

Minutes of a **REGULAR MEETING** of the
PRESIDENT and BOARD OF TRUSTEES
Village of Evergreen Park, Cook County, IL
Monday, February 6, 2012

CALL TO ORDER The meeting was called to order at 7:30 P.M. by Mayor Sexton 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 James Sexton
Trustee Carol Kyle
Trustee Mark Marzullo
Trustee James McQuillan
Trustee Mary Keane
Trustee Jerome Bosch
Trustee Mark Phelan

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Trustee Bosch.

OPEN PUBLIC FORUM

The Chair made the following announcements:

1. The annual Flake Fest will be held on Saturday, February 11, 2012 from 1:00 pm to 6:00 pm. everyone is invited to attend this free fun family event.
2. The Illinois Mortgage Relief Project helps homeowners take advantage of new government programs to help lower mortgage payments, avoid foreclosures and help residents keep their homes. The Illinois Dept. of Financial and Professional Regulation and the Village of Orland will co host the Mortgage Relief Project on Saturday, February 18, 2012 from 9:00 am to 1:00 p.m. at the Orland Civic Center, 14750 S. Ravinia Avenue.
3. Free Tax preparation services are available by appointment Monday thru Friday between the hours of 9:30 a.m. to 3:00 p.m. at the Office of Citizens Services. Call 708-422-8776 to schedule an appointment. This service is available for seniors and persons making \$55,000 or less.
4. EPAA boys' baseball registration will be held on the following Saturday's February 11, 18 and 25th at the HB Maher Community Center at Noon.
5. The St. Department reports due to a mild winter January salt use is down to 539 tons used this January compared to 826 used in January of 2011.

OPEN PUBLIC NONE.

**CDBG OPEN
PUBLIC MEETING**

The Chair opened the Cook County Block Grant Public Meeting for project ideas and comments for the 2012 CDBG funds. The Chair asked again for comments from the audience or the Board, there being none, the Chair stated the funds (\$300,000 maximum) will be used toward the Senior Center at 9547 S. Homan Avenue. The public portion of this meeting was closed at 7:34 p.m. Motion by Trustee Bosch second by Trustee Kyle to adjourn this public meeting at 7:34 p.m. Upon roll call, voting YES: Trustees Kyle, Marzullo, McQuillan, Keane, Bosch and Phelan; voting NO: NONE. The motion was passed and so ordered by the Chair.

**REGULAR
AGENDA**

Motion by Trustee Marzullo second by Trustee McQuillan to waive the reading of the minutes of the January 17, 2012 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. 7-2012 Motion by Trustee Phelan second by Trustee Keane, to approve **Resolution NO. 7-2012** with expenditures of the General Corporate Fund of \$ 634,940.55 and the Sewer and Water Fund in the amount of \$ 200,064.02 and the Open Lands Project \$ 17,979.00 and the Street Bond Fund, \$ 3,250.00 for a total of \$ 856,233.67. Upon roll call, voting YES: Trustees Marzullo, McQuillan, Keane, Bosch, Phelan and Kyle; voting NO: NONE. The motion was passed and so ordered by the Chair.

**WATER
COLLECTORS
REPORT**

Motion by Trustee Bosch second by Trustee McQuillan to approve the Water Collector's report for January 2012 for information and file in the amount of \$ 599,626.25 The motion was passed by unanimous voice vote and so ordered by the Chair.

**VILLAGE
COLLECTORS
REPORT**

Motion by Trustee Phelan second by Trustee Kyle to approve the Village Collector's report for January 2012 for information and file in the amount of \$ 1,311,888.46. The motion was passed by unanimous voice vote and so ordered by the Chair.

**SISTERS OF
MERCY SETTLEMENT**

The Chair introduced Mr. John George, attorney for the Sr. of Mercy. Mr. George addressed the audience and the Board with the most significant changes in the current Final Judgment and Consent Decree. He said in October of 2008, the City of Chicago Plan Commission approved the Sr. of Mercy complex with 212 units. The new proposal has 110 units; its size reduced from 307,000 square

feet to 146,000 square feet, height of buildings has been reduced from four and five stories to three story buildings and increased setbacks from 122 feet to 137 feet. He stated the recent plan allows only men and women religious and excludes lay people as residents. He stated there is a commissary on premises which will not be open to the public. He said the original 1954 document allowed for an infirmary for the Sr. of Mercy sick and aged nuns. He added a restrictive covenant will be recorded and nothing can be changed without a petition to the Village Board.

The Chair asked how many nuns currently reside there. Mr. George answered there are 35 nuns on premises and seven years ago there were 70 nuns who have been moved to other communities. Trustee Marzullo asked how residents would be notified if changes were requested. Attorney Cainkar stated it would be similar to the Village's Zoning Board notices with the Village Board acting as the Zoning Board. Published notices are required in the newspapers and notices would be sent to everyone within 200 feet of the property; adding notices could be sent to include more than the 200 feet range of property owners. Trustee Kyle asked if the City will need to approve the new plan proposal. Mr. George answered yes; he will resubmit the new reduced plan development with 110 units. He explained the City of Chicago issues a letter that is binding; if a future increase was requested it would require new approval by the City of Chicago and also by the Village of Evergreen Park. Trustee McQuillan questioned if the physical size or use is changed it must come to the Village first. Mr. George and Mr. Cainkar agreed that is correct.

Trustee Keane asked how many nuns are interested in living in the new facility. Mr. George stated there is a waiting list of 175 nuns for this facility.

AUDIENCE COMMENTS

Mrs. Kathy Manahan, 9854 S. Lawndale, questioned if the Sisters of Mercy could ask for future expansion of this facility. The Chair answered yes.

Mrs. Kathy Rohan, District 124 President, reiterated her prior statement opposing the facility and the use of the building as the primary concern and added it is of no educational benefit. She urged the Board to vote no.

Mrs. Beth Amado, 9848 S. Lawndale, questioned why we are here. She stated the litigation was for the use of the facility. She feels the privacy wall stated in the settlement should be a red flag to the Board that the residents and occupants are being shielded from the campus. She asked the Board to vote against the settlement.

Mrs. Delores Smith, 9805 S. Lawndale, stated nothing has changed. She asked if the nuns are being accommodated elsewhere why do they need to come back to this facility. She added the use should remain educational purpose.

Amy Fitzgerald, 9858 S. Lawndale, expressed opposition to the facility. She stated she spoke to the City of Chicago and the State of Illinois EPA but due to the fact it is private property an extensive environmental study was not required.

She asked the Board on behalf of residents and families to postpone the vote until the findings of the environmental survey can be made public.

The Chair called for further comment and questions. Trustee Bosch stated he has listened very intently for the past few months adding he voted no at the last meeting and after listening to all the information presented he has not changed his mind.

Motion by Trustee Bosch second by Trustee Kyle to approve as presented the settlement of the Final Judgment and Consent Decree regarding Village of Evergreen Park, et al., v. Sister of Mercy of the Americas, case no 08 CH 34375. Upon roll call, voting YES: Trustees McQuillan, Keane, Bosch, Phelan, Kyle and Marzullo; voting NO: NONE. The motion was passed and so ordered by the Chair.

BUSINESS CERTIFICATES

Motion by Trustee McQuillan second by Trustee Phelan to approve the business license application for Donna Park Insurance to conduct an insurance/investment office located at 3552 W. 95th Street, Evergreen Park, Illinois. Upon roll call, voting YES: Trustees Keane, Bosch, Phelan, Kyle, Marzullo and McQuillan; voting NO: NONE. The motion was passed and so ordered by the Chair.

RESOLUTION

NO. 1-2012 Motion by Trustee Marzullo second by Trustee McQuillan to approve **RESOLUTION NO. 1-2012, “ A Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code from January 1, 2012 to December 31, 2012 in the amount of \$ 580,000.00”** Upon roll call, voting YES: Trustees Bosch, Phelan, Kyle, Marzullo, McQuillan and Keane; voting NO: NONE. The motion was passed and so ordered by the Chair.

RESOLUTION

NO. 2-2012 Motion by Trustee Marzullo second by Trustee McQuillan to approve **RESOLUTION NO 2-2012, “ A Resolution Approving a Grant Application for the 2012 Cook County Community Development Block Grant Program (CDBG) For Program Year 2012 in the Amount of \$ 300,000 for the Project Known as 2012 CDBG Homan Avenue Senior Center.”** Upon roll call, voting YES: Trustees Phelan, Kyle, Marzullo, McQuillan, Keane and Bosch; voting NO: NONE. The motion was passed and so ordered by the Chair.

SCAVENGER AGREEMENT

Motion by Trustee McQuillan second by Trustee Kyle to approve the proposed Scavenger Agreement between the Village of Evergreen Park and Land & Lakes Disposal Services, LLC for the period beginning January 1, 2012 to December 31, 2017 with the option to negotiate an additional six year extension after the term of this Agreement. The Chair thanked PW Director Lorenz and Mary and Barney from Land and Lakes for an equitable agreement.

The Chair noted in a few months the blue bag program will cease and recycling carts similar to the yard waste and refuse containers will be provided at no cost to residents. Recycling will be picked up every other week. Trustee Kyle

asked about alley pick up. She also asked if the recycling can be co-mingled. The Chair stated all pick ups will be in the front of the house and the recycling can be co-mingled. The Chair said this should take place within the next three months. Trustee Kean asked if residents can purchase a second container. The Chair answered yes, additional containers will be available for purchase. Upon roll call, voting YES: Trustees Kyle, Marzullo, McQuillan, Keane, Bosch and Phelan; voting NO: NONE. The motion was passed and so ordered by the Chair.

**ENGINEER'S
REPORT**

Mr. Klass reported he is actively working on bids for this year.

**ATTORNEY'S
REPORT**

NONE.

DEPT HEADS

Mr. Jim Feltz, Youth Director reported teens responded to (21) snow shoveling calls and (3) requests to move furniture.

Jolene Churak, OCS Director announced OCT Tax volunteers began the tax season today and the schedule is already filled until mid March.

Mr. Duffy, Recreation Director reported the indoor soccer (4-6 year olds) has more than ninety athletes. The older (7-13 year olds) indoor soccer starts Monday, February 13, 2012. The Chair noted the Independence Day parade will be on Tuesday, July 3, 2012.

BIDS

Motion by Trustee Phelan second by Trustee Bosch to approve the request from PW Director Lorenz to bid (5-6) alley paving projects for 2012. Upon roll call, voting YES: Trustees Marzullo, McQuillan, Keane, Bosch, Phelan and Kyle; voting NO: NONE. The motion was passed and so ordered by the Chair.

The Chair noted for information only payouts to the Village Engineer Novotny and Associates for \$36,333.35 for (13) various projects. NO BOARD ACTION.

MISC.

Motion by Trustee Kyle second by Trustee Bosch to approve the request from Senior Council to hold their annual Village Wide Garage Sale on May 5, 2012 at Yukich Fields. Upon roll call, voting YES: Trustees McQuillan, Keane, Bosch, Phelan, Kyle and Marzullo; voting NO: NONE. The motion was passed and so ordered by the Chair.

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 Keane, Bosch, Phelan, Kyle, Marzullo and McQuillan; voting NO: None. The motion was passed and so ordered by the Chair at 8:20 P.M.

