

*MINUTES OF MAYOR NELSON AND BOARD OF TRUSTEES FOR THE REGULAR MEETING OF
THE VILLAGE OF FLOSSMOOR, ILLINOIS HELD ON FEBRUARY 20, 2023*

VILLAGE HALL / ZOOM MEETING

FEBRUARY 20, 2023

7:30 pm

Mayor Nelson called the meeting to order at 7:32 pm.

Village Clerk Gina A. LoGalbo took roll.

PRESENT: Mayor Nelson, Trustees Bradley-Scott, Daggett, Driscoll, Lofton, Mitros, Mustafa

ALSO PRESENT: Village Manager Bridget Wachtel; Assistant Village Manager Jonathan Bogue; Flossmoor Police Department Acting Commander Tim Filkins; Fire Chief Bob Kopec; Finance Director Scott Bordui; Director of Public Works John Brunke; Assistant Public Works Director Dan Milovanovic; Building and Zoning Administrator Scott Bugner; Village Attorney Kathi Orr; Village Clerk Gina A. LoGalbo; 17 residents

Mayor Nelson called the meeting to order. Mayor Nelson noted that the meeting was being held in person and via Zoom, which is permitted by Public Act 101-0640. Mayor Nelson noted that the public was invited to monitor the meeting via Zoom or attend the meeting in person. Public participation would be permitted only in person during the citizen comment portion of the agenda. Members of the public could submit comments on items on the agenda by emailing info@flossmoor.org. Emailed comments would be shared with the Village Board.

Recognitions and Appointments:

None.

Mayor Nelson referred to the Consent Agenda (which encompassed Agenda Items 1-7):

- 1. Approval of the Minutes of the Regular Meeting Held on February 6, 2023*
- 2. Presentation of Bills for Approval and Payment as Approved by the Finance Committee (February 20, 2023)*
- 3. Consideration of a Capital Equipment Replacement Purchase and Budget Amendment for One Large Dump Truck*
- 4. Consideration of an Agreement Renewal with Smith Dawson and Andrews*
- 5. Consideration of an Ordinance of the Village of Flossmoor, Cook County, Illinois, Approving the Downtown Redevelopment Plan and Project, Downtown Redevelopment Project Area*
- 6. Consideration of an Ordinance of the Village of Flossmoor, Cook County, Illinois, Designating the Proposed Downtown Redevelopment Project Area, a Redevelopment Project Area Pursuant to the Tax Increment Allocation Redevelopment Act.*
- 7. Consideration of an Ordinance of the Village of Flossmoor, Cook County, Illinois, Adopting Tax Increment Allocation Financing for the Downtown Redevelopment Project Area*

Mayor Nelson stated that as a point of information regarding Item #4, the federal lobbyist hired by the Village was paid \$60,000, and they helped the Village obtain \$200,000 in federal grants that are going towards fixing the viaduct flooding. They are working on more projects as well.

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Mayor Nelson called for a motion to approve the Consent Agenda. Trustee Mustafa so moved, seconded by Trustee Lofton.

Mayor Nelson called for a vote on the motion as presented. Motion passed by a roll call vote.

AYES: Trustees Bradley-Scott, Daggett, Driscoll, Lofton, Mitros and Mustafa.

ABSENT: None

ABSTAIN: None

NAYS: None

Reports of Committees, Commissions and Boards:

None.

Action Items:

Mayor Nelson referred to Agenda Item #8 – Consideration of an Award of Contract and Budget Amendment for the FY23 Fire Hydrant Maintenance and Flow Testing. Mayor Nelson called for a motion for Consideration of an Award of Contract and Budget Amendment for the FY23 Fire Hydrant Maintenance and Flow Testing. Trustee Mitros so moved, seconded by Trustee Bradley-Scott. Assistant Public Works Director Dan Milovanovic explained that included in the FY23 Budget is \$30,000 for fire hydrant flow testing and maintenance, which is a critical program done every year to ensure the operation and flow capabilities of the Village's fire hydrants. Each year all of the Village's hydrants receives the maintenance that the insurance service office requires, and each year 1/3 of the Village's hydrants are flow tested. The Village contracts with M.E. Simpson to complete the program, which is a professional firm that provides technical services to municipalities and water utilities throughout the Chicagoland area. In the past, the Village has tried to use other firms, but other firms' performance has not been satisfactory. Because of those past experiences, Public Works Staff recommends that the Village continues to work with M.E. Simpson. Simpson submitted a proposal for pricing that covers the next three years. The total amount of the proposal for this year is \$37,494, which is based on unit prices and an estimated number of hydrants. The proposed amount is over the approved budget amount by \$7,494.00, so a budget amendment is needed. Public Works Staff also requested additional funding to cover any GPS locating that may be needed for new hydrants found in the Village's system. Public Works Staff opined that a budget amendment in the amount of \$7,750 would be sufficient to cover the potential final cost of the contract. Public Works Staff also requested that the Village Board waive the competitive bid process and award the contract for the FY23 Fire Hydrant Maintenance and Flow Testing to M.E. Simpson Co., Inc. in the amount of \$37,494, approve a budget amendment in the amount of \$7,750.00, and authorize the Village Manager to approve expenditures up to the amount of \$37,750.00 if needed.

Trustee Bradley-Scott inquired about the last time the project was bid out, and asked for context in regard to the new hydrants and GPS locating in the proposal.

Assistant Public Works Director Dan Milovanovic thought the Village had used M.E. Simpson since approximately 2014. Milovanovic explained that the Village has a good idea of the number of hydrants in the Village (which is approximately 840), and every year there is maintenance that happens on the water

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distribution system. Sometimes the work is done by contractors, like with the Berry Lane project, where some hydrants were removed and some were added. There are instances where the Village removes or adds a hydrant, and they don't have a GPS location for it.

Trustee Mustafa inquired about whether this time of year is typical for Fire Hydrant Maintenance and Flow Testing.

Assistant Public Works Director Dan Milovanovic replied that yes, they are done in late winter/ early Springtime.

Mayor Nelson called for a vote on the motion as presented. Motion passed by a roll call vote.

AYES: Trustees Bradley-Scott, Daggett, Driscoll, Lofton, Mitros, and Mustafa.

ABSENT: None

ABSTAIN: None

NAYS: None

Discussion Items:

Mayor Nelson referred to Agenda Item #9 – Discussion of a Liquor License Request for Poppin Corks Bistro. Village Manager Bridget Wachtel explained that Mr. Randall Smith submitted a business plan for an American cuisine restaurant, Poppin Corks Bistro. Mr. Smith and his wife are in the process of negotiating the purchase of Siam Thai restaurant in Flossmoor Commons as the owners of the Siam Thai are retiring. The Smiths are requesting a Class A liquor license for consumption on the premises. Along with the liquor license, by administrative application, the liquor license holder can pursue video gaming. If the Board grants the liquor license request, then the applicant will have the ability to administratively seek a video gaming license. The Village only keeps the exact number of liquor licenses per class for the Village's establishments. If the Board is agreeable to grant the license, the Board would direct the Village Attorney to either increase the number of Class A licenses by one or create a new class of license. Then the ordinance would be placed on the next agenda, and then once approved, Mr. Smith would make an administrative application with the Village.

Mr. Smith stated that he was a fifteen-year resident of Flossmoor, and that he looks forward to opening a restaurant in Flossmoor. He stated that he has five years of experience in the restaurant business, including working as a manager of several restaurants. The name 'Poppin Corks' was about celebrating life's achievements. He would like to have a variety of drinks at Corks and have American cuisine like seafood and steak. Gaming isn't a necessity for him, but if the Village is open to it, he would like to consider it as a stream of revenue for the restaurant. He's anticipating fifty customers per day, with the average meal priced at \$13.00, beers would be about \$6.00, and alcoholic beverages around \$12.00-\$13.00.

Mayor Nelson asked about a floor or concept plan for the restaurant and whether there is a budget for changing the inside of the restaurant.

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Mr. Smith responded that he has been working with an architect (Joe Berman) who will be drawing up proposed plans. Mr. Smith estimated that he would spend about \$100,000.00 to remodel the restaurant.

Trustee Daggett inquired about the proposed hours of the restaurant and kitchen.

Mr. Smith responded that he was flexible about the hours and what the Village deemed acceptable and was planning on 12:30-1:00 am for closing time.

Trustee Driscoll inquired about whether Mr. Smith would be fine proceeding without gambling machines, he inquired about the parking situation at Flossmoor Commons, and when they will be opening. He thought that during certain times, the parking for Poppin Corks could be affected.

Mr. Smith responded that he was fine with proceeding without the gambling machines. In regard to the parking situation, he spoke to the current lessee who said that overall there is adequate parking there. Mr. Smith thought that Poppin Corks might be ready to open in three and a half months.

Trustee Lofton suggested that the kitchen not be open until 12:30-1:00 am and noted the proposed pricing of the food.

Trustee Mitros inquired about planned renovations, requested to see a floor or concept plan for the restaurant, and spoke in favor of the restaurant.

Mr. Smith answered that he was only planning on cosmetic changes for the restaurant and that the setup would remain the same as it is now.

Trustee Mustafa expressed her pleasure at another restaurant coming to Flossmoor, asked about whether they would have a bar, and also requested to see a floor or concept plan for the restaurant.

Mr. Smith answered that he would have a bar inside the restaurant.

Mayor Nelson inquired about the Trustees' opinions on having a liquor license class that excluded gaming.

Trustees Lofton and Mitros had no issue with gaming machines. Trustee Mitros inquired about dining al fresco in that location.

Village Manager Bridget Wachtel stated that she believed that the Village ordinance that pertains to outdoor dining covers private spaces, including where Poppin Corks would be located.

Trustee Mustafa stated that she didn't oppose the gaming and agreed that it would be good to plan for outdoor dining.

Trustee Driscoll stated that he didn't think there would be a problem with Mr. Smith having gaming machines.

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Mr. Smith stated that he would probably have only two machines.

Trustee Daggett stated that he didn't have an issue with gaming machines, given that the other restaurants in town have them, and he thinks it comes down to aesthetics and no flashing signs in the window.

Trustee Bradley-Scott inquired about flashing lights in store windows and seconded what the other Trustees said about the precedent already being set for them to have gaming machines.

Mayor Nelson referred Mr. Smith to Building and Zoning Administrator Scott Bugner for him to work with in regard to signage and other issues.

Mayor Nelson concluded that the Board was favorable to Mr. Smith's project, but that they would like more information, including architectural drawings, before proceeding with granting a liquor license. Mr. Smith will be in contact with Ms. Wachtel when he is ready to return to the Board.

Mayor Nelson referred to Agenda Item #10 – Consideration of Concept Plans for a Planned Multi-Family Development (19020 Kedzie Avenue). Building and Zoning Administrator Scott Bugner explained that the Plan Commission had held three hearings regarding conceptual plans for the project since March of 2022. The initial plan was for a thirty-six-unit, four-story building, but that exceeded the density allowed for the property, which was twenty-nine-units. Initial concerns included building height, fire department access, and traffic ingress and egress. The petitioners returned in October 2022 with a revised plan that met the density requirement of twenty-nine units and slightly reduced the overall building height. However, the plan included a public/ private banquet room on the top floor, along with thirty-one additional parking spaces to accommodate the banquet space. The Plan Commission and staff had concerns regarding the banquet space as a public use due to shared building access for both residents and the public who would be renting the space. Additional concerns included the required parking, occupant load, public safety and the potential for the banquet use to become a nuisance to the residents. In December, the petitioners returned with two additional concepts, both of which included a banquet space and an exterior stairwell for egress from the banquet space. The second concept was to have the banquet space on the second floor, and the Plan Commission and Staff were still unfavorable of a public banquet space. The petitioner advised that without the opportunity for additional revenues that could be generated by the banquet space or the additional units proposed initially, the proposed project wouldn't be financially viable.

In accordance with the Planned Unit Development Procedures, a Planned Unit Development may depart from strict site and structure requirements and other regulations for the standard zoning districts as long as the departures aren't detrimental to or endanger the public health, safety, morals, comfort or general welfare. Density cannot be exceeded in accordance with the current Planned Unit Development regulations. Bugner noted that while up to 20% of the land area of a planned development in an R-7 Residential District may be devoted to business uses, need and compatibility for the use must be demonstrated. The Plan Commission was not in agreement that the banquet facility as a business use was compatible with the residential building.

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Tom Cachey, president of T.J. Cachey builders, explained that their ninety-six year-old company has built single-family homes, townhomes, commercial buildings, and more in the Chicagoland area, including Flossmoor. He noted that Randy Pertler was the managing partner of For His Glory, LLC, and that they contracted with T.J. Cachey builders. The owners bought the property at 19020 Kedzie Avenue with the hopes of renovating and selling it, but then determined that it wasn't feasible to renovate it. They have been before the Plan Commission and tried to consider different uses on the site, and the one they are proposing seems to be the only one financially feasible. They went from thirty-six units originally to twenty-nine units with the event space (not a wedding venue or banquet facility) to generate additional income in order to make the project viable. The event space would be for smaller gatherings for the tenants to have family over. He stated that they struggled with the Plan Commission to get their approval. While it wasn't presented to the Plan Commission, they have a new plan proposal, which is to have an open terrace space on the fourth floor and move some other rooms around to have a total of thirty-four units.

Cachey added that they weren't sure yet whether the building was going to have condos or apartments due to construction costs being unknown at this time.

Mayor Nelson asked some clarifying questions about the latest proposal. She explained that the property at issue was not in the Village of Flossmoor (it's in Cook County), and that part of the process would be the annexation of the property into the Village.

Village Attorney Kathi Orr explained that the process for annexation would include an annexation agreement, then a petition for annexation, a public hearing on the agreement, rezoning if needed, and then the actual annexation would be by ordinance. The annexation process could take approximately ninety days.

Trustee Lofton asked some clarifying questions, like the size of the bedrooms, whether the variation of plans would change the size of the apartments, and how close the building would be to the golf course.

Cachey answered that the units would be 780 and 1160 sq. ft. (one bedroom and two bedrooms, respectively), they wouldn't likely change the size of the units with the variation of plans and that the building is about thirty feet from the golf course.

Trustee Mitros expressed that he would like the units to not be rental units, suggested that the terrace space be turned into a housing association space for the tenants to manage, and noted that some Flossmoor residents are moving away because they want to downsize and can't find any townhomes to move into in the Village.

Trustee Mustafa asked clarifying questions about the variations of the project and about comparable sizes for the square footage of the apartments, noted that she would prefer condos to rental apartments and a private space for owners versus a space for public use. She also inquired about the basement.

Cachey noted that their proposed square footage is standard. He also noted that his building team has done similar projects in the area. He noted that there would only be parking in the basement area.

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Trustee Driscoll stated that the Board welcomes the development and wants to make sure that it will be a positive development for the long term, like the Tamarac condos. He would prefer high-end condos over apartments and noted that he didn't have a preference between a private or for-profit event space if that would be more feasible for them.

Cachey stated that the banquet facilities manager from Coyote Run came to a Plan Commission meeting and expressed their support for the event space. Cachey added that an option is to have the condo owners own the event space and manage it.

Trustee Daggett stated that he also preferred condos, but understood that the market would drive the use. He inquired about the open-air stairs on the plans and the closeness to the high school.

Cachey noted that the stairs were added for the public event space and that they would be eliminated if they didn't have the public space. He added that one of the parking lots in the plans would also be removed if the event space is eliminated.

Trustee Bradley-Scott complimented Cachey and his team on their presentation and inquired about the planned parking. She noted that the building was attractive and inquired about the landscaping plan and limiting the hours of the banquet facility.

Cachey answered that the parking in the basement was planned for one space per unit and one more per unit in the regular lot with four extra parking spots. He noted that they didn't have a landscaping plan yet.

Village Attorney Kathi Orr explained that if the units were condos, the banquet facility would be an amenity for the condominium homeowner association and it would be subject to Village ordinances (i.e., littering). If the event space were a public facility, there would be a lot of concerns to address (i.e., making sure the public couldn't get into the residential area).

Flossmoor Police Department Acting Commander Filkins noted that he reviewed the building plans. He explained that with regard to the event space possibly being public, the Flossmoor Police Department has had to respond to situations at other events where there is armed security, and then the FPD has to check their credentials. The FPD would also be concerned about traffic in/out of a public event space at the development and people sitting in their cars smoking, drinking, etc. He noted that in Chestnut Hill, where there is a facility for residents, he's been there one time in ten years. As police, they have concerns about opening up facilities to the public, especially if it's inside a private building, like the proposed second-floor event space, because they could have difficulty gaining access to the space.

Fire Department Chief Kopec noted that he reviewed the building plans, and his main concern was that the FFD would only have access to two sides of the building. In the event of a large-scale incident, they would have limited access, especially on the backside. He would prefer access on all four sides, but having access on three sides would make him more comfortable.

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Cachey responded that making adjustments for fire apparatus to have more access would cause them to have to move the detention pond to where the secondary parking lot (to accommodate the event space) would be placed.

Public Works Director Brunke noted that he didn't have any concerns at this time from a civil engineering/ site plan perspective.

Trustee Mustafa inquired about the purpose of the public event space, data on expected revenue from a public event space, and whether financing was affected by having the event space or not.

Cachey responded that the purpose of the event space was to make up for lost revenue by having to reduce the number of units in the building. He noted that they had data on expected revenue and that revenue would almost compensate for the loss of some of the units. He added that they weren't at the point of financing yet.

Randy Pertler added that in regard to financing, they have had some equity partners put in money, which is gone. They are raising capital through more equity partners and crowdfunding, and they do not ask for money until they have their approved plan in place.

Building and Zoning Administrator Scott Bugner stated that if the Board wishes to address the density requirement, his recommendation was that the Board address the issue through the planned unit development procedures and not by changing the density in the R-7 district.

Mayor Nelson stated that the project has Board support for thirty-four units and for a private event space for the residents of the building. The owners/ builder can go back to the Plan Commission with their feedback since their discussion was for a concept review. She noted that they still need final approvals from the Plan Commission and Village Board.

There was a discussion about whether the fire truck could reach the proposed fourth story of the building, and Chief Kopec noted that it would be close but that they also have access to neighboring fire departments' equipment.

There was further discussion about the rear access of the building for the fire truck, and Chief Kopec noted that he would work with Scott Bugner on the issue.

Mayor Nelson referred to Agenda Item #11 – Presentation of the Fiscal Year 2023 Mid-Year Financial Review. Village Manager Bridget Wachtel presented the FY23 mid-year financial review data for the dates May 1, 2022, through October 31, 2022, regarding the General Fund and the Water Sewer Fund, which are the Village's two largest operating funds in the Village. The Village Departments also prepared reports on the status of their goals and objectives. Wachtel noted that a handful of budget amendments had been made in the General Fund, including one that impacted the Water Sewer Fund – the cancellation of the third quarter administrative transfer to the General Fund. As far as projections, there is \$200,000 more in

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projected revenue and a projected short-term savings of \$2,714,000.00 due to the deferral of capital projects. At the time of putting together the FY23 budget, they were budgeting an operating deficit of \$859,000 inclusive of budget amendments, compared to the mid-year review, which is projecting an operating surplus of \$335,000.

Wachtel explained that the sales tax revenue continues to outperform. At the time of the budget preparation, the Village had anticipated an operating budget shortfall of \$558,000.00 due in part to the annual contribution from the General Fund to the Capital Fund to help support the capital equipment fund expenses, an increase in the Fire Department contract personnel and duty shift program; and an increase in the Village's contribution for workers' compensation and general liability insurance.

Wachtel noted that the Village was seeing short-term savings in personnel due to vacancies, position turnover, and/or fewer hours scheduled compared to the budget, which is about a \$425,000 savings. The Village also anticipates about \$112,000 in savings from benefits and IMRF. She noted the annual street maintenance expense that has come out of the General Fund for the last couple of years, and since the referendum, that money has been allocated for the crack sealing program. The General Fund fund balance is projected to grow to \$8,526,000, but it's a short-term improvement compared to the budget. There has been short-term benefit due to the Village not being fully staffed; projects put off, and from grant monies received from the state and federal governments. In regard to the Water & Sewer Fund, the Village was budgeting \$4,000,000 in revenues at the time of the budget preparation for FY23, and \$3,700,000 in expenditures. The third quarter transfer to the General Fund was reduced, so the Water & Sewer Fund had an influx of money. The Village is projected to have about \$38,000.00 less in Water & Sewer sales. The Village is seeing immediate savings as a result of the new water contract with Homewood. The fund balance is projected to increase from \$1,600,000.00 to \$1,700,000.00, which isn't sustainable to help support the capital investments that are needed in the fund. She noted that the Village is unable to pay for capital improvements with cash on hand. The Village's bill-to-purchase ratio reached its peak at 83% following the water main improvements in previous years and has trickled downward again to as low as 69% in FY22. The percentages signify that the Village is not accounting for all of the water usage that is occurring in the system. New meters will improve the ratio.

Wachtel also noted that overall the mid-year trends show improvement compared to the budget. Any deferred capital and personnel turnover help the short-term picture. The health of the Water & Sewer Fund has been declining, which puts pressure on the General Fund. Grant monies from the other units of government will likely continue, but they aren't a long-term solution to funding capital improvements. Stagnant and declining revenue is offset by increasing expenditures like the rising costs of doing business. The Village is limited in the amount and types of revenues that the Village can raise. Wachtel noted that the Fund balance is healthy and that the Village has a history of strong policies and practices that have helped maintain and sustain the Village's financial position. The current and past Village Boards have been supportive of maintaining those positions long term to maintain the Village's financial stability.

Mayor Nelson thanked Wachtel and Village Staff for the presentation and the work they do to put the Village in a good financial position. She noted that the report underscored the importance of continued economic

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development, which the Village is working hard on, the importance of working with the state and federal lobbyists, and the need for the new water meters.

There was discussion amongst the Board regarding Wachtel's report, including praise and thanks for everyone's hard work.

Citizens Present Wishing to Address the Board on a Non-Agenda Item

(It should be noted that in reporting these comments, the Village has not researched the accuracy of any comments.): No residents wished to speak on a Non-Agenda Item.

Citizens Present Wishing to Address the Board on an Agenda Item

(It should be noted that in reporting these comments, the Village has not researched the accuracy of any comments.): No residents wished to speak on an Agenda Item.

Other Business:

Mayor Nelson referred to Agenda Item #12 – A Motion to go into Executive Session to Discuss the Employment of Specific Individuals, Property Acquisition and Litigation.

There was no need to enter into Executive Session.

Clerk LoGalbo noted that March 10, 2023 is Flossmoor Veterans Memorial Trivia Night and encouraged people to participate.

Mayor Nelson thanked the Community Relations Commission and staff for their work highlighting Black residents in STEM fields. Some of those residents are to be on a panel on February 23rd at HF High School to talk to students about their fields.

Mayor Nelson noted that at Parker Junior High, Be Invincible would be part of a presentation to motivate students.

Mayor Nelson announced that March 4th is the Flossmoor St. Patrick's Day Parade at 1 pm, and she encouraged residents to participate.

Finally, Mayor Nelson noted that April 1st is the new resident event at the Flossmoor Public Library from 3:30 – 6 pm.

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

AYES: Trustees Bradley-Scott, Daggett, Driscoll, Lofton, Mitros and Mustafa.
ABSENT: None
ABSTAIN: None
NAYS: None

The Regular Meeting was adjourned at 9:13 p.m.

Respectfully Submitted,



Gina A. LoGalbo
Village Clerk