



**MINUTES OF THE CITY OF HIGHWOOD
COMMITTEE OF THE WHOLE OF THE HIGHWOOD CITY COUNCIL
COUNCIL CHAMBERS – OCTOBER 27, 2009**

1. CALL TO ORDER

Mayor Pecaro called the meeting of the Highwood City Council Committee of the Whole to order at 6:05 p.m.

2. Roll Call

Present: Mayor Pecaro; Aldermen Cahnmann, Falberg, Linari, Murphy-Pieri, Sepulveda

Absent: Aldermen Bruni, Fiore

Also present: M. Burke, City Clerk; P. Lenzini, City Treasurer; G. Jackson, City Manager; J. Harding, Director of Community Development & Water Distribution; J. Ponsi, A. Zbrowski, Finance Manager; A. Marrin, Assistant City Manager; D. Blondin, City Attorney

There being a quorum present, the Mayor announced the meeting to be in session

3. Executive Session

Attorney Blondin announced the need for an Executive Session under 2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body and 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act

The COW meeting reconvened at 6:30 p.m. after the close of the Executive Session

4. Any Action Necessary Coming Out of Executive Session

n/a

5. Review of Minutes

5.1. Committee of the Whole minutes: October 6, 2009

5.2. Regular meeting of the City Council: October 6, 2009 -- show that Alderman Cahnmann left the meeting after the vote on the Fire Pension Board member.

5.3. Executive Session of the Committee of the Whole: September 1, 2009;

June 2, 2009

-- Approval of September 1 and June 2 minutes will be held to be reviewed in executive session at the next meeting.

6. Presentation of Bills

Alderman Murphy-Pieri questioned whether an invoice for work on Green Bay Road had been paid twice. She was told that the prior payment to them was in 1993.

Attorney fees: The finance committee recommended that the \$3,720 retainer amount should be paid and the council should review all other charges before payment. Of primary concern was a charge relating to the property maintenance code. It was agreed that Alderman Falberg and Mayor Pecaro would meet with Attorneys Blondin and Stein to review these bills, specifically comparing work requested and work completed.

CDW bill for computers: \$754 for a computer for the office staff is shown as being paid from the Seized Vehicle Fund. Confirmation that this is an allowable use of monies in that fund was requested.

Police video equipment purchase from DUI fund: confirmation that grant money had been received and deposited in the fund was requested. Alderman Falberg reminded Mr. Jackson that he had asked to see a copy of the grant paperwork. He was given a copy to view at the meeting.

Late fees: Mr. Jackson was asked to investigate \$28 in late fees.

7. Appointments

The Mayor informed the Council that he had removed all the Library Trustees but one last Thursday (that Trustee has since resigned). Alderman Cahnmann asked if the Mayor had asked any of the Trustees for their resignations before removing them. The Mayor said he hadn't. The Mayor went on to point out that two of the four terminated Trustees were serving on expired terms. He also said that the group he is appointing has a good agenda. The Mayor noted that the letters to the old board members were delivered by a police officer because Highwood can no longer afford a Community Services Officer.

Alderman Sepulveda expressed the concern that the way in which the Mayor handled this could have a chilling effect on others who were considering applying to serve on a board or commission.

Alderman Cahnmann asked about the applicability of the phrase "written charges" in the state statute on removal of Mayoral appointments. Mr. Blondin, in response to a question from another alderman said that he believed that the Mayor had acted in conformance with the state statute. Mr. Blondin later said that the Mayor could not rescind the removals. Alderman Cahnmann also expressed his strenuous objection to the speed with which the council was being asked to act on the new appointments. He pointed out that there was typically at least two weeks between the Mayor presenting a planned appointment and when the council was asked to vote. Mayor Pecaro stated that in this case he had no choice because there was not a functioning library board in place.

8. Special Business

Presentation at Regular Council Meeting –City Audit Lauterbach & Amen (Ron Amen).
-- should not have been included on the agenda for the COW.

9. New Business *note: item 9.3 was discussed first to accommodate Mr. Ambrose*

9.1. Discussion of Green Bay Road Project Ratification of Campanella Contract. (First Reading).

Alderman Falberg requested information about bids, when funds were let, and the contract. He asked if this was a State funded job. Mr. Jackson replied that it was not. Alderman Falberg stated that the council had not even reviewed the bids, much less selected one, and yet the contract was given to the Mayor for his signature. The unauthorized execution of the \$470+M contract was described as administrative error. Mr. Jackson promised that it wouldn't happen again.

9.2. Discussion of Metra Agreement Renewal. (First Reading).

Attorney Blondin explained that this is a renewal of the lease for the parking lot that the city leases from Metra. He said we just need to make sure that the insurance and indemnification required are okay with our insurance provider. He said that there were some restrictions on how the city can use the lot. For example, there can be no differential rate for residents. Alderman Falberg requested that Metra be requested to provide written approval for Highwood to use the parking lot for Shuttle purposes.

9.3. Discussion of Engineering Contract with Baxter & Woodman for Sheridan Road LAPP Project for Construction Engineering-John Ambrose. (First Reading).

John Ambrose, VP Baxter and Woodman, reviewed the documents that were before the council. He noted that this project was one of 11 approved this spring by the Lake County Mayors of 60 that had been submitted. The council is required to approve this before the January Letting. The project will be paid for 70% with federal money and 30% city money. The plan is to use Jeff Ponsi to do inspections. Without that, the B&W bill would be about \$20,000 higher.

Alderman Falberg noted that Anne Marris had prepared project flow-charts and overviews. He complimented these documents and asked: that street names be included on the flow charts; that these documents be made available on the city's web-site; and that they be regularly updated.

9.4. Discussion of Repeal of Ordinance 2006-0-22; An Ordinance Amending the Traffic and Motor Vehicle Code of 1975 to Permit Limited Overnight Parking in Certain Areas; Pertaining to Overnight Parking on Lakeview Avenue. (First Reading).

Alderman Cahnmann said that this was discussed by the Public Safety Committee and that they recommend the repeal of Ordinance 2006-O-22.

9.5. Discussion of Park Rental Ordinance. (First Reading).

Tabled at the request of Parks and Recreation Committee Chair Fiore.

9.6. Discussion of Ordinance No. 2007-0-22; Salary and Compensation Ordinance for Elected Officials (First Reading).

This was discussed in the Finance Committee. The salary being paid to alderman (for several years now) has been \$1,080 instead of the \$600 provided for by ordinance. Alderman Falberg suggested that the council ratify the payments already made. Mr. Blondin suggested that this should not be called the first reading since the ordinance had not yet been prepared for the council's review. It was noted that the Clerk's salary had been raised by the Salary and Compensation Ordinance immediately preceding 2007-O-22 to \$2,400 from \$1,800 and that the increase had erroneously not been carried over to this ordinance and that that needed to be corrected.

9.7. Discussion of Request for Usage of Land in Highland Park for City of Highwood Ice Skating Rink.

Tabled. Alderman Harpster reported that alternatives to using Highland Park land were being looked at.

9.8. Discussion and Review of Road Construction Calendar.

Discussed under 9.3.

10. Old Business

10.1. Discussion of an Ordinance Amending the Rental Property Safety Ordinance of 2003.

Mr. Harding is still trying to determine what the additional costs to the city would be.

At 7:30 Alderman Harpster made a motion that was seconded by Alderman Falberg to recess the COW meeting until after the City Council meeting was concluded. Recessed by unanimous voice vote.

At 10:03 p.m., the meeting was reconvened.

Alderman Falberg then asked if he could make a motion to table everything else given the time. Mayor Pecaro said he refused to recognize him, that items had to be dealt with or gotten off the agenda. Not doing that is what causes things to fall through the cracks.

10.2. Discussion of Plan Commission Recommendations for Certain Zoning Code Amendments.

The recommendation is to reduce the permitted impervious area from 60% to 50%. There was no discussion of what the impact of this would be. Alderman Harpster explained that the real issue is infrastructure and what we do with the water once it hits the streets. The proposal does not discuss how the recommended decrease in impervious surface would affect the amount of water running off a lot. This was sent back to the Plan Commission to be discussed at their November meeting. Alderman Harpster said he would teach them how to determine water run-off.

10.3. Discussion of Inducement Resolution for Bonds.

Mr. Blondin stated that this could not be considered the first reading because the required attachments were not included. Alderman Harpster requested that copies of that attachment be provided for review prior to next week's meeting.

There then followed a conversation about what the benefits would be to do a lot of this work in house after properly staffing the department and buying the necessary equipment. Aldermen Falberg and Harpster offered to work with Mr. Ponsi on this.

Alderman Murphy-Pieri made an emergency motion to reconsider the vote taken at the regular council meeting on the ratification of the contract signed on September 28 for the Green Bay Road project with the understanding that this motion will have to be ratified at the next council meeting. Alderman Linari seconded. Vote:

Yes: Aldermen Cahnmann, Falberg, Linari, Murphy-Pieri, Sepulveda

No: --

Absent: Aldermen Bruni, Fiore

Emergency motion to reconsider passes by a vote of 6 yes, 0 no, 2 absent.

Mr. Blondin advised that the main motion could now come to the floor.

Alderman Linari made a motion to ratify the contract for the work on Green Bay Road. Alderman Falberg seconded. Vote:

Yes: Aldermen Cahnmann, Falberg, Linari, Murphy-Pieri, Sepulveda

No: --

Absent: Aldermen Bruni, Fiore

Motion to ratify contract passes by a vote of 6 yes, 0 no, 2 absent.

Both of these actions are subject to ratification at the next regular meeting of the city council.

10.4. Discussion of City Of Highwood Code of Conduct Tentative Discussion Date.

Tabled to next committee of whole

10.5. Discussion of an Ordinance Amending the Highwood City Code; Stop Sign on Lockard Lane at Burchell Avenue.

10.6. Discussion of an Ordinance Amending the Highwood City Code; Stop Sign at Rienzi Lane at Lyster Road.

10.7. Discussion of an Ordinance Amending the Highwood City Code; Stop Sign on Euclid Avenue at Western Avenue.

It was agreed that these stop signs would be put in and that a protocol would be developed on how to handle future decisions relating to traffic and traffic control.

10.8. Discussion of an Ordinance Amending the Highwood Code Related to the Mayoral Standing Committees Tentative Discussion Date.

Tabled to next committee of whole

10.9. Discussion of Boards and Committees Enabling Ordinance.

Goal was to create some consistency on terms – this is not an attempt to change what is put forth in state statute. Mayor Pecaro said that he intends to start from scratch on appointments because don't know when people started. Alderman Murphy-Pieri said that she had tried to keep track of appointments during the Donofrio administration.

10.10. Review and Discussion of City of Highwood Liquor Ordinance.

Restructured to make more simplistic.

11. Adjournment

upon a motion made by Alderman Sepulveda, seconded by Alderman Falberg, and passed unanimously by voice vote the meeting was adjourned at 10:45 p.m.

RESPECTFULLY SUBMITTED,

MARCIA BURKE, CITY CLERK

REVIEWED AND ACCEPTED BY THE HIGHWOOD CITY COUNCIL ON: _____, 2009



CITY OF HIGHWOOD
MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
CITY COUNCIL CHAMBERS - TUESDAY, OCTOBER 27, 2009

1. Call to Order

Mayor Pecaro called the meeting to order at 7:36 p.m.

2. Roll Call

Present: Mayor Pecaro; Aldermen Cahnmann, Falberg, Linari, Murphy-Pieri, Sepulveda
Absent: Aldermen Bruni, Fiore

Also present: M. Burke, City Clerk; P. Lenzini, City Treasurer; G. Jackson, City Manager; J. Ponsi, Public Works Director; J. Harding, Director of Community Development & Water Distribution; A. Marrin, Assistant City Manager; A. Zborowski, Finance Manager; D. Blondin, City Attorney

There being a quorum present, the Mayor announced the meeting to be in sessio

3. Pledge of Allegiance

Everyone present rose to say the Pledge of Allegiance

4. Review of Minutes

4.1. Committee of the Whole minutes: October 6, 2009

Motion to accept the minutes as presented: Alderman Harpster; Second: Alderman Falberg.

Vote:

Yes: Aldermen Falberg, Linari, Murphy-Pieri, Sepulveda

No: --

Absent: Aldermen Bruni and Fiore

Abstain: Alderman Cahnmann

Accepted by a vote of 5 yes, 0 no, 2 absent, 1 abstain

4.2. Regular meeting of the City Council: October 6, 2009

Motion to accept the minutes as corrected: Alderman Harpster; Second: Alderman Falberg Vote:

Corrections: Alderman Cahnmann disconnected from the meeting after the vote on the Fire Pension Board Trustee; on page 3: Mr. Amidei has provided 1,000 pumpkins at a very low cost.

Vote:

Yes: Aldermen Falberg, Linari, Murphy-Pieri, Sepulveda

No: --

Absent: Aldermen Bruni and Fiore

Abstain: Alderman Cahnmann

Accepted by a vote of 5 yes, 0 no, 2 absent, 1 abstain

4.3. Executive Session of the Committee of the Whole: June 2, 2009 and September 1, 2009

September 1, 2009: Held to be reviewed at the next meeting

June 2, 2009: To be voted on at the next meeting

5. Special Business

Presentation of City Audit-Lauterbach & Amen (Ron Amen Presenting) *will be done when Mr. Amen arrives.*

6. Appointments

Mayor Pecaro announced that he had removed all of the Library Board Trustees with the exception of Bill Koch, who has since resigned. He said that the action was not a criticism of any specific

individual, rather that he would like to see the Library move in a different direction than it has been and to do that he felt he needed an entirely new board. Alderman Cahnmann and Murphy-Pieri each questioned Mr. Blondin about whether the Mayor had the authority to remove officers he had appointed essentially at will based on his opinion that it was in the best interests of the city. Mr. Blondin said that he believed that the Mayor had that power.

Alderman Cahnmann made a motion to rescind the Mayor's removal of the Library Trustees; seconded by Alderman Linari. Vote:

Yes: Aldermen Cahnmann, Linari, and Sepulveda
No: Aldermen Falberg, Harpster, and Murphy-Pieri
Absent: Aldermen Bruni and Fiore

Since there was a tie vote, Mayor Pecaro voted. He voted no. The motion to rescind the Mayor's removal of library trustees failed by a vote of 3 yes, 4 no, 2 absent, 0 abstain

Mayor Pecaro then proposed the following appointments:

Zoning Board of Appeals: Paul Martinez, 240 Jefferies, term to be determined
Planning Commission: Jim Borman, 740 De Roo Loop, term to be determined
Library Board of Trustees

Rebecca Marlowe, 696 Rienzi, term to be determined
Mary Tondi, 133 S. Central, term to be determined
Allison Aldrich, 743 Endicott, term to be determined
Lisa Cervac, 239 Burchell, term to be determined
Lucy Hospodarsky, 786 De Roo Loop, term to be determined

Alderman Falberg made a motion, seconded by Alderman Sepulveda, to approve the appointment of Paul Martinez to the Zoning Board of Appeals for a term to be set by the council. Vote:

Yes: Aldermen Cahnmann, Falberg, Linari, Murphy-Pieri, Sepulveda
No: --
Absent: Aldermen Bruni and Fiore

Mr. Martinez was approved by a vote of 6 yes, 0 no, and 2 absent

Alderman Linari made a motion, seconded by Alderman Harpster, to approve the appointment of Jim Borman to the Planning Commission for a term to be set by the council. Vote:

Yes: Aldermen Cahnmann, Falberg, Linari, Murphy-Pieri, Sepulveda
No: --
Absent: Aldermen Bruni and Fiore

Mr. Borman was approved by a vote of 6 yes, 0 no, and 2 absent

Alderman Falberg made a motion, seconded by Alderman Harpster, to approve the appointment of Rebecca Marlowe to the Library Board of Trustees, term to be set by the council, Vote:

Yes: Aldermen Falberg, Harpster, Linari, Murphy-Pieri
No: Alderman Cahnmann
Absent: Aldermen Bruni and Fiore
Abstain: Alderman Sepulveda

Approved by a vote of: 4 yes, 1 no, 2 absent, 1 abstain

Alderman Cahnmann noted that this was the first time that the council had been asked to vote on an appointment the first time they had seen the application, without hearing from the applicant, and without any discussion.

Alderman Falberg made a motion, seconded by Alderman Harpster, to approve the remaining four appointments to the Library Board of Trustees for terms to be set by the council:

Mary Tondi; Allison Aldridge; Lisa Cervac; Lucy Hospodarsky. Vote:

Yes: Aldermen Falberg, Harpster, Linari, Murphy-Pieri
No: Alderman Cahnmann
Absent: Aldermen Bruni and Fiore

Abstain: Alderman Sepulveda
These appointments were all approved by a vote of: 4 yes, 1 no, 2 absent, 1 abstain

Ms. Cervac announced that there would be a meeting of the new Library Board of Trustees on Thursday, October 29 at 8:25 p.m. at the Highwood Public Library, 102 Highwood Ave.

7. Presentation and Approval of Bills

\$648,721.80 in bills were submitted for approval. The bills presented were reviewed during the COW meeting. The motion to approve the bills reflects the bills put on hold for further research at that meeting. A detailed list is available at City Hall.

Motion to approve the bills as submitted except for \$6,945 representing a CDW bill being held pending a review of the allowable uses of monies from the Seized Vehicle Fund, part of the City Attorney's bill and a Sam's Club bill being held for further research: Alderman Falberg. Second: Alderman Sepulveda. Vote:

Yes: Aldermen Cahnmann, Falberg, Linari, Murphy-Pieri, Sepulveda

No: --

Absent: Aldermen Bruni and Fiore

The council approved paying the bills as described above by a vote of 6 yes, 0 no, and 2 absent

Alderman Murphy-Pieri asked that it be clarified that although a bill for the rain barrel program was being paid, that money was going to be reimbursed. Treasurer Lenzini noted that starting next month payments that were to be reimbursed would be specially coded.

Since Mr. Amen had arrived, the council returned to item 5. Lauterbach and Amen on Audit

Mr. Amen stated that the city had received an unqualified opinion on the audit which is the highest level of opinion a city can get. He explained that the city's financial statements were on a modified accrual basis under which fixed assets and debt were expensed in full immediately rather than being expensed over time as in the full accrual method.

In response to a questions from an alderman, Mr. Amen discussed the process for the audit of the Library in detail. He noted that the library had \$234,899 in reserves against expenses of \$246,572.

He noted that the Police Pension Plan was 58% funded up from 49% last year; he further said that the Fire Pension Plan was pretty healthy at 73% funding.

Mr. Amen said that the annual Treasurer's Report had been published in the Pioneer Press. He also confirmed that this was not a certified audit.

Alderman Murphy-Pieri indicated that she wanted time to carefully review the audit. Mayor Pecaro requested that all alderman carefully review the audit and email any questions they may have to Mr. Jackson.

8. Public Input regarding items not on agenda

Suzanne Cahnmann – spoke about the adult programming she had developed while she was on the Board. She noted that attendees of these programs frequented restaurants and other businesses in Highwood.

Frank Lewin – Spoke about the Library Board's funding responsibilities. He also commended the library staff.

Manuel Martinez read a statement from Eleanor Soldano who could not attend the meeting tonight. She spoke about the commitment of the board, employees, public service people, and volunteers. He then spoke about the lack of diversity on the new board and how that didn't reflect the make-up of the community.

Joan Retnauer – expressed her disappointment with the way the Library and the Board had been treated by this administration.

Roland Cerny – 341 Jocelyn Place. Requested help from Council regarding dog that is constantly barking that is left outside in a dog house 24/7/365 by it's owners. He said he had had the police out at least 12 times because of this. Mr. Jackson said that he would work with Mr. Cerny and the Police Chief to address this. Mr. Jackson noted that the city did have a noise ordinance that covered barking dogs. Alderman Harpster requested a copy of the police reports for all the visits.

Chuck Wixom – recognition of Alderman Falberg for the success of the Prelude to the Pumpkin Fest.

Lou Atsaves – invited everyone to a debate between all of the Republican candidates for Congressman Kirk's seat at the Highwood Rec Center on Thursday, November 19 at 7 p.m.

Matilda Manfredi – Expressed her displeasure that the council entered into discussions with a developer about property adjacent to hers without notifying her, or her neighbors, that the developer would be making a presentation to the city council about what he wanted to do right next to her property. She was told that it was sent back to the Long Range Planning Committee. Requested that the council extend to property owners and residents the courtesy of informing them when something in their immediate neighborhood was on the agenda, no matter how preliminary the discussion.

Alderman Harpster explained that what they were trying to do was see if it was possible for Highwood to do a project with the Highland Park Community Land Trust and the only way they could do that was to identify a specific piece of property. He went on to say that due to Highwood's current financial condition, we were in no position to do anything with the Highland Park Community Land Trust because we couldn't afford to buy a piece of property to donate for them to develop.

Ms. Manfredi said that because a specific piece of property was involved, it raised a lot of concern and anxiety among the adjacent property owners that could have been avoided. Alderman Harpster said that he understood and would take this as a lesson learned and that he would make sure surrounding property owners would be notified of any discussions, or preliminary discussions, in the future. She also requested that all city officials put their email addresses on the city's web-site.

9. Mayor's Report

Saturday (October 31) from 4pm to 8pm will be the official Highwood trick or treat night.

The Mayor congratulated Alderman Falberg on the success of the Prelude to the Pumpkin Fest. Mayor Pecaro told the alderman that he had wonderful ideas that were taking Highwood in a different direction.

10. Committee Reports.

Long Term Planning – Alderman Harpster, Chair

Alderman Harpster reminded everyone about the town hall meeting at the Rec Center at 7 p.m. on Wednesday, October 28. This meeting is to introduce the community to Houseal, Lavigne who will work on Highwood's Comprehensive Land Use Plan.

There will also be an advisory committee on which resident seats will be assigned by lottery on November 6.

The next meeting of the LTP Committee will be on Thursday, November 12 not Tuesday, November 10 as previously announced

Finance - Alderman Linari, Chair

The Finance Committee will next meet at 5 p.m. on Tuesday, November 11.

Alderman Linari also reminded seniors that the Fire Department would install 9 volt batteries in fire alarms at no charge. The batteries are donated by Energizer.

Public Safety – Alderman Cahnmann, Chair

The Public Safety Committee sent the Lakeview Parking recommendation to counsel.

The Public Safety Committee's next meeting will be on Tuesday, November 19.

Parks and Recreation – Alderman Fiore, Chair – no report

Special Events – Alderman Falberg, Chair and **Public Outreach** - Alderman Murphy-Pieri, Chair
Alderman Falberg reported that the Pumpkin Fest could not have been any better. 1/2 million people saw the segment on the Fest on WGN. Some potential sponsors have already been identified for next year.

It was estimated that the crowd ranged from 3,500 to 5,000 at any one time. Next week Alderman Falberg will request that the council pass resolutions recognizing the some of the most exceptional volunteers who worked on this event, including the local business owners who gave tirelessly of themselves and made their special resources available for this event:

Pat Galli, Pastificio
Lenny Innocenzi, Buffo's
Ermano Amidei
Steve Goldstein, The Alley
Jim and Ken, The Consignment Shop
Dominick Ugolini, Beck's Heating

Alderman Falberg especially thanked all the employees of the Highwood Public Works Department for their amazing support, with special thanks to Jack Harding and Department Head Jeff Ponsi.

He asked everyone to come to the next committee meeting at 7 pm on November 10.

Legislative – Alderman Murphy-Pieri, Chair

The Legislative Committee postponed its last scheduled meeting in deference to the Pumpkin Fest. Their next meeting will be at 8 p.m. on Tuesday, November 10. The committee is scheduled to discuss the sprinkler retrofit ordinance and the business license ordinance at that meeting.

11. ACTION ITEMS

11.1. Resolution 2009-R-___ A Resolution Expressing Official Intent Regarding Certain Capital Expenditures to be Reimbursed from Proceeds of an Obligation to be Issued by the City of Highwood, Lake County, Illinois. (Second Reading).

SUMMARY: Came out of Long Term Planning and Finance Committee joint meeting with Mesirow for creation of funds for public infrastructure and emergency fund.

Consideration of this resolution was postponed to the November 3 meeting of the city council because the needed attachments had not been completed yet.

11.2. Resolution 2009-R-___ A Resolution Approving and Ratifying an Agreement with Campanella and Sons, Inc. Related to the Green Bay Road Pavement Improvement Project. (First Reading-Time Sensitive).

Alderman Linari made a motion that was seconded by Alderman Harpster to ratify a contract that was already in place. The scope of the project was approved by the prior council. The contract for over \$442,000 was signed without the consent of the Council.

Mayor Pecaro said that this was a clerical error and that procedures had been put in place so that this would not happen again.

Alderman Murphy-Pieri expressed her general displeasure at things being brought to the council at the last minute. She also said that she was afraid that we might lose grant money because of administrative errors.

Alderman Linari objected to this discussion taking place in the regular meeting. She felt it should have been confined to the COW meeting. She said that she felt the point had been addressed and she called the question. There was no second so debate continued.

Alderman Falberg and Alderman Harpster both requested that a checklist be developed for this type of work to keep everyone on track. Alderman Falberg asked what would happen if the council did not ratify the contract. Mr. Blondin replied that we could get sued.

Alderman Sepulveda asked Mr. Blondin if the contractor also had an affirmative responsibility to make sure that all the required approvals were in place before signing the document.

Mr. Jackson said that in the future, no contract would go to the Mayor for signature without approved minutes showing council authorization.

Mayor Pecaro asked the legislative committee to draw up appropriate procedures to follow when considering the review and approval of contracts. He also asked Mr. Jackson to provide a draft to the Committee.

Alderman Falberg said that if anything like this happens again it should be grounds for termination.

Vote:

Yes: Aldermen Harpster, Linari
No: Alderman Cahnmann, Murphy-Pieri, Sepulveda
Absent: Aldermen Bruni and Fiore
Abstain: Alderman Falberg

The vote was 2 yes, 3 no, absent 2, abstain 1. The resolution failed. Mayor Pecaro said that he would instruct the crews to stop construction because the contract was not ratified.

12. UNFINISHED BUSINESS

None

14. NEW BUSINESS

None

15. ANNOUNCEMENTS

None

16. Executive Session

none

17. Any Action Necessary Coming Out of Executive Session to discuss

n/a

18. ADJOURNMENT

There being no further business, a motion to adjourn was made by Alderman Sepulveda, was seconded by Alderman Linari, and was passed unanimously by voice vote. The meeting was adjourned at 9:59 p.m.

Respectfully submitted,

Accepted by the City Council on _____, 2009

Marcia Burke, City Clerk