

April 19, 2016

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

The Board of Trustees of the Village of Stickney met in regular session on Tuesday, April 19, 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 Milenkovic moved, duly seconded by Trustee White, to approve the minutes of the previous regular session on Tuesday, April 5, 2016.

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

Trustee Lazansky moved, duly seconded by Trustee Fuentes to accept the report from the Illinois Department of Revenue for sales tax collected for the month of January, 2016 indicating the sum of \$32,319.24.

**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 Savopoulos to accept the report from the Illinois Department of Transportation for the month of March, 2016 in the amount of \$12,821.85.

**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 Milenkovic moved, duly seconded by Trustee Savopoulos to approve engineer's recommendation to pay \$9,214.05 to the State of Illinois for Ridgeland Avenue MFT-Section #09-00054-00-RS: IDOT Invoice #109593

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 Savopoulos to pass and approve Ordinance 2016-09, "An Ordinance Authorizing and Approving the Purchase of two Police Pursuit Vehicles"

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.

Prior to the vote Police Chief John Sladetz explained that we are buying a couple of Dodge Chargers. He learned that some of the problems they experienced with the original Chargers have been ironed out. He had learned good things about them. The one duty squad that we are replacing will allow us to transfer existing equipment from the old squad to this new one. The other new one will have a detective package on it and will be used for administrative and detective work. Our duty squads are doing well. We bought the last chargers from Thomas Dodge. This latest purchase saved us \$75.00.

Trustee White moved, duly seconded by Trustee Hrejsa to pass and approve Ordinance 2016-10, "An Ordinance Authorizing and Approving a Certain Agreement with T-Mobile USA Tower LLC for 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 Savopoulos moved, duly seconded by Trustee Fuentes to pass and approve Ordinance 2016-11. "An Ordinance Amending the Zoning Ordinance Regarding the Regulation of Firearms Retailers and Gun Ranges

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.

After the vote Mayor Morelli asked Trustee Savopoulos if he had any information to provide concerning the zoning changes. He mentioned that we are just putting restrictions on gun dealers. The clerk added in that she has received Freedom of Information pertaining to a gun dealer. . . .near a day care center.

Trustee Savopoulos moved, duly seconded by Trustee Hrejsa to pass and approve Ordinance 2016-12, "An Ordinance Amending the Zoning Ordinance Regarding the Permitted and Special Uses in the Business District.

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.

Prior to the vote, Trustee White asked Village Attorney Michael Del Galdo to explain. We were told that this was originally referred to the Zoning Board prior to his retention as the Village Attorney. It is the result of a prior text amendment. So when the Village abolished its commercial district and merged it into the business district it didn't apply into the code for certain uses that previously existed. So certain businesses essentially were zoned out of existence and made their properties legal non-conforming uses. The village was contacted by a number of businesses saying that it could hurt the value or their ability to sell it. It was inadvertent. The previous attorney didn't mean to negatively affect these businesses. What this ordinance does is it adds back those businesses district, those commercial uses that should have been added originally, but there was discussion about car washes. Car washes remain a special use under the code. The Stickney Auto was affected by this and their uses will be added in.

Trustee Lazansky moved, duly seconded by Trustee Hrejsa to pass and approve Ordinance 2016-13, "An Ordinance Amending the zoning ordinance regarding the regulation of Adult Businesses"

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.

Prior to the vote Trustee Savopoulos explained that this is the same as the gun shop. We are placing restrictions on these businesses if they want to come here and open a business. He gave examples of the restrictions such as: the placement in association to locations of schools, churches etc. Village Attorney Michael Del Galdo clarified that this makes your regulations stricter upon adult uses. This was also referred to the board in 2015 for discussion prior to his retention. This was discussed and debated by the zoning board for some time. This addresses some first amendment concerns. It makes the ordinance with the current state law on setbacks that are more stringent than what you had previously. It makes the ordinance defensible and constitutional. It is to the benefit to anyone who lives here who would be concerned over an adult use opening up. It makes the regulations more restrictive. There was a comment from an audience member, Daniel Fuentes, who asked who is bringing this up to the board. Village Attorney Michael Del Galdo replied, "The Board." Trustee White explained that we are being pro-active because if someone wants to open an adult book store and we don't have restrictions in place. You can't do it once they apply. He continued, we have to be pro-active here just in case someone wants to open a gun shop. Once they make that application and we don't have restrictions, we can't inflict

any restrictions. Daniel Fuentes continued, "Is it the board raise the question?" Trustee White explained that sometimes FOIAs can cause that to happen," and we are being proactive.

Trustee White moved, duly seconded by Trustee Fuentes to approve Resolution 07-2016, "A Resolution authorizing the intervention in Property Tax Assessment Proceedings"

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 asked for an explanation. Village Attorney Michael Del Galdo told him that this is a follow up to the discussion in closed session. The Property Tax Appeal Board requires a resolution from the board authorizing intervention of property tax appeal case. Kornerstone and Com Ed filed tax petitions to lower their equalized assessed valuation. If the village did nothing and the petitions by Com Ed and Kornerstone were granted by PTAB, it would result in an annual decrease of \$35,595.41. He read a lengthy list of taxing bodies that were also joining with us.

Trustee Lazansky moved, duly seconded by Trustee Milenkovic to grant permission to Edison PTA to close the 4100 block of Scoville on May 7, 2016 from 8:30 a.m. to 10:30 a.m. to conduct their "Color Run".

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: She provided information on a home at 4237 Home. It is marked for demolition within the next week. Property at 4211 Clinton had a fire. Our fire department managed to save the property on either side. The residents living at 4215 Clinton have purchased the 4211 property and expand their property.

At this point, the Mayor asked Village Attorney Michael Del Galdo to address the board. Village Attorney Michael Del Galdo explained, "This afternoon he received a call from Daniel Fuentes who identified himself a resident of the Village. " " I spoke to him and as the call related to my role as Village Attorney and an accusation on my failure to act on behalf of the Village." "I wanted to explain it and to have the minutes reflect my statement." "Certainly they are being recorded, so if you could do your best to include it as verbatim." "And, address the board who could direct me." Village Attorney Michael Del Galdo continued, "As the Village Attorney, I am the lawyer for the corporate entity." "I represent the Village and in its official capacity the Mayor, Clerk, the employees, the board of course." "That is who we take our direction from." "Lawsuits can only be filed with the direction of the mayor and the board." "Mr. Fuentes made an allegation that I have knowledge of a debt owed to the Village by former Trustee Jeff Walik and that he told me previously, which I don't recall." "And,

that I failed to get back to him.” “And, that I failed to act in the best interest of the Village by not taking legal action.” “I was not the lawyer for the Village when this occurred, when Mr. Walik was on the board.” “I have no knowledge of any of this.” “I don’t take direction from residents.” “That is not my roll.” “If every community we represented the resident could direct the legal defense, to direct people in my office to file suit on behalf of the Village, our legal fees would be a lot bigger and there probably would not have a need for this board or the mayor.” “If the board would like my office to do something, you can direct me so accordingly.” At this point, audience member Daniel Fuentes is speaking from where he was sitting in the back of the court room. Daniel Fuentes said, “Can I record something?” Fuentes is still speaking and Village Attorney Michael Del Galdo told him, “You need to speak during public comment you certainly can.” Daniel Fuentes asked, “When is public comment.” Village Attorney Michael Del Galdo informed Fuentes, “It is not a debate, and it is not a discussion.” Fuentes said, “It is an allegation.” Village Attorney Michael Del Galdo explained, “I am looking to put it on the record.” “In addition, I was told that if I didn’t take the action, the matter would be vetted in the media.” And, “I would be accused in the media of not taking action on behalf of the board.” “Frankly, I was told by you Mr. Fuentes that he has made or crowned or made or uncrowned, or unmade various selected people.” Village Attorney Michael Del Galdo continued, “I told him that it has no relation to my role as village attorney.”

At this point, Trustee Lazansky stated, “In 2009 when Trustee Walik was first put in, I made a comment that he shouldn’t be there.” “Because he was collecting from the police department a disability and he was also getting paid by the village board.” And, “When the vote went on that day, I voted no, if you remember correctly.” “And, he kept running and staying on .” “I don’t know where it goes if he should have to pay it back or not, I have no knowledge of that.” “I just want it for the record that I felt at that time in 2009, when he was appointed in place of Jim Roll who passed away.” “I didn’t think it was an ethical move to be made at that time.” Village Attorney Michael Del Galdo asked, “I believe it was the former Village Attorney that looked into this, is that right.” Trustee Lazansky responded, “I don’t know.” Mayor Morelli said, “He was asked.” Trustee Lazansky said, “I don’t know if he did or didn’t.” Mayor Morelli mentioned, “I don’t believe he went further with that.” Trustee Lazansky added, “I believe it was Stanley Kusper that was here at the time.” “I don’t know.”

Village Attorney Michael Del Galdo continued, “By the way, from my perspective, I don’t know any of the facts.” “My job was to report to the board that there has been an allegation that I have failed to act for the best interest.” “I explained, and I will explain again to the board, who has any questions, I don’t represent the citizens of the Village of Stickney, I represent the corporate entities.” At this point Daniel Fuentes is speaking loudly from the back of the court room. Village Attorney Michael Del Galdo again said, “I represent the corporate entities.” “If the mayor directs me, if the board directs me, then that is how my office acts.” “There is a specific code section that would require just like we did the PTAB I had to seek a resolution to file an intervention to prevent ComEd from lowering their taxes and I had to get board approval.” “I certainly would need to do that to file a civil lawsuit.” “That is simply how it works.”

Audience member, Daniel Fuentes again spoke out of order. "Are you going to answer my question?" "Are you going to present it right now?" Mayor Morelli interrupted Daniel Fuentes, "Wait Danny, wait to the part where we have the resident's comments."

CLERK'S REPORT: The clerk informed the audience that ComEd updated their delivery service charges and will increase by \$2 on the average monthly residential bill starting in January 2017, as filed with the ICC.

TRUSTEES' REPORTS: Trustee Fuentes warned that someone rang her bell today and said they were from ComEd. When they were asked to see their permit, they went running down the block. We did call the police and filed a complaint. They were stopped. They were not from ComEd. There was a group of them.

In addition, Trustee Fuentes gave the Stickney Fire Department report for March, 2016 as follows: Ambulance calls: 48; Mutual Aid Calls: 13; Service Calls: 7; Fire Calls: 12; Hazardous Condition Calls: 2; Motor Vehicle Accidents:3; Working Fires: 2; Brush/Trash Fire Calls:1; Car Fires: 0; Outside Equipment Fires: 0; Total calls for the month of March: 88; Total calls for 2016: 262.

Trustee Hrejsa mentioned at the last meeting it was mentioned there will be a new business opening, a laundromat, where the old VFW was located as well as the business next door. Trustee Hrejsa wanted to mention that we have a couple of new businesses, one that opened in mid-March. It is a video gaming business call Ante Deb's Video Gaming. At this point, audience member Daniel Fuentes spoke out, "Is that free advertising?" Trustee Hrejsa told him, "No, I am just saying." The clerk complained that he should not talk out loud. Trustee Hrejsa remarked, "I hope we don't have to ask you to leave." The trustee went on to inform us that it is on Gunderson. During the first two weeks it was opened the Village of Stickney got \$1,115.31. We would not have gotten that if we had an empty storefront. Also, there is another new business going in. It is supposed to be an old fashioned barber shop opening up next to the day care. In addition, the Village of Stickney celebrates Arbor Day on April 29. Edison School will have a tree planted at 10:00 a.m. and Home School will be at 11:00 a.m. April 30, is a clean-up day. We will meet at Haley Park at 9:00 a.m. She is hoping there will be a good turnout.

Trustee Lazansky gave the Ordinance Control yearly activity report for 2015. Ordinance Investigations: 3885; Business License Investigations: 90; Violation Notices Issued: 147; Miscellaneous Details: 1927; S.L.O. Tickets: 25; Parking Citations Issued: 900; Tow Tag: 3:

Trustee Milenkovic wished everyone a happy Eastern Orthodox Easter on May 1,

Trustee Hrejsa asked to thank Ed Bartunek for delivering the Earth Day flyers to each home in the Village all by himself.

Trustee Savopoulos announced that the Metropolitan Water Reclamation District and the DEA will be hosting a drug collection on April 30, from 10:00 a.m. to 2:00 p.m. Take expired prescriptions to 6001 Pershing at the MWRD.

Trustee White addressed a report provided to the clerk that details the rates of various communities as well as Stickney's ambulance calls. Trustee White then asked Fire Chief Larry Meyer to explain. The Chief referred to the study that was done on all the towns surrounding to us. It is in regards to ambulance service. We are way below the average. It has been eight years since the Village has looked at them. He told us that it is up to us to do something about it. He admitted that part of it is due to Medicare. There is a change in the rates that they cover. It is not to our advantage. We tell our residents (who use the ambulance) that they are going to be getting a bill from our billing service. We have a contractor do all the billing. They will ask you to sign a form whether you have Medicare or insurance. The remaining amount used to be \$60-\$70. Now with this change, it is around \$200. If we could raise our fees in comparison with the other towns, we could recoup some of that loss. Again, he said, "If you get a bill and it goes through Medicare or insurance, if you call us we can call the company and ask them to write off your balance so you don't have to pay it. Trustee White interjected that this is what we do for our residents. Chief Meyer explained that non-residents have to pay. Trustee White agreed that we need to take some action on this. We need to keep up with the times. This is not to rip off the residents. Chief Meyer reminded us that we just spent \$190,000.00 to buy an ambulance. The ambulance fees do not go into a special fund. It goes into the general fund. That fee is more of a user fee for those who use the ambulance.

Trustee White moved, duly seconded by Trustee Savopoulos to accept the treasurer's report for the month of January, 2016.

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.

DEPARTMENT REPORTS: Fire Chief Larry Meyer let us know that the fire department will begin testing hydrants starting May 3. They will place signs informing residents. A Code Red will be sent out by the police department. In addition, the chief told us of a serious injury to one of our firemen, Scott Steck. The accident took place in Forest Park where he was installing a cell tower. His full time job is a lineman. He has a crushed pelvis, broken ankle, arm and wrist. He has had over eight hours of surgery and will have a long recovery. There will be a fund raiser on May 14, at Suburbanite Bowl.

Police Chief John Sladetz told us that one of our officers, Sean Poindexter was injured while trying to apprehend a person involved in an armed robbery that took place in Berwyn. The foot pursuit took place on a railroad embankment in Forest View. The injury was a laceration by his ear that required stitches.

In addition, we received an update on the 911 consolidation dispatch. He traveled to Springfield to lobby. He said that the legislators are disconnected. He was told by

many legislators that they didn't know what was in the bill. Our lobbyist, Chris Ganschow, was of great assistance because of all the people he knows. The Chief warned of the scammers coming out with the warm weather. Treasurer Kurt Kasnicka provided information about the Corporate Personal Property Replacement Tax. He monitors this account closely. The funds come in to us eight times per year. April is one of those months. As of today the funds have not come in. He checked with the Illinois Department of Revenue and the Illinois Comptroller's Office and it is not showing up. He also informed our lobbyist to see what he could find out. It appears that there was an overpayment statewide going back to 2014. Our share of that is \$16,026.13. Our April payment for the last three Aprils is approximately \$30,000. They are going to recover these overpayments but that is what the effect of this is. It affects one of our payments and then will be back on track.

PUBLIC COMMENT: (Under the circumstances, the clerk is adding in public comments in these minutes due to the fact the Village Attorney Michael Del Galdo had a lengthy statement to make concerning a phone conversation with resident Daniel Fuentes.) "Daniel Fuentes reiterated what the attorney said earlier I would love for all the trustees, all the officials who are in charge of the Village of Stickney to go and recoup these funds that Jeff Walik accepted and was not qualified for, in my opinion, and in other people's opinions as well." "Recoup these funds, even though you feel he is your friend." "Act on behalf of the village and not for your own personal use." "OK," "On the Village of Stickney." "I am asking that you guys recoup these funds." "And, if we don't do um, I will seek another venue." "I am asking . . . I am asking politely earlier. . . . At this point Village Attorney Michael Del Galdo said, "No you were not polite." "You were anything but polite." Daniel Fuentes kept saying, "Listen", "Listen". Daniel Fuentes continued, "Whatever the case maybe, I am not forceful, I am not a forceful person." Village Attorney Michael Del Galdo told him, "You have every right as a citizen to petition your elected officials." Daniel Fuentes remarked, "And, I am doing that now." "Let us leave that all behind." There was cross talking going on with Daniel Fuentes talking over Village Attorney Michael Del Galdo. Village Attorney Michael Del Galdo told him, "Please acknowledge that I am the lawyer for the corporate entity" Again, Daniel Fuentes was talking over Village Attorney Michael Del Galdo and said, "I understand it." Village Attorney Michael Del Galdo said, "Please acknowledge that I don't like to be threatened and I don't think that I deserve to be threatened." Daniel Fuentes asked, "Am I a threatening person?" Several people in the audience said, "Yes." Village Attorney Michael Del Galdo told him, "You certainly threatened me on the phone." "That much is clear." Village Attorney Michael Del Galdo continued, "All I am saying is that I am trying to be professional." "I am trying to do my job." "Please acknowledge that I am not your lawyer." "I am not anybody's lawyer in this room except for the board, the elected officials and the clerk." Daniel Fuentes said, "I am asking on behalf of the Village of Stickney and the Trustees. At this point, Trustee White told him, "You asked and we will take it under advisement." "Thank you." Daniel Fuentes responded, "That is what I expected from you." "Ok," "So," "That is another thing when somebody puts something out in their report and when they say that 'I am reporting on this one', "You actually gotta be there at the function." "Mary", "You actually gotta be there." "To be at the function to report on it." "If you don't you shouldn't report on it." "I think you know what I am talking about." Trustee Mary Hrejsa responded, "I don't have any idea." "You guys

don't also go to any functions unless they benefit you guys." "If you guys want to see yourselves in pictures, go to functions." Trustee Savopoulos asked, "What pictures, what functions." Daniel Fuentes said, "I think you know what I am talking about come on." Trustee Savopoulos mentioned, "You mean when she has parties for her friends and family?" Trustee White told him, "We will take that under advisement." Daniel Fuentes said, "You are being paid as trustees, ok, start doing your job." Trustee White told him, "You can have a seat now." Daniel Fuentes responded, "Don't tell me what I gotta do, there is no time limit." Trustee White told him, "Take a seat." "We will take it under advisement." Daniel Fuentes again said, "Don't tell me what to do." "Ok" "Don't ever tell me what to do." "Ever, ever" "Ok" "Understand that." Trustee Hrejsa asked, "Mayor, could you stop this, please." Mayor Morelli told Daniel Fuentes, "Danny, Please." Daniel Fuentes then said, "That is all I have." "Like I said, it will all be recorded at some point." "If you guys don't understand that this guy At this point Trustee White told him, "Don't threaten the board." Trustee Hrejsa told Daniel Fuentes, "Don't threaten the board." Trustee White told him, "You are threatening the board." He then said, "Chief is he threatening the board because you are sitting right there." Daniel Fuentes said, "No, I am not threatening the board," "I am asking the board to put it under advisement." Trustee White told him, "I just told you we will take it under advisement." At this point the clerk said, "Someone make a phone call to the police." Daniel Fuentes said, "Do that."

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 7:44 p.m.

At this time, Daniel Fuentes said, "Welcome back Daniel Fuentes."

Respectfully submitted,

Audrey McAdams, Village Clerk

Approved by me this 4th day of May, 2016

Deborah E. Morelli, Village Mayor