

**VILLAGE OF MAYWOOD  
BOARD OF TRUSTEES  
LEGAL, LICENSE AND ORDINANCE COMMITTEE  
MEETING MINUTES  
JANUARY 13, 2010**

**Call to Order**

The Legal, License and Ordinance Committee Meeting of Wednesday, January 13, 2010 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, IL 60153.

**Roll Call**

Upon roll call by Gary Woll, Village Clerk, the following answered **Present:** Mayor, Henderson Yarbrough, Sr., Trustee(s) G. Guzman, A. Jaycox, M. Scaggs, M. Lightford and K. Johnson **Absent:** D. Flowers (arrived at 7:15 p.m.). **There being a Quorum Present, the Meeting was called to order.**

**Staff Attendance:**

Jason Ervin, Village Manager  
Joe Ponsetto, Assistant Village Manager/Village Prosecutor  
Trina Mangrum, Assistant to the Village Manager  
Lanya Satchell, Finance Director  
Tim Curry, Police Chief  
Lori Sommers, Community Development Director  
John Cadagin, Fire Chief  
John West, Public Works Director  
Michael Jurusik, Village Attorney  
Mark Lucas, Village Engineer  
Arlean Ireland, Administrative Secretary

**Approval of Special LLOC Meeting Minutes – December 9, 2009**

**MOTIONED BY, TRUSTEE JAYCOX AND SECONDED BY, TRUSTEE SCAGGS TO APPROVE THE DECEMBER 9, 2009 LEGAL, LICENSE AND ORDINANCE COMMITTEE MEETING MINUTES.**

**Discussion:** None

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): A. Guzman, A. Jaycox, M. Scaggs, M. Lightford and K. Johnson

**Nays:** None

**Absent:** Trustee D. Flowers

**Abstain:** None

**Motion Carries**

**Public Items:****1. IEPA WATER LOAN ORDINANCE**

**MOTIONED BY, TRUSTEE JAYCOX AND SECONDED BY, TRUSTEE SCAGGS TO RECOMMEND THE APPROVAL OF AN ORDINANCE AMENDING AND ADDING SECTION 11 (RESERVE ACCOUNTS) RELATIVE TO THE APPROVAL OF A LOAN AGREEMENT TO BE ENTERED INTO BETWEEN THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY AND THE VILLAGE OF MAYWOOD RELATIVE TO THE VILLAGE'S PARTICIPATION IN THE IEPA'S PUBLIC WATER SUPPLY LOAN PROGRAM FOR PURPOSES OF BORROWING MONEY FROM THE PROGRAM TO PAY FOR CERTAIN VILLAGE WATER SYSTEM IMPROVEMENTS TO THE SPECIAL BOARD MEETING OF JANUARY 13, 2010 FOR APPROVAL.**

**Discussion:** Jason Ervin, Village Manager and Michael Jurusik, Village Attorney, commented briefly on the modification of the ordinance passed at the last meeting. The water fund is a separate enterprise fund that stands alone. The IEPA basically asked for a reserve account to be set for existing indebtedness senior to the IEPA loan.

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): A. Guzman, A. Jaycox, M. Scaggs, M. Lightford and K. Johnson

**Nays:** None

**Absent:** Trustee D. Flowers

**Abstain:** None

**Motion Carries**

**2. ITEMS REFERRED FROM THE VILLAGE BOARD, COMMISSIONS AND COMMITTEES**

**MOTIONED BY, TRUSTEE GUZMAN AND SECONDED BY, TRUSTEE JAYCOX TO DENY A VARIANCE TO USE THE PROPERTY AND EXISTING BUILDING LOCATED AT 719 NORTH 7<sup>TH</sup> AVENUE AS A TWO (2) FAMILY RESIDENCE IN A R-1 ONE FAMILY RESIDENCE DISTRICT.**

**Discussion:** Mr. Ervin commented on Staff's report and review of the application and documentation from the PC/ZBA hearing held December 8, 2009. By a unanimous vote of 6-0-0, the PC/ZBA recommends denial of the Petitioner's Petition. Mr. Kenneth Mette, owner of this property, commented that subject property was listed and inspected as a two (2) unit building since 1996 and rebutted the statement that this property is a single family dwelling. According to the Village records, this property is registered as a single family home. *Information is available upon request in the Clerk's Office.*

**Ayes:** Trustee(s) A. Jaycox and K. Johnson

**Nays:** Mayor, Henderson Yarbrough, Sr., Trustee(s): A. Guzman, M. Scaggs, D. Flowers and M. Lightford

**Absent:** None

**Abstain:** None

**MOTION FAILS**

**MOTIONED BY, TRUSTEE FLOWERS AND SECONDED BY, TRUSTEE SCAGGS TO REFER THE REQUEST BACK TO THE PLANNING COMMISSION ZONING BOARD OF APPEALS FOR FURTHER CONSIDERATION (ZONING VARIANCE TO USE THE BUILDING LOCATED AT 719 NORTH 7<sup>TH</sup> AVENUE AS A TWO (2) FAMILY RESIDENCE IN A R-1 ONE FAMILY RESIDENCE DISTRICT).**

**Discussion:** Attorney Jurusik stated he would make sure that Lori Sommers, Community Development Director, send copies of the Plan Commission Findings and Facts information regarding this property matter to Mr. Mette. The Village Board directed that this matter be re-considered by the PC/ZBA in light of comments made by Mr. Mette that all of his documents were not received by the PC/ZBA at the Public Hearing.

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): A. Guzman, A. Jaycox, M. Scaggs, D. Flowers and M. Lightford

**Nays:** Trustee K. Johnson

**Absent:** None

**Abstain:** None

**Motion Carries**

A. Finance Committee

1. FY 2010 Budget Amendment

**MOTIONED BY, TRUSTEE JAYCOX AND SECONDED BY, TRUSTEE FLOWERS TO RECOMMEND THE APPROVAL OF AN ORDINANCE AUTHORIZING CERTAIN AMENDMENTS TO THE FISCAL YEAR 2009/2010 (MAY 1, 2009 THROUGH APRIL 30, 2010) VILLAGE OF MAYWOOD BUDGET PRESENTED BY THE FINANCE COMMITTEE TO THE FULL BOARD OF TRUSTEES.**

**Discussion:** None

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): A. Guzman, A. Jaycox, M. Scaggs, D. Flowers, M. Lightford and K. Johnson

**Nays:** None

**Absent:** None

**Abstain:** None

**Motion Carries**

2. Senior Snow Removal Program

**MOTIONED BY, TRUSTEE GUZMAN AND SECONDED BY, TRUSTEE LIGHTFORD TO RECOMMEND APPROVAL OF "A TWENTY DOLLAR (\$20.00) MONTHLY FEE FOR SENIOR SNOW REMOVAL PROGRAM" TO THE REGULAR BOARD MEETING OF TRUSTEES.**

**Discussion:** Mr. Ervin reported that this program will run from November 1, 2009 through March 31, 2010. The Finance Committee voted by 3-0-0. The Village gave the residents two options for payment:

**Option 1** – the Village will give a 10% discount to residents who choose this option. This is a one-time full payment service.

**Option 2** – is a \$20.00 Snow Removal Fee charged to seniors monthly Water Bill. Services will continue as long as the fee is being paid in full each month.

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): A. Guzman, A. Jaycox, M. Scaggs, D. Flowers and M. Lightford

**Nays:** Trustee K. Johnson

**Absent:** None

**Abstain:** None

**Motion Carries**

**3. Draft Ordinance Regarding Amending the Village Code Relative to Prohibit Political Activities by Village Officials and Employees**

**MOTIONED BY, TRUSTEE GUZMAN AND SECONDED BY, TRUSTEE SCAGGS TO TABLE "AN ORDINANCE AMENDING CHAPTER 38 (VILLAGE POLICIES), SECTION 38.03 (STATE OFFICIALS AND EMPLOYEES ETHICS ACT) OF THE MAYWOOD VILLAGE CODE RELATIVE TO PROHIBITED POLITICAL ACTIVITIES BY VILLAGE OFFICIALS AND EMPLOYEES" TO THE REGULAR BOARD MEETING OF TRUSTEES.**

**Discussion:** Audrey Jaycox, Village Trustee, questioned as to why the original ordinance had to be amended when there was nothing wrong with the previous one and recommended to leave Ordinance as is. Attorney Jurusik agreed with her request and replied that a prior request of the LLOC that the ordinance contain more detail.

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): A. Jaycox, M. Scaggs, D. Flowers, and K. Johnson

**Nays:** Trustee G. Guzman

**Absent:** None

**Abstain:** Trustee M. Lightford

**Motion Carries**

**4. 1417-21 So. 5<sup>th</sup> Avenue -- Resolution Repair or Demolish**

**MOTIONED BY, TRUSTEE GUZMAN AND SECONDED BY, TRUSTEE JAYCOX TO RECOMMEND THE APPROVAL OF A RESOLUTION TO REPAIR OR DEMOLISH A ONE-STORY, COMMERCIAL USE STRUCTURE LOCATED AT 1417-21 SOUTH 5<sup>TH</sup> AVENUE TO THE REGULAR BOARD OF TRUSTEES.**

**Discussion:** Mr. Ervin reported that this property was acquired several years ago through a tax delinquent sale by B&G Property Development of Alsip, Illinois. Neither the owner nor the management company has begun repairs and building is considered a public nuisance to repair or demolish the one-story commercial structure.

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): A. Guzman, A. Jaycox, M. Scaggs, D. Flowers, M. Lightford and K. Johnson

**Nays:** None

**Absent:** None

**Abstain:** None

**Motion Carries**

**5. Execution of the St. Charles Road 21<sup>st</sup> Avenue to 5<sup>th</sup> Avenue Project -- Phase III**

**MOTIONED BY, TRUSTEE JAYCOX AND SECONDED BY, TRUSTEE FLOWERS TO RECOMMEND THE APPROVAL OF AN "ENGINEERING SERVICES AGREEMENT FOR FEDERAL PARTICIPATION TO BE ENTERED INTO BY THE VILLAGE OF MAYWOOD, THE ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT) AND EDWIN HANCOCK ENGINEERING COMPANY AND FOR THE APPROPRIATION OF FUNDS FOR THE PURPOSE OF PAYING FOR THE LOCAL RESOLUTION APPROVING THE LOCAL AGENCY AGREEMENT FOR FEDERAL PARTICIPATION AND THE CONSTRUCTION AGENCY SHARE FOR THE CONSTRUCTION ENGINEERING SERVICES RELATED TO AND CONSTRUCTION OF THE ST CHARLES ROAD IMPROVEMENTS FROM 21<sup>ST</sup> AVENUE TO 5<sup>TH</sup> AVENUE UNDER IDOT PROJECT NO. M-9003(267), STATE JOB NO. C-91-392-09, MFT SECTION 09-00129-00-PV" TO THE REGULAR BOARD OF TRUSTEES.**

**Discussion:** None

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): A. Guzman, A. Jaycox, M. Scaggs, D. Flowers, M. Lightford and K. Johnson

**Nays:** None

**Absent:** None

**Abstain:** None

**Motion Carries**

**6. FFY 2009 CDBG Sub-recipient Agreement**

**MOTIONED BY, TRUSTEE JAYCOX AND SECONDED BY, TRUSTEE GUZMAN TO RECOMMEND THE APPROVAL OF “A RESOLUTION APPROVING THE FFY 2009 PROGRAM YEAR CDBG SUB-RECIPIENT AGREEMENT” TO THE REGULAR BOARD OF TRUSTEES.**

**Discussion:** Mr. Ervin reported that Staff is proposing 4<sup>th</sup> Avenue for consideration as the 2010 CDBG Street Repair Project from Madison to Washington. One quarter of the project is located within the Madison TIF and the entire project is eligible for MFT slated for this summer.

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): A. Guzman, A. Jaycox, M. Scaggs, D. Flowers, M. Lightford and K. Johnson

**Nays:** None

**Absent:** None

**Abstain:** None

**Motion Carries**

**7. Class C Special Event Liquor License**

**MOTIONED BY, TRUSTEE GUZMAN AND SECONDED BY, TRUSTEE JOHNSON TO RECOMMEND THE APPROVAL OF “AN ORDINANCE AUTHORIZING THE CREATION AND ISSUANCE OF A CLASS “C” LIQUOR LICENSE (TEMPORARY LICENSE) (Bushwood L.L.C. – 30 Madison Street)” TO THE SPECIAL BOARD OF TRUSTEES MEETING.**

**Discussion:** None

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): A. Guzman, A. Jaycox, M. Scaggs, D. Flowers, M. Lightford and K. Johnson

**Nays:** None

**Absent:** None

**Abstain:** None

**Motion Carries**

**8. Ordinance Amending Village Code Regarding Various Commissions and Committees**

**MOTIONED BY, TRUSTEE JAYCOX AND SECONDED BY, TRUSTEE GUZMAN TO RECOMMEND THE APPROVAL OF “AN ORDINANCE AMENDING SECTIONS 31.22, 31.23, 31.36, 31.37, 31.38, 31.39, 31.40, 31.41, 31.43 AND 158.03 OF THE MAYWOOD VILLAGE CODE RELATIVE TO THE MEMBERSHIP OF VARIOUS COMMISSIONS AND COMMITTEES AND RELATED ISSUED” TO THE REGULAR BOARD OF TRUSTEES.**

**Discussion:** Mr. Ervin commented that the Ordinance amending Village Code regarding various Commissions and Committees is relative to changes in existing membership. Trustee Jaycox and other Trustees questioned several portions of the Ordinance and commented that various changes be made and/or added. Items questioned were:

- Page 3, item (G)5, “Powers and duties of the Board.”

- Page 4, item (K)2, "The Village Board of Trustees may provide by resolution the form and manner of making such accounting and may also by resolution demand a special accounting at any time."
- Page 6, 31.36 (A) "Youth Commission" - Establishment
- Page 7, item (2), "Youth Commission" - To investigate and recommend ... and to seek out existing state, county, park district and community agencies to offer or carry out such services, programs and activities
- Page 9, Item (D-1 & 2) "Staff"
- Page 10, "31.38 Special Events and Public Relations Commission", Item (C) 1, Function and Duties
- Page 10, "Senior Citizens' Advisory Commission", Items (A - D)
- Page 12, Senior Citizens' Advisory Commission" continues, Item (G)
- Page 13, Item (A), "31.41 Economic Development Commission"
- Page 14, 31.43 Citizens' Water Review Committee

Attorney Jurusik informed the Board that he would amend the Ordinance and make the suggested changes as directed in various sections of the Village Code. Once updated, another draft of this Ordinance will be returned by Attorney Jurusik to the LLOC for final review. *Information is available upon request in the Clerk's Office.*

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): A. Guzman, A. Jaycox, M. Scaggs, D. Flowers, M. Lightford and K. Johnson

**Nays:** None

**Absent:** None

**Abstain:** None

**Motion Carries**

**9. LLOC and Village Board Meeting Agenda Content for 2010**

**MOTIONED BY, TRUSTEE FLOWERS AND SECONDED BY, TRUSTEE JOHNSON TO RECOMMEND "THE GENERAL CONTENT AND ORDER OF BUSINESS LISTED ON A VILLAGE BOARD MEETING AGENDA IS GOVERNED BY THE LEGAL, LICENSE AND ORDINANCE COMMITTEE AND VILLAGE BOARD MEETING CONTENT FOR 2010" TO THE REGULAR BOARD OF TRUSTEES.**

**Discussion:** Attorney Jurusik addressed the proper order of business adopted relating to the Board of Trustees and Legal, License and Ordinance Committee Meetings. Trustee Flowers suggested that according to the format order, *Item 8* should be moved to be *Item 5* due to the Oaths, Appointments, etc. so when presentations are made and family members are in attendance to participate during the ceremony, they would not have to sit through the entire meeting. Attorney Jurusik was directed to draft the appropriate Code Amendment Ordinance by the Board. **Ayes:** Mayor, Henderson Yarbrough, Sr.,

Trustee(s): A. Guzman, A. Jaycox,

M. Scaggs, D. Flowers, M. Lightford and K. Johnson

**Nays:** None

**Absent:** None

**Abstain:** None

**Motion Carries**

**10. Proposed Maywood Code Amendments to Board of Fire and Police Commission Regulations**

**MOTIONED BY, TRUSTEE SCAGGS AND SECONDED BY, TRUSTEE LIGHTFORD TO TABLE AN "ORDINANCE AMENDING CHAPTER 31.21 (BOARD OF FIRE AND POLICE COMMISSIONERS) TO THE MAYWOOD VILLAGE CODE RELATIVE TO MEMBERSHIP AND ADMINISTRATIVE DUTIES" TO THE NEXT LEGAL, LICENSE AND ORDINANCE COMMITTEE MEETING.**

**Discussion:** Trustee Jaycox questioned the added responsibilities of the Village's Human Resources Personnel relative to administrative duties, handling of confidential records, files, etc. for the Fire and Police Commissioners. The Board agreed to table the Ordinance for the next Legal, License and Ordinance Committee Meeting for additional consideration.

**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): A. Guzman, A. Jaycox, M. Scaggs, D. Flowers, M. Lightford and K. Johnson

**Nays:** None

**Absent:** None

**Abstain:** None

**Motion Carries**

**Other Matters:**

**Discussion:** None

**Adjourn the Legal, License and Ordinance Committee Meeting:**

**MOTIONED BY, TRUSTEE JAYCOX AND SECONDED BY, TRUSTEE GUZMAN TO ADJOURN THE LEGAL, LICENSE AND ORDINANCE COMMITTEE MEETING AT 9:38 P.M.**

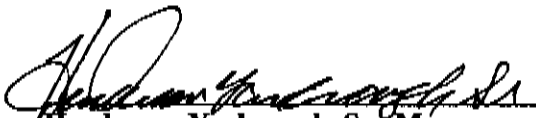
**Ayes:** Mayor, Henderson Yarbrough, Sr., Trustee(s): A. Guzman, A. Jaycox, M. Scaggs, D. Flowers, M. Lightford and K. Johnson

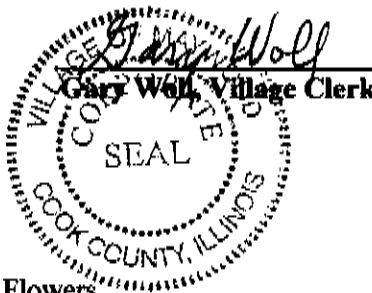
**Nays:** None

**Absent:** None

**Abstain:** None

**The vote was affirmed unanimously by the Board of Trustees at 9:38 P.M.**

  
Henderson Yarbrough, Sr., Mayor



- Cc: Mayor Henderson Yarbrough, Sr.  
 Trustees: Gilberto Guzman  
 Audrey Jaycox  
 Marcius Scaggs  
 Dominique Garrett Flowers  
 Melvin Lightford  
 Kim D. Johnson  
 Gary Woll, Village Clerk  
 Jason C. Ervin, Village Manager