

VILLAGE OF ALSIP
MINUTES OF
BOARD OF TRUSTEES
COMMITTEE MEETING
June 25, 2012

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7 Mayor Kitching called the meeting to order at 7:30 p.m. Clerk Venhuizen called the roll with the
8 following in attendance: Trustees Shapiro, McGreal, Daddona, Quinn, Dalzell, Ryan, and Mayor
9 Kitching.

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11 Mayor Kitching introduced Brian Saila, of Sprint. Mr. Saila presented a new proposal for a tablet
12 that includes wireless forms including texting and a \$100 gift card. Following discussion it was
13 determined the Village could not meet the deadline of June 30, 2012, to receive the gift cards.
14 Trustee Dalzell asked for a written proposal. Discussion followed. The Police & Fire
15 Departments expressed interest in the program, and Mr. Saila will meet with both departments
16 to discuss this program.

17
18 MAYOR'S REPORT: Mayor Kitching voiced concern with the inconveniences to the public
19 associated with the Cicero Avenue resurfacing project and reported the project is scheduled for
20 completion next week.

21
22 Mayor Kitching reported two appointments will be made next week: Thomas Styczynski, Fire
23 Chief and Robert Ricker, Deputy Fire Chief, effective July 16, 2012.

24
25 CLERK'S REPORT: Clerk Venhuizen presented: 1) IDOT Resolution of Intent for roadway
26 reconstruction improvements for Austin Avenue, from 115th to 118th Street.

27
28 PUBLIC FORUM: Mayor Kitching called for input from the public; there was none.

29
30 FINANCE REPORT: Trustee Quinn presented: 1) List of Payroll. 2) List of accounts payable.
31 3) Annual Appropriation Ordinance for the fiscal year May 1, 2012 through April 30, 2013.
32 4) Request for approval of the Estimate of Revenues Ordinance for the Fiscal Year 2012-2013.
33 5) Discussion regarding electric aggregation. Trustee Quinn recommended the Board make a
34 decision on electric aggregation in order to prepare an Ordinance and place on the ballot for the
35 November election. If authorized by the residents, the Village would negotiate with several
36 electrical suppliers for a reduced electrical rate for the residents. Mayor Kitching reported the
37 Village currently works with Veridian at a fixed rate and most firms go by the fluctuating market
38 rate. If we aggregate at a fixed rate and cost of electricity decreases, the public could be locked
39 into the higher rate. Discussion followed.

40
41 FIRE DEPARTMENT REPORT: Trustee Dalzell presented: 1) Report the Fire & Police
42 Commissioners will be swearing in the next eligible candidate from the lieutenant's list at the
43 July 9, 2012 Committee meeting. The promotion will be effective on July 16, 2012. 2) Report
44 that Deputy Chief Tom Styczynski received a certificate of recognition and achievement in May,
45 2012, for his services as a MABAS-Illinois Ambassador in relation to the NATO Summit.

46
47 POLICE DEPARTMENT: Trustee Daddona presented: 1) Garcia timesheets. 2) Property
48 Control deletion form for disposal of the old Police intoximeter. 3) Request for approval of a
49 Block Party for 124th – 127th & Tripp, on August 4, 2012, from 11:30 am to 10:30 pm, with a DJ
50 until 10:00 pm.

51
52 PUBLIC WORKS DEPARTMENT REPORT: Trustee McGreal presented: 1) Report the
53 Committee continues to work with residents on Public Works related issues. 2) Report on
54 Emerald Ash Bohr.

55
56 BUILDING DEPARTMENT REPORT: Trustee Shapiro presented: 1) Request from Tuthill
57 Pump to hold a car wash on the property located at 12500 S. Pulaski, on July 21, 2012, from
58 10 am to 2 pm. All proceeds will be donated to a local charity called Operation Blessing, with a
59 rain date of July 28th. 2) Request from Four Seasons of Fun, Inc. to hold a tent sale on the
60 property located at 4845 W. 111th Street, from August 10, 2012 to September 11, 2012. 3)
61 Request from Sacred Heart Church, Palos Hills, to place small wire signs at prominent street
62 intersections in the Village of Alsip, for three weeks prior to Sunday, August 5, 2012, to
63 announce the annual church picnic.

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70 HEALTH & POLLUTION: No report.

71
72 SEWER & WATER: Trustee Ryan presented: 1) Report from Commissioner Behrens on the
73 123rd Street Water Main Project that Alsterda Construction used alternative piping on the project
74 at a savings of \$2,000.

75
76 LICENSE REPORT: Trustee Quinn presented: 1) Request for approval of a list of licenses.

77
78 PLANNING/ZONING REPORT: No report.

79
80 REPORTS OF SPECIAL COMMITTEES

81
82 VILLAGE PROPERTY: Trustee Ryan presented: 1) Request for approval to purchase one
83 Global Chair Lift at a cost of \$4,557.00, in order to comply with the new ADA Law, that
84 requires ramps or chair lifts to gain access to the pool.

85
86 INSURANCE COMMITTEE: Trustee McGreal presented: 1) Quarterly Loss Prevention
87 Minutes.

88
89 ORDINANCE & LEGISLATION: Trustee Dalzell presented: 1) An Ordinance Authorizing the
90 Execution of an Intergovernmental Agreement by and Between the Illinois Office of the
91 Comptroller and the Village of Alsip Regarding Access to the Comptroller's Offset System.

92
93 IT REPORT: Trustee Dalzell presented: 1) Report on receipt from Mary Schmidt, Chamber of
94 Commerce, regarding a State of Illinois online database of buildings for sale or lease in Alsip.
95 The Chamber has a link on their website and recommended the Village create a link to their
96 website as well.

97
98 BOAT LAUNCH: Trustee Quinn presented: No report.

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100 PRESENTATIONS, PETITIONS, COMMUNICATIONS: None.

101
102 UNFINISHED BUSINESS: Trustee Dalzell requested the override of the Mayor's veto of
103 Ordinance 2012-6-2 be placed on the July 2, 2012 Board Agenda. The Ordinance was for the
104 selection and removal of appointed officers and one of the conditions are that all the appointed
105 officers of the Village shall be appointed by the Mayor with the advice and consent of the
106 corporate authorities. The officers shall hold their office for such time as the corporate
107 authorities by ordinance or resolution provide. A Mayoral nominee failing to receive a majority
108 vote of the elected Trustees, may serve as a temporary appointment for a period of thirty days.
109 At the expiration of the 30 day period the Mayor may resubmit the same nominee for
110 appointment. If the nominee fails to receive a majority vote of the elected Trustees, the nominee
111 may remain in his/her position for a second thirty day period. At the expiration of the second
112 thirty day period, the Mayor must submit a new name for consideration by the corporate
113 authorities. No temporary appointment of any one person shall be made more than twice in any
114 one fiscal year.

115
116 Trustee Dalzell cited several court cases provided by the Village Attorney, and noted that they
117 did not apply to Ordinance 2012-6-2. After reading a summary of each case, Trustee Dalzell
118 noted "This is not the intent of the proposed ordinance, but rather to limit the appointment terms
119 for a temporary appointment." Trustee Dalzell concurred with the opinion of Roland Burris,
120 Attorney General, and noted the Alsip ordinance is modeled from the City of Oak Forest
121 Ordinance in place for the past 12 years. Trustee Dalzell concluded the following: The Municipal
122 Code 3.1-30-5c vest the municipal board the power to fix the term of all appointed offices.
123 Moreover, permanent appointments of officers are to be made by the Mayor "with the advice and
124 consent" of the municipal board. The power to approve implies the authority to exercise
125 discretion and to withhold consent, as well.

126
127 If the Mayor were permitted to make "temporary" appointments with open-ended terms, or to
128 make unlimited successive "temporary" appointments of the same person to a position, the
129 authority of the council to approve or disprove an appointment could be effectively
130 circumvented.

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134 There is no statutory or constitutional provision which grants such power to the Mayor. An
135 ordinance provision which essentially prohibits the Mayor from circumventing the power of the
136 council to approve or disprove Mayoral nominees would be entirely consistent with the statutes
137 governing appointments.

138
139 It is also necessary, however, to determine whether the proposed ordinance would impermissibly
140 shift the balance of power between the Board and the Mayor. The Village of Alsip is a home rule
141 municipality, with respect to which Article VII, Section 6, of the Illinois Constitution of 1970
142 provides.

143
144 It is clear that the proposed ordinance is not attempting to exercise the Mayor's power to make
145 temporary appointments, but is merely imposing terms and conditions on such appointments to
146 preserve the approval function which is reserved to it by statute. Such an ordinance would not
147 alter the balance of power between the Mayor and the Board, but would only effectuate the
148 procedure by which the Board's expressly granted powers are to be exercised. It is the exclusive
149 prerogative of the Board to approve or disprove Mayoral appointments.

150
151 Indeed, to conclude that a Mayor may make indefinite temporary appointments, thereby avoiding
152 the power of the Board to approve appointments, could result in a prohibited shift in the balance
153 of power as contemplated by the Constitution. The intent of the proposed ordinance does not
154 remove the Mayor's appointment authority, nor does it change the form of government.

155
156 Mayor Kitching reported his veto stands and if the Board overrides the veto, the courts will make
157 the determining decision.

158
159 Trustee Quinn asked for information on JAWA financing.

160
161 Trustee Shapiro thanked Vince Cullen for the Emerald Ash Bohr report.

162
163 NEW BUSINESS: None.

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165 ADJOURNMENT: Motion by Trustee Dalzell to adjourn; seconded by Trustee Daddona. All in
166 favor; none opposed. Motion carried at approximately 8:25 p.m.

167
168 Respectfully submitted,

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170
171
172 _____
173 Deborah Venhuizen
174 Village Clerk, Alsip, Illinois