

MINUTES OF THE REGULAR MEETING
OF THE PRESIDENT AND BOARD OF TRUSTEES
HELD IN THE COUNCIL ROOM OF THE MATTESON VILLAGE HALL
4900 VILLAGE COMMONS
ON THIS 6TH DAY OF OCTOBER 2003

Deputy Clerk Miotti called the meeting to order at 7:43 p.m.

CALL TO ORDER

Deputy Clerk Miotti called the roll and the following Trustees answered present:

ROLL CALL

- Andre Ashmore
- Sam Brown
- Emmanuel Imoukhuede
- Allan Johnson
- Carol Marshall
- Nathaniel Motton Jr.

President Stricker and Clerk Grisco were not in attendance.

Also present were: Joseph Perozzi, Village Attorney; David Mekarski, Village Administrator; Hildy Kingma, Director of Community Development; Lafayette Linear, Finance Director; Robert Wilcox, Fire Chief; Jan Dinnocenzo, Recording Secretary; and the Star Newspaper.

In the absence of President Stricker, Trustee Ashmore moved to appoint Trustee Johnson as Temporary Chairman of the meeting. Seconded by Trustee Brown.

- AYES: (6) Ashmore, Brown, Imoukhuede, Johnson,
Marshall, and Motton
- NAYS:(0)
- ABSTAIN: (0)
- ABSENT: (0)

a) Temporary Chairman Johnson presented the Minutes of the Regular Meeting of September 15, 2003 for additions, deletions, or corrections.

CONSIDERATION OF
MINUTES

Trustee Ashmore moved to approve the Minutes of the Regular Meeting of September 15, 2003 as presented. Seconded by Trustee Imoukhuede.

REGULAR MEETING OF
SEPTEMBER 15, 2003

Trustee Marshall requested the following correction: Page 09-070-03, the last

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line, replace “Trustee Motton” with “Trustee Brown”.

Trustee Ashmore amended his motion and moved to approve the Minutes of the Regular Meeting of September 15, 2003 with the above noted correction. Seconded by Trustee Brown.

AYES: (5) Ashmore, Brown, Imoukhuede, Johnson, and Marshall

NAYS:(0)

ABSTAIN: (1) Motton

ABSENT: (0)

a) Temporary Chairman Johnson presented the Salary, Overtime and Accounts Payable as submitted.

Trustee Ashmore moved to accept the Salary, Overtime and Accounts Payable as submitted. Seconded by Trustee Brown.

AYES: (6) Ashmore, Brown, Imoukhuede, Johnson, Marshall, and Motton

NAYS:(0)

ABSTAIN: (0)

ABSENT: (0)

a) Temporary Chairman Johnson read a Proclamation proclaiming Friday, October 10, 2003 to be International Hispanic/Latino Mental Health Day.

b) Temporary Chairman Johnson read a Proclamation proclaiming Friday, October 24, 2003 as Lambda Tau Omega Chapter of Alpha Kappa Alpha Sorority, Incorporated Celebrating 25 Years of Service to the Southern Suburbs.

Trustee Ashmore reported his attendance at the Administrative/Finance Committee meetings of September 17 and October 1, the Illinois Municipal

CONSIDERATION OF FINANCIAL REPORTS

SALARY, OVERTIME AND ACCOUNTS PAYABLE

COMMENTS BY VILLAGE OFFICIALS

PROCLAMATION – INTERNATIONAL HISPANIC/LATINO MENTAL HEALTH DAY

PROCLAMATION – LAMBDA TAU OMEGA CHAPTER OF ALPHA KAPPA ALPHA SORORITY, INCORPORATED CELEBRATING 25 YEARS OF SERVICE TO THE SOUTHERN SUBURBS

BOARD OF TRUSTEES

October 6, 2003

10-076-03

League Conference, the Open House for Cook County Commissioner Joan Murphy, and the ribbon cutting for the new Fire Station.

TRUSTEE COMMITTEE
REPORTS

Trustee Imoukhuede reported his attendance at the Illinois Municipal League Conference and the Public Works Committee meeting.

Trustee Brown reported his attendance at a Green Power event in Country Club Hills on September 27 and the Fire Station Open House on October 5. He thanked the staff for providing various information sources for residents regarding the garbage strike.

Trustee Marshall reported her attendance at the Administrative/Finance Committee meeting of September 17, the Housing and Human Relations Commission meeting of September 24, and the landlord meeting for Lindenwood. She noted that a Neighborhood Watch Program is being organized for the Lindenwood area, with a meeting scheduled for October 21. Trustee Marshall also noted her attendance at the Fire Station Open House. She announced there will be a meeting of the Housing and Human Relations Commission meeting on Thursday, October 9.

Trustee Motton reported there will be a Community Center Task Force meeting on Wednesday, October 8, at 7:00 p.m. as well as a Foundation meeting.

Temporary Chairman Johnson reported his attendance at the Green Power event in Country Club Hills on September 27 and the Fire Station Open House on October 5. He requested everyone to help get the word out regarding the garbage strike situation.

Mr. Larry Rasik, 4101 Lindenwood Drive, felt that the garbage strike is creating an unsafe condition near his place of residence. Temporary Chairman Johnson advised that the Village staff is monitoring the situation.

OPPORTUNITY FOR
PUBLIC COMMENT

1) Mr. Robert Wilcox, Fire Chief, noted that this purchase would be the second phase to the newly purchased air packs approved approximately a month ago.

CONSIDERATION OF BIDS
AND AWARDING OF
CONTRACTS

Trustee Imoukhuede moved that the Board accept the proposal from the low bidder, Air One Equipment, Inc. for the purchase and installation of one (1) Breathing Apparatus Compressor and one (1) Fill Station in the amount of \$39,060. This authorization is contingent upon the Vendor obtaining a

CONSIDERATION OF BIDS
FOR THE PURCHASE OF
BREATHING APPARATUS/
COMPRESSOR FILL

October 6, 2003

Performance Bond and Proof of Insurance as outlined in the Specifications.
Seconded by Trustee Ashmore.

STATION

Temporary Chairman Johnson stated that \$150,000 had been budgeted for this combined purchase. This purchase combined with the first, which was approximately \$81,000, places the line item well below the budgeted amount.

AYES: (6) Ashmore, Brown, Imoukhuede, Johnson,
Marshall, and Motton

NAYS:(0)

ABSTAIN: (0)

ABSENT: (0)

2) Mr. Lafayette Linear, Finance Director, advised that there currently is a bill pending in Congress called the "Internet Tax Non-discrimination Act." The concern is that the language is too broad and may have an impact on the Village's ability to collect telecommunications utility tax. The South Suburban Mayors and Managers Association has requested that the Village of Matteson participate in a letter writing campaign to appropriate elected officials signed by the Village President on behalf of the Board of Trustees expressing our concern with the language incorporated in Senate Bill 150.

NEW BUSINESS

CONSIDERATION OF
SUBMITTING A LETTER
SIGNED BY THE VILLAGE
PRESIDENT ON BEHALF
OF THE BOARD OF
TRUSTEES TO THE
HONORABLE UNITED
STATES SENATOR PETER
FITZGERALD, THE
HONORABLE UNITED
STATES SENATOR
RICHARD DURBIN AND
THE HONORABLE UNITED
STATES CONGRESSMAN
JESSE JACKSON, JR.
EXPRESSING OUR
CONCERN WITH THE
LANGUAGE
INCORPORATED IN S. 150
AND H.R. 49 THE
"INTERNET TAX NON-
DISCRIMINATION ACT"

Trustee Ashmore moved that the Village President on behalf of the Board of Trustees sign the attached letter addressed to The Honorable United States Senator Peter Fitzgerald, The Honorable United States Senator Richard Durbin and The Honorable United States Congressman Jesse Jackson, Jr. expressing our concern with the language incorporated in S. 150 and H.R. 49 the "Internet Tax Non-discrimination Act." Seconded by Trustee Marshall.

AYES: (6) Ashmore, Brown, Imoukhuede, Johnson,
Marshall, and Motton

NAYS:(0)

ABSTAIN: (0)

ABSENT: (0)

3) Mr. Mike Murray, Deputy Director of Public Works, noted that the proposed ordinance would provide for residents to pay costs incurred for testing of water meters. The ordinance presently allows for a \$3 meter testing fee. Costs incurred would consist of labor, shipping and fees charged by the meter testing company. Currently the cost for such service would total approximately \$130; however, by wording it as "costs incurred" the fee would change as the costs to

CONSIDERATION OF AN
ORDINANCE AMENDING

CHAPTER 52, "WATER"
FAULTY METERS

the Village change.

Trustee Ashmore moved that the Board approve the Ordinance amending Chapter 52, entitled "Water" of the Village of Matteson, Cook County, Illinois, concerning faulty meters. Seconded by Trustee Marshall.

Trustee Ashmore noted that the Administrative/Finance Committee did review this matter several times and felt that since the incidence was minimal, the proposed wording would serve the purpose intended. Therefore, the Committee is in full agreement with the proposed ordinance change.

Upon questioning from Trustee Motton, Mr. Murray stated that the fee would only be charged to a resident if it was found that the meter was not faulty.

Trustee Imoukhuede stated he strongly objected to the proposed ordinance change. He felt it defeated the purpose of government and would be asking the residents to gamble in order to determine if the meter is functioning properly. He suggested that the matter be discussed at a Workshop session.

Mr. David Mekarski, Village Administrator, noted that the very concerns Trustee Imoukhuede raised were those raised by the Administrative/Finance Committee. He explained that generally there are between 30 and 60 water bill disputes per month, with the common claim being the meter is faulty. If it were to become a matter of practice for residents to request meter testing, it could create a large deficit situation. Administrator Mekarski noted that the meters have been proven to be 99.8% accurate, with failures usually in the resident's favor as the meter slows down.

Trustee Imoukhuede moved that this matter be tabled and sent to a workshop. Seconded by Trustee Motton.

Mr. Murray noted that the Village staff does and will continue to assist residents who are concerned with their water bills by checking and rechecking for water leaks.

Upon questioning from Trustee Motton, Mr. Murray noted that currently the Village sends out approximately 3 or 4 meters per year to be tested.

Referring to the motion to table, the following vote was taken:

AYES: (2) Imoukhuede and Motton
NAYS:(4) Ashmore, Brown, Johnson, and Marshall
ABSTAIN: (0)

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ABSENT: (0)

Referring to the motion to approve the ordinance, the following vote was taken:

AYES: (4) Ashmore, Brown, Johnson, and Marshall

NAYS:(2) Imoukhuede and Motton

ABSTAIN: (0)

ABSENT: (0)

4) Mr. Mike Murray noted that during the reconstruction of the bridge culverts along Cicero Avenue at Butterfield Creek, it was discovered that certain adjustments needed to be made to a portion of the existing water main.

Trustee Imoukhuede moved that the Board of Trustees authorize the Village Administrator to sign the Illinois Department of Transportation "Agreement for Reimbursable Utility Adjustment." Seconded by Trustee Ashmore.

Upon questioning from Trustee Motton, Mr. Murray clarified that IDOT will reimburse the Village for expenses incurred.

AYES: (6) Ashmore, Brown, Imoukhuede, Johnson, Marshall, and Motton

NAYS:(0)

ABSTAIN: (0)

ABSENT: (0)

AUTHORIZATION FOR THE VILLAGE ADMINISTRATOR TO SIGN THE ILLINOIS DEPARTMENT OF TRANSPORTATION "AGREEMENT FOR REIMBURSABLE UTILITY ADJUSTMENT" DOCUMENT

5) Trustee Imoukhuede moved that the Board of Trustees endorse the application to the Northeastern Illinois Planning Commission to amend the current facility planning area to include approximately 160 acres at the southeast corner of Lincoln Highway and Harlem Avenue. Seconded by Trustee Marshall.

AYES: (6) Ashmore, Brown, Imoukhuede, Johnson, Marshall, and Motton

NAYS:(0)

ABSTAIN: (0)

ABSENT: (0)

ENDORSEMENT OF AN APPLICATION TO THE NORTHEASTERN ILLINOIS PLANNING COMMISSION FOR AN AMENDMENT TO THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO'S (MWRDGC) FACILITY PLANNING

BOARD OF TRUSTEES

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10-080-03

6) Mr. Joe Doughney, Building Commissioner, noted that the six proposed code amendments will update the Village's current codes.

Trustee Marshall moved that the following ordinances be approved by omnibus vote:

- An Ordinance adopting the 2003 Edition of the International Residential Code, repealing Ordinance No. 1643 of the Village of Matteson and all other ordinances and parts of ordinances in conflict therewith.
- An Ordinance adopting the 2003 Edition of the International Building Code, repealing Ordinance No. 1643 of the Village of Matteson and all other ordinances and parts of ordinances in conflict therewith.
- An Ordinance adopting the 2003 International Mechanical Code, repealing all other ordinances and parts of ordinances in conflict therewith.
- An Ordinance adopting the 2002 Edition of the National Electrical Code, repealing Ordinance No. 1644 of the Village of Matteson and all other ordinances and parts of ordinances in conflict therewith.
- An Ordinance adopting the 2003 Edition of the International Property Maintenance Code, repealing Ordinance No. 1645 of the Village of Matteson and all other ordinances and parts of ordinances in conflict therewith.
- An Ordinance adopting the 1998 Edition of the Illinois Plumbing Code, repealing Ordinance No. 1650 of the Village of Matteson and all other ordinances and parts of ordinances in conflict therewith.

Seconded by Trustee Imoukhuede.

AYES: (6) Ashmore, Brown, Imoukhuede, Johnson, Marshall, and Motton

NAYS:(0)

ABSTAIN: (0)

ABSENT: (0)

7) Ms. Hildy Kingma, Director of Community Development, gave a brief history of the special use request, noting that an extension is required by the Zoning Ordinance if a building permit is not obtained and construction work has not commenced within one year of approval. Mr. Jim Roberts, the Developer of Matteson Glyns Senior Apartments, has submitted a letter requesting an extension and indicating that they are in the process of closing on the funding for the project and plan to break ground immediately thereafter.

Trustee Brown moved that the Board of Trustees approve a request to extend the Special Use Permit by one year to allow Matteson Glyns to construct and operate

AREA (FPA) BOUNDARY TO INCLUDE APPROXIMATELY 160 ACRES AT THE SOUTHEAST CORNER OF LINCOLN HIGHWAY AND HARLEM AVENUE

CODE ADOPTION ORDINANCES – BUILDING SERVICES

BOARD OF TRUSTEES

October 6, 2003

10-081-03

a multi-family senior dedicated apartment building within the MXD zoning district at the location listed above. Seconded by Trustee Motton.

CONSIDERATION OF A
REQUEST TO EXTEND THE
SPECIAL USE PERMIT FOR
MATTESON GLYNS
SENIOR APARTMENTS
FOR ONE ADDITIONAL
YEAR

AYES: (6) Ashmore, Brown, Imoukhuede, Johnson,
Marshall, and Motton

NAYS:(0)

ABSTAIN: (0)

ABSENT: (0)

8) Ms. Kingma detailed some of the specifics regarding the plat, noting that the final plat covers the entire 903 acre development.

Trustee Brown moved that the Board approve a Final Plat for Manheim Business Park, as presented. Seconded by Trustee Ashmore.

Trustee Imoukhuede requested that as good neighbors the developer try to clean the roads to keep them free of mud.

AYES: (6) Ashmore, Brown, Imoukhuede, Johnson,
Marshall, and Motton

NAYS:(0)

ABSTAIN: (0)

ABSENT: (0)

CONSIDERATION OF A
FINAL PLAT FOR
MANHEIM BUSINESS
PARK

9) Ms. Kingma noted that the proposed monument sign will be located on the southwest corner of 207th Street and Cicero Avenue. The Plan Commission recommended approval with the following conditions:

- That an easement be established for the sign when this parcel is platted and developed.
- That the current property owner create an easement for this sign prior to the sale of this lot and a maintenance agreement be established for the sign prior to the sale of the last parcel in the subdivision.

Trustee Brown noted that the Plan Commission also requested landscaping around the base of the sign.

Trustee Brown moved that the Board of Trustees approve a Subdivision Monument sign for Corporate Lakes Subdivision with the conditions included by the Plan Commission and the additional condition that a landscaping plan be incorporated as part of this monument sign project. Seconded by Trustee Marshall.

CONSIDERATION OF A
SUBDIVISION MONUMENT
SIGN FOR CORPORATE
LAKES SUBDIVISION

BOARD OF TRUSTEES

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AYES: (6) Ashmore, Brown, Imoukhuede, Johnson, Marshall, and Motton

NAYS:(0)

ABSTAIN: (0)

ABSENT: (0)

10) Temporary Chairman Johnson noted that this matter was reviewed at the Public Hearing held prior to this evening’s meeting.

Ms. Kingma requested that a condition be added that the annexation agreement be amended to include a special assessment district and on Page 13, to delete Item G and the incomplete sentence thereafter.

Trustee Brown moved that the Board of Trustees direct the Village Attorney to prepare an ordinance annexing said property and prepare a resolution to approve the Annexation Agreement with the added condition of including the establishment of a special assessment district and the deletion of Article 18, Section G and the incomplete sentence thereafter. Seconded by Trustee Motton.

CONSIDERATION OF THE ANNEXATION OF 148.68 ACRES OF UNINCORPORATED LAND LOCATED ON THE SOUTHWEST CORNER OF US 30 AND RIDGELAND AVENUE INTO THE VILLAGE OF MATTESON

AYES: (6) Ashmore, Brown, Imoukhuede, Johnson, Marshall, and Motton

NAYS:(0)

ABSTAIN: (0)

ABSENT: (0)

11) Ms. Kingma stated that currently this property is located outside of the Village limits, but as it is annexed in, zoning needs to be applied.

Trustee Brown moved that the Board of Trustees direct the Village Attorney to prepare an ordinance authorizing the classification of 148.68 acres of unincorporated land located on the southwest corner of US 30 and Ridgeland Avenue to R-2, Low-to-Moderate Density Residential, R-4, Medium Density Residential and C-4, Highway Commercial, contingent on annexation. Seconded by Trustee Ashmore.

CONSIDERATION OF THE CLASSIFICATION OF 148.68 ACRES OF UNINCORPORATED LAND LOCATED ON THE SOUTHWEST CORNER OF US 30 AND RIDGELAND

AYES: (6) Ashmore, Brown, Imoukhuede, Johnson, Marshall, and Motton

NAYS:(0)

ABSTAIN: (0)

ABSENT: (0)

12) Ms. Kingma stated that the proposed revisions to the Zoning Ordinance would revise and update the existing regulations with regard to permitted uses in districts and fencing on residential lots. She then expounded on the reasoning

behind each of the two proposed revisions:

- Section 159.22 (B): allows public schools within the MXD zoning district with a Special Use Permit. This revision expands the area in which a public school may be located and the MXD district permits all types of residential developments which allows a more complete range of uses in the MXD zoned property (i.e. School District #159 to build a new school).
- Section 159.30 (M)(7): requires that fencing be placed within the easement all the way to the side and/or rear property lines. This revision clearly defines where a fence can be installed on residential property and it will eliminate the issue with maintenance of property beyond the fence line.

AVENUE TO R-2, LOW-TO-MODERATE DENSITY RESIDENTIAL, R-4, MEDIUM DENSITY RESIDENTIAL AND C-4, HIGHWAY COMMERCIAL

CONSIDERATION OF A ZONING ORDINANCE REVISION TO SECTION 159.22 (B) AND SECTION 159.30 (M)(7) AS DESCRIBED BELOW

Trustee Brown moved that the Board of Trustees direct the Village Attorney to prepare an Ordinance to approve amendments to the Zoning Ordinance, Sections 159.22 (B) and 159.30 (M)(7) of the Matteson Zoning Ordinance. Seconded by Trustee Ashmore.

AYES: (6) Ashmore, Brown, Imoukhuede, Johnson, Marshall, and Motton

NAYS:(0)

ABSTAIN: (0)

ABSENT: (0)

13) Ms. Kingma noted that Naperville’s original ordinance adopted to reserve the volume cap for Matteson Glyns was incorrect. In order to address this problem, the developer has asked the Village of Matteson to approve an ordinance declining to accept the transfer of the bond cap from Naperville. Naperville will also be asked to approve an ordinance revoking its transfer. When the funds are needed for the project, Naperville will be asked to transfer the appropriate amount of volume cap to the Village by a “letter of direction.”

Trustee Brown moved that the Board approve an Ordinance declining to accept the transfer of Volume Cap in connection with private activity bond issues, and related matters, for the Matteson Glyns housing development. Seconded by Trustee Imoukhuede.

Trustee Ashmore requested that the next time the Matteson Glyns project is brought before the Board that Mr. Roberts be in attendance to answer questions.

AYES: (6) Ashmore, Brown, Imoukhuede, Johnson, Marshall, and Motton

NAYS:(0)

ABSTAIN: (0)

CONSIDERATION OF AN ORDINANCE DECLINING TO ACCEPT THE TRANSFER OF VOLUME CAP IN CONNECTION WITH PRIVATE ACTIVITY

BOARD OF TRUSTEES

October 6, 2003

10-084-03

ABSENT: (0)

BOND ISSUES, AND
RELATED MATTERS, THIS
ORDINANCE BEING
RELATED TO THE
DEVELOPMENT OF THE
MATTESON GLYNS
SENIOR HOUSING
COMPLEX

There was no old business.

Trustee Brown moved that the Board of Trustees adjourn to Executive Session under the Open Meetings Act, Section 2(c)(11) Litigation, with no need to reconvene. Seconded by Trustee Ashmore.

AYES: (6) Ashmore, Brown, Imoukhuede, Johnson,
Marshall, and Motton

NAYS:(0)

ABSTAIN: (0)

ABSENT: (0)

Trustees Imoukhuede and Brown welcomed back Trustee Motton.

OLD BUSINESS

Trustee Motton requested that an informational sign regarding the garbage strike be placed on Willow. Mr. Murray stated that the signs will be shifted to coincide with the garbage cycle. As to the storage of garbage containers in residential areas, Ms. Kingma advised that that regulation is contained in the Property Maintenance Code that was adopted this evening. As to the proposed Village informational sign, Administrator Mekarski noted that there has not been positive reaction toward donations to the sign; however, positive interest has been raised towards commercial donations for signage along I-57. It may be possible to finance an informational sign through savings realized in the Capital Improvement budget. Lastly, Trustee Motton stated he would like to see a Trustee statement section included in the Matteson Avenue Review wherein Trustees would comment on the various departments and committees they represent.

OTHER BUSINESS

REQUEST FOR EXECUTIVE
SESSION

Ms. Kingma noted that the Economic Development Committee meeting scheduled for October 9 and the Plan Commission meeting scheduled for October 16 have been cancelled due to lack of agenda.

Ms. Rita Miotti reminded everyone that the Fall Leaf Pickup will run from October 13 through November 29, 2003.

Temporary Chairman Johnson stated that the Board had received a letter from Congressman Jackson regarding participation in the planning process for the development of the South Suburban Airport. Because of the timing of the initial meeting of the South Suburban Airport Commission, if the Board chooses to

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participate, a Special Meeting would need to be called to consider the matter and entertain a vote.

Following discussion, Trustee Ashmore moved that the Board set a Special Board meeting of the Board of Trustees for Wednesday, October 15, 2003 at 6:00 p.m. at the Village Hall for the purpose of considering the adoption of the Intergovernmental Agreement for the Village of Matteson to join the South Suburban Airport Authority. Seconded by Trustee Imoukhuede.

Trustee Motton requested and it was unanimously agreed by the Board to reschedule the regular Board Workshop from October 13 to Wednesday, October 15, immediately after the Special Board Meeting.

AYES: (6) Ashmore, Brown, Imoukhuede, Johnson,
Marshall, and Motton

NAYS:(0)

ABSTAIN: (0)

ABSENT: (0)

Trustee Imoukhuede moved to adjourn the Regular Meeting of the Board of Trustees at 9:46 p.m. and, after a short recess, enter into Executive Session with no need to reconvene. Seconded by Trustee Brown.

AYES: (6) Ashmore, Brown, Imoukhuede, Johnson,
Marshall, and Motton

NAYS:(0)

ABSTAIN: (0)

ABSENT: (0)

Respectfully Submitted,

Rita Miotti, Deputy Village Clerk

ADJOURNMENT

BOARD OF TRUSTEES
October 6, 2003

10-086-03