

This has increased the payments for recyclable materials. A total of \$897,578.00 in recyclables was brought into SWANCC and divided among the 23 SWANCC members. The Village of Niles portion of that amount is a check in the amount of \$39,091.62 for recycling materials picked up in our red recycling bins in the past six months. Trustee Preston urged the Board and residents to continue recycling. SWANCC sponsored an electronics recycling day on October 11 with Motorola and there were approximately 2,400 cars that were processed from 9 a.m. to 3 p.m. collecting 268,000 pounds of electronics filling 13 trailers.

Items on the agenda of the NWMC were the Congestion, Mitigation, and Air Quality Program for Northeastern Illinois which is in danger of either recession or lapsing Federal funds at the end of 2009. The NWMC Legislative Committee proposed sending a letter to the Joint Committee on Administrative Rules urging them to stay the increased implementation costs that municipalities pay for medical services that would include physical speech and occupational therapy as part of outpatient services. Regarding the Congestion Relief Program, the Illinois Tollway Board met on November 20 and approved the Green Lanes plan where in some stretches of the tollway you will have to carpool to use those lanes or pay a premium fee as part of your toll.

OLD BUSINESS

Variation to Replace Shed 7157 Greenleaf Street *08-ZP-14*

Acting President Callero stated that this is a request for a variation to replace a legal nonconforming 102 sq. ft. shed with a 150 sq. ft. shed, 9 ft. 6 in. in height. The Plan Commission and Zoning Board of Appeals recommend approval of a 150 sq. ft. shed with a maximum height of 8 ft. by a vote of 4 to 1. Trustee Przybylo asked why 150 sq. ft. was approved when the existing shed was 102 sq. ft. Community Development Director Chuck Ostman explained that what was brought to light on the second time around in this application to the Plan Commission is that if it wasn't for a small stoop on the side of his house the petitioner could actually put in a driveway and a much larger accessory structure like a 400 to 500 sq. ft. garage. With that knowledge, the Plan Commission then approved 150 sq. ft. because there is no garage for storage.

Trustee Przybylo made a motion, seconded by Trustee LoVerde, to adopt the ordinance approving replacement of a legal nonconforming shed with a 150 sq. ft. shed with a maximum height of 8 ft. at 7157 Greenleaf Street.

On roll call, the vote was:

AYES	6	Biederman, Callero, LoVerde, Murphy, Preston, Przybylo
NAYS	0	
ABSENT	0	

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

**Variation to Increase Size of
Detached Garage**
8008 W. Oakton Street
08-ZP-18

Acting President Callero stated that this request has come before the Board before and there was some confusion as to why the petitioner needed 3,000 sq. ft. and it was sent back to the Zoning Board. It passed the Zoning Board the first time and the second time. Acting President Callero asked the petitioner to confirm that the reason he needed 3,000 sq. ft. was to get all of his equipment into the garage and to confirm that there were no complaints from the neighbors. The petitioner, Stanley Harn, stated that was correct. Acting President Callero added that this was approved by the Zoning Board with the condition that he provides a 4 ft. wainscot of masonry on all sides and that after the new structure is built, the old structure will be removed. Acting President Callero also asked the petitioner to confirm that this new structure will include all of his equipment. Mr. Harm agreed that he can get all of his equipment inside the new garage and it would be more comfortable for him.

Trustee LoVerde made a motion, seconded by Trustee Preston, to adopt the ordinance approving a variation to increase size of detached garage at 8008 W. Oakton to 3,000 sq. ft. with the condition that there be 4 ft. wainscot of masonry on all sides of the building and that upon completion of the new structure, the old structure will be removed. On roll call, the vote was:

AYES	6	Biederman, Callero, LoVerde, Murphy, Preston, Przybylo
NAYS	0	
ABSENT	0	

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

Variation to Increase Shed Size
8431 Maynard Road
08-ZP-19

Acting President Callero stated that this is a request for a variation to enlarge shed in area from 304 sq. ft. to 380 sq. ft. and to also increase the maximum permitted height from 10 ft. to 12 ft. 6 in. and to increase the maximum permitted area for total accessory structures from 700 sq. ft. to 864 sq. ft. This was approved 4 to 1 by the Plan Commission and Zoning Board of Appeals. There is a nursing home next door and the

old shed was dilapidated and falling down. The petitioner stated that the shed was about 50 years old and there had been some dead animals and pigeons in there. Trustee Przybylo asked what the hardship is and why they are asking for a larger size. Mr. Ostman explained that this yard is about three times the normal size of a typical lot in the Village and there was an existing shed in the back of the yard. Our housing inspector went there to tell them that their shed was in need of repair and they had it repaired not realizing they needed a permit and enlarged it at the same time. When the inspector returned he informed them that a permit was needed. Trustee Przybylo asked if there was any commerce going on there. Mr. Ostman responded that there was not.

Trustee Preston made a motion, seconded by Trustee Biederman, to adopt the ordinance approving a variation to increase the shed size at 8431 W. Maynard Road to 380 sq. ft. in area, increase the maximum permitted height to 12 ft. 6 in., and to increase the maximum permitted area for total accessory structures to 864 sq. ft. On roll call, the vote was:

AYES	6	Biederman, Callero, LoVerde, Murphy, Preston, Przybylo
NAYS	0	
ABSENT	0	

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

**Variation to Reduce Rear and
Side Yard Setback to
Reconstruct a Detached Garage**
8114 N. Ottawa
08-ZP-20

Acting President Callero stated that this is a request for a variation to reduce the minimum side yard setback from 3 ft. to 2 ft. 3 in. and reduce the minimum rear yard setback from 5 ft. to 1 ft. 9 in. to reconstruct a detached garage. This request was approved 5 to 0 at the Plan Commission and Zoning Board of Appeals. Acting President Callero added that the current garage is a variation now and is built on three retaining walls of different heights and they are looking to replace the garage on these same retaining walls. The petitioner agreed that this is what they are requesting and explained that the retaining wall on the west side will be raised, because when the Village put the alley in behind the garage, the alley ended up being higher than the garage and diverts all the water into the middle of the garage, under the door and out onto the driveway. He will raise the wall to create a dam to prevent the water from coming in. Trustee Biederman asked if perhaps our Engineering Department should check out this new reconstruction to make sure that this will not cause any problems with someone else down the road. Scott Jochim, Director of Public Services, stated that he will go out and take

a look at this particular lot. Trustee LoVerde asked that when this garage is raised they should take a look at the structural integrity of the foundation.

Trustee Przybylo made a motion, seconded by Trustee LoVerde, to adopt the ordinance to approve the variation to reduce rear and side yard setback to reconstruct a detached garage at 8114 N. Ottawa Avenue. On roll call, the vote was:

AYES	6	Biederman, Callero, LoVerde, Murphy, Preston, Przybylo
NAYS	0	
ABSENT	0	

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

NEW BUSINESS

Levying Taxes for Special Service Area 2008-1 for the Fiscal Year Beginning May 1, 2008 and Ending April 30, 2009

Trustee Biederman stated that on March 25, 2008, the Village Board approved Ordinance 2008-16 establishing a Special Service Area (SSA) 2008-1. This SSA encompasses the condominiums and townhomes on Wood River Drive and was requested by the residents. The purpose of an SSA is to improve the street and parking areas and to allow the Village to pass a special yearly levy on those taxpayers to recoup the cost of those improvements. The Village will be repaid over the next 18 years for the cost of the reconstruction. The total amount for approval is \$21,813.00, and we will have the same amount each year for 18 years.

Trustee Biederman made a motion, seconded by Trustee Preston, to adopt the ordinance levying taxes for Special Service Area 2008-1 for the fiscal year beginning May 1, 2008 and ending April 30, 2009. On roll call, the vote was:

AYES	6	Biederman, Callero, LoVerde, Murphy, Preston, Przybylo
NAYS	0	
ABSENT	0	

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

Levying and Assessment of Property Taxes for the Fiscal Year Beginning May 1, 2008 and Ending April 30, 2009

Acting President Callero stated that this ordinance provides for levying and assessment of property taxes for tax year 2008. Because of additional costs in labor contracts, the Village needs additional revenue. However, considering the economy and how our residents are being negatively affected, we want to do our part to keep taxes affordable for our residents.

Therefore, the Board and the Mayor do not propose any increase and the levy will remain at \$4,345,467.00 which is the same as the 2007 levy. They know the residents are suffering now with the economy and higher taxes from everywhere else, and the Board feels that they will have to take another notch in their belt and help the residents out at this time.

Acting President Callero made a motion, seconded by Trustee Biederman, to adopt the ordinance that the levy for fiscal year beginning May 1, 2008, and ending April 30, 2009, be the sum of \$4,345,467.00 and allocate to the General Fund \$2,898,329.00, Street and Bridge Fund \$47,138.00, Municipal Waste Agency Fund \$1,400,000.00 for a total of \$4,345,467.00 with no increase from the year before. On roll call, the vote was:

AYES	6	Biederman, Callero, LoVerde, Murphy, Preston, Przybylo
NAYS	0	
ABSENT	0	

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

**Purchase 12 Digital Video
Camera Systems for New Squad
Cars and Waive Competitive
Bid Requirement**

Trustee Preston stated that this is a request from the Police Department to purchase 12 digital video camera systems for 12 new squad cars. Currently, 24 squad cars are already equipped with this video system. Three quotes were received and they are requesting that the competitive bid requirement be waived. Trustee Przybylo questioned why the competitive bid requirement is being waived. Police Chief Dean Strzelecki responded that they did receive three price quotes and the equipment they are asking for is already equipped in 24 other squad cars. For the continuity of the equipment and maintenance they request that they stay with the same company since they came in with the lowest price, which is the same price as we paid for the other 24. Trustee Przybylo asked if this comes with any warranty or service contract. Jim Mahoney of the Police Department responded that there is a one-year warranty.

Trustee Preston, made a motion, seconded by Trustee Murphy, to approve the purchase of 12 Digital Video Camera Systems for new squad cars from ICOP for a total price of \$67,914.85. The Board also waived the competitive bid requirement. On roll call, the vote was:

AYES	6	Biederman, Callero, LoVerde, Murphy, Preston, Przybylo
NAYS	0	
ABSENT	0	

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

Authorizing the Renewal of the 2009 Excess Property Liability and Workers' Compensation Coverage through Gallagher Insurance

Trustee Murphy stated that this is a request for authorization for the renewal of the 2009 excess property liability and workers' compensation coverage through Gallagher Insurance in the amount of \$601,530.00, \$47,470.00 less than the budgeted amount and less than last year's insurance.

Trustee Murphy made a motion, seconded by Acting President Callero, to approve authorization for renewal of the 2009 excess property liability and workers' compensation coverage through Gallagher Insurance in the amount of \$601,530. On roll call, the vote was:

AYES	6	Biederman, Callero, LoVerde, Murphy, Preston, Przybylo
NAYS	0	
ABSENT	0	

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

Authorizing the Renewal of the 2009 Contract with Claim Management Consultants for Workers' Compensation Claims Administration

Trustee Murphy stated that this is a request for authorization for the renewal of the 2009 contract with Claim Management Consultants for Workers' Compensation Claims Administration from January 1, 2009 through December 31, 2009. Service levels have been excellent during the expiring contract and the fees are the same as the 2008 contract, \$300 per claim. Claim Management estimates there will be about 40 claims per year for an estimated budget impact of \$12,000.00. Trustee LoVerde questioned Section IV: Fees/Service Period where it indicates a variety of ways that they can change or adjust the fee and he asked if historically this has ever been implemented. Scot Neukirch, Finance Director, responded that historically it has just been \$300.00 per claim.

Trustee Murphy made a motion, seconded by Acting President Callero, to approve authorization of the renewal of the 2009 contract with Claim Management Consultants for Workers' Compensation Claims Administration at \$300.00 per claim. On roll call, the vote was:

AYES 6 Biederman, Callero, LoVerde, Murphy,
Preston, Przybylo

NAYS 0

ABSENT 0

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

**Authorizing the Renewal of
the 2009 Contract with Claim
Management Consultants for
General Claims Administration**

Trustee Murphy stated that this is a request for authorization of renewal of the 2009 contract with Claim Management Consultants for General Claims Administration from January 1, 2009, to December 31, 2009. The service levels have been excellent during the expiring contract. The fees are the same as the 2008 contract in the amount of \$30,300.00.

Trustee Murphy made a motion, seconded by Acting President Callero, to approve authorization of the renewal of the 2009 contract with Claim Management Consultants for General Claims Administration for 2009 in the amount of \$30,300.00
On roll call, the vote was:

AYES 6 Biederman, Callero, LoVerde, Murphy,
Preston, Przybylo

NAYS 0

ABSENT 0

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

Minutes to Closed Meetings

Trustee Przybylo stated that per Illinois State Statutes, it is required that a determination be made for minutes to closed meetings to become public. At this time all closed meeting minutes shall remain closed and no minutes will be released.

Trustee Przybylo made a motion, seconded by Trustee Biederman, to adopt the ordinance that makes the determination that the minutes for closed meetings shall become public. On roll call, the vote was:

AYES 6 Biederman, Callero, LoVerde, Murphy,
Preston, Przybylo

NAYS 0

ABSENT 0

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

Joint Agreement between the State of Illinois and the Village of Niles for Milwaukee Avenue Improvements

Trustee LoVerde stated that this is a request from Public Services for Board approval of the Joint Agreement between the State of Illinois and the Village of Niles for the Milwaukee Avenue improvements, including the resurfacing project and the streetscape project. This project includes widening and resurfacing, including curb and gutter, sidewalks, storm sewer water main replacement and traffic signal modifications. The streetscape work was made possible by the dedicated work of the Milwaukee Avenue Development Committee, chaired by Trustees Biederman and Preston, including painting of existing street light poles, pedestrian lighting, benches, trash receptacles, planting, brick pavers and all incidental work which are required to complete the project. The overall budget for this project is \$5,766,200.00. However, the Village of Niles is only responsible for the water main improvement portion at a cost of \$1,115,000.00, which is \$135,000.00 under budget of the engineer’s estimate. This agreement must be approved in order to be placed on the March 2009 bid letting with the State of Illinois. Acting President Callero asked what happens in March if the bids come in higher. Mr. Jochim responded that for the Streetscape, from the time we got the grant we have to have a shovel in the ground within three years and in June or July it will be three years already that the grant was given to the Village. To answer the Acting President’s question, we have a choice to make, we can say no and give up the grant or we can hope for the best.

Trustee LoVerde made a motion, seconded by Trustee Biederman, to approve the Joint Agreement between the State of Illinois and the Village of Niles for Milwaukee Avenue Improvements. On roll call, the vote was:

AYES	6	Biederman, Callero, LoVerde, Murphy, Preston, Przybylo
NAYS	0	
ABSENT	0	

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

Renew 6(b) Property Tax Incentive for American Automotive Parts 7007 N. Austin

Trustee Murphy stated that this is a request for Class 6(b) tax classification renewal for American Automotive Parts Inc. located at 7007 N. Austin. The original Class 6(b) was granted by Cook County in 1993 and renewal of 6(b) status requires a resolution of consent from the Village Board. Village Manager George Van Geem explained that in order to provide an incentive to expand on a property that exists in Cook County, Cook County provides a property tax incentive to help offset the cost of a new building addition and that incentive

reduces the property tax on that new parcel by about half and that stands for ten years and would expire if it wasn't renewed. This Board has already approved a five-year renewal. The petitioner asked for ten and we approved five last time and asked them to come back for the other five if they needed it. Herbert Rosenberg, attorney for American Automotive, and Mr. Louis Will, a shareholder, and officer, and a member of the Board of Directors were present on behalf of American Automotive and stated that since historically their business has done well, they are hoping that this will help their business thrive. However, in the situation that they find themselves in right now it is critical that this incentive be maintained for the survival of the company. With the incentive they are just breaking even.

Trustee Preston asked if after these next five years, in 2013, will they be eligible for another renewal or is there a maximum timeframe under 6(b). Attorney Rosenberg responded that the Statute permits unlimited number of renewals, however, the agreement with the Village of Niles which was entered into five years ago, was that if the building was sold the new owner would not get the benefit of the renewal. Trustee Preston also referred to page 2 of the resolution, "Section 2. That the Village of Niles supports and consents to this Class 6(b) Tax Abatement for a term of five years commencing on January 1, 2008", should read 2009. Attorney Rosenberg also stated that the tax savings that was projected based on the current levels of assessment is \$63,000.00, due to the fact that the levels of assessment will decrease in 2009, the savings will be \$50,000.00 not \$63,000.00 because the level of assessment for the spread between the 6(b) classification and the regular industrial classification will only be 15 percent rather than 20 percent as it is in 2008.

Trustee Murphy made a motion, seconded by Acting President Callero, to adopt the resolution renewing the Class 6(b) Property Tax Incentive for American Automotive Parts for a term of five years commencing on January 1, 2009. On roll call, the vote was:

AYES	6	Biederman, Callero, LoVerde, Murphy, Preston, Przybylo
NAYS	0	
ABSENT	0	

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

PETITIONS FOR REFERRAL

Acting President Callero stated that there are two Petitions for Referral to the Plan Commission and Zoning Board of Appeals:

08-ZP-21

Joseph Delpierre – Paradise Rooms

Variation to Section VII (C)(10) to reduce the rear yard setback from the required 40 ft. to 24 ft. 6 in. to construct a three-season sunroom.

9757 N. Huber Oval

08-ZP-22

Julian Makas

Variation to Section VII(C) (9) to reduce the side yard setback for a structure with a detached garage from the required minimum side yard setback of 10 ft. down to 6 ft. to construct a new home with a drive thru carport.

8312 N. Oketo Ave.

Trustee LoVerde made a motion, seconded by Trustee Preston, to refer petitions 08-ZP-21 and 08-ZP-22 to the Plan Commission and Zoning Board of Appeals. On roll call, the vote was:

AYES	6	Biederman, Callero, LoVerde, Murphy, Preston, Przybylo
NAYS	0	
ABSENT	0	

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

FINANCIAL REPORT

Acting President Callero stated that the Accounts Payable for the month of October 2008 were \$5,803,930.71. The ending cash balance as of October 31, 2008, was \$37,433,940.06.

Acting President Callero made a motion, seconded by Trustee Preston, that the Accounts Payable for the month of October 2008 be approved for payment and the Treasurer’s Report filed for audit. On roll call, the vote was:

AYES	6	Biederman, Callero, LoVerde, Murphy, Preston, Przybylo
NAYS	0	
ABSENT	0	

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


ADJOURNMENT

There was a question from the audience for Trustee Preston regarding garbage collection wondering if now that the businesses have the same recycler, if we will get credit for the business's recycling. Trustee Preston responded that as part of the new contract with the business waste pick up, the Village will get credit for the recycling. Steve Vinezeano concurred.

There being no further business to come before the Board, Trustee LoVerde wished all present a Happy Thanksgiving from the Board and staff. Trustee Preston reminded everyone that there is no December meeting and wished everyone a happy holiday season and a healthy, happy new year.

Motion to adjourn was made by Trustee LoVerde and seconded by Acting President Callero. On roll call, all concurred. The meeting adjourned at 8:45 p.m.


Village Clerk


Acting Village President