

Minutes Of The Regular Meeting Of The Board Of Trustees For The Village Of University Park, Will And Cook Counties Illinois, Held Tuesday, April 26, 2011 At #90 Town Center Drive In The Village Of University Park.

A. CALL TO ORDER

Mayor McCowan called this regular meeting of the Board of Trustees to order at 8:06 pm.

B. ROLL CALL

Mayor:	Alvin R. McCowan	Present
Trustees:	Sharon A. McGuire	Present
	Oscar H. Brown, Jr.	Absent (arrived @ 8:18)
	Vivian E. Covington	Present
	Keith J. Griffin	Present
	Joseph E. Roudez, III	Present
	Larry B. Brown	Present

Also present were Interim Village Manager/Finance Director David Sevier, Village Attorney Forest Miles, Executive Liaison Johnna Townsend, Deputy Police Chief Gregory Box, Public Works Director Jerry Townsend, Golf Club General Manager Paul Blockoms, Parks & Recreation Director Keely Childress, Economic & Community Development Director Kimberly Porter, and Village Clerk Dorothy R. Jones.

C. PLEDGE OF ALLEGIANCE

Mayor McCowan led the audience in the pledge of allegiance to the Flag of the United States of America.

D. READING OF MINUTES

Trustee Covington moved, Trustee Roudez seconded a motion that the Board approves minutes of the regular meeting of the Board of Trustees held Tuesday, April 12, 2011 as presented.

Ayes:	Trustees McGuire, Covington, Griffin, Roudez, and Larry Brown.
Nays:	None.
Absent:	Trustee Oscar Brown.

Motion To Approve Carried.

E. NON-DISCUSSION AGENDA

E-1: Village Manager's Report

Village Manager Sevier reported that he had received word from the Railroad Company that the Village of University Park's Railroad project to widen the road, install lights and repair the crossing at Governors Highway, and the area around GSU have been approved to be put on the 2012 - 2014 schedules. An approval hearing will be held on June 30, 2011, and hopefully, at that time we will know if we are approved for the award, and if we are on their list for the 2012 fiscal year.

Trustee Griffin asked that since we are in the midst of finishing up with out audits, if Manager Sevier would put in the next contract for the next group or company that the auditors would have to come out at least twice to explain the audit and answer questions, without additional cost.

E-2: Mayor's Report

Mayor McCowan congratulated all those who ran for office in the last election, and congratulated newly elected Trustees Liz Williams; Milton Payton; Trustee Oscar Brown, on his re-election; Mayor Elect Vivian Covington; and Village Clerk Dee Jones.

Mayor McCowan thanked Rev. Johnson for leading us in prayer, noting that there is serious healing that must take place in the Village of University Park following some of the things that were said and done during this last campaign. The division was worse than he has ever seen in this community. He stated that if we are to move forward, we must come together and keep our eyes on the real vision, so we do not come up short as a community. Mayor McCowan congratulated Trustee Roudez and wife Linda on becoming new grandparents.

Proclamation Re: Motorcycle Awareness Month:

Mayor McCowan read a proclamation that designated the month of May as Motorcycle Awareness Month, and asked all residents to please be aware of motorcycle riders and realize the importance of safety, education, awareness and respect to the citizens of our town and state.

E-3: Committee & Commission Reports

Parks & Recreation Director Keely Childress introduced Julius Spicer, a member of the Peer Leaders group for a presentation.

Committee & Commission Reports – continued:

Julius Spicer noted that he is a senior at Crete-Monee High School, a Peer Leader and basketball star person in University Park. He introduced youth basketball players Vickie Johnson, Montrell Banks, Jonnet Thomas and Jalen McCoy and thanked Mayor McCowan for his leadership and support of youth programming in the village. They presented Mayor McCowan with an autographed basketball from the players and coaches of the 2011 basketball season, and wished him well from the players, coaches, and staff of Parks & Recreation Department.

Senior Citizen Committee Board Liaison Dee Jones reported on the meeting of the senior citizen committee held April 13th noting that the committee thanked the Board for amending the ordinance that gave clarity and will now allow for a quorum when less than a majority of members are present. She also reported that in line with the ordinance, the committee selected a nominating committee to bring back prospective officers at the June meeting. Dee also noted that Mrs. Loretta Burgest, a long time resident and member of the Senior Citizen's Committee would be moving out of state, and wished her well.

E-4: Reports Of Other Officers

Trustee Griffin reported on a Smart Energy Seminar he attended in Oak Brook, along with Mr. Sevier, Mr. Townsend, and a representative of ComEd. He noted some of the energy saving highlights, such as automatic temperature control that regulates and adjusts temperatures.

Trustee Covington reported that she attended the meeting of the Chambers of Commerce in Glenwood; Economic Development Workshop in Olympia Fields; and the SSMMA meeting in Hazel Crest.

Economic & Community Development Director Kimberly Porter reported on the changes to the Senior Free Ride Program noting that the changes would make free rides available for those seniors that qualify under the Circuit Breaker Program, with a reduced fee for other seniors as they qualify. Additional information is available by calling her office. She reported that Code Enforcement would begin enforcement of Ordinance #2009-34 on May 2, 2011 which deals with inoperable vehicles parked within village limits. Relating to concerns raised by residents in rental units, she stated that working with the IT Department; they have set up a link where residents can file code violation complaints on the website. The owner of the RaceCo Station on Cicero & University Parkway informed her that he has a very good prospect to rent one of his vacant units as a barbeque restaurant, and another prospective tenant to operate a business center in the other vacant unit. Responding to a concern raised by a resident at a previous meeting, Ms. Porter stated that Brittany Woods Management has committed to paint the pool house as soon as weather permits.

Reports Of Other Officers – continued:

Trustee Covington referred to an inoperable vehicle that had been parked in the parking lot at the Town Center for approximately one year, and asked Ms. Porter how long should a vehicle be allowed to remain without valid stickers.

Ms. Porter responded that ordinance provides that the vehicle can be ticketed after seven days on public or private property. She stated that the Police Department has the authority to ticket and tow inoperable vehicles.

Trustee McGuire asked Ms. Porter to explain the purpose of this ordinance. Ms. Porter responded that residents had complained about eye sores when there are several inoperable vehicles parked in a two car garage driveway. She advised residents to move inoperable vehicles into the garage to avoid being ticketed in driveways.

Trustee Larry Brown reported on his communications with Michelle Adams of Will County Community Development relating to the availability of many grants for public service projects, and the grant application process. He referred to a viable CDBG Grant that the Village needs to apply for immediately, because there are specific actions that must be taken within a specific time frame in order to submit the application by mid May deadline. Action required includes a survey of the community, convening at least one public hearing, advertisement in newspaper, passing a resolution and signed certifications. He also stated that Trustee Griffin is a co-sponsor of this project with him.

Trustee Covington asked Mayor McCowan to call a Special meeting of the Board of Trustees for May 3, 2011 to accept the canvass of the election, and swear in newly elected officials.

Mayor McCowan responded that he would have to consider that request, because normally, that action is taken at the first regular meeting in May of the Board of Trustees.

Village Clerk Dee Jones reported on a seminar she attended in St. Charles, noting that the program included Agents from the Secret Service who discussed the fast growing crime of identify theft; attorneys on Ethics In Government in the age of Transparency; representatives from the Illinois Liquor Control Commission; and representatives from the EAP (employee assistance program) and how these crimes and agencies impact on all communities.

F. DISCUSSION AGENDA

F-1: UNFINISHED BUSINESS

None.

F-2: NEW BUSINESS

F-2a: First, Second and Third Readings – Ordinance Varying Section 1232-16(H) Of The Planning And Zoning Code To Allow The Construction Of A Wrought Iron Fence In The Front Yard Of The Residence At 1032 Ashridge Lane

Trustee Roudez moved, Trustee Larry Brown seconded a motion that the Board approves first, second and third readings of this ordinance.

Trustee Covington asked for clarity on this breezeway fencing. Manager Sevier responded that in essence this is not a fence, as one might imagine, but to erect a breezeway to connect the garage to the house.

Trustee Oscar Brown voiced his concern that approval of this variance would establish a precedent and encourage other residents who have similar configuration to do the same. He noted that homes on several streets including Ashridge, Amherst, Union, Samson, and Blackhawk have the same configuration. He stated that he understands the safety concerns that the requestor might have, but suggested that a different approach is taken.

Ayes: None.

Nays: Trustees McGuire, Oscar Brown, Covington, Griffin, Roudez, and Larry Brown.

Absent: None.

Motion To Approve Failed To Carry.

F-2b: First, Second and Third Readings – Ordinance Amending Section 1460-04 Of Chapter 1460 Of The Building And Housing Code To Add A Definition For “Enclosed Structure Or Space” And To Add New Sub-Section 302.10 Entitled “Grills And Grilling” And New Sub-Section 302.11 Entitled “Storage” Under The 2006 International Property Maintenance Code For The Village Of University Park

Trustee Roudez moved, Trustee Griffin seconded a motion that the Board approves first, second and third readings of this ordinance.

Trustee Oscar Brown moved, Trustee Griffin seconded a motion that the Board approves to amend the main motion to first reading only tonight.

Ayes: Trustees McGuire, Oscar Brown, Covington, Griffin, Roudez, and Larry Brown.

Nays: None.

Absent: None.

Motion To Amend to First Reading Carried.

F-2b: - continued:

Trustee Oscar Brown moved, Trustee Griffin seconded a motion that the Board approves to amend the ordinance to strike “wooden porch, patio” because “backyard only” encompasses those areas.

Mayor McCowan suggested that the Board take serious consideration on the content and intent of this ordinance, and not pass something that would unnecessarily hamper residents with children from taking advantage of their yard space.

Attorney Miles asked Board members to e-mail to him their recommended changes to this ordinance so he can incorporate them into the document for next reading.

Ayes: Trustees McGuire, Oscar Brown, Covington, Griffin, Roudez, and Larry Brown.
Nays: None.
Absent: None.

Motion To Approve First Reading As Amended Carried.

F-2c: First, Second, and Third Readings – Ordinance Authorizing Chicago Title Insurance Company To Prepare Title Searches And Title Commitments In Connection With The University Parkway Road Improvements Project

Trustee Roudez moved, Trustee Griffin seconded a motion that the Board approves first, second and third readings of this ordinance.

Village Attorney Forest Miles stated that he has been in negotiation with Chicago Title for some time, and that IDOT has approved Chicago Title.

Ayes: Trustees McGuire, Oscar Brown, Covington, Griffin, Roudez, and Larry Brown.
Nays: None.
Absent: None.

Motion to Approve Carried

Ordinance Number O2011-07.

F-2d: First Reading – An Ordinance Adopting The Budget For All Corporate Purposes Of The Village Of University Park, Will And Cook Counties, Illinois, In Lieu Of The Appropriation Ordinance For The Fiscal Year Commencing On The First Day Of May, 2011 And Ending On The Thirtieth Day Of April, 2012

Trustee Roudez moved, Trustee Oscar Brown seconded a motion that the Board approves first reading of this ordinance.

F-2d: continued:

Trustee Larry Brown stated that he would like to have a public hearing on this item prior to approving first reading of this ordinance.

Manager Sevier responded that the finance committee and staff have been working on this budget for four months, and passing first reading would allow the item to be posted on the website, and schedule a public hearing as required.

Trustee Larry Brown moved, Trustee Griffin seconded a motion that the Board approves to table this item.

Ayes: Trustees Griffin and Larry Brown.
Nays: Trustees McGuire, Oscar Brown, Covington, and Roudez.
Absent: None.

Motion To Table Failed To Carry.

Roll Call On Main Motion

Ayes: Trustees McGuire, Oscar Brown, Covington, and Roudez.
Nays: Trustees Griffin and Larry Brown.
Absent: None.

Motion To Approve First Reading Carried.

F-2e: Resolution Regarding A Revised Cell Tower Site Acquisition Proposal From Unison Site Management, LLC

Trustee Oscar Brown moved, Trustee Roudez seconded a motion that the Board approves this resolution.

Village Attorney Forest Miles commented that the Village Board approved Resolution #R2010-26 on September 14, 2010 conditionally accepting a proposal by Unison, but several issues remained unresolved. However, since that time the Village received an offer from Landmark Dividend, LLC that, along with his negotiation, apparently prompted Unison to reconsider their original proposal of \$286,789.00 and raise it to \$424,688.00 in return for a fifty (50) year easement and a 50-50 split of rent from new tenants locating in the "additional space". Unison has also proposed a second option of \$407,700.00 for a thirty (30) year term with no extra space, and therefore, no rent split. He stated that this would be a conditional approval, and that he would continue to work on terms.

Trustee Covington stated that the IT Commission agrees with this proposal from Unison.

F-2e: continued:

Trustee Oscar Brown moved, Trustee Covington seconded a motion that the Board approves to amend the main motion to authorize the attorney to proceed with Option I and approve this resolution as amended.

Ayes: Trustees McGuire, Oscar Brown, Covington, Griffin, Roudez, and Larry Brown
Nays: None.
Absent: None.

Motion To Approve Carried

Resolution Number R2010-12.

F-2f: Discussion – Aqua Illinois, Inc. Rate Increase

Trustee Larry Brown began the discussion, stating that Aqua is seeking to increase the rate for water that is undrinkable, foul odor, and discolors clothing, and that he wants a meeting with Aqua Water Company and for the Village to take a look at our sewer system.

Mayor McCowan stated that the Board and Village needs to get behind Trustee Oscar Brown in acquiring our own water system, because Aqua is already at 50% of capacity, and will not be able to supply our needs within the near future.

Village Attorney Forest Miles suggested that the Village intervenes and take a look at the Tariff and then decide what the Village wants to do, and whether or not to resist the rate increase. The Board discussed the position of the Village of University Park in this matter, and a Straw Poll of The Board indicated that they would like Attorney Miles to proceed with intervening in this process, and bring back to the Board a recommendation in the form of a legal document.

F-2g: Bills Payable

Trustee Covington moved, Trustee Roudez seconded a motion that the Board approves the listing of the General Operating Expenses that the Village of University Park has incurred for the last two (2) weeks from April 13, 2011 to April 26, 2011. The following funds will be charged for these expenses:

General Operation Fund	\$ 161,777.44
Road and Bridge Fund	\$ 15,771.15
Town Center Operations	\$ 2,800.39
University Golf Club	\$ 55,365.57
TIF I – Town Center Area Fund	\$ 81.00
TIF II – Industrial Park Fund	\$ 1,635,782.07
TIF III – Cicero Industrial Fund	\$ 803,130.88
TIF V – Dralle Industrial Fund	\$ 806,602.65
Total	\$3,481,311.15

F-2g:Bills Payable – continued:

Trustee Larry Brown referred to check number 72995, payable to Barnes & Thornburg and asked why was another payment on this list since the Board approved payment at the last meeting.

Manager Sevier responded that this check if for services provided for the month of April.

Trustee Larry Brown moved, Trustee Griffin seconded a motion that the Board considers separately check number 72995.

Ayes: Trustees McGuire, Covington, Griffin and Larry Brown.
Nays: Trustees Oscar Brown and Roudez.
Absent: None.

Motion Carried.

Roll Call For Approval Of Check Number 72995.

Ayes: Trustees Oscar Brown and Roudez.
Nays: Trustees McGuire, Covington, Griffin and Larry Brown
Absent: None.

Motion For Approval Failed To Carry.

**Roll Call On Main Bills Payable Motion As Amended To Exclude Payment Of
Check Number 72995, Payable To Barnes & Thornburg**

Ayes: Trustees McGuire, Oscar Brown, Covington, Griffin, Roudez and Larry
Brown.
Nays: None.
Absent: None.

Motion Carried.

G. GENERAL PUBLIC COMMENTS

Mr. Steven Allen commented on the lack of maintenance of the Town Center properties, and congratulated the newly elected officials, with special expressions of gratitude to Mayor-Elect Covington.

Mr. Curtis McMullen asked if there is any ordinance that states that the Miles Law Firm has to stay under this administration.

General Public Comments Continued:

Ms. Marilois Green asked if we have any updates on the status of the CityScape property if Harris Bank does not take title to it. She asked this at the last meeting, but the attorney was not present.

H. BOARD CAUCUS

Mayor McCowan suspended the meeting from 9:29 p.m. to 9:32 p.m. to allow the Board to caucus. He reconvened the Board meeting and the following responses were given to concerns raised by residents under general comments:

Village Attorney Forest Miles responded to Ms. Green stating that there have been no further action on the CityScape property, but to demolish the property would be the last option that the Village would consider.

Village Manager Sevier responded to concerns voiced by Mr. McMullen stating that the Corporate Attorney is contractual, and a matter that the Board would consider in closed session, and reported back to the public.

I. ANNOUNCEMENT OF SCHEDULED MEETINGS

J. BOARD & MANAGER' COMMENTS

K. ADJOURNMENT

Trustee McGuire moved, Trustee Oscar Brown seconded a motion to adjourn the regular meeting of the Board of Trustees at 10:02 p.m.

Motion to Adjourn Carried By Voice Vote.

Respectfully Submitted,

*Dorothy R. Jones, CMC
Village Clerk*