

**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, September 12, 2013**

7:30 p.m.

**CALL TO ORDER – MAYOR RICHARD S. ANDREWS**

The regular meeting of the Village of Indian Head Park Board of Trustees was held on Thursday, September 12, 2013 at the Municipal Facility, 201 Acacia Drive, and was convened at 7:30 p.m. by Mayor Richard S. Andrews. Deputy Clerk Kathy Leach called the roll as follows:

**ROLL CALL: KATHY LEACH, DEPUTY CLERK**

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

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

**ALSO PRESENT:**

Frank Alonzo, Chief of Police/Administration  
Steve Busa, Treasurer  
Richard Ramello, Counsel, Storino, Ramello & Durkin  
Edward Santen, Water/Public Works Superintendent

**NOT PRESENT:**

Joseph V. Consolo, Village Clerk

## **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 – RICHARD ANDREWS**

Mayor Andrews stated twelve years ago there was a tragic event in the United States that happened on September 11<sup>th</sup>. In memory of the victims and first responders that lost their lives, the Board paused for a moment of silence. Mayor Andrews read the following that was a statement by the President of the United States *“Twelve years ago this month nearly 3,000 innocent men, women and children lost their lives in the attack meant to terrorize our nation. They had been going about their day harming no one when sudden violence struck. We will never undue the pain and injustice that happened that morning nor will we ever forget those we lost. On September 11, 2001 amid shattered glass, twisted steel and clouds of dust the spirit of America shown through. We remember the sacrifices of strangers and first responders who rushed into darkness to carry others from danger. We remember the unbreakable bond of unity in the long days that followed as we held each other and came to our neighbor’s aid and prayed for one another. We recall how Americans of every station joined together to support the survivors in their hour of need to heal our nation in the years that followed. Today we can honor those that we lost by building a nation worthy of their memory. Let us also live up to the selfless examples of the heroes who gave themselves in the face of such great evil. As we serve and remember, let us reaffirm our ties to one another. On September 11, 2001 no matter where we came from or god we prayed too or what race or ethnicity, we were united as one American family”*.

Mayor Andrews noted that on Saturday, November 2<sup>nd</sup> the annual Heritage Center Book Sale will take place from 10:00 a.m. to 3:00 p.m. Mayor Andrews also noted the Women’s Auxiliary of Community Nurses Association is hosting a Rocktoberfest event on Saturday, September 21<sup>st</sup> from 5:00 p.m. to 10:00 p.m. at Gordon Park in LaGrange on Ogden Avenue.

## **APPROVAL OF FINANCIAL REPORT**

### ***Financial Report for the Month ending July 31, 2013***

Treasurer Steve Busa presented the financial report for the month ending July 31, 2013. For the month of July, he noted: total revenues were \$683,351.70; expenditures were \$326,598.50 and fund balances in all accounts at the end of July were \$1,549,213.39. Treasurer Busa stated a substantial amount of revenue was due to the collection of real estate tax revenues, those revenues will also show up on the August report, sometime in March the Village will receive more real estate tax revenues and there will be more collections of revenue between now and February such as water payment revenues and various other Village fees.

Trustee Hinshaw stated at the last meeting there was discussion about potentially getting some detail from vendors such as the engineering firm and legal services firm.

He asked if that information could be provided either in the Board packet or on-line. Trustee Hinshaw stated it would be good to see the expenses that are covered in a retainer. Frank Alonzo stated he would obtain a report from the Village's engineering firm. Mayor Andrews stated there are some issues attached to the legal services retainer and we will work on that with counsel to provide a response. Trustee Wittenberg stated for future purposes possibly a month to month report could be provided on professional service expenses whether it is a retainer or fee based. Frank Alonzo stated he asked the Village Engineer to provide a report on engineering expenses.

Trustee Hinshaw stated in Check Register 739 in the accounts payable report there are several line items in the A T & T account. He asked if those charges are for Internet, cellular phones or other. Frank Alonzo stated A T & T is the phone service provider which also includes line communications between the central dispatch center, Livescan system and a number of circuits. Trustee Hinshaw inquired about a charge on the credit card statement. Frank Alonzo asked Trustee Hinshaw to send an email and he would provide a response.

Trustee O'Laughlin stated the new Board members had come to an agreement that the \$3,000 Trustee compensation would not be accepted by the new Trustees. She asked where those funds will be moved to in the budget. Frank Alonzo stated the Trustee pay will stay in the budget and if it is not given out at the end of the year, it will show up in the audit.

Trustee Schnauffer moved, seconded by Trustee Bailey, to approve the financial report for the month ending July 31, 2013, as presented by Treasurer Busa. Carried by unanimous roll call vote (6/0/0).

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

*Nays: None*

*Absent: None*

## **APPROVAL OF BOARD MEETING MINUTES**

*Minutes of the Regular Board Meeting – August 8, 2013*

After review of meeting minutes, Trustee Walsh moved, seconded by Trustee O'Laughlin, to approve the August 8, 2013 Board meeting minutes, as presented. Carried by unanimous voice vote (6/0/0).

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

### **1. Ordinance to Increase the Number of Part-Time Police Officers to be Employed by the Village of Indian Head Park (*Ordinance #2013-9*)**

Chief Alonzo stated he discussed previously with the Board to increase the number of part-time officers. He noted one part-time officer resigned and one full-time officer has been off on temporary disability and we are not sure for how long that will be. Chief Alonzo stated increasing the number of part-time officers does not increase the budget because those officers will cover the hours that would have been assigned to the two officers that are not working.

He noted the ordinance reflects more than what he is asking for in case we lose another part-timer officer or need someone to cover a shift. Trustee Hinshaw stated he mentioned about putting ordinances on the Website prior to meetings to allow the community to see them. Chief Alonzo stated he had planned to have ordinances on the Website and they will be available in the future for reference. Trustee Hinshaw asked if the Board had ever considered a longer time period to allow the community more than a couple of days to review an ordinance the Board is considering rather than two days before when the Board may be voting on something in short order. He suggested possibly the Board could talk about a matter first then consider it a month later at the next meeting. Mayor Andrews stated sometimes ordinances and items that will be on the agenda are not finalized until a couple of days before the agenda is posted on the Internet. He noted sometimes there is a discussion, then the Board can direct counsel to prepare an ordinance consistent with that discussion and in most cases when the document is ready and he had a chance to look at it then we can post it. Mayor Andrews stated sometimes a draft ordinance is prepared to be able to discuss a potential ordinance and sometimes the ordinance may not be ready until the agenda is finalized and posted. Trustee Hinshaw stated that it seems we can and should put ordinances on the Website to give the community more time to review it than two days before a meeting. Trustee Bailey stated sometimes counsel has other communities to represent, it may take time to prepare an ordinance, a certain amount of time is needed to prepare an ordinance, meetings are every thirty days and there is no way to discuss a topic and have a draft document up on the Website the next day.

Trustee Hinshaw stated if the part-time officer ordinance was posted on the Website the Board would not be voting on it tonight but consider it at the next Board meeting to give the community time to review it. Trustee Bailey asked Trustee Hinshaw if he wants a thirty day period for the community to review an ordinance before the Board votes on it. Trustee Hinshaw stated a longer period than two days would be helpful and he understands sometimes an ordinance may need to be passed at a certain time but hoped more time would be given to review. Trustee Bailey stated he is not aware that it has been done that way if the Board takes a vote then waits a couple months to pass an ordinance. Trustee Hinshaw stated in this instance the Board would not be voting on the ordinance but would be talking about it and voting on it next month so that community members could hear the discussion and read the ordinance to provide input rather than posting an ordinance then passing it two days later.

Mayor Andrews stated in this instance there is a need to fill shifts in the police department due to illness and a resignation of a part-time officer and the matter was so necessary that it was close to being a consent agenda item, which would be passed with no discussion. Mayor Andrews stated the Board is a representative of the community elected by the people and sometimes, the Board has to act in their best interest according to the right thing to do and he has no objections to putting ordinances on-line earlier, when it is possible. However, there are some times when the Board has to take action and that is why people cast their ballot to elect people to represent the community. There are some people in the community that do not have computers and whether it is posted on the Internet or not in two days or thirty days, it does not serve those residents without computers. To be fair to all residents, it would require a mailing to everyone each time an ordinance was to be considered.

Mayor Andrews stated the ordinance is increasing part-time officers from nine to twelve and Chief Alonzo only asked for ten. The reason for that is to be able to cover shifts, if needed. Mayor Andrews noted Naperville had twenty-one burglaries since August 1<sup>st</sup>. Mayor Andrews entertained a motion to approve the ordinance regarding part-time police officers.

Trustee Walsh moved, seconded by Trustee Bailey, to approve *Ordinance #2013-9* amending Section 216.130 entitled “Part-Time Officers” of Chapter 2.16 of the Indian Head Park Municipal Code. Carried by roll call vote (5/1/0). *Ordinance #2013-9*.

*Ayes: Trustees: Bailey, O’Laughlin, Schnauffer, Walsh, Wittenberg*

*Nays: Hinshaw*

*Absent: None*

**2. *Ordinance Amending the Section of the Indian Head Park Municipal Code Entitled “Administration and Personnel” by Amending Chapter 2.64 Regarding “Participation at Public Meetings and Adding Chapter 2.65 Entitled “Recording of Public Meetings”.***

Mayor Andrews stated he asked Counsel Ramello to prepare an ordinance since video recording of Board meetings is taking place in Indian Head Park. He noted although there are official video recordings of meetings, there are no regulations to go by with respect to the taping and possession of the tapes, he asked counsel to prepare a draft ordinance for consideration and that is why the topic is on the agenda. Mayor Andrews stated the purpose of the ordinance is to delegate the responsibility for the possession of the tapes, established restrictions on the actual videotaping, where it takes place so it is not a hazard to people with wires and cords so it does not impact the power system and some other legal considerations including letting people know they are being taped. Mayor Andrews stated he asked counsel to review the section of the ordinance regarding notification of recordings and he summarized in part the following “*advance notice to be given in writing to the presiding officer at the Village Board on any official committee of when videotaping will take place not only at the Board level but at a Planning/Zoning meeting, at an E911 meeting or Police/Fire Commission meeting*”. Mayor Andrews stated the purpose of the ordinance is to protect the rights of everyone to require advance notice if someone is videotaping meetings.

Counsel Ramello summarized the draft ordinance presented to the Board as follows: (1) the proposed ordinance amends one section of the Village code and adds a new section; (2) the first section amends Section 2.64 by deleting subsection B of that existing section in the code which dealt with recording and taking the provisions related to recording equipment and putting them in a new chapter, 2.65; (3) Chapter 2.65 is entirely new section of the code. Those are regulations relating to the official recording of open meetings and non-official recording of meetings; (4) Section 2.05 of the Open Meetings Act states in part “*subject to the provisions of Section 8-701 of the code of civil procedure states any person may record proceedings at meetings that require an open meeting by the act by tape, film or other means. The authority holding the meeting shall prescribe reasonable rules that govern the rights to make such recordings. If a witness at any meeting required to be open by this Act which is conducted by a commission, administrative agency, or other tribunal refuses to testify on grounds that he may be recorded or taped he may*

*not be compelled to testify if any portion of his testimony is to be broadcast or televised or if motion pictures are to be taken of him while he is testifying. The authority holding such meeting shall prohibit recording during the testimony of the witness. Nothing in this section shall be construed to extend the right to refuse to testify at any meeting not subject to the provisions of 8-701 of the code of civil procedures.* Counsel Ramello stated the code of civil procedures also states no witness should be compelled to testify at any proceeding conducted by a commission, administrative agency or tribunal in this state if any portion of his/her testimony is to be broadcast or televised or motion pictures are taken of him/her while giving testimony. Counsel Ramello further stated the import of Section 2.05 of the Open Meetings Act and Section 8-701 of the code of civil procedure is that someone testifies before the Village Board and that is somewhat limited. Sometimes for example on a zoning matter if something needs to be clarified that happened at a zoning public hearing the Village Board would ask the applicant or objector to provide testimony. Counsel Ramello pointed out in those circumstances a person has the right to request that his/her testimony not be recorded by a recording device and it would be up to the presiding officer to direct the recording be discontinued while that testimony is being given.

Counsel Ramello stated to give effect to that right of a witness, it was contemplated that it would be necessary for people to notify the chairperson that they were going to record the meeting and in that instance the chairperson would make an announcement to witnesses who might testify at the meeting. Counsel Ramello stated there is an alternative and that would be to announce at every single meeting that witnesses have this right instead of just meetings where the proceedings are being recorded. Counsel Ramello pointed out there is an attorney general opinion that involves the Lake County Board of Review. He noted in that case a person requested to record the proceedings of the Lake County Board of Review and they were denied because the rule of procedures required them to give prior notice to the clerk of the Lake County Board prior to recording any meeting and in fact the clerk was not present at the meeting. In that case the Illinois Attorney General indicated that the person was denied their right under the Open Meetings Act and directed the Lake County Board of Review to end their rules to allow recordings. Counsel Ramello stated that opinion by the attorney general is available for review on the Illinois Attorney General website and should be taken into consideration. He noted the Illinois Attorney General allows advisory opinions on the issue so if there is concern before passing the ordinance, it could be sent to the attorney general for advice on any part of the ordinance.

Counsel Ramello stated Chapter 2.65 deals with both recording of open meetings, which is permitted, the official recording of open meetings by the Village of Indian Head Park and posting of the recording on the Village's website. It would also require the custody of the recordings be kept by the Village Clerk in compliance with the requirements of the local records act. He noted closed meetings, such as executive sessions, would not be a recording to post on the website and those meetings could either be audiotaped or videotaped which are kept private until the Board makes a determination those tapes can be released to the public. Counsel Ramello stated Section 2.65.20 deals with the non-official recording of open meetings, these meetings can be recorded by someone using a recording device and closed meetings would not be allowed to be recorded by a non official recorder, subsection C would require prior notification to the chairperson of the meeting whether it be the Village President or in his absence, the President Pro-Tem.

In the case of the Planning/Zoning Commission, the Chairperson of that meeting would inform the public they have the right to not have their testimony recorded when a recording is taking place.

Counsel Ramello further stated the ordinance also has a section where cameras and recording devices can be located so as not to obstruct the view of the public or other members, it prohibits persons from standing on chairs, benches or tables to operate cameras, it prohibits the use of flash photography or artificial lighting devices that could disrupt the meeting, it directs that tripods should be positioned so as not to cause a tripping hazard and loose wires should be contained under the tripod. He further noted Subsection E prohibits disruption of the meeting notifying persons that photograph or record the meeting shall restrict the movement of the camera and then the presiding officer has the right to determine if in fact the recording is disruptive to the meeting. Counsel Ramello pointed out Subsection F provides for someone who might need special accommodations to facilitate the recording of the meeting and that person would be required to notify the presiding officer at least two business days before the meeting so those accommodations can be made. Subsection G is a repeat of Section 8-701 of the civil procedure code about the right of witnesses who do not wish for their testimony to be recorded.

Mayor Andrews asked about the written notification to the presiding officer at a particular meeting with regard to unofficial recording of meetings. He asked if it would be sufficient for a preprinted form to be developed for a person to fill out to check the appropriate box for whatever method would be used to record the meeting and then to present it to the presiding officer at a meeting. Counsel Ramello stated that would comply to make forms available to someone but the only reason for the written notification is to have some type of memorandum to the presiding officer because someone may verbally tell the presiding officer because they do not have paper and the audience may not be informed. Mayor Andrews stated it could be automatic that we give notice at every official meeting of the Board or commission to inform people to identify themselves and state if they intend to record the meeting. Counsel Ramello stated that is another option. Mayor Andrews asked if we were to consider and discuss the ordinance to a point where it is acceptable to the Board, possibly the final draft ordinance could be sent to the Illinois Attorney General to ask for an advisory option as to whether it complies with the Open Meetings Act.

Mayor Andrews stated that he personally prefers not to require prior written notification to record meetings. However, a verbal statement can be made by the presiding officer that the meeting is being recorded after the Pledge of Allegiance. Mayor Andrews stated his recommendation is to adopt the ordinance with the deletion of the Paragraph C section regarding notification of recordings, relabeling the rest of the paragraphs so they are consistent with the rest of the ordinance and to submit it to the attorney general for an advisory opinion. Counsel Ramello stated rather than deleting Paragraph C he suggested the **Notification of Recordings** title be left in and deleting text that does not apply. Mayor Andrews stated the following text in part to be included in that section: *“the presiding officer shall at the commencement of the public meeting announce to the persons in attendance at the meeting that the meeting is being or may be recorded”*.

Trustee Wittenberg stated it is a good idea to seek an advisory opinion from the Illinois Attorney General on the proposed ordinance. Trustee Walsh agreed.

Trustee Hinshaw stated there was some discussion with the Mayor that the Board would talk about something on the agenda then ask the audience if they wished to comment. He asked about the section regarding location of cameras and recording devices and inquired if someone has a portable cassette player do they have to take that device to the back or stand in the back. Mayor Andrews stated yes someone would need to use recording devices in the areas designated for recording. Trustee Hinshaw stated if he wished to record a portion of the meeting on his phone to review later for better clarification, would he have to go to the back with his phone. Counsel Ramello stated it would be up to the presiding officer of the meeting to designate an area that may not be the back of the room but somewhere in a location where it does not obstruct the view of members in the audience in attendance. Trustee Hinshaw stated the Attorney General site binding opinion is that back of the room was an example for tripod equipment and hand held devices should be allowed in the front row for recording. Trustee Bailey stated his understanding of the Open Meeting Act is that if someone is recording the meeting and sitting in the front row and a witness comes to a meeting to testify, that person has no clue a person is taping them and later if it is broadcast that would be a problem. Trustee Bailey stated it would be good to have everyone recording the meetings in the same area so we know who is doing the broadcasting so a witness can say they do not want to testify if someone is recording it until all devices are turned off. Counsel Ramello stated that is one reason the ordinance was drafted for notification to the presiding officer ahead of time to know who is recording and who is not. He noted a small recording device does not have to be in the back of the room as long as it does not obstruct the audience and view of the Board members. Trustee Bailey stated he is all for taping meetings and hopes people watch the videos, when he looked on YouTube to review the videos of Village meetings some have only three views by people. If recordings are in the back of the room someone can check to be sure recording devices are off when required versus someone sitting in the audience recording and the Board does not know a recording is taking place.

Trustee Wittenberg stated in her opinion the more legal paragraphs we put around the open meetings makes it difficult no matter what the Open Meetings Act is all about. She added many Villages videotape their meetings, there is no ordinance like this after checking with Sterling a codification site, Western Springs has live feed and there is no video ordinance to date, there have been no problems with videotaping. She noted if there was a problem the Board could work wistfully together and there is not much testifying going on in a judicial way. Trustee Wittenberg stated there are model ordinances on line that would make it simple and if there are issues that open the Village up to liability, then the Board could look at making it more restrictive but why have a provision that the attorney general already has ruled on. Trustee Wittenberg stated we could let people know we are recording the meeting and if a situation comes up where someone would be testifying someone would be asked to stop the recording devices. She added we cannot stop someone from using a handheld device as long as it is not noisy or impeding the view of anyone.

Mayor Andrews stated that he disagrees with Trustee Wittenberg's characterization of the Illinois Attorney General provision arising from a factual situation for the Lake County Board that it invalidates this procedure based on counsel's presentation.

Mayor Andrews stated sometimes we want ordinances before something happens and other times we wait and see if we have an issue then pass the ordinance. Mayor Andrews further stated there is no track record because video recording of meetings has only been taking place for about three months, he wants to be proactive, how the ordinance is enforced is another matter, there is a nice turnout at the meeting and he does not know if the video cameras are disruptive to someone.

Mayor Andrews asked if his statements ended up on a recorder by Trustee Hinshaw who is not an official recorder of meetings so all requirements of unofficial recordings would then apply, if the notification provision is kept in the ordinance then written notice would need to be given to the presiding officer of the meeting if recordings are going on and it is appropriate to go forward to adopt the ordinance to establish a policy before there is a problem. Mayor Andrews stated the Board is not trying to prevent someone from recording but just to inform someone what their rights are to record meetings and witnesses to have the right not to be recorded.

Trustee Schnauffer asked if the draft ordinance or adopted ordinance would be sent to the attorney general for an opinion. Counsel Ramello stated the ordinance should be sent for an opinion before the Board passes it in case the attorney general finds any provisions that are not in compliance with the Open Meetings Act. Trustee Bailey asked if we take out the notice provision and someone comes to a meeting to testify and is recorded, but the person presiding over a meeting fails to read the notification statement about recording of meetings, would it be a violation of the Open Meetings Act or subject to something from the person testifying. Counsel Ramello stated there is no requirement under the Open Meetings Act or Section 8-701 that requires notice to be given to record meetings. However, if someone does not wish for their testimony to be broadcast or recorded, possibly a complaint could be filed by not controlling the recording of a meeting. Trustee Wittenberg stated that could happen if someone did know a recording was taking place. Counsel Ramello stated if there is a procedure in place then there would be minimal issues.

Trustee Walsh stated the notification requirement is important to inform people at the beginning of the meeting that there will be recordings, he does not have a problem with audio recording as Trustee Hinshaw brought up, the issue becomes if someone has an I-Phone for example and is holding it up it can become more disruptive and if the chairperson has discretion to direct people to move to a restricted area it will not be disruptive. Trustee Hinshaw stated he would suggest having the section of the ordinance revised to allow him or anyone else to record meetings sitting in a chair in the audience as long as they are not obstructing or make noise or using flashes. Trustee Walsh recommended that the matter be tabled to the next Board meeting to allow more discussion and make some modifications to the ordinance and decide whether to vote on it at the next meeting. Mayor Andrews stated counsel provided an overview of the ordinance that included: Board members providing input, procedures for unofficial recordings of meetings by reporters, a resident with a video camera and Trustee with a cell phone recording or anyone else with a recording device. He asked the audience if there were any comments.

Joan Metz, of Arrowhead Court, stated she totally disagrees with counsel's findings on the proposed ordinance and suggested that the ordinance entirely be submitted to the Illinois Attorney General for an opinion before the Village Board decides to pass such an ordinance.

Trustee Walsh moved, seconded by Trustee Hinshaw, to table the ordinance regarding participation at public meetings for consideration to the October Board meeting and to send a draft copy of the ordinance to the Illinois Attorney General for an opinion. Carried by unanimous voice vote (6/0/0).

**3. *Street Repair and Infrastructure Reports – Trustees Bailey and Wittenberg and Administrator Alonzo***

Frank Alonzo stated Trustees Bailey and Wittenberg, Public Works staff and administrative staff helped to prepare an infrastructure report that defines the needs of the Village. He noted the following: (1) a color coded street plan was provided to the Board; (2) a revised capital improvement plan was prepared; (3) a color coded map was prepared of the Village's watermain system and; (4) a PowerPoint presentation was also developed to summarize and prioritize all Village infrastructure needs including streets, watermains and equipment.

Frank Alonzo stated data was collected to determine what infrastructure needs to be done both long and short term, this is a preliminary discussion which will lead to costs and how to pay for it and what needs to be done first. He noted everything cannot be done in one or two years, there is a plan for the next five to ten years, the data needs to be analyzed, prioritized and discussed with Indian Head Park residents providing input as well and there is a financial cost as well as human resources needs in the short and long term to update and optimize the infrastructure. Frank Alonzo further stated alternative funding and scheduling needs to be discussed to complete each project and how long it will take, a plan is needed to know what needs to be done and the most effective way to accomplish it. Frank Alonzo summarized the following: (1) the short and long term plan is the best way to organize all of our infrastructure needs; (2) the plan will focus the Village to assess its current infrastructure, prioritize what needs to be fixed and determine the cost of fixing the infrastructure and how it will affect the Village; (3) due to the economic downturn and budget limitations, managing and updating water, street and sewer infrastructure has been difficult; (4) we must analyze, review and come to conclusions on investing in the infrastructure so that we can provide Village services for years to come; (5) the Village has 16.22 miles of water main infrastructure (90% of water mains are over forty years old and 1.62 miles are under twenty years old); (6) a list of five locations was provided indicating areas that are most in need of repairs over the next two years ( a total cost of \$1,125,000 for five projects) and identifying how many feet of watermain and the approximate costs (this amount may be higher based on what the materials cost at that time and if engineering is needed); (7) a comprehensive list of all watermain breaks that have occurred with specific date and locations was provided (some addresses may be repeated when there is a watermain break between lots); (8) nine streets were identified that are in need of immediate attention over the next twelve to twenty-four months (a total replacement estimated cost of \$1,059,791) (Arrowhead Trail, Glenbrook Lane, Edgebrook Lane, Deercrest Lane, Ashbrook Lane, Keokuk, Cascade Drive, Pembrook Drive and Buttonwood Court), streets were evaluated and prioritized by the Village Engineer and Public Works Superintendent using the P.A.S.E.R. rating, structure, quality, use and location; (9) three streets identified need repairs but were removed from the list due to location and low use parameters (\$186,000 removed from project list), (65<sup>th</sup> Street, Eastern Avenue and Vine Street). Many streets need crack filling, some repairs and curb work (an estimated cost of \$551,000).

A detailed list will be provided on the Village website. He noted the total immediate need for streets is \$1,610,791 (some costs may be higher if core sampling is needed or further engineering); (10) a detailed list of short term general infrastructure projects was also provided. He noted one item of concern is televising of the sanitary sewer collection system which is recommended to determine if everything is fine or if there is a sewer infrastructure problem. Also there is an Emerald Ash Borer problem with some affected Ash trees in the community.

Frank Alonzo stated for the past few years the Public Works Department has been treating Ash trees for Emerald Ash Borer, treatment is not working on some of the older Ash trees, some may need further treatment, an inventory of all parkway Ash trees including those that are being treated as well as trees that may need to be removed will be provided on a list at the October meeting. He noted some Ash trees were determined to be dangerous and needed to be removed, the cost to remove any further trees as well as costs to replace or treat any trees will also be provided. Frank Alonzo added a detailed long term general infrastructure list of projects over the next five to ten years was also provided to the Board including estimated costs.

Frank Alonzo summarized a list of some general infrastructure projects completed over the last five years: (1) rehabilitation of sanitary sewer mains; (2) sanitary sewer main replacement on Cascade Drive; (3) Cochise water main improvement; (4) replaced 1989 John Deere tractor; (5) replace vehicle for water department; (6) Well Number 2 at Wolf Road sealed and removed; (7) the total short term general project cost is \$948,500; (8) the total long term general project cost is \$1,818,375; (9) the total cost of completed projects is \$426,250; (10) water/sewer short term infrastructure cost is \$1,125,000; (11) short term street infrastructure cost is \$1,610,791; (12) short term general infrastructure cost is \$3,684,191; (13) long term general infrastructure cost is \$1,818,375.

Frank Alonzo stated what needs to be done next is to prioritize the short term needs, a townhall meeting was suggested in October or November with discussions amongst the Board and residents to give input, various phases of projects over the next one to three years need to be determined and funding options need to be discussed and identified (a few mentioned were a municipal bond sale, a possible referendum for March, a hybrid plan that would include Motor Fuel Tax funds, bond sale and referendum or possibly increase revenue through sewer or water fees on a temporary basis for water main replacements and sewer projects). Mayor Andrews stated as it relates to street improvement projects he mentioned previously possibly vehicle sticker fees could be increased as well as enforcement of Village stickers.

Frank Alonzo pointed out the PowerPoint presentation discussed this evening that summarizes all projects will be on the Website which includes a map of the watermain infrastructure, a color coded map of streets in town and how they were rated and a capital improvement plan. Mayor Andrews commended everyone including staff that compiled information and worked on putting together the presentation to the Board on the infrastructure projects. Trustee Bailey stated there was a lot of hard work on gathering information on the projects. He thanked Superintendent Santen, Bill McConaughy, the Village Engineer as well as staff for their efforts. He noted it is good to have a list but it needs to be determined how to pay for the projects.

Trustee Wittenberg stated it is a great opportunity now that we have a list of projects to also be able to have more interaction from the community that will make it more of a collaborative approach both short and long term. She added possibly perhaps past referendums were not supported because people were not in the loop as much as they needed to be, there are many ways to do things and perspectives, maybe this will be an opportunity for someone to look at the list of priorities and maybe Superintendent Santen can provide input on what he believes needs to be first to give his opinion.

Trustee Hinshaw thanked everyone who worked on preparing the infrastructure report. He asked if the two bridges in town are accounted for in the street infrastructure lists or noted any different. Frank Alonzo stated the bridge at Chestnut on the Green Development is the association's responsibility to maintain, the bridge on 70<sup>th</sup> Place is maintained by the State of Illinois and there are no other bridges that are the responsibility of the Village. Trustee Hinshaw stated resident Bill Kiley asked if the Village has investigated the Chicago Metropolitan Agency for Planning and their transportation and improvement plan because Hinsdale has obtained Federal funding through that program. Mayor Andrews stated he is aware there are some opportunities for funding but those programs are not 100% funding, the Illinois Department of Economic Opportunity has money for some projects and sometimes it appears to be a grant when it is a low interest loan that needs to be paid back. Trustee Hinshaw stated there are nine streets on the short term list and crackfilling that needs to be done that may last two or four years but the 10<sup>th</sup> street will need to be done at some point as well as the 15<sup>th</sup> street and is not sure if that is reflected for long term projects. Frank Alonzo stated that will be determined as we go along in the program with the Village Engineer and he provides an opinion on whether we should wait five years or prioritize certain streets. Trustee Hinshaw stated if we somehow receive funding from a combination of sources or one source we might get 3.6 million dollars to do everything but it will take us twenty years to pay off and that 10<sup>th</sup> street may need to be done before that is paid off. Trustee Hinshaw stated how much should we be saving for road maintenance each year, there is \$94,000 in the budget for depreciation for the water system so maybe \$300,000 a year is needed or a number that is known to determine how much to borrow in for the long term.

Carol Coleman, of 129 Acacia Circle, stated she recalled that Blackhawk Trail was completed with Federal funding because it is a collector street on the Federal map system and stimulus funds were received for that project, the Village Engineer also added Acacia Drive on the Federal map system so if in the future Federal funds are available for road maintenance funds could be obtained for that project. She suggested that Cascade Drive could maybe be considered for a collector street as well. Carol Coleman stated she recalled there was quite a bit of money in water fund reserves that could possibly be used for projects, the LaGrange Highlands Sanitary District maintains the water and sewer infrastructure in Ashbrook Development so those infrastructure costs would not be the responsibility of the Village. Dan McCarthy, of Ashbrook Lane, asked how much the Village bills and collects for water and why there is an amount listed for water equipment of \$25,000. Frank Alonzo stated eventually the tops of water meters will need to be replaced because parts will not be available when the meters break down because there is new updated water meter technology. Trustee Hinshaw asked if new meters are read electronically. Frank Alonzo responded, yes. Trustee Wittenberg asked if there were leaks in the water system. Frank Alonzo stated there were several leaks and those have been fixed.

Tom Hawrysz, of Cherokee Drive, thanked the Board for compiling a list of capital improvements. He stated some projects have different uses and Trustee Hinshaw mentioned there would be some benefit with the new water meters to be read by radio frequency so when the topic is opened up in a public forum in October or November it would be helpful to focus on prioritization and what benefits it would have on the investment that is made.

Vern Kramer, of Glenbrook Lane, stated he would like more of a sense of urgency in dealing with all of these things including the subject of financing, supposing there was a tax increase when would the Village get the money and how long before it is paid off. He further stated the deterioration of streets will accelerate over the years with winter months, snowplowing and other factors so that should be figured in as well in a breakdown. Frank Alonzo stated the top streets listed as short term projects are in need of maintenance and a priority and possibly something could be done sooner if we knew bond money would be coming in. Mayor Andrews stated it would need to be determined how much is needed to spend to get it all done, a loan for it would be needed until money would be coming in from a road bond if it is approved and payments can be made when the money is coming in. He noted the Board still needs to identify what to accomplish, how much it will cost, how much of a property tax increase to ask for and how long it will take to pay off a loan. Mayor Andrews stated a bigger chunk of money in an increase coming in will help get more done and more money can be borrowed, but when the bond is paid off the money goes away if it is for a certain period of time until people vote on it again. He noted a general property tax increase was not successful previously, a road bond referendum was approved by voters in 1996 and the street bond and was paid off in fifteen years and the payments ended in 2011. Mayor Andrews stated that a property tax increase can be tied directly to streets or a general property tax increase to earmark as the Board determines because there may be some short term projects that suddenly need to be done also or maybe street number ten needs to be done sooner. He noted if a stream of money is borrowed for the general fund, it is there to spend and there will be income coming in and how we spend it will be determined at a later date. However, if it is a street bond or water bond the funds can only be spent for those purposes. Trustee Hinshaw asked about the amount of the road bond from 1996. Mayor Andrews stated he did not recall the specific dollar amount of the referendum.

Chris Trifillio, of Thunderbird Drive, stated he has years of experience with bonds. He noted earlier this year bonds have gone up a percentage point just this year, the City of Detroit tried to do a bond issue and it did not help much, the amount of money needed for both long term and short term needs to be assessed, the future bond market is unknown, corporations know this is the bottom of the market and it will cost a lot more in the future if projects do not get done. Mayor Andrews stated he agrees the longer we wait the more it will cost. Lou Mini, of Pontiac Drive, stated it is a challenge to have a plan and try to determine how to pay for it, some residents do not have to be convinced and he personally would pay taxes or higher sticker fees for better infrastructure because most people have a significant investment in their property. Mr. Mini stated more work needs to be done to get residents on board to care a little more, if we do not do these projects it will affect property values and that will hurt everyone in the long run and he was surprised about the outcome of the last referendum and how it was defeated by the voters.

Trustee O’Laughlin stated in the past some information was not previously made available to people and some may not have known the short or long term infrastructure projects but now there is a plan people will be aware and understand what needs to be done. Mayor Andrews stated the reality of the results from the last referendum was that people did not want to part with additional money in tax dollars, there are new people on the Board and some new ideas and maybe they will have a persuasive effect on the residents. However, there were people who voted yes on the last referendum that felt they had sufficient information to vote for it.

Trustee Wittenberg suggested that possibly some meetings could take place with the homeowner associations so people know what is going on and that would be an effective way to get the information out. (Wilshire Green, Acacia, Indian Ridge, Chestnut on the Green, Indian Woods, Flagg Creek and Ashbrook). Trustee Bailey stated he agrees wholeheartedly with Mr. Mini that good streets are good for everybody. However, some people may look at the list and say mine is not one of the streets to be done or the water main project is not on my street so they may not vote for it. Trustee Bailey stated he hopes everyone can be convinced that fixing the infrastructure that needs to be done will benefit all of us. Mr. Mini stated that he believes good schools add value to properties as well as maintained infrastructure. Sue Kiley, of Edgebrook Court, stated people show up at meetings sometimes and have gripes and will go on and on about something that needs to be done until it gets to the point how we can pay for it. She suggested that maybe part of the plan needs to be explained positively and how it will benefit them so they vote for it.

Trustee Hinshaw stated about twelve years ago the Highlands School, which serves Indian Head Park, went out for a referendum and it failed the first year. The second time a referendum was proposed and there were about fifty volunteers that worked on the effort with a publicity group, a traveling road show that signed up voters, a group driving people to the polls, it was a big effort and it was successful with the help of the whole district and volunteers. Trustee Hinshaw stated in the future we may need the help of others from the community because it takes a Village. He also thanked Chris Trifillio for his comments about bonds. Dan McCarthy stated there was some negative feedback in terms of home rule but maybe a finite term for a bond issue would have a better chance for approval.

#### **4. *Finance Committee***

Mayor Andrews stated the Board previously discussed the idea of creating a finance committee that involved resident participation. He noted an advisory committee was suggested that would be comprised of Trustee Schnauffer and Trustee O’Laughlin as finance trustees, Dave Brink and Frank Alonzo and two residents that could get together to look at Village finances as it relates to help with the budget process. Mayor Andrews stated previously the Board discussed the Open Meetings Act and if a formal committee is created than an agenda is required to be posted, minutes need to be prepared and the meeting must be open to the public. He noted the West Central Municipal Conference provided information from some communities (Western Springs, Burr Ridge, LaGrange Park, LaGrange, Hodgkins, McCook, Franklin Park, Northlake) and there are no informal advisory committees, which counsel confirmed, that are used for any purposes. Mayor Andrews stated he also inquired if there were finance or budget committees.

There were ten or twelve responses and the communities that do have finance committees that exist such as Western Springs and Burr Ridge where the representatives on the committee are the elected officials such as a committee of the whole. Mayor Andrews further stated he is not against open meetings or resident input but was trying to facilitate the process so the members could meet when necessary. He presented the following options after input from counsel and Trustees: (1) a finance committee could be established that would consist of two trustees, two residents and two staff members; (2) an initial budget could be drafted for review; (3) a meeting could be scheduled and the Board would pass a final budget. Mayor Andrews stated the two residents who would participate would need to be available when staff is in the office during the day and on occasion staff may be required to work in the evening.

Trustee Wittenberg stated Countryside has a finance committee comprised of three alderman on that committee and also the finance director and treasurer, Burr Ridge has many committees and commissions but not a finance committee and Western Springs has standing committees which are all on line on their site (Western Springs committees: general government, public works, finance, water, recreation, public safety and health, planning/zoning, fire/police). She further noted in their policy they also have commissions (planning commission and recreation commission). Trustee Wittenberg's feedback from Trustees in Western Springs mentioned all of their videos of meeting are on line, there are live meeting feeds of all meetings and how they operate and there is resident participation with a facilitator from the Village. She noted as an example that if a resident has a request for a street sign, the safety committee would review, as needed and they will make recommendations to the public safety committee that two trustees are assigned to on that committee subsequently with a recommendation to the Village Board. Trustee Wittenberg stated all of the work is done by the committee subject to the Open Meetings Act, then a recommendation is made to the Village Board and all minutes and codification is on line.

Mayor Andrews asked Trustee Wittenberg what the role of the finance committee would be. Trustee Wittenberg stated she would envision residents assisting the Village in the budget creation process and evaluating the budget, there are several people that have municipal bond experience that could be utilized for their input and they would be there as a guide to help in the process. She added possibly a finance commission could be developed for multiple resident participation. Trustee Wittenberg pointed out there are many towns that have these commissions and Indian Head Park needs to look at how to manage it, what the responsibilities will be and the purpose it will serve. Trustee Schnauffer stated he is not convinced we need a finance committee and he has no objections in bringing in a maximum of two residents to participate in the budget process.

Trustee Tom Hinshaw read a letter into the record received from Shirley Yang of 11120 Glenbrook Lane:

*"Tom, I would like to respectfully submit the statement below when you reconvene the discussion on forming a Finance Committee. I strongly believe we should move forward with this as it will provide additional resources to our Village staff and Board and it will be in keeping with best practices of our neighboring Villages. I believe forming a Finance Committee that comprises members of the Village staff, Board of Trustees and Village residents is not only an excellent idea but imperative given our fiscal situation and constrained resources.*

*Having said that, I also think before any resident members can be appointed to such a committee, the role of resident volunteers should be clearly defined to ensure the committee is equipped with members who have the types of skills and experiences the Village needs. Our Village is fortunate to have a number of residents who are able and willing to contribute their skills for the benefit of the community, and we would be remiss to pass up such a great opportunity. Lastly, I believe complying with the Open Meetings Act and responding to potential FOIA requests should never be a reason we reject a productive new initiative, especially in the case of forming a Finance Committee where the benefits should far outweigh any extra time and effort.”*

Mayor Andrews stated his recommendation is to create a six member committee comprised of two finance trustees, two residents and two staff members to work on the budget. Trustee O’Laughlin asked if the Village Treasurer is involved in the budget process with staff. Mayor Andrews stated there is interaction from Treasurer Busa with Dave Brink on the budget process and possibly as Trustee Wittenberg mentioned if someone has experience with bond expertise they would help in that area.

Anne Bermier, of Stonehearth Square, stated she supported the idea that more people who are involved in the process more people will learn about the referendum and other matters. Sharon Allison, of Keokuk, stated she likes the idea of committees and commissions and there should be more discussion because it might be beneficial to the Village rather than making a decision tonight so it could be considered in the future. The consensus of the Board was to continue the discussion and gather some ideas and guidelines. Mayor Andrews asked that the Board submit their ideas to him to discuss this again at the next meeting. Trustee Wittenberg stated the Western Springs site has all the information on the roles of committees and commissions that can be used as an example.

## **5.     *Communications Committee***

Trustee Hinshaw stated he is looking for a thumbs up or down on an idea whether it is called a committee, commission, group or townhall meeting. He noted the concept is to get anyone from the Village to talk about what we are doing good in communications and what we can do better. He noted there is both inbound and outbound communication, possibly a survey can be done, email notification if something changes on the website or a Facebook page. Trustee Hinshaw stated he would like the committee of our residents to think about and talk about what they are looking for and some ideas might cost money and some does not cost money. He suggested maybe four meetings during a year that is open to everyone to establish what the community is looking for in terms of communication and he asked the Board whether this is an option to pursue or not. Mayor Andrews stated if Trustee Hinshaw hosted a meeting with residents giving input would that have to comply with the Open Meetings Act. Counsel Ramello stated one Trustee with designated people to serve on the committee from the community would be creating a formal structure of a committee, that would be a subsidiary of the Board and the Open Meetings Act would apply. However, one Trustee inviting residents to give comments that would not be subject to the Open Meetings Act and if you have a public meeting you would want to give notice there is a meeting.

Trustee Hinshaw stated if he serves as a moderator and everyone comes to participate in the discussion, does that mean it is a formal meeting. Counsel Ramello stated the issue is whether it is a subsidiary body of the Board, the Open Meetings Act states any subsidiary body of the Board is an open meeting which requires an agenda, minutes and notice of the meeting.

Trustee Walsh stated it is an excellent idea by Trustee Hinshaw and maybe it can be accomplished where we have one Board meeting in the future when we do not cover twenty-five items just cover certain issues. Trustee Hinshaw stated it would not need to be a set group of people just community involvement at a regular or special meeting. Mayor Andrews suggested we table this topic again to a future meeting and there is interest in this idea.

## **6. *Heritage Center Lands***

Mayor Andrews stated there was some discussion previously about the park hours at Sacajawea Park and Arrowhead Memorial Pointe. He noted land at the Heritage Center was discussed at that time. He noted former President Pellegrino mentioned a resolution was passed in December 2001 that led to an ordinance designating the Heritage Center property at 6250 South Wolf Road as Indian Head Park landmark status. He summarized the Board already had taken action on this issue in 2001 which designated the building, land area around the building and parking lot as the Indian Head Park Heritage Center. Mayor Andrews stated the Board already designated the property at 6250 Wolf Road including improvements and declared it as landmark status by Section 11-48.2-2 of the Illinois Municipal Code codified as 65 ILCS 5/11-48.2-2. He noted the property is not designated as a park just an empty lot, it is not designated as open land, it is still zoned R-1 zoning district and is a historical site. Mayor Andrews stated he spoke with Jane Kuhn former head docent of the Heritage Center and she recalled it is on the registry in Springfield as a historical landmark. Mayor Andrews stated the Heritage Center property is not a park it is a historical site already designated and is public property.

Trustee Walsh stated Trustee O’Laughlin mentioned that we designate use of the land at the property from sunrise to sunset. Carol Coleman, of Acacia Circle, asked if the recommendation is for the building and land to be designated for use from sunrise to sunset. Trustee Walsh stated the building has set hours of operation and use of the vacant land would be from sunrise to sunset and that would give the Police Department the right to enforce those rules. Mayor Andrews pointed out Blackhawk Park has its own hours which are on the website. Mayor Andrews entertained a motion to direct counsel to prepare an ordinance to designate the hours for use of the vacant land at the Heritage Center from sunrise to sunset. Trustee Walsh moved, seconded by Trustee O’Laughlin, to direct counsel to prepare an ordinance. Carried by unanimous voice vote (6/0/0).

Trustee O’Laughlin stated she has public safety concerns with standing water in the Heritage Center basement and asked if there is a mold problem in the basement because there is a musty smell in the building. She inquired what action would be taken to correct the situation. Frank Alonzo stated sealing the foundation of the Heritage Center is on the long term capital improvement plan, there are dehumidifiers in the building and Public Works will take a look to determine if there is another problem but there is some seepage from the foundation. Superintendent Santen stated the block foundation is over 100 years old.

Trustee O’Laughlin stated she has concerns for docents that are using the building or anyone else using the facility if there is problem.

Jean Southerland, of Tecumseh Lane stated, she is a docent at the library and mentioned on the second Saturday in August the toilet overflowed in the building and the maintenance department took care of it so that may have contributed to the water problem. Mary Uhrina, of Arrowhead Court, asked what role if any does the Heritage Center Foundation serve in helping with restoration and maintenance of the Heritage Center. Mayor Andrews stated the Heritage Center Foundation pays the Village rent through a lease for use of the second floor of the building and that helps fund some of the Heritage Center costs.

Anne Bermier of Stonehearth Square, pointed out that the Heritage Foundation has raised funds to help pay for some renovations of the Heritage Center. Mayor Andrews stated he recalled some structural repairs were done and the building was sided, new windows were installed and some other donations were made. Sue Kiley suggested advertising the hours the building is open and the types of books available would be helpful. Chris Metz, of Arrowhead Court, asked why the foundation rents the second floor of the Heritage Center. Mayor Andrews responded that the Heritage Center Foundation would be able to answer that question.

**7. Report Regarding Village Trees with Emerald Ash Borer – Administrator Alonzo**

Mayor Andrews stated Trustee Walsh requested a report on Emerald Ash Borer. He noted Frank Alonzo reported on this subject earlier in the meeting under the capital projects report.

**QUESTIONS AND/OR COMMENTS FROM THE AUDIENCE**

Trustee Hinshaw stated there is a resident in the back of the room that is having difficulty hearing the meeting and it is his understanding that at one time there were microphones that plugged into the dais for meetings. He asked if someone could look into having microphones again.

Trustee Tom Hinshaw read a letter into the record received from Silvia Maino, of 6100 Timber Ridge Court:

*“How can the Village officials just keep dreaming up ways for us to pay for their over the top salaries and benefits? They need to know they’re at their limit now. They need to focus on cutting the costs and waste in order to provide us with the repairs we desperately need. They have become the biggest liability. Someone needs to start shopping around for better health insurance rates and benefits. Maybe we need to cut the payroll and use more part time help until we have a bigger reserve for the Village. I can see we are paying our patrol officers ridiculous amounts of money! Some of them made double the salary of a Chicago officer on the south side! Oh please, this town is like Mayberry in comparison. The arborist is overpaid as well. My sister is an arborist for the LaGrange Park District, so I know. The insurance benefit per employee is way too high at \$17,000 per year, and needs to be addressed as well as the rest of the benefits.*”

*If you realize the cost per employee, we're paying over \$1,000 per month for each employee, just on a health insurance policy. That's insane. They need to fix that and hire some part time employees until their reserves for Village improvements are more substantial. Who decides the wages and benefits? They just need to take that person aside and make some drastic changes, there's no need for prolonged meetings and waiting for results, this looks like an emergency to me and we can't afford not to make drastic cuts and changes. Right now the way I see it, this isn't a healthy town. It's over paying itself and broke."*

## **ADJOURNMENT**

There being no further business to discuss, Trustee Schnaufer moved, seconded by Trustee Bailey, to adjourn the regular Board meeting at 10:40 p.m. Carried by unanimous voice vote (6/0/0).

Minutes prepared by,  
Kathy Leach, Deputy Clerk/Recording Secretary