

Minutes of a **REGULAR MEETING** of the  
**PRESIDENT and BOARD OF TRUSTEES**  
 Village of Evergreen Park, Cook County, IL  
**Monday, August 18, 2014**

**CALL TO ORDER** The meeting was called to order by Clerk Aparo at 7:30 P.M. 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 Daniel McKeown  
 Trustee Mark Phelan

Also present were Village Attorney Joseph Cainkar and Village Treasurer John Sawyers. Trustee Mary Keane and Village Engineer Tim Klass were absent with notice.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Trustee Phelan.

**OPEN PUBLIC HEARING**

The Chair opened the Public Hearing at 7:32 p.m. and read a portion of the legal notice as published in the July 31, 2014 edition of the Courier Newspaper regarding the issuance of \$6,000,000 in Educational Facility Revenue Bonds for St. Viator High School in Arlington Heights. Village Attorney Joseph Cainkar explained the Village has done this in the past for Brother Rice and can obtain tax exempt bonds with no indebtedness and St. Viator will pay the for the bonds. The Chair asked for comments from the audience and the Board.

Mr. Anton Iberle, 9500 Block of Sawyer Avenue, questioned why the Village of Arlington Heights cannot buy the bonds for their school. Mr. Cainkar stated Arlington Heights already maxed out at \$10,000,000 in bonds as part of the project. The Village of Evergreen Park receives money for acting as a home rule conduit and there is no liability for the Village. Mr. Cainkar asked the Clerk if any written questions were submitted, the Clerk responded there were none.

Trustee Marzullo questioned if other municipalities do this. Attorney Cainkar stated Burbank has done it twice this year for two different organizations.

The Chair again called for comments; there were no comments from the audience or the Board.

Motion by Trustee Marzullo second by Trustee Phelan to close the Public Hearing at 7:37 p.m. Upon roll call, voting YES: Trustees Kyle, Marzullo, McQuillan, McKeown and Phelan; voting NO: NONE. The motion to close the public hearing was passed and so ordered by the Chair.

**OPEN PUBLIC  
FORUM**

The Chair made the following announcements:

1. Thanks to all the Village Departments and employee volunteers for their assistance during the grand opening of “The Park” at 91<sup>st</sup> & California. Everyone is encouraged to play disc golf, use the driving range and register your pets for the dog park. Special thanks to Meijer for their donation of food and beverages for this event.
2. Schools are opening soon. There will be increased neighborhood traffic enforcement. Please be careful of children crossing street and increased bicycle riders.
3. Vehicle stickers are on sale at the Village Hall and the deadline for purchase is September 15, 2014. The Currency Exchange at 95<sup>th</sup> & Kedzie are selling stickers for a nominal fee during the hours the Village Hall is closed.
4. The Village Hall will be closed on Monday, September 1, 2104 in observance of Labor Day. The next Board meeting will be on Tuesday, September 2, 2014 at 7:30 p.m.
5. Movies in the Park continue Friday August 22, 2014 with “Ground Hog Day” at Duffy Park.
6. St. Bernadette’s Rib Fest will be held on Saturday, September 6, 2014 from 4- 11 p.m.
7. Most Holy Redeemer 5- K Run is on Thursday, September 4, 2014
8. First National Bank of Evergreen Park will host a Fall Fest in the bank parking lot on Saturday, September 13, 2014 from 11 am – 3 p.m. Fee event with face painting, music, food and a petting zoo and much more.
9. The Village will host the Hot Rod Classic Car Show at Yukich Field on Friday, September 19, 2014 from 3:00 to 10:00 pm. Proceeds will benefit the Christmas without Cancer Charity. Registration is available on line as well as the Village Hall.
10. Farmers Market opens at 7:00 am until 1:00 pm every Thursday at Yukich Fields until October 2014.
11. Cook County Mosquito Abatement reported positive mosquito tests in Cook County and the Chair warned everyone to take all necessary preventive precautions.

**OPEN PUBLIC  
AUDIENCE**

NONE.

**PARADE  
TROPHIES**

The Chair introduced Laura Shallow representing the Evergreen Park Chamber. Laura thanked Mayor Sexton, the Clerk and the Board and all the Village Departments that make the parade a huge success. She also thanked the sponsors for their continued support.

Mayor Sexton and Laura presented the 2014 parade winners with trophies. Winners were as follows, color guard, EP American Legion Post NO. 854, amateur band, Evergreen Park Central Middle School Band, children performance, Woori Taekwondo and Hapkido Academy, double entries, Pappy's and Tavern on the Green, multiple participation, Saint Bernadette Parish, professional band, River City Rhythm, professional float, Thompson- Kuenster Funeral Home, professional musical float, Prudential Biros now Berkshire Hathaway, special unit, Jesse White Tumblers, specialty unit, Standford Battery, pom pm team, Twirling Queens Pom Pom, unique entry, Sarah's Pony Rides, vehicle, Ozinga Ready Mix, and walkers, Mother Butter's Popcorn. Laura presented a special Village recognition award to the Public Works Department for their dedicated efforts.

One of the winners, name not given related that she was almost run over by children at 95<sup>th</sup> & Springfield trying to get her bag of candy.

The Mayor congratulated the winners and thanked Laura for her help. The audience gave the winners a hearty round of applause.

#### **REGULAR AGENDA**

Motion by Trustee Kyle second by Trustee McKeown to waive the reading of the minutes of the July 21, 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. 19-2014 And 20-2014**

Motion by Trustee Phelan second by Trustee McQuillan, to approve **Resolution NO. 19-2013** with expenditures of the General Corporate Fund of \$504,054.67 the Sewer & Water Fund in the amount of \$ 360,622.16 and the 95<sup>th</sup> Street TIF Fund \$24,210.17 and the Capital Improvement Fund, \$15,678.54 and the Street Bond Fund \$143,250.00 for a total of \$ 947,815.54 and **Resolution NO. 20-2014** with expenditures of the General Corporate Fund of \$264,263.76 and the Sewer and Water Fund \$256,728.68 and the 95<sup>th</sup> St. TIF Fund \$51,475.00 and the Capital Improvement Fund \$ 253.00 and the Street Bond Fund, \$1,2500.00 and the Debt Service - General \$222,250.00 for a total of \$ 796,220.44. Upon roll call, voting YES: Trustees Marzullo, McQuillan, McKeown, Phelan and Kyle; voting NO: NONE. The motion was passed and so ordered by the Chair.

#### **WATER COLLECTORS REPORT**

Motion by Trustee Kyle second by Trustee McQuillan to approve the Water Collector's report for July 2014 in the amount of \$ 665,629.74. 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 McKeown to approve the Village Collector's report for July 2014 in the amount

of \$ 2,382,582.52. The motion was passed by unanimous voice vote and so ordered by the Chair.

## **VILLAGE TREASURER'S REPORT**

Motion by Trustee Marzullo second by Trustee Kyle to approve the Village Treasurer's report for July 2014 with \$ 4,877,045.71 in the General Fund and \$ 2,892,352.67 in the Sewer and Water Fund. The motion was passed by unanimous voice vote and so ordered by the Chair.

## **LIQUOR LICENSE**

Motion by Trustee Kyle second by Trustee McQuillan to approve the "Class C" carry out only liquor license for WALMART (Store #5485) located at 2500 W. 95<sup>th</sup> Street. Trustee Marzullo criticized the lack of parking lot maintenance at the location adding an employee should be able to pick up the debris and refuse in the lot on a regular shift basis. He noted the other major stores in the area keep their parking lots clean. The Chair noted he has met with the new manager Stacy and requested they clean up the lot and also that they stop allowing other semi-trucks (not Walmart trucks) parking in their lot overnight. Stacy responded she is the new manager and assured Trustee Marzullo the lot is cleaned five (5) nights a week on a regular basis. Upon roll call, voting YES: Trustees McQuillan, McKeown, Phelan and Kyle; voting NO: Trustee Marzullo. The motion was passed and so ordered by the Chair.

## **BUSINESS CERTIFICATES**

Motion by Trustee Marzullo second by Trustee Kyle, to accept the application for Business Regulation Certificate and License for CLEMON'S TAX SERVICES to operate an office for tax preparation located at 3005 W. 87<sup>th</sup> Street. Upon roll call voting YES: Trustees, Phelan, Kyle, Marzullo, McQuillan and McKeown; voting NO: NONE. The motion was passed and so ordered by the Chair.

Motion by Trustee McQuillan second by Trustee McKeown, to accept the application for Business Regulation Certificate and License for SOUTHSIDE PREGNANCY CENTER (SPC) to operate a 501 C (3) charitable life affirming medical clinic located at 3005 W. 87<sup>th</sup> Street. Upon roll call voting YES: Trustees, Kyle, Marzullo, McQuillan, McKeown and Phelan; voting NO: NONE. The motion was passed and so ordered by the Chair.

Motion by Trustee Kyle second by Trustee Marzullo, to accept the application for Business Regulation Certificate and License for CASTLEMAINE INC. DBA/ VISITING ANGELS to operate a home health care services agency located at 3317 w. 95<sup>th</sup> street, LL8. Upon roll call voting YES: Trustees, Marzullo, McQuillan, McKeown, Phelan and Kyle; voting NO: NONE. The motion was passed and so ordered by the Chair.

Motion by Trustee Kyle second by Trustee Phelan **to deny** the application for Business Regulation Certificate for **MAMBA ENTERPRISES, LLC** to operate a security and health care occupational; training office located at 9500 S. Avers Avenue, Suite #5. Trustee Kyle led a brief discussion regarding the lack of parking in the area of the 9500 Building. Mr. Mike Brown, petitioner questioned why residents are allowed residential parking only on the street and the courtesy does not apply to businesses as well. The Chair explained the residents pay property taxes and suggested building owners should provide parking for their renters. The Chair noted there is not a lot of parking available for this building. Mr. Brown stated he feels this is an unfair practice. Upon roll call voting **YES TO DENY**: Trustees, McQuillan, McKeown, Phelan and Kyle; voting NO: Trustee Marzullo; voting NO: NONE. The motion was passed and so ordered by the Chair.

Motion by Trustee Kyle second by Trustee McQuillan to approve the application for Business Regulation Certificate for **OAK RIDGE FAMILY DENTAL** to operate a dental practice located at 3615 W. 95<sup>th</sup> Street. The Chair noted there is parking on premises behind this building. Upon roll call voting YES: Trustees, McKeown, Phelan, Kyle and McQuillan voting ABSTAINED: Trustee Marzullo, voting NO: NONE. The motion was passed and so ordered by the Chair.

**ORDINANCE  
NO. 15-2014**

Motion by Trustee Phelan second by Trustee Kyle to approve **ORDINANCE NO. 15-2014** “**AN ORDINANCE OF THE VILLAGE OF EVERGREEN PARK APPROVING THE SECOND AMENDMENT TO OPTION AND LEASE AGREEMENT WITH CROWN CASTLE FOR THE CELLULAR TOWER AT 9421 SOUTH KEDZIE AVENUE.**” The Chair noted this is an extension of the lease with a \$7,500 bonus for this contract and a 16% increase on the \$1,900 per month lease. Upon roll call voting YES: Trustees McKeown, Phelan, Kyle, Marzullo and McQuillan: voting NO: ANY. The Motion was passed and so ordered by the Chair.

**ORDINANCE  
NO. 16-2014**

Motion by Trustee McQuillan second by Trustee Marzullo to approve **ORDINANCE NO. 16-2014** “**AN ORDINANCE OF THE VILLAGE OF EVERGREEN PARK APPROVING A MUTUAL AID BOX ALARM SYSTEM FIRST ADDENDUM TO MABAS MASTER AGREEMENT.**” Fire Chief Kleinhaus explained this addendum gives the Village the ability to charge for any incident in excess of (8) eight hours. Upon roll call voting YES: Trustees McKeown, Phelan, Kyle, Marzullo and McQuillan; voting NO: NONE. The Motion was passed and so ordered by the Chair.

**ORDINANCE  
NO. 17-2014**

Motion by Trustee McQuillan second by Trustee Phelan to approve **ORDINANCE NO. 17-2014**, “**AN ORDINANCE AMENDING CHAPTER 4, ANIMALS, BY ADDING ARTICLE III, DOG PARK,**

**TO THE EVERGREEN PARK MUNICIPAL CODE.”** Trustee Phelan asked if the Police will be more involved at the new park for unlicensed pets. The Chair noted Animal Control will be more present; and more signs are being posted for the use of the park. Upon roll call voting YES: Trustees Phelan, Kyle, Marzullo, McQuillan and McKeown; voting NO: NONE. The Motion was passed and so ordered by the Chair.

**ORDINANCE  
NO. 18-2014**

Motion by Trustee Phelan second by Trustee Kyle to approve **ORDINANCE NO. 18-2014**, ‘ **AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE VILLAGE OF EVERGREEN PARK, COOK COUNTY, ILLINOIS NOT TO EXCEED \$ 6,000,000 EDUCATIONAL FACILITY REVENUE BOND ST. VIATOR HIGH SCHOOL PROJECT), SERIES 2014 FOR THE PURPOSE OF FINANCING AND REFINANACING COSTS OF A PORTION OF THE COSTS OF ACQUISITION, CONSTRUCTION AND RENOVATION OF ST. VIATOR HIGH SCHOOL IN ARLINGTON HEIGHTS, ILLINOIS; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND AND LOAN AGREEMENT UNDER WHICH THE BOND WILL BE ISSUED AND SOLD TO VILLAGE BANK AND TRUST COMPANY AND THE PROCEEDS OF THE BOND WILL BE LOANED TO ST. VIATOR HIGH SCHOOL; APPROVING CERTAIN OTHER AGREEMENTS; AND RELATED MATTERS.”** Upon roll call voting YES: Trustees Kyle, Marzullo, McQuillan, McKeown and Phelan; voting NO: NONE. The Motion was passed and so ordered by the Chair.

**DEMOLITION  
REQUEST  
2955 W. 95<sup>th</sup> St.**

The Chair explained since the agenda was published on Friday, August 15, 2014 a prospective buyer has come forward to possibly purchase the property located at 2955 W. 95<sup>th</sup> Street (the old Hornburg Klein). He added he will wait until September 2, 2014 for a contract; therefore he is asking no Board action be taken on this demolition request. **NO BOARD ACTION.**

**MAYOR’S  
CAUCUS**

Motion by Trustee McQuillan second by Trustee Kyle to approve the request for the Mayors Caucus membership dues for 2013-2014 in the amount of \$ 694.82 for the year; based on \$0.035 per capita. Upon roll call voting YES: Trustees Marzullo, McQuillan, McKeown, Phelan and Kyle; voting NO: NONE. The Motion was passed and so ordered by the Chair.

**POLICE DEPT.  
STUDENT INTERN**

Motion by Trustee McKeown second by Trustee Kyle to approve the Police Chief’s request for the Police Department’s student internship for Matthew Pulido, Criminal Justice Major at Moraine Valley Community College from August 25 thru October 2014. Upon roll call voting YES:

Trustees McQuillan, McKeown, Phelan, Kyle and Marzullo; voting NO: NONE. The Motion was passed and so ordered by the Chair.

**QUEEN OF  
MARYTR'S  
MARTYR-FEST**

Motion by Trustee Marzullo second by Trustee McKeown to approve the request from Queen of Martyr's to host their annual Martyrs-Fest event with a liquor license on Friday, September 26, 2014 through Sunday, September 28, 2014. Upon roll call voting YES: Trustees McKeown, Phelan, Kyle, Marzullo, McQuillan and Keane; voting NO: NONE. The Motion was passed and so ordered by the Chair.

**MOST HOLY  
REDEEMER**

Motion by Trustee Kyle second by Trustee Phelan to approve the annual request from Most Holy Redeemer for Homecoming Parade on Saturday, October 11, 2014 and for the annual Mass in the Park on Sunday, September 7, 2014 at Duffy Park. Upon roll call voting YES: Trustees Kyle, Marzullo, McQuillan, McKeown and Phelan; voting NO: NONE. The Motion was passed and so ordered by the Chair.

**ENGINEER'S  
REPORT**

Tim Klass was absent with notice.

**ATTORNEY'S  
REPORT**

The Attorney had no report.

**BIDS**

Motion by Trustee Marzullo second by Trustee McQuillan to approve the emergency sanitary sewer lining done on the 9100 block of St. Louis and Clifton Park on the main sanitary line by Insituform at a cost of \$24,578,50. Upon roll call voting YES: Trustees Marzullo, McQuillan, McKeown, Phelan and Kyle; voting NO: NONE. The Motion was passed and so ordered by the Chair.

**MISC.**

The Chair announced payouts to United Meters, Inc. in the amount of \$98,412.93 and to Frank Novotny and Associates for \$ 33,461.75 for various village projects. **INFORMATION ONLY NO ACTION REQUIRED.**

**ADJOURNMENT**

With nothing further to come before this meeting, motion by Trustee Phelan second by Trustee Marzullo that this Regular Meeting of the President and Board of Trustees adjourn. Upon roll call voting YES: Trustees McKeown, Phelan, Kyle, Marzullo and McQuillan; voting NO: None. The motion was passed and so ordered by the Chair at 8:27 P.M.

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Catherine T. Aparo, MMC, Village Clerk