

**MINUTES OF A COMMITTEE OF THE WHOLE MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF HARWOOD HEIGHTS
HELD ON MONDAY, JULY 8, 2019**

A. CALL TO ORDER at 7:00pm by Mayor Arlene Jezierny

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL –

Mayor	Arlene C. Jezierny
Clerk	Marcia L. Pollowy
Trustees	Annette Brzezniak-Volpe Anna Brzozowski-Wegrecki Zbigniew Lewandowski Therese Schuepfer Lawrence Steiner (Arrived 7:08pm.) Giuseppe Zerillo
Attorney	Mark Heinle

Also present: Chief Frank Biagi
Deputy Chief John DeVries
Treasurer Joe Russo
PW Foreman/Project Director George Assimakopoulos
Economic Development Coordinator Wayne Pesek

D. AGENDA ITEMS

Approval of Committee of the Whole Minutes: June 6, 2019

Motion by Trustee Schuepfer, seconded by Trustee Brzezniak-Volpe:

- Approval of Committee of the Whole Minutes for the meeting held on June 6, 2019.

On a voice vote, all in favor (Trustee Steiner –Absent), the motion carried and the minutes of June 6, 2019 Committee of the Whole meeting were approved.

Class C – 5148 N. Harlem Avenue

- Attorney Michael Elliott representing the owners of the Mobile Gas Station located at 5148 N. Harlem Avenue made his presentation to the board regarding the owners request for a Class C tax assessment classification incentive. He explained in detail how the tax incentive would affect the village and all the other taxing bodies.
- The property located at 5148 N. Harlem had a gas leak problem which required remediation work and a cleanup cost which prevented the sale of gasoline for about 4 months and a cost to the owner of about \$540,000.00 of which they already paid out \$419,767.00. Once the contamination is remediated and remediation is approved by the State of Illinois, a “No Further Remediation” letter should be issued by the State of Illinois and Applicant intends to file a Class C application with the Cook County Assessor’s office. Attorney Elliott reviewed the qualifications to obtain the Class C tax incentive. The owner of the station, Victor Solace stated that he decided to replace all the tanks prior to the state’s 2028 mandate, which he didn’t have to do, at this time since the remediation work was being done.
- A lengthy discussion ensued with the board concerned about the tax increase to the residents if the Class C would be granted due to many of residents are elderly seniors on fixed incomes. The board is also concerned on other tax increases from the other taxing bodies especially the school districts. Mayor Jezierny suggested they contact the corporate offices of Exxon Mobile or the state federal/local representatives for assistance.
- A Resolution will be prepared for a decision by the board either way at the July 11th or July 25th board meeting.

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Carson's Ribs

- Dean & Chris Carson along with their architect Steven Kolber presented their plans for the redevelopment of a new Carson's Ribs Restaurant on the original property site owned by the Carson Family. The Village of Harwood Heights Plan Commission approved the plan unanimously at the June 28, 2019 Plan Commission Hearing for the development and made their recommendation to the board who will be voting on the Development Plans at Thursday's, July 11, 2019 Board meeting.
- Architect Steven Kolber reviewed the development project in detail with site plan illustrations of the new design for the restaurant and the parking lot.
- A lengthy discussion ensued; the Carson's are requesting that Carmen Avenue be made two-way to the west-end of their property line, that the village do the paving of the 6-7 diagonal parking spaces on the south-side of Carmen and Carson's agreement to put in and pay for the sidewalk along their property. The Village Board is excited that Carson's decided to come back to the village with their new development plans.
- A Resolution will be prepared for the Development Agreement between the village and the Carson's on the items discussed and agreed upon above. The Ordinance granting the Planned Unit Development and the Resolution for the Development Agreement will be placed on Thursday's, July 11, 2019 Consent Agenda for board approval.

Protective Vinyl Covering & Equipment – Rec Center

- Mayor Jezierny stated that to make the best use out of the Rec Center the village is proposing to purchase a protective covering for the gym floor so other events can be held in gym portion of the Rec Center.
- The estimated cost is about \$8,500 which includes the floor covering, the special roller for storage and other items needed to secure the floor cover when in use.
- After a brief discussion and selection of floor cover material & color, a motion will be placed on the July 11, 2019 Consent Agenda for board approval.

Concrete for Salt Dome

- Public Works Foreman/Project Manager stated to the board that rather than putting down asphalt under the proposed salt dome, he is recommending a concrete pad at an estimated cost of about \$5,600.00.
- After a brief discussion a motion will be placed on the July 11, 2019 Consent Agenda for board approval for the estimated cost of the concrete pad.

Ordinance for Comcast Franchise

- Attorney Mark Heinle stated Attorney Adam Simon reviewed the agreement and sent it back to Comcast for their review, comments and acceptance.
- The Comcast Ordinance is not ready for passage at this time. Once the Franchise Agreement has been accepted by Comcast it will come before the board for final approval. The board will receive a red-line version showing the changes to the original expiring agreement and a cover memo from Attorney Simon explaining the changes.
- Attorney Heinle also indicated that the board will have to adopt either prior to or simultaneously with the cable franchise agreement update the village's current outdated set of cable customer standards. In 2007 the state issued a new set of uniform rules and regulations that govern cable & video customer service standards. By the village adopting these new standards it gives the village additional powers to enforce it, to demand customer refunds or credits on bills, things that the village currently cannot do.
- A copy of the proposed ordinance for the Cable & Video Customer Protection Law was given to the board for their review. After a brief discussion a consensus of the board was to change the penalty language for items D & E from Director of Public Works to the Village President.
- The revised ordinance to adopt the Cable & Video Customer Protection Law will be on the July 11, 2019 Consent Agenda for the board's approval.

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- Attorney Heinle did a quick review of the Verizon Master Pole Attachment Agreement provided to the board in their COW agenda packet. After a brief discussion Trustee Schuepfer recommended that item (b) under "Requirements" should reflect a "minimum of (12) feet" not the (8) feet currently stated in the proposed agreement. Attorney Simon will provide the board with an explanatory memo and a copy of the ordinance/agreement with the suggested change.
- The ordinance will not appear on the July 11, 2019 Consent Agenda.

Oconto - 4900 Block – Residential Petition for Parking

- Trustee Lewandowski presented a "petition" from the residents on the 4900 block of Oconto regarding the overnight parking situation due to the apartment building tenants parking on Oconto requesting that the 4900 block of Oconto be designated as "No Overnight" parking.
- Trustee Schuepfer stated that we do not have an ordinances that restricts "overnight parking." The only restrictions in our ordinances is streets designated as "Resident Only" parking.
- A lengthy discussion ensued on possible solutions to this problem: ie: parking on one-side of the street only, alternate eastside/westside parking.
- Trustee Lewandowski will meet with the residents as to the 6-month temporary solution of alternate parking eastside/westside. If the resident agree, a motion to approve a resolution will be placed on the Consent Agenda for board approval.

Pitney Bowes Postage Machines

- Mayor Jezierny stated that we have 2 Pitney Bowes Postage machines in the Village Hall and the contracts are coming up in the next month. In order to save money we will renewal only one contract and cancel the second machine. The postage machine in the Police Department is the one that will be cancelled; they don't do much mailing so they can come to the village office to apply postage to their outgoing mail. The village would be saving about \$2,000 a year by cancelling the one postage machine.
- The motion to approve one renewal and one cancellation will be on the July 11, 2019 Consent Agenda for board approval.

Marijuana Cannabis Dispensary

- Effective January 1, 2020 the Cannabis Regulation & Tax Act will go into effect per the State of Illinois Legislators passage last month and the Governor signing it into law.
- Attorney Heinle provided the board with a broad overview of the Act stating the board will have to make a number of decisions regarding local control by allowing cultivation centers/dispensaries/selling of cannabis in the village.
- Also discussed was who can possess cannabis, how much, where it can be smoked, where dispensaries can/cannot be located, etc.
- This subject will continue to be discussed at the next Committee of the Whole in August. Board will have to make decisions in the near future as to whether or not we want to allow cultivation centers/dispensaries/selling of cannabis.

Police Testing Credits

- The Mayor stated that the Police & Fire Board is working on testing for a new eligibility police officers list. The Police Department currently applies Military Points to the testing results and would like to consider points/hours for auxiliary officers who are testing as full-time police officers.
- A short discussion ensued regarding that auxiliaries are already familiar with the Police Department operations and have been assigned to various tasks within Police Departments whether it's our own auxiliaries or from other Police Departments who are applying for testing.
- It was suggested that a questionnaire form be created to be completed by the auxiliaries' supervisor to determine the number of credits (1 – 3) to be applied to their testing results.

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PUBLIC COMMENT

None

EXECUTIVE SESSION

Motion by Trustee Brzozowski-Wegrecki, seconded by Trustee Zerillo to enter into Closed Executive Session at 9:47pm; on a roll call vote, all in favor.

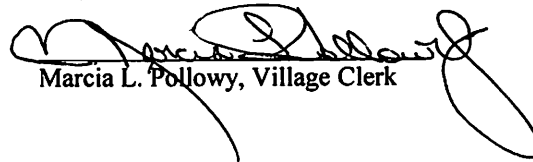
Motion to enter into Executive Session: pursuant to (5 ILCS 120/2) Sec.2. Open meetings © Exceptions. A public body may hold closed meetings to consider the following subjects: (1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity. (11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the findings shall be recorded and entered into the minutes of the closed meeting.

Motion by Trustee Brzezniak-Volpe, seconded by Trustee Brzozowski-Wegrecki to Reconvene Open Session at 10:08pm; on a voice vote, all in favor.

ADJOURNMENT

Motion by Trustee Brzezniak-Volpe, seconded by Trustee Brzozowski-Wegrecki to adjourn. On a voice vote, all present being in favor, the motion carried and the Committee of the Whole Meeting of the Board of Trustees of the Village of Harwood Heights was adjourned by Mayor Arlene Jezierny on Monday, July 8, 2019 at 10:09pm.

Respectfully submitted,


Marcia L. Pollowy, Village Clerk