

Minutes Of A Regular Meeting The Board Of Trustees For The Village Of University Park, Will And Cook Counties Illinois, Held Tuesday, February 9, 2010 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 8:10 p.m.

B. ROLL CALL

Mayor:	Alvin R. McCowan	Present
Trustees:	Sharon A. McGuire	Present
	Oscar H. Brown, Jr.	Present
	Vivian E. Covington	Absent (arrived @ 8:11)
	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, Village Treasurer James Ellis, Police Chief Mel Easley, Executive Liaison Johnna Townsend, Public Works Director Jerry Townsend, Parks & Recreations Program Supervisor Keely Childress, Cable Studio Manager Christel Allen, 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 McGuire moved, Trustee Oscar Brown seconded a motion to approve minutes of the regular meetings of the Board of Trustees held January 26, 2010, as presented.

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

Motion To Approve As Presented Carried.

E. NON-DISCUSSION AGENDA

E -1: Village Manager's Report

Interim Village Manager David Sevier reported that a review of the Village Policy Manual has been completed and would probably be presented to the Board for first reading at the next Board meeting. He asked the Board and legal counsel for input in order to move forward; the Village Manager and Directors have completed the budget preparation for the 2010-2011 fiscal year, and will be moving it forward to the finance committee on February 22, 2010; He has provided the Auditors with the appraisal report and are awaiting their final review. He noted that he has a scheduled meeting with the auditors tomorrow, and he hopes to have a draft by the end of the month.

Mr. Sevier reported that the Fire Department received a call from Senator Durbin's office informing them that we were awarded \$104,944.00 from DHS/FEMS Grant, and the matching portion for the Village of University Park is only \$5,000.00. He commented that this grant is for purchase of new firefighting hoses, nozzles and associated equipment. He also noted that he had supplied the Board with a copy of the job description for the Executive Liaison and a copy of Public Works snow removal process.

Trustee Roudez asked if we have a policy or ordinance relating to parking after a certain amount of snowfall, and suggested that if we do not, we should look into that matter.

Trustee McGuire asked when the proposed budget would be posted on the website.

Manager Sevier responded that the proposed budget would be posted on the website after first reading of the ordinance is approved.

Trustee Covington asked if the Board would have an opportunity to review the budget before it goes before the finance committee.

Manager Sevier responded that he could go over the budget with no more than two trustees at a time, to avoid violating the OMA.

Trustee Griffin commented that by his calculations, the tax levy is 5.26%, not the 5% as stated by Mr. Sevier; he asked for a status of the village's vehicle stickers and asked if the stickers would have the Village of University Park on them.

Manager Sevier responded that he does not know where Trustee Griffin got his figures, but he is willing to sit down and explain the tax levy to him. He also stated that the village stickers would have the Village of University Park on them, and emphasize the importance of completing the Census.

Village Manager's Report – continued:

Trustee Oscar Brown commended Public Works for the snow removal procedures, and for their efforts in keeping our streets clean during the latest snow fall. He also asked for the procedures for filling potholes, and asked if the road repairs in Greenbriar had been done.

E-2: Mayor's Report

Mayor McCowan asked the concurrence of the Board in proclaiming the Month of February as Black History Month

Trustee Roudez moved, Trustee Covington seconded a motion that the Board approves a Proclamation Designating the Month of February as Black History Month in the Village of University Park.

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

Nays: None.

Absent: None.

Motion To Approve As Presented Carried.

Mayor McCowan yielded a portion his report to Attorney Forest Miles to expound on resolution of issues affecting multifamily residents relating to water service cut-offs.

Attorney Miles reported that while he did not represent the Sandra Oaks Homeowners Association with their complaint against Aqua Water Company, he did attend the ICC Hearings in the interest of the Village of University Park. He noted that in previous hearings, the ICC had given Aqua Water Company the authority to discontinue service for an entire building, even if only one tenant was in default. However, he had sent to Aqua Water Company a Cease and Desist Order until this matter was resolved. He also reported that recently, the ICC ruled that they did not have the jurisdiction to rule in this matter. However, as reported by Attorney Miles, Aqua Water Company and the Sandra Oaks Homeowners Association had reached an agreement where the company would install meters in the buildings and payments would be made by the association, and the cost billed to individual customers. He also noted that this item is on the agenda later tonight for action from the Board.

Mayor McCowan continued his report and reported on a legislative breakfast of SSMMA where they established an agenda to be presented to legislators in Springfield to address issues related to the South Suburban Region.

Mayor's Report – continued:

Mayor McCowan also reported on the Governors approval of the I-57 – Stuenkel Road Interchange at University Park, and the Governors plan to extend Metra to the proposed South Suburban Airport; An Awards Breakfast he attended where Reinhart Foods celebrated their 1st anniversary, and reported that they landed some big accounts which would allow them to employ an additional forty-two jobs to that facility. He also reported on negotiations with the Clorox Company, and asked residents to get behind the Board of Trustees and help them bring jobs to this village.

E-3: Committee & Commission Reports

Trustee Covington reported that the Human Services & Special Events Committee has a poster done by a local artist that will list the events that they have planned to honor Black History Month during the month of February that will be held at #90 Town Center Drive. She also reported that the time for the meeting for the HSSEC is changed to 6:30 pm this Thursday.

Trustee McGuire gave an update on the 2010 Census Committee, including jobs testing that will be at #90 Town Center Drive available through the Census Bureau every Wednesday, Thursday and Friday during the month of February starting at 9:30 am. She listed some of the documentation that applicants must bring with them, which included completed application, State ID or Drivers License or Passport or Birth Certificate; She also reported that the Census 2010 Kickoff, will be held at Lincoln Mall in Matteson on February 13, 2010 from noon until 4 pm, and that the Complete Count Committee members will host the event, and our elected and appointed officials will be there to kick off the celebration; additional information is available at www.2010censusjobs.gov. Trustee McGuire introduced our representative with the Census Bureau.

Rev. John Rice addressed the Board and public and stressed the importance of being counted in the census, noting that money and representation for this village is dependent on an accurate count of individuals in the village. He noted that the information provided is confidential and must remain that way for seventy-five years.

E-4: Reports Of Other Officers

Cable Studio Manager Christel Allen reported that applications for the next Broadcaster Program are available and classes begin April 7, 2010 with registration beginning March 31st. She also introduced Ms. Tamala Moore, the new Intern at the Cable Studio.

Reports Of Other Officers – continued:

Police Chief Mel Easley reported that the Police Department had received a grant from Will County 9-1-1 Board in the amount of \$12,955.00 and the Fire Department received a grant for \$13,058.42. Chief Easley also reported that they have collected \$18,000.00 in fines since the enactment of the Truck Weight Enforcement Program. He stated that he would get information back regarding signage for the overweight trucks as requested by Trustee Larry Brown.

In the absence of Parks & Recreation Director Robert Graham, Program Supervisor Keely Childress gave the following report: Our first Parent/Child Dance will take place on Saturday, March 6 from 7pm – 10pm at the University Park Golf Course and Conference Center. This event is for Moms & Sons, Fathers & Daughters, Aunts & Nephews, and Uncles & Nieces. The cost is \$15 per couple and you must RSVP with our office before March 3, 2010; A special program called J.E.W.E.L.S is coming to University Park. This program supports young females ages 10-12 in their journey to womanhood. All Parents & Participant's must attend the orientation set for Wednesday, February 24, 2010 from 5:30pm – 7pm at the University Park Golf Course and Conference Center. For more information about this program please contact Toya Johnson at 708-374-0441; Please don't forget that the University Park Youth Baseball and Softball Leagues are currently registering participants for its upcoming season. Open registration is taking place at Riegel Farm during normal business hours.

And volunteers are still needed for our Family Night program on Fridays and other programs and events as the year goes along. For more information on these updates and any other concerns, please contact our office at 708.534.6456.

Trustee Griffin reported that outside of Village Hall there are two light bulbs out, and the exhaust fan in the ladies washout needs to be repaired.

David Sevier reported that a meeting of the School Board for 201-U would be held on February 16, 2010 in the Milton Payton Auditorium at 6:30 pm to address the proposed cuts in personnel. He urged residents to come out and let their concerns be known.

Trustee Covington thanked Trustee Roudez and Mrs. Roudez for attending the last meeting, and she encouraged more residents to come out and to bring someone with them.

F. DISCUSSION AGENDA

F-1: UNFINISHED BUSINESS

F-1a: First, Second and Third Readings — Ordinance Authorizing The Execution Of An Agreement With JC Lang & Associates Pertaining To The Proposed Thorn Creek Tax Incremental Financed Redevelopment Project And Thorn Creek Residential Development

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

Trustee Larry Brown commented that at the last meeting he voted against this item because he was cut off while trying to get clarity on the issues, and that he is not against the study, but to assist the developer he wants to look at other types of tax abatement systems, rather than just TIF's, and he wants to be sure that the action taken is just for the study, and not to proceed further without Board approval.

Attorney Miles responded that this would allow the developer to begin the paperwork for the phases for the development, noting that this only allows this indicated phase of the project, and any further action would be brought before the Board.

Trustee McGuire commented that the land referred to in this ordinance in adjacent to Richton Park, she wonders what incentives would prevent the developers from de-annexing from University Park and annexing to Richton Park. She asked the Board to understand the challenges we face, and to try to protect our TOD with certain incentives.

Mayor McCowan stated that he was saddened when he discovered that even the developer was paying for the study, some Trustees would not vote in favor of this ordinance.

Trustee Larry Brown stated that if he has concerns, and cannot have his say, he won't vote for anything. He asked for clarity on what fees were being waived by the Village.

Attorney Miles responded that J. C. Land is paying the fees, and the language is to show that the Village of University Park would not be paying the fees.

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

Nays: None.

Absent: None.

Motion To Approve Carried

Ordinance Number 2010 - 05.

F-2: NEW BUSINESS

F-2a: First, Second And Third Readings – Ordinance Ratifying Ordinance Number 2009-48 Levying Taxes For Corporate Purposes Of The Village Of University Park, Illinois For The Fiscal Year Commencing On The First Day Of May, 2010, And Ending On The Thirtieth Day Of April, 2011

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

Trustee Griffin asked why the Board would have to ratify this action since the tax levy was passed on December 29, 2009. He also asked if the Village is under investigation.

Attorney Miles responded that when he was informed on December 28th that the meeting scheduled for 7:00 pm on December 29, 2009 would not allow the tax levy to be filed timely, and the Village of University Park could stand to lose tax revenue for 2010 he suggested that an emergency meeting be called prior to 7:00 pm on December 29th. Since the statute does not clearly define “emergency” he felt that a loss of revenue might qualify. However, since that time there seems to be a question of whether or not that meeting was legally called, he did some research and determined that passing an ordinance ratifying actions taken on December 29, 2009 would mitigate any questions or charges.

Mayor McCowan explained that at the meeting held December 29, 2009 rumors were circulated by a couple of Trustees that the Village of University Park would be increasing taxes, which was not true, and that allegedly some Trustees filed complaints with the States Attorney, which leads him to wonder how someone who say that they have this village at heart would file complaints that could hurt the village.

Trustee Covington stated that she would like copies of the responses that were sent to the States Attorney.

Trustee Griffin stated the he did not file a complaint with the States Attorney. However, he did call their office and asked questions.

Trustee Larry Brown noted a typo on page 1 of the ordinance that listed the date of December 28, 2009 instead of December 29, 2009. He also stated that he called and spoke with Phil Mock, but did not file a complaint, because he would not hinder the progress of this village.

Roll Call on F-2a:

Ayes: Trustees McGuire, Oscar Brown, Covington, Roudez and Mayor McCowan.

Nays: Trustees Griffin, and Larry Brown.

Absent: None.

Motion To Approve Carried

Ordinance Number 2010 - 06.

F-2b: First, Second, And Third Readings – Ordinance Amending Title Four Of The Streets, Utilities And Public Services Code To Add New Chapter 1043 Entitled “Water Service Termination To Multi-Family Buildings”

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

Trustee Covington asked if we got answers regarding freezing pipes from the ICC.

Attorney Miles responded that he did attend the ICC Hearings in the interest of the Village of University Park but did not represent the Sandra Oaks Homeowners Association with their complaint against Aqua Water Company,. He noted that in previous hearings, the ICC had given Aqua Water Company the authority to discontinue service for an entire building, even if only tenant was in default. However, he had sent to Aqua Water Company a Cease and Desist Order until this matter was resolved. He also reported that recently, the ICC ruled that they did not have the jurisdiction to rule in this matter. However, as reported by Attorney Miles, Aqua Water Company and the Sandra Oaks Homeowners Association had reached an agreement where the company would install meters in the buildings and payments would be made by the association, and the cost billed to individual customers.

Trustee Covington stated that she wants the attorney to send communication with status relating to items of interest.

Trustee Larry Brown thanked Attorney Miles for his diligence and efforts in this matter, and noted that actions like this and the one relating to elevator problems in high rise building shows that the Board is working in the best interest of the residents.

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

Nays: None.

Absent: None.

Motion To Approve Carried

Ordinance Number 2010 - 07.

F-2c: Resolution Authorizing The Publication Of A Request For Proposals For Auditing And Accounting Services

Trustee Covington moved, Trustee Larry Brown seconded a motion that the Board approves this resolution.

Trustee Covington stated that she wants a through background and comparison done of perspective applicants.

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

Motion To Approve Carried

Resolution Number 2010 – 04.

F-2d: Bills Payable

Trustee Oscar Brown moved, Trustee McGuire seconded a motion that the Board approves the listing of the General Operating Expenses that the Village of University Park has incurred for the two (2) weeks from January 27, 2010 to February 9, 2010. The following funds will be charged for these expenses:

General Operation Fund	\$	97,251.05
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Road and Bridge Fund	\$	14,709.14
Town center Operations	\$	1,841.90
University Golf Club	\$	19,090.72
Capital Project Fund	\$	7,992.60
Motor Fuel Tax Fund	\$	8,704.43
TIF II – Industrial Park Fund	\$	592.50
TIF IV – Governor’s East Fund	\$	4,305.00
TIF V – Dralle Industrial Fund	\$	<u>239,587.30</u>
Total	\$	416,574.64

**Resubmitting Check #68581 – Barnes & Thornburg and
Check #68834 - Barnes & Thornburg.**

Trustee Griffin asked for clarity on payments related to check numbers 68951, 68967, and 68993.

Manager Sevier responded that check number 68951 is a requirement for GASBY; check number 68967 is a re-pay of a non-recourse loan; and check number 68993 is for the labor attorney, who is beginning negotiations for labor unions.

F-2d – Bills Payable – continued:

Trustee Larry Brown asked if all the fees associated with check number 69018 were all finance charges, and if we could suspend services of Barnes & Thornburg until this issue with him is resolved.

Trustee Covington stated that she wants a breakdown of services rendered by the Labor Attorney.

Trustee Griffin questioned payments of check number 69004 – McCarthy Duffy.

Attorney Forest Miles responded that his bills are itemized down to a quarter hour. He noted that a comparison of other law firms shows that their cost is approximately \$142.00 per hour, and that some of the funds will be reimbursed to the village from BP Pipeline and other Trust Funds.

Motion to consider payment separately

Trustee Griffin moved, Trustee Larry Brown seconded a motion that the Board considers separately check numbers 68581 and check #68834 payable to Barnes & Thornburg.

Trustee Covington stated that she wants to talk about this payment and suspend services of Barnes & Thornburg.

Trustee McGuire stated that she spoke with Mr. Boykin and requested a list of projects that he is working on, and asked Mayor McCowan if he could give an update on the projects Barnes & Thornburg is working on.

Mayor McCowan responded that Barnes & Thornburg has done a lot for this village, and is currently working on funding for the water study. He also noted that SSMMA have employed a Lobbyist to help them bring in funds.

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

Motion To Consider Separately Failed To Carry.

Roll Call On Bills Payable which includes payment of Check # 68581 and check #68834 payable to Barnes & Thornburg.

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

Motion To Approve Bills Payable Carried.

G. GENERAL PUBLIC COMMENTS

Mr. Robert Travis addressed the Board and asked for a status and direction of the water project, and asked why our Engineer is not involved in this project.

Ms. Patti Guinn addressed the Board and stated that the audio of the Board meetings is horrible.

Mrs. Mary Truss addressed the Board and stated that at a previous meeting, Mayor McCowan stated that he deletes messages, and asked if he is suggesting to residents that he does not want to hear from them.

Ms. Sandra Heard addressed the Board and commented that she congratulates the Police and Fire Departments in securing grants; asked for a status on expected grant for renovation of the fire department; congratulated the School Board for the courage to reduce their budget by making cuts; noted that a 5% increase in the tax levy does mean an increase to tax payers; asked how many jobs are held by University Park residents at Reinhart Foods; and how many employees are kept at the golf club during the cut backs in hours. She also asked what type of message is sent when an item that was voted down at the last meeting is brought back for passage at this meeting.

Mr. Bobby Buckley addressed the Board and thanked the Mayor, Board of Trustees for seven years of employment. He thanked Manager Sevier for being supportive of him when he did not have to be, and he thanked Police Chief Mel Easley for his assistance.

Mrs. Gloria Barnett-Brookins addressed the Board and voiced her displeasure with the anger she said she saw displayed toward residents who asked questions. She stated that a meeting called at 7:00 am is inconvenient to residents, and she does not feel that the reasons given constitute an emergency, and noted that this Board also called a meeting at 7:00 am in October to pass the budget. She also asked why minutes of the Board were not posted on the website as requires by statue, and commented that the statue requires that an agenda for all meetings of the Board and sub-committees should be posted on the website. She also stated that she disagrees with Manager Sevier that the budget cannot be posted on the website before first reading is approved by the Board, because the statue requires that the budget is posted 30 days prior to passage.

H. BOARD CAUCUS

Mayor McCowan suspended the meeting from 10:00 p.m. to 10:12 p.m. to allow the Board time to caucus. He reconvened the Board meeting and the following responses were given to concerns raised by residents under general comments:

Board Caucus & Responses – continued:

Trustee Oscar Brown responded to concerns of Mr. Travis noting that he has been in communications with Mr. Boykin who stated that he has been communicating with legislators regarding funding for the water study, additionally, CMT recommended that we go outside for an engineer for this study.

Manager Sevier responded to Ms. Guinn and stated that the problem with the audio is being addressed.

Mayor McCowan responded to Mrs. Truss and stated that he receives numerous e-mails, and his comments were intended at those e-mails that are divisive, and stated that he does delete those types of e-mails.

Manager Sevier responded to Ms. Heard and stated that to date we have not received any funds for the renovation of the fire department facility, and relating to the 5% increase in the tax levy, he noted that the Village of University Park abates back to tax payers any increases. Relating to School District 201-U, he stated that they are raising taxes and will probably cut staff. Relating to jobs at Reinhart Foods he stated that he does not have a number of residents as employees, but the company just advertised that they will be adding another 42 jobs, and the management staff at the Golf Club are holding down most of the jobs along with developing marketing plans to increase productivity at the Urban Room Restaurant.

Attorney Miles responded to Ms. Heard relating to bringing back the J. C. Lang ordinance and stated that the item was not voted down, but resulted in a deadlock at the last meeting. Responding to Mrs. Brookins he stated that he suggested the emergency meeting because of concerns that the Village of University Park could lose all of its tax dollars if the levy was not passed and filed before 4:30 p.m. on December 29, 2009, and that case studies suggest that the time was not inconvenient to residents.

Village Clerk Dee Jones responded Mrs. Brookins regarding posting of minutes on the website and stated that as she understood the statute the requirement was for those communities that hosted their own website, and as she was informed, University Park did not host the website. However, every attempt is made to post minutes on the website for the benefit of residents, once they are approved.

I. ANNOUNCEMENT OF SCHEDULED MEETINGS

J. TRUSTEES COMMENTS

K. EXECUTIVE SESSION (Personnel)

Trustee Larry Brown moved, Trustee Covington seconded a motion that the Board approves to move into executive session for purposes of personnel at 11:05 pm.

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

Nays: Trustee Roudez

Absent: None.

Motion Carried.

The Board returned from executive session at 11:33 and took the following action:

The Board discussed the Board Retreat previously scheduled, and Clerk Jones explained that there is an exception to the Open Meetings Act that allows Boards to meet for self-evaluation. However, one of the requirements is that there is a representative from the IML, but the Illinois Municipal League informed her that they no longer provide that service. Therefore, she has been in communications with the Attorney General Office and is awaiting an opinion from them as to whether another State organization would qualify as the State representative.

The Board also agreed that the issue relating to the Village Manager would be delayed until the entire Board can be present at a retreat, and an opinion from the Attorney General is rendered.

Trustee Griffin presented a draft ordinance "Ordinance Adding Special Rule Nine To U.P. Codified Ordinance Chapter that he would like the Board to consider for adoption in the near future.

L. ADJOURNMENT

Trustee McGuire moved, Trustee Oscar Brown seconded a motion to adjourn the regular Meeting of the Board of Trustees at 11:44 p.m.

Motion to Adjourn Carried By Voice Vote.

Respectfully Submitted,

Dorothy R. Jones, CMC
Village Clerk