

**City Council Meeting**  
Of the City of Palos Hills  
held **Thursday, July 17, 2014**  
City Hall Council Chambers  
10335 S. Roberts Road  
Palos Hills, Illinois 60465

1) **CALL TO ORDER:** Mayor Bennett called the City Council Meeting to order at 7:00 p.m.

2) **PLEDGE TO THE FLAG:** Mayor Bennett led everyone in the Pledge to the Flag.

3) **ROLL CALL:** Upon roll call the following Aldermen responded as present: Knox, Brachman, Hanson, Schultz, Kleefisch, Stratton, Pasek, Williams

**ABSENT:** Marrotta, Moore

4) **QUORUM:** Mayor Bennett declared a quorum was present.

5) **READING OF THE PREVIOUS MEETING MINUTES:**

Ald. Kleefisch, I MOVE to approve the City Council Meeting Minutes dated July 3, 2014 as presented. SECONDED by Ald. Williams. Upon roll call the following Ald. voted:

AYE: Brachman, Schultz, Kleefisch, Stratton, Pasek, Williams, Knox

ABSTAIN: Hanson

ABSENT: Marrotta, Moore

NAY: None

MOTION CARRIED.

6) **CITIZENS PETITION:** None.

7) **CITIZENS HEARING:**

Mayor Bennett, the meeting is open to the public for any comments or questions.

Sam Kaster of 10460 S. 73<sup>rd</sup> Ave., stated he has an application in for a fence on the side of his property and (inaudible). He stated his property runs length wise it is the only house that faces south (inaudible) front yard and back yard over the length of property. He stated he would like to put a fence on the smaller section to the west of the driveway; just a privacy (inaudible).

He stated 105<sup>th</sup> St. has a lot of traffic on it (inaudible) outside the neighborhood. I have had a saw taken out of my garage with a special blade that cost me \$100.00 (inaudible). I have had a gas grill thrown off my deck on the back of the house, it is all visible (inaudible).

Mayor Bennett, the Council I think has seen your proposal but the fence you are proposing is like out in front of the house and not all the way around the house. I guess the question is that for whatever security why wouldn't you go all the way down (inaudible).

Mr. Kaster, it is just to section off the side, there is a driveway and the house is actually to the other side of the driveway, the fence whatsoever would not affect the house. I am going up to the property line.

Mayor Bennett, the only fences that are allowed from the front of the house back. You just kind of have like a U shape front fence up in front of the house.

Mr. Kaster, because I have a huge tree there, we want to take advantage of the shade with the tree and garden there, and we want to put up lawn furniture and I want to have that just as a shield so people driving by don't see the lawn furniture and what is there.

Mayor Bennett, I was just interested as to why you don't want to go all the way down your property line on that side. On the west side you only indicated like a U shaped fence or are you going all the way down? According to this dotted line you are just (inaudible) your fence here. There is no fence that goes down and all the way to the back of your property.

Mr. Kaster, there is no need for it; there is bushes all the way down. The tree I am talking about is right here, and I just want to set up like a patio with paver block section right here.

Ald. Pasek, the only question I have is about 2 months ago we voted on property similar to this on 103<sup>rd</sup> St., and the Council at that time decided the front door of the house indicates the front of the house. In your particular case the front of the house faces 105<sup>th</sup> St., you can't go past the front of your house with a fence. So you could put a fence up but it has to be no further south than the front of your garage. Then you could put a fence up but you can't come all the way out to the street.

City Attorney Pappas, you can't go beyond your front building (inaudible).

Mr. Kaster, correct, I understand that, and its not (inaudible), there is a driveway between the section (inaudible) in front of the house that is where the fence is going to be. This fence is on the sidepiece of the parcel of land that is no way connected to the house whatsoever.

Ald. Pasek, doesn't matter it is the front of the house all the way to the lot. What you are going to do with your proposal is to go 20 feet, from just an estimate here, past the front of your house with the fence, and our Ordinance says you can't do that; you can't go past the front of your house.

Mayor Bennett, according to the ordinance all fences either can go here and can go here (referring to the drawing), so you could run a fence all the way up to the property line, that you could do.

George Rehder of 7817 W. 102<sup>nd</sup> St. addressed the City Council with his concerns and the

problems of flooding that occurs along 102<sup>nd</sup> Ave & 78<sup>th</sup> Ave. He stated all the water comes to his property and his neighbor's property.

He stated with this recent rainfall we went down 78<sup>th</sup> Ave. and the storm sewer next to the restaurant the water was actually coming out of that storm sewer flowing towards 102<sup>nd</sup>, which was back flowing towards my house.

Why can't Palos do something about this water, it could be run over to Com Ed's property instead of mine. Com Ed doesn't have any houses there and their property is not going to get ruined and if the water gets to high it will go into Lucas ditch where it is suppose to go anyway.

Mayor Bennett, George first of all did to attempt to even try to call city hall that day. Mr. Kaster stated no that he was to busy pumping water.

Also, to my understanding we didn't receive any calls from over there, meaning that I would think no houses were flooding. Obviously with a 3 inch rain that we had, which again is an unusually rain, that the ditches did fill up and their system was full.

Let me go back one other step, George I have met with you on multiple occasions, we have sat down and I spent a lot of time with you and your neighbor, we brought in an entire survey of that area over there, and unfortunately your home and your neighbors home, which has been there a long time sits in an area where it is a low spot and we can't drain out from that low spot.

When we have had some severe floods obviously you have had it the worst and we sat down and talked about movement of water and we can't pump out an entire flood area. You were talking about flowing ditches, at a maximum that rain is coming down everything fills up. It was a 3-inch rain, we have not had a 3-inch rain like that in a short period of time in years, and unfortunately you've come in to see me when we've had the worst type of rainfall that has taken place over a period of the last 10 or 20 years.

Comm. Weakley told Mr. Kaster that he would be happy to meet with him again.

With no further comments or questions from the public; the public portion of the meeting was closed.

## **8) REPORTS & COMMUNICATIONS FROM MAYOR AND OTHER CITY OFFICIALS:**

**A. CITY CLERK:** No report.

**B. CITY ATTORNEY:**

City Attorney Pappas, Chief Madigan asked me to look into the possibility of having our P-Ticket Court on Saturday's handle minor marijuana cases instead of sending them into the Circuit Court over in Bridgeview.

I did look into it and the Chief has some good ideas as to the reasons why it should be done. Chief can I ask you to elaborate on it?

Chief Madigan, we are making a lot of very small marijuana arrests in the street, small we are talking about less than (inaudible), and many of the other towns throughout Illinois are starting to deal with those P-Tickets not taking the people to (inaudible), confiscating the narcotic and sending them to P-Ticket Court.

It takes our officers off the street for a couple of hours to process one of those arrests (inaudible). (Inaudible) a P-Ticket on the street (inaudible). It is far more efficient that way, it is for small amounts not large amounts (inaudible) and the officers can be back on patrol for a longer period of time. It is a win win for us, and that is the way the rest of the towns are going.

My question to the City Attorney was whether we can do that (inaudible), and he did the research that he feels that we can.

City Attorney Pappas, I am going to do a little more research between now and our next Committee Meeting and I will be able to report back to the City Council with certainty as to whether it can be done or not. I believe the limited risk (inaudible) thus far it can be done.

The advantage to it would be the revenue would come to the city instead of going to the State (inaudible) fines, number one. Number two the Officers don't spend 2 to 3 hours at Bridgeview sitting around (inaudible). In my experience those cases get dismissed. So that would be the advantage to it.

### **C. MAYOR**

Mayor Bennett, I have put in you mailboxes a replacement of Tom Smagac, who retired, Commissioner Weakley has made a recommendation of John Slager to fill that position. At this time I ask for Council's concurrence.

So MOVED by Ald. Knox, Seconded by Ald. Hanson. Upon roll call the following Ald. voted:

AYE: Hanson, Schultz, Kleefisch, Stratton, Pasek, Williams, Knox, Brachman

ABSENT: Marrotta, Moore

NAY: None

MOTION CARRIED.

Mayor Bennett, read a letter he received from a resident over in Hidden Lakes, Paul Morgan. It reads Dear Mayor Bennett a little over 2 years ago the MWRD land south of Hidden Lakes Estates was an invasive forestry that was filled with abundances of dangerous dead trees just waiting to fall.

A little over a year ago the land was all but barren after being nearly clear cut and covered only by a layer of mulch and seeds. That is when the District had gone in there and cleared the Right of Way areas along the creek.

Last month I had a certified (inaudible) to the area after explaining how her visit came to be. Her first question was if this was our 3<sup>rd</sup> or 4<sup>th</sup> growing season due to the rather odd topography of the area, at least three or four micro echo systems are developing. There was an original woodland growth, wetland areas and a prairie and a touch of savanna. The beautification project that he had proposed he came to the city about if he could do it in cooperation with the District which we gave him the go ahead, and then we worked with him on it.

The Beautification project has exceeded all my expectations; the wild flowers and native grasses have already begun to choke down the weeds. A variety of wild flowers is clearly evident with much already in bloom and May flowers just waiting to pop open.

In the (inaudible) have gotten together and they put a memorial tree, a project sponsored by the residents and donated 8 flowering trees, 6 evergreens. The trees border the pond providing spring color and shade for (inaudible) for summer; evergreens create a backdrop along the birm.

I just want to express my personal gratitude to you Comm. Weakley and Comm. Nelson for all your support and considerations that made this event possible. I continue to invest my personal funds to support the establishment of this natural area.

I hope to continue this project for at least 2 more years; after that the wildlife will hopefully become self-sustaining for many decades to come.

Again, I want to thank you for your time and efforts on your city and personnel to approve the project and work with them.

Mayor Bennett, I want to thank Paul Morgan for coming to us with the project. I thought it was really neat in consideration of realizing the MWRD land for something to return it back to its natural areas it use to be in and around this entire Palos area. So I want to thank him for the time he spent using his own money to start this project off, and Hidden Lakes for giving him the support to do what he did over there.

**9) PRESENTATION OF PETITIONS, COMMUNICATIONS, RESOLUTIONS  
ORDERS AND ORDINANCES BY ALDERMEN:**

**A. BUILDING & LICENSE:** No report.

**B. CITY ADMINISTRATION/GOLF:** No report.

**C. COMMUNITY RESOURCES:** No report.

**D. ECONOMIC DEVELOPMENT:**

Ald. Schultz, there are 2 new business in Palos Hills, the first one is Abra Auto Body &

Glass located at 7727 W. 112<sup>th</sup> Pl. Also, Palos Hills Pancake House located at 10719 S. Roberts Rd. was issued their business license today, and they will be opening on Monday, July 21, 2014.

**E. FINANCE:**

Ald. Knox, you all have before you a Vendor Warrant dated July 17, 2014 in the amount of \$300,280.04. I MOVE to authorize the expenditure of same. SECONDED by Ald. Pasek. Upon roll call the following Ald. voted:

AYE: Schultz, Kleefisch, Stratton, Pasek, Williams, Knox, Brachman, Hanson

ABSENT: Marrotta, Moore

NAY: None

MOTION CARRIED.

**F. LEGISLATION & ORDINANCES:** No report.

**G. PARKS:**

Ald. Stratton, thank you to Comm. Vincent, her staff and all the volunteers who once again put on a great fest despite the horrific storm.

Mayor Bennett, we did cancel Saturday; Saturday was pretty hectic because of the storm. Not only were our crews out throughout the city but also out on the grounds trying to recover for Sunday.

We got together Saturday morning and made the decision about canceling Saturday, we used the reverse 911 system to inform our residents regarding that. In fact we received a lot of calls from our residents who really appreciated that the city did that to inform them.

I though in general both Thursday and Friday night and certainly Sunday were huge crowds and Saturday would have probably have complimented that if weather permitted.

All staff involved did a great job, my thanks to the Police Dept., Public Works, ESDA, Resources for the coordination it took this last weekend to get it back up and running for Sunday. Thank you all.

**H. PLANNING & ZONING:**

Ald. Hanson, we are awaiting the minutes from the Zoning Board of Appeals hearing that took place this past Monday for a variance on a garage set back.

**I. PUBLIC SAFETY:**

Ald. Kleefisch presented and read the Palos Hills Police Dept. Activity Report for the month of June, 2014 as follows: 273 traffic tickets were issued, 180 parking tickets were issued, there were 53 misdemeanor complaints, 1 felony complaint, 2 aggravated assault and battery, there were 2 burglaries, 5 thefts, and our C.I.D. Division handled a total of 99 cases.

Ald. Kleefisch, I just want to mention that the Police testing schedule, the new applicant Orientation is going to take place on Sept. 10, 2014 at 7:00 pm at the Palos Hills Park Department. The physical agility test will take place on Oct. 4, 2014 at 7:00 am at Stagg High

School. The written exam will also take place on Oct. 4, 2014 at 1:00 pm also at Stagg High School. The date and place for the oral exam is to be determined yet.

The Sergeants and Lieutenants exam will take place on August 13, 2014 at 7:00 pm at Stagg High School.

**J. PUBLIC WORKS/SEWER & WATER:**

Ald. Williams, The Public Works Commissioner reports the following activities in the Public Works Department.

Powerful summer storms seem to be the theme recently. On the heels of the June 30<sup>th</sup> storm that brought high wind and major storm damage to trees and the electric power grid throughout the southwest suburbs another powerful storm caused major flooding in some southwest communities north and south of Palos Hills. In Palos Hills minor flooding of intersections, streets and ditches were reported after 3.98 inches of rain fell in just over 4 hours the morning of July 12<sup>th</sup>.

Public Works crews assigned to the Friendship Fest grounds reacted quickly and cleared storm sewers, creek grates and monitored sanitary sewer lift stations to prevent further flooding and sewer back-ups within the community.

Periods of intense rain within the rain event quickly exceeded storm sewer design resulting in large volumes of overland storm water flow through back and side yards throughout the city. The city received several reports of basement seepage and sump pumps running nonstop. There were no reports of storm water overtopping foundations or flooding basements.

**Water Leak Detection Survey:**

In the Commissioners July 3<sup>rd</sup> update report the commissioner reported there was a hidden water leak in the city water system. The commissioner reported that he had hired a leak detection company to survey the water system to locate the hidden water leak. As of today the survey has located 3 hidden water leaks. Two leaks are located on 74<sup>th</sup> Ave. north of 105<sup>th</sup> St. and one located on Cour LaSalle. Two leaks have been repaired and the third will be repaired tomorrow.

Ald. Williams stated Wendy has been working on this for a couple of days now or more then a week or so, the Palos Hills Racquet Club located at 11050 S. Roberts Rd. She send them letters to QCD Financial, LLC in Hinsdale in reference to cutting the weeds and the grass over there, and she hasn't gotten any response. The one response she did get back she talked to them on the phone and they said they weren't going to cut it.

The property is behind in back taxes \$179,866.00 and I am suggesting that --- Wendy sent them a letter stating that by Saturday if the grass wasn't cut she was going to issue a ticket the following Monday, and after that ticket is issued I will make a motion to allow Mr. Pappas to draw up a lien on the property for the weed removal and clean up the area over there and put a lien on the property after Saturday if it is not done. SECONDED by Ald. Knox.

City Attorney Pappas, have we cut it yet?

Ald. Williams stated no.

City Attorney Pappas, we can lien it until we cut it (inaudible). If I could make a suggestion Ald. Williams, let me send him a letter. I will get that letter out tomorrow and tell and give him a week to respond and if they don't we will go ahead and cut it and lien it.

Mayor Bennett, the Chair may suggest that your motion be amended until such time the City Attorney has indicated that he can't get a response. So if the Council wishes that the motion become affective on the final word from the City Attorney that there is no response or any response from the property owner, then we cut the property, and place a lien on the property. SO MOVED by Ald. Hanson, SECONDED by Ald. Schultz. Upon roll call the following Ald. voted:

AYE: Williams, Knox, Brachman, Hanson, Schultz, Kleefisch, Stratton, Pasek

ABSENT: Marrotta, Moore

NAY: None

MOTION CARRIED.

**10) REPORTS OF SPECIAL COMMITTEES:**

Ald. Pasek, the fence issue that we talked about earlier, the petitioner left. Do we have to make a motion on rejecting his proposal, and then suggesting that Gene call him tomorrow or Monday to tell him what we would approve?

Mayor Bennett basically he'll inform him that the Council did in fact of whatever the vote is, and I just showed the gentleman myself what he needs to do. He needs to stay behind the building line.

Ald. Pasek, I MOVE to reject Mr. Kaster's fence idea for the property located at 10460 S. 73<sup>rd</sup> Ave. SECONDED by Ald. Kleefisch. Upon roll call the following Ald. voted:

AYE: Knox, Brachman, Hanson, Schultz, Kleefisch, Stratton, Pasek, Williams

ABSENT: Marrotta, Moore

NAY: None

MOTION CARRIED.

Mayor Bennett, Comm. Nelson if you would let the gentleman know that the City Council did not approve his proposal and that I explained to him that he can go, as long as he stays behind the building line, the whole side of the house if he wants to up to his property line. On 73<sup>rd</sup> Ave. he can come up the side up to the building.

**11) UNFINISHED BUSINESS:** None.

**12) MISCELLANEOUS BUSINESS:**

Ald. Brachman, I just wanted to know if anything is happening along 111<sup>th</sup> St. with the property across from the High School, the old Burger King?

Mayor Bennett, my last report to the Council I have met twice, most recently with a couple of

Developers who had some pretty good interest in it, and I have talked to the property owner about co-operating over there. I have not heard anything recently; hopefully they will get back to me. They were interested in not only the corner but possibly the Burger King property too.

Mayor Bennett, to remind everyone our next official meeting is our Council Meeting on August 7, 2014.

**13) ADJOURNMENT:**

No further business, Mayor Bennett entertained a motion to adjourn. SO MOVED by Ald. Stratton. SECONDED by Ald. Pasek. By voice vote, all voted AYE.

The Meeting adjourned at 7:41 p.m.

Submitted by

Rudy A. Mulderink  
City Clerk  
City of Palos Hills