

MINUTES OF THE WORK SESSION  
CITY COUNCIL OF CREST HILL  
WILL COUNTY, ILLINOIS  
February 10, 2020

The February 10, 2020 City Council work session was called to order by Mayor Raymond R. Soliman at 7:00 p.m. in the Council Chambers, 1610 Plainfield Road Crest Hill, Will County, Illinois.

The following Council members were present: Mayor Raymond Soliman, City Clerk Vicki Hackney, City Treasurer Glen Conklin, Alderman Scott Dyke, Alderman John Vershay, Alderwoman Barbara Sklare, Alderwoman Claudia Gazal, Alderwoman Tina Oberlin, Alderman Marco Coladipietro, Alderman Nate Albert, Alderman Joe Kubal.

Also present were: City Administrator Heather McGuire, Assistant City Administrator/HR Director Megan Fulara, Director of Water/Wastewater Mark Siefert, Public Works Director Tom Migatz.

Absent were: Community Development Director Scott McMaster, Police Chief Ed Clark, Finance Supervisor Ashli Motyka.

**TOPIC: Special Use for 1718 Highland**

Mayor Soliman presented a request for a special use at 1718 Highland Avenue per the memo dated February 7, 2020. Assistant Administrator/HR Director Megan Fulara explained that at a meeting held on February 25, 2019 non-conforming use garage apartments were discussed. Per the update to the zoning ordinance all non-conforming multi-family uses in a single-family zoning must cease when a property changes hands. Todd Randich the owner of 1718 Highland addressed the Council. This property has been in Mr. Randich's family since the 1920's. The garage apartment has been in existence since the 1940's. Mr. Randich purchased the property from his parents in 2007. At the time of purchase Mr. Randich along with his lender and insurance company spoke with the Mayor and City Administrator and was told that the property was grandfathered in because it was purchased from immediate family. Mr. Randich has been paying a separate water bill for the rear unit and numerous tenants have lived in the rear unit since he purchased it. In the spring of 2019, he received a notification from the Building Department that he was in violation of the ordinance. Mr. Randich would like the City to abide by what he was told when he purchased the property. Mr. Randich is asking the City to allow his current tenants to remain living at the property. Once the current tenants move, he would agree to cease the rental of the apartment. The Mayor explained that there are several of these uses on the east side of the city and in parts of Richland. The Council decided many years ago that if the property remained in the family the use could continue. Roughly 13 years ago the Council decided that if the property were to be sold, the use would be discontinued. Alderman Coladipietro asked if the name on the property had not been changed, would this have been an issue. It would not have been. Alderman Albert agrees with the intention of the ordinance. An R-1 zoning should be single family living. But then you see how something like this can affect a family. Alderman Dyke said that we have a case in Will County where the property owner won't come into compliance. If we allow a special use for one property, we are going to open this up to more problems. He cited a property where there was related living. When the relative moved out of the unit, the owner was told he could no longer rent out the property. Alderman Vershay also told of a case similar to this. Mr. Randich said that for 12 years there was no problem with the rental of the unit and now he is being ticketed for it.

Alderman Dyke said that the current Building Inspector is going through the City and has started to enforce these violations. Discussion followed on the ordinance and the enforcement of it. Alderwoman Sklare asked how many more properties are similar to this situation in the City. If you do it for one, you are going to have to do it for all. Assistant Administrator Fulara explained that we have three violations right now. Alderman Dyke asked when the current lease expires. Mr. Randich said that they have a month to month lease. The current renters have been there for five years and Mr. Randich has had no problems with them. Alderwoman Gazal asked if we can give them a time frame to vacate the premises. Administrator McGuire said that this could be worked out. Alderman Coladipietro felt that we give businesses special uses without questions. We should allow them to stay and once they move not allow the property to be rented out afterwards. Administrator McGuire informed the Council that we have required other property owners to discontinue the rental use. Discussion followed. The Mayor felt that giving the tenants 6 to 7 months to find other living arrangements would be fair. Alderman Vershay said that you can't compare ticketing and moving cars off the street to making some one move from their home. Linda Burns who is the tenant at 1718 Highland addressed the Council. Her husband has a terminal illness, and this is their home, where he is comfortable. The Mayor explained that Mr. Randich is scheduled to go before the hearing officer on February 19, 2020. The request is to allow the current tenant to remain at the property until they vacate the premises. Once that happens Mr. Randich would cease the rental of the apartment.

Mayor Soliman asked for an informal vote on a special use to allow the current tenant to remain at 1718 Highland. Alderman Dyke was unsure. He does not want to see someone put out on the street but allowing this to continue is not fair to the property owners who have complied. Alderman Vershay voted yes, he does not want to see someone evicted from their home. Alderwoman Sklare votes no, she would like further clarification. Administrator McGuire explained that we could set a precedent with this case. We could make a modification to the ordinance allowing a use to continue if a person can prove they have lived at the property for a certain number of years. Alderwoman Gazal voted no. Alderwoman Oberlin voted no. Alderman Coladipietro voted yes. We make allowances for other things. He would like to see the rental cease after the current tenant moves out. Alderman Albert voted yes. Alderman Kubal voted no. The Mayor informed the Council that when this was discussed on February 25, 2019 the vote was to keep the ordinance as is. Administrator McGuire explained that we can do a recommendation to the hearing officer to give the tenants a set period of time to vacate the property. We can also dismiss the ticket and re-issue it if they do not comply by the date given. Alderman Albert suggested allowing them five years. Alderman Dyke suggested the end of 2020. Mayor Soliman asked for a straw vote. Alderman Dyke and Vershay were undecided. Alderwoman Sklare and Oberlin felt the end of the year would be sufficient. Alderwoman Gazal, Alderman Kubal felt 6 months was sufficient. Alderman Coladipietro, and Albert felt 5 years was fair. Discussion followed on the case that is in court. Alderwoman Gazal changed her vote to the end of the year. Administrator McGuire would make a recommendation to the hearing office to continue this to the first of the year. Lucille Cash 1714 Highland would like to see the Council put themselves into the Burns situation. Mr. Burns health is not good. She is very disappointed with the decision that the Council is making. Alderwoman Gazal made a statement.

**TOPIC: Maintenance of Jasmine Creek Subdivision**

Mayor Soliman presented a request for the Jasmine Creek Maintenance per the memo dated February 7, 2020. Administrator McGuire explained that this was discussed at a

previous work session. Attorney Spesia gave a presentation. He did a study to see if any of the associations would bear responsibility for the maintenance of the creek through their covenants. Crest Estates included most of the drainage swale. The plat shows that all easements dedicated as detention or drainage were reserved and granted to the City. This basically gives the City authority to maintain the easement. Administrator McGuire explained that these should have been deeded over to the homeowner's association. Attorney Spesia explained that the owner of the out lot is a defunct corporation, which was Canterbury Homes. The next subdivision that is along Jasmine Creek would be Crest Estates. The association in this area is supposed to maintain the creek, but unfortunately there is no association. Administrator McGuire explained that the two associations that contain that drainage swale have no associations. Alderwoman Oberlin asked if the drainage easement makes the City liable for the property. Administrator McGuire explained that the easement allows the City the ability to keep fences, sheds and other structures from being built in an easement. As far as the subdivisions to the north, they have active HOA's but no legal responsibility for the creek. Alderwoman Oberlin asked if there is a way to get the property deeded over to the City. Administrator McGuire explained that we don't need to. Alderman Albert said that we have a similar situation like this in other areas where the City has taken ownership of the property. Alderwoman Oberlin asked for an update on the grants the City was applying for. Administrator McGuire explained that the engineers were researching any funding we might eligible for. Mayor Soliman informed the Council that the amount of money being paid out for the rebate checks is significantly less than last year, which will cause a surplus. He suggested taking \$50,000.00 out of the surplus and putting it towards the cleanup of the creek. Once that is done, impose a special assessment on the property that is outlined in the map for the maintenance of the creek. Attorney Spesia went over the process that would be involved. It would cost each property owner roughly \$30.00 per year. Discussion followed on a fixed dollar amount versus a percentage rate that would be charged to each homeowner. Alderman Albert said if we are negotiating with the property to the west of this, which is currently outside our City limits can we make the maintenance of the creek a part of their association. All of the water drains onto that property. Discussion followed. Director Migatz explained where the creek originates from. Alderman Albert asked what type of equipment would be required to upkeep the creek once it is cleaned out. Director Migatz gave an explanation.

Mayor Soliman asked for an informal vote on the City taking on the cleanup of Jasmine Creek, and then assessing an SSA for the maintenance for all of the residential and commercial property that feeds into the creek. Attorney Spesia reminded the Council that someone can file a legal objection. If over 50% of the property owners object to the SSA, it can't be done. Administrator McGuire informed the Council that the final option is for the Council to clean and maintain the creek. Alderman Albert voted yes to the City cleaning and maintaining the creek. Alderwoman Oberlin, Gazal, Sklare, Alderman Coladipietro, Kubal, Vershay and Dyke voted yes to the City cleaning the creek and issuing an SSA for the future maintenance.

#### **TOPIC: SCADA Software Upgrade**

Mayor Soliman presented a request for the SCADA Software Upgrade per the memo dated February 4, 2020. Director of Water/Wastewater Mark Siefert informed the Council that the virtual SCADA servers are nearing the end of their life. We are currently running Windows Server 2008 R2 which is nearing the end of the support date which means we will no longer have the security that we need. There are funds available in the East Treatment plant construction account that can be put towards the upgrade.

The remainder of the funds would come from the operating budget. Director Siefert presented a proposal from Concentric Integration in the amount of \$54,100.00.

Mayor Soliman asked for an informal vote on the SCADA Software Upgrade. All members present were in agreement.

**PUBLIC COMMENTS:** There were no public comments.

**MAYORS UPDATES:** Mayor Soliman informed the Council that he and his wife made a donation to the Lockport Township Special Olympics to support the teams travel expenses for an upcoming tournament. He received an email explaining that the expenses for the team are covered by the school. The fund raising that is done is for expenses that the school cannot provide for such as the banquet at the end of the year. The school offered to return the Mayors check, or if the Mayor chose it can be put towards the cost of the end of year banquet. The City sent a donation and has the same option. The school would return the check, or we can decide to allow them to use the donation towards their end of year banquet.

Mayor Soliman asked for an informal vote to allow the Lockport Township Special Olympics to apply the donation the City made toward their annual banquet. All members present were in agreement.

Mayor Soliman announced that he received a letter of resignation from Philip De Chiara from the Police Pension Board of trustees. The Mayor also believes that we will be receiving a letter of resignation from Russ Jones when his term is up. Mayor Soliman went over the changes that are occurring with the pension fund. Administrator McGuire updated the Council on the financial changes that are happening with the State. Treasurer Conklin gave a presentation on the changes to the fund.

**COMMITTEE/LIAISON UPDATES:** Alderwoman Oberlin announced that the annual Lidice ceremony will take place on June 7, 2020 at 11:00 a.m.

**CITY ADMINISTRATOR UPDATES:** Administrator McGuire informed the Council that one of the contractors that was awarded work on the Public Works facility is not a union shop. Most likely we will have to disqualify them and move on to the next low bidder. Alderwoman Gazal asked if this is checked during the bidding process. Administrator McGuire explained that a company could indicate they were a union shop when in fact they are not. Part of the electrical work was done, and the new company will pick up where they left off.

Administrator McGuire announced that the staff is working on the budget and it should be ready for the work sessions in March and April. It would then be ready for final approval in May.

The meeting was adjourned at 8:38 p.m.

Approved this 17<sup>th</sup> day of February, 2020  
As presented ✓  
As amended \_\_\_\_\_

*Vicki L. Hackney*  
VICKI L. HACKNEY, CITY CLERK

*Raymond R. Soliman*  
RAYMOND R. SOLIMAN, MAYOR