

**MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF HARWOOD HEIGHTS
HELD ON THURSDAY, MAY 25, 2006**

A. CALL TO ORDER at 7:30 pm by Mayor Margaret P. Fuller

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Mayor	Margaret P. Fuller
Clerk	Dianne H. Larson
Deputy Clerk	Marcia Pollowy
Trustees	George Alex Mark Dobrzycki (Late 8:00pm) Arlene Jezierny Demetrios Mougolias (Absent) Roy Schmidt Lester Szlendak
Attorney	Paul Stephanides

D. PUBLIC COMMENT

Mary Teistor, 5127 N. Oconto: I just came to share a little information, a situation that I've been going through for about a month now; they're building a new house next door to me and it's been the most miserable time of my life. I don't know if there's anything that can be put into place to save someone else from going through this or if there are guidelines that are not being followed. Obviously, it's been a big mess; we decided over the last year or two to put our house up for sale to move closer to my mom and dad who are elderly. When we decided that we had no idea this was going to happen and as soon as we put up our house for sale they started tearing this house down. In the process I've called a couple of times, I'm not even sure who I should talk to but they dug this foundation and with all the rain we've been having it constantly washed away to the point where it's under my driveway. Parts of my driveway are falling down, now they finally backfilled it, but it's all cracked; it looks as if my garage is slopping into where the foundation was put in. And while we're at work the workers used our electricity, they asked "one time" to use it and my husband said okay; my neighbor said while we're away they're using it all the time. It's been uncomfortable because they park in front of my driveway all the time and every time I want to get out I have to honk my horn and they have to move trucks; all their personal vehicles are parked up and down the street so there's no other parking. There's probably three or four trucks there at a time, they start early in the morning, they yell and sing and all kinds of noise and it's just been a really bad experience. I've talked to a couple people who have told me inspectors have been out, we talked to the owner, she said everyone's been out, commissioners, inspectors and everybody said everything is fine, we're doing everything right but it doesn't seem right to me so I just thought I would share this and find out if I was suppose to call somebody else. I don't want to keep bothering commissioners and inspectors if there's nothing that can be done. I need guidance.

Mayor Fuller: I'm here usually every day so if you're not getting the answers that you want from the inspectors or the building department than it would be time to call me so that I could follow up on it, so I will definitely do that and get back to you. Just leave your phone number after the meeting.

E. REPORTS OF MAYOR, TRUSTEES, CLERK AND ATTORNEY

Mayor's Report
Mayor Fuller

First I'd like to introduce Sandy Gbur from West Suburban Special Recreation to give us an update of the programs of their wonderful recreational organization for persons with disabilities.

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Sandy Gbur: Gave a snapshot of the WSSRA's activities for 2005 and a breakdown of those individuals participating from the Village of Harwood Heights. (Entire presentation available on tape)

*Thank you Sandy, I put you first so that you do not have to stay for the rest of the meeting but can go home and enjoy your family!

The rain is putting a delay in the village's construction projects. But never the less, the streets have been completed and the sewer was separated on Argyle Avenue so that we can connect to the MWRD in the future. The 1st layer of asphalt should be down on the alleys by the weekend, making them usable for the residents. The cost of all 3 projects, street, alleys and concrete, even with the additional concrete work that was added due to trip hazards, will still come in under the lowest bid, and we will have money to do streets again next year. Hancock Engineering began the surveying for the Gunnison Avenue Sewer Project under the 2005 CDBG Grant. The surveying for the Lawrence Avenue Improvement project was completed and the plans are being drawn. We have met with IDOT twice. There is every indication that parallel parking will be approved on Lawrence Avenue, as certain as we can be without having a permit in hand. The consensus is that parallel parking provides a buffer between the pedestrians and moving traffic making it an improvement. Everyone is invited to attend a public open house on Thursday June 1st at 6:30 regarding the conceptual streetscape design for Lawrence Avenue.

In other good news, IDOT Approved the "Caution Driveways Ahead" signs that Trustee Dobrzycki requested through our engineer Paul May which will be installed on Nagle Avenue. Mr. May, did you have anything to add to my report? **Paul May:** Just one other financial note, you mentioned MFT projects as a whole are running under budget, I expect them to probable end up between \$100,000 to \$120,000 under the resolution amount and \$40,000 to \$50,000 under the bid amount; so we should have a substantial amount available next year to do a good number of streets.

The public works crews have installed 12 of the new radio read water meters and were trained on the program and village staff will be trained on the new software. New shut off valves were installed by Public works on Lawrence Avenue, so different areas can be shut off during construction to prevent water breaks. Roof leaks on this building were repaired by public works and they will soon have the sprinkler system for the front lawn working as they have found the source of the problems. Our public works crew along with our code enforcement officers and health inspector received certification in the special application of solid mosquito larvacides. They will be able to treat the catch basins with the briquette applications for mosquito larvicide treatment, we are receiving the briquettes free of charge from the Ill. Dept. of Health.

At this time I would like to read a Proclamation:

Proclamation

WHEREAS, public works infrastructure, facilities, and services are vital to the health, safety, and wellbeing of the citizens of Harwood Heights; and

WHEREAS, those facilities and services could not be provided without dedicated efforts of public works professionals; and

WHEREAS, those individuals operate, and maintain our water supply infrastructure, water and sewage systems, the roadway systems, public buildings, and other structures and facilities that are vital to the citizens and community of Harwood Heights; and

WHEREAS, it is in the interest of the public for citizens and civic leaders to understand the role that public infrastructure plays in protecting the environment, improving public health and safety, contributing to economic vitality and enhancing the quality of life within our community.

NOW, THEREFORE, BE IT RESOLVED THAT I, MARGARET FULLER, MAYOR OF THE VILLAGE OF HARWOOD HEIGHTS, ILLINOIS proclaim the week of May 21 through May 27, 2006, as "National Public Works Week" and along with the Board of Trustees call upon our citizens to recognize and celebrate the important contributions that our public works professionals make every day by maintaining and improving the public infrastructure of the village.

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The hailstorm last week damaged almost all of the police vehicles. Estimates are being obtained for the repairs. Many residents called to tell us of broken windows, car damage and public works also repaired a broken window caused by the hail.

Yesterday Officer Dan Tyrpak did a compliance check of all the businesses that sell tobacco products within the village and all twelve businesses passed successfully; we had 100% total compliance within the Village of Harwood Heights. This is an enormous accomplishment getting 100% compliance; according to the Illinois Liquor Control Commission most communities participating in the program usually only reach 85% compliance.

Police Chief Marty Podosek received a letter from the Police Chief of Elk Grove Village that read "On behalf of the Elk Grove Village Police Dept. please accept my thanks for the expert assistance provided by members of the Major Case Assistance Team in the investigation of a murder that occurred in our community on April 18. The murder involved the beating of a victim who was found in a room at a local motel. At the onset of the murder investigation there were very few clues as to the identity of the offender. With the assistance of MCAT and investigator Al Palacz, a suspect was identified within 96 hours and the suspect was apprehended. The amount of work that was completed by the entire MCAT investigative and forensic teams in a short period of time resulted in the timely identification of the offender. Please convey my appreciation to Investigator Al Palacz for his dedication, professionalism and assistance." Signed Stephen Schmidt, Chief of Police.

Another letter came from the Chief of Police of Arlington Heights; "On behalf of the Arlington Heights Police Dept. please extend my sincere appreciation for the cooperation and professionalism provided by Officer Al Palacz through the Major Case Assistance Team, in the investigation of a homicide that occurred in our community on April 27th. On that date, the Major Case Assistance Team was called out to assist our detectives with the investigation of a double shooting that unfortunately resulted in the death of a 23-year-old college student. During the course of the activation, MCAT members provided invaluable assistance by following leads and locating persons of interest pertinent to our investigation. The resources provided by MCAT's investigators and forensic technicians have once again proven to be an invaluable asset to solving crime in the northwest suburbs. Again please extend our gratitude to Officer Al Palacz for his assistance with our investigations." Signed Gerald Mourning, Chief of Police.

A resident wrote to thank our police for their prompt response to a noise disturbance, it reads "the police dispatcher was courteous and the prompt response of multiple squads were successful in convincing them that the noise was well above the legal limits"

I am amending motion I9 regarding Ordinance 06-17 to read: To adopt Ordinance 06-17 An Ordinance Granting a Fence Height Variance for the Property Located at 4408 N. Oak Park Avenue, the corrected ordinance was distributed and the board approved the variance at the last board meeting.

On behalf of the Historical Committee, Ed Connelly and I attended the re-dedication of the Robinson Woods Historical Site sponsored by the Schiller Park Historical Commission. Many other historical committees were represented including Norridge, Norwood Park, Triton College and Eisenhower Library, along with the Mayor of Schiller Park. A descendant of Chief Alexander Robinson was in attendance and a recording of an Indian prayer was played.

Don't forget that the White Sox World Series Trophy is coming to Harwood Heights, Friday June 2nd from 10 a.m. to 1 p.m. A suggested \$10 donation, which will benefit the Chicago White Sox Charities and the United Way is requested for visitors to take a picture with the trophy, you must have your own camera and film. Access to the trophy is on a first come, first served basis.

I am proud to have been selected for an article in the Fra Noi Italian American Newspaper. I have a copy if anyone would like to see the article. I believe it promotes a very positive image for the village.

I received a phone call from Illinois Dept. of Commerce and Economic Opportunity regarding the planning grant that I applied for. While they did not indicate any awards as of yet, they said I would be receiving a survey to complete. Hopefully, this means we are still in contention to get some funds to pay for future planning in the village, for example

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the condo conversion and tear down work that we need to plan for with Vandewalle & Associates. I have not heard anything about the ITEP grant for the streetscape, the awards have not been made.

And last I want to comment on the status of a new distribution for sewer fees that is being discussed and prepared by the some of the trustees. I was out of town last week and was unable to attend a meeting that was held on 5/18. First let me say that the Chicago Sewer fee issue is a financial matter not a sewer issue, or a water issue. The only reason we are addressing this is to pay the Chicago fees. And let me add that no fee is fair, because the Chicago fee is not fair. The purpose of the sewer fee is to cover the fees imposed on us by Chicago, to pay the extremely large past due fees, to pay the current fees, and to provide funds for sewer maintenance. The current ordinance we adopted provides this mechanism.

For an update, in negotiating the payment of past due fees with the City of Chicago, through our attorneys, I found that they would not accept small payments over 8 to 10 years. We are looking at probably having to pay off the past due amount of almost \$600,000 in 4 years. These amounts will be in addition to the \$147,000 due annually for the current fees. Unless of course they demand that we pay all of the past due amount upfront. The fees being charged by Chicago are *currently* subject to changes at any time by City Ordinances. Chicago also wants to be allowed to make inspections and conduct tests of the sewer system and will determine if any alterations or compliance needs to be addressed, which could cost us even more money.

I did listen to the tape recording of the meeting and I cannot support the proposal for distribution of fees that was recommended. This is because the fees ranged from \$3.00 per property to \$200 per property per month. This doesn't sound fair and is so far removed from what Chicago is charging us. From what I could determine, the formula is part usage, and part maximum and minimum fees, making it part flat fee. For example two of the properties listed for commercial are actually an industrial firm and a restaurant, under the proposed plan they would be paying as much as \$200 a month. I hope the trustees that support this plan remember that we are trying to keep business **alive** in Harwood Heights, not drive them out. Industry is already having a hard time, we know as we watch them close up shop and move out. And I hope the board remembers, particularly for restaurants, the board already increased the Liquor license and fingerprinting fees, increased the business license fees, and established a Special Service Area where many businesses will be paying additional taxes for village improvements. This plan puts the burden of all the costs on the commercial properties. Another example of this plan, is the \$140 fee for the multi-family units, three of these multi family properties who could be paying as much as \$140 a month, range from a 139 unit property, to 48 units, to 14 units. And this is fair?

In this proposal, the trustees will be creating their own tax, not related to the Chicago fees at all. As I said before and again in my letter in the current newsletter, the Chicago fees are sewer connection charges; they belong to the property not to the people who live there.

Even with the current flat fee method that is in place, the village will be subsidizing the amount being collected for the payments to Chicago in order to pay the past due amounts.

I hope the board will take more time to review this matter. In the meantime, Larry Noller, our new manager, who is here this evening, offered to prepare a study of how other villages bill for sewer fees. What we found so far are 3 methods, either a flat fee, a % of the water usage, or a sewer rate similar, but less than, the rates billed for water. And once again I remind the board if they need any information or reports on water usage or anything else from employees they should be contacting Larry Noller, or me, if he is not available, and not contacting employees directly. Everyone was informed of the policy. Please don't put a village employee in a precarious situation by not adhering to policy. Mr. Noller will be happy to provide you with the information or see that someone does.

Please have a safe Memorial Day Holiday, and remember our soldiers both serving overseas and passed. The village hall will be closed Sat through Monday.

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Finance
Trustee Alex

The Mayor spoke at length about a number of financial issues and currently we are in the process of gathering information to help all of the trustees come up with a final method for allocating the sewer fee. I don't think I've seen one method that stands out head and shoulders above the other and what I want to do with the finance committees available information so we can reach a decision and make a decision that will be best for the village. There is still work being done on the audits and work being done on the appropriation ordinance; I will be giving out future reports about that. The last thing that I did want to mention is in regards to Memorial Day, I wish everyone a Happy Memorial Day; but rather than just honor only the people who served their country, I'd like to honor the memory that they went there so that we'd all have a chance to live in freedom and peace and so often we forget those who glorify war, what they did was they provided us with peace which I value more and I wish that we'd just explore that avenue more.

Ordinance/License
Trustee Dobrzycki

The report of the Ordinance & License Committee; following through, progress is being made on updating the Village building and zoning ordinances, in particular work is progressing on the condominium conversion ordinances; at this point we'll have an update hopefully within the next couple of weeks. Also, addressed the last couple of weeks, with the beginning of the spring time weather, parking issues and regulations, which we'll also be investigating that with various members of the village administration.

I'd like to wish Trustee Schmidt a Happy Birthday and to all a good Memorial Day weekend.

Public Works
Trustee Jezierny

Basically, my report was on the streets and the alleys but Mayor Fuller already gave that report, so I will save you the duplication. Regarding the Proclamation for the Public Works special week, the "National Public Works Week", one of the suggestions I had made a couple of months ago was since we now have a new Public Works garage is to open it up for an "open house" so that the citizens and their families and children can come and take a look and maybe do the "touch-a-truck" and observe some of the activities that the public works' team does out there in the field. So, hopefully, we can still surface that at some time; that would certainly go in alignment with the proclamation which says "given to our citizens to recognize and celebrate the important contributions that our public works professionals make every day". This will give them hands on and also see the new facilities that their tax dollars go toward. With that in mind, as Chairman of Public Works and on behalf of the board, please be careful out there, it's a long weekend, we have a lot of children out there playing; let's make everyone safe.

Public Health & Safety
Trustee Mougolias

No Report - Absent

Forestry/Recreation
Trustee Schmidt

I have nothing to report for the Forestry Committee; for the Recreation Committee, I don't think I could do anything better than what Sandy did in her presentation on the WSSRA. The only thing that I'll comment, she did give me some brochures and catalogs, which I will probably put in the trustees' mail box regarding the WSSRA.

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**Sewer & Water
Information & Technology
Trustee Szlendak**

On the Water/Sewer Committee, we had a meeting as the Mayor mentioned on May 18th; there were three different proposals that were mentioned. The one that was chosen for further review was based on the water bills that are being charged to the residents. I disagree with the Mayor; flat fee, charging a single family home with one resident basically the same rate as a Parkway Towers or another 140 unit building is just not fair. Is there a perfect way of splitting up the charge? No, there isn't. Someone's going to pay more than the other ones. What I'm going to do is ask the trustees' to come up with two different variances on this; two different maximums and minimums. I'm going to present that at the next Committee of the Whole meeting and I hope that one of them is chosen to be voted upon at the next board meeting.

**Clerk's Report
Clerk Larson**

As we remember all those men who gave their lives for us so we could be free and for all our men and boys today who are keeping us safe, a Happy Memorial Day and a Happy Birthday, Roy.

Attorney's Report

Nothing new to report Mayor; just a pleasure to be back.

F. TRUSTEE COMMENTS

Trustee Alex: I didn't get a chance to wish Roy a Happy Birthday, Happy Birthday Roy! Did you get my card with the money inside?

G. SPECIAL COMMITTEE REPORTS

None

H. APPROVAL OF MINUTES

Motion by Trustee Alex, seconded by Trustee Schmidt

Regular Board Meeting held Thursday, May 11, 2006

A roll call vote resulted as follows:

A YES: Trustee Alex, Dobrzycki, Jeziorny, Schmidt, Szlendak

NAYS:

ABSTAIN:

ABSENT: Trustee Mougolias

Motion Carried

I. CONSENT AGENDA

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak on Consent Agenda items I 1- 14 as amended:

1. To approve expenditure, not to exceed **\$1,938.03**, payable to NABTECH for Business License Software Customization.

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2. To approve expenditure, not to exceed \$533.45, payable to Speed-O-Lite Forms and Specialties Company for 16,500 water billing post cards.
3. To approve expenditure, not to exceed \$3,335.19, payable to Vandewalle & Associates, April 30, 2006 billing; \$2,741.44 for Implementation Services, \$406.25 to be reimbursed back to the Village by Purington, \$187.50 to be reimbursed back to the Village by Scavelli for Development Consulting Services.
4. To approve expenditure, not to exceed \$2,700.00, on estimate #2006 137, payable to Robert W. Hendricksen Co. for maintenance of trees.
5. To approve expenditure, not to exceed \$650.00, and to authorize Mayor to execute contracts, payable to Service Sanitation for 4 portable restrooms, 2 hand wash stations for Village Block Party to be held August 19, 2006.
6. To approve expenditure, not to exceed \$3,070.00, and to authorize Mayor to execute contracts, payable to Fun Services for 7 rides for Village Block Party to be held August 19, 2006.
7. To approve expenditure, not to exceed \$5,250.00, and to authorize Mayor to execute contracts, payable to Chicago Party Rental for tents, chairs, tables, and stage for Village Block Party to be held August 19, 2006.
8. To adopt **Resolution 06-05**, a Supplemental Resolution for the Maintenance of Streets and Highways by Municipality under the Illinois Highway Code.
9. To adopt **Ordinance 06-17**, An Ordinance Granting a Fence Height Variance for the Property Located at 4408 N. Oak Park Avenue, the corrected ordinance was distributed and the board approved the variance at the last board meeting.
10. To approve expenditure, not to exceed \$23,352.18, on balance due, payable to Illinois Municipal League Risk Management Assn., for Minimum/Maximum Contribution for year 12/31/03 to 12/31/04.
11. To approve expenditure, not to exceed \$4,491.00, payable to West Central Municipal Conference (\$1,610 Pugsley & Lahaie, \$2,881 Wilson Nurseries) for cost of trees, delivery, planting for Spring Tree Planting Program 2006.
12. To approve expenditure, not to exceed \$13,215.43, payable to Robbins, Schwartz Nicholas Lifton & Taylor, Ltd. for attorney billing fees through February 28, 2006, includes \$1,000.00 retainer fee.
13. To award a Maintenance Agreement for 22 HVAC rooftop units for the Police Department and Village Office to AL Air, Inc. at a yearly fee of \$5,200 and flat hourly labor rate of \$60 per hour if needed, the lowest of four bids obtained.
14. To approve Block Party on July 15, 2006 from 10am to 10:00pm on the 4400 N. New England block, and also Moonwalk, as well as DJ., (residents are aware of proof of insurance). It is also requested that the Village to provide barricades and orange cones the day of the event and permission from the Police Department that residents will be able to park on their garage aprons the day of the event.

A roll call vote on Consent Agenda items I 1- 14 as amended resulted as follows:

A YES: Trustee Alex, Dobrzycki, Jezierny, Schmidt, Szlendak

NAYS:

ABSTAIN:

ABSENT: Trustee Mougolias

Motion Carried

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J. NEW BUSINESS

PAYMENT OF CURRENT BILLS

Motion by Trustee Dobrzycki, seconded by Trustee Schmidt

1. To void check #40784 in the amount of \$507.00.

A roll call vote resulted as follows:

A YES: Trustee Alex, Dobrzycki, Jeziorny, Schmidt, Szlendak

NAYS:

ABSTAIN:

ABSENT: Trustee Mougolias

Motion Carried

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak

2. To void check #40750 in the amount of \$204.34.

A roll call vote resulted as follows:

A YES: Trustee Alex, Dobrzycki, Jeziorny, Schmidt, Szlendak

NAYS:

ABSTAIN:

ABSENT: Trustee Mougolias

Motion Carried

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak

3. Payment of current approved bills in the amount of \$223,374.45 as they appear on check register #40787 thru #40864.

A roll call vote resulted as follows:

A YES: Trustee Alex, Dobrzycki, Jeziorny, Schmidt, Szlendak

NAYS:

ABSTAIN:

ABSENT: Trustee Mougolias

Motion Carried

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak

Amended by Trustee Alex, seconded by Trustee Dobrzycki to eliminate the word estimated

4. Transfer from Parkway General Savings Account in the amount of \$163,183.94 to Parkway Bank Payroll Account.

A roll call vote resulted as follows:

A YES: Trustee Alex, Dobrzycki, Jeziorny, Schmidt, Szlendak

NAYS:

ABSTAIN:

ABSENT: Trustee Mougolias

Motion Carried

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K. OLD BUSINESS

None

L. CORRESPONDENCE

None

M. OTHER NEW BUSINESS

None

N. TRUSTEE COMMENTS

None

O. EXECUTIVE SESSION (IF NEEDED)

P. ADJOURNMENT

Motion by Trustee Alex, seconded by Trustee Dobrzycki to adjourn. On a voice vote, all being in favor, the motion carried and the Regular Meeting of the Board of Trustees of the Village of Harwood Heights was adjourned by Mayor Margaret P. Fuller on Thursday, May 25, 2006 at 8:23pm.

Respectfully submitted,

Dianne H. Larson, Village Clerk