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 December 6, 2007
7:30 P.M.

★ CALL TO ORDER - MAYOR RICHARD ANDREWS

The regular scheduled meeting of the Village of Indian Head Park Board of Trustees was held on Thursday, December 6, 2007, at the Municipal Facility, 201 Acacia Drive, and was called to order at 7:30 p.m. by Mayor Richard 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 Debbie Anselmo
Trustee Brian T. Bailey
Trustee Anne Bermier
Trustee Carol Coleman
Trustee Norman L. Schnaufer
Trustee Matthew P. Walsh II

ALSO PRESENT:

Steve Busa, Treasurer
David Brink, Finance/Administration
Joseph Consolo, Village Clerk
Richard J. Ramello, Counsel, Storino, Ramello & Durkin

NOT PRESENT:

Frank Alonzo, Administrator (prior family commitment)
Edward Santen, Water/Public Works Superintendent

★ PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Richard 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".***

★ **CONSENT AGENDA**

- ***Approval of Tax Levy Ordinance for Fiscal Year Beginning May 1, 2007 and ending April 30, 2008 (Ordinance #07-20.2)***
- ***Approval of an Ordinance Amending the Municipal Code to Add a Chapter 5.20 entitled "Cable/Video Customer Protection" to Title V, Entitled "Business Licenses and Regulations" (Ordinance #07-21)***
- ***Approval of an Ordinance Amending the Municipal Code to Add a Chapter 3.25 Entitled "Cable/Video Service Provider Fee and PEG Access Support Fee" to Title III, Entitled "Revenue and Finance" (Ordinance #07-22)***
- ***Approval of Property Tax Extension Limitation Law Resolution (Resolution #R12-07-1)***
- ***Approval of a Resolution Authorizing the Lease of a Portion of 6250 South Wolf Road to the Indian Head Park Heritage Foundation (Resolution #R12-07-2)***
- ***Approval of Meeting Dates for 2008***
- ***Reappointment of Steven Busa as Treasurer for the term ending December 31, 2008***

Mayor Richard Andrews entertained a motion to approve the Consent Agenda items as presented.

Trustee Coleman moved, seconded by Trustee Schnaufer, to approve the Consent Agenda items, as presented to the Board for approval. Carried by unanimous roll call vote (6/0/0).

Aye: Anselmo, Bailey, Bermier, Coleman, Schnaufer, Walsh
Nay: None
Absent: None

- **REPORTS**
  Water Rate Update

Mayor Andrews noted that the Village was advised through the West Central Municipal Conference that the City of Chicago is passing along a water rate increase to the surrounding communities and with certainty that water rate increase will be passed along to the Village of Indian Head Park. He further noted that the City of Chicago is raising their water rate by 15% effective January 1, 2008, an increase of 15% on January 1, 2009 and an increase of 14% on January 1, 2010. Mayor Andrews stated that the Village had a water rate increase of three cents (.03) per thousand gallons of water from the City of Countryside that took effect March 29th. He noted that increase was not passed along to the residents of Indian Head Park at that time. Mayor Andrews stated that there is a provision in the water contract with the City of Countryside that allows for expenses for maintenance of their water pump house to be shared by the communities that are served by Countryside.

Mayor Andrews noted that those costs may also be proportionally passed along to Indian Head Park by the City of Countryside. He added that Frank Alonzo spoke with representatives from the City of Countryside who indicated that they had not received any formal notification from the City of Chicago as to amount of the water rate increase that would be passed along to the City of Countryside. Mayor Andrews stated that the Board may need to consider an increase in the water rates for Indian Head Park if water rate increases are imposed by the City of Countryside who receives water from the City of Chicago.

- **APPROVAL OF BOARD MEETING MINUTES**

Minutes of the Regular Board Meeting - November 8, 2007

After review of Board meeting minutes, Trustee Bermier moved, seconded by Trustee Anselmo, to approve the November 8, 2007 regular Board meeting minutes, as amended. Carried by unanimous voice vote (6/0/0).

- **FINANCIAL REPORT - TREASURER BUSA**
  Approval of Financial Report for the month ending October 31, 2007

Treasurer Busa presented the financial report for the month ending October 31, 2007. He noted: (1) total revenues were $356,975.43; (2) expenditures were $307,852.27 and; (3) total fund balances in all accounts at the end of October were $407,267.81. Trustee Schnaufer moved, seconded by Trustee Anselmo, to approve the financial report for the month ending October 31, 2007, as presented by Treasurer Busa. Carried by unanimous roll call vote (6/0/0). Treasurer Busa noted that the November and December financial reports will be presented to the Board at the January 2008 meeting.

Aye: Anselmo, Bailey, Bermier, Coleman, Schnaufer, Walsh
Nay: None
Absent: None

Mayor Andrews stated that he and Trustee Schnaufer signed the paperwork at Western Springs National Bank and Trust to establish a line of credit to cover any revenue shortages due to the delay in the receipt of the Village's portion of the second installment of real estate tax revenues from Cook County. Mayor Andrews noted that the Village's share of the tax rate as estimated would go from .6129 to .5972, which is a decrease of .0157 that translates to a decrease in the property tax rate of 2.56%. However, the revenue will increase by 3.63% based on the estimates of assessed valuations for the Village.

AGENDA ITEMS

1. *Discussion Regarding Third Amendment to License Agreement between the Village of Indian Head Park and American Tower Asset Sub., LLC*

Mayor Andrews stated that a request for an amendment to the license agreement was presented to the Village by American Tower Asset who operates a cellular tower on the Village's Municipal site at 70th Place. He noted that approximately $1,600.00 per month in revenue is received by the Village from American Tower under the current lease agreement with the Village of Indian Head Park. Mayor Andrews stated that the initial lease agreement was executed in 1994 and renewable in five year increments through the year 2014. The contract provided for a 4% annual increase in the fee and the next five year cycle for renewal is due to expire in 2009. The request for a third amendment to the standard lease agreement at this time would extend the agreement for (3) additional five-year renewal increments.

Mayor Andrews noted that the fee structure for revenue to the Village would be continued at the rate of 4% annually. However, if American Tower is able to entice another cellular tower user for co-location, the Village would receive an increase of $500.00 per month for the additional user. He noted that American Tower is requesting an amendment to the current agreement to extend the terms to be able to allow use of the tower beyond 2014 when the current agreement is due to expire.

Trustee Walsh inquired if the current agreement and rates are consistent with agreements that are negotiated with cellular tower according to today's standards. Mayor Andrews mentioned that Counsel Ramello reviewed the agreement with American Tower and it is a standard agreement and the revenue to the Village is consistent with the current market. Trustee Coleman inquired if a co-location user is added to the tower will the Village receive $500.00 per month for the entire length of the contract at the same rate. Mayor Andrews stated that he believes the increase of $500.00 per month for an additional cellular tower user would increase at a rate of 3% per year. Mayor Andrews noted that the standard license agreement from 1994 and subsequent amendments to the agreements were provided to the Board for review. Counsel Ramello stated that most cellular tower agreement leases set forth terms for ten or fifteen year periods of renewal in five year increments to allow for changes in technology and possible upgrades. Trustee Schnaufer inquired how many cellular towers are located on the Village's Municipal site. Dave Brink stated there are three cell tower companies on the Village's site: Nextel, Sprint and U.S. Cellular operating on two cell towers. He noted that the names of the cell companies have changed over the years due to buyouts by other cell companies and then those companies rent the space back. Dave Brink stated that funds were directly received from Nextel for the tower rent and the current company is American Tower, Sprint is now Crown Castle International and U.S. Cellular is the same.

Mayor Andrews stated that because there is additional time left on the agreement American Tower is requesting a third amendment to the agreement to allow that company to try to market the fact that there is longevity left on the term of the agreement to add one more user on the tower, which would result in additional revenue to the Village. Mayor Andrews asked Counsel Ramello if the insurance requirements set forth in the agreement is sufficient or if the Village should review the coverage limits to determine if those coverages should be increased.

Counsel Ramello stated that higher limits of liability result in a higher premium that is charged to the insured. He noted that the Intergovernmental Risk Management Agency (I.R.M.A.) provides either seven or eight million dollars in coverage. Counsel Ramello stated if the tower fell and someone were injured, any claim in excess of 3 million dollars would be covered by the Village's I.R.M.A. policy for that portion of the loss. Counsel Ramello further stated that it is not uncommon to ask cellular tower companies or other contractors to increase their liability insurance coverage limits to match the Village's coverage limits.

Mayor Andrews stated that there are questions that need to be answered in terms of the revenue that would be generated over the life of the agreement as well as reviewing the insurance coverage provisions before the Board acts on approving the amendment to the license agreement. Trustee Bailey moved, seconded by Trustee Bermier, to enter and continue the approval of the third amendment to the license agreement between the Village of Indian Head Park and American Tower Asset for Board consideration at the January 10, 2008 Board meeting. Carried by unanimous voice vote (6/0/0).

QUESTIONS AND/OR COMMENTS FROM THE AUDIENCE

Mayor Andrews wished everyone a Merry Christmas and a Happy New Year. Patrick Finley, a resident of Acacia and a member on the Acacia Board, extended warm wishes for a wonderful holiday season.

EXECUTIVE SESSION

Trustee Walsh moved, seconded by Trustee Coleman, to adjourn to Executive Session pursuant to 5 ILCS 120/2 (c) (1) to discuss the appointment, employment, compensation, discipline or performance of specific employees. Carried by unanimous voice vote (6/0/0).

RETURN TO THE PUBLIC MEETING

Trustee Schnaufer moved, seconded by Trustee Coleman, to return to the regular Board meeting. Carried by unanimous voice vote (6/0/0).

ADJOURNMENT

There being no further business to discuss, Trustee Schnaufer moved, seconded by Trustee Coleman, to adjourn the regular Board meeting at 9:20 p.m. Carried by unanimous voice vote (6/0/0).

Respectfully Submitted,
Kathy Leach, Deputy Clerk/Recording Secretary