

October 4, 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

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 & Robert 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>	Michael McGrogan & Jerry McGovern

IV. SPECIAL PRESENTATIONS

None

V. CONSENT AGENDA

A. Approval of Minutes: City Council Meeting – September 20, 2022

B. Approval of Payroll and Voucher List for the period ending September 23, 2022.

C. Motion to approve a request for a Special Event permit from Trinity Christian College to conduct their Fall Fest 3.1K Fun Run on November 5, 2022. This request has been reviewed and approved by the Police Department, Building Department, and Public Works Department.

Alderman Clifford move to approve the Consent Agenda seconded by Alderman McGrogan.

On roll call, the motion to approve the consent agenda was:

Ayes (8) Basso, Bylut, Begley, Clifford, Key, Lewandowski, McGovern, McGrogan,
Nays (0) None

With eight affirmative votes the motion carried.

VI. OPENING OF SEALED BIDS

None

VII. REPORTS OF CITY OFFICIALS

A. Mayor: The Mayor reported that on October 29th from 8 to 11 AM Republic will conduct an E-Waste recycling program at the Metra Parking Lot. There are a number of Halloween events taking place in the City for the residents. At the next meeting the annual Mayor for a Day Program will take place.

B. City Clerk: No Report

C. Treasurer: No Report

D. City Attorney: No Report

VIII. COMMUNICATIONS

Alderman McGovern stated that during his Honor Flight local business Doughs Guys supported the veterans participating in the program.

IX. CITIZENS WISHING TO ADDRESS THE COUNCIL

Bob Grossart 12904 Golfview summarized the points made at the last meeting as 1) a lack of available parking 2) summarized residents concerns as follows: not wanting to live next to a parking lot is not an impediment to home value or concerns about increased traffic 3) many factors contribute to home value and the mere fact that a parking lot exists would not decrease property values. A home adjacent to the Franklins parking lot saw increased value after the lot was constructed. Conversations with realtors have had mixed opinions regarding home values. Increased traffic from the Rec Center, Library or the College become positive features of the community. The police should enforce traffic violations as they occur. Regarding the change introduced by a parking lot, it is a part of the natural evolution of the community. The Municipal Parking lot tabulations indicate that at peak times there is insufficient parking as studied by the Business and Economic development committee. The Municipal Lot does not have sidewalks

requiring pedestrians to walk through parking lots to access the lot. Shared parking is problematic because the private businesses do not allow the City to facilitate it. Businesses leaving due to higher rent should not add to limited parking. The Rooftop Tab is a block away from the parking lot and is not relevant to the issue. The Comprehensive Plan was done in 2019 and does not require revisions. A revised Comprehensive Plan would likely include the need for additional parking. Property taxes derived from businesses is significant and should not be underestimated. A parking lot that attracts businesses should be valued. Whether or not Capri benefits from the lot is a side issue. The passage of the comprehensive plan should dictate the outcome of the vote.

Dan Nickerson 12313 S. 71st Court criticized the conduct of City Council members and stated that his father died in combat in Vietnam and that his family members have served in the armed forces and served the community in various capacities. A suggested solution to the parking lot issue would be for the City to broker business to business collaboration and shared parking lot. The demographics in the City with younger families suggest that an alternative solution is possible.

Kristin Restivio 1243 S. 71st Court discussed the parking lot. The parking lot west of Harlem has a sidewalk, stop signs and are isolated from the adjacent homes. The proposed parking lot located on 1223rd street will increase the amount of pedestrian and bicycle traffic and will subject the children to harm from these drivers. Asked the City Council to consider the safety of the pedestrians.

Caitlin Drotter 12302 S. 71st Avenue opposes the parking lot. She discussed the Comprehensive Plan. The municipal parking lot is underused and there is adequate parking which exists currently. The prohibition and restrictions on private parking will not be alleviated by a new parking lot. The existing businesses will not make improvements to their parking lots. The community interests should not be outweighed by the interests of the business community. Living near the commercial district should not subject residents to a parking lot in the residential community. The lot will deter future residents from moving to Palos Heights based on the City's action. Younger families will not move to Palos Heights.

Harlan Weigoda 7640 W. 135th Street stated that a private business should purchase the parking lot and appeal to the City for approval and that the City should not undertake the endeavor and should switch the Art Park with the proposed lot.

Joan Devito 12232 S. 71st Avenue urged the Council to reject the spot zoning parking lot proposal. The lot West of Harlem is not comparable because the East of Harlem has multiple churches, schools and the library which will add additional traffic to the area. The village of Lagrange has a 25 to 20 miles per hour speed restriction in its downtown area and there are pedestrian walkways which are not comparable to downtown Palos. A local valet owner urged by the City to speak in favor of the parking lot was not appropriate. An existing ordinance regulating bars and restaurants parking has never been enforced and the parking lot proposal is

not an improvement but a detriment and will devalue the neighborhood.

Mike Devito 12232 S. 71st Avenue spoke in opposition to the Parking lot and objects to the characterization that those who oppose the lot are rebels. The residents want positive change in the neighborhood. He spoke of his father who was injured in World War II and other family members who served the Country. The residents should be able to voice their concerns without being labeled as troublemakers. He has resided in Palos Heights for 33 years and is disappointed that the City wouldn't support its residents who oppose the measure.

Denise Hyker RAB 57 Country Squire Road discussed the revised proposed ordinance regarding the RAB. The modified ordinance contains an error 34.54 Duties of the Board: Primary purpose of the board ... missing the word "facilities" is omitted throughout the ordinance. On behalf of Linda Schiappa thanked the Council for their effort in crafting the ordinance and will look forward to future accomplishments.

Don Borschel, owner of Haven Indoor Golf supports the parking lot because it will attract new business to the City. The businesses in the area do need additional parking and will provide an overall benefit to the City. The West of Harlem Lot has no safety issues or concerns.

Todd Probasco 7331 West Kiowa and Vice President of the Chamber of Commerce stated that local businesses comprise the business district and that the parking lot will attract local businesses and that the parking lot will serve the best interests of the community.

Mike Coogan resident and business owner in Palos Heights stated that the Comprehensive plan was approved and the purchase of the lot was approved. The lot was properly conceived and the lot west of Harlem has no problems. The east side of Harlem is stuck in the 1960s and needs invigoration. There are no alternative plans. The proposal is a well designed and well engineered plan which will move the city forward. He urged passage of the plan. The lot will be well landscaped and well maintained by the City which will take care of the lot. Without an alternative plan the City will be stuck with the existing conditions which are insufficient to accommodate parking needs.

Brad Lorch 12312 S. 71st avenue stated that the residents have been at every meeting and objects that the businesses have not appeared to make their case and questions the commitment of the businesses to this proposal. The proposed 30 parking spots will not make a difference in alleviating parking problems. The concerns of the residents are not being respected by the Council.

Brian Grote 12231 S. 71st Court stated that Rooftop Tap is adjacent to his home and creates a lot of noise. The parking lot will not attract new businesses and may hurt existing businesses with increased rents. The plan merits reconsideration and 30 spots will not alleviate the parking problems

Sara Dougherty lives near 123rd and 70th Avenue and stated that traffic leaving Capri is dangerous and is concerned about increased traffic from the parking lot. The lack of sidewalks is concerning enough and that the lot will increase the danger to pedestrians.

X. REPORTS OF STANDING COMMITTEES

A. Finance: Chairperson Alderman McGrogan

- Alderman McGrogan moved to adopt an intergovernmental agreement providing a loan of up to \$575,000 to the Palos Heights Public Library seconded by Alderman Key. Alderman McGrogan stated that the delay in the issuance of the tax bills have caused a shortfall in revenue for the library. The city will loan the money on a short term basis and will recoup the loan after the tax bills are released.

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

Ayes (8) Basso, Bylut, Begley, Clifford, Key, Lewandowski, McGovern, McGrogan,
Nays (0) None

With eight affirmative votes the motion carried.

B. Public Safety: Chairperson Alderman Basso reported that the Illinois State Police will conduct K9 training on October 6th at the home at 12303 S. 71st Court in the morning for a few hours.

C. Municipal Grounds and Property: Chairperson Alderman Begley

- Alderman Begley moved to approve payment for the installation of a new rotary lift in the Public Works garage with Rotary Lift Vehicle Service Group, LLC in the amount of \$30,378.27 seconded by Alderman Lewandowski.

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

Ayes (8) Basso, Bylut, Begley, Clifford, Key, Lewandowski, McGovern, McGrogan,
Nays (0) None

With eight affirmative votes the motion carried.

- Alderman Begley moved to approve carpet install in the new Channel 4 studio from Apostrophe' Design Inc., in the amount of \$5,970.00 seconded by Alderman Lewandowski.

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

Ayes (8) Basso, Bylut, Begley, Clifford, Key, Lewandowski, McGovern, McGrogan,
Nays (0) None

With eight affirmative votes the motion carried.

- Alderman Begley moved to approve service door improvements in the new Channel 4 studio from The Door Authority in the amount of \$6,971.00 seconded by Alderman Lewandowski.

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

Ayes (8) Basso, Bylut, Begley, Clifford, Key, Lewandowski, McGovern, McGrogan,
Nays (0) None

With eight affirmative votes the motion carried.

- Alderman Begley moved to approve payment to CNC Landscapes for landscaping work at the Art Garden and City Hall in the amount of \$10,175.00 seconded by Alderman Lewandowski.

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

Ayes (8) Basso, Bylut, Begley, Clifford, Key, Lewandowski, McGovern, McGrogan,
Nays (0) None

With eight affirmative votes the motion carried.

- Alderman Begley moved to authorize the Mayor to execute an Agreement between Cook County and the City of Palos Heights for Fiber Optic Right of Entry and Fiber Optic Carrier Equipment Pop Site seconded by Alderman Lewandowski.

This was done pursuant to a grant obtained by the Cook County in order to determine the feasibility of this type of service.

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

Ayes (8) Basso, Bylut, Begley, Clifford, Key, Lewandowski, McGovern, McGrogan,
Nays (0) None

With eight affirmative votes the motion carried.

D. Planning and Zoning: Chairperson Alderman McGovern

- Alderman McGovern moved to adopt an Ordinance approving a zoning change from R Residence 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

Alderman McGrogan stated that the best course of action is to consider other opportunities and to collaborate in order to seek a better solution and moved to refer the matter to the building and grounds committee for further review seconded by Alderman Begley. The Mayor stated that the matter is currently before the planning and zoning Committee. Alderman Begley stated that a holistic approach to the parking lot considering the interests of all parties should be taken into consideration. The Mayor stated that if the matter is referred back to committee it is currently under consideration as a parking lot and would require a public hearing if the area is to be considered for any other purpose. Alderman Key stated that the alternative proposals were not feasible and that the matter has been thoroughly considered by the committee and the Council. Alderman Begley stated that a vote on the parking lot as it stands will not be approved and that further engagement is necessary. The Mayor reiterated that if the matter is returned to committee the Council is only considering the area as a parking lot and other options will require a public hearing. Alderman McGovern stated that the Council should vote on the measure as presented and if it does not pass will allow for the opportunity to consider alternative uses of the area. Alderman McGrogan inquired of the City Attorney regarding that the property may be established for a municipal use. A residential property may be established for a special use but does not require a rezoning but must go through the special use process. Alderman Key stated that the proposal has taken into consideration landscaping and proper lighting and that further discussion on the construction of the parking lot can be taken into consideration at a future time. Alderman McGrogan withdrew his motion to refer the matter to committee.

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

Ayes (4) Begley, Key, Lewandowski, McGovern
Nays (4) Bylut, Basso, Clifford, McGrogan

With four affirmative votes the motion failed.

- Alderman McGovern moved to direct the City Attorney to draft an Ordinance approving an Accessory Use Setback Variance to allow a five (5) foot Rear Yard Setback along the westerly property line, in lieu of the required ten (10) foot Rear Yard Setback of an Accessory Use, which variance is for purposes of constructing a pool, pool house and mechanicals, and which variance is limited to the distance of the length of the constructed pool related improvements on the residential property located at 12540 S 70th Avenue, and contained with the following PIN: 23-36-204-011-0000 seconded by

Alderman McGrogan. The motion carried by unanimous voice vote.

- Alderman McGovern moved to direct the City Attorney to draft an Ordinance approving amendments to the Zoning Code, specifically Title XV, "Land Use", Chapter 153, "Zoning Code", Section 153.03, "Definitions" as contained in the attached draft language seconded by Alderman Clifford. The motion carried by unanimous voice vote.

E. Recreation: Chairperson Alderman Key

- Alderman Key noted that the ordinance under consideration omitted the prior amendment and moved to amend the ordinance to include after section 34.54(a) after the work park shall include the word "facility" and after 34.54(b) shall include the word "facility" seconded by Alderman Bylut.

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

Ayes (8) Basso, Bylut, Begley, Clifford, Key, Lewandowski, McGovern, McGrogan,
Nays (0) None

With eight affirmative votes the motion carried.

Alderman McGovern moved to amend the ordinance section 34.51 to include that the RAB with approval of the administrative staff will have the authority to approve rules and procedures governing the rules and procedures. The motion did not receive a second and failed. Alderman Key stated that the matter has received more than enough consideration and have been properly considered by the committee.

Alderman Key moved to adopt an ordinance amending the City's Code, Sections 34.50 – 34.54 pertaining to the Recreation Advisory Board seconded by Alderman Begley.

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

Ayes (7) Basso, Bylut, Begley, Clifford, Key, Lewandowski, McGrogan,
Nays (1) McGovern

With seven affirmative votes the motion carried.

- Alderman Key moved to approve the OSLAD Grant Agreement for Orchard Park seconded by Alderman Bylut.

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

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

Nays (0) None

With eight affirmative votes the motion carried.

G. Roads and Construction: Chairperson Alderman Clifford reported on an update regarding the traffic signal at the Recreation Center.

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

I. Water and Sewer: Chairperson Alderman Bylut

- Alderman Bylut moved to approve foundation repairs at the Misty Meadows Water Tower with Total Waterproofing, Inc. in the amount of \$7,350.00 seconded by Alderman McGrogan

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

Ayes (8) Basso, Bylut, Begley, Clifford, Key, Lewandowski, McGovern, McGrogan,
Nays (0) None

With eight affirmative votes the motion carried.

- Alderman Bylut moved to approve payment for professional services with LAN for the 70th Ave Lift Station Rehabilitation from June 20, 2022 through September 2, 2022 in the amount of \$10,246.50 seconded by Alderman Begley.

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

Ayes (8) Basso, Bylut, Begley, Clifford, Key, Lewandowski, McGovern, McGrogan,
Nays (0) None

With eight affirmative votes the motion carried.

- Alderman Bylut moved to approve payment for professional services with RJN Group for the 2022 and On-Call Sewer System Services through September 2, 2022 and for the 2019 GIS Services-ON Call through September 2, 2022 in the amount of \$4,220.00 seconded by Alderman Begley.

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

Ayes (8) Basso, Bylut, Begley, Clifford, Key, Lewandowski, McGovern, McGrogan,
Nays (0) None

With eight affirmative votes the motion carried.

- Alderman Bylut to approve payment for professional services with Strand Associates for the College Drive 16 inch Water Main CIP for the month of August and for the IEPA Project plan for the month of August in the amount of \$15,031.54 seconded by Alderman Clifford.

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

Ayes (8) Basso, Bylut, Begley, Clifford, Key, Lewandowski, McGovern, McGrogan,
Nays (0) None

With eight affirmative votes the motion carried.

- Alderman Bylut moved to approve payment for professional services with M.E. Simpson Co., Inc. for valves assessed and exercised between September 6, 2022 to September 16, 2022 in the amount of \$12,384.00 seconded by Alderman Begley.

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

Ayes (8) Basso, Bylut, Begley, Clifford, Key, Lewandowski, McGovern, McGrogan,
Nays (0) None

With eight affirmative votes the motion carried.

XI. REPORTS OF SPECIAL COMMITTEES

A. Business/Economic Development: Chairperson Alderman Key: Farmers Market has had a wonderful season and there will be two additional opportunities this season.

B. Cable TV: Chairperson Alderman McGovern: No Report

XII. OLD BUSINESS

Alderman McGrogan stated that the work of the vendors should be reviewed before completion of the Misty Meadows Park.

XIII. NEW BUSINESS

Alderman Clifford stated that the Roads and Construction committee will discuss the removal of traffic islands and what the best course of action would be moving forward.

XIV. CITIZENS WISHING TO ASK QUESTIONS REGARDING THIS EVENING'S

BUSINESS*

None

XV. EXECUTIVE SESSION

None

XVI. RETURN TO REGULAR SESSION

None

XVII. ADJOURNMENT

The Mayor requested a motion to adjourn at 8:38 PM which passed unanimously.

Thomas Kantas
Palos Heights City Clerk