

CITY OF OAK FOREST
CITY COUNCIL MEETING

Tuesday

July 12, 2022

Mayor Kuspa called the City Council meeting to order at 7:30 p.m. with the Pledge of Allegiance and the Roll Call as follows:

Present: Alderman Gray
Alderman McCarthy
Alderman Wolf
Alderman Selman
Alderman Emmett
Alderman Hortsman
Alderman Danihel

Also Present: City Clerk John F. Janozik
Treasurer Ericka Vetter
City Administrator Tim Kristin
Police Chief Jason Reid
Public Works Director Salamowicz
Economic Director Ed Cage
Community Planner Paul Ruane

3. ANNOUNCEMENTS

None

4. MOTION TO ESTABLISH CONSENT AGENDA

Alderman Danihel made the motion to establish consent agenda.

Alderman Gray seconded.

Roll Call vote was taken as follows:

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<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Alderman Danihel			
Alderman Gray			
Alderman McCarthy			
Alderman Wolf			
Alderman Selman			
Alderman Emmett			
Alderman Hortsman			

The motion to establish consent agenda carried 7/7.

5. CONSENT AGENDA

A. Consideration of the following List of Bills dated:

- 1. Regular Bills: FY 2022-2023 - July 12, 2022
- 2. Supplemental Bills: FY 2022-2023 - July 12, 2022

B. Consideration of the following minutes:

- 1. Planning & Zoning Commission - June 15, 2022
- 2. Economic Advisory Council - June 8, 2022
- 3. Police & Fire Commission - June 18, 2022
- 4. Police & Fire Commission - June 29, 2022

C. Consideration of the following reports:

- 1. Baxter & Woodman Progress Report - July 7, 2022

Alderman Selman made the motion to approve Consent Agenda.

Alderman Danihel seconded.

Roll Call vote was taken as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Alderman Selman			
Alderman Emmett			
Alderman Hortsman			
Alderman Danihel			
Alderman Gray			
Alderman McCarthy			
Alderman Wolf			

The motion to approve Consent Agenda carried 7/7.

6. POLICE DEPARTMENT

A. Swearing in of Officer Nicholas Muller to the position of Police Sergeant. See attached memo with supporting details from Chief Reid.

Mayor Kuspa called Chief Reid to the podium, and Officer Muller to the dais.

Police Chief Reid spoke on behalf of Officer Muller.

City Clerk Janozik administered the Oath of Office to Sergeant Muller.

7. ADMINISTRATION

A. Approval of Ordinance No. 2022-07-09150, authorization for disposal/sale of City owned property. Se the attached memo from City Administrator Kristin providing supporting details.

Alderman Hortsman made the motion to approve Ordinance No. 2022-07-09150.

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Alderman Emmett seconded.

City Administrator Kristin explained the ordinance is for the removal of three vehicles from the city fleet. They will try to resell the Gradall Excavator. Public Works Director Salamowicz added these are pieces of equipment they are no longer using and are taking up space. The best opportunity is, while equipment prices are high, this is our opportunity to put them out to auction and get the best price we can.

Roll Call vote was taken as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Alderman Hortsman			
Alderman Danihel			
Alderman Gray			
Alderman McCarthy			
Alderman Wolf			
Alderman Selman			
Alderman Emmett			

The motion to approve Ordinance No. 2022-07-09150 carried 7/7.

8. PUBLIC WORKS

A. Approval of purchase 2022 Volvo 36H front-end loader from Alta Equipment of Orland Park, IL in the CIP budgeted amount not to exceed \$167,000.00. See attached memo from Public Works Director Michael Salamowicz with supporting details.

Alderman Emmett made the motion to approve the purchase.

Alderman Danihel seconded.

Public Works Director Salamowicz explained as part of their budget, they have money budget for a front-end loader. They have done research as to looking into purchasing this equipment; if they were to purchase a 2023 it would be a significantly higher cost and take at least a year in order to receive. In conversations with the local vendor for

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Volvo, this is a piece of equipment that our operators and maintenance are recommending for purchase. This is nearly brand new; it only has 89 hours on it, and still has the plastic on the seats. Director Salamowicz will have them add one other option to it, and it has more options than they would have been looking for. It's an opportunity to get it at a good price and within 30 days.

Alderman Hortsman said the budgeted price in the budget is higher than what this piece of equipment is, so that money will save us some. He imagines that CIP money goes back into the budget to be used later. Director Salamowicz affirmed and said this is almost \$40,000 lower than the budgeted amount. They are looking at another item in the budget for purchase is a 5-ton snowplow; unfortunately, that one is running higher because of the issue with vehicles now, so the lower cost on this piece of equipment will help to offset the higher cost on that piece of equipment.

Alderman Selman asked if the difference between the price in the memo and the price on the sales agreement is the additional equipment being installed. Director Salamowicz said the actual cost for this piece of equipment is going to be \$162,500. Because of the timing, in order to get it on the Agenda, they wanted to make sure they had a little breathing room, but the actual cost will be \$162,500. Alderman Selman said the memo is not to exceed \$167,000, and Director Salamowicz said correct.

Roll Call vote was taken as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Alderman Emmett			
Alderman Hortsman			
Alderman Danihel			
Alderman Gray			
Alderman McCarthy			
Alderman Wolf			
Alderman Selman			

The motion to approve the purchase carried 7/7.

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9. ECONOMIC AND COMMUNITY DEVELOPMENT

A. Approval of Ordinance No. 2022-07-09160 authorizing the demolition of property owned by the City of Oak Forest located at 15644 S. Cicero Avenue. The attached memo dated July 12, 2022, from Director of Community & Economic Development Cage, provides supporting details.

Alderman Wolf made the motion to approve Ordinance No. 2022-07-09160.

Alderman Danihel seconded.

Director Cage explained with a new planned unit development being recently approved the developer wants to move forward. They own the building immediately to the west.

Mayor Kuspa asked City Administrator Kristin if the damaged caused by the accident was settled, and Administrator Kristin said yes.

Roll Call vote was taken as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Alderman Wolf			
Alderman Selman			
Alderman Emmett			
Alderman Hortsman			
Alderman Danihel			
Alderman Gray			
Alderman McCarthy			

The motion to approve Ordinance No. 2022-07-09160 carried 7/7.

B. Approval of quote for demolition services of city owned property located at 15644 S. Cicero Avenue with Kinzie Builders not to exceed the budgeted amount of \$60,000.00. The attached memo dated July 12, 2022, from Director of Community & Economic Development Cage, provides supporting details.

Alderman Wolf made the motion to approve the demolition.

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Alderman Emmett seconded.

Director Cage said it is the same property as the previous item. It was kind of rushed last minute; the good news is the developer wants to get moving on the new development. He met on-site with the developer and the asbestos expert to do some testing on Friday morning, hence the rush. He just found out today there is asbestos; because they only have one quote for the work, they will look to get two more because the number is higher than they want it to be. What they would like to do, with Council's approval, they don't want to delay the project, so they'd like to keep the proposed not to exceed amount, the accident there will provide some insurance money towards that. They would like to get the lowest amount they can, and would like to bring it back at a future date if Council is comfortable with that. Mayor Kuspa has no problem with that, he would like to move it along and get that building torn down.

Alderman Hortsman asked if the not to exceed number locks in Kinzie Builders to be the demolition company, or if a couple companies come in and have better prices what is the process? Do we have to go back and change this? Director Cage explained Kinzie Builders will use a demolition contractor; it will not exceed \$60,000. The asbestos abatement is linked because you have to abate the asbestos and that's a separate contract. They will come back once they have two more quotes.

Roll Call vote was taken as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Alderman Wolf			
Alderman Selman			
Alderman Emmett			
Alderman Hortsman			
Alderman Danihel			
Alderman Gray			
Alderman McCarthy			

The motion to approve the demolition carried 7/7.

C. Approval of Resolution No. 2022-07-0427R supporting a Cook County Class 8 incentive renewal request for 16200 S. Cicero Avenue, TPN

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Properties. The attached memo dated July 12, 2022, from Director of Community & Economic Development Cage, provides supporting details.

Alderman Danihel made the motion to approve Resolution No. 2022-07-0427R.

Alderman McCarthy seconded.

Director Cage informed Council this item went to EAC for a Class 8 Incentive renewal. They did obtain a Class 8 in 2010; they last for 10 years, and it is due to expire. It is a challenging site, the properties are not very deep hence the request. The restaurant is currently closed, hence the need for the renewal. There have been recent requests to draw more business into that location; the good news is there are developers looking at some areas along South Cicero, south of 159th.

Alderman Gray asked who the incentive is awarded to, is TPN the old owner. Director Cage explained the applicant is TPN properties; Alderman Gray asked how it works if they are closed and out of business. Director Cage said it was his understanding it was leased out to Xocalo. Alderman Gray asked if the incentives are transferable and Director Cage said yes.

Mayor Kuspa asked Director Cage to correct him if he was wrong, but a Class 8 Incentive is offered by the Cook County Board. What Council is doing is giving local authority approval, but it is their program trying to bring in new businesses or keep existing businesses that are so close to Indiana or Will County. This is an opportunity for the Southern Suburbs, like Oak Forest, to take advantage of and this is just one good example of a good use of a Class 8 Tax Incentive. Director Cage said Mayor Kuspa was exactly correct; this is a County program, which happens to be a very good program that a number of businesses in the community have taken advantage of. It lowers the tax rate for a number of years and the way that it works is we review it at EAC, if it has a positive recommendation it comes to City Council. If approved it goes in to the resolution format, which is forwarded then to the County. Once they see local jurisdiction has approved it, they typically review and approve it themselves.

Roll Call vote was taken as follows:

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<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Alderman Danihel			
Alderman Gray			
Alderman McCarthy			
Alderman Wolf			
Alderman Selman			
Alderman Emmett			
Alderman Hortsman			

The motion to approve Resolution No. 2022-07-0427R carried 7/7.

D. Approval of Ordinance No. 2022-07-09140 authorizing an amendment to a Planned Development Final Plan for Gateway Lot 2 at 15848 S. Cicero Avenue. The attached memo dated July 12, 2022, from Director of Community & Economic Development Cage and Planner Ruane, provides supporting details.

Alderman Wolf made the motion to approve Ordinance No. 2022-07-09140.

Alderman McCarthy seconded.

Community Planner Ruane explained PUD Development is a Planned Unit Development. There is an existing PUD put in place for the Gateway and has subsequently been amended each time, CVS, the bank, Starbucks was the last one; this is an amendment to that, each one has its own case. He explained it is the site directly behind Starbucks, more visible from 159th Street and Cicero Avenue. The request tonight is simply moving the dumpster enclosure from its current location on the property into the parking lot, and the removal of those spaces to do so. Otherwise, as is, it's pretty much the same thing. It's a little bit bigger footprint of the building because they move the dumpster enclosure from that location but otherwise it looks identical to what they have.

Mayor Kuspa asked City Administrator Kristin if there was anything he wanted to add. Administrator Kristin thinks this is a good addition to the Gateway and we have a future developer that is interested in residential units, and that will complete the project over there.

Roll Call vote was taken as follows:

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<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Alderman Wolf			
Alderman Selman			
Alderman Emmett			
Alderman Hortsman			
Alderman Danihel			
Alderman Gray			
Alderman McCarthy			

The motion to approve Ordinance No. 2022-07-09140 carried 7/7.

E. Approval of Ordinance No. 2022-07-09170 authorizing the revised purchase and sale agreement and redevelopment agreement with Kensington for property located at 4250 W. 167th Street. The attached memo dated July 12, 2022, from Planner Ruane, provides supporting details.

Alderman Gray made the motion to approve Ordinance No. 2022-07-09170.

Alderman Danihel seconded.

Community Planner Ruane explained this is the Aldi at Kilbourn and 167th Street, before them tonight are minor tweaks to the agreement, including; right-of-way from Cook County has slightly changed just nipping off the corner for the street light infrastructure. Included with this would be a resolution subsequent to that including a Quiet Title. The basis of that is when a title search was done on the Aldi property there were restrictions found for the entire subdivision 166th Street West of Kilbourn, the entire North and South of the road are succumb to setback requirements, landscaping requirements. The setback requirement is killing the Aldi deal without being able to execute the ability for us to go out; we tried to mutually meet with all of the owners and were able to get a good chunk of them but there was a few that were holdouts. In order for them to go through without going through an eminent domain process, which we know how long that could drag out, the Quiet Title allows us to go through that process a little simpler based upon the recommendation of our attorney.

Alderman Selman asked if the clipping of the corner creates and easement for the county, to have access to that corner of the intersection. Planner Ruane said no, it would actually be permanent

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right-of-way for them. It wouldn't be included with this development or the city owned property, it would be for their street light improvements. Alderman Selman said they're actually altering the shape of the intersection, and Planner Ruane said no the intersection will not change; it's just the shape of the piece that they were going to be giving to the city. So rather than it being a straight right angle it will be cut at a 45.

Roll Call vote was taken as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Alderman Gray			
Alderman McCarthy			
Alderman Wolf			
Alderman Selman			
Alderman Emmett			
Alderman Hortsman			
Alderman Danihel			

The motion to approve Ordinance No. 2022-07-09170 carried 7/7.

F. Approval of Resolution No. 2022-07-0428R authorizing the indemnification and litigation agreement for property located on 166th Street west of Kilbourn Avenue. The attached memo dated July 12, 2022, from Planner Ruane, provides supporting details.

Alderman Gray made the motion to approve Resolution No. 2022-07-0428R.

Alderman Selman seconded.

Community Planner Ruane said this resolution would allow for our attorney, legal team, to start the process. We know we are pushing on a purchase date from the developer in October, and we're about halfway through that process. We want to make sure we get in this as soon as possible so that we're not wasting time trying to go door-to-door trying to get people to answer. This would be the fastest and quickest way for us to make sure it doesn't delay anything with the project.

Roll Call vote was taken as follows:

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<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Alderman Gray			
Alderman McCarthy			
Alderman Wolf			
Alderman Selman			
Alderman Emmett			
Alderman Hortsman			
Alderman Danihel			

The motion to approve Resolution No. 2022-07-0428R carried 7/7.

G. Approval of Resolution No. 2022-07-0429R approval of authorization, acknowledgement, and indemnification for site access and earthwork agreement. The attached memo dated July 12, 2022, from Director of Community & Economic Development Cage, provides supporting details.

Alderman Gray made the motion to approve Resolution No. 2022-07-0429R.

Alderman Danihel seconded.

Director Cage said this is related to the other items earlier on the Agenda for 15644 S. Cicero Avenue. Essentially this is an agreement drafted, reviewed, and approved by the City Attorney. It essentially allows the developer to work on the site and indemnifies the City so we have no liability. At some point that property will be conveyed to the developer, but during the interim, the good news is the developer wants to get moving with demolition and grading.

Roll Call vote was taken as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Alderman Gray			
Alderman McCarthy			
Alderman Wolf			
Alderman Selman			
Alderman Emmett			
Alderman Hortsman			
Alderman Danihel			

The motion to approve Resolution No. 2022-07-0429R carried 7/7.

10. EXECUTIVE SESSION

Unnecessary

11. CITIZENS PARTICIPATION

None

12. OLD BUSINESS

None

13. NEW BUSINESS

Mayor Kuspa issued a reminder that the July 26th Council meeting is canceled unless something really comes up.

14. ADJOURMENT

Alderman Danihel made the motion to Adjourn.

Alderman Hortsman seconded.

Roll Call vote was taken as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Alderman Danihel			
Alderman Gray			
Alderman McCarthy			
Alderman Wolf			
Alderman Selman			
Alderman Emmett			
Alderman Hortsman			

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The motion to adjourn carried 7/7.

The Council meeting adjourned at 8:05 pm.



MAYOR HENRY L. KUSPA