

**VILLAGE OF BELLWOOD
BOARD MEETING MINUTES
March 16, 2022 – 6:00 p.m.
2nd Floor - Board Room**

Call to Order

The Board meeting of the Board of Trustees of the Village of Bellwood was called to order by Mayor Harvey at 6:00 p.m. on Wednesday, March 16, 2022.

Roll Call

Present: Mayor Andre Harvey, Village Clerk Janel Moreland, Trustees Ciavattone, Boston, Holman, Robinson, Delgado and Nightengale.

Pledge of Allegiance

The Village Board and others in attendance recited the Pledge of Allegiance led by Mayor Harvey.

Presentation:

Approval of Agenda

Mayor Harvey requested a motion to approve the (March 16, 2022), board meeting agenda. Trustee Nightengale moved, seconded by Trustee Delgado to approve the board meeting agenda. The result of the roll call vote is as follows:

Ayes:	6	Trustees Ciavattone, Boston, Holman, Robinson, Delgado, and Nightengale
Nays:	0	
Abstain:	0	
Absent:	0	

Approval of Minutes:

Mayor Harvey requested a motion to approve the minutes of the last Board meeting and the last Special Board meeting. Trustee Holman moved, seconded by Trustee Boston to dispense with the reading of the minutes of the last Board meeting (February 16, 2022) and the last Special Board meeting (February 28, 2022) and approve the minutes as presented. The result of the roll call vote is as follows:

Ayes:	6	Trustees Ciavattone, Boston, Holman, Robinson, Delgado, and Nightengale
Nays:	0	
Abstain:	0	
Absent:	0	

Committee Reports

A. **Public Works Department**

Trustee Ciavattone reported the following:

I have several items to report from the Public Works – February 2022. Water main breaks eight, streetlights pole replaced two, street light repair four, traffic lights repaired one, sidewalk inspection fifteen, potholes filled throughout the village one thousand seventy. Tree trimming continues. One tree removed and three hundred twelve trees trimmed.

We are recommending the following items for approval on the consent agenda:

- i. Item C – Approves a cleaning contract.
- ii. Item D – Approves the engineering agreement.
- iii. Item H – Renews an agreement with Beary Landscaping
- iv. Item L – Authorizes the village to prepare an application for federal funding for street improvements.
- v. Always support our first responders, medical personnel, military personnel, and active duty.

B. **Community Development**

Trustee Boston reported the following:

From the Community Development Committee, we are recommending the following items to appear on the consent agenda:

- i. Item E – Approves an incentive agreement with Quik Trip.
- ii. Item F – Approves the letter of intent with the Cook County Land Bank Authorities.
- iii. Items I – Approves the dedication of a right of way on the Quik Trip Development.

C. Quality of Life

Trustee Holman reported the following:

Bellwood Community Resource Center monthly activity from February 1st through February 28th, 2022, we've had one hundred nineteen patrons. From the Building Department – Reviewed one hundred ninety-four applications in February and issued sixty-seven permits.

We are recommending the following items from the consent agenda:

- i. Item M – Recommendation from the Zoning Board of Appeals for a variance for property commonly referred to as 415 51st Avenue.

D. Administration

Trustee Robinson reported the following:

The scholarship board met Saturday. We have a potential board member, Dorothy Smith maybe joining the Neighborhood Watch Scholarship Board.

Neighborhood Watch Community Police Meeting is tomorrow at 7pm, Topic - Navigating the Court System, presented by judges.

We are recommending the following items on the consent agenda:

- i. Item G – Approves a litigation report.
- ii. Item K – Approves the record retention policy.

F. Public Safety

Trustee Delgado reported the following:

We are recommending the following item for the consent agenda

- i. Item J – Approve the agreement with DuPage Emergency System.

D. Finance Committee

Trustee Nightengale reported the following:

- i. I would like to make a motion to pay bills in the amount of \$1,433,338.86 when funds become available.

We are recommending the following items to appear on the consent agenda.

- ii. Item A – Approves the 2022 Appropriation Ordinance
- iii. Item B – Approves the amendment to the 2021 Appropriation Ordinance

Trustee Ciavattone moved, seconded by Trustee Holman to pay the bills when funds become available. The results of the roll call vote are as follows:

Ayes:	6	Trustees Ciavattone, Boston, Holman, Robinson, Delgado, and Nightengale
Nays:	0	
Abstain:	0	
Absent:	0	

Ad Hoc Committees: Nothing to report.

Ordinance 22-10

- A. An Ordinance making Appropriations for the Calendar Year beginning January 1, 2022, Ending December 31, 2022.

Ordinance 22-11

- B. An Ordinance Approving Supplemental Appropriations for the Calendar Year Beginning January 1, 2021, Ending December 31, 2021.

Resolution 22-16

- C. A Resolution Approving and Authorizing the Execution of an Agreement by and between the Village of Bellwood and CleanNet of Illinois, Inc.

Resolution 22-17

- D. A Resolution Approving and Authorizing the Execution of an Agreement by and between the Village of Bellwood and Edwin Hancock Engineering, Co.

- Ordinance 22-12**
- E. An Ordinance Approving and Authorizing the Execution of a Development Agreement for the Property commonly referred to as 1040 South 25th Avenue, Bellwood, Illinois 60104 (QuikTrip Corporation).
- Resolution 22-18**
- F. A Resolution Approving and Authorizing the Execution of a Letter of Intent by and between the Village of Bellwood and the Cook County Land Bank Authority.
- Resolution 22-19**
- G. A Resolution Approving and Adopting the Reports pertaining to pending Litigation.
- Resolution 22-20**
- H. A Resolution Approving and Authorizing the Execution of an Agreement by and between the Village of Bellwood and Beary Landscaping, Inc.
- Ordinance 22-13**
- I. An Ordinance Approving and Accepting the Dedication of Right of Way.
- Resolution 22-21**
- J. A Resolution Approving and Authorizing the Execution of an Agreement by and between the Village of Bellwood and the Emergency Telephone System Board of DuPage County (DUPAGE ETSB).
- Resolution 22-22**
- K. A Resolution Adopting a Records Retention Policy.
- Resolution 22-23**
- L. A Resolution Authorizing the Submittal of Applications for Funding of Roadway Improvements through the Surface Transportation Program.
- Ordinance 22-14**
- M. An Ordinance Granting a Variance for the property commonly referred to as 415 51st Avenue, Bellwood, Illinois 60104.

Mayor Harvey requested a motion to place the items on the Consent Agenda as presented. Trustee Holman moved, seconded by Trustee Robinson.

The results of the roll call vote are as follows:

Ayes:	6	Trustees Ciavattone, Boston, Holman, Robinson, Delgado, and Nightengale
Nays:	0	
Abstain:	0	
Absent:	0	

Mayor Harvey requested a motion to approve the Items on the Consent Agenda as presented. Trustee Delgado, seconded by Trustee Ciavattone.

The results of the roll call vote are as follows:

Ayes:	6	Trustees Ciavattone, Boston, Holman, Robinson, Delgado, and Nightengale
Nays:	0	
Abstain:	0	
Absent:	0	

Village Clerk's Report

The Village Clerk report was removed from the Board Meeting Agenda at the request of Mayor Harvey.

Mayor's Report

Mayor Harvey reported the following:

- i. Tomorrow night as Trustee Robinson stated will be our first coming back together in March Neighborhood Watch Meeting at 7pm. Navigating the Court System. We will have a variety of judges to talk about how the court system can work for you.
- ii. Crain's article about the development of homes in the Village of Bellwood. That article is actually putting Bellwood on the map. Village of Bellwood has been building homes for about twenty years now (Economic Developer Peter Tsiolis interjected, corrected the mayor, and said since 2012 – ten years) and Mayor Pasquale, his team and some developers many years ago vision

- started 2012 and we kept it going and now we're in the process of filling vacant lots, which we plan on putting new houses on vacant lots. We put two new houses on 49th and St. Charles. The first house sold for \$380,000 and I know the second house will follow suit. Bellwood has starter homes and we found that the people were leaving the community because they wanted bigger homes and that's how the project got started. This is increasing the values of our homes in our community. If you plan on leaving your house is worth a lot of money today than it was ten years ago.
- iii. This is the fifth consecutive budget year without raising taxes and having a balanced budget. Proud of this team for having a balanced budget and not overspend our budget.
 - iv. Chicago Fire is in town at 25th and Washington filming an episode of Chicago Fire. Converting the Walgreens Store into a grocery store. They will be here another seven or eight days.
 - v. The five warehouses that are on 25th and Harrison are being demolished to make way for Quik Trip fueling center. I had the opportunity to meet the attorney for Quik Trip and this is the first of its kind in the Central part/Midwest part of Illinois, close to the urban part of Chicago. They say we're going to be proud of what they put there and will continue to generate revenue for the village.
 - vi. The Duke project is winding up. Pure's will be leasing the entire building - 300 square foot, which is going to house Pure's headquarters. They will be hiring a minimum of one hundred employees. We're proud of the team we have keeping the village on board.

New Business:

Attorney Castaldo – As a result of a question from the Village Board at the Committee of Whole Meeting, there was some question regarding the pending litigation, and I said I will get back to the village board tonight for the report. In review of the matter with counsels coming to my attention, one of them has formally concluded and is now over, therefore, closed session will not be appropriate for that matter, so I will give you a brief synopsis on one and Attorney DiNolfo is here to report on the other matter. Lawsuit that was filed by Mr. Soto, you've had the opportunity to see as part of public record that lawsuit was filed as a result of a fake 911 call, the village responded, we received many FOIAs regarding the videos that we released, and they played one on the news. I spoke with counsel, who couldn't be here tonight to give you a detailed report in closed session but moving through the process in the very beginning, moving through various motions and discoveries, counsel for the village is very confident that we are in a strong position as we've complied with all the rules and regulations. Anything in further detail I feel uncomfortable giving at this point but maybe in the future I can try to get an update in closed session in detailed to discuss the case but not at this point in open forum. Should there be any questions I will be happy to answer that for you but please give me a call individually and I'll be happy to address those.

Steven DiNolfo from my office will give a brief update on the other matter.

Steve DiNolfo – I'm hear about some lawsuits that were filed by Janel Moreland against the village and the board of trustees sitting here tonight. I'm happy to report that we achieved a very positive outcome for the village and trustees that the case was dismissed very early stage possible in litigation. I'm going to keep this very brief and limit my remarks public to the available documents. The complaint was based upon four theories: 1st – Violation of the election code. The court dismissed this count finding that no violation occurred. Steve DiNolfo read the details of the dismissal for that account given by the courts. 2nd – Intentional infliction of emotional distress – The court found no basis for this claim and dismissed this as well. Steve DiNolfo read the details of what the court found. That count was dismissed as well. 3rd – Mandamus Theory in regard to that she be given discretionary duties. The court said those discretionary duties falls in privy of the village and that the mandamus failed because the discretionary duties can not be dictated by a court.

The Last claim was a declaratory judgment claim where she asked the court to declare her the elected collector, she is the elected clerk. Now, I've been doing this for a while, and I was surprised to see that claim based upon a clear case in Illinois and based upon the ordinance. Quoted case from 1976 Dumke vs. Anderson. That claim was dismissed as well. All counts were dismissed. The case is over with prejudice, and we're done with it going forward. That's my brief report. If you have specifics that you want me to update you on you have my contact information, feel free to reach out to me.

Unfinished Business:

None.

Public Comment:

Diane Cooper Bellwood Resident – Asked Steve DiNolfo, are you an attorney for the village of Bellwood? **DiNolfo** – I am. Cooper – You’ve done your homework, so when things are dismissed then it’s dismissed in the court of Bellwood? Does Bellwood have a courthouse? If it’s in the court, I assume the judge has ruled on it, right? **DiNolfo** – The court of Cook County ruled there is no basis for the lawsuit. **Cooper** – You don’t have to get loud. **DiNolfo** – I’m just saying it so you can hear me. Mayor, please explain to me about Village Watch Committee Meeting again. **Mayor** – We have Neighborhood Watch the third Thursday of every month except for November through February. It’s about neighbors coming in sitting down and we put on different seminars, classes and talk about what’s going on in the community. **Cooper** – Does it involve and include if you want to do a block party? **Mayor** – Block party falls under an ordinance and the procedure to have a block party. It does not fall under Neighborhood Watch.

Madeline MaGee – You’re talking about how the village is building houses in the area and on vacant lots. I have several abandoned houses on my block that has been abandoned for fifteen-twenty years. Are they going to do anything with the abandoned houses? You were talking about the land bank authority; are they going to do anything with the abandoned houses? **Mayor** – the landbank buys homes and if they purchase the home then they will open it up for villages to purchase the home. If the land bank, does it, yes. Some properties the land bank does not buy. If it’s vacant doesn’t mean the bank doesn’t still own, it or the seller. There’s a house on your block that’s been vacant for a while, I know the owner. He still owns it and if the landbank decides to buy it from him then they will. Sometimes the landbank don’t buy properties because too many taxes are owed on it, or it still maybe owned by the bank. **MaGee** – Is it possible that you can get with the homeowner so they can demolish that building because its rodent invested, and squatters are there and it’s not increasing the value of my property with squatters. **Mayor** – if you have a home with squatters contact the building and police department. If the landbank wants the property, they will purchase it. **MaGee** – They come take the boards down and get in the house. We call the police and they do it again. I’m having a problem with that, and it has been reported on several occasions with the police department and yourself, so I just wanted to make you aware of that.

Amy Crump – Director of the Bellwood Library presented the Bellwood Library report for the month of February 2022 (see attached a copy of the report). Library Trustees Rials and Stewart are in the audience. Also, remind everybody that the ribbon cutting for the Connie Riales Food Pantry is tomorrow, March 17th at 4pm at the Bellwood Public Library. The Chamber will be doing the ribbon cutting.

Mayor Harvey requested a motion to adjourn the Board meeting. Trustee Delgado moved, seconded by Trustee Boston to adjourn the meeting. Upon a voice vote, the motion carried unanimously. Mayor Harvey declared the meeting adjourned, with no further business to come before this Board, this meeting stands adjourned at 6:28 p.m.
Respectfully submitted,

Janel Moreland
Village Clerk