



Village of Hanover Park Administration

Municipal Building
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hpil.org

Village President
Rodney S. Craig

Village Clerk
Eira Corral Sepúlveda

Trustees
James Kemper
Jon Kunkel
Herb Porter
Bob Prigge
Rick Roberts
Sharmin Shahjahan

Village Manager
Juliana A. Maller

VILLAGE OF HANOVER PARK

VILLAGE BOARD REGULAR MEETING 2121 Lake Street, Hanover Park, IL 60133

Thursday, May 2, 2019
7:00 p.m.

MINUTES

1. CALL TO ORDER – ROLL CALL

Village President Craig called the meeting to order at 7:01 p.m.

Roll Call:

PRESENT: Trustees: Roberts, Porter, Kemper, Kunkel, Shahjahan, Prigge

ABSENT: Trustee(s): None

Quorum established.

ALSO PRESENT: Attorney Bernie Paul, Village Manager Maller, and Department Heads

2. PLEDGE OF ALLEGIANCE

Recital of the Pledge of Allegiance.

3. INVOCATION

Reverend Lisa Lopez, Christ Presbyterian Church

4. RECOGNITION

a. Jon Kunkel, Village Trustee

5. ADMINISTRATION OF OATH OF OFFICE BY JUDGE JESSE REYES AND RETIRED JUDGE MANNY BARBOSA

- a. Fanny Y. López Benítez, Village Trustee
- b. James Kemper, Village Trustee
- c. Herb Porter, Village Trustee

Newly elected Trustee Fanny Y. López Benítez congratulated Trustee Kemper and Trustee Porter on their re-election and thanked former Trustee Kunkel for his service to our Village both as a Veteran and Trustee

and she thanked Judge Jesse Reyes for taking the time out of his busy schedule to come and officiate her swearing in.

Trustee López Benítez thanked her parents for making the sacrifice to leave their native country so that she and her sister could have a better future. She noted that for her, it is an honor to celebrate this moment because their sacrifices were not in vain. She went on to thank her friends and family who have supported her throughout her life, she thanked her children who inspired her to run for office so that she can work towards making sure, that in the long term, the place they grow up in is a healthy, inclusive and vibrant place. She noted that she is humbled and excited to be the first formerly undocumented woman, and the youngest Trustee to be sworn in onto the Hanover Park Village Board. She noted that the road has not been easy, it has been an accumulation of years of sacrifice, hard work and community support that has led her to this moment. She noted that she is proud and honored to have been a part of the Together for Hanover Park slate with Roberto Sepúlveda, she noted that they ran a very successful campaign that almost doubled the voter turn-out and engaged new unlikely voters.

Trustee López Benítez noted that her commitment to serve our community is stronger than ever. That her community organizing training has grounded her and provides the potential and responsibility of this leadership role to ensure that all community members, in particular those who are often absent from the decision making process, are fully informed and engaged in the policies and programs proposed and implemented by Village Staff and elected officials.

Trustee López Benítez noted that one of her main goals is to collaborate with Hanover Park community members to make sure that we educate and empower each other, to increase community engagement and make our local government more accessible and effective. She noted that she is excited and looking forward to collaborating with Village staff and elected officials. She noted that she hopes our community is not only a Global Village but also an inclusive and welcoming Village that is at the forefront of social justice and equity for all. She looks forward to meeting with residents and hopes to serve their needs.

Trustee Kemper congratulated Trustee López Benítez and Trustee Porter as newly elected and re-elected Trustees respectively. He also thanked former Trustee Kunkel for his service to our community and noted that it has been a pleasure working with him the last eight years. He thanked his family and those who supported him during the campaign and thanked the people of Hanover Park for sending him into office one more time.

Trustee Kemper noted that he looks forward to serving the Hanover Park community another four years. He noted that he has been here since 1972. He noted that Hanover Park is a community that he has grown to love, not only the community but the people of Hanover Park. He noted that we are a global Village and that he embraces our divisiveness and inclusiveness and that he looks forward to working with everybody, all the committees and staff.

Trustee Porter thanked all for attending this evening's Board meeting and for supporting the Board and the individual candidates through what was a rough and tumble election. He thanked his family, his wife who was just sworn in on Tuesday onto the U46 School Board Trustee and his two daughters who spent all their evenings and weekends working on his campaign. He also thanked his dear friend Mayor Craig for his support both during his tenure as a Board member and during the election.

Trustee Porter thanked Trustee Kemper his running mate, and former Trustee Kunkel. He noted losing Trustee Kunkel is a real loss but that after finally hearing newly elected Trustee López Benítez speak that he believes that we're in good hands and that the Village will continue to move forward.

Trustee Porter noted that it is an honor to work with Trustee Kemper, a true gentleman and that he really looks forward serving with the ole Marine, his personal nickname for Trustee Kemper.

Trustee Porter noted that it is an honor for him to serve this Village in this manner, and that we have a wonderful staff, from our Village Manager to all the way down to all of our Department Heads, and that he looks forward to collaborate with them and continue to serve this community.

Trustee Porter also thanked the Village of Hoffman Estates Mayor, Bill McLeod and his wife Joanie for

showing up today and honoring us with his presence, that we are extremely glad to have friends like you.

Trustee Porter also thanked Cook County Commissioner Kevin Morrison his continued support and for attending tonight and noted that he worked tirelessly on the Commissioner's campaign and hopes to partner with Commissioner Morrison on events that will benefit our community and Cook County.

Trustee Porter noted that we have an opportunity to build a great community here in Hanover Park , that Hanover Park is a great community and that it's going to get better. He noted that there are great plans, things that we are doing and things that are on the drawing board that will continue to increase the profile of our Village so that we really live up to that name of being a Global Village. He noted that when we came up with the name Global Village, that it was aspirational, that it didn't mean that we had achieved that status as of yet, but that it was aspirational, meaning that as we go forward with everything that we do and with every decision that we make, that we are endeavored to make Hanover Park a Global Village. One that is encompassing and welcoming to every ethnic group, every racial group, every economic group, and that he wants everyone to feel like Hanover Park is a place where you can live, you can grow a business and you can raise a family, He noted that we are all dedicated to seeing that that happens and that he will do everything that he can to make that happen in the next four years.

(RECESS FOR REFRESHMENTS)

6. SEATING OF THE NEW BOARD – ROLL CALL

Roll Call:

AYES: Roberts, Porter, Kemper, López Benítez, Shahjahan, Prigge
NAYS: None
ABSENT: None
ABSTENTION: None

Quorum established.

7. ACCEPTANCE OF AGENDA

Motion by Trustee Roberts and seconded by Trustee Kemper to accept the agenda.

Trustee López Benítez asked for agenda items 10-A.2, 10-A.5 and 10-A.7 be removed from Consent Agenda.

No objections.

Roll Call:

AYES: Roberts, Porter, Kemper, López Benítez, Shahjahan, Prigge
NAYS: None
ABSENT: None
ABSTENTION: None

Motion carried.

8. PRESENTATIONS

- a. Presentation - American Cancer Society, Community Development Manager Kioko Czech spoke to the Relay for Life event on June 7, 2019 at Lake Park High School East Campus. She extended the invitation again this year and hopes that all will attend.

Trustee Porter also spoke to the Relay for Life event and encouraged all to join the Hanover Park team for the event. He also noted that the Movie in the Park event will also be taking place at the same time.

- b. Proclamation – Mental Health Awareness Month
Presented to Caitlin Lavigne, Harper College Student

9. TOWNHALL SESSION

None.

Persons wishing to address the public body must register prior to Call to Order. Please note that public comment is limited to 5 minutes.

10. VILLAGE PRESIDENT REPORT – RODNEY S. CRAIG

Village President Craig spoke to his recent trip to Springfield where he met with legislators as a representative of three individual organizations; the Metra Board, DuPage Mayor and Managers, Illinois Municipal League respectively and discussing the need for capitol dollars. He noted that the Metra Board is looking for five million dollars in the course of several years to upgrade the railroad and bridges.

Village President Craig noted that the he also spoke with Governor Pritzker, Representative Harris, and several State Representatives and State Senators on a variety of issues and concerns on behalf of said organizations.

Motion by Trustee Roberts and seconded by Trustee Kemper to approve the items on the Consent Agenda by Omnibus vote.

No objections.

Roll Call:

AYES: Roberts, Porter, Kemper, López Benítez, Shahjahan, Prigge
NAYS: None
ABSENT: None
ABSTENTION: None

Motion carried.

All items marked with (C.A) are considered routine and thus are on the Consent Agenda.

- 10-A.1 (C.A.)** Motion to approve the minutes of the regular Board meeting of April 4, 2019.
- 10-A.3 (C.A.)** Motion to pass a Resolution approving the security for improvements for Habitat for Humanity and its final plat.
- 10-A.4 (C.A.)** Motion to pass a “Resolution for Improvement Under the Illinois Highway Code” in the amount of \$500,000 and authorize the Village Clerk to execute the necessary document.
- 10-A.6 (C.A.)** Motion to pass a “Resolution for Maintenance of Streets and Highways by Municipality under the Illinois Highway Code” in the amount of \$800,000 and authorize the Village Clerk to execute the necessary document.
- 10-A.8 (C.A.)** Motion to pass and approve a Permit Extension for the Hanover Park Little League, Inc. for the continued use of youth baseball recreation at the Hanover Park Sports Complex and authorize the Village President to execute the necessary documents.
- 10-A.9 (C.A.)** Motion to pass an Ordinance authorizing the disposal of personal property owned by the Village of Hanover Park and authorize the Village Manager to execute the necessary documents for sale.
- 10-A.10 (C.A.)** Motion to pass an ordinance fixing the salary and deferred compensation of the Village Manager.

10-A.11 (C.A.) Motion to pass a Resolution memorializing the results of the consolidated election held April 2, 2019.

10-A.2 Motion by Trustee Roberts and seconded by Trustee Kemper to pass a Resolution authorizing the execution of a Second Amendment to a Redevelopment Agreement concerning property located at 900 Irving Park Road.

Trustee López Benítez asked how the proposed extensions in the Second Amendment would have an impact on our Hanover Park taxpayers in any way.

Attorney Paul responded that to his understanding of the amendment, is that the agreement that we had with Verandah, requires that the developer meet certain milestones in the progress of this development. He noted that all of the milestones have dates that they have to meet. One of the milestones that the developer needed to meet was the requirement to file the developer's Last Final PLAT, which was to have been filed in September of 2018. Attorney Paul noted that originally there was some concern on the part of the developer, as to one or two of these milestones needing to be adjusted when the agreement was looked at by the Village. It appeared that, yes, those one or two milestones did need to be looked at because one had already not been met and one was fast approaching. But then, it was also discovered that there were three or more that were probably in need of looking at by the developer to determine whether or not they would actually meet those milestones. And so, a meeting was held with the developer, and at that time it was determined that there were many milestones that they felt needed to be adjusted.

Attorney Paul noted that one of the things that occurs as a part of the agreement with the developer is that one of the milestones is actually the completion of the entire project and another milestone is the completion of a substantial portion of the project. When a substantial portion of the project is completed, and certain other requirements such as occupancy requirements, the Village becomes obligated to issue an Obligation Note for the developer. On the completion of the project and the meeting of certain requirements the Village is again required to issue a Note for the balance of the project. He noted that the result of pushing these dates off is basically an indication that will probably be effecting the requirement to be issuing these Notes on a later date, as opposed to the dates that were originally contemplated when the Board approved the agreement. Attorney Paul indicated that the Notes that are to be issued don't have a definitive interest rate. This is one of the things the Board discussed at their Workshop session, and that the Board was made aware of, that the interest rate on these instruments was uncertain, except that they were tied to an index but that they did not know what that index would be. So, this was approved and depending on when these Notes are issued will determine what the interest rates are for these Notes. If the interest rate on a given day would have been more than the issue date then you might pay more on the interest. If the interest rate were lower, then you would pay less.

Attorney Paul spoke on the effect on the tax payor and indicated that one of the taxpayer's is the developer, and she has an agreement with the Village. The rest of the taxpayer's they may or may not see any impact by this. So, we know right now, that there are certain improvements that in fact have been built. The Village determined that they were going to give the TIF funding to the project and by doing so, the Village dedicated part of the increment, the difference between what the assessed valuation was when the property was vacant or almost vacant versus what it will be when it is developed. So, that difference in the taxes that are generated is the increment, that is what this pledge, a portion of that is the interest on the Note. So, one could argue that there is little or no effect on the taxpayer because the money is from this increment and what for the fact that this building is being built, there would have been no additional taxes generated. That's one way of looking at it. Another way is if you were to believe, that notwithstanding the fact that there would be a TIF, there would be a development that you're denied taxing districts any increase valuation due to those improvements there would be a loss of revenue but that decision has already been made by the Village Board. It was noted that the Village Board has determined that they want to provide this with this tax increment financing. Attorney Paul noted that if there is an effect, it would be very slight and it's also likely that there may not be depending on how you look at it and your philosophy towards certain terms.

Trustee López Benítez then asked Attorney Paul; Providing that there is an effect on the taxpayer, how will they find out? Attorney Paul responded that there already has been a process to do that. So, the process that was done when the TIF was created, there's a whole process to go through, every taxpayer gets notices and that every taxpayer can come to a public hearing and go through a process.

Attorney Paul went on to say that the TIF is for 23 years and that it has 16 years remaining and by the time this Note is issued there might be 12 or 13 years, if they really move on it. The other part of it is that, the pledge for this Note, is only from the increment. If the TIF were to expire and if there is insufficient funds to pay the principal and interest rate on the Note, that's the end of it. The developers don't get anything because the whole obligation is only from the increment.

Having no further questions from the Board. The Board asked if there was anyone else wanting to speak. Attention was turned to resident Robert Sepúlveda who had signed in to speak to agenda item 10-A.2.

Mr. Sepúlveda thanked the Board for the opportunity to speak and he thanked Staff for their hard work on this project. He clarified that the 900 Irving Park Road project is the Verandah Development Project and that he was here to request 3 things. First, that agenda item 10-A.2 be pulled from consent agenda. He was asking that it be pulled from consent agenda for the reasons of conversation, for the audience, for community members, for visibility and for transparency, Agenda item was pulled from consent agenda at the request of Trustee López Benítez for the purpose of discussion and better understanding.

Second, that agenda item 10-A.2 be tabled until the next Board meeting to bring one of the new Trustees up to speed on this very important decision. He noted that the document on our website regarding this project was almost 200 pages in regards to the original agreement and that it was a lot of information to soak in and that he thought that it important that we might possibly have a presentation from Verandah into why they are requesting some of these changes at this point and at this time.

Mr. Sepúlveda noted that he thought this was a good project and that he supports the project, that he has done a lot of research and that he knows the individuals who are pushing forth this project and that he didn't want there to be the perception of impropriety. He noted that the Hanover Park United Party, consisting of Trustee Kemper, Trustee Kunkel and Trustee Porter, received a political donation of \$ 1,000.00 dollars from the Verandah developer.

Finally, that the members of that party that were re-elected abstain from voting on this development and this decision. He noted that it is the right thing to do, the right thing for this project, for the visibility of this project and for the reputation of this project.

Village President Craig noted that this project has been in the works for some time and that he thinks that we are at point where we need to get it accomplished. He expressed that the item was on the agenda for tonight and that he didn't think kicking it down the road had any merit.

Village President Craig then asked Attorney Paul for insight on the election comment.

Attorney Paul asked Mr. Sepúlveda if his concern was regarding a conflict of interest. Mr. Sepúlveda responded that his comment is that he asks that the members who received a political donation from Verandah abstain to remove any perception - Trustee Porter interjected that it was a No from him. Mr. Sepúlveda acknowledged Trustee Porter's comment and noted that he was talking to Attorney Paul and that his request is that this project not be tainted by any perception of impropriety.

Attorney Paul noted that he did not know, firsthand or second hand, the amount of the actual donation. Mr. Sepúlveda noted that it was \$1,000.00 dollar donation and that he could provide Attorney Paul proof of that donation.

Attorney Paul noted that generally speaking there are Conflict of Interest Statutes in the State of Illinois and that they generally require that the Party have some sort of pecuniary interest in the issue or the development that is being voted on either directly or indirectly. Attorney Paul noted that the State of Illinois has many people contribute many dollars to many political campaigns. It was noted that the State of Illinois requires that candidates, or even those that are elected, have to report things on their annual Economic Interest Statements that they file with the various County Clerks. It is also required that they file in a timely manner this information with the Illinois Board of Elections who keeps these records, makes them all public, so that anyone from the public can go and see, who their representatives or opponents or whatever receive from various people. Generally just because you receive that does not necessitate, in most circumstances, that

you are not allowed to vote on the issue. You are not allowed to vote on the issue if you have a genuine conflict of interest which is fairly well defined by Statute and by the Common Law Statute in particular requires some sort of interest, monetary interest, in that thing that you're going to vote on. For instance, if you were going to vote on some issue involving something and your receiving rents from that would not be a conflict, even if you have an ownership in it, the Statute goes through how much of an ownership in certain things, for instance if you own common stock in a corporation, this probably falls under the New York Stock Exchange, that's not necessarily a conflict of interest. However, if you own stocks in a corporation and you have actual interest in that corporation you might not be able to vote on an issue concerning that corporation. So, just the mere fact that someone has received a political contribution, or Party has, and they have followed the law and it is reported, if that has been done, he noted that he didn't know if it was done or not, but that generally that does not constitute a conflict of interest.

Mr. Sepúlveda specified to Attorney Paul, that the word he used was perception, that he never stated that there was a direct conflict of interest, and that he was asking if the agenda item could be tabled for a couple of weeks to allow for discussion, for transparency and clarity for the citizens of Hanover Park.

No further discussion.

Roll Call:

AYES: Roberts, Porter, Kemper, Shahjahan, Prigge
NAYS: None
ABSENT: None
ABSTENTION: López Benítez

Attorney Paul informed Trustee López Benítez that unless she states her conflict of interest an abstention vote goes with the majority vote. He informed her that her vote will be counted with the yes votes.

Motion carried.

10-A.5 Motion by Trustee Roberts and seconded by Trustee Kemper to accept the DuPage County Procurement Services Bid and award the contract for road salt to Compass Minerals America Inc., for an amount not to exceed \$149,328 and authorize the Village Manager to execute the necessary documents.

Trustee López Benítez asked why there was a twenty-two percent increase from the 2018 cost.

Village Manager Maller explained that we participate with several other communities in the DuPage County bid process and that due to the market, potentially bad winter that we had, and supply and demand.

Village Manager Maller noted that the market has resulted in a higher price.

T. J. Moore, Director of Engineering and Public Works, highlighted factors of determining the market price and the challenges impacting the cost of salt.

Roll Call:

AYES: Roberts, Porter, Kemper, López Benítez, Shahjahan, Prigge
NAYS: None
ABSENT: None
ABSTENTION: None

Motion carried.

10-A.7 Motion by Trustee Kemper and seconded by Trustee Roberts to approve an Intergovernmental Agreement between DuPage County, Illinois State Toll Highway Authority, Cook County, Village of Itasca, Village of Roselle, and the Village of Hanover Park for aesthetic improvements along the I-390 corridor including Hanover Park and authorize the Village President to execute the necessary documents.

Trustee López Benítez asked what the impact is on residents.

Village Manager Maller highlighted factors for the project.

Roll Call:

AYES: Roberts, Porter, Kemper, López Benítez, Shahjahan, Prigge
NAYS: None
ABSENT: None
ABSTENTION: None

Motion carried.

- 6-A.12** Motion by Trustee Roberts and seconded by Trustee Kemper to approve Warrant 5/02/2019 in the amount of \$897,846.83.

No questions.

Roll Call:

AYES: Roberts, Porter, Kemper, López Benítez, Shahjahan, Prigge
NAYS: None
ABSENT: None
ABSTENTION: None

Motion carried.

- 6-A.13** Motion by Trustee Roberts and seconded by Trustee Kemper to approve Warrant Paid in Advance (4/11/19-4/25/19) in the amount of \$947,149.19.

No questions.

Roll Call:

AYES: Roberts, Porter, Kemper, López Benítez, Shahjahan, Prigge
NAYS: None
ABSENT: None
ABSTENTION: None

Motion carried.

7. VILLAGE MANAGER'S REPORT – JULIANA MALLER

No report.

8. VILLAGE CLERK'S REPORT – EIRA L. CORRAL SEPÚLVEDA

Village Clerk Corral Sepúlveda invited all to the Market @ the Metra event on May 18, 2019.

Village Clerk Corral Sepúlveda congratulated the Trustees that are returning to the Board and our newly elected Trustee. She noted that she is celebrating her tenth year as the elected Village Clerk and that she is very proud of the diversity reflected on this Board today. She noted that she is equally proud to have been a part of the journey of electing Trustee Herb Porter as the first African American male trustee during his first term, Trustee Sharmin Shahjahan as the first Bangladesh immigrant and Muslim trustee and now Trustee Fanny López Benítez as the first formerly undocumented youth and Latina trustee. She noted that they represent an important perspective in our country and specifically in Hanover Park, our hometown. She took a moment to address them and noted that they are qualified and deserving of their seat on this table and a testament that our respective communities are rich in leadership. That together they are trail blazers and she urges them to reach out and extend a hand to the next generation of leaders and help them achieve success. That by doing so they will be leaving a leadership legacy. She hopes that they always remember the commitment they have made to all our residents, to be rooted in that commitment, to stand tall in their

values, and that they are the blooming forest. Extended congratulations.

9. CORPORATION COUNSEL'S REPORT – BERNARD Z. PAUL

No report.

10. VILLAGE TRUSTEES REPORTS

10-A. RICK ROBERTS

Trustee Roberts congratulated the newly elected and reelected officials.

Trustee Roberts thanked all for the ceremony on Arbor Day in remembrance of Terry Vlach and the beautiful tree that was planted in her name.

Trustee Roberts spoke to the upcoming Memorial Day event.

10-B. HERB PORTER

Trustee Porter congratulated Trustee Kemper and Trustee López Benítez and noted that he looks forward to working with them.

Trustee Porter spoke to the Illinois Sister Cities Committee State Convention this weekend at the Holiday Inn Express in Roselle, Illinois.

Trustee Porter noted that he will be traveling to Springfield next week with the CEDA organization at the Illinois State Conference and Lobbying Day.

10-C. JAMES KEMPER

Trustee Kemper noted that on this day in history in 1994 Nelson Mandela was elected as the first black President in South Africa.

Trustee Kemper noted that he will be joining Trustee Porter in for the Sister Cities State Convention. .

10-D. FANNY Y. LÓPEZ BENÍTEZ

Trustee López Benítez thanked staff for showing her around the Village and their departments. She also congratulated Trustee Kemper and Trustee Porter on their re-election.

10-E. SHARMIN SHAHJAHAN

Trustee Shahjahan thanked all who participated in MLK Day and that the number of volunteers has increased significantly since the start of the event and thanked HR Director Kurcz for his help in organizing the event.

Trustee Shahjahan spoke to her attendance at the NLC REAL Workshop and to her visit to the Education and Work Net Center, their funding and sustainability.

Trustee Shahjahan wished all a Happy Easter and Passover and invited all to the Ramadan Interfaith dinner on May 5, 2019, at 8:00 p.m., at Masjid Al-Huda.

Trustee Shahjahan noted that she will be attending the Centro de Información luncheon on May 4, 2019.

10-F. BOB PRIGGE

Trustee Prigge congratulated Trustee Porter and Trustee Kemper on their re-election and Trustee López Benítez.

Trustee Prigge spoke to his participation in the MLK event and noted that he will also be attending the Market at the Metra event with the Boy Scouts on May 18, 2019.

11. EXECUTIVE SESSION

None.

12. ADJOURNMENT

Motion by Trustee Prigge and seconded by Trustee Porter to adjourn.

Voice vote:

All Ayes.

Motion carried: Meeting adjourned at 9:00 P.M.

Recorded and Transcribed by Clerk Eira L. Corral Sepúlveda, Village Clerk
Minutes approved by President and Board of Trustees on this: 6th day of June 2019.