

**CITY COUNCIL MEETING
MINUTES – April 27, 2010**

Mayor Ken Nelson called the Council meeting to order at 7:30 p.m.

Pledge of Allegiance to the Flag: Mayor Nelson led the pledge.

ROLL CALL:

Present: Pitzafarro, Lusk, Buske, Judd, D’Astice, Larsen

Absent: Adams

Staff Members Present: City Manager Sarah Phillips, Public Works Director Fred Vogt, Community Development Director Valerie Dehner, Fire Chief Ron Stewart, Police Chief Dave Scanlan, Senior Accountant Rob Frederickson, City Attorney Jim Macholl, Assistant City Engineer Jason Souden, Assistant City Manager Barry Krumstok

Mayor Ken Nelson read the following statement:

MEMBERS OF THE AUDIENCE ARE REMINDED THAT THESE PROCEEDINGS ARE BEING VIDEO TAPED FOR CURRENT AND FUTURE BROADCAST OVER THE CITY’S CABLE TELEVISION CHANNEL.

MOTION TO APPROVE MINUTES:

Alderman Pitzafarro moved to approve the minutes of the April 6, 2010 Council Meeting and the April 20, 2010 Committee of the Whole Meeting; seconded by Alderman Buske.

Yeas: Pitzafarro, Lusk, Buske, Judd, D’Astice, Larsen

Nays: 0

Absent: Adams

Minutes Approved

MOTION TO DEVIATE:

Alderman Larsen made a motion to deviate, seconded by Alderman Buske.

Unanimous

1) Public Works Citizens Academy Recognition

Mayor Nelson: Congratulated participants of the 2010 Public Works Citizens Academy.

Mr. Vogt: Recognized recent graduates of the Public Works Citizens Academy with certificates.

MAYOR'S REPORT:

Thank you to everyone who attended and participated in the City's observance of Earth Day and Arbor Day on Saturday, April 24th. The cleanup dealt with numerous locations around Salt Creek and the planting of 100 new trees.

E-Waste Recycling Program expanded for 2010. Starting in May, residents of Rolling Meadows and other SWANCC member communities can utilize any of the following drop-off locations to dispose e-waste products like computers (PC's and laptops), MP3 players, monitors, VHS or DVD players, mice, keyboards, printers, fax machines, scanners, etc. at Hoffman Estates Village Hall (Monday and Wednesday's from 10 am to noon); Glenview Public Works Yard (Tuesdays from 1 to 3 pm and Thursdays from 10am to noon); Morton Grove Public Works Yard (Wednesday from 1 to 3 pm and Friday's 10 am to noon). ID's will be checked to verify residency.

Also, as a reminder, residents of Rolling Meadows can participate in SWANCC's At Home Computer Program where they will come to your door. This convenient recycling option for old electronics and computers only cost \$25 and you can recycle up to six items. Additional items are \$5 each with a maximum of 15 items. For more information, or to schedule a pickup, please contact SWANCC at 847-724-9205 or visit the web site at www.swancc.org (click on the recycle section).

Pancake Breakfast – Saturday, May 15th – 8:00 to 11:30am. Just like last year, Chief Stewart and some members of the Rolling Meadows Fire Department will be doing the cooking for the Rolling Meadows Golden Years Council. The location for this event is Park Central (3000 Central Road) and the cost is \$5 for adults and \$4 for children under 12 years of age. Walk-ins are welcome for this event.

The Garden Club's Hometown Plant & Craft Sale is Saturday, May 15th – 9:00am to 2:00pm – Public Works Building located at 3200 Central Road.

Also, on May 15th, the Historical Society will be hosting a Bake Sale that is scheduled to coincide with the Garden Club Plant & Craft Sale. This bake sale will take place at the Museum located at 3100 Central Road from 10:00 am to 2:00 pm.

Congratulations to the Holiday Inn Express Rolling Meadows! There are currently over 1,800 Holiday Inn Expresses and they were recently notified that they are ranked number ten (10) in the United States in guest satisfaction. Please note that the Holiday Inn Express Rolling Meadows is located behind the Holiday Inn off of Algonquin Road.

WARD REPORTS:

Ward 1 – Alderman Pitzaferro:

Some of us went to a Prayer Breakfast on Saturday and a Pastor had asked him if we prayed at the Council meetings. He said he would like to and proceeded to say a prayer.

Ward 2 – Alderman Lusk:

Stay Active Challenge is coming to an end in about 2 ½ weeks.

Ward 3 – Alderman Buske:

Watched a tape of the last meeting and noticed that when someone did not speak directly into the microphone it was very difficult to hear. He asked everyone to make sure they are speaking directly into their microphone.

Ward 4 – Alderman Judd:

None

Ward 5 – Alderman Adams:

None

Ward 6 – Alderman D’Astice:

None

Ward 7 – Alderman Larsen:

Regarding the ongoing project to repave West Frontage Road: There have been some delays and asked Mr. Vogt to clarify.

Mr. Vogt: The project was scheduled to end at the end of April and it looks like it will be extended into May at this point. We will know more after our weekly progress meeting on Thursday. East Frontage Road residents were contacted that the project will be continuing on schedule.

MEETING OPEN TO THE PUBLIC FOR 20 MINUTES:

Ms. Karen Gill, 2408 Martin Lane, Rolling Meadows: Thanked the Public Works Department for having the 3rd Citizens Training Academy. Read a prepared statement (attached).

Mr. Mike Cannon, 5717 Jessica Court, Rolling Meadows: Came forward to present a petition with 104 signatures requesting that the Council stop all efforts to build a 3rd fire station at this time. The petition will be entered into the record.

Mr. Len Cali: The Public Works Academy was much more than he ever expected. The Staff is exceptional and they are more of a family than they are co-workers. They are an asset to this community and he salutes them.

Mr. Paul Hays, 3602 Finch Court, Rolling Meadows: The Academy opened his eyes as a resident and an educator. He thanked the City and hopes they continue with the program.

Mayor Ken Nelson closed the floor.

➤ **PENDING:**

None

➤ **CONSENT: ORDINANCES FOR 1ST READING:**

- A. Ordinance / Establish Commanders Exempt Rank**
- B. Ordinance / Approve Disposal of Vehicles**
- C. Ordinance / Approve Disposal of Ambulance**
- D. Ordinance / Approve 6b Application Fee**

Alderman Buske requested Item A be removed.

Alderman D'Astice requested Item B be removed.

Alderman Lusk made a motion to accept the amended Consent Agenda, seconded by Alderman Larsen.

Unanimous

➤ **NEW BUSINESS:**

Item A from Consent Agenda: Ordinance / Establish Commanders Exempt Rank

Alderman Buske made a motion to approve on first reading, seconded by Alderman D' Astice.

Alderman Buske: What does the testing cost?

Ms. Phillips: \$12,000.

Alderman Buske: We are being asked to exempt the Commanders position and have the City Manager appoint this position. Is that with the recommendation of the Chief?

Ms. Phillips: That is correct.

Alderman Buske: In the past it was discussed to eliminate that position. He was against that and stated his reasons why. He will probably not support this the way it is written.

Alderman Larsen: The \$12,000 is an expense the City incurs every three years?

Ms. Phillip: It is really \$12,000 per list.

Alderman Larsen: If we don't approve this there will be a disconnect between fire and police. If we do approve this our worst case scenario would be that between the Police Chief and the City Manager, they make a poor choice.

Chief Scanlan: Noted that with the list there is a "Rule of 3" where you can take anyone of the top three. There is some flexibility with the list except that by allowing this to remain as a Board of Fire and Police Commission position, we have to follow the restrictions set aside by the statute.

Alderman Larsen: If we choose to approve this and a choice is made that turns out to be something that we are not comfortable with, what is our recourse?

Mayor Nelson: The same recourse we would have with any department head. The real issue here is that these are management positions and require a certain understanding of the department.

Alderman Larsen: How many people are vying for these positions?

Chief Scanlan: 9

Alderman Lusk: Is the \$12,000 just for the Commander position or all listed positions?

Ms. Phillips: Just the Commander.

Alderman Lusk: Believes that the Fire and Police Commission do a good job and supports continuing with the testing.

Alderman Larsen: When did the Battalion Chiefs become exempt?

Chief Stewart: He would have to check, but knows that this has been in place for a number of years. It is pretty much the industry standard in the area to appoint this position. They are a management position. Also, throughout the history of this position being appointed there has been no experience with the problems they have been talking about.

Chief Scanlan: The Commission does support taking this action.

Alderman Buske: When was Fire made exempt?

Chief Stewart: Will have to research it, but believes at least 10 years ago.

Alderman Buske: He was told that the Commission would really like to keep this on and also would like to bring the Battalion Chiefs back on.

Chief Scanlan: There have been lengthy discussions and their position is that they would like to see both positions (Battalion Chief and Commander) the same.

Alderman Buske: Agrees that they should both be the same.

Chief Scanlan: It is an exempt position and we would like to choose who we want in that position.

Alderman Pitzafarro: He manages about 150 people in his company. We don't test for high end management slots. We need to trust the Chief of Police to make a decision on who he wants in this position. He will support.

Alderman Judd: He is dismayed that this is being dropped in his lap without any background. What exactly is the process now?

Chief Scanlan: Sergeants would test and a list would be posted and when a vacancy occurs, the people on the list would have some expectation of being put into that position. This would give us more flexibility. This is a good opportunity to look at all the dollars we spend and decide whether we really need to do this. The Staff time will be enormous to run these tests.

Alderman Judd: If an open Commander position becomes available someone in the top 3 on the list would almost feel entitled to that position?

Chief Scanlan: There are two sides to that coin. The City side would move to do what they need to do to not fund that position or change the staffing plan, while the employee who has cause for that position certainly has the right to hire an attorney and make his case for the open position.

Alderman Judd: If we were to pass this and one of those Commanders left and we chose not to fill the position, we almost alleviate litigation from a Sergeant who may feel that he is entitled to the position?

Chief Scanlan: Yes.

Alderman Judd: What potential discrimination issues could this bring up?

Mr. Macholl: He does not think it would bring on any discrimination lawsuits.

Mayor Nelson: Believes this may actually reduce the risk somewhat.

Alderman Judd: The Fire is already exempt?

Chief Stewart: Correct.

Alderman Lusk: Stated that she has confidence in the abilities of both Chief Scanlan and Ms. Phillips, but still believes that the testing is important.

Alderman D'Astice: Asked for clarification on the Rule of 3.

Chief Scanlan: Clarified

Alderman D'Astice: If there is a list and a position became available and Council decided to eliminate the position why would there be potential litigation.

Mr. Macholl: It is believed that if you are on a list you are entitled to that position.

Mayor Nelson: The argument is that you eliminated the position because you did not want a particular person in that position.

Alderman Judd: When does the current list expire?

Chief Scanlan: June 4th.

Yeas: Pitzafarro, Judd, Larsen

Nays: Lusk, Buske, D'Astice

Absent: Adams

Failed on First Reading

Item B from Consent Agenda: Ordinance / Approve Disposal of Vehicles

Alderman D'Astice made a motion to approve on first reading, seconded by Alderman Buske.

Alderman D'Astice: His concern is that there is no reserve price listed.

Alderman D'Astice made a motion to add to Section 5 that the vehicle will not be sold for less than a reserve price of \$13,500 and add to Section 7 that the City Manager has authority to sell for no less than \$13,000, seconded by Alderman Larsen.

Alderman Buske: Is there an outfit that said they could get \$11,500?

Chief Scanlan: No. The company that sold them to us told us that is what market could bear?

Alderman Buske: What about EBay?

Ms. Phillip: The auction service we use is essentially the same as EBay.

Roll on Motion:

Yeas: Pitzafarro, Lusk, Buske, Judd, D'Astice, Larsen

Nays:

Absent: Adams

Motion Passed

Roll on Ordinance as Amended:

Yeas: Pitzafarro, Lusk, Buske, Judd, D'Astice, Larsen

Nays:

Absent: Adams

Approved on First Reading

E. Motion to Approve Payment of Bills on Warrant 4-27-2010

Alderman Lusk made a motion to approve Warrant, seconded by Alderman D'Astice.

Alderman Buske: Page 41 – Street Sweeper, why are we paying more than we agreed to? We agreed to \$164,000 and the warrant is showing a payment of \$176,000

Mr. Vogt: There are other items on the list included in that dollar figure. We paid \$164,261 for the sweeper.

Yeas: Pitzafarro, Lusk, Buske, Judd, D'Astice, Larsen

Nays: none

Absent: Adams

Warrant Passed

F. Resolution No. 10-R-46 / Award Contract for Sidewalk Program

Mayor Ken Nelson read the background on this Resolution.

Alderman Pitzaferro made a motion to accept the Resolution, seconded by Alderman Lusk.

Alderman Judd: Commended Public Works for getting 8 bids.

Yeas: Pitzaferro, Lusk, Buske, Judd, D'Astice, Larsen

Nays: none

Absent: Adams

Resolution Passed

G. Resolution No. 10-R-47 / Award Contract for Public Works Fuel Island

Mayor Ken Nelson read the background on this Resolution.

Alderman Lusk made a motion to accept the Resolution, seconded by Alderman Buske.

Alderman Buske: When we buy our fuel they do not give us the tank with the agreement?

Mr. Vogt: The tanks are leased from the vendor, Palatine Oil. The pumping equipment is provided as part of that, but the automated fuel management system that we are proposing allows employees to access the fuel and that is independent.

Alderman Buske: How often do you have to replace the complete tank?

Mr. Vogt: Hopefully the tanks would last a considerably long time.

Alderman D'Astice: Was this budgeted?

Mr. Vogt: Yes.

Yeas: Pitzaferro, Lusk, Buske, Judd, D'Astice, Larsen

Nays: none

Absent: Adams

Resolution Passed

H. Resolution No. 10-R-48 / Award Contract for Environmental Study

Mayor Ken Nelson read the background on this Resolution.

Alderman D' Astice made a motion to accept the Resolution, seconded by Alderman Buske.

Alderman Buske: Emailed the City Manager and asked her to get a hold of Burke and try to bring the price down to what the grant would cover and they did. He is very appreciative of that. He gave some background to the residents. Approving this is just buying us time. If we don't do this study we will automatically lose the grant. He will support this.

Alderman Lusk: Does agree with the need for this station. We have an underserved population on that side of town, especially during the day. We need to proceed and not risk losing the \$1 million dollars.

Alderman D' Astice made a motion to amend the figure not to exceed \$20,000, seconded by Alderman Buske.

Roll on Motion:

Yeas: Lusk, Buske, Judd, D' Astice, Larsen

Nays: Pitzafarro

Absent: Adams

Motion Passed

Alderman Pitzafarro: Has been pretty consistent on his position on this issue from the beginning. He does not think that we should build this station. He proposes that if we don't build this station we could use that money to bring back some employees.

Alderman Judd: The \$1 million transfer last year was a band-aid. We do not have the million dollars this year. We will have to raise taxes again this year.

Roll on Resolution as Amended:

Yeas: Lusk, Buske, D' Astice, Larsen

Nays: Pitzafarro, Judd

Absent: Adams

Resolution Passed

I. Resolution No. 10-R-49 / Approve Change Order # 1 to Sanitary Sewer Repair Contract with Suburban General Construction

Mayor Ken Nelson read the background on this Resolution.

Alderman Lusk made a motion to accept the Resolution, seconded by Alderman Buske.

Yeas: Pitzafarro, Lusk, Buske, Judd, D'Astice, Larsen

Nays: none

Absent: Adams

Resolution Passed

J. Resolution No. 10-R-50 / Approve MFT Funding for Engineering Services for 2010 Street Maintenance Operations

Mayor Ken Nelson read the background on this Resolution.

Alderman Lusk made a motion to accept the Resolution, seconded by Alderman Buske.

Yeas: Pitzafarro, Lusk, Buske, D'Astice, Larsen

Nays: Judd

Absent: Adams

Resolution Passed

K. Resolution No. 10-R-51 / Award Contract for Engineering Services for 2010 Street Resurfacing Program- Construction Phase

Mayor Ken Nelson read the background on this Resolution.

Alderman Lusk made a motion to accept the Resolution, seconded by Alderman Buske.

Alderman Buske: Can the list of streets be changed?

Mr. Vogt: Certainly it can be changed, but we are in the process of going out for bids.

Alderman Judd: Are there any other quotes?

Mr. Vogt: It is the only quote that we have chosen to get based on their doing the preliminary engineering.

Yeas: Pitzafarro, Lusk, Buske, D'Astice, Larsen

Nays: Judd

Absent: Adams

Resolution Passed

L. Resolution No. 10-R-52 / Providing for City Council Budget Review

Mayor Ken Nelson read the background on this Resolution.

Alderman D' Astice made a motion to accept the Resolution, seconded by Alderman Buske.

Alderman Lusk: If somebody quits what is Ms. Phillips going to do?

Ms. Phillips: The position will be evaluated. Upon that it would be brought to Council.

Yeas: Pitzafarro, Buske, Judd, D' Astice, Larsen

Nays: Lusk

Absent: Adams

Resolution Passed

DISCUSSION ITEMS:

1) Staff Traffic Advisory Report

1. IDOT intersection with Red Speed camera enforcement

- LED upgrades should be nearing completion (provided for by the contractor).
- Infrared equipment upgrades are being installed (this includes Kirchoff/Rohlwing Roads non-IDOT intersection).
- Right-turn lane stop bar modifications at 62/53 intersection have been requested to IDOT.

2. Hartung Road, Birch Lane traffic speed investigations

Police Department reports that increased traffic enforcement and ticket issuance have been effective.

3. Proposed one-side of street parking restrictions on certain cul-de-sac streets

- Staff made field observations to all 23 cul-de-sacs previously identified (and where mail survey of residents was made) where no parking regulations exist. Recommendations were made to the Traffic Review Committee in report dated April 13, 2010, which was concurred with by the Traffic Review Committee. Next steps are to a) develop an Ordinance for City Council consideration; b) again send notification to residents on the 23 cul-de-sacs, informing them of the Staff recommendations and pending ordinance.
- Recommendation is to restrict parking on one-side of the street on cul-de-sacs that are less than 21 feet in pavement width, and to prohibit parking on the inside cul-de-sac circle where landscaping islands are located, to facilitate emergency vehicle access and for the safety of all motorists.
- In addition, three streets (Deerfield, Groveside, Millcreek) were examined as to pavement width, due to their inclusion in the City's Traffic Code for restricting parking on one side of the street. Staff recommends that these restrictions be removed from the Traffic Code.

4. New Load Limits for Bridges – 80,000 pounds
Changes to IDOT requirements will make necessary signage postings at the two Central Road bridges and at the Barker Avenue bridge.
5. Resident request for “SLOW – Children at Play” signage on Sigwalt Street (Dove to Oriole)
Recommendation of Police Chief was concurred with. Signs have been posted.

2) 2010 1st Quarter Financials

Mr. Fredrickson: There is an estimated surplus of around \$80,000.

Alderman Judd: On the General Fund side, the \$1.1 million under the Miscellaneous/Other Financing Sources – what is that and could we get it itemized?

Mr. Fredrickson: That can be itemized. The line item consists of rental income, miscellaneous income, reimbursements, and the sale of property and fixed assets. The Other Financing Sources consists of the \$1 million transfer from the Vehicle Replacement Fund.

OTHER BUSINESS & REPORTS:

Mayor's Appointments: **1) Appointments to Boards and Commissions**

Mayor Nelson: There is an opening on the Electrical Commission. Please contact me if anyone is interested.

Alderman D’Astice made a motion to approve the appointments, seconded by Alderman Buske.
Unanimous

Mayor's Proclamation: **1) Arbor Day**
City Clerk's Report:
City Staff Reports: **1) PO Disclosure Over \$2500.00**

Alderman D’Astice: Do we get bids on tree trimming?

Mr. Vogt: We do not typically get bids, but we get quotations from 2 or 3 vendors.

Alderman D’Astice: This is the lowest bid?

Mr. Vogt: It is the lowest and the best.

Alderman D’Astice: Thinks Mr. Vogt should go back and ask for a better price.

Mr. Vogt: We can pursue that.

Alderman Buske: Noted that Station 16 roof repairs are on here again.

Mr. Vogt: For different sections of the roof there are different maintenance needs and as these needs come up we get the repairs done. This PO is for both 15 and 16.

MATTERS NOT ON THE AGENDA:

Alderman Buske: We have to get some Town Hall meetings set up for the 3rd station. We also talked about a referendum.

Ms. Phillips: Pointed out that we have begun discussions of public meetings with or without a referendum.

Chief Stewart: The intent is to get Staff and Council together to make sure that information is consistent.

CLOSED SESSION:

- 1. Pending Litigation**
- 2. Personnel**

Alderman D'Astice made a motion to enter into Closed Session, seconded by Alderman Buske.

Yeas: Pitzafarro, Lusk, Buske, Judd, D'Astice, Larsen

Nays: none

Absent: Adams

Motion Passed

ENTERED INTO CLOSED SESSION: 9:41 pm

Alderman D'Astice made a motion to go into Open Session; seconded by Alderman Pitzafarro.

Unanimous

RETURNED TO OPEN SESSION: 9:57 pm

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ADJOURNMENT:

There being no further business, Alderman D'Astice moved to adjourn, seconded by Alderman Buske.

UNANIMOUS

City Council meeting of April 27, 2010 adjourned at 9:58 p.m.

Respectfully submitted by: Lisa M. Hinman, City Clerk

April 27, 2010 Minutes Approved by Council on May 11, 2010



Lisa M. Hinman, City Clerk