
PROCEEDINGS OF THE BOARD OF TRUSTEES OF THE TOWN OF CICERO

The Board of Trustees of the Town of Cicero met Tuesday, February 14, 2017 at 10:00 A.M., in the Town Hall Council Chambers, Town of Cicero.

On motion of Trustee Raleigh seconded by Trustee Garcia, Trustee Virruso was nominated at Temp-Chair.

On roll call there were present:

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

Thereupon, Temp-Chair Trustee Virruso 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 and a moment of silence for the recent passing of Dr. Angel Lugay, Cicero Health Department Medical Director.

On motion of Trustee Raleigh seconded by Trustee Garcia, the minutes of the Regular Meeting held Tuesday, January 24, 2017 at 10:00 o'clock A.M., were approved, the reading being dispensed with, each member having received a copy.

PRESENTATION

(14-17)

Town Employee Hector Lora was presented a Certificate of Appreciation by the Board for the diligent service, and in recognition of his *“25 years of service”* he has provided the Town of Cicero. Board members thanked him and wished him well on his retirement.

APPROVAL OF BILLS

(15-17)

On motion of Trustee Raleigh seconded by Trustee Garcia, the list of bills itemized in Warrant #3A, dated January 24, 2017, in the total amount of \$327,207.78, Warrant #3B,

dated February 13, 2017, in the total amount of \$2,575,943.49, the list of manual checks dated January 21 thru February 9, in the total amount of \$8,221.00, and the list of online payments dated January 20 thru February 9, in the total amount of \$0.00, were accepted, placed on file and approved for payment; action taken by the following vote:

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

Nays: None.

(16-17)

On motion of Trustee Raleigh seconded by Trustee Garcia, payroll (*Estimated Corporate \$1,433,546.35 & Library \$27,258.28*) was approved for the active employees listed on the printout dated 02-13-17; action taken by the following vote:

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

Nays: None.

PERMITS

(17-17)

On motion of Trustee Raleigh seconded by Trustee Garcia, permission was granted Seguin Services to host Garage Sales in the parking lot located at Central/Ogden and 31st Street on (32) Fridays, (38) Saturdays and Sundays from 9:00 AM to 3:00 PM from March 18 thru December 10, 2017, which includes authorization to have four (4) vendors to sale food during the event providing they obtain health clearance from the Health Department.

(18-17)

On motion of Trustee Raleigh seconded by Trustee Garcia, permission was granted the Salvation Army to conduct their annual Donut Day on June 2nd & June 3rd, and their annual Red Kettle Campaign from November 1st thru December 23rd (Monday thru Saturday) at various locations.

(19-17)

On motion of Trustee Garcia seconded by Trustee Raleigh, permission was granted St. Mary of Czestochowa Parish to conduct an indoor / outdoor flea market on church property located at 5000 W 31st Street on March 24th and March 25th from 8 A.M. to 4 P.M., permit also includes the selling of food providing they obtain health clearance from the Health Department.

(20-17)

On motion of Trustee Raleigh seconded by Trustee Walsh, permission was granted Our Lady of the Mount to conduct a silent procession on Good Friday, April 14th, 2017 at 8 P.M. on the route provided with their request. The Police Dept. will provide assistance with traffic control.

(21-17)

On motion of Trustee Garcia seconded by Trustee Raleigh, permission was granted Our Lady of the Mount and Mary, Queen of Heaven parishes to conduct a live "Stations of the Cross" procession on Good Friday, April 14th, 2017 at 12 P.M. (Noon) on the route provided with their request. The Police Dept. will provide assistance with street closures and traffic control to and from the site.

REPORTS

(22-17)

On motion of Trustee Virruso seconded by Trustee Raleigh, the Collector's Office Report (\$2,326,187.43) and the Revenue Summary Report (\$599,141.04) for the month of January/17, submitted by Fran Reitz, Collector, was accepted and placed on file; action taken by the following vote:

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

Nays: None.

ORDINANCES

("O" 6-17)

On motion of Trustee Reitz seconded by Trustee Garcia, the Ordinance amending Chapter 94, entitled "Traffic", Section 94-251 and 94-252, to the Code of Ordinances of the Town of Cicero, Illinois regarding parking for the Town of Cicero, was accepted, placed on file and approved for passage by the following vote:

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

Nays: None.

(Purpose of Ordinance)

(The purpose of this ordinance is to increase the number of available parking spaces within the Town while preserving prohibited parking zones that are necessary for the health and safety for all residents /visitors and to authorize the President to take any all action necessary to effectuate the intent of this Ordinance.)

Section 94-251: Prohibited in Specified Places

(a) Except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

(1) Stop, stand or park a vehicle:

- a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- b. On a sidewalk.
- c. Within an intersection.
- d. On a crosswalk.
- e. Between a safety zone and the adjacent curb or within ~~30~~ 20 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings.
- f. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.
- g. Upon any bridge or other elevated structure upon a highway or within a highway tunnel.
- h. On any railroad tracks. A violation of this subsection shall result in a mandatory fine of \$500.00 or 50 hours of community service.
- i. At any place where official signs prohibit stopping.
- j. On any controlled access highway.
- k. In the area between roadways of a divided highway, including crossovers.
- l. In a public parking area if the vehicle does not display a current ~~annual-registration~~ Cicero vehicle sticker, ~~or current temporary permit pending registration, or current parking pass.~~
- m. Within ~~25~~ 20 feet from the intersection of curblines or, if none, then within 15 feet of the intersection of property lines at an intersection, except at alleys.
- n. In front of the exit of any theater, church or public building.
- o. On a parkway.
- p. Within any space set aside and visibly marked "no parking—police regulations."
- q. Within any area on any street that the Superintendent of Public Works has posted by appropriate signs as a temporary no parking zone for the purpose of tree trimming, tree removal and/or street cleaning within such area. The town collector's office, upon finding vehicles parked in violation of this subsection, shall be authorized and directed to call upon the Department of Police to enforce this subsection by ticketing or towing, if necessary and so long as the towing complies with the provisions of section 94-280 of this Code, and the issuance of arrest notices, and the towing charges in each case shall be borne by the owner of the vehicle.
- r. Between the hours of 8:00 a.m. and 4:00 p.m., except Saturdays, Sundays and holidays, within any school area which has been posted by appropriate signs as a school zone.
- s. In the parking lot associated with the Metra Station located at 26th Street and Cicero Avenue, unless the person pays the required parking fee within two hours after initially parking his or her vehicle in the parking lot. Said fee may be paid on site or through a mobile application which allows for the remote payment of daily parking fees.

(2) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge passengers:

- a. In front of a public or private driveway.
- b. Within ~~15~~ 5 feet of a fire hydrant, except on any Major Street as defined in Section 94-280.
- c. Within 15 feet of any fire hydrant on any Major Street, as determined necessary by the Fire Department, in which case, the safety zone shall be clearly marked.
- ed. Within 20 feet of a crosswalk at an intersection.
- de. Within ~~30~~ 20 feet upon the approach to any flashing signal, stop sign, yield sign, or traffic

control signal located at the side of a roadway, except on one-way streets or roadways.

f. Within 3 feet upon the approach of any stop sign, yield sign, or traffic control signal located on the side of a one-way street or roadway, as determined necessary by the Town's Public Works Department. In the event that the Public Works Department determines that such a safety zone is required pursuant to this subsection, the safety zone shall be clearly marked.

eg. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of such entrance, when properly signposted.

fh. At any place where official signs prohibit standing.

(3) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers:

a. Within 50 feet of the nearest rail of a railroad crossing.

b. At any place where official signs prohibit parking.

(b) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.

Section 94-252: Disabled Person's Parking Zone; Loading and Unloading Zones

(a) Where parking zones are established for persons with disabilities on streets or parts of streets during hours described in schedule XXIV, as set forth in section 94-194, or pursuant to the discretion of the town president and the town collector and signs are erected clearly marking such zones, it shall be unlawful for any person to park any vehicle in such parking zone, unless said person is in compliance with the provisions of this section.

(b) A motor vehicle bearing registration plates issued by this state to a person with disabilities or to a disabled veteran or bearing a disabled parking identification card issued by the town is allowed to be parked in parking zones established for persons with disabilities. Parking privileges granted by this section are strictly limited to persons to whom the special registration plates were issued, persons to whom the disabled parking identification cards were issued, qualified operators acting under the express direction of a disabled person while the disabled person is present and parents or guardians of a disabled individual who is under 18 years of age when said individual is present.

(c) Any owner or operator of any motor vehicle without such special registration plates or a disabled parking identification card issued by the town who parks within a parking zone established for persons with disabilities shall be guilty of a misdemeanor and shall be fined not less than \$250.00 and no more than \$500.00. In addition to any fines authorized by this section, any vehicle parked in violation of this section shall be subject to an immediate tow without notice in accordance with division 7 of this article.

(d) A physically disabled person or disabled veteran owning his or her own vehicle may apply to the office of the town collector to establish a parking zone for persons with disabilities on a public street in front of that person's place of residence if the place of residence does not have a driveway. Such parking zone shall be limited to the vehicle owned and registered by the applicant and shall be no more than 20 feet in length. Physically disabled persons and disabled veterans not owning their own vehicles and parents and guardians of disabled individuals under the age of 18 years of age, whose residence is not served by a driveway, may apply for a disabled person loading and unloading zone. Such loading and unloading zone shall be no more than four feet in length and shall be located on a public street in front of the applicant's place of residence. The office of the town collector shall investigate the application. Where the office of the town collector is satisfied in its reasonable discretion that the application meets all requirements established by the office of the town collector, the parking zone for persons with disabilities or the disabled person loading and unloading zone shall be established.

(e) A person with disabilities, a disabled veteran, a person who is charged with caring for a disabled person or a parent or guardian of a disabled individual under 18 years of age may apply to the office of the town collector to establish a parking zone for persons with disabilities. The office of the town collector shall investigate the application and the need for such zone. Where the town collector and/or the town president are satisfied in their, his or her reasonable discretion that the application meets all requirements established by the office of the town collector or otherwise desire to establish such a zone, the parking zone for persons with disabilities shall be established and which shall be no more than 20 feet in length.

(“O” 7-17)

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 - \$1,061,775.00 Tax Abatement*), was accepted, placed on file and approved for passage by the following vote:

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

Nays: None.

(“O” 8-17)

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 - \$7,149,750.00 Tax Abatement*), was accepted, placed on file and approved for passage by the following vote:

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

Nays: None.

RESOLUTIONS

(“R” 7-17)

On motion of Trustee Raleigh seconded by Trustee Garcia, the Resolution designating February 23, 2017 as LITHUANIAN AMERICAN DAY in the Town of Cicero, was accepted and placed on file.

(“R” 8-17)

On motion of Trustee Raleigh seconded by Trustee Garcia, the Resolution authorizing the Town President to enter into and approve a reimbursement agreement with Bridge Development Partners, LLC in connection with the redevelopment of real property

at the intersection of 16th Street & 54th Avenue, was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

(“R” 9-17)

On motion of Trustee Raleigh seconded by Trustee Garcia, the Resolution authorizing and approving the settlement of litigation and the execution of a settlement agreement in the case of L. Saucedo v Town of Cicero, (Case No 2016 WC 034075), was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

(“R” 10-17)

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 J. Roman v Town of Cicero, (Case No 2015 WC 001747), was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

Temp-Chair Trustee Virruso opened the meeting to the public for their comments.

Project Manager Pesek reported on the grand opening of “Hoots”, an affiliate of the Hooters franchise, and the national attention it’s receiving on their new approach to fast food services.

Public Relation Director Hanania commended the Board for bringing in new businesses to the Town of Cicero that provides additional employment opportunities for Cicero residents.

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 Raleigh, the board reconvened at 11:26 A.M. to Open Session.

On motion of Trustee Raleigh seconded by Trustee Garcia, the minutes of the Executive Session held Tuesday, January 24, 2017, were accepted and approved.

On motion of Trustee Reitz seconded by Trustee Virruso, the town attorney was authorized to file a lawsuit as discussed in Executive Session relative to Agenda Item #11-A "Discussion Regarding Fire Pension Fund Debt Matter"; action taken by the following vote:

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

Abstain: Raleigh

Nays: None.

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-B "E. Shampine v. Town of Cicero"; action taken by the following vote:

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

Nays: None.

Executive Session Agenda Item #11-C was for informational purposes only.

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 11:27 A.M. to meet on Tuesday, February 28, 2017 at 10:00 A.M., in the Town Hall, Town of Cicero.

MARIA A. PUNZO-ARIAS, TOWN CLERK