

MINUTES OF MAYOR BRAUN AND BOARD OF TRUSTEES FOR THE REGULAR MEETING OF THE
VILLAGE OF FLOSSMOOR, ILLINOIS HELD ON JUNE 1, 2020

VILLAGE HALL

JUNE 1, 2020

7:30PM

Mayor Braun called the meeting to order at 7:33pm.

Mayor Braun took roll.

PRESENT: Mayor Braun, Trustees Bradley-Scott, Driscoll, Hoag, Kimmons, Mitros, Williams and Village Clerk Ananda Billings

ALSO PRESENT: Village Manger Bridget Wachtel, Assistant Village Manager Allison Matson, Finance Director Scott Bordui; Police Chief Tod Kamleiter, Fire Chief Greg Berk; Public Works Director, John Brunke, Village Attorney Kathi Orr, and Building and Zoning Administrator, Scott Bugner

CITIZENS PRESENT: Mayor Braun requested that any citizens who wished to identify themselves do so, along with their address for the Village Clerk. Kelly Philbin of Sterling Avenue, Michelle Nelson of Vardon Place, and Lou and Marilyn Rose of Evans Road identified their presence.

Introductory Comments

Mayor Braun stated that in order to mitigate the transmission of the virus and reduce risk of COVID-19 illness, the Village has been advised and directed by the State to suspend public gatherings, and as such, the Governor's Order suspends the requirement of the Open Meeting Act that members of the public body be physically present. Further, all members of public bodies are allowed and encouraged to participate remotely. Citizens were informed of this decision in advance and invited to submit comments and questions ahead of the Board meeting.

This meeting along with all subsequent remotely held Board meetings will be recorded. He then noted that public comment will be only available during the portion of the meeting during which the public is invited to address the Board. As communicated to the public earlier, those questions that were submitted to staff in advance of the meeting would also be addressed during this time.

Mayor Braun stated that he wanted to spend a few minutes to address the current circumstances affecting the country and our community. He noted that it is extremely difficult to find the right words to say to address the killing of a black man at the hands of law enforcement. The nation, our community, and our neighbors are hurting. Village Board of Trustees, Village Staff, and Mayor Braun publicly condemn the murder of George Floyd and the actions of some law enforcement representatives that stain law enforcement as a whole. The Flossmoor Police Department is committed to fighting systemic racism, utilizing the 10 Principals of Policing, and forging strong bonds with the community through partnerships such as D.A.R.E. and other community policing initiatives. Here in Flossmoor, we are proud of our diversity and our inclusion. Mayor Braun stated that he is proud of our police department for how they have fostered mutual trust and respect between our officers and our residents. Mayor Braun encourages everyone to come together to do our part and express their first amendment right to speak out. He only asks that these

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protests be done in a peaceful manner. We are all One Flossmoor and we will stand together as we have in the past to face the future.

Police Chief Tod Kamleiter was invited to say a few words to the Board and the community. He stated that first and foremost, the Flossmoor Police Department condemns the murder of George Floyd and stands behind the community. Law enforcement is meant to protect and serve and must treat all life with the highest regard. They are committed to supporting peaceful protests, protecting Flossmoor's citizens, and to serving our communities. Through listening, understanding, and a commitment to inclusion and diversity as well as through policing by the ten shared principals, the Flossmoor Police Department stands by the citizens it serves, and welcomes the community to contact himself or his command staff with any questions or concerns.

Approval of the Minutes of the Regular Meeting Held on May 18th, 2020

Mayor Braun asked the Board if they had any further changes or comments. He called for a motion to approve the minutes of May 18, 2020. Trustee Driscoll so moved, seconded by Trustee Bradley-Scott, and passed by a roll call vote.

AYES: Trustees Bradley-Scott, Driscoll, Hoag, Kimmons, and Mitros
ABSENT: None
ABSTAIN: Trustee Williams
NAYS: None

Citizens Present Wishing to Address the Board

No citizens wished to address the Board. However, there were submissions emailed prior to the open Board Meeting which Assistant Manager Matson read to the Board.

The first letter was from Cheryl Shackleford of Berry Lane who wrote in to the Mayor and the Board to address the poor drainage along Berry Lane. She wrote that due to the poor drainage along Balmoral Crescent and Berry Lane, often times the street becomes unpassable along with yards and basements being flooded. She requested that the Board and Mayor address this issue and provide an expedient reply to her request.

Mayor Braun responded that this issue is well known to the Board as it has been a challenge for a long time. For the benefit of the public, he noted that they are moving forward to obtain the funding necessary to complete these projects, some of which cost millions of dollars. Some of the proposals and grants look promising and the Public Works Department is working to provide a cost estimate. If the grant funds do not come through, we will still determine the cost of these infrastructure improvements and then bring it to the community to vote on whether or not the community wishes to fund this project.

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Ms. Matson read a second letter to the Board. This letter was from Michelle Nelson of Vardon Place. She inquired as to what rate we pay Homewood for our water and whether the initial water delivery rate would go away after infrastructure is paid off.

As the Board is set to discuss this very issue during Agenda Items #4, Mayor Braun asked that we defer the answer until that time, when it will be answered in detail.

The Mayor referred to Agenda #1 - Consideration of an Ordinance Granting a Variation from the Requirements of Section 285-9-5 B of the Flossmoor Zoning Ordinance (618 Sterling Avenue)

Building and Zoning Administrator Scott Bugner addressed the Board. He stated that on Tuesday, May 26, 2020 the Zoning Board of Appeals held a public hearing to consider a request for a variation from Section 285-9-5 B. of the Flossmoor Zoning Ordinance regulating the maximum lot average for accessory buildings in the R-5 Residential Zoning District. The request had been submitted by Kelly and Michael Philbin, owners of the subject property located at 618 Sterling Avenue.

The petitioners are seeking to demolish the existing garage which is in disrepair and construct a new larger garage in the same location. The existing garage is approximately 495 square feet in area, and the petitioners are seeking to construct a 769 square foot garage. Section 285-9-5 B. of the zoning ordinance limits the lot coverage of accessory buildings to a maximum of 5 percent. The Zoning Board of Appeals voted unanimously 5-0 in favor of recommending that the petitioner's variation request be granted as submitted.

Mayor Braun asked if Ms. Philbin had anything to add to Mr. Bugner's presentation, but she did not. She thanked the Board for granting her this variance.

Mayor Braun asked the Board if they had any further questions, and as they did not, he called for a motion to approve an ordinance granting a variation from the requirements of Section 285-9-B of the Flossmoor Zoning Ordinance (618 Sterling Avenue) as presented. Trustee Williams so moved, seconded by Trustee Driscoll, and passed by a roll call vote.

AYES: Trustees Bradley-Scott, Driscoll, Hoag, Kimmons, Mitros, and Williams
ABSENT: None
ABSTAIN: None
NAYS: None

Mayor Braun referred to Agenda Item #2 – Consideration of an Ordinance of the Village of Flossmoor, Cook County, Illinois, Approving Outdoor Restaurant and Liquor Service Dining During the Pandemic

Village Manager Bridget Wachtel addressed the Board. As the State moves into Phase 3 and beyond of the Restore Illinois Plan, restaurants are now permitted to have outdoor dining, and various retail and professional service businesses are allowed to reopen with restrictions and guidelines. The ordinance outlines the regulations for outdoor dining and liquor sales on private and public property, relaxes temporary signage regulations and relaxes minimum parking regulations, all with administrative

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approval. The use of any public property will require a license with a hold harmless agreement and proof of insurance with the Village listed as additional insured by endorsement. Those businesses in the B-5 Zoning District also have the ability to conduct sidewalk sales within the Flossmoor Municipal Code regulations between now and October 15 by acquiring a license. They too would need to provide proof of insurance and sign a hold harmless agreement. The ordinance will be in effect through December 31, 2020.

Trustee Driscoll commented that last weekend, at the opening, there was a tremendous amount of civic pride and he thanks staff for organizing this outdoor space so quickly. Trustee Mitros seconded Trustee Driscoll's comments and commended staff for how fast they were able to turn around this project. Trustee Williams noted that she is looking forward to dining with her community again. Mayor Braun commended staff for all of the hard work they have done and for the quick turnaround time in completing this effort. He also dined outside to support local businesses on Saturday and noted it was terrific to see people's faces.

Mayor Braun asked the Board if they had any further questions, and as they did not, he called for a motion to approve the ordinance approving outdoor restaurant and liquor service during the pandemic as presented. Trustee Kimmons so moved, seconded by Trustee Driscoll and passed by a roll call vote.

AYES:	Trustees Bradley-Scott, Driscoll, Hoag, Kimmons, Mitros, and Williams
ABSENT:	None
ABSTAIN:	None
NAYS:	None

Mayor Braun referred to Agenda #3: Consideration of an Ordinance Granting Emergency Powers to the Mayor of the Village of Flossmoor, Cook County, Illinois

Mayor Braun stated that the purpose of the ordinance is to ensure the continued operations for the Village of Flossmoor during a Declaration of Emergency, specifically the COVID-19 pandemic. He noted that it is unfortunate that we are living in a time of pandemic that requires us to make these precautions but we must be protected. With respect to Village regulations impacting the business community, this ordinance will provide the Mayor and staff authority to make needed decisions and address regulations to restore our local economy and/or provide for the safety of the community. This ordinance provides the Mayor with that authority and sunsets at the next board meeting, unless renewed.

Mayor Braun asked Village Attorney Kathi Orr to review the updates to the ordinance. The ordinance now amends Chapter 33 of the Municipal Code to add a section regarding Civil Emergencies.

Trustee Driscoll noted that it is an unfortunate but necessary step. Trustee Kimmons said he was in favor of the motion but asked for clarification on the time period where the emergency powers would be in effect. Ms. Orr stated that the declaration for a civil emergency is valid for 7 days. Under the Illinois Emergency Act, the village president is given authority for 7 days which can be extended but only by the Board. Trustee Kimmons asked for further clarification on what would occur between the 8th day (after the 7 days of power) and the next Board meeting. If on the 8th day we wished to extend it, a special meeting would be called.

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Mayor Braun asked the Board if they had any further questions and as they did not, he called for a motion to approve the consideration of an Ordinance Granting Emergency Powers to the Mayor of the Village of Flossmoor, Cook County, Illinois as presented. Trustee Mitros so moved, seconded by Trustee Williams and passed by a roll call vote.

AYES: Trustees Bradley-Scott, Driscoll, Hoag, Kimmons, Mitros, and Williams
ABSENT: None
ABSTAIN: None
NAYS: None

Mayor Braun referred to Agenda Item #4: Consideration of a Resolution of the Village of Flossmoor, Cook County, Illinois, Approving a Memorandum of Understanding by and between the Village of Flossmoor, Cook County, Illinois and the Village of Homewood, Cook County, Illinois

Public Works Director John Brunke addressed the Board. The Village recently received revised contract terms from the Village of Homewood for the supply of potable water from the City of Chicago Heights. Staff and our consultants reviewed the proposed terms and determined that this is now one of two viable options for us moving forward to a new water supplier. Strand & Associates has refocused the study on a water supply connection to Chicago Heights through this Homewood option. The Memorandum of Understanding (MOU) creates the opportunity for both the Villages to complete due diligence and resolve any outstanding contract terms. We understand that Homewood will approve the MOU at its June 9 meeting.

For the benefit of the public generally Mayor Braun noted that staff has been diligent, attempting to secure a new potable water source due to the difficulty with the Harvey water system. Chicago Heights has secured a contract through Hammond and Homewood is contracting with Chicago Heights. Should Flossmoor be able to secure the same connection through Homewood then it would be an easier solution versus building our own infrastructure to connect to Chicago Heights.

Mayor Braun asked Finance Director Scott Bordui to answer Ms. Nelson's previously submitted question about the cost of the water. Mr. Bordui said that our current rate will be \$4.57/1,000 gallons of water with our connection through Harvey. Mayor Braun addressed her question considering the water delivery fee. This water delivery fee is the cost to deliver the water to use and does not go away as it is built into the regular contract. This is the cost that is required to maintain the system. Ms. Nelson thanked the Board for answering the questions.

Trustee Williams noted that it is her wish that in addition to evaluating and potentially moving forward with this opportunity, we also continue to evaluate the option of building our own infrastructure. Her concern is that should this deal with Homewood not move forward, we do not want to be left without an option.

Mayor Braun answered that this memorandum of understanding is not binding, but it does formalize the relationship to continue negotiations. Both communities need to do their due diligence and perform corrosion studies and there is a greater value to working together. If this option will work out, Flossmoor will not need to incur the costs of building its own infrastructure. Trustee Williams stated she is in favor of moving forward with this conversation with Homewood.

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Trustee Mitros noted that he is happy that we have this option and is hopeful that it will work out. Trustee Kimmons said he believes in controlling our own destiny and believes that although this is good news we should continue to do our due diligence. He then asked for clarification on some of the open ended verbiage in the Homewood contract terms that he would like to understand better with regards to shared costs. Ms. Orr noted that the shared costs only relates to studies we are conducting, such as the corrosion study. Ms. Wachtel noted that Trustee Kimmons' comment was referencing shared costs in the contract terms which will need to be negotiated as a part of this process. He requested that the Board be informed of more details as to what the shared costs entail.

Trustee Hoag thinks it is an excellent step in the right direction and applauds the Village and Staff for moving forward with this.

Trustee Driscoll echoed the comments of his fellow Trustees and noted that we should trust but verify during this process to be sure Flossmoor moves forward with the best options.

Trustee Bradley-Scott agreed with the sentiments and asked if Ms. Orr will have a seat at the table when Homewood is negotiating with Chicago Heights. Mayor Braun responded that although Flossmoor will do due diligence, we are a customer to Homewood, not a partner, and therefore we will not be negotiating with Chicago Heights.

Mayor Braun asked the Board if they had any further questions and as they did not, he called for a motion to approve a Memorandum of Understanding by and between the Village of Flossmoor, Cook County, Illinois and the Village of Homewood, Cook County, Illinois as presented. Trustee Mitros so moved, seconded by Trustee Hoag, and passed by a roll call vote.

AYES:	Trustees Bradley-Scott, Driscoll, Hoag, Kimmons, Mitros, and Williams
ABSENT:	None
ABSTAIN:	None
NAYS:	None

Mayor Braun referred to Agenda Item #5: Consideration of a Contract Award for the FY2021 Sidewalk Replacement Program

Included in the Fiscal Year 2021 General Fund Budget is \$100,000 for the Sidewalk Replacement Program. This year's program is being done in two phases of approximately \$50,000 each. This contract is for the first phase of the program that includes general sidewalk and other concrete repairs. The second phase that will be bid out later this year includes sidewalk replacement in the IDOT right-of-way. The IDOT permitting for this phase will take several months and once permits are approved, Public Works will bid out the work. This current phase includes sidewalk replacement along a portion of location of the FY21 MFT road resurfacing program (Hamlin Avenue, 190th Street, Sunset Avenue and Travers Lane) and at other locations in the Village where larger defective areas have been identified. The program focuses on the removal and replacement of sidewalk identified as defective. The contract bid estimated a quantity of 5,611 square feet (224 squares) of sidewalk replacement and other miscellaneous concrete curb and apron repairs. Seven sets of bid documents were sent to selected firms with four formal bids submitted.

Three of the seven selected firms that were sent bid documents were certified minority or woman owned businesses. One of the four formal bids submitted was from a certified minority owned business. All bids

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were reviewed and found to comply with the requirements of the bid documents and specifications. The bid results are as follows:

The lowest bidder is Strada Construction Company, which is not one of the certified diverse businesses. Strada Construction has completed sidewalk replacement work in the Village before, and their work has been satisfactory. Their bid price of \$7.35/sq. ft. is a good price given that we paid \$7.75/sq. ft. in last year's SPWDA joint bid. Based on the above discussion, the Public Works Department recommends that the Mayor and Village Board award the FY2021 Sidewalk Replacement Program to Strada Construction Company of Addison, IL in the not to exceed amount \$47,685.06.

Mayor Bran asked for clarification on the timing of the acquisition of the IDOT permit. Due to COVID19, IDOT has a backlog of permits so we can expect that this timing will take longer than usual, but the IDOT related work will not be completed until later in the fiscal year.

Trustee Williams acknowledged the team for identifying minority vendors and for giving them the option to apply.

Mayor Braun asked the Board if they had any further questions and as they did not, he called for a motion to approve the Contract Award for the FY2021 Sidewalk Replacement Program. Trustee Williams so moved, seconded by Trustee Mitros, and passed by a roll call vote.

AYES: Trustees Bradley-Scott, Driscoll, Hoag, Kimmons, Mitros, and Williams
ABSENT: None
ABSTAIN: None
NAYS: None

Mayor Braun referred to the Finance Committee – Presentation of Bills for Approval and Payment (May 18, 2020)

Trustee Bradley- Scott made a motion to approve hand checks in the amount of \$1,013.86 and invoices in the amount of \$396,874.88 for a total of \$397,888.74. The motion was seconded by Trustee Driscoll and passed by a roll call vote.

AYES: Trustees Bradley-Scott, Driscoll, Hoag, Kimmons, Mitros, and Williams
ABSENT: None
ABSTAIN: None
NAYS: None

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Other Business:

Mayor Braun asked the community to please support our outdoor dining. Staff and the owners of these businesses have worked very hard to pull together during the pandemic and are looking forward to reopening for the community. Staff is also making inquiries as to whether or not the restaurants near Meijer and Buona would be interested in outdoor dining. They are also talking to businesses at Flossmoor Commons. His only other comment was to be safe. We are doing everything we can to serve the community and he asked that residents treat each other well and be respectful and kind to one another.

Trustee Kimmons commented that we control our own destiny and we are all humans and can always do better. Mayor Braun agreed wholeheartedly.

Trustee Mitros thanked Mayor Braun and Chief Kamleiter Tod for their opening of the meeting and said it was perfectly said. He also urged the community to support our local businesses and tell the proprietors what a great job they are doing. It is a wonderful experience and our businesses are working hard to stay open.

Trustee Williams mentioned that she and her friends try to remind one another of the good things that they see during this turbulent time.

Village Clerk Ananda Billings noted her appreciation for living in this wonderful community.

Mayor Braun referred to Agenda Item #6 on the Agenda: A Motion to go into Executive Session to Discuss the Employment of Specific Individuals, Property Acquisition, and Litigation.

There was no need for Executive Session.

As there were no other items to discuss, Mayor Braun called for a motion to adjourn the meeting. Trustee Mitros so moved, seconded by Trustee Bradley-Scott and passed by a roll call vote.

AYES:	Trustees Bradley-Scott, Driscoll, Hoag, Kimmons, Mitros, and Williams
ABSENT:	None
ABSTAIN:	None
NAYS:	None

The Regular Meeting ended at 8:42PM

Respectfully Submitted,

Ananda Billings

Ananda Billings
Village Clerk