



**VILLAGE OF RIVERSIDE  
BOARD OF TRUSTEES REGULAR MEETING**

**Minutes**

**I. Call to Order:** The Regular Meeting of the Village of Riverside Board of Trustees was held on Thursday, February 21, 2019, at 7:00 p.m., in Room 4 of the Township Hall, 27 Riverside Road, Riverside, IL. President Sells called the meeting to order at 7:00 p.m.

**II. Roll Call:**

Present:	President Sells Trustee Sedivy Trustee Peters Trustee Pollock Trustee Ballerine Trustee Jisa
Absent:	Trustee Lumsden
Also Present:	Village Manager Frances Village Attorney Malina Village Clerk Haley

**III. Pledge of Allegiance**

**IV. Presentations / Public Comment**

A. Public Comment

John Mach, President of the Hofmann Dam River Rats, stated that the group typically organizes two Des Plaines River cleanup days per year on the Riverside Lawn side of the river. He asked if the group would need Village Board approval or a permit from the Village to conduct a cleanup day on the Riverside side of the river. President Sells, Manager Frances and Public Works Director Bailey concurred that no permit would be required; however, participating volunteers would need to sign a liability waiver the day of each event. President Sells stated that the River Rats have the unanimous approval and thanks of the Village Board for their ongoing efforts to remove debris from the river and improve the ecosystem.

**V. Reports of Village Offices**

A. Village President's Report

1. Motion to appoint Jennifer Dvorak to the Parks & Recreation Board to fill a vacancy, term to expire 2020

President Sells stated that Ms. Dvorak will be an excellent addition to the Parks & Recreation Board and asked for a motion and second to confirm her appointment.

Trustee **Ballerine made a motion** to approve. Trustee **Peters seconded**.

**AYES:** Trustees Sedivy, Peters, Pollock, Ballerine and Jisa.

**NAYS:** None.

**Motion passed.**

Clerk Haley swore in Ms. Dvorak as the newest member of the Parks & Recreation Board.

B. Village Manager's Report – None.

**VI. *Approval of Consent Agenda***

A. Approve Voucher List of Bills February 21, 2019

B. Approve Village Board of Trustees Regular Meeting Minutes February 7, 2019

C. File and review Board of Fire & Police Commissioners Meeting Minutes November 13, 2018

D. File and review Economic Development Commission Meeting Minutes November 8, 2018

E. File and review Landscape Advisory Commission Meeting Minutes October 9, 2018 and January 8, 2019

F. File and review Police Pension Board Meeting Minutes November 8, 2018

G. File and review Riverside TV Commission Meeting Minutes January 14, 2019

H. File and Review Community Development Department Monthly Report for January 2019

I. File and Review Finance Department Monthly Reports for December 2018 & January 2019

J. File and Review Fire Department Monthly Report for January 2019

K. File and Review Police Department Monthly Report for January 2019

L. Acceptance of 2019 Budget Document

M. A Resolution authorizing the expenditure of an additional \$157,000 of Motor Fuel Tax funds for the Barrypoint Road, Forest Avenue and Herrick Road 2019 Street Improvement Program

N. A Resolution authorizing the expenditure of motor fuel tax funds in the amount of \$100,000 for the Bloomingbank Road/Riverside Road Metra Pedestrian Access Improvement Project

O. A Resolution authorizing the Village Manager to create a Purchase Order in the amount of \$20,000 for 2019 Tree Planting

P. A Resolution awarding a bid in the amount of \$739,900 to Chicagoland Paving Contractors, Inc., for the Metra Commuter Lot #1 Green Parking Lot Project, Contingent Upon MWRD Approval, and Authorizing the Village Manager to execute a Construction Agreement

President Sells read the Consent Agenda aloud and asked if any of the Trustees required an item to be removed from the Agenda for discussion. Trustee **Ballerine asked that Item VI.P. be removed from the Consent Agenda** for separate consideration. President Sells then called for a motion and second to approve Consent Agenda Items A. – O.

Trustee **Ballerine made a motion** to approve. Trustee **Jisa seconded**.

**AYES:** Trustees Sedivy, Peters, Pollock, Ballerine and Jisa.

**NAYS:** None.

**Motion passed.**

**Discussion of Item P.** – A Resolution awarding a bid in the amount of \$739,900 to Chicagoland Paving Contractors, Inc., for the Metra Commuter Lot #1 Green Parking Lot Project, Contingent Upon MWRD Approval, and Authorizing the Village Manager to execute a Construction Agreement

Trustee Ballerine asked why Chicagoland Paving's bid was so much lower than the other bidders

and why a waiver was requested. Director Bailey stated that the village entered into an intergovernmental agreement with the MWRD last year to fund the parking lot project. The agreement includes affirmative action goals which must be met in order for MWRD to provide the funding. Bidders were required to submit plans to meet these affirmative action goals and Chicagoland Paving's initial plans did not meet the goals. Because they were the qualified low bidder, MWRD gave them an opportunity to revise their plans to achieve compliance with the affirmative action goals without increasing their price. Attorney Marris noted that the original plans requested a partial waiver, not a full waiver, but the revised plans have been approved by MWRD. With no further discussion, President Sells called for a motion and second to approve the Resolution awarding the bid to Chicagoland Paving Contractors.

Trustee **Ballerine made a motion** to approve. Trustee **Pollock seconded**.

**AYES:** Trustees Sedivy, Peters, Pollock, Ballerine and Jisa.

**NAYS:** None.

**Motion passed.**

## **VII. *Reports of Departments, Commissions and Trustee Liaisons***

- A. Update by Chief Weitzel regarding New Legislation in Illinois pertaining to Law Enforcement  
Chief Weitzel informed the board that there are 23 new pieces of state legislation related to law enforcement that went into effect on January 1, 2019, and all of them are unfunded mandates. He noted that there is more required training for officers and he supports that; however, he would like the state to provide at least partial funding for the new mandatory training. He noted that the only police officer training funded by the state is the Police Academy, and the state only provides 50% funding for the academy. He and several other Police Chiefs will meet with Gov. Pritzker later this year and plan to request funds for training.

President Sells asked if Weitzel or the other chiefs had approached their respective Councils of Governments to seek lobbying or funding support. He noted that he is currently the Vice President of the West Central Municipal Conference and he would like to strategize with Weitzel on how they can work together on this issue.

- B. Update by Chief Weitzel regarding 2018 Crime Statistics  
Chief Weitzel stated that based on preliminary figures, overall crime in Riverside was down 5.5% in 2018. These figures do not include drug or traffic offences which are not part of the Uniform Crime Report (UCR). He acknowledged that the first two months of 2019 have been very busy for the department, but he hopes that trend will not continue for the rest of the year. DUI arrests are down 20% and the department believes ride sharing has led to the reduction in DUIs. Weitzel stated that is not uncommon to see people standing outside local restaurants at closing time waiting for Lyft or Uber drivers.

Trustee Ballerine noted that the crime rate may drop off due to changes in the reportable crime criteria. Weitzel concurred, but noted that there has been no change in the UCR criteria for the last two years. He noted that drug crimes are not included in the UCR because the FBI does not consider possession of drugs a crime against a person.

President Sells queried Chief Weitzel regarding the implementation of the video surveillance camera program. He noted that the Board had approved the program with the understanding that phase one of the program would be the installation of cameras at peripheral locations like Harlem Avenue, Ogden Avenue and First Avenue; however, interior installations appear to be on the fast track. Chief Weitzel stated that the installations within village boundaries could be accomplished

quickly and with limited expense because they do not require IDOT approval. Weitzel noted that Harlem, Ogden and First Avenue are all state routes under IDOT's jurisdiction and IDOT must approve installations in their Right of Way. It was also noted that nothing can be installed within 150 feet of the BNSF train tracks. President Sells asked if it would be feasible to install cameras along Harlem Avenue on privately owned buildings. Weitzel stated that it was and he intends to partner with any private property owner who is willing to work with the department. It was also noted that District 96 has agreed to the installation of the repeater at Hauser/Central School which is needed to relay the signal from peripheral cameras to the Police Department.

Trustee Pollock stated that he would like staff to prepare a master plan that will show how long it will take to get surveillance cameras installed throughout the village. He also recommended moving the cameras along the periphery out of the IDOT right of way, thus eliminating the need for IDOT approval.

President Sells concurred and asked that staff have a master plan ready in time for the 2020 Budget discussion.

### ***VIII. Ordinances and Resolutions*** – None.

### ***IX. Considerations***

#### **A. Discussion of Term Limits for Village Officials**

Manager Frances noted that the board discussed this issue at their prior meeting and directed the village attorney to research recent action on term limits in other communities. President Sells asked Attorney Marrs to explain the firm's findings.

Attorney Marrs noted that he reviewed information on the Illinois State Board of Elections website, in newspaper articles and other sources and gathered data from communities primarily in Cook and DuPage Counties that had placed referendum questions regarding term limits on the ballot in the past ten years. Most of the communities who recently approved term limits implemented them on a "going forward" basis, while two communities approved term limits that applied retroactively.

President Sells noted that if the board decides to move forward with a resolution directing placement of a referendum question on the ballot of an upcoming election, the only option for this board is the 2020 Presidential Primary Election.

Trustee Ballerine stated that he is "termed out," but he supports term limits. He reminded everyone that the board cannot institute term limits. It will be up to voters to decide whether or not the village should have term limits for elected officials. Ballerine would like the board to approve a resolution authorizing placement of a referendum question on the ballot. He has spoken to many people about this issue and they overwhelmingly support term limits.

Trustee Sedivy concurred with Trustee Ballerine. He also believes the board should consider placing a referendum question regarding term limits on the next available ballot. He believes there are three things the board must decide:

1. Should term limits be prospective or retroactive?
2. Should term limits apply to the Board of Trustees only or should they also apply to village commissions?
3. What will the limit be? How long will someone be able to serve?

Sedivy stated that he does not think the board should approve a resolution that does not apply to current board members. He supports a referendum question calling for a limit of two consecutive terms that would apply retroactively to elected officials only, not volunteer commissioners appointed by the village president.

Trustee Jisa stated that he supports a limit of two consecutive four year terms for trustees and two consecutive four year terms for the president. He does not have a problem with a trustee serving 8 years and then running for president and serving for 8 more years if elected.

Trustee Peters stated that she thinks there could come a time when residents might want the ability to allow a trustee to serve more than two consecutive terms. If the board is intent on drafting a referendum question, she would support prospective, not retroactive, term limits. She also expressed concern that the new trustees who will be sworn in shortly did not go through the Caucus process and she questioned whether it was fair to impose term limits on them. She noted that in reviewing the village attorney's research, it appears that most of the term limits referendum questions which were approved were prospective and set a limit of 3 or 4 terms in office. She also noted that the communities where term limits were approved by voters have consistently had contested elections and Riverside has seldom had a contested election.

Trustee Pollock questioned why his fellow trustees have developed such an interest in term limits. He asked how term limits would be beneficial to the community. He stated that term limits will result in a loss of institutional knowledge. He sees no merit in imposing term limits.

Trustee Ballerine stated that he is concerned about a loss of institutional knowledge also, but noted that 80% of the items the board approves are on the Consent Agenda. This is because they are routine decisions regarding sewers and streets for example. He believes the new trustees will be able to learn as they go, just as prior trustees have. Ballerine stated that he is proud of this board's decision to join WSSRA. He noted that prior boards had contemplated the issue of special recreation for a decade. He attributed the board's ability to achieve consensus to Trustee Jisa's stewardship of the matter which was brought to the board by a group of concerned residents. Ballerine stated that incumbents are hard to beat. He questioned why anyone would even try to complete against an incumbent who has been in office for many years. He supports term limits.

President Sells stated that there are 1,299 municipalities in Illinois. Only 17 have term limits. Of those, 12 municipalities have set the limit at 3 or more consecutive terms. Only 6 municipalities applied term limits retroactively and 5 of the communities that approved term limits were highly partisan environments. He stated that the only community that has proposed something similar to what the board is considering is Homer Glen. He asked if the trustees were proposing term limits because the Caucus has been disbanded. He noted that the Caucus bylaws stated that it was the "intent" of the Caucus not to endorse a candidate for more than 2 consecutive terms; however, there has never been a two term limit. Sells recounted a discussion that took place at a Caucus meeting last year where the group specifically discussed whether it would be possible to endorse Trustee Ballerine for a third term if he chose to run for re-election and the group was unanimous that it had the ability to do so if they felt he was the best candidate after the interview process.

Sells reminded everyone that village trustees serve without compensation or benefits. He doubts that any of the trustees have aspirations of becoming career politicians. He also stated that there is no reason to rush to enact term limits. He expressed confidence that the Caucus will be reconstituted in time for the 2021 election cycle. He also noted that it has always been difficult to get people to run for village trustee. He does not believe it is appropriate for the current board to take up the issue of term limits with just six weeks to go until three new trustees will be sworn in. He noted that the village has functioned without term limits for 144 years and questioned why some trustees now feel it is imperative to consider imposing term limits. He suggested that if those trustees truly feel that term limits is an important matter for voters to weigh in on, a referendum question should not be on the presidential primary ballot, when voter turnout is historically low and typically excludes voters who do not want to declare a party affiliation. Sells would prefer that the question appear on the ballot for the 2020 Presidential General Election in November or the next Municipal Election in 2021. He does not want the current board to take any action on term limits. He would prefer that the successor board discuss the topic. He also favors making any referendum question prospective, not retroactive.

Trustee Sedivy confirmed that he attended the Caucus meeting President Sells referenced where the group discussed Trustee Ballerine; however, his recollection of what transpired differs from President Sells' recollection. Sedivy stated that the group did not make any changes to the bylaws to allow Trustee Ballerine to run again. They agreed to leave the existing language in place. He stated that the village has operated under the auspices of the Caucus for 90 years and although the Caucus did not impose term limits in their bylaws, they discouraged people from serving for more than two consecutive terms and in doing so encouraged new people to participate in the governing process at regular intervals. He believes this is the reason the village has been able to avoid partisanship and the electoral strife that seems to occur in neighboring communities.

Trustee Pollock asked if it would be possible to draft a referendum question that would allow voters to decide if term limits should be prospective or retroactive. Attorney Marrs stated that it would not be possible. The question must be drafted so voters can respond with either a yes or no.

President Sells again stated that the Caucus does not prohibit third terms, but the bar for endorsing a candidate for a third term would be much higher than it is for endorsing a candidate for a first or second term. Sells further stated that he is certain that residents will support term limits because when they think of politics, they think of state and federal elected officials. He believes local government officials are a different type of public servant.

Trustee Jisa stated that he still supports imposing term limits of 2 consecutive four year terms in each office. He believes it is appropriate for the current board to approve a resolution directing placement of a referendum question on the next available ballot. He noted that if the next board does not agree with this decision, they will have the opportunity to pass a resolution rescinding or amending it.

Attorney Marrs concurred and noted that changes can be made to the ballot up to 79 days prior to the election. He is still researching the details of the time limitations for placing a referendum question on the ballot. He advised the board to wait until after March 17, 2019, to approve a resolution.

Trustee Ballerine stated that he is still undecided as to what he thinks the limit should be, but he supports having some sort of limit. He feels having term limits is in the best interest of the village.

Trustee Sedivy asked about the process. Attorney Marrs noted that the board would need to approve a resolution directing a referendum question be placed on the ballot. The resolution would need to include the exact language of the proposed ballot question.

President Sells asked Trustee Jisa why he supports term limits. Jisa stated that he believes having term limits is in the best interest of the village.

President Sells stated that there is already a turnover problem on the village board. It has been difficult to find people to serve as trustees. He believes term limits has the potential to exacerbate this problem. He noted that in the history of the village, there has only been one village president who served three consecutive terms, and he was endorsed by the Caucus, and the village did not become a dictatorship.

Trustee Sedivy reiterated his opinion that the village has functioned successfully for 90 years because of the guidance provided by the Caucus which strongly discouraged people from serving more than two consecutive terms and encouraged others to get involved. He believes it was a good system and part of what made Riverside different from neighboring communities. He expressed concern that two sitting board members now seem intent on becoming the 2<sup>nd</sup> and 3<sup>rd</sup> people in the history of the community to serve 3 consecutive terms.

Trustee Pollock disputed Trustee Sedivy's statement that there has been turnover on the board because the Caucus discouraged third terms. He stated that there are many other communities that have not operated under the Caucus system and they also have a problem with turnover. He does not believe there is a correlation.

Trustee Sedivy again noted that in the absence of Caucus guidance, there seem to be two sitting board members who intend to run for a third consecutive term. Both President Sells and Trustee Pollock denied that they have ever stated they intend to run for a third term.

Trustee Jisa stated that after every board meeting, he follows up with various residents to get feedback on issues the board is discussing. He stated that he was surprised there had been opposition to discussing term limits by certain sitting board members. When he followed up with residents after the meeting, there was unanimous support for term limits among those he spoke to.

Trustee Peters stated that she believes there are really two different questions at play in the community. She has no doubt that residents would support term limits for state and federal officials, but she thinks they might feel differently about term limits for local elected officials.

Manager Frances asked for direction from the board.

Trustees Sedivy, Jisa and Ballerine would like the village attorney to draft a resolution for discussion at the next meeting.

President Sells noted that he will not be in attendance at the 2<sup>nd</sup> meeting in March or the 1<sup>st</sup> meeting in April and he would like to participate in this discussion. A discussion ensued regarding the language of the draft resolution.

Trustee **Pollock made a motion** to direct the attorney to prepare a draft resolution for consideration that calls for a limit of 3 consecutive terms per office and would be prospective. Trustee **Peters seconded** the motion.

**AYES:** Trustees Sedivy, Peters, Pollock, Ballerine and Jisa.

**NAYS:** None.

**Motion passed.**

President Sells stated that the community is fortunate that three residents stepped up to run for Village Trustee in the upcoming election. If there had not been three candidates, President Sells would have had to appoint someone to fill the vacancy. He does not believe this is what residents would want.

*X. New Business* – None.

*XI. Adjournment*

With no New Business, nothing further to discuss and no need for an Executive Session, President Sells called for a motion and second to adjourn the Regular Meeting.

Trustee **Ballerine made a motion** to adjourn. Trustee **Peters seconded** the motion.

**AYES:** Trustees Sedivy, Peters, Pollock, Ballerine and Jisa.

**NAYS:** None.

**Motion passed.**

President Sells declared the Regular Meeting adjourned at 8:32 p.m.

Respectfully submitted:

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Village Clerk Cathy Haley

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Date Approved

*XII. Executive Session* – None.