
PROCEEDINGS OF THE BOARD OF TRUSTEES OF THE TOWN OF CICERO

The Board of Trustees of the Town of Cicero met Tuesday, April 12, 2022 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: Cava, Cundari, Garcia, Porod, Reitz, Vargas, 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 Porod seconded by Trustee Garcia, the minutes of the Public Hearing and Regular Meeting held Tuesday, March 22, 2022 at 10:00 o'clock A.M., were approved, the reading being dispensed with, each member having received a copy.

PRESENTATION

(“R” 49-22)

On motion of Trustee Garcia seconded by Trustee Porod, the Resolution congratulating Carlos Hernandez for his achievements in Mixed Martial Arts competitions was accepted, placed on file and approved for passage by the following vote:

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

Nays: None.

Chaplain Ismael Vargas along with various members of the Cicero Clergy Committee and Pastor Pete for the Berwyn Ukrainian Baptist Church addressed the Board to encourage prayer and assistance for the people of Ukraine.

APPROVAL OF BILLS

(39-22)

On motion of Trustee Virruso seconded by Trustee Garcia, the list of bills itemized in Warrant #7, dated April 7, 2022, in the total amount of \$1,771,244.04, the list of manual checks dated March 19 thru April 8, in the total amount of \$49,720.00, and the list of online payments dated March 18 thru April 7, in the total amount of \$0.00, were accepted, placed on file and approved for payment; action taken by the following vote:

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

Nays: None.

(40-22)

On motion of Trustee Garcia seconded by Trustee Reitz, payroll (*Estimated Corporate \$1,574,550.37 & Library \$26,297.31*) was approved for the active employees listed on the printout dated 04-05-22; action taken by the following vote:

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

Nays: None.

(41-22)

By Trustee Virruso:

RESOLVED, that the list of medical claims and the stop loss insurance policy premium for the month of February/2022, prepared by Blue Cross & Blue Shield of Illinois, in the total amount of \$1,317,681.39, 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: Cava, Cundari, Garcia, Porod, Reitz, Vargas, Virruso.

Nays: None.

(42-22)

By Trustee Garcia:

RESOLVED, that the list of HMO medical claims insurance policy premium for the month of April/2022, prepared by Blue Cross & Blue Shield of Illinois, in the total amount of \$36,920.76, be accepted, placed on file and approved for payment.

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

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

Nays: None.

(43-22)

By Trustee Porod:

RESOLVED, that the life and accidental death & dismemberment insurance premium for the month of April/2022, prepared by Blue Cross & Blue Shield of Illinois, in the total amount of \$6,125.61, be accepted, placed on file and approved for payment.

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

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

Nays: None.

PERMIT

(44-22)

On motion of Trustee Garcia seconded by Trustee Cava, permission was granted Good Shepherd Church of God Parish to conduct their annual "Back-to-School Fun Fair" on Saturday, August 6th from 12:01PM to 3:00PM in the church parking lot.

(45-22)

On motion of Trustee Virruso seconded by Trustee Vargas, permission was granted Good Shepherd Church of God Parish to conduct (3) carwashes / rummage sales in their parking lot, on Saturday(s), June 11th and June 25th from 9 AM to 3 PM with July 9th (*Rain date*).

(46-22)

On motion of Trustee Garcia seconded by Trustee Porod, permission was granted Mary, Queen of Heaven Parish to conduct a religious procession on Friday, April 15th from 7:15 PM (Silent Procession) on route outlined in their request.

(47-22)

On motion of Trustee Virruso seconded by Trustee Garcia, permission was granted St. Frances of Rome Parish to apply for a liquor license for alcoholic beverage sales during their Tacos & Friends Event on Saturday, May 14th from 6:00 PM to 11:59 PM; approval is contingent upon that all liquor sales end at 11:59 PM.

(48-22)

On motion of Trustee Garcia seconded by Trustee Vargas, permission was granted St. Frances of Rome Parish to conduct their annual Festival/Carnival, which include carnival rides, food, alcoholic & non-alcoholic beverages, music on church property and the block of 15th Street from 59th Court west to the alley; AS AMENDED.

(The street closure may begin at Sunday, July 3 at 8:00 PM for set up only and will remain close until 12:00 AM on Sunday, July 10 for shutting down and clean up only.)

Starting:	Thursday, July 7 th	6:00 PM to 10:30 PM
	Friday, July 8 th	5:00 PM to 11:00 PM
	Saturday, July 9 th	2:00 PM to 11:00 PM
Ending:	Sunday, July 10 th	1:00 PM to 10:30 PM

(49-22)

On motion of Trustee Cava seconded by Trustee Vargas, permission was granted Stickney-Forest View Lions Club to conduct a 5k race on Sunday, September 25th, 2022 from 8:00AM on the route designated by the Superintendent of Police.

REPORT

(50-22)

On motion of Trustee Virruso seconded by Trustee Garcia, the Collector's Office Report (\$2,347,443.78) and the Revenue Summary Report (\$838,542.78) for the month of March/2022, submitted by Fran Reitz, Collector, was accepted and placed on file; action taken by the following vote:

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

Nays: None.

ORDINANCES

("O" 19-22)

On motion of Trustee Cava seconded by Trustee Vargas, the Ordinance amending various sections of Chapter 10, entitled "Alcoholic Beverages", Chapter 14, entitled "Amusements & Entertainments", and Chapter 26, entitled "Businesses", of the Code of Ordinances of the Town of Cicero, Illinois, regarding amusements for the Town, was accepted, placed on file and approved for passage by the following vote:

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

Nays: None.

(Purpose of Ordinance)

(The purpose of this ordinance is to amend various sections of Chapter 10, Chapter 14, and Chapter 26 of the Town Code to update and clarify the Existing Regulations as set forth herein and to authorize the President to take all action necessary to effectuate the intent of this Ordinance.)

Section 10-72: Entertainment permitted.

- (a) Licensees holding a: (i) class A or class A-B local liquor license with an occupancy load of more than 90 persons for the licensed premises, (ii) class AA or a class AAB local liquor license located on Cermak Road, Cicero Avenue, Central Avenue, Laramie Avenue, Roosevelt Road or Ogden Avenue, and (iii) class F or FF local liquor license may, upon application, payment of fees and compliance with section 14-128 and all other provisions this Code, be issued an entertainment license for the premises.
- (b) Entertainment license. ~~Licensees are required to submit an application for an entertainment license at least seven days in advance of any entertainment event and are further required to provide a copy of any and all promotional materials for said event.~~ Licensees are required to submit an application for an Entertainment License to the business license director on a form prescribed by the business license department. The annual license fee shall be due and owing as set forth in Section 14-128, except for those licensees who are exempt in subsection (c) below. Every licensee shall cause his or her entertainment license issued under this section to be framed and hung in plain view in a conspicuous place on the licensed premises. Such entertainment license shall contain the maximum occupancy for the space in question. One license shall be issued per occupancy space.
- ~~(c) A licensee holding an entertainment license may have entertainment, as defined in section 10-1 every day from 11:00 a.m. to 2:00 p.m. and from 5:00 p.m. to 8:00 p.m. In addition, a licensee may choose one night a week to have entertainment every day, including live music and/or a disc jockey, until the close of regular business hours. For purposes of this section, a week shall mean Monday to Sunday. Entertainment can only take place in establishments with class AA or class AAB liquor licenses while food is being served in the establishment. Notwithstanding the foregoing, class F and class FF licensees shall be permitted to have entertainment on any night that said licensee is open to the public and for which said licensee has obtained an entertainment license.~~
- ~~(d)~~(c) Licensees holding the following classes of local liquor licenses are exempt from the requirement to obtain an entertainment license prior to providing the forms of entertainment authorized by section 10-58 of this Code:
 - (i) Class A or class A-B local liquor licenses with an occupancy load of 90 or fewer persons for the licensed premises;
 - (ii) Class G local liquor licenses;
 - (iii) Class H local liquor licenses;

- (iv) Class I local liquor licenses; and
- (v) Class J local liquor licenses.
- (d) Notwithstanding subsection (c), any Class A, Class A-B, and Class G local liquor licensee shall remain subject to the municipal amusement tax for any event for which the licensee charges an admission fee whether at the door or by other means as set forth in section 14-128 of this Code.
- (e) Entertainment license suspension and revocation. Whenever any local liquor licensee issued an Entertainment License under this section violates any of the sections of the Town Code including, but not limited to, a violation of the entertainment regulations provided hereunder, in addition to the penalties for such offense, the Town may suspend the Entertainment License and any other license upon serving notice to the Licensee. The Town may further revoke the Entertainment License after a hearing held in accordance with Chapter 2, Article VII of this Code.

Section 14-32: Required.

No person, either as owner, lessee, manager, officer or agent, shall give, conduct, produce, present or offer for gain or profit any of the classes of theatricals, shows and amusements mentioned ~~section 14-33~~ at any place within the town limits without first having procured a license for the conduct thereof, except as set forth in sections 10-72(c) and/or 14-33 of this Code. No person, either as owner, lessee, manager, officer or agent, shall give, conduct, produce, present or offer any musical concert at any venue in the Town of Cicero, regardless of license classification, where the Superintendent of Police has determined that, based on credible evidence, such musical concert presents a clear and present danger to the health, safety and welfare of the general public, a serious and imminent threat to the lives of police officers of the Town of Cicero or a grave and unjustifiable risk to the destruction of property of residents and business owners. The Superintendent of Police shall promulgate rules and regulations regarding the implementation of this Section that shall include, without limitation, procedures for providing notice to the individual or entity giving, conducting, producing, presenting or offering a musical concert that is prohibited pursuant to this Section.

Section 14-33: Entertainment License.

An Entertainment License is required for All all theatricals, shows, disc jockeys, bands, musical performances, comedy shows, amusements and other entertainments that are offered, operated, presented or exhibited for gain and to which the public is required to pay an admission fee are divided into six classes, which shall be known as the first, second, third, fourth, fifth and sixth classes as follows at any establishment that has a local liquor license for the fee as set forth in section 14-128 of this Code. Entertainment Licensees remain subject to all applicable business licensing fees and the municipal amusement tax as set forth in section 14-128 of this Code.

~~(1) Class one. Class one entertainments include all entertainments of a theatrical, dramatic, operatic, vaudeville, character and all entertainments consisting of moving pictures projected on screens by means of moving picture machines. The rate for any period of six months or less shall be one half of the respective annual fee provided in subsections (1)a through (1)d of this section. Every such license shall expire on June 30 next after its issuance. The annual license fee for this class of entertainment shall be rated according to the seating capacity and rate of admission charged, as follows:~~

- a. ~~Seating capacity of 600 or less, \$200.00.~~
- b. ~~Seating capacity of more than 600 but not exceeding 1,200, \$300.00.~~
- e. ~~Seating capacity of more than 1,200 but not exceeding 1,500, \$400.00.~~
- d. ~~Seating capacity of more than 1,500, \$500.00.~~

e. ~~Outdoor theaters. There shall be a charge of \$0.50 per annum per automobile capacity in the outdoor theater. The automobile capacity shall be measured on the basis of installed audiophones or other hearing devices that may be used by automobiles at the outdoor theater. However, there shall be a minimum charge of \$1,000.00 per year for each outdoor theater where the capacity is 2,000 or fewer automobiles. This license shall be payable annually.~~

(2) ~~Class two. Class two entertainments are all entertainments and exhibits consisting of vocal or instrumental music, lectures, readings or recitations, exhibits of paintings, stereopticon views, museums, exhibits, or statuary and of art, electrical and mechanical shows. The license fee for this class of entertainment shall be \$5.00 for each entertainment.~~

(3) ~~Class three. Class three entertainments are all grounds, gardens or other enclosures commonly known and described as picnic grounds and summer gardens. The license fee for this class of entertainment shall be \$25.00 per annum.~~

(4) ~~Class four. Class four entertainments are all circuses, carnivals, menageries, wild west shows, dog and pony shows and all shows under canvas. The license fee shall be \$50.00 per day.~~

(5) ~~Class five. Class five entertainments are all entertainments consisting of pony and animal rides, swings, merry go rounds and all devices operated by motive or animal power. The license fee for each device or entertainment shall be \$5.00 per day.~~

(6) ~~Class six. Class six entertainments are meetings held within actual enclosures of fair or racetrack associations that are incorporated under the laws of the state; meetings held in any place in any race meeting grounds or enclosures at which the parimutuel or certificate system of wagering by patrons on the races may be conducted and supervised (provided, however, no licensee shall knowingly permit any minor to be a patron of the parimutuel or certificate system of wagering conducted or supervised by it); and meetings whereat horses and other livestock or dogs or other domestic animals are exhibited for prizes, or awards. All of such classes of meetings are declared to be lawful and shall belong to and be known as entertainments of the sixth class. The license fee for such class of entertainment shall be \$25.00 per day.~~

Section 14-34: ~~Collector~~ Business License Director to classify and charge fees.

The ~~director of special events~~ business license director shall determine in every case, where application for any license required under this article is made, the class to which the entertainment belongs and the person to whom the license may be granted, who shall pay the ~~license tax or entertainment license~~ fee fixed in this article for such license to the ~~business license officer~~ director.

Section 14-35: Application; inspections; issuance.

(a) Any person desiring to produce, present, conduct, operate or offer entertainment for gain or profit ~~any of the classes of entertainment mentioned in section 14-33~~ shall make application to the ~~director of special events~~ business license director, or his or her designee, at the ~~office of the business license officer~~ business license department containing the following:

- (1) The name and residence of the applicant, if an individual, and all the names and addresses of all the members of the firm, if a copartnership, or the names and residences of the principal officers, if a corporation;
- (2) A description of the premises where it is proposed to produce, present, conduct, operate such entertainment;
- (3) A description of the kind ~~and~~ class of entertainment;
- (4) The highest price to be charged for admission ~~thereto~~ if applicable; and
- (5) The occupancy and seating capacity to such place.

- (b) ~~Upon payment to the business license officer of the license fee as provided in this article, the director of special events shall refer the application to the commissioner of public health who shall make an inspection and satisfy himself that the applicant has complied with the state laws and town ordinances regulating health, safety and sanitation and that the place is fit and suitable for the conduct of the proposed entertainment. The director of code enforcement shall make an inspection to determine whether the applicant has complied with the town building ordinances and has provided the required number of exits and other means of safeguards of the public as provided by town ordinances.~~
- (e) (b) When the applicant shall have complied with all requirements of this article ~~and ordinances relative to health requirements and building ordinances~~, the ~~director of special events~~ business license director shall issue or cause to be issued to such applicant a license to produce, present, conduct or operate the entertainment for which application is made.

Section 14-38: Revocation.

~~If at any time after granting a license required by this article the building commissioner, the commissioner of public health, the fire marshal or the superintendent of police shall certify to the president and board of trustees that the person to whom such license is granted has violated any section of this article or any town ordinance, such license may be revoked by the president and board of trustees. See section 10-72(e).~~

Section 14-39: ~~Reserved. Frontage consents required; restrictions on location.~~

- (a) ~~It shall be lawful for any person to produce, present or carry on any of the entertainments of any of the classes of entertainments listed in section 14-33 on any street in the town, except such streets as are commonly known as business streets, or where one half of the buildings on both sides of the street are used for business purposes, without the written consent of two thirds of the property owners, according to the frontage on both sides of the streets in such block.~~
- (b) ~~None of the classes of entertainments shall be produced, offered or carried on within 200 feet of any hospital, church or building used exclusively for educational purposes.~~

Section 14-97: Penalty for violation; revocation of license.

Any person who shall violate any section of this article shall be fined as provided in section 1-12. The president is authorized, if any person licensed under this article shall violate any section of this article or shall violate any of the general town ordinances or laws of the state relating to the conduct of such place or upon the request of the superintendent of police or of the ~~board of trustees~~ business license director if it shall be found that such place of amusement is improperly conducted, to revoke or suspend any such license issued under this article and under section 10-72 as applicable.

Section 14-98: License.

- (a) *Required.* No person shall manage, conduct, operate or carry on a public place of amusement without first having obtained a business license for said public place of amusement. Additionally, any business which holds a local liquor license shall be required to obtain a separate Entertainment License if it offers or allows entertainments and/or amusements on premises, except as set forth in section 10-72 of this code.
- (b) *Application; approval.* The application for such Entertainment License for the business of managing, conducting, operating or carrying on a public place of amusement where the applicant also holds a local liquor license shall conform to the general provisions of chapter 26 relating to applications for licenses, and shall specify the location of the building or place in which it is proposed to keep such public place of amusement, the number of square feet of floor area, and the seating capacity of such building or other place, and the occupancy limit of each separate entertainment space for which a license is sought. Every such application shall be approved by the superintendent of police, the building commissioner and the ~~commissioner of public health~~ director of the health department before a license shall be issued.

- (c) *Denial.* If the place at which it is desired to conduct, produce, present, operate or offer a public place of amusement is not a fit or proper place and is not constructed, maintained, operated or conducted in accordance with the town ordinances governing and controlling the place or if the amusement or entertainment desired to be produced or offered is of an obscene or dangerous character or if the person making application for a license is not of good moral character, the president may refuse to approve such application, and no license shall be issued by the ~~town collector~~ business license director except upon the approval of the president.
- (d) *Term.* Every license for a public place of amusement issued under this section shall expire on June 30 after its issuance.
- (e) Annual Entertainment License Fees.
- (1) The Entertainment License license fee shall be the annual license fee payable in advance before the issuance of the license. If, at the time of the application for a license less than three months of the current license year shall have expired, the applicant shall be required to pay the full annual license fee; if three months but less than nine months of current license year shall have expired, the applicant shall be required to pay one-half of the annual license fee; if nine months or more of the current license year shall have expired, the applicant shall be required to pay one-fourth of the annual license fee. No Entertainment License license shall be issued for less sum than one-fourth of the annual license fee.
 - ~~(2) The annual license fee for a public place of amusement, which shall consist of the performance of any exhibition, show or other amusement, shall be in an amount as provided in section 26-101.~~
 - ~~(3) The annual license fee for such public place of amusement where the amusement shall consist of an orchestra, solely, shall be in an amount as provided in section 26-101.~~

Section 14-126: Definitions; Exemptions.

- (a) Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Amusement means any and all anticipatory, spectator and exhibitivite entertainments, including, but not limited to, the following activities: theatrical, dramatic, musical, or spectator performances; motion picture shows; carnivals; amusement park rides; circuses; rodeos; athletic contests; sports or games, including boxing, wrestling, tennis, racquetball, handball, golf, billiards and pool games; ~~physical fitness centers~~; video movies; video games; video gaming terminals; pinball games; including the giving of lessons or demonstrations of any of such activities characterized as amusements under this article. Licensed horse race meetings, as those terms are defined by the Illinois Horse Racing Act of 1975 (230 ILCS 5/1 et seq.), are exempted from this article.

Gross receipts means all fees or charges received in the form of fees or charges from admission to any facility and/or use or rental of any facility or equipment for the purpose of witnessing, participating in, or utilizing any amusement, regardless of whether such fees or charges are characterized as admission fees, membership fees, use charges, rental or service charges. Gross receipts shall be exclusive of any tax imposed by the United States government, the state or any other governmental unit. A fee or charge which entitles the patrons in any amusement operated within the corporate limits to bona fide services in addition to or unrelated to the witnessing or participating in the amusement shall not be subject to the tax provided for this article except, however:

- (1) Where a fee or charge is comprised of identifiable components, packages or tiers, the tax provided for in this article shall be imposed on any such components, packages or tiers which provide solely for admission to any facility and/or the use of any facility or equipment for the purposes of witnessing or participating in any amusement; and

- (2) Where a single fee or charge for admission to any facility and/or use of any facility or equipment for the purpose of witnessing or anticipating in any amusement also entitles the patron of the amusement to the incidental use of parking, restaurant, bar, refreshment, locker room, changing room, washroom and/or shower facilities or services, the tax provided for in this article shall be imposed on such fee or charge, provided the predominant activity of such facility is an amusement.

Horse racing, horse race meeting, race meeting and meeting mean the same as provided in the Illinois Horse Racing Act of 1975, 230 ILCS 5/1 et seq.

Person includes any individual, firm, partnership, association, joint stock company, joint venture corporation, but shall not include governmental entities or not-for-profit corporations.

~~*Physical fitness center* means any person offering physical fitness services to the public, including instruction, training or assistance in physical culture, body building, exercising, weight reducing, figure development, self-defense training or any similar activity; or the use of the facilities of a physical fitness center for any of such activities; or membership in any group forum by a physical fitness center for any of such purposes.~~

Strolling musician means any musician or group of musicians that performs live music tableside for the entertainment of patrons at any restaurant where full and complete meals, including a lunch or dinner menu, are being served at the time of the performance. No strolling musician may be seated during his or her performance, except as may be required for bona fide medical necessity. ~~All strolling musician performances shall cease at 10:00 p.m. Sunday through Thursday. Strolling musicians may perform until the close of the hosting restaurant on Friday and Saturday.~~

Terminal operator means any individual, partnership, corporation, or limited liability company that is licensed under the Video Gaming Act, 230 ILCS 40/1 et seq., and that owns, services, and maintains video gaming terminals for placement in licensed establishments, licensed truck stop establishments, licensed fraternal establishments, or licensed veterans establishments.

Video gaming terminal means any electronic video game machine that, upon insertion of cash, electronic cards or vouchers, or any combination thereof, is available to play or simulate the play of a video game, including, but not limited to, video poker, line up, and blackjack, as authorized by the Illinois Gaming Board utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash. The term does not include a machine that directly dispenses coins, cash, or tokens or is for amusement purposes only.

Video movie means videotape or videodisc copy of a motion picture film, television show, or other similar exhibition, generally offered for sale or rental to customers.

- (b) No municipality, park district, school district, other unit of local government, religious organization, or registered not-for-profit organization shall be required to obtain an Entertainment License nor shall such entity be subject to the municipal amusement tax for any entertainment or amusement event, including, but not limited to, banquets, dances, theater productions, concerts, disc jockey performances, live bands, orchestras, or carnivals which are operated for the benefit of the organization and not for gain or profit.

Section 14-128: Tax levied Entertainment License Fee; Municipal Amusement Tax Levied.

- (a) Fees.

- (1) Local Liquor Licensees that desire to offer entertainment as set forth in Section 10-72 of this code, are required to obtain an annual Entertainment License for each entertainment space as

set forth in this subsection (a). Entertainment Licensees remain subject to the municipal amusement tax as set forth in subsection (b).

<u>Occupancy</u>	<u>Annual Fee</u>
<u>90 and under Local Liquor Class A or AB</u>	<u>Exempt</u>
<u>199 and under</u>	<u>\$2,000</u>
<u>200 to 300</u>	<u>\$4,000</u>
<u>301 or higher</u>	<u>\$6,000</u>

(2) Places of public amusement or entertainment that do not hold a local liquor license shall be subject to any and all business licensing fees as set forth in section 26-101 of this code and shall remain subject to the municipal amusement tax levied in subsection (b) of this section. No separate entertainment license fee shall be due and owing for such places of public amusement which do not also maintain a local liquor license.

~~(a)~~ (b) In addition to other license fees and taxes, a municipal amusement tax is hereby imposed upon all persons operating amusements, where a fee is charged at the door or beforehand via other means for admission, other than motor vehicle races and except as provided in subsection (bc), and upon persons operating places of amusement within the corporate limits of the town. Such tax is imposed in an amount equal to six percent (6%) of the gross receipts collected as an admission fee for entry whether purchased at the door or paid beforehand with a minimum of \$1.00 per admission, in the form of fees or charges for admission to any facility and/or the use of any facility or equipment for the purpose of witnessing or participating in any amusements, irrespective of whether such fees or charges are characterized as admission fees, membership fees, service or use charges or rent. Gross receipts as defined in section 14-126 shall be exclusive of any tax imposed by the United States government, this state or any other governmental unit.

(bc) ~~Notwithstanding the foregoing, a municipal amusement tax is hereby imposed upon all persons operating the following amusements as follows amusements as defined in Section 14-126 of this code:~~ Reserved.

<u>Disc Jockey Performance</u>	<u>\$200.00</u>
<u>Comedian Performance</u>	<u>\$500.00</u>
<u>Live Theatrical Performance</u>	<u>\$500.00</u>
<u>Live Musical Performance</u>	<u>\$1,000.00</u>

The fee for all other live special events or performances shall \$500.00.

The payment of an amusement tax required under this subsection (b) by an amusement operator shall exempt said amusement operator from the payment of any other amusement tax required under this subsection for the same category of performance, offered by the same amusement operator, at the same venue, during the same 24-hour period.

~~(e) Strolling musician fee. Notwithstanding the foregoing, a municipal amusement tax of \$1,500.00 per week is hereby imposed upon any individual or entity that allows strolling musicians to entertain patrons in any restaurant owned or controlled by the individual or entity.~~

~~(d) Occupancy load must be posted in each entertainment space within an establishment as listed in the 2009 International Fire Code~~

~~(d)~~ (e) In addition to all other license fees and taxes, a municipal amusement tax is hereby imposed upon all persons operating motor vehicle races and upon persons operating ~~motor vehicle races~~ the same within the corporate limits of the town in an amount equal to five percent (5%) of gross receipts collected with a minimum of \$1.00 per admission, in the form of fees or charges for admission to any facility and/or the user of any facility or equipment for the purpose of witnessing or participating in any motor vehicle

race, irrespective of whether such fees or charges are characterized as admission fees, membership fees, service or use charges or rent. Gross receipts as defined in section 14-126 shall be exclusive of any tax imposed by the United States government, this state or any other governmental unit.

- (e) (f) As distinguished from private clubs operated on a not-for-profit basis, the persons taxed under this section shall be those operating places of amusement or motor vehicle races as a business for profit, irrespective of whether such amusement or motor vehicle race is offered generally to the public or requires a membership as a precondition to participation or observation of the amusement or motor vehicle race.

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

The following enumerated individual license taxes shall be paid to the Town by the persons engaging in or managing or transacting the several occupations or professions named yearly, unless otherwise specified:

A

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3. ~~Amusements/Entertainments. See individual title.~~ Amusement or entertainment related businesses that do not also hold a liquor license not otherwise described in this section . . . \$250.00

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C

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8. ~~Circuses, carnivals, menageries, wild west shows, dog and pony shows, etc., all under canvas; see section 14-33.~~ \$250.00

...

E

...

2. ~~Entertainments, see section 14-33.~~ Reserved.

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M

...

9. ~~Motion picture theaters. See section 14-33.~~
(a) \$150.00 per screen
(b) \$150.00 per concession stand

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P

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6. ~~Picnic grounds and/or summer gardens. See section 14-33.~~ Reserved.

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T

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5. *Theatrical, dramatic, operatic, vaudeville, etc., entertainments. See ~~section 14-33~~.....\$250.00*

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(“O” 20-22)

On motion of Trustee Virruso seconded by Trustee Garcia, the Ordinance amending Chapter 94, entitled “Traffic”, Section 94-281, entitled “Permit Parking” of the Code of Ordinances of the Town of Cicero, Illinois, regarding permit parking for the Town, was accepted, placed on file and approved for passage by the following vote:

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

Nays: None.

(Purpose of Ordinance)

(The purpose of this ordinance is to amend Chapter 94, Section 94-281 of the Town Code to revise the Town’s regulations regarding parking and to authorize the President to take all action necessary to effectuate the intent of this Ordinance.)

Section 94-281: Permit parking.

- (a) When signs are erected giving notice thereof, in the Morton High School red zone and the Morton College blue zone, as defined in section 94-196, no person shall park any vehicle from 7:00 a.m. to 4:00 p.m., or while schools are in session except persons who are actual residents of the town and have a town vehicle sticker identifying it as being registered to an address within the zone, properly affixed to the parked vehicle.
- (b) When signs are erected giving notice thereof, no person shall park any vehicle on a weekday from 7:00 a.m. to 4:30 p.m. on 48th Court, between 16th Street and the first alley to the north of 16th Street, except persons who have a town-issued vehicle hang tag, permit or sticker identifying the vehicle as being permitted to park within such area, properly displayed in the parked vehicle.
- (c) When signs are erected giving notice thereof, in the Lombard Green zone as defined in section 94-196, no person shall park any vehicle in the 3300 block of 61st Court or the east side of the 3300 block of Lombard Avenue, except persons who have a town-issued vehicle hang tag, permit or sticker identifying the vehicle as being permitted to park within such area, properly displayed in the parked vehicle.
- (d) When signs are erected giving notice thereof, in the pink line zone as defined in section 94-196, no person shall park any vehicle except persons who have a town-issued vehicle hang tag, permit or sticker identifying the vehicle as being permitted to park within such area, properly displayed in the parked vehicle.
- (e) When signs are erected giving notice thereof, no person shall park any vehicle on a Sunday from 8:00 a.m. to 1:00 p.m. on either side of 30th Street between 49th Avenue and 48th Court, except persons

who have a town-issued vehicle hang tag, permit or sticker identifying the vehicle as being permitted to park within such area, properly displayed in the parked vehicle.

- (e) Any person violating the parking restrictions contained in this section shall upon conviction be fined not less than \$50.00 nor more than \$500.00 for each offense. For purposes of this section, each four-hour period that a vehicle is parked in violation of this section shall be considered a separate offense.

(“O” 21-22)

On motion of Trustee Virruso seconded by Trustee Garcia, the Ordinance authorizing the conveyance of real property (*Northwest corner of Cicero Avenue and West 33rd Place*) located within the Town of Cicero, Illinois for the Town, was accepted, placed on file and approved for passage by the following vote:

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

Nays: None.

RESOLUTIONS

(“R” 42-22)

On motion of Trustee Cava seconded by Trustee Garcia, the Resolution authorizing and approving a proposal from the Heating and Cooling Works, Inc. for provided services to the Town (*To repair and maintain various heating and air conditioning equipment at five (5) Town facilities; in the total amount of \$2,450.00*) was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

(“R” 43-22)

On motion of Trustee Virruso seconded by Trustee Garcia, the Resolution authorizing and approving the purchase of certain software for the Town (*To update certain Microsoft software licenses for the Cicero Information Technology Department in the total amount of \$125,640.00*), was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

(“R” 44-22)

On motion of Trustee Virruso seconded by Trustee Vargas, 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 5 thru May 8, 2022, 2023, 2024), Cicero Fest (June 30 thru July 4, 2022), Mexican Independence Festival (September 15 thru September 18, 2022, 2023, 2024), Houby Fest (October 6 thru October 10, 2022, 2023, 2024)*), was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

(“R” 45-22)

On motion of Trustee Virruso seconded by Trustee Garcia, the Resolution authorizing the Town President to enter into agreements with Klandestino Entertainment Inc. to provide services to the Town (*Entertainment and equipment rentals for the Cinco de Mayo Fest 2022 (May 5 thru May 8) and Mexican Independence Festival (September 15 thru September 18, 2022)*), was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

(“R” 46-22)

On motion of Trustee Porod seconded by Trustee Vargas, the Resolution authorizing and approving an agreement with Current Technologies Corporation for the Town (*For six (6) additional surveillance cameras at the 34th Street & Laramie Avenue parking lot in the total amount \$21,412.32*), was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

(“R” 47-22)

On motion of Trustee Garcia seconded by Trustee Porod, the Resolution authorizing and approving an invoice from the Cook County Sheriff's Police Training Academy for the Town (*For tuition of four (4) candidates' training for the Cicero Police Department in the total amount of \$13,000.00*), was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

(“R” 48-22)

On motion of Trustee Vargas seconded by Trustee Garcia, the Resolution authorizing and approving a certain quote from Ko Real Estate and Remodeling LLC for the Senior Center for the Town (*For the installation of carpet tiles at the Senior Center located at 5631 W. 35th Street in the total amount of \$11,850.00*), was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

NEW BUSINESS

(51-22)

On motion of Trustee Porod seconded by Trustee Vargas, the Board concurred with the recommendation of Board of Fire, Police and Public Safety Commissioners for the promotion of Brian McDonald to the rank of Lieutenant in the Cicero Fire Department; action taken by the following vote:

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

Nays: None.

(52-22)

On motion of Trustee Porod seconded by Trustee Vargas, the Board concurred with the recommendation of Board of Fire, Police and Public Safety Commissioners for the promotion of Gary Conley to the rank of Engineer in the Cicero Fire Department; action taken by the following vote:

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

Nays: None.

Chief Michael Piekarski administered the oath of office to newly promoted Lieutenant Brian McDonald.

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 10:37 A.M. to meet on Tuesday, April 26, 2022 at 10:00 A.M., in the Town Hall, Town of Cicero.

MARIA A. PUNZO-ARIAS, TOWN CLERK