

**City Council Meeting**  
Of the City of Palos Hills  
held **Thursday, August 6, 2015**  
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: Brachman, Lebarre, Marrotta, Schulz, Kleefisch, Stratton, Pasek, Moore, Nowak

**ABSENT:** Knox

- 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 16, 2015 as presented. SECONDED by Ald. Moore. Upon roll call the following Ald. voted:

AYE: Brachman, Lebarre, Schultz, Kleefisch, Stratton, Pasek, Moore, Nowak

ABSTAIN: Marrotta

ABSENT: Knox

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.

John Niemiec from 7826 W. 102<sup>nd</sup> St., the last evening I was here I gave Ald. Moore 6 questions that I would like to have answered (inaudible) got those answers.

Ald. Moore, Mr. Niemiec I think you are going to be happy with the ending results of this meeting. I think we are going to address several issues beyond these 6 questions you asked specifically. So when the business of this meeting is over I think you are going to be happy about what we are doing here.

Mr. Niemiec, who is the owner of that property?

Mayor Bennett, we have an owner of record in the research that we have done over the last 2 weeks since you were there. That property did turn over twice, once it was turned over to a couple of people who had come in for. However we require them to certify they by an

engineer or architect that the structure would be sound to rehab and they failed to come back. The property was then turned over again to current owners of the property who submitted plans to take the building down to the foundation and rebuild a new home.

Mr. Niemiec, (inaudible) builders they are going to do work on it?

Mayor Bennett, yes that is their plans. However the building definitely has to come down. They are talking about building up from the slab. We are going to require that they also certify that slab to maintain a new building on it. But there are other things that we are going to require, as you will find out during the business meeting.

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:** No report.

**C. MAYOR**

Mayor Bennett, Ladies & Gentlemen one of the items I have is as you recall the tragic plane crash that took place in our town last year we received a check from their insurance company in the amount of \$15,000.00 to cover our costs involved with the police action that took place, and we thank the insurance company for compensating us for that.

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

**A. BUILDING & LICENSE:**

Ald. Lebarre, building permits issued for the month of July 2015 are as follows: total permits issued 70, permit fees totaled \$26,342.00, security deposits received were \$2,300.00 and security deposits refunded were \$550.00.

Ald. Lebarre, I MOVE for consideration of a proposed Ordinance Providing For The Vacation And Sale Of All of 101st Street Between 86<sup>th</sup> Avenue And 86<sup>th</sup> Court In The City Of Palos Hills, Illinois. SECONDED by Ald. Kleefisch. Upon roll call the following Ald. voted:

AYE: Marrotta, Schultz, Kleefisch, Stratton, Pasek, Moore, Nowak, Brachman, Lebarre

ABSENT: Knox

NAY: None

MOTION CARRIED.

City Clerk Mulderink assigned Ordinance number 2015-5.

Ald. Kleefisch, I MOVE to waive the reading of proposed Ordinance 2015-5. SECONDED by Ald. Moore. Upon roll call the following Ald. voted:

AYE: Schultz, Kleefisch, Stratton, Pasek, Moore, Nowak, Brachman, Lebarre, Marrotta  
ABSENT: Knox  
NAY: None

MOTION CARRIED.

Ald. Lebarre, I MOVE for PASSAGE of Ordinance 2015-5, An Ordinance Providing For The Vacation And Sale Of All Of 101<sup>st</sup> Street Between 86<sup>th</sup> Avenue And 86<sup>th</sup> Court In The City Of Palos Hills, Illinois. SECONDED by Ald. Kleefisch. Upon roll call the following Ald. voted:

AYE: Kleefisch, Stratton, Pasek, Moore, Nowak, Brachman, Lebarre, Marrotta, Schultz  
ABSENT: Knox  
NAY: None

MOTION CARRIED.

**B. CITY ADMINISTRATION/GOLF:**

Ald. Moore, I did bring up the Veteran's Fundraiser to be held on Saturday, August 29<sup>th</sup> at Philly T's, they want to have guitar player on the patio from 6:00 pm to 10:00 pm. it is a good cause, and I now put that in the form of motion. SECONDED by Ald. Stratton. Upon roll call the following Ald. voted:

AYE: Stratton, Pasek, Moore, Nowak, Brachman, Lebarre, Marrotta, Schultz, Kleefisch  
ABSENT: Knox  
NAY: None

MOTION CARRIED.

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

**D. ECONOMIC DEVELOPMENT:** No report.

**E. FINANCE:**

In the absence of Ald. Knox, Ald. Pasek stated you all have before you a Vendor Warrant dated August 6, 2015 in the amount of \$366,343.52. I MOVE to authorize the expenditure of same. SECONDED by Ald. Moore. Upon roll call the following Ald. voted:

AYE: Pasek, Moore, Nowak, Brachman, Lebarre, Marrotta, Schultz, Kleefisch, Stratton  
ABSENT: Knox  
NAY: None

MOTION CARRIED.

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

**G. PARKS:**

Ald. Stratton, the Community Resource & Recreation Department will be holding two important programs at the Community Center in the month of August. Free blood pressure screenings will take place on Wednesday, August 12<sup>th</sup> from Noon to 1:00 pm. These will be conducted by Health Advocates no appointment is necessary.

Secondly, we will be holding a two day AARP driver safety course on Thursday, August 20<sup>th</sup>, and Friday, August 21<sup>st</sup>. Class on both days begins at 9:00 am and ends at 1:00 pm. You must attend both days in order to get credit for the course. Cost is \$15.00 for AARP members, \$20.00 for non-members. For more information about each of these programs please call the Community Center at (708) 430-4500.

#### **H. PLANNING & ZONING:**

Ald. Schulz, would just like to make a motion to have Mr. Pappas draw up the new Ordinance verbiage.

Mayor Bennett, verifying the Zoning Board of Appeals recommendation under the variance of restrictions. SECONDED by Ald. Marrotta. Upon roll call the following Ald. voted:

AYE: Moore, Nowak, Brachman, Lebarre, Marrotta, Schultz, Kleefisch, Stratton, Pasek

ABSENT: Knox

NAY: None

MOTION CARRIED.

#### **I. PUBLIC SAFETY:**

Ald. Kleefisch, since I wasn't at the last City Council Meeting I'd like to read the Palos Hills Police Dept. Activity Report for the month of June 2015, it reads as follows: we issued 440 traffic tickets, 316 parking tickets, there were 19 misdemeanor complaints and 2 felony complaints, there were 7 thefts, and our C.I.D. Division handled a total of 66 cases.

Also, we received a check in the amount of \$3,060.50 from NCI Receivable Management & Recovery.

Ald. Kleefisch, I mentioned at Committee that I'd like to move for our inclusion in the State of Illinois Comptrollers Office Debt Recovery Program, where after we've exhausted all of our efforts to collect both debts for our local ordinances and other fines they would move on to the State Comptrollers Office and she would collect them for us. So I MOVE to include the City of Palos Hills in this debt recovery service. SECONDED by Ald. Marrotta.

Mayor Bennett, moved by Ald. Kleefisch and seconded by Ald. Marrotta and the motion is to have the City Attorney draw the necessary ordinance to allow us to be involved in this. Upon roll call the following Ald. voted:

AYE: Nowak, Brachman, Lebarre, Marrotta, Schultz, Kleefisch, Stratton, Pasek, Moore

ABSENT: Knox

NAY: None

MOTION CARRIED.

Ald. Kleefisch, the other item is also when I brought up at Committee concerning a conflict in a couple of our ordinances concerning the height of grass before it needs to be cut. The conflict is that one ordinance states 8 inches and the other one states 6 inches and in discussing it with our Ordinance Officer she recommended to me that her opinion would be that it be 6 inches the maximum height before cutting. So I now MOVE that we make these two ordinances consistent, by making both sections to read 6 inches. SECONDED BY Ald. Pasek. Upon roll call the following Ald. voted:

AYE: Brachman, Lebarre, Marrotta, Schultz, Kleefisch, Stratton, Pasek, Moore, Nowak

ABSENT: Knox

NAY: None

MOTION CARRIED.

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

Ald. Brachman, at this time I would like to make a recommendation to approve the Driveway permit in question I don't have the exact address; 8557 W. Sun Valley, and I would make the motion to approve plans as submitted. SECONDED by Ald. Schultz.

Mayor Bennett, are there any questions? The big question is what (interrupted).

Ald. Moore, question, so the plan submitted is this plan right here?

Ald. Brachman, no; this one.

Mayor Bennett, do we have dimensions on that plan?

Ald. Brachman, we've got the plan that he has submitted yes.

Ald. Lebarre, my suggestion would be because I did the drawing I looked at it. I would have Gene look at this because it is kind of ambiguous because it does say 6 feet or give or take a few inches. I am not quite sure if that's how it is normally written up. But I would suggest that you get plans that are (interrupted).

The City Council allowed the resident to speak. Resident said I just wasn't sure as to how far from the sidewalk I could be if there is an ordinance on this. So I would say give or take about 6 feet would be a nice angle to be able to get in and out.

Mayor Bennett, the question is that angle and we have pictures of it; but then at the last meeting you said your contractor maybe wanted to go to the sidewalk and that's why in giving you permission we want to make sure that we follow some guidelines here. That when your contractor come out and he does whatever he wants.

In fact I think Gene before we approve that thing that they go out there and mark that with a dye to show exactly where that thing is going before you approve it.

Comm. Nelson, that was my concern (inaudible).

Mayor Bennett, I would certainly ask that you amend the motion to include based upon final approval of the Building Commissioner on his lines.

Ald. Brachman, I MOVE to AMEND my motion to include before the driveway construction starts it would be subject to the approval of the Building Commissioner. SECONDED by Ald. Marrotta.

Mayor Bennett, the other point because you are talking about putting a boat back there that the fence has to be a solid fence. It has to cover or not have any view of that from (talking - inaudible).

Resident, (inaudible)

Mayor Bennett, up to the front of your house, you are closing that part too?

Resident, yes.

Ald. Moore, just to be clear Sir, this is the driveway we are voting on?

Mayor Bennett, that is the latest I saw. Would you please pass that on to the Building Commissioner.

Ald. Moore, because if it ends up this it's a problem.

Ald. Pasek, I would like the fact that the boat is going to be behind the front building line. Because I personally don't like to see boats all over everybody's driveways, and this will eliminate that problem.

Ald. Kleefisch, is this home part of a Planned Unit Development?

Mayor Bennett, yes.

Ald. Kleefisch, I have a problem with somebody removing their entire side yard for storage purposes and in effect this is what is happening here. So I wouldn't approve this.

Ald. Lebarre, Mr. Mayor there is actually 2 documents here and I think there might be some confusion here. We are voting on the driveway we are not voting on the fence.

Mayor Bennett, correct but I am just reminding you if the intent is a boat this could be screened out and Alderman the only comment I make about the side drive is that is if this home were in the middle of a block there is no way that this Council would probably have approved that side drive with a neighbor next door. So because it is an end lot you are taking somewhat of an advantage of the corner lot.

Ald. Kleefisch, well it could pose problems in the future because if this gentleman decides to move and the new owner decided to park something there that is not acceptable; now you have a fight on your hands because there is already an area to park something. That is something else that you can look at down the road.

The City Council allowed another resident to speak, name was not given. Resident, I was doing some research and I did take a picture of (inaudible) somebody did just not a corner lot, they did exactly what I want to do, and he's got boat parked on the side without even the front being closed and I intend closing mine.

Mayor Bennett, the question is whether (inaudible).

With no further questions and upon roll call the following Ald. voted:

AYE: Brachman, Lebarre, Marrotta, Schultz, Moore

ABSTAIN: Stratton, Pasek, Nowak

ABSENT: Knox  
NAY: Kleefisch

MOTION CARRIED.

City Clerk Mulderink, just for everyone's information when you abstain your vote goes with the majority.

Ald. Brachman, the Commissioner reports the following activities in the Public Works Dept. Ash Tree removals have increased as more Ash Trees are showing signs of decline from Emerald Ash Bore. In the past 30 days crews have revoked a total of 108 trees due to Emerald Ash Bore infestation.

The Ash Tree removal crew have also been completing parkway tree trimming requests as time allows.

The public works crew has replaced a damages streetlight at 7901 W. 103<sup>rd</sup> St. We received a check from State Farm Insurance reimbursing the city for street light damage at 7901 W. 103<sup>rd</sup> St.

Crews completed a street light outage survey and a list has been compiled and repairs will be completed over the next week or two. The Commissioner asks if you observe a street light outage to report the outage to Public Works (inaudible).

Crews reported 4 water main breaks at the following locations: 99<sup>th</sup> Pl. and 98<sup>th</sup> Ave., 2 locations on the same day, 87<sup>th</sup> Ave. & 101<sup>st</sup> St., 104<sup>th</sup> St. west of 89<sup>th</sup> Ave. 101<sup>st</sup> St. and 86<sup>th</sup> Ave.

Public Works crews in response to fire hydrant testing completed by the North Palos Fire Protection District has inspected and repaired 40 fire hydrants. Repairs range from (inaudible) to stem repairs. The Commissioner thanks the North Palos Fire Protection District for partnering with the City of Palos Hills to maintain the fire protection systems in reliable working condition.

Public Works crews have completed ditch work at the following locations: 78<sup>th</sup> Ave. 100<sup>th</sup> St. to 102<sup>nd</sup> St., 86<sup>th</sup> Ave. to Green Valley Dr., 105<sup>th</sup> St. & 76<sup>th</sup> Ave.

Crews also installed a new storm sewer inlet and pipe (inaudible) at Interlochen Dr. and Interlochen Ct. and with the nice weather over the past 2 weeks Park Maintenance crews have been busy playing catch up at all city parks. In addition to completing our regular mowing cycle crews have been weeding, trimming trees and removing Buck Fern trees in all of our city parks and right of ways.

Crews installed wood chips recycled from the city branch pick up program on the walk trail of Glacier Park.

There is also a partnership with Moraine Valley. The woodchip-walking trail at Pleasure Lake will be reconditioned in late September with volunteer help from Moraine Valley

Community College. I don't know if you want to say anything Ald. Moore about Moraine Valley?

Ald. Moore, Moraine Valley Community Learning Day is September 29<sup>th</sup> and it is a day that started last year where Moraine Valley sends its full time employees out into the community through the southwest suburbs. We go out to the Ronald McDonald House, we go to cancer centers, we go to animal rescue centers; we volunteer Moraine Valley time to go out in the community.

So this year with the cooperation of the Mayor and Comm. Weakley public works is going to come out and lay down some wood chips on the trail at Pleasure Lake on the backside of the lake. So it is a win win situation; we get to get out in the community and help people out.

Ald. Brachman, at this time crews are also completing pothole repairs and b-box inspections throughout the city.

**10) REPORTS OF SPECIAL COMMITTEES:** None.

**11) UNFINISHED BUSINESS:**

Ald. Marrotta, we know about the property at 7820 W. 102<sup>nd</sup> Street. I would like to thank Mr. Niemiec he says we've been working together on this. This has been something that has been a moving target as Ald. Moore said for many years. But at this time enough is enough.

Ald. Marrotta, I MOVE that within 90 days of today's date this property is leveled of all buildings or we condemn all the buildings to be removed after 90 days. SECONDED by Ald. Pasek.

Mayor Bennett, again notification will be given to the owners of the property regardless of whether they do it on their own it is 90 days to come in and remove all structures on that property regardless of the foundation issued or not, and after 90 days if they don't we will come in and do it and lien the property.

City Attorney Pappas, the procedure that has to be followed in a situation, if nothing is done within that 90 days I would have to follow a lawsuit and it is going to end up in Circuit Court of Cook County and we are going to have to serve the owners and they are going to have to come in and explain to the Judge. That is not an easy process, in other words 90 days from now we cannot (inaudible).

It is going to take some time. I talked to the owners and they understand the concern that the City Council and the neighborhood has about those structures and they are going to move forward when they tell me as quickly as possible. It's a lot faster if they do it then if we do it.

Ald. Marrotta, I just feel like all the more I talk about it maybe this will light a fire and they will do it on their own and get it done faster.

With no further discussion and upon roll call the following Ald. voted:

AYE: Lebarre, Marrotta, Schultz, Kleefisch, Pasek, Moore, Nowak, Brachman



ABSTAIN: Stratton  
ABSENT: Knox  
NAY: None

MOTION CARRIED.

City Attorney Pappas, what I will sent a letter to them on Monday and I will call them tomorrow and let them know what the City Council has decided to do so maybe that will encourage them to move swiftly.

Ald. Moore, I just want to thank the City Council for your attention to this in you understanding what is going on over there, the neighbors in that area feel frustrated, aggravated as they should be, this has been a moving target for 6 years and in dealing with this.

Ald. Stratton, I MOVE for an Executive Session to be held on August 20, 2015 to review Executive Session Minutes that we are required to do by law. SECONDED by Ald. Marrotta. Upon roll call the following Ald. voted:

AYE: Schultz, Kleefisch, Stratton, Pasek, Moore, Nowak, Brachman, Lebarre, Marrotta

ABSENT: Knox

NAY: None

MOTION CARRIED.

Ald. Pasek asked Attorney Pappas about the real estate tax bills that we get from the County; have you done anything with them.

City Attorney Pappas; I am in the process of filing that lawsuit.

**12) MISCELLANEOUS BUSINESS:** None.

**13) ADJOURNMENT:**

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

The Meeting adjourned at 7:28 p.m.

Submitted by

Rudy A. Mulderink  
City Clerk  
City of Palos Hills