
PROCEEDINGS OF THE BOARD OF TRUSTEES OF THE TOWN OF CICERO

The Board of Trustees of the Town of Cicero met Tuesday, March 27, 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, Cava, Cundari, Garcia, Porod, Reitz, Virruso.

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 Garcia seconded by Trustee Banks, the minutes of the Regular Meeting held Tuesday, March 13, 2018 at 10:00 o'clock A.M., were approved, the reading being dispensed with, each member having received a copy.

PRESENTATION

(45-18)

Town employee Serge Rocher was presented a Certificate of Honor in recognition for his professional services.

(46-18)

On motion of Trustee Garcia seconded by Trustee Porod, the proclamation designating the week of April 8 – 14, 2018 as “NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK” in the Town of Cicero was accepted and placed on file.

APPROVAL OF BILLS

(47-18)

On motion of Trustee Virruso seconded by Trustee Porod, the list of bills itemized in Warrant #6, dated March 26, 2018, in the total amount of \$4,464,611.52, the list of manual

checks dated March 9 thru March 22, in the total amount of \$720.00, and the list of online payments dated March 10 thru March 22, in the total amount of \$381.97, were accepted, placed on file and approved for payment; action taken by the following vote:

Ayes: Banks, Cava, Cundari, Garcia, Porod, Reitz, Virruso.

Nays: None.

(48-18)

On motion of Trustee Porod seconded by Trustee Garcia, payroll (*Estimated Corporate \$1,423,788.48 & Library \$29,034.66*) was approved for the active employees listed on the printout dated 03-22-18; action taken by the following vote:

Ayes: Banks, Cava, Cundari, Garcia, Porod, Reitz, Virruso.

Nays: None.

(49-18)

By Trustee Virruso:

RESOLVED, that the list of medical claims listed on the printout for the month of February/2018, prepared by Blue Cross & Blue Shield of Illinois, in the total amount of \$1,223,481.86, be accepted, placed on file and approved for payment.

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

Ayes: Banks, Cava, Cundari, Garcia, Porod, Reitz, Virruso.

Nays: None.

(50-18)

By Trustee Banks:

RESOLVED, that the life and accidental death & dismemberment insurance premium for the month of April/2018, prepared by Dearborn National, in the total amount of \$5,488.30, be accepted, placed on file and approved for payment.

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

Ayes: Banks, Cava, Cundari, Garcia, Porod, Reitz, Virruso.

Nays: None.

PERMITS

(51-18)

On motion of Trustee Porod seconded by Trustee Cava, permission was granted Emmanuel Presbyterian Church to reserve parking along the perimeter of the church facilities on Sunday, April 1st from 12:00 PM (Noon) to 6:00 PM for their annual Resurrection Sunday Worship Service.

(52-18)

On motion of Trustee Garcia seconded by Trustee Cava, permission was granted the Salvation Army to conduct their annual Donut Day on June 1st & June 2nd, and their annual Red Kettle Campaign from November 1st thru December 24th (Monday thru Saturday) at various locations.

(53-18)

On motion of Trustee Garcia seconded by Trustee Porod, permission was granted Por El Valle De Plateado to host a Dance event at the St. Anthony of Padua Parish Hall (1510 S. 49th Court) on Saturday, April 7th, from 7:00 PM to 1:00 AM. Permission includes the sale of alcoholic beverages until 11:59PM.

(54-18)

On motion of Trustee Porod seconded by Trustee Banks, permission was granted St. Anthony of Padua Parish to conduct a "Living Way of the Cross" procession on Good Friday, March 30th, from 9:00 AM on route outlined in their request.

(55-18)

On motion of Trustee Virruso seconded by Trustee Porod, permission was granted St. Anthony Catholic Church to conduct a religious procession on Tuesday, June 13th, from 7:00 PM on route outlined in their request.

ORDINANCES

("O" 26-18)

On motion of Trustee Reitz seconded by Trustee Virruso, the Ordinance amending various sections of Chapter 94, entitled "Traffic" of the Code of Ordinances of the Town of Cicero, Illinois regarding vehicle towing and storage, was accepted, placed on file and approved for passage by the following vote:

Ayes: Banks, Cava, Cundari, Garcia, Porod, Reitz, Virruso.

Nays: None.

(Purpose of Ordinance)

(The purpose of this ordinance is to update and clarify the Existing Regulations, to create the Department and to authorize the President and other Town officials and employees to take all action necessary to carry out the intent of this Ordinance.)

DIVISION 6. - IMMOBILIZATION, TOWING AND STORAGE

Section 94-446: Authorized.

The immobilization of motor vehicles by the town or its contractor shall be authorized by the violations department or the police department under the circumstances provided in this division.

Section 94-449: Recovery of immobilized motor vehicles.

(a) Before the owner or person entitled to possession of any legally immobilized vehicle shall be permitted to have the locking device removed, the person shall furnish to the Police Department, Division of Records ~~director of violations~~ evidence of his identity and ownership of the vehicle and right of possession thereto; shall sign a receipt for the vehicle; shall pay a fee to cover the costs of towing or removal to a vehicle pound or authorized garage, the costs of storage, and costs of removing the locking device; and he shall satisfy all parking and traffic citations for which the motor vehicle was impounded and present proof of such satisfaction; or the owner or person entitled to possession may:

- (1) Without an immediate release of his vehicle, request a hearing be held within 24 hours; or
- (2) Obtain an immediate release of his vehicle by requesting the hearing be held within 14 days and by making a deposit to cover the charges.

(b) The hearing shall be conducted in conformity with sections 94-451 through 94-454 and shall determine the validity of the impounding or immobilization of the vehicle and any charges.

Section 94-450: Notice of right to post-immobilization hearing.

Pursuant to this division, the following notice shall be posted in all places to which members of the public come to recover removed vehicles, in the police station, and in all garages to which vehicles are brought for impoundment:

ATTENTION: Owners or other persons lawfully entitled to possession of towed or immobilized vehicles have the following options: (1) You may pay the cost of towing or removal to a vehicle pound or authorized garage, the cost of storage, the cost of removing the locking device and satisfy all parking and traffic citations for which said motor vehicle was immobilized and redeem your vehicle and assert whatever claims you may have against the town by contacting the superintendent of police and filing a claim; (2) you may demand a hearing on the citations giving rise to removal of your vehicle to be held within 24 hours; or (3) you may obtain the immediate

release of your vehicle by requesting that said hearing be held in 14 days and by paying the cost of towing or removal to a vehicle pound or authorized garage, the cost of storage, the cost of removing the locking device and satisfy all parking and traffic citations for which said motor vehicle was immobilized. In the event that these citations are dismissed, you may recover your vehicle and receive a refund of all costs paid. You should appear to request the hearing at the Cicero Town Hall Police Department or call 708-656-3600, extension-205.

Section 94-451: Request for post-immobilization hearing.

Request for a post-immobilization hearing may be made by telephone or in person or by mail within 15 days of the mailing date of notification of the immobilization or release of the vehicle, whichever occurs first. Requests are to be made to the ~~director of violations~~ Police Department, Division of Records.

Section 94-452: Procedures for post-immobilization hearing.

Designated personnel shall, upon receipt of a hearing request pursuant to this division, fully and accurately complete a request for an immobilization hearing form and forward copies of those records to the ~~director of violations~~ Police Department, Division of Records to conduct the hearing. These records include but are not limited to a motor vehicle inventory report, any cash receipts for towing and immobilization storage fees, towing and other case reports, as well as registration information. Upon completion of a request for an immobilization hearing report and the attachment thereto of required records, personnel receiving and processing the request shall forward it to the hearing officer.

Section 94-453: Scheduling of post-immobilization hearings.

Under this division, post-immobilization hearings are held on weekdays Wednesdays from ~~9:00 a.m. to 12:00 noon and from 1:00 p.m. to 4:00 p.m.~~ 5:00 p.m. to 8:00 p.m., except where hearings are requested within 24 hours of the towing or immobilization; in rooms to be designated at the information desk in the Town Hall. Hearings shall take place as follows:

- (1) When the vehicle has been released upon deposit of funds, the hearing shall take place within seven days of such payment unless a later date is requested by the owner, not to exceed 14 days after release of the vehicle.
- (2) When the vehicle has been released upon payment of all towing fees, immobilization fees, fines, and storage fees or impoundment charges, the hearing shall take place within 14 days after release of such vehicle.
- (3) When the vehicle is still impounded, the hearing shall take place either within 24 hours after a request for hearing, excluding Saturdays, Sundays, and holidays, or within 14 days of the request, at the option of the owner, and on a date convenient for all parties.
- (4) When a hearing request is made after 5:00 p.m. on a particular day, such hearing will be held on the second working day following the request.

Section 94-457: Towing of Immobilized Vehicles.

Any vehicle which remains immobilized for a period of two days or more is hereby declared to be a derelict vehicle and may be towed in accordance with the procedure set forth in section 94-487. Immobilized vehicles which additionally qualify as no parking or obstruction vehicles as defined in section 94-486 are subject to immediate towing in accordance with the procedure set forth in section 94-487.

Section 94-458: Fee for removal of immobilization device; Fees for vehicle towing and storage.

- (a) The fee for the removal of an immobilization device on a vehicle shall be \$100.00.
- (b) The fees for vehicle towing and storage are as follows:
 - (1) Passenger car towing fee . . . \$140.00

- (2) Van, sport utility vehicle (SUV), pickup truck or motorcycle . . . \$150.00
- (3) In the event that a specialized towing vehicle is required to tow any vehicle, including commercial vehicles, the vehicle owner shall bear any and all costs associated with towing said vehicle.
- (4) Storage fee per day for all vehicles . . . \$40.00

~~Secs. 94-460—94-485. —Reserved.~~

Section 94-460: Department of Vehicle Towing And Storage Established.

(a) There is established a department of the town government which shall be known as the Department of Vehicle Towing and Storage and which shall embrace the director of the Department of Vehicle Towing and Storage and such clerks, secretaries, towing operators 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 Department of Vehicle Towing and Storage. 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 94-461: Powers and duties of director.

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

(b) The director shall oversee all vehicle towing and storage operations, whether undertaken by the town or its contractors, shall coordinate with department employees and/or other town officials and departments for the issuance of towing and immobilization notices, shall collect money paid as vehicle storage fees, shall coordinate with other town officials and departments regarding the storage, release or disposal of vehicles and hearings associated therewith, and shall establish procedures necessary for the prompt, fair, and efficient operation of the Department of Vehicle Towing and Storage.

Section 94-462: Vehicle lock out services.

The Department of Vehicle Towing and Storage may provide lock out services as follows only within the corporate limits of the town:

(a) Town Residents. Any town resident that requests that the Department provide vehicle lock out services must first show valid state issued identification or a Matricula Consular Card listing a valid Town of Cicero address. The vehicle must be registered in the name of the person requesting the lock out services. Any town resident seeking vehicle lock out services from the Department must first sign a waiver of liability in favor of the town. There shall be no fee for these services to town residents in accordance with this subsection.

(b) Non-Residents of the Town. Any individual who does not reside within the corporate limits of the town that requests that the Department provide vehicle lock out services must first show valid state issued identification or a Matricula Consular Card to verify identity. The vehicle must be registered in the name of the person requesting the lock out services. Any individual seeking vehicle lock out services from the Department must first sign a waiver of liability in favor of the town. There shall be a \$25.00 fee for these services to non-residents of the town in accordance with this subsection.

Sections 94-463—94-485: Reserved.

(“O” 27-18)

On motion of Trustee Virruso seconded by Trustee Garcia, the Ordinance granting a zoning map amendment to allow for an off-street parking lot at 2945 South 48th Court, was accepted, placed on file and approved for passage by the following vote:

Ayes: Banks, Cava, Cundari, Garcia, Porod, Reitz, Virruso.

Nays: None.

(“O” 28-18)

On motion of Trustee Garcia seconded by Trustee Cava, the Ordinance granting a parking variance to operate a sports tavern at 6133 West Cermak, was accepted, placed on file and approved for passage by the following vote:

Ayes: Banks, Cava, Cundari, Garcia, Porod, Reitz, Virruso.

Nays: None.

(“O” 29-18)

On motion of Trustee Virruso seconded by Trustee Banks, the Ordinance granting a special use permit for the installation of telecommunication equipment on an existing tower at 3301-3315 South Central Avenue, was accepted, placed on file and approved for passage by the following vote:

Ayes: Banks, Cava, Cundari, Garcia, Porod, Reitz, Virruso.

Nays: None.

(“O” 30-18)

On motion of Trustee Garcia seconded by Trustee Cava, the Ordinance granting a special use permit for the installation of telecommunication equipment on an existing tower at 1419 South Austin Blvd., was accepted, placed on file and approved for passage by the following vote:

Ayes: Banks, Cava, Cundari, Garcia, Porod, Reitz, Virruso.

Nays: None.

RESOLUTIONS

("R" 24-18)

On motion of Trustee Porod seconded by Trustee Banks, the Resolution in support of and authorizing an application for ComEd Energy Efficiency Program for the Town's 2018 LED Street Light Luminaire Replacement Program, was accepted, placed on file and approved for adoption by the following vote:

Ayes: Banks, Cava, Cundari, Garcia, Porod, Reitz, Virruso.

Nays: None.

("R" 25-18)

On motion of Trustee Virruso seconded by Trustee Garcia, the Resolution authorizing and approving the settlement of litigation and the execution of a settlement agreement in the case of M. Rodriguez v Town of Cicero, (Case No 2015 WC 010049), was accepted, placed on file and approved for adoption by the following vote:

Ayes: Banks, Cava, Cundari, Garcia, Porod, Reitz, Virruso.

Nays: None.

("R" 26-18)

On motion of Trustee Garcia seconded by Trustee Cava, the Resolution authorizing and approving the settlement of litigation and the execution of a settlement agreement in the case of E. Rosas v Town of Cicero, (Case No 2013 WC 021676 & 2014 WC 012456), was accepted, placed on file and approved for adoption by the following vote:

Ayes: Banks, Cava, Cundari, Garcia, Porod, Reitz, Virruso.

Nays: None.

NEW BUSINESS

(56-18)

On motion of Trustee Virruso seconded by Trustee Porod, the Board concurred with the recommendation of the Police & Fire Commission to hire Firefighter Candidates Joel Mulbrandon and Daniel Midell, action taken by the following vote:

Ayes: Banks, Cava, Cundari, Garcia, Porod, Reitz, Virruso.

Nays: None.

A Public Bid Opening was held on 03/15/2018 for the Building Demolition – Contract No. 17 IHDA Grant Program. The following bids were received and reviewed by the Town Engineer:

<u>CONTRACTOR'S NAME</u>	<u>BID AMOUNT</u>
KLF Enterprises	\$188,906.00
Signature Demolition Services	\$210,060.00
Delta Demolition	\$249,960.00
Maria V. Contracting	\$240,900.00

(57-18)

On motion of Trustee Banks seconded by Trustee Porod, the Board concurred with the recommendation of Town Engineer, Tim Geary to award KLF Enterprises, Inc., the contract for the Building Demolition – Contract No. 17, IHDA Grant Program in the amount of \$190,906.00; action taken by the following vote:

Ayes: Banks, Cava, Cundari, Garcia, Porod, Reitz, Virruso.

Nays: None.

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

On motion of Trustee Virruso seconded by Trustee Garcia, the board then stood adjourned at 10:25 A.M. to meet on Tuesday, April 10, 2018 at 10:00 A.M., in the Town Hall, Town of Cicero.

MARIA PUNZO-ARIAS, TOWN CLERK