

Regular Meeting Board of Trustees
Monday, April 2, 2018
6:30 p.m.

CALL TO ORDER Mayor Riley H. Rogers called the Regular Meeting of the Board of Trustees to order in the New Village Hall at 6:39 p.m.

PLEDGE OF ALLEGIANCE/
PRAYER

Prayer was led by Fire Chief Brandon Dyer.

ROLL CALL

Present: Trustees Deborah M. Denton, Tiffany Henyard, Jason House, Duane Muhammad, Robert E. Pierson, Jr., and Valeria Stubbs.

Also, present: Village Clerk Mary Kay Duggan, Village Attorney John B. Murphey, and department heads or representatives. Village Engineer Ron Smith was absent.

A quorum was present.

VILLAGE CLERK REPORT

- A. Approval of the Minutes
February 23, 2018 Special Board Meeting.

MOTION TO APPROVE MINUTES OF FEBRUARY 23, 2018 SPECIAL BOARD MEETING.

Motion by Trustee Denton. Second by Trustee Stubbs. There being no discussion:

ROLL CALL

AYES: 6 Trustees Denton, Henyard, House, Muhammad, Pierson, and Stubbs

NAYS: 0

ABSTAIN: 0

ABSENT: 0

Motion passed.

- B. COMMUNICATIONS - None.

Trustee Muhammad motioned to suspend the order of business to discuss the lawsuit filed by the City of Chicago against the village for nonpayment of water. Trustee Stubbs seconded the motion. Mayor Rogers agreed to suspend. There was no Roll Call.

Trustee Muhammad announced that the City of Chicago has alleged that \$7,908,432.91 is owed. Trustee Stubbs said that she had no knowledge that Chicago was not being paid. Trustee Pierson said that the mayor's administration, including the village administrator, never told the trustees that payments were not being made. Trustee Muhammad said that the trustees believe the mayor should resign. Trustee Stubbs added that the mayor had let the village down, and asked why the village did not pay, why did the mayor lie about it, and where did the money go.

Village Attorney Murphey noted that in 2014 the Board of Trustees entered into a repayment agreement with Chicago. Trustee Stubbs said she was not on the Board of Trustees at that time, but the mayor had told two of the trustees who were on the board that the water bill to Chicago was being paid. The village clerk confirmed that the Board of Trustees had passed a resolution approving a repayment agreement in 2014.

Trustee Muhammad said that there was never a public vote approving transfer of water revenue to other accounts. Attorney Murphey responded that in 2016 the Board of Trustees approved a resolution forgiving transfers from the general fund to the Dorchester, and from the water fund to the general fund.

Trustee Pierson said that department heads are being told not to give trustees any information. Mayor Rogers responded that the village attorney has already told the trustees they cannot interfere with day to day operations. Trustee Pierson said that he never went to a department head without calling first. Mayor Rogers repeated that the trustees are not to interfere with employees' duties.

ENGINEER'S REPORT

None.

COMMITTEE REPORTS

Human Services – Trustee Muhammad

Payment Center Manager Barbara Batton reports total water collection for March in the amount of \$810,563.64 and other collections in the amount of \$509,570.00.

Departmental Operations – Trustee Stubbs

Supt. Matt Stacey reports that Public Works completed 128 services including checking and repairing 58 street lights and replacing 3 light poles, and performing maintenance on 24 village vehicles.

Police and Fire -Trustee Pierson

Trustee Pierson announced that Chief Collins gave a presentation on identify theft at last week's Project Connect meeting

The fire department reports a total of 1,212 incidents reported from January through March, including 816 emergency medical services.

Finance – Trustee Muhammad

Finance Manager Yvonne Redmond reports that the village has received \$4,013,491.12 in property tax collections, which is 47% of expected collections from first installment tax bills.

The finance committee met on March 27th and discussed possible revenue generating sources. The next meeting is tentatively scheduled for April 24th. Trustee Muhammad thanked the committee and Ms. Redmond and asked for the mayor's cooperation in generating additional revenue. In response, Mayor Rogers suggested again increasing the number of water meter readers to seven.

Special Events – Trustee Henyard

Trustee Henyard announced that her annual cancer walk will take place in June or July.

CORPORATE BILLS

MOTION TO APPROVE Corporate Payments in the amount of \$570,686.54, Gross Payroll in the amount of \$338,818.29; Melanie Fitness Center payments in the amount of \$4,352.24, Gross Payroll in the amount of \$2,582.53; for Total Corporate Payments in the amount of \$916,439.70;

Excepting payments to:

| | | |
|--|-------------------------|------------|
| Rosenthal, Murphey, Coblentz & Donahue | Village Attorney | \$7,012.50 |
| Odelson & Sterk | Village Hearing Officer | 2,975.00 |

Motion by Trustee Muhammad. Second by Trustee Pierson.

Trustee Muhammad read the court order that the village attorney cannot continue to represent the village in an employment discrimination suit filed by Lt. Lewis Lacey against the village because the village attorney had previously represented the village and Lt. Lacey in lawsuits against both. The court ruled that because of the prior representation of Lacey, it was a conflict of interest against Lacey for the village attorney to represent the Village of Dolton in defense of the suit by Lacey.

Trustee Muhammad added that the trustees had "miscellaneous" concerns re the village's administrative hearing officer.

Mayor Rogers questioned the motion for nonpayment for current legal services while the majority of trustees approve bills from Robbins Schwartz, recently appointed by a majority of trustees as legislative counsel, including bills pre-dating the firm's appointment. Mayor Rogers reminded the trustees that the village received written notice that the village attorney would sue the village and the trustees, individually, for breach of contract for nonpayment.

ROLL CALL

AYES: 3 Trustees Muhammad, Pierson, Stubbs

NAYS: 3 Trustees Denton, House, Henyard

ABSTAIN: 0

ABSENT: 0

There being a tie, Mayor Rogers cast his vote: NAY.

Motion failed.

MOTION TO APPROVE CORPORATE PAYMENTS in the amount of \$916,439.70.

Motion by Trustee House. Second by Trustee Henyard. There being no discussion:

ROLL CALL

AYES: 3 Trustees Denton, Henyard, House

NAYS: 3 Trustees Muhammad, Pierson, Stubbs

ABSTAIN: 0

ABSENT: 0

There being a tie, Mayor Rogers cast his vote: AYE.

Motion passed.

OLD BUSINESS.

- A. Override of Mayoral Veto
Ordinance No. 18-001 Registration of Defaulted Mortgage and Vacant Property

Mayor Rogers had submitted his written veto at the last regular board meeting. He noted again that former Village Administrator Stan Urban works with the company proposed to administer the program. Trustee Stubbs said that she was assured by the company that Mr. Urban is not employed for the village's account.

MOTION TO OVERRIDE MAYORAL VETO OF ORDINANCE NO. 18-001.

Motion by Trustee Stubbs. Second by Trustee Pierson.

ROLL CALL

AYES: 4 Trustees Denton, Muhammad, Pierson, Stubbs

NAYS: 2 Trustees House, Henyard

ABSTAIN: 0

ABSENT: 0

Motion passed.

B. Override of Mayoral Veto

Approval of Agreement Between the Village of Dolton and Property Registration Champions, LLC. ("ProChamps")

MOTION TO OVERRIDE MAYORAL VETO OF AGREEMENT WITH PROCHAMPS.

Motion by Trustee Stubbs. Second by Trustee Pierson.

Trustee Muhammad said that approval of the agreement with "ProChamps" increases the village's current vacant property registration fee to \$400 every six months, and that ProChamps recoups only \$200 of that \$800.00.

Mayor Rogers noted that the trustees had already authorized BP Capital to seize vacant properties on behalf of the village. He questioned how many properties would be left to register.

ROLL CALL

AYES: 4 Trustees Denton, Muhammad, Pierson, Stubbs

NAYS: 1 Trustee House

ABSTAIN: 1 Trustee Henyard

ABSENT:

Motion passed.

C. Override of Mayoral Veto

Hire of Legislative Counsel

MOTION TO OVERRIDE MAYORAL VETO OF HIRE OF LEGISLATIVE COUNSEL.

Motion by Trustee Stubbs. Second by Trustee Pierson. There being no discussion:

ROLL CALL

AYES: 4 Trustees Denton, Muhammad, Pierson, Stubbs

NAYS: 2 Trustees House, Henyard

ABSTAIN: 0

ABSENT: 0

Motion passed

D. Override of Mayoral Veto

Resolution No. 18 R-002

Directing an Investigation and Freeze of the Village Attorney's Fees

MOTION TO OVERRIDE MAYORAL VETO OF RESOLUTION NO. 18 R-002.

Motion by Trustee Stubbs. Second by Trustee Pierson. There being no discussion:

ROLL CALL

AYES: 3 Trustees Muhammad, Pierson, Stubbs

NAYS: 3 Trustees Denton, Henyard, House

ABSTAIN: 0

ABSENT: 0

There being a tie vote, Mayor Rogers cast his vote: NAY. Motion failed.

- E. Mayoral Veto
Resolution No. 18 R-003
Regarding Use of the Village Media Resources and Media Center

Mayor Rogers withdrew his veto of this item.

- F. Mayoral Veto
Ordinance No. 18-002
Amending Section 1-8-1 of the Dolton Village Code with Respect to the Hiring and Termination of Employees

Mayor Rogers read his veto message to the trustees aloud:

"I hereby veto Ordinance No. 18-002, "An Ordinance Amending Section 1-8-1 of the Dolton Village Code With Respect To The Hiring and Termination of Employees." In my view, the procedures set forth in the Ordinance unduly restrict the ability of the Mayor to effectively administer Village government. The additional procedures imposed are not required by law and do not represent good administrative policy.

I respectfully request that the Board uphold my veto."

Mayor Rogers added that the Board of Trustees had already eliminated his right to hire/fire employees without their approval. He said that there are employees who should be fired and he cannot. He added that this provision would allow an employee who committed an egregious act to be reinstated because of connections to members of this board.

- G. Take from the Table: Hiring of Water Department Director

MOTION TO TAKE FROM THE TABLE.

Motion by Trustee Stubbs. Second by Trustee Denton.

ROLL CALL

AYES: 6 Trustees Denton, Henyard, House, Muhammad, Pierson, and Stubbs

NAYS: 0

ABSTAIN: 0

ABSENT: 0

Motion passed.

Discussion followed. No action was taken.

NEW BUSINESS

- A. Resolution No. 18 R-004
Supporting a Proposed Class 7A or 7B Classification for Certain Property within the Village of Dolton (Dorchester Senior Center)

MOTION TO APPROVE CLASS 7 CLASSIFICATION.

Motion by Trustee House. Second by Trustee Henyard. There being no discussion:

ROLL CALL

AYES: 6 Trustees Denton, Henyard, House, Muhammad, Pierson, and Stubbs

NAYS: 0

ABSTAIN: 0

ABSENT: 0

Motion passed.

- B. Ordinance No. 18-003
Amending Fees and Charges for Building Permits, Inspections, and Licenses

Licenses/Permits Director Sondra Phillips presented her recommendations for fee increases, as recently presented to the Finance Committee.

Trustee Henyard said that these recommendations should have been considered by the planning committee, which oversees permits.

MOTION TO TABLE TO PLANNING COMMITTEE.

Motion by Trustee Henyard. Second by Trustee House.

ROLL CALL

AYES: 3 Trustees Denton, Henyard, House

NAYS: 0

ABSTAIN: 3 Trustees Muhammad, Pierson. Stubbs

ABSENT: 0

Motion passed.

- C. Ordinance No. 18-004
Amending Section 1-6-5 of the Dolton Village Code with Respect to the Recording and Broadcast of Meetings of the Board of Trustees

MOTION TO APPROVE ORDINANCE NO. 18-004.

Motion by Trustee Muhammad. Second by Trustee Stubbs.

Mayor Rogers read aloud the enacting sections of the ordinance.

Trustee Muhammad asked the media director to play a video on the National Association of Black Journalists. Mayor Rogers asked what this has to do with the ordinance. Trustee Muhammad replied that residents critical of the mayor were edited out of previous meetings.

MOTION TO TABLE ORDINANCE NO. 18-004.

Motion by Trustee House. Second by Trustee Henyard.

There being no discussion:

ROLL CALL

AYES: 3 Trustees Denton, Henyard, House
NAYS: 3 Trustees Muhammad, Pierson, Stubbs
ABSTAIN: 0
ABSENT: 0

There being a tie vote, Mayor Rogers cast his vote: AYE. Motion to Table passed.

- D. Approval of ASCME Contract
- E. Discipline/Termination of Certain Employee – Melanie Fitness Center Director
- F. Imminent litigation - Food 4 Less Tax Dispute

MOTION TO DEFER OLD BUSINESS ITEMS D-F TO EXECUTIVE SESSION, as well as discussion of pending litigation.

Motion by Trustee Muhammad. Second by Trustee House.

ROLL CALL

AYES: 6 Trustees Denton, Henyard, House, Muhammad, Pierson, and Stubbs
NAYS: 0
ABSTAIN: 0
ABSENT: 0
Motion passed.

MAYOR'S REPORT None.

CITIZENS ADDRESS

Arlecta Baldwin, Dorchester TownHomes, asked why they are billed for licenses for each of the townhome buildings.

A.J. Burse, resident asked about the status of the industrial property at 142nd St. and Cottage Grove Ave., and how is it determined which committee considers which ordinances.

Mrs. Crayton, resident, asked about Ordinance No. 18-004, the appointment of the new water department director, and questioned why the 80 percent of residents who pay their water bills are bearing the burden of higher rates.

Resident reported the poor condition of the alley behind Diekman School between 151st and 153rd Streets.

Resident objected to the proposed increase in rental inspection fees and sewer rates, and objected to the village's use of water revenues for other expenses.

The Board of Trustees entered into Executive Session by prior motion at 8:44 p.m. The Board of Trustees returned from Executive Session at 10:00 p.m.

ADJOURNMENT

There being no further business before the Board of Trustees, on a motion by Trustee Henyard to adjourn the Regular Meeting of the Board of Trustees, second by Trustee Stubbs, Mayor Rogers asked for a roll call to adjourn.

Roll Call

AYES: 6 Denton, Henyard, House, Muhammad, Pierson, Stubbs


NAYS: 0

ABSTAIN: 0

ABSENT: 0


Motion passed.

The meeting was adjourned at 10:00 p.m.



MARY KAY DUGGAN, Village Clerk

APPROVED by the Board of Trustees this 16th day of July, 2018.



RILEY H. ROGERS, Mayor