

VILLAGE OF JUSTICE  
PRESIDENT AND BOARD OF TRUSTEES  
7800 ARCHER ROAD, JUSTICE, IL

SECOND REGULAR BOARD MEETING  
OF OCTOBER

Minutes of Monday, October 28, 2013

The Meeting was called to order at 7:30 pm.

**PLEDGE:**

Mayor Kris Wasowicz led the reciting of the Pledge of Allegiance.

**ROLL CALL:**

Clerk Kathy Svoboda called the roll. Present are Mayor Kris Wasowicz, Trustees: Rich Sparr, Rick Symonds, Ed Rusch, Melanie Kuban, Hank Oszakiewski and Sue Small. Attorney Michael Cainkar of the firm of Louis F. Cainkar Ltd. is also present.

**APPROVAL OF MINUTES:**

The Chair will entertain a Motion: To approve the minutes of the First Regular Board Meeting of October 14, 2013 as submitted, or if necessary as corrected.

MOTION: Trustee Symonds Moves: To approve the minutes as submitted.

SECOND: Trustee Small

VOTE: Trustees Sparr, Symonds, Rusch, Kuban, Oszakiewski and Small, aye. All Ayes.  
Motion passed.

**VILLAGE PRESIDENT'S REPORT:**

The Chair will entertain a Motion: To approve A RESOLUTION AUTHORIZING THE EXECUTION OF CONSULTING AGREEMENT FOR STATE OF ILLINOIS LEGISLATIVE AND LOBBYING SERVICES BETWEEN THE VILLAGE OF JUSTICE AND ROBERT S. MOLARO & ASSOCIATES.

MOTION: Trustee Sparr so Moves:

SECOND: Trustee Symonds seconded for discussion.

Trustee Rick Symonds questioned the accountability of the firm of time expended on our behalf for payment received or no end date provided for the agreement.

How will we know we are getting our money's worth?

Attorney Cainkar replied that the form of the agreement is quite standard and that a contract for lobbying services is contingent upon the village's being satisfied with the work performed or being able to cancel at any time.

Trustee Small commented that there is a 30 day cancellation provision on both sides that protects the village in the event we are not satisfied.

Mayor Wasowicz reminded the board that there is \$1.6 million for a flood control project and \$2.6 million for street reconstruction at issue that has been awarded by the State to the village and has not been funded. We need someone in Springfield to further our interests with the legislature to get our awards funded. Bob Molaro has the experience and the contacts to bring the funding that is owed to us to the village.

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

## **VILLAGE CLERK'S REPORT:**

Clerk Kathy Svoboda read a letter from Com Ed thanking Mayor Wasowicz for participating in a statewide exercise "Operation Joint Venture". The initiative was about how our communities, businesses and utilities can build stronger partnerships in the event of an emergency that requires disaster response. Com Ed awarded a commemorative coin to Mayor Wasowicz and the Village of distinguished participation and support for the exercise.

Clerk Svoboda announced to the board that we have a new community liaison from Comcast, Mr. Michael Poulos. She will make his contact information available for our use.

## **COMMITTEE REPORTS:**

### **FINANCE AND INSURANCE – Trustee Ed Rusch Jr.**

- MOTION:** Trustee Rusch Moves: To approve payables numbers 1-23 in the amount of \$5,526.99 and recurring expenses of \$10,259.65, MFT Expenses of \$29,641.75 for a total of \$45,428.39.
- SECOND:** Trustee Small
- VOTE:** Trustees Rusch, Kuban, Oszakiewski, Small, Sparr and Symonds, aye. All ayes. Motion passed.
- MOTION:** Trustee Rusch Moves: To ratify the payment to Marlin Environmental in the amount of \$8,600.00 from Brownfield Grant funds authorized for such a purpose. (The Marlin bill was added after the agenda was published for the October 14<sup>th</sup>, 2013 Regular Board Meeting. The amount represents payment in full to Marlin Environmental after the LUST fund monies were applied.)
- SECOND:** Trustee Symonds
- VOTE:** Trustees Symonds, Rusch, Kuban, Oszakiewski, Small and Sparr, aye. All ayes. Motion passed.
- MOTION:** Trustee Rusch Moves: To approve A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF JUSTICE AND THE JUSTICE-WILLOW SPRINGS WATER COMMISSION.
- SECOND:** Trustee Kuban seconded for discussion
- Trustee Kuban stated that she had to ask to be provided exhibit A, which is in fact the agreement, and she suspected that other trustees may not have received it either. She would request taking the issue back to committee.
- Exhibit A was distributed to all trustees after Trustee Kuban requested another copy. The agreement is the same agreement without changes that has been in the possession of the board for many months awaiting the approval of the Water Commission.
- Trustee Kuban then stated she has issue with Section 3 of the Resolution that authorizes the Village Clerk to sign the agreement on behalf of the village.
- Trustee Rusch explained that the only authority being granted to the clerk was to sign and administer the intergovernmental agreement between the Village and the Water Commission and is not intended to grant authority to the clerk over the collection process being implemented by the village before the request to shut off service is tendered to the commission. The only reason that the clerk will sign on the village's behalf is because the Village President is also a Commissioner for the Justice/Willow Springs Water Commission. The board retains control over the negotiated settlements with individual customers; that is a separate issue.

Trustee Kuban did not agree with Trustee Rusch's evaluation of the language in Section 3.

**MOTION:** Trustee Kuban moves that the issue of the Resolution authorizing the execution of the agreement be tabled and brought back to committee for further review.

**SECOND:** There was no second.  
There was no second.

A vote was then called for on Trustee Rusch's initial Motion: (To approve Resolution 2013-14, A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF JUSTICE AND THE JUSTICE-WILLOW SPRINGS WATER COMMISSION).

**VOTE:** Trustees Kuban, Oszakiewski and Small, nay; Trustees Rusch, Sparr and Symonds, aye. President Wasowicz voted aye. Motion passed.

Trustee Rusch explained for the audience that an agreement has just been passed to grant the authority to the Justice/Willow Springs Water Commission to shut off water service upon the village's request to those customers who refuse to enter into an agreement with the village to settle outstanding sewer service arrears. Trustee Rusch added that the total receivable, on paper, is around \$500,000.00. That amount includes a huge amount of interest that won't be collected in full, but there is \$150,000.00 to \$180,000.00 of actual fees for services to collect.

#### **ADMINISTRATION BUILDING & RECREATION – Trustee Sue Small**

Reminder: the Veteran's Luncheon honoring our own Justice Veterans will be held at the Wm. O. Lipinski Community Center on Saturday, November 9th. If you are a veteran, please make sure we have you listed on our Veteran's page on the website to insure you receive an invitation to attend.

The luncheon will be from noon to 3:00 pm. We already have around 20 people who have responded for the event.

The Lyons Township Food Pantry Distribution on October 15<sup>th</sup> benefitted 142 families including more than 400 people. Thank you to the 22 volunteers that showed up to help. The next time the distribution will be at the Justice Village Hall will be on February 18, 2014.

The Special Events Committee is starting to work on the annual Christmas Basket Program, gathering donations, updating applications and gearing up for this year's program.

#### **PUBLIC UTILITIES – Trustee Rick Symonds**

Trustee Symonds read from a report from Deputy PW Director Ken White.

Public Works worked on repairs to a number of vehicles from both Public Works and the Police Department. They handled resident requests, performed multiple sewer repairs and filled pot holes.

The 31<sup>st</sup> of October marks the end of chipping for this year. Summer help continues to cut grass. The street project on Oak Grove is complete and on Cork Avenue (Archer to 76<sup>th</sup> Place) work continues.

Crack sealing by American Sealcoating has been completed at the cost of \$15,000.00  
The streets completed are:

Roberts Park: 87<sup>th</sup> to 83<sup>rd</sup>/ 79<sup>th</sup> Ct

87<sup>th</sup> to 83<sup>rd</sup>/79<sup>th</sup> Ave  
87<sup>th</sup> to 83 St/78<sup>th</sup> Ct  
84<sup>th</sup> St. 78<sup>th</sup> Ct. to Roberts Rd.  
85<sup>th</sup> St. 78<sup>th</sup> Ct. to Roberts Rd.  
86<sup>th</sup> St. 78<sup>th</sup> Ct. to Roberts Rd.

The Arbors: Maplewood Dr. Archer to 73<sup>rd</sup> Pl.  
Heather Trail  
Arbor Lane  
Skyline Drive  
81<sup>st</sup> Street from Fawn Trail to Kean

A Thank You” note to our PW crew was received in Public Works from Mr. Gregg Starr.

We continue to seek resumes from qualified applicants for the position of Public Works Director.

The Senior Snow Plowing Program, Hold-harmless Agreement was discussed at the last committee meeting. The agreement indemnifies the village from damage to landscaping and flower beds and mulch that may occur as a result of the snow-plowing.

#### **PUBLIC SAFETY – Trustee Melanie Kuban**

Ms. Sandy Christiansen sent a letter thanking Detectives Plotke and Malloy and Officer Murray for taking such conscientious care of her parents during a recent case.

Certificates of Recognition to Cpl. Michael McNamara for a license plate check that resulted in an arrest for “aggravated driving while license is revoked”, and to Cpl. Ryan Zima for a traffic stop that resulted in an arrest for revocation/suspension of a license due to a DUI was acknowledged.

Reminder: The official Trick-or-Treat hours in the Village of Justice are from 3:00 pm until 7:00 pm on Thursday, October 31, 2013.

#### **ORDINANCES, LICENSES & PUBLIC PRINTING – Trustee Henry Oszakiewski**

MOTION: Trustee Oszakiewski Moves: To approve the Business License of Justice Jewelry and Coin, Inc. doing business at 8015 W. 79<sup>th</sup> Street, in Justice, having passed all inspections and being in compliance with all codes and ordinances.

SECOND: Trustee Sparr

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

MOTION: Trustee Oszakiewski Moves: To approve the Business License of Ameriglides of Justice, doing business at 8646 S. Roberts Road Suite 102, in Justice, being in compliance with all codes and ordinances.

SECOND: Trustee Kuban

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

MOTION: Trustee Oszakiewski Moves: To deny the application of the Gaia Movement – Recycling bins, on the basis of (1) incomplete application; (2) location of bins; and (3) prior experience with the applicant.

SECOND: Trustee Sparr

Some discussion occurred regarding the reasons for the denial of the application for a license. Trustee Oszakiewski explained that the denial is appropriate due to the applicant's inattention to the concerns and requirements for a license to conduct business.

**VOTE:** Trustees Sparr, Symonds, Rusch, Kuban, Oszakiewski and Small, aye. All ayes. Motion passed.

Trustee Oszakiewski commented about a seminar he attended at the IML Conference regarding "40 Tips for Recruiting and Retaining Retail Business in your community".

He will be continuing discussion regarding creating a business-friendly community incorporating some of the ideas considered at the conference.

Trustee Oszakiewski continued expounding on the key-note speech at the conference that dealt with the conduct of elected officials being worthy of esteem and avoiding bitterness and divisiveness among their fellow board members.

Trustee Oszakiewski voted No this evening on a matter, not for the obvious reason, but because he was confident with further discussion, common ground could have been reached and the issue could have been settled to the satisfaction of all.

Mayor Wasowicz stated that this issue has been in the works since November 2012. He doesn't have an issue with the designated signer, because he should not sign due to his also being a Commissioner with the JWSWC.

The clerk informed the board that she understands she is executing this agreement on their behalf and would not presume to execute any changes that were not expressly directed by the board.

#### **BUILDING, PLATS AND ZONING – Trustee Rich Sparr**

Trustee Sparr reported that he and a few other trustees attended the Zoning Board of Appeals Meeting and communicated to the members that the change in their role by redefining the purview of that board would have little or no effect on their duties.

The core samples were obtained under the direction of the village engineer for the evaluation of the location of a salt dome/storage building.

**ATTORNEY'S REPORT:** Attorney Michael Cainkar  
Attorney Cainkar had no formal report.

#### **CORRESPONDENCE:**

There was none of note.

#### **OLD BUSINESS:**

Trustee Rusch noted that the grinder we purchased has almost paid for itself when you add the reduction in hauling and dumping of spoils for street repairs.

Mayor Wasowicz asked Jim Lurquin if he had an idea how many linear feet of paving our public works crew has installed this year.

Mr. Lurquin did not have a number but there have been around 10 street projects of grinding and paving performed.

#### **NEW BUSINESS:**

#### **SCHEDULE OF COMMITTEE MEETINGS:**

**Wednesday, November 6, 2013**

**7:00 p.m.**

**FINANCE & INSURANCE: Trustee Rusch**

Review of posted payables, possible review of AN ORDINANCE APPROVING A SECOND AMENDMENT TO THE COMMUNICATIONS SITE LEASE AGREEMENT BY AND BETWEEN THE VILLAGE OF JUSTICE AND AMERICAN TOWER ASSET SUB, LLC and an update on the progress of the budget and review of the sewer collection exhibits.

**ADMINISTRATION BLDG. & RECREATION: Trustee Small**

Any matters before the committee including possible review of the bids for a new sign, review of quotes for maintenance to the clerk’s office and final plans for the Veteran’s Luncheon.

**PUBLIC SAFETY: Trustee Kuban**

Any matters before the committee including possible discussion regarding the allocation of payments to the Bridgeview/Justice EMA.

**ORDINANCES, LICENSES & PUBLIC PRINTING: Trustee Oszakiewski**

Review of any new ordinances, in particular, AN ORDINANCE AMENDING CHAPTER 3, BUSINESS REGULATIONS, ARTICLE XXII, REGULATION OF TOBACCO PRODUCTS, BY AMENDING SECTION 3- 651, THROUGH SECTION 3-669.2, OF THE MUNICIPAL CODE OF THE VILLAGE OF JUSTICE, businesses or home occupations including Preferred Home Improvement Inc. d/b/a Heritage Roofing is a home occupation located at 8900 W. 85th Street, final review of the MVCC contract for services, as well as continuing discussions regarding strategic planning and economic development initiatives.

**PUBLIC UTILITIES: Trustee Symonds**

Any matters before the committee including paving, pw director position and repair of our stand up mower.

**BUILDING, PLATS & ZONING: Trustee Sparr**

Any matters before the committee including proposed attendance by building department staff at a building seminar.

Possible Executive Session, to discuss Appt. Emp. Compensation of an employee or other matters appropriate to closed session

**PUBLIC COMMENTS:**

Mrs. Edwina Gaskin talked about an enormous pothole that is realistically dangerous at 86<sup>th</sup> Street and 71<sup>st</sup> Street adjacent to the path to the Lipinski Center. She cautions that it is a serious hazard and must be dealt with.

**ADJOURNMENT:**

The Chair will entertain a Motion: To Adjourn

MOTION: Trustee Sparr so Moves.

SECOND: Trustee Symonds

VOICE VOTE: All ayes.

Meeting adjourned at 8:12 pm.

Respectfully Submitted,  
Kathleen M. Svoboda  
Village Clerk