

VILLAGE OF LAKEWOOD

MINUTES OF VILLAGE BOARD MEETING

FEBRUARY 23, 2021

The Village Board Meeting was called to order by President Stephan at 7:00pm. Present via Zoom were Trustees Alexander, Augustine, Berman, Eddy, Odom and Ulrich. Also present via Zoom were Chief Administrative Officer Jeannine Smith, Village Attorney Michael Smoron; Deputy Clerk Crowe; and many members of the public.

President Stephan explained that the Governor signed a disaster declaration on February 5th, 2021. The Open Meetings Act allows for remote meetings while declaration is in place and that we are in compliance in having the meeting via Zoom.

Village Attorney Smoron was asked to provide clarity regarding the Village Clerk and the Deputy Clerk. Under Illinois Municipal code, if the Village President, with advice and consent of the Board of Trustees, who appoints the various specified officers set forth in the relevant statute as well as those Officers not specifically named in the statute including Officers necessary to carry into effect the powers conferred upon Municipalities. That encompasses an office such as the Deputy Clerk. The statute in question provides that a Village Clerk, when authorized by the Village's Corporate Authorities, may appoint a Deputy Clerk. If the Village's Corporate Authority chooses to do so, they can delegate the appointment of a Deputy Clerk to the Village Clerk. They can also choose to retain that responsibility. It is ultimately the Village's Corporate Authority to hold that power.

Village Attorney Smoron also said that the Village President must present his reasons for removal of an Officer not less than 5 nor more than 10 days after her removal. It is also being urged that the Village's Municipal Code regarding the removal of Village Officers be disregarded because a resident believes that it impinges on the President's powers and this is unconstitutional. Attorney Smoron doesn't believe that it is appropriate to disregard such Village ordinance, particularly if the President is not asserting that such a claim impinges upon his powers. The Village Attorney also said that voting on the removal of the Village Clerk in closed session would be in violation of the OMA. Attorney Smoron said that the Village has been asked and invited to vote in closed session a number of times and he recommends against it.

Village Attorney Smoron also wanted to add some clarity to the consent agenda. At this meeting the cash and investments are missing due to the fact they the Village staff is completing the process of transferring the data from bank reconciliations from the old system to the new software system. Because the Village never reconciled the bank accounts in the old system, the data is being entered manually and this takes a lot of time. The accounts will be reconciled electronically with the new system in the future which will streamline things. The cash and investment reports will be in the next meeting packet.

President Stephan congratulated RedTail staff on introducing new revenue streams and introducing a new logo. The logo was introduced in January of 2018 and when RedTail was renovated. The RedTail staff ordered a small run of the new logo and all 25 sold out. President Stephan asked the Trustees to consider putting the new logo to vote on the next agenda. All trustees were in agreement.

PUBLIC COMMENTS:

Shelby Younge – 6915 Inverway. Shelby stated that she and her husband have been harassed by the current Village Board for voicing their concerns about the treatment of Village Employees. She is concerned that Jan is losing her job unfairly. She feels that it is because of Jan's election hearing testimony. She also feels that the threat against Jan's job is an act of vengeance. She is concerned about losing another Village employee under the current administration. She is concerned about who will keep the Board accountable about the finances. She would like to defend the FOIA lies and exaggerations against her and her husband. She states the reason that they have made FOIA requests is that the current Village Board withholds information. She said that there hasn't been transparency and that is why demanding the FOIAs became necessary. They are glad that more residents are paying attention. She states that more residents are seeing what is actually going on in our small Village and that the criminal investigation into these nefarious activities under this administration has been awakened and is ongoing. She encourages everybody watching to not just believe what they hear. She says that change is needed. (Her 3 minutes were up at this point).

John Kavalunas stated that he has dealt with Jan about a half of a dozen times since he moved into the Village. She was always pleasant to him and gave him the information he requested. He states that he feels sorry for her and feels uncomfortable with the degree of negativity directed her way. He would like to give Jan a pat on the back for the dealings he had with her during the time of construction.

Amy Odom – she said that she was the only Trustee that was muted. She said that when she was muted that she wanted to make a comment and would like to make that comment now. She said that at the last Board meeting Trustee Berman chose to speak as a resident and took the Trustee comment time. He spoke for 12 minutes. She would like to see in fairness that anyone wishing to make public comments that they not be cut off as Trustee Berman was not cut off.

Jason McMahon states that he feels that the Board is anything but transparent, withholding documents that should be available to the public to protect the actions of the CAO and the Board. He said that fighting the release of those documents is what is driving up the legal fees, not FOIA requests. He claims that a Village employee pushed snow into his driveway. He claims that it was an intentional act by an alleged good friend of President Stephan's. He states that Trustee Berman would like you to believe that his complaint caused the employee to quit and resulted in snowy streets. He is concerned about improper hiring practices (a missing 2019 employment application, an offer letter signed by CAO and not the applicant and improper drug test paperwork). Additionally he says that President Stephan and Trustee Eddy were paid \$7,200 collectively over the past 2 years when the previous Board decided that future Presidents and Trustees should not be paid. He states that they should return the money to the Village. He questions why the Police Chief refuses to investigate allegations that Trustees Alexander and

Eddy made against Phil Stephan in sworn testimony regarding removing official documents from Village Hall. He also questions how Trustee Berman was able to gain access to the nomination papers without personally viewing them in the presence of the Clerk. (End of 3 minutes)

April Runge was recognized and gave her 3 minutes to Jason McMahan.

Jason McMahan asks why Trustee Berman isn't being investigated. He also questions why the Village Board can vote to remove the Clerk when the State Statute puts that solely in the hands of the Village President. He believes that the Board has taken aim at the Village's public safety. 3 Police Officers, 3 Police Chiefs and garbage police cars and we are now on our 4th Police Chief. He is also concerned about the Village's finances – he feels that the Finance Department has been decimated. He states that the Board is trying to rewrite history by voting to change the minutes due to a typo. He states that now they are attempting to remove the Clerk, the keeper of Village records for over 19 years. He claims that President Stephan, Trustees Augustine, Alexander, Eddy and Ulrich have all spent \$1.1 million more than the Village has taken in over the past 2 years and that they are on track to do it again this year.

Judy Minsley stated that she was prepared to speak about Jan and the Deputy Clerk duties as she had been a Deputy Clerk, but would like to give her time to Jan Hansen.

Jan Hansen stated that she has yet to receive notice of her removal from the Village President and that she saw the charges on the Board Packet. She has not received anything formal. She would like to clarify several things about the charges. She says that at no time did she shred election documents, what she shredded was an in-house receipt to ensure that all nominations and papers were provided to her by the petitioners. She said that the Statement of Economic Interest was never discussed at any time by any petitioner. She said that Clerks are never to provide any information or guidance to any of the petitioners. Those people saying that the Statement of Economic Interest was discussed, this is not true. Regarding the stapling issue, Jan says that through the years she has seen many packets that were not secured. She says that this have never been an issue until this year when people started filing objections against proposed petitioners. She states that she never sent out any FOIA without the CAO reviewing it. She additionally says that as far as the Village Code that was not updated on the website, she had no access to put anything on the website or make changes. At the time of the Zoning amendment there was some confusion with the front desk and that that employee had left the Village. She states that she was never formally written up. She thanks the residents of the Village of Lakewood for the opportunity for that last 19 years.

Patrick Rexroat donated his 3 minutes to Jan Hansen.

Jan Hansen stated that she knows her fate and it's really too bad because she believes that she did the best that she could. She says that it would have been nice if somebody had talked to her about this. Things were mentioned, but never formally.

Rich Thompson stated that he has literally lost sleep regarding the treatment of Village associates and residents. He claims that Trustee Berman is a passive aggressive jerk from a leadership perspective. Resident Thompson states that Trustees should not applaud President Stephan for all of the meetings he

attends as that is what he is paid to do. He concludes by saying that he doesn't know if Jan Hansen is guilty or innocent but disagrees about how she was treated in a public forum instead of in private.

Julie Kasner said that she watched the Election Board hearings. She felt compelled to make a comment as a result of Trustee Berman's closing remarks at the most recent Board Hearing. She takes issue with Trustee Berman's assertion that the Board of Elections couldn't see the truth in his complaint regarding signature collections and candidates being fit to hold office. She states that Trustee Berman made public statements about another candidate's state of mind based on facial expressions after the Election Board hearing. She addresses President Stephan and says that she would like to see more questioning not just blind leadership.

Vickie Gates states that as an employee of the Village of Lakewood, she doesn't appreciate other people deciding if she is happy or not. She says that she loves working for the Village of Lakewood and has no issues with anyone in the Village. She said that she was not scripted, this was coming from her. She says that she just wants to make the Village residents happy and that she loves what she does – plain and simple. She then stated that that was all she had to say.

Steve Gough states that it is nice that the employment issues aren't unanimous across all employees. He says that he has not talked to all the employees but that there are a lot of them are not happy. He asks for a moment to thank all of the employees who have been terminated or had to leave due to toxic workplace issues. He also asks for a moment of silence to remember the employees' dedication to our town and their loyalty. (Moment of silence) Mr. Gough expressed his thanks for respecting the moment of silence.

Bryan Younge made a statement directed to Jan Hansen saying that he was sorry for what she is going through and that it is not indicative of the rest of the Village. He stated that he loved her and that they would always be friends. Mr. Younge thanked Ms. Hansen for all that she has done for the Village and for his family. He then encouraged residents not to believe everything what they hear but to do their own research. He also says to get out and vote. Mr. Younge then advises President Stephan to listen. He states that all of the residents have really good ideas, that they love the staff and that he thinks that we can accomplish good things. Shelby Younge then says that she was called a disingenuous crybaby.

President Stephan asked if there were others who wanted to make a comment. Seeing none, he closed Public Comments

END OF PUBLIC COMMENTS

President Stephan addressed item number four on the Consent Agenda. He explains that this item is to declare the Shade Tree property as surplus property prior to selling it.

Trustee Odom asks that Consent Agenda 2a and b be tabled until the March meeting.

CONSENT AGENDA: The following were considered and enacted on a single motion by Trustee Ulrich, seconded by Trustee Berman:

1. Request Approval of Bill Lists:
 - a. Accounts Payable Invoices Dated February 24, 2021 in the Amount of \$113,783.84

3. Motion to Approve an Ordinance No. 2021-(06) – An ordinance Amending Section 15.03, Modification of State Speed Limit in Certain Zones, of Chapter 15, Traffic Regulations, of the Lakewood Municipal Code.

4. Motion to Approve Resolution R(03) – A resolution to authorize the Sale of the Surplus Real Estate.

ITEMS REMOVED FROM THE CONSENT AGENDA:

- 2a. APPROVAL OF BILL LISTS

- 2b. APPROVAL OF FINANCIAL STATEMENTS

APPROVAL OF MOTION TO TABLE CONSENT AGENDAS 2A AND 2B UNTIL MARCH.

Trustee Ulrich, seconded by Trustee Berman, moved to approve tabling Consent Agenda items 2a and b. Voting Aye: Trustees Eddy, Odom, Berman, Augustine, Alexander and Ulrich. Voting: Nay: None. Motion declared carried.

APPROVAL OF ORDINANCE NO. 2021-(05): TO SHIFT RESPONSIBILITY OF APPOINTING A DEPUTY CLERK TO THE VILLAGE PRESIDENT WITH THE ADVICE AND CONSENT OF THE VILLAGE BOARD:

Trustee Berman, seconded by Trustee Ulrich, moved to approve Ordinance No. 2021-(05). Voting Aye: Trustees Alexander, Ulrich, Eddy, Berman, and Augustine. Voting: Nay: Trustee Odom. Motion declared carried.

APPROVAL OF MOTION TO AUTHORIZE THE VILLAGE PRESIDENT TO APPOINT KAREN CROWE AS DEPUTY CLERK:

Trustee Augustine, seconded by Trustee Alexander, moved to approve the Motion to Authorize the Village President to appoint Karen Crowe as Deputy Clerk. Voting Aye: Trustees Augustine, Alexander, Ulrich, Eddy and Berman. Voting: Nay: Trustee Odom. Motion declared carried.

APPROVAL OF MOTION TO APPROVE HR GREEN AS PHASE III ENGINEERS FOR HALIGUS ROAD FOR OUR RESURFACING PROGRAM:

President Stephan commented For the record, we got a very strong Grant for that, otherwise it wasn't in our budget. That was a fantastic effort by our CAO. Trustee Ulrich then commented that we should start talking about the good things that we do. He additionally stated that that is a lot of money for a small Village.

Trustee Ulrich, seconded by Trustee Berman, moved to approve the Motion to Authorize the Village President to appoint Karen Crowe as Deputy Clerk. Voting Aye: Trustees Eddy, Odom, Berman, Augustine, Alexander, and Ulrich. Voting: Nay: None. Motion declared carried.

The Village President reported the reasons to the Corporate Authorities for the removal of Jan Hansen from the Office of Village Clerk/FOIA Officer and any other office she may hold. President Stephan stated that he no longer has trust or confidence in Village Clerk Jan Hansen.

APPROVAL OF THE REMOVAL AND DISMISSAL OF JAN HANSEN AS VILLAGE CLERK/FOIA OFFICER OR ANY OTHER OFFICE SHE MAY HOLD, TERMINATING HER EMPLOYMENT WITH THE VILLAGE OF LAKEWOOD AND DIRECTING VILLAGE STAFF TO EFFECTIVELY TERMINATE HER:

Trustee Berman, seconded by Trustee Ulrich, moved to approve the Motion to Dismiss Jan Hansen as the Village Clerk/FOIA Officer and any other office that she may hold. Voting Aye: Trustees Berman, Augustine, Alexander, and Ulrich. Voting: Nay: Trustee Odom. Abstaining: Trustee Eddy. Motion declared carried.

REPORTS:

President Stephan explained that when the agenda items are presented that a lot of times it may seem predetermined and what is not seen is that the Village President calls the Trustees to discuss agenda items so that if someone wants something pulled or discussed that it can be discussed and resolved prior to the meeting.

Trustee Berman stated that he wanted to apologize to the Village residents in general for often times coming off as smug, condescending and cocky. He said that it is an issue that he has had over the bulk of his life. He specifically apologized to Judy Minsley after he reread his emails to her and felt that they were too combative on his end. He then stated that he had started his own business and had almost 100 employees. He learned that in any business you are going to lose employees by their choice or yours. He agrees that there has been a lot of turnover in the Village. He said that with each departure there is a replacement and the replacement presents an opportunity for improvement. He then stated that this is where the Village can excel. He recalled that when a Utility Billing employee left that was a big deal. He said that we then found out with a new employee in Utility Billing that there were around 44 water meters that were not reading correctly. He then pointed out that when the previous Public Works Director left that the new Director came on and is doing an amazing job. He then related the same thing with RedTail and how bringing Kenny Goodwin in, who then brought Jim Rafferty in, and they are a great team. They are absolutely crushing it now. He says that the Village is doing a very good job of making opportunities out of what could potentially have been problems. Trustee Berman then stated that he takes his fiduciary responsibility to the Village very seriously. He stressed that people should not be getting their Village information from Facebook. He said that if anyone had any questions that they could reach out to him and the other Trustees and that they are there to serve the residents.

Trustee Augustine said that he had listened to all of the public comments and appreciated every one of them. He stated that he hears what everyone is saying and appreciates the tonality, it makes him want

to listen. He said that you many not agree with how one person votes at one time but that they have to take the facts and do what we were elected to do, as hard as that may be. He says that he too, is listening and will continue to listen. He will read and answer emails as long as they don't begin with name-calling. He understands the significance of votes and decisions for families, he doesn't take it lightly. He brought up that there is an election cycle coming up and we should start to think about signs. He said that he is not aware of what the Village of Lakewood's code is regarding the signs and asked the CAO if she would look up the code and share it before people start putting their signs up. He doesn't want this to become an issue.

CAO Smith commented that signs have to be on residents' property and that they can not be on a public right of way.

Trustee Alexander wanted to congratulate Lakewood resident Grace Kinzler after watching her on American Idol. He said that he and his wife thought that her performance was fantastic. He knows the Kinzler family has had some struggles with the loss of Grace's father last year. He doesn't know if he would have the guts to do that but again, congratulations to her.

CAO Smith stated that Chapter 17 Section 9.4-2 reads that any sign that extends over or is on public property or that is located in the public Right of Way except for public signs is prohibited. Chapter 9.5 h states that political signs are exempt from permitting. That such signs contain a surface area not to exceed 16 square feet and shall not exceed 4 feet in height from grade. Signs or posters related to such candidates for office or issues shall be erected not more than 60 days prior to the election at which such candidates are to be elected or issues voted upon and shall be taken down by the person or campaign committees or organization promoted by the sign or poster more than 3 days after the date of the election to which they were related.

With nothing further to discuss, Trustee Ulrich, seconded by Trustee Augustine, moved to adjourn the meeting. Voting Aye: Trustees Augustine, Ulrich, Eddy, Odom, Berman and Alexander. Voting Nay: None. Motion declared and carried. The meeting adjourned at 8:04pm.

Karen M. Crowe
Deputy Clerk

Approved: _____