



SEPTEMBER 20, 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> | Jeffrey Key & Donald Bylut |
| <i>City Clerk</i> | Thomas Kantas | <i>Ward 2</i> | Jack Clifford & Bob Basso |
| <i>City Treasurer</i> | James Daemicke | <i>Ward 3</i> | Brent Lewandowski & Heather Begley |
| <i>City Attorney</i> | Tom Brown | <i>Ward 4</i> | Jerry McGovern |

IV. SPECIAL PRESENTATIONS

V. CONSENT AGENDA

- A. Approval of Minutes: City Council Meeting – September 6, 2022
- B. Approval of Payroll and Voucher List for the period ending September 9, 2022.

Alderman McGovern moved to approve the consent agenda seconded by Alderman Bylut.

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

Ayes: (7) Basso, Bylut, Begley, Clifford, Key, Lewandowski
McGovern

Nays: (0) None

With seven (7) affirmative votes the motion carried.

VI. OPENING OF SEALED BIDS

None

VII. REPORTS OF CITY OFFICIALS

- A. Mayor: The Mayor reported on the recent Committee of the Whole meeting to discuss the census and ward redistricting noticeable in the Second Ward due to Trinity Students during covid.
- B. Clerk: No Report
- C. Treasurer: Delivered Treasurer’s Report for the period ending August 31, 2022.

General Fund:
Beginning cash balance \$5,464,084
Revenues \$830,030
Expenses \$871,215
Other \$6,162
Ending cash balance \$5,429,061

Total of All Funds:
Beginning cash balance \$23,020,876
Revenues \$1,666,187
Expenses \$1,503,625
Other \$19,163
Ending cash balance \$23,164,274

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

D. City Attorney: No Report

VIII. COMMUNICATIONS

None

IX. CITIZENS ADDRESSING THE CITY COUNCIL

- Bob Grossart 12904 Golfview discussed the proposed ordinance creating a public parking lot at 12303 S. 71st Court. Mr. Grossart presented on the business district's need for the parking lot. The 2019 Comprehensive Plan was enacted to address in part the need for additional parking lot. A professional planning firm was hired by the City to provide expert city planning advice. A number of public hearings provided the opportunity to discuss the parking lot and the action proposed at this meeting is consistent with the recommendations contained in the Comprehensive Plan. The debate over the parking lot should have been raised during the previous hearings. There is no alternative to the proposed parking lot. If the City Council has concerns about the plan there should be a viable alternative. The Franklins parking lot is a mirror image of the proposed parking lot under consideration and there has been no history of the concerns raised about the parking lot currently under consideration. That example at Franklins contains evidence that the location of the parking lot will not give rise to the concerns voiced in opposition to the proposal. The business district needs the additional parking and would encourage new businesses to locate to Palos Heights.
- Mark Ziolk 12252 Harold discussed the proposed parking lot and stated that the absence of the parking lot will hinder the business community. He operates a valet parking service to businesses in the district. He addressed the concern raised by residents who do not wish to live next to a parking lot. Mr. Ziolk stated that had he purchased a home near the business district he would welcome the parking lot as an enhancement to the overall area and would alleviate parking congestion thus providing a benefit to the immediate area. The lot is not only necessary but should be wanted by the City overall.
- Harlan Weivoda 7640 West 135th Street addressed the ongoing situation with his neighbor's property causing water to collect on his property. For nine years his yard has continued to flood because of planning approved by the City. He

presented documentation from Cook County to the City regarding the approval of the construction of the home at 7628 W. 135th Street. He stated that the home was approved to be two and a half feet higher than the existing grade. The County asked the City if the drainage would drain east. Morris Engineering would be equipped to answer that question. The County asked if the approval caused the drainage issue. The City responded that prior to the construction the empty lot was lower than the existing property causing no drainage issues. The County asked if the construction would cause drainage to the east. Newly created swales would collect the water. Mr. Weivoda stated that this is not true. The City stated that any new development would cause redirection of water. Mr. Weivoda stated that any new development should not have affected his property. Mr. Weivoda asked about the cost for garbage collection. He was directed to contact Republic who handles the billing and collection.

- Benjamin Sheffly West 123rd Place spoke in opposition to the proposed parking lot. He stated that the existing zoning codes and ordinances in place effectively regulate the operations of the City. The business district on Harlem currently has existing unused parking and that the loss of businesses are due to increased rent and that businesses can chose to stay or go based on the rent. Harlem has adequate parking and the businesses should rent, lease or buy the existing property without having the City purchase a home and rezone the space to create a parking lot. The business district and the residential area is currently properly demarcated and should remain in place. Residents who purchased adjacent to the business district had a right to expect that the area would not be rezoned to accommodate a parking lot in the residential area. A parking lot would increase noise complaints. The City should not be intervening in the affairs of private businesses. The precedent established by the parking lot would be detrimental to the residents.
- Joan Devito of 12232 S. 71st Avenue spoke in opposition to the parking lot stating that at the March 14, 2022 planning and zoning public hearing a committee member asked if a parking study was done concluding that the Municipal Parking lot provided sufficient parking. The area where the proposed parking lot would be created already contains multiple schools, churches and the library along with the businesses. The residential streets are already used to access these facilities creating heavy traffic during the day. Drivers using the residential streets exceed the speed despite the pedestrian traffic. Stop signs are regularly disregarded. The parking lot would increase traffic and create a dangerous condition for residents. The residents have the right to expect that the parking for the businesses would be confined to the business district and not the adjacent residential area. Ms. Devito delivered a letter from her husband stating that the parking lot will cause adjacent residents to lose home value.
- Dan Nickelson stated that the residents unanimously oppose the parking lot. He stated that Alderman Clifford contacted his work regarding his opposition to the parking lot. Alderman Clifford and Mr. Nickelson exchanged words regarding this issue. Mr. Nickelson stated that the City Council should stand up for residents who oppose the parking lot and not the business interests.

- Brian Grote 12231 S. 71st Court spoke in opposition to the parking lot. He stated that while he lives behind the Rooftop Tap he expected a certain degree of noise. He has lived with the noise and has not raised those concerns but that the parking lot is unnecessary because there is existing parking that is sufficient. The parking lot will create a harmful precedent to existing residents. The parking lot would discourage small businesses from remaining in the area due to larger developments moving into the area.
- Mike Coogan stated that he supports the parking lot and that he is a resident and business owner in Palos Heights. He welcomes the opportunity to further invest in Palos Heights and that the parking lot will incentivize positive future growth and development. The 2019 Comprehensive Plan addresses the issue of parking to encourage the acquisition of parking to accommodate parking demands. The Plan was thoroughly vetted and is accessible to the residents. Retaining and attracting new businesses is necessary for the future development of the City. The parking lot is well designed. The parking lot he participated in creating adjacent to Franklins has not given rise to any complaints and has been an asset to businesses west of Harlem. Mr. Coogan stated that the parking lot under consideration was thoughtfully undertaken and that the public debate over the issue has become corrosive and subject to unfounded charges of improper handling of the matter by the City. He urged the City Council to withstand these unfounded accusations and act in the best interest of the City.
- Caitlin Drottar 12302 S. 71st Avenue spoke in opposition to the parking lot. Ms. Drottar lives next to the proposed property and stated that the 2019 Comprehensive Plan merits reconsideration based on the pandemic and shifting demographics. New families moving into the area should be considered. The Comprehensive Plan states that businesses should encourage shared parking arrangements and that this option has not been taken into consideration. Property owners should rehabilitate existing spaces and that the Municipal Parking lot is underused and is sufficient to handle parking for the businesses. The Franklins lot is dedicated to Franklins and does not encourage patrons to visit other businesses. The proposed parking lot will benefit Capri and that the lot should not benefit one business. The concerns raised by the residents are legitimate and should be taken into consideration by the City Council.
- Mr. Ziolk readdressed the Council stating that he operates the valet parking company servicing Capri and Highlander. He stated that the use of shared parking is a logistical nightmare and that the existing spaces are privately owned. Conflicts over the use and timing of those spaces are almost impossible to manage.
- Alderman McGovern addressed the parking lot issue stating that recent social media comments referring to the Council as “arrogant slob” is not appropriate. He objected to comments made regarding his service during the Vietnam War. Alderman Clifford echoed Alderman McGovern’s sentiments noting Alderman

McGovern's record of distinguished service in Vietnam.

X. REPORTS OF STANDING COMMITTEES

A. Finance—*Chairperson Alderman McGrogan:*

- Alderman McGovern moved to approve fund balance transfer of \$2,543,881.00 to the Capital Improvement Fund and \$1,770,222.00 to the Water and Sewer Capital Fund seconded by Alderman Clifford.

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

Ayes: (7) Basso, Bylut, Begley, Clifford, Key, Lewandowski
McGovern

Nays: (0) None

With seven (7) affirmative votes the motion carried.

- Alderman McGrogan moved to approve the second amendment to site agreement No. 231 with American Tower to extend the current lease with a new lease expiration date of 8/31/2044 with an immediate land lease increase seconded by Alderman Clifford.

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

Ayes: (7) Basso, Bylut, Begley, Clifford, Key, Lewandowski
McGovern

Nays: (0) None

With seven (7) affirmative votes the motion carried.

- Alderman McGovern moved to approve the fourth amendment to lease agreement No. 1905 with AT&T to extend the current lease with a new lease expiration date of 4/30/2053 with an immediate rent increase seconded by Alderman Clifford.

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

Ayes: (7) Basso, Bylut, Begley, Clifford, Key, Lewandowski
McGovern

Nays: (0) None

With seven (7) affirmative votes the motion carried.

- Alderman McGovern moved to approve the memorandum of lease agreement No. 1905 with AT&T. 13. Motion to authorize the City Attorney to draft an intergovernmental agreement providing a loan of up to \$575,000 to the Palos Heights Public Library seconded by Alderman Clifford. The Mayor explained that because the second installment of the Cook County property taxes were distributed late, the Library does not have the ability to borrow funds until the tax revenues are collected.

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

Ayes: (7) Basso, Bylut, Begley, Clifford, Key, Lewandowski
 McGovern

Nays: (0) None

With seven (7) affirmative votes the motion carried.

- B. Public Safety—*Chairperson Alderman Basso: No Report*
- C. Municipal Grounds and Property—*Chairperson Alderman Begley: No Report*
- D. Planning and Zoning—*Chairperson Alderman McGovern:*

- Alderman McGovern moved to direct the City Attorney to draft an Ordinance approving a zoning change from R-1 Residential to B Business and granting a special use permit for purposes of constructing and operating a Special Use Municipal Parking Lot at 12303 S. 71st Court (PIN 24-30-301-001) seconded by Alderman Key. Alderman Key stated that this measure does not adopt the ordinance but would enable the Council to address any concerns by amendment at the next meeting before the final vote is recorded. Alderman Bylut stated that with respect to resident concerns that the parking lot will diminish adjacent property values, he recounted a recent conversation with a realtor in the area. Alderman Bylut stated that a parking lot, according to this realtor, is not a selling point. Alderman Bylut stated that upon his review of a map of the downtown district, the Municipal Parking lot is indicated as a special events / Farmers Market lot. Alderman Bylut stated that the Municipal Parking lot is still a parking lot located 100 yards from the proposed parking lot. While it may serve as a special events parking lot, it still serves its purpose and is rarely full. Alderman Bylut stated that the residents in the area do not want the parking lot and that the sentiment of those residents should be respected. The parking lot west of Harlem was well received by adjacent residents. The proposed lot is not well received and that should be respected by the City Council. Alderman Lewandowski stated that he believes that the City should focus on growth and that careful planned development conducted responsibly should be a priority for the future endeavors. Alderman Lewandowski stated that the proposed parking lot is the key to enhancing the overall strength of the business district and will attract new businesses

which will increase property values as a destination point.

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

Ayes: (5) Begley, Clifford, Key, Lewandowski
McGovern

Nays: (2) Bylut, Basso

With five (5) affirmative votes the motion carried.

E. Recreation—*Chairperson Alderman Key*:

- Alderman Key moved to approve payment to Hacienda Landscaping Inc. in the amount of \$19,461.00 for work completed at the Palos Pool seconded by Alderman Bylut.

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

Ayes: (7) Basso, Bylut, Begley, Clifford, Key, Lewandowski
McGovern

Nays: (0) None

With seven (7) affirmative votes the motion carried.

- Alderman Key moved to approve Resolution of Authorization for the OSLAD Grant Program seconded by Alderman Bylut.

On roll call, the motion to authorize the resolution was:

Ayes: (7) Basso, Bylut, Begley, Clifford, Key, Lewandowski
McGovern

Nays: (0) None

With seven (7) affirmative votes the motion carried.

- Alderman Key moved to approve Upland Design in the amount of \$9,500.00 for the Palos Pool Master Plan and public engagement for the OSLAD grant seconded by Alderman Bylut. Alderman Key stated that this grant will apply to the enhancement of a park prospectively.

On roll call, the motion to authorize the design was:

Ayes: (7) Basso, Bylut, Begley, Clifford, Key, Lewandowski

McGovern

Nays: (0) None

With seven (7) affirmative votes the motion carried.

- Alderman Key moved to approve 5th payment to George's Landscape in the amount of \$69,221.98 for work completed on the Misty Meadows Park Project seconded by Alderman Bylut.

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

Ayes: (7) Basso, Bylut, Begley, Clifford, Key, Lewandowski
McGovern

Nays: (0) None

With seven (7) affirmative votes the motion carried.

- Alderman Key moved to approve the City Attorney to draft an ordinance amending the City's Code, Sections 34.50 – 34.54 pertaining to the Recreation Advisory Board seconded by Alderman Bylut. Alderman Clifford inquired regarding a provision of the ordinance involving meeting dates. Alderman McGovern stated that he prefers the existing ordinance as opposed to this one. Alderman Begley stated that the committee considered input before proposing the ordinance and that the ordinance met with the approval of the RAB. Alderman McGovern inquired why the members of the RAB report to the Recreation Committee. Alderman Begley stated that the role of the Recreation Committee is to oversee the work of the RAB and the Recreation Department and is a proper use of the committee's supervisory authority. Alderman Key stated that the ordinance was voted on unanimously by the committee and was a product of consideration and a product of consensus.

On roll call, the motion to authorize the drafting of the ordinance was:

Ayes: (6) Basso, Bylut, Begley, Clifford, Key, Lewandowski

Nays: (1) McGovern

With six (6) affirmative votes the motion carried.

F. Roads and Construction - Chairperson Alderman Clifford:

- Alderman Clifford moved to approve final payment to M&J Asphalt Paving Co., Inc. for the 2021 Roads Program in the amount of \$23,132.50 seconded by Alderman

Lewandowski.

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

Ayes: (7) Basso, Bylut, Begley, Clifford, Key, Lewandowski
McGovern

Nays: (0) None

With seven (7) affirmative votes the motion carried.

- Alderman Clifford moved to approve payment to Lindahl Brothers, Inc. for the 2022 Roads Program in the amount of \$301,461.48 seconded by Alderman Lewandowski.

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

Ayes: (7) Basso, Bylut, Begley, Clifford, Key, Lewandowski
McGovern

Nays: (0) None

With seven (7) affirmative votes the motion carried.

- Alderman Clifford moved to approve payment to Lindahl Brothers, Inc. for asphalt patching on Golfview Ln East of Oak Park Ave in the amount of \$15,825.00 seconded by Alderman Lewandowski.

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

Ayes: (7) Basso, Bylut, Begley, Clifford, Key, Lewandowski
McGovern

Nays: (0) None

With seven (7) affirmative votes the motion carried.

- Alderman Clifford moved to approve payment to Morris Engineering for engineering services for various projects in the amount of \$21,028.80 seconded by Alderman Lewandowski.

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

Ayes: (7) Basso, Bylut, Begley, Clifford, Key, Lewandowski
McGovern

Nays: (0) None

With seven (7) affirmative votes the motion carried.

- Alderman Clifford updated the Council on various projects anticipated for the City.

G. License, Permits & Franchises: Chairperson Alderman Lewandowski: No Report

H. Water and Sewer—*Chairperson Alderman Bylut*: No Report

XI. REPORTS OF SPECIAL COMMITTEES

A. Business/Economic Development: Alderman Key - No Report

B. Ad Hoc Cable TV: Alderman McGovern - Thanked Channel 4 for their recent coverage of the Flag ceremony at Moraine Valley.

XII. OLD BUSINESS

None

XIII. NEW BUSINESS

Alderman Clifford reported that Alderman McGovern will take part in the Honor Flight and thanked President Sylvia Jenkins, President of Moraine Valley Community College for their support of the Field of Honor ceremony at the college.

XIV. CITIZENS ASKING QUESTIONS REGARDING THE EVENING'S BUSINESS

None

XV. ADJOURNMENT

At 8:30 p.m. the Mayor requested a motion to adjourn that passed unanimously.

Respectfully Submitted,

PALOS HEIGHTS CITY CLERK

Thomas Kantas

Date

