

Minutes of a **REGULAR MEETING** of the
PRESIDENT and **BOARD OF TRUSTEES**
Village of Evergreen Park, Cook County, IL
Monday, April 7, 2014

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 James McQuillan
Trustee Mary Keane
Trustee Daniel McKeown
Trustee Mark Phelan

Trustee Mark Marzullo was absent with notice.

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Trustee Kyle.

PUBLIC HEARING

The Chair opened the public hearing at 7:32 p.m. He stated the notice of hearing was published in the Courier newspaper and explained the State of Illinois legislature requires this meeting prior to the passage of the ordinance. This hearing is to authorize the Village to use eminent domain to take the property located at 9500 S. Western formerly the Evergreen Plaza. The Chair asked for questions from the floor.

Bryan Rishforth, CEO & Managing Partner, R & R Global Partners, Planet Fitness in Evergreen Plaza questioned the plans for his business and the timing of quick take process. Mr. Rishforth stated there are 12,000 members at the Plaza location with millions of dollars invested and he has a 28 year lease. Village Attorney Vince Cainkar asked everyone speaking tonight to leave their contact information. Mr. Cainkar added the quick take process includes notice to owners, public hearing and eventually court action. The process could take anywhere between 3-6 months.

Mr. Jesse Dodson, DLA Piper LLP, of Planet Fitness expressed concerns regarding the quick take and the draw backs to eminent domain. He requested they be included in any discussions regarding the Plaza development. Attorney Cainkar stated it is our goal to work with everyone. Ms. Katie Pinello, of Applebee's questioned if the Applebee's is included in the quick take. Mr. Cainkar answered yes. She will leave her information as the contact for the Applebee's.

Mr. Scott Nemanich, spokesperson for Carson Pirie Scott, stated objections to the quick take and the eminent domain stating it is

not for the public purpose and the Village is exceeding its authority. Mr. Cainkar stated the Village has met with Carson's many times and will continue to meet with them.

Ms. Helen Cuprisin, 9200 Block of Homan, questioned the process if the Village takes over the Plaza property. Mr. Cainkar stated this only gives the Village the authority to use the quick take power but to do so will require an ordinance passed by the Village Board.

The Chair asked for any more questions/comments from the audience. There were none. Motion by Trustee Phelan second by Trustee Kyle to adjourn the public hearing at 7:42 p.m. Upon roll call, voting YES: Trustees Kyle, McQuillan, Keane, McKeown and Phelan; voting NO: NONE. The motion passed and was so ordered by the Chair

COMM. JOHN DALEY PRESENTATION

Chairman Sexton welcomed Cook County Commissioner, 11th District John Daley as he presented a Resolution to Jeff and Pam Lyons on the "75th Anniversary of Wolf's Bakery" from the Cook County Board. Clerk Aparo read the resolution honoring the long standing business icon in Evergreen Park as the Board and the audience gave them a round of applause. Commissioner Daley added he is happy to be representing the people of Evergreen Park on the Cook County Board and looks forward to working with everyone.

The Chair noted more has been accomplished for Evergreen Park within the last month with Commissioner Daley's assistance and cooperation than has been done in years. He thanked Carl Burke for his attendance tonight as well.

OPEN PUBLIC FORUM

The Chair made the following announcements:

1. Thanks to the Environmental Commission for a successful textile even this past Saturday.
2. Waste Management has started picking up green yard waste containers.
3. Read a portion of a letter from Oak Forest Police Department thanking Chief Saunders and the EP Police Department for their assistance at the recent funeral of Officer James Morrissey.
4. Animal license renewal forms have been mailed. Please bring your current rabies information when renewing your pet license. Tags are due by June 1, 2014.
5. The 2014 Spring Tree Program has begun. There is an expanded tree selection this year and photos of the trees are available at the Village Hall or on the website.
6. Free income tax prep service for seniors and disabled adults. Call OCS for appointments.
7. Saturday, April 12, 2014- E-Waste recycling event will be held at the Recycling Center from 10:00 am to Noon.
8. EP Senior Citizens Council will hold its' annual Memories to Go Village Wide Garage Sale on Saturday, May 3, 2014 from 9 am to 2 pm.

**OPEN PUBLIC
AUDIENCE**

Steve Doran, 3300 Maple, questioned an article in the Village View newspaper stating the CSX was insolvent. He suggested the village attorney litigate against CSX Railroad and the Village should tack attorney fees onto the fines. The Chair responded stating he did not say the CSX was insolvent and he is not familiar with the article in the paper. The Chair added the Village has no legal authority as railroads are a federal issue and fees charged to CSX railroad must be real cost not inflated.

Mr. Peter Zic, 9800 Albany questioned the pensions in Evergreen Park. The Chair responded the Village pays its pension and the Police pension is 90% funded and is among the top 3% in the State of Illinois. He also questioned when the dog park will open. The Chair stated the golf range will open shortly and the dog park will open soon when the (3) three dog areas are completed.

AGENDA

Motion by Trustee Phelan second by Trustee Kyle to waive the reading of the minutes of the March 17, 2014 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. 11-2014**

Motion by Trustee McKeown second by Trustee Keane, to approve **Resolution NO. 11-2014** with expenditures of the General Corporate Fund of \$ 758,200.46 and the Sewer and Water Fund in the amount of \$243,559.93 and the 95th Street TIF Fund, \$ 7,649.32 and the Capital Improvement Fund, \$ 2,244.75 and the Street Bond Fund, \$ 44,000.00 for a total of \$ 1,055,654.46. Upon roll call, voting YES: Trustees Keane, McKeown, Phelan, Kyle and McQuillan; voting NO: NONE. The motion was passed and so ordered by the Chair.

**WATER
COLLECTORS
REPORT**

Motion by Trustee Phelan second by Trustee McQuillan to approve the Water Collector's report for March 2014 for information and file in the amount of \$ 707,127.20. The motion was passed by unanimous voice vote and so ordered by the Chair.

**VILLAGE COLLECTORS
REPORT**

Motion by Trustee Kyle second by Trustee McKeown to approve the Village Collector's report for March 2014 for information and file in the amount of \$ 3,449,433.72. The Chair noted \$2 million of the total are property tax monies. 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 approve the business license application for SWEET ANNIE'S CANDIES to operate a candy store located at 3545 W. 99TH Street in Evergreen Park. Upon roll call, voting YES: Trustees McKeown, Phelan, Kyle,

McQuillan and Keane; voting NO: NONE. The motion was passed and so ordered by the Chair.

WINGSTOP

Motion by Trustee Phelan second by Trustee McKeown to approve the business license application for **WINGSTOP (NEW OWNER ONLY)** to operate a fast food restaurant located at 2511 W. 95th Street in Evergreen Park. Upon roll call, voting YES: Trustees Phelan, Kyle, McQuillan, Keane and McKeown; voting NO: NONE. The motion was passed and so ordered by the Chair.

**RESOLUTION
NO 4-2014**

Motion by Trustee McQuillan second by Trustee Phelan to approve **Resolution NO. 4-2014 "A RESOLUTION OF THE VILLAGE OF EVERGREEN PARK REQUESTING APPROVAL OF LEGISLATION BY THE GENERAL ASSEMBLY OF THE STATE OF ILLINOIS AUTHORIZING THE VILLAGE OF EVERGREEN PARK TO ACQUIRE PROPERTY WITHIN THE AREA OF THE EVERGREEN PARK PLACE BUSINESS DISTRICT BY EMINENT DOMAIN USING 'QUICK-TAKE" POWERS UNDER THE EMINENT DOMAIN ACT."** Upon roll call, voting YES: Trustees Kyle, McQuillan, Keane, McKeown, and Phelan; voting NO: NONE. The motion was passed and so ordered by the Chair.

**RESOLUTION
NO 5-2014**

Motion by Trustee McKeown second by Trustee Kyle to approve **Resolution NO. 5-2014, "A RESOLUTION APPROVING THE 46TH ANNUAL INDEPENDENCE DAY PARADE ON THURSDAY, JULY 3, 2014."** Upon roll call, voting YES: Trustees McQuillan, Keane, McKeown, Phelan and Kyle; voting NO: NONE. The motion was passed and so ordered by the Chair.

**RESOLUTION
NO 6-2014**

Motion by Trustee Kyle second by Trustee McQuillan to approve **Resolution NO. 6-2014 "A RESOLUTION AUTHORIZING THE EXECUTION OF A LAW ENFORCEMENT MUTAL AID AGREEMENT AND THE EXISTENCE AND FORMATION OF THE ILLINOIS LAW ENFORCEMENT ALARM SYSTEM BY INTERGOVERNMENTAL COOPERATION."** Upon roll call, voting YES: Trustees Keane, McKeown, Phelan, Kyle and McQuillan; voting NO: NONE. The motion was passed and so ordered by the Chair.

**ORDINANCE
NO. 3-2014**

Motion by Trustee Phelan second by Trustee Kyle to approve **ORDINANCE NO. 3-2014, (Revised) 'AN ORDINANCE ENACTING A BUSINESS DISTRICT RETAILERS' OCCUPATION TAX AND A BUSINESS DISTRICT SERVICE OCCUPATION TAX WITHIN THE EVERGREEN PARK PLACE BUSINESS DISTRICT AND ESTABLISHING THE EVERGREEN PARK PLACE BUSINESS DISTRICT TAX ALLOCATION FUND."**
* This is a revised ordinance due to a typo graphical error in the subsection of the previously passed ordinance. Upon roll call, voting YES: Trustees McKeown, Phelan, Kyle, McQuillan and Phelan; voting NO: NONE. The motion was passed and so ordered by the Chair.

**ORDINANCE
NO. 8-2014**

Motion by Trustee McKeown second by Trustee McQuillan to approve **ORDINANCE NO. 8-2014, (Revised)** ‘AN ORDINANCE AMENDING VARIOUS PROVSISONS OF CHAPTER 5, BUILDING AND BUILDING REGULATIONS, OF THE EVERGREEN PARK MUNICIPAL CODE.’ * Previous ordinance was passed with incorrect deadline date for rental housing. Upon roll call, voting YES: Trustees McKeown, Phelan, Kyle, McQuillan and Keane; voting NO: NONE. The motion was passed and so ordered by the Chair.

**ORDINANCE
NO. 10-2014**

Motion by Trustee McQuillan second by Trustee Phelan to approve **ORDINANCE NO. 10-2014,** (Revised) ‘AN ORDINANCE AMENDING CHAPTER 18, POLICE, ARTICLE II, POLICE DEPARTMENT, SECTION 18-27, POLICE PERSONNEL, OF THE MUNICIPLE CODE OF THE VILLAGE OF EVERGREEN PARK.’ The Chair noted this updates the previous ordinance with correct numbers for the designations of police personnel with (46) forty-six patrol officers. Upon roll call, voting YES: Trustees Kyle, McQuillan, Keane, McKeown and Phelan; voting NO: NONE. The motion was passed and so ordered by the Chair.

**ORDINANCE
NO. 11-2014**

Motion by Trustee Phelan second by Trustee McKeown to approve **ORDINANCE NO. 11-2014,** “AN ORDINANCE APPROVING THE STANDARD BANK & TRUST SUBDIVISION OF THE PROPERTY LOCATED AT 2400 W. 95TH STREET, EVERGREEN PARK, ILLINOIS.” The Chair explained this is for the subdivision of two of their commercial parcels with a very interested party to develop one of the parcels. Upon roll call, voting YES: Trustees McQuillan, Keane, McKeown, Phelan and Kyle; voting NO: NONE. The motion was passed and so ordered by the Chair.

**PROMOTION
EPPD SGT. WENDI
FRANKLIN**

Motion by Trustee Kyle second by Trustee Keane to approve the promotion of Sgt. Wendi Franklin to the position of Lieutenant of the Evergreen Park Police Department. The Chair noted with pleasure Wendi was hired in 2001 with a degree in Finance and assigned to the TACT unit in 2006 and the Detective Unit in 2008 and twenty-seven (27) Department commendations. Police Chief Saunders stated Wendi is a dedicated, energetic individual and deserving of this promotion. Lt. Franklin thanked the Board and the Mayor. The Board and the audience gave her a hearty round of applause. Upon roll call, voting YES: Trustees Keane, McKeown, Phelan, Kyle and McQuillan; voting NO: NONE. The motion was passed and so ordered by the Chair.

**EPPD
INTERNSHIP**

Motion by Trustee McQuillan second by Trustee Phelan to approve the student internship of Glenn Short to the Evergreen Park Police College Student Internship Program. Upon roll call, voting YES: Trustees McKeown, Phelan, Kyle, McQuillan and Keane; voting NO: NONE. The motion was passed and so ordered by the Chair.

**ENGINEER’S
REPORT**

Mr. Klass had no report.

**ATTORNEY'S
REPORT**

Mr. Cainkar had no report.

DEPT HEADS

Ms. Mary Ann Carioto, OCS Director noted that Meijer Foods is doing a double match on April 11 and 12, 2014 for the Village Pantry. Cards are available at the Village Hall, OCS and the Meijer Store for the "Simply Give" matching donations until May 12, 2014.

Youth Director, Jim Feltz gave Mary Ann check for \$ 4330.00 for the Village Pantry. Mr. Feltz stated donations were collected during the recent boys' basketball league at the activity center; and since 2005 a total of \$ 5,355.00 has been donated to the pantry from this event. The audience and the Board gave Mr. Feltz a round of applause. President of the EP Pantry, Mary Ann Carioto thanked Mr. Feltz and the Board for their support on behalf of the Village pantry.

Mr. Duffy announced culminating dance show was held at Mother McAuley high school with over 100 participants. The Easter Egg Hunt will be held on Saturday April 12, at 10:00 am at the Community Center.

The Chair announced the American Legion Post #865 will host a Day of Honor and an unveiling of the National WWII memorial on Saturday, April 26, 2014 at 2:00 p.m. everyone is invited to attend this special ceremony.

Moraine Valley Community College is sponsoring a wellness resource fair for all military veterans on Wednesday, April 9, 2014. From 10 am to 2:00 p.m.

BIDS

NONE.

MISC.

NONE.

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 to Executive Session to discuss real estate acquisition. Upon roll call voting YES: Trustees Phelan, Kyle, McQuillan, Keane and Kyle: voting NO: None. The motion was passed and so ordered by the Chair at 8:20 P.M.

Catherine T. Aparo, CMC, Village Clerk