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CITY OF BRAIDWOOD AGENDA
Regular Meeting, Tuesday January 23, 2018 @ 7:00pm

Call to Order
Pledge of Allegiance
Roll Call
Public Comment **(Comments are limited to no more than 3 minutes per Sect. 2-34(b) of the City's Code of Ord.)**

APPROVAL OF MINUTES – January 9, 2018

REPORTS BY CITY OFFICIALS

Mayor- Hotel Proposal Update

Administrator-

Clerk-

Engineer-

City Attorney- Ordinance 18-02, Establishing an Administrative Procedure for Assessing & Determining Claims Under PSEBA
-Ordinance 18-03, Amending License Agreement to Operate Business on City Property
-Ordinance 18-04, Approving Vacation of Roadways, Approving Request to Combine Lots from Prior Plat & Approve Lot Split
-Ordinance 18-05, Declaring Structure a Public Nuisance

REPORTS BY CITY COMMISSIONERS

Accounts and Finances -Payment of Bills
-Payroll Expenses

Streets & Public Improvements-

Public Property-

Public Health & Safety-

Planning & Zoning-

Executive Session-Discuss Personnel, Pending and/or Imminent Litigation, Collective Bargaining/Labor Relations or Land Acquisition
-Actions to be taken following Executive Session:

Old Business

New Business

Adjournment

CITY OF BRAIDWOOD
City Council Regular Meeting Minutes
Tuesday, January 23, 2018

Call to Order
Mayor Vehrs called the meeting to order at 7:00pm.

Mayor Vehrs said before we do the Pledge of Allegiance he'd like to honor one of our very, very good Officer, Michael Gatto who recently passed away. Michael had been an Officer with the city for 25 yrs. He never said a bad word either way, went through (6) different administrations and always stayed on track. The Mayor said he learned things from Mike that he will keep close. So in his honor, the Mayor asked everyone to please stand for a moment of silence for Braidwood Officer Michael Gatto.

Pledge of Allegiance
Mayor Vehrs asked Officer Joe LaCost to lead everyone in the Pledge of Allegiance.

Mayor Vehrs also said before we move to Public Comment if there's anyone in audience that would like to say a couple of words about Michael Gatto feel free to come up.

Roll Call
Elected Officials present: Commissioner Hibler, Commissioner Hutton, Commissioner Smith, Commissioner Tessler and Mayor Vehrs.

Appointed officials present: City Attorney Kopman, City Clerk Sue Grygiel, City Administrator Don Labriola, Chief Nick Ficarello and City Engineer Todd Gereaux were present.

Public Comment
Opened at 7:03pm.
Officer Joe LaCost, 141 W. Main St. Joe said when he started here the first person he rode with was Officer Gatto. He showed him the town a little bit differently than everyone else did. He showed the history, how it all started, where everything was at in addition to reading the street signs. Drove around and pointed out where everyone lives and where they grew up. Mike probably knew everyone and also their kids. Joe just wanted to say thank you and he appreciated him.
Closed at 7:05pm.

Approval of Minutes
Comm. Hutton made a motion to approve the Regular Meeting Minutes of January 9, 2018, seconded by Comm. Smith. Motion approved 5 ayes, 0 nays (Hutton, Smith, Hibler, Tessler & Mayor Vehrs).

REPORTS BY CITY OFFICIALS
Mayor
Mayor Vehrs had under him on the Agenda the Hotel Proposal Update. The gentlemen who was to speak hadn't arrived yet so the Mayor said when he gets here we'll interrupt our Agenda for him to make his presentation at that time.
The Mayor said he was very proud of how this town came together in both of the recent deaths that occurred. This is what we're about; looking out for each other and supporting one another. The Mayor spoke about Officer Gatto's wake which was very impressive. He thanked the Chief for a great job of putting his service together.

Administrator
Don reported that we're reviewing our current Utility Collection Ordinances and State Statutes. They will be our guide going through our Past Due water bills which are climbing. Don has been reviewing the Ordinances with our city attorney and as soon as we make sure all ducks are in a row, Notices will be going out for Collection. We're going to follow the letter of the law. At present our Past Dues are over $150,000 which is not acceptable. He will continue to keep the city council appraised of the situation and should have more news by the next meeting.

City Clerk
Nothing to Report.

Engineer
Nothing to Report.

City Attorney
The attorney addressed his first Agenda item Ordinance 18-02. This Ordinance establishes an Administrative Procedure for Assessing and Determining Claims Under PSEBA. PSEBA is an Illinois Statute; Public Safety & Employee Benefits Act. This is when a Police Officer is injured in the line of duty and performing a dangerous situation; responding to a call, doing an investigation on a burglary. If the Officer is injured as a result of that incident and could no longer work, this Act provides certain benefits have to be paid. The Act talks about a catastrophic injury but the Legislature never truly defined what a catastrophic injury is which has caused a lot of confusion over the years. It talks about benefits being available to an Officer if they are no longer able to work full-time. Legislature never defined full-time as a Police Officer or other full-time gainful employment. The Illinois Municipal League drafted a Model Ordinance to deal with this situation and it's been approved by their lawyers. This Ordinance sets up a system by which the city would have some say in whether or not an Officer who suffered an injury would be eligible for benefits under that Act. This doesn't replace Workmen's Comp, this is in addition to.

Comm. Tessler made a motion to adopt Ordinance 18-02 presented by our city attorney, seconded by Comm. Hibler. Motion approved 5 ayes 0 nays (Tessler, Hibler, Hutton, Smith & Mayor Vehrs).

Next on Agenda is Ordinance 18-03, Amending License Agreement to Operate a Business on City Property. This has to do with the Agreement with Joseph Hudetz regarding his ice machine on Main St. The attorney asked the Administrator to comment on. Don said last year he had gotten the machine up and running later than he thought he would and started paying on his Agreement months prior to being up and running. So now he's asking for some relief on rent fees in the amount of $300 during the winter. Joe had sent a request in writing for some relief and that's why it's being brought before the city council tonight for action. The attorney said that this would provide Joe relief of $50 per month for six months and of course it's hard to sell ice this winter with the cold weather we've had.

Comm. Tessler made a motion to adopt Ordinance 18-03, seconded by Comm. Hutton. Motion approved 5 ayes, 0 nays. (Tessler, Hutton, Hibler, Smith & Mayor Vehrs).

Next is Ordinance 18-04, Approving Vacation of Roadways, Approving Request to Combine Lots from Prior Plat & Approve a Lot Split. This was before the Zoning Board last year in June. The Zoning Board made recommendations to this council to approve those requests and council approved on June 11, 2017. Since that time the applicant for these changes has tried to get some things done with the maps through the county and have run into issues with the county. This Ordinance is an attempt to assist them with those efforts in the county clerk's office. This is formalizing the approval the council did last year.

Comm. Tessler made a motion to adopt Ordinance 18-04, seconded by Comm. Hutton. Motion approved 5 ayes 0 nays (Tessler, Hutton, Hibler, Smith & Mayor Vehrs).

Last Agenda item is Ordinance 18-05, Declaring Structure a Public Nuisance. This is an Ordinance that would declare the property at 402 S. Division St. as a public nuisance.

The Chief is familiar with the history of this property, in short there are a lot of issues with this property. There have been efforts to work with the homeowner and those efforts haven't gone as well as city expected for several years. By passing this Ordinance it allows the city to file a lawsuit naming the owners of the property as the defendants and gives the city a little more leverage in asking them to comply with city's code of ordinances, and keeping up their property in a matter that doesn't create a public nuisance. There are also some health and safety issues on this property. This Ordinance doesn't mean we're going to demolish the house tomorrow. They've been given a timeline to comply and they weren't forthcoming. Comm. Hibler said she had a problem with Section 1. Where the city is authorized to commence demolition proceedings against the structures or any alternative to seek an injunction requiring rehabilitation. She agrees with the rehabbing the property but doesn't think the city should have the authority to demolish somebody's house when there's still a family living in it, that's way off line. The attorney said this Ordinance is covering all the language that is found in the state statute. We ask for both in the lawsuit but it's never our intention to go to that level. This would give the city more leverage with the homeowner because now they are not working with the city at all. The attorney said is it not our intention to demolish the home no, not unless the home is structurally unsafe. Some of the items that have been found aren't attended to that may happen. There are some water damages in the home and other issues that could lead to compromising the structures integrity. Comm. Hibler said she could understand if they just vacated the property and walked away from it, then maybe demolish it. The attorney stressed again it's not our intention to demolish! At this point the Chief who was on the inspection at this home, gave a complete description of what was found at this home during the inspection. The main issue here is the rat infestation, rat droppings found on steps in the basement which are health and safety issues for the neighbors around them and there are children there playing on the beach all the time. This property is a public safety issue. The Chief said every time they went there they weren't allowed in. They had to conduct what's called an Administrative Search W arrant that went before a Judge. We didn't force ourselves in we just knocked on the door, told them they have an Administrative Search Warrant, we had to take some action because it's definitely a public safety issue. The Chief agrees he doesn't want to kick them out of their house either but they have to show us something that they're cleaning the house, cleaning up the yard. There have been complaints after complaints with this property over the past several years. The Chief even said he offered to pay for the extermination problem and they wouldn't accept it. The Mayor had been there just after taking office so he knows the status of the property and said it wasn't that bad then but it has escalated and stressed we need to do something to clean up this area. The Chief said they do have pictures from the neighbors of rats climbing the side of the house and pictures of their deck where their animals have done their business and the smell in the summer is awful. Comm. Smith said he hasn't seen in there and is going by hearsay and doesn't like to go that way. He asked do you think the man has the money to fix and won't? Comm. Tessler said it's not a hammer and nail fixing, it's just cleaning up and yes there is a mold issue maybe from a water leak. He said the big problem is cleanliness and some electrical issues as well. Comm. Tessler said he doesn't want to tell anyone how to live, he has seen the pictures and by no means wants to tell someone how to live, but this is inviting rats. But when all this starts affecting others that's when we have to step in and do something. Comm. Smith said this is the first that he's heard about this and Comm. Tessler said he's met with the neighbors several times and work with the homeowner and it doesn't work. Comm. Smith said we should fine them. Comm. Tessler said they've been fined, pay the fine without complaining and then all starts over. Notices have been put on the door several times and they take it off which is also a fine. There has been no progress with them cleaning up their property even after many attempts, they fix up a little then stop, we fine them and they pay, then time goes by and we're called there again.

Comm. Tessler made a motion to adopt Ordinance 18-05, Declaring Structure a Public Nuisance, seconded by Comm. Hutton. Motion approved 3 ayes (Tessler, Hutton & Mayor Vehrs), 2 nays (Hibler & Smith).

At this time the Mayor advised we are going to move back to his Agenda item, the Hotel Proposal Update presented by Frank Meents of 25158 W. Eames St., Channahon. Frank said he was here a few months ago and at that point they had indicated if we had obtained a builder for the property and a project manager after development, design phase. They have it narrowed down to two National Brands for the Hotel. Frank said once he was done speaking he had a handout for the council. The handout goes over the financials and what they would be asking for from a TIF Fund perspective, as well as what the TIF Funds repayment to the city would be. The city would be protected by a Performance Based TIF payment. The only time money would come out of the city's TIF Fund is as project completion throughout which is set up front with the Redevelopment Agreement. Frank has talked with Don, City Administrator and the TIF Attorney, Mr. Nelson. He said he would expect over the next couple of weeks the council would be presenting with a TIF Agreement that would authorize that structure of payment. The repayment would be from the incremental value on the taxes that are increased from today and the way they will be in the future. He said the handouts should answer questions the council may have prior to the Redevelopment Agreement and that he and Tony Altiery could answer questions as they come up as well.
Tony Altiery, 494 Kennedy Rd., then addressed the council with regards to the Hotel stating they want to move forward with some more commercial. The hardest part of the commercial is we need rooftops to support it and we're going at it backwards to try and get the commercial in here first. This should help the draw here with extensive amounts of taxes, unrecognized income from gas stations and local restaurants. So we're hoping the council is interested in working with us and pushing this forward.

REPORTS BY CITY COMMISSIONERS

Accounts & Finances

Comm. Hibler made a motion to pay the total bills due on our Check Register in the amount of $231,199.30, seconded by Comm. Hutton. Motion approved with 5 ayes, 0 nays (Hibler, Smith, Hutton, Tessler & Mayor Vehrs).

Comm. Hibler made a motion to pay the Payroll Expenses due in the amount of $114,115.77, seconded by Comm. Smith. Motion approved 5 ayes, 0 nays (Hibler, Smith, Hutton, Tessler, & Mayor Vehrs).

Streets & Public Improvements

Comm. Smith said they're working on the roads for this year. He and the Engineer met today and have been looking things over for quite a while, working hard to make sure to get everything together. Comm. Smith said he doesn't want to mislead people, he's here for the people and for the town. He said he feels they came to a good conclusion today on how to improve things in this town. Todd the City Engineer said they looked at the major routes, our funding and our valuations of our roadway system that can be utilized over time. They're going to try and have a program outlined by late February early March. Hoping to have a bidding date in April for improvements of several sections of roads; our mailbox turnouts, shoulders along mailboxes where roads get abused along with several other ideas out there that he and the commissioner worked on. Getting a program ready to present to the council.

Public Property

Comm. Hutton gave the Outside Crews Report. Then the Plant Crews Report who had a water main break on Francis St. due to Nicor Gas hitting our waterline. He also reported that Well#5 is still being worked on with the walls at this time.

Public Health & Safety
Comm. Tessler reiterated what the Mayor said earlier about Officer Michael Gatto and his service. He thanked Tari and others for putting a nice service together. Also thanked Tari's daughter who was asked to sing at the last minute and did a really great job, thank you. Comm. Tessler gave the numbers report provided by the Chief from 1/9/18-1/22/18, with 182 total calls for service. The commissioner then read the Crime Reduction Report for the last 3 years which has basically been cut in half over previous years. The biggest improvements in his mind are from 2014 where there were (4) overdose cases and in 2017 there were zero, making some good improvement.

Planning & Zoning
No recommendations.

Closed Session
No request for Closed Session.

Old Business
Comm. Hutton advised that Lewis Tree Service is still in town. They've been trimming trees for ComEd for about 2 weeks.

New Business
Comm. Smith said they're on the right track in getting a Hotel here and told them if there's any way he can help them he will, hats off to you! He's been here a very long time and has seen this town go up and down and up and down, it's a real good start if you get them here and he's all for it. Mayor Vehrs agreed with Comm. Smith that this is a milestone for our city. A lot of hard work went into this and will be looking very hard at their proposal. He hopes to have an answer for them in a couple of weeks and thanked them for their hard work and dedication.

Adjournment
Comm. Tessler made motion to adjourn the Regular Meeting at 7:47pm, seconded by Comm. Hutton. Motion approved with 5 ayes, 0 nays (Tessler, Hutton, Smith, Hibler & Mayor Vehrs).

Approved this 13th day of February 2018

James A Vehrs Mayor

Sue Gryglik City Clerk

AYES: 5
NAYS: 0
ABSENT: 0
ABSTAIN: 0