

CITY OF BRAIDWOOD AGENDA
Regular Meeting, Tuesday May 23, 2017 @ 7:00pm

Call to Order
Pledge of Allegiance
Roll Call
Public Comment

APPROVAL OF MINUTES – May 9, 2017 Regular Meeting

REPORTS BY CITY OFFICIALS

Mayor-

Administrator- Resolution 17-12, Authorizing Execution of an Intergovernmental Agreement Authorizing City's Participation in a Surcharge Allocation Program

Clerk- Byers Brigade, Alzheimer's Tag Day Request, July 22nd

Engineer-

City Attorney- Ordinance 17-3, Authorizing Execution of an Intergovernmental Agreement with Braidwood Park District for the Conveyance of Real Estate

REPORTS BY CITY COMMISSIONERS

Accounts and Finances -Payment of Bills

-Payroll Expenses

-Adopt Ordinance 17-5, Fiscal Year 2017/2018 Budget Appropriation(Tabled)

Streets & Public Improvements-

Public Property-

Public Health & Safety-

Planning & Zoning- Zoning Boards Recommendation: Deny Variance Request for Addition to an Attached Garage and a Fence @ 197 E. Cermak Road

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, May 23, 2017

Call to Order

Mayor Vehrs called the city council meeting to order at 7:00pm.

Pledge of Allegiance

Mayor Vehrs asked everyone to please stand for the Pledge of Allegiance.

Roll Call

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

Appointed officials present: City Attorney Kopman, City Clerk Sue Grygiel, Chief Nick Ficarelllo and City Administrator Labriola were present. City Engineer was absent.

Public Comment

Dennis Murphy, 256 E. Partridge Run Dr. First thanked the Mayor, the city and Comm. Hutton for putting drains in last year from flooding issues. Had an issue last year in the back of his property as well as when the subdivision was done it probably wasn't graded right and has always had drainage problems on his property and his neighbors. Last year the city put in drains and he was truly appreciative of. Last year the neighbor behind him put in a pool sunk it 4 ft. into the ground, spread the dirt across the yard. At the end of the pool season he walked out back and his yard was filled with water. This same neighbor placed his drain to back of his yard while pumping pool down and flooded out Dennis' back yard. Dennis said he tried to be rationale telling him where drains were and neighbor didn't listen. Dennis said last night he was in his yard and his neighbor's fence comes from the rear of his home back into rear of his property. He backed a dump truck full of dirt along the side of his garage back to the gate to the rear of his property. Dennis said he already has drainage problems, had issues from prior and the city was so nice to come out and help with that. Dennis' concern was another possible load of dirt being spread in this backyard. His concern also is the size of the yard, a pool in the back yard, patio and a shed, there isn't much backyard left and now he's going to raise grade again with this dirt. Mayor said he talked with the city engineer this afternoon and will be at your property tomorrow. We will walk the backyard look at the situation and then by the advice of the city engineer may have to shoot some grades. The Mayor knows those drains are high elevation with no pitch back there.

Chris Earling, 204 E. 1st Street. Thanked Marney for her articles, thanked the Chief for trying to make a little sense of this and possibly moving forward. Chris said that over the last week he's taken a short ride, taken some pictures of homes, hasn't been all around town yet. He's found six different homes; couple doing roof's, couple doing decks, one's tying deck into a room, another has dumpster not sure what they're doing, but he has to be doing some work on his house because he has a dumpster and the last one is his favorite-he has flag stakes in his yard from front to back so he must obviously working on his house since that's the only reason we have flags in a yard. He talked with three of them asking if anyone questioned about inspecting their homes and all three said no. Also asked did Mike ever tell you that he had to come and inspect your home before any work was ever done on it? Answer was no, never heard of him. Chris said one thing is all these homes have their permits on them. He questioned the Mayor is the city going just after foreclosure homes and that's the problem? And because he came to the city for a Building Permit and that was his second problem. Chris also asked if the city went and shut off any other homes that work is being done on. He had pictures in his hand and the Mayor asked if he could see the pictures of the other homes that he's talking about. Chris said no and he will hand out when we go to court. Atty.

Kopman then said we will answer your question then as well. Chris then replied that's what I thought.

Kristin Gad, 197 E. Cermak. They had requested a Variance for an attached garage and a fence. Kristin took some pictures of 4 houses near her home, which 2 of them have fences past what is considered standard and had variances, both were approved. She explained the Zoning Board denied the Variance saying our garage would be interfering with the street view. Kristin also took pictures of what their street view is and photo shopped in a fence on the land line where they're looking to put it and it shows that it doesn't interfere with any of that. Kristin gave the pictures to both the Mayor and Comm. Tessler to look over and Tessler had questions about the pictures. She talked with both the neighbors and both had approved variances for their fences. The Mayor explained this was on the Agenda tonight and will talk about it more under the Zoning Boards recommendations.

Closed at 7:10pm.

Approval of Minutes

Comm. Smith made a motion, seconded by Comm. Hutton to approve the Regular Meeting Minutes of May 9, 2017. Mayor asked for further discussion. Motion approved 5 ayes, 0 nays, (Smith, Hutton, Hibler, Tessler & Mayor Vehrs).

REPORTS BY CITY OFFICIALS

Mayor

The Mayor wished everyone a Happy Memorial Day weekend. Mayor reminded everyone that school's out so keep an eye out for kids out and about walking and riding their bikes.

Administrator

Don addressed a Resolution up for consideration by the city council. It's the yearly surcharge distribution from the tax that we all pay on our phone bills for our 911 service and the Will County Emergency Telephone System board distributes these funds depending on their budget for the year. Generally these monies are turned over to our 911 Dispatch Center. This Resolution goes through October 2017 as we will be switching dispatch centers sometime at the end of this year. So we will be transferring funds this year to WESCOM.

Comm. Tessler made a motion to adopt Resolution 17-12, Authorizing Execution of an Intergovernmental Agreement authorizing the city's participation in a Surcharge Allocation Program, second by Comm. Hibler. Motion approved 5 ayes, 0 nays (Tessler, Hibler, Hutton, Smith & Mayor Vehrs).

City Clerk

The City Clerk addressed her Agenda item requesting a Tag Day from Byers Brigade. Last year the Byers Brigade asked for the first Tag Day to help support those affected by Alzheimer's. The clerk read the letter from Joe Byers requesting for one of three days. The clerk checked her calendar, said the best date for them would be on July 22nd, 9am-12noon. The clerk then asked for a motion from the council.

Comm. Tessler made a motion to approve the Byers Brigade Alzheimer's Tag Day on July 22nd from 9am-12noon, seconded by Comm. Smith. Motion approved 5 ayes, 0 nays (Tessler, Smith, Hibler, Hutton and Mayor Vehrs).

Engineer

Absent.

City Attorney

Atty. Kopman addressed Ordinance 17-3, Authorizing Execution of an Intergovernmental Agreement with Braidwood Park District for Conveyance of Real Estate. This was on a previous Agenda on April 11, 2017 and was tabled as we needed to work out some details with the Park

District through their attorney. This completes the process that was started and was to be completed many years ago. This is the Old Smokey parcel at the Park. This ordinance allows the city to complete the process that wasn't done years ago for whatever the reason. The Park District Board has approved this Agreement as well. The Mayor asked if there was any further discussion on this.

Comm. Hutton made a motion to remove Ordinance 17-3 from the table, seconded by Comm. Tessler. Motion approved 5 ayes, 0 nays (Hutton, Tessler, Hibler, Smith & Mayor Vehrs).

Comm. Hutton made a motion to adopt Ordinance 17-3, Authorizing Execution of an Intergovernmental Agreement with the Braidwood Park District for Conveyance of Property, seconded by Comm. Tessler. Motion approved 5 ayes, 0 nays (Hutton, Tessler, Hibler, Smith & Mayor Vehrs).

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 \$456,599.85 which includes a payment of \$350,242.09 to the IEPA for our Wastewater Treatment Plant, seconded by Comm. Hutton. Motion approved with 5 ayes, 0 nays (Hibler, Hutton, Smith, Tessler & Mayor Vehrs).

Comm. Hibler made a motion to pay the Payroll Expenses due in the amount of \$102,688.44 seconded by Comm. Smith. Motion approved 5 ayes, 0 nays (Hibler, Smith, Hutton, Tessler & Mayor Vehrs).

Comm. Hibler made a motion to approve our 2017-2018 Budget Appropriation Ordinance 17-5. At this time Atty. Kopman asked Comm. Hibler to withdraw her motion because Ordinance 17-5 has to be removed from the table first before approving. Comm. Hibler removed her motion to approve Ordinance 17-5.

Comm. Hibler made a motion to remove the Budget Appropriation Ordinance 17-5 from the table, seconded by Comm. Smith. Motion approved 5 ayes, 0 nays (Hibler, Smith, Hutton, Tessler & Mayor Vehrs).

Comm. Hibler made a motion to approve the 2017-2017 Budget Appropriation Ordinance 17-5, seconded by Comm. Smith. Motion approved 5 ayes, 0 nays (Hibler, Smith, Hutton, Tessler & Mayor Vehrs).

Streets & Public Improvements

Comm. Smith said he had nothing at this time.

Public Property

Comm. Hutton gave the Plant Crews Report, they're done flushing hydrants. Then gave the Outside Crews Report.

Public Health & Safety

Comm. Tessler then gave the numbers provided by the Chief from 5/9-5/22/17, with total calls for service 310, 35+ more calls than the last report. Comm. Tessler advised that beginning on May 24th through Memorial Day the Police Department will be conducting roadside safety checks. The Police Department is having their 2nd Annual Golf Outing on August 4th. The benefits are going to the Braidwood Area Healthy Community Coalition and it's going to support the HEARUS initiative; Heroine Opiate Education Awareness and Remembrance United We Stand.

Planning & Zoning Board Report

Zoning Board Chairman Michelle Serena addressed the council with their meeting recommendations from April 3rd. A Public Hearing was held for a Variance for an addition to an attached garage and a fence at 197 E. Cermak. Gad's are asking for a Variance to put in an additional 1 ½ attached car garage onto their existing garage then also a privacy fence around that. It's on a corner lot and they presented pictures during public comment at the Hearing. The Zoning Boards main concern was that we have a builder in town that had requested the same thing and their motion was denied as well. Also at the site on the corner, the resident kiddy corner from her did come in for a Variance since Michelle has been on the board, and we did approve that Variance but it went for a lower height fence than what Gad's are requesting. Zoning Board had discussion on this then made motion to deny the request for the Variance on the addition for the attached garage and the fence.

Michelle advised their next meeting will be on June 5th where there will also be a Public Hearing for a Variance of a Lot Split on Spring Rd. Michelle will be at the June 13th Council Meeting with the recommendations for another Variance for a fence and the last Council Meeting in June will be recommendations from the Public Hearing for Variance on a Lot Split.

Comm. Hutton asked how much room for this garage from the sidewalk? Michelle said 9 ft. and the Board thought that was just too close. Gad's neighbor behind them spoke at the Public Hearing and they were against it.

Comm. Tessler asked to look at Kristin's pictures and she gave explanation from them. Comm. Hutton said his input is the garage is too close to the sidewalk and at intersection for people coming in and out of there. Kristin said the setback was actually from the street because across the street they did a setback from the street. She said the setback for the garage would be less than the fence. Michelle said that code states that the fence would have to go off the back end of the house and they want it to go from the side of the house. Kristin doesn't see that the 6 ft. privacy fence would block the view from the stop sign the same as a 4 ft. fence. Comm. Tessler is in agreement with Michelle as long as the fence ties into the back of their house and no further. He said the photo shop helps visualize it and honestly that 12-13 ft. off the road and understands the theory but feels 13 ft. off road, being a corner lot the 4 ft. fence would be better. He doesn't feel that a 6 ft. fence would completely hinder the line of sight that great. Michelle also said they have a pool and a shed in the backyard as well which brings down their amount of green space that's allowed.

Comm. Tessler made a motion to deny the current Variance Request at 197 E. Cermak, seconded by Comm. Smith. Motion approved 5 ayes, 0 nays (Tessler, Smith, Hibler, Hutton & Mayor Vehrs).

Comm. Tessler made a motion to Grant the Applicant (Gad) an Amendment to their Variance at a Public Hearing at no additional cost to the Applicant, seconded by Comm. Smith. Motion approved 5 ayes, 0 nays (Tessler, Smith, Hibler, Hutton & Mayor Vehrs).

Closed Session

Comm. Tessler made a motion to go into Closed Session to discuss and review Closed Session Minutes at 7:36pm, seconded by Comm. Hutton. Motion approved 5 ayes, 0 nays (Tessler, Hutton, Hibler, Smith & Mayor Vehrs).

Comm. Hutton made a motion to Reconvene the Regular Meeting at 7:50pm, seconded by Comm. Smith. Motion approved 5 ayes, 0 nays (Hutton, Smith, Hibler, Tessler & Mayor Vehrs).

Mayor Vehrs advised no action will be taken following Closed Session.

Old Business

Comm. Hutton commented on ESP Power Play that the city was part of and was taken off of; we're in the process of getting back on.

New Business

Comm. Tessler said he and the Chief have been discussing Body Cameras. He asked the City Clerk to add a Motion to approve Axon System Agreement for Body Camera's on the Agenda for the next meeting. The PD currently uses Axon System for their in car cameras and feature a Body Camera which integrates with the in car camera. So any footage that the officer reads on him will go to his in car camera as well will be recorded and the interfacing is much better.

Adjournment

Comm. Tessler made motion to adjourn the Regular Meeting at 7:53pm, seconded by Comm. Smith. Motion approved with 5 ayes, 0 nays (Tessler, Smith, Hutton, Hibler & Mayor Vehrs). Meeting adjourned.

Approved this 13th day of June 2017

James Tessler Mayor
Sue Gregor City Clerk

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

