

**Village of Indian Head Park
201 Acacia Drive
Indian Head Park, IL 60525
MEETING MINUTES
BOARD OF TRUSTEES**

“Pursuant to 5 ILCS 120/2.06 (3) minutes of public meetings shall include, but need not be limited to a general description of all matters proposed, discussed, or decided and a record of votes taken.”

Thursday, October 10, 2013
7:30 p.m.

CALL TO ORDER – MAYOR RICHARD S. ANDREWS

The regular meeting of the Village of Indian Head Park Board of Trustees was held on Thursday, October 10, 2013 at the Municipal Facility, 201 Acacia Drive, and was convened at 7:30 p.m. by Mayor Richard S. Andrews. Village Clerk Joseph Consolo called the roll as follows:

ROLL CALL: JOSEPH CONSOLO, VILLAGE CLERK

PRESENT (AND CONSTITUTING A QUORUM):

Mayor Richard Andrews
Trustee Brian T. Bailey
Trustee Tom Hinshaw
Trustee Brenda O’Laughlin
Trustee Norman L. Schnauffer
Trustee Amy Jo Wittenberg

ALSO PRESENT:

Frank Alonzo, Chief of Police/Administration
Steve Busa, Treasurer
Joseph V. Consolo, Village Clerk
Richard Ramello, Counsel, Storino, Ramello & Durkin
Edward Santen, Water/Public Works Superintendent

NOT PRESENT:

Trustee Matt Walsh

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Andrews and the Board of Trustees led the audience in reciting the Pledge of Allegiance to the Flag: *“I Pledge Allegiance to the Flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all”*.

MAYOR’S REPORT – RICHARD ANDREWS

Mayor Andrews reported that James Bird, formerly of Indian Head Park, passed away in September in California. Mr. Bird was the previous owner of the Heritage Center property. Mayor Andrews stated through the efforts of Mr. Bird to convey that property to the Village of Indian Head Park and work by the Indian Head Park Heritage Foundation the Heritage Center is an historical place in the Village.

Mayor Andrews and the Village Board paused for a moment of silence in memory of James Bird and also Kelli Joy O’Laughlin. Mayor Andrews asked Trustee O’Laughlin if there are any plans for a memorial event for Kelli so that information can be placed on the Village Website. Trustee O’Laughlin stated there are no definite plans at this time for a memorial.

Mayor Andrews reported the Village Board will be convening for a special townhall meeting on Thursday, November 7, 2013 at 7:30 p.m. for the purposes of discussing the Village’s street maintenance plan as well as an infrastructure and capital improvement plan in order to help prioritize projects in terms of the amount the Village can afford and wish to spend and how to pay for it. Mayor Andrews stated resident input is valuable to the Board and all residents are invited to attend this public meeting.

Mayor Andrews stated he received a response from representatives of Timber Trails Development in connection with some questions about impact fees and their attempt to honor the original amount of the impact fees as agreed to be paid to Indian Head Park. He noted to date the \$100,000 annual impact fee was received from Timber Trails Development (a total of \$300,000 previously paid by Dartmoor Homes) that was paid prior to the downturn in the economy.

Mayor Andrews further stated he has been working with Counsel Ramello to receive the impact fees, some Board members asked if a representative from Timber Trails Development could come to a Board meeting to provide project updates and a list of questions was provided to the developer and they chose to respond in writing.

Mayor Andrews stated he prepared a list of questions for Timber Trails Development as well as Trustee Hinshaw and Trustee O'Laughlin. He read the following questions from the Board with responses from Timber Trails representatives as follows: (1) **question:** What are the current plans for Timber Trails Development, how if at all are they different from the original plan approved by Western Springs. **Response from the developer:** The plans have not changed since the original development. At this time it is not our intent to make any changes from the original development; (2) **question:** what are the plans for the future build-out for the project under the current approved plans, what is going on now and what needs to be done next with the development besides selling homes and what is the timeline for the plan. **Response from developer:** The property is divided into two phases. Phase 1 is the east portion of the project which includes fifty-eight (58) townhomes and seventy-three (73) single family homes which have been fully developed. Homes are currently being marketed and sold in this phase. Phase 2 consists of forty-two (42) townhomes and one hundred and sixty-one (161) single family lots are currently being developed including grading, underground utilities and streets. The land development for phase 2 should be mostly completed in 2014. (3) **question:** how many total units, single family and townhomes are in the current plan and how many were in the original approved plan, how many are currently occupied, how many units are under contract and how many are left to sell. **Response from developer:** There are three hundred and thirty-eight (338) total lots, two hundred and thirty-four (234) are single family homes, one hundred and four (104) are townhomes. This is exactly the same plan as the original approved plan, there are currently twenty-six (26) townhomes and twenty-eight (28) single family homes occupied for a total of 54 homes. That would leave seventy-eight (78) townhomes left to close and two hundred and six (206) single family homes. There are currently four townhomes and two single family homes sold which have not closed yet; (4) **question:** what is the timeframe for the completion of the build-out and sale of all the units in the development. **Response from developer:** Phase 1 should be complete in the next three years and Phase 2 will take an additional six to eight years. These are just estimates based upon the current market; (5) **question:** how long does it usually take from the time a unit is sold until the purchaser is able to occupy the unit.

Response from developer: It depends upon whether the home was previously started and it takes approximately five to eight months to build a home; (6) **question:** what is the average price range for a single family home and for a townhome. **Response from developer:** A townhome ranges from \$300,000 to \$400,000 based on options and a single family home starts in the lower \$500,000 range to \$700,000 based on options; (7) **question:** residents from Indian Head Park who live close to Timber Trails have concerns with dirt being moved around for Phase 2 as it relates to issues with the soil. **Response from developer:** The soil in the development as it relates to both Phase 1 and Phase 2 was originally remediated pursuant to an approved remediation action plan developed by the environmental consultants for Timber Trails and approved by the Village of Western Springs consultants; (8) **question:** with respect to Indian Head Park residents living close to Timber Trails, a letter from March, 2012 from the Village of Western Springs Village attorney expressed on-going concerns about the Illinois EPA compliance and remediation of contaminated soil and there was a Cook County Circuit Court case titled Western Springs One LLC v. Marlan Environmental Inc. which alleges it will cost 5 million dollars to remediate arsenic and other types of chemicals including lead and mercury. In the first phase of the Timber Trails Development what work has been done and what will be done for the remainder of the remediation of contaminated soil. **Response from developer:** please refer to the previous answer concerning the environmental plan but in addition to the 5 million dollar cost it is not just for phase one but for the entire site remediation; (9) **question:** what plan changes does the developer have from the original Western Springs One LLC plan. **Response from developer:** there are no plan changes at this time; (10) **question:** what is the sales goal for Timber Trails. **Response from developer:** the plan is to sell twenty-five (25) to thirty-five (35) homes per year; (11) **question:** are all homes sold to spec. **Response from developer:** homes sold are a combination of both; (12) **question:** what is the dumping of dirt on the property off Plainfield Road and is it contaminated. **Response from developer:** Phase 2 land development requires that clean soil be brought into the site in order for streets to be installed and it is not contaminated; (13) **question:** there are some issues of use of the vacant part of the property that is being used for drinking and use of drugs. What action is being taken to discourage this behavior. **Response from developer:** the Western Springs Police Department is in a better position to answer those questions, the property is marked with no trespassing signs and a large amount of fencing is installed to deter people from entering.

CONSENT AGENDA

Approval of an Ordinance Establishing Hours of Operation for Use of the Land at the Heritage Center (Ordinance #2013-10)

Mayor Andrews entertained a motion to approve an ordinance regarding use of the vacant land at the Heritage Center property. Prior to voting on the ordinance, Trustee O’Laughlin stated the Heritage Center property has not been designated as a park. Therefore, Section 12.07.010, Park Hours, should be revised to Heritage Center land use hours. Counsel Ramello stated the reason that section is defined as designated park hours is because it follows other sections of the code that reference Arrowhead Memorial Pointe and Blackhawk Park. He noted the title of the section can be changed to whatever the Board would like. Trustee O’Laughlin moved, seconded by Trustee Hinshaw, to approve the ordinance to regulate the hours for use of the grounds at the Heritage Center, as amended. Carried by unanimous roll call vote (5/0/1). **Ordinance #2013-10.**

Ayes: Trustees: Bailey, Hinshaw, O’Laughlin, Schnauffer, Walsh, Wittenberg

Nays: None

Absent: Walsh

Trustee Hinshaw stated the proposed ordinance is amending **Title 12**. He asked in the future if the Board could be provided with a copy of the section of the code that is being amended. Counsel Ramello stated the current ordinance is a new chapter of the code, **Title 12.07, Heritage Center**, a new section is being created.

APPROVAL OF FINANCIAL REPORT

Financial Report for the Month ending August 31, 2013

Treasurer Steve Busa presented the financial report for the month ending August 31, 2013. For the month of August, he noted: total revenues were \$370,542.67; expenditures were \$314,999.61 and fund balances in all accounts at the end of August were \$1,753,958.70. Treasurer Busa pointed out the fund balances reflect a high water mark with the collection of the bulk amount of revenues from real estate taxes from the second installment. Trustee Hinshaw asked what portion of the revenues are spendable, what else needs to be paid and what other warrants do we have. Treasurer Busa stated the dollar amounts should follow what remains in the budget and there may be some water revenues as well as general fee revenues and the funds help to operate the Village until the next collection.

Trustee Hinshaw stated there have been some discussions of Village infrastructure and roads. He asked what amount of that revenue (fund balance of \$1,753,958.70) can be used for infrastructure, if it is available. Trustee Hinshaw stated the water depreciation of about \$94,000 per year is in that amount so \$200,000 should be earmarked for that purpose. Treasurer Busa stated earmarking funds would be a policy decision of the Board. Trustee Hinshaw asked if it can be determined what needs to be paid before the end of the year to determine if any funds are available to put towards infrastructure.

Treasurer Busa stated the accounts can be measured up against where we are for the budget, it is not that simple because there are certain funds that can only be spent for items that the Village levied for so even if there are excess in those funds, they cannot be transferred out to use for general purposes. He noted there are funds included in the total \$1,753,958.70 that are tied to other things that cannot be moved such as funds for special parks, which can only be used for those purposes and cannot be used for roads, water infrastructure or other purposes. Treasurer Busa stated he can provide a dollar amount of the funds earmarked for water, the funds that are earmarked for special purposes can also be taken out to determine the balance of funds left in relation to the budget. Trustee Hinshaw asked Treasurer Busa if he could provide a dollar amount that would be available for water purposes.

Mayor Andrews stated we are only a few months into the fiscal year with a four million dollar budget, so far we have \$1,753,958.70, we need a lot more money to come up with to meet the budget by the end of the fiscal year, some of the funds are already earmarked for water and there may not be any extra money for roads because we need funds for operating expenses. Trustee Hinshaw stated that more water revenue will be received. Trustee Wittenberg stated that she met with Trustee Bailey, Frank Alonzo and Ed Santen and as part of that meeting an infrastructure plan will be provided including various scenarios and funding options for various projects including current operations and future plans. She noted that information will be shared with the Board and community.

Trustee Schnauffer moved, seconded by Trustee Bailey, to approve the financial report for the month ending August 31, 2013, as presented by Treasurer Busa. Carried by unanimous roll call vote (5/0/1).

Ayes: Trustees: Bailey, Hinshaw, O'Laughlin, Schnauffer, Wittenberg

Nays: None

Absent: Walsh

APPROVAL OF BOARD MEETING MINUTES

Minutes of the Regular Board Meeting – September 12, 2013

After review of meeting minutes, Trustee Bailey moved, seconded by Trustee O’Laughlin, to approve the September 12, 2013 Board meeting minutes, as presented. Carried by unanimous voice vote (5/0/1).

AGENDA ITEMS (DISCUSSION AND A POSSIBLE VOTE MAY TAKE PLACE)

1. 65th Street

Mayor Andrews stated at a Board meeting in June, the Board discussed a possible Intergovernmental Agreement with the Township of Lyons with regard to paving of 65th Street. He noted the offer at that time from the Township was a willingness to split the cost of paving that section of street from Willow Springs Road to about one block west at a cost of about \$30,000 to be split by the Township and Indian Head Park.

Mayor Andrews stated at that time it was determined that no Indian Head Park resident directly accessed that street by vehicle. However, there may be some residents that walk through that area on the street through Acacia. Mayor Andrews stated the Township at that time did not want to take that project on and pay all the costs for street repairs, there was a suggestion to possibly close that section of street rather than pay the costs, a decision was made by the Board at that time and he was requested to send a letter to the Township explaining the Village’s position. He noted the Lyons Township Supervisor asked for some time to look into the matter to determine if any of the scope of work could be included in their 2013 paving project. Mayor Andrews stated he asked the Township if their attorney and our Village attorney could work on the possibility of the Township taking over the jurisdiction of 65th Street, they would maintain the street and it would still be part of Indian Head Park.

Counsel Ramello stated with regard to a transfer of jurisdiction of a portion of a roadway to Lyons Township, there is a section of the highway code that allows such a transfer to take place, it requires the Illinois Department of Transportation to be involved in that jurisdiction of transfer. He noted in one other municipality he represents he found that the Illinois Department of Transportation will not approve that type of jurisdictional transfer because of the manner in which Motor Fuel Tax (MFT) dollars are distributed to municipalities and townships.

Counsel Ramello stated MFT funds are distributed to municipalities based on population whereas MFT dollars distributed to townships are based on the length of the roadway the Township highway commissioner has jurisdiction over. He noted the amount of MFT funds the Village would receive would be the same. However, even though it is a small section of street the amount the Lyons Township road district will receive would increase. Counsel Ramello stated the Illinois Department of Transportation views this as “double dipping” when the amount of MFT funds is doubled so they do not want to approve these types of agreements. He noted it may have seemed easy to turn the street over to Lyons Township but the Illinois Department of Transportation will not approve this type of agreement. Counsel Ramello stated that he pointed out various sections of various codes that would authorize these types of cooperative agreements between neighboring jurisdictions. However, there is no resolution to this matter. He noted the attorney for the township will discuss this matter again with Township representatives.

Counsel Ramello stated the Village can still send a jurisdictional transfer request down to the Illinois Department of Transportation knowing that they will probably reject it. He noted at that time the Village can accept that decision or decide whether to file an injunctive suit against the Illinois Department of Transportation and try to persuade a court that the jurisdictional transfer is authorized under the Illinois Constitution and Illinois State Statutes. Counsel Ramello stated another option is a disconnection of that street from the Village of Indian Head Park which would require a written petition signed by the owners representing the majority of people that have ownership of that land that immediately abut that roadway and a survey would be needed for the area for a Plat of Disconnection from the Village with that document to be recorded. He noted even though it is a public road it is a dedicated roadway, if the majority of the owners agree to the disconnection an ordinance would be presented to the Board approving a Plat of Disconnection, title searches would be required to make sure the people who signed the petition are actual owners of the property and the process can be costly and more expensive than the Village’s portion of half the cost to fix the street at \$15,000. Counsel Ramello stated disconnection may be a less expensive option than filing a lawsuit with the Illinois Department of Transportation and he would wait for direction from the Board. Trustee O’Laughlin asked how many homes abut up to that street. Superintendent Santen stated there are about eight homes that abut that street. Trustee Bailey asked if there is any precedent of any other Village’s that have pursued litigation with the Illinois Department of Transportation or other matters similar to this issue. Counsel Ramello stated he is not aware of an Appellate Court case or Circuit Court case that has been recorded on a similar matter.

Trustee Hinshaw asked if the Township would be willing to go back to the original offer of splitting half the cost of repairs to the street. Counsel Ramello stated he is not aware that the Township has withdrawn that offer.

Trustee O’Laughlin asked why the process would be so expensive. Counsel Ramello stated title searches for all of the properties would be needed, roadway surveys of all properties would be required to prepare a Plat of Disconnection, easements would need to be determined, there are recording fees and the fees could be as high as \$7,000. Trustee O’Laughlin stated that since the Township was making an offer for half of the cost of the road repairs possibly they would be interested in paying half the cost for disconnection. Mayor Andrews stated the Township would then end up with the whole street and all the costs so it would be more than the original 50/50 split. Trustee O’Laughlin stated that possibly that section of street could be closed to vehicles otherwise the Village might have to keep repairing it. Mayor Andrews stated it would still cost some amount of money to make that section of street a pathway if the road is closed to vehicles. Trustee Hinshaw stated that he is in favor of the offer to split the costs or to maybe close the street to vehicle traffic and make it a pathway. Mayor Andrews stated possibly that section of street could be blocked off with access for emergency vehicles and to restore the surface for a pathway.

Mayor Andrews stated he would like to keep all options open, he is willing to try to find some support for this project from other sources, possibly if the Township is doing road projects every summer part of this work can be included and the Board can take this matter up again in the spring to make a decision.

2. Finance Committee

Mayor Andrews stated last month he recommended that the Board move forward on having an ordinance prepared by counsel to create a finance committee to allow resident participation in the budget process. The finance committee would be comprised of two residents, Trustee O’Laughlin and Trustee Schnauffer as finance trustees as well as Administrator Frank Alonzo and David Brink. Mayor Andrews stated a suggestion was made by Trustee Wittenberg about looking into what other towns are doing with commissions and committees.

Mayor Andrews noted he met with Trustee Wittenberg and Frank Alonzo a couple of weeks ago to discuss this topic, at any level there is always staff involvement, it was decided to create a finance committee that includes two residents and to move forward with the budget process.

Mayor Andrews stated he is open to trying the finance committee to work on the budget process and input was received from trustees including a number of recommendations in terms of the qualifications of candidates and a lot of specifics.

Mayor Andrews stated that he does not agree with an approach for the first time with too many specifics. The idea behind the focused approach is to have resident input that would be helpful in the budget process with a good starting point to go forward for the first year. If it works then it can be expanded to include other suggested input. Mayor Andrews stated someone may end up on the committee that has certain expertise that will lend themselves to different areas of finance in the Village. Mayor Andrews noted in terms of qualifications, information is available on the Website and in Smoke Signals asking anyone who is interested in volunteering to serve on the finance committee may submit their resume of interest to him at the Village Offices during business hours or to the email address admin@indianheadpark-il.gov no later than Friday, November 8th. Mayor Andrews stated there are no specific qualifications, it would be preferred that someone have CPA experience or municipal finance background, the finance committee is open to all residents and a recommendation of two people will be made to the Board for approval. He noted there are no requirements for positions including Trustee or Village President or having served previously on other committees to serve on another Board.

Trustee Schnauffer stated as he mentioned at the last meeting he does not believe we need a finance committee, he is willing to try this plan to see how it works for the committee to work with the budget process but any type of bond issue and other financial matters should be a separate issue. Trustee Bailey stated that he supports not limiting qualifications if someone does not have a finance degree so that more people can become involved to have an opportunity to submit a resume. Trustee Hinshaw stated he likes all of the ideas presented.

Trustee Bailey moved, seconded by Trustee O’Laughlin, to direct Counsel Ramello to prepare an ordinance to create a finance committee for consideration by the Village Board at the November Board meeting, as proposed. Carried by unanimous roll call vote (5/0/1).

Ayes: Trustees: Bailey, Hinshaw, O’Laughlin, Schnauffer, Wittenberg

Nays: None

Absent: Walsh

3. Purchases Ordinance

Mayor Andrews stated that input was received from Trustee Wittenberg with regard to a suggestion to change the purchases ordinance currently in place. He noted there was a concern by Trustee Wittenberg that the Village can spend money without having some level of a vote by the Village Board, if an expense was under \$20,000 no Board approval was needed but if it was over that amount the Board needed to approve it. Mayor Andrews stated if the Village intends to spend over \$20,000 we have to go out for bid. There is a suggestion that we have an ordinance that would establish a limit of which there would be Board approval before an expense can be incurred. Historically there has been no purchasing ordinance for fifty years and he is not aware there have been any problems.

Mayor Andrews stated in terms of authorizing purchases the Board has to approve a budget, if the budget includes the purchase of a police car for \$25,000 then the Board needs to include that expenditure in the appropriations ordinance to authorize it to be purchased and to seek bids so the expense comes to the Board for approval anyway.

Trustee Wittenberg stated she is not aware there are any issues with the municipal services. However, in this day and age in municipal government environment it is beneficial to have a purchase services agreement specifically with the Village Administrator to guide the purchasing so he/she may be directed in a very specific fashion in regards to what he/she can do and when additional guidance is needed from the Village Board. Trustee Wittenberg stated she reviewed the Western Springs Village Code regarding purchases not exceeding \$10,000 where there is an ability to spend up to that amount that is appropriated, there is a similar administrative section of the Burr Ridge code as well, there is a section regarding emergency purchases that allow the Village manager latitude and also guidelines and provisions should be set forth for purchasing contracts. Trustee Wittenberg stated she is not asserting there have been problems but merely requesting that more structure be added to the process so the Village Administration has some guidelines for checks and balances for a fiduciary presence and this type of structure is common in the workplace today.

Trustee Hinshaw stated that \$10,000 is used as guideline. He asked approximately how many purchases would be over that dollar amount in a year. Frank Alonzo stated there are not many expenses over that dollar amount (maybe under 5), previously a one-time purchase for a new copier with scanner and other options may be close to that amount but other than watermain breaks there are not many

expenses over that dollar amount. Trustee Wittenberg stated it is good government to have guardrails and guidelines for expenditures. Counsel Ramello stated there is a section of the code regarding purchases in the Municipal Code under Section 2.08.040 which provides for the Village Administrator as the general purchasing agent to make purchases for all departments except for a specific provision made by Illinois law or the Village Board. The Village Administrator shall make all purchases of supplies, materials, equipment authorized by the Board in a manner prescribed by Illinois law. The Administrator shall supervise the purchase of all materials, supplies, equipment of which funds are provided for in the budget for contracts necessary for the operation of maintenance of the Village services for amounts up to and including \$20,000, to seek sealed bids for purchases in excess of \$20,000 to the Village Board for approval. The Village Administrator shall advise the Board the advantages or disadvantages of contracts and proposals.

Trustee Wittenberg stated that she was proposing a suggestion to incorporate more language to the guidelines that already exist and to seek input from anyone else that might have suggestions. Mayor Andrews asked Trustee Wittenberg to provide her suggestions and Counsel Ramello will review it. Trustee Hinshaw stated it is a good idea, he asked when there is a watermain break that may cost a lot of money he wanted to make sure this would not hamper that type of expense, the police car was a good example of the type of expense that can be planned because it is not needed immediately and there is time for the Board to approve it.

Trustee Bailey stated he is concerned with what is legal and what the Board is supposed to be doing and the Board is creeping more and more towards things the Board is not supposed to be doing. Trustee Hinshaw stated he did not hear Village counsel say the Board is doing something approaching illegal based on any discussion by the Board.

Counsel Ramello stated the Village Board, as a non-home rule community, is a legislative body of seven members that can pass ordinances to make policies expressly provided for by Illinois State Statute, the Board can pass a purchasing ordinance if it so chooses to set that policy. On the other hand there are municipalities that do not have such an ordinance. Trustee Wittenberg stated she feels strongly about a purchasing ordinance and is interested in different opinions, it is not a quest to take over Frank Alonzo's job and the intent is to have a well run tightly managed Village and she would like to explore this idea.

Mayor Andrews asked if there are any comments from the audience about a purchasing ordinance. Chris Metz, of Arrowhead Court, asked Frank Alonzo if he believed it would be micro-managing if a purchasing ordinance is established. Frank Alonzo stated he would follow any guidelines established by the Village Board. Mr. Metz stated it would be good to have tighter controls in place to protect the residents of the Village. Carol Coleman, of Acacia Circle, stated as a former Public Works Trustee for many years the only thing that came up that cost over \$20,000 was a truck or equipment purchase and road salt one year when the price for salt was double. Frank Alonzo stated each year a resolution is approved by the Board for the road salt expenditure that is over \$10,000 which is required for MFT funds to be allocated for that purpose through the State purchasing program. He added because there is only a Board meeting once a month, if he needed approval to purchase more salt there may not be time to get approval through the purchasing ordinance guidelines to sign a purchasing contract with the State.

Mayor Andrews stated that he would take the input provided to him and refer to counsel to research this matter further with a recommendation to be provided to the Board with regard to a purchases ordinance.

4. Village Lease with Indian Head Park Heritage Foundation

Mayor Andrews stated Trustee O’Laughlin requested that discussion regarding the Heritage Center be added to the agenda. Mayor Andrews stated a lot of time and effort was spent with the Heritage Center and the Heritage Foundation with the idea of trying to do something with a historical value for the Village. He noted many questions have been asked about the Heritage Center, there may be a number of people in town who hate it and want to see it bulldozed and the volunteer docents want it to remain. Mayor Andrews stated as follows: *“The Heritage Foundation was initially modeled after the District 106 (Highlands) Educational Foundation, the Heritage Foundation is its own legal entity—not an individual personality. Three IHP residents comprise the Board of Directors and Officers of the Foundation. Former Mayor Pellegrino (President), Susan Schroeder (Vice-President); Alex LaBelle (Secretary/Treasurer). Additionally, attorney and resident Noreen Costelloe serves as General Counsel. Together, these individuals have donated hundreds of hours of time volunteering for the Foundation and have contributed over \$22,000 to the Village of Indian Head Park. There was a lease for office space between the Village and the Foundation. The lease amount was set at \$210.00 per month to be paid quarterly. The lease rental amount was based on 168 square feet of office space at \$15.00 per square foot. There was no written lease after 2008.*

The lease hold then became a month to month terminable at the will of either party upon 30 days notice. At the end of 2008, the Foundation was unable to predict its ability to raise funds due to the deepening recession. Therefore, the Foundation could not enter a guarantee. Not having a written lease also benefitted the Village in terms of flexibility in the event some other community related group was interested in the Heritage Center. The community should be grateful to the IHP Heritage Foundation for their generosity and community spirit. And we are grateful. Additionally, many others have donated their time and talents, and yes, funds to the Heritage Center. Resident and former Lead Docent Jane Kuhn, all docents over the past decade, former Trustee Anne Bermier who served as Trustee liaison to the Heritage Center. Planning and Zoning Commissioner Jack Yelnick who donated time and materials to reconstruct the back entry way. Foundation President Pellegrino whose business contact donated the yellow striping of the parking lot—not once, but twice. All without taxpayer funds. However, the question now arises through the voices of some of our residents whether the Heritage Center has outlived its useful life. Furthermore, the issue arises as to what does the community value. Let us remember that not only does the Heritage Center preserve history and provide open green space, it served as a prudent, tax-saving substitute to the creation of a library district. A library district would have created another bureaucracy with the power to tax. The traditional lending library we have at the Heritage Center was donated: from shelves, to the books, to the furniture and modest antique collection. No additional line item on the tax bill. But once again, would the majority of our residents rather see this public asset sold and the proceeds applied to paving our streets or other worthy and necessary projects. Several questions regarding a sale would materialize: would the grant the Village received need to be paid back to the State?, would the school children crossing the site need to be relocated or perhaps cause District 106 to bus certain children? What could the property fetch on the open market? Should there be allowed one to three single family homes on the parcel or town or row houses?. Therefore, I will be proposing an advisory referendum to be placed on the March 2014 election ballot so that the public can weigh in and provide us with opinion and direction. We could also have a questionnaire sent to each household through the Smoke Signals, but questionnaires are not very reliable in many instances. And while we are looking to our citizens and taxpayers for advice, perhaps a second referendum should be placed on the ballot concerning Arrowhead Pointe. Has this public asset outlived its useful life? Could it be sold for development? Residential or even commercial? Apply all proceeds to our street program. Please be quite clear in understanding that I am not suggesting that these public assets be disposed.

I am only suggesting we allow our residents the benefit of providing us their opinions on what they value. As we all know, we work for the greater good of all of the people of IHP.”

Mayor Andrews stated that Trustee O’Laughlin had sent an inquiry previously about the Heritage Center lease that expired in 2009 asking why there is no lease, what ramifications does that have on the Village and what is the market value. Mayor Andrews stated he is not aware of any ramifications on the Village other than we can lose a tenant on thirty days notice or kick the tenant out with thirty days notice and have no income coming in from that source, we can find some other organization or other foundation and an appraisal can be done to determine the fair market value of the rent. Trustee O’Laughlin stated with regard to the Heritage Center she was more interested to know what is coming in and what the cost is for expenses, one senior resident had concerns about water in the basement and asked if there is a mold issue. She further stated there are people visiting the center that might have health issues, what type of funds is the Village receiving from the Heritage Foundation and if that helps to cover some of the costs such as cutting of the lawn because even if the Village does it money needs to be set aside for maintenance of the property. Trustee O’Laughlin stated she was trying to get a clearer picture of what was happening at the Heritage Center. Trustee Hinshaw stated Trustee O’Laughlin mentioned residents had concerns about the possibility of mold at the Heritage Center, he also heard the same from residents and he asked Frank Alonzo if he could check into that matter. Frank Alonzo stated he asked Superintendent Santen to find some companies and obtain prices that can do an inspection for mold issues. Trustee Hinshaw stated that he likes the suggestion by Mayor Andrews to place an advisory referendum question on the ballot about the Heritage Center property. Mayor Andrews stated the election code requires that questions on a ballot be in a specific format to be followed so he will work with counsel so an ordinance can be drafted for an advisory question for the ballot to seek public input. Trustee Hinshaw asked how much does it cost to put a question on the ballot. Counsel Ramello stated aside from preparing the ordinance and filing the paperwork there are no other costs to place something on the ballot.

Carol Coleman, of Acacia Circle, stated about \$300,000 in grant money was obtained to acquire the property, the Village is setting itself up to make a lot of people unhappy either way and why go through the agony of putting an advisory question on the ballot about it. She asked if that money would need to be paid back to the state if the property is sold. Trustee Bailey stated the valuation of the property may be less now than the Village paid for it many years ago.

Joan Metz, of Arrowhead Court, stated it would be good to know the value of both properties and how much is it worth per square foot. Chris Metz stated the agenda stated the agenda lists discussion about the Heritage Center lease, the discussion has now turned to a referendum and other things and what does that have to do with the lease. Mayor Andrews stated information was provided already during this meeting about the lease. Additional background was provided as an opportunity by the Village President to address a bigger issue because there are people who love the place and some people have been questioning how much money it costs to maintain it, the potential mold issue and the need for a testing, and it needs to be determined if a major repair to the foundation is needed. Mr. Metz stated the top of the agenda items it says discussion and a vote may take place so he was interested to know if the Board would be voting on the other items discussed. Mayor Andrews stated no vote will be taken this evening. Becky Glasscock, of Acacia Circle, stated she is a docent at the library, she counted over two hundred cards of people who use the library, there are some residents that have never graced the doors of the library so they do not know about the center, more people are using it every day and there is a variety of good books and reference materials.

Trustee Wittenberg asked if the Village does or does not have a month to month lease with the Heritage Foundation. Mayor Andrews stated there was a lease agreement based on a monthly rate that expired in 2009. Trustee Wittenberg stated from a business perspective she has concerns that there may be a liability without having a current business lease with that organization. Counsel Ramello stated unless the prior lease had some responsibility of a tenant to repair or maintain the Heritage Center, there would be no liability. He noted the Heritage Foundation is a not-for-profit organization and it would be no different than when the docents are using the building or any other resident of the Village. All are covered under the Village's property policy. Trustee Wittenberg asked if the Village is receiving money from the Foundation for office space under the lease that is expired. Mayor Andrews said rent is being received from the Foundation.

Trustee Hinshaw stated that he estimated the guest book count at the Heritage Center over the past year to be somewhere between two hundred and one thousand. Becky Glasscock stated the count she came up with of about two hundred people who use the library was from people actively using the library. Joan Metz, of Arrowhead Court, stated she does not agree that one thousand people have used the library over a year, the same people may visit the library every week, some of the names on the cards are not active readers and the docents also sign the guest book each time they are there.

Becky Glasscock stated there are many people that enjoy using the library, people that do not like the library should come to visit to take a look and the annual book sale will be held Saturday, November 2nd from 9:00 a.m. to 3:00 p.m.

5. Report Regarding Ash Trees – Frank Alonzo

Frank Alonzo stated that Bill McConaughy from the Public Works Department is not only the Village Arborist but he is a water operator and has other assignments as well within the Water/Public Works Department. He noted Bill McConaughy was asked to compile a list and inventory of all Ash trees in Indian Head Park including various suggested tree treatments for Emerald Ash Borer and associated costs. Bill McConaughy provided a detailed report with some good suggestions, some trees can be treated and some may need to be removed over a period of time if they do not respond to treatment. The Ash trees in the Village are listed in categories based on Diameter Breast Height (DBH). Category 1 are Ash trees that are 10" DBH or less. These trees can be treated with a soil trench insecticide at a cost of \$6.00 per tree every spring (51 trees @ \$6.00 = \$306.00). These trees can be treated by the Public Works Department; Category 2 are Ash trees greater than 10" DBH. These trees need to be treated with a trunk injected insecticide at a cost of \$63.00 per tree (19 trees @ \$63.00 = \$1,197.00). Category 3 Ash trees there are eight trees that should be removed at a cost of \$450.00 per tree (\$3,600).

Frank Alonzo stated that the program is a good idea and is worth a try to save some trees, some of the treatments are cost effective and some other towns have taken a position to remove all Ash trees and some are trying the treatments. He added that the recommendations by Bill McConaughy is a good plan to treat and monitor the Ash trees and the report was also placed on the Village Website. Trustee Hinshaw stated the report is fantastic and he supports the proposed plan.

Jean Murphy, of Acacia Circle, asked if the Village would be replacing any trees that are removed. Frank Alonzo stated the report includes the estimated cost for removal and replacement of trees and the Public Works Department would select a variety of trees for replanting purposes. Shirley Yang, of Glenbrook Lane, asked if the trees along Wolf Road are Ash trees. Frank Alonzo stated there may be some Ash along Wolf Road which are maintained by Cook County and the Ashbrook Association may be treating some of those trees along Wolf Road.

QUESTIONS AND/OR COMMENTS FROM THE AUDIENCE

Trustee Hinshaw asked if there was any update on microphones for the Board room. Frank Alonzo stated the microphone system was outdated and does not work so the Board will need to determine whether to research that issue further.

Trustee Hinshaw thanked Frank Alonzo for providing a breakdown of engineering expenses. He asked if there is an update on getting a breakdown of the retainer for legal expenses. Mayor Andrews stated he is working on that with counsel.

Trustee Hinshaw stated he received an email from resident Dan Lynch concerning the lack of Village decals on our pick-up truck and quality of a paving patch on Blackhawk Trail in this resident's opinion.

Tom Hinshaw mentioned a blood drive sponsored by Life Source will be taking place at the Lyons Congregational Church at the corner of Joliet Road and Wolf Road on Saturday from 8:00 a.m. to 2:00 p.m.

Joan Metz, stated that the Cook County Highway Department came back to further trim the trees along Wolf Road and the trees look much better. She thanked the Village staff for helping to get the County to come back to finish that work. Joan Metz suggested that possibly all new ordinances could be posted on-line on the Website along with the agenda and other documents before a Village Board meeting so that residents can review them. She also suggested a community recycling day in the future. Mayor Andrews thanked Joan Metz for her suggestions and stated that he is already looking into that for next year.

ADJOURNMENT

There being no further business to discuss, Trustee Bailey moved, seconded by Trustee Schnaufer, to adjourn the regular Board meeting at 9:30 p.m. Carried by unanimous voice vote (5/0/1).

Minutes prepared by,
Kathy Leach, Deputy Clerk/Recording Secretary