

VILLAGE OF JUSTICE
PRESIDENT AND BOARD OF TRUSTEES
7800 ARCHER ROAD, JUSTICE, IL
FIRST REGULAR BOARD MEETING OF NOVEMBER
Monday, November 12, 2018

CALL TO ORDER: President Wasowicz called the meeting to order at 7:00 pm

PLEDGE OF ALLEGIANCE: Mayor Wasowicz led the reciting of the Pledge of Allegiance.

ROLL CALL: Clerk Sue Small called the roll. Present are: President Wasowicz, Trustees: Rich Sparr, Ed Rusch, Melanie Kuban, Hank Oszakiewski and Karen Warner. Trustee Rick Symonds attempted to attend electronically but was called away on a fire call. Attorney Mike Cainkar of the firm of Louis F. Cainkar Ltd. is present.

PUBLIC COMMENTS:

Mayor Wasowicz asked for questions or comments directly related to tonight's agenda. There were none.

APPROVAL OF MINUTES:

The Chair will entertain a Motion: To approve the minutes of the October 22, 2018 board meeting as submitted or if necessary, as corrected.

MOTION: Trustee Sparr so Moves.

SECOND: Trustee Rusch

VOTE: Trustees Sparr, Rusch, Kuban and Oszakiewski, aye. Trustee Warner abstained. Motion passed.

VILLAGE PRESIDENT'S REPORT:

Mayor Wasowicz announced

VILLAGE CLERK'S REPORT:

Clerk Small had no formal report.

COMMITTEE REPORTS:

BUILDINGS, ZONING AND ORDINANCES: Trustee Rusch

MOTION: Trustee Rusch Moves: To approve the day-to-day management of the ProChamps registration system to the Village Building Commissioner effective 12-01-2018.

SECOND: Trustee Oszakiewski

VOTE: Trustees Rusch, Kuban, Oszakiewski, Warner and Sparr, aye. All ayes. Motion passed.

There are still some serious maintenance issues at the Lipinski Center as indicated by the leaking roof we experienced at the Veterans' Luncheon. Trustee Rusch spoke to the Building Commissioner and we need to take steps to pinpoint the leak. Cleaning of the gutters and downspouts will best be accomplished when the issues with the roof are addressed.

Trustee Rusch questioned the process for graffiti removal. Homeowners are responsible for removing any graffiti. We will need to check the code as there may be a time limit by which it must be removed.

Trustee Rusch asked Public Works Director Joe Cekus about the issue regarding a Building employee's use of the time clock. Joe Cekus assured Trustee Rusch that the employee has been given easy access to the clock.

FINANCE & INSURANCE: Trustee Warner

- MOTION: Trustee Warner Moves To approve posted payables 1-34 of \$21,547.33, Recurring Expenses of \$14,637.50 MFT expenses of \$32,195.53, TIF #2 expenses of \$286.00 and Capital Project expenses of \$3,171.26 for a total of \$71,837.62.
- SECOND: Trustee Oszakiewski
- VOTE: Trustees Rusch, Kuban, Oszakiewski, Warner and Sparr, aye. All ayes. Motion passed.
- MOTION: Trustee Warner Moves: To approve mandatory board approval for all safety grant expenditures. (These expenses must be discussed and approved prior to ordering or spending funds)
- SECOND: Trustee Oszakiewski
- VOTE: Trustees Oszakiewski, Warner, Sparr and Rusch, aye. Trustee Kuban voted no. Motion passed.
- MOTION: Trustee Warner Moves: To approve: **RESOLUTION 2018-10: A RESOLUTION OF THE VILLAGE OF JUSTICE AUTHORIZING THE SUBMISSION OF A QUESTION CONCERNING THE IMPOSITION OF A 1% NON-HOME RULE SALES TAX AT THE APRIL 2, 2019 CONSOLIDATED ELECTION**
- SECOND: Trustee Kuban
- Trustee Kuban asked what is exempt from the tax.
- Trustee Warner deferred to the attorney who did not know.
- Trustee Kuban then explained that sale of food for consumption off premises, prescription and non-prescription drugs, medical appliances and supplies, diabetic supplies and needles.
- Trustee Rusch commented that this money will be levied to fund the tollway ramps and any remaining funds for infrastructure.
- VOTE: Trustees Warner, Sparr, Rusch, Kuban and Oszakiewski, aye. All ayes. Motion passed.
- MOTION: Trustee Warner Moves: To approve: To approve **RESOLUTION 2018-11: A RESOLUTION OF THE VILLAGE OF JUSTICE AUTHORIZING THE SUBMISSION OF A QUESTION CONCERNING A CHANGE IN THE FORM OF GOVERNMENT BY ALTERING THE MANNER OF THE APPOINTMENT AND REMOVAL OF VILLAGE OFFICERS TO THE ELECTORS AT THE APRIL 2, 2019 CONSOLIDATED ELECTION**
- SECOND: Trustee Kuban
- Trustee Kuban asked that Trustee Warner explain the ramifications of this action.
- Trustee Warner stated that we will still be a Mayor/Trustee form of government but that the Trustees will be required to approve an appointment by the mayor for it to be effective.

Mayor Wasowicz explained the mayor, as the executive branch of our government has appointment power to appoint like-minded people to further his agenda. He added that this is just a power grab, and this should be decided at the ballot box.

Trustee Oszakiewski added that he feels that the Mayor should not use his opinion to tell people how to vote. He added that five trustees voted to deny an appointment back in June and Mayor Wasowicz refused to alter his decision.

VOTE: Trustee Sparr abstained. Trustees Rusch, Oszakiewski and Warner, aye. Trustee Kuban voted no. It was determined that the mayor should not vote. The Motion passed.

ADMINISTRATION, COMMUNICATION & RECREATION: Trustee Oszakiewski

MOTION: Trustee Oszakiewski Moves: To approve budgeted Winter Wonderland expenses not to exceed \$4,000.00

SECOND: Trustee Warner

VOTE: Trustees Rusch, Kuban, Oszakiewski, Warner and Sparr, aye. All ayes. Motion passed.

MOTION: Trustee Oszakiewski Moves: To approve the moving of the regularly scheduled committee meeting of Wednesday, November 21 to Monday, November 26, 2018 at 6:30 PM

SECOND: Trustee Sparr

VOTE: Trustees Kuban, Oszakiewski, Warner, Sparr and Rusch, aye. All ayes. Motion passed.

MOTION: Trustee Oszakiewski Moves: To approve the cost of placing greeting ads in the newspaper for Thanksgiving, Winter Wonderland and the Holiday Season. The costs of these ads are budgeted and expected

SECOND: Trustee Warner

VOTE: Trustees Oszakiewski, Warner, Sparr, Rusch and Kuban, aye. All ayes. Motion passed.

MOTION: Trustee Oszakiewski Moves: To approve a 36-month contract with Cintas to furnish cleaning supplies and service dispensers in publicly-used village buildings. Costs for this contract are not to exceed \$6,000 annually

SECOND: Trustee Sparr

VOTE: Trustees Oszakiewski, Warner, Sparr and Rusch, aye. Trustee Kuban voted no. Motion passed.

MOTION: Trustee Oszakiewski Moves: To approve the re-classification of the employment of Mr. (Merrill) Andre' Harvey to permanent part-time status, effective immediately

SECOND: Trustee Kuban with discussion

Trustee Kuban requested that her statement be recorded in the minutes verbatim.

She stated, "As an elected official in this Village, I would like to make it clear that this motion worded "to approve the re-classification of employment" does not represent the traditional hiring process in this Village.

Most of the Departments within the Village follow what has been established as "the hiring process" wherein a position is placed for hire on the Village website and in the newspaper for a period of time. After that time any applications received prior to or during that period are reviewed, applicants for the position are interviewed and a determination is made as to the best qualified person for that position.

A little over a month ago the filling of this particular position, permanent part-time was discussed at a Village meeting. As the "hiring process" had not been started I inquired at the Committee Meeting on October 17, 2018 as to when the hiring process for this position was going to begin as the Village has received applications for this position. At that time the Trustee for Administration, Trustee Oszakiewski decided to put the motion "To approve the classification of the employment of Mr. (Merrill) Andre Harvey to permanent part-time status, effective immediately." on the agenda for the Board meeting on October 22, 2018. At that Board meeting Trustee Oszakiewski sent the motion back to committee to discuss a few things. Nothing about the motion was discussed at committee meeting, Trustee Oszakiewski stated he wanted the motion put on tonight's agenda. I will note there is one change in the motion, the word classification has been changed to re-classification. This is the second time in recent history that a hire has been done in this same Department without following the normal hiring process when several individuals are interested in, inquired about, or have submitted applications for a position.

Several members of this Board constantly stress consistency and transparency in procedures in all Departments, so it is very difficult to understand why a certain Department is allowed to not follow the traditional procedures when if any other Department tried to make a permanent position hire like this the Department Head would be chastised and there is no way it would be allowed to happen.

Obviously, transparency only pertains to a situation that the majority of this Board does not want so the transparency card is thrown and things are stopped because procedure or process was not followed. However, it is a completely different story when the majority of this Board wants something their way, as transparency, procedure, process and apparently ethics are totally disregarded. "

Trustees Sparr asked that the motion be withdrawn because he does not want this gentleman to be awarded this position in such a negative light.

Trustee Oszakiewski asked that the motion be voted upon.

VOTE: Trustee Sparr abstained. Trustees Rusch, Oszakiewski and Warner, aye. Trustee Kuban voted no. Motion passed.

Trustee Oszakiewski thanked the Veterans' Day planning committee for an outstanding event, certainly the best, ever.

Janet Cervantes, the Special Events Coordinator announced that she is looking at alternative ways to handle the holiday baskets. She feels it is not best practice to recognize Wilkin's students for their participation and not the other schools.

She also would like to purchase more of the non-perishables from Aldi to provide freshness and uniformity more efficiently.

Emails can be sent in support or not in the next day or two.

Janet then thanked all the volunteers from the Veterans' Luncheon which she named individually. She added that several vets said it was the best event ever.

Janet then asked how a political party could take credit for her Veterans' event. She was given a copy of a letter she felt took credit for the event. She was highly offended by the letter and feels those that distributed it should be ashamed.

PUBLIC SAFETY AND HUMAN SERVICES: Trustee Sparr for Trustee Symonds

Trustee Symonds provided no report.

ECONOMIC DEVELOPMENT AND BUSINESS LICENSES: Trustee Kuban

MOTION: Trustee Kuban Moves: To approve a Home Occupation License for Merchandising Kings Inc. operating a home office for an E-Retail business located at 8965 W. 83rd Street, Justice.

SECOND: Trustee Oszakiewski

VOTE: Trustees Warner, Sparr, Rusch, Kuban and Oszakiewski, aye. All ayes. Motion passed.

MOTION: Trustee Kuban Moves: To approve a Business License for Climate Change Inc. to operate an office for a HVAC business located at 7550 S. Archer Road, Justice. (This is an existing Home Occupation expanding their business in Justice)

SECOND: Trustee Warner

VOTE: Trustees Oszakiewski, Warner, Sparr, Rusch and Kuban, aye. All ayes. Motion passed.

MOTION: Trustee Kuban Moves: To approve a Business License for Q Foods, Inc. d/b/a Sal's Famous Cheesesteak at 8025 W 79th street in Justice (the same business that has been in this location under new ownership)

SECOND: Trustee Sparr

VOTE: Trustees Warner, Sparr, Rusch, Kuban and Oszakiewski, aye. All ayes. Motion passed.

MOTION: Trustee Kuban Moves: To approve a Business License for A1 Chicago Limousine & SUV's, Inc. operating a limousine rental business located at 8350 S. 88th Avenue, Justice

SECOND: Trustee Oszakiewski

VOTE: Trustees Sparr, Rusch, Kuban, Oszakiewski and Warner, aye. All ayes. Motion passed.

MOTION: Trustee Kuban Moves: To approve **RESOLUTION 2018-12: A Resolution Authorizing the Application for a Safe Routes to School Grant – Program Year 2019 with respect to the Village of Justice /Indian Springs School District 109 Sidewalk Project.**

SECOND: Trustee Sparr

VOTE: Trustees Rusch, Kuban, Oszakiewski, Warner and Sparr, aye. All ayes. Motion passed.

MOTION: Trustee Kuban Moves: To approve **ORDINANCE 2018-16: AN ORDINANCE OF THE VILLAGE OF JUSTICE APPROVING CLASS 7a ASSESSMENT STATUS FOR THE REAL ESTATE LOCATED AT 7901 SOUTH 87TH COURT (P.I.N.s: 18-35-117-001-0000 & 18-35-117-002-0000), IN THE VILLAGE OF JUSTICE, COOK COUNTY, ILLINOIS**

SECOND: There was no Second

Motion failed for lack of a Second.

Mayor Wasowicz explained that because of the high rate of commercial real estate taxes in Cook County, an investor/developer may apply for 7a treatment so that taxes are

applied at 10% not 25% of assessed valuation for a period of 10 years, then 12 ½% and increasing to 25% over the designated period.

- MOTION: Trustee Kuban Moves: To Approve **RESOLUTION 2018-13: A RESOLUTION OF THE VILLAGE OF JUSTICE RELATIVE TO THE REDEVELOPMENT OF APPROXIMATELY 14 ACRES OF LAND LOCATED AT 83rd AND CORK AVENUE, WITHIN THE LNC TIF NO. 2 TAX INCREMENT REDEVELOPMENT PROJECT AREA, VILLAGE OF JUSTICE, COOK COUNTY, ILLINOIS**
Trustee Kuban explained that this allows a developer responding to a request for proposal to proceed on a potential development but does not approve a redevelopment agreement or commit the village to any financial responsibilities at this time.
- SECOND: There was no Second
Motion failed for lack of a Second.

PUBLIC UTILITIES: Trustee Sparr

- MOTION: Trustee Sparr Moves: To approve a two-year contract with Sheridan Plumbing and Sewer to complete Sewer Televising and cleaning in the Village of Justice. This contract represents a 50% savings over normal pricing and is quoted at \$16,320.00 for 2019 and \$16,160.00 for 2020
- SECOND: Trustee Oszakiewski
- VOTE: Trustees Kuban, Oszakiewski, Warner, Sparr and Rusch, aye. All ayes. Motion passed.
- MOTION: Trustee Sparr Moves: To approve an expense of \$1,500.00 for ProTree Service to remove 3 trees and grind stumps on village property at 7750-7800 S. Blazer in Justice
- SECOND: Trustee Kuban
- VOTE: Trustees Kuban, Oszakiewski, Warner, Sparr and Rusch, aye. All ayes. Motion passed.

Trustee Sparr thanked Joe Cekus for his efforts negotiating with Sheridan Plumbing for a favorable outcome to a two-year contract.

- ATTORNEYS' REPORT:
Attorney Mike Cainkar had no formal report.

CORRESPONDENCE:

There was none

OLD BUSINESS:

Trustee Rusch commented that he had 200 cans of food delivered to him from the elementary side today. He is checking for expired cans. He feels it is sending a negative message to discourage the level of participation by the schools that we have had in the past.

Jan Cervantes stated that she only wants to discourage the competitive nature of the collection since only the Jr. High was participating. It is not fair to the other schools.

Trustee Rusch stated that 7a treatment affects all taxing bodies not just the village. The 7a was estimated to save the developer as much as \$280,000.00 over the term of the tax incentive.

Trustee Rusch asked if Ed Shilka has been able to find a vendor for the Lipinski roof repair.

He has had conversations with a roofer, but no one has come out yet to estimate the repair.

NEW BUSINESS:

**SCHEDULE OF COMMITTEE MEETINGS:
Monday, November 26, 2018
6:30 pm**

FINANCE & INSURANCE: Trustee Warner
Any matters before the committee including Posted payables and other matters.

ADMIN, COMMUNICATIONS & RECREATION: Trustee Oszakiewski
Any matters before the committee including Winter Wonderland update, repairs or cleaning needed before our seasonal event.

PUBLIC SAFETY AND HUMAN SERVICES: Trustee Symonds
Any matters before the committee

ECONOMIC DEV. & BUSINESS LICENSES: Trustee Kuban
Any matters before the committee

PUBLIC UTILITIES: Trustee Sparr
Any matters before the committee including salt availability and equipment needs for winter work.

BUILDINGS, ZONING AND ORDINANCES: Trustee Rusch
Any matters before the committee including estimates on the work at Lipinski Center and an update regarding the ProChamps system.

PUBLIC COMMENTS:
There were none.

ADJOURNMENT: President Wasowicz called for a Motion to Adjourn.

MOTION: The chair entertained a Motion to Adjourn
Trustee Sparr so Moves
SECOND: Trustee Kuban
VOTE: All ayes.

Meeting adjourned at 7:54 pm

Respectfully Submitted,
Kathleen M. Svoboda, Deputy Village Clerk