
PROCEEDINGS OF THE BOARD OF TRUSTEES OF THE TOWN OF CICERO

The Board of Trustees of the Town of Cicero met Tuesday, February 14, 2023 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 Regular Meeting held Tuesday, January 24, 2023 at 10:00 o'clock A.M., were approved, the reading being dispensed with, each member having received a copy.

APPROVAL OF BILLS

(17-23)

On motion of Trustee Virruso seconded by Trustee Cava, the list of bills itemized in Warrant #3, dated February 9, 2023, in the total amount of \$1,836,066.46, the list of manual checks dated January 20, 2023 thru February 9, 2023 in the total amount of \$693,427.25, and list of online payments dated January 6, 2023 thru February 9, 2023 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.

(18-23)

On motion of Trustee Garcia seconded by Trustee Vargas, payroll (*Estimated Corporate \$1,659,027.70 & Library \$27,536.18*) was approved for the active employees listed on the printout dated 2-09-23; action taken by the following vote:

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

Nays: None.

(19-23)

By Trustee Cava:

RESOLVED, that the list of medical claims and the stop loss insurance policy premium for the month of December/2022, prepared by Blue Cross & Blue Shield of Illinois, in the total amount of \$1,344,671.59, be accepted, placed on file and approved for payment.

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

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

Nays: None.

(20-23)

By Trustee Garcia:

RESOLVED, that the list of HMO medical claims insurance policy premium for the month of February/2023, prepared by Blue Cross & Blue Shield of Illinois, in the total amount of \$27,122.42, be accepted, placed on file and approved for payment.

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

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

Nays: None.

(21-23)

By Trustee Porod:

RESOLVED, that the life and accidental death & dismemberment insurance premium for the month of February/2023, prepared by Blue Cross & Blue Shield of Illinois, in the total amount of \$6,080.25, 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.

PERMITS

(22-23)

On motion of Trustee Porod seconded by Trustee Vargas, permission was granted to Our Lady of Charity School to host a “Craft & Art Fair Market” on Saturday, March 4th and Sunday, March 5th, 2023 from 9:00 AM to 4:00 PM.

(23-23)

On motion of Trustee Vargas seconded by Trustee Garcia, permission was granted to St. Mary Frances of the Five Wounds Parish to close 15th Street from 59th Court to Lombard Avenue for their annual religious procession (“The Stations of the Cross”) on Good Friday, April 7th from 12:00 PM – 2:00 PM on route outlined in their request.

(24-23)

On motion of Trustee Vargas seconded by Trustee Garcia, permission was granted to St. Mary Frances of the Five Wounds Parish to close 15th Street from 59th Court to Lombard Avenue for their annual religious procession (“The Feast of Corpus Christi”) on Sunday, June 11th from 9:00 AM – 11:00 AM on route outlined in their request.

REPORT

(25-23)

On motion of Trustee Virruso seconded by Trustee Porod, the Collector’s Office Report (\$3,287,134.03) and the Revenue Summary Report (\$958,665.99) for the month of January/2023, 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” 10-23)

On motion of Trustee Virruso seconded by Trustee Garcia, the Ordinance adopting Chapter 10, entitled "Alcoholic Beverages", Section 10-33 entitled "Video Gaming Terminal Operator License" of the Code of Ordinances of the Town of Cicero regarding video gaming terminal operators for the Town of Cicero 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 adopt Chapter 10, Section 10-33 of the Town Code to license video gaming terminal operators.)

Section 10-33: Video Gaming Terminal Operator License

The regulations and provisions contained in this section and the divisions thereunder shall apply to terminal operators as such term is defined in the Illinois Video Gaming Act, 230 ILCS 40.

- (a) No terminal operator shall own, service, place and/or maintain any video gaming terminal in the town without having first obtained from the town a Video Gaming Terminal Operators License.
- (b) Application for a Video Gaming Terminal Operator License shall be made in writing to the town clerk upon a form to be supplied by the town and shall contain the address and name of the location(s) in which the applicant will own, maintain, operate, or place video gaming terminals as well as the number of video gaming terminals at each location. Applicant shall further provide a copy of any current license or licenses issued to the applicant by the state under the Video Gaming Act, 230 ILCS 40. No terminal operator shall be issued more than one Video Gaming Terminal Operators License.
- (c) The annual fee for the Video Gaming Terminal Operator License shall be based upon the number of video gaming terminals owned, maintained, operated or placed within the town. The annual fee for the Video Gaming Terminal Operator License is \$750 dollars for each of the number of video gaming terminals owned, maintained, operated or placed within the town. The fee is due by the 1st of January. The fee shall be nonrefundable. The fee shall be prorated by one-half for any license obtained after the 1st of October.
- (d) Video Gaming Terminal Operator Licenses expire on the 31st of December.
- (e) A Video Gaming Terminal Operator License may be revoked by the local liquor commissioner, or his/her designee, for any violation of any of the provisions of the Code of Ordinances of the Town of Cicero, Illinois, or any applicable laws, rules, or regulations of the state relating to the Video Gaming Act, 230 ILCS 40, and such revocation may be in addition to any fine. However, no such license shall be revoked or suspended, and no fine shall be imposed, except after a public hearing by the local liquor commissioner, or his/her designee, with at least five (5) days' prior written notice, to the licensee, affording the licensee an opportunity to appear and defend. If the licensee fails to appear for such public hearing after receiving notice, a default judgment may be entered and the local liquor commissioner may revoke or suspend the license, and/or impose a fine.

("O" 11-23)

On motion of Trustee Garcia seconded by Trustee Vargas, the Ordinance authorizing and approving the purchase of vehicles for the Cicero Police Department (*Three (3) 2022 Ford Interceptors purchase from Currie Motors for the total amount of \$116,700.00*) was accepted, placed on file and approved for passage by the following vote:

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

Nays: None

(“O” 12-23)

On motion of Trustee Cava seconded by Trustee Garcia, the Ordinance authorizing and approving the purchase of street sweepers for the Town (*Two (2) 2023 & one (1) 2022 Elgin Sweeper Pelican NP Street Sweepers purchase from Standard Equipment for the total amount of \$907,260.00*) was accepted, placed on file and approved for passage by the following vote:

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

Nays: None

(“O” 13-23)

On motion of Trustee Virruso seconded by Trustee Garcia, the Ordinance granting a parking variance for operation of downzoning a 6-unit property to 4-unit building at 1524 S. 51st Court 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” 10-23)

On motion of Trustee Porod seconded by Trustee Vargas, the Resolution authorizing and approving certain invoices from Air One Equipment, Inc., for turn out gear provided to the Cicero Fire Department (*Eight (8) sets of turnout gear for the total amount of \$21,999.00*), was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

(“R” 11-23)

On motion of Trustee Virruso seconded by Trustee Vargas, the Resolution authorizing and approving a renewal agreement with CDW-G LLC to provide services to the Town (*Annual licensing of the Town's email services for three (3) years in the amount of \$35,400.00*) was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

("R" 12-23)

On motion of Trustee Cava seconded by Trustee Vargas, the Resolution authorizing and approving an agreement with ADB Entertainment, Inc. for festival services provided to the Town (*Staging Equipment/Generators & Tent rentals and power / lighting installation for the 2023 Festival events: Cinco de Mayo Fest (May 4 - 7, 2023), Cicero Fest (July 6 - 9, 2023), Fiestas Patrias de Cicero (September 14 - 18, 2023) , Houby (October 5 - 8, 2023)*) was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

("R" 13-23)

On motion of Trustee Porod seconded by Trustee Vargas, the Resolution authorizing and approving an agreement with Flock Group, Inc. for the purchase of license plate readers for the Town (*To provide software & hardware for six (6) license plate readers for the total amount of \$15,750.00*) was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

("R" 14-23)

On motion of Trustee Virruso seconded by Trustee Vargas, the Resolution authorizing and approving a first amendment to a consulting agreement with J & M Exclusive, LLC for the Town (*Technical consulting services to manage and maintain the data/voice/wireless/local area network (LAN) communications to the MIS/IT Department, as amended in Exhibit "A"*), was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

(“R” 15-23)

On motion of Trustee Vargas seconded by Trustee Virruso, the Resolution authorizing the Town President to enter into a retainer agreement with Peterson, Johnson & Murray, LLC for legal services for the Town (*In connection with the Town of Cicero “Push Tax”*) was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

(“R” 16-23)

On motion of Trustee Garcia seconded by Trustee Vargas, the Resolution authorizing and approving the settlement of litigation and the execution of a certain settlement agreement in the case Michael Winiars v. Town of Cicero (*Case No 2020 WC 004073*), was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

(“R” 17-23)

On motion of Trustee Virruso seconded by Trustee Vargas, the Resolution authorizing and approving the settlement of litigation in the case Jerome and Dossie Lackland v. Town of Cicero (*Case No 2020 CV 06798*), was accepted, placed on file and approved for adoption by the following vote:

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

Nays: None.

(“R” 18-23)

On motion of Trustee Garcia seconded by Trustee Vargas, the Resolution authorizing and approving the settlement of litigation in the case Tamara M. Cuchna v. Town of Cicero (*Case No 2020 CV 06798*), 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

(26-23)

On motion of Trustee Garcia seconded by Trustee Porod, the Board concurred with the recommendation of Board of Fire, Police and Public Safety Commissioners for the hiring of eleven (11) Probationary Entry Level Police Officers from the eligibility list for the Cicero Police Department; action taken by the following vote:

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

Nays: None.

Jaime Lugo

David Murphy

Alexis Avalos-Landeros

Nicole Schillo

Nathan Boyd

Araceli Rodriguez-Navarro

Heidi Quijada

Daniel Avalos

Steve Cervantes-Tapia

Andy Loeza

Matthew Janosek

President Dominick opened the meeting to the public for their comments.

Taft Stettinius & Hollister LLP Attorney Richard Hu, representing the Illinois Gaming Machine Operators Association, requested postponement of the Town’s implementation of the new “Push Tax” ordinance. Town Attorney Del Galdo provided the Board with information of current legal action taken by the law firm against other municipalities whom have passed similar legislation.

Business owner Rick Heidner of Gold Rush Gaming expressed concerns of how the new legislation would affect his business in the long run and asked the board members to reconsider.

Public Relations Director Hanania announced and congratulated Town Attorney Michael Del Galdo on be named 2023 Illinois “Best Lawyer” by Super Lawyer Magazine for 13th years straight.

On motion of Trustee Virruso seconded by Trustee Garcia, the board then stood adjourned at 10:27 A.M. to meet on Tuesday, February 28, 2023 at 10:00 A.M., in the Town Hall, Town of Cicero.

MARIA A. PUNZO-ARIAS, TOWN CLERK