

MINUTES OF MAYOR BRAUN AND BOARD OF TRUSTEES ON AUGUST 6, 2018

THE VILLAGE OF FLOSSMOOR, ILLINOIS.

VILLAGE HALL

AUGUST 6, 2018

7:30 PM

Mayor Braun called the meeting to order at 7:31 p.m.

Mayor Braun directed the Village Clerk to take roll.

PRESENT: Mayor Braun, Trustees Driscoll, Hoag, Minga and Wilder

ALSO PRESENT: Bridget Wachtel, Village Manager; Kathi Orr, Village Attorney; Mike Pulec, Police Chief; Chris Sewell, Fire Chief; Scott Bordui, Finance Director; John Brunke, Public Works Director; Scott Bugner, Inspectional Services Administrator; Joni Bradley-Scott, Village Clerk; 12 Citizens

APPROVAL OF THE MINUTES OF THE MEETING HELD ON JULY 2, 2018

Mayor Braun asked the Board if they had any changes or comments.

Trustee Wilder so moved, seconded by Trustee Driscoll, and passed by voice vote.

AYES: Mayor Braun and Trustees Driscoll, Hoag, Minga and Wilder

ABSENT: Trustees Mitros, Williams

ABSTAIN: None

NAYS: None

CITIZENS PRESENT WISHING TO ADDRESS THE BOARD

Non-Agenda Items:

Jennifer Blaeser of Brassie Avenue wanted to know how to find information about running for trustee. Mayor Braun responded that the elections are handled by the Cook County Clerk's Office. The next municipal election is April 2019. The Village will post open positions as the election approaches as well as packets for candidates and more information about the election process will go out through e-news and on the website. When the county puts the information out the Village will pass along the information. The Village process falls under state law and the county's process; we distribute the information as a courtesy.

BOARD OF TRUSTEES' AGENDA ITEMS

Mayor Braun referred to Item #1 on the Agenda – A Proclamation Declaring the Month of August 2018 as Minority Donor Awareness Month

Mayor Braun presented a proclamation recognizing August 2018 as Minority Donor Awareness Month. Gift of Hope confronts the challenges of organ and tissue donations and raises awareness and consciousness of the need to register to become organ and tissue donors, days of dialogue, artistic and cultural events, donor registration drives, and special activities for all communities. The Village of Flossmoor supports programs and projects conducted in the spirit of organ and tissue donation.

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Mayor Braun referred to Item #2 on the Agenda – Consideration of an Appointment to the Fire Pension Board

Carlo Gozzi was recommended for appointment to the Fire Pension Board. He has extensive occupational experience in the banking industry and financial investment. Mr. Gozzi has been a resident of Flossmoor for 5 years and has held a position in the financial service industry for almost 15 years.

Mayor Braun asked the Board if there were any additional questions. Mayor Braun called for a motion to approve Carlo Gozzi to the Fire Pension Board. Trustee Minga so moved, seconded by Trustee Wilder, and passed by roll-call vote

AYES: Trustees Driscoll, Hoag, Minga and Wilder
ABSENT: Trustees Mitros, Williams
ABSTAIN: None
NAYS: None

Mayor Braun referred to Item #3 on the Agenda – Consideration of an Appointment of a Chair to the Public Art Commission

Nancy Burrows was recommended for appointment to the Chair of the Public Art Commission. She has extensive background on the commission and also has experience with other professional affiliations that would be beneficial to Flossmoor. Mrs. Burrows has been a resident in Flossmoor for 25 years.

Jeff Stevenson will be recommended for appointment as the vice-chair of the Public Art Commission at the next meeting.

Mayor Braun asked the Board if there were any additional questions. Mayor Braun called for a motion to approve the appointment of Nancy Burrows as the Chair of the Public Art Commission. Trustee Wilder so moved, seconded by Trustee Driscoll, and passed by roll-call vote.

AYES: Trustees Driscoll, Hoag, Minga and Wilder
ABSENT: Trustees Mitros, Williams
ABSTAIN: None
NAYS: None

Mayor Braun referred to Item #4 on the Agenda – Consideration of an Ordinance of the Village of Flossmoor, Illinois Granting a Variation to Allow a Reduction of the Required Side Yard Setback (1242 Braeburn Avenue)

Scott Bugner, Inspectional Services Administrator, presented the request from the owners of 1242 Braeburn for a variation from the Zoning Ordinance for a reduction in the required side yard setback. The petitioners intend to demolish an existing garage and construct an addition and new garage to the existing home.

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The Zoning Board of Appeals voted 6-0 in favor of recommending the variance be granted. There were no public comments during the Zoning Board hearing.

Mayor Braun asked the Board if there were any additional questions. Mayor Braun called for a motion to approve an ordinance granting a variation to allow a reduction of the required side yard setback at 1242 Braeburn Avenue as presented. Trustee Minga so moved, seconded by Trustee Wilder, and passed by roll-call vote

*AYES: Trustees Driscoll, Hoag, Minga and Wilder
ABSENT: Trustees Mitros, Williams
ABSTAIN: None
NAYS: None*

Mayor Braun referred to Item #5 on the Agenda – Consideration of a Request for an Economic Incentive – Center for Dental Excellence (19615 Governors Highway)

Bridget Wachtel, Village Manager, presented a request for an economic incentive from the Center for Dental Excellence (19615 Governors Highway).

The Center for Dental Excellence requested assistance in the amount of \$19,385 which includes \$9,385 in building and demolition permits, water tap and occupancy fees and \$10,000 toward landscaping costs. Staff reviewed the application against the economic development policy guidelines and determined:

- The proposed project will preserve/enhance the Village's property tax base.*
- The expansion is compatible with the Village's Comprehensive Plan in continuing to support medical practices*
- The expansion project will be a high quality commercial development within a primary business corridor.*
- Demolition of a vacant/blighted building and the re-use of the property for a modern addition to the existing office and accessory parking facilities, for which the same reason the Village supported a Class 8 tax abatement application*
- The expansion project is anticipated to create a significant increase in the employer's permanent employment by a quantity of 2/3*

Dr. Cary Goldberg was present for questions. Dr. Goldberg mentioned that all dental specialties will be under one roof which is one-of-a kind for the region. Discussion ensued as to whether the "but for" argument would prohibit expansion plans. Dr. Goldberg suggested that the Center for Dental Excellence is committed to the project and would not likely prohibit continuation but mentioned they were offered incentives from other communities where they were looking to expand before committing to Flossmoor. Trustee Driscoll stated that he supports waiving fees but not moving any funding out of the general fund for landscaping costs. Trustee Minga also stated support of the fee waiver and thanked Center for Dental Excellence for choosing Flossmoor over other communities. Trustee Wilder also stated that he supported the fee waiver. Trustee Hoag stated that he supports waiving the fees but landscaping would be a step too far.

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Mayor Braun reiterated that the fee waiver is reasonable given the contributions that the Center for Dental Excellence makes to the community.

Mayor Braun asked the Board if there were any additional questions. Mayor Braun called for a motion to direct the Village attorney to draft an agreement for a fee waiver of Village fees in the amount of \$9,385. Trustee Minga so moved, seconded by Trustee Wilder, and passed by roll-call vote.

AYES: Mayor Braun, Trustees Driscoll, Hoag, Minga and Wilder
ABSENT: Trustees Mitros, Williams
ABSTAIN: None
NAYS: None

Mayor Braun referred to Item #6 on the Agenda – Consideration of a Request for an Economic Incentive – Dunning’s Market (1048-1050 Sterling Avenue)

Bridget Wachtel, Village Manager, presented that Dunning’s Market is looking to relocate to Flossmoor, specifically in the former Bakewell Bakery space. In the desired space, a hood/suppression system is required in accordance with the International Building Code. Dunning’s will have to install the hood into the building in order to offer the existing menu items. Maureen Mader, owner of Dunning’s Market, has requested an economic incentive from the Village in the amount of no more than \$15,000 for the expenses associated with the purchase and installation of such system. Other options were considered but would compromise the menu selections offered.

The economic development policy guidelines were reviewed and the following guidelines would be met:

- The Village’s sales tax base would return between \$6,250 and \$10,000 a year in sales tax revenue. Conservatively, it is projected to take 3 years of the 5 year lease to make a return on its investment.
- The location is high priority site along a primary business corridor that is currently vacant and underutilized, which addresses attracting businesses to high priority sites.
- Dunning’s Market would enhance the Village’s reputation for shopping, dining and entertainment which fulfills an underserved business segment
- The Village’s risk in providing incentive and its return on investment is low as the return can be attained over a short time frame.
- The project is considered a trigger project as the increase in foot traffic would draw other businesses to locate in the downtown area filling other vacancies.

Matt Reardon of MCR Partners presented the proposal from Dunning’s Market. Maureen Mader also explained her request. She estimated that her buildout costs are approximately \$60,000-\$70,000. The store will be open six days a week.

Mayor Braun asked whether staff considered if the enhancement is to the building or to the property owner. In this case, the leasee is responsible for installing the hood system but the improvement would stay on the property.

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Mayor Braun asked the Board if there were any additional questions. Mayor Braun called for a motion to direct the Village Attorney to draft an incentive agreement for Dunning's Market not to exceed \$15,000. Trustee Hoag so moved, seconded by Trustee Driscoll, and passed by roll-call vote.

AYES: Mayor Braun, Trustees Driscoll, Hoag, Minga and Wilder
ABSENT: Trustees Mitros, Williams
ABSTAIN: None
NAYS: None

Mayor Braun referred to Item #7 on the Agenda – Consideration of a Resolution providing for the Submission to the Electors of the Village of Flossmoor, Cook County, Illinois, an Advisory Referendum of Whether the Village Should Allow Certain Class B trucks on Residential Driveways

Bridget Wachtel, Village Manager, stated that the Village Board has discussed personal use truck parking in residential districts over the course of several board meetings. At the conclusion of the June 6, 2018 Board meeting, the Board agreed to put an advisory referendum on the ballot in November. The resolution needs to be approved by August 20. The question would read as follows:

“Should the Village of Flossmoor consider permitting a Class B truck or van (8,000 pounds or less) or a vehicle with specialty plates of a similar size as a Class B vehicle to park on a residential driveway so long as the vehicle is not used for commercial purposes?”

Should the advisory referendum pass and the Village Board proceed with a Zoning Ordinance change, the statute requires the Village to hold a public hearing on any ordinance changes.

The draft language is included in the Board agenda item. This is to assist the public in knowing on what they are voting. The current language regulates truck by plate. If the Board moves forward, staff would recommend language that describes a personal use truck. The suggested language would be a starting point. As a starting point, staff would recommend: No vehicle having a gross weight of eight thousand one (8,001) pounds or more shall be parked on any driveway or open area of any lot in any residential district except for a period no longer than necessary for a period no longer than necessary for the expeditious loading or unloading of such vehicle.

Personal use passenger vehicles shall be considered automobiles, pick-up trucks, sports utility vehicles (SUV), or vans which size and design are intended to accommodate and transport human passengers on paved roads. Personal use passenger vehicles designed for carrying of not more than 10 passengers may be parked outside of a residence if all of the following conditions are met.

In addition, since there is an opportunity to customize many permissible vehicles, the following conditions must also be met based on language that many other communities in similar instance use.

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1. *There are no items in the bed of the vehicle unless covered by a fitted factory or after-market installed cover.*
2. *The vehicle has no commercial markings or advertising, regardless if it is permanent or temporary, and no commercial equipment or appendage is attached to the exterior of the vehicle, including but not limited to snow plows and auxiliary lighting. Trailer hitches, bike racks, bull bars, grill guards and manufacturer installed rooftop racks are not considered modifications.*
3. *The vehicle has no more than four wheels.*
4. *The vehicle height does not exceed eight (8) feet.*
5. *The vehicle width does not exceed eight (8) feet.*
6. *The vehicle does not have any part of the exhaust system installed above the frame of vehicle.*

Chief Pulec provided examples of permissible and not permissible vehicles. He also explained that the Secretary of State does not police the registration of vehicles and sometimes these items are detected on the road.

John Grevan of Lawrence Cres asked whether the referendum was binding. Mayor Braun reiterated that it is non-binding.

Mayor Braun asked the Board if there were any additional questions. Mayor Braun called for a motion to submit a resolution to the Electors of the Village of Flossmoor, Cook County, Illinois, an Advisory Referendum of Whether the Village Should Allow Certain Non-Commercial Vehicles on Residential Driveways, as presented. Trustee Wilder so moved, seconded by Trustee Driscoll, and passed by roll-call vote.

AYES: Trustees Driscoll, Hoag, Minga and Wilder

ABSENT: Trustees Mitros, Williams

ABSTAIN: None

NAYS: None

Mayor Braun referred to Item #8 on the Agenda – Consideration of an Ordinance of the Village of Flossmoor, Cook County, Illinois, Amending the Zoning Ordinance of the Village of Flossmoor

Scott Bugner, Inspectional Services Administrator, presented a text amendment to the Flossmoor Zoning Ordinance. The amendment would allow smaller parcels in the B-6 Planned Business Center/TIF District to be developed with appropriate oversight and control through the Planned Unit Development procedure. The proposed amendments also include establishing the requirements for map amendments, additional requirements of the application as well as

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guidelines for the Plan Commission to consider when there is a request for rezoning. The Village Attorney recommends that Articles 28 and 30 be repealed prior to codification and that articles 29 and 31 be renumbered as Articles 28 and 29 respectively.

On July 19, 2018 the Plan Commission held a Public Hearing to consider the proposed amendments and unanimously recommended approval of the proposed ordinance.

Mayor Braun asked the Board if there were any additional questions. Mayor Braun called for a motion to amend the Flossmoor Zoning Ordinance – Section 19-101 and Section 26-109, the Deletion of Articles 28 and 30, and the Renumbering of Articles 29 and 31, as presented. Trustee Hoag so moved, seconded by Trustee Wilder, and passed by roll-call vote.

*AYES: Trustees Driscoll, Hoag, Minga and Wilder
ABSENT: Trustees Mitros, Williams
ABSTAIN: None
NAYS: None*

Mayor Braun referred to Item #9 on the Agenda – Consideration of Resolution Amending the Budget for Fiscal Year 18-19 for the Village of Flossmoor

Scott Bordui, Finance Director, requested to approve by resolution the motions to amend the Village budget for Fiscal Year 18-19 for the FY19 street resurfacing program in the amount of \$1,014 and the fire truck replacement in the amount of \$25,000.

Mayor Braun asked the Board if there were any additional questions. Mayor Braun called for a motion to approve the resolution amending the budget for Fiscal Year 18-19 for the Village of Flossmoor as presented. Trustee Minga so moved, seconded by Trustee Driscoll, and passed by roll-call vote.

*AYES: Trustees Driscoll, Hoag, Minga and Wilder
ABSENT: Trustees Mitros, Williams
ABSTAIN: None
NAYS: None*

Mayor Braun referred to Item #10 on the Agenda – Consideration of an Ordinance Adding Chapter 127 of the Flossmoor Municipal Code of the Village of Flossmoor, Illinois (Adopting the Regulations of the Cable and Video Customer Protection Law)

Bridget Wachtel, Village Manager, presented an ordinance amending the Flossmoor Municipal Code to adopt the State Cable and Video Customer Protection law. Since the Village's last cable franchise agreement in 2003, federal and state laws have restricted the authority of municipalities to regulate cable and video providers. The Village adopted a Cable Television Ordinance in 2003, which cannot be enforced under today's standards. This ordinance repeals the existing ordinance and amends the Flossmoor Municipal Code to adopt the Cable and Video Protection Law by reference.

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Mayor Braun asked the Board if there were any additional questions. Mayor Braun called for a motion to adopt Chapter 127 of the Flossmoor Municipal Code of the Village of Flossmoor, IL. Trustee Hoag so moved, seconded by Trustee Wilder, and passed by roll-call vote.

AYES: Trustees Driscoll, Hoag, Minga and Wilder
ABSENT: Trustees Mitros, Williams
ABSTAIN: None
NAYS: None

Mayor Braun referred to Item #11 on the Agenda – Consideration of an Ordinance Approving a Cable Television Franchise Agreement between the Village of Flossmoor and Comcast of Illinois/West Virginia, LLC.

Bridget Wachtel, Village Manager, reported that there was a public hearing held on July 2, 2018 regarding the renewal of the cable franchise agreement. No public comments were received. Negotiations for the cable franchise renewal with Comcast have concluded and the packet includes an update from the Village Attorney's office.

Mayor Braun asked the Board if there were any additional questions. Mayor Braun called for a motion approving a cable television franchise agreement between Comcast and the Village of Flossmoor as presented. Trustee Driscoll so moved, seconded by Trustee Minga, and passed by roll-call vote.

AYES: Trustees Driscoll, Hoag, Minga and Wilder
ABSENT: Trustees Mitros, Williams
ABSTAIN: None
NAYS: None

Mayor Braun referred to Item #12 on the Agenda – Presentation of Strategic Plan Update (Second Quarter 2018)

Bridget Wachtel, Village Manager, provided a second quarter 2018 update. Under Finance and Services, she reported that the non-home rule sales tax went into effect on July 1. The Village will not receive the first distribution until October 2018. The Village is also moving forward with the Fire Captains testing process and creating an eligibility list. The Village was recently awarded two grants: speed monitoring devices for the police department and a cost-sharing grant through Cook County to begin the Phase 1 engineering for the CBD Roadway, Pedestrian and Streetscape improvement projects. The Village's hiring processes for a Communications Manager and Assistant Public Works Director are drawing to a close.

As part of the on-going efforts, the Village will monitor distributions on non-home rules sales taxes; complete a 5-year projection analysis of the General Fund; continue collaboration opportunities with other communities and local intergovernmental partners; complete administrative requirements for grants; and complete successful onboarding of both positions.

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Under the strategic initiative of Infrastructure, the Village is billing 18 % more water than it is purchasing, which is an increase of improvement by 77% compared to 59% last year. The Village also completed the annual sidewalk repair and replacement program with an increased investment of \$40,000 for a total of \$100,000 and began work on downtown crosswalks and sidewalk improvements to improve pedestrian safety. The Village also completed the bid process for street resurfacing program. In on-going efforts, the Village will be reaching a decision on the financing method for the water meter replacement program; will continue to evaluate alternate water supply options and determine future course of action; and will be looking at an IEPA loan for the Water Tower Relocation on Sterling Avenue. Additionally, the Village will begin the Phase I engineering study of the CBD Roadway, Pedestrian and Streetscape Improvement project

Under the strategic plan goal related to Business, two vacancies in the downtown building have been filled. The Village Board approved an economic development policy at the July 2, 2018 meeting and is working with developers and landlords for other properties in the Village. The Village also received the deed for a property on Vollmer Road through the no cash bid process and is evaluating rezoning of certain properties along Kedzie Avenue and Governor's Highway. The Village also facilitated communication between Meijer, BP, Buona Beef, Starbucks and their representatives to get added to the I-57 blue "food, fuel and attractions" signs.

In on-going work related to businesses, the Village will reengage Houseal Lavigne to work on marketing for development of open commercial properties in southwest Flossmoor, work with Grillo Group and Houseal Lavigne to develop marketing program for business retention, and continue the no cash bid process to receive deeds to three other properties in the former TIF area in Southwest Flossmoor. The Village will propose rezoning of certain properties along Kedzie Avenue and Govenors Highway to encourage development.

Under the initiative of Diversity and Communication, the Community Relations Commission is drafting guidelines for diversity and inclusion. Staff met with each Board member in July to review those guidelines and receive input. Staff also solicited a proposal for related training for the Board, commissions and staff. The recruitment process for the Communications Manager is wrapping up and staff is working with the CRC to incorporate a conscientious review of inclusivity factors in events and programs.

In on-going work, staff will present the diversity and inclusion guidelines to the Village Board for review and adoption, complete community outreach for police recruitment and schedule training on inclusion for the Fall 2018.

For the strategic plan goal of Housing, the Village is in the beginning stages of work with Grillo Group and with other local agencies (schools, park district and library) on marketing materials for new residents as well as working with Grillo Group and The Spin Artist, Inc to create a marketing video related to the welcoming attribute of the Village's brand. Staff is also working with Cook County Land Bank on select problem properties and hired an additional part-time maintenance inspector. Staff is continuing the discussion with volunteers about the objectives and methodology for the Flossmoor History Project.

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The on-going work related to the Housing goal includes the process of finalizing the registration form for chronic nuisance properties and preparing to implement the registration as the properties proceed through adjudication and are determined to be chronic nuisance properties. Staff has finalized the required form for vacant property registration and has been in the process of compiling a list of properties that have been determined to be vacant. Staff is moving forward contacting these property owners.

Following Bridget's report, Mayor Braun commented that a lot of work had been completed and the village is actually making strides in advancing the goals of the strategic plan. Trustee Hoag commented that he hears criticism that the Village isn't doing anything, but this shows that work is getting done. Trustee Wilder commented that the implementation work has been outstanding.

No vote was required. The quarterly update will be posted on the Village website.

Finance Committee:

Trustee Driscoll presented the bills for ratification of payment for July 16, 2018. Trustee Driscoll made a motion to approve the payment of hand checks in the amount of \$4,419.63 and invoices in the amount of \$325,104.40 totaling \$329,524.03 for July 16, 2018. Motion seconded by Trustee Minga and passed by a roll-call vote.

AYES: Trustees Driscoll, Hoag, Minga, and Wilder
ABSENT: Trustees Mitros and Williams
ABSTAIN: None
NAYS: None

Trustee Hoag presented the bills for approval of payment for August 6, 2018. Trustee Hoag made a motion to approve the payment of hand checks in the amount of \$5,406.51 and invoices in the amount of \$227,342.28 totaling \$232,748.79 for August 6, 2018. Motion seconded by Trustee Minga and passed by a roll-call vote.

AYES: Trustees Driscoll, Hoag, Minga, and Wilder
ABSENT: Trustees Mitros and Williams
ABSTAIN: None
NAYS: None

Other Business

Mayor Braun invited residents to National Night Out which will be Tuesday, August 7 at the Flossmoor Village Hall.

A Craft Brew Fest will be held in the downtown Flossmoor area in October. Stay tuned for more information.

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Mayor Braun referred to Item #15 on the Agenda – A Motion to go into Executive Session to Discuss Probable and Imminent Litigation and Property Acquisition. Trustee Wilder so moved, seconded by Trustee Minga and passed by a roll call vote.

AYES: Trustees Driscoll, Hoag, Minga, and Wilder
ABSENT: Trustees Mitros and Williams
ABSTAIN: None
NAYS: None

The Board entered into Executive Session at 9:12 p.m.

The Board returned to Open Session at 10:09 p.m.

Mayor Braun called for a motion to adjourn the meeting. Trustee Minga so moved, seconded by Trustee Driscoll and passed by a voice vote.

The Board adjourned at 10:09 p.m.

Respectfully submitted,

Joni Bradley-Scott
Joni Bradley-Scott
Village Clerk