

**CITY OF MARKHAM
REGULAR COUNCIL MEETING
June 17, 2020**

Mayor Roger Agpawa called the Regular Meeting of the Markham City Council to order at 7:32 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

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APPROVAL OF MINUTES FOR Motion by Ald. Barron, seconded by Ald.
REGULAR COUNCIL MEETING Hampton to approve Minutes of the Regular City
JUNE 3, 2020 Council Meeting held June 3, 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 \$489,213.21 with manual checks \$23,813,
 \$2,350 and \$936.50 totaling \$516,312.71.
 Roll Call: 4 Ayes/0 Nays

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SPECIAL PRESENTATION None

CITY ATTORNEY’S REPORT 2 Ordinances, 2 Resolutions, 1 Land Development

WAIVE READING ORDINANCE Motion by Ald. Barron, seconded by Ald.
20-O-2272 Hampton to waive the reading of Ordinance 20-O-
 2272 – AN ORDINANCE ESTABLISHING OPEN
 MEETINGS ACT REMOTE ATTENDANCE &
 DISASTER REMOTE MEETING POLICIES.
 Voice Vote: 4 Ayes/0 Nays

ADOPT ORDINANCE Motion by Ald. Barron, seconded by Ald.
20-O-2272 Hampton to adopt Ordinance 20-O-2272.
 Roll Call: 4 Ayes/0 Nays

B. PACE PROGRAM Motion by Ald. Jones, seconded by Ald. Barron to
 open the floor to Paul Khanna and Plum Creek.
 Voice Vote: 4 Ayes/0 Nays

Brent Connell (Geneva Capital) – special assessment on the property. Involves no cost to the municipality and if allowed for Plum Creek to be more economically viable. This will place a higher tax value on the property which will equate to higher tax revenues for the City of Markham for the entire time the property is there.

Jana Wesley (Luke Capital) – In addition to making the project a more financially feasible and energy efficient property through lower cost of capital and lower operating expenses and resulting in a new taxpayer, it also brings jobs to the community. Commercial PACE is a public, private partnership that allows property owners to finance projects through voluntary assessments placed on the property. These are assessments of finance, energy efficient, renewable energy, water conservation and the like improvements. The financing is paid back through the assessment payment and is amortized over the life of the project, which a project like this is about 25 to 30 years.

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Brad Fletcher (Illinois Finance Authority) – role is to diminish any costs or burden on the taxpayers of Markham. The ordinance has been prepared by the Illinois Finance Authority and its attorneys and serves as a contract to the collateral of the bonds they will issue to potential PACE investors. Happy to participate in program. Has implemented program in Chicago and Rosemont and currently working with multiple municipalities.

Ald. Jones – Does this cost the City of Markham anything?

Brad Fletcher – No.

Ald. Jones – It increases the value of the property which means higher taxes collected on the property?

Brad Fletcher – Yes

Ald. Jones – Can you give us other locations?

Brad Fletcher – We're currently in discussions with Will County, Peoria County, Lake County, Kane County, DuPage County, in Chicago and Rosemont close to completing PACE Bond financing. This is a new economic development tool available to municipalities and counties in the state.

Ald. Jones – This project will get assessments for 30 to 40 years?

Jana Wesley – The term of the contract will be for the useful life of the project which is about 25 to 30 years.

Ald. Jones – A TIF is 23 years, so this would have a longer life than a TIF.

Jana Wesley – Correct

Ald. Jones – And we would get all the property taxes unlike a TIF?

Jana Wesley – Yes you would get all the property taxes

Ald. Jones – It's a win win for the City of Markham. The project was already approved back in March, this is just a financial incentive for the city to move forward.

Mayor Agpawa – only question is Section 5 of the contract as to what the responsibility of the city would be? While there is no cost what are we obligated to do and responsible for? Who is the program administrator?

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Jana Wesley – The firm she represents would be the program administrator.

Atty Miller – Is there a cost to us for that service?

Jana Wesley – No, that cost is paid for by the property owner.

Atty Miller – Do you provide a report to us?

Jana Wesley – We can provide a report. The report could include payments made on the assessment contract and whether it was current.

Atty Miller – What does the property owner have to do?

Jana Wesley – Build the property using the eligible conservation methods they said they were going to use. Once the building is up and running with a certificate of occupancy, we come in and sign off and then we'll keep up with the payments made annually. The way the statute is written, you have the ability to have the county add it to the property tax bill or you can have a private servicer. Cook County is not able to add a special assessment to the tax bill, there will be a private servicer. The property owner will get an invoice for the payment due and will have 30 days to pay it.

Atty Miller – Page 3b, talking about bonds to be issued by the governmental unit. Are we obligated to issue bonds.

Brad Fletcher – Illinois Finance Authority will be issuing the bonds.

Atty Miller – Page 11 Paragraph C, mentions where the city has no liability.

Ald. Jones – Why does the City of Markham need to enter into this?

Brad Fletcher – The way the statute is written the authority to establish an assessment rests with the municipality or the county and in this case, it's the municipality. Illinois Finance Authority doesn't have the authority to do so and therefore needs Markham to complete the contract in order for them to issue bonds.

Mayor Agpawa – What in Rosemont or the City of Chicago did they build using the PACE Program?

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Brad Fletcher – Downtown Chicago there was a hotel, over \$100 million construction contract. Approx. \$20 million qualified as PACE eligible and therefore reduced the cost in capital. Hotels on a single site at the southeast corner of the Allstate Arena in Rosemont. There are other projects in the pipeline. This is for commercial property not residential.

Atty Alex Cole – This ordinance is an enabling ordinance. You don't usually have someone say please assess me. It's secondary financing to build a more energy efficient building

Brent Connell – The location in Chicago, Geneva Capital and Luke Capital were involved, so they both have experience.

Ald. Barron – Original ordinance said we would be issuing the bonds is this correct?

Brad Fletcher – No, Illinois Finance Authority would be issuing the bonds.

Ald. Barron – Please explain the bond issuance portion of the ordinance.

Brad Fletcher – The ordinance is only establishing this one area for the PACE Program, if the city chooses to go back and establish additional areas for the PACE Program for additional commercial property. This leaves flexibility for the possibility if Markham chooses to do so to issue bonds themselves, they can do so.

Ald. Barron – If there is a default, it in no way affects the City?

Brad Fletcher – It does not affect Markham.

Ald. Hampton – Will need to read this to get a more thorough understanding. Still has some questions and concerns about the project as a whole and would like to discuss with the Mayor and the Council since Tom has passed, want to make sure we are all on still on the same page.

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Atty Alex Cole – No one is sadder tonight than Paul Khanna and me. Have known Tom for many, many years and worked on this project from its inception and thought. He felt very strongly that he wanted to get this project for Markham. Paul is his partner and he is in control of the entity that has your approval. Understand people are concerned about Tom, but his energy and excitement can't be replaced, but Paul is completely committed to see this through along with the additional enhancement. Don't think you need to be generally concerned, the business is in sound hands and the project is fully understood by Paul.

Paul Khanna – Been with Tom for 10 years and the start of the project. Totally committed to this project.

Ald. Barron – Didn't know Tom had a partner. Naturally have some questions. Would like an opportunity to meet Paul. There were some outstanding issues on this program and has some questions.

Ald. Jones – Is there a time crunch can we hold on this?

Atty Alex Cole – It's not necessarily a time crunch as to not press, but there is a schedule that they're trying to stay on to complete the financing portion. A week or 10 days doesn't make a difference, a month does.

Ald. Jones – Would our next meeting on July 8th be ok?

Brent Connell – We'll have to make it work.

Atty Miller – Keep hearing July 8th, but the Council Meeting is on July 1st?

Clerk Coles – Yes it's July 1st.

Ald. Jones – I was giving a buffer

Atty Alex Cole – July 1st would be perfect.

Mayor Agpawa – We'll bring this back July 1st.

Motion by Ald. Jones, seconded by Ald. Hampton, to close the floor to Plum Creek.

Voice Vote: 4 Ayes/0 Nays

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C. VACATION OF TROY

Ald. Hampton – Atty Fountain is this the property at 159th and Dixie Highway?

Ald. Jones, Ald. Barron, Mayor Agpawa – No, 159th and Kedzie, Walgreens.

Ald. Hampton – Who is asking us to vacate the property?

Atty Fountain – The owner of record is asking for the vacation. They have plans for future development. Any future development would come before the Planning and Zoning Board and the Council, but they wanted to do this beforehand to have a better package to present to potential developers.

Ald. Jones – Don't they vacate during the process of development?

Atty Fountain -- They can do it either way. The past vacations the City did but in this one, there are provisions where the City can charge fair market value. The City doesn't have to and can give consideration since they'll take over maintenance of the street and enhance the City.

Ald. Jones – Did we charge Plum Creek?

Atty Fountain – No we did not.

Ald. Jones – These are actual streets we put work into, blacktop and sewers, so isn't this a little different?

Atty Fountain – The City can made a decision on that, that is why the provision was added.

Mayor Agpawa – Let's keep it in there and then try to address it a little later, Let's see what comes to us.

Ald. Jones – If we pass it tonight can we go back and change it?

Atty Fountain – We can change it to say we reserve the right to not vacate until we discuss compensation.

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Atty John Murphey (Represents Property Owner) – They’ve developed dozens of shopping centers in the area. He owns the property where the Walgreens is. Owns what’s east of Troy all the way to bank. He will not be the developer, he’ll be the seller. Potential users of the property want everything. They want to develop the entire piece. Any developer coming to the City would come by way of zoning and that would be the best time to put the issue of compensation for Troy on the table along with anything else related to the development.

Ald. Jones – Wants to change the ordinance because it says the fees are waived.

Ald. Hampton – Can we add that verbiage?

Atty Fountain – Yes, will change that to say will be reserving the right for compensation upon development approval.

**WAIVE READING ORDINANCE
20-O-2273**

Motion by Ald. McDowell, seconded by Ald. Barron to waive the reading of Ordinance 20-O-2273 – AN ORDINANCE GRANTING THE VACATION OF TROY STREET AT 3148 W. 159TH STREET AND 3140 W. 159TH STREET INSIDE THE CITY OF MARKHAM with amendments.

Voice Vote: 4 Ayes/0 Nays

**ADOPT ORDINANCE
20-O-2273**

Motion by Ald. McDowell, seconded by Ald. Barron to adopt Ordinance 20-O-2273 with amendments (Section 1 will be replacing fee waiver with, “will be reserving the right of compensation for the vacation until a developmental project involving this vacated area is approved by City Council”).

Roll Call: 4 Ayes/0 Nays

**ADOPT RESOLUTION
CDBG PROGRAM**

Motion by Ald. Barron, seconded by Ald. McDowell to adopt Resolution – A RESOLUTION AUTHORIZING THE EXECUTION OF THE 2019 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM YEAR AGREEMENTS WITH COOK COUNTY, ILLINOIS FOR PROJECT 1506-096.

Roll Call: 4 Ayes/0 Nays

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Q. Ald. Jones – Do we have locations for this grant?

A. Mayor Agpawa – This is to cover Albany in the Meadowview area, from Troy to Sacramento, streets in Country-Aire (Maple, Cherry Lane), Sussex wasn't on the grant document but will get that corrected.

ADOPT RESOLUTION
20-R-601

Motion by Ald. Barron, seconded by Ald. McDowell to adopt Resolution 20-R-601 – A RESOLUTION APPROVING THE EXTENSION AND RENEWAL OF RE-PROCLAMATION AND DECLARATION OF CONTINUED LOCAL EMERGENCY WITHIN THE CITY OF MARKHAM IN RESPONSE TO THE COVID-19 PANDEMIC.

Roll Call: 4 Ayes/0 Nays

F. ZONE X, LLC

Motion by Ald. Barron, seconded by Ald. McDowell, to open the floor to Zone X, LLC and Mr. Hanley.

Voice Vote: 4 Ayes/0 Nays

Mr. Hanley – Has location in Harvey, looking to expand to Markham at the location on 3500 W. 159th Street and really fix it up and make it look attractive.

Ald. Jones – What is the appraised value of this property?

Mr. Hanley – There isn't an appraised value. Marketing the property at \$50/foot, \$250,000. Broker came in at a lower value.

Ald. Jones – He came in at \$180,000?

Mr. Hanley – Correct

Ald. Jones – Seller to pay half the closing cost and half the transfer fee. Is this normal?

Atty Miller – If there is a desire to counteroffer then we can.

Mayor Agpawa – We did some of that already and this is where we ended up. The improvements they want to make and they'll need to improve the wall of the daycare where the paint is peeling.

Ald. Hampton – This location is going to be a tire and auto shop? Another tire and auto shop?

Mr. Hanley – Yes

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Ald. Hampton – We just approved one on 167th Street. Will there be any storage vehicles on this property.

Ald. Barron – No. And if there is any storage they will be inside.

Rejo Chummar (Zone X) – There will nothing stored outside. Everything will be stored in the back.

Ald. Hampton – What colors do you plan on painting?

Rejo Chummar – We have orange and black at other location and would like to keep that theme.

Ald. Jones – The area in the back, will they keep that cleaned up?

Rejo Chummar – Yes, but there's also an issue with a tree that needs to be addressed

Ald. Jones – Would like to make sure the area is secure with a fence and some lighting.

Rejo Chummar – not an issue

Mr. Hanley – Issue with the tree is lifting the floor and bricks in wall and the tree may need to be removed. May come back on price due to expense of removal of tree.

Ald. Jones – Are we getting the best bang for our buck with \$180,000?

Mr. Hanley – It's a pretty good price. There's no plumbing left in the building, there's going to be roof work necessary, have to fix up exterior and upgrade parking lot and lighting.

Motion by Ald. Jones, seconded by Ald. Hampton, to close the floor to Mr. Hanley and Zone X.

Voice Vote: 4 Ayes/0 Nays

Motion by Ald. Barron, seconded by Ald. Hampton, to accept the offer for \$180,000 from Zone X, LLC, outstanding matter for the Mayor to work with the proposed owner on the tree.

Roll Call: 4 Ayes/0 Nays

Mr. Hanley briefly spoke about the Raco Steel property Connect Freight is interested in purchasing for \$300,000 in cash.

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CITY CLERK'S REPORT

None

MAYOR'S REPORT

Compliment the Police and Fire for their work for trying to keep us safe. The Police Department is really doing a lot of work. Public Works is out there. We'll have a dry spell for them to get caught up. Ordinance and Inspector Vendors are going. Get them to the aldermen to know what's going on. Something coming up with ordinance enforcement

NEW BUSINESS

ALD JONES

Condolences to Craig Wilson and TyWayne Wilson on the passing of their father Benjamin Wilson. He was a good man. He was one of the pioneers of the community with the greats like Mr. Culpepper, Ray Ashley, Miller family, etc. Commend Mayor on Father's Day event on June 12th. It went really well. Gave out free produce at the Township that same day. Happy Father's Day to all the fathers.

ALD BARRON

Compliment the Mayor on the handling of the civil unrest around us. Markham had very little damage. In talking to businesses, they were impressed their businesses were protected. Fire Department, Police and Public Works did a wonderful job. Rain is a continue issue in the ward. Know grass is an issue, dry spell is coming up. Mayor Agpawa – Got 2 new pieces of equipment this year that the guys can get around in.

ALD. HAMPTON

Kudos to the entire City of Markham in how we're handling the COVID-19 and how we're handling things. Happy Father's Day this upcoming Sunday. The comradery we have pulling the city together and the residents see the cohesiveness. Know we're trying to catch up on our cutting and ask the residents be patient with us. It didn't happen overnight and trying to get to it as soon as possible. Mayor Agpawa – Want to thank you and Ald. Jones to push forward on the grass cutting. Constantly talking to Finance Department.

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ALD. MCDOWELL

There's a lot of people in her ward that has two or three garbage cans and not understanding that when houses like hers only has one.

Mayor Agpawa – We need to pick them up. Anyone citywide let us know so we can pick them up, because people are filling them up.

OPEN FLOOR TO PUBLIC

Motion by Ald. Hampton seconded by Ald. Barron, to open floor to public.

Voice Vote: 4 Ayes/0 Nays

Rosemary Calvert –

Good evening Mayor Agpawa, the Markham City Council, and residents. I pray that everyone have been practicing social distancing and all is well with you and each family. I truly miss you all and talking to the residents of Markham on my walks.

1. Please tell Public works I appreciate seeing them and all the hard work they were doing.

2. Please tell Earnestine Thank You for her quick response in getting back to me when I call her for any information.

3. TV's are still being put on the curbs especially in WARD 1. Residents have told me they didn't know that Homewood won't pick them up. Is there a place that you know of will take TV?

4. The large Raccoon (Freda or Freddie) is still on my block Justine. It has moved on from my neighbor's attic. Large Possums come out at night as well and sit on the porch or my driveway. I know they are probably in most suburbs. What I did notice they hang in the back yards of residents home with tall grass and in our back yards where the ez-ments are on 162nd Justine. This Mayor has been going on for years but I am seeing more of them.

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5. Thornton Township in South Holland 333 East 162nd Street is open with short-staffed some areas have 2 people working. Some employees are still working from home. Hours are Monday thru Thursday for the month of June 9:00 am to 4:00 pm. Senior lunch \$1.50 are still being provided if you are a resident of Thornton Township curbside to go container only. Moving forward we might be returning to full staff on site at this location in July, 2020. Any questions Please call me Rosemary Calvert 708-596-6040 X3211

6. All of the Intake sites for CEDA were closed doing the stay-in place. At this time there is no face to face sites open. Please contact one of the following numbers for assistance. Applications are mailed to you or done on line. CEDA has a COVID-19 CRISIS PROGRAM to provide relief to Suburban Cook County communities with additional services. One service is Water Bill Payments if you qualify. 312-795-8948. Energy Services light and gas bills assistance if you qualify 708-985-3176.

7. Last but very important what is being built on 159th Dixie Highway? (where the home were torn down)

Ald. Hampton – In regards to the electronic devices, they need to call Homewood Disposal. They'll pick up twice and then the resident has to pay after that. Mayor, would like to get info out to the residents about electronics disposal. As far as animal control, feel once we get a hold to the lawn cutting this will subside and of course where there is vacant homes there may be a problem. In some instances we can contact the county and they will assist us. Thinks we should post the info shared on access channel.

Mayor Agpawa – Once grass is under control we'll see the animals go elsewhere. The announcement for 159th Street project is said to be Monday of next week. There's an announcement with one other community that Amazon is doing. This is something for the officials. We're going to have our own celebration and media release on site that's going to be larger in scale with shovels and all.

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CLOSE FLOOR TO PUBLIC

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

ADJOURNMENT

Motion by Ald. Hampton, seconded by Ald. Barron,
to adjourn at 9:43 p.m.
Voice Vote: 4 Ayes/0 Nays

DATED:

7/2/2020


Jennifer Coles, City Clerk