

Minutes of a **REGULAR MEETING** of the  
**PRESIDENT and BOARD OF TRUSTEES**  
Village of Evergreen Park, Cook County, IL  
**Monday, August 1, 2011**

**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 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 Trustee McQuillan.

**2010 TROPHY  
PRESENTATION**

Mayor Sexton and Laura Shallow presented trophies to the  
following 2011 Independence Day Parade winning entries: Band,  
Legends, EPCHS for marching band, Thompson-Kuenster Funeral  
home for musical float, Maria High School for professional float,  
Parkwood Baptist Church, Beverly Environmental, West Suburban  
Roaring Shrine Club, specialty Unit, Westernettes Baton Corp,  
baton group, Midlothian Bear-ettes Poms and Twirling Bears, pom-  
pom group, Medinah Clowns, clown unit, Girl Scouts, marching  
group, Burbank Detachment Marine Corps League, vehicle with  
walkers, Disabled American Vets, car, Pappy's truck,. ABATE,  
vehicle and the recognition award to Standard Bank and Trust  
Group. Special thanks to Golden Griddle for allowing the use of  
their property for the reviewing stand.

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 Village Board will conduct a Public Hearing as the Zoning Commission for the Village on a comprehensive amendment to the Evergreen Park Zoning Code to be held on August 15, 2011 at 7:30 p.m. in Council Chambers of the Village Hall. This meeting is open to the public.
2. The Village of Evergreen Park's new E-Waste program has begun. The drop off site is at the Village Street Division yard located at 93rd and Sawyer on the north side. Hours are Tuesday through Thursday from 8:00 am to 3:00 pm. The site accepts computers, televisions, printer, phones, fax machines, video games, microwave ovens, stereos and small household appliances.
3. The 50/50 Sidewalk program has begun. Payment is due by August 5, 2011. The cost is \$65.00 per square.
4. The Annual EP Car Show is Friday, October 7, 2011. Registration has begun; forms are available on the Village website and the Village Hall. Proceeds from this year's car show will benefit the Wounded Warriors Project.

**OPEN PUBLIC  
AUDIENCE**

NONE.

**REGULAR  
AGENDA  
& Commission  
Minutes**

Motion by Trustee Bosch second by Trustee Kyle to waive reading of the minutes of the July 18, 2011 Regular Meeting of the President and Board of Trustees and approved as presented; and the minutes of the Recreation, Youth and Citizens' Service Committee held on July 28, 2011 were passed by unanimous voice vote and so ordered by the Chair.

**RESOLUTION  
NO. 19-2011**

Motion by Trustee Phelan second by Trustee McQuillan, to approve **Resolution NO. 19-2011** with expenditures of the General Corporate Fund of \$ 391,444.04 and the Sewer and Water Fund of \$52,628.51 and the 95<sup>th</sup> Street TIF Fund \$27,750.00 and the Capital Improvement Fund, \$380,066.18 and the Real Estate Transfer Tax Fund, \$ 875.00 and the Street Bond Fund, \$2,500.00 for a total of \$ 853,263.73. 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.

**WATER  
COLLECTORS  
REPORT**

Motion by Trustee Bosch second by Trustee Phelan to accept for file and information the Water Collector's report for July 2011 in the amount of \$ 517,032.05. The motion was passed by unanimous voice vote and so ordered by the Chair.

**TREASURER  
REPORT**

Motion by Trustee McQuillan second by Trustee Phelan to accept for information and file the Village Treasurer's report for July 2011 in the amount of \$6,198,046.16 in the General Fund and \$2,319,578.37 in Sewer and Water Fund. 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 2011 in the amount of \$ 1,302,540.49. 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 accept the application for Business Regulation Certificate and License for **K-Venture d/b/a Big Dollar** ( new space A12c - moving from space J7C) to conduct a retail dollar store located at the Evergreen Plaza, 9500 S. Western Avenue. 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.

Motion by Trustee Marzullo second by Trustee Keane, to accept the application for Business Regulation Certificate and License for **Evergreen Billing and Leasing, Inc.** to conduct an office for healthcare employee billing/leasing to be located at 9730 S. Western Avenue, Suite 100. 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.

Motion by Trustee Kyle second by Trustee McQuillan, to accept the application for Business Regulation Certificate and License for **RA-FAE Inc.** (New owner)(7 Eleven #33824A) to conduct a convenience store located at 9860 S. Kedzie Avenue. The hours will remain the same. Upon roll call, voting YES: Trustees Keane, Bosch, Kyle, Marzullo and McQuillan; voting NO: Trustee Phelan. The motion was passed and so ordered by the Chair.

The Chair stated Blockbuster, 2650 W. 95<sup>th</sup> Street has returned to a corporate store. This is for information only no Board action required.

**EPPD  
VACANCIES &  
APPOINTMENTS**

Motion by Trustee Phelan second by Trustee Marzullo to approve Police Chief Saunders request to declare three (3) vacancies in the Police Department due to the retirement of Capt. Florian Karkoska and disability status for Sgt. Denise Mahoney and Officer Robert Wagers. The Chief also requested the hiring of three (3) probationary officers from the list of eligible candidates. 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.

**ZONING BOARD  
MINUTES/  
JULY 12, 2011**

Motion by Trustee Kyle second by Trustee McQuillan to approve the motion to table the minutes and the approval of the minutes of the Zoning Board of Appeals Meeting held on July 12, 2011 regarding a change in zoning from C to Special Use variation for 9500 S. Western Avenue, Planet Fitness.

A discussion took place between the Board and petitioner and owner, Bryan Rishforth and Joe Shew of Planet Fitness. Trustee Marzullo questioned the amount of remodeling work and asked if the facility would have a pool Mr. Rishforth said it will be a major renovation; there is a shower area but no pool in the facility. Trustee Marzullo asked them to explain why they are called the "Southwest Airlines" of their industry. Mr. Rishforth responded they have a simple no contract business with monthly fees of \$10.00 and for a premier membership \$19.99 a month extended benefits of massage chairs, hair cuts and tanning. The gym is designed for the average person, not body builders and does offer fitness trainers. They will reconfigure the existing 27,000 square feet showcase the 95<sup>th</sup> Street visibility. The Chair questioned the lease agreement with the Plaza and how a possible sale would affect Planet Fitness. Mr. Rishforth stated they have a ten year lease with an option for five more years and the sale of the property would not affect his lease.

Trustee McQuillan questioned the economic impact of losing sizeable retail sales tax generators like the former tenants, Walgreens and Office Depot. He noted Planet Fitness would collect only a fraction of the former sales tax monies because they sell limited merchandise such as tee shirts and hair products. Trustee Kyle asked why they chose Evergreen Park and the locations and memberships of their other locations. Mr. Rishforth said Evergreen Park fit their model for demographics, site visibility and competition. He added they have opened similar facilities in Melrose Park, 6,000 members, Cicero 4,000 members and Elmwood Park with 3,000 members. He added nationally, they have 437 locations and in seventeen (17) years have become the 2<sup>nd</sup> largest gym franchise with Gold's Gym at number one.

Trustee Kyle stated she belongs to another fitness center and questioned the fees and retention rates for clients of Planet Fitness. Trustee Kyle added she would like to visit an existing operation before she makes a decision. Mr. Rishforth offered to arrange a tour for interested parties. He added they are on a very tight time frame and delays may prohibit this location from opening in Evergreen Park. Upon roll call, voting YES: Trustees McQuillan, Keane, Phelan, Kyle and; voting NO: Trustee Marzullo and Trustee Bosch. The motion as passed and so ordered by the Chair.

**IML DELEGATES** Motion by Trustee Phelan second by Trustee McQuillan to designate Mayor Sexton as the delegate and approve Clerk Aparo as the alternate delegate to the 98<sup>th</sup> Annual Conference, September 15-17, 2011 held in Chicago, 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.

**MHR PARADE**  
Annual Mass &  
5K Run/Walk

Motion by Trustee Phelan second by Trustee Keane to approve the request from Most Holy Redeemer for their annual Homecoming parade on Saturday, October 1, 2011 and to hold the Annual Mass in Duffy Park on Sunday, September 11, 2011 and permission to hold its 2<sup>nd</sup> Annual 5K Run and Walk on Thursday, September 15, 2011. Upon roll call, voting YES: Bosch, Phelan, Kyle, Marzullo, McQuillan and Keane voting NO: NONE. The motion was passed and so ordered by the Chair.

**ENGINEER'S  
REPORT**

Tim Klass reported the 2011 paving projects of Section one and Section Two are moving along. There is a bid opening scheduled for Section 3 on Wednesday August 10, 2011. The Chair asked for everyone's patience during this project.

**ATTORNEY'S  
REPORT**

The attorney had no report.

**DEPT.  
HEADS**

Jolene Churak, Citizens Service Director, asked everyone to keep good thoughts for the Thursday Farmers' Market.

**BIDS**

The Chair noted a payout to Crowley Sheppard Asphalt in the amount of \$93,030. for the recent patching project. No Board Action required.

**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. 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 at 8:10 P.M.

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Catherine T. Aparo, CMC, Village Clerk