REGULAR MEETING

CITY COUNCIL OF THE CITY OF BLUE ISLAND, ILLINOIS April 10, 2012

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF THE JOURNAL OF PROCEEDINGS: Regular Meeting - March 27, 2012

REPORT OF CITY OFFICIALS

MAYOR:

BIDS:

CITY CLERK:

CITY TREASURER:

CITY ATTORNEY:

- A RECOMMENDATION FROM THE BLUE ISLAND ZONING BOARD OF APPEALS CONCERNING THE APPLICATION OF JUAN MUNOZ REQUESTING A VARIATION OF THE HEIGHT RESTRICTION OF AN ACCESSORY BUILDING IN THE REAR YARD FOR THE PREMISES LOCATED AT 12851 SOUTH CLINTON STREET, BLUE ISLAND, ILLINOIS.
- 2. A RECOMMENDATION FROM THE BLUE ISLAND ZONING BOARD OF APPEALS CONCERNING THE APPLICATION OF OZAC, NFP CORPORATION (Orlu Zonal Assembly of Chicago and Environs) REQUESTING A SPECIAL USE FOR THE OPERATION OF A MEETING PLACE FOR OZAC FOR THE PREMISES LOCATED AT 2417 WEST YORK STREET, BLUE ISLAND, ILLINOIS.

COMMITTEE REPORTS

CITIZENS WISHING TO ADDRESS THE COUNCIL REGARDING THIS EVENING'S BUSINESS

ADJOURNMENT

TO:

Mayor and City Council

FROM:

Blue Island Zoning Board of Appeals

RE:

Application of Juan Munoz requesting a variation of the height restriction of an accessory building in the rear yard pursuant to Article 8.7 (4) (g) of the Zoning Code for the premises located at 12851 South Clinton Street, Blue Island, Illinois.

A hearing by the Blue Island Zoning Board of Appeals was convened on February 27, 2012 at 6:30 p.m. and reconvened on March 19, 2012 concerning the above referenced application. The Zoning Code states that "No detached accessory building located in a required rear yard shall exceed 15 feet in height". Article 5.6 (3). The applicant requested a variation to permit construction of an accessory building (garage) 24 feet in height. The subject property is located in R-1 Zoning District.

The Board heard testimony and received evidence from the Applicant, Juan Munoz. Mr. Munoz stated that he has been in the construction business for fifteen years and he purchased the property in 2008. Mr. Munoz stated that the dimensions of the garage would be 40 * 37 feet and that it would have heat but no running water. The purpose of the building would be for vehicle parking and storage.

The applicant applied for and received a building permit on November 2, 2011. The Applicant commenced construction sometime thereafter but was issued a stop work order when it was determined by the Building Department that the height of the structure would exceed 15 feet. The foundation and frame was completed when the work was stopped. The Applicant stated that he has incurred a significant expense for materials he has purchase to complete the project.

Jason Berry, Special Projects Manager for the City of Blue Island provided the Board with the following exhibits: 1) Initial plan submitted by the Applicant; 2) Amended plan

submitted by the Applicant; 3) Schedule of Bulk Controls pursuant to the Code; and 4)

Photographs of the subject property and the property immediately to the southwest. Mr. Berry explained that the initial plan encroached upon the side yard set back; however, the amended plan did not violate the alley set back nor the side yard set back as contained in Articles 4.5 and 5.13 (4), respectively, of the Code. Therefore, the Applicant did not require Zoning approval as long as the project conformed to other provisions of the Code.

Pete Amato, 12803 South Sacramento Avenue, Blue Island, Illinois stated that he objected to the height of the garage. Additionally, Jaime Peralto, 12851 South Francisco Street, Blue Island, Illinois also objected to the height.

Jean Defrancesco-Gawne, 2948 West Everett Street, Blue Island, Illinois 60406, stated that not only does she object to the height of the garage because it negatively affects her property; she also believes that location of the garage physically encroaches onto her property.

Ms. Defrancesco-Gawne stated that if completed she believes the eves of the garage would encroach onto her air rights. She submitted a copy of her survey as Exhibit 5.

Robert Adams, Building Commissioner for the City of Blue Island, stated that in his opinion the garage would adversely affect the neighborhood. Mr. Adams further stated that garage could be completed to conform to the Code without much difficulty or additional expense.

After hearing the testimony the Zoning Board reviewed the standards for the issuance of a variations as set forth in Article VIII, Section 8.7 (3) (a) through (g), inclusive. The standards are as follows:

The standards for a variation are as follows:

a. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the

district in which it is located.

- b. The proposed variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship which would result if the strict letter of the regulations were carried out and which is not generally applicable to other property within the same district.
- c. The alleged hardship has not been created by any person presently having a proprietary interest in the premises.
- d. The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood.
- e. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, or endanger the public safety.
- The proposed variation will not alter the essential character of the neighborhood.
- g. The proposed variation is in harmony with the spirit and intent of this Comprehensive Amendment.

The Zoning Board considered the above mentioned standards individually and found that the Applicant failed to satisfy each and every standard. A motion was duly made and second to deny the issuance of a variation.

The votes were:

Six (6) votes Aye

No (0) votes Nay

One (1) votes Absent - Eric Frausto

No (0) votes Abstain

This motion carried.

Therefore, the Zoning Board finds that issuance of a variation would not be in accordance with the standards and requirements of Ordinance No. 2151.

Respectfully submitted, ZONING BOARD OF APPEALS

Clifford Griffin, Chairman

Vonda Hardy

Willie Scott

Daniel Perez

Sue Andrews

Eric Frausto

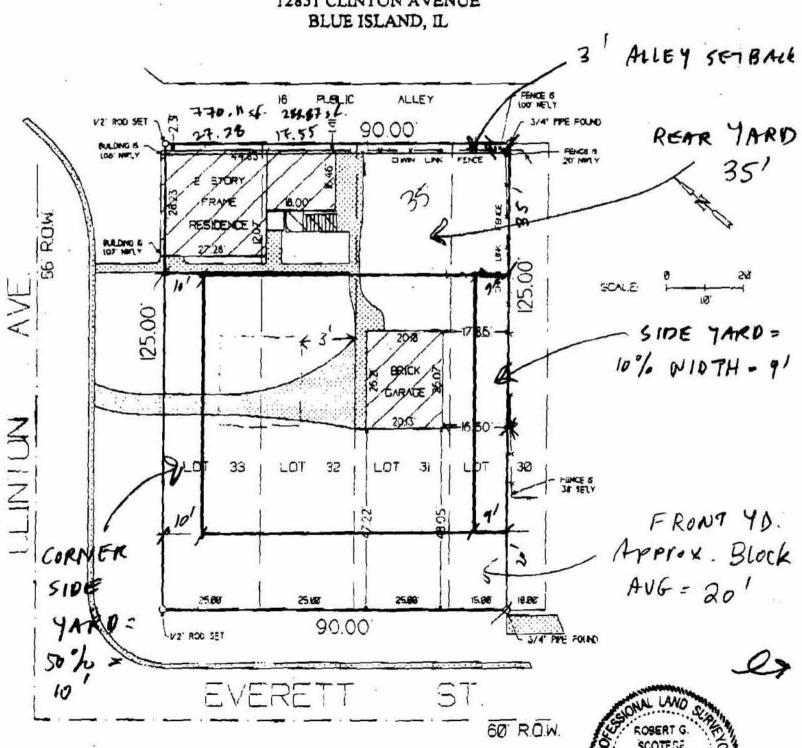
Jeffrey Atwell

:後×115

PLAT OF SURVEY

LOT 36, (EXCEPT THE SOUTHEASTERLY 10.00 FEET THEREOF), LOTS 31, 32, AND 33 IN BLOCK 2 IN EVERETT H. REXPORD'S ADDITION TO BLUE ISLAND. BEING A SUBDIVISION IN THE EAST W OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 37 NORTH, RANGE IS EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED RINE 3, 1896 AS DOCUMENT NO. 2378185 IN BOOK TO OF PLATE, PAGE 10, IN COOK COUNTY, ILLINOIS.

12851 CLINTON AVENUE







City of Blue Island 13051 S. Greenwood Avenue Blue Island, IL 60406 www.blueisland.org

SCHEDULE OF BULK CONTROLS

	District	R-I	C-I	C-2	1-1	I-2	L-C
Minimum Lot Dimensions	Lot Area (Sq. Ft.)	4312.5	3125	6250	10000	40000	80000
	Lot Area Per Dwelling Unit (Sq. Ft.)	4312.5					80000
	Lot Width (Feet)	37.5	25	50	80	200	200
	Lot Depth (Feet)	115	125	125	125	125	200
Maximum	Height (Feet)	35	No Limit	No Limit	No - Limit	No Limit	35
Minimum Lot Dimensions	Front Yard (Feet)	25 [1]			25°	25°	50
	Side Yard (Percentage of Width) ²	10			n/a	n/a	n/a
	Side Yard (Each Side Yard, Feet) ^b	n/a	n/a	n/a	d	d	d
	Rear Yard (Feet)	35	a	a	d	d	d
Maximum	Lot Coverage (Percentage)	40	90°	70°	60	60	10

[1] Or average of setback distances of the block, but not less than 15 feet.

² Section 5.13(4) Minimum Side Yard Width: Where a side yard to a principal building is provided, although not required by this ordinance, it shall not be less than six (6) feet in width unless it abuts a street or alley.

^a Deleted by Ord. 2396, passed 4/11/78

^b Amended by Ord. 2396, passed 4/11/78

^c Amended by Ord. 2397, passed 4/11/78

d Deleted by Ord. 2397, passed 4/11/78

^e Amended by Ord. 2404, passed 10/9/79

Section 5.13(3) Front Yards for Corner Lots: A front yard of the required depth shall be provided on one of the two frontages and a second front yard shall be provided on the other frontage, provided that in any R-Zone the second front yard need be only fifty (50%) percent of the required depth for front yards in that zone.

4.5 BUILDING LINE SETBACK FROM ALLEYS IN ALL DISTRICTS

No building shall be erected, moved or altered on any lot in any District when such lot borders on an alley so as to place any wall thereof nearer to the line of such alley than the setback lines hereinafter prescribed, to-wit:

Where the alley is 14 feet or less in width, the building line setback shall be 5 feet from the line of such alley;

Where the alley is more than 14 feet but not more than 15 feet in width, the building line setback shall be 4 feet from the line of such alley;

Where the alley is more than 15 feet but not more than 16 feet in width, the building line setback shall be 3 feet from the line of such alley;

Where the alley is more than 16 feet but not more than 18 feet in width, the building line setback shall be 2 feet from the line of such alley;

Where the alley is more than 18 feet in width, the building line setback shall be I foot from the line of such alley.

Nor shall any fence or other structure be placed between the line of such alley and the building-line setback hereinabove established. (deleted by Ord. 2350, passed 9/28/76)

That in those instances where the requirements of this section and the Schedule of Bulks and Coverage Controls set forth in Article IV, Section 4.4 shall conflict, the provisions of Article IV, Section 4.4 shall supercede the provision of this section. (Ord. 2396, passed 4/11/78)



Subject Property: 12851 Clinton Avenue

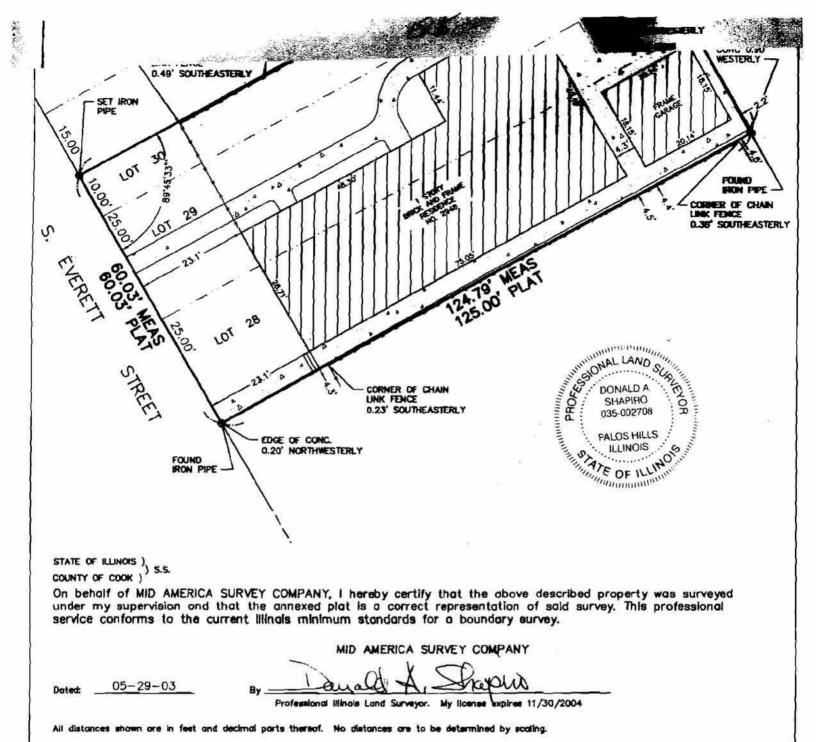


24361080110000 06/24/2007

Adjacent Parcels : Everett Street



24361080140000 06/24/2007



24-36-108-014

DAVID M. VLCEK

COPYRIGHT MID AMERICA SURVEY COMPANY 2003

WORTH

Ordered By

Field Work Completed 05-22-03

Fleid Crew OS/EH

1"=20"

549132

2948 W. EVERETT STREET

BLUE ISLAND, ILLINOIS

Job Na.

Address

TO:

Mayor and City Council

FROM:

Blue Island Zoning Board of Appeals

RE:

Application of OZAC, NFP corporation (Orlu Zonal Assembly of Chicago and Environs) requesting a special use for the operation of a meeting place for OZAC; rental for banquets and other social - professional gatherings pursuant to Section 8.10 of the Zoning Code for the premises located at 2417 West York Street, Blue

Island, Illinois.

A hearing by the Blue Island Zoning Board of Appeals was convened on March 28, 2012 at 6:00 p.m. concerning the above referenced application. The subject premise is located in C-1 Zoning District and a fraternal – banquet hall is a permitted special use in a C-1 Zoning District. The applicant acquired the property in 2011 and is legally described as follows: See attached deed as Exhibit 1.

The Zoning Board heard testimony and received evidence from the Applicant's attorney, George Harding Gordon, Jr., 1231 North Ashland Avenue, Chicago, Illinois 60642. Mr. Gordon presented the Board an application containing a business plan of a meeting place, banquets, professional seminars and social gatherings. See attached Addendum to Application for Special Use as Exhibit 2. Mr. Gordon stated that OZAC is an organization that promotes and foster the assimilation of people from southeastern Nigeria.

Mr. Gordon stated that the attached "Addendum to Application for Special Use"

(previously marked as Exhibit 2) addresses each standard required by the Code for the issuance of a Special Use and proceed to review each standard. He also represented that all building permits have been obtained from the City. Mr. Gordon stated that the facility would be available for rent. There would be no cooking on premises or the sale of alcoholic beverages. Any alcoholic beverages consumed on the premises would be supplied by the lessee's cater who

would be required to possess the appropriate liquor license(s) and dram insurance. The banquets would run until 3:00 A.M..

Members of the Board inquired as to parking and the Applicant stated that there are two public lots that serve the property. The Board also questioned the Applicant as to the Occupancy limit and whether security would be provided. Mr. Gordon stated that he does not know the occupancy limit but the Applicant will require a bonded security officer at banquets where alcohol is consumed.

After hearing the testimony the Zoning Board reviewed the permitted and special uses allowed in a C-1 zoning district and reviewed the standards for the issuance of a special use permit as set forth in Article VIII, Section 8.10 (6) (a) through (f), inclusive. The standards are as follows:

- (a) The establishment, maintenance, or operation of this special use will not be detrimental to or endanger public health, safety, morals, comfort, or general welfare;
- (b) The special use herein requested will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
- (c) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- (d) Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
- (e) Adequate measures have been or will be taken to provide ingress and

egress so designed as to minimize traffic congestion in public streets; and

(f) The special use shall, in all other respects, conform to the applicable regulations

of the district in which it is located.

The Zoning Board considered the above mentioned standards individually and

found that the Applicant satisfied each one. A motion was duly made and second to

approve the special use permit for operation of a fraternal - banquet facility with the

following conditions: 1) The premise must conform to all Building Codes; 2) Occupancy

limitation must be adhere in all situations; 3)Alcohol can not be consumed after 2:00

A.M. on the premise; 4) One license Security Officer must be retained for all rentals

where alcohol is consumed.

The votes were:

Six (6) votes Aye

No (0) votes Nay

One (1) votes Absent

No (0) votes Abstain

This motion carried.

Therefore, the Zoning Board finds that issuance of a special use would be in accordance

with the standards and requirements of Ordinance No. 2151 provided the applicant adheres to

requirements previously stated.

Respectfully submitted, ZONING BOARD OF APPEALS

Clifford Griffin, Chairman

Vonda Hardy

Willie Scott

Daniel Perez

Sue Andrews

Eric Frausto

Jeffrey Atwell

ADDENDUM TO APPLICATION FOR SPECIAL USE

Applicant Orlu Zonal Assembly of Chicago and Environs (OZAC) formerly known as Orlu Social & Educational Club of Chicago and Environs, U.S.A. (OSEC) submits the following to show that it intends to conform to the Special Use Zoning Standards of the City of Blue Island.

The special use at 2417 York Street, Blue Island, Illinois (York building) will be a meeting place for the private club, OZAC, and as a gathering place for other groups such as girl scouts and boy scouts. Other organizations will be able to use it for meetings and conferences. It will be able to be used for church services, especially on Saturday and Sunday mornings. Additionally, it will serve as a banquet hall for parties for communions, for confirmations, for quincenaras, for weddings and for other family groups. It will be available to other organizations for meetings and conferences.

The building at 2417 York Street, Blue Island is a brick two story building with a basement. The York building is in Block 227 of the Sidwell Map for Blue Island, Illinois. The York building faces York Street to the north. On the east and the south, the York building is bounded by city alleys. The north/south alley east of the York building goes from York Street to New Street. The alley to the south of the York building goes westward from the east alley and parallels New Street for about two-thirds of the block. The York building's west wall adjoins a small city parking lot which parking lot separates it from the Blue Island Public Library. The York building is in an area which the 2002 Blue Island Chamber of Commerce and Industry's map of the City of Blue Island identifies as "Shopping & Entertainment Area."

The building lies in an area best described as a zoning conglomerate.

To the east, across the alley, going south, is a solid row of commercial enterprises on lots, which, with one exception, front solely on Western Ave.

The one exception is the southwestern corner lot that fronts on both York Street and Western Ave. On York Street, occupancy of this lot appears to be divided, approximately, into quarters. On York Street, the west quarter of this lot contains a small two story building, most likely a residential one. Going eastward, the next quarter of this lot contains the Lopez Tire Shop. The easternmost two quarters of this lot contain the Islands Cafe, an Italian themed restaurant which serves alcoholic beverages, including beer, wine and hard intoxicating liquor. The tire shop and the restaurant appear to share the same building. The entrance to Islands Cafe restaurant is on Western Ave.

Going southward on Western Ave., in addition to the Islands Cafe, the adjoining lots on Western Ave. contain a variety of commercial enterprises on the street level: a manicure/pedicure shop (which is also a manicure/pedicure school); a dance studio; a print shop; a grocery/fast food store; a clothing store; an insurance agency; a barber shop; and a florist shop, which shop is on the northwestern corner of Western and New Street with its entrance on Western Ave. The second floor above the manicure/pedicure shop contains a law office.

On New Street, west of the north/south alley is a solid line of one and two story residences that front on New Street. These residences have backyards, to their south, running along the east/west alley. These backyards are either vacant or contain nonresidential structures. The backyards are about 30 to 50 feet in length. Two of these residences are immediately south, across the east /west alley from the 2417 York Street building. The residence, on the corner of the two alleys, has a two story nonresidential garage.

Looking north across York Street from the 2417 York Street building, starting at the northwest corner of York Street and Western Avenue and going west, are the following: a grocery store, a very large city parking lot and the United Church of Christ Church.

STANDARD (a)

That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare:

The special use will not be a nuisance. It will conform to the applicable public health, safety, morals, comfort or general welfare laws of the United States, of the State of Illinois, of the County of Cook and of the City of Blue Island. The establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

Concerning nuisance: A healthy environment will be provided - The People ex rel James P. Younger v. City of Chicago, 280 III 576 (1917) (animals); No dangerous machinery will be used - North City Railway Company v. Town of Lake View, 105 III 207 (1883) (dangerous machinery); no dangerous

materials were used or will be used in rehabbing the building -McCray v. City of Chicago, 292 III 60 (1920) (wallboard); no fraudulent activity will take place in the building - David Frost v. City of Chicago, 178 III 250 (1899) (fraudulent packaging); all rehab work in the building will be according to code and, will meet inspection successfully - Frederick J. Spiegler et al v. City of Chicago, 216 III 114 (1905) (inspection of oil wagon); and the consumption of alcoholic beverages will conform to applicable law - J. E. Laugel v. the City of Bushnell - 1197 III 20 (1902) (city can regulate consumption of alcoholic beverages).

More specifically, as to Health:

As to the consumption of alcoholic beverages, OZAC will allow groups that use the York building to bring their own alcoholic beverages subject to contractual agreement between lessor OZAC and lessee, such as no alcoholic consumption by minors, no taking of alcohol outside the York building, and no taking of bottles, other glassware, and crockery outside the York building. OZAC is contacting other banquet halls to learn what else to put in a lessor lessee contract. The City of Blue Island allows the sale of alcoholic beverages. Less than 150 feet from the York building, the Island Cafe sells alcoholic beverages. OZAC is soliciting bids for dram shop insurance. When alcohol is to be consumed at the York building, OZAC will employ Guardian Security Services (GSS), 3300 Burr Oak Ave. 3114, Blue Island, IL 60406-3806. GSS will maintain order and will enforce contract provisions, such as those concerning alcohol.

OZAC will employ Terminix as its exterminator and Homewood Disposal as

its scavenger. No alcohol will be sold at the York building. No cooking will take place at the York building; but some food brought in by lessees will be warmed up at the York building.

Specifically, as to safety:

The York building is of concrete and masonry construction. OZAC has completely renovated the inside of the York building. OZAC has applied for a permit to the City of Blue Island to have ADT Security Services, 111 Windsor Drive, Oak Brook, IL 60523, to install and maintain its smoke/heat detection alarm system. This smoke/heat detection alarm system will be connected to the Blue Island Central Fire Station. A carbon dioxide automatic fire extinguishing system has been installed. An alarm system that will announce unwanted entry to the York building has also been installed. Exits will be conspicuously marked. Travelers Insurance is the carrier for fire and hazard and personal injury insurance.

Specifically, as to morals

The contract between OZAC Lessor and lessee will prohibit nudity and pornography. As stated above, OZAC is contacting other banquet halls to learn what else to put in a lessor lessee contract.

Specifically, as to comfort or general welfare:

The interior of the York building has a working elevator. OZAC is exploring how to bring the entry of the building in compliance with the Americans with Disabilities Act. OZAC is also considering ways to reduce the amount

of noise made in the York building that can be heard outside it so as not to disturb the members of the few residential buildings that adjoin the York building.

STANDARD (b)

That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood:

The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. Rather, it will bring business to the local commercial interests and it will provide all its neighbors with an attractive meeting place.

Special attention will be paid to comfort and general welfare of the few residential units close to the special use. OZAC is considering ways to reduce the amount of noise made in the York building that can be heard outside it so as not to disturb the members of the few residential buildings that adjoin the York building. OZAC is also planning on inviting all the neighbors, both residential and commercial, to an open house, so they can tell us their concerns.

STANDARD (c)

That the establishment of the special use will not impede the normal and orderly development of the surrounding property for purposes permitted in the district:

The establishment of the special use will not impede the normal and orderly development of the surrounding property for purposes permitted in the district. The surrounding property is already well developed for the wide range of purposes permitted in the district. Every lot in its block and across York Street is already dedicated to a specific use. Consumption of alcohol at the special use will not change anything. Alcohol is already permitted less than 150 feet away from the special use.

STANDARD (d)

That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided:

Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided. As to utilities, the York building is hooked up to natural gas and to electricity service and to alarm, fire alarm and fire extinguishing systems. Telephone service will be obtained. As to access

roads, the special use is on York, a main street and within 150 feet of Western Avenue, Blue Island's principal commercial street. All drainage and/or necessary facilities have been or are being provided.

STANDARD (e)

That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in public streets:

Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in public streets. With the exception of the front walkway, the York building occupies all of its lot, so that ingress and egress onto and off of its lot is not possible. There is adequate ingress and egress both to the city parking lot immediately west of the special use and to the large city parking lot immediately north across York Street from the special use. The special use is in a shopping and entertainment area. Heavy traffic is expected in such an area. Besides, some of the vehicle traffic to the special use will be in the evening when traffic is lighter.

STANDARD (f)

That the special use shall, in all other respects, conform to the applicable

regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Council pursuant to the recommendations of the Zoning Board of Appeals:

The special use does, in all other respects, conform to the applicable regulations of the "conglomerate" district in which it is located, except as to such regulations which may, in each instance, be modified by the City Council pursuant to the recommendations of the Zoning Board of Appeals.

The York building is well suited for use as a meeting hall, including its use as a banquet hall, since it is located in a primarily "Shopping and Entertainment Area." The highest and best use of the York building is as a Club meeting hall including its use as a banquet hall.

OZAC respectfully prays that the Zoning Board of Appeals of the City of Blue Island report to the City Council of Blue Island that it recommends, with any additional conditions and guarantees, the acceptance of the special use at 217 York Street, Blue Island, Illinois as a Club meeting hall including its use as a banquet hall.



SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That BAYVIEW LOAN SERVICING, LLC. A DELAWARE LIMITED LIABILITY COMPANY, herein called 'GRANTOR', whose mailing address is: 4425 Ponce DeLeon Boulevard, Coral Gables, Florida 33146 FOR AND IN CONSIDERATION OF TEN and NO/100 DOLLARS, and other good

Doc#: 1119440002 Fee: \$38.00 Eugene "Gene" Moore RHSP Fee:\$10.00 Cook County Recorder of Deeds Date: 07/13/2011 09:10 AM Pg: 1 of 2

and valuable consideration, to it in hand paid by the party or parties identified below as GRANTEE hereunder, by these presents does grant, bargain, and sell unto:

ORLU ZONAL ASSEMBLY OF CHICAGO & ENVIRONS

called 'GRANTEE' whose mailing address is:

all that certain real property situated in Cook County, Illinois and more particularly described as follows:

THE EAST 40 FEET OF LOT 1 IN LIBRARY ADDITION TO BLUE ISLAND, BEING A RESUBDIVISION OF BLOCK 28 AND LOTS 1 AND 5 IN BLOCK 29 AND VACATED 20 FOOT ALLEY LYING BETWEEN SAID BLOCKS 28 AND 29 IN YOUNG'S ADDITION TO BLUE ISLAND, A SUBDIVISION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Tax No.: 24-36-227-006-0000

Address of Property: 2417 York Road, Blue Island, IL 60409

TO HAVE AND TO HOLD the above described premises, together will all the rights and appurtenances thereto in any wise belonging, unto the said GRANTEE, his heirs or successors and assigns forever, subject to: (a) covenants, conditions and restrictions of record; (b) private, public and utility easements and roads and highways, if any; (c) party wall rights and agreements, if any; (d) existing leases and tenancies, if any; (e) special taxes or assessments for improvements not yet completed, if any; (f) installments not due at the date hereof of any special tax or assessment for improvements heretofore completed, if any; (g) general real estate taxes; (h) building code violations and judicial proceedings relating thereto, if any; (i) existing zoning regulations; (j) encroachments if any, as my be disclosed by a plat of survey; (k) drainage ditched, drain tiles, feeders, laterals and underground pipes, if any; and (I) all mineral rights and easements in favor of mineral estate.

BOX 334 CT

Subject as aforesaid, GRANTOR does hereby bind itself and its successors and assigns to warrant and forever defend all and singular the said premises unto the said GRANTEE, his heirs or successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through, or under GRANTOR but not otherwise.

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be executed and sealed this U day of JUNE, 2011 in its name by JO ANN Say de/ thereunto authorized by resolution of its board FIMI WIS President of directors.

> BAYVIEW LOAN SERVICING, LLC BY:

(AFFIX SEAL)

STATE OF COUNTY OF

First Vice President Bayview Loan Servicing, LLC

The foregoing instrument was acknowledged before me this JING, 2011 by JO ANN Jugate as FIDZ

BAYVIEW LOAN SERVICING, LLC, on behalf of the said corporation.

TARY PUBLIC

This instrument prepared by:

KENNETH D. SLOMKA

LAW OFFICES OF KENNETH D. SLOMKA, P.C.

4544 W. 103RD STREET, SUITE 202

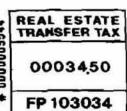
OAK LAWN, IL 60453

Permanent Tax No.: 24-36-227-006-0000

Address of Property: 2417 York Road, Blue Island, IL 60409

OF ILLINOIS REAL ESTATE TRANSFER TAX 0006900 ESTATE TRANSFER TAX FP 103032 DEPARTMENT OF REVENUE





JOURNAL OF PROCEEDING OF THE REGULAR MEETING, MARCH 27, 2012

CALL TO ORDER

The regular meeting of the City Council of the City of Blue Island was called to order by Mayor Peloquin at 7:00 p.m.

on March 27, 2012.

PLEDGE OF ALLEGIANCE

ROLL CALL

Roll Call indicates the following:

Present:

13

Ald. Cheatle, Vieyra, Spizzirri,

Patoska, Rita, Ruthenberg, Stone, Ostling, Janko, Johnson, Frausto,

Vargas, Thompson.

Absent:

1

Ald. Natalino.

Present Also:

Pam Frasor, City Clerk

Terry Sullivan, City Attorney Carmine Bilotto, City Treasurer

JOURNAL OF PROCEEDING

Moved by Ald. Janko, second by Ald. Rita the Journal Of

Proceedings for the regular meeting on March 13, 2012 is accepted

as printed.

Upon a vote, the Mayor declared the motion carried.

REPORT OF CITY OFFICIALS

<u>Mayor</u>

PROCLAMATION

BLUE ISLAND PUBLIC HEATH WEEK APRIL 2-8, 2012.

Motion by Ald. Vieyra, second by Ald. Patoska to adopt.

Upon a vote, the Mayor declared the motion carried.

Mayor Peloquin announced he gave the Aldermen a memo stating that he vetoed Ordinance # 12-170 regarding the increase of the City vehicle stickers. The Mayor stated the reason for his decision was that he believes the revenues from TIF 5 will be sufficient to do the inspection and establish a revenue stream to pay the debt on out share of matching funds for a federal grant, for bridge repair. This will come in front of Council to vote on at the next City Council Meeting.

The Mayor stated that Council should have received a map from Mr. Nagel, the City Engineer with all the streets that need work and they plan to do as many streets and sewers they can around the Hospital with the TIF funding. After May 1st hopefully will be the expansion of the TIF so we would be able to service more areas once the funding is there.

Mayor Peloquin announced that Council should have a list of projects that are underway from Mr. Nagel. They are as follows:

- The Maple Street sewer-lining project
- Grunewald cleaning and televising
- The elevated tank the mayor informed the Aldermen of the Ward that it will get loud over there
- The Maple Street resurfacing
- 127th & Sacramento by the school
- The TIF sewer repairs
- The area around Lincoln School east on Canal Street the bump out and drop off area
- The sidewalk program

The Mayor asked Mr. Nagel to contact the firm to get a price on the inspections and to also contact the Federal Group in regards to us soliciting the Federal Funding so we could match it. Mayor Peloquin stated he would direct a letter to Representative Rita so he can see where we're at and he might help us at State level of pushing forward on the Federal Law.

Mayor Peloquin announced to the Aldermen of the 6th Ward that he has scheduled a meeting with Acme Refining in regards to the issues pertaining the neighborhood surrounding Acme Refining and will contact them with the time.

Mayor Peloquin in behalf of Building Commissioner Adams request to allow a gentleman from Nombach Roofing to address

the Council in concerns he has with Sterling Lumber on 127th Street.

Ed Bachler owner of Nombach Exteriors stressed his concerns with how the area around Sterling Lumber, 127th & Homan, is looking. He stated he takes care of his property and takes pride on how his business looks. He stated Sterling Lumbers property is to small to have the semi's come in and park all along the streets and obstructs traffic at times. They also have forklifts coming and going and now they are selling cars on their lot. Mr. Bachler does not think that it looks good for when people come to Blue Island to see how bad it looks, then to add to all the congestion, the trucks drag mud onto the streets and if it's not mud there's dust all over.

Mayor Peloquin stated that he along with the Police Department and Building Department would look into it and address this issue. The Mayor stated that he is trying to get a piece of property at 119th Street set aside for them so they can move their whole facility there by the rail yard.

QUESTIONS TO THE MAYOR

Ald. Janko asked on the proposed TIF 5 area that will take affect May 15th is there any reason why that expansion might not happen.

The Mayor stated no, there doesn't seem to be any obstacles.

Ald. Janko stated that on the map that Robinson Engineering provided, the legend they provided on the map is covering some of the TIF 5 area and asked if we could get a more of a detailed map of it with the exact boundaries.

Mayor Peloquin stated he would provide him with a current copy.

Ald. Vargas stressed his concerns with Northern Lumber with the large clouds of dust due to the truck traffic and they have a third shift unloading lumber.

The Mayor stated he would look into it.

Mayor Peloquin informed Council that regarding the Jewel property the City is still continuing to finalize the agreement with them. In regards to the Vincennes Apartments there are still ongoing negations with the joint transfer so it can be shut down and we are still working to open Division Street for the truck traffic.

Ald. Vargas asked what the status is with the corner of 119th & Vincennes.

The Mayor stated that Mr. Miller was going to finalize the demolition with the group and hopefully they would be coming in this week and put fencing around it and start, they are just waiting to get the permit from the County.

Ald. Vargas along with Ald. Thompson want to thank the Mayor in getting Metra to sandblast and put in new sidewalks at the station at 123rd Street and maybe Metra could be convinced to paint or redo the station at 119th Street.

Mayor Peloquin stated that hopefully Metra would get the bridge by Broadway done too.

Ald. Patoska asked the Mayor if I.D.O.T. has any plans to resurface Vermont Street.

Mayor Peloquin he would find out and get back to him.

BIDS

No Bids.

CITY CLERK

REQUEST

Memories by Maria is requesting to hold an Estate Sale at 2322 Prairie Street on Saturday, March 31st and April 1st, 2012 from 9:00 am to 2:00 pm.

Motion by Ald. Vargas, second by Ald. Johnson to approve.

On the Question: Ald. Janko asked how many people are they anticipating will go and what about parking.

Clerk Frasor stated she had no idea on how many people and she will give Ms. Sutton parking passes for her clients.

Upon a vote, the Mayor declared the motion carried.

St. Benedict Fest is requesting Saturday, September 15, 2012 street closing 11:00 a.m. to set up 4:00 p.m. Mass followed by Fest from 5:00 p.m. until 11:00 p.m. celebrating 151 years as a Catholic Faith Community.

Motion by Ald. Vargas, second by Ald. Stone to approve.

Upon a vote, the Mayor declared the motion carried.

Blue Island Park District Memorial Park Pool is requesting a tag day on April 1, 2012 to raise funds for their uniforms this year.

Motion by Ald. Spizzirri, second by Ald. Cheatle to approve.

Upon a vote, the Mayor declared the motion carried.

Mayor Peloquin asked what kind of uniforms are they requesting.

Clerk Frasor didn't know.

Cub Master of New Cub Scout Pack #3788 of Blue Island is requesting permission to have the Scouts sell popcorn in front of Walgreens on Sunday, October 16, 2012 and Walgreens has approved.

Motion by Ald. Janko, second by Ald. Cheatle to approve.

Upon a vote, the Mayor declared the motion carried.

Clerk Frasor stated that she would verify it with Walgreens.

Energy Baskethall is requesting tag days from June 1st to 3rd, 2012.

Motion by Ald. Johnson, second by Ald. Frausto to approve.

Mayor Peloquin clarified they used to be the Rockets.

Upon a vote, the Mayor declared the motion carried.

Clerk Frasor announced that Channel 4 would be off the air for 2 to 4 weeks. They are moving the studio from Eisenhower High School to upstairs of the East Annex.

CITY TREASURER

No Report.

CITY ATTORNEY

Motion by Ald. Janko, second by Ald. Ruthenberg the headings be read and then a motion for adoption.

Upon on a vote, the Mayor declared the motion carried.

ORDINANCE NO. 12 - 171

AN ORDINANCE RESCINDING HANDICAPPED PARKING RESTRICTIONS ON A PORTION OF A CERTAIN STREET WITHIN THE CITY OF BLUE ISLAND, COUNTY OF COOK AND STATE OF ILLINOIS.

Location: 2230 Grove Street.

Motion by Ald. Vierya, second by Ald. Patoska to adopt.

Ayes:

13

Ald. Cheatle, Vieyra, Spizzirri,

Patoska, Rita, Ruthenberg, Stone, Ostling, Janko, Johnson, Frausto,

Vargas, Thompson.

Nays:

0

Absent:

1

Ald. Natalino.

Abstain:

0

There being Thirteen (13) affirmative Votes, the Mayor declared the motion carried.

ORDINANCE NO. 12 - 172

AN ORDINANCE REGULATING LANDSCAPING AND SCREENING WITHIN THE CITY OF BLUE ISLAND, COUNTY OF COOK, STATE OF ILLINOIS.

Motion by Ald. Janko, second by Ald. Cheatle to adopt.

On the Question: Mayor Peloquin asked if this is apart of Zoning or is it Citywide.

Attorney Sullivan stated it's through the Urban Forestry Board.

Ayes:

11

Ald. Cheatle, Vieyra, Spizzirri,

Patoska, Ruthenberg, Stone, Ostling, Janko, Johnson, Frausto,

Vargas.

Nays:

2

Ald. Rita, Thompson.

Absent:

1

Ald. Natalino.

Abstain:

0

There being Eleven (11) affirmative Votes, the Mayor declared the motion carried.

ORDINANCE NO. 12 - 173

AN ORDINANCE GRANTING A SPECIAL USE TO PERMIT THE CONSTRUCTION AND OPERATION OF A LANDSCAPE WASTE COMPOST FACILITY FOR THE PROPERTY LOCATED AT 13601 SOUTH CLEVELAND AVENUE, BLUE ISLAND, ILLINOIS.

Motion by Ald. Janko, second by Ald. Ruthenberg to adopt.

On the Question: Ald. Frausto announced that Compost Facility's are the new trend and this is a perfect location for it but his only concern would be the smell from it.

Motion by Ald. Frausto, second by Ald. Johnson to approve Mr. Lardner to address the Council.

Upon a vote, the Mayor declared the motion carried.

Mr. John Lardner, President of Blue Island Compost L.L.C. explained to Council that when it is done the right way there is no problem with the smell and explained the process.

Ald. Frausto asked Mr. Lardner if he would be over seeing the dayby-day operations at this facility.

Mr. Lardner stated he along with all his partners would be on top of it.

Ald. Ostling asked Mr. Lardner if they would be allowing the City to Utilize this facility.

Mr. Lardner stated yes.

Ald. Janko stated for Council's information, he had gone by the Garden Valley Facility and traveled up and down the frontage of the property and there were no noticeable orders coming from it.

Ald. Thompson asked how many people would they have working at that site.

Mr. Lardner stated probably 4 people on site.

Ald. Johnson stated that is his biggest worries in his Ward are the smells that would be coming from the compost.

Ayes:

11

Ald. Cheatle, Vieyra, Spizzirri,

Patoska, Rita, Ruthenberg, Stone, Ostling, Janko, Frausto, Vargas.

Nays:

2

Ald. Johnson, Thompson.

Absent:

1

Ald. Natalino.

Abstain:

0

There being Eleven (11) affirmative Votes, the Mayor declared the motion carried.

ORDINANCE NO. <u>12 - 174</u>

AN ORDINANCE DESIGNATING 2517 ORCHARD STREET, THE ERNEST AND IRENE RAUCH HOUSE AS AN HISTORIC LANDMARK.

Motion by Ald. Janko, second by Ald. Patoska to adopt.

Ayes:

13

Ald. Cheatle, Vieyra, Spizzirri,

Patoska, Rita, Ruthenberg, Stone, Ostling, Janko, Johnson, Frausto,

Vargas, Thompson and Mayor Peloquin.

Nays:

0

Absent:

Ald. Natalino.

Abstain:

a

1

There being Fourteen (14) affirmative Votes, the Mayor declared the motion carried.

Attorney Sullivan requested there be Executive Session directly after the Regular City Council Meeting.

COMMITTEE REPORTS

Finance Committee - Ald. Patoska, Chairman

ACCOUNTS PAYABLE

Motion by Ald. Patoska, second by Ald. Rita to approve Accounts Payable for March 27, 2012 for the Total Amount of \$714,905.70.

Ayes: 13

Ald. Cheatle, Vieyra, Spizzirri,

Patoska, Rita, Ruthenberg, Stone, Ostling, Janko, Johnson, Frausto,

Vargas, Thompson.

Nays: 0

Absent:

1

Ald. Natalino.

Abstain: 0

There being Thirteen (13) affirmative Votes, the Mayor declared the motion carried.

PAYROLL

No Payroll

Ald. Patoska stated Finance Director Anastasia discussed the collection of real estate taxes is approximately 85% of the first installment has been collected already and also the Finance Committee and Finance Department are prepping for the appropriation meetings which will take place in June.

Judiciary Committee - Ald. Vargas, Chairman

No Report.

The following is the report from the March 6, 2012 meeting.

Insurance Loss:

Repairs to a City of Blue Island squad car that was involved in an accident. Defendant who struck and damaged the squad was arrested and a detainer was filed against him. It involved a D.U.I. arrest.

Medical Claims:

Worker's Comp fund tax assessed to employee TTD payment.

Ald. Janko commented that the idea to raise the cost of the City vehicle stickers arose from the Municipal Services Committee discussion.

Discussion began in the above-mentioned Committee shortly after the collapse of the bridge in Wisconsin and Michigan.

Blue Island is the only city in the State of Illinois that owns 2 bridges over a body of water. The bridges in years past have been inspected and maintained.

The bridges are inspected every 3 years and the city is responsible for the inspection costs and repairs. The cost of the inspections for the city is approximately \$150,000.00.

Both the Municipal Services Committee and the Ward's Aldermen have sought State and Federal Funding to no avail.

To repair and rebuild both bridges would be approximately 7.7 million each.

Ald. Janko stated that the cost of the City of Blue Island Vehicle Stickers has not been raised since 1999 and that there are between 12 to 15 thousand vehicles registered in the City at the present time. Seniors pay \$5.00 for a regular vehicle sticker.

The proposed revenue from the increase of the Vehicle Sticker would be placed in a specific fund not in the general fund. The \$5.00 increase would be permanent.

Ald. Natalino commented that this money would go for the inspection and future maintenance of the 2 bridges.

Ald. Spizzirri commented that one of the City's principal water mains goes across the Cal-Sag via the Cal-Sag Bridge.

Ald. Janko stated that the Division Street Bridge would probably be the first bridge to be repaired due to its proximity to Fire Station 2 and to the schools.

Ms. Green of 2731 Orchard wanted to know the time schedule for repairing or replacing the bridges and if they would be opened by 2016 or 2017. Ms Green also asked what program is there for the Chatham Street Bridge.

General Fund Motor Fuel Tax \$500,000.00 to \$700,000.00 this money is used for equipment, roadwork and material throughout the City. City light poles cost \$25,000.00 each to replace. Salt, patching, ect.

Ms. Orosco wanted to know why funding for the bridges could not be taken from received revenue of the Red-light cameras in town.

Mr. Bilotto informed that the cameras are under the Police Department and revenue is limited to certain things under the law. It helps subsidized the Police Department.

Ald. Johnson commented that residents have asked him "how long will we have to pay the \$5.00 increase." He also suggested that seniors be given a break in the cost of the City Stickers because the majorities are on fixed incomes.

Ms. Sandy Phillips commented that a lot of people are on fixed incomes not only seniors and she would request a monthly Treasurer's Report on all money collected form the increase of Vehicles Stickers.

Mr. Mark Kuhner stated to the Committee that we not pass the proposed new Ordinance. According to Mr. Kuhner this is not the solution because it is not a fair type of tax on the public.

Ald. Natalino commented it is a start to solve the problem and maybe it will not be the solution.

Mr. Bush wanted to know why the City could not repair the bridges with the Cal-Sag grant money.

Mr. Kuhner suggested that a more equitable source of funding would be to raise the fuel tax for all. According to her view there would be more people in the pot to raise the needed money. Raise the Fuel tax on gasoline in the City.

Mr. Bilotto commented that the proposed Ordinance is a start that hopefully the TIF Expansion will also assist in the raising of revenue for the inspection and maintenance of both bridges. The City could inquire into the selling of bonds; we are not Home Rule so we are limited as to sources in obtaining additional income.

Mr. Scott commented that he saw a lack of transparency.

Ald. Janko motioned and second by Ald. Spizzirri to request proposed revenue to be used only for the repair and inspection of the 2 City bridges and not to be used for the General Fund Expenses and to be renewed every three years. All in favor.

Next meeting - Tuesday, April 3, 2012, 6:00 pm - East Annex.

Public Health & Safety Committee - Ald. Ostling, Chairman

Police Department Report for February - 2012

Parking citations – 707, 436 moving citations, 19,828 miles patrolled, 1,834 calls answered and 273 traffic stops.

Fees and Fines collected for February - \$59,841.69.

1-aggravated battery, 1 bakery, 2 burglaries, 1 burglaries, 1 kidnap/abduction, 5 missing persons, 3 robberies and 2 weapon offenses.

3 search warrants were executed. The warrants executed were related to the incident in which an offender shot in the direction of a uniformed patrol sergeant resulting in the crash at El Ranchito Grocery.

No call outs from South Suburban Major Crime Task Force.

Fire Department Report for February - 2012

192 emergency medical service responses, 178 patients treated, 156 patients transported, 37 refused transport, 155 emergency responses, 37 non emergency responses, 109 total time in service, 283 man hours in service, 108 day responses, 84 night responses.

Collection from Medical Reimbursement Service - \$14,289.25. Processing Fee - \$1,357.48.

Training on Fire House computer program is in force this training is needed for future grants.

Fire prevention officer position test will be decided between Civil Service & the Union if test will be scheduled.

Every Monday there will be training for operation of the ladder truck.

Chief Vrshek would ask that Judiciary adopted an ordinance eliminating all open burning such as fire pits Municipal code ordinance will be turned over to Chairman Vargas and Committee.

Next meeting - Monday, April 16, 2012, 6:00 p.m. - Lower Level of the Police Department.

Municipal Services Committee - Ald. Janko, Chairman

No Report.

Ald. Janko asked Mayor Peloquin to please have the Director of Golf, Jerry Vidovic, that if he can not attend the meeting to please turn a report in.

Next meeting - Tuesday, April 3, 2012 at 7:00 p.m. - East Annex.

Mayor Peloquin announced they tabled the Ordinance on junking the old ambulance and invited Chief Vrshek to explain.

Chief Vrshek stated they had received 2 bids that both were both under \$600.00 and he had found a junkyard that will pay \$1000.00.

Motion by Ald. Johnson, second by Ald. Janko to allow Chief Vrshek to go with the junkyard for \$1000.00.

Upon a vote, the Mayor declared the motion carried.

Community Development - Ald. Stone, Chairman

New Business's for March - 2012

Center Wireless at 12354 Western Ave. – approved.

New Blue Island Currency Exchange at 12956 Western Ave. - approved.

Island Sports Bar & Grill at 13414 Old Western Ave. - tabled.

Pan African Rural Health Social Services at 12757 Western Ave. - denied.

Sterling Lumber Company at 3415 W. 127th Street - tabled.

Cafeteria & Neveria Furitlandia at 12255 Western Ave. – approved pending Fire and Building inspections.

Commissioner Adams gave the Committee monthly Building Department reports for January and February –

•	Building Permits	January - 43	February - 32
•	Apartment Inspections	January - 41	February - 50
٠	Residential Inspections	January - 21	February - 22
•	Commercial Inspection	January - 3	February - 1
•	Letter of Conditions	January - 42	February - 40
•	Demand Notices	January - 20	February - 0
•	Court Summons	January - 1	February - 8
•	Complaints Checked	January - 45	February - 25
•	Not Approved for Occupancy	January - 3	February -13
•	Code Violations Door Tags	January - 45	February - 35
•	Notice of Christmas Decorations	January - 0	February -109
•	Stop Work	January - 8	February -13

Next Meeting - Tuesday, April 17, 2012, 6:30 p.m. - East Annex.

CITIZENS WISHING TO ADDRESS THE COUNCIL REGARDING THIS EVENING BUSINESS

No Citizens.

CLOSED SESSION

Motion by Ald. Janko, second by Ald. Spizzirri to go into Executive Session.

Upon a vote, the Mayor declared the motion carried.

OPEN SESSION

Motion by Ald. Johnson, second by Ald. Frausto to reconvene

the meeting.

Upon a vote, the Mayor declared the motion carried.

ROLL CALL

Roll Call indicates the following:

Present:

13

Ald. Cheatle, Vieyra, Spizzirri,

Patoska, Rita, Ruthenberg, Stone, Ostling, Janko, Johnson, Frausto,

Vargas, Thompson.

Absent:

1

Ald. Natalino.

Present Also:

Pam Frasor, City Clerk

Jim Brosnahan, City Attorney Carmine Bilotto, City Treasurer

Mayor Peloquin stated that while in Executive Session a matter of litigation was discussed and City Attorney Sullivan was instructed to reach a settlement.

Motion by Ald. Johnson, second by Ald. Rita to reach a settlement.

Upon a vote, the Mayor declared the motion carried.

ADJOURNMENT

Motion by Ald. Janko, second by Ald. Ostling to adjourn the meeting.

Upon a vote, the Mayor declared the motion carried.

The next regular meeting of the City Council is scheduled for April 10, 2012 at 7:00 p.m.

Pam Frasor, City Clerk

APPROVED BY ME THIS 5TH DAY OF APRIL, 2012.

Donald E. Peloquin, Mayor