

VILLAGE OF



BIG CITY ACCESS

SMALL TOWN CHARM

To: Mayor and Council

From: Tim Gillian, V.A.

Date: October 21, 2010

RE: Agenda Review 10-25-2010

Gentlemen,

Following is a brief review of the council agenda for our upcoming meeting. It is my intent to deliver a brief synopsis of the items listed. Please feel free to call with any questions or clarifications.

Item 1. This ordinance is a result of a Public Act from the State of Illinois regarding Public meetings. You will note that it must be passed by 01/01/2011. This new ordinance formalizes practices that our Village has been using for several years.

Item 2. This MOU is a result of our Fire Department's effort to comply with requirements from the Federal Government to have a more inclusive County Wide communication system in the event of a natural or manmade disaster. This agreement requires participating communities to share the cost of a maintenance agreement.

Item 3. This is an annual agreement with no changes to the contract from the previous year.

Item 4. The Village must adopt the most current version of the Illinois Vehicle Code in order to enforce the laws of our state.

This is a brief summary of the items you will discuss on Monday. If you have any questions or need some clarification do not hesitate to contact me.

Regards

Tim Gillian



**VILLAGE OF FOREST PARK
REGULAR COUNCIL MEETING AGENDA**

Monday, October 25, 2010
Lower Level of Village Hall
7:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF THE MINUTES FROM THE OCTOBER 12, 2010, REGULAR MEETING OF THE COUNCIL

PUBLIC COMMENT

COMMUNICATIONS:

- **For Discussion:** Letter from anonymous senior citizen asking for the village to reconsider door to door trick or treating practices and host a village event in its place.

DEPARTMENT REPORTS:

BILLS BY RESOLUTION

UNFINISHED BUSINESS:

NEW BUSINESS:

1. **Ordinance amending section 1-4-6, entitled "Conduct of Proceedings," and adding section 1-4-7, entitled "Rules for Public Participation," to Chapter 4, entitled "Mayor and Village Council," of Title 1, entitled "Administration,":** State Act requires the Village to provide that any person shall be permitted an opportunity to address public officials under the rules established and recorded by the public body to be adopted by January 1, 2011.
2. **Resolution approving and authorizing the execution of a West Suburban Fire Network "WSFN" Interoperability Memorandum of Understanding between the Village of Forest Park, Village of North Riverside, the Town of Cicero and the Village of Stickney:** The agreement provides for cost sharing for the licensing and maintenance of a communications system.
3. **Resolution approving an IGA with Cook County for Health Inspection Services:** Annual Agreement for calendar year 2011.

4. **Ordinance amending Section 6-1-1A, entitled “Illinois Vehicle Code,” of Chapter 1, entitled “General Traffic Regulations,” of Title 6, entitled, “Motor Vehicles and Traffic,”: Adopting the most recent version of the Illinois Vehicle Code for enforcement purposes.**
5. **Resolution requesting that Illinois Governor Pat Quinn appeal the Determination made by the Federal Emergency Management Agency that Cook County, Illinois does not qualify for Federal Disaster Assistance under the Public Assistance Program for the flooding disaster of July 23 and 24, 2010:**

ADMINISTRATOR REPORT

COMMISSIONER REPORTS

ADDITIONAL NEW BUSINESS: None

ADJOURNMENT

**THE REGULAR MEETING OF THE COUNCIL OF THE
VILLAGE OF FOREST PARK, COOK COUNTY, ILLINOIS
HELD ON TUESDAY EVENING OCTOBER 12, 2010**

Mayor Calderone led all assembled in the Pledge of Allegiance at 7:00 p.m.

ROLL CALL

Commissioners Hoskins, Curry, Hosty, Tellalian and Mayor Calderone answered the Roll Call.

APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

It was moved by Commissioner Hosty and seconded by Commissioner Curry that the minutes from the September 27, 2010 Regular meeting of the Council be approved without reading as each member has received a copy thereof and found same to be correct.

ROLL CALL:

AYES: Commissioners Hoskins, Curry, Hosty, Tellalian
and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

PUBLIC COMMENT

None

COMMUNICATIONS:

Ms. Jessica Adelman requested that the Council dedicate the 1000 block of Lathrop Avenue in memory of George and Helen Welch. There were no objections and it was discussed that staff would present suggested guidelines for adoption for future requests and that a resolution regarding the street dedication would be forthcoming.

DEPARTMENT REPORTS:

The Finance Department submitted its September, 2010 report and the Community Center submitted its August and September report.

APPROVAL OF BILLS:

It was moved by Commissioner Hoskins and seconded by Commissioner Hosty that the Resolution for the payment of bills be adopted. The Commissioner of Accounts and Finance has reviewed the bills as applicable to each department and found the aggregate amounts to be correct and recommends payment when funds are available. The bills totaled \$638,603.26.

**R-76-10
RESOLUTION FOR THE
PAYMENT OF BILLS IN THE
AMOUNT OF \$638,603.26
APPROVED**

ROLL CALL:

AYES: Commissioners Hoskins, Curry, Hosty, Tellalian and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

It was moved by Commissioner Curry and seconded by Commissioner Hosty that the Ordinance amending Chapter 9, entitled "Nonconforming Buildings and Uses," of Title 9, entitled "Forest Park Zoning Ordinance," of the Village Code of the Village of Forest Park, Cook County, Illinois be adopted. It was discussed that it may be helpful to put together a pamphlet to explain this ordinance and the zoning process in simpler terms.

**O-46-10
ORDINANCE AMENDING
CHAPTER 9 OF TITLE 9 RE:
NON-CONFORMING
BUILDINGS AND USES
APPROVED**

ROLL CALL:

AYES: Commissioners Hoskins, Curry, Hosty, Tellalian and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

It was moved by Commissioner Curry and seconded by Commissioner Hosty that the Resolution approving the waiver of permit fees for the Village of Forest Park Home Flood-Proofing Assistance Program be adopted. It was discussed that the fees would be rebated back to July 23, 2010.

**R-77-10
RESOLUTION WAIVING
PERMIT FEES FOR HOME
FLOOD PROOFING
APPROVED**

ROLL CALL:

AYES: Commissioners Hoskins, Curry, Hosty, Tellalian and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

It was moved by Commissioner Hoskins and seconded by Commissioner Hosty that the Resolution authorizing acceptance of an Illinois Department of Transportation Highway Safety Program Grant for FY 2011 in the amount of \$32,070.00 and approving and authorizing execution of an agreement regarding said grant be adopted.

**R-78-10
RESOLUTION ACCEPTING
IDOT HIGHWAY SAFETY
GRANT
APPROVED**

ROLL CALL:

AYES: Commissioners Hoskins, Curry, Hosty, Tellalian and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

It was moved by Commissioner Hosty and seconded by Commissioner Tellalian that the Resolution authorizing the award of contract for the 2010 Energy Efficiency and Conservation Block Grant (EECBG) Project for the North/South alley between Ferdinand and Beloit from Adams to Jackson be adopted.

**R-79-10
RESOLUTION
AUTHORIZING AWARD OF
CONTRACT FOR 2010
EECBG PROJECT
APPROVED**

ROLL CALL:

AYES: Commissioners Curry, Hosty, Tellalian and Mayor Calderone

NAYS: Commissioner Hoskins

ABSENT: None

The motion carried.

It was moved by Commissioner Hoskins and seconded by Commissioner Curry that the Resolution approving a successor Collective Bargaining Agreement between the Village of Forest Park and the Forest Park Firefighters Association Local 2753 International Association of Firefighters AFL-CIO, CLC be adopted.

**R-80-10
RESOLUTION APPROVING
COLLECTIVE BARGAINING
AGREEMENT WITH
FIREFIGHTERS UNION
APPROVED**

ROLL CALL:

AYES: Commissioners Hoskins, Curry, Hosty and Mayor Calderone

NAYS: Commissioner Tellalian

ABSENT: None

The motion carried.

It was moved by Commissioner Curry and seconded by Commissioner Tellalian that the Ordinance amending Section 3-6, entitled "License Fees and Number," of Chapter 3, entitled "Liquor Control," of Title 3, entitled "Business and License Regulations" of the Municipal Code of the Village of Forest Park, Cook County Illinois affecting Class "A1" Licenses be adopted.

**O-47-10
ORDINANCE AMENDING
SECTION 3-3-6 OF VILLAGE
CODE AFFECTING CLASS
"A1" LIQUOR LICENSES
APPROVED**

ROLL CALL:

AYES: Commissioners Hoskins, Curry, Hosty, Tellalian and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

It was moved by Commissioner Hosty and seconded by Commissioner Curry that the Resolution authorizing the waiver of the hiring freeze for IMRF employees regarding the hiring of four part-time Community Center Counselors be approved.

**R-81-10
RESOLUTION WAIVING
IMRF HIRING FREEZE
APPROVED**

ROLL CALL:

AYES: Commissioners Hoskins, Curry, Hosty, Tellalian and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

It was moved by Commissioner Hosty and seconded by Commissioner Curry to approve and authorize the Mayor's signature on five agreements by and between The Free Enterprise System, Inc. and the Village of Forest Park on behalf of the Community Center for Senior Citizen events.

**MOTION AUTHORIZING
COMMUNITY CENTER
AGREEMENTS WITH THE
FREE ENTERPRISE
SYSTEM
APPROVED**

ROLL CALL:

AYES: Commissioners Hoskins, Curry, Hosty, Tellalian and Mayor Calderone

NAYS: None

ABSENT: None

The motion carried unanimously.

VILLAGE ADMINISTRATOR'S REPORT: None

COMMISSIONER'S REPORTS:

Commissioner Curry thanked Administrator Gillian for his efforts in getting the Legal Non-Conforming code changes implemented.

Mayor Calderone reported that the Council will be considering a street dedication request for the 400 block of Hannah for former Village Attorney, Ed O'Shea. Mr. O'Shea was the Village Attorney for 40 years. Mayor Calderone further reported that there are currently 11 street dedications in Forest Park out of 640 blocks.

ADJOURNMENT

There being no further business to be addressed, Commissioner Hosty motioned to adjourn the meeting. Commissioner Curry seconded the motion. The motion carried unanimously.

Mayor Calderone declared the meeting adjourned at 7:50 P.M.

Respectfully submitted,

Vanessa Moritz
Village Clerk

1)

To our Mayor
This letter is from many
of Forest Park Senior Citizens
It's about Halloween. A lot
of us are still spending our
money on our basements. There
is no end to it. Halloween use
to be nice years ago, but not
any more. Most of the children
come from other villages. They
come in a van with their
parents. Some come as late as
8 o'clock, 15 and 16 year old ones.
They don't want candy, they want
money. A lot of us walk with
canes or in a wheel chair. It's
hard to get to the door. Our
checks go only so far. Candy
isn't cheap, we can't afford it.
Were lucky to pay our bills and
some money for food. Why can't
you have it in the park or school?
Like Berwyn does? I'm sure the
children would enjoy it. You think
about it Mayor. This door to door
is not good anymore. Turn
over

2/

We know if our children were small, We would not send them out. Times are not like they use to be.

Put yourself in our place and do the right thing.

Call it off this year. Thank You for reading this letter.

Senior Citizens

A safe scare

Children can pass by some scary scenes without fear during the Safety Spooky event by the Berwyn Park District. Children can trick-or-treat, take a hayride and hang out around a bonfire the weekend prior to Halloween. The first 200 children in attendance will receive a free pumpkin from the pumpkin patch. Costumes are encouraged.

WHERE Proksa Park, 3001 S. Wisconsin Ave., Berwyn

WHEN 5 to 8:30 p.m. Saturday, Oct. 23

COST Free

CONTACT Berwyn Park District, (708) 795-2892,
www.berwynparks.org

RESOLUTION No.

BE IT RESOLVED by the Council of the Village of Forest Park, Cook County, Illinois, that we dispense with the reading of the individual bills inasmuch as each department head has approved and signed bills in the following aggregate amount for their respective departments.

| | | |
|--------------------------------------|-----------|-------------------|
| Public Affairs/Police | \$ | 16,138.82 |
| Community Center | \$ | 532.50 |
| Accounts & Finance (Clerks Office) | \$ | 66,674.05 |
| Accounts & Finance (Fire Department) | \$ | 40,753.72 |
| Department of Health & Safety | \$ | 1,165.00 |
| Street Department | \$ | 21,202.08 |
| Public Property | \$ | 45,548.97 |
| Water Department | \$ | 227,892.42 |
| TIF | \$ | 7,528.75 |
| TOTAL | \$ | 427,436.31 |

ADOPTED BY THE Council of the Village of Forest Park this 25TH Day of October, 2010.

Ayes:
Nays:
Absent:

Anthony T. Calderone, Mayor

ATTEST:

Vanessa Moritz, Village Clerk

ORDINANCE NO. O-_____-10

**AN ORDINANCE AMENDING SECTION 1-4-6, ENTITLED
“CONDUCT OF PROCEEDINGS,” AND ADDING SECTION 1-4-7,
ENTITLED “RULES FOR PUBLIC PARTICIPATION,” TO
CHAPTER 4, ENTITLED “MAYOR AND VILLAGE COUNCIL,”
OF TITLE 1, ENTITLED “ADMINISTRATION,” OF
THE MUNICIPAL CODE OF THE VILLAGE OF FOREST PARK**

WHEREAS, Public Act 96-1473, adopted by the 96th Illinois General Assembly (Codified, 5 ILCS 120/2.06(g)), provides that any person shall be permitted an opportunity to address public officials at a public meeting, under rules established and recorded by the public body; and

WHEREAS, Chapter 4, entitled “Mayor and Village Council,” of Title 1, entitled “Administration,” of the Forest Park Municipal Code, *inter alia*, governs the meetings of the Village Council; and

WHEREAS, the corporate authorities of the Village of Forest Park have determined that it is advisable, necessary and in the public interest to adopt rules governing public participation at public meetings of the corporate authorities of the Village of Forest Park.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Village Council of the Village of Forest Park, Cook County, Illinois:

Section 1: Subsection 1-4-6C is hereby deleted in its entirety and the balance of Section 1-4-6 is hereby re-alphabetized as if such subsection C has been removed.

Section 2: Chapter 4, entitled “Mayor and Village Council,” of Title 1, entitled “Administration,” is hereby amended by adding thereto Section 1-4-7, entitled “Rules for Public Participation,” to read as follows:

1-4-7 – Rules for Public Participation

In order to secure the rights of the citizens of the Village of Forest Park to fair and just representation before their elected officials, and to guarantee order at public meetings of the corporate authorities of the Village of Forest Park, the following rules are established:

- A. Any person who seeks to address the corporate authorities of the Village of Forest Park, at the time allotted during the public meeting for public comments and questions, shall be permitted to speak, only upon recognition by the presiding officer, and such person shall adhere to the following provisions:
 - 1. Prior to addressing the corporate authorities, each person addressing the corporate authorities of the Village of Forest Park must complete the Public Questions and Comments Sign-In Sheet provided by the Village Clerk.
 - 2. Each person addressing the corporate authorities of the Village of Forest Park shall state his/her name and address for the record, at the beginning of such address.
 - 3. Each person shall be granted no more than three (3) minutes per meeting in order to address the corporate authorities of the Village of Forest Park, unless such time is extended by the presiding officer, giving consideration to the probable number of speakers and lateness of the hour.
 - 4. Questions and/or comments shall be limited to Village business. Comments supporting or opposing a nominated person's candidacy for elective office shall not be permitted.
 - 5. Comments shall be directed to the presiding officer, unless the presiding officer permits the individual to address the members of the Village Council or other Village officials, employees or consultants present.
 - 6. The following behavior is prohibited during a public meeting of the corporate authorities of the Village of Forest Park:
 - a. Conduct in violation of any Village ordinance, state or federal law, or any rule or regulation implementing state or federal law;
 - b. Interruption of speakers; name calling; boisterous remarks;
 - c. Offensive use of abusive, obscene, profane, slanderous or threatening language or gestures;
 - d. Acting or behaving in such an unreasonable manner so as to alarm or disturb another and to provoke a breach of the peace; and

- e. Any other act designed to intimidate, threaten or harm persons, or damage or destroy property.

- B. Members of the public shall not engage in audible conversation which prohibits individuals from hearing and/or participating in a public meeting, or disrupts the conduct of business by the corporate authorities of the Village of Forest Park.

- C. Members of the public may enter and leave the meeting room at any time, provided such entrance or exit is made quietly and in an orderly fashion.

- D. Battery operated recording equipment is permitted at public meetings, provided the operation thereof is silent.

- E. The presiding officer at each public meeting of the corporate authorities of the Village of Forest Park shall be responsible for the enforcement of the provisions of this Section, and shall be empowered to reprimand and/or cause the removal of any and all persons violating the provisions of this Section. The removal of an offender from a public meeting shall proceed as follows:
 - 1. The presiding officer shall twice give the offender notice that he/she is violating certain terms of this Section and might be removed from the public meeting.

 - 2. If the offender continues to violate any of the provisions of this Section after receiving the above notice, the presiding officer shall order a police officer to remove the offender from the meeting room. If the offender continues the disturbance outside the meeting room, such that the orderly conduct of business by the corporate authorities of the Village of Forest Park is disrupted, the offender shall be removed from the Village Hall.

 - 3. The offender has no right to appeal from an order of the presiding officer requiring the removal of the offender from the meeting room or Village Hall; however, such an order may be appealed by a member of the Village Council present at the meeting. Any ruling by the presiding officer may be overruled by a majority of the members of the Village Council present at such public meeting.

 - 4. The offender removed from the meeting room or Village Hall shall be criminally charged for any violations of applicable law.

Section 3: Any ordinance or portion of any ordinance in conflict with any provisions of this Ordinance is hereby repealed solely to the extent of such conflict.

Section 4: This Ordinance shall be in full force and effect upon its passage and approval as provided by law.

ADOPTED by the Council of the Village of Forest Park, Cook County, Illinois, this _____ day of _____, 2010.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED:

Mayor Anthony T. Calderone

ATTEST:

Vanessa Moritz, Village Clerk

RESOLUTION NO. R-____-10

**A RESOLUTION APPROVING AND AUTHORIZING THE
EXECUTION OF A WEST SUBURBAN FIRE NETWORK (WSFN)
INTEROPERABILITY MEMORANDUM OF UNDERSTANDING
BETWEEN THE VILLAGE OF FOREST PARK, THE VILLAGE OF NORTH
RIVERSIDE, THE TOWN OF CICERO AND THE VILLAGE OF STICKNEY**

WHEREAS, the Fire Departments of the Village of Forest Park, the Village of North Riverside, the Town of Cicero and the Village of Stickney (“WSFN Fire/EMS Agencies”) have proposed joining forces to develop an inter-jurisdictional interoperable communications system within the region; and

WHEREAS, the Village of Forest Park is desirous of entering into a West Suburban Fire Network (WSFN) Interoperability Memorandum of Understanding (“MOU”) with the WSFN Fire/EMS Agencies in order to provide an operations-level communications structure for the WSFN Fire/EMS Agencies managing any incident that affects public safety.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Forest Park, Cook County, Illinois, as follows:

Section 1. That certain “West Suburban Fire Network (WSFN) Interoperability Memorandum of Understanding (MOU),” a copy of which is attached hereto as Exhibit “A,” is hereby approved.

Section 2. The Mayor of the Village of Forest Park is hereby authorized and directed to execute said WSFN Interoperability MOU on behalf of the Village of Forest Park.

Section 3. This Resolution shall be in full force and effect upon its passage and approval as provided by law.

Resolved this 13th day of September, 2010.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED:

Mayor Anthony T. Calderone

ATTESTED:

Vanessa Moritz, Village Clerk

Exhibit A

West Suburban Fire Network (WSFN) Interoperability Memorandum of Understanding

West Suburban Fire Network (WSFN)

INTEROPERABILITY MEMORANDUM OF

UNDERSTANDING (MOU)

Section I: Introduction

WSFN Fire and Emergency Medical Services (Fire/EMS) have well-established interoperability capabilities and mutual aid agreements in place. North Riverside, Forest Park, Cicero and Stickney (hereafter referred to as “WSFN Fire/EMS Agencies”) recognize the need for inter-agency communication, interoperability, and cooperation.

To remedy the inter-discipline communication problem, the WSFN Fire/EMS Agencies, have worked cooperatively to develop an inter-jurisdictional interoperable communications system.

Section II: Purpose

The purpose of the inter-jurisdictional interoperable communications system is to provide an operations-level communications structure for the WSFN Fire/EMS Agencies managing any incident that affects public safety. This network is consistent with interoperable communications guidelines and recommendations for mutual aid, automatic aid and general operations. This interoperable communications system will ensure an organized method of coordinating the resources of the WSFN Fire/EMS Agencies to expedite efficient deployment of those resources and serves primarily as a primary operational communications network.

Section III: Scope

The co-licensee’s of the interoperable communications system includes the WSFN Fire/EMS Agencies. Other operational users include the members of mutual aid box alarm system (MABAS) Division 11, Oak Park, River Forest and Berwyn. Existing mutual aid and automatic aid agreement exists between all seven departments.

Section IV: Policy

The inter-jurisdictional interoperability channel is available for use as a primary operational frequency to all of the WSFN Fire/EMS Agencies. Fire ground and regional dispatch frequencies (red/gold/black/IFERN/IFERN 2) are not affected by this Agreement.

West Suburban Fire Network (WSFN)

INTEROPERABILITY MOU

Section VI: Maintenance

The Forest Park Fire Department will be responsible for licensing and maintaining the VHF and trunk systems that make up the primary operational equipment. Participating WFSN Fire/EMS Agencies shall be responsible each for a ¼ share of the annual maintenance agreement, payable within thirty (30) days of notice. Repair notification shall be made by the affected jurisdiction and reported to the Chair of WSFN at the earliest possible moment.

Section VII: Oversight

Oversight of the interoperable communications system is administered through the WSFN Interoperability Committee core members. The Interoperability Committee will be chaired by an appointee of the WSFN Fire Chiefs. Each agency participating in the use of the channel is required to provide a representative to the Interoperability Committee after entering into this MOU.

Any issues affecting policy, recommendation, and/or subsequent change that alter the purpose of the inter-jurisdictional interoperability channel will be implemented only after a consensus is reached by the Interoperability Committee.

Section VIII: Responsibility for SOP Compliance

It is the responsibility of agency heads to ensure that the intra-jurisdictional interoperability channel SOPs are followed when necessary and to ensure that agency personnel are trained appropriately.

Section IX: Updates to the MOU

Updates will take place after the Interoperability Committee meets and gains consensus on proposed changes. It is then the responsibility of the Interoperability Committee to decide the best possible course of action.

WSFN INTEROPERABILITY MOU

Official Acceptance

Agency Name: _____

Signature: _____

Date: _____

Name: _____

Title: _____



Agency Name: _____

Signature: _____

Date: _____

Name: _____

Title: _____

WSFN INTEROPERABILITY MOU

Official Acceptance

Agency Name: _____

Signature: _____

Date: _____

Name: _____

Title: _____



Agency Name: _____

Signature: _____

Date: _____

Name: _____

Title: _____

WSFN INTEROPERABILITY MOU

Official Acceptance

Agency Name: _____

Signature: _____

Date: _____

Name: _____

Title: _____



Agency Name: _____

Signature: _____

Date: _____

Name: _____

Title: _____

WSFN INTEROPERABILITY MOU

Official Acceptance

Agency Name: _____

Signature: _____

Date: _____

Name: _____

Title: _____



Agency Name: _____

Signature: _____

Date: _____

Name: _____

Title: _____

WSFN INTEROPERABILITY MOU

Official Acceptance

Agency Name: _____

Signature: _____

Date: _____

Name: _____

Title: _____



Agency Name: _____

Signature: _____

Date: _____

Name: _____

Title: _____

**A RESOLUTION APPROVING AN
INTERGOVERNMENTAL AGREEMENT FOR THE PROVISION OF
ENVIRONMENTAL HEALTH INSPECTIONAL SERVICES**

BE IT RESOLVED by the Council of the Village of Forest Park, Cook County, Illinois, as follows:

Section 1. That certain Intergovernmental Agreement for the Provision of Environmental Health Inspectional Services (“Intergovernmental Agreement”) between the Village of Forest Park and the Cook County Department of Public Health, a copy of which is attached hereto as Exhibit “A,” is hereby approved.

Section 2. The Mayor is hereby authorized to execute, and the Village Clerk is authorized to attest, two original copies of the Intergovernmental Agreement, and the Village Clerk is further directed to return such executed agreements to the Cook County Department of Public Health for execution, along with a certified copy of this Resolution.

Section 3. This Resolution shall be in full force and effect from and after its passage and approval as required by law.

ADOPTED by the Council of the Village of Forest Park, Cook County, Illinois this 25th day of October, 2010.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this 25th day of October, 2010.

Anthony T. Calderone, Mayor

ATTESTED and filed in my office,
And published in pamphlet form
This 25th day of October, 2010.

Vanessa Moritz, Village Clerk

COOK COUNTY DEPARTMENT OF PUBLIC HEALTH

Todd H. Stroger • President
Cook County Board of Commissioners

Warren L. Batts • Chairman
Cook County Health & Hospitals System

Jorge Ramirez • Vice-Chairman
Cook County Health & Hospitals System

William T. Foley • CEO
Cook County Health & Hospitals System



**COOK COUNTY HEALTH
& HOSPITALS SYSTEM**
COHHS

Health System Board Members

Dr. David A. Ansell
Commissioner Jerry Butler
David N. Carvalho
Quin R. Golden
Benn Greenspan
Sr. Sheila Lyne
Dr. Luis R. Muñoz
Heather E. O'Donnell
Andrea L. Zopp

1010 West Lake Street, Suite 300
Oak Park, Illinois 60301
(708) 492-2000
TDD (708) 492-2002

Stephen A. Martin, Jr., Ph.D., MPH
Chief Operating Officer

September 10, 2010

Mr. Steve Glinke
Village of Forest Park
517 Des Plaines
Forest Park, IL 60130

Dear Mr. Glinke:

Enclosed are two (2) original copies of the Intergovernmental Agreement for the Provision of Environmental Health Inspectional Services for the period of December 1, 2010 through November 30, 2011. **Both original copies of the agreement need to be signed where required and returned to me for final approval.** One of the fully executed original copies will then be returned to you for your official records.

If you should have any questions or need any further information, please contact me at (708) 974-7107 or Michelle Beckles at (708) 974-7105.

Sincerely yours,

A handwritten signature in cursive script that reads "George Papadopoulos".

George Papadopoulos, M.P.H.
Assistant Director
Environmental Health Services

cc - File

Enclosure

**INTERGOVERNMENTAL AGREEMENT FOR THE PROVISION OF
ENVIRONMENTAL HEALTH INSPECTIONAL SERVICES**

This **AGREEMENT** entered into as of December 1, 2010 by and between the Village of Forest Park, Cook County, Illinois a municipal corporation (hereinafter called the **VILLAGE**), and the County of Cook, Illinois a body corporate and politic (hereinafter called the **COUNTY**).

WITNESSETH:

WHEREAS, The **VILLAGE** wishes to provide environmental health inspectional services relating to food service sanitation and retail food store sanitation; and

WHEREAS, the **COUNTY** is willing to provide the **VILLAGE** with certain environmental health services through the work of its Department of Public Health, (hereinafter called the **DEPARTMENT**) upon the terms and conditions as hereinafter set forth; and

WHEREAS, the **COUNTY** is a home rule unit as provided in the 1970 Illinois Constitution (Art. VII, Sec. 6); and

WHEREAS, the **VILLAGE** is a municipality deriving its authority as provided in the Illinois Compiled Statutes (65 ILCS 5); and

WHEREAS, the 1970 Illinois Constitution (Art. VII, Section 10) and the Illinois Compiled Statutes (5 ILCS 220) provide authority for intergovernmental cooperation; and

WHEREAS, the Illinois Compiled Statutes (55 ILCS 5/5-25013 (B) 5), provides that the **DEPARTMENT** may contract for the sale of health services; and

WHEREAS, the parties hereto seek to protect the health of the citizens of the **COUNTY** and the **VILLAGE** by undertaking the **AGREEMENTS** contained herein through their joint effort.

NOW THEREFORE, in consideration of the premises, and such other considerations as hereinafter set forth, the parties hereto agree as follows:

1. The **DEPARTMENT**, through its Environmental Health Division Staff, shall provide the following environmental services to the **VILLAGE**:
 - a. Make inspections as required by the food sanitation provisions of the Code of Ordinances of the **VILLAGE** (hereinafter called the **VILLAGE CODE**) of all food service establishments and retail food stores licensed or permitted by the **VILLAGE** as scheduled by the **VILLAGE** and the **DEPARTMENT** during the term of this **AGREEMENT** to assure compliance with the **VILLAGE CODE**;

- b. Reinspect all food service establishments and retail food stores to monitor the correction of violations identified at the time of the initial inspection pursuant to (a.) above;
 - c. Provide the **VILLAGE** with reports of inspections undertaken;
 - d. Report immediately to the **VILLAGE** on matters which in the opinion of the inspector are of serious concern;
 - e. Testify as required in any court cases brought by the **VILLAGE** for correction of food sanitation code violations cited pursuant to inspections conducted by the **DEPARTMENT**;
 - f. Review plans for any new or extensively remodeled food service establishment or retail food store in the **VILLAGE** to assure compliance with current Federal, State, **COUNTY**, and **VILLAGE** Food Service Establishment and Retail Food Store Regulations.
2. The **DEPARTMENT** agrees to furnish its employees with means of transportation to, from, and within the **VILLAGE** in order to carry out the duties and inspections as described herein.
3. The **VILLAGE** agrees:
 - a. To maintain in force during the term and any extension of this intergovernmental **AGREEMENT**, ordinances or regulations at least equivalent to the **COUNTY** Food Service Establishment and Retail Food Store Ordinances;
 - b. To maintain files and records of inspections and licensing or permitting of food service establishments and retail food stores, and to provide the **DEPARTMENT** with one copy of inspection reports prepared by **DEPARTMENT** personnel and upon reasonable notice provide the **COUNTY** with access to said files and records;
 - c. To provide any legal action in the determination of the **VILLAGE** necessary to enforce the **VILLAGE** ordinances or regulations.
4. To provide the **DEPARTMENT** with the necessary authority to perform the duties and services referred to above.
5. The **DEPARTMENT** agrees to provide all of the services outlined in Paragraph Number 1 above, at a cost of **\$60.00 per inspection** billed to the **VILLAGE** for the term of the **AGREEMENT**.

6. The **VILLAGE** agrees to hold harmless and to indemnify the **COUNTY**, its Board members, officers, agents and employees from liabilities, costs, judgments, attorneys' fees or other expenses resulting from any negligence or act or failure to act under this **AGREEMENT** by the **VILLAGE**, its officers, agents or employees. The **COUNTY** agrees to hold harmless and to indemnify the **VILLAGE**, its Board members, officers, agents and employees from liabilities, costs, judgments, attorneys' fees or other expenses resulting from any negligence or act or failure to act under this **AGREEMENT** by the **COUNTY**, its officers, agents or employees. Nothing herein shall be construed to require the **VILLAGE** to indemnify the **COUNTY** for the negligence of the **DEPARTMENT** or its officers, agents, or employees; and further, nothing herein shall be construed to require the **VILLAGE** to indemnify or make any payments in connection with any claim for which the **COUNTY** or the **DEPARTMENT** otherwise would not be liable, nor shall it be construed to waive any defenses that the **COUNTY**, the **DEPARTMENT** or the **VILLAGE** may otherwise have to any such claim. Furthermore, nothing herein shall be construed to require the **COUNTY** to indemnify the **VILLAGE** for the negligence of the **VILLAGE** or its officers, agents or employees; and further, nothing herein shall be construed to require the **COUNTY** to indemnify or make payments in connection with any claim for which the **VILLAGE** otherwise would not be liable.
7. This **AGREEMENT** shall become effective as of December 1, 2010 and shall continue through November 30, 2011 unless otherwise terminated by either party as hereinafter provided. This **AGREEMENT** may be renewed on an annual basis by resolution of the corporate authority of both parties or with the written agreement of the parties through their designated representatives. For purposes of the renewal of the terms and conditions contained in this **AGREEMENT** the **COUNTY** authorizes the Chief of the Bureau of Health Services or the Director of the **DEPARTMENT** to renew on its behalf.
8. The parties hereto shall at any time during the term of this **AGREEMENT** have the right to terminate same upon 30 days written notice to the other party, said notice to be sent certified mail, return receipt to: Stephen A. Martin, Jr., Ph.D., M.P.H., Director, Cook County Department of Public Health, 1010 Lake Street, Suite 300, Oak Park, Illinois 60301; or the Mayor, Village of Forest Park, 517 Des Plaines Avenue, Forest Park, Illinois 60130.
9. It is expressly agreed by the parties hereto that all environmental health staff members of the **DEPARTMENT** shall be deemed its employees and shall be under the sole supervision and control of the **DEPARTMENT**.

10. This intergovernmental **AGREEMENT** may be amended only by resolution of the corporate authority of each party hereto.
11. If any provision of this **AGREEMENT** is invalid for any reason, such invalid portion shall not render invalid the remaining provisions of this **AGREEMENT** which can be given effect without the invalid provision to carry out the intent of the parties as stated herein.
12. Neither party hereto may assign this **AGREEMENT** in whole or in part without the written consent of the other party.
13. The waiver by a party or any breach or failure of the other party to perform any covenant or obligation contained herein shall not constitute a waiver of any subsequent breach.
14. This **AGREEMENT** represents the entire **AGREEMENT** between the parties and supersedes any and all prior **AGREEMENTS**, whether written or oral. Any modification of this **AGREEMENT** shall be valid only if in writing and signed by all parties hereto.
15. This **AGREEMENT** shall be governed by and construed in accordance with the laws of the State of Illinois.
16. All notices relating to the **AGREEMENT** shall be either hand delivered to the party or mailed to the party by certified mail, return receipt requested to all respective parties at addresses as both appear in Section 8 of this **AGREEMENT**.
17. None of the provisions of this **AGREEMENT** is intended to create nor shall be designed or construed to create any relationship between the **COUNTY** and the **VILLAGE** other than of independent entities contracting with each other hereunder solely for effecting the provisions of the **AGREEMENT**. Neither of the parties hereto nor any of their respective representatives shall be construed to be the agent, the employer or representative of the other. The **VILLAGE** and the **COUNTY** will maintain separate and independent managements and each has full unrestricted authority and responsibility regarding its own organization and structure.
18. The execution of this **AGREEMENT** by the **COUNTY** shall be subject to the authorization of the Cook County Board of Commissioners adopted in accordance with applicable law.

IN WITNESS WHEREOF, the undersigned governmental units have caused this **AGREEMENT** to be duly executed and attached herewith are copies of the respective resolutions authorizing the signing official to execute this **AGREEMENT**.

VILLAGE OF FOREST PARK
a municipal corporation

By: _____

Mayor

ATTEST:

By: _____
Village Clerk

Dated:

COUNTY OF COOK, a body
corporate and politic

Dated

By: _____

Director, Cook County
Department of Public Health

ORDINANCE NO. O-_____-10

**AN ORDINANCE AMENDING SECTION 6-1-1A, ENTITLED
“ILLINOIS VEHICLE CODE,” OF CHAPTER 1, ENTITLED
“GENERAL TRAFFIC REGULATIONS,” OF TITLE 6,
ENTITLED, “MOTOR VEHICLES AND TRAFFIC,” OF
THE MUNICIPAL CODE OF THE VILLAGE OF FOREST PARK**

WHEREAS, the corporate authorities of the Village of Forest Park have determined that it is advisable, necessary and in the public interest for the health, safety and welfare of its residents to adopt an amendment to the Village Code with respect to the operation of motor vehicles within the Village.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Village Council of the Village of Forest Park, Cook County, Illinois:

Section 1: Section 6-1-1A, entitled “Illinois Vehicle Code,” of Chapter 1, entitled “General Traffic Regulations,” of Title 6, entitled “Motor Vehicles and Traffic,” is hereby amended to read as follows (new language in italics):

A. Adoption: There is hereby adopted by reference the most current Illinois Vehicle Code, *as may hereafter be amended from time to time*, three (3) copies of which have been on file in the office of the Village Clerk for the time period provided by law.

Section 2: Any ordinance or portion of any ordinance in conflict with any provisions of this Ordinance is hereby repealed solely to the extent of such conflict.

Section 3: This Ordinance shall be in full force and effect upon its passage and approval as provided by law.

ADOPTED by the Council of the Village of Forest Park, Cook County, Illinois, this 25th day of October, 2010.

AYES: _____
NAYS: _____
ABSENT: _____

APPROVED:

Mayor Anthony T. Calderone

ATTEST:

Vanessa Moritz, Village Clerk

RESOLUTION NO. R-____-10

**A RESOLUTION REQUESTING THAT ILLINOIS GOVERNOR PAT QUINN
APPEAL THE DETERMINATION MADE BY THE FEDERAL EMERGENCY
MANAGEMENT AGENCY THAT COOK COUNTY, ILLINOIS DOES NOT QUALIFY
FOR FEDERAL DISASTER ASSISTANCE UNDER THE PUBLIC ASSISTANCE
PROGRAM FOR THE FLOODING DISASTER OF JULY 23 AND 24, 2010**

WHEREAS, the Village of Forest Park is a unit of local government located in Cook County, Illinois; and

WHEREAS, on July 23 and 24, 2010, the Village of Forest Park experienced major flooding caused by more than seven (7) inches of rain water in certain areas (the “Flooding Disaster”), resulting in devastating damage to property and the displacement of Village residents from their homes; and

WHEREAS, the Village of Forest Park submitted to the Cook County Department of Homeland Security and Emergency Management (“DHSEM”) an assessment of the overwhelming damage sustained by Village of Forest Park during the Flooding Disaster; and

WHEREAS, the DHSEM, on behalf of all of the communities in Cook County, Illinois affected by the Flooding Disaster, compiled a total of all of the assessed damage in Cook County, Illinois incurred during the Flooding Disaster, which amounted to Twenty-Six Million Six Hundred Fourteen Thousand Seven Hundred Five Dollars and Ninety-Five Cents (\$ 26,614,705.95) and forwarded that total to the Illinois Emergency Management Agency (“IEMA”); and

WHEREAS, IEMA, based upon the information received from the DHSEM, completed an application for public assistance and filed the application with the Federal Emergency Management Agency (“FEMA”); and

WHEREAS, based upon the cost-share regulations governing FEMA (44 C.F.R. §206.47), the Per Capita Impact Indicator Threshold for Public Assistance in Cook County is Seventeen Million

Three Hundred Sixty-Six Thousand Eight Hundred Seventy-Three Dollars and Forty-Three Cents (\$ 17,366,873.43); and

WHEREAS, after reviewing the application filed by IEMA, FEMA determined that only Fourteen Million Six Hundred Fifty-Five Thousand and Ten Dollars (\$ 14,655,010.00) in assessed damages sustained in Cook County, Illinois were eligible for disaster assistance; and

WHEREAS, because FEMA has determined that only Fourteen Million Six Hundred Fifty-Five Thousand and Ten Dollars (\$ 14,655,010.00) in assessed damages sustained in Cook County, Illinois are eligible for disaster assistance, FEMA has denied the allocation of disaster assistance funds to Cook County, Illinois and to the Village of Forest Park; and

WHEREAS, the Village of Forest Park requires disaster assistance to restore its infrastructure and generally to protect the public health, safety and welfare of its residents; and

WHEREAS, based upon these substantial governmental concerns, the corporate authorities of the Village of Forest Park request that, pursuant to 42 U.S.C. 5189a and 44 C.F.R. §206.440, Illinois Governor Pat Quinn appeal the determination made by FEMA to deny the allocation of disaster assistance funds to Cook County, Illinois and to the Village of Forest Park.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Village Council of the Village of Forest Park, Cook County, Illinois, as follows:

Section 1. The facts and statements contained in the Preamble to this Resolution are found to be true and correct and are hereby incorporated as part of this Resolution.

Section 2. The corporate authorities of the Village of Forest Park hereby request that, pursuant to 42 U.S.C. 5189a and 44 C.F.R. §206.440, Illinois Governor Pat Quinn appeal the determination made by FEMA to deny the allocation of disaster assistance funds to Cook County, Illinois and to the Village of Forest Park.

Section 3. Village of Forest Park elected and appointed officials and employees are hereby

authorized to take such actions as are necessary to aid Illinois Governor Pat Quinn in filing an appeal with FEMA.

Section 4. This Resolution shall be in full force and effect upon its passage and approval in accordance with law.

ADOPTED by the Council of the Village of Forest Park, Cook County, Illinois this 25th day of October, 2010.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this 25th day of October, 2010.

Anthony T. Calderone, Mayor
Cook County, Illinois

ATTEST:

Vanessa Moritz, Village Clerk