

**REGULAR MEETING  
BOARD OF TRUSTEES, VILLAGE OF NILES**

**August 23, 2016  
5:30 p.m. Executive Session  
6:30 p.m. Informal Consideration  
7:00 p.m. Regular Meeting**

*A video recording of this meeting can be viewed on the Village of Niles website [www.vniles.com](http://www.vniles.com).*

**CALL TO ORDER** The Board of Trustees was called to order at 5:30 p.m. by President Andrew Przybylo in the Council Chambers, Village of Niles Municipal Building, on Tuesday, August 23, 2016.

**ROLL CALL** Village Clerk Marlene Victorine called the roll. Board members present were President Andrew Przybylo, Trustees George D. Alpogianis, John C. Jekot, Danette O'Donovan Matyas, and Dean Strzelecki. Trustees Joe LoVerde and Denise McCreery were absent.

**EXECUTIVE SESSION** Trustee Matyas made a motion, seconded by Trustee Alpogianis, to convene into Executive Session to discuss Personnel per 5 ILCS 120/2(c)(1) and Collective Bargaining per 5 ILCS 120/2(c)(2). On roll call, all concurred.

**INFORMAL  
CONSIDERATION**  
**O'Hare Runway Use** At 6:43 p.m. the Board reconvened into Informal Consideration. Board members present were President Przybylo, Trustees Alpogianis, Jekot, Matyas, McCreery and Strzelecki. Trustee LoVerde was absent. A presentation on O'Hare Runway Use was given by Aaron Frame, Deputy Commissioner of Aviation for the City of Chicago, and Joseph J. Annunzio, O'Hare Noise Compatibility Commission Vice Chair.

*Public Comments*

*Carol Mangold, Niles*

*Ms. Mangold commented on increased airplane noise during the day and asked if studies have been done on day flights.*

Mr. Frame commented that more survey data is available online. For more information or to log airplane noise complaints call (800) 435-9569 or via website at [www.flychicago.com/ordnoise](http://www.flychicago.com/ordnoise).

**REGULAR MEETING** At 7:20 p.m. President Przybylo called the Regular Meeting to order. Village Clerk Marlene Victorine called the roll. Board members present were President Przybylo, Trustees Alpogianis, Jekot, Matyas, McCreery and Strzelecki. Trustee LoVerde was absent.

- PLEDGE OF ALLEGIANCE** President Przybylo led the Pledge of Allegiance.
- PROCLAMATIONS** Chamber of Commerce Week – September 12-16, 2016  
Constitution Week – September 17-23, 2016  
Honoring Armin Homann Recipient of the German American Friendship Award
- PRESENTATIONS** Presence Resurrection Medical Center \$1,000 Donation from President and CEO Robert Dahl to Niles Community Garden “Farm on Franks”
- ANNOUNCEMENTS** “Farm on Franks” Community Garden Update  
Recognition of School Supply Drive Volunteers  
July 2016 PEER (Promoting Employee Excellence through Recognition) Award to Frank Nottoli, Finance Department  
Maria SS. Lauretana 116<sup>th</sup> Anniversary Religious Feast – September 2-5, 2016 at Golf Mill Park on Church Street  
Labor Day Holiday – September 5, 2016 Village Offices Closed  
Cook County Assessor’s Office Tax Appeal Seminar for Niles Township – September 8, 2016 at 5:30 p.m. at Senior Center  
Niles Community Block Party – September 10, 2016 from 11 a.m. to 3:00 p.m. held in the parking lots of the Niles Senior Center, Niles Public Library and Culver School
- PRESIDENT’S REPORT** President Przybylo read a letter of response from IDOT Engineer John Fortmann addressing the Village’s concerns over the Hot-Mix Asphalt Resurfacing Project on Golf Road
- VILLAGE CLERK’S REPORT** Village Clerk Marlene Victorine announced that Mail In Ballot Applications are now available for the November 8 Presidential Election from the Village Clerk’s office or apply online at [cookcountyclerk.com/votebymail](http://cookcountyclerk.com/votebymail).
- COMMITTEE REPORTS**
- General Government/IT Committee** Trustee Alpigianis reported on the August 10, 2016 General Government/IT Committee meeting regarding the revised solicitor ordinance and panhandling.

**Building and Zoning  
Committee**

Trustee McCreery reported on the August 18, 2016 meeting of the Building and Zoning Committee where they reviewed business license fees; benches; Village entranceway signage; and review of the current policy regarding garage sale signs.

**PUBLIC COMMENTS**

*Michael Rasmussen, Niles*

*Mr. Rasmussen commented on the increased traffic concerns regarding the new Dunkin Donuts drive thru on Milwaukee Avenue and its effect on cars parked on Oriole Avenue. This is a safety issue, especially when cars are turning off of Milwaukee Avenue.*

*Julie Andelin, Niles*

*Ms. Andelin commented in favor of the proposed Music Box Restaurant on Milwaukee Avenue geared toward an older crowd. She thinks the Music Box will be great for Niles.*

*Lucian Janikowski and Ursula Janikowski, Niles*

*The Janikowskis own the motel next to the proposed Music Box. They expressed their concerns regarding noise from the restaurant especially coming from the back patio. They would like some rules to limit disturbances spilling over to their motel and recommended someone monitor the parking lot at closing. They are basing their concerns on past experience with patrons in the previous restaurant.*

*Attorney Won Sun Kim and Music Box Manager Greg Czaykowski*  
*Attorney Kim spoke on behalf of the proposed Music Box and explained that they offered to work with the neighbors and have begun addressing the issues presented by the motel owners. They feel the Music Box customers will have a different clientele than the previous establishment.*

*Louella Preston, Niles*

*Ms. Preston questioned the cost to residents of the Pace Route 270 entitlement agreement. She commented on the cost to the Village for the Economic Incentive Agreement with Golf Mill Ford and also the Redevelopment Agreement with Niles Investment LLC. She questioned the craft beer proposed ordinance regarding BASSET certification.*

*Rosemary Palicki, Niles*

*Ms. Palicki commented on the Economic Incentive Agreement with Golf Mill Ford and her concern that the Village cannot afford this tax break. She asked the Board to vote no to this agreement.*

*Helen Markovich, Niles*

*Ms. Markovich commented on the proposed car wash on 9201 Milwaukee Avenue. She asked the Board to look at how it would affect the residents who live on Courtland. This car wash will abut their properties on Courtland and she is concerned with flooding issues, more chemicals in our environment, noise pollution from the vacuum stalls and traffic issues on Milwaukee Avenue.*

*Leo Galati and Mike Galati, Niles*

*Mr. Galati commented on the proposed car wash and its effects on his family members and neighbors who live on Courtland. Concerns stem from lighting, noise and flooding. They asked the Board to look at this from a residential standpoint, not just a revenue standpoint.*

*Steve Maletic, Niles*

*Mr. Maletic also lives on Courtland Drive and commented on the effect of the proposed car wash on the environment and the neighborhood including flooding, pollutants and increased traffic volume.*

Village Manager Steve Vinezeano introduced Interim Finance Director Harry Sakai.

**RECESS**

President Przybylo called for a brief recess at 8:22 p.m.  
The Board reconvened at 8:29 p.m.

**CONSENT AGENDA –  
NEW BUSINESS**

President Przybylo stated that all items on the consent agenda are considered to be routine and will be enacted in one motion. There will be no individual discussion of these items unless a Trustee so requests. The requested item will then be removed from the consent agenda and considered at the end of New Business.

Trustee Strzelecki made a motion, seconded by Trustee Matyas, to allow items 1-3 to be included on the consent agenda. On roll call, the vote was:

YEAS 5 Alpogianis, Jekot, Matyas, McCreery, Strzelecki  
NAYS 0  
ABSENT 1 LoVerde  
ABSTAIN 0

There being 5 affirmative votes, the **MOTION CARRIED**.

Village Clerk Marlene Victorine read consent agenda items 1-3 into the record:

**#1 Approval of Minutes – July 26, 2016 Regular Meeting**

**#2 Appointment** of Cory Hance to the Public Arts and Culture Advisory Council

**#3 Resolution** Ratifying an Employee Leasing Agreement with GovTempUSA for an Interim Finance Director.

Trustee McCreery made a motion, seconded by Trustee Alpogianis, to approve consent agenda items 1-3. On roll call, the vote was:

YEAS 5 Alpogianis, Jekot, Matyas, McCreery, Strzelecki  
NAYS 0  
ABSENT 1 LoVerde  
ABSTAIN 0

There being 5 affirmative votes, the **MOTION CARRIED**.

## NEW BUSINESS

**Ordinance Amending  
Chapter 6 Alcoholic  
Beverages to Create a Craft  
Brewery Liquor License**

President Przybylo announced that this item has been removed from the agenda.

**Ordinance Approving a  
Special Use to Allow a Full  
Service Restaurant and a  
Tavern and Cocktail Lounge  
Located at 6873 Milwaukee  
Avenue  
16-ZP-24**

Trustee McCreery made a motion, seconded by Trustee Alpogianis, to adopt the ordinance approving a special use as required in Appendix B, Section VIII(B)(3)(z) and Section VIII(B)(3)(mm) to allow a full service restaurant and a tavern and cocktail lounge located at 6873 Milwaukee Avenue with the following conditions of approval: 1) shared off-site parking must be arranged with a nearby property; 2) the parking lot must be repaved and restriped; 3) an onsite manager must insure that patrons leave quietly; 4) trash cans or dumpsters must be enclosed in the detached garage or in a dumpster enclosure; 5) a solid fence must be built along the south property line from the western edge of the adjacent motel building to the right-of-way line along Milwaukee Avenue; and 6) the outdoor seating area/deck must be closed to patrons at midnight. The Planning and Zoning Board voted 3-2 to recommend approval at their August 8, 2016 public hearing. On roll call, the vote was:

YEAS 5 Alpogianis, Jekot, Matyas, McCreery, Strzelecki  
NAYS 0  
ABSENT 1 LoVerde  
ABSTAIN 0

There being 5 affirmative votes, the **MOTION CARRIED**.

**Ordinance Approving a  
Special Use to Allow a Car  
Wash Located at 9201  
Milwaukee Avenue  
16-ZP-29**

Trustee McCreery made a motion, seconded by Trustee Alpogianis, to adopt the ordinance approving a special use as required in Appendix B, Section VIII(B)(3)(a) to allow a car wash located at 9201 Milwaukee Avenue with the following conditions of approval: 1) a 6-foot board-on-board privacy fence must be built and maintained along the rear property line; 2) the enclosure that houses the vacuum equipment must be moved to the west closer to Milwaukee Avenue; 3) the northern driveway shall be marked as a "Right Turn Only" exit; and 4) a Plat of Subdivision is required before building permits can be issued. The Planning and Zoning Board voted 5-0 to recommend approval at their August 8, 2016 public hearing. Architect Jeremiah Diamond, Myefski Architects, and owner Tim McHugh, TJM Development, were present and responded to questions and concerns from the Board, as did Community Development Director Charles Ostman regarding storm water management, flooding, vacuuming noise, use of chemicals, and traffic stacking off of Milwaukee Avenue. On roll call, the vote was:

YEAS 1 Jekot  
NAYS 4 Alpogianis, Matyas, McCreery, Strzelecki  
ABSENT 1 LoVerde  
ABSTAIN 0

There being only 1 affirmative vote, the **MOTION FAILED** and the special use was denied.

**Ordinance Approving a  
Special Use to Allow a  
Carport to Encroach into  
the Required Side Yard  
and Front Yard Located  
at 8642 Oleander Avenue  
16-ZP-31**

Trustee McCreery made a motion, seconded by Trustee Alpogianis, to adopt the ordinance approving a special use as required in Appendix B, Section VII(C)(8) and Section VII(C)(9)(b) to allow a carport to encroach 5 feet 6 inches into the allowed 10 foot side yard and 1 foot 3 inches into the allowed 25 foot front yard located at 8642 Oleander Avenue. The Planning and Zoning Board voted 5-0 to recommend approval at their August 8, 2016 public hearing. On roll call, the vote was:

YEAS 5 Alpogianis, Jekot, Matyas, McCreery, Strzelecki  
NAYS 0  
ABSENT 1 LoVerde  
ABSTAIN 0

There being 5 affirmative votes, the **MOTION CARRIED**.

**Ordinance Approving a  
Special Use to Allow and  
Addition to Encroach into  
the Required Rear Yard  
Located at 6818 Lexington  
Lane**

Trustee McCreery made a motion, seconded by Trustee Matyas, to adopt the ordinance approving a special use as required in Appendix B, Section VII(B)(10) to allow a rear addition to encroach no more than 13 feet into the allowed 40 foot rear yard located at 6818 Lexington Lane. The Planning and Zoning Board voted 5-0 to recommend approval at their August 8, 2016 public

16-ZP-30

hearing. On roll call, the vote was:

YEAS 5 Alpogianis, Jekot, Matyas, McCreery, Strzelecki  
NAYS 0  
ABSENT 1 LoVerde  
ABSTAIN 0

There being 5 affirmative votes, the **MOTION CARRIED**.

**Ordinance Authorizing the Execution and Delivery of a Second Amendment to Bond and Loan Agreement Relating to the Village of Niles, Cook County, Illinois Revenue Bonds (Alliance for Character in Education Project) Series 2009; Approving Certain Other Documents; and Authorizing and Approving Certain Related Matters**

Trustee Alpogianis made a motion, seconded by Trustee Matyas, to adopt the ordinance authorizing the execution and delivery of a second amendment to Bond and Loan Agreement relating to the Village of Niles, Cook County, Illinois Revenue Bonds (Alliance for Character in Education Project) Series 2009; approving certain other documents; and authorizing and approving certain related matters. The Finance Committee recommended approval at their meeting on July 20, 2016. On roll call, the vote was:

YEAS 5 Alpogianis, Jekot, Matyas, McCreery, Strzelecki  
NAYS 0  
ABSENT 1 LoVerde  
ABSTAIN 0

There being 5 affirmative votes, the **MOTION CARRIED**.

**Resolution Approving an Economic Incentive Agreement with Golf Mill Ford**

Trustee McCreery made a motion, seconded by Trustee Alpogianis, to approve a resolution approving an Economic Incentive Agreement with Golf Mill Motor Sales, Inc. for the improvement of 9401 N. Milwaukee Avenue and certain incentives, including sharing of retailers' tax revenues. This agreement would share sales tax collections with Golf Mill Ford for a period of 6 years on a 50/50% basis with the Village, but only after a baseline of sales tax collection is met first. Mario Sosnowski, Golf Mill Ford General Manager and Part Owner, and Gus Kreatsoulas responded to questions from the Board. On roll call the vote was:

YEAS 5 Alpogianis, Jekot, Matyas, McCreery, Strzelecki  
NAYS 0  
ABSENT 1 LoVerde  
ABSTAIN 0

There being 5 affirmative votes, the **MOTION CARRIED**.

**Resolution Authorizing a Redevelopment Agreement with the Niles Investments LLC for the Property Located at 7025-7045 Milwaukee Avenue**

Trustee McCreery made a motion, seconded by Trustee Matyas, to approve a resolution authorizing a Redevelopment Agreement with Niles Investments LLC for the property located at 7025-7045 N. Milwaukee Avenue. Economic Development and Marketing Coordinator Ross Klicker explained TIF District funding and review by Consultants Kane McKenna. On roll call, the vote was:

YEAS 5 Alpogianis, Jekot, Matyas, McCreery, Strzelecki  
NAYS 0  
ABSENT 1 LoVerde  
ABSTAIN 0

There being 5 affirmative votes, the **MOTION CARRIED.**

**Resolution for a Bid Award and Authorizing a Contractual Agreement with Acres Group for the Fall 2016/Spring 2017 Tree Planting Program**

Trustee Matyas made a motion, seconded by Trustee Strzelecki, to approve a resolution for a bid award and authorizing a contractual agreement with Acres Group for the Fall 2016/Spring 2017 Tree Planting Program in the amount of \$54,860. On roll call, the vote was:

YEAS 5 Alpogianis, Jekot, Matyas, McCreery, Strzelecki  
NAYS 0  
ABSENT 1 LoVerde  
ABSTAIN 0

There being 5 affirmative votes, the **MOTION CARRIED.**

**Resolution for a Bid Award and Authoring a Contractual Agreement with A Lamp for the Construction of the Oak Park Bioswale and Permeable Pavement Parking Lot**

Trustee Alpogianis made a motion, seconded by Trustee Strzelecki, to approve the resolution authorizing a bid award and contract with A Lamp Concrete Contracting, Inc. to construct the Oak Park Bioswale and permeable pavement parking lot in the amount of \$405,000. On roll call, the vote was:

YEAS 5 Alpogianis, Jekot, Matyas, McCreery, Strzelecki  
NAYS 0  
ABSENT 1 LoVerde  
ABSTAIN 0

There being 5 affirmative votes, the **MOTION CARRIED.**

**Resolution Authorizing a Contractual Agreement with Pace, the Suburban Bus Division of the Transportation Authority for the Route 270 Entitlement Agreement**

Trustee Matyas made a motion, seconded by Trustee Strzelecki, to approve a resolution authorizing a contractual agreement with Pace, the Suburban Bus Division of the Regional Transportation Authority, for the Route 270 Entitlement Agreement for the period of September 1, 2016 through September 1, 2018. Pace worked with the Village to provide free access via the Ventra card system along the southern end of Milwaukee Avenue Route 270 which covers a gap in service after implementation of the Niles Free Bus Modernization Plan. On roll call, the vote was:

YEAS 5 Alpogianis, Jekot, Matyas, McCreery, Strzelecki  
NAYS 0  
ABSENT 1 LoVerde  
ABSTAIN 0

There being 5 affirmative votes, the **MOTION CARRIED.**

**Board Approval of  
Investment Policy Revisions**

Trustee Alpogianis made a motion, seconded by Trustee Matyas, to accept the amendments to the Village of Niles Investment Policy. These changes were approved by the Finance Committee on July 20, 2016. On roll call, the vote was:

YEAS 5 Alpogianis, Jekot, Matyas, McCreery, Strzelecki  
NAYS 0  
ABSENT 1 LoVerde  
ABSTAIN 0

There being 5 affirmative votes, the **MOTION CARRIED.**

**Board Approval of Change  
Order #1 with Arrow Road  
Construction for the 2016  
Street Resurfacing Program**

Trustee Matyas made a motion, seconded by Trustee Strzelecki, to approve Change Order #1 for the 2016 Street Resurfacing Program with Arrow Road Construction in the amount of \$40,000. On roll call, the vote was:

YEAS 5 Alpogianis, Jekot, Matyas, McCreery, Strzelecki  
NAYS 0  
ABSENT 1 LoVerde  
ABSTAIN 0

There being 5 affirmative votes, the **MOTION CARRIED.**

**Board Approval of Change  
Order #1 with Bolder  
Construction for the  
Cleveland Corridor Sewer  
Improvement Project**

Trustee Alpogianis made a motion, seconded by Trustee Matyas, to approve Change Order #1 for the Cleveland Corridor Sewer Improvement Project with Bolder Construction in the amount of \$124,954. On roll call, the vote was:

YEAS 5 Alpogianis, Jekot, Matyas, McCreery, Strzelecki  
NAYS 0  
ABSENT 1 LoVerde  
ABSTAIN 0

There being 5 affirmative votes, the **MOTION CARRIED.**

**FINANCIAL REPORTS  
July 2016**

Trustee Alpogianis made a motion, seconded by Trustee Strzelecki, that the Accounts Payable including Payroll in the amount of \$8,946,973 for the month ending July 31, 2016 be approved for payment. On roll call, the vote was:

YEAS 5 Alpogianis, Jekot, Matyas, McCreery, Strzelecki  
NAYS 0  
ABSENT 1 LoVerde  
ABSTAIN 0

There being 5 affirmative votes, the **MOTION CARRIED.**

Trustee Alpogianis made a motion, seconded by Trustee Strzelecki, that the Treasurer's Report for the month ending July 31, 2016 be approved and filed for audit as follows: beginning cash

balance of \$47,399,243, receipts of \$6,407,469, disbursements of \$8,834,948, with an ending cash balance of \$44,971,763. On roll call, the vote was:

YEAS 5 Alpogianis, Jekot, Matyas, McCreery, Strzelecki  
NAYS 0  
ABSENT 1 LoVerde  
ABSTAIN 0

There being 5 affirmative votes, the **MOTION CARRIED.**

**NEXT MEETINGS**

September 13, 2016 at 7:00 p.m. Board Informal Consideration  
September 27, 2016 at 7:00 p.m. Regular Board Meeting

**PUBLIC COMMENT**

*Steve Maletic, Niles*

*Mr. Maletic thanked the Board for their consideration and opportunity to be heard and stated the Board made the right decision for the Village about the car wash.*

*Leo Galati, Niles*

*Mr. Galati commented on the history of the Maria SS. Lauretana Religious Festival.*

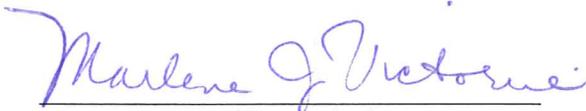
*Louella Preston, Niles*

*Ms. Preston questioned future Fire Department consolidation plans and wondered when the Niles Community Survey results will be made available.*

**ADJOURNMENT**

There being no further business to come before the Board, motion to adjourn was made by Trustee Strzelecki, seconded by Trustee Jekot. On roll call, all concurred.

The meeting adjourned at 9:25 p.m.



Village Clerk



Village President