

Minutes of a **REGULAR MEETING** of the  
**PRESIDENT and BOARD OF TRUSTEES**  
Village of Evergreen Park, Cook County, IL  
**Monday June 19, 2023**

**CALL TO ORDER** Mayor Burke called the meeting to order at 6:30 P.M.  
The second floor Council Chambers of the Village Hall.

**ROLL CALL** Village 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

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

**PLEDGE OF ALLEGIANCE**

Trustee Anderson led the Pledge of Allegiance.

**OPEN PUBLIC FORUM**

The Chair made the following announcements:

1. Happy Father's Day to everyone and Grandad's too.
2. The Chair wished Karen Sexton a happy and healthy retirement after 37 years of service at the Evergreen Park Recreation Department.
3. Condolences to the family of Mary Phillips longtime volunteer at Office of Citizens' Services and member of senior council has passed away. Visitation is at Most Holy Redeemer Church tomorrow at 9:30 a.m. with Mass to follow at 11:30 a.m.
4. On Tuesday, July 11, 2023 at 7:30 p.m., the Zoning Board of Appeals will conduct a public hearing in the Board Room at the Village Hall on the request for a special use to permit the operation of a vehicle detail shop on the property located at 3521-23 West 95<sup>th</sup> Street.

5. Police commendations for the incident of May 8, 2023 location, 95<sup>th</sup> St. & Western Avenue at Walmart attempted carjacking of a vehicle with a three-month-old baby in it to escape arrest. (3) Adults charged with various felonies including possession of a stolen vehicle, attempted vehicular hijacking, unlawful use of a weapon, vehicular invasion and resisting arrest. Officers risked their own safety to apprehend armed and dangerous repeat offenders and contained a potentially deadly situation that protected the lives of innocent people and children present. Police Chief Saunders commended EPPD Officers: O'Connor, Keller, Duffin, Flores, Foran, Ortiz, Wantroba, Sarno and Stumpe and Sgt. Salazar and Detectives, Arroyo and Brakowski, Truell and Tactical Officers Phillips and Vos.
  
6. Police commendations for the incident of June 2, 2023 location of OSF Hospital resulting in an aggravated assault involving a handgun charge. Officers conducted the arrest at minimal risk to a bed-ridden victim in a crowded hospital environment. After a vehicle chase, the subject was apprehended. Police recovered a loaded firearm and the female subject was charged with a felony count of aggravated unlawful use of a firearm and one misdemeanor charge of aggravated assault. Commendations to EPPD Officers, Bavone, Lazinek, Cervantes, Lehnhardt and Detectives, Arroyo and Brakowski, and Lt. Soso and Sgt. Switalski.
  
7. Police commendations for work done at the incident of June 8, 2023 located at 94<sup>th</sup> & Sawyer Avenue when the FLOCK Camera made notification of a stolen vehicle out of Chicago. Four female occupants detained, two adults, two juveniles. A backpack containing cannabis, a loaded Glock 23 semi-automatic pistol and various stolen personal property items including a US Postal Service key illegally obtained. One of the females grabbed the backpack and fled while handcuffed. Officer Smiley pursued the offender on foot and apprehended her. Commendations to EPPD Officer Smiley on the recovery of the stolen vehicle, stolen firearm, and the confiscation of illegal drugs intended for distribution indicates the immense danger these individuals presented to society and the public in this jurisdiction. The Board and audience gave the PD a hearty round of applause.
  
8. The Village Hall will close on Tuesday, July 4, 2023 for Independence Day. Normal hours resume Wednesday, July 5, 2023 from 8:30 a.m. to 1:30 p.m.

9. Farmers Market is every Thursday at Yukich Field from 8 a.m. To 1:00 p.m.
10. Special thanks to Fire Chief Kleinhaus and the entire Fire Department on a very successful Children's and Annual Senior Health Fair. Both events were well attended and enjoyed by participants.
11. Friday, June 30, 2023 at 6:30 p.m., celebrate the Village of Evergreen Park's 53<sup>rd</sup> Independence Day Parade and fireworks to follow at Duffy Park.
12. Sunday, July 9, 2023 from 6:00 p.m. to 8:00 p.m., the Neverly Brothers perform a concert at Klein Park.
13. Thursday, July 13, 2023 from 9 a.m. to 11 a.m. a free paper shred event will be held at Yukich Field.
14. Friday, July 14, 2023 the Village is hosting "The Green Unplugged" event at the driving range. Everyone is invited to attend this music and food festival from 6:00 p.m. to 8:00 p.m.
15. Thursday, July 27, 2023 from 5:00 p.m. to 8:00 p.m., the "Food Truck Event" will be at Klein Park.
16. Saturday, July 29, 2023 from 9:00 a.m. to 12:00 p.m., join the Youth Department and the Historical Commission for the Historical Cycling Tour.

#### **OPEN PUBLIC AUDIENCE**

Mrs. Maryann Walczak, 9300 Block of Clifton Park asked if the Village could persuade the proposed Chipotle business to keep some of the established trees on the property. She also stated the fence around the new housing development at 97<sup>th</sup> Street / Kedzie is in need of repairs.

Robert Kelly, 9100 block of Hamlin asked what the procedure is to name the driving range in honor of former worker, Steve Lascola. He asked if a petition is required. The Chair noted Steve was a longtime resident and worked at the driving range. The Chair added he was a kind and caring man and an asset to the community. The Board will take it into consideration and get back to Mr. Kelly.

Owners from the Brown Sugar Beauty Bar located at 3408 W. 95<sup>th</sup> Street stated they have received parking tickets and notes on their windshield due to the one-hour limited parking. A short discussion took place regarding parking issues. The Chair will check with the EP Police and get back to them.

#### **REGULAR**

**AGENDA  
MINUTES**

Motion by Trustee Phelan second by Trustee Kyle to waive the reading of the minutes of the May 15, 2023 Regular Meeting of the President and Board of Trustees as presented was passed by unanimous voice vote and so ordered by the Chair.

**SIX-MONTH REVIEW  
EXECUTIVE  
MINUTES**

Motion by Trustee Marzullo second by Trustee McQuillan that confidentiality still exists on the Executive Session minutes and the minutes should not be released. Upon roll call, voting YES Trustee Kyle, Marzullo, McQuillan, Olson, Anderson and Phelan voting NO: NONE. The motion was passed and so ordered by the Chair.

**RESOLUTION  
NO. 15-2023 &  
NO. 16-2023**

Motion by Trustee Marzullo second by Trustee Phelan to approve **RESOLUTION NO. 15-2023** and **NO. 16-2023** starting with **RESOLUTION NO. 15-2023**, \$743,799.04 in the General Corp. Fund, \$ 389,955.12 in the Water Management Fund, and \$ 8,427.48 in the Self Insurance Fund, \$ 3,331.25 in the Motor Fuel Tax Fund, \$ 35,687.19 in the 95<sup>th</sup> Street TIF Fund, \$ 601,299.00 in the Capital Improvement Fund, \$ 14,560.00 in the Street Bond Fund, and \$ 7,067.50 in the ARPA Federal Grant for a total of \$ 1,804,126.58.

**RESOLUTION NO. 16-2023** with \$ 406,265.54 in the General Corporate Fund and \$100,029.99 in the Water Management Fund, and ARPA Federal Grant, \$ 12,975.15 and Self Insurance Fund, \$ 1,930.57 and Motor Fuel Tax Fund, \$ 309,207.64 and 95<sup>th</sup> street TIF Fund, \$9,000.00 and the Capital Improvement Fund, \$10,196.00 and The Street Bond Fund, \$27,080.00 for a total of \$876,684.89. 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.

**VILLAGE  
TREASURER  
REPORT**

Motion by Trustee McQuillan second by Trustee Olson to approve the Village Treasurer's report for information and file for **May 2023** in the amount of \$ 7,589,851.99 in the General Fund and \$ 4,790,148.60 in the Sewer and Water Fund. The motion was passed by unanimous voice vote and so ordered by the Chair.

**MAYORAL  
APPOINTMENTS  
2023/2024**

Motion by Trustee Anderson second by Trustee Kyle to approve the Mayor's appointments for Boards and Commissions and Part-time, Special Police and Auxiliary Police for the years 2023/ 2024. 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.

**BUSINESS  
CERTIFICATES**

**J. CREW**

Motion by Trustee Phelan second by Trustee Kyle to approve the Business Regulation Certificate for **HFD # 55 DBA/ J CREW** located at 9610 S. Western in the Plaza to operate a retail clothing store. The Chair noted the nearest store is at Clark and Diversey in Chicago. 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.

**BOYE JANITORIAL  
SERVICE**

Motion by Trustee McQuillan second by Trustee Olson to approve the Business Regulation Certificate for **BOYE JANITORIAL SERVICE, SUITE 110** located at 3830 W. 95<sup>th</sup> Street to operate an office for janitorial service for industrial and commercial businesses. 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.

**O DELSON, MURPHEY  
FRAZIER AND McGRATH  
LAW FIRM/NAME CHANGE ONLY**

Motion by Trustee Marzullo second by Trustee Olson to approve the name change for the law firm, **O DELSON, MURPHEY, FRAZIER AND McGRATH** to operate at their existing location of 3318 W. 95<sup>th</sup> Street, Evergreen Park, Illinois. 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.

**PENNIX LAW**

Motion by Trustee Kyle second by Trustee Phelan to approve the Business Regulation Certificate for **PENNIX LAW, LTD DBA PENNIX LAW** located at 3540 West 95<sup>th</sup> Street, Evergreen Park, Illinois. 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.

**WASHU EVERGREEN, LLC  
DBA WASHU CAR WASH**

Motion by Trustee Phelan second by Trustee Kyle to approve The Business Regulation Certificate for **WASH U EVERGREEN, LLC DBA WASH U CARWASH** located at 3501 West 95<sup>th</sup> Street in Evergreen Park, Illinois. The Chair introduced Craig

Nelson, CFO of the business. Mr. Nelson stated they have five other locations including 84<sup>th</sup> and Cicero in Burbank. His company strives to be good neighbors and promotes efficient environmental use of resources. A discussion took place regarding the water system, low decibel vacuum system and limiting traffic onto side streets. 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.

**EVERGREEN  
CAR WASH DBA  
EVERGREEN AUTO  
DETAIL**

Motion by Trustee Marzullo second by Trustee McQuillan to approve a conditional license for **EVERGREEN AUTO DETAIL** to operate an auto detail shop located at 3521 W. 95<sup>th</sup> Street, Evergreen Park, Illinois. The Chair recommends allowing a conditional license tonight, as this property requires a special use. The matter will go before the Zoning Board on July 11, 2023. 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.

**ORDINANCE  
NO. 7-2023**

Motion by Trustee Phelan second by Trustee Olson to approve **ORDINANCE NO. 7-2023, "AN ORDINANCE AMENDING CHAPTER 4, ANIMALS, OF THE EVERGREEN PARK MUNICIPAL CODE."** 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.

**ORDINANCE  
NO. 8-2023**

Motion by Trustee Kyle second by Trustee Anderson to approve **ORDINANCE NO. 8-2023, "AN ORDINANCE AMENDING CHAPTER 5, BUILDING AND BUILDING REGULATIONS, BY ADDING ARTICLE XI, SHORT-TERM HOUSING RENTALS, TO THE EVERGREEN PARK MUNICIPAL CODE."** 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. 9-2023**

Motion by Trustee Phelan second by Trustee McQuillan to approve **ORDINANCE NO. 9-2023, "AN ORDINANCE GRANTING A SPECIAL USE PERMIT AND PARKING VARIATION TO ALLOW THE RENOVATION AND CONSTRUCTION OF AN AUTOMATIC CAR WASH ON THE PREMISES AT 3501 WEST 95<sup>TH</sup> STREET,**

**EVERGREEN PARK, ILLINOIS.”** 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.

**TEMPORARY  
INCREASE  
REQUEST**

Motion by Trustee Anderson second by Trustee Kyle to approve Police Chief Saunders request to declare a vacancy in the EP Police department and to temporarily increase the maximum number of police officers to 63. The Chair stated this is due to the possible disability of a current sworn officer. 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.

**PATROL  
OFFICER  
HIRE**

Motion by Trustee Phelan second by Trustee Anderson to approve Police Chief Saunders request to hire a Patrol Officer from the current Eligibility List. 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.

**EVERGREEN  
CHARLEY’S DRIVE UP  
UNTABLE**

Motion by Trustee Marzullo second by Trustee Kyle to **untable** the request for a drive up at **EVERGREEN CHARLEY’S** located at 2620 W. 95<sup>th</sup> Street in Evergreen Park. Upon roll call, voting YES Trustees McQuillan, Olson, Anderson, Phelan, Kyle and Marzullo voting NO: NONE. The motion to untable was passed and so ordered by the Chair.

**EVERGREEN  
CHARLEY’S**

Motion by Trustee Phelan second by Trustee Marzullo to allow the drive up at **EVERGREEN CHARLEY’S** located at 2620 West 95<sup>th</sup> Street, in Evergreen Park. The order box has been moved nearer to 95<sup>th</sup> Street. A brief discussion took place regarding the debris/shopping carts in the area. New signage will be erected requesting patrons to turn down radios while waiting in line. 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.

**ZEMSKY’S  
POD STORAGE**

Motion by Trustee Kyle second by Trustee Olson to approve the request from ZEMSKY’S for temporary pod storage at the rear of the store from July 15, 2023 to September 30, 2023 during the back to school season. 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.

**ENGINEER'S REPORT**

Village Engineer Tim Klass had no report.

**ATTORNEY'S REPORT**

Mr. Cainkar had no report.

**BIDS**

Motion by Trustee McQuillan second by Trustee Olson to approve the PW Director's request to award the low bidder of McGill Construction for the 2023 Street Patching Program in the amount of \$122,920.00. 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.

**SMITTY'S**

Motion by Trustee Phelan second by Trustee Kyle to approve the request from Dep. Director Gavin Yeaman to allow Smitty's Tree Service to extend the tree trimming to a fall program due to positive balance in the account. 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.

**PAYOUTS**

Motion by Trustee Phelan second by Trustee Kyle to approve the PW Director's request for payment #3 for 3450 W. Maple St. Activity Center Renovation in the amount of \$ 654,981.00 to Ryan and Joyce Construction. 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.

Motion by Trustee Kyle second by Trustee McQuillan to approve the PW Directors request to purchase EJ Hydrants and valves with aux boxes for the 95<sup>th</sup> Street 12-inch water main replacement at a cost of \$ 79,559.48 from GE Kloos Supplier. 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.

Motion by Trustee Phelan second by Trustee Olson to approve the PW Director's request for payment to Gallagher Asphalt Corporation in the amount of \$ 309,207.64 for the 99<sup>th</sup> Street resurfacing and ADA Rehabilitation of California to Western Avenue Project. 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.



Motion by Trustee Anderson second by Trustee Olson to approve the PW Director's request for payment to J & R 1<sup>st</sup> in Asphalt in the amount of \$ 75,914.00 for the Yukich Field Sealcoating and stripping. 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.

Motion by Trustee Marzullo second by Trustee Phelan to approve the request for payouts for various Village projects to Novotney Engineering for \$33,590.20. 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.

## **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 Anderson, Kyle, Marzullo, McQuillan, Olson and Phelan voting NO: None. The motion was passed and so ordered by the Chair at 7:28 P.M.

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Catherine T. Aparo, MMC, Village Clerk