

March 16, 2016

State of Illinois  
County of Cook  
Village of Stickney

The Board of Trustees of the Village of Stickney met in regular session on Wednesday, March 16, 2016 at 7:00 p.m. in the Stickney Village Hall, 6533 W. Pershing Road, Stickney, Illinois.

Upon the roll call, the following Trustees were present:  
Trustees Fuentes, Hrejsa, Lazansky, Milenkovic, Savopoulos and White

Trustee White moved, duly seconded by Trustee Savopoulos, to approve the minutes of the previous regular session on Tuesday, March 1, 2016.

Just after Trustee White moved to approve the minutes, Mayor Morelli announced that she had something to say. She read the following text: TO: TRUSTEES AND VILLAGE CLERK RE: MINUTES OF MARCH 1, 2016

"I will not accept Ordinance 2016-07 or approve the March 1, 2016 meeting minutes. As President of the Village of Stickney, I am the Chair of all regular and special meetings. Only the Chair rules upon a point of order. Only after the Chair rules is the motion asked, 'should the decision of the chair be sustained?' Instead of allowing the Chair to rule, Trustee White improperly sought to overrule the Chair. Also, even if the motion were proper, Trustee Fuentes voted Aye and the Chair is also entitled to vote. Trustee White was not the Chair of the March 1, 2016 session and had no right to declare that the Ordinance passed or his ruling on the point of order was sustained. Only the Chair has the power to decide the results of voting. Because the Chair is the one that decides if any such motion passed, not Trustee White, before any vote was decided, Trustee Fuentes indicated she did not understand what was on the table and changed her vote to Aye. A voting member can change his or her vote at any time until the vote is finalized and announced by the Chair. As such, Trustee Fuentes voted Nay to passage of the Ordinance 2016-07. Also, Robert's Rules of Order are merely procedural rules that cannot supersede the Illinois Municipal Code. The Trustees cannot vote to take power away from the President. The Illinois Municipal Code only allows for certain forms of government. Any attempt to take power away from the President must be accomplished by a referendum of the Village residents, not the Trustees. Also, Ordinance 2016-07 violates the Illinois Municipal Code. This Ordinance relies on Illinois Municipal Code section 5/3.1-30-5 (b), which states by Ordinance or resolution to take effect at the end of the current fiscal year, the corporate authorities, by a two-thirds vote, may discontinue any appointed office and devolve the duties of that office on any other municipal officer. The Illinois Municipal Code Section 1-1-2 (d) defines the corporate authorities as the president and trustees. Hence, I, as President, am entitled to vote. Also, the Illinois Municipal Code Section 3.1-40-30 provides that the President may vote 'where a vote greater than a majority of the corporate authorities is required.' Here, the vote needed is 2/3, which is greater than a majority. The Village of Stickney Code as Section 2-74 specifically cites both Illinois Municipal Code sections 65 ILCS 5/3.1-40-30 and 65 ILCS 5/3/1-45-5 for support. However, these Illinois Municipal Code sections make clear that the

President shall vote when a greater than a majority of the corporate authorities is required by the Illinois Municipal Code. As such, the Illinois Municipal Code takes precedence. No referendum was ever passed by the Village residents limiting the President's voting powers. As the Ordinance conflicts with Illinois law and the Stickney Municipal Code relating to the powers and duties of the President, including the right to appoint, I as Village President have a right to vote. Since I vote No and the vote was 4 to 3 which is not 2/3 or greater and Ordinance 2016-07 did not pass. I reserve the right to assert further objections." Sincerely, Deborah E. Morelli, Village President.

The clerk asked for a copy of the text that she read. She responded, "Yes, I will."

Trustee White said, "I would like to say that that vote was taken pursuant to sec. 2-74 of municipal code of the Village of Stickney." "I would ask that since you are vetoing our decision from the last meeting, I would like to ask that we have on the next agenda an opportunity to override your veto." Trustee Hrejsa asked, "This is a veto from the mayor today?" Trustee Fuentes responded, "That is not how I understood it." Trustee Lazansky added, "That is not how I understood it either." Trustee White then questioned, "How did you understand it?" "Maybe you could explain it to me." Trustee Lazansky then proceeded to say, "Basically she is saying that she has the right to vote and you have no right taking over her position." Trustee White responded, "I don't understand that." "I don't agree with that because I am going by the Village's code." Trustee Lazansky said that he just explained it to our trustee. Trustee White suggested that our Mayor explain what her position is on that. She read a lot of dots and dashes. Maybe there is a Reader's Digest version of what she just read. Mayor Morelli explained, "There was no veto that was mentioned with that." "I was saying that. . . ." Trustee White stated, "But you are not accepting what was passed by this board at the last meeting." "Is that what you are saying?" "The Mayor replied, "Yes." Village Attorney Del Galdo explained that we are on agenda item for approval of the minutes. He continued. "There was a lot said." The Mayor said, "There was nothing mentioned about a veto." Trustee Hrejsa said, "I thought it had to be a veto, I am sorry." At this point, Mayor Morelli read, "For these reasons I request that the board doesn't approve these minutes." "It is the minutes we are talking about."

Again, Trustee White moved, duly seconded by Trustee Savopoulos to approve the minutes of the March 1, 2016 meeting.

Trustee Fuentes said that she had some discussion. She said that she would like to add to the minutes that the clerk has no right to say whether a trustee has no right to vote. [The March 1, 2016 minutes state: Trustee Lazansky then asked if Trustee Fuentes could change her opinion? The clerk informed them that they cannot do that. The Village Attorney agreed.] Trustee White then said, "I gave you the opportunity to change your vote." Trustee Hrejsa added, "Yes we did." Trustee Fuentes said, "The clerk doesn't have the right to declare whether a vote was passed instead it is the chair's responsibility." She continued, "And, also therefore the clerk shall be limited to her statutory roll of merely recording proceedings." "It is not the job of the clerk to decide or give her opinions or comments in the minutes." Trustee White said, "I asked the clerk to record it at the last meeting." "I'm the one who asked her to do it." "We had no response from the mayor at that point." "She sat there." "She didn't say

anything." "She just sat there." "So when we had silence over and over and over again, I asked for that." "The same way I asked for the vote." "We just sat here, sat here, sat here." "The vote was taken." "You voted." "I know you didn't understand what you were voting on." "I made a motion to allow you to change your vote." "Because I don't believe that vote was needed to pass this." Trustee Fuentes said, "I am not disputing that." "I am disputing the clerk gives issues, opinions and comments in the minutes." Trustee White said, "Right now we have a motion to approve the minutes." "That is what the motion is right now." "And, we have a second." The clerk interjected, "Were they verbatim?" Trustee Fuentes responded, "I didn't listen to the audio recording." The clerk again said, "But, they were verbatim." "Those are verbatim minutes." Trustee Fuentes said, "Your color commentary is not verbatim." "When someone exclaims, when someone adamantly said, you know." "Verbatim would be without adding a commentary." The clerk responded, "That would be a way of saying that someone is speaking." Trustee Fuentes added, "I think that you should be more direct in your minutes."

There was banter between the trustees at this point. The clerk asked the mayor if she was going to call for the roll call. Trustee Hrejsa asked, "What are we calling the roll call on?" Trustee Savopoulos explained, "The minutes." Village Attorney Del Galdo clarified, "There is a motion and a second to approve the minutes." "The mayor's statement and request that the minutes not be approved for the reasons she said." "There was a motion to approve them and a second and discussion by Trustee Fuentes." "Now there will be a roll call to either to vote yes to either approve the minutes as submitted by the clerk, or vote no to not approve them." "Yes, to approve, No, to not approve the minutes."

Upon the roll call, the following Trustees voted:

Ayes: Trustees Hrejsa, Milenkovic, Savopoulos and White

Nays: Trustee Fuentes and Lazansky

Mayor Morelli declared the motion carried.

Village Attorney Del Galdo spoke to the mayor. The mayor said, "This was not an attempt at a veto." "This was motion to approve the minutes." Trustee White said, "Sorry, I misunderstood." Mayor Morelli replied, "Thank you."

Trustee White moved, duly seconded by Trustee Savopoulos that the bills, approved by the various committees of the Board, be approved for payment, and to approve warrants which authorize the Village Treasurer to draw checks to pay the bills, to be signed by the authorized signers, as provided for by the Ordinances of the Village of Stickney.

Upon the roll call, the following Trustees voted:

Ayes: Trustees Fuentes, Hrejsa, Lazansky, Milenkovic, Savopoulos and White

Nays: None

Mayor Morelli declared the motion carried.

Trustee Lazansky moved, duly seconded by Trustee Milenkovic to accept the report from the Illinois Department of Revenue for sales tax collected for the month of December, 2015 indicating the sum of \$40,973.58.

**Upon the roll call, the following Trustees voted:**

**Ayes: Trustees Fuentes, Hrejsa, Lazansky, Milenkovic, Savopoulos and White**

**Nays: None**

**Mayor Morelli declared the motion carried.**

**Trustee White moved, duly seconded by Trustee Lazansky to accept the report from the Illinois Department of Transportation for the month of February, 2016 in the amount of \$14,908.36.**

**Upon the roll call, the following Trustees voted:**

**Ayes: Trustees Fuentes, Hrejsa, Lazansky, Milenkovic, Savopoulos and White**

**Nays: None**

**Mayor Morelli declared the motion carried.**

**At this point there was a presentation given by the Intergovernmental Risk Management Agency. They are the oldest insurance pool in the United States. They were founded in 1979. The presentation was given by Susan Garvey, Director of Legal Services and Dan LeTourneau, Director with Risk Management Services. We were given an extensive amount of information concerning risk managing that is covered by IRMA. In addition, an overview was provided on public official's liability. There was an explanation of state claims (Tort) or federal claims (civil rights violations). Instances were given concerning different issues and litigations. Handouts were given to the board.**

**Trustee Lazansky moved, duly seconded by Trustee Fuentes to grant permission to Misericordia to conduct their Jelly Belly Candy Days fundraising event April 29 and 30 in the Village of Stickney.**

**Upon the roll call, the following Trustees voted:**

**Ayes: Trustees Fuentes, Hrejsa, Lazansky, Milenkovic, Savopoulos and White**

**Nays: None**

**Mayor Morelli declared the motion carried.**

**Trustee Fuentes moved, duly seconded by Trustee Savopoulos to grant permission to Stickney-Forest View Little League to hold their May 14, 2016 Annual Parade.**

**Upon the roll call, the following Trustees voted:**

**Ayes: Trustees Fuentes, Hrejsa, Lazansky, Milenkovic, Savopoulos and White**

**Nays: None**

**Mayor Morelli declared the motion carried.**

**MAYOR'S REPORT: No report**

**CLERK'S REPORT: The clerk addressed a statement that was given by resident Patrick Sleigher at the March 1, 2016 board meeting. He commented on the electric aggregation. The clerk referred the Resolution 08-2012 that was putting the referendum on the ballot. "Shall the Village of Stickney have the authority to arrange for the supply of electricity for its residential and small commercial retail customers who have not opted out of such program?" The referenda election results were 1,019 YES, 698 NO. She mentioned that this was open-ended. It doesn't mean that we have**

to have a referendum every time we change aggregation companies. Trustee White explained that our contract will expire on March 16. Mr. Sleighter explained his previous statement from the March 1, 2016 meeting.

**TRUSTEES' REPORTS:** Trustee Hrejsa informed us that the Annual Easter Egg Hunt will take place on Saturday, March 19, 2016 at 9:30 a.m. at 40<sup>th</sup> and Grove. It is for children age zero to ten years old. The Easter Bunny will be there. Faith Community Church will be serving hot chocolate and cookies with Pastor Christopher Post will be reading to the children. Mount Auburn Cemetery will be conducting their Easter Egg Hunt at 10:30. The Stickney-Forest View Library will be having a program at 11:00 a.m. In addition, the next Parks & Recreation Meeting is on April 6, 2016 at 6:30 p.m.

Trustee Lazansky gave the police report for the month of February, 2016. The total number of calls for service; 1,471: Total number of E911 calls received; 342: Arrest by type: Traffic: 103; Village Ordinance Offences: 21; Warrants and Complaints: 5; Parking violations: 158; Total number of arrests/citations issued: 287; Total number of squad miles: 10,099; Total amount of gasoline used: 1,262.1; Average gas mileage/squad: 8.002.

Ordinance Activity Report for the month of February, 2016. Ordinance Investigations: 390; Business License Investigations: 9; Violation Notices Issued: 3; Miscellaneous Details: 174; S.L.O. Tickets: 1; Parking Citations Issued: 3; Tow Tag: 1;

Trustee Milenkovic wanted to acknowledge the passing of Lyons School District 103 school board member Mark Camasta. He was a great man. The Trustee worked with him for four years while serving on the board. He asked for a moment of silence.

Trustee Savopoulos announced that there will be a zoning board meeting on April 6, 2016 at 7:00 p.m. at the Village Hall. It has been published in the *Berwyn Life Newspaper*.

In addition, Trustee Savopoulos met with Public Works Supervisor Jeff Boyajian and ComEd. They have a program that replaces current street lights with LED lights. There is a savings of \$13,500.00 per year to go to LED. There is no cost to the village. He has an agreement that he will give to our counsel to review. He would like to have it on the next meeting agenda.

Trustee White moved, duly seconded by Trustee Savopoulos to accept the treasurer's report for the month of December, 2015.

Upon the roll call, the following Trustees voted:

Ayes: Trustees Fuentes, Hrejsa, Lazansky, Milenkovic, Savopoulos and White

Nays: None

Mayor Morelli declared the motion carried.

Trustee White asked, "Who has the authority to put pictures on the web site?" "There was only one picture of himself on it and now it is gone." "It has been replaced." "I am just curious." "Who has the authority to put the pictures on?" The Mayor explained that there are just pictures and new ones come along." "They get put on there."

Trustee White mentioned, "You are on every picture that is on there." "I was on one picture and it was removed." The mayor asked, "Is that the picture at the race track?" Trustee Savopoulos told us, "I was in another picture that was removed." The mayor said, "I didn't know it was removed." Trustee Savopoulos asked the clerk, "Remember I asked you to put that picture on the web site." The clerk explained that she did. Trustee White asked, "Who has the authority to put pictures on the web site." The mayor told him, "There are a few of us." "That the clerk does and that she does." Trustee Savopoulos asked the clerk to find out why the picture was not on the web site. The clerk explained, "I was in communication with the person who posts things on the web site, his name is Nick." "He asked me where I wanted it to go." "He understood fully where I wanted it to go." "And, it didn't go on." Again Trustee White asked, "Are you the only two people who can put pictures on?" The mayor responded, "Ed had put some pictures on for Christmas." "Trustee White questioned, "Why would Ed have the authority to put pictures on there?" The mayor explained, "He just took some pictures and sent them to her." "And, I would send them on." "That is why we had all the Christmas pictures." Trustee White repeated that, "You are on every picture that is on there." "Every single picture." "We do have other trustees." The mayor replied, "We do have other trustees, but a lot of them don't participate in a lot of those pictures." Trustee White said, "If we participate, you don't like to put the pictures . . . ." The Mayor said, "That is not true." Trustee White responded, "It is true." The mayor claimed, "It was not an activity from the village." "It was at the Hawthorne race track." "It was their opening race night." "It was not an activity for the village." Trustee White said, "There were several people here who were decorating trees out here, but the only pictures on the web site you're in." The mayor replied, "That is because I was there working with the village people working on it." Trustee Fuentes informed Trustee White that there is a link on the web site that provides all the pictures that have ever been on the web site. The mayor stated, "There aren't many pictures on there." Trustee White mentioned, "There are six or eight pictures." She suggested, "If you have a picture you want put on there. . . ." Trustees White and Savopoulos stated, "We had a picture on there, somebody took it off." The mayor clarified, "It wasn't taken off." "There were new pictures that were added." Trustee White stated, "You said it was not a village activity." "That tells me that you took it off." Trustee Savopoulos made the point that, "A lot of the pictures on there are a lot older." The mayor explained, "They are just new pictures that were added." "That is how it went." Trustee White asked for clarification, "Who has the authority to add pictures." The mayor responded, "Audrey and I." Trustee White pointed out, "Mayor Tabor you are on there." He responded, "He doesn't have time to look on there." Trustee White told him to look at [Villageofstickney.com](http://Villageofstickney.com)

**DEPARTMENT REPORTS:** Police Chief Sladetz reported on the 911 consolidation dispatch. We are getting more support around the state. We can't get it off the books. We are just trying to get it reworded so it is a little more friendly for departments such as ours. He used an example of consolidated dispatch for southern Illinois that still to this day do not have 911 dispatches. That is great for them. It is a nightmare for us. It will jeopardize efficiency. They are to have a meeting with Barbara Flynn Currie who sponsored this bill. A lot of these people didn't even know what was in the bill. Everyone thought it was a mining bill. There was law enforcement things stuck in the middle of the bill. They are expecting to meet with her on Thursday along with other key people. Audience member, Lea Torres asked if

there was a deadline. The Chief answered that it has to be up-and-running by July of 2017. It is impossible. Trustee Hrejsa asked the clerk to explain the information she obtained at the West Central Municipal Conference Legislative meeting. The clerk explained that Representative Michael Zalewski suggested that we contact everyone in the General Assembly. On April 6, there is a lobby day. The Police Chief admitted that he is going. The Representative admitted that they want to extend it out one year. He said that they want to make changes. In some cases, they didn't know what they were voting on. The clerk recommended that they lobby. She offered to help write letters for the cause. We have to do this.

Trustee White mentioned that the Life Source Blood Drive is on Wednesday, March 23, 2016.

Fire Chief Larry Meyer reported that the ladder truck had another breakdown due to the ladder not being able to be raised. Repairs are in process. We were informed that it is a 1997 truck. He is letting us know that there will be more problems down the road. The life of a truck like this is 25 years.

Last week we had three serious power issues. Com Ed has to show up to repair this. There was a small garage fire on Clinton. The garage was filled with commercial lawn-care equipment. They had to break down the door. It took place during the day.

There being no further business, Trustee Lazansky moved, duly seconded by Trustee Fuentes that the meeting be adjourned. Upon which the Board adopted the motion at 8:13 p.m.

Respectfully submitted,

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Audrey McAdams, Village Clerk

Approved by me this 6<sup>th</sup> day of April, 2016

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Deborah E. Morelli, Village Mayor