

**MINUTES OF A REGULAR BOARD MEETING  
OF THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF SCHILLER PARK, ILLINOIS  
IN THE BOARD ROOM OF THE VILLAGE HALL  
9526 W. IRVING PARK ROAD  
SCHILLER PARK, ILLINOIS 60176  
SEPTEMBER 28, 2004**

**I. CALL TO ORDER:**

Mayor Montana called the meeting to order at 8:00 P.M.

**II. PLEDGE OF ALLEGIANCE:**

**III. ROLL CALL:**

Upon a call of the roll by the Village Clerk, the following persons were:

Present: Mayor A. Montana, Trustees A. Clementi, R. Desecki, R. Tole, C. Gorzynski, A. Passialis and L. Fritz

Absent: None

Mayor Montana declared a quorum present.

Also present:

Claudia L. Irsuto Village Clerk  
Kevin Barr, Village Manager/Comptroller  
John Zimmermann, Corporation Counsel

**IV. APPROVAL OF MINUTES:**

Trustee Passialis moved, seconded by Trustee Desecki that the **MINUTES** of the Regular Village Board Meeting of August 24, 2004 and the Regular Village Board Meeting of September 14, 2004 be approved.

Upon roll call the following voted:

Aye: Trustees Clementi, Desecki, Tole, Gorzynski, Passialis and Fritz

Nay: None

Mayor Montana declared the motion carried.

**V. OMNIBUS ITEM FOR VOTE CONSIDERATION AND ACTION:**

The President and the Board of Trustees unanimously consented to take a single Roll Call Vote on several items grouped together for voting purposes under the designation "Omnibus Vote".

Trustee Desecki moved, seconded by Trustee Tole, the approval of items A through and including G.

A. Acknowledgement of receipt, and authorization to place on file the following:

1. Report from the Department of Community Development's Building Official, Housing Coordinator and Health Inspector, for the month of August.
  2. Report from the Street Department and Vehicle Maintenance Division for the month of August.
  3. Report from the Water and Sewer Department, and the Water Meter System, for the month of August.
  4. Report from the Police Department for the month of August.
  5. Thank You letter from John LaMonica, to Mayor Montana and Fire Chief Deegan for the prompt and professional care given recently.
  6. Thank You letter from Marian Ruth, to Mayor Montana and Police Director Radak, commending the exemplary service received by Officer William Martin.
  7. Thank You letter from Knights of Columbus Chairman Cyplick, for granting permission to conduct their recent fund-raiser.
  8. Letter of Resignation from Patrolman Eric C. Herbst, to be effective as of September 20, 2004.
- B. Request from Girl Scout Troops #4203, #4249 and #7619 for permission to use the Community Center's large room on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays from 4:00 P.M. to 6:00 P.M. (scheduled to 5/24/05)
- C. Request from Schiller Park Lions Club, for permission to use the Community Center (both rooms) on Saturday, October 16, 2004 from 4:00 P.M. to 12:00 P.M., to conduct a fundraising dinner dance.
- D. Request from Fil-USA Lions Club, for permission to use the Community Center (both rooms) on Friday, December 17, 2004 from 5:00 P.M. to 12:00 P.M., to conduct a Holiday Party.
- E. Request from American Legion Post #104, for permission to use the Community Center (both rooms) on Wednesday April 27, 2005 from 6:00 P.M. to 11:00 P.M., to host a meeting.
- F. Request from Fire Chief Deegan, for permission to solicit within the Village on Thursday and Friday, September 30<sup>th</sup> and October 1<sup>st</sup>, Annual MDA Boot Days Fundraising.
- G. Request from Schiller Park Lions Club, for permission to solicit within the Village on Friday and Saturday, October 8<sup>th</sup> and 9<sup>th</sup>, Illinois Foundation Candy Days Fundraising.

Upon roll call the following voted:

Aye: Trustees Clementi, Desecki, Tole, Gorzynski, Passialis and Fritz

Nay: None

Mayor Montana declared the motion carried.

## **VI. COMMITTEE REPORTS FOR CONSIDERATION AND ACTION:**

### **A. Fire, Emergency Services, And Recreation Committee:**

Trustee Clementi had no report.

B. Streets, Alleys, Lights, Transportation, Health and Airport Ecology Committee:

Trustee Desecki had no report.

C. Sewer, Water, License, Special Events & Cable Television Committee:

Trustee Tole had no report.

D. Ordinances, Library, Senior Citizens & Environment Committee:

Trustee Gorzynski had no report.

E. Police, Public Safety, Personnel, Employee Safety and Finance Committee:

Trustee Passialis presented bills for the period of August 20, 2004 through September 23, 2004 totaling \$162,517.51 and moved, seconded by Trustee Desecki, that all those bills be approved and paid.

Upon roll call the following voted:

Aye: Trustees Clementi, Desecki, Tole, Gorzynski, Passialis and Fritz

Nay: None

Mayor Montana declared the motion carried.

F. Public Property, Building, Plats, Space Needs, Planning, Zoning and Community Development Committee:

1. Trustee Fritz moved, seconded by Trustee Passialis to concur with the recommendation of the Zoning, Planning and Appeals Commission regarding Case #04-V-9 for 4200 Old River Road (Schiller Park Library) granting the variance and ask Corporation Counsel to prepare the necessary ordinance.

Upon roll call the following voted:

Aye: Trustees Clementi, Desecki, Tole, Gorzynski, Passialis and Fritz

Nay: None

Mayor Montana declared the motion carried.

2. Trustee Fritz moved, seconded by Trustee Desecki to concur with the recommendation of the Zoning, Planning and Appeals Commission regarding Case #04-Z-S-10 for 4100 Kolze Street (Pawel and Beata Lis) granting the variance and subdivision and ask Corporation Counsel to prepare the necessary ordinance.

Upon roll call the following voted:

Aye: Trustees Clementi, Desecki, Tole, Gorzynski, Passialis and Fritz

Nay: None

Mayor Montana declared the motion carried.

3. Trustee Fritz moved, seconded by Trustee Gorzynski to concur with the recommendation of the Zoning, Planning and Appeals Commission regarding Case #04-V-11 for 4252 Kolze Avenue (O'Bourbon Builders) and to deny the variance request.

Upon roll call the following voted:

Aye: Trustees Clementi, Desecki, Tole, Gorzynski, Passialis and Fritz

Nay: None

Mayor Montana declared the motion carried.

- Trustee Fritz moved, seconded by Trustee Passialis to concur with recommendation of the committee regarding the acceptance of Easement Agreements, for public improvements, (sidewalks) for the properties located at 9845 and 9823 Lawrence Avenue.

Upon roll call the following voted:

Aye: Trustees Clementi, Desecki, Tole, Gorzynski, Passialis and Fritz

Nay: None

Mayor Montana declared the motion carried.

- Trustee Fritz moved, seconded by Trustee Passialis to concur with the recommendation of the committee and authorize expenditure, not to exceed \$17,000 for concrete sidewalk installation and parkway concrete stamping; a portion to be reimbursed by the above properties (9845 and 9823 Lawrence Avenue).

Upon roll call the following voted:

Aye: Trustees Clementi, Desecki, Tole, Gorzynski, Passialis and Fritz

Nay: None

Mayor Montana declared the motion carried.

- Trustee Fritz moved, seconded by Trustee Passialis to concur with the recommendation of the committee and authorize estimated expenditure of \$15,912 under the 50/50 Tree Planting Program, a portion to be reimbursed by those involved.

Upon roll call the following voted:

Aye: Trustees Clementi, Desecki, Tole, Gorzynski, Passialis and Fritz

Nay: None

Mayor Montana declared the motion carried.

- Trustee Fritz moved, seconded by Trustee Passialis, to concur with the committee and accept a Declaration of Restrictive Covenants with the owner of the (nonconforming) property located at 9426 Irving Park Road; authorize the Village President to sign, and Village Clerk to attest the document.

Upon roll call the following voted:

Aye: Trustees Clementi, Desecki, Tole, Gorzynski, Passialis and Fritz

Nay: None

Mayor Montana declared the motion carried.

8. Trustee Fritz moved, seconded by Trustee Passialis, in accordance with Ordinance No. 03-2418, that the President and Board of Trustees authorize the Village President to execute the Power of Attorney document appointing members of the law firm of Raysa & Zimmermann, LLC to close on the Village's purchase of the real property commonly known as 9630 West Irving Park, Road, Schiller Park, Illinois,

Upon roll call the following voted:

Aye: Trustees Clementi, Desecki, Tole, Gorzynski, Passialis and Fritz

Nay: None

Mayor Montana declared the motion carried.

G. Flood Control, Crystal Creek & Soo Line Property Development Committee:

Trustee Fritz moved, seconded by Trustee Tole, to concur with the committee regarding the acceptance of Temporary and Permanent Easement Agreements and Property Plats for 4438, 4456, and 4472 Emerson Avenue, 4302 and 4326 Hirschberg, 10008 Irving Park Road, 9930 Montrose and 9833 Sunnyside; as part of the Crystal Creek Redevelopment Project.

Upon roll call the following voted:

Aye: Trustees Clementi, Desecki, Tole, Gorzynski, Passialis and Fritz

Nay: None

Mayor Montana declared the motion carried.

**VII. REPORT OF THE MAYOR FOR CONSIDERATION AND ACTION:**

A. Proclamations:

International Hispanic/Latino Mental Health Campaign, Week of October 3 – 9, 2004.

B. Appointments:

None

C. Other Matters for Consideration and Action:

1. Resolution Authorizing the Adoption of the National Incident Management System (NIMS).

Trustee Desecki moved, seconded by Trustee Passialis, to adopt **Resolution No. 06-04**, being **“A Resolution Authorizing the Adoption of the National Incident Management System (NIMS).”**

Upon roll call the following voted:

Aye: Trustees Clementi, Desecki, Tole, Gorzynski, Passialis and Fritz

Nay: None

Mayor Montana declared the motion carried.

2. An Ordinance Granting a Certain Variation for Property Commonly Known as 4200 Old River Road, Schiller Park, Illinois (ZPA Case #04-V-9)

Trustee Fritz moved, seconded by Trustee Passialis, to adopt **Ordinance No. 04-2482**, being **“An Ordinance Granting a Certain Variation for Property Commonly Known as 4200 Old River Road, Schiller Park, Illinois.”**

Upon roll call the following voted:

Aye: Trustees Clementi, Desecki, Tole, Gorzynski, Passialis and Fritz

Nay: None

Mayor Montana declared the motion carried.

3. An Ordinance Amending Ordinance No. 02-2342, Being An Ordinance Granting Certain Variations for Property Commonly Known as 4100 Kolze Avenue, Schiller Park, Illinois. (ZPA Case #04-Z-S-10)

Trustee Passialis moved, seconded by Trustee Gorzynski, to adopt **Ordinance No. 04-2483**, being **“An Ordinance Amending Ordinance No. 02-2342, Being An Ordinance Granting Certain Variations for Property Commonly Known as 4100 Kolze Avenue, Schiller Park, Illinois.”**

Upon roll call the following voted:

Aye: Trustees Clementi, Desecki, Tole, Gorzynski, Passialis and Fritz

Nay: None

Mayor Montana declared the motion carried.

4. An Ordinance Amending Chapter 92 of the Municipal Code “Allowable Burning”.

Trustee Gorzynski moved, seconded by Trustee Passialis, to adopt **Ordinance No. 04-2484**, being **“An Ordinance Amending Chapter 92 of the Municipal Code.”**

Upon roll call the following voted:

Aye: Trustees Clementi, Desecki, Tole, Gorzynski, Passialis and Fritz

Nay: None

Mayor Montana declared the motion carried.

5. Mayor Montana’s Sexton Development Position Statement:

Sexton Company owns 24 acres of property in the southwest corner of Schiller Park. The majority of the property is zoned industrial with single family residential around the edge. In late 2002, Sexton submitted an application to the Village of Schiller Park’s Zoning, Planning and Appeals Commission (ZPA) requesting a conditional use for a truck terminal on the industrial portion of the property. The Village of Schiller Park asked the applicant to withdraw the request due to a lack of adequate information about ingress and egress to the site.

As we understand, the Illinois Department of Transportation controls access to the site via Mannheim Road and the frontage road sometimes referred to as Old Mannheim Road. Schiller Park has met with Franklin Park and understands that Franklin Park objects to trucks entering the site from the frontage road. Sexton has told us that they are in discussions with IDOT to build an access road on property they own in the Village of Franklin Park. To build this road they needed to remove a garage and a deck structure. The Village of Franklin Park issued permits for this demolition that took place this summer.

The Village of Schiller Park has not been involved with any IDOPT discussions related to access to the Sexton Property. In discussions the Village of Schiller Park staff members have had with Sexton we have urged them to include site and sound barriers for neighboring properties, a prohibition on access via residential streets and the submittal of access plans.

If Sexton works out access issues with IDOT and the Village of Franklin Park they will need to submit a new application to the Village of Schiller Park for zoning consideration for the truck terminal. Many people have asked the Village of Schiller Park to take a position on the future development of a truck terminal at this location. Sexton Company, like any other landowner has the right to due process of the law. In this case due process includes a hearing before the Schiller Park’s Zoning, Planning and Appeals Commission. The Village Board is not able to state an opinion on the case prior to

allowing it to be heard by the Zoning, Planning and Appeals Commission. This would be like a judge ruling on a case before the trial is even held.

An application has not been submitted for a new hearing date. When and if a hearing is scheduled, Schiller Park will place a legal ad in the Franklin Park Herald, notice will be sent to all adjacent property owners and the Village of Franklin Park will be notified.

**IX. OTHER MATTERS:**

**A. Village Manager's Report:**

Mr. Barr had no report.

**B. Village Engineer's Report**

Mr. Flood was absent.

**C. Citizens Wishing to be Heard**

Pat Godziszewski, 10309 Panoramic, Franklin Park lives near the Schiller Park, Franklin Park border and congratulates Schiller Park's improvements and beautification projects thus far. She feels a truck depot would hurt the community and has concerns it could decrease property values and harm the community.

Cheryl Hanson, 10329 Panoramic, Franklin Park lives right there and has great concern over the depot.

Vito Brunette, 9932 Ivanhoe, Schiller Park spoke of concern regarding speeding vehicles on the street and feels speed bumps or stop signs might help with traffic problems. Lately there have been numerous hit and run accidents.

**X. ADJOURNMENT:**

With no further business to conduct, it was moved by Trustee Passialis, seconded by Trustee Desecki, that the Regular Board Meeting be adjourned.

Upon roll call the following voted:

Aye: Trustees Clementi, Desecki, Tole, Gorzynski, Passialis and Fritz

Nay: None

Mayor Montana declared the motion carried and the Meeting was adjourned at 8:25 P.M.

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Claudia L. Irsuto  
Village Clerk