

**VILLAGE OF MIDLOTHIAN  
COMMITTEE MEETING MINUTES  
MAY 1, 2019**

Mayor L'Heureux and the Board of Trustees of the Village of Midlothian, Cook County, Illinois, met in the Council Chambers at the Village of Midlothian on May 1, 2019. The meeting began at 7:00 p.m.

**CALL TO ORDER**

**ROLL CALL**

**Present:** Mayor L'Heureux, Clerk Moskal, Trustees Caveney, Crowley, Gillis, Ivan and Kreis, Attorney Valadez, Superintendent Weinert, Chief Delaney and Deputy Clerk Kolacki. **Absent:** Trustee Killelea

**PLEDGE**

**PUBLIC COMMENT**

**Helen Lekavich** – She provided dates of all Rain Ready Steering Committee Meetings, an outline of the Rain Ready Plan and the purpose, strategy and limitations, steps taken at their meetings, participation and attendance, and purpose and funding of the LOMA. She explained the plans for the Natalie Creek Project and Engineering and noted that the Plan that has not been followed. She discussed the plans for Jolly Homes, Bremen Heights and Belly Button Hill neighborhoods. She explained MWRD participation and their plans and now we are discussing our participation in the Tributary C project. She did not agree with the priorities Midlothian has made but was advised that plans change. Mayor L'Heureux commented on the Tributary C project and noted that the agreement and plans were received this week and has been forwarded on to the Board. He further explained that the Board has not said no to any plans or projects, they are just moving extremely slow. There was a long discussion by the Board.

**Theda Reed** – She asked why the Board members who were previously at the meetings are not attending lately. Mayor L'Heureux noted that he has asked several times to have the meetings scheduled later in the day.

**Jerry Gillis, Sr.** – When Mayor L'Heureux is unable to make a meeting, representatives should be sent in his place and he did not think promises made should take years to accomplish. Mayor L'Heureux noted that Trustee Kreis is our designated representative. Everyone has been and is still committed to the project, however, things are not happening as quickly as some would like.

**COMMUNITY DEVELOPMENT**

**Trustee Kreis** reported on the following:

- The Stormwater Management Capital Plan is up for adoption at the next Board Meeting and she asked the Board if there were any questions on the Plan. Trustee Caveney explained that she does not have issues with the Plan but is concerned that the Plan does not address the 151<sup>st</sup> Street ditch and stormwater conveyance pipe and then explained the problems. Engineer Nagle will need to relook into the surrounding areas and provide stormwater planning. She also noted that we have addressed some stormwater management issues that were not top priorities but noted that it is based on what is happening at the time, funding available and that priorities may be handed differently. Trustee Kreis noted that there are community development block grants, disaster recovery funds (federal funding that came to the County) and had to be related to the April 2013 flood. The Village submitted three

grant applications. One was for Jolly Homes and requested \$315,000 from the County and the Village's match would be \$50,000. We also applied for Belly Button Hill. The Stormwater Management Capital Plan took care of some of that but we applied for \$25,000 from the County and \$5,000 from the Village for study of flood conditions and development and design recommendations. We also applied for Bremen Heights (\$25,000 County/\$5,000 Village) but did not think we could receive all three. This plan will assist 35 projects that were identified. She believed we needed a feasibility study for a rain fund/stormwater utility fee and discussed this with Kate Evasic and Anna Wolf to apply on the local technical assistance grant. They will then be able to perform the feasibility study and put us in a position to figure out the stormwater utility fee. Trustee Crowley believed that we would need to educate and communicate with the residents. Trustee Caveney advised that she spoke with Kate Evasic and they were hoping to have the Stormwater Management Capital Plan completed in May so that they can report back to the County before the end of May that the project is complete and closed out. She noted that the Jolly Homes focus was on 151<sup>st</sup> Street upsizing the storm sewer line and updating and repair lateral lines. However, there is no stormwater plan for the area between 152<sup>nd</sup> and 153<sup>rd</sup> Street, which floods, and is not included in the Plan. She is hoping that if we receive the Grant from Cook County, Robinson will be able to do a Phase 1 on the entire neighborhood and not only 151<sup>st</sup> Street. She thought we needed more time to review the Plans. Trustee Kreis advised that this is the Plan and will not change. Trustee Ivan asked who would be in charge of implementing the plan and Trustee Kreis noted that we are adopting the Plan and believed it would fall under Superintendent Sparrey since it would be a Public Works projects. The document is to reprioritize and revisit the plan every couple of years. The first area will be Jolly Homes and are hoping that we receive the CDBG money from Cook County and move forward with the Phase I for Jolly Homes. We can then move on to the hydrologic study for the Belly Button Hill neighborhood. Trustee Ivan wanted to make sure none of the projects fell through the cracks and Trustee Kreis advised that we have a plan now. The agreement is Step 1. There was no further discussion. The passage of the Stormwater Management Capital Plan will go forward at the next Board Meeting.

- The Veteran's Committee will be presenting Certificates of Appreciation to Volunteers at next week's Board Meeting.
- The Calumet Corridor Green Infrastructure Soils Meeting was held on April 26<sup>th</sup>. Mary Pat McGuire, Landscape Architect Professor from the University of Illinois, and her Master Level Landscaping Students will be presenting designs for 151<sup>st</sup> Street. They presented green infrastructure designs and their next step is to provide a costs for the installations. They are studying the soils and how they can inform and approve our green infrastructure installations. This is all being funded through the Illinois Indiana Sea Grant at no cost to the Village.
- She thanked everyone for their participation in the Great Midlothian Cleanup. This was the largest turnout in the last ten years even though our weather was horrible. We collected a ton of trash. Mayor L'Heureux noted that the Bremen Girls Soccer Team and the Bremen Football Players were also in attendance, as well as the Knights of Columbus. Trustee Crowley commented that the food choices were outstanding.

## **FINANCE DEPARTMENT**

**Trustee Ivan** reported on the following:

- There was discussion of the increased GUT tax for non-local suppliers of gas. Treasurer Britton did a review on the current rate of 2% and is recommending an increase to 2.5%. A spreadsheet was provided. Trustee Caveney asked how much the tax was that everyone else pays that doesn't pay the GUT tax and Trustee Ivan noted that we have a MUT tax. One is based on price and the other is

based on consumption. The GUT is a consumption tax and are not equally compatible. The Board agreed.

- He obtained pricing for the Board Room office chairs that are broken and were included in the Board Packet. He provided three different types of chairs for review.
- The Building Department window was then discussed. The glass panel will be changed and would be ADA compliant. The glass panel will also reduce noise in the lobby and not filter into the office area. He provided a quote from BK Custom Woodworks and the cost would be \$2,618.00. This will replace the glass and ADA compliant countertop for the Building Department. Trustee Kreis asked Trustee Crowley where we were for the evaluation of our building. Superintendent Weinert noted that Oliveri Architects came through the buildings with the Police Chief, himself and Andy from Public Works and they will be attending the May 15<sup>th</sup> meeting to determine what we are planning on doing. Do we want to stay, move, remodel, tear down and start over and will provide various options. We will then decide if we want to hire him to perform a detailed study on each building and what is the best way based on the conditions of the building. Trustee Ivan then reminded the Board that the replacement of the glass panel is to make the current hallway ADA compliant since we are not. The Board agreed.

Motion to approve BK's Custom Woodworks to install the Building Department Window in the amount of \$2,618.00 and would be ADA compliant was made by Trustee Ivan and seconded by Trustee Caveney.

**Discussion:** There was no further discussion.

**Roll Call:** Ayes: Trustees Ivan, Caveney, Crowley, Gillis and Kreis. Nays: None. Motion carried.

## **FIRE DEPARTMENT**

Trustee Gillis reported on the following:

- Mayor L'Heureux will be reading at the next Board Meeting a Proclamation proclaiming the week of May 19<sup>th</sup> through May 25<sup>th</sup> as EMS Week.
- The Illinois Department of Public Health will be recognizing Paramedics for their years of service. This year we have five of our medics that will receive their certificate for five years of medical service and our paramedics will be recognized at the Board Meeting on May 22<sup>nd</sup>.
- Firefighter/Paramedic Ramirez is continuing his education in the Spring of 2019. The cost has been budgeted for. This will go forward at the next Board Meeting.

## **BUILDING DEPARTMENT**

Trustee Caveney reported on the following:

- Trustee Caveney noted that we will be hosting a Cook County Tax Seminar on Monday, June 10<sup>th</sup> at 7:00 p.m. in the Council Chambers of the Village Hall and on Thursday, June 20<sup>th</sup>, we will be hosting a Water Bill Workshop at 7:00 p.m. in the Council Chambers of the Village Hall.
- She is hoping to engage ProChamps for their foreclosure and pet module assistance. An Ordinance and an agreement will need to be prepared. Trustee Caveney noted that the foreclosing financial institution will be required to register their foreclosure with our Village and will also be required to register twice a year. Trustee Crowley was in favor to implement a scale for the vacant properties to increase when people leave their properties vacant for years. This is not for the owner that has a rental property that is vacant for three months, but for the ones that let the properties sit. ProChamps

recommends \$300 for each foreclosed and vacant properties will be paid semi-annually, and ProChamps will receive \$100 and the Village would receive \$200. Rental property registration will be \$125 per rental unit annually and ProChamps will retain \$25 and the municipality receives \$100. Regarding pet registration, ProChamps is recommending \$10 per pet in which ProChamps retains \$4 and the Village retains \$6. Superintendent Weinert noted that ProChamps did not include rental properties. Attorney Valadez will prepare the Ordinance to engage ProChamps for foreclosures, vacant properties and pets. This will go forward at the next Board Meeting.

- The retiree language will be for those qualified employees who are over the age of 50 and work for the Village for at least 20 years as a full-time employee. Their coverage would be limited to the HMO medical plan but the split on the insurance will not be 80/20 but 70/30. Once the qualified retiree is eligible for Medicare, they will no longer be eligible for medical insurance through the Village and will be responsible for 100% for their Medicare supplement. The qualified dependents may still continue to be covered but would be at 100% cost. Trustee Gillis thought the date of May 1<sup>st</sup> should not change. The Board agreed that the insurance will be effective May 1<sup>st</sup>. Trustee Ivan was not in agreement to take this away since it was part of the policy to hire an employee. Trustee Gillis noted that we are not taking it away. When we hire someone, we will tell them what our policy is and will not be losing anything. Trustee Crowley believed this could have an effect on Department Heads who are promoted from rank and file and will be cautious about taking the position since they are offered retirement insurance and then take a Department Head position and not receive the insurance. There was no further discussion.

Motion to approve the proposed Health Insurance Policy for Non-Bargaining Unit Employees that was presented to the Board was made by Trustee Caveney and seconded by Trustee Ivan.

**Discussion:** There was no further discussion.

**Roll Call:** Ayes: Trustees Caveney and Ivan. Nays: Trustee Crowley, Gillis and Kreis Motion failed.

- There is an issue with Midlothian Cars zoning and is an issue that was created by our current Zoning Ordinance, which does not allow auto repairs and sales in the B-2 Zoning District. However, the previous Board granted a variance to Cars 147, but the Board did not have the legal authority since the zoning in 2008 was very clear and did not offer a variance or special use in B-2. Midlothian Cars owner wants to sell his business. It has been a car lot for more than 32 years and she wants to do the same for this business that the prior Board did for Cars 147. She believed we should move forward to allow the business to remain. We are not allowed to do spot zoning either. They generate a significant amount of sales tax for the Village. She is recommending to the Board that we change the zoning for B-2 to allow auto sales. Attorney Valadez noted that to grant a variance where there is no provisions for property uses and are in direct opposition to the zoning, the next Board will have problems. The problem is that the current property is a prohibited use in the district and the solution is to make an allowable use. Trustee Caveney is recommending that we change the chart in the zoning so that the two businesses are allowed in B-2 but require a Special Use and not a Variance. Superintendent Weinert noted that the Midlothian Cars' property owner is Mrs. Donato and they are selling the property to the current owner of the car dealership is Sam Younis. He will be buying the property and another family member, Mohamed Halal, will buy the car sales portion. Mohamed will be the car dealer and Sam will be the landlord. Attorney Valadez will prepare an Ordinance will be prepared. This will go forward at the next Board Meeting.
- The Building Department is purchasing an F-150 truck. Our Building Inspector had been driving a vehicle that had been used by Public Works previously, but he got sick twice from carbon monoxide

poisoning. The transmission is also bad and would cost \$2,000 to get it fixed. She is recommending the purchase of the F-150 truck from Currie Motors for a cost of \$28,465. Superintendent Weinert also presented the quote to Bill Kay for their cost. The funds will be taken from forfeited construction bonds. Decals and yellow mars lights will also be placed on the truck but were not included in the cost presented. This will go forward for approval at the next Board Meeting.

- She received a quote from Civic Gov Software and implementation costs for \$17,675. She explained that this is cloud based software and will not take up any space on our servers. The yearly subscription fee will be \$3,850. Superintendent Weinert noted explained that the cost includes migration and data entry they would complete of our current records. This amount has been budgeted. He further noted that it takes 3-6 months and they will enter all our forms, provide training, will install GIS and is cloud based. The Fire Department can add on their inspections or Public Works could use the program for their services. They allowed both Building Department Clerks to sign on as inspectors to get familiar with the software. They both were able to navigate the system and learned to enter information and complete permits on their own. We will also receive 20 hours additional training. This will go forward at the next meeting.
- The Midlothian Chamber of Commerce June Lunch Meeting will be at the Rain Ready Garden on June 13<sup>th</sup>. If it rains, the backup location will be in the Council Chambers.

## **POLICE DEPARTMENT**

**Trustee Crowley** reported on the following:

- She spoke with Proven and they will provide a phone conference with AT&T to have an answer on where the fiber has to go.
- The Community Policing Committee's Golf Outing is on May 11<sup>th</sup>. There are 40 golfers currently. They are still accepting hole sponsors or provide baskets or contributions.
- May 8<sup>th</sup> is Police Officer Memorial Week and the Community Policing Committee has forwarded a Proclamation for Mayor L'Heureux to read at the May 8<sup>th</sup> Board Meeting. The Community Policing Committee will also sponsor a lunch for the Police Department that week for the officers and staff.
- She has a grant opportunity. The Police Department is looking at different camera systems for Eye in the Sky, which is a grant that became available and allowed us to apply to receive funding.
- The Tax Seminar will be held on June 10<sup>th</sup> at 7:00 p.m. in the Council Chambers. She noted that June 7<sup>th</sup> is the start of our appeal in Bremen Township. On June 10<sup>th</sup>, a representative from the Assessor's Office, Dan Patlak's Office and Treasurer Britton will provide a presentation on how our taxes are calculated, how to file appeals and what to expect.
- Cop on Top will be on Friday, May 15<sup>th</sup>.

## **LEGAL BUSINESS**

**Attorney Valadez** reported on the following:

- He provided a brief synopsis of the Public Morals and our very outdated Village Code. There was an Ordinance within the public morals of the Village Code 6-8-32 under misdemeanors in which transvestite behavior was prohibited. This is the result of the public morals provision of our Village Code being so old that it proceeded numerous legislative actions and court cases which made the provisions unenforceable. The passing of this Ordinance does not make the provisions any less legal or more legal, but simply takes something out that is inapplicable and archaic. No one has been

written up in Midlothian for decades for wearing men's clothes or men wearing women's clothes. He then provided all changes made.

Motion to approve Ordinance #2025 Amending Title 6, Chapter 8, Section 6-8-32 of the Village of Midlothian Municipal Code Pertaining to Public Morals was made by Trustee Crowley and seconded by Trustee Caveney.

**Discussion:** There was no further discussion.

**Roll Call:** Ayes: Trustees Crowley, Caveney, Gillis, Ivan and Kreis. Nays: There were none. Motion carried.

## **PRESIDENT'S BUSINESS**

**Mayor L'Heureux** reported on the following:

- He spoke with Commissioner Miller regarding the Resolution supporting the Class 8. She noted that this will be considered since the property was no longer vacant. She believed that the County Board and Economic Development Group will review the Class 8.

Motion to approve Resolution #19-0501-A to Support and Consent to an Application to the Cook County Assessors for a Class 8 Certification Pursuant to the Cook County Real Property Assessment Classification Ordinance for the Property Located at 14801 Cicero Avenue, Midlothian, Illinois (La Michoacana Azteca) was made by Trustee Gillis and seconded by Trustee Ivan.

**Discussion:** Trustee Caveney advised that she is in full favor of the Class 8 but will need to abstain due to her relationship with the broker who represented the current owner of the building. Trustee Kreis wanted to make sure that we are not putting ourselves in any type of risk since it does not comply with the Class 8 requirements of the County. Attorney Valadez noted that the Ordinance is drafted so the Village is up front on the facts and what is recommended. We are not hiding anything. The Village will need a form for class incentives that the Village can give to potential developers or property owners so that they can complete them and then make a determination for eligibility. There was no further discussion.

**Roll Call:** Ayes: Trustees Gillis, Ivan, Crowley and Kreis. Nays: There were none. Abstain: Trustee Caveney. Motion carried.

- He spoke with Commissioner Miller last night and was informed that Cook County passed an Ordinance that removes the vacant property tax break. They discovered that owners of vacant properties continue to sit on vacant properties since they receive a large tax break for being a vacant property. The County will remove the tax break and owners will pay a higher property tax on vacant properties.
- Trustee Crowley noted that there was an Ordinance passed regarding discrimination against someone with criminal records. The Ordinance was presented to our Village Attorney and our expert with the Illinois Crime Free Housing, but they do not believe the Ordinance will affect our Crime Free Housing.
- He provided the Intergovernmental Agreement with Bremen Township and Crestwood for the Tributary C Flood Mitigation Project and the Plan. This will go forward at a future meeting for approval.
- We received an entire pallet of EQ Compost, which is locally produced and sustainable. The Metropolitan Water Reclamation District of Greater Chicago now offers high quality compost for no charge to residents, non-profit organizations and governmental agencies within Cook County. The

compost includes bio-solids, wood chips, grass clippings and leaves and is a superior alternative to other soil amendments.

### **CLERK'S BUSINESS**

**Clerk Moskal** reported on the following:

- The Committee Meeting Minutes and Board Meeting Minutes will be on the Agenda for approval at the next Board Meeting. There may be a third set of Minutes and will be forwarded for review soon.
- Saturday, May 4<sup>th</sup> is the Village Wide Garage Sales from 8:00 a.m. to 5:00 p.m.
- Clerk Moskal will be swearing in our Trustee at the next Board Meeting.

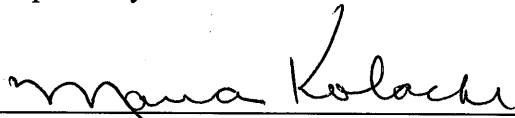
### **CLOSE OF BUSINESS**


There being no further business, Mayor L'Heureux asked for a motion to adjourn the Board Meeting. Motion made by Trustee Kreis and seconded by Trustee Caveney. Voice Vote: Ayes: Trustees Kreis, Caveney, Crowley, Gillis, Ivan and Kreis. Nays: None. Motion carried. The Board Meeting adjourned 9:04 p.m.

**Roll Call:** Ayes: Trustees Crowley, Kreis, Caveney, Gillis, Ivan, and Killelea. Nays: None. Motion carried.

Jerry Gillis, Sr. wanted to thank Mayor L'Heureux and the Board for presenting him with a tree in his parkway on Arbor Day. It meant so much to him and there is a lot of sentimental value to this tree. He is hoping that the tradition can be done in the future. He thanked the entire Board again and all those that presented the tree to him.

Respectfully submitted:

  
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Maria Kolacki, Deputy Clerk

  
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Allen Moskal, Village Clerk