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

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL –

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<thead>
<tr>
<th>Role</th>
<th>Name</th>
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<tr>
<td>Mayor</td>
<td>Arlene C. Jezierny</td>
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<tr>
<td>Clerk</td>
<td>Marcia L. Pollowy</td>
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<td>Trustees</td>
<td>Annette Brzezniak-Volpe (Electronic Attendance)</td>
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<td></td>
<td>Anna Brzozowski-Wegrecki</td>
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<td></td>
<td>Zbigniew Lewandowski</td>
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<td>Therese Schuepfer</td>
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<td>Lawrence Steiner</td>
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<td>Giuseppe Zerillo</td>
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After Roll Call a motion by Trustee Steiner, seconded by Trustee Zerillo to allow Trustee Brzezniak-Volpe to attend the meeting by Electronic Attendance at 7:02pm.

Also present: Chief John DeVries
Treasurer Joe Russo
Accountant Mary Ventrella

D. AGENDA ITEMS

Approval of Committee of the Whole Minutes: October 3, 2019

Motion by Trustee Brzozowski-Wegrecki, seconded by Trustee Schuepfer:

- Approval of Committee of the Whole Minutes for the meeting held on October 3, 2019.

On a voice vote, all in favor, the motion carried and the minutes of October 3, 2019 Committee of the Whole meeting were approved.

Employee Health Insurance

- Mr. Steve Curry the village Insurance Broker from NFP provided the board with the insurance rates for the employee health insurance plans from our current carrier Blue Cross/Blue Shield in addition to rates from United Healthcare and explained the differences in coverage if the village wished to go to another carrier.
- After a brief discuss the consensus of the board was to stay with the revised Blue Cross/Blue Shield plan that has no change in benefits that are in the current plan.
- Mr. Curry explained the options for dental and vision coverage referring to the comparison sheets he provided to the board. Each of the options will be referred to the union members to decide which plans they would accept.
- The motions to approve the various insurance plans will be placed on the November 14, 2019 Consent Agenda for board approval.

Request – Orange Theory Fitness

- Attorney Rob Bush stated that Orange Theory would like to locate in the Holiday Plaza strip mall. Attorney Bush indicated that the Illinois Supreme Court has made a determination that no village/town/city cannot impose a special tax or impact fees on health/fitness clubs membership fees.
- After a brief discussion, the board’s consensus was to allow the fitness center to rent space in the Holiday Plaza mall. Orange Theory will be notified and will submit their plans and application for a business license.
MINUTES OF A COMMITTEE OF THE WHOLE MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF HARWOOD HEIGHTS
HELD ON THURSDAY, NOVEMBER 7, 2019

Green Alley – New England/Newcastle – 4700 block

- Mayor Jezierny stated that the village received grant money for “green alley” reconstruction and we already did a green alley on the westside and eastside. Due to constant flooding, the New England/Newcastle – 4700 block was chosen for “green Alley” reconstruction.
- Public Works Foreman George Assimakopoulos will submit resolutions for approval on the November 14, 2019 Consent Agenda for MFT funding for construction and engineering for the proposed “green alley.”

Moratorium on Gas Stations

- The village currently, within one square mile, has 3 operating gas stations, with a 4th gas station/car wash site to open next year. With the exit of PDQ from the development of the old “Old Warsaw” property there is talk/rumors that a possible 5th gas station developer may be interested in that property.
- As a zoning measure, a moratorium on Gas Stations would need to go before the Plan Commission for a public hearing before it would be enacted. The Mayor wants a one-year moratorium while the Village studies the best method of addressing gas station uses in its zoning code.
- The Plan Commission will schedule a public hearing on Wednesday, December 18, 2019 and they will then present their finding of facts and recommendations to the Village Board for the board’s approval for a temporary moratorium on gas stations.

Vaping Ordinance

- In Attorney Mark Heinle’s memo to the board he stated that he is “preparing a measure to ban vaping in public spaces (treating it the same as smoking). The Village may wish to additionally discuss attempting to ban flavored vape juices. He state a few communities nationally have instituted such a ban, with San Francisco taking the lead over the summer. This type of measure is being considered by the State legislature and is sitting in committee in Chicago. Given the might of the industry, it may be wise to let the State take the lead rather than potentially invite challenge or create difficult enforcement issues for the Village. A more manageable alternative might be to limit the sale of such items within a certain distance of sensitive locations, such as schools. This more limited approach is less likely to run into constitutional challenges for interfering with interstate commerce.”
- A copy of a proposed Ordinance prepared by Attorney Heinle was distributed to the board with Attorney Bush noting some of the suggested changes regarding regulating vaping.
- The Ordinance will be placed on the November 14, 2019 Consent Agenda for board approval.

Cannabis Ordinance – Conditional Use

- Attorney Rob Bush stated that Attorney Mark Heinle is preparing a basic cannabis ordinance to initiate discussion amongst the elected officials. The ordinance will provide for dispensaries as a “conditional use” in the village’s commercial and industrial districts, but only allowing a maximum of one. The other types of cannabis-related businesses will not be allowed in the Village. Again, this is just to prompt the discussion. Something needs to go to the Plan Commission for a public hearing and make its way back to the Village Board for a vote by the end of the year. A copy of the proposed ordinance was sent to the board for their review.
- A discussion ensued as to what’s happening through the state’s legislation of cannabis and the effects on the communities who approve dispensaries. After the brief discussion the consensus of the board was to not make a decision at this time until further legislation/directives are approved by the state.
- Attorney Heinle will brief Plan Commission Chairman Chris White with a copy of the proposed ordinance for this topic’s inclusion in the public hearing being scheduled on December 18, 2019 along with the moratorium on gas stations.
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Opioid Lawsuit

- Attorney Rob Bush provided the board with a memo from Attorney Mark Heinle regarding his conversation with the Edelson’s Attorney regarding the current status on the opioid lawsuit of which the village is part of and if the village should or should not opt-out of the federal negotiation class.
- Attorney Bush advised the board that the village should stay in the lawsuit, so no action needs to be done at this time and the Edelson Attorney will keep our attorneys abreast of any further updates.

ComEd

- Attorney Rob Bush provided the board with a memo from Attorney Mark Heinle regarding a probable settlement from ComEd for the recovery of lost utility taxes as discovered by Azavar who performed an audit and found missing tax revenue on residential properties not coded correctly on ComEd’s system.
- Attorney Heinle’s memo indicated that the village’s portion could be anywhere between $4,000 to $5,000 in back taxes. He will continue to keep the board updated as to the progress of the settlement.

Census

- Clerk Pollowy stated she attended a seminar sponsored by Senator Dick Durban and Chuy Garcia this past Monday regarding the 2020 Census Campaign and the importance for all citizen’s to complete the census questionnaire, by mail, online or by phone. The census count directly impacts the funding the cities/towns/villages will receive over the next decade. The census provides the most reliable and complete data for research, decision making and planning for both public and private sectors.
- Starting with the mailing of the December’s “Mayor Message” through her March 2020 mailing, Census information will be included to prepare village residents as to the importance of completing the census questionnaire.
- The Eisenhower Library will also be helping residents to file their questionnaires by having computers available to file online.

Other Items

- Mayor Jezierny stated that the Zoning Board had a hearing this past Monday for a proposed 3-flat for the empty property at 6400 Gunnison across from Fuller Car Wash. The meeting will be continued on Monday, December 2, 2019.

Trustee Comments

None

PUBLIC COMMENT

Bill Heinzinger: As a member of the Zoning Board they are awaiting additional information on the proposed 3-flat on Gunnison at the continued hearing on December 2, 2019.

EXECUTIVE SESSION

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:
ADJOURNMENT

Motion by Trustee Steiner, 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 Thursday, November 7, 2019 at 8:03pm.

Respectfully submitted,

Marcia L. Pollowy, Village Clerk