

BOARD OF TRUSTEES, VILLAGE OF NILES

**June 27, 2006
8:00 P.M.**

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Village President Nicholas B. Blase.

ROLL CALL

The Regular Meeting of the Board of Trustees was called to order at 8:00 p.m. by President Blase. The following Trustees were present: Biederman, Bondi, Callero, Murphy, Preston and Przybylo.

APPROVAL OF MINUTES:

Regular Board Meeting May 23, 2006

Trustee Bondi made a motion, seconded by Trustee Callero, to approve the minutes of the May 23, 2006 Board Meeting, as submitted. On roll call, the vote was:

AYES	:	6 Biederman, Bondi, Callero, Murphy, Preston, Przybylo
NAYS	:	0
ABSENT	:	0

There being 6 affirmative votes, the **MOTION CARRIED.**

PROCLAMATIONS:

None.

PRESENTATIONS:

Senator James A. DeLeo

Mayor Blase introduced Senator DeLeo and thanked him for his assistance in getting a grant for the Village of Niles.

Senator DeLeo thanked the Mayor, Trustees, the new and old friends. He said that the day John F. Kennedy was shot and killed in Dallas, he was in a classroom in the Niles Public School on Touhy Avenue. The kids were sent home from school that day, and he remembers walking back to his parents house. Coming here today he had all those visions and memories of leaving school that day and going to his parents home.

Growing and living in Chicago on the Northwest side of Harlem and Touhy, and living in Niles, Illinois, he always remembers that slogan "Niles the All American City", and said to the Mayor and Trustees that it was a privilege to work with the Village Manager and everyone that secured this grant and getting the money to make Niles the continuing "All American City".

Thank you very much for this honor.

Richard Lambert

Deputy Chief Giovannelli said that Richard Lambert was out in the neighborhood minding his own business when a male entered one of the Niles local restaurants and helped himself to the merchant's wife's purse about 10:00 AM. The mistake the male made was that when

he ran out, he ran by Mr. Lambert's house. Mr. Lambert, being a retired State Trooper, put the guy down, held him, and apprehended him until the Niles Police arrived and made the arrest. The man was charged with theft.

Deputy Chief Giovannelli thanked Mr. Lambert and presented him with a Chief's Citizens Award.

Fire Department

Lt. Bill White

FF/PP Keith Dutton

FF/PP Scott Guerino

FF/PP Roman Kopinski

FF/PP Byron Tull

Deputy Chief Mueller said that on December 30, 2005 at around 3:15 in the afternoon, Ambulance and Engine 2 were dispatched for a patient complaining of chest pain. On arrival, the female patient was experiencing excruciating pain that radiated to her back, neck, and jaw as well as dangerously low blood pressure. The crew of Ambulance and Engine 2 administered quick and appropriate medical care while on the scene. Furthermore, within 15 minutes of the engine and ambulance arrival on the scene, the patient was transported to Lutheran General Hospital. Fifteen minutes transportation time for treating and transporting a patient is extremely quick. After the patient was transported to Lutheran she was evaluated and eventually released. The men of Ambulance and Engine 2 are hereby recognized for providing excellent patient care and in an expedited manner that resulted in a life saved.

He said that the woman whose life was saved is here tonight and asked if she would come up for some pictures.

Retirement -

Evelyn Gaertner

George Van Geem said it was his pleasure to honor two retirees tonight. The first is Evelyn Gaertner, and he asked her to come up and stand by his side.

Evelyn has been at the Village of Niles for 42 years, an outstanding career of service to the Village and Community Development Department and as Secretary to the Planning and Zoning Board of Appeals. She retired effective last Friday, June 23rd in which many friends and employees, past and present, came together to wish her the best.

She is also a lifetime resident of Niles. She started part-time with the Village of Niles Public Works Department on May 14, 1964. On April 11, 1966 she became a full-time employee and nearly 4 ½ years later she transferred to the Code Enforcement Department under the Director of Joe Salerno. In the beginning of March, 1984, Evelyn became the Secretary to the Planning and Zoning Board of Appeals.

With Evie's departure, she takes with her a vast amount of knowledge of not only what pertains to the Community Development Department but also as to the Village of Niles as a whole, and we will be calling her frequently to tap into that knowledge.

Evelyn we offer you the very, very, best wishes and a long happy retirement.

Retirement -

Ron Sorenson

George Van Geem then called Ron Sorenson up to the front, and promised that he would not kiss him.

He said that Ron joined the Village of Niles when the fitness center opened back in 1999. After 7 years of service to the Niles Family Fitness Center, Ron has retired his position as Center Operations Supervisor.

Ron brought with him many years of experience in building operations and maintenance. He also coordinated many of the special events and worked with the volleyball group.

Throughout his career with the Village, Ron was a good person not only to his entire staff but all the guests who visited the fitness center. He was active with the Employee Participation Committee and ran the annual United Way campaign and really was a true friend to all the employees of the Village of Niles.

We wish you the very best for a long and happy retirement.

**Police Department Tribute -
Noah**

Deputy Chief Giovannelli thanked the Mayor and the Village Board. He said that he has the distinct privilege and he is very honored that he was chosen to present this next award, not only for his love for animals, but for a former cop. He introduced Division Commander Fianza.

Division Commander Fianza said that Sergeant Joseph Gadudo of the Cook County Training Division for K-9s helped train Officer Zawilla and Noah, and he would like to say a few words on behalf of the K-9 division.

Sergeant Gadudo said that Noah was an amazing dog. He was a dog that always wanted to work and worked all over the neighboring towns. He received many phone calls from these towns expressing their amazement of how good the dog was. He said that Noah was the best drug dog sniffer in the State of Illinois. He did a great job and I know that he is going to be truly missed by the citizens of the Village of Niles, the employees of the Police Department, of course his family friends, and us his K-9 family.

Deputy Chief Giovannelli thanked the Sergeant and said that Noah was very close to all the members of the Police Department and the Village family. He said that Noah was extremely loved by the children in the Village. Noah will always be remembered especially as Niles first K-9.

Officer Zawilla thanked the Village of Niles for giving her the opportunity to work with the best K-9 partner she could have asked for, and for the support of the program. She thanked her family and friends for their support of the job, and the loss of her partner. She thanked her trainers for their expertise in K-9 training, and also for all the help she received from fellow handlers. The residents of Niles have been very supportive and one of Noah's favorite things was doing demonstrations.

She said she will miss Noah terribly and thanked him for the joy he brought to Jen, Eddy, and her and

for his loyalty and never ending drive he gave to his job.

Deputy Chief Giovannelli presented Officer Zawilla a plaque that reads in Memory of Noah, Served from 1997-2006. The Final Roll Call. He also presented her with Noah's badge.

TRUSTEE REPORTS:

Trustee Bondi stated that he wanted to inform everyone about the upcoming 4th of July Parade. Everyone has done an excellent job in this year's organization of the parade and he would like to thank the churches, businesses, and community organizations within the Village for the support and interest in participating in the parade.

The parade starts at 9:00 a.m. promptly from Notre Dame, and the response has been overwhelming and he is happy that everyone wants to take part in the function that is organized by the Village.

The parade is about the same size as last year, he hopes the weather will be good, and he invites all residents to come out and see the parade that starts at 9:00 a.m.

This concluded Trustee Bondi's report.

Trustee Callero gave a report on the Firemen's Pension Fund and the Police Pension Fund for the year end of 4-30-06.

He first started with the Firemen's Pension Fund that is the un-audited report, but they expect very few changes when the final audit comes through in about four months.

Market evaluation at April 30, 2006 was \$26,450,290.00. They take and match their performance against what the blended benchmark will be if the blended benchmark is from the government bond index and the SMP 500 index. The blended benchmark for last year was 5.29% return. Our return was 8.14%, an impressive performance. The fund is invested 65% in government and government agencies in money markets and approximately 35% in equities.

As for the Police Pension fund, again the value as of 4-30-06 was \$24, 412, 585.00. The benchmark here was a return of 5.54%. Our return was 8.45%, approximately 3% better, again an impressive performance. The funds are invested in approximately 63% government and government agencies and approximately 37% in equities.

This concluded Trustee Callero's report.

Trustee Preston stated the Northwest Municipal Conference held their annual meeting on Wednesday June 14, 2006, at which time the new officers were installed. Traditionally the outgoing

President gives a summary of the past years accomplishments. At this particular meeting the past President died in March and the meeting was very reserved. Mayor Erwin Bock's widow came and was presented with his gavel and a summary of his good works. This was the first time that a Mayor has died in office as President of the Northwest Municipal Conference.

The Solid Waste Agency of Northern Cook County will not have a meeting again until September. The executive committee will meet July 26, 2006, and during the summer recess the staff will be directed to come up with a long term plan regarding the Glenview transfer station.

Northwest Municipal Conference is also in recess until September.

This concluded Trustee Preston's report.

OLD BUSINESS:

**Variation for building at
7007-7035 N. Milwaukee**

Paul Kolpak introduced himself and explained that property in question starts at Harts Road and proceeds North to the Southern boundary of the Block Electric parking lot. He explained that there is Niles Quality Auto at 7007, next to that is the former Nitti's, and the parking lot and then the Goodyear, and the parking lot of the Goodyear to the North.

Trustee Murphy asked if the motel is the only property north of this.

Mr. Kolpak responded no. North of that you would have Block Electric and then the Motel, and hopefully we will be back for that at a later date.

Mr. Kolpak said that the property in question would contain approximately 30,156 square feet of retail space with 100 parking spaces and approximately 11,240 square feet of landscaping. They had their meeting in front of the Zoning Board and they had a number of suggestions that his client has agreed to incorporate should this Board pass on this zoning matter.

The residents who were at the zoning board meeting asked if a fence could be put to the rear of the property to block their view from the backyard. Mr. Kolpak said they agreed to do that and if you notice there are a number of trees that are going to be put to break up the back of the wall and fence. The trees are approximately 50 feet apart for the entire length of the rear of the property. There will be a sidewalk back there for access from the units to the various garbage stations, which again the community requested that the trash area be concrete, which we have agreed to do.

The other issue brought up by the Zoning Board is that they would like them to redo the lighting

scheme for the parking lot, and try to do some unusual lighting, something that would incorporate the Milwaukee Avenue corridor study. Mr. Kolpak said that his client has agreed to work with staff to incorporate as many as those ideas as possible.

President Blase asked Chuck Ostman if this was B-1 zoning.

Mr. Ostman responded B-2.

Trustee Przybylo asked how the southbound traffic on Milwaukee turning left will get into the parking lot.

Mr. Kolpak responded that the current process now is that the southbound traffic would come in through approximately the middle of the development and then proceed either way. They have submitted this plan to the Illinois Department of Transportation who has control over Milwaukee Avenue but have not yet received a reply. Zoning member LoVerde requested that they look into perhaps moving the drive further North on Milwaukee Avenue and his client's response was whatever IDOT would dictate, they would incorporate into their plan.

Trustee Przybylo asked if it would be better to hold the traffic back at the light at Harts and proceed onto Milwaukee Avenue and turn in and not be blocked.

Mr. Kolpak responded that if IDOT would agree with that, then they would incorporate it, but the concern is that if you are going southbound on Milwaukee and this is your entryway, then the backup at the light makes the right turn too difficult.

The parking will be exactly in the front of the building. The neighbors do not want parking in the back.

President Blase asked if Mr. Ostman saw any problems with this variation.

Mr. Ostman responded no, and he thinks this is very comparable to the Shops of Niles on Harlem and he talked to the residents behind that shopping center and they are very pleased with that center and it even has a smaller backyard. Therefore he is very comfortable with the variations requested.

Trustee Preston said that there was a reference to the alignment of Newark and she asked to see where it would be.

Mr. Kolpak pointed to where it would be and said they would look into it. Also it was asked since the building has great detail, to incorporate some changes to the property, which my client has agreed to do.

Trustee Callero asked what left turns are permitted today.

Mr. Kolpak responded that right now you can take a left turn out of the Niles Quality Auto, Nitti's, and the Goodyear station.

Trustee Callero asked how many running feet this building is and if it is all one level.

Mr. Kolpak responded it will be 504 feet long, and it is a usable one story.

Trustee Przybylo asked if any of the space is rented.

Mr. Kolpak responded no, that they wanted to wait until they had the approval to go forward.

Trustee Preston asked if they had an idea about the second phase.

Mr. Kolpak said it depends since they are in negotiations with the one piece that they are missing and if they get that piece it will be sooner, but if not they will be back with a revised plan.

Trustee Bondi asked approximately how many businesses there will be.

Mr. Kolpak responded it depends, because the site is really adaptable.

Trustee Preston said that in the Plan Commission minutes it did not appear to have the five conditions that it does on the ordinance, so she wants to make it clear that it is these conditions that are applying to the ordinance.

Mr. Kolpak said yes everything in those minutes.

Motion was made by Trustee Przybylo, seconded by Trustee Callero, to adopt the ordinance that approve the variation requests for 7007-7035 N. Milwaukee Avenue. On roll call, the vote was:

AYES	: 6 Biederman, Bondi, Callero, Murphy, Preston, and Przybylo
NAYS	: 0
ABSENT	: 0

There being 6 affirmative votes, the **MOTION CARRIED.**

NEW BUSINESS:

Prevailing Wage Rate

Trustee Preston said that the State of Illinois requires public bodies to meet certain prerequisites in the issuing of bids and the letting of contracts for construction projects. The Illinois Prevailing Wage Act requires that the Village of Illinois investigate and ascertain the prevailing rate of wages as defined

in said Act. This ordinance confirms that the general prevailing rate of wages in this locality for laborers, mechanics, and other workers engaged in the construction of public works, is the same as determined by the Department of Labor of the State of Illinois.

Motion was made by Trustee Preston, seconded by Trustee Bondi to adopt the ordinance which approves the prevailing wage rate. On roll call, the vote was:

AYES : 6 Biederman, Bondi, Callero,
Murphy, Preston, and Przybylo
NAYS : 0
ABSENT : 0

There being 6 affirmative votes, the **MOTION CARRIED.**

Terminating Public Easement

Trustee Biederman stated that this ordinance terminates a sanitary and sewer easement that is Village property, but is located on private property which was once the Vegas Motel. The easement is no longer needed.

Motion was made by Trustee Biederman, seconded by Trustee Murphy to adopt the ordinance that terminates the sanitary and sewer easement. On call roll, the vote was:

AYES : 6 Biederman, Bondi, Callero,
Murphy, Preston, and Przybylo
NAYS : 0
ABSENT : 0

There being 6 affirmative votes, the **MOTION CARRIED.**

Private Activity Bonds

Trustee Murphy said that this is an Inducement Resolution authorizing memorandum of agreement with RM Manufacturing for a project at 7401 N. Oak Park Avenue.

RM Manufacturing has requested assistance from Niles to Industrial Revenue Bond (IRB) financing. IRB's allow a private company to borrow at lower rates by using a municipality as the conduit. The Village is simply a facilitator, we bear no liability for the repayment of these bonds.

The federal tax code allows a limited amount of tax-exempt private activity (IRB) bonding. The bonds serve a bona fide public purpose by fostering economic development and job creation within the Village.

The Company intends to use the bond proceeds to purchase and refurbish the building at 7401 N. Oak Park. The Company is a manufacturer of costume jewelry. Approximately 75 jobs will move to Niles.

The agenda item sets forth the parameters of the IRB and authorizes a memorandum of agreement with the Company. The sale of bonds related to this assistance will occur within the next few months and will require formal board action at that time.

IRB financing is a widely accepted economic development tool. Village Manager George Van Geem recommends going forth with this program to benefit RM Manufacturing.

Representatives of the Company will be at the meeting to answer any questions.

Trustee Murphy made the motion, seconded by Trustee Callero to approve the funding of these bonds. On roll call, the vote was:

AYES : 6 Biederman, Bondi, Callero,
Murphy, Preston, and Przybylo
NAYS : 0
ABSENT : 0

There being 6 affirmative votes, the **MOTION CARRIED.**

**Disposition of Personal
Property owned by
Village of Niles**

Trustee Callero stated that this is a resolution which authorizes the disposition of personal property owned by the Village of Niles. There are 23 used vehicles with most mileages close to or over 100,000. There is the list that is set with the year and the make of the vehicles and a minimum selling price. They will be sold by bid.

Trustee Callero made the motion, seconded by Trustee Biederman to adopt the resolution which approves the sale of these vehicles by bid. On roll call, the vote was:

AYES : 6 Biederman, Bondi, Callero,
Murphy, Preston, and Przybylo
NAYS : 0
ABSENT : 0

There being 6 affirmative votes, the **MOTION CARRIED.**

Fire Department Union Contract

Trustee Murphy said that for the past 1 ½ years the Village of Niles has been negotiating with the Niles Fire Department on a union contract. All Trustees have been given a copy of the final draft of this contract. In order for the contract to be signed, approval of the Board is necessary. Once approval is given by the Board, the Mayor will sign this contract and it will become a binding document between the Village of Niles and the Fire Department from May 1, 2005 to May 1, 2008.

The motion was made by Trustee Murphy, seconded by Trustee Callero to approve the contract as presented. On call roll, the vote was:

AYES : 6 Biederman, Bondi, Callero,

Murphy, Preston, and Przybylo

NAYS : 0
ABSENT : 0

There being 6 affirmative votes, the **MOTION CARRIED.**

Extension of Tree Trimming Contract

Trustee Bondi stated that this is a request for approval to extend the 2004/2005 Tree Trimming contract with Nels Johnson Tree Experts at the same rate of last year of \$45.00 per man hour.

Renewal of the contract was permitted under the contract executed last year contingent upon the contractor's satisfactory performance and maintaining the original bid price. The contractor met both items.

Trustee Bondi made the motion, seconded by Trustee Callero to approve the contract. On call roll, the vote was:

AYES : 6 Biederman, Bondi, Callero,
Murphy, Preston, and Przybylo
NAYS : 0
ABSENT : 0

There being 6 affirmative votes, the **MOTION CARRIED.**

Extension of Tree Planting Contract

Trustee Preston said that we currently have a tree planting contract with St. Aubin Nursery and they have an option to renew if the Board agrees.

We will be planting 200 trees and because it was an option contract and they have given us a satisfactory performance, they are maintaining the original bid price.

Motion was made by Trustee Preston, seconded by Trustee Biederman to approve the tree planting contract with St. Aubin Nursery at the same price as last year. On call roll, the vote was:

AYES : 6 Biederman, Bondi, Callero,
Murphy, Preston, and Przybylo
NAYS : 0
ABSENT : 0

There being 6 affirmative votes, the **MOTION CARRIED.**

Extension of Sewer Line Root Control Contract

Trustee Przybylo said that this is a request for approval to extend the contract with Dukes Root Control, Inc. to provide sewer line root control again this year. Last year was the second year of the contract and it permitted one year extensions up to a total of three additional years with the mutual consent of the Village and the contractor. Duke's has agreed to complete the work and at the same cost as last year. This year the Village plans to treat 13,000 feet of sewer line. This is a budgeted item at \$20,000.

Motion was made by Trustee Przybylo, seconded by Trustee Callero to approve the contract with Dukes Root Control, Inc. On call roll, the vote was:

AYES : 6 Biederman, Bondi, Callero,
Murphy, Preston, and Przybylo
NAYS : 0
ABSENT : 0

There being 6 affirmative votes, the **MOTION CARRIED.**

Cured-in-Place Pipe Installation Program

Trustee Biederman said that this is a recommendation made to award the contract for the 2006 Cured-in-Place Pipe Installation program to the lowest bidder, Insituform Technologies in the amount of \$244,195.00. This is a budgeted item which is \$55,805.00 under budget.

Trustee Biederman made the motion, seconded by Trustee Preston to approve the contract with Insituform Technologies. On call roll, the vote was:

AYES : 6 Biederman, Bondi, Callero,
Murphy, Preston, and Przybylo
NAYS : 0
ABSENT : 0

There being 6 affirmative votes, the **MOTION CARRIED.**

Petitions for Referral

President Blase listed the following Petitions for Referral and stated the application fees have been paid:

06-ZP-13
Tadeusz Baginski
Subdivision of property known as **8221 W. Ballard**

06-ZP-14
Chester Suronka
Variation to reduce non-conforming sideyard at **7901 W. Park**

06-ZP-15
Julie Garnello
Special Use to co-locate on existing tower at **6871 Touhy Avenue**

Motion was made by Trustee Bondi, and seconded by Trustee Preston, to refer the above listed petitions to the Zoning Board. On roll call, the vote was:

AYES : 6 Biederman, Bondi, Callero,
Murphy, Preston, and Przybylo
NAYS : 0

There being 6 affirmative votes, the **MOTION CARRIED.**

FINANCIAL REPORT:

Trustee Callero stated that the Accounts Payable for the month of May, 2006, were \$2,918,788.87. The ending cash balance as of May 31, 2006 was \$32,652,794.11.

Trustee Callero made a motion, seconded by Trustee Murphy, that the Accounts Payable for the month of May, 2006 be approved for payment and the Treasurer's Report filed for audit. On roll call, the vote was:

AYES : 6 Biederman, Bondi, Callero,
Murphy, Preston, and Przybylo
NAYS : 0

There being 6 affirmative votes, the **MOTION CARRIED.**

ADJOURNMENT

President Blase stated that this concluded the business of the Board. He asked if there was anything from the floor.

Rosemary Palicki

Mrs. Palicki asked Attorney Annunzio for an update on the OTB precinct matter and contact person.

Attorney Annunzio responded that he was told that the County is the contact, but he can tell her what the County has told him.

Attorney Annunzio said that the County explained that of the six precincts that are left, a few of those precincts were precincts that had two or three at the same polling place. What appeared to have happened is that all of the ballots of the three precincts were put into one precinct for the referendum. Consequently, the other precinct showed zero, because those ballots were in with the other precincts.

That is what the County is saying about a couple of them, and also at a couple of them the Judges never distributed the ballot.

There being no further business to come before the Board, motion to adjourn was made by Trustee Callero, and seconded by Trustee Preston. On roll call, all concurred. The meeting adjourned at 8:55 P.M.

Village Clerk

Village President