

LOCKPORT, ILLINOIS

APRIL 11, 2017

TOWN FUND

ANNUAL TOWN MEETING

The Annual Town Meeting was held at Lockport Township Government Building, Community Center, 1463 S. Farrell Road, Lockport, Illinois on Tuesday April 11, 2017 at 6:35 PM. The Clerk's office is required to confirm Township residency for all attendees. Only registered voter in Lockport Township are allowed to vote. There were a total of 44 people that signed in. Present were – See attached list of attendees. The meeting agenda and notice were posted at Crest Hill & Lockport Libraries, City of Crest Hill, Village of Romeoville, Central Square Building, Lockport Township Government Building, the Joliet Herald News, the Labor Record and Township's website (Clerk's section) in accordance by law.

Clerk Rumchak led the pledge allegiance to the flag.

Clerk Rumchak read a letter from Ron Alberico that was received on March 1, 2017, to request permission of the electors at the Annual Town Meeting to be held on April 11, 2017, to lease available space within the Township building to entities, organizations, groups, or individuals other than the Supervisor's Office, Township Clerk's Office, and the Township Assessor's Office. If approved, a standard lease will be drafted for use with each Lessee of available space.

Clerk Rumchak read the Public Notice that was posted on March 20, 2017 in the Joliet Herald News and posted in the Labor Record on March 23, 2017.

On a Motion of Ray Semplinski, seconded by Ken Griffin, to nominate Dean Morelli as Moderator of the meeting. Dean Morelli was appointed Moderator by majority vote.

MOTION CARRIED

Clerk Rumchak administered the Oath of Moderator to Dean Morelli. Clerk Rumchak confirmed Moderator Morelli had a copy of the agenda.

Moderator Morelli opened the floor for public comment.

Ken Griffin- Expressed that he would like nonprofit organizations to receive a break in the cost of rent compared to profit organizations. He suggested a two tier rental agreement to be placed.

Moderator Morelli- Explained the Board has not spoken in depth in regards to rental guidelines for cost. He believes the guidelines will be determined by the square footage used to decide what percentage the organization will be charged for rent/utilities.

Ken Griffin- Expressed this building is great place to hold meetings.

Barb Delaney- Asked if a governmental body is allowed to make a profit from an organization for rent on the building.

Ken Griffin- Communicated he would only like to see a profit made is it is a profit organization. He would not like to make a revenue from a public service organization.

Moderator Morelli- Stated there will be discussion with the attorney in full detail in regards to nonprofit vs profit organizations.

Attorney Mueller- Disclosed the Resolution is written specifically to address these concerns. Any entity or individual who would like to utilize space in the Township building, will have to come before the Board and then the Board will review the request. The Resolution that is on the agenda tonight is to ask the electors if they would consider renting the building to organizations.

Ron O' Malley- Inquired if the Township would publish any documentation showing the criteria that needs to be met to be considered for renting out the space in the building once the resolution is approved.

Attorney Mueller- Explained the way the resolution is written is just to ask for permission to rent out the space of the building. If the electors say no, then the building cannot be rented out to anyone. If the electors say yes, then Lockport Township can rent the building on a case by case basis that will need to be presented in front of the Board for approval. It will be up to the Board if there will be parameters listed on the website. Attorney Mueller fully expects there to be requests if the electors allow the resolution to be approved. The requests will be received from the Food Pantry and Meals on Wheels. These two organizations have previously addressed the Board months prior to this meeting. The Board explained to these organizations that they need permission from the electors first. It will be up to the Board if a flow chart or guidelines are created ahead of time.

Ron O'Malley- Asked how much square footage would be available to utilize for rent or lease.

Moderator Morelli- Commented he does not know the exact number. He believes the building is 25,000-28,000 square feet and the Township is currently occupying half of the building. He stated the community center would be used for meetings. The Food Pantry has already looked at some of the opened space that is available and also Meals on Wheels examined the kitchen.

Lance McCalla- Mentioned the community center and the south side on the main floor will be available to utilize for rent.

Lisa Bickus- Inquired if the Township has a comprehensive property management plan put in place before the electors vote on the resolution. She stated if the Township does not have rent/lease, reserves, accounting or staff put in place then this vote seems to be premature.

Attorney Mueller- Commented no because the Township first needs to have permission just to rent. If the electors say that the Township cannot rent then there would be no need for the documentation.

Lisa Bickus- Believed the Township Supervisor should present that information.

Attorney Mueller- Stated that no information has been presented because we have not received permission to rent yet and reiterated this resolution is to first get permission from the electors to rent.

Carl Bebrich- Asked if any guidelines have been established for renting the space. He explained it is hard for the electors to make a decision if we should rent the facility when we do not know what the intentions would be for its use.

Moderator Morelli- Stated there is nothing set in stone with the resolution. If anyone is interested in the use of the building, they still will need to present themselves to the Board and have a more detailed discussion regarding their financial responsibility before the final approval.

Carl Bebrich- Expressed this resolution is giving total power to the Board of Trustees and Supervisor to do whatever they want. He commented the taxpayers should be able to voice how the building should be used.

Moderator Morelli- Pointed out that an open meeting would be held where electors can reach out or comment about the organization that is requesting the use of the building.

Carl Bebrich- Stated he would like to see something more concrete because the monthly meetings are not well attended.

Karen Johnson- Disclosed no guidelines can be developed until there is approval to rent the building. When there is an organization interest in the space, it then will be placed on the agenda for discussion. She commented if the resolution is not approved tonight then the building will not be able to be utilized for another year. If the resolution is approved, then the Board

will determine what guidelines will be placed. She believes the resolution summarizes that it will be a two meeting process for an organization to be approved by the Board.

Dionne Wright- Commented the resolution states this will be a case by case basis and was wondering how these cases will be determined: in the order that they are received or by the importance of the function/person.

Moderator Morelli- Stated a case will be presented to the Board in the order they were requested and citizens will be able to comment and make suggestions and then the Board will make a decision to go ahead or not.

Dionne Wright- Asked what the percentage ratio would be for the citizens vs the Board when determining the decision to rent or lease to an organization.

Moderator Morelli- Commented the Board of Trustees and the Supervisor will make the final decision, but the citizens input, comments and suggestions would be applied during the consideration process.

Karen Johnson- Mentioned if there is a particular organization that citizens are concerned about, there could be a workshop scheduled to discuss these concerns before any final decision is made by the Board.

Lisa Bickus- Announced there are no guidelines or a property management program in place and if this resolution is approved, the trustees will be in charge of the guidelines/accounting and the citizens will not be able to provide any input on the matter. She expressed this situation will open up the Township to risk again.

Carl Bebrich- Stated this resolution needs to incorporate some guidelines for renting.

Ken Griffin- Asked if it was the appropriate time to make a motion for the approval of renting space.

Attorney Mueller- Explained there are still other electors that would like to speak.

Terry Broadhurst- Agreed that this resolution is premature. He explained it does not include any detail information. He suggested tabling the resolution and have the Board put together a packet with outlines before the electors vote on something that could turn into chaos.

A motion was made by of Lisa Bickus, seconded by Terry Broadhurst to table Resolution No. 2017-2. Attorney Mueller disclosed that this motion will close discussion if voted on. Lisa Bickus withdrew her motion and Terry Broadhurst withdrew his second.

Ray Semplinski- He believes that this resolution can be approved as long as the motion declares that the Township can go ahead with renting space, provided the Board has a structured policy before finalizing the approval of any organization. This way the Township does not need to wait another year for approval to lease the space of the building.

Terry Broadhurst- Commented that the electors should be able to vote on that structured policy.

The electors were speaking without the address of the Moderator. Attorney Mueller reminded the electors that one person can only talk at a time.

Carl Bebrich- Questioned why everyone would have to wait a whole year to establish a plan when it could be approved at the next Township meeting. He asked if there is anything that prohibits this action to take place at a monthly meeting.

Mary Ann Williamson- Stated at the Annual Town Meeting is held only once a year for electors to vote on what item is on the agenda.

Grant Spooner- Commented that a special town meeting can be held.

Attorney Mueller- Disclosed the Annual Town Meeting is for the electors of the Township. If Resolution No 2017-2 is tabled today, there will need to be a special town meeting for the electors to attend. The Township Board cannot vote on the resolution because the electors have not approved the renting of space of the building. The electors make the decision if their building can be rented out. He explained if you look at Resolution No. 2017-2, paragraph 3, it states some of the concerns that have already been brought up. Paragraph 3 reads: The Lockport Township Supervisor shall determine, with input from the Township Board and any proposed tenant, the parameters of space needed, the storage space (if any), the hours of operation, the days of operation, the rental rate, the conditions of general liability insurance, and security for the space to be used as well as any and all other issues and concerns that arise in order to finalize a lease with the proposed tenant. Attorney Mueller states the statute is very clear that no action can be taken with the building until the approval of the electors. He also expressed that he believes if the Township did draft all the documentation include in paragraph 3, the electors would be questioning why the Township spent money to have these documents completed without the permission of the electors to rent out the building. He also stated that there would be no reason to do these documents if the electors chose not to approve the Township to rent/lease the building. He informed the electors that these case by case organizations will be presented in front of the Township Board that you have elected. All electors are welcomed to the Township's meeting. He expressed no organization will be able to attend a meeting and request rent/lease of the building for the next day. There needs to be notice provided to the Board and the electors so it may be posted on the agenda for approval at the Township Meeting. He disclosed there will be a procedure the Board will follow for any requests. If electors feel that a workshop meeting needs to be held, please ask your elected officials to have one.

Carl Bebrich- Commented he does not understand what procedure will be followed for renting.

Attorney Mueller- Replied that any action taken by the Township Board, there needs to be a procedure that they follow. The Township Board cannot vote on something presented to them at a meeting without first having notice and information that pertains to that subject. In regards to the rent/lease of the building, there will need to be a proposed resolution and lease presented. The next step would be for the Board to discuss and review the documents and then vote on the matter.

Carl Bebrich- Asked if the resolution was placed on the Township's website.

Clerk Rumchak- Stated yes.

Ken Griffin- Expressed it is a good idea to make some income from this building and give the opportunity to some great organizations like the Food Pantry and Meals on Wheels to utilize the space that is available. He hopes that everyone would agree that this is a great idea. There are terms and conditions that need to be attached, but let's go forward with allowing the Township to rent out the building.

A motion was made by Ken Griffin, seconded by Mary Ann Williamson to approve Resolution No. 2017-2. There were still comments from the electors.

Lisa Bickus- Stated she is not against or for the building, but she feels this needs to be done properly. She stated she has sample of a 49 page property management agreement, which states what needs to be done, not a four point resolution to rent property. She expressed this needs to be done correctly.

Terry Broadhurst- Expressed he is for renting out the space, but we do not know how much it is going to cost the taxpayers. It will cost more money to leave the lights on just for the employees. The Township has no idea how much the building is going to cost because it is so new. He asked if the resolution could be split to allow

existing Lockport organizations that are nonprofit to utilize the building and the profit organization to wait until further approval.

Attorney Mueller- Stated with all due respect, we have to go ahead with what is written on the agenda. The Township Board received a request which was read in the beginning of the meeting, to have this resolution placed on the Annual Town Meeting agenda. Township Government is different than any other government and there are rules and regulations that need to be followed. This item was placed on the agenda through the procedure that needed to be followed and there are no other items on the agenda for tonight. He expressed that resident Terry Broadhurst is correct and explained that is why the resolution was presented as a case by case basis. He disclosed the Food Pantry and Meals on Wheels approached the Township Board months ago and were told the Township Board cannot take any action at the current moment because permission has not been given to the Board. When the Board is approached by a nonprofit organization, they may request for that organization to pay any fees, cost or expenses, but a taxing body should not charge another taxing body the cost of rent.

Terry Broadhurst- Stated that a public hearing should have been held before placing the resolution on the agenda.

Lance McCalla- Expressed this is the starting point for the Board to consider renting out the building. There now is a balanced voice for everyone on the Township Board. The workshop meetings will include more information and detail for renting.

Terry Broadhurst- Inquired if residents are allowed to sit in on a workshop meeting and how residents find out when these meetings are being held.

Attorney Mueller- Stated yes, residents can sit in on a workshop and the agenda is posted the same as the regular monthly meetings. When a workshop is suggested, the Board will determine if it is necessary, then schedule the date and time for the meeting to take place.

Terry Broadhurst- Asked if the public can ask questions or make comments during a workshop meeting.

Attorney Mueller- Commented typically no. He suggested to talk to the elected officials if anyone has a concern or comment.

Carl Bebrich- Asked if the resolution can be amended.

Attorney Mueller- Stated if there is a motion, second and then approved, the resolution can be amended. He added there is already a motion and a second on the floor to approve the resolution as presented.

Residents were speaking without the address of the moderator. There was discussion in regards to the current motion on the floor and not being able to add an amendment.

Attorney Mueller- An elector can ask the second and first to consider amending the motion to say....., then the second and first can say yes and the motion would proceed with whatever amendment was suggested.

Carl Bebrich- He believes the electors are in agreement to move forward with allowing nonprofit organizations in the building, but more deliberation is needed for profit organizations. Carl does not understand why this resolution cannot be amended to accommodate this action.

Ken Griffin- Expressed that the resolution states this information already. He read Resolution No. 2017-2 paragraph 3.

Carl Bebrich- Stated that conditions can vary for each case.

Lisa Bickus- Expressed her opinion that the Township is opening themselves up for risk and discrimination. A plan needs to be put in place first.

Ken Griffin- Stated the resolution is just asking for permission to rent. He expressed once we say yes to renting, then the Board will come up with some rules and regulations. He pointed out if the electors do not agree to this resolution, then the Food Pantry and Meals on Wheels will continue to wait. He believes this is unfair to these organizations.

There was continued debate between Ken Griffin and Carl Bebrich in regards to what information was included in the resolution and what information was not.

On a Motion of Ray Semplinski, seconded by Terry Broadhurst to call the question. Hand raised vote resulted in 24 ayes and 7 nays.

MOTION CARRIED

On the Motion of Ken Griffin, seconded by Mary Ann Williamson to approve Resolution No. 2017-2 as presented. Hand raised vote resulted in 21 ayes and 9 nays.

MOTION CARRIED

On a Motion of Ray Semplinski, seconded by Chris Piazza to approve minutes from the previous annual town meeting held on April 12, 2016 as presented. Voice vote resulted in all ayes.

MOTION CARRIED

On a Motion of Debbi Mason, seconded by Barbara Boyce to dispense with the reading of the Financial Report. Voice vote resulted in all ayes.

MOTION CARRIED

On a Motion of Ken Griffin, seconded by Mary Ann Williamson to accept the Financial Report as presented. Voice vote resulted in all ayes.

MOTION CARRIED

On a Motion of Barbara Boyce, seconded by Barbara DeLaney to schedule next annual town meeting on April 10, 2018 at 6:30 PM. Voice vote resulted in all ayes.

MOTION CARRIED

Moderator Morelli asked if there was any miscellaneous matters as authorized by law.

Rose Dombrow- Asked if this was the right time to talk about the culverts and flooding in Fairmont.

Moderator Morelli- Stated concerns of flooding in the Fairmont area needs to be discussed at the Township monthly meeting. He explained the Annual Town Meeting agenda does not include an item for flooding issues. He mention residents are more than welcome to attend the monthly meeting to have these issues addressed.

Richard Pinnick- Asked if the papers provided for the meeting were published in the newspaper before the meeting.

Clerk Rumchak- Commented the agenda is posted in the Joliet Herald News, The Labor Record and five common places in the Township. All the other information is obtainable on the Township's website.

Chris Piazza- Commented the resident was wondering if the resolution was published in the newspaper.

Clerk Rumchak- Commented this information cannot be published in the newspaper because it is not approved. The resolution, minutes and financial report were placed on the website as drafts and can also be picked up in the Clerk's office.

Richard Pinnick- Expressed the financial report at least could be published in the paper.

Clerk Rumchak- Stated after the financial report is approved, it is published in the newspaper.

Terry Broadhurst- Asked what newspaper.

Clerk Rumchak- Explained the bookkeeper publishes the financial report and she does not know what newspaper it is in.

Chris Piazza- Asked if a copy of the resolution, minutes and financial report could be picked up in the office.

Clerk Rumchak- Stated yes, it is obtainable for the Annual Town Meeting without a FOIA.

Barbara DeLaney- Commented a FOIA needs to be fill out to obtain the information from the monthly Township meetings.

Karen Johnson- Stated the agenda and minutes are online, but the Trustees detailed packets are not.

Ken Griffin- Expressed that all residents can call their elected officials if they have any questions or concerns.

Moderator Morelli asked again if there was any miscellaneous matters as authorized by law.

Ron O'Malley- Asked if any profit organizations besides the Food Pantry and Meals on Wheels approached the Township in regards to renting/leasing.

Clerk Rumchak- Communicated there have been seven request just yesterday for the use of the building from the Lockport Park District, a church and other organizations.

Ron O'Malley- Commented have profit organization approached the Township.

Clerk Rumchak- Stated she did not know.

Ron O'Malley- Stated the officials are supposed to be here to serve the residents and he believes the people in Fairmont disagree with that. He mentioned he has been to a couple meetings and it sounds like there are still some issues not being addressed. Ron once again gave his opinion that he believes the officials are not always here to serve us and that is why there is such a heavy debate tonight.

Moderator Morelli asked again if there was any miscellaneous matters as authorized by law.

On a Motion of Chris Piazza, seconded by Barb Boyce to adjourn the meeting at 7:33 PM. All ayes in favor.

MOTION CARRIED

DEAN MORELLI, MODERATOR

DENISE MUSHRO RUMCHAK,
TOWN CLERK