

Minutes Of The Regular Meeting Of The Board Of Trustees For The Village Of University Park, Will And Cook Counties Illinois, Held Tuesday September 11, 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 7:02 p.m.

B. ROLL CALL

Mayor:	Vivian E. Covington	Present
Trustees:	Elizabeth Williams	Absent
	Oscar H. Brown, Jr.	Absent
	Milton C. Payton	Present
	Keith J. Griffin	Present
	Joseph E. Roudez, III	Absent (arrived @ 7:03)
	Larry B. Brown	Present

Also present were Village Manager Lafayette Linear, Village Attorney Stewart Diamond, Village Treasurer Devon Dilworth, Police Commander Deborah Wilson, Parks & Recreation Director Keely Childress, Golf Club General Manager/PGA Paul Blockoms, Fire Chief Charles Exner, Cable Studio Manager Eddie Pearson, Public Works Foreman Burgess, and Village Clerk Dorothy R. Jones.

C. PLEDGE OF ALLEGIANCE

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

D. APPROVAL OF MINUTES

Trustee Griffin moved, Trustee Roudez seconded a motion that the Board approves minutes of the regular meeting held Tuesday August 14, 2012.

Mayor Covington referred to page 4; paragraph 4, and stated that she wanted to correct the statement that Mrs. Morgan raised \$8,000.00 for building the KaBoom Playground; because she did some investigating and discovered that Mrs. Morgan only raised between two and three thousand dollars, and the rest was in-kind contributions.

Clerk Jones asked Mayor Covington if the information in the minutes accurately reflected the comments made at the meeting; and if so, that would not be a correction to those minutes, but more appropriate to include the Mayor's comments in the minutes of this meeting. Therefore, the minutes were not amended to reflect those comments.

Ayes: Trustees Payton, Griffin, Roudez and Larry Brown.

Nays: None.

Absent: Trustees Williams, and Oscar Brown.

Motion To Approve Carried.

Trustee Griffin moved, Trustee Larry Brown seconded a motion that the Board approves minutes of the special/workshop meeting held Thursday August 16, 2012.

Mayor Covington stated that Attorney Diamond responded to a concern that she wants included in the minutes; she stated that she would e-mail the statement to Clerk Jones.

Trustee Payton referred to page 3; paragraph 5 to correct a grammatical error, changing the word from **bombed** rushed to **bum** rushed.

Ayes: Trustees Payton, Griffin, Roudez and Larry Brown.

Nays: None.

Absent: Trustees Williams, and Oscar Brown.

Motion To Approve Carried.

E. REPORTS OF ELECTED & APPOINTED OFFICIALS

E-1: Manager's Report

Village Manager Linear reported that they are in the process of transitioning from summer to winter programs and employees. He reported that several of the Department Heads are absent from this meeting due to illness and emergency situations, but some would be returning to the meeting.

Trustee Griffin referred to a re-vitalization program in Park Forest, and asked Manager Linear if this Village could get that type of grant to do something with the Cityscape property. He also noted that Village Hall was closed last Friday, and asked if it was closed due to the Mayor's Golf Outing at the Golf Course.

Manager Linear responded that some developers have shown interest in the Cityscape property; one has purchased the land, and another has paid the back taxes. So, the Courts will decide who will take possession. Relating to closure of Village Hall, he stated that due to shortage of staff, the Finance Director closed for two hours to allow staff to take lunch.

Trustee Roudez commented that in the future the posted hours of operation should be adhered to.

Trustee Larry Brown asked if the Aqua Water project for painting all Fire hydrants is completed.

Public Works Foreman Burgess responded that approximately 85% still needs to be completed; however, they continue to work on that project.

Mayor Covington stated that Village Hall was not closed for her golf outing.

E-2: Mayor's Report

Mayor Covington announced that Village Collector Webb is ill, and asked for prayers during her recuperation. Mayor Covington reported on meetings and events that she has attended since the last Board meeting, including: Umbrella For Peace Parade and event at Crete-Monee Middle School where Trustees Griffin and Payton also attended; Manilow Sculpture Park Ceremony at Governors State University; Miller Chapel AME Church for the celebration honoring Pastor Shorter; and she attended Prairie Day. She also reported that she will re-start the Beautification Committee, and that she has a contact who will show our kids how to plant and raise organic foods, and that she will get the contact information to Director Childress.

E-3: Committee & Commission Reports

Trustee Payton reported that he is proud of partnership that Mayor Covington has established with Governors State University, and reminded everyone of the upcoming Job Fair to be held at #90 Town Center on September 27, 2012 from 10:00 a.m. to 2:00 p.m. with guaranteed job opportunities for qualified applicants, where there will be approximately fifty companies involved; therefore, she stressed the importance that applicants bring several resume' and dress to impress. Trustee Payton also reported that the finance committee would meet on September 17, 2012 from 7 – 8:30 p.m.

Trustee Griffin commented that HSSEC did a good job, but that he had a concern that there were no lights in or near the portable potties.

E-4: Reports of Other Officers:

Parks & Recreation Director Keely reported that the Pre Sleep-over for girl's grades 1 through 4 would be held on September 21st, and for girls grades 5th through 8th would be held September 28, 2012. Additionally, Xbox Madness for Boys would be held September 29, 2012. Director Childress urged anyone and everyone who see illegal activity at the Playground to please call the police.

Reports of Other Officers- continued:

Golf Club General Manager Paul Blockoms reported on the putting Greens at the golf course, and that new golf rates have been approved. Also, beginning November 1, 2012 winter hours would go into effect, and the golf club would be closed Monday through Thursdays.

Cable Studio Manager Pearson reported that the Young Broadcaster's Production Classes would begin September 25, 2012 from 4 – 5:30 p.m.; video tapes of Village Board meetings are available for purchase at the University Park Library.

Police Commander Wilson reported that Chief Davis is ill, and unable to attend the meeting tonight, and that they are working with the Public Works Department on updating the ADA and Handicapped parking requirements.

Public Works Foreman Burgess reported that public works is busy filling potholes, trimming trees and painting fire hydrants.

Fire Chief Exner reported that the Fire Department was honored today, and that GSU is moving forward with plans for student housing.

Village Clerk Dee Jones reported that October 9th is the last day to register to vote in order to participate in the November 6, 2012 General Presidential Election. Voter registration is available at Village Hall and Parks & Registration Monday through Friday 9:00 a.m. – 5:30 p.m. and there are several Deputy Registrars at other locations throughout the Village. She gave the requirements for registering to vote, and urged new residents to register, and those who have moved to re-register. She also reported that Early Voting begins in her office October 15th through November 1, 2012; and that nominating petitions for the April, 2013 Consolidated Elections would be available at Village Hall beginning September 25, 2012, and the filing period would be December 17 – 24, 2012.

Mayor Covington presented a Community Block Award to Village Treasurer Devon Dilworth.

E-5: Attorney's Report

Village Attorney Stewart Diamond reported that he has been working with Town Builder Studio, and he wants to bring back to the Board something that is beneficial for the Village, and noted that Mr. Louthen has asked for a ninety day extension to purchase the land. He is also working on analysis of TIF allocations to determine if the disbursements and entitlements were properly done in the past. He also commented on some of the items that are on the agenda later tonight.

F. GENERAL PUBLIC COMMENTS

Attorney Diamond reminded the public of the rules of civility that the Board had adopted, and asked the public to abide by rules of conduct in making their comments, and keep comments to three minutes.

Ms. Geraldine James and Mrs. Verna Nicholson residents of the Monterey Village Homeowners Association addressed the Board and asked for assistance in removing the present administration of Ms. Delores Buckley and Rita Walker because they feel they are not doing the job properly. Mrs. Nicholson read a list of violations that they feel have been committed by the homeowners administration. She also thanked Mayor Covington for her attending their meeting and for her input.

Attorney Diamond commented that the Village cannot get involved into matters relating to their homeowners association, and that they should refer to their attorney for a resolve of those problems; however, if there are code violations or problems with police responses, the Village can address those issues.

Mr. Milton Mighty – 710-6 Marina commented that Condo 5 is having construction work done on weekends, and that they do not have valid permits, and he asked to know who would he direct his concern to. He also stated that some of the tenants have stated that they can do whatever they want to do, because the President has an inside track at the police department, and nothing will be done to them. He also commented on the rate increase from Aqua, and asked if the Village can use TIF Funds to bring water from Chicago.

Ms. Sandra Heard asked if the early voting dates were the same in Will and Cook Counties. She also stated that she has some concerns with item G-1d that is later on the agenda.

Clerk Dee Jones responded to her concern relating to early voting dates stating that the dates are the same; however University Park residents who reside in Cook County would vote early at Matteson Village Hall.

Mr. James Bell 1015 Sierra Court commented on a recent golf outing sponsored by Mayor Covington and her Political Action Committee where golfers paid to play in that outing and bought raffle tickets, and the Mayor won and left the premises with the #1 prize. He stated that this type of action makes him question the judgment of the Mayor; and while he did not play in the golf outing, as an avid golfer, they abide by rules of conduct, and the golfers do not feel that her conduct was admirable.

General Public comments- continued:

Rev. Anthony Stevens addressed the Board and began his comments with “a little injustice here, is a threat to justice everywhere. He commented that his wife was terminated from her job with the village without just cause after more than five years; that her responses to the disciplinary actions were not addressed, and since she is not a union member there is no recourse or individual to go to in order to have her case heard. Therefore, he asked the Village Board to look at her appeal, and make the right decision and return her back to work.

Mrs. Mildred Morgan directed her comments to Public Works Foreman Burgess and asked what is being done with the pile of mulch; when will they complete tree trimming; stated that grass around signs need to be cut, and commented that on 911 she trimmed around the signs and noticed that there were no flags on the flagpoles.

Ms. Deborah Stroud addressed the Board and public and reported that members of the Senior Citizens Committee who are Deputy Registrar’s have begun voter registration drives at the apartment complexes and will continue with the registration drives at certain business locations in the village. She noted that Senior Fund Day was great and read from a letter of appreciation. Ms. Stroud stated that as a 39 year resident and single mother, she was proud to announce that her son, Commander Stroud had just completed the requirements and has received his PHD, and is now Dr. Stroud.

G. DISCUSSION AGENDA

G-1: UNFINISHED BUSINESS

G-1a: Second Reading – An Ordinance Amending Title Four Of The Administration Code, Chapter 210 "Board Of Trustees" Section 210-01 " Standing Rules", Subsection (B), Specifically Standing Rule Two

Attorney Diamond commented that first reading of this ordinance only referenced Standing Rule Two, however he put suggestions from the Board into ordinance form to address other items in the Standing Rules to bring them into conformity with State Law and address concerns of the Board, and suggest that the motion tonight would be to approve second reading with modification in third reading to allow Standing Rule 14 to allow a majority vote.

Trustee Griffin moved, Trustee Payton seconded a motion that the Board approves second reading of this ordinance with modification in third reading to allow Standing Rule 14 to allow a majority vote.

G-1a - continued:

Mayor Covington questioned majority versus unanimous, and stated that she feels that the entire Board should have to approve suspending the rules.

Attorney Diamond explained that with a majority, it would only take an affirmative vote by four members of the Board to suspend the rules, which is the same number of votes needed to override a mayoral veto; and unanimous vote would require that all members of the Board must approve the action.

Trustee Griffin stated that he feels a majority vote would be sufficient.

Trustee Payton stated that he would oppose any changes to Standing Rule 14. He also stated that he never "suggested any changes to the Village's Standing Rules". His inquiry related to the application of the Standing Rules regarding the matters related to the special Board meeting and the matters and actions taken subsequent to it relative their compliance with the standing rules. And now since Attorney Diamond has had the opportunity to review the ordinance related to the Standing Rules, based on his current review of all of the Standing Rules, it is still my desire to get his legal opinion as to whether the actions that were taken were in compliance with our Standing Rules.

Attorney Diamond responded that the actions taken were consistent with State Law, and that some of the Villages ordinances are out dated.

Trustee Payton commented on the inconsistency in the use of the term Mayor and President, and insisted that the title is consistent.

Attorney Diamond responded that he made no changes to that section, because according to State Law the title is President, but can be referred to as Mayor, and the technical term in the standing rules is Mayor.

Trustee Payton referred to Standing Rule 8 which addresses the ability of the Mayor to cancel a meeting with direction of the Board. Attorney Diamond responded that the rule is in violation of the opens meeting act; however, the Mayor can cancel a meeting if there is prior notification that a quorum would not be present.

Trustee Payton referred to Standing Rule 9 (i) and asked if that applied to all meetings, including special meetings, and who sets the agenda for all meetings, and how are citizens notified of these items.

Attorney Diamond responded that the Mayor can set the agenda for special meetings, but cannot remove any items requested by Trustees; and according to the Standing Rules, a seven day notice of the tentative agenda must be given to the Board. Additionally, the law protects the citizen by not allowing the Board to vote on any items added to the agenda.

Call The Previous Question:

Trustee Griffin called the question; however, debate between Trustee Payton and Attorney Diamond ended, so no action was taken on this motion.

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

Motion Carried To Approve Second Reading.

G-1b: Second and Third Readings – Ordinance Providing For The Addition Of University Parkway (Formerly Exchange Street) (CH49) From The East Right-Of-Way Of CH48 (Old Monee Road) To The West Right-Of-Way Of CH53 (Western Avenue), In Its Entirety, To The Village Street System Of The Village Of University Park, Will County, Illinois

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

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

Motion Carried To Approve Ordinance Number O2012-28.

G-1c: Second and Third Readings – Ordinance Authorizing The Duties Of Village Treasurer

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

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

Motion Carried To Approve Ordinance Number O2012-29.

G-1d: Third Reading – An Ordinance Approving A Purchase-Sale Agreement For Certain Village Owned Real Estate (SMR Acquisitions Company, LLC – Family Dollar)

Trustee Griffin moved, Trustee Roudez seconded a motion that the Board approves third reading of this ordinance.

G-1d: - continued:

Attorney Diamond commented that this is a good thing for the Village; however, there are several contingencies relating to the development of the store, and this is all contingent upon approval of a re-development agreement.

Mayor Covington commented that other developers are intrigued with the amount of land available in University Park.

Trustee Payton commented that exhibits a, b, c, e, f & I were not attached to the document, and he wants to see them. Attorney Diamond responded that he would supply them.

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

Motion Carried To Approve

Ordinance Number O2012-30.

G-2: NEW BUSINESS

G-2a: Motion To Authorize Execution Of Letter Of Credit And Letter Of Understanding For Fairway Estates

Attorney Diamond commented that this is contingent upon receipt of final document.

Trustee Griffin moved, Trustee Roudez seconded a motion that the Board approves this motion contingent upon receipt of final document.

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

Motion Carried To Approve

G-2b: Bills Payable

Trustee Roudez moved, Trustee Larry Brown 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 August 28, 2012 to September 11, 2012. The following funds will be charged for these expenses:

Bills Payable – continued:

General Operation Fund	\$ 304,617.55
Road & Bridge	\$ 36,139.58
Town Center Fund	\$ 5,485.73
University Golf Club	\$ 81,674.69
Capital Project Fund	\$ 43,117.18
Payroll Fund	\$ 250.00
Total	<u>\$471,284.73</u>

Ayes: Trustees Payton, Griffin, Roudez, and Larry Brown.

Nays: None.

Absent: Trustees Williams, and Oscar Brown.

Motion Carried To Approve

I. BOARD OF TRUSTEES AND MANAGER COMMENTS

Trustee Roudez asked Mayor Covington for a moment of silence in memory of lost lives on 911.

Mayor Covington Proclaimed the Month of September as No Texting and Driving in the Village of University.

J. ANNOUNCEMENT OF SCHEDULED MEETINGS

K EXECUTIVE SESSION

L. ADJOURNMENT

Trustee Griffin moved, Trustee Roudez seconded a motion that the Board adjourns the regular meeting of the Board of Trustee at 11:46 p.m.

Motion to Adjourn Carried By Voice Vote.

Respectfully Submitted

*Dorothy R. Jones, CMC
Village Clerk*