

**Village of Indian Head Park
201 Acacia Drive
Indian Head Park, IL 60525**

**MEETING MINUTES
BOARD OF TRUSTEES
SPECIAL MEETING**

“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, February 20, 2014

7:30 p.m.

CALL TO ORDER – MAYOR RICHARD S. ANDREWS

The special meeting of the Village of Indian Head Park Board of Trustees was held on Thursday, February 20, 2014 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 Norman L. Schnauffer
Trustee Matt Walsh

ALSO PRESENT:

Richard Ramello, Counsel, Storino, Ramello & Durkin

NOT PRESENT:

Joseph V. Consolo, Village Clerk
Trustee Brenda O’Laughlin
Trustee Amy Jo Wittenberg

For the record, Mayor Andrews noted Board meetings are being videotaped by the Village as well as video or audio recordings by others.

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 an executive session meeting was listed on the agenda and it was placed on the agenda in case the Board needed to meet in closed session. The executive session was removed from the agenda.

AGENDA ITEM (DISCUSSION AND A POSSIBLE VOTE MAY TAKE PLACE)

1. *Approval of an Ordinance Amending Chapter 2.04 of the Indian Head Park Municipal Code to Delegate Authority in the absence of the Village Administrator (Ordinance #2014-5)*

Mayor Andrews stated there is one order of business to consider and that is an ordinance amending Chapter 2.04 of the Indian Head Park Municipal Code to delegate authority in the absence of the Village Administrator. Mayor Andrews stated he became aware that in the absence of a Village Administrator Board action was needed for authority to make purchases and approve purchases to carry us over until such time when we have a replacement for the Village Administrator position. Mayor Andrews stated the ordinance is comprehensive and he urged the Board to pass it. He noted it is proactive and tightens things up to clarify actually who has authority in the absence of the Village Administrator.

Mayor Andrews stated he received an email message from Trustee O’Laughlin as follows: *“Good morning, Mayor Andrews. I hope all is well. I am writing to you regarding Ordinance #2014-5 an ordinance amending Chapter 2.04 of the Municipal Code to delegate authority in the absence of the Village Administrator. I am a little confused on the wording in the amended ordinance. My take away from the meeting was you directed legal to draft an ordinance stating the Village President would be acting Village Administrator for a few months during the process of hiring a new Village Administrator which would be under 2.04.040 subsection (1) Vacancy or Absence of the Village Administrator. The amended ordinance states: During the period of time when (1) a vacancy in the office of village administrator exists or (2) the village administrator is absent from the Village due to illness, disability, vacation, out of town business or a leave of absence without a vacancy in the office of village administrator existing, the village president as the chief fiscal officer of the village shall, for the proper administration of all affairs of the village, have and exercise the powers and duties of the village administrator. I am in agreement with 2.04.040 (1) of the amendment to the ordinance but I am not in agreement with 2.04.040 (2).*

When a Village Administrator is hired it would be their responsibility in making sure during their absence due to illness, disability, vacation, out of town business or leave of absence without a vacancy in the office of village administrator existing they will assign a person to be in charge. I do not think it is the best interest to the Village to have the Village President stepping in whenever the Village Administrator is out of the office. I commend you for stepping in at this time for the next several months while we go through the process of hiring a village administrator but I do not want the Village President taking on the powers and duties of the village administrator once the village administrator has been hired during their absence. I hope that the Board and Village President will not pass this ordinance without deleting Section 2.04.040 (2) of the proposed ordinance, #2014-5 an ordinance amending Chapter 2.04 of the Indian Head Park Municipal Code to delegate authority in the absence of the village administrator. Since I will not be able to attend the meeting tonight, on my behalf I have asked Tom Hinshaw to read this at the meeting. Regards, Brenda O'Laughlin, Village Trustee".

Mayor Andrews stated he responded to Trustee O'Laughlin to clarify with her that the proper protocol if a trustee is going to be absent from a meeting is to notify the Village President of the absence and if they have input they wish to make known with respect to an issue to be covered at a Village Board meeting. The proper protocol is to submit a letter, memo or note to the Village President who will make that part of the record.

Mayor Andrews stated with respect to Trustee O'Laughlin's comments about deleting the subsection (2), Trustee O'Laughlin mentioned the village administrator could delegate someone if they are not going to be here. Mayor Andrews stated that the Village President is the chief executive elected authority and it is his obligation to do so. He noted this is a new ordinance, we do not currently have an ordinance about the vacancy of a Village Administrator on the books, the new ordinance will make it clear and will tighten the process, someone needs to have the authority and the Village President is the likeliest person.

Trustee Walsh stated at the last meeting the Board discussed amending the ordinance regarding purchasing authority. He asked if the purchasing authority is given to the Village Administrator it should apply also to Village President if he is serving in that capacity. Counsel Ramello stated if the Board approves the ordinance giving authority to the Village President in the absence of a Village Administrator and later decides to change the limitation on the amount for purchasing authority that section of the ordinance would need to be amended as well. Trustee Walsh stated he did not have a chance to review ordinances from other Villages and he asked if this is common practice in other Villages. Counsel Ramello stated it does not come up that often. He noted when a Village Administrator or manager is resigning from office there is enough notice to fill that position so there is no gap. Counsel Ramello stated in another municipality several years ago a Village Board believed the Village President had sufficient authority without even passing an ordinance until the position was filled. Counsel Ramello stated if no authority is delegated in the absence of a Village administrator, a special Board meeting may need to be called to authorize purchases, contracts or other matters. That is why the Village President is delegated so he can step in if needed. Mayor Andrews stated it would not be feasible to call a special meeting every time a purchase needs to be approved.

Trustee Hinshaw thanked Mayor Andrews for volunteering and stepping forward to cover the Village Administrator position with Frank resigning his position with a 30 day notice. He stated he is not happy about a 30 day notice and not sure what was involved in the process. Trustee Hinshaw stated when the Board talked about this last week there was talk about coverage for this period until we found a replacement for Frank and he did not recall talking about coverage when the Village administrator is out of town, out sick or on vacation. He mentioned the Village has been operating for the past eight years since Frank has been in office when he had a lot of vacation time so this is new. Trustee Hinshaw stated he is not in favor of having the executive branch manage the administration branch, we do have a situation with a short 30 day notice but if section 2 of the proposed ordinance is deleted, he would be in favor of approving it.

Trustee Bailey stated the Board is being proactive and just because there was no ordinance in the past does not mean it does not apply to the future, anything could happen where someone is not able to designate someone to fulfill their duties and the ordinance is a good idea. Trustee Schnauer stated Frank did not designate someone to take over his duties when he was on vacation or out of the office. Mayor Andrews stated there were times when Frank was out of town and in touch with the office by phone and because there were comments about showing residents we are making things more clear and tightening things up, an ordinance was prepared to delegate authority in the absence of the administrator. Mayor Andrews stated he is not interested in having a combined position of Village President/Administrator for any longer than he absolutely has to because it is a lot of work and he recommended passage of the ordinance.

Trustee Hinshaw stated bad scenarios were discussed but there are other scenarios that the Board has not discussed. He noted in the past when Frank was on vacation Curt Novak was in charge on the police side and when an administrator is out of town they can say Kathy or Dave are in charge because there are other options other than the Village President. Trustee Hinshaw stated there are other options and he would be more in favor of separating the positions rather than an executive leader of the Village. Mayor Andrews stated there was a distinction between what Frank did on the police side and what he did on the Village Administrator side. He noted you need to be a police officer to supervise police officers, a ranking sergeant position was created when Chief Crowley was ill with cancer and that position was held by Sergeant Novak so he could step in if needed when Chief Crowley was out of the office.

Trustee Hinshaw stated it is possible to name Kathy, as an example, to fill in when an administrator is out of town. Counsel Ramello stated the Village Administrator would not have the authority to delegate purchasing because that is delegated by the corporate authorities but they can delegate administrator duties. Trustee Hinshaw stated what if the Board approves a back-up administrator position. Counsel Ramello stated the Board could delegate authority to an assistant Village Administrator by ordinance but the Village President is the chief executive officer of the municipality.

Mayor Andrews entertained a motion to approve Ordinance #2014-5 an ordinance amending Chapter 2.04 of the Municipal Code to delegate authority in the absence of the Village Administrator.

Special Meeting Minutes
February 20, 2014

Trustee Walsh moved, seconded by Trustee Bailey, to approve Ordinance #2014-5, as presented. Carried by roll call vote (3/1/2).

Ayes: Trustees: Bailey, Schnauffer, Walsh

Nays: Trustee Hinshaw

Absent: Trustees O'Laughlin and Wittenberg

QUESTIONS AND/OR COMMENTS FROM THE AUDIENCE

None

ADJOURNMENT

There being no further business to discuss, Trustee Schnauffer moved, seconded by Trustee Bailey, to adjourn the regular Board meeting at 8:10 p.m. Carried by unanimous voice vote (4/0/2).

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