

**Due to the ongoing public health emergency, and based on the authority provided by Executive Order 2020-07, issued by Governor Pritzker on March 16, 2020, as most recently extended by Executive Order 2020-33, dated April 30, 2020, and Executive Order 2020-32, issued by Governor Pritzker on April 30, 2020, limiting public gatherings and suspending the Open Meetings Act physical presence requirement, this meeting was conducted by teleconference.** Public comments on any topic related to the business of the Public Body received by email or in writing by the Village Clerk prior to 5:00 p.m. on the day of the meeting were welcome. A live audio stream of the meeting was available to the public on <https://riversidetv.us/> and on Riverside TV on Xfinity Channel 6, AT&T U-Verse Channel 99.



**VILLAGE OF RIVERSIDE  
BOARD OF TRUSTEES REGULAR MEETING**

**Minutes**

**I. Call to Order:** The Regular Meeting of the Village of Riverside Board of Trustees was held telephonically, on Thursday, May 7, 2020. President Sells called the meeting to order at 7:00 p.m.

**II. Roll Call:**

Present:	President Sells Trustee Peters Trustee Gallegos Trustee Jisa Trustee Hannon Trustee Evans Trustee Pollock
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Absent: None

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

Also participating on the call: Fire Chief Buckley, Police Chief Weitzel, Community Development Director Abt, Public Works Director Bailey, Public Works Superintendent Tabb and Finance Director Johns.

**III. Pledge of Allegiance** – The Board did not recite the Pledge of Allegiance.

**IV. Presentations / Public Comment**

**A. COVID-19 Update by Chief Buckley**

Chief Buckley stated that we must stay the course. May 5, 2020, was Illinois' deadliest day to date with 176 deaths related to COVID-19, including a Riverside resident who was transported to MacNeal Hospital by the Riverside Fire Department. Today, there were 2,641 new cases and 138 deaths reported in IL. Currently, the Cook County Department of Public Health is reporting 51 confirmed cases of COVID-19 in Riverside; however, Chief Buckley expects that number to rise in the coming weeks due to increased availability of testing. Buckley summarized the most common symptoms of COVID-19. He noted that Governor Pritzker's stay-at-home order has been extended to May 30, but expressed hope that it would be possible to begin moving to Phase 3 of the Governor's plan to reopen the state in June. Chief Buckley urged residents to do their part to continue flattening the curve by keeping a 6 foot distance between themselves and others and wearing a face covering in public places. Buckley supports residents being out in the fresh air exercising but urged everyone to do so responsibly. He called for unity and cooperation and stated that Riverside's first responders are here to help residents and they will continue to serve residents throughout the pandemic.

President Sells thanked Chief Buckley for his report and expressed his gratitude and admiration to the chief and all of Riverside's first responders.

**B. Public Comment**

Clerk Haley read a comment emailed by resident James Raffesperger. Mr. Raffesperger emailed to express support for the Selborne Road repaving project; however, he asked that the board and staff monitor the project closely to ensure that it "gets done in a reasonably speedy fashion." He noted that repaving projects on Ogden Avenue and First Avenue were started, but then stalled. He stated that a similar situation would be a major inconvenience for residents of Selborne Road and he hopes this can be avoided.

**V. Reports of Village Officers**

**A. Village President's Report**

President Sells stated that he would like input from the board and staff regarding the upcoming summer months and village events. He noted that we are currently in Phase 2 of the governor's plan for combatting COVID-19, but when we get to Phase 3, gatherings of 10 or fewer people will be permitted. This would mean that garage and estate sales might be permitted and parks could reopen as long as people maintain social distancing. Gatherings of up to 50 people will be permitted in Phase 4; however, the earliest date the state might move into Phase 4 is June 26.

Based on these criteria, it will not be possible to hold the annual Memorial Day observation this year. Presidents Sells recommended that the annual fishing derby be postponed and the July 3 Concert in the Park be cancelled. He recommended that the board and staff make decisions on events scheduled for later in the year on a rolling basis; however, he noted that the Riverside Chamber of Commerce has decided to cancel the 2020 Cruise Nights. He asked for feedback from the board.

Trustee Jisa stated that he supports Presidents Sells recommendations. He also feels that the July 4 Parade should be cancelled. He does not think it would be prudent to have large groups of people on the street together for a parade.

President Sells stated that there are no plans to have the traditional parade; however, the Parks & Recreation Department is working with the Police and Fire Department to explore the possibility of a first responder parade that would wind its way through almost every street in the village so residents can watch safely from their homes. It would be a way for residents to thank Riverside's first responders while remaining safe. Residents will also be encouraged to decorate their homes to show patriotism and solidarity.

Trustee Jisa expressed support for this idea. He also suggested broadcasting a video compilation of previous Independence Day parades on Riverside TV.

Trustee Pollock concurred with President Sells' recommendations.

Trustee Hannon urged caution. He expressed concern that if there is any type of parade in Riverside, people will come from other communities and gather and large gatherings are not safe. He recommended against doing anything that might encourage people to gather.

President Sells stated that Friends of the Fourth is exploring the possibility of broadcasting a virtual concert with the band that was expected to play on July 3. He thanked Trustees Jisa and Hannon for their comments and expressed confidence that staff would continue to think things through carefully.

President Sells also stated that the Farmers Market Committee and Parks & Recreation staff are working on a plan to facilitate a market in Riverside this year. He stated that the first market of the season is planned for June 17 with safety protocols in place. The committee and staff are studying the best practices of markets throughout the country that have already opened for the season. Parks & Recreation Director Malchiodi will provide an update on the market and other Parks & Recreation initiatives at the next board meeting.

Trustee Gallegos asked if the board would be voting on whether or not the market should be held this year. President Sells stated that if any of the trustees have

concerns regarding holding the market this year, they are welcome to make a motion and the board can discuss it. Trustee Gallegos stated that he has concerns; however, he will wait until he has heard Director Malchiodi's report at the next meeting.

B. Village Manager's Report

Manager Frances provided the following updates to the board and residents.

- The reconstruction of Selborne Road has begun. Frances noted that the village is sending out construction updates each Friday and will continue to do so until the project is completed. She urged residents in the construction zone to sign up for weekly construction updates.
- The village ended Fiscal Year 2019 with a budget surplus of \$304,000. She described this as an extraordinary achievement and thanked the department heads for their hard work and leadership in accomplishing this.
- The Fire Department has been extremely busy responding to COVID-19 calls, but they have also responded to a structure fire and completed three water rescues in the past week. Manager Frances urged everyone to exercise extreme caution when using the river for recreation as the water level is high and the current is swift.
- The Parks & Recreation Department has been posting activities for children on social media. Also, to thank essential workers, the Parks & Recreation Department has begun lighting the front of the water tower with red, white and blue lights each evening. The community is also encouraged to decorate the front windows of their homes to show support for essential workers. The water tower will remain lit throughout the summer.

President Sells thanked Manager Frances for her leadership.

**VI. Approval of Consent Agenda**

President Sells read the Consent Agenda aloud.

- A. Approve Voucher List of Bills May 7, 2020
- B. Approve Village Board of Trustees Regular Meeting Minutes April 16, 2020
- C. Review and file Police Pension Board Meeting Minutes November 14, 2019
- D. Review and file Police Department 2019 Annual Report
- E. A Resolution approving Selborne Road reconstruction and Parkway Road resurfacing change order No. 1 in the amount not to exceed \$70,000 for the purpose of sidewalk replacement
- F. An Ordinance Amending the Budget for the Fiscal Year commencing January 1, 2019 and ending December 31, 2019 for Various Additional Expenditures and Revenues
- G. An Ordinance Amending Section 3-2-6 (License and Permit Fees) of Title 3 (Business Regulations), Chapter 2 (Alcoholic Liquor), of the Village Code of the Village of Riverside, Illinois, relative to Alcoholic Liquor and Licenses – Proration of License Fees

H. A Resolution Authorizing a Temporary use for Outdoor Dining, Execution of a Revised License Agreement for use of public property and construction of certain improvements – Outdoor Dining Area – Fruit Pudding Group, Inc.

President Sells asked if any of the Trustees required an item to be removed for discussion. Hearing no requests, he called for a motion and second to approve the Consent Agenda.

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

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

**NAYS:** None.

**Motion passed.**

**VII. *Reports of Departments, Commissions and Trustee Liaisons*** – None.

**VIII. *Ordinances and Resolution***

A. An Ordinance providing for the abatement of Chronic Public Nuisances within the Village of Riverside

Chief Weitzel stated that he, the village attorney and village manager have been working on the proposed ordinance for several months. He stated that the Village Code, as currently written, does not contain sufficient guidelines for abatement of chronic public nuisances and should be amended to strengthen enforcement efforts. The intent of the ordinance is to provide the village with another tool in addressing problem properties within the village. Generally, any property where two or more specified criminal offenses take place within a year may be designated a chronic public nuisance by the Chief of Police.

Trustee **Gallegos made a motion** to approve the ordinance. Trustee **Hannon seconded** the motion.

Trustee Peters asked how the Police Department will keep track of public nuisances in an apartment complex with numerous units. Chief Weitzel stated that the Police Department's dispatch and records systems track specific information for each call received including the street address, specific unit number and names.

Trustee Hannon asked what types of situations would count towards a chronic public nuisance determination. For example, would a police call count, even if no citations are issued? Does a citation need to be issued or do charges need to be pressed in order for the call to count towards a determination that the location constitutes a chronic public nuisance? Weitzel stated that a Police Department response to a specific address would count as the first incident.

Trustee Hannon asked if perhaps what constitutes an offence that would count toward a determination of a chronic nuisance should be defined with more objectivity and specificity.

Attorney Malina explained that the two incident requirement does not lead to a final court action. It will be up to the Police Department's discretion as to when a nuisance exists. The ordinance creates an internal due process procedure that will enable the village to require compliance from the property owner or property manager to correct chronic nuisances.

Trustee Hannon called attention to Sections E 1. (c) and E 2. of the proposed ordinance which reference notice to the property Owner **and** Person in Charge. He asked if perhaps the language should be amended to require notice to the property Owner **or** Person in Charge rather than both parties. He noted that determining property ownership can sometimes be problematic.

Attorney Malina stated that the language could be amended to "and/or" instead of "and". Malina also stated that the Person in Charge will have to have the authority of the Owner to take action anyway, so a response is not needed from both parties in order to move forward.

Trustee Hannon expressed concern that requiring notification to both the Owner and Person in Charge makes the process more difficult than it needs to be. Attorney Malina reiterated that both parties will be notified but a response from both parties is not required for the village to move forward with seeking compliance.

President Sells asked Clerk Haley to read the public comment that was submitted on this topic. Clerk Haley read the comment emailed by resident Steve Campbell. In his email, Mr. Campbell expressed support for the intent of the proposed ordinance but expressed concern that notification to a Person in Charge of a property is not an effective mechanism for obtaining compliance because the only person in control of a property is the legal owner of record. Mr. Campbell stated that if a property is held in trust, any individual purporting to be a manager or Person in Charge of that property should be required to provide a certified copy of the trust and notarized letter of authority from the person in charge of the trust. He further recommended that the Person in Charge be required to provide a copy of his or her driver's license and sign a statement indicating that he or she understands that they are accepting full civil and criminal legal liability for whatever goes wrong at the property. Without this level of detail, Campbell believes that a controlling legal authority will find the notice provisions deficient and negate any enforcement action taken by the village. Campbell also recommended that the ordinance reference specific sections of the Municipal Code related to Building, Fire and Health & Sanitation and expressed concern regarding how costs for enforcement would be allocated among various village departments.

President Sells asked Attorney Malina if he wanted to comment on the concerns raised in the email.

Attorney Malina stated that the email seems to address two main areas of concern: liability and expense. Malina stated that an Owner is always responsible and liable for a property and any nuisance at a property; however, the purpose of the ordinance is to expand liability to the manager in addition to the Owner. Under the proposed ordinance, the manager can be held individually liable. Malina noted that many property owners hide behind managers who cannot be held legally responsible. This ordinance creates an internal pre-abatement process whereby the village can issue citations and a property manager or Person in Charge can be held responsible for compliance in addition to the Owner. Malina stated that the second area of concern seems to be the allocation of expenses associated with enforcement and he views this as an internal staff issue that does not need to be addressed by the ordinance.

President Sells asked Clerk Haley to read the other public comment that had been submitted. Clerk Haley read a second email from resident Steve Campbell pertaining to Agenda Item VIII.B., an Ordinance authorizing certain relief measures due to the COVID-19 pandemic. In the email, Mr. Campbell recommended that the ordinance to abate late fees and water shut offs apply only to single family residences and also that each individual unit in a commercial building be required to pay the minimum water and sewer charge. He stated that Brookfield has charged a per unit minimum for many years. He stated that if large multi-unit residential or mixed use commercial buildings are paying based on the number of water meters in the building and not the number of units in the building, residential customers are subsidizing those large properties which are income properties.

President Sells asked if there were any other comments or questions from the Trustees. Hearing none, he called for a vote.

Trustee Hannon asked for clarification as to whether the Board was voting on the change he proposed or whether the vote was being taken on the ordinance as originally presented. President Sells stated that it was his understanding that the ordinance would be amended with the addition of the phrase “and/or” in place of “and” as recommended by Trustee Hannon. He asked Attorney Malina to confirm this. Attorney Malina confirmed the amendment.

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

**NAYS:** None.

**Motion passed.**

B. An Ordinance authorizing and providing for certain relief measures due to the COVID-19 Pandemic

Manager Frances stated that on March 9, 2020, the governor issued a disaster proclamation due to the COVID-19 pandemic. On March 10, the Cook County Board of Commissioners issued a disaster proclamation followed by the President of the United States issuing a nationwide emergency on March 13. The COVID-19 pandemic has created hardship for both residents and businesses. Beginning in late March, the village stopped shutting off water due to non-payment and has not assessed penalties. It is staff's recommendation that this continue during the stay at home order, which is currently through the end of May, per Governor Pritzker's Executive Order 32.

Restaurants in Riverside were required to renew their liquor licenses by May 1; however, these businesses had limited, if any, transactions related to liquor sales due to the stay at home order and this will continue through the month of May. If approved, the proposed ordinance will provide relief to these businesses in the form of a rebate of the liquor license fee. Additionally, the ordinance outlines that the village will not assess penalties on vehicle sticker purchases during the month of July, will continue to not assess a penalty on delinquent water bills and will not shut off water due to non-payment, thereby providing some relief to both residents and businesses.

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

President Sells asked Manager Frances to address the comments in Mr. Campbell's email. Frances noted that Finance Director Johns was also on the call and asked her to provide the board with the information she researched this afternoon on the issue of delinquent water and sewer accounts at commercial properties.

Finance Director Johns noted that approximately 8% of the village's water and sewer accounts are classified as commercial or multi-family. Presently, there is only one delinquent multi-family property and the delinquent fee associated with that property is \$207. To date, the village has not seen a spike in unpaid utility bills.

Manager Frances noted that this relief will be extended for one billing cycle and the village will begin assessing penalties after that. She also noted that payment plans are available.

Director Johns noted that the ordinance just provides relief from late fees, the balance due for water and sewer charges remains on the account and is not being waived.



President Sells stated that he recommended to staff that the village waive the liquor license fees for the year for restaurants because they are really at a disadvantage with regard to liquor sales and service. He called for a vote on the ordinance if there were no further comments from the board.

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

**NAYS:** None.

**Motion passed.**

Motion passed.

President Sells stated that presently, residents with no changes to their vehicles are able to renew their vehicle stickers online, but village staff is trying to determine if there is a way to process all vehicle stickers online. Details will be forthcoming.

## **IX. Considerations**

### A. Discussion regarding protective helmet requirement

Manager Frances stated that a trustee requested that the board discuss a protective helmet requirement. Prior to staff drafting an ordinance for the board to consider, staff would like the board provide direction on the topic, specifically:

- Is the board interested in evaluating a helmet requirement?
- Should staff survey other communities and outline their requirements (if any)
- Would helmets be required for bicycles, carriers attached to or pulled by bicycles, skateboards, inline skates, non-motorized scooters?
- Would a helmet requirement apply to everyone or only children under a certain age?
- What would be the penalty for violating a helmet law if enacted?

President Sells stated that Trustee Jisa requested that the board discuss the item and invited him to start the discussion.

Trustee Jisa stated that he has been getting feedback from residents regularly that they would like the village to enact a helmet requirement. He is a big supporter of helmets for children and adults. He has done some research which indicates that Barrington, Skokie and Cicero require helmets; however, they appear to be the only communities in Illinois that do. He thinks Riverside should be a leader on this matter.

Jisa noted that, per the Cleveland Clinic, a cyclist who gets in an accident is 85% less likely to be injured if the cyclist is wearing a helmet, but wearing a helmet stops being cool when children become tweens. He feels strongly that a helmet requirement will benefit families who are struggling to get their children to wear helmets. He noted that 22 states require helmets but Illinois is not among them. He believes there should be a significant fine for violators to encourage parents to require helmets.

Trustee Gallegos stated that he agrees with Trustee Jisa that everyone should wear a helmet, but he does not see how enforcement could work. He asked Chief Weitzel to comment. Weitzel stated that the Police Department does not currently issue citations to juveniles. Officers would have to do a bicycle stop and that is problematic. Weitzel also noted that the department used to assist with community service, but no longer has the staff or resources required to supervise offenders who need community service hours.

Trustee Peters stated that it might be a good idea to investigate further. She would like to hear what other communities are doing and if there has been a positive impact.

President Sells stated that his research indicates only Inverness, Skokie and Barrington require helmets and the requirements only apply to children up to the age of 16 or 17. Cicero repealed their ordinance in 2017. Only bike messengers are subject to a helmet requirement in Chicago.

Trustee Evans concurred with Trustee Peters but expressed concern about burdening the Police Department. She also stated that fines might be a hardship for parents. She would like to get community input through a survey.

Trustee Hannon stated that he supports bike safety and child safety and he appreciates how hard everyone is working to keep the community safe. He is concerned that now is not the right time to consider enacting an ordinance of this nature. He also expressed concern regarding enforcement.

Trustee Gallegos asked for bicycle accident statistics for Riverside. Chief Buckley stated that he would research this issue and report back to the board.

Trustee Pollock concurred with Trustee Hannon. He stated that based on Trustee Jisa and President Sells' research, the board already has a good idea about what other communities are doing. He thinks implementing such a requirement on a local basis is problematic. He asked how the ordinance would apply to cyclists passing through the community on the village's designated bike routes. He supports getting feedback from residents.

Trustee Jisa described this as the "seatbelt" issue of our time. He believes that years from now, we will all look back and find it difficult to believe that people did not wear helmets.

Manager Frances stated that staff can create a survey for residents to provide feedback.

President Sells stated that he does not support tasking staff with this right now. There is already a lot going on, especially with the ongoing pandemic.

Trustee Evans stated that the appropriate time to engage the community is when the board is ready to discuss the issue further. She suggested an eflash informing the community about the importance of wearing a helmet.

President Sells asked if the Police Department still issues “Slurpee tickets” to children for wearing a helmet. Chief Weitzel stated that they do still have Slurpee tickets to pass out.

President Sells expressed concern regarding the message we send when a tween’s first encounter with police is a citation for not wearing a helmet. He does not think this is the appropriate time to consider this issue.

**Consensus:** Table discussion and research on the matter for now.

**X. *New Business – None.***

**XI. *Adjournment***

President Sells thanked everyone for participating in the meeting telephonically. He noted that there would not be an Executive Session and called for a motion and second to adjourn the meeting.

Trustee **Gallegos made a motion** to adjourn. Trustee **Pollock seconded** the motion.

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

**NAYS:** None.

**Motion passed.**

President Sells declared the meeting adjourned at 8:34 p.m.

Respectfully submitted:

\_\_\_\_\_  
Village Clerk Haley

\_\_\_\_\_  
Date Approved

**XII. *Executive Session***