



VILLAGE OF RIVERSIDE  
BOARD OF TRUSTEES REGULAR MEETING  
Thursday, April 15, 2021  
7:00 p.m.

Corrected Minutes  
Additional information added in blue on page 3.

*I. Call to Order:* The Regular Meeting of the Village of Riverside Board of Trustees was conducted via Zoom on Thursday, April 15, 2021. President Sells called the meeting to order at 7:00 p.m.

*II. Roll Call:* Present: President Sells  
Trustee Collins  
Trustee Evans  
Trustee Gallegos  
Trustee Hannon  
Trustee Jisa  
Trustee Pollock

Absent: None

Also Present: Village Attorney Malina  
Village Manager Frances  
Village Clerk Haley

*III. Pledge of Allegiance:* The Board did not recite the Pledge because it has proved difficult to do so over Zoom.

Village Attorney Malina stated that due to the ongoing public health emergency, and consistent with the Governor's most recent emergency declaration, various Executive Orders entered by the Governor, and recent amendments made to the Open Meetings Act in Public Act 101-640, the meeting will be conducted electronically. Public comments were welcome on any topic when received by email or in writing by the Village Clerk prior to 5:00 p.m. Public comments were also made live during the meeting by persons participating via Zoom. A Zoom link was available on the village website.

*IV. Presentations and Public Comment*

A. Public Comment

New resident Natalie Swiderski of Longcommon Road, thanked the Board for deferring the discussion of Agenda Item VI.E. to allow for additional vetting of certain provisions included in the ordinance, specifically the proposal for outdoor bocci courts on Burlington Street as requested by LaBarra. Ms. Swiderski stated that she and her family moved to Riverside from Chicago seeking peace and quiet and she is concerned that the bocce courts will be loud and disruptive.

President Sells expressed sympathy for her concerns and stated that the proposal would be properly vetted before a vote.

Resident Jamie Buzinski, of Longcommon Road also expressed concern regarding the proposed outdoor bocci courts.

V. *Reports of Village Officers*

A. Village President's Report

1. Arbor Day Proclamation

President Sells read the Arbor Day proclamation and noted that Arbor Day will be celebrated in Riverside on Friday, April 30, 2021.

2. Update on Groveland Floodwall Design

President Sells noted that the Preservation Commission reviewed the proposed floodwall designs and had some excellent suggestions for ways to make the appearance of the wall more historically appropriate and naturalistic. Staff is preparing a memo summarizing the commission's recommendations. The Preservation Commission will meet with Doug Gotham of Burke Engineering to provide additional feedback. After that, the Landscape Advisory Commission will review the project and provide feedback. Other individuals and organizations are also welcome to comment and provide feedback.

B. Village Manager's Report

1. Manager Frances reminded business owners that there is still \$1,700 in business grant funding available for improvements designed to support existing businesses better position themselves to operate and succeed during the pandemic. She encouraged business owners to reach out to Finance Director Johns for details.

2. Manager Frances also noted that ComEd has notified Village Staff that they will be conducting preventative vegetation management in Riverside in the coming months. Residents will be notified by ComEd of any potential outages by hang tag or phone call.

3. Manager Frances congratulated Public Works Director Tabb on being selected to have an IRMA intern for the summer. The intern will review and update department policies on safety and training at no cost to the village.

4. Finally, Manager Frances noted that IDOT will begin two resurfacing projects in Riverside in the coming weeks. Des Plaines Avenue will be resurfaced from 26<sup>th</sup> Street to 31<sup>st</sup> Street. IDOT will also reconstruct the bridge deck over the Des Plaines River on 31<sup>st</sup> Street.

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

President Sells stated that he was removing Item E. from the Consent Agenda for separate consideration. He then read the other items aloud.

- A. Approve Voucher List of Bills April 15, 2021
- B. Approve Village Board of Trustees Regular Meeting Minutes April 1, 2021
- C. Review and file Riverside TV Commission Meeting Minutes March 8, 2021
- D. Review and file Finance, Fire, Police and Public Works March monthly reports
- E. *An Ordinance approving continued Temporary Uses of Village Right-of-Way and other public and private spaces for outdoor dining and other authorized purposes, and approving certain temporary signage – Spring/Summer 2021 Extension – Removed from the Consent Agenda*
- F. An Ordinance authorizing relief measures due to the COVID-19 Pandemic – Waiver of certain 2021 liquor licensing fees
- G. An Ordinance amending the Village Code of the Village of Riverside, Illinois, relative to Village Staff Restructuring and adopting an updated official pay plan

President Sells asked if there were any other items that needed to be removed from the Consent Agenda for discussion. Hearing no requests, he called for a motion and second to approve Consent Agenda items A. – D., F. & G.

**Trustee Gallegos made a motion** to approve. **Trustee Evans seconded** the motion.

**AYES:** Trustees Collins, Evans, Gallegos, Hannon, Jisa & Pollock.

**NAYS:** None.

**Motion passed.**

Discussion of VI.E.

- E. *An Ordinance approving continued Temporary Uses of Village Right-of-Way and other public and private spaces for outdoor dining and other authorized purposes, and approving certain temporary signage – Spring/Summer 2021 Extension*

President Sells recommended that Section 2D be removed from the Ordinance. Trustee Hannon concurred and noted that all references to the private closure area throughout the entire ordinance should be removed. Attorney Malina concurred. President Sells asked if there were any other amendments needed. Hearing nothing further, he called for a motion and second to approve the ordinance.

Trustee Gallegos made a motion to approve the revised ordinance. Trustee Evans seconded the motion.

**AYES:** Collins, Evans, Gallegos, Hannon, Jisa, Pollock.

**NAYS:** None.

**Motion passed.**

President Sells stated that the request for bocce courts needs further research. He asked if any of the trustees had specific issues they would like to see addressed.

Trustee Hannon asked how the Ordinance came to be placed on the Consent Agenda. He expressed concern that the materials included in the agenda packet did not provide sufficient detail regarding the proposed tent or food service area.

President Sells concurred with Trustee Hannon and stated that the item should not have been placed on the Consent Agenda and the request for the bocce courts should not have been part of the proposed ordinance without additional research.

Manager Frances stated that when Staff was tasked with reaching out to local businesses regarding COVID relief, LaBarra proposed the idea of bocce courts and in an effort to assist this local business, Staff decided to incorporate the proposal into the Ordinance. In retrospect, that was not the best course of action.

Trustee Hannon expressed support for assisting local businesses; however, he noted that the Board cannot act unilaterally without getting feedback from residents who might be impacted by the proposed temporary uses.

Manager Frances stated that she has spoken to the business owner and the bocce courts are still in the conceptual planning phase. The business owner is not certain that he would be able to find sufficient staff to embark on the proposed outdoor expansion and he is certainly willing to receive feedback from the Board and residents. He understands that there may not be support for the proposal or that changes may be recommended.

Trustee Hannon expressed confidence that if the concept does become reality, it will be well planned and executed, but noted that further discussion and input from the neighbors is needed.

President Sells stated that it will be up to the business owner to demonstrate that this plan can be executed properly.

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

### **A. Update on 43 E. Quincy**

Parks & Recreation Director Malchiodi stated that the Department has historical ties to the building at 43 E. Quincy which hosted recreation programming from 1968 to 1988. As the new community center for the Parks & Recreation Department, 43 E. Quincy will be utilized for that purpose once again. Malchiodi stated that the demographics of Riverside have changed significantly in recent years, with an influx of young families eager to participate in recreation programs. Enrollment in District 96 has increased, necessitating additions and expansions to all of the elementary schools. That growth illustrates the importance of this building to the community, and the programs the Department can now offer because of it.

Finance Director Johns then provided a recap of anticipated and actual costs associated with the project. She noted that the Village purchased 43 E. Quincy in the Fall of 2019 and undertook major renovations in late 2020 and early 2021. During construction, many unanticipated expenses were incurred. Most notably, in order to bring the building into compliance with current codes, the Village had to install sprinklers, a new waterline to accommodate the sprinklers and expanded ADA bathrooms. An additional HVAC unit was also required. Due to these additional costs, Staff reduced the scope of the project and efforts were made to contain costs by eliminating offices, reusing existing furniture and eliminating demolition costs by working with the Fire Department and utilizing in house staff for flooring work and delivery. The original budget for acquisition and renovation of the property was \$681,000; however, the final cost of the project was \$970,903. Director Johns noted that the Parks & Recreation Fund will reimburse the General Fund in annual installments over a 25 year period.

Director Malchiodi stated that as a new addition to an already robust business district, programming at the building will increase foot traffic and bring a new focus to East Quincy Street. The Parks & Recreation Department will partner with local businesses to offer collaborative programming to the community and develop community relationships. This building will allow the department to increase recreation opportunities significantly, including offering programs through the West Suburban Special Recreation Association. The department will be able to host a wider range of programming as well, from early childhood to active adult/senior classes. In addition to offering Parks & Recreation programming, the facility will be able to offer much needed rental space for meetings and community gatherings. Malchiodi referenced a November 2020 article about Riverside in Crain's Chicago Business that detailed the recent influx of new families to the community. He noted that this community center will afford residents the convenience of hosting a party close to home without the inconvenience of hosting it in their home. The department will offer assistance with planning and hosting gatherings at the facility if requested.

With a dedicated parking lot, the department will be able to accommodate parking for programs, rentals and special events. From food truck and family "pop up" events to collaborative offerings with partners such as the Riverside Arts Center, this facility will afford options not previously available to the community. Director Malchiodi stated that the department is seeking historic photos of the building. Anyone who has photos to share should reach out to the department. Malchiodi then outlined some of the upcoming programs the department has planned for children and adults. He noted that the Water Tower will become the hub for the department's early childhood programming. A virtual facility tour produced by Riverside TV will soon be available on the village website.

Trustee Evans reminded everyone that there is a resident survey available on the Parks & Recreation page of the village website, on Facebook and Instagram. She encouraged residents to let the department know what types of programming they would like to

see.

Trustee Gallegos expressed enthusiasm for the new facility and stated that he may have some memorabilia to donate. He has reached out to the American Legion to see if they have any historic photos of the building.

Trustee Jisa commended Director Malchiodi for his stewardship of the project.

Trustee Hannon stated that this new facility is truly an asset to the department and the community. He hopes it will become an anchor that will attract other businesses to the block.

**B. Update on Riverside Farmers' Market**

Director Malchiodi then provided a preview of the upcoming Riverside Farmers Market. He noted that two nearby communities have reached out to the department for guidance on holding a safe and successful farmers market during the pandemic and they are modeling their efforts on Riverside's market. The setup will be the same as last year with vendors at the Water Tower in Centennial Plaza. The department will work with the Farmers Market Committee and the village's health inspector to ensure another safe and successful market. All Illinois Department of Public Health and Farmers Market Association guidelines will be followed. Malchiodi stated that many popular vendors are returning and several new vendors are planning to attend as well. The market will be held on Wednesdays from 2:30 – 7:00 p.m. from June 2 – October 6, 2021.

President Sells then asked Clerk Haley to read the public comment that had been received by email. Clerk Haley noted that the email was from Gloria Lyman and there were two Zoom meeting participants named Gloria. She asked if perhaps Ms. Lyman was participating in the meeting and would like to address the board herself; however, no one spoke up. Clerk Haley then read the email from resident Gloria Lyman expressing opposition to the proposed Groveland Levee Flood Risk Management Project. Ms. Lyman is concerned regarding the "destruction of habitat and ecosystem" that she believes the project will cause. She also expressed concern regarding the aesthetics of the proposed wall.

***VIII. Ordinances and Resolutions***

**A. An Ordinance amending various sections of Chapter 5 (Parades), Title 6 (Police Regulations) of the Village Code of the Village of Riverside**

Manager Frances noted that the Board discussed the section of the Municipal Code regarding parades and protests in July 2020 and directed Staff to draft an ordinance removing outdated language from the code. Attorney Malina noted that the approval timeframe in the existing code is too long and there are no objective standards for evaluating requests. These provisions in the existing code restrict free speech and

similar provisions have been deemed unconstitutional by courts. The new ordinance meets the guidelines for requiring a permit and includes reasonable standards for notification.

**Trustee Evans made a motion** to approve the ordinance. **Trustee Jisa seconded** the motion.

**AYES:** Trustees Collins, Evans, Gallegos, Hannon, Jisa and Pollock.

**NAYS:** None.

**Motion passed.**

B. An Ordinance providing for the Registration and Inspection of Rental Properties within the Village of Riverside

Village Manager Frances noted that the Board discussed the proposed ordinance at their prior meeting and she provided a recap regarding proposed frequency of inspections, registration information required and fees associated with the process.

President Sells stated that he has concerns regarding the onerous nature of the vacancy inspections being proposed in the ordinance. He referenced an email he and the Board received today from Thomas Weaver who manages a larger rental property in the village and stated that he shares Mr. Weavers' concerns. In his email, Mr. Weaver proposes a triennial inspection, and in lieu of vacancy inspections, he proposes that a percentage of units be subject to random inspections.

Resident Kajsa Johnson, a rental property owner, stated that she believes the logistics of inspecting a rental unit each time there is a tenant change have been underestimated. She acknowledged that there are a few bad actors who have taken advantage of tenants and the village should address that situation. She believes a rental registration and inspection process could be beneficial, but she is concerned that the ordinance being proposed will overburden property owners and tenants. Ms. Johnson concurred that random inspections could be a workable solution and she also supports self-certification by landlords and providing tenants with information regarding their rights and how to contact the village should they need assistance.

Ms. Johnson also commented on the proposed floodwall. She stated that the Groveland Berm has never failed. She believes the tree roots near the berm provide stability to the ground. She would like to see the issue of flooding address more naturally rather than mechanically through engineered solutions.

President Sells then asked for feedback from the Board on the proposed property registration ordinance.

Trustee Evans stated that she appreciated Mr. Weaver's feedback and questioned the need to inspect each time there is a tenant change. She expressed concern that this

might create an undue burden on staff and landlords. Evans also concurred with Mr. Weaver's suggestion to include a provision that would allow Staff to inspect a property more thoroughly if there is a pattern of repeated violations. She inquired about what inspections are currently being conducted prior to issuing a business license. Manager Frances stated that commercial spaces receive both a building and fire inspection prior to a business license being issued. Food service establishments also receive two health inspections per year.

Trustee Collins expressed concern that this ordinance could result in significant costs for landlords. She asked if perhaps the village should cover the cost of the inspections because they are related to public health and safety. She suggested that perhaps the inspections would result in landlords improving their properties which would in turn result in a reduction in legal costs for the village.

Trustee Evans asked if the inspection requirements could be based on the number of units in a building. She also inquired about inspection fees.

Manager Frances stated that the Board will need to decide between three scenarios:

- 1) Billing landlords for an inspection once every three years;
- 2) Billing landlords for an inspection once every three years and billing for an annual registration fee to cover direct costs; and
- 3) Absorbing the cost of inspections and assessing some other tax or fee.

President Sells inquired as to the actual cost of inspections to the village. Director Johns stated that the cost would be \$40 per apartment and \$100 per single family home. Processing the inspection paperwork is estimated at \$15 per inspection.

President Sells then inquired as to what would be inspected each year. Manager Frances stated that it is the intent of the ordinance to ensure that every rental property is inspected at least once every three years. She noted that common areas receive a fire inspection annually.

President Sells asked if it is even worth the effort to charge landlords for the inspections or if the estimated \$12,500 annual cost of the inspections is an expense the village should just absorb.

Trustee Jisa expressed support for billing landlords. Trustee Hannon concurred.

Trustee Pollock also agreed with Trustees Jisa and Hannon. He stated that his main concern is making sure that rental properties are inspected at least once every three years, specifically, plumbing, electrical and HVAC systems. These are life safety issues and these systems should be inspected to ensure tenant safety.



Trustee Collins stated that she would prefer inspections for cause or if there is a complaint.

President Sells asked if the village currently has the authority to inspect rental properties. Attorney Malina responded that currently, the village can inspect a rental dwelling if invited into a unit by a tenant. President Sells rephrased his question. He gave the example of a tenant calling with a boiler complaint and asked if the village had authority to enter the building to inspect the boiler. Attorney Malina stated that it would depend on the location of the boiler. The village has authority to inspect common areas; however, private areas require permission for entry. If the property owner will not grant permission, no inspection would be possible.

A discussion ensued regarding the merits of random inspections in addition to triennial inspections or complaint based inspections. Attorney Malina noted that property owner cooperation will be the key to a successful inspection program. He stated that an administrative warrant might be needed to enter private areas without consent. If a property owner has filled out a form stating they will cooperate with the village and then they refuse to cooperate, the village has the right to enter the premises.

**Consensus: The ordinance should require triennial inspections, random or complaint inspections and property owners should be billed for the costs associated with the program. The annual registration cost should be \$10 per building and should be charged annually.**

Attorney Malina will make the necessary revisions to the ordinance and the Board will discuss at a later date.

- C. An Ordinance approving and authorizing repayment of the Village's General Fund from the Parks & Recreation Assigned Fund Balance for certain costs related to 43 E. Quincy Finance Director Johns stated that the purchase of the building and legal fees totaling \$248,376 have been paid out of unassigned fund balance. The cost of the improvements totaling \$722,527 will be taken out of the Parks and Recreation Assigned Fund Balance. These fund balances are derived from surpluses from Parks and Recreation programming fees. The ordinance outlines the repayment of the Parks and Recreation Department's obligation to the unassigned fund balance over the next 25 years.

**Trustee Gallegos made a motion to approve the Ordinance. Trustee Pollock seconded the motion.**

**AYES:** Trustees Collins, Evans, Gallegos, Hannon, Jisa and Pollock.

**NAYS:** None.

**Motion passed.**

*IX. Considerations* – None.

*X. New Business* – None.

*XI. Adjournment*

President Sells stated that the Board had need for Executive Session to discuss the appointment, employment, compensation, discipline, performance or dismissal of specific employees. He noted that no final action would be taken in Executive Session and the Board would not reconvene.

Attorney Malina confirmed that each Trustee was able to hear everything that happened throughout the meeting and was able to participate fully.

President Sells then called for a motion and second to adjourn the Regular Meeting. **Trustee Gallegos made a motion** to adjourn. **Trustee Pollock seconded** the motion.

**AYES:** Trustees Collins, Evans, Gallegos, Hannon, Jisa and Pollock.

**NAYS:** None.

**Motion passed.**

President Sells declared the Regular Meeting adjourned at 8:26 p.m.

Respectfully submitted:

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Village Clerk Haley

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Date Approved

*XII. Executive Session*

A. To discuss the appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body (5 ILCS 120/2(c)(1))