

MINUTES OF THE WORK SESSION
CITY COUNCIL OF CREST HILL
WILL COUNTY, ILLINOIS
July 10, 2023

The July 10, 2023 City Council work session was called to order by Mayor Raymond R. Soliman at 7:00 p.m. in the Council Chambers, 20600 City Center Blvd. Crest Hill, Will County, Illinois.

The following Council members were present: Mayor Raymond Soliman, City Clerk Christine Vershay-Hall, City Treasurer Glen Conklin, Alderperson Scott Dyke, Alderperson John Vershay, Alderperson Darrell Jefferson, Alderwoman Claudia Gazal, Alderperson Tina Oberlin, Alderperson Mark Cipiti, Alderperson Nate Albert, Alderperson Joe Kubal.

Also present were: City Engineer Ron Wiedeman, Assistant Public Works Director Blaine Kline, Finance Director Lisa Banovetz, City Attorney Mike Stiff.

Absent were: Interim Planner Maura Rigoni, Police Chief Ed Clark.

TOPIC: Recommendation to move forward with agreement for Design and Bidding services for Grand Prairie Water Commission delivery points

Assistant Director Blaine Kline spoke briefly and turned it over to Chris Ulm from Strand & Associates for explanation and any questions.

Chris Ulm from Strand & Associates commented that the project has two receiving sites. He commented that the western site is a larger site near Caton Farm and Oakland and this site can hold more water. He also commented that this should go into effect in the year 2026.

Chris explained that this design will be spread over several fiscal years. The loan project is not enough to cover all the costs from the loan program. Chris commented that the way we receive loans is through a point system and the higher your points the higher you go on the list to receive the funds for any given year. One way to increase your funds is to have the bid documents ready and another way to receive higher points is to have construction permits in hand, which this agreement is working towards that. Chris stated that the City of Crest Hill receives highest on the ability to receive principal forgiveness grant as part of the loan program due to our demographics. Also, the earlier you can put this in will offer savings as well. Further study has found out that infrastructure improvement can be delayed or forever delayed depending on how your demands grow. Chris commented that back in 2021 he stated the costs were \$16.9 Million and today's cost is approximately \$15 Million, and even with the inflation we have seen and the reduction in scope has allowed us to stay in the 2021 budget at this time.

Alderperson Oberlin commented that she just read on an EPA site that over forty-five percent of the sites they tested have pfas in them. She also commented that her understanding is that they will need to remove the pfas before sending this water to us, is that correct? Chris stated that is correct and there could be rate increases for that treatment spread across the millions of people Lake Michigan water feeds.

Mayor Soliman asked where the east receiving point is? Chris stated that it is 2305 and 2309 Caton Farm Road.

Mayor asked if there were any more questions from the Council. There were no additional questions.

Mayor Soliman asked for an informal vote.

AYES: Ald. Oberlin, Cipiti, Albert, Kubal, Dyke, Vershay, Jefferson, Gazal.

NAYES: None.

ABSENT: None.

TOPIC: Digital Sign Easement - Menards

City Engineer Ron Wiedeman commented that there is a resolution for a sign easement agreement with Menards. The agreement was reviewed by staff and the city attorney and includes the following provisions:

- Grants and conveys to the city a perpetual, non-exclusive easement for the installation of a sign and associative landscaping.
- The city agrees to one permanent advertising slot for Menards, Inc. This provision of the agreement was discussed with BRT (Digital Advertising Company), and they have agreed to provide this advertising slot.
- The city at its own cost will construct, repair, and maintain the sign.
- The city will not allow any advertising of a direct competitor or product directly competitive with a product sold by Menards. This provision of the agreement was discussed with BRT (Digital Advertising Company), and they have agreed to this condition.

Alderpersn Oberlin commented that she understands direct competitor verbiage but product directly competitive sold by Menards is overstated since they sell a lot of products at Menards. She commented that this is how we get ourselves in trouble down the road when there is a broad spectrum that corners us and then we say how did this happen. She stressed that they sell everything from food to home improvements to undergarments, and more.

Attorney Stiff stated that this is what came back from Menards when Attorney Chris Spesia sent the initial draft to them. He stated that he agrees it is broad and that we can go back to Menards to try and firm up the agreement but that will delay the process even more.

Alderman Albert stated he thought the same thing as Alderpersn Oberlin. Alderman Albert asked Engineer Wiedeman if we looked at the property to the north. Engineer Wiedeman stated the viewing angles are not adequate and that side was restricted because of utilities and visual which BRT ruled out.

Alderman Albert stated he would not spend too much money going back to the lawyers since we know they are trying to have exclusivity of the sign and there is nothing that we can advertise. Engineer Wiedeman stated that we can go back and get a better definition of what they mean by products and get this revised accordingly.

Alderwoman Gazal asked if we could do without ads on the sign? It was commented that this is how the sign company makes money, which is the ads.

Alderman Jefferson feels they are trying to monopolize the sign and wonders if we can just exclude that part from the agreement.

Mayor Soliman asked if we could reach out to BRT and see how they dealt with Menards in the past.

Mayor Soliman asked for an informal vote for Engineer Wiedeman to research BRT more regarding Menards.

AYES: Ald. Gazal, Jefferson, Vershay, Dyke, Kubal, Albert, Cipiti, Oberlin.

NAYES: None

ABSENT: None.

TOPIC: Welcome sign Easement – Carillon Lakes

City Engineer Ron Wiedeman commented that we have a sign on Gaylord Road and the homeowner of the property is not cooperative at all. The property owner is looking for yearly leases and money, then when he sells the property, he will want us to remove the sign. Engineer Wiedeman stated that he then looked at Carillon Lakes which would put the sign in the corporate limits of Crest Hill. Engineer Wiedeman stated he reached out to the mayor, and they met with the Carillon Lakes Homeowners Association and discussed the location being proposed. Engineer Wiedeman stated they have agreed to provide us with a 20' x 20' easement along the far western edge of their property adjacent to Renwick Road.

Engineer Wiedeman stated this will be the larger stone, landscaped with a berm to help shelter it and lights on the front side. He also stated that the fence there now will be relocated behind the sign.

Alderman Albert commented that he feels this sign will be set back too far and be blocked by visibility even if it raised up and not see it coming down Renwick Road. He asked if there are any negotiations with the property owner and have we exhausted all options. Engineer Wiedeman commented that the homeowner's father is the one who granted this in the past and since he has passed away, and the current homeowner is not cooperating.

Mayor Soliman asked for an informal vote for the location at Carillon Lakes.

AYES: Ald. Kubal, Oberlin, Gazal, Jefferson, Vershay, Dyke.

NAYES: Ald. Albert.

PASS: Ald. Cipiti.

ABSENT: None.

Alderman Albert asked Mayor Soliman if there has been any discussion with Carillon Lakes to do the same thing on Gaylord Road at the other entrance? Mayor Soliman commented there has not. Alderman Albert asked if we could have a plan in the future on having a second sign at their other entrance on Gaylord Road.

Mayor Soliman informed the Council that there was a need for an executive session on 5 ILCS 120/2(c)(1) and 5ILCS 120/2(c)(2).

(#1) Motion by Alderperson Oberlin seconded by Alderwoman Gazal to go into executive session on personnel 5 ILCS 120/2(c)(1) and 5ILCS 120/2(c)(2).

On roll call, the vote was:

AYES: Ald. Dyke, Vershay, Jefferson, Gazal, Oberlin, Cipiti, Albert, Kubal.

NAYES: None.

ABSENT: None.

There being eight (8) affirmative votes, the MOTION CARRIED.

Executive Session 7:32 p.m.

(#2) Motion by Alderperson Oberlin seconded by Alderman Cipiti to reconvene from the executive session on personnel 5 ILCS 120/2(c)(1) and 5ILCS 120/2(c)(2).

On roll call, the vote was:

AYES: Ald. Dyke, Vershay, Jefferson, Gazal, Oberlin, Cipiti, Albert, Kubal.

NAYES: None.

ABSENT: None.

There being eight (8) affirmative votes, the MOTION CARRIED.

Reconvened 8:39 p.m.

TOPIC: Fiscal Year 2023-2024 Budget Amendment for West Plant

Finance Director Lisa Banovetz commented that the former Public Works Director Mark Siefert had budgeted all the capital improvements in the west construction plant capital improvement items. After talking to Assistant Public Director Blaine Kline and City Engineer Ron Wiedeman they figured that they will be spending \$5,000,000.00 on the east plant and \$15,000,000.00 on the west plant. Director Banovetz commented that she will need to transfer \$5,000,000.00 from the west plant construction to the east plant construction, which is an internal transfer. She also commented that this does not need a vote, this is strictly for informational purposes only and wanted to bring this to the Council's attention.

TOPIC: City Center Spend Update

Finance Director Lisa Banovetz did a memorandum on all contractors; and noticed that there are not contracts for every vendor. She commented that Harbour Contractors had lumped a bunch of vendors into something they call 'general requirements' category and she is not able to tell if we have overpaid a specific smaller vendor. Director Banovetz stated that she reached out to Shawn Thompson at Harbour Contractors and was told if he helped at all he would bill the city hourly, so she decided to exclude Harbour Contractors and work directly with the vendors. In reaching out to the vendors, she has found out the NuVeterans is trying to bill the city \$7,300.00 more than the total amount and she informed NuVeterans to contact Harbour and NuVeterans decided it was not worth it and they would just amend the invoice to what we originally had in our books. Director Banovetz also

commented that she asked Harbour for a link to their spreadsheet that tracked everything and was told that it was all turned over on a zip drive, but she was not given the password for the spreadsheet. She also commented she is just trying to do the best she can and based on her analysis the city has paid 95% of the budget amount plus the streetlights that Harbour Contractors had said. Director Banovetz commented that the only vendor that she is concerned about is Warehouse Direct which had another \$23,000.00 over the contract price.

Alderpersn Oberlin asked who has the password for the new spreadsheet? Director Banovetz commented Shawn Thompson has it and Roseanne told her in June she would get the new password to log into the spreadsheet but has not.

Shawn Thompson from Harbour Contractors approached the podium and stated that everything was handed over on thumb drives on April 23, 2023. He stated that they specifically handed it over since they knew the link was set to expire. Director Banovetz stated that the spreadsheet was not on the thumb drive that was handed over. Shawn commented that it was on there. Shawn stated that he could create a new link and give her a password, but Roseanne did not state she would be getting a new password.

Alderpersn Oberlin and Director Banovetz asked to whom the zip drive was handed. Shawn commented that the zip drive was handed over to Jim Marino, Don Seeman, and Mark Siefert. Director Banovetz commented that she was not handed the zip drive. Shawn commented that he agreed she did not get handed the zip drive but did receive an email stating all paperwork and drives were handed over to the City of Crest Hill. Alderpersn Oberlin asked Shawn if he could send her what she needs again? Shawn commented he does not want to create another link because it will expire again, instead, he will give Director Banovetz her own personal thumb drive with everything on it.

Shawn commented that all he said to Director Banovetz is you do not need the link because you already have the files, but he will supply Lisa with another thumb drive with everything on it including the spreadsheet.

Shawn commented that after reading this he would like to clear the air that Harbour Contractor was never the general contractor on this job, and we keep being referred to as the general contractor. Director Banovetz asked what Shawn would like to be referred to as? Shawn commented that they were consultants or at most the construction manager. Shawn stated that the reason he is concerned about being referred to as the general contractor is because when people hear issues and then they think Harbour was the general contractor when in fact, Crest Hill is the general contractor. He also commented that no one has directly contracted with Harbour on this job. He wanted to make note that all the trades were contracted through Crest Hill not Harbour and 80% – 90% of these contracts were done prior to Harbour coming in.

Shawn feels that he is being attacked and makes him feel they failed in doing their job and that is not fair to say. Director Banovetz commented that she stated this because she has nothing to know if we are overpaying these vendors and did not realize you would be at the meeting, and this could have been handled over a phone conversation. Shawn commented he never said he would charge for his time to help. What he did say was he would have to charge for his time if needed to do a reconciliation since it is time consuming. Shawn commented that this makes him seem like the worse person on the planet.

Aldersperson Oberlin commented that we do not feel like Shawn is the worse person on the planet. Shawn commented that Director Banovetz's memo states otherwise. Aldersperson Oberlin stated that she does not think that, and everyone here knows you inherited a nightmare and the fact that Harbour does not want to be known as the general contractor is understandable.

Shawn commented that he wanted to come and clear Harbour's name and personally clear his name from what he felt was personally false representation. He commented that he enjoyed working with everyone and he is not going anywhere and can still answer any questions and emails. He apologized for the one time he felt the ask was going to be extensive and stated he would have to bill for his hours.

TOPIC: City owned Vehicles and Clothing Allowance – Stipend Discussion

Director Lisa Banovetz stated that she checked with other municipalities regarding city use of vehicles and being taxed. She commented that other municipalities are taxing that benefit and do not allow personal use of a city vehicle outside of the city limits.

Alderman Dyke said he had looked at our handbook and noticed that it states, 'it shall not be used for personal errands or other activities, except for personal errands on the way to or back from work provided this time is not compensated.' He stated he felt there should not be an exception in a city vehicle and he felt that needs to be removed from the handbook. He also commented that other communities have a sign-off sheet agreeing to the terms of the vehicle use and feels we should, as well. Treasurer Glen Conklin stated we do have an employee sign-off stating that they have received and read the employee handbook.

Aldersperson Oberlin agreed that these vehicles should not be used for personal use and that should be removed from the handbook. Aldersperson Oberlin asked if we had any information regarding the vehicle with the damage. Alderman Dyke commented that he has asked the Police Chief for footage from the new building or Public Works building to show if there is damage on the vehicle. It was commented that there are no cameras at the Public Works building and they do not want them.

Aldersperson Oberlin commented that City Engineer Ron Wiedeman noticed it on a Friday and took pictures of the damage and we should see who used it prior to Engineer Wiedeman noticing the damage.

Alderman Dyke also commented that the vehicle should have been inspected when the employee left. Per our handbook, there should have been an exit interview and things should have been inspected. Alderman Dyke stated that these things should be done and are not being done and then that person needs to be held accountable for not doing the exit interview. Alderman Cipiti stated that would be the Human Resource's duty to perform that exit interview.

Treasurer Conklin stated this is something that needs to be crafted by a City Administrator.

It was agreed that the city vehicle is for city use only, not personal use. Alderwoman Gazal suggested giving a vehicle stipend and that would be cheaper than the fuel, maintenance, and insurance in the long run.

Discussion followed regarding clothing allowance, and it is also taxable, and we should follow the law. Alderman Cipiti asked if the individual would need to show a receipt to prove they used the benefit for what it is intended for? Director Banovetz commented that the police just get a stipend and do not need to provide receipts. They can do what they want with the benefit. Treasurer Conklin commented that from the city point of it, we should be taxing the money and then if the individual wants the tax relief, they can submit those items on their tax returns.

Alderman Jefferson asked if the uniform allowance is part of the collective bargaining agreement? Treasurer Conklin stated that it is but not for the Chief of Police or the Deputy Chiefs.

Mayor Soliman asked Attorney Mike Stiff if we would need to have a resolution amending the employee handbook. Attorney Stiff agreed we should have a resolution prepared.

Mayor Soliman asked for an informal vote.

AYES: Ald. Gazal, Jefferson, Vershay, Dyke, Kubal, Cipiti, Oberlin.

NAYES: None

PASS: Ald. Albert

ABSENT: None

TOPIC: Non-Employee in City Hall Discussion

City Clerk Christine Vershay-Hall commented that we are giving badge access to non-employees having access into our city areas. Director Banovetz commented that the park district employee has access to our file/storage room which has employee records, police pension records, and payroll records with social security numbers and other sensitive information. She also commented that she realizes she needs storage and Mr. Marino had promised storage but maybe there is storage in other locations.

Aldersperson Oberlin stated that they need to store their stuff in their office and stated we have had this discussion prior regarding people who are not employed by the city having access, which they should not have free roam of the city. Aldersperson Oberlin commented that they should have access to their office and the washroom by their office and not be able to come into the city side. They are not city employees.

Alderwoman Gazal stated that back in the day the park district was always able to use our kitchen. She also commented that this started because they walked people through the city side giving them a tour and no one knew who they were, who ended up being the people to cover for her while she was off.

Clerk Vershay-Hall commented that she did not say she is doing anything wrong or doing any harm, but we need to stop having anyone who is non-employees or contractors coming through the city side.

Alderwoman Gazal said she agrees if it is after-hours, and no one should be here after-hours, but she is just using the kitchen. Clerk Vershay-Hall commented that the clerks could be counting money or have paperwork laid out, we should not have non-employees coming through.

Alderpersn Oberlin stated that when we did the contract with the park district it was for that office and that room only, not free roam over the city.

Attorney Stiff commented that when the lease negotiated, they asked for storage and contractually the city is obligated to provide storage for them.

Mayor Soliman commented that the problem is that it is the file room. He stated that he has a key to that room and will be more than willing to open the door for her, but as far as the kitchen goes, she is from another intergovernmental agency and wants to warm up her lunch. He also stated that we did not have a problem with this at the old building and the new building is bigger. He would hope that out of common courtesy we would allow her to warm up her sandwich or use the bathroom.

Alderpersn Oberlin stated that she does not need to be in our file/storage room or anyone who is not an employee of the city.

Alderwoman Gazal asked why the files in the file room are not locked? It was commented that they are locked.

Mayor Soliman asked for an informal vote to allow the park district employee use of the kitchen and bathroom and their boxes will be stored in the mayor's office. The informal vote was split, the outcome was:

AYES: Ald. Kubal, Albert, Cipiti, Oberlin, Gazal, Jefferson, Dyke.

NAYES: None.

ABSTAIN: Ald. Vershay.

ABSENT: None.

TOPIC: Resolution Releasing the Deed Restriction for Property Located at 1919 Cora Street in the City of Crest Hill

Attorney Mike Stiff commented that the property located at 1919 Cora Street had an initial Ordinance #1800 that the city passed in February 2019 and declared this property as surplus and the property went to bid with the winning bidder who was Habitat for Humanity. Attorney Stiff stated that this property has a deed restriction stating the old garage to be demolished and a new residence to be built, compliant with all building and zoning ordinances, and a certificate of occupancy be issued no later than August 31, 2021. He then stated in August of 2021 Chris Spesia was asked to prepare a Resolution #1117 extending the certificate of occupancy deed restriction to the home until June 1, 2023. The deadline has been missed by twenty-eight days. The building department then contacted Attorney Stiff asking how to manage the deed restriction. Attorney Stiff stated that the best thing to do is to release the deed restriction since the occupancy certificate has been issued. Attorney Stiff commented that there is a resolution in addition to his memo along with the two prior ordinances on the dais. He commented that this resolution

should state the deed restriction is waived by the city and the city waives any right to try and claim the property back.

Mayor Soliman asked if there were any questions. There were none. Mayor Soliman stated that this will be on the next meeting agenda.

PUBLIC COMMENTS:

There were no public comments.

MAYORS UPDATES:

There are no Mayor updates.

COMMITTEE/LIAISON UPDATES:

There were no committee/liaison updates.

The meeting was adjourned at 9:49p.m.

Approved this _____ day of _____, 2023

As presented _____

As amended _____

CHRISTINE VERSHAY-HALL, CITY CLERK

RAYMOND R. SOLIMAN, MAYOR