

**Village of Indian Head Park  
201 Acacia Drive  
Indian Head Park, IL 60525  
MEETING MINUTES  
BOARD OF TRUSTEES**

*“Pursuant to 5 ILCS 120/2.06 (3) minutes of public meetings shall include, but need not be limited to a general description of all matters proposed, discussed, or decided and a record of votes taken.”*

**Thursday March 12, 2015**

7:30 p.m.

**CALL TO ORDER – MAYOR RICH ANDREWS**

The regular meeting of the Village of Indian Head Park Board of Trustees was held on Thursday, March 12, 2015 at the Municipal Facility, 201 Acacia Drive, and was convened at 7:30 p.m. by Mayor Richard Andrews.

Mayor Andrews stated for the record that Board meetings are being videotaped and audio recorded by the Village, and may be video or audio recorded by others also present. Village Clerk Joseph Consolo called the roll as follows:

**ROLL CALL: JOSEPH CONSOLO, VILLAGE CLERK**

**PRESENT (AND CONSTITUTING A QUORUM):**

Mayor Rich Andrews  
Trustee Brian T. Bailey  
Trustee Tom Hinshaw  
Trustee Brenda O’Laughlin  
Trustee Norman L. Schnauffer  
Trustee Matt Walsh  
Trustee Amy Jo Wittenberg

**ABSENT:**

None

**ALSO PRESENT:**

John Brooks, Chief of Police /Administrator

Steve Busa, Treasurer  
Joseph V. Consolo, Village Clerk  
Rich Ramello, Counsel, Storino, Ramello & Durkin  
Edward Santen, Water/Public Works Superintendent  
Dennis Schermerhorn, Planning and Zoning Chairman  
Dave Vandervelde, Christopher Burke

## **PLEDGE OF ALLEGIANCE TO THE FLAG**

Mayor Andrews and the Board of Trustees led the audience in reciting the Pledge of Allegiance to the Flag: *“I Pledge Allegiance to the Flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all”*.

## **MAYOR’S REPORT – Mayor Rich Andrews**

The Arbor Day Foundation has again named the Village of Indian Head Park a 2014 Tree City USA; Mayor Andrews began his report by declaring April 24, 2015 as Arbor Day for the Village of Indian Head Park. Mayor Andrews then discussed the status of online credit card payments. The Village is now accepting online payments for various fees to the Village; due to technical and procedural difficulties, the Village will not be doing point of sale credit card transactions. Further research on requirements and fees is currently being done.

Mayor Andrews informed the Board that Representative Durkin’s office asked the Village to provide a space for a “traveling representative office program” every last Thursday of the month from 5:00 p.m.-7:00 p.m. Staff from Representative Durkin’s office will utilize the Boardroom to answer any questions from Village residents. We have agreed to accommodate their request as of February 2015.

Mayor Andrews stated the Annual Easter Egg Hunt will be at Blackhawk Park, Saturday, April 4th, at 11:00 a.m. He requested Trustees and their families to volunteer to set out eggs at 9:30 a.m. The Mayor acknowledged and thanked Highland School for their assistance stuffing the eggs and Walgreens on Joliet and Willow Springs Road for donating candy.

## **CONSENT AGENDA (DISCUSSION AND A POSSIBLE VOTE MAY TAKE PLACE)**

- 1) *Approval of 2015 Arbor Day Proclamation*
- 2) *Approval of Resolution urging the Governor and General Assembly to protect full funding of Local Government Distributive fund revenues. (Resolution # R3-15-1)*
- 3) *Approval of a Resolution to include compensation paid under an Internal Revenue Code Section 125 Plan as Illinois Municipal Retirement Fund Earnings. (Resolution # R3-15-2)*

Mayor Andrews explained Resolution # R3-15-1, Approval of Resolution urging the Governor and General Assembly to protect full funding of Local Government Distributive fund revenues; on a per capita basis, the Village receives money from all the income taxes paid to the state. When the income tax rate for individuals was at 3%, 10% of the income tax money was set aside and rebated to local municipal governments on a per capita basis. When the state increased the individual rate to 5%, the amount coming back to the Village netted out to be about 6.7% paid on a per capita basis because the state retained all of the increase. Currently, the proposal is to take the relative 6.7% and reduce it by 50%; this would cost the Village \$188,000 of revenue. Resolution # R3-15-1 urges them not to reduce the percentage paid to the local municipalities.

Mayor Andrews presented Resolution # R3-15-2, Approval of a Resolution to include compensation paid under an Internal Revenue Code Section 125 Plan as Illinois Municipal Retirement Fund Earnings. Mayor Andrews explained employees currently pay 4.5% into an IMRF retirement fund based on the amount of gross salary after their plan deductions. The Village recognizes and authorizes that an employee has the right to opt to not have the Section 125 amounts deducted for purposes of calculating to IMRF fund. Due to an unknown cause, starting in mid-September 2013, the Village payroll began to include the Section 125 amounts in employee payroll. Pursuant to our IMRF Representative, this Resolution now confirms this method for all employees.

Trustee Brian Bailey moved, seconded by Trustee Wittenberg, to approve the Consent Agenda. Motion carried by roll call vote (6-0-0).

**APPROVAL OF FINANCIAL REPORT:**

***Financial Report for the month ending February 28, 2015.***

Treasurer Steve Busa presented the Financial Report for the month ending February 28, 2015. The revenues were \$299,042.96, expenditures \$310,708.96, and at the end of February, all the Village funds totaled \$1,326,142.55. Treasurer Busa pointed out that by the end of March, the Village will have received substantially all of the first installment of the real estate taxes. There being no questions pertaining to the Financial Report, Trustee Schnauffer moved, seconded by Trustee O'Laughlin, to approve the Financial Report for the month ending February 28, 2015, as presented by Treasurer Busa. Motion carried by voice vote (6-0-0).

**APPROVAL OF BOARD MEETING MINUTES:**

***The approval of the February 12, 2015 Board meeting minutes.***

Mayor Andrews asked if there were any corrections or additions to The Minutes of The Village Board of Trustees Meeting on February 12, 2015. There being no corrections or additions, Trustee Schnauffer moved, seconded by Trustee O'Laughlin, to approve the February 12, 2015 Village Board Meeting Minutes. Motion carried by a voice vote (6-0-0).

**QUESTIONS AND OR COMMENTS FROM THE AUDIENCE-AGENDA ITEMS ONLY:**

Ms. Rita Farrell Mayer of 6361 Pontiac Drive voiced her objection for the Resolution to approve more fees paid to Christopher Burke Engineering. Ms. Farrell Mayer stated the aprons on Pontiac Drive are crumbling. Mayer Andrews assured her before the engineers sign off with Central Blacktop they will make sure everything is completed properly.

Mr. Glenn Mann of 6458 Blackhawk Trail stated that it is his opinion The Village should not give Christopher Burke Engineering any more money until the Village receives daily and/or weekly summary reports from Christopher Burke Engineering.

Don Hoak of 6383 Pontiac Drive expressed his disappointment for the work performed by Christopher Burke and Central Black Top; He stated they raised the level of the street even though they ensured him they would not. He believes they should issue a rebate to the Village for unsatisfactory work.

Chris Metz, of Arrowhead Court agreed that nothing more should be paid to the contractor and believes Christopher Burke did not establish any case for additional work performed outside the scope of the contract.

Gene Mazurek of 6363 Keocuk also commented that the level of the street was raised and uneven. Village Engineer, Dave Vandervelde, replied that it is normal for the street to rise in the winter due to the frost in the ground. He will inspect the street.

Mayor Andrews stated the Road Project has not yet been completed and is aware there is a list of items that needs to still be reevaluated.

#### **AGENDA ITEMS (DISCUSSIONS AND A POSSIBLE VOTE MAY TAKE PLACE)**

- 1) Resolution to approve an amendment regarding fees to the Agreement between the Village of Indian Head Park and Christopher B. Burke Engineering, Ltd. for the Village's 2014 Road Improvement Project. (Resolution #R3-15-3)
- 2) A Resolution awarding a contract and authorizing the issuance of a Notice of Award for the 2015 Road Crack Filling project for the Village of Indian Head Park, Illinois; (Resolution #R3-15-4)
- 3) Approval of an Ordinance amending Title 17 entitled Zoning of the Indian Head Park Municipal Code. (Ordinance No. 2015-3)
- 4) Ash Tree Replacement Plan (Tr. Wittenberg)

Trustee Matt Walsh moved, seconded by Trustee Brian Bailey to approve an amendment to the agreement between the Village of Indian Head Park and Christopher B. Burke Engineering, Ltd. for the Village's 2014 Road Improvement Program. Mr. David Vandervelde, representing Christopher B. Burke Engineering, Ltd., gave a report providing details for additional labor and costs due to unforeseen problems, and the Bond Acquisition delay of The Road Improvement Program. Mr. Vandervelde noted a decision was made to add necessary water mains to roads that

prior to road repair, to avoid later re-construction costs. Acquiring Water Main Project permits, conflicts with two independent Contractor's work overlapping and weather conflicts, contributed to the two month delay. Christopher B. Burke Engineering, Ltd., did not complete the project by the proposed cutoff date. Mr. Vandervelde said the Contract is currently completed but stated there is a punch list of deficiencies noted from last year; Mr. Vandervelde confirmed the firm would go out in the spring with the contractor to inspect the entire project and negotiate deficiencies but could not currently do anything due to weather.

A discussion ensued between Dave Vandervelde and the audience. Mr. Vandervelde explained again that two independent contractors working at the same location at the same time caused the delay in this project. He also explained that while the water main repairs were separate from their contract, it still affected the Road Program, leading to additional costs. Mr. Vandervelde stated summary reports are kept in the engineering office and are not typically turned into the Village unless requested.

Trustee Hinshaw declared Christopher B. Burke Engineering, Ltd. did not follow Section 4.22; Claims and Disputes with a monthly claims log, and notify the Village about the construction delays in a sufficient amount of time for the Village to plan accordingly for budget or take any other action to address issues raised. Trustee Hinshaw also noted that in the Agreement it states the total compensation shall not exceed the estimate the engineers provided in the contract.

Trustee O'Laughlin questioned why the contractors didn't work at different times on opposite sides of town. Mr. Vandervelde explained that the Contractors have their own schedules since they are working on numerous jobs at the same time.

Mayor Andrews included that Burke Engineering, Kelly Knowles, did an expert job keeping residents informed during the construction process. Mayor Andrews also stated he thinks Christopher B. Burke Engineering, Ltd. is justified for asking for an increase in fees and recommends the fees be passed.

With no further questions, Trustee Walsh moved, seconded by Trustee Bailey, to approve Resolution to approve an amendment regarding fees to the Agreement between the Village of Indian Head Park and Christopher B. Burke Engineering, Ltd. for the 2014 Village's Road Improvement Project; Motion carried by roll call vote (4-3-0).

*Ayes: Trustees; Walsh, Bailey, Schnauffer, and Mayor Andrews*

*Nays: Trustee; Hinshaw, O'Laughlin, and Wittenberg*

*Absent: None*

Mayor Andrews presented the next item on the Agenda; Resolution No. R3-15-4, awarding a contract and authorizing the issuance of a Notice of Award for the 2015 Road Crack Filling Project for the Village of Indian Head Park, Illinois. Mayor Andrews asked Dave Vandervelde to present an overview of the issue; a letter from Mr. Vandervelde dated March 6<sup>th</sup> was distributed to the Board, which identified an estimate for the crack sealed contract for \$65,250.00. The Village of Indian Head Park received three bids; Denler Inc. was the low-bidder at \$57,150.00, SKC Construction, \$58,050.00 and Patriot Pavement Maintenance, \$61,200.00. Mr. Vandervelde

explained the next steps for the project; Trustee Wittenberg asked for clarification on retainer and engineering fees. Mr. Vandervelde explained Christopher Burke and Denler Inc. fees are separate costs, minor patching has already been completed, and this contract specifically pertains to crack filling. Mr. Vandervelde further explained that Christopher Burke's cost for overseeing the crack filling is already included in the Road Improvement Project with the additional fees requested. Trustee Bailey moved, seconded by Trustee Wittenberg for an approval of Resolution No. R3-15-4, Resolution awarding a contract and authorizing the issuance of a Notice of Award for the 2015 Road Crack Filling Project for the Village of Indian Head Park, Illinois. Motion carried by roll call vote (6-0-0).

*Ayes: Trustees; Walsh, Bailey, Schnauffer, Hinshaw, O'Laughlin, and Wittenberg*

*Nays: None*

*Absent: None*

Mayor Andrews presented the next item on the Agenda, an approval of Ordinance No. 2015-3, amending Title 17 Entitled Zoning of the Indian Head Park Municipal Code. The Village received a report in February from Chairman Dennis Shermerhorn concerning a Public Hearing on the Proposed Text Amendments to the Zoning Code. Motion to discuss approval of Ordinance No. 2015-3 was moved by Trustee Hinshaw, seconded by Trustee Wittenberg. Trustee Hinshaw and Trustee Wittenberg both agreed that the document reflects the changes the Board previously discussed. With no further questions or comments, the Ordinance passed by roll call vote (6-0-0).

*Ayes: Trustees; Bailey, Hinshaw, O'Laughlin, Schnauffer, Walsh, Wittenberg.*

*Nays: None*

*Absent: None*

Mayor Andrews asked Administrator Brooks to present the final item on the Agenda, the Ash Tree Replacement Plan. Administrator Brooks explained that our Village Arborist William McConaughy completed an Ash Tree inventory; about 48 Ash Trees will be treated with soil meant to slow the Emerald Ash Borer process down, with a cost to the Village around \$6.00 per tree. There are about 8 trees that will receive a trunk injection of an insecticide every two years to prolong the life of the tree, and there are approximately 11 trees that will have to be removed. This list can be found on the Village website. Mr. Brooks conducted research regarding how other communities were dealing with Emerald Ash Borer; the Village could offer residents a replacement tree with a 1.5 diameter at very little cost, or could offer an upgraded tree with a 2.5 diameter with an additional cost to the homeowner. John Brooks stated Public Works would have to wait for the budget to be passed to begin this program.

#### **QUESTIONS AND OR COMMENTS FROM THE AUDIENCE:**

Joan Metz from Arrowhead Court, stated that items from the previous meeting, the Water Rate Ordinance and the Village Capital and Infrastructure Plan's top ten list from Superintendent Ed Santen, that were tabled, were not presented at this meeting. Mayor Andrews stated the Water Rate Ordinance was not completed in time for the Agenda, and the top ten list from Mr. Santen

was not yet published and therefore was not included on the Agenda. Joan Metz asked for an update on the budget review process and Village Finance Committee. Mayor Andrews explained that Dave Brink has been working on the Budget and will be meeting with Trustee Schnauffer, Trustee O’Laughlin, and John Brooks. Mayor Andrews added that there was not a Budget/Finance Committee this year because he thought it was of no help last year but rather a “drag” on the process because it was obvious the resident members have no feel for the Village financial needs. Mayor Andrews noted that the new Board will most likely finalize the budget. Mayor Andrews passed along Trustee Schnauffer’s suggestion that the Board come in an hour before the next board meeting begins on April 9<sup>th</sup>, to specifically discuss the budget and said he would consider it.

Mohesen Javadi of 6533 Blackhawk Trail, explained his frustrations that his petition was still idle after seven months of review and stated his lot meets all Village requirements; Trustee Wittenberg suggested a meeting with Mr. Javadi and Dennis Shermerhorn to discuss the letter that was presented to Mr. Javadi. Mayor Andrews explained that Mr. Javadi had one lot and approached the Village to subdivide the lot into two small non-conforming lots. When the Zoning Ordinance was adopted, the lots were not of record. The provision in the Ordinance states that in order to create a lot not of record, it has to meet a minimum size requirement; the lot is R1, which requires 18, 000 square feet each, therefore a subdivision of 30,000 square feet would not be possible. Mayor Andrews told Mr. Javadi that after a final review, the Village is not authorized by code to grant this approval of separate lots and that was why he was sent the letter informing him that the Village could not proceed with his zoning petition.

Don Hoak of Pontiac Drive, stated his concern with pods being kept on driveways for an extended period of time. He also questioned the allowance of satellite dishes in front yards, and long term dumpsters. Mr. Hoak also stated his opinion that he believes Mr. Javadi’s lot should not be subdivided. Mr. Don Hoak acknowledged the diligent performance regarding the Ash Trees, but noted the winter may have caused damage to other trees in the neighborhood and should be removed.

Anthony Prezeklasa of Indian Woods Drive is running for Lyons Township High School Board of Education and wanted to introduce himself. Mayor Andrews noted the Village cannot be used for any political activity but welcomes Mr. Prezeklasa as a resident.

Chris Metz questioned the Road Bond Program and its extra costs, stating that there was \$30,000 paid in extra fees; he questioned if the Village was going to pursue Cook County to pay for these fees since they contributed to the delays in the project. Mayor Andrews answered that this issue has been pursued and he intends to continue to seek reimbursement from Cook County for the extra costs incurred.

**ADJOURNMENT:**

There being no further discussion, Trustee Walsh moved, seconded by Trustee Schnauffer to adjourn to an Executive Session pursuant Section (2) (c) (21)of the Open Meetings Act. Motion carried by roll call vote (6-0-0)

***Ayes: Trustees; Bailey, Hinshaw, O'Laughlin, Schnaufer, Walsh, Wittenberg,***  
***Nays: None***  
***Absent: None***

**OPEN MEETING FOLLOWING CONCLUSION OF EXECUTIVE  
SESSION.WEREUPON THE VILLAGE BOARD CONSIDERED:**

**RESOLUTION NO. R3-15-5:**

Trustee Walsh moved, seconded by Trustee Schnaufer to approve a resolution to authorize the retention of certain closed session minutes of meetings of the Board of Trustees of the Village of Indian Head Park, Illinois; (Resolution No.R3-15-5). Motion passed by roll call vote (5-1-0).

***Ayes: Trustees; Bailey, O'Laughlin, Schnaufer, Walsh, Wittenberg.***  
***Nays: Hinshaw***  
***Absent: None***

**RESOLUTION NO. R3-15-6**

Trustee Wittenberg moved, seconded by Trustee O'Laughlin to amend the line, *Tapes destroyed after expiration of thirty days to Tapes destroyed on April 8, 2015 at noon* in Resolution No. R3-15-6 Motion carried by roll call vote (6-0-0).

***Ayes: Bailey, Hinshaw, O'Laughlin, Schnaufer, Walsh, Wittenberg.***  
***Nays: None***  
***Absent: None***

Trustee Schnaufer moved, seconded by Trustee Bailey, to approve a Resolution to authorize the destruction of the audio recordings of certain closed session meeting of the Board of Trustees of the Village of Indian Park, Illinois; (Resolution No.R-3-15-6) as amended. Motion carried by roll call vote (5-1-0).

***Ayes: Trustees Bailey, O'Laughlin, Schnaufer, Walsh, Wittenberg.***  
***Nays: Hinshaw***  
***Absent: None***

There being no further discussion, Trustee Walsh moved, seconded by Trustee Wittenberg to adjourn the Village Board of Trustees meeting. Motion carried by voice vote. (6-0-0) 9:43 p.m.

**Submitted by,**  
Joseph Consolo, Village Clerk,  
Erica Stewart, Recording Secretary