

Minutes of a **REGULAR MEETING** of the
PRESIDENT and **BOARD OF TRUSTEES**
Village of Evergreen Park, Cook County, IL
Monday, October 4, 2021

CALL TO ORDER The meeting was called to order at 7:30 P.M. by Mayor Burke in The second floor Council Chambers of the Village Hall.

ROLL CALL Clerk Aparo was asked to call the roll with the following results:
Physically Present:

Mayor Kelly Burke
Trustee Carol Kyle
Trustee Mark Marzullo
Trustee James McQuillan
Trustee Jeannie Olson
Trustee Norman Anderson
Trustee Mark Phelan

Also present were Village Attorney Vincent Cainkar, Village Treasurer John Sawyers and Village Engineer Tim Klass.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Trustee McQuillan.

OPEN PUBLIC HEARING

The Chair read the Public Notice as published in the Courier newspaper on September 16, 2021. The Mayor and Board of Trustees of the Village will be conducting a public hearing as the Zoning Commission on a text amendment to the Evergreen Park Zoning Code, to be held on October 4, 2021 at 7:30 p.m. in the Boardroom at the Village Hall, to site and regulate adult-use cannabis facilities and medical use cannabis facilities. All persons interested will given an opportunity to be heard.

She opened the Public portion of the meeting at 7:33 p.m. and asked attorney Cainkar to explain the proceedings. Mr. Cainkar explained the public hearing allows a public forum for a Zoning change in the cannabis ordinance. The regulations set forth must be located in a "C" Commercial District, south of 91st Street, north of 99th Street, east of Western Avenue and west of the B & O Railroad Tracks; only one cannabis dispensing organization may be located south of 95th Street and only one cannabis located north of 95th Street. He added they could not be located less than 300 feet from any pre-existing public or private school, church or public park.

The Chair called for questions. Mr. Percy Allen asked about security and Mr. Steven Duffy asked about the revitalization of the 87th Street area with such a dispensary. A lengthy

discussion took place between audience members and the Board of Trustees and the attorney regarding locations, restrictions and security issues. The Attorney explained the Village has received many phone calls regarding licensing of dispensaries. All licenses will require a special use zoning. He added this is only the beginning of the process not the end. The Chair reminded everyone State Licenses are still required and it is a rigorous process. The Chair called for comments and questions three times. There being none motion by Trustee Phelan second by Trustee Kyle to close the public hearing portion of the meeting at 7:48 p.m. Upon roll call, voting YES: Trustees Kyle, Marzullo, McQuillan, Olson, Anderson and Phelan; voting NO: NONE. The motion was passed and so ordered by the Chair.

PUBLIC FORUM

The Chair made the following announcements:

1. The Chair wished a special 101st Birthday to Joan “Sunshine” Schechner. Joan was a longtime Evergreen Park resident, former Army nurse in WWII who now resides at Smith Village. A card drop off is scheduled for October 15, 2021.
2. Special thanks to sponsors and participants who helped make the recent Octoberfest a successful event. Especially the Recreation Department, Karen, Jill and Josie, Scotty and his staff and EPFD, Public Works and EPPD.
3. EP Fire Chief Kleinhaus gave a report on the MABAS Engine Strike Team Deployed on September 9-17, 2021 to New Orleans to help with damage from Hurricane Ida. EP Fire Engine #51 was assigned to the Buras Fire Department. He extended his thanks to all the Fire Fighters involved in the deployment.
4. Thanks to the Candlelight Theater Group for their recent production of “You Can’t Take it With You”.
5. Thanks to EPFD for a great turn out at their open house on Saturday with free fire truck rides.
6. The Chair read a portion of a beautiful letter from AERO School Director of Special Education, Jim Gunnell. He praised the efforts of Denny Pietranduono, Kathy Frost Roth and Don and all the farm park staff. Their caring and sensitive teaching efforts are much appreciated as they work with AERO students and encourage interaction with the animals and farming chores.
7. Friday, October 8, 2021 from 5-9 p.m. Haunted Hayrides for Students grades 5-12 must register at the Youth Room of the Community Center.
8. Mayor Burke will be the guest speaker for the Chamber of Commerce Luncheon on Thursday, October 14, 2021. The luncheon is from 11:30 a.m. to 2 p.m. at the newly remodeled American Legion Post 854.

9. Village Hall will be closed in observance of Columbus Day on Monday, October 11, 2021. Normal hours resume on Tuesday, October 12, 2021. Cost is \$18.00 per student.
10. Saturday, October 9, 2021 at 6 p.m. St. Bernadette presents Dueling Pianos in the Church parking lot.
11. The Annual Halloween Parade is at the 50-acre park at 91st & Rockwell beginning at 6:00 p.m. to 7:30 p.m. on Friday, October 29, 2021.
12. On Saturday, October 30, 2021, FantaSci Fest is at the EP Senior Center from 11 a.m. to 4 p.m. at 9547 S. Homan Avenue.

**OPEN PUBLIC
AUDIENCE**

NONE.

**REGULAR
AGENDA**

Motion by Trustee Phelan second by Trustee McQuillan to waive reading of the minutes of the September 20, 2021 Regular Meeting of the President and Board of Trustees and approved as presented was passed by unanimous voice vote and so ordered by the Chair.

**RESOLUTION
NO. 23-2021**

Motion by Trustee Marzullo second by Trustee Kyle to approve **Resolution NO. 23** \$ 478,490.58 in the General Corporate Fund and the Water management Fund, \$364,505.34 and the Street Bond Fund, \$ 22,040.00 for a total of \$865,035.92. Upon roll call, voting YES: Trustees Marzullo, McQuillan, Olson, Anderson, Phelan and Kyle; voting NO: NONE. The motion was passed and so ordered by the Chair.

**BUSINESS
CERTIFICATES**

Motion by Trustee Marzullo second by Trustee Phelan **to table** the application for **WILLOWBROOK INN, INC. DBA VIBES MINIMART**, for general merchandise, tobacco and cell phone sales at the location of 2515 W. 95th Street. Trustee Marzullo asked if the applicant was present. Due to the lack of an applicant to answer questions, Trustee Marzullo requested to table the application. Upon roll call, voting YES: Trustees McQuillan, Olson, Anderson, Phelan, Kyle and Marzullo; voting NO; NONE. The motion to table was passed and so ordered by the Chair.

**DESTINY
DENTAL**

Motion by Trustee Kyle second by Trustee Anderson to approve the Business Regulation Certificate for **D2 DENTAL OF LANSING P.C. DBA DESTINY DENTAL** to operate a dental office located at 2508 W. 94TH Street. Upon roll call, voting YES: Trustees Olson, Anderson, Phelan, Kyle, Marzullo and McQuillan;

voting NO: NONE. The motion was passed and so ordered by the Chair.

GEN HARP CLINICAL SOLUTIONS

Motion by Trustee McQuillan second by Trustee Olson to approve the Business Regulation Certificate for **GEN HARP CLINICAL SOLUTIONS** to operate a clinical research health office located at 9730 S. Western Avenue, Suite 218. Upon roll call voting YES: Trustees Anderson, Phelan, Kyle, Marzullo, McQuillan and Olson; voting NO: NONE. The motion was passed and so ordered by the Chair.

ORDINANCE NO. 16-2021

Motion by Trustee Marzullo second by Trustee Phelan to approve **ORDINANCE NO. 16-2021**, “AN ORDINANCE AMENDING THE EVERGREEN PARK ZONING CODE BY PROVIDING FOR THE SITING AND REGULATION OF ADULT-USE CANNABIS FACILITIES AND MEDICAL USE CANNABIS FACILITIES.” Upon roll call voting YES: Trustees Phelan, Kyle, Marzullo, McQuillan, Olson and Anderson; voting NO: NONE. The motion was passed and so ordered by the Chair.

ORDINANCE NO. 17-2021

Motion by Trustee Phelan second by Trustee McQuillan to approve **ORDINANCE NO. 17-2021**, “AN ORDINANCE AMENDING CHAPTER 11, LICENSES, TAXATION AND MISCELLANEOUS BUSINESS REGULATIONS, BY ADDING ARTICLE XXI, CANNABIS RETAILERS’ OCCUPATION TAX, TO THE EVERGREEN PARK MUNICIPAL CODE.” The Chair noted this allows for a 3% tax which goes directly to the Village. Upon roll call voting YES: Trustees Kyle, Marzullo, McQuillan, Olson, Anderson and Phelan; voting NO: NONE. The motion was passed and so ordered by the Chair.

RESOLUTION NO. 7-2021

Motion by Trustee Kyle second by Trustee Phelan to approve **RESOLUTION NO. 7-2021**, “A RESOLUTION OF THE VILLAGE OF EVERGREEN PARK REQUESTING THE SUBMISSION OF A ‘NO CASH BID’ ON CERTAIN PARCELS OF TAX DELINQUENT REAL PROPERTY FOR THE BENEFIT OF THE VILLAGE OF EVERGREEN PARK.” The Chair noted there are (4) four parcels available for a no cash bid located at 3138 W. 95th Street and 8859 S. Kedzie Avenue and 3337 West Clark Drive and 3300 W. 97th Street. Upon roll call, voting YES: Trustees Marzullo, McQuillan, Olson, Anderson, Phelan and Kyle; voting NO: NONE. The motion was passed and so ordered by the Chair.

METRO MAYORS**CAUCUS**

Motion by Trustee Anderson second by Trustee Olson to approve the Mayors request to pay the Metropolitan Mayors Caucus dues for 2020-2021 in the amount of \$ 893.34. Upon roll call, voting YES: Trustees McQuillan, Olson, Anderson, Phelan, Kyle and Marzullo ; voting NO: NONE. The motion was passed and so ordered by the Chair.

PROCLAMATION**HALLOWEEN**

Motion by Trustee Marzullo second by Trustee Anderson to approve the Proclamations, declaring **“Sunday, October 31, 2021 as Halloween in the Village of Evergreen Park.”** Hours are Noon until 6:00 without an adult and until 8:00 pm with adult supervision. The Chair encouraged trick or treaters to observe porch lights if they are not on, assume they do not wish to participate. The proclamation was approved as presented was passed by unanimous voice vote and so ordered by the Chair.

ENGINEER’S**REPORT**

Mr. Klass reported he has met with the engineer’s from IDOT and the projects 87th Street and Kedzie Avenue are not completed. He will revisit prior to grass and parkway restoration. Cooler weather is required for the replacement. Trustee Marzullo asked about the possibility of a dedicated right turn lane on westbound 95th Street at Kedzie going north. Similar to the one on Kedzie at 103rd to help alleviate merging traffic lanes. Mr. Klass will look into the request.

ATTORNEY’S**REPORT**

The Attorney had no report.

DEPT.**HEADS**

PW Director Bill Lorenz suggested CSX repair the grade crossing at 94th Street now that the Kedzie Avenue project is almost completed.

BIDS

Motion by Trustee Phelan second by Trustee Kyle to approve PW Director’s request to pay Insituform for the sanitary sewer lining project in the amount of \$272,288.70. This is a budgeted item. Upon roll call voting YES: Trustees Olson, Anderson, Phelan, Kyle, Marzullo and McQuillan; voting NO: None. The Motion was passed and so ordered by the Chair.

Motion by Trustee Phelan second by Trustee McQuillan to approve PW Director’s request to accept the low bidder of Pavement Systems, Inc. for \$ 30,511.00 to patch, crack seal, seal coat and restripe the Yukich Fields parking lots. The other bidder was J & R 1st in Asphalt at a price of \$48,380.00. This is a budgeted item.

Upon roll call voting YES Trustees Anderson, Phelan, Kyle, Marzullo, McQuillan and Olson; voting NO: None. The Motion was passed and so ordered by the Chair.

Motion by Trustee McQuillan second by Trustee Olson to approve PW Director's request to move forward with the upgrading of our parks. The park at 99th Place and the Grand Trunk (CSX RR) Candy Cane Park to order equipment at a cost of \$75,025.00. Upon roll call voting YES Trustees Phelan, Kyle, Marzullo, McQuillan, Olson and Anderson; voting NO: None. The Motion was passed and so ordered by the Chair.

MISC. NONE.

ADJOURNMENT With nothing further to come before this meeting, motion by Trustee Phelan second by Trustee Kyle that this Regular Meeting of the President and Board of Trustees adjourn. Upon roll call voting YES: Trustees Kyle, Marzullo, McQuillan, Olson, Anderson and Phelan; voting NO: None. The motion was passed and so ordered by the Chair at 8:17 P.M.

Catherine T. Aparo, MMC, Village Clerk