

VILLAGE OF OAK LAWN, ILLINOIS
MUNICIPAL CENTER @ 9446 S. RAYMOND AVENUE
PRESIDENT & BOARD OF TRUSTEES
REGULAR MEETING MINUTES #2005-13
TUESDAY – JUNE 28, 2005 – 7:30 P.M.

I. **ROLL CALL:** by Village Clerk, Jane Quinlan

Village President: Dave Heilmann

Village Trustees: Alex Olejniczak Robert J. Streit
 Thomas Phelan Jerry Hurckes
 Steven F. Rosenbaum Marjorie Ann Joy

ALSO PRESENT: Assistant Village Manager: Lynn Krauss
Village Attorneys: Michael Jurusik and Jim Wargo
Village Treasurer: Robert Douglas
Fire Chief: Edward Folliard
Police Chief: Robert Smith

II. **PLEDGE OF ALLEGIANCE** was recited.

PUBLIC COMMENTS:

1. Raul Garcia @ 10805 S. Cook - Concerned about the high traffic flow on his block and in Eagle Ridge area. He feels that this high traffic flow is dangerous for his children.
2. Nancy M. Czerwiec @ 10513 S. Long - Felt that shrubs & foliage near Long and Richards High School should be trimmed. She felt that the area is dangerous because somebody could be hiding in bushes. Also Nancy was concerned that Comcast is not worth the money. She has static and service is expensive and thinks that the Village needs to have a summit with Comcast.
3. Beverly Ring @ 10605 S. Kilbourn – States that 87th TIF is illegal. Felt that without TIF, any development could go on that land – even commercial.
4. Norma Thompson – 108th & Cook – She wants to stop the madness. Wants stop sign on Cook in Eagle Ridge. Was concerned about power outages in Eagle Ridge and also concerned that only certain homes continue to lose power, not a whole block or large area. She is frustrated with Com Ed.
5. Debbie Fagan – 9201 S. Keeler – Concerned about ISO Fire Rating letter being truthful and claims that the Fire Letter sent out by Village at the beginning of April cost the Village 36,000. Debbie wanted to know what other towns pay to receive water from Oak Lawn. Also Mrs. Fagan wanted to know what the Village is getting from Comcast. President Heilmann told Mrs. Fagan that he would get her an answer.
6. Scott McGraw – 8800 S. Nashville – He understands that the Village is embracing technology, but he feels that Comcast has not lived up to their contract. Mr. McGraw has had no fax, no phone, TV or computer for most of June. He finally called CEO of Comcast in Philadelphia and was told that infrastructure cannot handle surge of new Comcast Service. Mr. McGraw would like the Board to revisit agreement with Comcast. He wants help from the Village.
7. Ron Kapp – 9627 S. 53rd Avenue – Mr. Kapp was concerned that in the Southtown Mr. Faber had said that Oak Lawn Fire Department had #1 rating. Wanted to know if there is cause in Mr. Faber's contract that said he had to be honest. Also wanted to know if the public audience can still speak at Board Meeting after 8:00 pm? President Heilmann announced that if somebody wanted to voice an opinion that would be fine.
8. Peter & Julie Ifff – 10840 Cook Avenue – Concerned about traffic through Eagle Ridge. Suggested mounting cameras on Cook, 107th Street and 108th Place.
9. Roland Ruelo – 10844 S. Cook Avenue – Mr. Ruelo wants more stop signs in Eagle Ridge. He explained that there are a lot of kids in that area, and he is concerned for their safety.

III. APPROVAL OF MEETING MINUTES: Regular meeting minutes dated June 14, 2005.

Trustee Rosenbaum moved, seconded by Trustee Hurckes to approve regular meeting minutes #2005-12, dated June 14, 2005 and authorize the Village President and Clerk to sign same.

VOICE VOTE: ALL VOTED AYE. MOTION PASSED UNANIMOUSLY.

IV. OAK LAWN GARDEN CLUB – BEAUTIFUL YARD CONTEST WINNERS:

President Heilmann recognized Jennifer and Mike Mitchell – Third Place, Jan Paterno – Second Place and David Glendale & Dan Wiederhold – First Place

V. SWEARING IN – NEW FIRE CHIEF: Edward Folliard

Clerk Quinlan administered the oath of office to Edward Folliard who was promoted to Fire Chief.

VI. EMPLOYEE SENIORITY RECOGNITION LIST:

30 YEARS OF SERVICE: Jeffrey Adams-Communications, Charles Barsevick – Fire Department, William Sevening – Fire Department.

25 YEARS OF SERVICE: Orsinia Andrews – Finance Department, Aldo Bendotti – Equipment Maintenance, Randy Meyers – Police Department, Judith Osness – Street/Sewer Department, Gary Verschave – Water Department, Charles Zylius – Police Department

20 YEARS OF SERVICE: James Ball, Police Department, Robert Brewer – Police Department, Dee Hitney – Legislative Department, Lorraine Hurt – Fire Department, Mary McKirdie – Finance Department, Eugene Shipanik – Fire Department, David Winston – Police Department

15 YEARS OF SERVICE:

Jeanne Galzin – Quality Control Department, Michael McCastland – Fire Department, Richard Murphy – Communications, Gregory Neal – Fire Department, Steven Rockey – Fire Department, Ronald Schneidwind – Fire Department, Steven Soyk – Police Department, Robert Wesselhoff – Fire Department

10 YEARS OF SERVICE:

Deborah Handzik – Communications, Aarafa Payne – Police Department, Scott Ralston – Fire Department

VII. NEW BUSINESS BY VILLAGE TRUSTEES:

Trustee Hurckes was concerned with the water problem – issue of the back-up generator. He would like to see the Water Commission be given the opportunity to bring up options on the water problem. He commended the Police Department for giving kids tickets for free ice cream if they wear a bike helmet and also thanked the ice cream vendors for donating the ice cream. The issue on Melvina Ditch concerns Trustee Hurckes. The ditch runs into Stony Creek, the street is falling in and Trustee Hurckes wants to put this issue on the radar.

Trustee Olejniczak is also concerned about the water situation. He wanted to know when the Village last did a study on a generator. The last study was done in 1992 when the village went with 2 power sources. Trustee Olejniczak was concerned that if we did not have proper back-up and the power does go down, the Village would have no way to pump water. He suggested to do some research on this problem and see what a back-up generator would cost. Also Trustee Olejniczak did meet with the owner of the Columbus Manor Apartments and the owner is willing to work on improving conditions of the buildings and was also concerned about the residents safety. The owner would like to convert the apartments into condos within the next 3 years.

Trustee Rosenbaum discussed that the Village was in contact with ISO on January 14, 2005. He said the Village did not ignore the ISO notice. Trustee Rosenbaum was also concerned about the water problem, but felt that the water still flowed in the Village and sometimes these watering issues do occur at this time of the year.

Trustee Joy thanked Congressman Lipinski's Office for donating 200,000 to the Children's Museum. Some seniors are concerned that there will be no more Clippings sent out. Trustee Joy discussed with Board about not doing away with Clippings so she referred this issue to the Technology Committee. Trustee Joy was concerned that when construction is going on, there should be construction fences surrounding it and wanted to refer this problem to Quality Control. She discussed that we were getting no response from J.C. Penneys, owner of the property at 111th & Cicero. President Heilmann said that the Village may have to go directly to the Penneys people in Texas and try to find out how this property can be acquired.

Trustee Phelan commended Village employee Carol Faye for working so diligently on e-mail project, so residents soon will be able to have Village News e-mailed to them. Trustee Phelan discussed that in 2004 there were letters written by the Village to J.C. Penneys, trying to contact them about the 111th & Cicero property. He also discussed that there have been numerous police calls that have been related to the Brunswick Bowling Alley at 103rd & Cicero. He wanted to know if the bowling alley served liquor later than other establishments in area and thought that maybe this was the problem, but would seek details.

VIII. **CONSENT AGENDA:** All items were voted with one motion.

A. **PLANNING & DEVELOPMENT COMMISSION REFERRALS:**

1. Sub. #05-19 – Rutherford Gardens Resubdivision; 2 Lots @9534 S. Rutherford Ave.;
2. Sub. #05-20 – 9812 Minnick Consolidation; 1 Lot, with Lot Depth Variation @9812 S. Minnick Ave.

B. **VILLAGE ATTORNEY'S REPORT:**

1. ORD. #05-13-38: **AN ORDINANCE AMENDING THE NUMBER OF CLASS I LIQUOR LICENSES ISSUED IN THE VILLAGE** (Oak Lawn House, Inc. d/b/a/ Buffet City, 8708 S. Cicero Ave.)
2. ORD. #05-13-39: **AN ORDINANCE APPROVING A ONE (1) LOT CONSOLIDATION AND GRANTING A LOT DEPTH VARIATION (9539 S. MERTON AVE.)**

C. **ACTING VILLAGE MANAGER'S REPORT:**

1. Request to waive the formal bidding process and purchase a 2006 Ford Expedition from Currie Motors, Frankfort, for \$26,630.00 for the Police Department. This price is a special purchase price offered through Suburban Purchasing Cooperative.
2. Request to replace one Telecommunicator from current eligibility list due to retirement.
3. Recommendation to waive bidding procedures due to the unique specifications of the equipment and limited vendor availability, and approve the purchase of a Bobcat Model 5600 Turbo Work Machine from the single-source factory dealer, Atlas Bobcat, Inc. of Mokena in the amount of \$52,257.43.
4. RES. #05-13-6: **RESOLUTION TO CHANGE AUTHORIZED SIGNER**
5. ORD. #05-13: **MUNICIPAL PAY & BENEFITS ORDINANCE**

Trustee Rosenbaum moved, seconded by Trustee Hurckes to approve the Consent

Agenda as presented, deleting items C-1 & C-5 for discussion and authorize the attorney to prepare the necessary documents and the President and Clerk to sign where required.

**ROLL CALL: TRUSTEE OLEJNICZAK - YES TRUSTEE STREIT – YES
 TRUSTEE PHELAN – YES TRUSTEE – YES
 TRUSTEE ROSENBAUM – YES TRUSTEE - JOY - YES**

MOTION PASSED UNANIMOUSLY.

Item C-1: Request to waive the formal bidding process and purchase a 2006 Ford Expedition from Currie Motors, Frankfort, for \$26,630.00 for the Police Department. This price is a special purchase offered through Suburban Purchasing Cooperative.

Trustee Phelan asked if this request breaks any rules by rejecting all bids solicited for competitive proposals. Attorney Mike Jurusik discussed that under the competitive bidding process if the Village decides to use the bidding process it can reject all other bids. We could take cooperative bid and walk down the street and waive bid process if we could get lower price. Trustee Phelan asked if we could take lowest bid and then ask local car dealer to match the lowest bid.

Trustee Hurckes moved, seconded by Trustee Rosenbaum to postpone the request to waive formal bidding process and bring up again at a later date.

**ROLL CALL: TRUSTEE OLEJNICZAK – NO TRUSTEE STREIT – YES
 TRUSTEE PHELAN – YES TRUSTEE HURCKES - YES
 TRUSTEE ROSENBAUM – YES TRUSTEE JOY – YES**

MOTION PASSED 5-1.

Item C-5: ORD. #05-13 MUNICIPAL PAY & BENEFITS ORDINANCE

Trustee Streit discussed that some employees deserve a raise. He said that raises would be retroactive once they would be approved. Some of the info that Trustee Streit has received from Finance Director Gail Paul was appalling to him. He said that some people received a raise of \$10,000.00 in the last year. Trustee Olejniczak also expressed concern about this issue. Trustee Hurckes is concerned with raises for code enforcement officers and crossing guards.

Trustee Streit moved, seconded by Trustee Joy to postpone ordinance until further information is reviewed.

**ROLL CALL: TRUSTEE OLEJNICZAK – YES TRUSTEE STREIT – YES
 TRUSTEE PHELAN – YES TRUSTEE HURCKES - YES
 TRUSTEE ROSENBAUM – YES TRUSTEE JOY – YES**

MOTION PASSED UNANIMOUSLY.

IX. VILLAGE ATTORNEY’S REPORT:

A. ORD. #05-13-40: **AN ORDINANCE AMENDING TITLE 1, CHAPTER 6 & 7 OF THE VILLAGE CODE RELATIVE TO STANDING COMMITTEES.**

Trustee Rosenbaum discussed that he will be voting no because he feels it is a mistake to delete the Legal & Ordinance Committee and thought that this committee was of great value to us.

Trustee Streit moved, seconded by Trustee Phelan to approve Ordinance #05-13-40.

**ROLL CALL: TRUSTEE OLEJNICZAK – YES TRUSTEE STREIT – YES
 TRUSTEE PHELAN – YES TRUSTEE HURCKES – YES
 TRUSTEE ROSENBAUM – NO TRUSTEE JOY – NO**

MOTION PASSED 4-2.

B. ORD. #05-13-41: **AN ORDINANCE AMENDING THE NUMBER OF CLASS**

D LIQUOR LICENSES WHICH CAN BE ISSUED IN THE VILLAGE (White Hen Pantry, Inc. d/b/a White Hen Pantry, 10441 S. Cicero Ave.)

Trustee Joy questioned since there was no specific owner for the White Hen, was the license being issued to Corporate? Diane Cipolla, Business Regulations Director for the Village explained that the license was being issued to Corporate.

**ROLL CALL: TRUSTEE OLEJNICZAK – YES TRUSTEE STREIT – NO
 TRUSTEE PHELAN – YES TRUSTEE HURCKES – YES
 TRUSTEE ROSENBAUM – YES TRUSTEES JOY – NO**

MOTION PASSED 4-2.

X. VILLAGE CLERK’S REPORT:

A. DISB. RES. #05-12D: Approval of semi-monthly disbursements in the amount of \$517,830.86.

Trustee Joy moved, seconded by Trustee Rosenbaum to approve Disbursements Resolution #05-12D, date June 28th, 2005, in the amount of 517,830.86 authorize the expenditure of funds and the Village President and Clerk to sign same.

**ROLL CALL: TRUSTEE OLEJNICZAK – YES TRUSTEE STREIT – YES
 TRUSTEE PHELAN – YES TRUSTEE HURCKES – YES
 TRUSTEE ROSENBAUM – YES TRUSTEES JOY – YES**

MOTION PASSED UNANIMOUSLY.

- B. Clerk Quinlan announced that the Village Hall will be closed Independence Day, Monday, July 4th.
- C. Clerk Quinlan also announced that Vehicle Stickers are on sale daily in the Village Hall or by mail. They must be displayed on your windshield by midnight, August 15th. Penalties will be assessed beginning Tuesday, August 16th.

XI. VILLAGE PRESIDENT’S REPORT:

A. 87th Street T.I.F.

Oak Lawn property at 87 Street from Menard to Major was discussed by Board. On June 8th President Heilmann met with developer Mr. Aqel and his attorney. In February 2002 Mr. Aqel and his investors Titanium Properties purchased 5 lots on 87th Street. They were purchased for \$150,000. Titanium had remedial work done on that property immediately because there had been a gas station there that had former problems. That work cost \$225,000. Lots were 25 X 100 and currently zoned commercial. Subsequent to this, the Village approved the 87th Street TIF and the developer now has a contract to buy 6 more lots for \$750,000.00. That contract has not been closed yet. The Village over the past 6 or 7 years has purchased an additional 10 lots that Village paid approximately \$550,000.00 for besides the 5 lots, and the 6 more under contract. The developer met with Mr. Faber last year to discuss obtaining these lots that the Village owned. No agreement was reached, but they discussed the concept of the developer getting an incentive which would constitute a conveyance of the loss to the builder to then develop 21 lots in a uniform manner. He discussed the possibility of putting Brownstones or Greystones on these and they would be single family homes, 2100 square feet and a full basement with a price of \$350,000.00. The cost to build these would be approximately \$200,000.00. Mr. Aqel would like to act on this right away. This is in a TIF District.

Trustee Hurckes discussed that this location had always looked like it was pieced-together. Automotive Shops were previously there. When these properties became available the Village wanted to develop these as a whole block. President Heilmann cannot understand why the Village would give Mr. Aqel 10 lots. President Heilmann is very uncomfortable with this situation. The Village paid \$600,000.00 for that property. Developer bought property, then comes a TIF, then comes a contract. Trustee Olejniczak’s main concern was that this area was made a TIF District only after developer purchased the property. The property was

purchased in 2002 and TIF in place in 2004. President Heilmann does not believe that this is a legal TIF. Trustee Hurckes explained that Attorney Jurusik will check to see if TIF can be dissolved. He is not aware of any redevelopment agreement. Trustee Phelan discussed his frustration that Mr. Faber was not present for meeting on 6/28 and how anybody could effectively give away approximately 1 million dollars in property. Trustee Olejniczak originally had made a motion which was seconded by Trustee Hurckes to reverse TIF, but Village Attorney asked for motion to be amended while he looked into necessary paperwork to disband TIF. No vote was taken on this original motion.

Trustee Olejniczak moved, seconded by Trustee Hurckes to amend motion to undo TIF on 87th Street, so Attorney Jurusik can prepare the necessary paperwork to proceed with disbanding TIF.

**ROLL CALL: TRUSTEE OLEJNICZAK – YES TRUSTEE STREIT – YES
TRUSTEE PHELAN – YES TRUSTEE HURCKES – YES
TRUSTEE ROSENBAUM – YES TRUSTEES JOY – YES**

MOTION PASSED UNANIMOUSLY.

B. Business Development Committee Appointments

President Heilmann announced the annual appointments for the Business Development Commission. District 1 - Gary Mentgen, District 2 - Kenneth Stoffregen, District 3 - Jim Buschbach, District 4 - William Kijek, District 5 - Dennis Manzke and District 6 - James McGovern. President Heilmann praised William Goetz and John Paul for their past service on this Commission.

XII. EXECUTIVE SESSION #05-03 FOR THE PURPOSE OF DISCUSSING HIRING PERSONNEL.

Trustee Joy moved, seconded by Trustee Rosenbaum to move into Executive Session @9:27 pm.

**ROLL CALL: TRUSTEE OLEJNICZAK – YES TRUSTEE STREIT – YES
TRUSTEE PHELAN – YES TRUSTEE HURCKES – YES
TRUSTEE ROSENBAUM – YES TRUSTEES JOY – YES**

MOTION PASSED UNANIMOUSLY.

Trustee Rosenbaum moved, seconded by Trustee Hurckes to adjourn Executive Session @9:53 pm.

**ROLL CALL: TRUSTEE OLEJNICZAK – YES TRUSTEE STREIT – YES
TRUSTEE PHELAN – YES TRUSTEE HURCKES – YES
TRUSTEE ROSENBAUM – YES TRUSTEES JOY – YES**

MOTION PASSED UNANIMOUSLY.

XIII. ADJOURNMENT:

Trustee Rosenbaum moved, seconded by Trustee Hurckes to adjourn @ 9:54 pm.

VOICE VOTE. ALL VOTED AYE. MOTION PASSED UNANIMOUSLY.

Village Clerk

Village President

