

**THE REGULAR MEETING OF THE COUNCIL OF THE
VILLAGE OF FOREST PARK, COOK COUNTY, ILLINOIS
HELD ON MONDAY EVENING AUGUST 22, 2005**

Mayor Calderone led all assembled in the Pledge of Allegiance.

ROLL CALL

Commissioners Gillian, Hosty, Doolin, Steinbach and Mayor Calderone answered the Roll Call.

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

It was moved by Commissioner Doolin and seconded by Commissioner Steinbach that the minutes from the regular Council meeting on August 8, 2005 be approved without reading, as everyone has received copies thereof and found same to be correct.

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Doolin, Steinbach and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

It was moved by Commissioner Steinbach and seconded by Commissioner Hosty that the minutes from the special Council meeting on August 9, 2005 be approved without reading, as everyone has received copies thereof and found same to be correct.

ROLL CALL:

AYES: Commissioners Hosty, Doolin, Steinbach and Mayor Calderone

NAYS: None

ABSTAIN: Commissioner Gillian

The motion carried.

PUBLIC COMMENT

Kathryn Moran of 900 Hannah announced and thanked Chief Ryan for the workshop being held at the Middle School cafetorium at 7:00 on Thursday featuring Police Officers Michael O'Connor and Scott Frey speaking about gang awareness. There will be a slide presentation on colors, clothing, graffiti and a question and answer session.

Steven Backman of 7452 W. Warren stated that he was pleased to see that the Ethics Committee is being formed and was hopeful that the committee will be proactive and citizen friendly. Mr. Backman further stated that he hoped for a speedy approval of the Illinois Whistleblowers Reward and Protection Act. Mr. Backman proceeded to distribute a copy of the Act to the Council Members.

COMMUNICATIONS:

Ms. Deb Michalek, Chair of the St. Bernardine Oktoberfest Committee asked for Police presence, garbage cans and liners, Fire Department assistance and the permission to hang banners to announce the event on September 24, 2005. There being no objections from the council, the clerk was instructed to notify Ms. Michalek of the approval.

DEPARTMENT REPORTS:

The Fire Department submitted its July report.

APPROVAL OF BILLS

It was moved by Commissioner Gillian and seconded by Commissioner Hosty that the Resolution providing for the payment of bills be adopted. The Commissioner of Accounts and Finance has reviewed the bills as applicable to each department and found the aggregate amounts to be correct and recommends payment when funds are available. The bills totaled \$356,268.98.

**R-41-05
RESOLUTION FOR
THE PAYMENT OF BILLS IN
THE AMOUNT OF
356,268.98
APPROVED**

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Doolin, Steinbach
and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

UNFINISHED BUSINESS:

It was moved by Commissioner Doolin and seconded by Commissioner Steinbach that the motion dated August 8, 2005 to appoint Paul Burriss as Director of Public Works be removed from the table.

**MOTION TO REMOVE
AUGUST 8 MOTION TO
APPOINT PAUL BURRIS AS
DIRECTOR OF PUBLIC
WORKS FROM THE TABLE
APPROVED**

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Doolin, Steinbach
and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

It was moved by Commissioner Doolin and seconded by Commissioner Steinbach that Paul Burriss be appointed as Director of Public Works.

**MOTION TO APPOINT MR.
PAUL BURRIS AS THE
DIRECTOR OF PUBLIC
WORKS
FAILED**

Commissioner Hosty explained the reasons for his vote on this motion. He further stated that in the spirit of fiscal responsibility, he thought it would be erroneous of the Council

to appoint an additional department head for \$80,000.00 plus benefits considering that Bob Kutak has run the department well for the last 18 months. He stated that he thought that Bob and the Department of Public Works would excel with the support of the commissioners. He asked for time for Bob Kutak and the Department of Public Works to have the chance to prove themselves. Commissioner Hosty asked the Council to support Bob Kutak and allow him to fill the department head position and to save the \$80,000.00 salary.

Commissioner Doolin stated that he did not agree with Commissioner Hosty with regard to being fiscally irresponsible by hiring Paul Burris. He further explained that the department is still down one employee since the 2004 layoffs, so there is a savings with that and the loss of the water superintendent. The water superintendent position has not been replaced. Commissioner Doolin added that the appointment of Paul Burris was a critical part of the restructuring of the department.

ROLL CALL:

AYES: Commissioners Doolin and Steinbach
NAYS: Commissioners Gillian, Hosty and Mayor Calderone

ABSENT: None
The motion failed.

NEW BUSINESS:

Chief Ryan presented a Police Department Citizen Award to Ms. Kayla Pound for relaying critical identifying information and for remaining calm during an extremely stressful situation that resulted in the apprehension of a suspect. Mayor Calderone expressed his gratitude and congratulations to Ms. Pound on behalf of the entire community for setting a good example for all citizens and for assisting the Forest Park Police Department.

**POLICE DEPARTMENT
CITIZEN AWARD
PRESENTED TO MS.
KAYLA POUND**

The introduction of new Police Officers Nick Defors and Bob Biel was postponed because they were on duty and had to leave Village hall to handle an in-progress call.

It was moved by Commissioner Gillian and seconded by Commissioner Hosty to advise and consent to the appointment of Michael J. Sturino as Ethics Advisor.

**MICHAEL J. STURINO
APPOINTED AS ETHICS
ADVISOR**

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Doolin, Steinbach and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

It was moved by Commissioner Hosty and seconded by Commissioner Steinbach to advise and consent to the appointment of Ms. Lillian Coleman, Mr. Paul Barbahen and Ms. Kathleen Garness to the Ethics Commission

**MS. LILLIAN COLEMAN,
MR. PAUL BARBAHEN AND
MS. KATHLEEN GARNESS
APPOINTED TO ETHICS
COMMISSION**

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Doolin, Steinbach and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

It was moved by Commissioner Gillian and seconded by Commissioner Hosty to direct the Village Administrator and Burke, L.L.C., on behalf of the Village of Forest Park, to reject all bids received for Contract A and Contract B for the Forest Park Village Improvement Program (VIP), pursuant to Section 1-8A-5.A.4.d of the Code of the Village of Forest Park, and Commissioner Gillian further moved and Commissioner Hosty further seconded to waive the requirements of Section 1-8A-5.A of the Village Code of the Village of Forest Park and Section 4-5-11 of the Illinois Municipal Code (65 ILCS 5/4-5-11), to advertise for bids for Contract A and Contract B of the Village of Forest Park VIP Program, and to award Contract A to Cerniglia Company for an amount not to exceed \$2,422,808.15, and to award Contract B to J.A. Johnson Paving, for an amount not to exceed \$767,568.50, and to concur with the recommendation of Burke, L.L.C. to award Contract C of the Village of Forest Park VIP Program to Kings Point General Cement, Inc., the low bidder for Contract C.

**MOTION TO AWARD
CONTRACTS REGARDING
THE VILLAGE
IMPROVEMENT PROGRAM
APPROVED**

Commissioner Steinbach pointed out the fact that the low bidder on Contracts A and B was \$145,000.00 lower than the proposed contractor, and in addition A-Lamp and Cerniglia did not supply the affidavit of availability as required in the bid documents and wondered if that is common practice. Michael Stirk of Burke, L.L.C. stated that the Village has 5 days to request the affidavit of availability from any contractor. Commissioner Steinbach further stated that one of the reasons that the Council is being asked to waive the standard bid process is due to the number of lawsuits that A-Lamp has been involved in and inquired what the disposition of the lawsuits was and whether any of the lawsuits were relative to municipal work. Mr. Stirk stated that A-Lamp had 10 times more suits than the next highest bidder. Commissioner Gillian explained that frequently the municipality goes after the bond company and the bond company will then sue the contractor for performance issues, which is why the municipality names may not be included on the list. He further explained that the list is not all inclusive of all parties to every lawsuit. Commissioner Steinbach further asked whether A-Lamp is pre-qualified by IDOT and noted that the dates on the lawsuits

were from a while ago. Mr. Stirk stated that the issue of pre-qualification relates to the contractor's ability to bond work vs. the quality of their work. Commissioner Steinbach asked whether Burke L.L.C. was satisfied with the unit price comparisons. Mr. Stirk stated that there is a guaranteed maximum price and that the cost could actually come in lower and recommends that the Cerniglia and J.A. Johnson be used based on experience and quality of work with these contractors. Commissioner Steinbach expressed her concern that Orange Crush is listed as a sub-contractor of Cerniglia and that they are banned from working on IDOT, City and Federal work. Mr. Stirk stated that Orange Crush is listed as a supplier only and that the Village of Forest Park would have the option to reject that sub-contractor. Commissioner Gillian further stated that he thought that due to the high amount of law suits with Caterpillar Co., banks, and equipment companies, that the Council should waive the low bid and hire the next responsible contractor. Commissioner Steinbach stated that the lawsuits are old and that Burke L.L.C. should be able to manage the work and ensure that it is done correctly. Mayor Calderone stated that he has knowledge that Oak Park excused A-Lamp from a job last year and had to hire another contractor to do the work because of performance issues. He further stated that the alternate contractors were recommended by 3 municipalities and A-Lamp was not recommended.

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Doolin and Mayor Calderone

NAYS: Commissioner Steinbach

ABSENT: None

The motion carried.

Mayor Calderone asked for a motion to table item #6 on the new business agenda as there is a document still pending receipt from Gerald Gleason. He further added that all of the documents should be in place for action at the next Council meeting. Commissioner Hosty moved and Commissioner Doolin seconded that the Resolution providing for the assignment of a Development and Economic Incentive Agreement from 7911 Building Corporation to Tri-State Land Partners, L.L.C. be tabled.

**RESOLUTION TO ASSIGN
DEVELOPMENT AND
ECONOMIC INCENTIVE
AGREEMENT FROM 7911
BUILDING CORP. TO TRI-
STATE LAND PARTNERS
TABLED**

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Doolin, Steinbach and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

**O-40-05
ORDINANCE GRANTING A
ZONING VARIATION RE:
ZBA 2005-11: 1232 CIRCLE
APPROVED**

It was moved by Commissioner Steinbach and seconded by Commissioner Hosty that the Ordinance granting and permitting a variation in the regulations of the Zoning Ordinance re: ZBA 2005-11: 1232 Circle be adopted.

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Doolin, Steinbach and Mayor Calderone
NAYS: None
ABSENT: None
The motion carried unanimously.

**0-41-05
ORDINANCE GRANTING A
ZONING CONDITIONAL
USE RE: ZBA 2005-15: 7638
MADISON
APPROVED**

It was moved by Commissioner Hosty and seconded by Commissioner Doolin that the Ordinance granting and permitting a variation in the regulations of the Zoning Ordinance re: ZBA 2005-15: 7638 Madison be adopted.

ROLL CALL:

AYES: Commissioners Gillian, Hosty, Doolin, Steinbach and Mayor Calderone
NAYS: None
ABSENT: None
The motion carried unanimously.

**OFFICERS NICK DEFORS
AND BOB BIEL
INTRODUCED AND
WELCOMED BY POLICE
CHIEF RYAN**

Chief James Ryan introduced new Police Officers Nick Defors and Bob Biel and welcomed them to the Force. He further commended Officers Defors and Biel for being the top two candidates out of 300 who applied and tested. Chief Ryan stated that the new Officers will be out of the 12 week field training and will be on their own next week.

ADMINISTRATOR REPORT:

Mike Sturino reported that he coordinated a field trip to the 48th ward of the City of Chicago to learn about and see traffic calming measures that have been implemented by Alderman Mary Ann Smith and her staff. The trip was attended by various department heads and elected officials. He further stated that the 48th ward is internationally know for their practices in traffic calming.

Mr. Sturino added that in connection with the traffic calming field trip, he has submitted and applied for four (4) Illinois Transportation Enhancement Program (ITEP) grants including one in coordination with River Forest to enhance Madison Street.

COMMISSIONER REPORTS:

Commissioner Gillian announced that he has been working in cooperation with Fire Chief Glinke on obtaining funding to purchase and install Automated External Defibrillators. The hope is that there will be funds to place up to 3 AEDs. The Community Center and Village Hall would be preferred locations. Chief Glinke has advised that his staff would be able to train the employees on the operation of the devices.

Commissioner Steinbach stated that there is a fall tree planting program and advised that any homeowner wishing to have a tree planted in front of their house should contact Katie Murphy to be placed on the list. The planting will take place in October. Commissioner Steinbach further noted that the species of trees to be planted will be Ginkgo, Bald Cypress, Elm Accolade, Bradford Pear (non-fruit bearing) and Oak because they are disease resistant.

Mayor Calderone stated that despite the Commissioners and the public's anticipation of action on the 25 foot wide lot issue, the council is still waiting for some empirical data from Christopher Burke's office. CBBEL has an intern finishing up data regarding that issue. The Mayor stated that there is quite a variety of lot sizes and that this issue is an important matter. He further explained that the lot size issue is more complicated than it appears and this data is required for the Council to make a well-informed decision. The data is expected to be available in time for the issue to be on the next Council Meeting Agenda.

ADJOURNMENT

There being no further business to be addressed, Commissioner Hosty motioned to adjourn the meeting. Commissioner Doolin seconded the motion. The motion carried.

Mayor Calderone declared the meeting adjourned at 7:40 P.M.

Respectfully submitted,

Vanessa Moritz
Village Clerk