

August 4, 2015

**State of Illinois
County of Cook
Village of Stickney**

The Board of Trustees of the Village of Stickney met in regular session on Tuesday, August 4, 2015 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 Hrejsa, Lazansky, Milenkovic, Savopoulos and White**

Trustee Lazansky moved, duly seconded by Trustee White, to approve the minutes of the previous regular session on Tuesday, July 21, 2015.

**Upon the roll call, the following Trustees voted:
Ayes: Trustees Hrejsa, Lazansky, Milenkovic, Savopoulos and White
Nays: None
Mayor Morelli declared the motion carried.**

Trustee White moved, duly seconded by Trustee Savopoulos, to approve the minutes of the previous public hearing for the budget held on Tuesday, July 28, 2015.

**Upon the roll call, the following Trustees voted:
Ayes: Trustees Hrejsa, Lazansky, Milenkovic, Savopoulos and White
Nays: None
Mayor Morelli declared the motion carried.**

Trustee Savopoulos moved, duly seconded by Trustee Milenkovic, to approve the minutes of the previous special session on Tuesday, July 28, 2015.

**Upon the roll call, the following Trustees voted:
Ayes: Trustees Hrejsa, Lazansky, Milenkovic, Savopoulos and White
Nays: None
Mayor Morelli declared the motion carried.**

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 Hrejsa, Lazansky, Milenkovic, Savopoulos and White
Nays: None
Mayor Morelli declared the motion carried.**

Mayor Morelli announced that we will be having a presentation from Illinois Energy Aggregation. Trustee White introduced Bob Streit and Dennis Brennan, consultants. Trustee White explained that this is the company that switched the whole village to First Energy Solutions. This is the company that got us the deal that we currently have. There is just a little time left on our contract which expires on February 16, 2016. The company we currently have is not going to do electricity any longer. We have to seek out a different avenue. We did have a terrific rate. Bob Streit explained that his firm was hired about three years ago to consult on the energy aggregation. Since that time they have saved the residents of Stickney hundreds of thousands of dollars. That contract expires in March, 2016. When that happens, the residents of Stickney could be paying the Com Ed rate for electricity which today is 33% higher than the current Stickney rate of 5.382/kWh. Com Ed's current rate is 7.18 /kWh and is expected to rise into the 8 range by the end of this year. He quoted the current rates other communities are paying for electricity; Bridgeview 7.540 /kWh, Bedford Park 7.564/kWh, Forest Park 7.652/kWh, and Justice 7.890/kWh. The consultants went to their suppliers and asked for a rate for our community. He believes that Stickney can receive its best rate by using its collective buying power. He wants to join us with three other communities they represent whose contracts expire at the same time as ours. This strategy was used the last time to get the best price. It is important to remember that Com Ed's prices change every month. The next time he comes before the board, he would like to bring us a price. He would like us to approve that price. He believes he can get us a price in the 6/kWh range. They will bring in an experienced supplier. The company agrees to match Com Ed's price if that if Com Ed decides to offer a lower rate or they will hand over the customers to Com Ed. He didn't think that Com Ed would offer a fixed rate over an extended rate of time. He would add that clause to the proposal for peace of mind. People will be offered green energy. The supplier is required to man a fully staffed call center to respond to inquiries. Com Ed will continue to do the billing and continue to be responsible for power outages. The consultant would like to move through this process quickly. He wants to go to the market and come back with a price.

Questions: How many years would we be locked in for a lower rate? He said that they would bring back more than one option. Rates are based on one, two or three years. Trustee White hoped to have the same options that we have currently.

The consultant remarked that originally we had 1,500 customers and currently we have 1,100. He felt that happened because a lot of companies do solicitation.

Question: What are the three other communities that we would be linked with? It would be Stickney Township, Worth and Hazel Crest.

Question: Will they still allow budget billing? Yes they will. Trustee White commented that the company we are currently with is getting out of the business because they burdened themselves with all of the communities getting the lower rate. At that time, Com Ed was charging 7.4/kWh.

Question: Has there been a study concerning power outages? Com Ed is prohibited in treating any customer any differently than other customers.

Question: Are there any fees to transfer? No

Trustee White explained that it is an automatic switch.

Question: What category does Forest View fall into? Trustee White will find out.

Trustee White expected that the next meeting will be on August 18. The switch over would take place on March 16, 2016.

Trustee White moved, duly seconded by Trustee Hrejsa to approve Resolution 17-2015, "A Resolution Regarding the Release of Executive Session Minutes."

Upon the roll call, the following Trustees voted:

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

Nays: None

Mayor Morelli declared the motion carried.

Trustee Lazansky moved, duly seconded by Trustee Hrejsa to approve the August 15, 2015 Block Party on 4400 Block of Maple.

Upon the roll call, the following Trustees voted:

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

Nays: None

Mayor Morelli declared the motion carried.

Trustee Lazansky moved, duly seconded by Trustee Savopoulos to approve the August 22, 2015 block party on 3900 block of Scoville.

Upon the roll call, the following Trustees voted:

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

Nays: None

Mayor Morelli declared the motion carried.

Mayor Morelli stated that the next item up tonight is the appointment of trustee due to the former trustee, David De Leshe stepping down with his resignation. The Mayor said, "At this time I so move to appoint Darrio Ramirez to fill the vacancy." Trustee Lazansky said, "I second that". The clerk said, "Wait, there has to be a first". Trustee Savopoulos asked, "Who made the first?" The mayor said, "There is". "I made the motion to move." Trustee White stated that "I would like to table this item for consideration by this board for 30 days." Trustee Savopoulos made the second to the Trustee White motion. At this time, Attorney Mike Del Galdo remarked, "Procedurally, whether Trustee Lazansky made a second or a first, you have to dispense with that part." He asked for the clerk to clarify the record. The mayor said, "We called for a roll call". The clerk questioned the mayor, "The mayor doesn't make a motion, she makes a recommendation." Attorney Del Galdo then said, "Correct". The mayor then said, "I so move to make that appointment." The clerk then said, "That is not a recommendation". Mayor Morelli said, "That is my recommendation." Attorney Del Galdo told us that, "The mayor, statutorily, makes an appointment that is subject to the advice and consent of the board". "So the mayor said, 'I move to appoint Darrio Ramirez and then Trustee Lazansky said, "I second". Attorney DelGaldo continued, "I presume he just meant I so move." At this point, Trustee Lazansky said, "I so move". Attorney Del Galdo explained, " That the mayor wasn't making the motion, she was moving to recommend the appointment." The clerk

stated, "Since she wasn't making a motion, then we need a first motion." "Would that be Trustee Lazansky?" Trustee Lazansky explained that his intent was to so move on her appointment. Again the clerk asked Trustee Lazansky, "Then you are making the motion?" "No, he said". The mayor told the clerk, "I moved to make the appointment". Trustee Lazansky then explained, "His intent was to so move." The clerk went on to remark that "She personally didn't understand that type of terminology." "If we were appointing anyone, say like you do at the May meeting, you would make an appointment for so and so and then the board would concur." Attorney Del Galdo explained, "The mayor makes the appointment and puts it out to the board." "Which she did." "Then Trustee Lazansky said he second and we just clarified that he used the wrong terminology." Attorney Del Galdo thinks he was moving to confirm her appointment. Attorney Del Galdo then clarified that we now need a second. Attorney Del Galdo reiterated the same information again. "The mayor has recommended for appointment, Darrio Ramirez." At this point Trustee Lazansky then says, "I so move her recommendation." Attorney Del Galdo then clarified, "So the motion is to confirm." Mayor Morelli then asked, "Do we go into....." Attorney Del Galdo then said, "We need to have a second." The clerk stated that he (Trustee Lazansky) is making the motion. Attorney Del Galdo explained that Trustee Lazansky is moving to confirm the appointment and there needs to be a second. Attorney Del Galdo noted that there was no second. Therefore, by Robert's Rule the motion fails.

Trustee White moved, duly seconded by Trustee Savopoulos to table this item for 30 days to allow the board to consider it.

At this point, Attorney Del Galdo stated that now it is his turn to be confused. He spoke aloud the steps of the action. "She made the recommendation, Trustee Lazansky made the motion, and it failed for a second." "So now it is a non-concurrence." "So now you want to table." "Darrio Ramirez just procedurally was rejected by the board for a failure to get a second." So if you move to table that, you are tabling a failed item." Trustee White then removed that table motion. Attorney Del Galdo reiterated, "Then the motion to appoint Darrio Ramirez has failed."

Attorney Del Galdo told us that there is a statute, (Trustee Milenkovic has a copy too), under the rules the mayor has the opportunity to make an appointment and the board shall act within 30 days of the appointment. That is where you are going with your motion. It is an end date. If you don't act within those 30 days, it automatically acts like a rejection so the end date could be strung out into perpetuity. You have already rejected Darrio Ramirez. It goes to the second appointment. If you made an appointment and they move to table it before there is a motion, then it would trigger that period of time, which if not acted on within 30 days it acts as a rejection. Your option, (the mayor), is you can move on to your second appointment. If there is a motion to confirm it, or a motion to table it, whatever motion comes first that's what would trigger it. You can do nothing and think about it and come to the next meeting. You can come to the next meeting and say, I have thought about it. He went on and said that you (the mayor) don't have to make an appointment at a meeting. You can make an appointment in writing to the board by emailing them tomorrow. And, that could trigger the 30 day time period. The 30 days is the end date that requires the

board to act within that period. It doesn't necessarily have to be at a meeting. Whether you do it at some future date that is your choice. You have the right to make an appointment. The board has a right to first move to table it or first move to confirm it.

At this time, there was conversation between the mayor and Attorney Del Galdo. The Attorney was repeating the information that he previously said.

Mayor Morelli explained that with the rejection of Darrio Ramirez she would like to move forward to appoint Attorney Del Galdo helped her by telling her to just say I recommend for appointment or I appoint and just say the name. The board will immediately move to either table it or confirm it. If they table it, they have 30 days. If they don't act within those 30 days, it is deemed a rejection. The mayor then said, "At this point I so move to appoint Danny Fuentes. Trustee Lazansky then seconded her appointment. The mayor then said, "So Moved." At this time, Trustee White made a motion to table. He then questioned if it was too late. Attorney Del Galdo mentioned that either way it is procedurally incorrect because it was a second. Trustee White then clarified that the motion to table takes precedence then. Trustee Lazansky interjected that, "It is incorrect". He explained that she appointed and I seconded her appointment. Trustee White argued that she can't make a motion. Attorney Del Galdo explained that she doesn't move, she can make the appointment. Then there would be a motion to confirm, such as, "I so move to confirm that appointment", as opposed to seconding it". Attorney Del Galdo said he was being overly accurate with Robert's Rules because this seems to be a contentious issue. Again he said, "The technical way is to move to appoint, and it is either a motion to confirm the appointment which is a first as opposed to a second." Or, there is some other motion like what Trustee White just said, "I move to table". "The motion to second is an improper motion because there was nothing to second." Attorney Del Galdo painstakingly went on to ask if the clerk was keeping up. She told him that is why she has a recorder. The clerk stated that White moved to table where does that fit in here? Attorney Del Galdo explained that, "The move to second is an improper motion because there is nothing to second because there was no motion." "You have that motion put aside because it is not in proper form." "Then you have Trustee White's motion to table." That is currently on the table. Trustee Hrejsa then seconded it.

Trustee White moved, duly seconded by Trustee Hrejsa to table the appointment of Danny Fuentes to the open position of Trustee.

Upon the roll call, the following Trustees voted:

Ayes: Trustees Hrejsa, Milenkovic, Savopoulos and White

Nays: Trustee Lazansky

Mayor Morelli declared the motion failed.

Prior to the declaration that the motion failed, Mayor Morelli asked the attorney to explain that please. Attorney Del Galdo explained, "According to the statute, tonight triggers the 30 day period." "The board can consider this; you can put it on the agenda for the next meeting; and if there is no motion to remove it from the table, it will then go to the next meeting; if there is no motion to remove it from the table then once you hit that 30 day period and if there is no action it is by operation of law

denied.” “At that point, given that there was two denials, you then have the right to pick one of the two people you appointed and failed at that point.” “The next meeting or the subsequent meeting, they can take the motion off the table and vote on the person you just appointed.” “The 30 days is an ending.” “It is statutory that it takes no more than 30 days to consider an appointment.” “If it is not acted upon within 30 days, it is deemed a denial.” “By Robert’s Rules someone can take it up to take it off the table.” “If they do take it off the table, then there is a vote on the substance of the confirmation, yes or no.” “If it is yes, the person is immediately appointed.” “If it is no, the person is rejected.” “Upon rejection, the mayor picks from the two people that were appointed but rejected.” “If the board doesn’t act within that 30 day period, that is a rejection.” The clerk asked if she should put it on the agenda for the next meeting. Attorney Del Galdo said, “Sure”, “But they don’t have the obligation to act upon it.” “If it is on the agenda and no one makes a motion, it carries over.” “They have the right to remove it or they have the right to consider thinking.” “They have 30 days.”

CLERKS: A reminder was given concerning the Police Department Blood Drive. It is on Wednesday, August 5th from 12:00 noon to 6:00 p.m. in the Village Board Room.

TRUSTEES REPORTS: Trustee Hrejsa told us that the Parks and Recreation Advisory Committee met on July 30. They discussed the Fall Festival which will be September 12. The time is unknown. There should be flyers. They are looking for volunteers to help for at least two hours. They are having pony rides, moon walk, two DJs, pizza, Mexican food and so on. There will be fireworks. The next meeting is August 11, at 6:30 at 43rd and Ridgeland.

Trustee Lazansky gave the police report for the month of July, 2015. The total number of calls for service; 1,930: Total number of E911 calls received; 525: Arrest by type: Traffic: 129; Village Ordinance Offences: 24; Warrants and Complaints: 15; Parking violations: 539; Total number of arrests/citations issued: 707; Total number of squad miles: 13,464; Total amount of gasoline used: 1,169.3; Average gas mileage/squad: 11.515

Ordinance Activity Report for the month of July, 2015. Ordinance Investigations: 370, Business License Investigations: 12, Violation Notices Issued: 12, Miscellaneous Details: 177, S.L.O. Tickets: 3, Parking Citations Issued: 145

Trustee Milenkovic reported that on Tuesday, July 28, Public Works Supervisor Boyajian took himself, resident Ed Bartunek and a representative from Morton Arboretum around the town inspecting the trees. The check should be delivered in a week or so. This is the grant that former Trustee Patrick Sleigher worked on. Former Trustee Sleigher then explained that he started the process but Administrative Assistant Beth Lukas did all the paperwork and to make sure that everything was right to get this grant. She did a great job on this. In addition, Trustee Milenkovic reported on his attendance at the Midway Noise Compatibility Commission meeting on July 23. There were 12 of 17 members in attendance. The noise level now is at 51.6 decibels. The levels needed to be at 60 in the schools and 65 in the homes to get any assistance with insulation and windows. There is a Midway tracker at the

Chicago Department of Aviation web site and see where the planes are. The next meeting is October 22.

Trustee Savopoulos told us that there is talk about setting up a TIF District here in the Village. The trustee received a list of companies from our attorney that do TIF qualification studies. These are the companies he contacted: Kane, McKenna and Associates (Attorney Del Galdo has done business with them); SB Friedman; Ehlers & Associates; the trustee sent them a map of the village. He told them what we need and the TIF Districts we are looking at. He hopes to have the cost to do a study by the next meeting. He also received an email from Dolan Realty Advisors. Verizon wants to come out and inspect the site next week. Public Works Supervisor Jeff Boyajian will help with that.

Trustee White stated that along with the money the state is holding up for our park grant money and also the \$200,000 grant, the state is now holding up the slot machine money from all the bars and the village. This is just another thing putting us back.

DEPARTMENT REPORTS: Police Chief John Sladetz stated that the police department is seeing a lot of general mischief. Unfortunately a freakish thing occurred at Hawthorn Race Course. A gentleman was walking through the east parking lot and he was hit by the Hawthorn shuttle bus. He didn't survive his injuries. There was no signs of impairment of the driver.

Supervisor Jeff Boyajian reported he received a call from the police department that they received that one of the water features in the new children's park was knocked off its moorings and was leaning against the fence. It was secured twice by public works. Faulty anchors were discovered. The manufacture was contacted. We had a storm last Sunday. There was no major storm damage noted.

Fire Chief Larry Meyer their phone service is out again. Last Saturday they had six calls in a two hour period including the accident at the Hawthorn Race Course. On Sunday they received a call on East Ave. along the cemetery. They could barely get through that street. They also were confronted by skunks.

There being no further business, Trustee Lazansky moved, duly seconded by Trustee Savopoulos that the meeting be adjourned. Upon which the Board adopted the motion at 7:48 p.m.

Respectfully submitted,

Audrey McAdams, Village Clerk

Approved by me this 19th of August, 2015

Deborah E. Morelli, Village Mayor