AGENDA
President and Board of Trustees
Village of Arlington Heights
Committee-of-the-Whole
Community Room
Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005
February 8, 2016
7:30 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL OF MEMBERS

IV. NEW BUSINESS

A. Proposed Amendments to the Various Sections of the Arlington Heights Municipal Code

B. Administrative Adjudication - Proposed Expansion

V. OTHER BUSINESS

VI. ADJOURNMENT

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact David Robb, Disability Services Coordinator, at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, (847)368-5793 (Voice), (847)368-5980 (Fax) or drobb@vah.com.

Item: Miscellaneous Code Amendments

Department: Legal

Periodically, Staff reviews the Village Code to find areas that are out-of-date, or otherwise warrant reconsideration. We have conducted such a review and would like the Village Board to discuss some possible amendments. Some of these changes are simply clean-ups and some are more substantive. Set forth in the attachment is each proposed change and the reason for the change. The Code language is in purple, with language to be added highlighted in yellow and language to be deleted shown by strikeout.

The sections proposed to be amended are:

Section 2-204	Village Board Meetings
Section 2-206	Village Board Rules of Procedure
Section 3-102	Village Manager Powers and Duties
Section 8-202	Facilitating the Use of Alcoholic Beverages by Underage Persons
Section 12-1010	Notice Regulating Soliciting and Peddling
Section 13-501 and 13-503	Liquor Classification and Hours of Operation
Section 19-101a	Definitions, Approved Solid Waste Container

Conclusion

At this time, Staff is looking for direction as to whether the Board wants to move forward with each of these proposed amendments. An ordinance amending the Code will be prepared as appropriate for a future Village Board agenda.

ATTACHMENTS:

Description	**Type**
Proposed Code Amendments	Agreement

1. **Section 2-204 Village Board Meetings**: The proposed amendment will move Report of the Village Manager to earlier in the agenda, prior to Appointments and Petitions and Communications. As there are items similar to New Business items placed under this category, it makes sense to move it to that part of the Agenda, after New Business. Additionally, the title for the section with the legal items will be changed to Legal, to match the actual agenda format that has been used for many years.

Section 2-204 Village Board Meetings. The following shall be the procedures for Village Board meetings:

a. Order of Business. The Order of Business to be observed at all meetings of the Village Board shall be as follows, except that a majority vote of all Trustees present may suspend the following order of business:

I. Call to Order
II. Pledge of Allegiance
III. Roll Call of Members
IV. Approval of Minutes
V. Accounts Payable
VI. Recognitions and Presentations
VII. Public Hearings
VIII. Citizens to be Heard
IX. Old Business
X. Consent Agenda
XI. Approval of Bids
XII. New Business
XIII. Legal ~~Ordinances and Resolutions~~
XIV. Report of the Village Manager
XV. Appointments
XVI. Petitions and Communications
~~XVII. Report of the Village Manager~~
XVII. Adjournment

2. **Section 2-206 Rules of Procedure**: The proposed changes either modernize a Rule (e.g. in Rule 3, changing the reference from journal to minutes), change a Rule to make it consistent with current practice (renumbered Rule 4) or deleted Rules in their entirety to make the Rules consistent with current practice (Rules 4, 6, and 10).

Section 2-206 Rules of Procedure. The following rules of procedure shall govern the conduct of all meetings of the Board of Trustees, although these rules, other than those prescribed by statute, may be suspended at any time by the consent of a majority of the Trustees present at any meeting.

Rule 1. The President shall decide all questions of order. In all cases where these rules are not applicable, the Board shall be governed by parliamentary law as laid down in Roberts' Rules of Order, as revised.

Rule 2. Trustees discussing a question shall address the President, and no Trustee has the floor unless recognized by the President. No person can address the Board unless recognized by the President.

Rule 3. A roll call vote of yeas and nays shall be taken and recorded ~~on the journal of proceedings~~ in the minutes for all ordinances or propositions which create any liability against or obligation on the part of the Village or for the expenditure or appropriation of its money, and in all other instances where a request for a roll call vote ~~therefor~~ is made by any Trustee. This rule shall not apply to any items included in the Consent Agenda.

~~Rule 4. All resolutions and amendments shall be reduced to writing at the request of the President or any Trustee, and shall be handed to the Village Clerk who shall read them to the Board.~~

Rule 4 ~~5~~. ~~Standing and~~ Special Committees~~, to whom references are made~~, shall ~~in all cases~~ issue written reports stating their findings and conclusions. ~~in writing a statement of facts with their opinion~~. Special Committees may consider only such matters as are referred to them by vote of the Board of Trustees or by the Village President.

~~Rule 6. Any report to the Board shall be deferred, for final action thereon, to the next regular meeting of the Board after the report is made, upon the request of any two Trustees present.~~

Rule 5 ~~7~~. The vote upon the adoption of an ordinance, motion or resolution of the Board may be reconsidered at the same meeting at which the vote was taken or at the next regularly scheduled meeting on motion of any Trustee not present at the time such ordinance, motion or resolution was adopted, or on the motion of any Trustee previously voting on the prevailing side of such ordinance, motion or resolution, but no ordinance, motion or resolution shall be rescinded except by the same number of votes which were required to pass the matter sought to be reconsidered.

If a request for reconsideration of any matter signed in the manner of election petitions by at least one percent of the registered voters as computed at the last general election at which Representatives to the United States Congress were elected, is presented to the Village Clerk prior to the next regular meeting of the Board of Trustees following the action taken, which meeting shall be at least two weeks later,

the Board shall reconsider such matter in the same manner as if a motion to reconsider had been made by a Trustee voting on the prevailing side of such ordinance or motion, whether or not the matter was reconsidered previously. Final action shall be taken at that meeting on all matters reconsidered.

Rule 6 ~~8~~. When a question is before the Board, no motion shall be in order but the following: 1) to adjourn; 2) to lay on the table; 3) the previous question; 4) to postpone definitely; 5) to postpone to a certain time, and 6) to amend. These motions are privileged and have precedence in the order in which they succeed each other in this rule. Motions to adjourn, to lay on the table and for the previous question shall be decided without debate.

Rule 7 ~~9~~. A motion to adjourn is always in order except: 1) when a member is in possession of the floor; 2) when the yeas and nays are being called; 3) when the members are voting; 4) when adjournment was the last preceding motion; or 5) when it has been decided that the previous question shall be taken.

~~Rule10. All persons appearing before the Board shall make such appearances only in their own behalf or as a member of some civic, municipal, religious, business or neighborhood organization. All persons may also be represented before the Board by their attorneys.~~

3. **Section 3-102 Powers and Duties**: The proposed change increases the Manager's authority to approve expenditures without prior approval from the Village Board from $10,000 to $20,000. In August 2005, the State Statute on purchasing was amended to increase a Village Manager's authority from $10,000 to $20,000. All of the surrounding villages (Buffalo Grove, Mount Prospect, Palatine, and Schaumburg) adopted this new limit for their Village Managers. This change will make the authority consistent with the State statute and that of the Managers' of the Village's neighbors. The attached memo from Finance Director Tom Kuehne explains the reason for this proposed change in more detail.

Section 3-102 Powers and Duties. The powers and duties of the Manager shall be:

g. Make Purchases for Departments; Board Approval. To make all necessary purchases of supplies and equipment for all departments in the Village and for that purpose the Manager is authorized to make expenditures of ~~$10,000~~ $20,000 or less without preliminary authorization by the Board; provided, however, that all expenditures and payments, regardless of amounts, shall be subject to approval by the Board of Trustees.

I N T E R

O F F I C E

MEMO

To: Randy Recklaus, Village Manager

From: Thomas F. Kuehne, Finance Director/Treasurer

Date: February 4, 2016

Subject: **PROPOSED FORMAL BID REQUIREMENT CHANGE**

Over the last year the Finance Department has reviewed and analyzed the effects of increasing the Village's formal bid requirement from $10,000 to $20,000. According to Section 3-102 (g) of the Municipal Code, the Village's current formal bid requirement provides that, "…the (Village) Manager is authorized to make expenditures of $10,000 or less without preliminary authorization by the Board; provided, however, that all expenditures and payments, regardless of amounts, shall be subject to approval by the Board of Trustees." Purchases with a value greater than $10,000 are processed by competitive sealed bid/proposal. Upon receipt of the bids/proposals, the proposed purchase is submitted for approval to the Village Board.

In October 1989, the Village passed an ordinance to increase the formal bid limit from $5,000 to $10,000, which the Village is still currently adhering to. By using the U.S. cumulative rate of inflation of 89.3% from 1989 to 2015; if in 1989 the Village purchased an item for $10,000, that same item would cost $18,929.19 in 2015.

In August 2005, Public Act 094-0435 was signed into law amending State Statute 65 ILCS 5/8-9-1 giving municipalities the ability to purchase goods up to $20,000 without pre-approval of their governing board. The prior purchasing bid limit listed in the State Statute was $10,000.

The Village surveyed 73 municipalities scattered throughout Illinois for their formal bid purchasing authority:

	# of Municipalities	% of municipalities surveyed (73)
$10,000 and below	20	27%
$10,001 - $19,999	2	3%
$20,000	41	56%
Above $20,000	10	14%

According to the Village Purchasing Division's records, below is some information regarding formal bids and contracts for the past three full fiscal years:

FY2013	FY2014	FY2015

Total # of Board Approval items (bids/contracts)	78	111	98
# of Board approval items under $20,000	17	24	17
% of Board approval items under $20,000	22%	22%	17%
Total $ of Board Approval items (bids/contracts)	$12,115,338	$15,339,250	$14,313,978
$ of Board approval items under $20,000	$403,664	$356,206	$246,058
% of Board approval items under $20,000	3.33%	2.32%	1.72%

Looking at the above data, the number of bids/contracts that would no longer need to go through the formal bid process is roughly 1 out of 5 bids. However, the amount of money of all the bids/contracts that would no longer need to go through the formal bid process would only be 2% to 3% of the total amount of formal bids/contracts the Village processes each year.

To give the Village Board examples of the specific purchases that would no longer go through the formal bidding process, the attached bid log shows purchases between $10,000 and $20,000 for FY2015 and the 8-Month transition year. If the Village Board approved increasing the formal bid limit, purchases under this limit would be subject to the Village's administrative informal bidding guidelines. It should be noted that all purchases, whether formally or informally bid, would still need to be approved by the Village Board through its approval of the Warrant Register.

Recommendation

It is recommended that the Board approve a Code amendment to increase the Village Manager's authority for purchases with a value of $10,000 or less to purchases with a value of $20,000 or less without preliminary authorization by the Board. This will bring the Village's formal bid requirement back to the relative value that existed in 1989, once again mirroring State law. It would also bring the Village's formal bid requirement in line with 70% of the 73 surveyed communities, and it would expedite the Village's purchasing process.

Cc: M. Juarez
P. Kereluk
Accounting Manager
Robin Ward

BID LOG

Project Name	Award Information	Award Amount
Fiscal Year 2014/2015		
Executive Recruitment (Village Mgr. Replacement)	GovHR USA	$17,000.00
Morgue transport srvs.	Il Funeral Services	$12,000.00
Aerial Ladder Truck #432 (emergency repairs)	Global Emergency Products	$12,027.00
Konica Minolta copiers 2-ea. 1-color & 1 blk/wht	Konica Minolta	$13,858.00
Influenza Vaccine	FFF Enterprises	$13,674.00
Computers Dell Personal (23 ea.)	Wynndalco	$13,674.00
Morgue transport srvs.	Northern IL Funeral Services	$13,000.00
Vacant properties grass cutting services	Flecks Landscape	$15,000.00
Leaf Hauling & Disposal	K Hoving	$13,500.00
Non-Chloride Liquid Deicer	Wellspring Management $3.975/gallon	$17,490.00
Firefighter Turnout gear drying cabinets "UmiMac"	Washburn Machinery Inc.	$11,500.00
Police and Fire Commission examinations	Selection Works LLC	$14,580.00
Ford Taurus (Building & Health (1 ea)	Currie Motors (ford taurus)	$17,338.00
Athletic shoes for each firefighter	Runners High (not to exceed)	$17,500.00
Hearts of Gold Dinner	Rolling Green Country Club (not to exceed)	$15,000.00
Fire headquarters remodel & inside renovations	Hendricksen Furnitiure	$17,265.00
Barricades Type 1	Osburn Assoc.	$11,652.00
		$246,058.00
Fiscal Year 2015b		
Elevator Inspections	Thompson Elevators	$20,000.00
Dell Computers 37 each	Dell (37 computers)	$18,778.00
Passenger vehicle for Engineering	Currie Motors	$17,338.00
2016 Ford Escape for Engineering	Currie Motors	$19,556.00
Asphalt Track Distributor	Casey Equipment	$19,097.00
ISDN prime service agreement	AT & T	$12,238.00
Plotter replacement	Clifford-Wald	$14,721.00
Influenza Vaccine	IL Public Health Assoc " FFF Enterprises"	$13,176.00
Police K-9 dog	Vohne Liche Kennels	$17,283.00
Public properties grass cutting srvs	TNT Landscape	$20,000.00
Grove Ready Rack Hose Washer	WS Darley	$11,500.00
Firefighter Turnout gear Drying Cabinets (2 ea)	Washburn Machinery Inc.	$11,075.00
		$194,762.00

4. **Section 8-202 Facilitating the Use of Alcoholic Beverages by Underage Persons at Residential Premises.** At the request of the Police Department, it is proposed that the maximum fine amount be increased. The Department believes that a higher maximum fine will serve as a deterrent.

Section 8-202 Facilitating the Use of Alcoholic Beverages by Underage Persons at Residential Premises.

a. It shall be unlawful to deliver any alcoholic beverage to any underage person.
b. It shall be unlawful for any person to permit, on premises under his or her control, the consumption of an alcoholic beverage by an underage person. Any person in control of a premises shall be strictly liable for the consumption of an alcoholic beverage by an underage person on that premises.
c. Paragraphs a. and b. above shall not apply in the following circumstances:
    1. the performance of a bona fide religious service;

    2. the delivery of an alcoholic beverage to an underage person, by that person's parent, within the home and under the direct supervision of the parent. However, the following rule shall be applied to this Subsection:
        a) in any prosecution of an underage person for the commission of any State or local offense, the prosecutor, upon reasonable grounds, may request a ruling and the court shall rule as to whether the consumption of an alcoholic beverage as permitted by the parent was a contributing factor in the commission of the offense. If it is so determined in the affirmative, then the penalty set forth in this Article shall apply.
d. Any person violating any of the provisions of this Section shall be subject to the following mandatory penalties:
    1. a fine not less than $5 nor more than $5,000 ~~$750~~; and
    2. community service, not less than seven days nor more than 30 days, to be served by the minor and one of his or her parents or the person in control of the premises; and
    3. either evaluation of the minor to be conducted by the Central States Institute of Addiction and attendance at classes based on that evaluation or attendance at the Alcohol/Drug Education Deferred Prosecution Program of the Third Municipal District.
e. In addition to the penalties listed in Subsection d. above, any person violating the provisions of this Section may be imprisoned for a period not to exceed six months.

5. **Section 12-1010 Notice Regulating Soliciting and Peddling**: This change simply changes the statement that notices are available at the Village Clerk's office to being available throughout Village Hall, in accordance with current practice.

Section 12-1010 Notice Regulating Soliciting and Peddling. Notice of the determination of the occupant's refusal of invitation to any solicitors or peddlers shall be given in the following manner:

> A weatherproof card, at least three inches by four inches in size, shall be exhibited upon or near the main entrance door to the residence containing words such as those set forth below:
>
> **NO SOLICITORS OR PEDDLERS**
>
> The letters shall be at least one-third inch in height. Cards are available throughout Village Hall ~~from the Village Clerk's office~~ at no cost. A card exhibited at a residence shall constitute sufficient notice to any solicitor or peddler of the occupant's refusal to allow solicitors or peddlers.

6. **Section 13-501 Classification and 13-503 Hours of Operation**: This change is to eliminate remaining references to a Class "F" license. This license was created in 1977 for Arlington Park. Several years later, the Track started receiving Class A licenses. There are only two remaining references to that classification.

Section 13-501 Classification. Licenses issued hereunder shall be divided into one of the following classes (reletter subsequent sections):

~~j. Class "F" licenses which shall authorize the retail sale on the premises specified of alcoholic liquor only for consumption on the premises where sold. Such license may be issued and retained only for premises which are utilized for a total of at least 150 dates per year for outdoor commercial sporting events of which at least 50 such dates are for night time outdoor commercial sporting events.~~

~~The annual fee for such license shall be $200,000; provided, however, that in the event more than 84 night commercial sporting events take place on the premises, there shall be an additional charge of $3,000 for each additional night; and further provided that in the event less than 60 events per year take place at night on the premises, there shall be a reduction in the amount of $3,000 for each night less than 60 during which commercial sporting events take place. In the event that there are existing liquor licenses issued for the premises, those licenses shall remain in effect in the same manner as if a Class "F" license had not been issued. Only one such Class "F" license shall be in force at any one time.~~

Section 13-503 Hours of Operation

On the mornings July 4, Memorial Day, Labor Day and Thanksgiving, the sale of alcoholic beverages is permitted as follows:

Class A - 1 AM	Class DD - 2 AM
Class AA - 2 AM	Class E - 1 AM
Class AA Adjunct - 3 AM	Class G - 2 AM
Class B - 2 AM	Class I – 1 AM
Class BB - 2 AM	Daily - Not for Profit – 30 Minutes Before Closing
Class C – 2 AM	Daily – Special – 30 Minutes Before Closing

On the morning of January 1, the sale of alcoholic beverages is permitted as follows:

Class A - 2 AM	Class DD - 2 AM
Class AA - 2 AM	~~Class F - 1 AM~~
Class AA Adjunct - 3 AM	Class G - 2 AM
Class B - 2 AM	Class I – 2 AM
Class BB - 2 AM	Daily - Not-for-Profit – 30 Minutes Before Closing
Class C - 2 AM	Daily – Special – 30 Minutes Before Closing

7. **Section 19-101a Definitions, Approved Solid Waste Container**: This change is just to add landscape waste carts to the list of approved solid waste containers since the new contract with Groot permits the use of such carts.

Section 19-101 Definitions. Unless otherwise expressly stated, the following words or terms, for the purposes of this Article, shall have the meanings indicated in this Section.

a. Approved Solid Waste Container. Garbage carts, landscape waste carts, recycling carts and recycling bins, as provided by the Village's solid waste contractor.

Item: Administrative Adjudication - Expansion

Department: Legal/Police

In mid-December, the Board received a memo explaining the Administrative Adjudication process and stating that the process was being reviewed with an eye towards sending out a Request for Proposal for the selection of a hearing officer and possible expansion of the process. An expansion was anticipated at the time administrative adjudication was approved by the Village Board. (The minutes from the Committee-of-the-Whole meeting where this process was initially discussed in detail are attached for reference.) It is Staff's belief that expansion of the Administrative Adjudication process at this time makes sense.

Since the Administrative Adjudication process was authorized by the Village Board in February 2010, it has been used only for compliance and parking tickets. After discussion with Department Directors, Police Command Staff, and Village Prosecutor Ernie Blomquist, it is suggested that the Administrative Adjudication process be expanded to include citations for other violations of the Arlington Heights Municipal Code issued by any of the following Village Departments: Building and Health Services Department, Finance Department, and Police Department. Use of the Administrative Adjudication process allows offenders to present their case either through the mail or on a Saturday, rather than having to go to court during a weekday. Further, any fines assessed do not include the typical court fees, which can be over $100. Finally, for any fines assessed, the Village retains all of the money.

Among the types of offenses which it is proposed be added to administrative adjudication are those for which Local Ordinance (LO) citations are usually issued. (A list of possible offenses to add to the Administrative Adjudication process is attached.) Whether a specific violator is issued an LO ticket or not is dependent on the nature of the offense. The Village will always retain the discretion to send a case to court.

The following neighboring communities all utilize an administrative adjudication process: Buffalo Grove, Des Plaines, Hoffman Estates, Mount Prospect, Palatine, Park Ridge, and Schaumburg.

In terms of costs, in 2015, there were 1,472 requests for an administrative adjudication hearing. Of those, 1,086 were by mail and 386 were in person. A total of $29,850 in fines was collected. The hearing officer was paid $10,687.

At this time, Staff is looking for direction as to whether the Board is interested in expanding the Administrative Adjudication process. Before the expansion could actually take place, the Village Code will need to be amended. Further, Staff would like to send out an RFP for a Hearing Officer. An RFP was not used for the initial hiring of a Hearing Officer.

ATTACHMENTS:

Description	Type
Possible Offenses for Administrative Adjudication	Exhibits
Committee-of-the-Whole May 11, 2009	Minutes

POTENTIAL ADDITIONAL OFFENSES FOR ADMINISTRATIVE ADJUDICATION

The list below is not exhaustive – it lists the kinds of offenses or violations that may be subject to adjudication:

General Offenses:

- Retail Theft
- Truancy
- Underage Consumption/Possession of Alcohol
- General Drug Offenses
- Noise
- Curfew
- Violations at schools located in the Village
- General Offenses Against Property
- General Offenses Against Public Peace and Safety
- General Offenses Against Morals
- Gambling Offenses
- Tobacco Sales to a Minor
- E-Cigarette Sales to a Minor
- Smoking in Public Places
- Failure to Pay Prepared Food and Liquor Tax

Nuisance Violations:

- Garbage Storage or Put out Too Early
- Cars on Driveways without Current Registration/Expired Plates
- Cars/Recreational Vehicles Parked On Lawn or Gravel
- Tall Grass and Weeds
- Address Numbers Not Posted
- Illegal Storage/Nuisances
- Health Sanitation

Property Maintenance Violations on Various Types Of Property:

- Residential Exterior Property
- Rental Property Interior and Exterior Violations
- Commercial/Industrial Exterior and Interior
- Landscape Plan Maintenance
- Cutting Down a Parkway Tree without Prior Village Approval
- Failing To Remove Dead Trees from Property
- Fire Prevention Housekeeping
- Garbage Dumpster Storage
- Garbage Enclosure
- Certificate of Occupancy
- Business License
- Illegal Signs
- General Zoning Code Violations
- Building, Plumbing, Electrical, Mechanical, etc. Violations Relating to a Permit
- Drainage

Amendment to Chapter 18 Providing for an administrative Adjudication Program (4)

Chief Mourning explained this is a program that would divert parking citations and minor traffic citations from the Courthouse to an administrative hearing process that would be held twice a month at Village Hall. He continued by saying there were two immediate advantages for our residents, one is a convenience factor of having one hearing on a Saturday and another during the evening hours at Village Hall. The other advantage is the amount of staff's time saved on listening to the people who want to explain why they shouldn't have received a ticket. By referring them to the administrative process, it would be time saving and consistent when the same hearing officer will hear the merits of their arguments on a regular basis.

Chief Mourning talked about types of tickets that clog up the courts such as seatbelt violations and parking cases that usually get dismissed. He went on to say that this program has the potential to be expanded to other types of code violations. He believes this program can be done in a very cost effective way and said that this program cannot be implemented today but are asking for an enabling legislation so that funding can be secured through the upcoming budget process. He said it needs to be done in conjunction with updated parking ticket management software and is looking at doing this by the spring of next year.

Trustee Rosenberg asked what process of appeal would be on the administrative person. Chief Mourning stated that if you are unhappy with the disposition with the administrative hearing, you still would have the opportunity to take this to the courthouse.

Trustee Rosenberg asked if this program would pay for itself and Chief Mourning said he believes it would. Trustee Rosenberg also asked if it could be done without the software management system for the less relevant violations until the project gets to the point where it is generating enough funds to cover the costs for itself by the fees collected.

Chief Mourning said the difficulty is that this is so labor intensive now, it would be impossible and would be create a nightmare for themselves without modern updated parking ticket management software. He would assume wait and do this right.

Trustee Rosenberg thought it can be started out on a preliminary basis of doing only certain types of violations, then expand to ones that can be easily controlled and managed until you get the program up and running.

Chief Mourning stated some additional thought can be given but he does not think it is feasible. He went on to explain why this is a service to our residents. He mentioned the fees the courthouse charges to appeal a parking ticket is $135 for a $20.00 parking ticket and believes it is an injustice to our residents.

Trustee Jensen stated that she has a problem with what is being said it is going to cost. She believes that the fees would progressively go up and sees this as us not making money, but that it will become a bigger project and everything will be eaten up in fees.

Chief Mourning stated that the individual that cited the numbers for this program was referred to us by Ernie Blomquist and this woman has been doing this for Waukegan for the past ten years. He did say that there is a potential for the fees going up and eventually they will and at that time we would have to reevaluate someone doing it for less money or the program.

Mr. Dixon mentioned the current amount of appeals that are received by the Mayor, Chief Mourning and himself becomes labor intensive because it has to go to the Chief, who assigns an officer to find the person to have discussions, reach a resolution and often times a letter needs to be written. He believes this program would be much better for the residents for a number of reasons, particularly a Saturday morning opportunity and thinks we should do this.

Trustee Glasgow said the majority of the tickets that go to court have a mandated fee of $135 that goes to Cook County and the judge usually decides not to punish the person anymore so the fine that is suppose to go back to Arlington Heights does not come back to us and sometimes the judge dismisses them outright. He went on to say that he has seen this program implemented in various communities and

stated that it works great, runs smoothly, the citizens are not as upset as when they go to court, and are able to attend in the evening. He also said the majority of the people doing this are retired judges are retired that do not need the money. He believes it is a wonderful program and is a lot more responsive to the neighbors and it puts the money into the Village.

Ms. Ward stated that the ordinance will need an effective date since it will not be implemented immediately. Mayor Mulder suggested the next fiscal year.

TRUSTEE ROSENBERG MOVED, SECONDED BY TRUSTEE GLASGOW, THAT THE COMMITTEE-OF-THE-WHOLE RECOMMEND TO THE VILLAGE BOARD OF TRUSTEES ADOPTION OF AN ORDINANCE PROVIDING FOR AN ADMINISTRATIVE ADJUDICATION PROGRAM, TO BE EFFECTIVE NO EARLIER THAN MAY 1, 2010, WHICH WILL HAVE PARKING AND COMPLIANCE VIOLATIONS HEARD BY A LOCAL HEARING OFFICER INSTEAD OF THROUGH THE COURT SYSTEM. The motion carried unanimously.

Trustee Scaletta wanted to verify by agreeing with this motion the Board is not agreeing to buying a new computer system for ticketing vehicles. Chief Mourning said no, that it would be done during the budget process and it is their intent is to bring it forward at the appropriate time as the capital budget is being put together this summer.

Trustee Scaletta questioned the salary of $77, 040 for a lawyer and a records clerk. Commander Newman stated it was based on the lawyer at an established rate of $85 per hour, estimating a 2 ½ hour hearing session for each day. He also said there would be additional overtime for the clerk to be present for the evening and weekend session. Trustee Scaletta stated he would like to see other ways other than overtime to pay for the clerk.

Trustee Breyer asked what a compliance violation program was. Commander Newman stated that it was a series of equipment related violations or registration violations such as a defective muffler, an expired license plate sticker. He went on to say that in 1999 or 2000, we adopted a local ordinance with a compliance violation citation and if you were issued that citation for that violation, you have 21 days to repair the defective part or obtain your registration sticker and bring your car back to the police department for reinspection and if there is compliance we take the ticket back without an administrative fee or fine.

Mayor Mulder asked if this process has been working. Commander Newman stated that about two thirds to three quarter of he people come in and show compliance on their vehicles. Mayor Mulder stated that the goal was for safety and not about the money.