

VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orland-park.il.us



Meeting Minutes

Monday, April 21, 2014

6:00 PM

Village Hall

Public Safety Committee

*Chairman Daniel T. Calandriello
Trustees Patricia A. Gira and Kathleen M. Fenton
Village Clerk John C. Mehalek*

CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:46 PM.

Present: 3 - Chairman Calandriello; Trustee Gira and Trustee Fenton

APPROVAL OF MINUTES**2014-0237 Approval of the March 17, 2014 Public Safety Minutes**

I move to approve the Minutes of the Regular Meeting of the Public Safety Committee of March 17, 2014.

A motion was made by Trustee Fenton, seconded by Trustee Gira, that this matter be APPROVED. The motion carried by the following vote:

Aye: 3 - Chairman Calandriello, Trustee Gira, and Trustee Fenton

Nay: 0

ITEMS FOR SEPARATE ACTION**2014-0200 New World Systems CAD Annual Maintenance - Purchase**

Police Chief Timothy McCarthy reported that In 2010, the police department purchased a CAD and records system from New World Systems In Troy, Michigan. The annual maintenance fee for the software to include upgrades is \$147,373.00. The total payment is a 50/50 split between the village for the records management system and the Orland Joint Emergency Telephone Board (911) for the dispatch system for the period 7-1-14 through 6-30-15. The village portion has been budgeted for in the MIS budget under line item 010-1600-443610.

I move to recommend to the Village Board to approve payment of \$73,686.50 to New World Systems (NWS), Troy, Michigan for the village share for the annual maintenance fee for the New World System CAD software.

A motion was made by Trustee Gira, seconded by Trustee Fenton, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Calandriello, Trustee Gira, and Trustee Fenton

Nay: 0

2014-0189 Disposal of Certain Seized Vehicles at Public Auction - Recommended Ordinance

Chief McCarthy reported that the Police Department requests that the Village declare two (2) forfeited vehicles described herein as excess property and dispose of at public auction. The vehicles were seized by the department and

forfeited to the Village by the Circuit Court of Cook County from a driver who was driving their vehicle while their license was suspended for DUI.

The vehicle is described herein as follows:

2001 Ford Explorer 1FMYU70E91UB02852

I move to recommend to the Village Board to approve an ordinance entitled: ORDINANCE AUTHORIZING DISPOSAL BY PUBLIC AUCTION OF PERSONAL PROPERTY (VEHICLES) OWNED BY THE VILLAGE OF ORLAND PARK, ILLINOIS

A motion was made by Trustee Fenton, seconded by Trustee Gira, that this matter be RECOMMENDED FOR PASSAGE to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Calandriello, Trustee Gira, and Trustee Fenton

Nay: 0

2014-0215 Intergovernmental Agreement between Consolidated School District 230 and the Village of Orland Park for a School Resource Officer

Chief McCarthy reported that the police department has been supplying a School Resource Officer (SRO) at Carl Sandburg High School for nearly ten years. The collaboration between the staff, students and the SRO has helped to provide a more secure learning environment and provides the staff with police assistance as needed.

An intergovernmental agreement was recently created to formalize the relationship with School District 230 and Carl Sandburg high School which call for a reimbursement payment of \$90,000 annually to the Village of Orland Park for the services of the SRO. It may be terminated with 30 days notice by either party.

I move to recommend to the Village Board to approve the Intergovernmental Agreement between Consolidated School District 230 and the Village of Orland Park providing for a School Resource Officer and to authorize the Mayor and Village Clerk to execute the agreement.

A motion was made by Trustee Gira, seconded by Trustee Fenton, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Calandriello, Trustee Gira, and Trustee Fenton

Nay: 0

2014-0220 Illinois Law Enforcement Alarm System Mutual Aid Agreement

Chief McCarthy reported that the Illinois Law Enforcement Alarm System (ILEAS), Mutual Aid Agreement is part of the state law enforcement communities response

to natural or man-made emergencies or disasters. The alarm system allows law enforcement agencies to quickly and efficiently receive assistance from surrounding agencies in accordance with pre-planned levels of response.

The police department has been a member of ILEAS since 2002. The annual membership dues for ILEAS in 2013 was \$360.00 and remains the same for the year 2014. This request is for the renewal/adoption of a new Mutual Aid Agreement.

I move to recommend to the Village Board to approve renewing the Illinois Law Enforcement Alarm System Mutual Aid Agreement

and

Recommend authorizing the Mayor and Chief of Police to execute the agreement.

A motion was made by Trustee Fenton, seconded by Trustee Gira, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Calandriello, Trustee Gira, and Trustee Fenton

Nay: 0

2014-0225 Commercial Breeding Establishments Policy Discussion

Chairman Daniel Calandriello reported that as directed by the village board, a discussion item on the subject of regulation of businesses that utilize canine commercial breeding establishments (CBEs), aka "puppy mills," has been placed on the agenda. Staff has prepared a summary of the policy issues raised by this topic, and a copy of that summary is attached. As outlined, this discussion item will be part of the initial fact-finding effort by the Public Safety Committee. Upon conclusion of this phase, the committee may consider action by ordinance as early as the May 19th regularly scheduled committee meeting. Such recommended action, if any, may then be referred to the Village Board for consideration as early as June 2, 2014.

Chairman Calandriello stated that there are three options. The first being to opt out and do nothing, the second being to opt out and make an Orland Park ordinance, or the third being to let the county ordinance pass through and become the law.

Trustee Gira stated that there is no legal definition of a puppy mill. She added that when people hear the term there is a negative connotation and a puppy mill is really a large scale commercial breeding establishment. She commented that the best known ones are the horrible examples that many see pictures of and believed that it would be good to have the discussion in order to allow people to give

testimony and evidence of their experiences. There is one store in Orland Park that would be impacted by any changes that may go into effect.

Ron Berning representing Happiness is Pets stated that according to HSUS and ASPCA it is not the size, but the care of the animals. It is generally overcrowding, unsanitary, no exercise, inadequate care, caged, etc. He stated that he has never been totally happy with USCA and that all of Happiness is Pets breeders have been licensed and inspected. He added that they have only used those breeders by law. He commented that in the last three years 343 puppies were sold to Orland Park residents, 34% being referrals from repeat customers. He stated that about three years ago, they provided financial assistance to some breeders in Indiana. Those breeders agreed to tear down their buildings and put up new buildings to the specifications of Happiness is Pets. Those specifications included larger indoor pens on the ground that were 3 to 4 times larger than USDA requirements and outdoor runs that allows the dogs to go outside anytime. He stated that if you go into his store today, you would see that he is thin on dogs because he is only getting dogs from these new facilities. He added that he just raised his prices to breeders in order to ensure that breeders follow the specifications that Happiness is Pets wants. He went on to say that Lori Lynn is a USDA inspector from northern Indiana and that she told his son, who deals with the breeders that she was so happy to see all the new kennels. He reported that the Amish are complying with what he wants and they are building the beautiful buildings for the animals. He stated that he would be happy to take anyone to see the buildings and that they are nowhere near what a puppy mill is. He went on to talk about Dr. Candice Coney, the Director for Purdue University's Center for Animal Welfare Sciences. He stated that she is working with ICAW (Indiana Council and Animal Welfare), which has a strict code of ethics for dog breeders. Dr. Coney is working with them on a two year study to see if there is more that can be done in Indiana that has not already been done. He mentioned that there was an article in the paper recently regarding a breeder in Peotone who was suspected to have a puppy mill. He stated that if Happiness is Pets is taken away people will start raising dogs in their basement because they will not have to answer to anyone.

Trustee Gira commented that she pulled the website up from ASPCA which defined a puppy mill as a large scale commercial dog breeding operation where profit is given priority over the well-being of the dogs. She added that it does not talk about conditions.

Mr. Berning asked what the ASPCA terms as a large scale commercial dog breeding operation.

Trustee Gira stated that she could not go beyond the definition that the ASPCA has.

Cari Meyers of 2238 N. Southport Ave., Chicago, IL and founder and President of

the Puppy Mill Project stated that she was involved in the passage of the Companion Animal and Consumer Protection Ordinance in the City of Chicago and Greater Cook County. She went on to say that she was at the meeting to get support of the ordinance. It was written for several reasons including protecting the consumer from fraud when they go to a pet store. She commented that there are many families that are experiencing heartache due to buying dogs that become sick because they are from puppy mills. It also tearing families apart financially trying to treat puppy mill dogs. She commented that puppy mill dogs are inbred dogs and that it is about protecting the puppies and their mother and father. Ms. Meyers stated that it is about the dogs that are left behind and that never come out of a cage to socialize throughout their lives. She commented that she currently owned a dog that was a mill dog in a cage for 8 years. The dog does not even know she is a dog, does not know how to play, and is scared when someone tries to pick her up as a result of her treatment in a puppy mill. She added that she is not speaking to try and put people out of business, but to encourage them to go to a humane business model and source their dogs from humane places. She stated that Indiana and Indiana Amish are at the top of the list and support Mr. Berning and his store, which are the Amish mills that are the cruelest of the cruel. The Puppy Mill Project investigates and tracks Indiana and is currently like the wild west. She added that she did not care how Mr. Berning sugar coated it because they are puppy mills and there is no such thing as a good puppy mill. Ms. Meyers questioned why dogs are being imported by the thousands into Illinois every year and then euthanized at the tax payer's expense because the supply and demand do not match. She added that it is a different ballgame than it used to be. It is breeding for profit which trumps any type of vet care, socialization and humane treatment.

Chairman Calandriello asked who would be enforcing and ordinance that may come about regarding puppy mills.

Chief Timothy McCarthy stated that it had not been decided yet, but it would fall somewhere between Development Services and the Police.

Manager Paul Grimes stated that it depends on the way the ordinance is written and adopted. He added that it is very likely a code enforcement matter, but can be escalated to a police matter as well.

Chairman Calandriello asked if it was safe to say that Orland Park does not have any mechanisms in place unlike Cook County who does.

Chief McCarthy stated that he has not reviewed Cook County's ordinance, but if it would require travel to other states, Orland Park would not have enforcement authority there to begin with. However, the police would have enforcement authority here.

Manager Grimes commented that there was a lot of research done in regards to

this topic. He stated that it is not clear that the county has established and enforcement mechanism yet. He added there are many analogs throughout the country that the village could draw upon.

Dianne Arp, the Chicago Outreach Coordinator for the Companion Animal Protection Society (CAPS) which is a nationwide non-profit organization that investigates puppy mills and pet store like Happiness is Pets stated that aside from the HSUS, CAPS is the only non-profit organization that has their own investigators that go into the puppy mills and get film footage of the puppy mills. She added that the CAPS organization was instrumental in passing the pet care disclosure law that requires all pet stores to post information about their dogs and that Happiness is Pets uses a puppy miller that was cited for dogs having bulging eyes. She also stated that the dogs have sores on their feet from being in wire cages and cages with grime and diarrhea. Ms. Arp said that Happiness is Pets also uses another breeder out of Milburry Indiana who was cited for animals being in pain and not being treated. Another breeder used was cited for not having their animals protected from the elements. She stated that Mr. Berning is not supplying the name of the breeders hoping that people will not do research for the ban to be passed and that Happiness is Pets stores are being sued for fraud and deceptive business methods. She commented that her organization has spoken with hundreds of people who have purchased sick puppies from Happiness is Pets. She went on to say that genetic conditions are also found with puppy mill dogs and explained what those conditions may be. She stated that her organization is not about putting people out of business, but getting them to adopt a humane business model. She asked that the ban would please be passed.

Kristen Kaminski of 4 Todd Court, Manteno, IL stated she supports the ban and that she bought her dog Roxy from Happiness is Pets in Orland Park. Since then her dogs has had a number of health issues. One being that she is hyper-glycemic. She also has genetic problems that require surgery. She stated that in 2011 her dogs breeder, Gina Westercamp, had 63 puppies and 76 adult dogs which sounds like a puppy mill to her.

Ida McCarthy, also from CAPS, stated she had spoken with over 250 people that have purchased sick and dying dogs from Ron Bernings store and is still getting complaints. She left an article for the Board to read titled "Dancing with the Devil: A Puppy Mill Retailer".

Juli Hallett of 14650 Westwood Drive stated she is for a ban on puppy mills and that she has had three rescue dogs.

Amanda Rambo of Orland Park stated that she wanted to address that comment from Mr. Berning regarding it being great if people want pure bred or sheltered dogs. She commented that she works with a rescue organization which has pure bred dogs and people can find just about any type of dogs there instead of going to a pet store that uses puppy mills.

Dee Santucci from the Puppy Mill Project stated dogs being used in puppy mills are tired from breeding their entire lives. She asked what happens to those dogs who cannot produce puppies anymore. She stated that there are most likely not any attempts to find them adoptive homes.

Mr. Berning commented that if a dog is purchased from his store that has hip dysplasia he pays for the corrective surgery within in two years. He stated that he had one dog owner this year out of 5 stores that took the puppy lemon law over his warranty. He stated that if his puppies were not good he could not afford his warranty. He also commented that almost all of his dogs from Indiana have been genetically tested.

Trustee Fenton stated she was glad that everyone voiced their opinions and that all her dogs have been pound dogs.

Donna Block asked why Ron Berning requires the dog be taken to his vet and not the pet owners vet. She stated that she purchased a dog from Happiness is Pets that is now very sick. She went on to talk about how her dog developed kennel cough and that she has no paper work from his vet.

Chairman Calandriello thanked those who spoke and that it was meant to gather information to see what Orland Park will do regarding this matter. He stated that anyone who wanted to share more information should contact that village and that the conversation would continue to the next committee meeting.

This item was for discussion only. NO ACTION was required.

ADJOURNMENT: 7:25 PM

A motion was made by Trustee Fenton, seconded by Trustee Gira, that this matter be ADJOURNED. The motion carried by the following vote:

Aye: 3 - Chairman Calandriello, Trustee Gira, and Trustee Fenton

Nay: 0

/AJ

Respectfully Submitted,

\John C. Mehalek, Village Clerk