



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 in Room 4 of the Riverside Township Hall, 27 Riverside Road, Riverside, IL, on Thursday, August 5, 2021. President Ballerine called the meeting to order at 7:00 p.m.

II. Pledge of Allegiance

III. Roll Call:

Present:	President Ballerine Trustee Pollock Trustee Marsh-Ozga Trustee Gallegos Trustee Evans
Absent:	Trustee Claucherty Trustee Hannon
Also Present:	Village Manager Frances Village Attorney Malina Village Clerk Haley

IV. President's Report

(This is an opportunity for the Village President to report on matters of interest or concern to the Village.)

A. Commission Appointments and Reappointments

1. Motion to appoint Colin Hughes as Chairperson of the Riverside TV Commission, term as Chairperson to expire 2022
2. Motion to appoint Tom Orgler to the Riverside TV Commission, to fill a vacancy, term to expire 2024
3. Motion to reappoint Jeffrey Levine to the Ethics Commission, term to expire 2023

Trustee Gallegos made a motion to confirm the appointments and reappointment.

Trustee Marsh-Ozga seconded the motion.

AYES: Trustees Pollock, Marsh-Ozga, Gallegos and Evans.

NAYS: None.

Motion passed.

- B. An Ordinance Authorizing issuance of a Class A-1 Liquor License – Riverside Gas Station and Mini Mart Inc.

Trustee Gallegos made a motion to approve the Ordinance. **Trustee Marsh-Ozga seconded** the motion.

AYES: Trustees Pollock, Marsh-Ozga, Gallegos and Evans.

NAYS: None.

Motion passed.

V. *Manager's Report*

(This is an opportunity for the Village Manager to report on matters of interest or concern to the Village.)

Village Manager Frances noted that the Illinois Department of Commerce and Economic Opportunity is estimating that the Village will receive \$1,164,000 in two installments as part of the American Rescue Plan Act. (ARPA)

VI. *Resident Comments – Non-Agenda Items*

(This is an opportunity for members of the audience to speak about matters that are not included on this agenda. Residents may speak to matters on the agenda as those items are brought up and they are recognized by the Village President.) - None.

VII. *Consent Agenda*

(Matters on the Consent Agenda will be considered by a single motion and vote, because they have been fully considered by the Board at a previous meeting, or have been determined to be of a routine nature. Any member of the Board of Trustees may request that an item be moved from the Consent Agenda to Pending or New Business for separate consideration.)

President Ballerine read the Consent Agenda aloud.

- A. Approve Voucher List of Bills August 5, 2021
- B. Approve Village Board of Trustees Regular Meeting Minutes July 15, 2021
- C. Review and file Landscape Advisory Commission Meeting Minutes June 8, 2021
- D. Review and file Planning and Zoning Commission Meeting Minutes June 23, 2021
- E. Review and file Riverside Historical Commission Meeting Minutes June 21, 2021
- F. Review and file Riverside TV Commission Meeting Minutes June 14, 2021
- G. Review and file Community Development and Finance Department June Monthly Reports
- H. Motion to approve a Special Event Application for the Ames Back to School Assembly featuring the Jesse White Tumblers to be held on August 25, 2021
- I. Motion to approve a Special Event Application for the Friends of Riverside Kayak Paddle departing from the Scout Cabin, to be held on August 28, 2021
- J. Motion to approve a Special Event Application for Music by the River hosted by Riverside American Legion Post 488 and the Riverside Township Lions Club on September 11, 2021
- K. Motion to approve a Special Event Application for Sunday Family Fun Day at Riverside Foods to be held on September 12, 2021
- L. An Ordinance Pertaining to the Coronavirus Local Fiscal Recovery Fund for the Village of Riverside

President Ballerine asked if any of the Trustees was interested in removing an item from

the Consent Agenda for discussion. Trustee Gallegos asked that item VII.I., Special Event Application for the Friends of Riverside Kayak Paddle, be removed from the Consent Agenda for separate consideration.

President Ballerine called for a motion and second to approve Consent Agenda items A. – H. and J. – L.

Trustee Gallegos made a motion to approve. **Trustee Marsh-Ozga seconded** the motion.

AYES: Trustees Pollock, Marsh-Ozga, Gallegos and Evans.

NAYS: None.

Motion passed.

Discussion of Consent Agenda item I.

Trustee Gallegos made a motion to approve the application. **Trustee Marsh-Ozga seconded** the motion.

Trustee Gallegos stated that the first kayak event with Paddle On Outfitters was held on July 18 and it was a success. He would like Staff to be empowered to approve additional kayak events for the rest of the season without having the Board weigh in on each special event application. Parks & Recreation Director Malchiodi stated that the department currently coordinates the events with the village manager and director of public safety and would continue to do that.

Trustee Pollock asked if the Board was empowered to exempt Paddle On Outfitters from the usual special event procedure or if the village code would need to be amended. He expressed concern about treating this type of event differently from other events. He suggested a broader discussion of the village's special event policy. Attorney Malina concurred and suggested amending the code to permit the village manager to approve special events without board approval. He stated that the manager could notify the board of upcoming events and give a deadline to respond with comments and concerns. If two or more trustees favor board review of an event, it would be put on an upcoming agenda for board discussion.

Manager Frances suggested adding a condition that if an event has been held previously without issues, the manager may approve it administratively. Attorney Malina agreed that this could also be part of the update to the policy.

President Ballerine called for the vote.

AYES: Trustees Pollock, Marsh-Ozga, Gallegos and Evans.

NAYS: None.

Motion passed.

Attorney Malina stated that he will review the special event policy and the village code and draft amendments for discussion at a future meeting.

VIII. Board and Commission Reports

(This is an opportunity for Commissioners and Board Members to update the public and the members of the Village Board regarding items of interest or concern to the Village.)

None.

X. *New Business – ITEMS TAKEN OUT OF ORDER – Immediately following VIII. Board and Commission Reports* – President Ballerine asked that the Board discuss the Capital Funding items prior to the Rental Registry in order to allow time for Trustee Hannon to arrive. *(This agenda item includes discussion and/or action on matters not previously presented to the Board of Trustees.)*

A. Discussion of Future Capital Funding for Parks and Recreation

Finance Director Johns stated that similar to the Water & Sewer Fund discussion previously had by the Board, Staff has tried to develop a 10-year plan of capital improvements with dedicated funding sources. She noted that there are two plans to consider. Plan A continues the status quo. Plan B is more ambitious and features a community survey, a comprehensive analysis of parks and facilities and a comprehensive park master plan study that would include redesigning parks and playgrounds. Plan B would use special recreation funds for capital improvements and also requires large scale grant applications. In 2025, Plan B calls for a master plan for Harrington Park that would be grant funded. Plan B also includes a provision for replacing mulch at playgrounds with poured in place rubber surfaces. This expense would be eligible for Special Recreation Association (SRA) funding.

President Ballerine thanked Director Johns for her summary of the plans. He noted that to implement Plan B, the SRA tax levy would need to be increased. He asked what the average impact of the tax increase would mean to residents. Director Johns stated that residents with a home valued at \$400,000 would see an increase of \$21 annually. She noted that the SRA levy is not capped, so no voter approval would be required to increase it.

Trustee Marsh-Ozga expressed concern regarding the use of rubber surfaces at playgrounds due to possible carcinogenic properties of the material. Director Malchiodi stated that the use of crumb rubber sprinkled on turf fields has been problematic; however, this is different. It would be a solid surface poured in place, not rubber crumbles. Malchiodi noted that the material is porous, but not loose. Trustee Marsh-Ozga stated that she would like to see more research on the material before making a decision to incorporate it into village playgrounds.

Trustee Pollock asked if the Board was being asked to consider the proposals outlined in Plan B as goals or if the Board was being asked to budget for these items now. Director Johns stated that staff is seeking direction from the board in order to create a plan for future capital projects.

Manager Frances stated that staff is trying to create a long term plan for future projects. This involves ensuring that funding is available for the projects the board wants to pursue. Staff will need to look for grant funding to complete some projects.

Trustee Pollock stated that he is interested in pursuing all of the goals outlined in Plan B; however, the board must be mindful of what the community can afford.

President Ballerine asked about the timeline for deciding on an increase to the SRA tax levy. Director Johns stated that the Board would need to decide on an increase prior to the Public Hearing for next year's tax levy which will likely be held in October.

Trustee Evans inquired about the proposed water tower demolition and renovation costs. Director Malchiodi stated that the department has moved the Kinder-Kids and other early childhood programs to the Water Tower; however, the interior space is still configured as a conference room and offices. The demolition would open up the walls to allow more space for early childhood programming. Trustee Evans then inquired about the Scout Cabin renovation and Malchiodi stated that improvements are planned for the bathrooms and the floors need to be sanded and refinished. Evans inquired about Patriots Park next. Malchiodi stated that they are budgeting for supplemental plantings to improve privacy along 26th Street. Trustee Evans next asked about the proposed ball field fencing and Director Malchiodi stated that the Department has worked with Riverside Little League to improve dugouts and make other improvements, and he hopes this will continue; however, the Department needs to budget the full amount for fence and field maintenance.

President Ballerine asked if the rubber surfaces being proposed would make village playgrounds more ADA accessible. Director Malchiodi said they would. He noted that the existing wood chips are ADA compliant; however, the rubber surface would be preferred in certain situations as it would provide more stability and reduce maintenance costs. President Ballerine expressed support for using SRA funds to make at least one village park ADA compliant. He believes Turtle Park would be a good candidate since it is centrally located and utilized by many residents.

President Ballerine also asked Staff to research the property lines at Blythe Park. He recalled that during the variation process for the recent addition to the school, there was some question as to the boundary between village property and property owned by School District 96. He wants to make sure that any improvements proposed for Blythe Park are located on village owned property.

President Ballerine also reminded everyone that the Parks & Recreation Department is self-funded and even with grant funding, it would be a challenge to complete some of the proposed projects.

Director Johns then asked the board to weigh in on the following questions:

Q1: Is the Board comfortable with Plan A or would the Board like Staff to explore Plan B? **Consensus:** Direct Staff to explore Plan B.

Q2: Should Staff plan to meet with survey consultants and include survey expenses in the 2022 Budget? **Consensus:** Yes.

Q3: Should Staff levy the maximum SRA tax levy and budget for installation of a

poured in place surface at Turtle Park in 2022? **Consensus:** Yes; however, Trustee Marsh-Ozga expressed reservations regarding levying for the poured in place surface without further research to ensure the material is safe. She asked if the levy could be used for something else. Director Johns stated that the levy can be used for any ADA improvements at any park in the village. She also noted that the funds could be saved and the accumulated funds applied to a larger project.

Q4: Is the Board interested in a master plan redesign for parks? Trustee Evans stated that she believes residents are interested in redesigned the parks.

Trustee Pollock expressed support for a master plan. He noted that there are many new people moving into the village and Board should get their input.

Trustee Marsh-Ozga recommended collaboration between the Landscape Advisory Commission and the Parks & Recreation Department given that the parks are an integral part of Olmsted's General Plan of Riverside.

President Ballerine noted that the Landscape Advisory Commission does not have jurisdiction over designated park areas in Riverside. Parks are specifically under the jurisdiction of the Parks & Recreation Board. He noted that the LAC has not weighed in on Parks before. Staff will review the municipal code to confirm what the process should entail.

Director Johns noted that the proposed park redesign will result in a deficit. She asked if Staff should present options for various tax levy increases and seek other funding options such as loaning money from the general fund. **Consensus:** Yes.

President Ballerine stated that he had just received a text from Trustee Hannon advising that he has missed his train so it is unlikely that he will be able to participate in the meeting this evening.

B. Discussion of Future Capital Funding for Streets

Finance Director Johns stated that this matter is a continuation of the Board's discussion of future capital funding for water and sewer improvements. Many of the proposed road projects are locations where water and sewer upgrades are contemplated; however, there are additional roads included. She asked if there are any projects that the Board would like reprioritized. **Consensus:** Follow staff recommendations. No proposed changes.

Director Johns noted that in 2024, the plan calls for a rollover of the bonds issued in 2015 to fund street repairs. She noted that reissuing the bonds would be revenue neutral and would not result in a tax increase for residents. A referendum would be required.

Trustee Pollock suggested asking residents to support a continuous tax levy dedicated to street improvements that would not result in a tax increase, but would provide a

dedicated source of funding for street improvements. He noted that the village has borrowed money twice to do street improvements and the interest paid on the debt has been close to \$500,000. If the village had a dedicated funding source for street improvements, the interest expense associated with issuing bonds and the need to issue bonds periodically would be eliminated and that \$500,000 could be used to fund additional street improvements. He noted that street repairs are not a one-time project, but an ongoing maintenance issue that is critical to the village.

President Ballerine expressed support for exploring this idea, but asked Staff to determine how changing the funding source for street repairs might impact the proposed capital plan since the timing of available funds would be altered.

Director Johns noted that projects after 2024 would need to be phased if the Board chose to pursue this course of action. Manager Frances stated that the average debt service payment on the current bonds is \$265,000, so if a dedicated tax levy was approved, it would levy that amount.

Trustee Pollock expressed support for a dedicated funding source that would allow the village to spend an equal amount on road construction annually. He believes this would be less stressful on residents since it would avoid bursts of construction every few years as bond proceeds are spent.

President Ballerine expressed support for Trustee Pollock's proposal as long as it would not result in a delay to the Olmsted watershed sewer separation project. Director Johns stated that the timeline for the Olmsted project would not be impacted.

Director Johns asked if the Board is comfortable with concrete alleys or if there is support for the use of porous pavers which are approximately 20% more expensive than concrete.

Trustee Gallegos asked if the pavers might be eligible for grant funding. Director Johns said grant funding was not likely. Public Works Director Tabb stated that the Metropolitan Water Reclamation District (MWRD) denied a prior grant request submitted for the Kent Road alley because the project did not remove enough stormwater from the sewer system.

Trustee Gallegos then inquired about the longevity of both materials. Director Tabb stated that the life expectancy of permeable pavers is 50 years while the life expectancy for poured concrete is 30 years; however, alleys do not see as much traffic as roads, so both materials could last longer.

Trustees Marsh-Ozga and Gallegos both expressed support for using permeable pavers.

Finance Director Johns noted that Motor Fuel Tax (MFT) funds can be used for

operations or capital improvements for streets. Staff recommends submitting reimbursement requests to IDOT annually for operations with a corresponding offset in the General Fund. This will maximize the dollars available for street improvements. Trustee Pollock expressed support for this procedure.

President Ballerine asked Attorney Malina if he had found the code reference regarding who has jurisdiction over park land in Riverside. Attorney Malina noted that Section 8-13-1: Hardscape in Public Areas (A) 3 – exempts designated public park and recreation areas from LAC review.

IX. Pending Business – Taken out of order, after X. New Business

(This agenda item includes discussion and/or action on matters previously presented to the Board of Trustees.)

A. Continued discussion of the Registration and Inspection of Rental Properties within the Village of Riverside

Village Manager Frances noted that at the previous Board meeting, Staff was directed to create a list of questions for Board consideration to gain a better understanding of each board member’s level of support for different aspects of the proposed ordinance. Based on responses to these questions, Attorney Malina and Staff will work on drafting a revised ordinance for Board consideration.

Does the Board want a rental registry for Single Family Homes?

Trustee Pollock expressed concern regarding regulating property based on whether it is occupied by a renter or the property owner. He is concerned with multi-family buildings because all occupants are impacted by the behavior of those who dwell in the building. A problem in one unit can easily become a problem for everyone in the building. He does not believe single family dwellings need to be regulated in the same way.

Pollock, Gallegos and Evans – No.

Marsh-Ozga – Yes.

Consensus: No.

President Ballerine stated that there have been some issues with single family properties in the village and he believes the village should have contact information for owners of single family dwellings.

Village Manager Frances noted that Assistant Village Manger Monroe pulled some data that might be helpful in understanding where issues have arisen in the past.

Assistant Village Manager Monroe stated that based on preliminary research, Staff has identified 270 rental properties in the village. Of those properties, 165 are owned by Riverside residents. Less than 4% of rental properties are managed by out of state companies, with the remaining properties owned by people who reside in Illinois. Approximately 60%, or about 160 rental properties, are two flats or single family homes. Approximately 30% of rental properties, or about 85 properties,

have between 3 and 10 units, and 6% of rental properties are buildings with 12 or more units. There are 13 property owners who own more than one rental property in the village. Ms. Monroe noted that common complaints and violations reported to village staff include tall grass and weeds, overflowing garbage and unpermitted construction. From June 2020 through July 2021, there were 157 property maintenance complaints in these categories. She noted that the majority of property maintenance complaints received by staff relate to owner occupied single family homes, not rental properties. Monroe noted that more serious violations or maintenance issues that go unaddressed end up in adjudication. So far in 2021, there have been 28 complaints involving 7 property owners that have gone to adjudication with rental properties representing 1.5% of those complaints. There were 22 issues at 4 rental properties.

Trustee Evans noted that the information available to staff is based on a complaint driven process.

Trustee Pollock again reiterated that he does not feel single family homes should be included in the ordinance.

President Ballerine noted that three flats and larger buildings already receive annual fire inspections. He asked if Trustee Pollock thought the ordinance should apply to those same properties. Trustee Pollock agreed.

Should there be a rental registry and inspection process for buildings with three or more units?

Consensus: Yes.

It was noted that property ownership can typically be determined by researching water billing records. If a property owner decides to rent out his or her single family home, the property owner must give permission for the tenant's name to be added to the water bill. The water bill is typically mailed to the tenant at the property; however, if the bill becomes delinquent, the property owner is responsible for payment.

Should owner occupied properties be exempt from the rental registry process?

Consensus: No.

The registry will apply to all properties with three or more units regardless of whether the owner lives in the building.

With what frequency should the rental registry be updated?

Consensus: Update annually to ensure contact information is current.

Should property owners be allowed to self-certify in lieu of inspections by the village?

Trustee Marsh-Ozga expressed support for a system whereby a property owner

whose property has been free of violations would be permitted to self-certify compliance.

Trustee Pollock stated that he does not support this type of self-certification. He thinks the village should require property owners who want to self-certify to hire a licensed home inspector to conduct an inspection.

Trustee Marsh-Ozga stated that she thought the Board's intent with regard to self-certification was a signed statement of compliance executed by the property owner under penalty of perjury. President Ballerine concurred, but noted that an inspection performed by a license home inspector might be preferable to some trustees.

Trustee Evans stated that what is being proposed is not a pro-active approach. It is reactive. A system that takes into consideration historical violations relies on the willingness of renters to come forward with concerns and this does not always happen.

Trustee Marsh-Ozga expressed concern that inspection costs will be passed on to tenants and this may be a hardship for some.

Attorney Malina suggested engaging a certified inspector to create a list of items to be inspected. A self-certification letter would include the list and a statement that the property owner has personally entered each dwelling unit and verified that each item on the list is in working order.

Consensus: Allow independent inspection or village inspection. All properties will be required to have an initial village inspection, but self-certification can be an option for properties without violations afterwards.

What should the frequency of owner self-certification be?

Consensus: Annual self-certification to be submitted with annual registration.

Trustee Marsh-Ozga asked what the outcome would be if tenants refuse to allow the property owner into a unit to perform an inspection. Attorney Malina noted that all leases allow for reasonable access by the property owner. These situations should be dealt with on a case by case basis. A discussion of proposed notification provisions ensued and it was noted that adequate notice must be given to tenants and perhaps a hang tag on the door might be appropriate.

Manager Frances stated that Staff will schedule inspections with the village's contract inspector during the less busy times of the year and provide notice to landlords well in advance. This will ensure that the process runs smoothly.

Should Staff evaluate a reduced fee for self-certification?

Consensus: Yes.

With what frequency will a building be inspected?

Consensus: The entire building must be inspected at least once every three years.

Re-inspections related to reported violations will remain a separate process. A building with ongoing issues will not be eligible for self-certification.

President Ballerine noted that common areas would continue to receive an annual fire inspection.

Would the Board like to require building and fire inspections in all common and mechanical areas in all multi-family buildings? This would include not just rental properties, but all multi-family buildings including condos and townhomes.

Trustee Pollock again pointed out that condo buildings and other multi-family dwellings present different safety concerns than single family homes and he supports inspecting common and mechanical areas of all multi-unit dwellings. He gave the example of a fire starting in condo unit that has not been properly maintained and the impact it could have on adjoining units.

Should the building inspector accompany the fire inspector on annual fire inspections? **Consensus: Yes.** Also, a building that has been self-certifying compliance that is found to have violations, will lose the ability to self-certify.

Should property owners with violations pay a penalty?

Consensus: No penalty. The administrative adjudication process will apply.

Should property owners who fail to register a rental property face a penalty?

Consensus: Yes. A warning letter would be issued first. A late fee will be charged.

Would the Board like Staff to create a landlord tenant information sheet and a program to enhance communication with property owners and tenants?

Consensus: Yes.

Does the Board have a preference regarding how many staff members should do on-site visits? Should it be the inspector, inspector and a community service officer, inspector and fire inspector? Estimated inspection costs may need to be adjusted if multiple parties will participate in inspections.

Consensus: Staff should make decisions based on individual circumstances.

President Ballerine thanked everyone for their patience and cooperation in working through these important matters.

XI. Trustee Reports and Communications

(This is an opportunity for Trustees to inform residents of events or items of special interest.)

Trustee Marsh-Ozga recently attended a seminar on the Chicago Regional Climate Action Plan. The two main goals of the action plan are to reduce greenhouse gases and create resilient communities that can easily adapt to the effects of climate change. The plan calls for zero carbon emissions by 2050 but the Northern Illinois region has set a goal of reducing carbon emissions 50% by 2030. She encouraged everyone to review the Greenest Region Compact for more information on the plan.

Trustee Marsh-Ozga also reported that she spoke to many residents at the Riverside Farmers Market when she recently spent time at the “Ask a Trustee” table. She stated that she received great feedback and had several in depth conversations regarding various resident concerns. She also stated that the Olmsted Society will be hosting another seed hunt on August 15 with guest host Val Kehoe a Master Naturalist and Conservation at Home specialist from the University of Illinois Extension.

President Ballerine thanked residents for getting vaccinated and taking the pandemic seriously. Despite Riverside’s high vaccination rate, the village had 5 new cases of COVID the previous week. He urged anyone who has not yet been vaccinated to please consider getting vaccinated and he asked everyone to please consider masking up indoors in public spaces.

XII. Adjournment

President Ballerine stated that the Board had need for Executive Session to discuss the items that follow. He noted that no final action would be taken in Executive Session and the Board would not reconvene. He called for a motion and second to adjourn to Executive Session, not to reconvene.

Trustee Gallegos made a motion to adjourn. Trustee Marsh-Ozga seconded the motion.

AYES: Trustees Pollock, Marsh-Ozga, Gallegos and Evans.

NAYS: None.

Motion passed.

President Ballerine declared the Regular Meeting adjourned at 8:55 p.m.

Respectfully submitted:

Village Clerk Haley

Date Approved

XIII. 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))
- b. To discuss the setting of a price for sale or lease of village property (5 ILCS 120/2(c)(6))
- c. To discuss the acquisition or lease of real property for use of the public body

