

**CITY OF MARKHAM  
REGULAR COUNCIL MEETING  
May 20, 2020**

Mayor Roger Agpawa called the Regular Meeting of the Markham City Council to order at 7:13 p.m. with the Pledge of Allegiance. Prayer led by Ald. McDowell. Roll Call was taken by City Clerk, Jennifer Coles.

ROLL CALL: ALDERMEN PRESENT   Alderman Rondal Jones  
  Alderman William Barron  
  Alderwoman Brenna Hampton  
  Alderwoman Wanda McDowell

ALSO PRESENT: Attorney, Steven Miller  
  Treasurer, Belinda Richardson

APPROVAL OF MINUTES FOR   Motion by Ald. Barron, seconded by Ald.  
REGULAR COUNCIL MEETING   Hampton to approve Minutes of the Regular City  
MAY 6, 2020                   Council Meeting held May 6, 2020 with necessary  
  corrections and/or deletions.  
  Roll Call: 4 Ayes/0 Nays

APPROVAL OF MINUTES FOR   Motion by Ald. Barron, seconded by Ald.  
SPECIAL COUNCIL MEETING   McDowell to approve Minutes of the Regular City  
MAY 9, 2020                   Council Meeting held May 9, 2020 with necessary  
  corrections and/or deletions.  
  Roll Call: 4 Ayes/0 Nays

AUTHORIZATION OF CLAIMS   Motion by Ald. Hampton, seconded by Ald. Barron,  
  to adopt Authorization of Claims and Accounts Bill  
  List \$338,354.02 with manual checks \$3,160.00  
  totaling \$341,514.02.  
  Roll Call: 4 Ayes/0 Nays

**REGULAR CITY COUNCIL MEETING – MAY 20, 2020 – PAGE TWO**

SPECIAL PRESENTATION           None

CITY ATTORNEY'S REPORT       3 Resolutions, 1 Ordinance

ADOPT RESOLUTION  
20-R-596                           Motion by Ald. Barron, seconded by Ald. McDowell  
to adopt Resolution 20-R-596 – A RESOLUTION  
APPROVING THE EXTENSION AND RENEWAL  
OF RE-PROCLAMATION AND  
DECLARARTION OF CONTINUED LOCAL  
STATE OF EMERGENCY WITHIN THE CITY OF  
MARKHAM IN RESPONSE TO THE COVID-19  
PANDEMIC.  
Roll Call: 4 Ayes/0 Nays

ADOPT RESOLUTION  
20-R-597                           Motion by Ald. Barron, seconded by Ald. Jones  
to adopt Resolution 20-R-597 – A RESOLUTION  
CONTINUING AND RENEWING AUTHORIZED  
MODIFICATIONS TO CITY OF MARKHAM  
CITY COUNCIL MEETINGS OCCURRING  
DURING THE COVID-19 PANDEMIC.  
Roll Call: 4 Ayes/0 Nays

WAIVE READING ORDINANCE  
20-O-2269                       Motion by Ald. Barron, seconded by Ald.  
Jones to waive the reading of Ordinance 20-O-2269  
– AN ORDINANCE APPROVING THE  
ADOPTION OF THE 2015 NATIONAL FIRE  
PROTECTION ASSOCIATION (NFPA) LIFE  
SAFETY CODE 101.  
Voice Vote: 4 Ayes/0 Nays

ADOPT ORDINANCE  
20-O-2269                       Motion by Ald. Barron, seconded by Ald.  
Jones to adopt Ordinance 20-O-2269.  
Roll Call: 4 Ayes/0 Nays

**Mayor Agpawa** – Had a couple things, one was  
timeframe and the other was it probably shouldn't  
have included the deed to them, maybe going to us.

REGULAR CITY COUNCIL MEETING – MAY 20, 2020 – PAGE THREE

**Attorney Miller** – Under Article I on page 1 of the agreement, Definitions where it says Closing Date in italics. They're asking for 120 days, asking for an additional 30 days more than the typical 90 days. Under Deeds it says "Those certain Quitclaim Deeds in the form attached hereto as Exhibit C,..." Exhibit C is an example of what the deed could look like. "or such other form as Purchaser and Seller mutually agree upon in writing, to be delivered by Seller to Purchaser at the closing conveying the Property to Purchaser (or its designee) subject only to the Permitted Exceptions." Once signed and they close in 120 days they get the deeds. Further below is Title Company services as the middle man for closings. Title Commitment with File No and date needed to be changed from August. On the next page is Article V Escrow, if the understanding will produce the deeds upon closing, it won't necessary to set up the escrow.

**Ald. Jones** – Has the MWRD contract been taken care of and signed off on?

**Mayor Agpawa** – Thinks it's something that had to be done after we got this done.

**Ald. Jones** – It couldn't have been on the agenda tonight to pass after we passed this?

**Mayor Agpawa** – That doesn't have to be on the agenda, it's more of a permit issue. Want to make sure we get all the groundwork done first.

**Ald. Jones** – This is the last thing to come before the board right?

**Mayor Agpawa** – Yes

**Attorney Miller** – He has one more thing that'll need to get taken care of. He brought it to us before. It's the property assessed clean energy act. He needs this to get bonds and funding.

**Ald. Hampton** – What was it called again?

**Attorney Miller** – He's looking to have an ordinance passed for the property assessed clean energy act.

**REGULAR CITY COUNCIL MEETING – MAY 20, 2020 – PAGE FOUR**

**WAIVE READING RESOLUTION** Motion by Ald. Jones, seconded by Ald.  
20-R-598 Barron to waive the reading of Resolution 20-R-598  
– A RESOLUTION AUTHORIZING EXECUTION  
OF AN AGREEMENT TO PURCHASE REAL  
PROPERTY BETWEEN THE CITY OF  
MARKHAM AND MARKHAM SUPPORTIVE  
CARE, L.P.  
Voice Vote: 3 Ayes/1 Nay (McDowell)

**ADOPT RESOLUTION** Motion by Ald. Barron, seconded by Ald.  
20-R-598 Jones to adopt Resolution 20-R-598 with revisions.  
Roll Call: 3 Ayes/1 Nay (McDowell)

**OPEN FLOOR MR. HANLEY** Motion by Ald. Hampton, seconded by Ald.  
McDowell, to open the floor to Mr. Hanley.  
Voice Vote: 4 Ayes/0 Nays

**Mr. Hanley** – We sold the property to Connect Freight at 2200 W 159<sup>th</sup> Street, 9.5 acres. Applied for a Class 8, said he would fix it up, paint it, put a new fence, lighting and security. He did everything he said he would do. Things are going quite well for him and he doesn't have enough room for all the trucks and trailers. He wants a \$300,000 cash purchase of the 4.3 lots at 2100 W. 163<sup>rd</sup> Street. He will fence it, light it, gravel and pave it and put a facility approximately 3,00 square feet on it. It's really an overflow parking lot, but with the Class 8 and the taxes, the tax attorney is recommending he put a 3,000 sq. foot facility there with a couple bays, couple offices and bathroom. He really needs this as an overflow for the tractors and trailers until he can get them serviced at the main facility. He's prepared to pay cash as soon as we can get a contract together.

**Ald. Jones** – What is the value of the property?

**Mr. Hanley** – We've been asking \$600,000 for it, but \$300,000 is the highest we've been offered for it.

**Ald. Hampton** – Where is this located again?

**Mr. Hanley** – 2100 W. 163<sup>rd</sup> St.

**Ald. Jones** – Right by the Signature club

**Ald. Hampton** – Has some concerns with the property and the individual. He's done what he was supposed to do with paving the property and making sure the building is structured properly, but as far as him doing business, has not seen a legitimate truck sale. If we look at 159<sup>th</sup> St at this present time, it looks like a truck lot. That's where people are parking their trucks, parking their vehicles and feel it's an eyesore. Doesn't feel he did what was required of him. There was supposed to be truck sales facing 159<sup>th</sup> St. There's containers, tractors, trailers, personal vehicles. Has not any trucks for sale. It's a huge truck parking spot. Assuming what we see at 159<sup>th</sup> St, 163<sup>rd</sup> St. won't be any different, but it's up to the council.

**Ald. McDowell** – Thinks Connect Freight has done a wonderful job over there. Been over there numerous times, he has done everything he said he would do with that property. There's a couple things would like to see him do. Think it would be good to have him over there based on what he's done on 159<sup>th</sup> St.

**Ald. Jones** – Is he selling vehicles over there?

**Ald. McDowell** – Hasn't seen him selling vehicles over there.

**Ald. Hampton** – That was part of the agreement, he was supposed to be doing truck sales. Asked him when he was here if he was going to be selling beautiful trucks, Mack trucks, freightliners, but has seen none of that. Nothing but truck parking. Has not seen where he was supposed to put beautiful truck sales in the front of 159<sup>th</sup> St.

**Ald. Jones** – Would a privacy fence if he put it up, would that help so you won't see the trucks?

**Ald. Hampton** – What is the main purpose of it?

**Ald. Jones** – To store trucks.

**Ald. Hampton** – Exactly what 159<sup>th</sup> St looks like. We're defeating the purpose. Is there anything else we can accept on that particular property? In transportation.

**Mayor Agpawa** – Thinks we're kind of limited what we can put on 163<sup>rd</sup> and Dixie. Would suggest if he hasn't been all good on 159<sup>th</sup>, then we make him be all good on 159<sup>th</sup>. This is the business that he's in, we just need him to improve what he's doing. He's not going to have anything else to offer. We should encourage him to get his truck sales going, but I don't think we're going to get anything other than these types of businesses at the other spot.

**Mr. Hanley** – When they do truck sales it's not in the traditional sense like car sales lot. He's devoted 1/3 of the building to sales, selling trucks and trailers, a little more than 1/3 of the building is for truck repairs. They are also a trucking company. His drivers come and go all the time.

**Ald. Hampton** – Very well abreast of the transportation industry since 1984 so I do understand things evolve. Not expecting to see truck sales facility set up like it was years ago. Expecting to see more conformity. According to what the gentleman said to the council.

**Mr. Hanley** – They are doing trucks, most are being sold on the internet.

**Ald. Barron** – These days when you purchase a truck and then order it.

**Mayor Agpawa** – agree we need to ask him and some other businesses for improvement. When we talked about the price, is there a reason we were as high as we were and now at that price?

**Mr. Hanley** – When we priced the property, we could only price it high once. Always thought it would be in the \$350,000 range or a little bit more. We can wait to see if someone wants to pay a little more for the site. This is a cash transaction, so he won't need to get financing.

**Ald. Barron** – And it goes back on the tax roll.

**Ald. McDowell** – Would like to move forward with this. Are they planning on building an office there because no trailers can be brought in.

**Mr. Hanley** – Tax attorney suggested they build a 3,000 sq ft facility with a couple offices, and washrooms and possibly a couple bays to service.

**Ald. Jones** – Is it possible for him to get a berm or high fence?

**REGULAR CITY COUNCIL MEETING – MAY 20, 2020 – PAGE SEVEN**

**Ald. McDowell** – There are residential homes over there.

**Mr. Hanley** – In order to pave it he has to remove all the topsoil, so he can push it to Dixie to make a berm and do some landscaping on the top. It'll be a nice natural barrier.

**Mayor Agpawa** – Agree with that for the residents over there on Dixie Highway. Do what we can to shield them. Agree with Ald. Hampton with talking to him and have a conversation with him to see about the sales and find some balance. Would like it to be neat and clean.

**Mr. Hanley** – Working with Attorney Miller on the contract for the travel center and hope we'll have it executed in the next couple weeks. Part of the goal is to set this up as a development agreement. He's going to forward with the road and he's not looking to hurt the Bibbs but wants to get them back at the table.

**CLOSE FLOOR**

Motion by Ald. Hampton, seconded by Ald. Barron to close floor to Mr. Hanley.

Voice Vote: 4 Ayes/0 Nays

**CONNECT FREIGHT**

Motion by Ald. McDowell, seconded by Ald. Barron to authorize Mr. Hanley to move forward with connect freight regarding the property at 2100 W. 163<sup>rd</sup> Street.

Roll Call: 4 Ayes/0 Nays

**Question Ald. Barron** – Thought he'd have revisions for the liquor ordinance this meeting.

**Mayor Agpawa** – Attorney Leslie was working with him wasn't clear about the language. It'll be ready for next meeting. Hours was the only thing in question.

**Ald. Hampton** – It was the hours and the date correct?

**Mayor Agpawa** – The date was clear, it was going to be the new fiscal year. It was the hours.

**Clerk Coles** – The discussion was to give them 60 days with their existing hours once they're able to open in the final phase, then convert to the new hours.

**REGULAR CITY COUNCIL MEETING – MAY 20, 2020 – PAGE EIGHT**

**Mayor Agpawa** – Thought the hours were the same for everyone across the board.

**Ald. Barron** – No. Thought it was bars at 2am, liquor stores at 1am, gas stations until midnight.

**Mayor Agpawa** – Thought it was reverse for the liquor store and service station. The liquor store is midnight and the service station at 1am?

**Ald. Barron** – gas stations and liquor stores shouldn't be able to sell up until the bars close.

**Mayor Agpawa** – probably still need to check some minutes, to see what the original discussion was.

**Clerk Coles** – It's the May 6<sup>th</sup> meeting minutes approved tonight. Ald. Barron did say, gas stations to close at midnight, liquor stores at 1am and the bars at 2am.

**Ald. Hampton** – That'll still come before the council for approval correct?

**Ald. Barron** – Right.

**CITY CLERK'S REPORT**

None

**MAYOR'S REPORT**

Been quite a bit going on. Have some limited hours and trying to pace himself with what the state of Illinois is doing and do as much work as we can. Trying to give people room to work, but trying to stay in line with the Governor's order. The pandemic has really affected us and others economically. Hopefully we can turn some things around we had to face with cuts and in the next few months try to restore some things. The park district also had to make some cuts. Trying to make sure police, fire and public works is moving. We're in our warm season and what comes with that is grass, rain and flooding. We've had a ton of that. We had 4 subdivisions that were hit pretty well. We've got to get some answers with the flooding. It's been going on for a long time. We got some dialogue with the county going to deal with the flooding. Wants to hear from each alderman to let him know of four streets that may be worse than others to try to go about doing some repairs, not necessarily a replacement, but repairs.



**REGULAR CITY COUNCIL MEETING – MAY 20, 2020 – PAGE NINE**

Still have a lot of people on the west side of Kedzie talking about business. Some prospective things on 159<sup>th</sup> and some prospective building on Kedzie. We'll have a formal announcement in the next couple weeks for Dixie Highway. We have a firm commitment over there. Hopefully we can celebrate together in the next couple weeks. Treasurer did reach out and you'll be contacted in terms of budget. Will reach out to them about some capital improvements. Personnel that we can restore and get back like we were.

**Ald. Hampton** – You said four streets?

**Mayor Agpawa** - Yes

**NEW BUSINESS**

**ALD JONES**

Will it be just sections repaired on the four streets? Is that the plan?

**Mayor Agpawa** – Will try to do some section repair. This is different from the replacement streets.

**Ald. Jones** – We approved Sussex to last year to get done, just wanting to make sure that's still getting done. Great job with the rainfall and issue over there COVID site. Did we get that back or did they?

**Mayor Agpawa** – We did the work, the state provided the asphalt. Todd and his crew got in there right away. They got it done in a few hours.

**Ald. Jones** – It was down one day and glad they could get it back up within 24 hours.

**Mayor Agpawa** – It took about six hours. That water was that bad everywhere. Over by Ald. Barron, that CUDD creek is one of those creeks that runs under the testing site. We got it done.

**Ald. Jones** – Was riding down some of his streets and some of the culverts weren't flowing. Can we take the initiative to clean some of them out? Is this something we can do with the Public Works Department.

REGULAR CITY COUNCIL MEETING – MAY 20, 2020 – PAGE TEN

**Mayor Agpawa** – We'll do our part and we have to warn the people who are responsible for the collapsed culverts, nor is it our responsibility to get the trash out. The homeowners have to take some initiative. We'll go out there and encourage. We may clean up some stuff and write you a warning while we're there. Had a subdivision backed up by western because it's backed up in Harvey from dumping couches and things. It takes everybody collectively. We'll clean some culverts and leave some notices.

**Ald. Jones** – We have some seniors that can't get out there and clean them, so maybe we can charge them \$25 to come out and clean the culverts. They get the culvert cleaned out and we make a little money. Some are saying when they were younger they could get down there and get but now they can't. Grass at the vacant homes are a foot high. If they can just cut the front or the side. See them every day picking up garbage but we need them in the inner city, especially Canterbury and in Country-Aire.

**Mayor Agpawa** – It's been so wet, it's been impossible to cut. Instead of splitting the teams, we're doubling them up to get it done. If they haven't done Canterbury today, they'll be in Canterbury tomorrow.

ALD BARRON

Sunday night we were averaging an inch of rain an hour. Called in to one of the engineers he worked with MWRD. There's some grants and we need engineering first which is the most expensive part. We used to clean culverts out. A lot of them have animals in them, racoons, possums. The problem when we used to clean them out is the culvert collapsed and the homeowner thought we would put a new culvert in and that's not our responsibility. We really need a program for drainage. It always happens after a heavy rain. Entire ward is open drainage. Going to meet with this engineer to see how to make it click. We had a grant some years ago and it was botched up. They dug some of the ditches too deep, if they're underneath the culvert the water isn't going to flow right. We need the small sewer jet back.

**REGULAR CITY COUNCIL MEETING – MAY 20, 2020 – PAGE ELEVEN**

We have a problem every year and can't take the sanivac, it's invaluable to his ward and the homeowners.

**Mayor Agpawa** – We'll look at some things with the sanivac and culverts in particular, Don't want to get into plumbing business. There's other things we can use to take care of the open drainage.

**Ald. Barron** - Compliment Public Works from Sunday night for cleaning some of the storm sewer drains. Fire Department came out because someone fly dumped a petroleum product and drained into the CUDD ditch. Everyone thought they had a gas leak and it smelled unbelievable.

**Mayor Agpawa** – It was bad and you could taste it.

ALD. HAMPTON

Pray everyone is in good health. Kudos to Public Works. They have been on the job, keeping the sewers clean. Have been visible and working well for our city. The seniors appreciated giving away the masks, PPE, and food boxes. A few people in her ward had the opportunity to reap the benefits of that and it was definitely appreciated. Know we're not giving a clean up this spring. Can we have an update? Ward 1 had really been putting things out. Are we going to have clean up?

**Mayor Agpawa** – It's really delayed and dependent on Homewood Disposal. Think they were dealing with some manpower issues. Thinks everyone is trying to reopen, in the next couple months hoping to have something. We have not stopped picking up branches. We'll get some of these overhangs on the streets so you can see the lights.

**Ald. Hampton** – Know we've been receiving inches of water and has been building up in the easements. Can we get to the easements if the streets or addresses are given?

**Mayor Agpawa** – Have to get an operator for that machine other than Todd. Once it dries will get the crews in the there.

**Ald. Hampton** – Everybody stay safe and protect your families and stay strong.

**REGULAR CITY COUNCIL MEETING – MAY 20, 2020 – PAGE TWELVE**

ALD. MCDOWELL

Thank the Public Works Department and Ed. Had a lot of flooding in Ward 2. Got calls from the residents and got out there to speak with them. Really want to thank Public Works, they were out there getting the streets clean and pumping that water out. The residents, we heard their cry, we saw it and thank you Mayor because they really helped and we have a major flooding problem off Western and we share that with Harvey.

**Mayor Agpawa** – has a meeting scheduled with Mayor in Harvey about Western Ave and the County to have some dialogue. They were trying to do a cross connection to another drain, but doesn't know if it worked or not.

**Ald. Barron** – Wish everyone a happy Memorial Day. Supposed to be warm and dry, people will enjoy themselves just want everyone to keep in mind social distancing and stay safe.

OPEN FLOOR TO PUBLIC

Motion by Ald. Barron seconded by Ald. Hampton, to open floor to public.  
Voice Vote: 4 Ayes/0 Nays

CLOSE FLOOR TO PUBLIC

Motion by Ald. Barron, seconded by Ald. Hampton, to close floor to public.  
Voice Vote: 4 Ayes/0 Nays

**Ald. Jones** - Would like wish Commissioner Franklin a Happy Birthday.

ADJOURNMENT

Motion by Ald. McDowell, seconded by Ald. Barron, to adjourn at 8:42 p.m.  
Voice Vote: 4 Ayes/0 Nays

DATED: 6/5/2020

  
Jennifer Coles, City Clerk