



CITY OF HIGHWOOD

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City Council Meeting MINUTES

**October 21, 2008 Regular City Council Meeting
7:30 p.m.**

1. CALL TO ORDER

Mayor Donofrio called the City Council Meeting to order at 7:30 p.m.

2. ROLL CALL

Present: Mayor Donofrio, Aldermen Pieri, Linari, Pecaro, Fiore, Bruni, Murphy and Hospodarsky.

Absent: Alderman Cahnmann

Also present: S. Druktenis, City Clerk; G. Jackson, City Manager; A. Marrin, Assistant City Manager; D. Blondin, J. Stein and J. Pazen, City Attorneys.

3. PLEDGE TO THE FLAG

All in attendance recited the Pledge of Allegiance.

4. APPROVAL OF MINUTES –

- a. Alderman Linari, seconded by Alderman Pecaro, moved for an approval of the minutes from the October 7, 2008 Committee of the Whole Meeting. Upon a call of the roll the following voted:

Ayes: Pieri, Linari, Pecaro, Bruni, Hospodarsky, Fiore, Murphy
Abstain: None
Nays: None
Absent: Cahnmann

The motion carried.

- b. Alderman Pecaro moved for an approval of the minutes from the October 7, 2008 Executive Session Meeting. The motion included that 1) the executive session minutes be amended as discussed during this evening's executive session and 2) the "Aldermanic interference/intimidation with certain employees" section be released with the personnel names excluded. Alderman Fiore seconded the motion. Alderman Murphy explained that she will be voting no because she would like to review the tapes and/or transcript from the meeting. Upon a call of the roll the following voted:

Ayes: Pieri, Linari, Pecaro, Bruni, Hospodarsky, Fiore
Abstain: None

Nays: Murphy
Absent: Cahnmann

The motion carried.

- c. Alderman Pecaro, seconded by Alderman Hospodarsky, moved for an approval of the minutes from the October 7, 2008 City Council Meeting. Upon a call of the roll the following voted:

Ayes: Pieri, Linari, Pecaro, Bruni, Hospodarsky, Fiore, Murphy
Abstain: None
Nays: None
Absent: Cahnmann

The motion carried.

5. PUBLIC INPUT:

- Paul Diambri, Highwood Business owner, noted the great community interest this evening and would like to make comments relating to the aldermanic interference topic. He noted a comment made at a Highwood town hall meeting last year where Highwood had an opportunity to be a great community or could be like Cicero. He indicated that he felt that we would see tonight whether or not Highwood acts with professionalism or if, in the first time in 120 years, the Council will try to reprimand an Alderman simply by performing her duties. And this is being determined by hearsay allegations from a new comer. He feels that it is time for the City Council to determine if they are going to follow due process and let the Alderman know what she is being charged with (who, what, where). Mr. Diambri hopes the Council will investigate. The people in the audience are interested in what will happen tonight. He hopes the City Council acts in a professional manner, takes time to investigate and hopes the City Council rejects the motion to censure.
- Marcia Burke, 770 Lyster Road, noted to Clerk Druktenis that she would provide her with her speaking notes so it was not necessary to take notes (copy attached). In summary, Ms. Burke, noted her concern regarding imposing additional requirements concerning documents and records, which might make it difficult to obtain information and a plea for open, transparent government.
- Lisa Cervac, 239 Burchell, noted that in our government, only three Presidents were censored and one censure was later recalled. She indicated that the act of censure is extreme and that the Highwood City Council, without any rules, without proper investigation, without determining the truth, is considering it. She also noted an article (Censuring Bush) and that censures are eager politicians eager to score political points.
- Dr. Burke, 770 Lyster Road, noted that he has addressed the Council in the past regarding the physical health of Highwood and he now plans to address the political health. He is proud to have Alderman Murphy as a friend and will speak on her behalf since he believes she is being wronged. He indicated that he believes she is hard working, honest and exemplifies "if you want anything done, ask a woman". He believes that a motion for censure is petty politics and finds it regrettable that this body can waste the public's time and money with this censure for simply doing her job. He indicated that he knows what it is like to be censured and urged

Alderman Murphy to use her badge of censure as a badge of honor. He feels that the censure dishonors the City and Alderman rather than Alderman Murphy.

- Quintin Sepulveda, indicated that he felt that the state of Highwood politics are sad and a shame. He apologized to the public for going door-to-door in the past encouraging them to vote for the Aldermen and stated to the Aldermen, remember the campaign slogan, "Peace and Unity". He indicated that he feels the Council should meet on something more constructive (than the censure) and plans to get the Council out in six months. He is now sorry he fought for Home Rule. He feels that all the Council does is fight. He is proud of Alderman Murphy and the Council should start working for the City instead.
 - Paul Martinez, 240 Jefferys Place, indicated that he has developed a respect for Alderman Murphy for her considerable preparation for meetings and her willingness to listen. He also indicated that she always follows up on his emails. He indicated that he doesn't always agree with her but respects her.
 - Amy Strege, Highwood resident, indicated that she has spoken to most of the Aldermen and that the person on the Council that has always responded is Alderman Murphy. She cautioned the Council about sending Highwood the message that the one person they rely on will be censored.
 - Alex Largo, Highwood property owner, indicated that he feels that signs are the windows to the world for storefront businesses and that the current requirement of not over 24 inches square cannot be read from the street. He feels that the Council needs to reconsider this restriction since stores need to be able to draw attention to their businesses.
 - Alderman Kathy Pieri-Murphy, 511 Lockard Lane, indicated that she was at the courthouse this morning in an attempt to stop the censure. She read a list of her achievements and asked whether this is cause for being censored (basically doing her job).
 - Joe Passini, 216 Burchell, indicated that he used to work with Alderman Murphy and indicated that many initiatives were never completed. Many of the initiatives took working with other Aldermen or City staff to complete. He feels that her pointing out issues only diverts attention from herself and noted that a Judge summed it up in the past in saying that they were trying to accomplish a good thing but took an absurd way to go about it. He wanted to end his comments on a positive note and, therefore, noted the Recreation Center fundraiser at the Bocce Court on November 22.
 - Marzio Piagentini, Euclid Court, complained about sofas, beds, construction materials, etc. placed out near the curb. He indicated that it looks like a dumpsite. He had not initially intended on commenting on Alderman Murphy; however, following all the previous speakers, he commented that his experience in working with her has been outstanding.
6. **CITY MANAGER'S REPORT** - City Manager Jackson's report included an update on the capital improvement plan (first one in City's history), 2010 Budget (including EAV numbers), Village of Bannockburn's resolution in support of the Fort Sheridan Golf Course (and plans to meet with Buffalo Grove as well), Highwood for the Holidays (November 29), Housing initiatives (met with Affordable Housing, etc. to create a plan for acquiring and developing property) and technology upgrade for City Hall.

City Manager Jackson also noted that the Police Department, Fire Department, and Community Development & Water Distribution reports are in the Council's packets this

evening. He also noted that there were some staff/title changes in that Jeff Harding is now the Community Development and Water Distribution Director, Mark Mansfield is now the Superintendent of the Water Department and Dave Mohry is now the Fire Marshall.

7. CONSENT AGENDA

- a. Alderman Pieri, seconded by Alderman Bruni, moved to remove the following items from the Consent agenda and to table them until the next City Council Meeting in two weeks:

1. Motion to Approve North Shore Franchise Agreement Renewal
2. Motion Approve Comcast Franchise Agreement Renewal
3. Ordinance Establishing the City of Highwood Real Estate Transfer Stamp Requirement

Upon a call of the roll the following voted:

Ayes:	Pieri, Linari, Pecaro, Bruni, Hospodarsky, Fiore, Murphy
Abstain:	None
Nays:	None
Absent:	Cahnmann

The motion carried.

- b. It was agreed that the remaining items on the consent agenda would be considered individually.

1. **2008-R-26 – A Resolution Adopting an Identity Theft Policy** - Alderman Linari, seconded by Alderman Pieri, moved to approve a Resolution Adopting an Identity Theft Policy. Upon a call of the roll the following voted:

Ayes:	Pieri, Linari, Bruni, Pecaro, Murphy, Fiore, Hospodarsky
Abstain:	None
Nays:	None
Absent:	Cahnmann

The motion carried.

2. Alderman Pecaro, seconded by Alderman Linari, moved to a) Approve and Put on File the City of Highwood Management Letter for the Fiscal Year Ending April 30, 2008, as presented by Lauterbach & Amen, LLP and b) to Accept and Put on File the City of Highwood Annual Report for the Fiscal Year Ending April 30, 2008, as presented by Lauterbach & Amen, LLP. Alderman Murphy recommended that a workshop be held for the auditor to explain the results to the Aldermen. Upon a call of the roll the following voted:

Ayes:	Pieri, Linari, Bruni, Pecaro, Murphy, Fiore, Hospodarsky
Abstain:	None
Nays:	None
Absent:	Cahnmann

The motion carried.

3. **2008-O-36 - Ordinance Granting a Variation from Sections 5.7 and 4.4 of the City of Highwood Zoning Ordinance for the Property Located at 246 High Street** - Alderman Linari, seconded by Alderman Bruni, moved to approve an Ordinance Granting a Variation from Sections 5.7 and 4.4 of the City of Highwood Zoning Ordinance for the Property Located at 246 High Street. Alderman Murphy explained that she will be voting no because the lot is a nonconforming lot. Upon a call of the roll the following voted:

Ayes: Pieri, Linari, Bruni, Pecaro, Fiore,
Hospodarsky
Abstain: None
Nays: Murphy
Absent: Cahnmann

The motion carried.

4. **2008-R-28 – A Resolution in Support of a Community Block Grant Application for the Storm and Drainage Improvement Program from Ashland Avenue to North Avenue.** Alderman Murphy, seconded by Alderman Linari, moved to approve the Resolution in Support of a Community Block Grant Application for the Storm and Drainage Improvement Program from Ashland Avenue to North Avenue. Upon a call of the roll the following voted:

Ayes: Pieri, Linari, Bruni, Pecaro, Fiore, Murphy,
Hospodarsky
Abstain: None
Nays: None
Absent: Cahnmann

The motion carried.

5. **2008-O-37 – An Ordinance Granting a Variation From Section 5.5 of the City of Highwood Zoning Ordinance for the Property Located at 44 Maple Ave.** - Alderman Murphy, seconded by Alderman Hospodarsky, moved to approve the Ordinance Granting a Variation From Section 5.5 of the City of Highwood Zoning Ordinance for the Property Located at 44 Maple Ave. Upon a call of the roll the following voted:

Ayes: Pieri, Linari, Bruni, Pecaro, Fiore, Murphy,
Hospodarsky
Abstain: None
Nays: None
Absent: Cahnmann

The motion carried.

6. **2008-O-38 – An Ordinance Granting a Special Use Permit for Operation of a Dental Facility on the Property Located at 126 Washington Avenue –**

Alderman Hospodarsky, seconded by Alderman Murphy, moved to approve the Ordinance Granting a Special Use Permit for Operation of a Dental Facility on the Property Located at 126 Washington Avenue with the modification requested in the Committee of the Whole Meeting. Upon a call of the roll the following voted:

Ayes: Pieri, Linari, Bruni, Pecaro, Fiore, Murphy,
Hospodarsky
Abstain: None
Nays: None
Absent: Cahnmann

The motion carried.

7. **2008-R-27 - A Resolution of Censure of Alderman Kathy Murphy-Pieri** – Alderman Pieri, seconded by Alderman Fiore, moved to approve the Resolution of Censure of Alderman Kathy Murphy-Pieri. Following discussion and questions posed by Alderman Murphy (specifically, date, time, what department and what was said), Alderman Fiore, seconded by Alderman Linari, called the questions. Upon a call of the roll the following voted:

Ayes: Pieri, Linari, Bruni, Fiore,
Abstain: None
Nays: Pecaro, Murphy, Hospodarsky
Absent: Cahnmann

The motion carried.

Alderman Linari, seconded by Alderman Pecaro, moved to reconsider the motion for discussion. Upon a call of the roll the following voted:

Ayes: Pieri, Linari, Bruni, Fiore, Pecaro, Murphy, Hospodarsky
Abstain: None
Nays: None
Absent: Cahnmann

The motion carried.

Discussion followed where several Aldermen indicated that this was not an easy decision; however, noted that an Alderman cannot take steps into their own hands and the City staff needs to know that the Council is behind them and support them in doing their jobs. Upon a call of roll to approve **A Resolution of Censure of Alderman Kathy Murphy-Pieri**, the following voted:

Ayes: Pieri, Linari, Bruni, Pecaro, Fiore,
Hospodarsky
Abstain: None
Nays: Murphy
Absent: Cahnmann

The motion carried.

8. Alderman Linari, seconded by Alderman Pecaro, moved to approve the Blue Cross/Blue Shield Employee Health Insurance Contract/Viti Insurance. Upon a call of the roll the following voted:

Ayes: Pieri, Linari, Bruni, Pecaro, Fiore, Murphy,
Hospodarsky
Abstain: None
Nays: None
Absent: Cahnmann

The motion carried.

9. Alderman Hospodarsky, seconded by Alderman Pecaro, moved to move the November 4, 2008 meeting to Wednesday, November 5, 2008 at 6:00 p.m. (due to Election Day). Upon a call of the roll the following voted:

Ayes: Pieri, Linari, Bruni, Pecaro, Fiore, Murphy,
Hospodarsky
Abstain: None
Nays: None
Absent: Cahnmann

The motion carried.

8. CITY TREASURER'S REPORT:

- a. Presentation and Approval of Bills - Alderman Pieri seconded by Alderman Pecaro, moved for an approval of the Bills as read by City Treasurer Stefani. Upon a call of the roll the following voted:

Ayes: Pieri, Linari, Bruni, Pecaro, Fiore,
Hospodarsky
Abstain: Murphy
Nays: None
Absent: Cahnmann

The motion carried.

- b. Treasurer's Report - Alderman Pecaro, seconded by Alderman Fiore, moved for an approval of the Treasurer's Report for the month of September 2008 as read by City Treasurer Stefani. Upon a call of the roll the following voted:

Ayes: Pieri, Linari, Bruni, Pecaro, Fiore,
Hospodarsky
Abstain: Murphy
Nays: None
Absent: Cahnmann

The motion carried.

9. **ALDERMEN/COMMITTEE REPORTS.**

1. A Judiciary Committee will be held October 22, 2008 at 6:30 p.m.
2. A Finance and Budget Committee was held last week where a preliminary budget and a capital improvement plan was reviewed. Future meeting TBD.
3. A Capital Improvement Planning Committee was held where expenditures over \$10,000 over the next 5 years were reviewed. It was also noted that the salt dome has been completed.
4. A Housing Committee will be scheduled in November.

10. **ADJOURN** - Alderman Hospodarsky, seconded by Alderman Linari, motioned to adjourn the meeting. All Aldermen present voted aye. The meeting adjourned at 9:08 p.m.

Respectfully Submitted,

Susan Druktenis - City Clerk