

Minutes of a **REGULAR MEETING** of the  
**PRESIDENT and BOARD OF TRUSTEES**  
Village of Evergreen Park, Cook County, IL  
**Monday, November 5, 2012**

**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 Mary Keane  
Trustee Jerome Bosch  
Trustee Mark Phelan

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

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Trustee James McQuillan.

**OPEN PUBLIC FORUM**

The Chair made the following announcements:

1. On November 13, 2012 at 7:30 p.m. in Council Chambers of the Village Hall a Zoning Board of Appeals meeting will take place on the request for a use variation to allow parking on residentially zoned property at 9520 S. Troy for use in conjunction with the Chase Bank, located at 3157 W. 95<sup>th</sup> Street and a Culver's Restaurant to be constructed at 9505-35 South Kedzie Avenue. This meeting is open to the public.
2. Leaf pick up continues. Residents should dispose of leaves in yard waste containers. Only leaves in excess of what can fit in the green container should be raked to the curb.
3. Thanks to everyone involved in the recent Halloween Parade and the Pumpkin Smash. The Chair noted the Pass, Kick and Punt contest had been cancelled.
4. The Village Hall will be closed on Monday, November 12, 2012 in observance of Veteran's Day. Normal hours resume on Tuesday November 13, 2012 from 9 am to 5 pm.
5. Central Junior High School will host their annual Veteran's Breakfast on Friday, November 9, 2012 at 8:00 a.m.
6. The Mustangs football team has advanced to the Quarter Finals in the Class 4A conference with an exacting win over

Richmond Burton by 34-27 on Saturday. The next playoff game is at Evergreen Park High School on Saturday, November 10, 2012 at 6:00 p.m. Call 708-308-1264 for tickets priced at \$ 6.00. The Chair encouraged everyone to support the school and attend the game.

5. Famous Dave's Ribs is hosting a tasting event on Saturday, November 10, 2012 from noon to 3:00 pm at their new location at 2855 W. 95<sup>th</sup> Street. Everyone is invited to attend.
6. The Chair reminded everyone tomorrow is Election Day and encouraged everyone to exercise their right to vote. Polls are open from 6:00 am to 7:00 pm.
7. Trustee Phelan reported Mother McAuley High School Volleyball is in the State Finals at Illinois State University this Friday and Saturday night. The Chair congratulated Trustee Phelan and wished his daughter Jennifer and the other girls good luck to the team.

## **OPEN PUBLIC AUDIENCE**

Mr. Tim Donahoe introduced himself to the Board and the audience as the newly appointed Youth Facility Director for Evergreen Park High School. He added he is available to the community and encouraged everyone to contact him at the High School if they need any help.

Nancy Prior, 9829 S. Springfield stated she has submitted requested documents to Clerk Aparo and asked when she could get her business license for Red Poppy Nail Salon. The Chair responded she should contact Bldg. Commissioner Clohessy and she should be good to go.

Mrs. Amy Fitzgerald, 9858 S. Lawndale stated as a new mother she is concerned about the safety of her family and her neighbors from the styrene being used by the sewer contractor Insituform in her area. She reported an incident of fumes in her home to the EP Fire Dept on October 31, 2012. The contractor did not have a MSDS sheet with them while performing Village work on sewers in the area. She has contacted the EPA and is awaiting a response.

She added she has been trying for five months to get records for asbestos abatement from the Mercy Circle development. She asked if the Mayor could contact the 19<sup>th</sup> Ward and get some answers. The Mayor reminded her the documents are filed with the City of Chicago not the Village. He directed attorney Cainkar to contact Mr. George, the attorney for the Sisters of Mercy regarding Mrs. Fitzgerald's request.

**CSX RR  
PRESENTATION**

The Chair welcomed State Rep. Kelly Burke in the audience, adding State Senator Maloney was expected shortly as well. He introduced Mr. Thomas Livingston, VP of Public Affairs who led a presentation explaining the proposed expansion of (23) twenty three trains per day traveling through Evergreen Park to reach this maximum in five years.

The representatives of the CSX distributed a folder with information that will be posted on the Village website. Mr. John Bradley, Division Chief in Chicago explained the environmental study and stated CSX has over 21,000 route miles and 1,200 trains per day nationally and 34,000 employees. He noted environmentally (1) one intermodal train carries the equivalent of 280 freight trucks and can travel 500 miles on one gallon of gasoline.

Mr. John Witterfield noted the CSX will be acquiring the Elsdon Subdivision from the CN railroad. The acquisition allows the shifting of trains and the creation of a better flow of trains in and out of the Chicago area.

Representatives stated trains will not run during the heavy traffic times of rush hours. Tracks can be welded to ensure quiet transport and disconnects (breaking of the train) can be done to avoid any incidents of transport to Little Company or Christ Hospital. Also there is a draft environmental assessment that can be viewed and commented on by residents and businesses.

Bob Mahan, CSX RR Police gave an overview of and noted there is a CSX Hotline to contact the railroad 1-877-TELL CSX.

The Mayor questioned if an underpass was considered and expressed concerns for first responders who may be blocked by trains while trying to escort police or fire personnel to Christ or LCM hospital.

Trustee Kyle questioned the number of trains currently, and the length of the trains and the speed of the trains. CSX answered the new trains are 6,000 feet long and travel at a speed of 35 to 40 mph; currently an estimated (4) trains per day pass through Evergreen Park.

Trustee Marzullo questioned rush hour traffic and how the blocking of railroad crossings causing a massive traffic jam will be avoided. CSX answered they will not run trains during the rush hours of 5 pm to 7 pm. and they will not start a train until they

can park in a destination yard. Trustee Marzullo noted rush hour on Friday begins around 3:00 p.m. in the Village and encourage them to take note of the high traffic times unique to the Village. CSX agreed they would investigate and accommodate rush hour traffic. CSX responded only a total mechanical failure could stop a train. Trustee McQuillan questioned the type of freight being hauled, hazardous material and a weight limit. CSX answered the freight is mostly electronics and supermarket goods and they classify a can of Raid insect cleaner as a hazardous material. He added the limit per car is 285,000 pounds and no coal hauling. Trustee McQuillan also questioned cross traffic of trains. CSX answered they would look into it and get back to Village with the answer.

Trustee Keane questioned the schedule for welding the tracks and the answer was at least 2 weeks to complete two miles with work done only during good weather month and anticipated completion at least two (2) years. Trustee Keane requested CSX share their train schedules with the Police and Fire Department and hospitals in the area. CSX agreed to share the information.

Trustee Phelan stated he has a great concern regarding public safety with only one fire house in town and the possibility of not being able to get to all areas of the Village. No representative from EP Fire was available for comment. Mr. Livingston noted meetings with Fire and Police and residents will be held to alleviate any concerns.

**REGULAR  
AGENDA**

Motion by Trustee Bosch second by Trustee Kyle to waive the reading of the minutes of the October 15, 2012 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. 25-2011**

Motion by Trustee Phelan second by Trustee McQuillan, to approve **Resolution NO. 25-2012** to close this fiscal year with expenditures of the General Corporate Fund of \$ 295,931.59 and the Sewer and Water Fund in the amount of \$ 246,748.87 and the 95<sup>th</sup> Street TIF Fund of \$ 9,228.00 and the Capital Improvement Fund, \$ 93,665.47 and the Street Bond Fund, \$1,750.00 for a total of \$647,323.93. Upon roll call, voting YES: Trustees Kyle, Marzullo, McQuillan, Keane, Bosch, and Phelan; voting NO: NONE. The motion was passed and so ordered by the Chair.

**RESOLUTION  
NO. 1-2013**

Motion by Trustee Marzullo second by Trustee Phelan to approve **Resolution NO. 1-2013** with expenditures of the General Corporate Fund of expenditures \$231,407.95 and the Sewer and Water Fund, \$20,470.29 and the Street Bond Fund, \$3,185.00 for a total of \$255,063.24. Upon roll call, voting YES: Trustees Marzullo, McQuillan, Keane, Bosch, Phelan and Kyle; voting NO: NONE. The motion was passed and so ordered by the Chair.

**WATER  
COLLECTOR'S  
REPORT**

Motion by Trustee Phelan second by Trustee Kyle to approve the Water Collector's report for **October 2012** for information and file in the amount of \$855,624.25 the motion was passed by unanimous voice vote and so ordered by the Chair.

**VILLAGE COLLECTOR'S  
REPORT**

Motion by Trustee Bosch second by Trustee McQuillan to approve the Village Collector's report for **October 2012** for information and file in the amount of \$1,388,074.79. The motion was passed by unanimous voice vote and so ordered by the Chair.

**BUSINESS  
CERTIFICATES**

Motion by Trustee Marzullo second by Trustee Kyle to approve the Business Regulation Certificate for **PLAY N TRADE** to operate a video trade and selling retail electronic games located at 2709 W. 95<sup>th</sup> Street (New Owner Only) in Evergreen Park, Illinois. Upon roll call voting YES: Trustees Keane, Bosch, Phelan, Kyle, Marzullo and McQuillan; voting NO: NONE. The motion was passed and so ordered by the Chair.

Motion by Trustee Phelan second by Trustee Keane to approve the Business Regulation Certificate for **ECLIPSE AWNING, to** operate an office for the sale and installation of awnings located at 3609 W. 95<sup>th</sup> Street. Upon roll call voting YES: Trustees Phelan, Kyle, McQuillan, Keane and Bosch; voting ABSTAINED Trustee Marzullo voting NO: NONE. Trustee Bosch welcomed back the owners noting they have been in Evergreen Park for many years. The motion was passed and so ordered by the Chair.

Motion by Trustee McQuillan second by Trustee Marzullo to approve the Business Regulation Certificate for **STATE FARM INSURANCE** to operate an office for insurance sales located at 3900 W. 95<sup>th</sup> Street. Upon roll call voting YES: Trustees Kyle, Marzullo, McQuillan, Keane, Bosch and Phelan; voting NO: NONE. The motion was passed and so ordered by the Chair.

**ORDINANCE  
NO. 21-2012**

Motion by Trustee Marzullo second by Trustee Phelan to approve Ordinance NO. 21-2012, “AN ORDINANCE LEVYING TAXES FOR GENERAL CORPORATE PURPOSES FOR THE FISCAL YEAR BEGINNING NOVEMBER 1, 2011 AND ENDING OCTOBER 31, 2012 FOR THE VILLAGE OF EVERGREEN PARK, COOK COUNTY ILLINOIS.” The Chair noted the amount of the levy is \$5,258,338. Upon roll call voting YES: Trustees Marzullo, McQuillan, Keane, Bosch, Phelan and Kyle; voting NO: NONE. The motion was passed and so ordered by the Chair.

**ORDINANCE  
NO. 28-2012**

Motion by Trustee Marzullo second by Trustee Keane to approve Ordinance NO. 28-2012, “AN ORDINANCE LEVYING TAXES FOR LIBRARY PURPOSES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2012 AND ENDING DECEMBER 31, 2012, FOR THE EVERGREEN PARK PUBLIC LIBRARY, COOK COUNTY, ILLINOIS.” The amount of the levy is \$991,800.00 Upon roll call voting YES: Trustees McQuillan, Keane, Bosch, Phelan, Kyle, and Marzullo; voting NO: NONE. The motion was passed and so ordered by the Chair.

**RESOLUTION  
NO 14-2012**

Motion by Trustee McQuillan second by Trustee Phelan to approve Resolution No. 14-2012 – “A RESOLUTION DIRECTING AND AUTHORIZING TO SUBMIT A SUBRECIPIENT AGREEMENT AND EXECUTE THE 2012 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEAR AGREEMENTS WITH THE COUNTY OF COOK, ILLINOIS FOR PROJECT NO. 12-010 IN THE AMOUNT OF \$300,000.00”. Upon roll call voting YES: Trustees Marzullo, McQuillan, Keane, Bosch, Phelan and Kyle; voting NO: NONE. The motion was passed and so ordered by the Chair.

**WASTE MANAGEMENT  
AMENDMENT**

Motion by Trustee Phelan second by Trustee McQuillan to approve a **Consent to Assignment and Assumption Agreement** – an agreement acknowledging the transfer of ownership from Land and Lakes to Waste Management. The original terms of the solid waste agreement remain intact. Upon roll call voting YES: Trustees McQuillan, Keane, Bosch, Phelan, Kyle, and Marzullo; voting NO: NONE. The motion passed and so ordered by the Chair.

**FBI ACADEMY**

Motion by Trustee Bosch second by Trustee McQuillan to approve Chief Michael Saunders' request to approve Lt. Gary Jarzen to represent the Village of Evergreen Park by attending the FBI 252<sup>nd</sup> National Academy Session. Approximately 20 employees have attended the FBI sessions over the years and currently have 6 graduates still employed by the Village. Congratulations to Chief Saunders and Deputy Chief Gutkowski and O'Dowd for their continuing effort to keep good relations with the FBI and congratulations to Lt. Jarzen for being selected. Upon roll call voting YES Trustees Keane, Bosch, Phelan, Kyle, Marzullo and McQuillan; voting NO: NONE. The motion passed and so ordered by the Chair.

**PD POLICE  
INTERNSHIP**

Motion by Trustee Phelan second by Trustee Marzullo to approve Chief Michael Saunders request to approve John Crotty's college student internship with the Village of Evergreen Park Police Department. Upon roll call voting YES: Trustees Bosch, Phelan, Kyle, Marzullo, McQuillan and Keane; voting NO: NONE. The motion passed and so ordered by the Chair.

**ENGINEER'S  
REPORT**

Mr. Klass reported that most of the sod has been replaced for the road program. Trees have been mulched and the sod will be reassessed in the spring. The contractor has guaranteed the sod and will replace if necessary. Bill Lorenz, Director of Public Works reported that the current work at the Senior Center should be complete in approximately one week.

**ATTORNEY'S  
REPORT**

The Attorney had no report.

**DEPT. HEADS**

Youth Director Jim Feltz reported that during the teachers strike his department was open from 10:00 a.m. to 5:00 p.m. having approximately 27 youths in attendance daily. An open house event occurred last Saturday for children in 4<sup>th</sup> through 6<sup>th</sup> grade. Family Turkey Shoot event is scheduled for November 17, 2012 and the coat drive will continue to run until November 30<sup>th</sup>, 2012.

OCS, Director, Jolene Churak thanked Village Administration, Police Department, Public Works and Fire Department for all the support for another very successful Farmers Market, now in its' 8<sup>th</sup> season. The 9<sup>th</sup> season will begin in May 2013. The Office of Citizen Services is currently preparing for Income Tax season.

Deputy Director of Sewer and Water Michael Knieps reported that the annual sewer flushing program and sewer work has been completed.

Recreation Director Dennis Duffy reported that during the recent teachers strike the Activity Center was open for children to play basketball. A free concert by Rich Daniels and the City Lights Orchestra will be held at Holy Redeemer on December 9 from 7-9 p.m., co-sponsored by Standard Bank. Tickets are required and may be picked up at the Recreation Center starting November 26, 2012.

**BIDS**

Motion by Trustee Phelan second by Trustee Kyle to approve the PW Directors request to purchase a 2012 Bobcat compact track loader demo model for \$43,712.00 this is a budgeted item. Upon roll call voting YES: Trustees Phelan, Kyle, Marzullo, McQuillan, Keane and Bosch; voting NO: NONE. The motion was passed and so ordered by the Chair.

Motion by Trustee Keane second by Trustee McQuillan to approve the PW Director's request to solicit bids for a new electronic sign for the Village of Evergreen Park. Upon roll call voting YES: Trustees Kyle, Marzullo, McQuillan, Keane, Bosch and Phelan; voting NO: NONE.

Motion by Trustee Phelan second by Trustee Kyle to approve the PW Director's request to request proposals for the Driving Range Netting System at the Park. The will be for the netting protection on the two sides and the rear of the driving range. This is a budgeted item. Upon voting YES: Trustees Marzullo, McQuillan, Keane, Bosch, Phelan and Kyle; voting NO: NONE.

The Chair noted some payouts - A payout for the parking lot at 2701 W. 91<sup>st</sup> Street was made in the amount of \$33,840.56. No Board action required information only.



**MISC.**

Trustee Phelan asked when the park project will be completed. Public Works Director, Bill Lorenz, reported that the sledding hill will be open this winter, the building should be complete by Thanksgiving. The entire project should be complete by next summer.

The Chair thanked State Representative Kelly Burke for attending this meeting.

**ADJOURNMENT**

With nothing further to come before this meeting, motion by Trustee Bosch second by Trustee Marzullo that this Regular Meeting of the President and Board of Trustees adjourn. Upon roll call voting YES: Trustees McQuillan, Keane, Bosch, Phelan, Kyle and Marzullo; voting NO: NONE. The motion was passed and so ordered by the Chair at 8:35 P.M.

---

Catherine T. Aparo, CMC, Village Clerk