

VILLAGE OF RIVERDALE
SPECIAL MEETING MINUTES OF THE BOARD OF TRUSTEES
Tuesday February 5, 2020

Call To Order: The Special Meeting of the Board of Trustees of the Village Of Riverdale was called to order by Mayor Lawrence L. Jackson in the Village Board Chambers, 157 W. 144th Street at 10:05 A.M.

Roll Call: Upon Roll Call, the following Trustees answered present:
Trustees: Rodrick Jefferson, Cassandra Riley-Pinkney, Gregory Lewis, Brenda Williams, Erik LeVere and Bradley Smith

There being a quorum present the meeting was in order

Department Heads attending:

Police Chief David DeMik, Deputy Chief Willie Darkried, Village Attorney Rich Bruen and Village Clerk Karen Holcomb

The Pledge of Allegiance was recited.

Mayor Jackson asked if no objections to omit, Correspondence, Announcements and Unfinished Business

New Business:

1. The Appeal of the revocation of a business license for Natasha Bell-Scott – License revoked for business at 14507 S. Wentworth, Riverdale, Illinois 60827
Mayor Jackson entertained a motion to adopt.
2. The Appeal of the revocation of a business license for Rapid Recovery, Inc. – License revoked for business at 14533 S. Halsted, Riverdale, Illinois 60827

Mayor Jackson addressed item #2 first referencing Rapid Recovery. He read a statement. It stated on 11/24/19 appointed Hearing Officer Luke Hajzl for license revocation entered recommendation finding and opinion to revoke the business license of Rapid Recovery Inc. Mayor Jackson stated on 11/27 he adopted the Hearing Officer's recommendation finding and opinion. Exhibits 1 – Rapid Recovery on 12/19/19 appealed the findings to the Board of Trustees. The appeal is Exhibit 2. In their appeal they requested to appear before the Board of Trustees in person. Exhibit 3 is the notice of requested hearing.

Mayor Jackson referred to Section 5.02.150 in the Village Code which states an appeal can be granted before the Village Board. The decision of the Board of Trustees shall be final.

Rapid Recovery and its attorney can present its appeal at this meeting. After their presentation the Village Attorney will present the position of the Village President and Hearing Officer on the appeal. After these presentations the Board of Trustees can make a motion to either reverse the decision of the Village President and Hearing Officer or uphold the decision to revoke Rapid Recovery's business license.

Attorney Robert Dawidiuk for Rapid Recovery presented his case. He stated the revocation was improper. Attorney Dawidiuk referred to RMC 9.04.027 referencing that it is unlawful for the premises to be disruptive to peace and wellbeing of the surrounding community including frequent police calls to the premises. Attorney Dawidiuk stated per the code the behavior has to occur more than 3 times for any 90 period. Other illegal activity must have been committed and the matter has to become a public nuisance resulting in the police to be called. Attorney Dawidiuk disputes the violation of this code and said most calls were because people were complaining about their vehicles being towed.

Attorney Dawidiuk asked if the license revocation could be stayed until the end of March and the fine of \$750 be vacated. He stated decision is unfavorable decision, they will appeal to the Circuit Court.

Attorney Rich Bruen stated revocation of a business license isn't to be taken lightly but the peace of a community is also important. There was an excessive amount of police calls to the property. Attorney Bruen reread the RMC 9.04.027. He stated from 8/5/18 - 11/3/18 8 times calls were made 11/4/18 - 2/2/19 there were 18 calls to send a police officer. Attorney Bruen suggests the revocation was just. He stated from 2/3/19 - 5/4/19 they were 12 calls. 5/5/19 8/3/19 14 times to send officer. Attorney Bruen stated these aren't all the calls to the business. Attorney Bruen asks that the revocation of the license be upheld and is appropriate.

Mayor Jackson indicated he doesn't want to see business leave the community, but this has become a nuisance. He said the frequent calls to the business hindered the police department from attending to other duties.

Mayor Jackson respectfully asked that the appeal be denied. The \$750 fine is to remain in effect. Their license is hereby terminated upon approval of the Board of Trustees.

Mayor Jackson entertained a motion to deny the appeal.

Motion by Trustee LeVere to deny and second by Trustee Lewis

Roll Call:

Yeas: Trustee Lewis, LeVere, Jefferson, Riley-Pinkney, Williams and Smith

Nays: None

Motion Passed

Mayor Jackson stated to Mr. Said his appeal is denied.

There was a break at approximately 10:35 A.M.

The hearings reconvened at 10:56A.M.

Mayor Jackson stated this case is the Village of Riverdale vs Bell-Scott

Mayor Jackson stated on 12/5 his appointed Hearing Officer for license revocation Luke Hajzl entered a recommendation finding and opinion revoking the residential rental license of Natasha Bell-Scott on 12/9/19. Mayor Jackson indicated he adopted the Hearing Officer's recommendation finding and opinion. Recommendation was before the Board as Exhibit 1. Mayor Jackson indicated Ms. Bell-Scott appealed 12/19/19 the recommendation finding and opinion to this Board. Exhibit 2 is Ms. Bell-Scott's appeal to the Board. She requests to present her appeal in person. A copy of that request of hearing is Exhibit 3. RMC 5.02.150 allows a person unsatisfied with the decision of the Village President shall have right to appeal to corporate authorities. The decision of the Board of Trustees shall be final. After both sides present their case the Board of Trustees can reverse the decision or uphold the Village Presidents have Hearing Officers decision.

Ms. Bell-Scott's Attorney James Siwek stated most of the allegations aren't it dispute. He referred to an incident in 2017 where tenant's son was charged with possession of marijuana. A couple of years later there was a shooting. Attorney James Siwek indicated tenant is Section 8 recipient.

Attorney Siwek stated on 2/10 Section 8 is to conduct a final inspection for tenant to move to a new location and lease to be signed 2/15. He indicated an eviction suit has been filed copy sent to counsel. Hearing date is 2/26 to request possession of the premises. If tenant hasn't vacated, we would move to have her evicted by sheriff.

Attorney Siwek asked that Ms. Bell-Scott's revocation of business license be stayed until March when they should have vacated the premises. He asked that the fines be rescinded.

Attorney Richard Bruen was on behalf of the Village of Riverdale. Village President Jackson state the crime free lease addendum must be enforced by the landlord. He indicated this matter didn't pertain to this issue alone. In 2017 cannabis, weapons and ammunition were found. 2019 Police were called due to shots fired. Vehicles were damaged with gunshots. Attorney Bruen asks that the revocation of license be upheld.

Mayor Jackson stated Ms. Bell-Scott was given sufficient time to resolve the issues that were occurring on her property. That wasn't done. Mayor Jackson indicated landlords have the responsibility to manage their property. Mayor Jackson asked that the Board uphold his decision and deny Ms. Bell-Scott's appeal.

Mayor Jackson entertained a motion to deny the appeal.

Motion by Trustee Smith to deny and second by Trustee Lewis

Roll Call:

Yeas: Trustee Lewis, Smith, Jefferson, Riley-Pinkney, Williams and LeVere

Nays: None

Motion Passed

Appeal was denied.

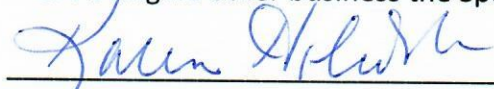
Adjournment:

Mayor Jackson entertained a motion to adjourn:

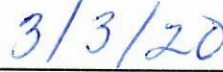
Motion by Trustee Jefferson and second by Trustee Williams

By Voice Vote Motion Carried

There being no other business the Special Board Meeting adjourned at 11:15am.



Village Clerk



Date Passed