
PROCEEDINGS OF THE BOARD OF TRUSTEES OF THE TOWN OF CICERO

The Board of Trustees of the Town of Cicero met Tuesday, November 12, 2019 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 Banks seconded by Trustee Porod, the minutes of the Regular Meeting held Tuesday, October 22, 2019 at 10:00 o'clock A.M., were approved, the reading being dispensed with, each member having received a copy.

Clerk Punzo-Arias stated for the record that at the request of legal counsel, Executive Agenda Item #11-A was removed from the agenda.

APPROVAL OF BILLS

(189-19)

On motion of Trustee Virruso seconded by Trustee Cava, the list of bills itemized in Warrant #21, dated November 7, 2019, in the total amount of \$2,573,524.67, the list of manual checks dated October 18 thru November 7, in the total amount of \$72,608.00, and the list of online payments dated October 19 thru November 7, in the total amount of \$0.00, 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.

(190-19)

On motion of Trustee Reitz seconded by Trustee Virruso, payroll (*Estimated Corporate \$1,531,295.77 & Library \$25,902.27*) was approved for the active employees listed on the printout dated 11-07-19; action taken by the following vote:

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

Nays: None.

PERMITS

(191-19)

On motion of Trustee Reitz seconded by Trustee Porod, permission was granted the Our Lady of Charity Parish to host "Our Lady of Guadalupe Feast Day" event on Saturday, November 30th from 6:00 PM to 1:00 AM in their parish hall.

(192-19)

On motion of Trustee Porod seconded by Trustee Cava, permission was granted St. Mary of Czestochowa Parish to host their annual Wine Testing Party on Saturday, November 23rd from 6:00 PM to 11:00 PM at their parish social center.

REPORT

(193-19)

On motion of Trustee Virruso seconded by Trustee Cava, the Collector's Office Report (*\$3,019,460.81*) and the Revenue Summary Report (*\$822,464.79*) for the month of October/2019, submitted by Fran Reitz, Collector, was accepted and placed on file; action taken by the following vote:

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

Nays: None.

ORDINANCES

("O" 77-19)

On motion of Trustee Banks seconded by Trustee Garcia, the Ordinance amending Chapter 98, entitled "Utilities", Section 98-93, entitled "Qualification of Members of the Board of Water Commissioners; Compensation" of the Code of Ordinances of the Town of Cicero, Illinois, for the Town, 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 existing regulations and to authorize the President and or other Town officials to take all action necessary to carry out the intent of this Ordinance.)

Section 98-93: Qualification of Members of the Board of Water Commissioners; Compensation.

- (a) ~~All appointed commissioners constituting the board of water commissioners shall, at the time of appointment and so long as they are members thereof, be residents and voters of the town.~~ All appointments shall be until their successors shall have been appointed and qualified by the town president.
- (b) Commissioners of the Board of Water Commissioners who have not served on a compensated Town board, committee or commission within the 12 months preceding May 25, 2020, shall have the option of:
 - (1) Receiving compensation as provided for in the annual appropriation ordinance; or
 - (2) Receiving individual health insurance benefits, with premium contributions as determined by the Town President and the Board of Trustees. Commissioners of the Board of Water Commissioners who have served on a compensated Town board, committee or commission within the 12 months preceding May 25, 2010, shall receive compensation as provided for in the annual appropriation ordinance and individual or family health insurance benefits, with premium contributions as determined by the Town President and the Board of Trustees. If a commissioner misses more than one scheduled Board of Water Commissioners meetings or event between May 1 and April 30 of any year and the commissioner's absence is not excused by the Director of Human Resources then:
 - (i) If the commissioner receives compensation, said compensation shall be reduced on a pro rata basis for each meeting the commissioner misses after the first meeting;
 - (ii) If the commissioner receives insurance, missing more than one meeting or scheduled event may result in the commissioner being removed from the Board of Water Commissioners or may be a disqualification to reappointment of the commissioner to the Board of Water Commissioners or any other Town board, committee or commission; and
 - (iii) If the commissioner receives both compensation and insurance, the Town President or his or her designee may determine if the commissioner's salary should be reduced, if the commissioner should be removed from the Board of Water Commissioners or if missing more than one meeting or event should result in the commissioner being disqualified for reappointment to the Board of Water Commissioners or any other Town board, committee or commission.

The Director of Human Resources may excuse a commissioner from attending a meeting or scheduled event if the commissioner provides the Director of Human Resources with advance notice and the basis for the absence is deemed reasonable by the Director of Human Resources, in his or her reasonable discretion. Examples of reasonable grounds for absences include hospitalization, illness as evidenced by a doctor's note, the death of a family member, military leave and other grounds deemed reasonable by the Director of Human Resources.

- (c) Each appointed commissioner serves at the discretion of the town president.

("O" 78-19)

On motion of Trustee Virruso seconded by Trustee Reitz, the Ordinance amending Chapter 26, entitled "Businesses", Section 26-101, entitled "Businesses and Occupations Enumerated; Amount of License Tax Levied" of the Code of Ordinances of the Town of Cicero, Illinois, regarding Business Licenses for certain establishments with video gaming in the Town, 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 existing regulations and to authorize the President and or other Town officials to take all action necessary to carry out the intent of this Ordinance.)

Section 26-101: Businesses and Occupations Enumerated; Amount of License Tax Levied.

C

(12) *Coin-operated machines and devices:* Each coin operated machine licensed by this section shall pay only one annual licensing fee even if a machine contains more than one coin slot.

- a. Automatic music boxes or jukeboxes, each.....125.00
- b. Cigarette vending machines, each.....155.00
- c. Automatic vending machines which dispenses items for human consumption.....75.00
- d. Automatic vending machines, which dispense toys, goods or other products not for human consumption.....100.00
- e. Ice vending machines or receptacles, per unit.....125.00
- f. All other automatic vending machines each, except as otherwise provided under specific headings.....125.00
- g. Charitable purposes.
 - 1. Upon providing adequate proof to the business license department, any coin-operated machine operated solely for charitable purposes shall not be obligated to pay the license tax. For purposes of this subsection the term "solely for charitable purposes" shall mean that 100 percent of the net revenue be turned over to charity. The charity that the machine benefits shall be identified on the face of the machine.
 - 2. The owner or lessee of the premises in which such vending machines are placed shall be jointly liable with the owner of such machines for payment of the license fees.
- h. Video games, including, but not limited to all coin operated dart, pinball and other games; excluding pool tables and video poker or video slot machines.....200.00
- i. Video poker games and video slot machines operating with an on-premises consumption liquor license (entertainment purposes only), excluding establishments that offer video gaming and video slot machines on a consistent 24 hours a day, 7 days a week basis (excluding when the establishment is closed for holidays, work stoppages, or other such business purposes) such as a licensed truck stop establishment and licensed large truck stop establishment as defined by the Illinois Video Gaming Act

(230 ILCS 40/1, et seq.), as amended. This license fee is in addition to all other fees or charges provided by the town code or by law.....1,500.00

- i. Video poker games and video slot machines operating without an on-premises consumption liquor license (entertainment purposes only), including establishments that offer video gaming and video slot machines on a consistent 24 hours a day, 7 days a week basis (excluding when the establishment is closed for holidays, work stoppages, or other such business purposes) including but not limited to a licensed truck stop establishment and licensed large truck stop establishment as defined by the Illinois Video Gaming Act (230 ILCS 40/1, et seq.), as amended. This license fee is in addition to all other fees or charges provided by the town code or by law.....3,500.00

(“O” 79-19)

On motion of Trustee Reitz seconded by Trustee Cava, the Ordinance vacating portions of a certain alley (*5401 W. Ogden Avenue*) and authorizing the Town President to enter in to a certain vacation agreement for the Town, 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” 87-19)

On motion of Trustee Porod seconded by Trustee Banks, the Resolution adopting the update of the Cook County Multi-jurisdictional Hazard Mitigation Plan for the Town (*A condition for Federal Emergency Management Agency (FEMA) pre-disaster mitigation grant assistance*), was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

(“R” 88-19)

On motion of Trustee Reitz seconded by Trustee Garcia, the Resolution appointing certain chief executives, administrators, and members of the Town Board to the position of Director and Alternate Director of the West Cook County Solid Waste Agency as follows:

NAME	OFFICE HELD
Emilio “Emo” Cundari, Director	Town Assessor
Lido Manetti, Alternate Director	Water Commissioner
Jose Alvarez, Alternate Director	Grant Administrator

was accepted, placed on file and approved for adoption by the following vote:

Ayes: Banks, Cava, Cundari, Garcia, Porod, Reitz, Virruso.
Nays: None.

(“R” 89-19)

On motion of Trustee Garcia seconded by Trustee Porod, the Resolution authorizing the Town President to renew an agreement with Clarke Environmental Mosquito Management, Inc. to provide mosquito abatement services for the Town, was accepted, placed on file and approved for adoption by the following vote:

Ayes: Banks, Cava, Cundari, Garcia, Porod, Reitz, Virruso.
Nays: None.

(“R” 90-19)

On motion of Trustee Reitz seconded by Trustee Porod, the Resolution authorizing and approving certain invoices from Resource Management Association for goods and services provided to the Town (*Cicero Police Department Sergeant Testing of eligible applicants*) was accepted, placed on file and approved for adoption by the following vote:

Ayes: Banks, Cava, Cundari, Garcia, Porod, Reitz, Virruso.
Nays: None.

(“R” 91-19)

On motion of Trustee Virruso seconded by Trustee Cava, the Resolution authorizing, the Town President to enter into a license agreement with Sourek Funeral Home for the Town (*Allows the Town Senior Center the use of (10) ten parking stalls at 5645 W. 35th Street for additional parking*), was accepted, placed on file and approved for adoption by the following vote:

Ayes: Banks, Cava, Cundari, Garcia, Porod, Reitz, Virruso.
Nays: None.

(“R” 92-19)

On motion of Trustee Reitz seconded by Trustee Virruso, the Resolution extending the terms of certain appointed officers, employees and officials for the Town until 11:59 PM on December 10, 2019, 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

(194-19)

On motion of Trustee Porod seconded by Trustee Garcia, the Board concurred with the recommendation of the Police, Fire and Public Safety Commissioners for the following (3) promotions in the Cicero Fire Department; action taken by the following vote:

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

Nays: None.

<u>NAME</u>	<u>POSITION</u>
Lieutenant Harry Rutz	Assistant Chief of Fire Prevention
Engineer Jose Hill	Lieutenant
Firefighter Tim Medina	Engineer

Fire Chief Buscemi administered the oath of office to the newly promoted Asst. Chief of Fire Prevention H. Rutz, Lieutenant J. Hill and Engineer T. Medina.

(195-19)

On motion of Trustee Virruso seconded by Trustee Reitz, the 2019 Tax Levy Determination (*Proposed amount to be levied for fiscal year 2019 - \$37,999,973.00*), was accepted, placed on file, and 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 Porod, the board adjourned to Executive session at 10:18 A.M.

On motion of Trustee Virruso seconded by Trustee Garcia, the board reconvened at 10:51 A.M. to open session.

On motion of Trustee Reitz seconded by Trustee Virruso, to concur with/accept the recommendation given by the Town Attorney not to release closed session minutes based on

reasons set forth in their memorandum; (Agenda Item 11-B); action taken by the following vote:

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

Nays: None.

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

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

Nays: None.

On motion of Trustee Virruso seconded by Trustee Garcia, the board then stood adjourned at 10:53 A.M. to meet on Tuesday, November 26, 2019 at 10:00 A.M., in the Town Hall, Town of Cicero.

MARIA A. PUNZO-ARIAS, TOWN CLERK