

Minutes of a **REGULAR MEETING** of the
PRESIDENT and BOARD OF TRUSTEES
Village of Evergreen Park, Cook County, IL
Monday, June 20, 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 Jerome Bosch
Trustee Mark Phelan

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Trustee Kyle

OPEN PUBLIC FORUM

The Chair made the following announcements:

1. The Chair acknowledged a thank you letter from the Senior Citizens Council of Evergreen Park for support received for the Memories to Go Event.
2. The Zoning Board of Appeals will conduct a public hearing in the Board room at the Village Hall on Tuesday, July 12, 2011 at 7:30 p.m. on the request for a special use under Section 25-60 A.5 of the Evergreen Park Zoning Code to permit the operation of a physical fitness facility and membership sports and recreation club upon the property located at the Evergreen Plaza, 9500 S. Western Avenue,
3. Farmers Market continues every Thursday from 7:00 am to 1:00 pm.
4. EP Police Department will again present the Hook a Kid on Golf program free to boys and girls ages 8 to 13. The second clinic begins July 18, 2011 through July 21. Contact the EPPD for applications and information.
5. The 17th Annual 5K run is Saturday, June 25, 2011 at Klein Park, registration is 7:30 am to 8:15 am and the run begins at 8:30 am.
6. The 22nd Annual Day in the Park is Saturday, June 26, 2010 at 11:30 am – 9:00 pm at the Community Center.
7. 42nd Annual Independence Day Parade is Friday, July 1, 2011 at 6:30 pm with fireworks at Duffy Park, 92nd & Millard at dusk. The Chair added fireworks rain date is Monday, July 3, 2011.
8. Vehicle sticker renewal applications have been mailed. The sticker renewal is due by June 30, 2011; penalty is 100% for stickers purchased after the deadline.

9. On Tuesday, June 28th the EP Chamber is hosting a wine tasting at Cavatappi Restaurant. Everyone is invited to attend.

10. The American Cancer Society is hosting Relay for Life at Brother Rice High School on July 16 and 17th from 3:00 pm to 6:00 am. Everyone is encouraged to participate.

**OPEN PUBLIC
AUDIENCE**

Residents from the southeast area inquired what the Village is doing to prevent flooding in their area.

Crystal Myslinski, 3137 W. 101st Street questioned if any progress or decision has been made for her area. The Chair stated he and the PW Director Lorenz had been at the homes affected by water and met with the residents. The Village is obtaining prices from contractors for overhead sewers and sump pumps. The cost has not been determined and the fee might be added to the real estate tax bills with a 5-10 year payment plan.

Ms. Katrina Moore, 3117 W. 100th St. questioned what has changed causing her to get water in her basement. Mr. Lorenz responded someone on the block may have improved their system with overhead sewers and her house became the lowest point. The Chair directed Mr. Lorenz to meet with Ms. Moore.

Mr. Dennis Lazinek, 3145 W. 100th St. asked if this was the only area that experienced water in the basement. He insisted there has been a change made in the system. The Chair stated his daughter who lives on Avers had (8) eight inches of water in her basement. The Chair responded there has been no change in the EP system; it depends on how fast the rain falls and how fast it drains. He added sewers in Mullholland area were inspected with camera and no blockages were seen. Mr. Laznik stated he does not have overhead sewers or sump pumps.

Mr. Chris Summers, 3132 W. 100th Street stated he has a gate valve in his basement and suggested the Village consider this as part of the answer to the flooding problem. Ms. Andrea Neal, 2819 W. 97th Place, complained that she had called the Water Department and no one came out to inspect her street. The Chair responded someone will be there first thing in the morning

Mr. Mike Richards, 3129 W. 100th Place expressed his concerns over water in his basement. The Chair explained the Village was out checking homes and found some had their downspouts running toward their homes and some had blocked basins.

Mr. Dan O'Neil, 9808 S. Trumbull, stated he has lived here (40) forty years and has never seen streets filled with 4-6 inches of water. He stated most of the water was gone by 10:00 am in his area of 9800 Trumbull adding there isn't much you can do to fight Mother Nature.

The Chair added there has been no change in the sewer systems and the water was the result of voluminous rains over five inches in a short period of time causing flood conditions. He stated he was out all morning and saw streets closed. He noted many other towns had streets closed i.e., La Grange Road, Southwest Highway; many were closed for 3-4 days not hours like Evergreen Park.

The Chair stated this water system was created (100) one hundred years ago. This is a complex issue and solutions are being looked into; he added more discussion will take place and he hopes to resolve this problem within a year.

Mrs. Kathy Rohan, 9653 Lawndale, identified herself as President of the School Board, District 124. She supports the Village for their efforts in securing the 91st Street development. Her concerns are for the safety of the children of Northeast school with increased traffic and congestion in the area. The Chair applauded her for attending tonight and suggested all school board members should be interested in this issue. He assured her the safety of our children is our first priority. He added the School Boards can expect a \$2 million increase in additional real estate taxes from the development.

Katie Friend, 2650 W. 98th Street questioned what other stores are coming besides Meier and Menards. She suggested a Nordstrom's Off the Rack and Whole Foods. The Chair responded restaurants and other stores will occupy additional retail space.

**REGULAR
AGENDA**

Motion by Trustee Bosch second by Trustee Kyle to waive the reading of the minutes of the June 6, 2011 Regular Board Meeting of the President and Board of Trustees as presented and passed by unanimous voice vote and so ordered by the Chair with a correction by Trustee Bosch regarding the name of the tax form for homeowners with disabilities as PTAX.

**RESOLUTION
NO. 16-2011**

Motion by Trustee Phelan second by Trustee Marzullo, to approve **Resolution NO. 16-2011** with expenditures of the General Corporate Fund of 167,206.71 and the Sewer and Water Fund in the amount of \$146,958.71 and the 95th Street TIF Fund, \$3,157.80 and the Street Bond Fund \$18,500.00 for a total of \$ 335,823.22. 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.

**BUSINESS
CERTIFICATES**

NONE.

**PRESENTATION
9140 S.WESTERN
DEVELOPMENT**

Mr. Patrick Thompson, Attorney for Evergreen Park Development LLC, presented an overview of the proposed development at 9140 S. Western

Avenue. The east half from the tracks to Western approximately 50 acres will be developed. He referenced display boards with renditions of the finished project. Meijer and Menards have been signed with more retailers to follow. Due to confidentiality constraints those retailers cannot be named at this time.

He added there will be a new stop light at 92nd Street to ensure traffic flow. He stated infrastructure work will be done to prevent flooding.

The Chair noted water from the development will be contained in retention ponds and released when appropriate. He stated total sales and property taxes from the village will be \$4.5 million dollars. This development will put people to work. The village will purchase the west half of the course (approximately 48 acres) at a price of \$2 million dollars with grant money from the State, and it will remain open recreational space.

Trustee Kyle asked where their other shopping centers are. A representative answered they own over 3 million square feet within Chicago. They own centers in Westmont and the Belmont area in Chicago and in other areas. Trustee McQuillan questioned if the internal parking lots could be connected to Sam's property to control traffic off Western Avenue. The traffic consultant from KLOA responded it is a possibility but Sam's would have to agree.

The Chair stated this is not part of a TIF District. He added questions from the Zoning Board meeting address the need for more police. The village is well equipped with 65 full time Police.

Mr. Dennis Lazinek, 3145 W. 101st St. asked if additional lanes will be put on Western Avenue due to the increase of traffic in the area. They are working with IDOT regarding the new traffic signal.

Mr. Steve Stanza, 9135 S. Western, property owner in Chicago, he is opposed to the development due to the increased traffic and asked what happens in ten (10) years when these businesses leave the area, like Borders in Chicago on Western Avenue. The chair responded the group owns the golf course, they are not leasing property.

Mr. Chris Sommers, 3132 W. 100th Street, stated 10 years ago the Village was opposed to development and he agreed with that decision. He suggested there are other empty properties in town and the developer should be looking at those locations not the golf course. The Chair noted that was at least 12 twelve years ago and it was a different development with both sides of the golf course developed for residential housing.

Mrs. Eva Kelly, 9314 S. Claremont, expressed concerns for pedestrian customers stating there are no sidewalks at Sam's and none at bus stops in the area or on 91st Street. She asked if the Village could provide sidewalks. She called the traffic in the area of Sam's and Walmart a train wreck; with special concerns about traffic around the Northeast school on 91st street. She questioned the signage being used

and the placement of lights and how it will affect the residential areas near the development.

Mr. John Dwyer, 9315 S. Richmond, stated the Sam's and Walmart are not maintained and overall security is lacking in the area. He added EP resources are being used there and many residents do not shop there. He stated many residents were not hired when the stores opened. He would like to see the security plan and asked if retailers can provide their own security. The Chair responded stating the agreement includes a stipulation that Menards and Meier hire local people. The Chair agreed stores already provide their own security and retail theft occurs wherever there are stores.

Mrs. Kelly, 9033 S. Utica, appreciates the tax impact and the jobs for the development but wants more green space. She asked for a buffer with trees between the development and the residential area. The Chair noted our 48 acres will remain open space. He assured her the kids are our number one priority.

Mr. Anthony Myslinski, 3137 W. 101st Street, commended the Chair for bringing Meier here. He supports it 100% due to the food desert on the Southside of the city. Trustee Kyle asked if it will be bigger than the Meier in Tinley Park. The Chair stated that was filling an all ready existing store and this new store will be much larger.

Mrs. Laurie Roche, 2624 W. 94th Street stated she was on the Zoning Board when the residential development of the golf course was denied. That was then this is now. Ms. Ahern sold her property to the developers and if everyone works together it will be a win- win for the residents, the Village, and the schools.

Mr. Christiano, 9252 S. California, asked what the Village will do with the property and what is the time line. The Chair answered it will be a multi use recreational area. The Chair assured everyone the Village will respect their neighbors and the Village will be proud of this development. He added the time line is approximately one to one and ½ years. The Chair noted the sooner it is built the sooner the tax monies come to the School Districts. He encouraged everyone to use the stores in Evergreen Park.

Helen Cuprisin, 9233 S. Homan, asked if there will be an ad hoc committee for input of ideas. The Chair stated the Board will decide what will be put in the recreational area adding he is open to suggestions from residents; and he is available six (6) days a week.

Mrs. Kathleen Perman, 2816 W. 97th Place, asked what is being done with foreclosed homes regarding the water issues. The Chair asked her to call with the address and the Village will contact the bank that owns it for inspection.

Mr. Winkler, 2629 W. 93rd Place, stated he trusts the Village, he asked if the west side retention pond can be tied together under the BO Railroad. The Chair stated that is in the process with applications to run under their right of way with their permission.

Mr. Mike McKenna, 10109 S. Albany, asked if they have considered permeable parking pavement rather than hard surfaces. Mr. Tracy Richards explained the soil must be acceptable to the surface for proper drainage and if the materials will be considered.

Mrs. Lori Roche questioned the natural wetlands in the golf course and asked what happened to the original retention pond that the Sam's and Wal-mart were built on. Mr. Richards explained at that time it was acceptable to mix wetlands and detention ponds. He explained now a wet land specialist is used to identify the area and he further detailed the current procedure compared to the old requirements.

**ZBA MINUTES
MINUTES
JUNE 6, 2011**

Motion by Trustee Bosch second by Trustee Kyle to approve the minutes of the June 6, 2011 meeting of Evergreen Park Zoning Board of Appeals And the recommendation of the Zoning Board to approve the re-zoning of 9140 S. Western from "O" Open Space to "C" commercial. 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. 7-2011**

Motion by Trustee Phelan second by Trustee Marzullo to approve Ordinance No. 7-2011 "An Ordinance Approving the Rezoning, Subdivision, Commercial Planned Unit Development and Special Uses for the Evergreen Golf Club Property lying east of the B & O Railroad Tracks." 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.

**ORDINANCE
NO. 8-2011**

Motion by Trustee Marzullo second by Trustee Kyle to approve, Ordinance No. 8-2011, " An Ordinance Approving the Development Agreement Dated June 20, 2011." 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.

**ORDINANCE
NO. 9-2011**

Motion by Trustee Phelan second by Trustee Keane to approve, Ordinance No. 9-2011, " An Ordinance Approving the Purchase Agreement Dated June 20, 2011 for the Property Lying West of the B & O Railroad Tracks." Upon roll call, voting YES: Trustees Bosch, Phelan, Kyle, Marzullo, McQuillan and Keane; voting NO: NONE. The motion was passed and so ordered by the Chair.

ORDINANCE

NO. 10-2011 Motion by Trustee McQuillan second by Trustee Phelan to approve, Ordinance No. 10-2011, " An Ordinance Approving the Vacation of Various Streets Lying East of the B & O Railroad Tracks in the Evergreen Golf Club Property." 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.

**BLEEKER'S
REQUEST**

Motion by Trustee Keane second by Trustee Bosch to approve the request from Bleekers Bowl to erect a temporary tent at 3347 W. 95th Street on July 1, 2011. 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.

**ENGINEER'S
REPORT**

He reported the paving project will begin soon in the southeast quadrant.

**ATTORNEY'S
REPORT**

The Attorney had no report.

**FIRE DEPARTMENT
BID REQUEST**

Motion by Trustee Phelan second by Trustee Kyle to approve Fire Chief Kleinhaus's request to waive the bid and purchase Motorola Fire ground Incident management Software and (2) Panasonic Toughbook 30 mobile data terminals at a cost of \$157,161.13. This is a 90/10 shared grant with the Federal Share payment of \$141,445.17 and the Village portion \$15,716.13. The Chair commended Chief Kleinhaus on obtaining the grant money. 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.

**INSITUFORM
REQUEST**

Motion by Trustee Bosch second by Trustee Kean to waive the bid process and approve the PW Director's request to accept Insituform Technologies, USA, Inc. Proposal of \$177,695.00 for sewer lining of various sewers on 98th Street from Lawndale to Springfield, the 12 inch sanitary sewer on 101st Street from Kedzie to Homan the 10 inch sewer between 90th Street and 90th Place, 2600 Block. This is a budgeted item. 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.

**TRACTOR
SALE**

Motion by Trustee Phelan second by Trustee McQuillan to approve the PW Director's request to sell one used 1997 John Deer tractor Model #5400, with mower deck to School District #124 for \$5,000. 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.

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 Keane, Bosch, Phelan, Kyle, Marzullo and McQuillan; voting
NO: NONE. The motion was passed and so ordered by the Chair at 9:10
P.M.

Catherine T. Aparo, CMC, Village Clerk