeable pavers to the east instead of north and keep on the Village property. We will still need to enter in an intergovernmental agreement with the VFW for ingress and egress and for striping. Trustee Kreis advised that she would bring this up with the engineers. There was a long discussion on the configuration of the parking lot. Attorney Valadez then noted a variance is determined by the Zoning Board. Mayor L'Heureux noted that it is not a variance, but is an exception, and the Board would have to vote to ignore our variance codes and approve it.
- The next Keep Midlothian Beautiful Meeting is tomorrow at 12:00 p.m. We will be planning for the Great Midlothian Cleanup on April 27<sup>th</sup> and has ordered supplies from Keep America Beautiful.
- Reggie Greenwood sent an invoice for \$500.00 to be a member of the Chicago Southland Economic Development Corporation. She asked the Board if they were interested in continuing to support the Southland Economic Development Corporation and the Board agreed.

### **FINANCE DEPARTMENT**

**Trustee Ivan** reported on the following:

- Discussion of the Third Millennium services will be moved to March.
- With regard to the 5G Cell Phone/Internet boxes on the light poles, various Villages and towns are suing SUC for allowing the cell phone companies' pricing structure and turnaround time for approval. Trustee Caveney advised that the Village has received requests for permits but they have not been issued at this time. Attorney Valadez commented that the only good thing about the state provisions were that they allowed municipalities to require when submitting an engineer report, to provide photographs and many other documents.

### **FIRE DEPARTMENT**

**Trustee Gillis** reported on the following:

- Chief Hotwagner received a letter from the Chief of Calumet Park regarding a box alarm on February 4<sup>th</sup> and thanked the Fire Department for their assistance. The box alarm was for a gun shot victim on I-57.
- The new hire has completed their testing and the recommendation of the new hire is being presented to the Fire and Police Commission. The new hire request will be brought to the Board's attention in the middle of March for approval.

- The Historical Society has pictures from the previous Keystone Café and are in the process of having the frames refurbished. He was hoping to add the photos to the back wall of the Council Chambers.

## **BUILDING DEPARTMENT**

**Trustee Caveney** reported on the following:

- Last week we received notice from Verizon that they would begin construction at the end of January and therefore, the commencement date of the 10-year agreement between Verizon and the Village was February 1<sup>st</sup>.
- She thought that the sign in front of the Village Hall should be replaced with a new electric sign and was hoping it could be budgeted for next year. The Board agreed.
- Superintendent Weinert and Attorney Valadez have been working on the Ordinances to adopt the 2018 International Mechanical Code and the 2018 Fuel Gas Code. Drafts of the Ordinances will be provided to everyone for approval at the next Board Meeting.
- The Zoning Map provided in everyone's packet must be adopted, with any changes, as required by the State of Illinois, at the end of March. She asked everyone to review the Map to see if there were any changes, errors or updates. Michael Yucius, who is a veteran and student at UIC and had worked with us last year on other projects in the Building Department, will be assisting the Village again this year.
- Carrie Pintar from Robinson Engineering is our Certified Flood Plain Manager and has helped us with our CRS activities. She will be visiting the Village on Friday morning to provide CRS training with herself, Superintendent Weinert and the staff of the Building Department. After this meeting has been concluded, we will choose a date for the first CRS Town Hall Meeting and she will prepare the invite to be sent to the households in town.
- She was pleased to announce that we received our CRS recertification.
- On February 19<sup>th</sup>, Regina Toby from ISO met with Superintendent Weinert and reviewed the 22-page questionnaire that the Village was required to prepare for the ISO rating for the Building Code Effectiveness Grading Schedule (BCEGS). The ISO is important to the Village since it has a direct impact for insurance purposes. ISO manages and oversees the FEMA CRS Program and manages the BCEGS Program. The ISO rating is important to every community since it has a direct effect on our insurance rates. Regina Toby had advised that Villages must not be more than two cycles behind in adopting ordinances since it will have a significant and drastic effect on the ISO rating. The last we adopted the Code for the International Building Code and International Residential Code was in 2012. We are in the process of updating those Ordinances and will need to be adopted no later than March 31<sup>st</sup>.
- Bellorama Auto Group submitted a Special Use Application. The Zoning Board was in favor of granting the special use provided that Bellorama complied with the list of items outlined at the Zoning Hearing. Bellorama had previously been granted a Special Use in 2016 but was never followed. There was then discussion on the requested items in 2016 and their future compliance. Pictures were taken this morning and were provided to the Board. There were many issues that were not in compliance, but there was also improvements that were made. Trustee Caveney asked if they installed the required RPZ valve and Superintendent Weinert advised that no permits can be issued until they are granted the Special Use, per our Ordinance. The plumbing permit for the

backflow preventer cannot be issued until the Special Use has been granted. They will need to comply with the Ordinances before issuing a business license. Superintendent Weinert advised that the auto sales is in compliance but the mechanical shop is not in compliance. They have not removed debris, oil containers and garbage cans, as well as some other items. Once in compliance, the Board can vote on the Special Use. Trustee Caveney recommended that the vote be held off until the owner cleans up the property as requested by Superintendent Weinert to show good faith that they will comply with all Village requirements. The Board agreed.

## **PUBLIC WORKS DEPARTMENT**

Trustee Killelea reported on the following:

- Superintendent Sparrey has recommended that we hire SSA LLC to remediate sidewalk trip hazards. An audit was completed of the sidewalk hazards from 143<sup>rd</sup> and Pulaski to 147<sup>th</sup> and Kedzie. The amount recommended is \$16,150 and is a budgeted item. Attorney Valadez recommended that we prepare a hierarchy of hazards. We will eventually survey all our sidewalk hazards in town. This is done because the Illinois Supreme Court decided a case with regard to sidewalk liability and to change the immunity status for all municipalities. The policy is now needed and has to make a determination that in order for us to use our discretion to fix or not fix, we have to have a study of the dangerous sidewalks. If we do not know that a sidewalk is dangerous, then we have lost our immunity, but if we were to say we were not fixing the sidewalk and have the study, we now have tort immunity. The invoice will go forward at the next Board Meeting.
- The condition of the Public Works walls are getting worse. The support walls on both sides and cinder blocks are coming apart. The roof above the wall is rusting. In one of the storage areas there is a tarp to funnel the leak from the roof into a pail. The bathroom in the office has old tiles and water seeps in. They are also concerned that there may be mold inside the buildings. Trustee Caveney noted that both she and the Mayor met with the architect and they gave us a date of March 8<sup>th</sup> for the final report with their recommendations, which will be provided to the Board.
- The sewer break on St. Louis Avenue is a continuing problem. Public Works believed they solved the problem since the concrete was broken but the next day they found an obstruction. The sewers from the Honda Building on the northeast side is also deteriorating. The major trunk-line where the smaller sewers feed into is the area that is breaking. The sewers are deteriorating drastically and will need to be replaced.
- Mayor L'Heureux received the memo from Superintendent Sparrey regarding why the lights have not been installed on 147<sup>th</sup> and wanted to know about what breakaways were. Mayor L'Heureux explained that breakaways are designed so that when a car hits it, the pole breaks away and does less damage on a vehicle and the driver. They are not sure whether the pedestrian lights require this. They had to go back and ask the question again if they were suitable and are getting conflicting answers. The contractor will get the approval by the state.
- He asked the Board to allow Attorney Valadez to draft up an Ordinance to require that all nicotine products, whether smoking or vaping, would have a minimum age requirement of 18 years old. He provided the statistics of high school students and noted that nicotine is an addictive chemical. He believed that the vaping can cause more of a nicotine addiction and affects the lungs. Nicotine has a terrible effect on young brains and is harmful. He explained what chemicals were involved and that there is no health benefit. He asked the Board to consider the minimum age requirement. Trustee Kreis advised that Oak Forest just passed their Ordinance for the minimum age of 21 years

old and believed other towns will also follow. Attorney Valadez suggested including provisions for a vaping class to be taken in order to avoid a higher fine, which is done in Park Ridge. The fine is \$100 if you just pay it or it can be a reduced \$60 fine and would need to take the one-hour class on the adverse effects of nicotine. There was a long discussion and the Board agreed.

- When a new business comes in town, he wanted to know if we can provide them with a checklist to include our Building Codes, Fire Codes, Permit and Licensing information, required stickers and Special Use requirements which would make it easier for the business to comply. It could also include what Departments you would talk to regarding a certain situation. This will be reviewed.

## **POLICE DEPARTMENT**

Trustee Crowley reported on the following:

- Motion to Replace the Current Village Server at a Cost Not to Exceed \$19,300.07 was made by Trustee Crowley and seconded by Trustee Caveney.

**Discussion:** There was no further discussion.

**Roll Call:** Ayes: Trustees Crowley, Caveney, Gillis, Ivan, Killelea and Kreis. Nays: None. Motion carried.

- Oak Forest contacted Chief Delaney to expand the microwave coverage to the northeast quarter of their town and wanted to know if it was possible to install a microwave link support ground equipment and a 15'-20' antenna on the water tower located behind Ricky Rockets. It was suggested that this be reviewed by Trustee Caveney since she has been working with Verizon and she could then forward to Robinson Engineering. Attorney Valadez suggested contacting Oak Forest again to advise exactly what they want to do and describe the equipment they want to put up. Trustee Caveney noted that we will have to advise them that Verizon is putting nine antennas up and the drawings were not reviewed. She also suggested that Superintendent Sparrey and Robinson Engineering review and make their recommendations. Although Oak Forest completes their own dispatch, the state is considering raising the residency requirement for the dispatch. Mayor L'Heureux noted that Verizon wants to put antennas on top of the water tower but noted that he did not sign the agreement with Nicor to complete the work.
- She wanted to commend the Police Department for their assistance in an incident at Metra in which a rider was hit and caused more than one thousand commuters to be stranded in Midlothian. The Midlothian Police came out and opened the train station for the stranded commuters and stayed around for more than 3 ½ hours directing traffic. She received a lot of positive feedback from the stranded commuters of the Police's assistance and the great job they did that day.
- Community Policing Committee has created cling-ons for the windows that would state "In case of emergency, please save my pets" and there was an area to note the number of pets inside the structures.
- A few months ago there was a meeting to update the website and everyone was asked to start thinking about their plans for the Departments. Both she and Chief Delaney provided their revisions and she was asking the remaining Board to speak with their Departments Heads to provide information for the website. Trustee Caveney noted that the Building Department will be updating the Ordinances and permit documents.
- She will be requesting a Closed Session to discuss Collective Bargaining at the end of the meeting

## **ATTORNEY'S BUSINESS**

**Attorney Valadez** reported on the following:

- He advised that they will have some options presented to the Village Board regarding the outstanding fines owed from the Meat Market property, both to the contractor, who did the demolition, and the owner.

## **PRESIDENT'S BUSINESS**

**Mayor L'Heureux** reported on the following:

- Motion to approve to engage with Diliberto Real Estate Services for a Cost Not to Exceed \$19,000 was made by Trustee Ivan and seconded by Trustee Caveney.

**Discussion:** Trustee Kreis had asked for copies of deliverables that they provided for other towns. Mayor L'Heureux noted that Oak Forest provided information of what work was done for them. The information Diliberto will be providing is detailed for Midlothian to include demographics, geographic locations and will be specific to us. We also negotiated and received a lower top tier price to \$19,000 and felt that was beneficial to us. The proposal is not only for a vacant property but any property in town that we can get redeveloped and they will be able to assist in redeveloping our downtown area. They will also work with the Board for their suggestions. Trustee Kreis advised that Oak Forest will not be re-engaging Diliberto due to communication problems. She liked the concept but did not think we should pay for anything unless they met certain milestones and delivered. She wanted to know what Diliberto would be doing differently than any other plans. She also was not sure that they were comprehending what is going on in the Village. She has already been working with a broker for the Kedzie Avenue property and other properties. She has met with other developers on many of the properties that Diliberto said they would be working on. Trustee Killelea explained that five developers came to us to develop 147<sup>th</sup> and Cicero with great plans and those fell through. He wanted examples of what they have done for other towns. Mayor L'Heureux noted that they gave a list and pictures of all developments completed in other towns. Trustee Crowley noted that we need to generate revenue and there are many business owners asking for help. We need to get our economic development in place. It is a lot of money but we need to get our economic development in place and we will need to invest. Trustee Gillis asked where the funds will be paid from and was advised that it would come from Economic Development. There was no further discussion.

**Roll Call:** Ayes: Trustees Ivan, Caveney, Crowley and Gillis. Nays: Trustees Killelea and Kreis. Motion carried.

## **CLERK'S BUSINESS**

**Clerk Moskal** reported on the following:

- He reminded the Board and Department Heads that the I-Pad training will be held this Friday at 7:00 p.m.
- The BoardDocs training for the Board will be held on Thursday, February 28<sup>th</sup> at 7:00 p.m. in the Council Chambers.
- Superintendent Weinert calculated the gallon loss of water related to the burst pipe at the DollarTree and noted it was 425,000 gallons of water. Treasurer Britton will be issuing an invoice to the property owner.

**ADJOURNMENT TO CLOSED SESSION**

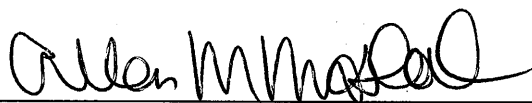
Motion to adjourn to Closed Session to discuss collective bargaining negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees pursuant to 5ILCS 120/2(c)(2) was made by Trustee Caveney and seconded by Trustee Kreis.

**Roll Call:** Ayes: Trustees Caveney, Kreis, Gillis, Crowley, Ivan and Killelea. Nays: None. Motion carried.

The Mayor advised that there will be no further action following Closed Session. The Board adjourned to Closed Session at 9:02 p.m.

Respectfully submitted:

  
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Maria Kolacki, Deputy Clerk

  
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Allen Moskal, Village Clerk