



JULY 19, 2022

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
PALOS HEIGHTS, ILLINOIS**

I. CALL TO ORDER

The Mayor called to order the regular meeting of the City of Palos Heights City Council at 7:00 p.m. in the City Administrative Center, 7607 W. College Drive, Palos Heights, IL

II. INVOCATION & PLEDGE OF ALLEGIANCE

The Mayor led the invocation and Pledge of Allegiance.

III. ROLL CALL

Roll call indicated the following were present:

<i>Mayor</i>	Robert Straz	<i>Ward 1</i>	Donald Bylut & Jeffrey Key
<i>City Clerk</i>	Thomas Kantas	<i>Ward 2</i>	Jack Clifford & Robert Basso
<i>City Treasurer</i>	James Daemicke	<i>Ward 3</i>	Heather Begley & Brent Lewandowski
<i>City Attorney</i>	Tom Brown	<i>Ward 4</i>	Jerry McGovern & Michael McGrogan

V. SPECIAL PRESENTATIONS

None

VI. CONSENT AGENDA

- A. Approval of Minutes: City Council Meeting – July 5, 2022
- B. Approval of Payroll and Voucher List for the period ending July 15, 2022.

Alderman Clifford moved to approve the consent agenda seconded by

Alderman Bylut.

On roll call, the motion to approve the Consent Agenda was:

Ayes: (8) Begley, Basso, Bylut, Clifford, Key, Lewandowski
McGovern, McGrogan

Nays: (0) None

With eight (8) affirmative votes the motion carried.

VII. OPENING OF SEALED BIDS

2022 Sewer Rehabilitation Program

Visu-Sewer of Illinois	\$551,900.00
Insituform	\$564,170.00
Hoerr Construction	\$538,695.00
National Power Rodding	\$473,370.55

All bidders included bid bonds

Alderman Bylut moved to refer the matter for consideration to the Water and Sewer Committee seconded by Alderman Clifford. The motion carried by unanimous voice vote.

VII. REPORTS OF CITY OFFICIALS

- A. Mayor: The Mayor reported that the annual Classic Car Show will take place this Thursday from 5 to 9 PM on Harlem Avenue.
- B. Clerk: No Report
- C. Treasurer: Delivered Treasurer's Report for the period ending June 30, 2022.

General Fund:

Beginning cash balance \$6,205,382
Revenues \$941,879
Expenses \$1,393,937
Other \$8,127
Ending cash balance \$5,745,215

Total of All Funds:

Beginning cash balance \$24,443,665
Revenues \$1,765,863
Expenses \$2,998,719

Other \$225,955
Ending cash balance \$23,436,764

Alderman Bylut moved to approve the Treasurer's Report seconded by Alderman McGovern. The motion carried by unanimous voice vote.

D. City Attorney: No Report

VIII. COMMUNICATIONS

None

IX. CITIZENS ADDRESSING THE CITY COUNCIL

- Linda Nowak 12013 70th Court discussed the fact her neighbor's home and property is in a state of disrepair requiring the City to cut the grass but that the property still has considerable defects and overgrowth that detracts from the overall property value of her and her neighbors. The property has been the subject of prior foreclosure lawsuits and is subject to infestation and other problems which are unsightly. The property owner has shown no effort to correct the state of disrepair and Ms. Nowak is asking the City to intervene to address the considerable problems taking place on the property. Alderman Clifford stated that the City has initiated violation proceedings against the property and will advise the neighbors of any developments with respect to the citations. The Mayor stated that to the extent the City can assist with the property it will do so.
- Harlan Weivoda addressed the ongoing situation with his neighbor's property causing water to collect on his property. He presented prior emails to the City regarding the problem. Mr. Weivoda stated that the grading of the property has caused the water to be diverted onto his property. He stated that the final grade inspection did not address this issue properly.

X. REPORTS OF STANDING COMMITTEES

A. Finance—*Chairperson Alderman McGrogan:*

- Alderman McGrogan moved to approve extension of American Tower for six (6) additional five (5) year terms at the current rent of \$50,000.00 per year with escalator and revenue share to remain the same at 5% per year seconded by Alderman Bylut

On roll call, the motion to approve the contract was:

Ayes: (8) Begley, Basso, Bylut, Clifford, Key, Lewandowski
McGovern, McGrogan

Nays: (0) None

With eight (8) affirmative votes the motion carried.

- Alderman McGrogan moved to approve an Ordinance adopting the “Budget System” seconded by Alderman Key. The system represents a more efficient way to handle budgeting.

On roll call, the motion to approve the ordinance was:

Ayes: (8) Begley, Basso, Bylut, Clifford, Key, Lewandowski
McGovern, McGrogan

Nays: (0) None

With eight (8) affirmative votes the motion carried.

- B. Public Safety—*Chairperson Alderman Basso*: Reported on phone call requests for contribution to police charitable organization and reiterated that Palos Heights does not solicit funds by phone and would urge residents to use caution when taking these calls.
- C. Municipal Grounds and Property—*Chairperson Alderman Begley*: No Report
- D. Planning and Zoning—*Chairperson Alderman McGovern*: No Report
- E. Recreation—*Chairperson Alderman Key*:
 - Alderman Key moved to approve 3rd payment to George’s Landscape in the amount of \$30,932.31 for work completed on the Misty Meadows Park Project seconded by Alderman Bylut.

On roll call, the motion to approve the payment was:

Ayes: (8) Begley, Basso, Bylut, Clifford, Key, Lewandowski
McGovern, McGrogan

Nays: (0) None

With eight (8) affirmative votes the motion carried.

- Alderman Key moved to approve the agreement addendum between the Parks and Recreation Department and Experimental Station for participation in the Link Up Illinois Link Match Grant Program seconded by Alderman Bylut.

On roll call, the motion to approve the agreement was:

Ayes: (8) Begley, Basso, Bylut, Clifford, Key, Lewandowski
McGovern, McGrogan

Nays: (0) None

With eight (8) affirmative votes the motion carried.

- Reported that the last Movie in the Park will take place on July 28th and on August 4th will be the last Concert in the Park and expects a very large crowd and thanked CNB Bank for their sponsorship of these events.

F. Roads and Construction - Chairperson Alderman Clifford:

- Reported on the 2022 MFT update as follows: requested approval from Lindahl Brothers in the amount of \$116,274 for construction work which had been delayed due to a strike. Currently Lindahl brothers was able to perform some construction before the strike and moved to approve partial payment to Lindahl Brothers, Inc. for the 2022 Roads Program in the amount of \$116,274.01 seconded by Alderman Lewandowski.

On roll call, the motion to approve the payment was:

Ayes: (8) Begley, Basso, Bylut, Clifford, Key, Lewandowski
McGovern, McGrogan

Nays: (0) None

With eight (8) affirmative votes the motion carried.

- Alderman Clifford updated progress on Ridgeland Avenue which has been ongoing despite the strike as well as ongoing construction road work in the City.
- Alderman Clifford moved to approve Resolution for funding of the City's portion of the 76th Ave resurfacing project up to 20% seconded by Alderman Lewandowski.

On roll call, the motion to approve the Resolution was:

Ayes: (8) Begley, Basso, Bylut, Clifford, Key, Lewandowski
McGovern, McGrogan

Nays: (0) None

With eight (8) affirmative votes the motion carried.

- Alderman Clifford moved to approve payment to Seeco Consultants for the CMP Culvert Replacement at 123rd Street & Navajo Creek in the amount of \$6,741.00 seconded by Alderman Lewandowski.

On roll call, the motion to approve the payment was:

Ayes: (8) Begley, Basso, Bylut, Clifford, Key, Lewandowski
McGovern, McGrogan

Nays: (0) None

With eight (8) affirmative votes the motion carried.

- Alderman Clifford moved to approve payment to Morris Engineering for engineering services in the amount of \$14,433.75 seconded by Alderman Lewandowski.

On roll call, the motion to approve the payment was:

Ayes: (8) Begley, Basso, Bylut, Clifford, Key, Lewandowski
McGovern, McGrogan

Nays: (0) None

With eight (8) affirmative votes the motion carried.

G. License, Permits & Franchises: Chairperson Alderman Lewandowski:

- Alderman Lewandowski moved to approve Mid Villa Pizza to obtain an Outdoor Sales of Merchandise in B District Permit contingent on providing a hold harmless agreement with a specific due date to be determined by the Building Commissioner seconded by Alderman McGrogan.

Alderman Lewandowski stated that the Building Inspector had issued a letter to Mid Villa giving them an August 1st deadline to obtain the hold harmless agreement.

Alderman Basso opposes the motion stating that the structure is already up without the necessary approval and that the structure sits in the parking lot which

already has restricted parking designated for the other tenants and there is heavy traffic at the location. Seating areas on the parking lot already restricts existing parking availability, aesthetically is not pleasing and is dangerous. A hold harmless agreement is insufficient.

Alderman Key stated that during covid the tents were allowed to alleviate hardship but that it is no longer necessary at this time.

Alderman Bylut stated that other businesses such as a bakery would serve customers in the parking lot if permitted and that the request should not be allowed.

Alderman McGovern stated that the traffic flow in the parking lot creates a dangerous condition and should be disallowed.

Alderman McGrogan stated that the structure was built during covid and taken down during inclement weather. Mid Villa then contacted the building department to determine how the structure could be built in compliance. The structure must be taken down in September and would be subject to more stringent requirements should they wish to build this structure in the future. The rationale was that it would be a temporary structure and that the City should obtain a hold harmless agreement in the interim. The measures were taken to give Mid Villa a change to maintain the current structure until September only.

Alderman Begley stated that this measure was allowed during covid and that the existing structure is not setting a precedent. There is parking availability in the back of the business and that outdoor eating is a measure that residents would enjoy.

Alderman McGovern stated the structure is a public safety hazard.

Alderman Lewandowski stated that this is a byproduct of covid and the intent was to have the Building Department provide firm guidance moving forward.

Alderman Basso stated that whatever Ordinance applies should be carefully reviewed and updated where necessary. The ordinance at this time should be enforced as written and that the standards exist for all businesses and should be enforced evenly.

Alderman Lewandowski stated that the structure does fit within the scope of the

ordinance and that the only subjectivity with respect to the request is the “decorative” nature of the structure. The construction prior to approval however was not permitted.

Alderman McGrogan stated that the structure is within the code except for the decorative provision. From a practical standpoint the intent was to ensure the structure was consistent with the ordinance and that there was a hold harmless in place.

Alderman Clifford stated that the location of the structure is not safe given the existing layout of the parking lot. The structure should not be temporary and that it exists in a dangerous area.

On roll call, the motion to approve the permit was:

Ayes: (3) Begley, Lewandowski, McGrogan

Nays: (5) Basso, Clifford, Key, Bulut, McGovern

With 3 affirmative votes the motion failed.

H. Water and Sewer—*Chairperson Alderman Bylut:*

- Alderman Bylut moved to adopt an Ordinance amending section 50.06 charges seconded by Alderman Key.

On roll call, the motion to adopt the ordinance was:

Ayes: (8) Begley, Basso, Bylut, Clifford, Key, Lewandowski
McGovern, McGrogan

Nays: (0) None

With eight (8) affirmative votes the motion carried.

- Announced that next week’s committee meeting is canceled.

XI. REPORTS OF SPECIAL COMMITTEES

- A. Business/Economic Development: Alderman Key - Reported on the upcoming Classic Car Show and that there will be hundreds of cars and thousands of people which will be good for the business community and encouraged residents to attend.

B. Ad Hoc Cable TV: Alderman McGovern - No Report

XII. OLD BUSINESS

Alderman McGrogan stated that the MidVilla structure has been taken down.

Alderman Basso addressed Ms. Nowak's concern that and he has contacted code enforcement to address the issue and that the legal process regrettably moves slowly. The charges imposed by the City should be higher to cut the grass on these neglected properties. Alderman Clifford stated the fee for cutting is \$200 plus any charges to clean up the property but that the current state of disrepair is unacceptable and that there should be enhanced responsibility for residents and business owners alike for neglect to their properties.

XIII. NEW BUSINESS

None

XIV. CITIZENS ASKING QUESTIONS REGARDING THE EVENING'S BUSINESS

None

XV. ADJOURNMENT

At 7:55 p.m. the Mayor requested a motion to adjourn that passed unanimously.

Respectfully Submitted,

PALOS HEIGHTS CITY CLERK

Thomas Kantas

Date