

City Council Meeting
Of the City of Palos Hills
held **Thursday, November 19, 2015**
City Hall Council Chambers
10335 S. Roberts Road
Palos Hills, Illinois 60465

1) **CALL TO ORDER:** Mayor Bennett called the City Council Meeting to order at 7:00 p.m.

2) **PLEDGE TO THE FLAG:** Mayor Bennett led everyone in the Pledge to the Flag.

3) **ROLL CALL:** Upon roll call the following Aldermen responded as present: Knox, Brachman, LeBarre, Schultz, Kleefisch, Stratton, Pasek, Moore, Nowak.

4) **QUORUM:** Mayor Bennett declared a quorum was present.

5) **READING OF THE PREVIOUS MEETING MINUTES:**

Ald. Kleefisch, I MOVE to approve the City Council Meeting Minutes dated November 5, 2015 as presented. SECONDED by Ald. Nowak. Upon roll call the following Ald. voted:

AYE: Brachman, LeBarre, Schultz, Kleefisch, Stratton, Pasek, Moore, Nowak, Knox

NAY:None

ABSENT: Marrotta

MOTION CARRIED.

6) **CITIZENS PETITION:** None.

7) **CITIZENS HEARING:**

Mayor Bennett, the meeting is open to the public for any comments or questions.

With no further comments from the public, the public portion of the meeting was closed.

8) **REPORTS & COMMUNICATIONS FROM MAYOR AND OTHER CITY OFFICIALS:**

A. **CITY CLERK:** No report.

B. **CITY ATTORNEY:**

City Attorney Pappas, the only thing I have, Mr. Mayor, is before the City Council that the closing on that piece of property that is selling at 101st & 76th Avenue, the price is (inaudible) and I have checks to give to the Mayor payable to the City of Palos Hills in the amount of \$32,647.00. It's less than the sales price because of (inaudible) insurance.

Mayor Bennett, I have already informed Jeanine that this will go into the Reserve Account.

C. MAYOR

Mayor Bennett, Ladies and Gentlemen, the only thing I have to bring to your attention is since we met last time around, I think you were aware of the action taken by the Southwest Conference of Mayors along with all the other mayors' organizations throughout the State and what turned out to be a very successful venture Part 1, and that was to get the General Assembly to pass House Bill 4305 which would release the motor fuel tax funds, gaming funds, local use tax funds and lottery funds back to local governments. Those items were not part of the operating budget of the State. They were actually monies that technically should have been in escrow, but were held up because of the budget impasse. That bill passed the House on a vote of 113 to 1, so obviously, we were able to break deadlock on both sides of the House and in support of local governments, however, the Speaker put a hold on the bill, pending whatever! We have contacted our State Senators throughout the State and believe that they are in favor of that bill. Once it is released by the House, they have indicated to us that they will meet and pass that bill. The General Assembly will meet again personally in December (the House will) and we are hoping at that time that bill will be released and the Senate will commit to meeting right after that and pass that bill. As I indicated to the City Council, for us personally, the City, they are holding almost \$300,000.00 in funds back from us; it's close to over one billion two, statewide, in local government funds that are being held up because of that budget impasse, but again now with House Bill 4305 being passed, we would feel a lot better that the money will be released, but more importantly, that hopefully members of the General Assembly will get together with the Governor to pass a budget of some kind before spring, which starts the discussions for the new budget in 2016. They have a lot of work cut out for them. Again, as we talk to our House members and Senate members, we will fight tooth and nail on the sweeping of any of our funds, which still sits out there as a possibility looking down the road (inaudible) issue of operating budget for consideration of the 2016 budget. That's the latest update.

9)PRESENTATION OF PETITIONS, COMMUNICATIONS, RESOLUTION ORDERS AND ORDINANCES BY ALDERMEN:

A.BUILDING & LICENSE:

Ald. Brachman, no report.

B.CITY ADMINISTRATION/GOLF:

Ald. Moore, a reminder that there is a Golf Meeting, 5:00 p.m. on Thursday, December 3, 2015, here at City Hall.

C.COMMUNITY RESOURCES:

Ald. Stratton on behalf of Ald. Marrotta, Adopt-a-Platoon needs your help. For the past ten years, Adopt-a-Platoon has been sending Christmas cards to our troops who are in harm's way. They are looking for residents to stop by the Palos Hills Community Center and fill out one of the cards available in the lobby. They will cover the postage costs. Help our troops have the best holiday season while being away by sending them your best.

D. ECONOMIC DEVELOPMENT:

Ald. Nowak, we have a new business that is opening. It's B&B Sales opened at 10616 South Roberts Road. It's a retail store and on-line sales. In your mailboxes, everyone was

given a copy of the proposed ordinance, I would like you to look it over. We are going to hold it until the December 3rd meeting. So MOVED by Ald. Knox. SECONDED by Ald. Schultz for consideration of the ordinance. Upon roll call the following Ald. Voted:

AYE: Schultz, Kleefisch, Pasek, Knox, Brachman

NAY: Lebarre, Stratton, Moore, Nowak

ABSENT: Marrotta

MOTION CARRIED.

City Clerk Mulderink assigned Ordinance 2015-12 to An Ordinance Amending Chapter 5.10 of Title 5 of the Palos Hills Municipal Code.

After the reading of proposed Ordinance 2015-12, An Ordinance Amending Chapter 5.10 of Title 5 of the Palos Hills Municipal Code, Ald. Knox MOVED for PASSAGE of same. SECONDED by Ald. Pasek.

Mayor Bennett, any questions?

Ald. Brachman, this question is to our attorney. If this gets defeated, can somebody else bring this up again at another meeting to try and overturn this vote?

Atty. Pappas, based on the information that I have gathered, yes, it can be done again.

Ald. Brachman, so it could keep going?

Ald. Lebarre, I MOVE that we table it just so we do avoid that situation, because it's going to come up again. I would like to table this until we get a full count.

Mayor Bennett, so MOVED by Ald. LeBarre. SECONDED by Ald. Moore. The motion is to table this. Upon roll call the following Ald. voted:

AYE: Stratton, Moore, Nowak, Brachman, Lebarre.

NAY: Schultz, Kleefisch, Pasek, Knox.

ABSENT: Marrotta

MOTION TABLED.

E. FINANCE:

Ald. Knox, everyone should have before them the Warrant dated November 19, 2015, in the amount of \$432,592.39. I MOVE to authorize the expenditure of same. SECONDED by Ald. Pasek. Upon roll call the following Ald. voted:

AYE: Kleefisch, Stratton, Pasek, Moore, Nowak, Knox, Brachman, Lebarre, Schultz.

NAY: None

ABSENT: Marrotta

MOTION CARRIED.

Ald. Knox, I MOVE for consideration of a proposed ordinance entitled: An Ordinance Amending Ordinance 2015-02 Relating to Compensation for City Officers &

Employees in the City of Palos Hills. SECONDED by Ald. Kleefisch. Upon roll call the following Ald. voted:

AYE: Pasek, Moore, Nowak, Knox, Brachman, Lebarre, Schultz, Kleefisch

NAY: Stratton

ABSENT: Marrotta

MOTION CARRIED.

City Clerk Mulderink assigned Ordinance Number 2015-13 to that proposed Ordinance.

After the reading of proposed Ordinance Ald. Knox MOVED for PASSAGE of Ordinance 2015-13, An Ordinance Amending Ordinance 2015-02 Relating to Compensation for City Officers & Employees in the City of Palos Hills. SECONDED by Ald. Moore.

Mayor Bennett, any final questions?

Ald. Stratton, do we need a max because the actual position could be \$16,000.00 and it's only showing an hourly?

Mayor Bennett, it's based hourly, that's all we would pay. As I indicated, potentially (inaudible) so it's going to be limited based upon the school days, so that's an ultimate number out there, our limitation is approximately \$4,500.00, but that's the hourly rate.

Upon roll call, the following Ald. voted:

AYE: Pasek, Moore, Nowak, Knox, Brachman, Lebarre, Schultz, Kleefisch.

NAY: Stratton

ABSENT: Marrotta

MOTION CARRIED.

Mayor Bennett, we are still looking for two traffic control people. It's a part-time job. It's one hour in the morning and one hour in the afternoon. The salary is \$19.23 an hour. It's not bad and you are guaranteed 2 hours a day, \$40 per day, times 5 days so \$200.00 a week for an hour's worth of work each day. Please pass the word that we are still looking for candidates to serve in that position. Basically, as a traffic control person, you have traffic coming in and out of District 117's parking lot.

F. LEGISLATION & ORDINANCES:

Ald. Knox, we held a discussion earlier in the night (inaudible) legislation date regarding allowing of chickens in the city. I MOVE to have the City Attorney draw up an ordinance regarding the discussion that took place earlier. SECONDED by Ald. Moore. Upon roll call the following Ald. voted:

AYE: Nowak, Knox, Brachman, Lebarre, Schultz, Kleefisch, Stratton, Pasek, Moore.

NAY: None

ABSENT: Marrotta

G. PARKS:

Ald. Stratton, the Community Resources and Recreation Department is currently taking registrations for upcoming holiday events. These include dinner with Santa and Elf

Help which provides babysitting while parents shop. Also, you can leave your letter for Santa in a special mailbox at the Community Center beginning November 23rd. Make sure to leave your address so Santa can write you back. Once again, we will be collecting items such as hats and mittens for our mitten tree. We even accept donations for our four legged friends such as leashes and collars. For information on all of these, contact the Community Center at 708-430-4500.

Mayor Bennett, also mailed out today was the combination City Newsletter /Park Program. It looks pretty good – I just briefly looked at it. Also, Kristin, thank you for filling in last week for Veteran’s Day.

Ald. Kleefisch, I would just like to compliment Kristin, too, and her staff for the job they did. It was a very nice event.

H. PLANNING & ZONING: No report.

Mayor Bennett, just to let you know because of the closing of this property, I did talk to one of the new purchasers of it and as the Council agreed, we are going to allow them to come in as combined, because those lots back up to each other as a single Plan Commission Hearing. I know there’s basically two owners, so instead of two separate hearings. So, Gene, probably within a month, they have to file these properties now through quit claims and they will be in to see you regarding the filing of a Plan Commission Hearing probably sometime in January or February regarding the subdivision of those lots.

City Attorney Pappas, with respect to that issue, they were asking at closing this afternoon when the stop signs were going to be taken down.

Comm. Weakley, are they removing the streets?

Mayor Bennett, that’s a condition of the development of the property.

City Attorney Pappas, they asked me if we were going to do it and I said no.

Mayor Bennett, that was a condition of the sale of the property.

Comm. Weakley, (inaudible)

City Attorney Pappas, we can do that.

Mayor Bennett, they can let us know when they are ready for the clearing of the property.

I. PUBLIC SAFETY:

Ald. Kleefisch, we received a check from Consolidated High School District 230 in the amount of \$11,208.90. We received a check from NCI Incorporated Receivable Management and Recovery in the amount of \$2,249.00. We received a check from forfeited funds in the amount of \$3,798.54 and I would like to commend our police chief for his latest

issue of Crime Prevention News in which we are highlighting distracted driving, school bus safety, speeding in school zones, scams and other important information. How does this go to everyone, chief?

Police Chief Madigan, it goes out with the water bills.

Mayor Bennett, with the holidays again, I know the Attorney General now is making it public about fake IRS calls that are coming into homes. We had a couple last year. We are really trying to educate our residents, especially our seniors, to be aware of what's going on. We also had a couple of complaints about people trying to solicit alternative Commonwealth Edison supply and they are really tricky how they do that. Some of them will say that they are a representative from Com Ed, they get inside a resident's home, and they will say that they need to see the resident's Com Ed bill and then sign them up for an alternative supply company. That goes on – so please residents – be careful what you are doing out there and be careful of scams and also unsolicited programs, especially that energy stuff out there. Both gas and electric – there's a lot of companies out there trying to get you to sign up.

Ald. Kleefisch, I also have a fence item here. We have a request for a corner fence at 8702 96th Place, and I know myself and Ald. Pasek are on the Fence Committee. We will check this out and report at our next Committee Meeting._

J. PUBLIC WORKS/SEWER & WATER:

Ald. Brachman, the Commissioner reports the following activities in the Public Works Department:

Winter Storm Watch: the Chicagoland area is under a Winter Storm Watch starting November 20th at 9:00 p.m. and ending November 21st at 3:00 p.m. Two to four inches of wet snow is forecast for our area. In advance of the approaching winter weather, Public Works crews have set up 6 snow removal trucks for plowing and salting. Crews have been notified of the approaching weather and are ready to respond.

Chipper Branch Service: the Chipper Branch Service has ended for the 2015 season. Crews will make one final pass through the city next week picking up storm damaged branches from recent windy conditions. Pickup will begin on Monday November 23rd and should be completed by Wednesday November 25th.

Golf Cart Path Repairs: Public Works crews have been making repairs to the asphalt golf cart paths at our municipal golf course. Several hundreds of feet of path have been removed and replaced or overlaid. This Friday, November 20th will be the last day for asphalt repairs this season.

Christmas Decorations: crews have been busy installing Christmas decorations at Town Square Park. High winds have delayed the installation of street decorations and removal of flags on street light poles. Winds are expected to die down tomorrow. Crews will renew efforts and hopefully complete installation of street decorations early next week.

Street Sweeping: The Commissioner, through our waste hauler contract, has requested street sweepers to sweep city streets next week.

Cook County Highway Department Street Work: the Cook County Highway Department has delayed the overlay work scheduled this fall for 103rd Street and 107th Street from 88th Avenue to Kean Avenue. The project has been rescheduled for this coming spring with a completion date of June, 2016.

Mayor Bennett, unfortunately this is disappointing, but again, they were also starting to hold back funds (MFT) and their general repair which these two streets along with many other towns were held off because of the crunch.

Ald. Brachman, one other thing – especially with votes going back and forth. Is there anything our local body can do through policy to put a stop to that?

Mayor Bennett, there is not. You have to follow under the general statutes of the State of Illinois as far as procedure is concerned. The Council limiting itself as a free body to do things other than to follow parliamentary procedure, I think I briefly explained that last week that, for example, if an issue is brought up during a Council Meeting and it is voted down. During the same meeting, the prevailing side can bring the issue back up if they wish, during a vote. The only other restriction under State law is under a planned unit development, where, if somebody comes before a plan commission body with a planned development, that has to wait one year before that can be brought up. Any other vote by the City Council, can be voted upon each week.

Ald. Brachman, I know it can, but my question is whether or not the body could agree not to do that, and you just answered that question as a no.

Mayor Bennett, I think you would be challenged.

Ald. Kleefisch, according to what I've read under reconsideration and parliament procedure, that reconsideration can be brought up, not only at that meeting, but at the next regular meeting. But that's not what happened. That was part of my objection. There was no vote to reconsider. It was simply a vote to re-vote. We just skipped right over reconsideration. That's not proper.

Mayor Bennett, what is proper by parliamentary consideration is a re-consideration during a meeting.

Ald. Kleefisch, I understand that.

Mayor Bennett, there is no law that says when you use the term "reconsider" at a following meeting, it would be something (inaudible) voted by the City Council at the following meeting up or down, whatever you wanted to do. The Council always has that right to consider a vote whether it's been two weeks ago, a year ago, a month ago, to bring an issue back up and vote on it. There is no parliamentary law regarding that.

Ald. Kleefisch, I think there is.

Ald. Knox, you could, as a body, we could take up an idea and make it a super-majority, or something that you would have to put together. Again, super-majority overrides something like that. I would encourage everyone to re-read those Roberts Rules, because this could fall under three different categories. What's done is done, but I don't think that what's gone on here is exactly the way the law works.

Mayor Bennett, again, I will repeat, over 35 years of sitting up on this Council, and prior to that, two years during a very, very contentious City Council meetings at that time, that this is the first time this concern or challenge about re-bringing up the issues we voted on, as being something different. It has happened in the past, and whether an issue is brought up at the following council meeting, or two months, or three months from the action taken, this has taken place in the past. I understand the emotions involved in this issue, but the point being made of an alderman not present at a City Council meeting, or maybe there were two, or possibly times three or four that may not have been at a meeting, an issue was brought back before the Council and although the aldermen may have not been at that meeting, and legitimately wanted to vote on something and say hey, can we vote on this? It's also been brought up too. The idea of a Council vote is the final word at that meeting. But again, those issues can be brought up again in the future, and if you want to hamstring yourself with thinking about things like super-majority, which are usually only done by state statute under state bodies, you would be surprised as to how you would hamstring yourself going forward with some type of additional super-body vote on issues. All this is supposed to be done because of the regular business of a City Council. The State General Assembly has various votes on super-majorities, or, two thirds majority – that type of thing, but I'm just suggesting that if this Council moves in that direction, that could backfire on people down the road when you really feel there was a good important issue and now you require a super-majority or two-thirds vote.

Ald. Kleefisch, my understanding is that after time has elapsed, there is a general consensus by that governing body to reconsider something. We knew that some of the people that prevailed initially, also agreed to reconsider it. Not the losing side brings it up and votes to reconsider something. It is a general consensus by the whole body because there was a mistake made or there is some new intervening information that wasn't available the first time, that's now available. It wasn't just we are going to re-vote this again.

Mayor Bennett, the only reason why this was brought up last week was because there was an alderman who voted originally on that motion. That's why it was brought up and that's my point. The times we have had meetings in the past where two people may not have been present at the Council Meeting, or three or four.

Ald. Knox, who was the one regarding?

Mayor Bennett, Marty said to re-consider a vote and my point was that there was an alderman not at that meeting to vote in the first place. As I said, in general, that has not happened. Over the history that I have been around this Council, obviously this is an emotional issue, and I have seen it in the past where aldermen may not have not been at a meeting, the vote was brought up and say, why weren't you at that meeting?

Ald. Brachman, I just thought could that be something that we would agree to? You have already answered that.

Ald. Knox, the answer is yes.

Mayor Bennett, let me go over this one more time. How many ordinances have been passed by this Council where the City Council thought they answered every question on the ordinance, voted on it, and then two months later said that we forgot something else on it – and it was brought back up again, the ordinance had to be changed or modified. The point is that this legislative body has the right to bring up a vote every week.

Ald. Lebarre, and it should stay that way. When mistakes are made, you cannot put a time limit on it, what we have to wait for two years – what did it cost us – time? It basically didn't hurt anybody, just cost us some time.

Ald. Kleefisch, it was an important issue as far as I am concerned. Now I am not happy that my side lost. I am not happy with what transpired last week. The alderman, as I pointed out, should have been here. He had an opportunity to call in his vote. He chose not to do that. We had a majority here – we had a quorum – we had a regular City Council Meeting. We voted the way we wanted to vote. You often times told us that it's up to you. We are the legislative body. It is up to us. We knew the opinions of people, including you, Mr. Mayor. We knew what your opinion was on this issue, and we could see what was going to happen. Sometime between the time that vote was taken and the simple vote was taken, the alderman who was absent showed up. I understand that during that period of time he changed his mind. He was going to be a vote on the winning side of that issue.

Mayor Bennett, alderman, I don't know that. There were other aldermen up here that changed their mind or at least indicated they were going one way and changed their mind too. That's really not germane to the issue. A legislative body in session, (inaudible) the issue up and down. My point last week is that if the alderman had been at that last meeting, I don't know how he would have voted, but he was not here, and he did vote and it was a full Council vote. That was my only point.

Ald. Kleefisch, (inaudible) every consideration was given to overturn our original vote, allowing that alderman to show up two weeks later to vote on that issue and that (inaudible) into your lap. It was a tie vote so it's your decision now and you made your position perfectly clear, publicly.

Mayor Bennett, (many voices talking) there were aldermen on this Council, and even when the original issue came up on gaming in the first place, there were aldermen who have switched position from then too. People change their mind and people vote differently. (inaudible) took place to allow gaming. I did not break that tie. That was done by majority of the City Council. So again, obviously, people have changed their minds since then.

(many voices talking)

Ald. Knox, what you're saying is that people are flipping their vote or changing their minds.

Mayor Bennett, I didn't say that.

Ald. Knox, I am not flipping a vote here, and so again, Ald. Stratton put a note in my box, copying notes from the original vote. I said it then and I will say it again, my idea in the beginning to allow gaming in the city was, we knew towns around us were allowing it. Worth was allowing it. Chicago Ridge was allowing it. Bridgeview was allowing it. We had business people come up here, who were established businesses – we had the bowling alley come up, some of the restaurants come up and say we need this or we will close our doors. If you don't allow this next to towns around us who are allowing it, we will close our doors. My mode then was to say, we have to give our businesses a fair shot in keeping themselves open if this is what they want to do. In my heart that was the right vote at the time, (inaudible) there was some people who voted no on that. That was my point on voting yes to that ordinance was to allow the established businesses in town a chance to keep up with the towns that were around us. If the towns around us were not allowing gaming, I don't think I would have voted that way. Then, why are we going to have a business person up here telling me if they want to go to play these games, they are going to go next door. That was my vote. I didn't change my vote to now say gaming is not okay. I think the idea of these cafes is ridiculous. I think the idea that we are allowing – we are changing our whole idea about what can be served as far as food. In this town we have always said, you have to have more food than liquor. Now all of a sudden we are saying there's nonsense in here about you don't even have to have even like a stove, that you can have a microwave to serve food. What are we doing as a city? If nothing more, if you want to allow this stuff, at least make it into an establishment where you are not calling it a café. You are calling it whatever you want to call it. Again, that's my vote. So if somebody wants to explain my vote saying I changed the idea of gaming, I didn't. That was the difference in the two.

Ald. Pasek, I agree with Joan. That's my vote. I voted yes on the first so that we would be equal with the surrounding communities and to increase to these cafes was just too much and that's why I didn't change my vote, I just adjusted it to where we would keep the casino gambling that we have and not keep going on with more and more, because the next thing is going to be somebody is going to come up and want another café and then it's going to be brought up and it will be 5 to 5 again, and there will be another café and then another and when will it stop?

Mayor Bennett, as I explained to this City Council when it was approached by local businessmen to bring up the concept of cafes which goes back almost six months ago or longer, I indicated to this Council that if it were to consider it, that it was certainly in a café situation limited. I said this a thousand times. As it turns out with the gaming licenses that were allowed in this City, as it turns out, only five took up that opportunity. So is there over proliferation? No. We have one of the lowest revenues coming out of gaming, we have the lowest number of restaurants that have gaming and by the way, a new restaurant opening up in town could also have gaming. So it doesn't necessarily have to be the original business people that came forward. We are talking about two or three cafes. It is competitive out there in the other towns/communities. It is not been over proliferation. We are back to the same issue here and what concerns me is because it has been such an emotional issue, that now we are talking about whether or not Councils can vote on issues or not, and that's wrong, Marty. I am telling you right now that it's wrong. This City Council, at any time, has that right, and I would respect the right of every alderman in this Council to bring up an

issue and have a right to vote on it. Whether you've changed your mind or didn't change your mind, or found out something new about an issue, you bring it back to this Council for consideration of a vote. You have the right to do that. Because there was not an alderman on the original vote, that's why this is where it's at now. If the alderman had been here two weeks ago, maybe he would have voted for it, I don't know, maybe he wouldn't. Whatever that vote was two weeks ago, if all the Council was here, that would have been the vote. I think that once that vote took place, it would have been over with. We wouldn't be talking about re-votes, but he wasn't there. Whether the alderman who brought it up should have waited until everybody was there, I don't know. Everybody has that right to do that. Usually when you bring up a vote, you kind of know how the vote is going to go ahead of time by talking to people and certainly the multiple conversations over this subject that has taken place over six months has been exhausting. I think everybody knows how they stood in this.

Ald. Brachman, you have answered my question, and I thank you.

Mayor Bennett, is this going to come up again for more conversation.

Ald. Brachman, the question wasn't specifically those issues. The question was if this comes up in the future on changing a vote and you have answered it.

Ald. Schultz, I would like to discuss super-majority. I think maybe we need to discuss this. I am very upset.

Mayor Bennett, you don't change the entire legislative process because of one issue that you don't agree with, because I guarantee you, that you will bring up an issue, anybody can bring up an issue in the future, and if you are going to require super-majority of this Council, let me tell you, you are not going to be happy with it. I sit on five different boards throughout the metropolitan area and a lot of them have super-majorities that are created by state statute, not because the organization wanted it, but when they created the organization, they put that stipulation on there and, believe me, it makes the legislative process very, very difficult, including the General Assembly itself. You will see why they are in an (inaudible) because they are beyond the simple majority – they are in a super-majority situation. You talk about clogging up government in the process, you certainly do that with some type of super-majority which I still don't think (inaudible)

Ald. Pasek, what is the total number of cafes that you would say is okay.

Mayor Bennett, I think I have said to the Council two or three. It's always been that. Two came in, so if you want to issue another one. Somebody asked me that question before. It's not going to bother me, personally. This isn't personal but I have said from day one, regarding the rules and we were talking about two or three.

Ald. Lebarre, on another note, Mr. Mayor, the other night I was at one of the local restaurants and there was a small issue with an unsavory gentleman there, and I just want to compliment the police department. They were there within 30 seconds and handled the situation. Thank you and thank you to the officers.

Ald. Kleefisch, my point is that I disagree with the whole process that developed and I am upset with that and I think it was wrong and I know you can interpret Robert's rules the way you wish to interpret them because they are not easy to read, but my interpretation was that a move to reconsider should have been made by someone from the winning side because there was some new evidence for something that we missed that should have been part of the original discussion. This time, and I have never seen this happen before, and I have been on the losing side of many votes. I have never seen the losing side come back and at the very next meeting and make the same motion again for the same thing that was just voted down two weeks before. I have never seen that happen.

Mayor Bennett, first of all, Robert's Rules only talks about reconsideration during a meeting. They don't talk about the next meeting. The only thing it involves the next meeting as if the Council passes something and for some reason, I veto something, that has to take place at the next meeting, but in a Robert's Rule consideration is only during the operating (inaudible).

Ald. Kleefisch, that's not the way I read it. I will show you what I read, Mr. Mayor.

City Attorney Pappas, Robert's Rule is also discussed as a decision repealed in a (inaudible) only – a legislative body's action (inaudible) there is a provision in Robert's Rules that specifically addresses that issue. It's different for (inaudible). I also did a little research and contacted the Illinois Municipal League, the attorneys, and they indicated to me, it took some time but they got back to me and said a legislative body has the authority to review and annul a prior action.

Ald. Kleefisch, we didn't review anything. There was no discussion. There was a motion to take a vote. There was no discussion.

Mayor Bennett, the fact there was no discussion, Alderman, it is up to this body to discuss it. You could have raised your hand or somebody else could have raised their hand to discuss it.

Ald. Kleefisch, I did.

Ald. Lebarre, there was discussion.

Ald. Kleefisch, I asked a question as to why I was being re-voted, that's all I asked.

Mayor Bennett, as I recall initially two weeks ago when the alderman brought the issue up and put it before the City Council, there was no conversation. It was voted down so there wasn't even conversation at that point. Check the minutes. The conversation took place two weeks ago when the issue was brought back up.

Ald. Kleefisch, I asked my question because I thought there was something new was going to be brought up, but that's not what happened.

Mayor Bennett, I will say it and you can check the minutes, this issue has come up in the past, especially with zoning matters, rethinking an issue on a zoning matter that was brought

back up in the past and reconsidered after a petitioner came before the City Council including this case, and the Council changed their mind on their vote for plan commission consideration. So it has happened. It obviously wasn't as contentious as this, but it has happened in the past. Certainly recommendations that came even from the ZBA and Gene in the past whatever was reconsidered where the Council had to vote on it because it was beyond the prevue of the ZBA Board or as we corrected that, we now want them to make a recommendation because of that situation about not getting all the information or needing more information. So it has happened in the past.

Ald. Kleefisch, that was the general consensus of a governing body. It wasn't the losing side bringing it up for a re-vote.

10) REPORTS OF SPECIAL COMMITTEES: No report.

11) **UNFINISHED BUSINESS:** No report.

12) MISCELLANEOUS BUSINESS: No report .

13) ADJOURNMENT:

No further business, Mayor Bennett entertained a motion to adjourn. SO MOVED
By Ald. Stratton. SECONDED by Ald. Pasek. By voice vote, all voted AYE.

The Meeting adjourned at 7:43 p.m.

Submitted by

Rudy A. Mulderink
City Clerk
City of Palos Hills