

**VILLAGE OF MAYWOOD  
BOARD OF TRUSTEES  
LEGAL, LICENSE AND ORDINANCE COMMITTEE  
MEETING MINUTES  
January 28, 2009**

**Call to Order**

The LLOC Meeting of Wednesday, January 28, 2009 was called to order by Mayor, Henderson Yarbrough, Sr., at 7:00 p.m., in the Council Chambers at 125 South 5<sup>th</sup> Avenue, Maywood, Illinois 60153.

**Roll Call**

Upon roll call by Readith Ester, Village Clerk, the following answered **Present:** Mayor, Henderson Yarbrough, Sr., **Trustees:** G. Woll, E. Perkins, D. Flowers, R. Lopez and K. Johnson **Absent Trustee(s):** A. Jaycox  
**There being a Quorum Present, the Meeting was called to order.**

**Staff Attendance:**

**Jason Ervin, Village Manager  
Lanya Satchell, Interim Finance Director  
Lori Sommers, Director of Community Development  
David Flowers, Coordinator of Enforcement  
Anthony Thomas, Coordinator of Compliance  
John Cadigan, Fire Chief  
John West, Public Works Director  
Timothy J. Curry, Commander of Police Department  
Michael Jurusik, Village Attorney  
Mark Lucas, Village Engineer  
Wilhelmina Dunbar, Human Resource Coordinator  
Arlean Ireland, Administrative Secretary**

**Approval LLOC Meeting Minutes – January 7, 2009**

**MOTIONED BY, TRUSTEE JOHNSON AND SECONDED BY, TRUSTEE WOLL  
THAT THE BOARD OF TRUSTEES APPROVE THE JANUARY 7, 2009 LEGAL,  
LICENSE AND ORDINANCE MEETING MINUTES.**

**Discussion: None**

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): G. Woll, E. Perkins, D. Flowers, R. Lopez and K. Johnson

**Nays:** None

**Absent:** Trustee, A. Jaycox

**Abstain:** None

**MOTION CARRIES**

**Public Items:****1. Management Report:**

Jason Ervin, Village Manager, gave a status report on the following:

**A. Project Update**

- Economic Development Projects
- Capital Improvement Projects

*Information is available upon request in the Clerk's office.*

Trustee Woll questioned the operation of the crime surveillance cameras and whether they would be in operation spring, 2009. Jason Ervin replied, "This project is moving as planned with some minor changes and see no reason why they wouldn't be in operation."

Trustee Woll requested the Manager's Office give an update of the 2009 Tree Plantings, the invoice amount and list of addresses, etc. Mr. Ervin responded that he had not received a bill, but provide an updated list of addresses.

**B. Update on Illegal Conversions/Overcrowding**

Lori Sommers, Director of Community Development, and staff gave a Power Point presentation on the Overcrowding/Illegal Conversion process.

Staff has completed the internal review and is scheduled to meet with the Chief Judge of the 4<sup>th</sup> District on February 4, 2009, to determine how to simplify the process.

Trustee Woll asked if residents were being informed about the Letter of Affidavit for potential buyers of property. Mr. Anthony Thomas responded that notification is being given and the process is being implemented. Attorney Jirusik stated that he would report back to the Board regarding this issue.

**2. Legal Matters**

**Discussion:** Michael Jirusik, Village Attorney, addressed the legal matters listed below. Additional information is available in the Clerk's Office for public review.

**A. Status of Pending Demolition Actions**

**Discussion:** Attorney Jirusik gave a report of pending demolition actions. Documents are available in the Clerk's Office for review.

**B. Alechri Properties**

Attorney Jirusik commented on several properties that did not have fire alarms or the defendants had stopped paying the monthly maintenance and alarms that had stopped transmitting a signal. Attorney Jirusik commented that defendants' counsel withdrew and no progress was made on the remaining non-complaint properties at: 2115, 2125 and 2122-26 South 4<sup>th</sup> Avenue. This matter is set for status of compliance and receivership on March 16, 2009.

**C. Circuit Court Action Request – 902 S. 4<sup>th</sup> Avenue**

Jason Ervin reported that the Police Department has received numerous complaints from residents about this property and requested the Village Attorney to prepare the matter for circuit court.

**MOTIONED BY, TRUSTEE LOPEZ AND SECONDED BY, TRUSTEE WOLL TO DIRECT STAFF TO PREPARE COURT ACTION AGAINST THE PROPERTY OWNER OF 902 SOUTH 4<sup>TH</sup> AVENUE A/K/A (404 SCHOOL STREET, MAYWOOD, IL)**

**Discussion:** None

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): G. Woll, E. Perkins, D. Flowers, R. Lopez and K. Johnson

**Nays:** None

**Absent:** Trustee, A. Jaycox

**Abstain:** None

**MOTION CARRIES**

**3. Approval of Purchase Orders****A. Repair of Heating Units at Multi-Purpose Building**

**MOTIONED BY, TRUSTEE WOLL AND SECONDED BY, TRUSTEE LOPEZ TO RECOMMEND THE BOARD WAIVE THE COMPETITIVE BIDDING PROCESS AND AWARD THE CONTRACT TO WEST TOWN REFRIGERATION CORPORATION IN THE AMOUNT OF \$10,000 FOR CRACKED HEAT EXCHANGES AT THE MULTI-PURPOSE CENTER BUILDING**

**Discussion:** John West, Public Works Director, gave a status report of the gymnasium heating units along with the second floor unit that have cracked heat exchangers and are in need of immediate repair. Two service quotes detailing repair specifications were presented for West Town Refrigeration and Bulldog Mechanical.

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): G. Woll, E. Perkins, D. Flowers, R. Lopez and K. Johnson

**Nays:** None

**Absent:** Trustee, A. Jaycox

**Abstain:** None

**MOTION CARRIES**

**B. Triton College Training Partnership**

**MOTIONED BY, TRUSTEE WOLL AND SECONDED BY, TRUSTEE FLOWERS TO RECOMMEND TRITON COLLEGE TRAINING PARTNERSHIP BE FORWARDED TO THE BOARD OF TRUSTEES FOR APPROVAL**

**Discussion:** Mr. Ervin commented that this initiative will bring forth much needed training for all Village staff and will be paid for from existing departmental FY 2009 and 2010 budgets.

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): G. Woll, D. Flowers, R. Lopez and K. Johnson

**Nays:** Trustee, E. Perkins

**Absent:** Trustee, A. Jaycox

**Abstain:** None

**MOTION CARRIES**

C. Chamber Renovations – By request of Mr. Ervin this item was skipped.

**4. Regulation of Towers, Antennas and Personal Wireless Service Facilities in the Village**

**MOTIONED BY, TRUSTEE LOPEZ AND SECONDED BY, TRUSTEE FLOWERS TO RECOMMEND THE REGULATION OF TOWERS, ANTENNAS AND PERSONAL WIRELESS SERVICE FACILITIES IN THE VILLAGE BE FORWARDED TO THE BOARD OF TRUSTEES FOR APPROVAL**

**Discussion:** Michael Jurusik explained that the Village of Maywood enacted an Ordinance regulating wireless communication towers and antennas in 1997, but it was not codified.

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): G. Woll, D. Flowers, R. Lopez and K. Johnson

**Nays:** Trustee, E. Perkins

**Absent:** Trustee, A. Jaycox

**Abstain:** None

**MOTION CARRIES**

**5. Filing of Court Ordered Deeds**

**MOTIONED BY, TRUSTEE LOPEZ AND SECONDED BY, TRUSTEE FLOWERS TO RECOMMEND THE FILING OF COURT ORDERED DEEDS BE FORWARDED TO THE BOARD OF TRUSTEES FOR APPROVAL**

**Discussion:** Attorney Jurusik reported that this Ordinance is a wake-up call for lenders regarding deeds issued at the direction of a court and are exempt from the Village's real estate transfer tax.

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): G. Woll, D. Flowers, R. Lopez and K. Johnson

**Nays:** Trustee, E. Perkins

**Absent:** Trustee, A. Jaycox

**Abstain:** None

**MOTION CARRIES**

**6. Statues and Ordinances Relating to Shoveling of Sidewalks - For information only.**

**7. Items Referred by Various Boards and Committees**

**MOTIONED BY, TRUSTEE LOPEZ AND SECONDED BY, TRUSTEE FLOWERS TO TABLE THE PLAN COMMISSION/BOARD OF ZONING APPEALS – CASE #08-010 ROCK OF AGES CHURCH – REQUEST TO REZONE FROM AN R-3 TO A B-3 TO CONSTRUCT A 15 SPACE PARKING LOT BE MOVED TO THE NEXT LEGAL, LICENSE AND ORDINANCE COMMITTEE MEETING IN FEBRUARY.**

A. Plan Commission/Board of Zoning Appeals – Case #08-010-Rock of Ages Church - request to rezone from an R-3 to a B-3 to construct a 15 space parking lot (Tabled from the 8/12/08 and 9/16/09 LLOC Meetings)

**Discussion:** Mr. Ervin reported that the purpose of this request relates to the rezoning of a parcel from R-3 to B-3 that is currently vacant and its redevelopment would make the property more appealing. Trustee Lopez recommended this property be given a special use and determine their overall usage which may not need to be rezoned. Mr. Ervin stated that staff is scheduled to meet with representatives of the petitioner February 2, 2008 to discuss the zoning and the overall plan for their properties along Madison from 12th to 17th Avenues.

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustees: E. Perkins, D. Flowers, R. Lopez and K. Johnson

**Nays:** Trustee, G. Woll

**Absent:** Trustee, A. Jaycox

**Abstain:** None

**MOTION CARRIES**

B. Economic Development Commission – Museum and Blues Cafe

**MOTIONED BY, TRUSTEE LOPEZ AND SECONDED BY, TRUSTEE PERKINS TO TABLE THE – MUSEUM AND BLUES CAFÉ PROPOSAL TO THE NEXT LEGAL, LICENSE AND ORDINANCE COMMITTEE MEETING.**

**Discussion:** Mr. Ervin commented that developers have access to information regarding the proposal and stated the Economic Development Commission (EDC) recommended denying the proposal. Information is available upon request in the Clerk's office. Michael Jurusik added that this proposal includes a reference to the payment of real estate taxes in the developer expenditures.

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): E. Perkins, D. Flowers, R. Lopez and K. Johnson

**Nays:** Trustee, G. Woll

**Absent:** Trustee, A. Jaycox

**Abstain:** None

**MOTION CARRIES**

**8. Items referred by Finance Committee (Documents will be distributed at the meeting)**

Mr. Ervin gave a status report on Adoption Schedule for FY 2010 Operating Budget and 5-Year Capital Plan.

Mr. Ervin reported that the Finance Committee is recommending the Village continue contractual services provided by Virchow & Krause for auditing services, who has been with the Village of Maywood since 2001.

**MOTIONED BY, TRUSTEE WOLL AND SECONDED BY, TRUSTEE LOPEZ TO RECOMMEND VIRCHOW & KRAUSE CONTINUE TO PROVIDE OUR AUDITING SERVICES**

**Discussion:** None

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): G. Woll, D. Flowers, R. Lopez and K. Johnson

**Nays:** Trustee, E. Perkins

**Absent:** Trustee, A. Jaycox

**Abstain:** None

**MOTION CARRIES**

**MOTIONED BY, TRUSTEE WOLL AND SECONDED BY, TRUSTEE JOHNSON TO RECOMMEND STAFF WORK WITH ASSURANCE AGENCY TO ASSIST IN THE PROCUREMENT OF HEALTH INSURANCE.**

**Discussion:** Neither Mayor Yarbrough nor the Board was aware of the Assurance Agency health insurance. Mr. Ervin reported that Assurance Agency would reduce the Health insurance cost for our employees, while the Owens Group will continue to providing liability, property and casualty insurance. Mr. Robert Marcocchio, Associate Member of Assurance Agency, presented the Board with a summary of their Health Insurance services.

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): G. Woll, D. Flowers, R. Lopez and K. Johnson

**Nays:** Trustee, E. Perkins

**Absent:** Trustee, A. Jaycox

**Abstain:** None

**MOTION CARRIES**

**9. Use of Gymnasium and Meeting Room Policy – 200 S. 5<sup>th</sup> Avenue Building**

**MOTIONED BY, TRUSTEE FLOWERS AND SECONDED BY, TRUSTEE JOHNSON TO RECOMMEND THE USE OF GYMNASIUM AND MEETING ROOM POLICY AT THE 200 SOUTH 5<sup>TH</sup> AVENUE BUILDING BE TABLED**

**Discussion:** Trustee Woll requested more information regarding items #12 and 16 on page 16 under General Rules for use of the Multi-Purpose Center. Trustee Lopez recommended that we discontinue renting the building until all unsafe conditions are repaired to prevent potential liabilities.

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustees: G. Woll, E. Perkins, D. Flowers, R. Lopez and K. Johnson

**Nays:** None

**Absent:** Trustee, A. Jaycox

**Abstain:** None

**MOTION CARRIES**

**10. Enhanced Graffiti Ordinance and Commission on Graffiti and Vandalism.**

By the request of Michael Jurusik this item was pulled.

**11. Street Reconstruction Project (Madison Street)**

**MOTIONED BY, TRUSTEE LOPEZ AND SECONDED BY, TRUSTEE WOLL TO RECOMMEND THE STREET RECONSTRUCTION PROJECT (MADISON STREET) BE FORWARDED TO THE BOARD OF TRUSTEES FOR APPROVAL**

**Discussion:** Attorney Jurusik reported that the State of Illinois, through IDOT, agreed to provide 80% of the funding for the project, which includes related construction engineering services.

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): G. Woll, D. Flowers, R. Lopez and K. Johnson

**Nays:** Trustee, E. Perkins

**Absent:** Trustee, A. Jaycox

**Abstain:** None

**MOTION CARRIES**

**12. Live or Amplified Music Policy and Permit Ordinance**

**MOTIONED BY, TRUSTEE FLOWERS AND SECONDED BY, TRUSTEE LOPEZ TO RECOMMEND AN ORDINANCE ADOPTING COMMERCIAL AND NON-COMMERCIAL LIVE OR AMPLIFIED MUSIC POLICIES AND AMENDING SECTION 92.30 (NOISE) AND CREATING A NEW SECTION 92.33 (LIVE OR AMPLIFIED MUSIC POLICIES AND PERMITS) OF THE MAYWOOD VILLAGE CODE CONCERNING COMMERCIAL AND NON COMMERCIAL LIVE OR AMPLIFIED MUSIC POLICY PERMITS BE TABLED INDEFINITELY.**

**Discussion:** Michael Jurusik reported that our current Ordinance requires persons or businesses who play live or amplified music outdoors (at any gathering on public or private property), obtain a permit to comply with a policy adopted by the Village. Trustee Johnson commented she "was against this Ordinance."

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): E. Perkins, D. Flowers, R. Lopez and K. Johnson

**Nays:** Trustee, G. Woll

**Absent:** Trustee, A. Jaycox

**Abstain:** None

**MOTION CARRIES**

**RECESS TO EXECUTIVE SESSION:**

**MOTIONED BY, TRUSTEE WOLL AND SECONDED BY, TRUSTEE LOPEZ TO RECESS TO EXECUTIVE SESSION AT 9:30 P.M. FOR THE PURPOSE OF DISCUSSING:**

- Personnel
- Sale of price of real estate

**LEGAL, LICENSE AND ORDINANCE COMMITTEE MEETING RECONVENED:****CALL TO ORDER:**

The Legal, License and Ordinance Committee Meeting of Wednesday, January 28, 2009, was reconvened by Mayor, Henderson Yarbrough Sr. at 9:50 p.m. in the Council Chambers at 125 South 5<sup>th</sup> Avenue in Maywood, Illinois 60153.

**ROLL CALL:**

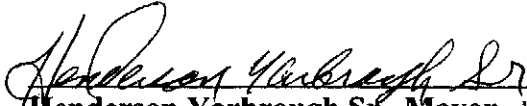

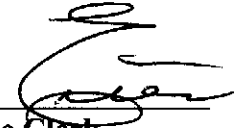
Upon roll call by Arlean Ireland, Administrative Secretary, the following answered **Present:** Mayor Henderson Yarbrough, Sr., Trustee(s): G. Woll, E. Perkins, R. Lopez and K. Johnson  
**Absent Trustee(s):** A. Jaycox and D. Flowers.

**There being a Quorum present, the Meeting was called to order.**

**ADJOURNMENT:**

**MOTIONED BY, TRUSTEE LOPEZ AND SECONDED BY, TRUSTEE WOLL TO  
ADJOURN THE LEGAL, LICENSE AND ORDINANCE COMMITTEE MEETING  
AT 9:51 P.M.**

**The vote was affirmed by unanimous acclamation of the Board of Trustees.**

**Henderson Yarbrough Sr., Mayor      Readith Ester, Village Clerk**

Cc: Mayor Henderson Yarbrough, Sr.  
 Trustees: Gary Woll  
 Audrey Jaycox  
 Edwenna Perkins  
 Dominique Garrett Flowers  
 Richard Lopez  
 Kim D. Johnson  
 Village Clerk, Readith Ester  
 Village Manager, Jason C. Ervin  
 Village Attorney, Michael Jurusik

