
PROCEEDINGS OF THE BOARD OF TRUSTEES OF THE TOWN OF CICERO

The Board of Trustees of the Town of Cicero met Tuesday, November 22, 2016 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, Walsh.

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, November 8, 2016 at 10:00 o'clock A.M., were approved, the reading being dispensed with, each member having received a copy.

APPROVAL OF BILLS

(167-16)

On motion of Trustee Virruso seconded by Trustee Walsh, the list of bills itemized in Warrant #22, dated November 21, 2016, in the total amount of \$3,410,276.89, the list of manual checks dated November 4 thru November 17, in the total amount of \$4,600.00, and the list of online payments dated November 3 thru November 17, 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, Walsh.

Nays: None.

(168-16)

On motion of Trustee Raleigh seconded by Trustee Garcia, payroll (*Estimated Corporate \$1,403,999.75 & Library \$27,258.28*) was approved for the active employees listed on the printout dated 11-16-16; action taken by the following vote:

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

Nays: None.

(169-16)

By Trustee Raleigh:

RESOLVED, that the list of medical claims listed on the printout for the month of October/2016, prepared by Blue Cross & Blue Shield of Illinois, in the total amount of \$1,687,056.21, be accepted, placed on file and approved for payment.

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

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

Nays: None.

(170-16)

By Trustee Banks:

RESOLVED, that the life and accidental death & dismemberment insurance premium for the month of December/2016, prepared by Dearborn National, in the total amount of \$4,803.72, be accepted, placed on file and approved for payment.

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

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

Nays: None.

(171-16)

By Trustee Virruso:

RESOLVED, that the stop loss insurance policy premium for the month of December/2016, prepared by Symetra, in the total amount of \$26,297.39, 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, Walsh.

Nays: None.

PERMITS

(172-16)

On motion of Trustee Raleigh seconded by Trustee Garcia, permission was granted St. Frances of Rome to host their annual Noche Bohemia fundraiser in the parish school cafeteria on Friday, November 25th from 6:00 PM to Midnight.

ORDINANCES

(“O” 84-16)

On motion of Trustee Virruso seconded by Trustee Banks, the Ordinance authorizing and approving the President’s Holiday Food Assistance Program for the Town of Cicero, was accepted, placed on file and approved for passage by the following vote:

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

Nays: None.

(“O” 85-16)

On motion of Trustee Garcia seconded by Trustee Raleigh, the Ordinance amending Chapter 82, entitled “Streets, Sidewalks and Other Public Places”, Section 82-398, entitled “Dog Park”, to the Code of Ordinances of the Town of Cicero, Illinois regarding dog park regulations for the Town of Cicero, was accepted, placed on file and approved for passage by the following vote:

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

Nays: None.

(Purpose of Ordinance)

(The purpose of this ordinance is to establish rules for the Town's dog parks and to authorize the Town President to take any and all action necessary in conformity herewith.)

Section 82-398. ~~Reserved.~~ Dog Park.

(a) Definitions

- (1) "dog park" means an area, within the Town, where dogs are permitted, in accordance with the rules of this section.
 - (2) "leash free area" means a marked area within a dog park where dogs are permitted without a leash, as established by the Department of Animal Welfare, Care & Control.
 - (3) "dog park permit tag" means the registration tag, issued by the Town, required for any dog to enter a dog park.
 - (4) "large leash free area" means a leash free area designated only for dogs over thirty (30) pounds.
 - (5) "small leash free area" means a leash free area designated only for dogs thirty (30) pounds and under.
 - (6) "owner" shall mean any person that owns, accompanies, handles or intends to accompany or handle a dog in a dog park.
- (b) All regulations governing the use of public parks, as set forth in Chapter 82, Article X of this Code, shall apply in all dog parks. In the event that any provision of this Section conflicts with any other provision of Chapter 82, Article X of this Code, the provisions of this Section shall control and prevail.
- (c) General Rules Relating to Dog Parks.
- (1) Owners shall keep their dogs on a leash at all times in a dog park, except as allowed in leash free areas.
 - (2) Owners shall keep their dog(s) on a leash when entering or exiting a leash free area.
 - (3) No person under the age of eighteen (18) is allowed in a leash free area.
 - (4) All persons entering a dog park shall be owners accompanying at least one (1) dog.
 - (5) No owner shall accompany or handle more than two (2) dogs within a dog park.
 - (6) No more than two (2) owners shall be allowed to accompany one (1) dog in a dog park.
 - (7) Owners shall not leave their dog(s) unattended in a dog park.
 - (8) No person shall bring into or possess any food or beverage in a dog park. This provision shall not be construed to prohibit the possession of dog food or dog treats in a dog park.
 - (9) Owners are responsible for the care of their dog(s) while in any dog park, including, but not limited to, disposing of its waste.
 - (10) Owners are responsible for any and all damage or injury to any person, dog or property caused by their dog(s).
 - (11) While in leash free areas, owners shall have a leash in their hands at all times.
 - (12) Owners shall be within view of their dog(s) and within voice control of their dog(s) at all times.

- (13) Owners shall not allow their dog(s) to jump dog park fences. Ingress and egress shall only be through the designated gateways of a dog park.
- (14) Owners shall not use choke or pinch collars on dog(s) in a leash free area.
- (d) Owners are prohibited from allowing their dog(s) to enter a dog park if the dog(s):
 - (1) is under the age of four (4) months;
 - (2) is in heat;
 - (3) shows signs of aggression;
 - (4) exhibits signs of illness; or
 - (5) is pregnant.
- (e) Maximum Occupancy. Each leash free area shall be limited to:
 - (1) No more than ten (10) dogs in a large leash free area at any time.
 - (2) No more than fifteen (15) dogs in a small leash free area at any time.
- (f) Dog Park Permit Tag Required. Before allowing a dog to enter a dog park, owners must obtain a dog park permit tag, in accordance with this subsection.
 - (1) A dog park permit tag shall be issued to any owner who provides proof of the following:
 - i. purchase of a valid animal license as required by Section 18-37 of this Code;
 - ii. payment of the fee as provided in Section 82-398(f)(4) of this Code;
 - iii. a signed waiver by the owner, as provided by the Town;
 - iv. the following vaccinations for each dog:
 - A. Rabies;
 - B. Parvovirus;
 - C. Distemper;
 - D. Hepatitis;
 - E. Adenovirus;
 - F. Parainfluenza;
 - G. Leptospirosis;
 - H. Coronavirus;
 - I. Bordetella;

- J. H3N2 Vaccine;
- K. H3N8 Vaccine; and
- v. the owner has viewed the introduction video shown at Cicero Waggin' Tails Animal Shelter.
- (2) Dog park permit tags must be renewed annually upon proof of fulfillment of the requirements of Section 82-398(f)(1).
- (3) Dog park permit tags shall be issued by the Town Collector and any other department designated by a majority vote of the Town Board.
- (4) Dog Park Permit Tag Rates. The fees for a dog park permit tag shall be as follows:
 - i. Town Resident - Twenty dollars (\$20.00) for each dog up to a maximum of five (5) dogs.
 - ii. Senior Town Resident (a Town Resident 62 years of age or older) - Five dollars (\$5.00) for each dog up to a maximum of five (5) dogs.
 - iii. Non-Town Resident - Fifty dollars (\$50.00) for each dog up to a maximum of three (3) dogs.
 - iv. Senior Non-Town Resident (a non-Town Resident 62 years of age or older) - Twenty dollars (\$20.00) for each dog up to a maximum of three (3) dogs.
- (g) A minimum fine of \$100.00 and a maximum fine of \$750.00 shall be imposed for violations of this section. Notwithstanding the foregoing, the fines and fees collected pursuant to this Section shall be collected in accordance with law and all sums hereunder are collectible, but notwithstanding that such sums due and owing are not debts to the Town pursuant to Section 1-17 unless adjudicated as such in accordance with Chapter 2, Article VII of this Code.
- (h) Any dog(s) found in a dog park without an owner is subject to impoundment pursuant to Sections 18-42 through 18-45 of this Code.

("O" 86-16)

On motion of Trustee Raleigh seconded by Trustee Garcia, the Ordinance authorizing and approving an intergovernmental agreement between Morton College, Illinois Community College District No. 527 and the Town of Cicero (*Allows the District to install an FM broadcast transmit antenna on a Town owned telecommunication tower located at 5410 W. 34th Street*), was accepted, placed on file and approved for passage by the following vote:

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

Nays: None.

Abstain: Trustee Reitz.

("O" 87-16)

On motion of Trustee Raleigh seconded by Trustee Walsh, the Ordinance authorizing and approving the disposal of obsolete personal property for the Town of Cicero (*Obsolete office/electronic equipment; miscellaneous chattels as listed under Exhibit A*), was accepted, placed on file and approved for passage by the following vote:

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

Nays: None.

("O" 88-16)

On motion of Trustee Virruso seconded by Trustee Banks, the Ordinance authorizing the Town President to enter into an agreement with Heartland Recycling, LLC to provide services Town of Cicero (*Collection, transportation and disposal of certain waste materials*), was accepted, placed on file and approved for passage by the following vote:

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

Nays: None.

("O" 89-16)

On motion of Trustee Raleigh seconded by Trustee Garcia, the Ordinance granting a special use permit and parking variance to operate a retail bakery supply store at 2139 S. 58th Avenue, was accepted, placed on file and approved for passage by the following vote:

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

Nays: None.

RESOLUTIONS

("R" 106-16)

On motion of Trustee Garcia seconded by Trustee Raleigh, the Resolution authorizing and approving the settlement of litigation and the execution of a settlement agreement in the case of R. Alejandro, Jr. v Town of Cicero, (Case No 2014 WC 017473), was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

On motion of Trustee Virruso seconded by Trustee Garcia, the following two Resolutions designating the Holiday Schedule for 2017, was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

2017 HOLIDAY SCHEDULE(S)

1) (“R” 107-16a) Administrative Facilities Open for a Four-Day Work Week

January 2 nd	Observance of New Year’s Day
January 16 th	Martin Luther King Jr.’s Birthday
February 20 th	President’s Day
March 6 th	Pulaski Day
May 29 th	Memorial Day
July 4 th	Independence Day
September 4 th	Labor Day
October 9 th	Columbus Day
November 9 th	Observance of Veteran’s Day
November 23 rd	Thanksgiving Day
December 21 st	Observance of Christmas Eve
December 25 th	Christmas Day
December 28 th	Observance of New Year’s Eve

2) (“R” 107-16b) Administrative Facilities Open for a Five-Day Work Week
(In addition to the 2017 Holiday Schedule)

April 14 th	Observance of Easter Holiday (<i>Good Friday</i>)
November 10 th	Observance of Veteran’s Day (<i>instead of Nov. 9th</i>)
November 24 th	Observance of Thanksgiving Day (<i>instead of Nov. 23rd</i>)

December 22nd Observance of Christmas Eve (*instead of Dec. 21st*)
December 25th Christmas Day
December 29th Observance of New Year's Eve (*instead of Dec. 28th*)

NEW BUSINESS

(173-16)

On motion of Trustee Virruso seconded by Trustee Reitz, the 2016 Tax Levy Determination (*Proposed amount to be levied for fiscal year 2016 - \$32,965,149.00*), was accepted, placed on file, and action taken by the following vote:

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

Nays: None.

(174-16)

On motion of Trustee Raleigh seconded by Trustee Banks, the Board concurred with the recommendation of the Police & Fire Commission to hire the following qualified Probationary Police Officer candidates:

Luke Smith

Baldo Bello (certified)

Charles May (certified)

Tamara Cuchna (certified)

Anthony Sinnott (certified)

Noel Dominguez

The seventh position is pending response of the candidate.

action taken by the following vote:

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

Nays: None.

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

- Resident (Patricia K.) school crossing-guard was advised go to Dist. #99 School Board Meeting to address her concerns with the school district.
- Pastor from Church on Fire International, 4836 W. 13th Street, Cicero, IL introduced herself and invited the Board to visit their church.

On motion of Trustee Virruso seconded by Trustee Garcia, the board adjourned at 10:21 A.M. to meet in Executive Session.

On motion of Trustee Virruso seconded by Trustee Garcia, the board reconvened at 11:00 A.M. to Open Session.

On motion of Trustee Raleigh seconded by Trustee Garcia, the minutes of the Executive Session held Tuesday, November 8, 2016, were accepted and approved.

On motion of Trustee Reitz seconded by Trustee Garcia, the town attorney was authorized to negotiate a settlement per terms discussed in Executive Session relative to Agenda Item #11-A "Arceo v. Town of Cicero"; action taken by the following vote:

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

Nays: None.

Executive Session agenda item #11-B was for informational purposes only.

On motion of Trustee Reitz seconded by Trustee Raleigh, the town attorney was authorized to negotiate a settlement per terms discussed in Executive Session relative to Agenda Item #11-C "Lencioni v. Town of Cicero"; action taken by the following vote:

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

Nays: None.

No discussion was held relative to Executive Session Agenda Item #11-D.

On motion of Trustee Virruso seconded by Trustee Garcia, the board then stood adjourned at 11:01 A.M. to meet on Tuesday, December 13, 2016 at 10:00 A.M., in the Town Hall, Town of Cicero.

MARIA A. PUNZO-ARIAS, TOWN CLERK