

Minutes Of The Regular Meeting Of The Board Of Trustees For The Village Of University Park, Will And Cook Counties Illinois, Held Tuesday, November 13, 2012 At #90 Town Center Drive In The Village Of University Park

A. CALL TO ORDER

Mayor Covington called this regular meeting of the Board of Trustees to order at 7:08 p.m.

B. ROLL CALL

Mayor:	Vivian E. Covington	Present
Trustees:	Elizabeth Williams	Present
	Oscar H. Brown, Jr.	Present
	Milton C. Payton	Present
	Keith J. Griffin	Present
	Joseph E. Roudez, III	Present
	Larry B. Brown	Absent (arrived @ 7:12p.m)

Also present were Village Manager Lafayette Linear, Village Attorney Steward Diamond, Village Treasurer Devon Dilworth, Police Commander Stroud, Parks & Recreation Director Keely Childress, Finance Director Gloria Gibson, Fire Chief Charles Exner, Golf Club General Manager/PGA Paul Blockoms, Cable Studio Manager Eddie Pearson, and Deputy Clerk Jacelia Kelly.

C. PLEDGE OF ALLEGIANCE

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

D. READING OF MINUTES

Trustee Payton moved, Trustee Griffin seconded a motion that the Board approves to table the minutes of the regular meeting held Tuesday, October 9, 2012 and minutes of the regular meeting held Tuesday, October 23, 2012.

Ayes:	Trustees Williams, Oscar Brown, Payton, Griffin, Roudez, and Larry Brown.
Nays:	None.
Absent:	None.

Motion To Table Carried.

E. REPORTS OF ELECTED & APPOINTED OFFICIALS

E-1: Village Manager's Report

Village Manager Linear reported on the status of the Family Dollar project, noting that the project remains on schedule for a fall ground breaking; The Developer's Engineer has completed their plans, and those plans have been reviewed by the Village Engineers, and the attorneys for the Village and the Developer have completed all substantial negotiations of the redevelopment agreement. Mr. Linear reported that he is completing his reviews of TIF consultant proposal and expect to have a recommendation before the board before the end of November, 2012.

Manager Linear reported that the Jurisdictional Transfer of 1.6 miles of road on University Parkway from Western Ave to Stunkel Road was approved by IDOT on October 22, 2012, and now that road may be added to the Village's inventory; The electrician has begun work at the Kids Health Center, which is a major component of the renovation, once that portion is finished, dry wall installation, and floor installation will be done. Additionally, he reported that he would be interviewing candidates for the Village Prosecutor and Director of Economic development positions during the month of November 2012, and anticipates to have a new prosecutor in place by the first week of December 2012, and plan to have a new Director of Economic Development in place by the first week of the New Year.

The University Parkway Street Lights installation is underway, and will take approximately two weeks. IDOT is working with the Village to obtain the necessary Rights-of way for the University Parkway Central to Cicero Reconstruction Project, and they all meet on a regular basis. The Mayor, State Officials, IDOT staff, SSMMA staff and Village staff attends these meetings, and all parties are working collectively to assure this road is reconstructed in the 2013 calendar year.

Trustee Williams asked Manager Linear for a status on concerns relating to PK's Christian Catering & Deli Restaurant and PK's Christian Learning center.

Manager Linear responded that he has pulled and reviewed all the lease agreements for PK's Christian Catering & Deli Restaurant and PK's Christian learning center. He noted that he has forwarded the lease agreements to our attorney for review and legal directive, and that a letter of demand will be issued for eviction or give them an opportunity to pay the back rent.

Trustee Williams questioned the Manager about the lighting project asking if the lights are free, and will the Village be reimbursed for the \$74,000.00 paid out.

Manager Linear responded that the \$ 74,000.00 is installation cost which is a cost that the village will bear, and that for the community lighting program the Village has received commitments from businesses in the Industrial Park ranging from \$1,500.00 to \$ 3,000.00 to cover the cost of the lights; however, the lights are not free, but the Village is getting reimbursed for some of the cost, which in turn the business would receive name plates of their business which would go on the street light; each street light cost about \$3,000.00.

Trustee William commented that the lights were not free?

Trustee Griffin asked if there would be any companies prohibited in the same TIF as The Family Dollar store.

Manager Linear responded that no other business would be prohibited; the only other business that Family Dollar was concerned about was the Village allowing another business such as a Dollar Store or Dollar General, and noted that the Attorney is involved in the negotiation and will give us a briefing.

Attorney Diamond noted that all the provisions that were a concern have been taken out, and what we hope to do is actually discuss the Agreement that is on the agenda tonight. The Board previously approved a Sales Agreement and a Re-development Agreement, which were premature because the documents were not complete. He also noted that he would encourage the Board to only approve documents that are completed, and noted that at the next board meeting they will have completed copies of the agreement which would be favorable to the community.

Trustee Roudez asked if there would be any opportunity for contractor in the community in this project.

Attorney Diamond noted that there are provisions that favor local contractors, and prior to bringing the final documents to the Board for ratification, he would provide the Board with that information.

Trustee Larry Brown asked Manager Linear if the information was obtained concerning the upgrades that were done in PK's restaurant and PK's Christian learning center.

Manager Linear responded that they are working on PK's Christian Learning Center and has received information on some upgrades that were done to the business, and that he is working on one business at a time; once PK's Christian Learning Center is complete he will start working on PK's Restaurant.

Trustee Roudez noted that the concern of the governing body is that any business that has a lease agreement have an obligation to pay their rent.

Mayor Covington noted that when she first came on board there were agreement in place, and asked the Manager to respond to that.

Manager Linear noted that the lease agreement he has reviewed for PK's Christian Learning Center, the first six months rent was forgiven.

Attorney Diamond noted that after reviewing the lease agreement there was no provision beyond the six months to reduce or not make rent payment. He asks the business if they have any evidence of this agreement, because normally, that information would be included in the lease, and there was nothing to that effect in the lease.

E-2: Mayor's Report

Mayor Covington reported that she along with Mr. Linear attended IDOT Project meeting and she was placed on an IDOT Committee. The committee recognized the Hispanic heritage. She invited any resident that is interested in creating an ethnic committee to come out and join our Special Events Committee. Mayor Covington congratulated the University Park Lions and Crete Monee Warriors, and was presented with the super bowl trophy by the President of the University Park Lions.

E-3: Committee & Commission Reports

Trustee Payton asked HSSEC Chair Donna Gaston to report on upcoming events.

Donna Gaston reported that on Thursday, November 24, 2012 Thanksgiving Dinner would be served at 90 town center beginning at 2:00 p.m. until 4:00 p.m., and noted that we had been blessed with a donor that donated 150 dinners to us. She asked for volunteers to help set up for the dinner, and asked that you contact her or Mrs. Star Lawson who is the co chair of HSSEC; The tree lighting will be on December 7, 2012 at 5:00 p.m. at 90 Town Center and HSSEC will be the host; December 15, 2012 gift cards will be given away, along with coat. Ms. Gaston noted that the coat drive is going on and we are still accepting donating of gently use clean coats. She also reported that residents get qualified through Will County, but if there are residents that did not qualify through Will County to please contact her. She also reported that there would be a turkey give away on Saturday, November 17, 2012 from 10 a.m. to 12 p.m. on a first come first serve basis.

Mrs. Gaston noted that there is a recycle program that wants to partner with University Park called Vet Tack; they recycle all electronics, except for televisions. Vet Tack will offer training to Veterans with the equipment that is taken in. Information about the program has gone out to Mayor Covington, Manager Linear, and Trustee Payton. The only requirement from the Vet Tack in that the Village provides a 4x4 space for them.

Trustee Payton thanked Ms. Gaston and congratulated Mayor Covington on the wonderful job done on the Veteran Wall and dedication ceremony. He also asked any Veteran that did not receive a certificate please contact Johnna Townsend.

Trustee Payton noted that the tree lighting ceremony is Friday, December 7, 2012 at 90 Town Center at 5:00 p.m. he encourage everyone to come out and enjoy the festivities. Trustee Payton noted that HSSEC is working on the family fun day, which will be held on Martin Luther King Birthday in addition to Black History month.

E-4: Reports of Other Officers

Parks & Recreation Director Keely congratulated the University Park Lions and reported that the Crete Monee Warriors will be going to Lemont, Illinois on Saturday, November 17, 2012. She asked the resident in University Park show there support to the team; Basketball registration is going on for children in grades K-8th additional information is available by calling 708-534-6456. Ms. Keely gave a special thanks to Ms. Patricia Martin for helping out with the Halloween party and providing healthy goodies for the children.

Trustee Roudez, noted that Crete Monee High School has a fan bus going to the game in Lemont, Illinois it leaves at 4:00 p.m. The fee is \$10.00 which includes admission to the game. Tickets must be purchased in advance at Crete Monee High School.

Coach Banks noted that the University Park Lions were undefeated this season and showed his support toward the Crete Monee Warriors. Coach Bank reported that the University Park Lions team that won the super bowl championship will be going down to Tennessee this weekend to play in a tournament.

Finance Director Gibson reported that the finance department has begun working with the accounting firm Lauterbach & Amen, LLP for fiscal year 2010 audit, and that we are utilizing a draft from 2009 audit to begin the preliminary field work. Ms. Gibson noted that she has invited the senior partner of Lauterbach & Amen, LLP Ronald Amen to do an introduction.

Mr. Amen greeted the Mayor and Board of Trustees, he noted that he is one of the founding partners of the firm they have been in business for 16 years with 50 staff members; the firm audits about 150 units of government in Illinois. Mr. Amen reported that the firm met with staff today to start the field work of the first audit that the firm is going to do, and noted that if the Board has any question about the process he would be more than happy to answer question.

Trustee Griffin asks Mr. Amen how long a normal audit would take to complete.

Mr. Amen stated that State Statutes allows six months to complete an audit, the majority of the time it takes about 4 to 4 1/2 months to complete an audit.

Attorney Diamond noted that he was pleased to learn that the Village is working with Lauterbach & Amen, LLP, noting that he has worked with them before and he think that the Village will be happy with their work.

Some members in the audience asked to know what years are being audited. Mr. Amen stated that they are auditing May 1, 2009 thru April 30, 2010.

Trustee Griffin asked is there is any idea when will the 2009 audit be completed.

Finance Director Gibson noted that the communication she received from McGladery & Pullen, LLP is it that the final draft will be given to her by the end of November.

Fire Chief Exner reported that next Thursday along with it being Thanksgiving, it is also one of the highest incidents of fires; Chief Exner encouraged the community to be safe when cooking those turkeys. He congratulated the University Park Loins and the Crete-Monee Warriors.

Mayor Covington thanked Gloria Brookins for all the hard work that she has done during the Obama campaign, and asked that everyone give Mrs. Brookins a round of applause.

E-5: Attorney's Report

Village Attorney Stewart Diamond had no report.

F. GENERAL PUBLIC

Mr. David Sevier greeted the Mayor and Board of Trustees, commented that at the last meeting, October 23, 2012, he approached the Board as a resident and expressed his concerns regarding the \$ 6.5 million bond letting and the potential development, and was surprised to learn that Trustee Payton expressed that he, David Sevier, was the reason this Village is in the situation it is now. He voiced his concern with the attack on his character, and as a resident, he would not allow this Board, or any member of this Board to attack his character. He complimented Sandra Heard on her analysis of the two issues and how they would affect the financial outlook of the Village. He voiced his disappointment that the Treasurer and the Finance Committee did not stand with her as she made those key analytical points. He also commented on past history of the finance committee when this village was on the brink of bankruptcy and under an FBI investigation where there was over \$4.5 of TIF money unaccounted for. He stated that the information he is providing is fact and can easily be requested through a freedom of information request that asks for a detail general ledger report or detail account general ledger report. Mr. Sevier defended his actions as Village Manager and Finance Director stating that he saved this village \$150,000.00 annually by assuming the village manager responsibilities, turned this village around over a six year period, and was moving in a positive direction until the Board approved a \$1.3 million capital project to be funded by the General Fund. This deleted the cash reserve in the general fund by \$1.3 and caused over a \$900,000 deficit in the general fund reconciled cash balance.

General Public continued

Mr. Sevier asked the Board to stop searching for excuses and learn to analysis situations and information that would put this village in a positive light.

Mayor Covington thanked Mr. Sevier for bringing out the point of people's character being attacked, and noted that it has been going on a lot lately.

Trustee Payton responded to Mr. Sevier by stating that he did not assault his personal character; what he did was characterize the work and financial state that he had responsibility over during the last administration. The reason we are talking about audit right now is because of a failure of the past administration for which Mr. Sevier was the Finance Director and interim Village Manager, which is not a characterization of his character, but is the history and the facts related to our financial condition.

Ms. Grey from the Will County Health Department's Tobacco Control & Prevention program noted that they will be sponsoring a quit smoking program in our community on April 16, 2013 – May 28, 2013. The cost of the FFS program is \$25.00 per person. The session will held at the University Park Public Library in the Meeting Room at 6:00-7:30 p.m.

Mrs. Star Lawson greeted the Mayor and Board of Trustee, Mrs. Lawson noted that she is speaking on behalf of concerned citizens who we have come together to reclaim our power as citizens; they have signed petitions regarding the Community Development Project, to show how important this development project named University Village is to our community and our future. She asked for support of the petition and for the Board to vote yes to this project and move it forward. She stated that the other petition states that University Park residents are not in favor of the firing/forced termination of the current University Park Police Chief, and they are asking the Mayor and Board of Trustees to answer for their decision at a special board meeting, or withdraw the decision to cause a forced termination without reasonable cause given to the residents of University Park.

Mrs. Marilyn Crocket greeted the Mayor and Board of Trustees, and commented that she has a concern on the rate of speed that the cars are traveling down in front of her home, and there are no speed signs. She asked if the village could post a speed sign.

Mr. Keith Rouse- commented that a year ago his son was murdered in Craig Park, and voiced his concern about how he dislikes how the Mayor is being disrespected. He commented that the Mayor is the best thing this town has had in a long time, and that he has been living in the community for almost 30 years. He stated that he felt Trustee Payton did not deserve that disrespect and that he has known Commander Stroud for years a long time; however, Chief Davis took time with him after his son died, and talked with him every day and gave him his numbers to reach; he found me a Chaplin to come and talk to me, the Chaplin still calls me every month, this man did not have to do that he is a police chief not a social worker but he did it because that's the type of man he is.

General Public continued

Ms. Sandra Heard, resident and Monee Township Assessor commented that she is hearing a lot of mention about past administration but, from her observation there are only two Board members who were not part of the past administration, and asked if they are really ready to be the current administration. She stated that she would like to see them leave the actions and the activity from the past administration in the past and not repeat it. Ms. Heard questioned the Bond Project fund payment in the amount of \$401,565.63 which appeared on the bills payable, and asked for clarity. She commented on the PK's issue and the reported fact that there were some type of verbal agreement for abatement of rents, but now know that there was no rent collected for five years of which she was not aware of, and she is not sure how many residents were aware of. She also questioned agenda item G1a, and asked for clarity.

Finance Director Gibson responded to Ms. Heard relating to the Bond Fund, stating that it is a Debt Service payment for 2003 bonds.

Ms. Debbie Stroud announced that there will be line dancing at Thornwood House Apartments for anyone who is 55 years and older in connection with the Senior Citizen Committee every Tuesday from 2:30 – 3:30 p.m.

Mrs. Mildred Morgan asked that the Board of Trustee vote No on the University Village Building Project because our taxes are extremely high. She commented on a statement of Trustee Payton at the last meeting about tax increases at Crete-Monee 201-U and that what he did, did not affect us; however she stated that on March 22, 2011 the former Mayor illustrated that because of his actions and the building of the Milton Payton Performing Arts Center it caused the taxes in the Village to increase, and she and her family cannot stand for our taxes to increase.

Mrs. Gloria Barnett-Brookins commented on changes to the Town Builder Studio Project and asked to have the changes explained. She stated that she sent an email out on October 29, 2012 to all the Trustees to contact her with an update on the progress of the project, but did not receive a response. She stated that she feels, as an elected official it is their responsibility to respond when someone reaches out to them for information. Mrs. Brookins noted that in January, 2012 a law was passed that all Elected Officials must take the training on the Open Meetings Act, and asked if everyone on the Board had completed the Open Meetings Act training.

Mayor Covington notes that she has taken the Open Meeting training through the library; also that the Village Clerk is going to set up the training for the Trustees.

G-1: UNFINISHED BUSINESS

G-1a: Third Reading – Ordinance Authorizing A Development Agreement By & Between The Village of University Park and University Park Pl, LLC.

G-1a: - continued:

Trustee Larry Brown moved, Trustee Oscar Brown seconded a motion to approve first, second and third reading of this ordinance.

Motion to Amend or Substitute:

Trustee Oscar Brown moved, Trustee Roudez seconded a motion to approve a motion to substitute a Resolution Rejecting The Current Version Of A Development Agreement For The University Village Development.

Ayes: Trustees Williams, Oscar Brown, Griffin, Roudez.
Nays: Trustee Payton, Larry Brown.
Absent: None.

Motion To Approve Substitute Resolution Carried.

Motion to Table

Trustee Payton moved, Trustee Larry Brown seconded a motion to approve to table the motion to substitute

Ayes: Trustee Payton, Larry Brown
Nays: Trustees Williams, Oscar Brown, Griffin, and Roudez
Absent: None.

Motion To Table Failed.

Motion to Amend

Trustee Payton moved, Trustee Larry Brown seconded a motion to Amend Current Motion To Substitute Resolution And Replace With Resolution Approving A Development Agreement For The University Village Development.

Ayes: Trustee Payton, Larry Brown
Nays: Trustees Williams, Oscar Brown, Griffin, Roudez
Absent: None.

Motion To Amend Failed.

Motion to Approve Resolution Amending Main Motion

Trustee Roudez moved, Trustee Oscar Brown seconded a motion that the Board approves resolution rejecting the current version of development agreement.

Roll Call On G-1a as Amended:

Ayes: Trustees Williams, Oscar Brown, Griffin, and Roudez.
Nays: Trustee Payton, Larry Brown.
Absent: None.

Motion to Approve Carried

Resolution Number 2012 -.

**G-1b: Third Reading – Ordinance Authorizing a Development Agreement
By & Between The Village of University Park and The Developer
(SMR Acquisitions – Family Dollar Retail Store)**

Trustee Oscar Brown moved, Trustee Griffin seconded a motion that the Board table third readings of this ordinance.

Ayes: Trustees Williams, Oscar Brown, Griffin, and Roudez
Nays: Trustees Payton, and Larry Brown.
Absent: None.

Motion to Table Carried.

G-2: NEW BUSINESS

**G-2a: First, Second, and Third Readings – Ordinance Authorizing The
Acquisition Of Copiers and Printers and Further Authorizing The
Execution of a Lease Agreement With Ricoh.**

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

Trustee Griffin asked to know how the lease agreement for copiers would save the village money.

IT Director Deryl Bolton noted that the new lease agreement would save the Village \$3,000.00 a month, and \$40,000.00 over the term of the lease agreement. The company will give \$5,000.00 for training purpose.

Ayes: Trustees Williams, Oscar Brown, Payton, Griffin, Roudez. and Larry Brown.
Nays: None.
Absent: None.

Motion To Approve Carried

Ordinance Number 2012-36.

F-2b: Motion Acknowledging Receipt of The Treasurer Report .

Trustee Griffin moved, Trustee Roudez seconded a motion that the Board acknowledge Receipt of The Treasurer's Report.

Ayes: Trustees Williams, Oscar Brown, Payton, Griffin, Roudez and Larry Brown.
Nays: None
Absent: None.

Motion Carried To Approve.

F-2c: Appointments.

Trustee Larry Brown moved, Trustee Payton seconded a motion that the Board approve the following appointments:

Education Advisory Committee and Senior Citizens Committee
Larry Wayne – 3 year term

Human Services & Special Events Committee
Damon Lamar Reed – 3 year term
Darrin Johnson - 3 year term

Ayes: Trustees Oscar Brown, Payton, Griffin, Roudez, and Larry Brown.
Nays: None.
Abstained: Trustee Williams
Absent: None.

Motion Carried To Approve.

G-2d: Village Board Action On the Recommendation Of The Village Manager Regarding The Police Chief Or Acceptance Of The Police Chief's Letter Of Retirement.

Mayor Covington noted that for the record that the letter is a letter of termination not A Letter of Retirement for Police Chief Davis.

Attorney Diamond noted that the information is incorrect, and that each Board Member had received copies of the document regarding this matter; He stated that there was a motion before the Board, and asked what further action would the Board like to take.

Attorney Diamond commented that Chief Davis was in attendance along with his Lawyer; and if he wishes to speak do so with caution and under the advisement of his Lawyer.

G-2d – continued:

Trustee Roudez moved, Trustee Oscar Brown seconded the motion that the Board Approves payments in a total amount of \$ 25,000.00 to former Police Chief Melvin Davis in accordance with an agreement authorized by the Board and presented October 30, 2012.

Trustee Larry Brown commented that he has read the reports and documents sent by Attorney Diamond and Village Manager Linear and Chief which indicated that the Chief is being fired for in-subornation.

Attorney Diamond responded that documents was given to the Board under a confidentiality agreement, and that Chief Davis resigned and Chief Davis was to receive \$ 25,000.00. Attorney Diamond noted that if Chief Davis would like to speak it would be voluntary.

Chief Davis approaches the microphone and stated that under the advisement of his attorney; he will not be accepting a settlement of \$25,000.00.

Motion to Table

Trustee Payton motion, Trustee Larry Brown seconded the motion that the Board table this item.

Ayes: Trustees Payton, Larry Brown.
Nays: Trustees Williams, Oscar Brown, Griffin, and Roudez.
Absent: None.

Motion to Table Failed.

Mayor Covington commented that she is not in agreement with what has happened.

Roll Call on Main Motion

Ayes: Trustees Williams, Oscar Brown, Griffin, and Roudez
Nays: Trustees Payton, and Larry Brown.
Absent: None

Motion Carried To Approve.

G-2e: Bills Payable

Trustee Roudez moved, Trustee Griffin 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 October 24, 2012 to November 13, 2012. The following funds will be charged for these expenses:

Bills Payable – continued:

General Operation Fund	\$	236,712.82
Debt Service 1998 Bond	\$	259,446.88
Debt Service 2002	\$	283,058.75
Bond Project	\$	401,565.63
Road & Bridge	\$	1,990.71
Town Center	\$	3,011.86
Golf Course Fund	\$	18,121.16
Capital Project Fund	\$	20,826.54
Motor Fuel Tax	\$	1,955.00
TIF II	\$	<u>5,309.13</u>
Total		\$ 1,231,998.48

Ayes: Trustees Williams, Oscar Brown, Payton, Griffin, Roudez and Larry Brown.
Nays: None.
Absent: None.

Motion To Approve Carried.

H. BOARD OF TRUSTEES AND MANAGER COMMENTS

I. ANNOUNCEMENT OF SCHEDULED MEETINGS

J. EXECUTIVE SESSION

K. ADJOURNMENT

Trustee Roudez moved, Trustee Oscar Brown seconded a motion that the Board adjourns the regular meeting of the Board of Trustee at 9:50 p.m.

Motion to Adjourn Carried By Voice Vote.

Respectfully Submitted,

*Dorothy R. Jones, CMC
Village Clerk*

BY:

Jacelia Kelly, Deputy Clerk