

Minutes of a **REGULAR MEETING** of the  
**PRESIDENT and BOARD OF TRUSTEES**  
Village of Evergreen Park, Cook County, IL  
**Monday, August 2, 2010**

**CALL TO ORDER** The meeting was called to order at 7:30 P.M. by Mayor Sexton in The second floor Council Chambers of the Village Hall.

**ROLL CALL** Clerk Aparo was asked to call the roll with the following results:  
Physically Present:

Mayor James Sexton  
Trustee Carol Kyle  
Trustee Mark Marzullo  
Trustee James McQuillan  
Trustee Norbert Smith  
Trustee Mark Phelan  
Trustee Jerry Bosch

Also present were Village Attorney Vincent Cainkar, Village Engineer Tim Klass and Village Treasurer, John Sawyers.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by a large contingent of local Girl Scouts and Trustee McQuillan.

**2010 TROPHY PRESENTATION**

Mayor Sexton and Laura Shallow presented trophies to the following 2010 Independence Day Parade winning entries: Band, Central Jr. High, Color Guard, American Legion, Musical Float, Thompson Kuenster Funeral Home, Professional Float, Harris Bank, Amateur Float, Girl Scouts, Specialty Unit, Medinah Flying Carpets, Sponsored by Pete's Market, Clown Unit, Neon Nuts, Sponsor Archer Bank, Dancers, Tooromeen School of Irish Dance, Marching Group, Immanuel United Church of Christ, Decorated Car, Evergreen Health Care, Vehicle with Walkers, LePar Animal Hospital, Other vehicles, Oberweis, Special Honor, Perry Danos, Recognition award, Vince's Towing, Vince DeCaro, Sr. and Jr., Appreciation award, EP Public Works. Special thanks to all the Evergreen Park Departments, and John and Gloria owners of Golden Griddle Restaurant, for allowing the reviewing stand in front of their business.

Mayor Sexton congratulated the winners and thanked Laura and everyone who participated for making this parade the best one ever. Ms. Shallow thanked the Mayor and the Village Departments and sponsors for their help and the audience gave a round of applause to all present.

**OPEN PUBLIC FORUM**

The Chair made the following announcements:

1. The Chair acknowledged a thank you letter from Mr. Kevin Stankar, father of deceased Army Spc. Jared Stanker regarding donations from the EP Fire Department; which were used to erect a memorial flag pole in Jared's memory.
2. The Chair also referenced a thank you for the Hook a Kid on Golf from Patrick and Nancy Flanigan.
3. Farmers Market continues each Thursday from 7:00 am to 1:00 pm until October 28, 2010. Jolene Churak noted over 1,300 patrons visited the market last week.

**OPEN PUBLIC AUDIENCE**

NONE.

**REGULAR AGENDA**

Motion by Trustee Bosch second by Trustee Kyle to waive reading of the minutes of the July 19, 2010 Regular Meeting of the President and Board of Trustees and approved as presented was passed by unanimous voice vote and so ordered by the Chair.

**RESOLUTION NO. 19-2008**

Motion by Trustee Phelan second by Trustee McQuillan, to approve **Resolution NO. 19-2010** with expenditures of the General Corporate Fund of \$ 363,207.89 and the Sewer and Water Fund of \$194,189.64 and the 95<sup>th</sup> Street TIF Fund \$8,620.00 and the Capital Improvement Fund, \$47,805.04 and the Self Insurance Fund, \$ 622.46 and the Street Bond Fund, \$5,000.00 for a total of \$619,445.03. Upon roll call, voting YES: Trustees Kyle, Marzullo, McQuillan, Smith, Bosch and Phelan; voting NO: NONE. The motion was passed and so ordered by the Chair.

**WATER COLLECTORS REPORT**

Motion by Trustee Marzullo second by Trustee Kyle to accept for file and information the Water Collector's report for July 2010 in the amount of \$563,095.68. The motion was passed by unanimous voice vote and so ordered by the Chair.

**VILLAGE COLLECTOR'S REPORT**

Motion by Trustee Phelan second by Trustee Marzullo to accept for file and information the Village Collector's report for July 2009 in the amount of \$ 1,314,114.06. The motion was passed by unanimous voice vote and so ordered by the Chair.

**BUSINESS CERTIFICATES**

Motion by Trustee Kyle second by Trustee McQuillan, to accept the application for Business Regulation Certificate and License for Cooper Insurance Agency (relocation from 8851 S. California) to

conduct an insurance agency located at 3574 W. 95<sup>th</sup> Street. Trustee Phelan questioned if improvements have been made to the building as promised by the owner when a previous license was issued. The Chair stated repairs have not been made. He added this license meets the parking regulations. Upon roll call voting YES: Trustees Marzullo, McQuillan, Bosch, and Kyle; voting NO: Trustees Smith and Phelan. The motion was passed and so ordered by the Chair.

## **SISTERS OF MERCY**

### **SPECIAL MEETING**

Motion by Trustee Bosch second by Trustee Smith to approve the Chair's request to hold a special meeting at Evergreen Park High School on Wednesday, August 18, 2010 at 6:30 p.m. The purpose of the meeting is an open discussion between Village residents and the Village Board and the Sisters of Mercy to consider the settlement proposal. The Chair stated there is a lawsuit filed by the Village to stop a development for the Sisters of Mercy located at 10024 S. Central Park, Chicago, Illinois. After two years of litigation the Sisters of Mercy have made concessions including reducing the number of units from 212 to 146; the height from 5 stores to 3; parking from 156 vehicles to 108. A presentation will be made at the meeting by the Sisters of Mercy. The Chair asked if there were any objections to the special meeting. There being none, the Chair asked the Clerk to call the roll. Upon roll call voting YES: Trustees McQuillan, Smith, Bosch, Phelan, Kyle and Marzullo; voting NO: NONE. The motion was passed and so ordered by the Chair.

## **AUTO ZONE ZBA MINUTES**

Motion by Trustee Kyle second by Trustee Smith to table the approval of the Zoning Board Minutes of the July 13, 2010 meeting and table the vote for a special use variance for AutoZone located at 2925 W. 95<sup>th</sup> Street. Trustee Smith asked for an ordinance to be prepared to allow ticketing of the Auto Zone and any violators performing mechanical work on their vehicles. Mr. Norman Padnos, Attorney representing Rose Grossinger for requested a correction in the transcripts of the meeting held on Tuesday, July 13, 2010. LaSalle Bank is not the owner it should read Chicago Title and Trust. Trustee Bosch asked for a correction in the ZBA minutes; item number three (3) delete the word financial replace with franchise and it should read, "Not a franchise operation". A lengthy discussion took place between Mr. Phil Pecord, Architect, for Auto Zone the Board of Trustees. Trustee McQuillan stated he has visited the Oak Lawn Auto Zone and has seen customers working on cars, he asked how do they discourage this behavior. Mr. Pecord replied they post signs. Trustee Marzullo asked why they don't use a designated area to

help customers with mechanical problems. Mr. Pecord answered none of the Auto Zones have a designated work area other than in front of the store or the parking lots. He added what they do most is give advice and the work is diagnostic testing, wiper blade replacements, headlights and batteries. The Board suggested Auto Zone designate an area for any work to be done on the vehicles, diagnostic or otherwise. Mr. Pecord stated the Auto Zones use the parking lot and mostly give advice to the customers. Trustee Smith cited other auto supply stores, Square Deal, Napa and Capitol Auto Parts in Evergreen Park and stated none of them work on cars. He added allowing this would be a nuisance if Auto Zone cannot police the parking lot and guarantee work will not be done in the parking lot.

Trustee Smith suggested they use the overhead door and do the work in that area. Trustee Kyle suggested there is room at the back of the building. She asked their anticipated start date. Mr. Pecord answered he is preparing drawings now and would like to pick up permits on Friday of this week. She asked if Auto Zone is buying the building. Mr. Pecord stated they will lease it for twenty (20) years. A brief discussion took place regarding their business hours, policing of the parking lots and the possibility of tickets issued to Auto Zone and any violators of the proposed posted signs. The Chair suggested this be tabled until Auto Zone can meet with Commissioner Clohessy to discuss the questions raised tonight. Mr. Pecord stated a store manager could answer the Board's questions better than he can as the architect. Upon roll call voting YES: Trustees Smith, Phelan, Kyle, Marzullo, McQuillan; voting NO: Trustee Bosch. The Motion was passed and so ordered by the Chair.

**MHR 5 K  
RUN**

Motion by Trustee Phelan second by Trustee Kyle to approve the request from Most Holy Redeemer to hold the first annual 5K Raider Run in Evergreen Park on September 23, 2010 at 6:00 p.m. Mr. Patrick Enright gave a brief description of the designated route and the placement of volunteers, barricades and no parking areas. A discussion took place regarding the route and the time. The Chair stated Mr. Enright has spoken to other people who coordinate similar runs in the area. He added there is at least one month until the race and Mr. Enright will meet with all necessary Village Departments to iron out any issues. Upon roll call voting YES: Trustees Bosch, Phelan, Kyle, Marzullo, McQuillan, and Smith; voting NO: NONE. The Motion was passed and so ordered by the Chair.

**ENGINEER'S  
REPORT**

No report.

**ATTORNEY'S  
REPORT**

The attorney had no report.

**DEPT.  
HEADS**

Jim Feltz, Youth Director, stated a resident, Mrs. Palacios has donated a 52" rear projection television to the Youth Department.

**BIDS**

NONE.

**MISC.**

**ADJOURNMENT**

With nothing further to come before this meeting, motion by Trustee Phelan second by Trustee Kyle that this Regular Meeting of the President and Board of Trustees adjourn. Upon roll call voting YES: Trustees Phelan, Kyle, Marzullo, McQuillan, Smith and Bosch; voting NO: None. The motion was passed and so ordered by the Chair at 8:25 P.M.

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Catherine T. Aparo, CMC, Village Clerk