
PROCEEDINGS OF THE BOARD OF TRUSTEES OF THE TOWN OF CICERO

The Board of Trustees of the Town of Cicero met Tuesday, March 14, 2017 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 Walsh – 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, February 28, 2017 at 10:00 o'clock A.M., were approved, the reading being dispensed with, each member having received a copy.

PRESENTATION

Youth Development Specialist Natalia Linares of Youth Crossroad along with (4) Members of their Youth Leadership Program (YLP) addressed the Board to highlight their upcoming service trip to Atlanta, GA and thanked the Board for their continued support.

APPROVAL OF BILLS

(30-17)

On motion of Trustee Garcia seconded by Trustee Reitz, the list of bills itemized in Warrant #5, dated March 13, 2017, in the total amount of \$2,264,074.19, the list of manual checks dated February 24 thru March 9, in the total amount of \$0.00, and the list of online payments dated February 23 thru March 9, in the total amount of \$50.00, were accepted, placed on file and approved for payment; action taken by the following vote:

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

Nays: None.

(31-17)

On motion of Trustee Virruso seconded by Trustee Banks, payroll (*Estimated Corporate \$1,433,283.44 & Library \$27,258.28*) was approved for the active employees listed on the printout dated 03-09-17; action taken by the following vote:

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

Nays: None.

PERMIT

(32-17)

On motion of Trustee Raleigh seconded by Trustee Garcia, permission was granted Mary, Queen of Heaven Parish to conduct a religious procession on Good Friday, April 14th, from 7:30 PM on route outlined in their request.

REPORTS

(33-17)

On motion of Trustee Virruso seconded by Trustee Raleigh, the Collector's Office Report (*\$7,538,476.33*) and the Revenue Summary Report (*\$994,871.92*) for the month of February/17, submitted by Fran Reitz, Collector, was accepted and placed on file; action taken by the following vote:

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

Nays: None.

ORDINANCES

("O" 14-17)

On motion of Trustee Garcia seconded by Trustee Raleigh, the Ordinance amending Chapter 22, entitled "Building and Building Regulations", Section 22-281, 22-282 and 22-286 and Chapter 90, entitled "Taxation", Section 90-225 of the Code of Ordinances of the Town of Cicero, Illinois regarding real estate transfers 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.

Nays: None.

(Purpose of Ordinance)

(The purpose of this ordinance is to provide that Familial Transfers are exempt from the requirements that transferees obtain certificates of compliance and occupancy and the imposition of the Transfer Tax, to increase

permit and inspection fees and to authorize the President and other Town officials to take all action necessary to carry out the intent of this Ordinance.)

Section 22-281: Definitions.

Building commissioner means the duly appointed town building commissioner or his duly appointed agents or assistants.

Familial Transfer means a transfer of any interest in real property by one spouse to another.

Real property means all improved real estate located within the corporate boundaries of the town.

Transfer means any conveyance of real property, whether by deed, articles of agreement for deed, or assignment of the beneficial interest under a land trust; any transaction in which real property is used as collateral for a loan; and any transaction in which a present beneficiary is added to a land trust. However, a conveyance of real property in which one (1) or more individuals or entities hold an ownership interest or a present beneficial interest in the conveyed real property both before and after the conveyance does not constitute a transfer as defined within this subsection.

Section 22-282: Application of Article; Exception.

- (a) This article shall apply to all improved residential, commercial and industrial properties located within the corporate boundaries of the town as described in subsection (b) of this section.
- (b) This article shall apply to all properties located within the territorial boundaries of the town, legally described as follows:

All real property located within the territorial boundaries of the town, beginning at the southeast corner of 12th Street (Roosevelt Road) and 62nd Avenue (Lombard Avenue), thence south along the east edge of 62nd Avenue (Lombard Avenue) to the southeast corner of 39th Street (Pershing Road), thence east along the north edge of 39th Street (Pershing Road) and 52nd Avenue (Laramie Avenue), thence north along the west edge of 52nd Avenue (Laramie Avenue) to the southwest corner of 35th Street and 52nd Avenue (Laramie Avenue), thence east along the north property line of the Hawthorne Race Track to the east edge of Cicero Avenue, thence south along the east edge of 48th Court (Cicero Avenue) to the northeast corner of 39th Street (Pershing Road), and 48th Avenue (Cicero Avenue), thence east to the west property line of the Belt Line Railway, thence north along the west property line of the Belt Line Railway to a point where the west edge of the Belt Line Railway right-of-way meets the south edge of 12th Street (Roosevelt Road), thence west along 12th Street (Roosevelt Road) to the point of beginning; all located in township 39 north, range 13 east of the third principal meridian in the county.

- (c) Subsection (a) of this section shall not apply to transfers of title made with tax deeds, sheriff's deeds, or other transfers made pursuant to orders issued by local, county, state or federal courts nor shall subsection (a) of this section apply to transfers involving only vacant land or Familial Transfers.

Section 22-286: Fee for inspections and occupancy permits.

- (a) Fees for inspections and occupancy permits shall be as follows:

- (1) *Residential property:*

Single-family homes ~~\$50.00~~100.00

~~Two family dwellings 70.00~~

For each additional apartment, add ~~\$20.00~~\$30.00

Accessory structures \$35.00

(2) *Commercial and industrial property:*

For property up to an including 5,000 square feet 100.00

For each additional square foot over 5,000 add 0.01

(b) The permit fees provided for in subsection(a) of this section shall cover the cost of the initial inspection and one (1) follow up inspection. Any additional inspections necessary thereafter shall be charged at a rate of \$50.00 per inspection.

Section 90-225: Further exemption of certain transactions.

The taxes imposed by this article shall not be imposed on or transferred by an executor or administrator to a legatee, heir or distributee where the transfer is being made pursuant to will or by intestacy. The tax provided by this article shall further be exempt where the transaction is effected by operation of law or upon delivery or transfer in the following instances:

(1) From a decedent to his executor or administrator.

(10) Pursuant to any Familial Transfer as that term is defined in Section 22-281 where there is no consideration for said transfer.

(“O” 15-17)

On motion of Trustee Reitz seconded by Trustee Virruso, the Ordinance amending Chapter 22, entitled “Building and Building Regulations”, Section 22-3, entitled “Permit Fees” of the Code of Ordinances of the Town of Cicero, Illinois regarding plan examination fees 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.

Nays: None.

(Purpose of Ordinance)

(The purpose of this ordinance is to update the Fee Schedule for the plan examination process and to authorize the President and other Town officials to take all action necessary to carry out the intent of this Ordinance.)

Section 22-3: Permit Fees.

A fee for each plan examination, building permit and inspection shall be paid in accordance with the following schedule:

(4) Plan examination fees. For purposes of determining the applicable plan examination fee, the term “residential structure” shall include one-family dwellings and two-family dwellings. The term

"commercial structure" shall include any structure having a commercial use, and multiple-family dwellings. Additional fees apply to expedited plan reviews. The fee for structural plan reviews shall be the hourly cost of plan review the Plan Specialist charges the Town pursuant to Chapter 22, Section 22-12. Plan examination fees, as necessary, shall be as follows:

- a. Residential new construction. The processing fee for each new application shall be \$50.00.
 - 1. The plan examination fee for new construction residential structures shall be as follows:
 - i. For dwellings up to ~~2,000~~ 1,500 square feet, per unit (including basement) ~~\$600.00~~\$500.00
 - ii. For dwellings ~~over~~ consisting of 1,501 to 2,000 square feet, per unit (including basement) ~~750.00~~\$700.00
Plus, per square foot over ~~2,001~~ square feet an additional ~~0.35~~
 - iii. For dwellings consisting of 2,001 to 3,500 square feet, per unit (including basement) \$850.00
 - iv. For dwellings 3,501 square feet and above, per unit (including basement) \$1,000.00
 - 2. The structural review fee for new construction residential structures shall be as follows:
 - i. For dwellings up to 1,500 square feet, per unit (including basement) \$300.00
 - ii. For dwellings consisting of 1,501 to 2,000 square feet, per unit (including basement) \$500.00
 - iii. For dwellings consisting of 2,001 to 3,500 square feet, per unit (including basement) \$700.00
 - iv. For dwellings 3,501 square feet and above, per unit (including basement) \$900.00
 - 3. The structural review fee for new construction for porches and elevated decks shall be \$300.00
- b. Residential existing structures. The processing fee for each new application shall be \$50.00.
 - 1. The plan examination fee for proposed non-structural changes to existing residential structures shall be as as follows:
 - i. Non-structural residential renovations up to ~~1,000~~ 1,500 square feet, per unit ~~250.00~~\$500.00
 - ii. Non-structural residential renovations ~~over 1,000~~ consisting of 1,501 to 2,000 square feet, per unit ~~300.00~~\$650.00
Plus, per square foot over ~~1,001~~ square feet ~~0.35~~
 - 3. Residential structural review Hourly, as required
 - iii. Non-structural residential renovations consisting of 2,001 to 3,500 square feet, per unit \$800.00

- iv. Non-structural residential renovations consisting of 3,501 square feet and above, per unit \$1,000.00
2. The structural review fee for proposed structural changes to existing residential structures shall be as follows:
- i. Structural residential renovations up to 1,500 square feet, per unit \$500.00
 - ii. Structural residential renovations consisting of 1,501 to 2,000 square feet, per unit \$750.00
 - iii. Structural residential renovations consisting of 2,001 to 3,500 square feet, per unit \$750.00
 - iv. Structural residential renovations consisting of 3,501 square feet and above, per unit \$750.00
- c. Residential zoning review. The zoning review fee for both new residential construction and existing residential structures shall be \$200.00.
- d. Commercial structures. The processing fee for each new application shall be \$75.00. The plan examination fee for a commercial structure shall be:
- 1. For buildings up to ~~60,000 cubic~~ 2,500 square feet:
 - ai. Structural review ~~Hourly, as required~~ \$750.00
 - bii. Mechanical, electrical, plumbing and architectural review ~~1,200.00~~ \$750.00
 - 2. For buildings from ~~60,001 to 80,000 cubic~~ 2,501 to 7,500 square feet:
 - ai. Structural review ~~Hourly, as required~~ \$1,500.00
 - bii. Mechanical, electrical, plumbing and architectural review ~~1,750.00~~ \$1,500.00
 - 3. For buildings from ~~80,001 to 100,000 cubic~~ 7,501 to 10,000 square feet:
 - ai. Structural review ~~Hourly, as required~~ \$1,500.00
 - bii. Mechanical, electrical, plumbing and architectural review ~~2,000.00~~ \$3,500.00
 - 4. For buildings from ~~100,001 to 150,000 cubic~~ 10,001 to 25,000 square feet:
 - ai. Structural review ~~Hourly, as required~~ \$3,000.00
 - bii. Mechanical, electrical, plumbing and architectural review ~~2,500.00~~ \$4,500.00
 - 5. For buildings from ~~150,001 to 200,000 cubic~~ 25,001 to 50,000 square feet:
 - ai. Structural review ~~Hourly, as required~~ \$4,000.00
 - bii. Mechanical, electrical, plumbing and architectural review ~~3,500.00~~ \$6,000.00
 - 6. For buildings ~~from over 200,000 cubic~~ 50,001 to 100,000 square feet:
 - ai. Structural review ~~Hourly, as required~~ \$5,000.00

~~bii. Mechanical, electrical, plumbing and architectural review 3,500.00~~ \$8,500.00
~~Plus, per each additional 5,000 cubic feet 35.00~~

7. For buildings from 100,001 to 200,000 square feet:

i. Structural review \$7,500.00

ii. Mechanical, electrical, plumbing and architectural review \$12,500.00

8. For buildings from 200,001 to 400,000 square feet:

i. Structural review \$9,000.00

ii. Mechanical, electrical, plumbing and architectural review \$15,000.00

9. For buildings over 400,001 square feet:

i. Structural review \$9,000.00 plus \$1,000.00 for each additional 25,000 square feet

ii. Mechanical, electrical, plumbing and architectural review \$15,000.00 plus \$2,500.00 for each additional 25,000 square feet

e. Commercial zoning review. The zoning review fee for commercial structures shall be \$300.00

(5) *Sprinkler review fees.* The processing fee for each new application shall be \$50.00. The plan review fees for fire suppression systems, including fire pumps, hose stations and standpipes are listed below. Additional fees apply to expedited plan reviews.

a. Hydraulically calculated systems. The fees for hydraulically calculated systems shall be as follows:

1. Up to 100 sprinklers \$500.00

2. 101 to 200 sprinklers \$750.00

3. 201 to 300 sprinklers \$1,000.00

4. 301 to 500 sprinklers \$1,200.00

5. Over 500 sprinklers, plus \$25.00 for each additional 10 sprinklers \$1,200.00

6. Sprinkler system final inspection under 50,000 square feet \$450.00

7. Sprinkler system final inspection over 50,000 square feet \$650.00

b. Alternate fire protection systems. The fees for alternate fire protection systems shall be as follows:

1. Carbon dioxide, clean agent systems \$300.00

2. The fees for fire detection and alarm systems shall be as follows: for up to 15,000 square feet, plus an additional \$0.10 per each additional square foot 400.00

i. Up to 2,500 square feet \$500.00

ii. 2,501 to 7,500 square feet \$700.00

iii. 7,501 to 10,000 square feet \$900.00

iv. 10,001 to 25,000 square feet \$1,100.00

v. 25,001 to 50,000 square feet \$1,300.00

vi. 50,001 to 100,000 square feet \$1,500.00

vii. 100,001 to 200,000 square feet \$1,700.00

viii. 200,001 to 400,000 square feet \$2,000.00

a. plus an additional \$0.10 per additional square foot over 400,001

3. Dry chemical, plus alarm fees \$400.00

c. Fire project and alarm fees.

1. Sprinkler system piping rough-in inspection 50,000 square feet or less \$450.00

2. Sprinkler system piping rough-in inspection over 50,000 square feet \$650.00

~~3~~3. Sprinkler system piping hydrostatic test witness \$400.00

~~4~~4. Kitchen fire suppression system test witness \$400.00

~~5~~5. Sprinkler system valves, flow switches and main drain flow test witness \$500.00

~~6~~6. Fire pump test witness \$450.00

~~7~~7. Final inspection and test witnessing 50,000 square feet or less \$575.00

~~8~~8. Final inspection and test witnessing over 50,000 square feet..... \$800.00

d. There shall be a \$200.00 credit issued when multiple inspections are performed during a single site visit.

(6) *Electrical review.* Unless a different amount is specified above, or the plan is reviewed under a prior heading, the fee for all electrical plan reviews shall be: \$250.00.

(7) *Fire prevention review.* Unless a different amount is specified above, the fee for any plan review by fire prevention: \$250.00.

(8) *Hood/Ansul system review.* Unless a different amount is specified above, or the plan is reviewed under a prior heading, the fee for all hood/ansul system reviews shall be: \$400.00.

(9) *Foundation inspections.* Unless a different amount is specified above, or the plan is reviewed under a prior heading, the fee for residential foundation inspections shall be \$250.00 and the fee for commercial foundation inspections shall be \$350.00.

(10) Preliminary inspections. Unless a different amount is specified above, or the plan is reviewed under a prior heading, the fee for residential preliminary inspections shall be \$250.00 and the fee for commercial preliminary inspections shall be \$350.00.

(10) *Rough inspections.* Unless a different amount is specified above, or the plan is reviewed under a prior heading, the fee for all rough inspections shall be as follows:

- a. *For residential structures:*
1. Electrical ~~\$95.00~~250.00
 2. Plumbing ~~\$100.00~~250.00
 3. Mechanical ~~\$95.00~~250.00
 4. Framing and masonry ~~\$95.00~~250.00
 5. Gas \$250.00
 6. Energy efficiency \$250.00

- b. *For commercial structures:*
1. Electrical ~~\$125.00~~ Reserved.
 2. Plumbing ~~\$150.00~~ Reserved.
 3. Mechanical ~~\$125.00~~
 - i. Underground \$350.00
 - ii. Hood \$350.00
 4. Framing ~~\$125.00~~650.00
 5. Concrete slab under floor \$350.00
 6. Lath and gypsum board \$350.00
 7. Fire and smoke resistant penetrations \$350.00
 8. Energy efficiency \$350.00
 9. Other inspections Hourly
 10. Special inspections Hourly

(142) *Final inspections.* The fee for residential final inspections shall be ~~\$120.00~~ 250.00 and the fee for commercial final inspections shall be ~~\$175.00~~ 350.00. The inspection fees set forth in this Section include one re-inspection. If additional inspections are required, a fee equal to one-half of the initial inspection fee set forth in this Section shall apply to each such re-inspection. The fee for a commercial structure mechanical hood final inspection shall be \$350.00.

(123) *Demolition and Wrecking Permits.* Before the Town will issue any permit for demolition or wrecking work, the individual or entity requesting the permit must provide the Town with adequate proof that the individual or entity requesting the permit owns the property to be demolished or wrecked. In the event that the name of the applicant is different than the name of the owner of said property, the Town shall deny the request for a permit. Notwithstanding the foregoing, if the applicant is applying for a demolition permit at the request of the owner of the property to be demolished or wrecked and if the Town receives a notarized affidavit from the owner stating that the owner of the property has authorized the demolition and wrecking permit to be filed on his, her or its behalf, then the Town may issue the permit.

(“O” 16-17)

On motion of Trustee Virruso seconded by Trustee Raleigh, the Ordinance authorizing and approving the purchase of certain equipment and services (*Additional computer software & hardware for the Police Department from Computer Information Systems, Inc. at an additional cost \$66,862.00; funded by Drug Forfeiture and DUI fines*), was accepted, placed on file and approved for passage by the following vote:

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

Nays: None.

(“O” 17-17)

On motion of Trustee Garcia seconded by Trustee Raleigh, the Ordinance granting a parking variance to operate video gaming lounge at 1942 South Cicero Avenue, was accepted, placed on file and approved for passage by the following vote:

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

Nays: None.

(“O” 18-17)

On motion of Trustee Banks seconded by Trustee Raleigh, the Ordinance granting a parking variance to operate martial arts studio at 5937 West 35th Street, was accepted, placed on file and approved for passage by the following vote:

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

Nays: None.

(“O” 19-17)

On motion of Trustee Virruso seconded by Trustee Garcia, the Ordinance granting a special use permit and height variance to install additional equipment on an existing telecommunication facility at 5819 West Ogden Avenue, was accepted, placed on file and approved for passage by the following vote:

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

Nays: None.

RESOLUTIONS

(“R” 19-17)

On motion of Trustee Raleigh seconded by Trustee Garcia, the Resolution authorizing the Town President to enter into an agreement with Primera Engineers, LTD

to provide services to the Town (*Building Department Plan Review Specialist*) was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

("R" 20-17)

On motion of Trustee Virruso seconded by Trustee Banks, the Resolution authorizing the Town President to enter into agreements with American Mobile Staging, Inc. to provide services to the Town (*Staging equipment for the Cinco De Mayo (May 4 thru May 7), American Fest (June 15 thru June 18), Fiestas Patrias (September 14 thru September 17) and Houby Fest (October 6 thru October 8)*) was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

("R" 21-17)

On motion of Trustee Virruso seconded by Trustee Reitz, the Resolution authorizing the Town President to enter into agreements with All Around Amusement, Inc. to provide services to the Town (*To provide amusement ride devices and amusement attractions for the Cinco De Mayo (May 4 thru May 7), Houby Fest (October 6 thru October 8), Fiestas Patrias (September 14 thru September 17), and American Fest (June 15 thru June 18)*) was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

("R" 22-17)

On motion of Trustee Reitz seconded by Trustee Virruso, the Resolution authorizing the Town President to enter into an agreement with Entertainment Management Group to provide services to the Town (*Logistical supervision of musical concert of the American Fest (June 15 thru June 18) and Houby Fest (October 6 thru October 8)*) was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

(“R” 23-17)

On motion of Trustee Raleigh seconded by Trustee Banks, the Resolution authorizing the Town President to enter into and approve a certain Highway Authority Agreement for the Town (*With EMCO Metals, LLC for the environmental remediation of underground storage tanks at 1505 S. Laramie Avenue as described in Exhibit “A”*) was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

NEW BUSINESS

(34-17)

On motion of Trustee Garcia seconded by Trustee Raleigh, the Board of Fire, Police and Public Safety Commissioners was authorize to hire the next qualified candidate from the current Cicero Police Department eligibility list due to a vacancy created by a recent retirement, was accepted, placed on file and 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.

- Town resident [Steve W.] inquired about the referendums relative the upcoming election.
- Town resident [Mike N.] had concerns about cars parking overnight with no valid Cicero Tag, and abusing the visitor passes.

On motion of Trustee Virruso seconded by Trustee Garcia, the board adjourned at 10:29 A.M. to meet in Executive Session.

On motion of Trustee Virruso seconded by Trustee Garcia, the board reconvened at 11:05 A.M. to Open Session.

On motion of Trustee Raleigh seconded by Trustee Garcia, the minutes of the Executive Session held Tuesday, February 14, 2017, 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 #13-A "J. Benes v. Town of Cicero"; action taken by the following vote:

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

Nays: None.

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 #13-B "N. Bednowicz v. Town of Cicero"; action taken by the following vote:

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

Nays: None.

No discussion was held relative to Executive Agenda Item #13-C.

On motion of Trustee Virruso seconded by Trustee Garcia, the board then stood adjourned at 11:16 A.M. to meet on Tuesday, March 28, 2017 at 10:00 A.M., in the Town Hall, Town of Cicero.

MARIA A. PUNZO-ARIAS, TOWN CLERK