
PROCEEDINGS OF THE BOARD OF TRUSTEES OF THE TOWN OF CICERO

The Board of Trustees of the Town of Cicero met Tuesday, January 23, 2018 at 10:00 A.M., in the Town Hall Council Chambers, Town of Cicero.

On roll call there were present:

President: Dominick
Clerk: Punzo-Arias
Trustees: Banks, Cundari, Garcia, Raleigh, Reitz, Virruso.
Absent: Trustee Porod – Excused.

Thereupon, President Dominick declared a quorum present and the meeting duly convened and requested that all present in attendance stand and join in the Pledge of Allegiance to the Flag.

On motion of Trustee Raleigh seconded by Trustee Garcia, the minutes of the Regular Meeting held Tuesday, January 9, 2018 at 10:00 o'clock A.M., were approved, the reading being dispensed with, each member having received a copy.

PRESENTATION

(6-18)

The following seniors received a certificate along with an individual flower for being Super Seniors 90 and Beyond for the month of December/January:

DECEMBER

Eugene Dzido

JANUARY

Rose Mare Mangia

Katherine Illuk

APPROVAL OF BILLS

(7-18)

On motion of Trustee Virruso seconded by Trustee Banks, the list of bills itemized in Warrant #2, dated January 18, 2018, in the total amount of \$2,581,003.30, the list of manual checks dated January 5 thru January 18, in the total amount of \$133,245.81, and

the list of online payments dated January 5 thru January 19, in the total amount of \$0.00, were accepted, placed on file and approved for payment; action taken by the following vote:
Ayes: Banks, Cundari, Garcia, Raleigh, Reitz, Virruso.
Nays: None.

(8-18)

On motion of Trustee Raleigh seconded by Trustee Garcia, payroll (*Estimated Corporate \$1,440,082.42 & Library \$27,813.13*) was approved for the active employees listed on the printout dated 01-18-18; action taken by the following vote:
Ayes: Banks, Cundari, Garcia, Raleigh, Reitz, Virruso.
Nays: None.

(9-18)

By Trustee Raleigh:

RESOLVED, that the list of medical claims listed on the printout for the month of December/2017, prepared by Blue Cross & Blue Shield of Illinois, in the total amount of \$1,404,368.14, be accepted, placed on file and approved for payment.

Which was on motion of Trustee Raleigh seconded by Trustee Garcia, approved by the following vote:

Ayes: Banks, Cundari, Garcia, Raleigh, Reitz, Virruso.
Nays: None.

(10-18)

By Trustee Virruso:

RESOLVED, that the life and accidental death & dismemberment insurance premium for the month of February/2018, prepared by Dearborn National, in the total amount of \$5,751.97, be accepted, placed on file and approved for payment.

Which was on motion of Trustee Virruso seconded by Trustee Banks, approved by the following vote:

Ayes: Banks, Cundari, Garcia, Raleigh, Reitz, Virruso.
Nays: None.

ORDINANCES

("O" 4-18)

On motion of Trustee Raleigh seconded by Trustee Garcia, the Ordinance abating a tax for General Obligation Refunding Bonds, Series 2010A of the Town of Cicero, County of Cook, State of Illinois (*MFT Bond - \$1,056,775.00 Tax Abatement*), was accepted, placed on file and approved for passage by the following vote:

Ayes: Banks, Cundari, Garcia, Raleigh, Reitz, Virruso.

Nays: None.

("O" 5-18)

On motion of Trustee Raleigh seconded by Trustee Garcia, the Ordinance abating a tax for General Obligation Corporate Purpose Refunding Bonds, Series 2014A of the Town of Cicero, County of Cook, State of Illinois (*MFT Bond - \$7,002,750.00 Tax Abatement*), was accepted, placed on file and approved for passage by the following vote:

Ayes: Banks, Cundari, Garcia, Raleigh, Reitz, Virruso.

Nays: None.

("O" 6-18)

On motion of Trustee Garcia seconded by Trustee Banks, the Ordinance authorizing and approving an intergovernmental agreement between the Town of Cicero and Hawthorne Park District (*Waste Removal Service*) was accepted, placed on file and approved for passage by the following vote:

Ayes: Banks, Cundari, Garcia, Raleigh, Reitz, Virruso.

Nays: None.

("O" 7-18)

On motion of Trustee Virruso seconded by Trustee Banks, the Ordinance adopting Chapter 2, entitled "Administration", Article IV, entitled "Departments & Divisions", Division 18, entitled "Office of Administrative Hearings" and amending Chapter 2, Sections 2-1041, 2-1042, 2-1044 and 2-1045 of the Code of Ordinances of the Town of Cicero, Illinois, was accepted, placed on file and approved for passage by the following vote:

Ayes: Banks, Cundari, Garcia, Raleigh, Reitz, Virruso.

Nays: None.

(Purpose of Ordinance)

(The purpose of this ordinance is to establish the Office, to set forth the powers and duties of the members of the Office and to authorize the Town President to take any and all action necessary to effectuate the intent of this Ordinance.)

DIVISION 18. – OFFICE OF ADMINISTRATIVE HEARINGS

Section 2-773: Established.

(a) There is established a department of the town government which shall be known as the Office of Administrative Hearings and which shall embrace the director of the Office of Administrative Hearings and such clerks, secretaries and other employees as may be from time to time provided for in the annual appropriation ordinance.

(b) There is created the office of director of the Office of Administrative Hearings. The director shall be appointed by the town president by and with the consent of the board of trustees. The director shall serve until a successor is appointed and qualified.

Section 2-774: Powers and duties of director.

(a) The director of the Office of Administrative Hearings shall, in accordance with this Code, have the management and control of all matters relating to the Office of Administrative Hearings, its rules and regulations and its employees. All orders and regulations of the Office of Administrative Hearings shall be promulgated through the director, and all members of the Office of Administrative Hearings shall be subject to such rules and regulations.

(b) The town's administrative adjudication system shall be operated under the supervision of the director of the Office of Administrative Hearings who is authorized to adopt, distribute and process ordinance violation notices and additional notices; collect money paid as fines and penalties for ordinance violations; and establish procedures necessary for the prompt, fair, and efficient operation of the administrative adjudication system.

(c) The director of the Office of Administrative Hearings shall have management over and shall establish protocols for the security provided prior to, during, and after administrative adjudication hearings. In the event that the director determines that additional security is necessary, the director shall coordinate with the Superintendent of Police to schedule available town police officers to be present prior to, during, and after said hearings.

(d) The director of the Office of Administrative Hearings shall establish procedures for the collection of any fines or penalties resulting from ordinance violations, which may include referral to collection agencies or to the state for the suspension or revocation of certain privileges.

Section 2-1041: Purpose; scope; adoption of rules.

(b) The administrative adjudication system shall be operated under the supervision of the director of code enforcement the Office of Administrative Hearings who is authorized to adopt, distribute and process ordinance violation notices and additional notices; collect money paid as fines and penalties for ordinance violations; and establish procedures necessary for the prompt, fair, and efficient operation of the administrative adjudication system.

(c) Code enforcement officers from the animal control department, building department, business license department, fire department and state department of health shall issue all necessary notices or orders to ensure compliance with this Code, the building code, the plumbing code, the electrical code, the mechanical code, the fire prevention code, the property maintenance code and the zoning ordinance.

(d) The director of the Office of Administrative Hearings ~~code enforcement~~ is authorized to adopt rules and regulations pertaining to the hearing process, the content of forms and procedures and the daily operation of the administrative adjudication of ordinance violations.

Section 2-1042: Administrative ordinance violation notices.

(c) The director ~~of code enforcement~~ of the Office of Administrative Hearings shall distribute ordinance violation notices to all persons authorized to issue ordinance violation notices and shall maintain a record of each set of notices issued to individual members of the departments and shall retain a receipt for every set so issued.

(d) The director ~~of code enforcement~~ of the Office of Administrative Hearings shall compile and maintain complete and accurate records relating to all ordinance violation notices issued and the dispositions thereof.

Section 2-1044: Administrative hearing.

(b) The respondent may appear pro se or at his own expense by an attorney. An attorney who appears on behalf of any person shall file with the hearing officer a written appearance on a form provided by the director of ~~code enforcement~~ the Office of Administrative Hearings for such purpose.

(g) The director ~~of code enforcement~~ of the Office of Administrative Hearings shall cause a record to be made of each hearing, and recording devices may be used for such purpose.

Section 2-1045: Determination of liability.

(b) If a person fails to respond to the ordinance violation notice a determination of liability shall be entered against the respondent. Such determination shall constitute a final determination for purposes of judicial review under the Administrative Review Law of Illinois. There shall be a \$50.00 fee to reopen any violation for which an individual or entity has been found liable by the hearing officer as a result of a default judgement.

("O" 8-18)

On motion of Trustee Raleigh seconded by Trustee Garcia, the Ordinance amending Chapter 10, entitled "Alcoholic Beverages", Section 10-58, entitled "Classes Designated; Fees; Number Limited" of the Code of Ordinances of the Town of Cicero, Illinois, was accepted, placed on file and approved for passage by the following vote:

Ayes: Banks, Cundari, Garcia, Raleigh, Reitz, Virruso.

Nays: None.

(Purpose of Ordinance)

(The purpose of this ordinance is to amend Chapter 10, Section 10-58 of the Town Code as set forth herein and to authorize the Town President to take any and all action necessary in conformity therewith.)

(l) *Class K license.* A class K license shall authorize the retail sale of all alcoholic liquor in its original package, but not for consumption on the premises of the sale. Such license shall be authorized only on such location where prepackaged food is also sold. Any other section of this Code notwithstanding, no class K license shall be issued unless the premises contains no fewer than ~~150,000~~80,000 square feet of gross retail floor space. Gross retail floor space shall include freezers, coolers, storage and warehouse space not open to the general public. The annual fee for such license shall be \$6,000.00. There shall be no more than ~~one~~ six class K licenses issued within the corporate limits of the town.

(“O” 9-18)

On motion of Trustee Virruso seconded by Trustee Garcia, the Ordinance granting a special use permit to operate a granite fabrication shop at 5222 West 26th Street, was accepted, placed on file and approved for passage by the following vote:

Ayes: Banks, Cundari, Garcia, Raleigh, Reitz, Virruso.

Nays: None.

(“O” 10-18)

On motion of Trustee Raleigh seconded by Trustee Garcia, the Ordinance granting a special use permit for a planned unit development to allow for the construction of a neighborhood school facility at 5347 West 22nd Place, was accepted, placed on file and approved for passage by the following vote:

Ayes: Banks, Cundari, Garcia, Raleigh, Reitz, Virruso.

Nays: None.

RESOLUTIONS

(“R” 5-18)

On motion of Trustee Raleigh seconded by Trustee Garcia, the Resolution authorizing the Town President to renew an agreement with West Publishing Corporation to provide services to the Town (*Investigative research tools for the Cicero Police Department*), was accepted, placed on file and approved for adoption by the following vote:

Ayes: Banks, Cundari, Garcia, Raleigh, Reitz, Virruso.

Nays: None.

(“R” 6-18)

On motion of Trustee Virruso seconded by Trustee Raleigh, the Resolution authorizing the Town President to enter into and approve an agreement with Bridge Development Partners, LLC (*For the reimbursement to the Town for any cost incurred in connection with the redevelopment of 1400 S. Laramie Avenue*), was accepted, placed on file and approved for adoption by the following vote:

Ayes: Banks, Cundari, Garcia, Raleigh, Reitz, Virruso.

Nays: None.

Steve Groetsema of Bridge Development Partners, LLC addressed the Board to highlight some of their future plans to redevelop a 323,343 square foot industrial facility at 14th Street & Laramie Avenue.

(“R” 7-18)

On motion of Trustee Garcia seconded by Trustee Raleigh, the Resolution providing an inducement to the Town of Cicero and developer in connection with the redevelopment of certain real property located in the Town (*For the redevelopment of 1400 S. Laramie Avenue*), was accepted, placed on file and approved for adoption by the following vote:

Ayes: Banks, Cundari, Garcia, Raleigh, Reitz, Virruso.

Nays: None.

(“R” 8-18)

On motion of Trustee Banks seconded by Trustee Garcia, the Resolution authorizing and approving the settlement of litigation and the execution of a settlement agreement in the case of S. Stockstill v. Town of Cicero, (Case No 2014 WC 014853 & 2015 WC 024236), was accepted, placed on file and approved for adoption by the following vote:

Ayes: Banks, Cundari, Garcia, Raleigh, Reitz, Virruso.

Nays: None.

NEW BUSINESS

(11-18)

On motion of Trustee Raleigh seconded by Trustee Garcia, the Board concurred with the recommendation of the Police & Fire Commission to accept the disqualification of Candidate Edgar Moreno for the position of Probationary Police Officer candidates; action taken by the following vote:

Ayes: Banks, Cundari, Garcia, Raleigh, Reitz, Virruso.

Nays: None.

President Dominick opened the meeting to the public for their comments.

President Dominick wished Trustee Joseph Virruso a Happy Birthday.

On motion of Trustee Virruso seconded by Trustee Garcia, the board then stood adjourned at 10:26 A.M. to meet on Tuesday, February 13, 2018 at 10:00 A.M., in the Town Hall, Town of Cicero.

MARIA A. PUNZO-ARIAS, TOWN CLERK