

VILLAGE OF STICKNEY

6533 West Pershing Road
Stickney, Illinois 60402-4048
Phone - 708-749-4400
Fax - 708-749-4451



David DeLeshe
Sam Savopoulos

Village Trustees
Martha Gomez
Patrick Sleight

James Lazansky
Jeff White



Deborah E. Morelli
Village President

Kurt Kasnicka
Village Treasurer

Audrey McAdams
Village Clerk

REGULAR MEETING BOARD OF TRUSTEES

Tuesday, October 7, 2014

7:00 p.m.

Meeting Agenda

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approve Minutes of September 11, 2014 Zoning Committee of the Stickney Board of Trustees
5. Approve Minutes of Previous Regular Meeting
6. Authorize Payment of Bills
7. Presentation and discussion with Underwriters from George K. Baum & Company
8. Consider Approval of request from Crown Castle to enlarge tower site located at 6419 W. 43rd Street
9. Approve Agreement between the Village of Stickney and Cook County to use their equipment in the event of an emergency event or disaster
10. Approve Resolution 05-2014, "A resolution supporting hazardous materials: Enhanced tank car standards and operational controls for high-hazard flammable trains."
11. Grant Permission to the Salvation Army to conduct their Red Kettle Campaign starting November 7, 2014 through December 24, 2014
12. Grant Permission to Edison School PTA to distribute to the homes Market Day flyers by Honor Society students once a month during the fall and spring
13. Grant Permission to Stickney-Forest View Lions Club to conduct the Second Annual Charity 5K Run/Walk for Breast Cancer Research, Sunday Sept. 27, 2015
14. Report from the Mayor
15. Report from Clerk
16. Trustee Reports/Committee Reports
 - a. Accept the Treasurer's Report for the month of June, 2014
17. Reports from Department Heads
18. Audience Questions
19. Closed Session

To Discuss and Consider to hiring, discipline, performance and compensation of certain personnel, matters of collective bargaining, acquisition of real property, matters concerning security to the public and matters of pending probable or imminent litigation.
20. Return to Open Session
21. Possible Final Action Taken on Stickney Recreation Center
22. Adjournment

Posted October 3, 2014

**September 11, 2014
Meeting
Of the Zoning Committee of Stickney Board of Trustees**

**State of Illinois
County of Cook
Village of Stickney**

The Zoning Committee of the Stickney Board of Trustees of the Village of Stickney met on Thursday, September 11, 2014 at 6:30 p.m. in the Stickney Village Hall, 6533 W. Pershing Road, Stickney, Illinois.

Trustee Patrick Sleigher, Chairman of the Zoning Committee called the meeting to order.

**Upon the roll call, the following Trustees were present:
Trustees present: Trustees Gomez, Lazansky, Sleigher and White**

Trustee Patrick Sleigher explained that the purpose of this meeting is make recommendations on zoning district changes. He read the following meeting outline.

Outline issues for discussion re Stickney Zoning Ordinance

- 1. Need for hearing and ratification re elimination of Commercial District.**
- 2. Elimination of Park Zoning District and providing for parks to be permitted in all Zoning Districts.**
- 3. Clarify the difference between nonconforming uses and nonconforming structures.**
- 4. Discuss amortization of nonconforming uses.**
- 5. Provide for certain additional permitted uses in the Business District which were previously permitted in the Commercial District.**
- 6. Provide that "adult uses" be permitted only in industrial districts. Provide for regulations re same.**
- 7. Clarify zoning regulations re cell towers and that such towers be "special uses" in Business and Industrial Districts.**
- 8. Rezone Jewel property to conform to existing uses.**
- 9. Discuss rezoning of portion of Village North of Pershing Road to allow for business development.**

Attorney Donald Kreger conducted the meeting from this point on. He stated that he felt that the most important item was the last item (#9) on the outline. This area is west of Cicero Avenue. We have no area of significant size that would be for business or shopping center type uses. We have a narrow strip along Pershing Road and a similar narrow strip along Harlem. We have the Jewel located on Harlem. They actually built a lot of it in a single family zoning area. That is on the agenda to make

sure that if they had a fire they couldn't rebuild because it is non-conforming. We should inform the Jewel that they are going to be rezoned.

The attorney explained that the area north of Pershing Road, that includes the track and the area south of the track and north of 39th Street. The clerk asked if we should include the track in the business area because if the track closes that would be an excellent area for development. The attorney said it is not in the best interest of city to have more industrial area. The idea if the village board agreed to some of this would actually vote that a petition be prepared for a public hearing before the zoning board. And, the petitioner would be the village. That is the way villages effect their zoning changes. The discussion would be whether to make this entire area business and grandfather in Penske or whatever. They will not go away overnight, but they are not going to expand either. In the race track, unless they change the gaming laws, the track has special use zoning. He suggested that if we change that special use to business, that special use would be grandfathered. He is not going to tell people that they are closed down. They can keep their track as long as they want. Trustee White then clarified that if something happens and it did close then we could have a shopping center or whatever we want to do as a business district. The attorney went on, if that would be a recommendation that the entire area be zoned a business district, he would like a motion passed at the end of this meeting to make that recommendation to the village board.

Trustee Lazansky asked if these changes would cause their taxes to go up by going from one zone as they are now to a business. The attorney said that if their property was vacant, but most of that property is not vacant. The trustee then asked how far north is our property. Observations were made over an available map. Attorney Kreger explained that the whole thing is square.

Attorney Kreger now referred to item 8 to rezone the Jewel property. He is going to have to get a legal description. Then we can rezone that property to be business so it is not in a single family area. He questioned, "So, half the store in a single family area." Trustee White said they bought a few houses there on Pershing and they paid a lot of money for them. Attorney Kreger added in, "And, they paid a lot of money but they never rezoned them." He then asked if anyone had any objection to this. The clerk asked what might this do to their property taxes. We were told that he felt that they were being treated as a commercial zone. It would have to be because it was constructed there. It is the building itself that make up most of the value. Theoretically, if that store burned down they would need rezoning to rebuild it.

Number 7 is to clarify zoning regulations. Trustee White stated, "So we don't end up with a cell tower in a park?" Attorney Kreger said that there are cell towers up that don't get anything. You have one on the water tower. You could grant yourself a special use I guess. He finally said that he is going to clarify that it is a special use if no one objects to that.

Number 6 adult uses. We have got to provide for them but we don't want to provide for them in certain areas. He recommends that we provide for them in the I/2 district. Not even in the light industrial. We do have some regulations as to what they are. He will take a look at what they are permitted to do and what they are not. And, there is a difference if they have a liquor license. You can regulate them more if they have a liquor license.

Trustee Sleigher explained that when they created the parks and rec district they got rid of the commercial district. A lot of stuff that was in the commercial district things were eliminated from the business district like service stations, resale shops, political organizations.....that was all in the commercial district that was not reinstated into the business district. He suggested that we put everything that was in the commercial district into the business district. Not reinstate the commercial district. Commercial businesses are commercial. So, let's just take everything that was omitted from the commercial district, put it into the business district and that way it just stays at the business district.

Trustee Sleigher clarified that even the service station, Stickney Auto, was omitted the from business district. Sleigher gave these additional businesses as examples: Auction rooms, automobile accessory stores, automobile service stations, boat marine sales, and all the things listed on the sheet he was reading from. He offered to share this material with anyone. All we have to do is put them back into the business district. Nothing has to change. Trustee White agreed that this is the right thing to do.

Attorney Kreger stated that when they eliminated the commercial district there was not, to his knowledge, a public hearing to eliminate it. So we will ratify that. That would be part of the hearing to ratify the commercial district elimination.

Mr. Kreger now addressed the non-conforming uses and non-conforming structures, numbers 3 & 4. He explained that the difference between con-conforming uses and non-conforming structure is a great deal. When you have a non-conforming use and it stops for 160 days, or 180 days, or whatever, then you can eliminate it. A non-conforming building such as the one at 43rd and Wisconsin, this is an apartment building right in a single family area. If that thing had building violations, it is not justification to get rid of the use. It is not the use. It is a non-conforming structure and that is a big difference.

Attorney Kreger said that maybe we are happy with the way it is, do we amortize non-conforming uses? Or, do we say, the only way to get rid of it if the building.....Trustee White questioned if we should place a time frame on it. Give it twenty years on it and there is no more. He continued by saying that he didn't think it was a good idea. He then said that if it changes hands. Attorney Kreger stated that changing hands is not justification though in law. Trustee White said that I think we have the same problem at 43rd and Wisconsin because a loan was allowed to be taken out as an apartment building at the time that it was done. There was cross talking going on at this point. Trustee White said that it is for sure now it is an apartment building. You can't back off of it now. Attorney Kreger stated that it is....a big one. He continued to say, my point is you have a single family residence that has been a two flat, it could easily be a single family but it has been a two flat for years. Trustee White said that we have been eliminating basement apartments all along. Kreger asked, can we eliminate it just because it changes ownership? Theoretically they can be renting it out to somebody and it can continue to be used and there is no stoppage of the usage. And, that creates a problem. Trustee White continued if we don't put in amortization there is no changing of that, isn't that correct?

Kreger went on to say, the only changing is would be if it goes for a certain length of time as a single family dwelling they can't re-establish it. Otherwise you have to do it with an amortization over ten years or twenty years. He said he put it on here but he didn't think that this board would change it. He just wanted to tell them that it isn't effective to say that it changes ownership.

Trustee Lazansky questioned the coach houses. He asked if a person sells a house with a coach house in the back, when he sells it are we going to do away with the coach houses? Trustee White responded as it stands now, if they are inspected and they are on the non-conforming list, they can sell it as a non-conforming building. Donald Kreger explained that it is a non-conforming structure. In other words, you have a non-conforming structure that is being used as a single-family residence. When it is a non-conforming structure and something happens to it, you can't rebuild it. Trustee Lazansky rationalized it by saying that if the building inspector went there and he found many violations and it can't be fixed because it is greater than half the value of the property, therefore, they will have to rip it down. You can't sell it even though that person owned it for forty years renting it out to whomever. Kreger said that they can't expand the structure either. They can remodel inside but they can't expand the structure because it increases the non-conformity.

Trustee Sleighter explained that as it stands now the owners are notified when they do buy the building they do have to register every year. The attorney chimed in that it is for usage and not structure.

The attorney spoke of a district that was developed called for Parks. Parks are all over the place. They could be in single family. When someone asks if a village has a park district, they are not asking about a zoning district. They are talking about a separate entity that is a park district. Or, a separate taxing district all together. We don't have that. In Berwyn, parks are permitted uses in every district. Trustee Sleighter asked if he wants to eliminate the parks and recreation off the zoning map. Kreger said yes. Kreger explained that the map has spots of green throughout. If we sold a park we would have to rezone it to single family. The clerk asked if it wasn't called a park than what would we call it. He said it would be permitted use.

Attorney Kreger again spoke of the land north of Pershing Road because we could put a park in there. He questioned if we should have be different business zoning. Do we want that to be commercial and be broader and have hotels? Trustee White suggested that we talk to the future and something beneficial to the town. It may not be in the immediate future but, we have to have that door open. Trustee Sleighter explained that in the commercial district before motels were in there, race tracks, raceways and speedways. We don't have speedways. He went on to add clubs, organizations, fraternal and religious organizations. If we make that strictly a commercial district (pause) he continued, if we put it in a business district, motels are allowed in a business district if we amend the business district. Kreger interjected that that is the way to do it also for hotels and motels. The clerk stated that we could amend the list of permitted use. Kreger said, "Yes", that is what we want to do. He thinks that it is one of the first things that will be recommended is a hotel. Trustee White agreed that if gambling comes it will be one of the first things.

We mentioned that we already have an ordinance that relates to a hotel tax on the books. The attorney said that we have the business district and increase the broadness of the list of the businesses. He also said that a park on 39th will not happen there anyway because it is not deep enough.

Trustee Sleighter now asked about permitted uses would have to go. If someone puts in a permit for business we would have to decide whether that is a permitted use or not if we put in "permitted uses" into the business district. He felt that it was a pretty vague area, "permitted uses". Kreger responded that it is broad enough to include everything if it is related. If someone comes in and you don't have a specific designation and it is similar it is automatic. Trustee White added that that is why it is needed for the adult venues because we don't want to fight that battle (inaudible) (it sounded like they were saying "the business district") the clerk stated that this could be classified with medical marijuana too. . . . Also porn shops. The attorney stated that medical marijuana he can't include because there are all sorts of regulations at the state level. Plus, they have to pay extra money. Trustee White asked if we would have to give board approval for something like that. If the state approves it, does the board have anything to say about it? Attorney Kreger said that we could zone for it. We might want to make it a special use. He is looking to see if we could do that. He can't call it adult use because of the legislation. He added, "Why doesn't Walgreens sell it?" "They are selling all kinds of drugs now." Additional opinions were given on that subject.

Donald Kreger stated that he thinks he has a feel as to what everyone wants to do. He suggests that the district stuff, the public hearing stuff, he will suggest to the zoning board that they have one right after the other. They will keep the Jewel one separated from the property north. He will try to draft up a motion that will be satisfactory with everybody. When he has that, he will pass it out and you could have a meeting ½ hour prior to your regular Village Board meeting. Kreger reminded us that the zoning board calls their own meeting to put together recommendations for the Village Board. He would try to accomplish this as soon as possible.

Trustee Savopoulos questioned the property south of 39th on Cicero. Mr. Kreger explained that there was some talk about moving the people on the north side to the south side. Conversation went on. Trustee Sleighter mentioned that Penske wanted to expand on the north side. Although it would not be beneficial to our community. Kreger said there is some sales tax of between \$1300 to \$1400 per month. If one of these big projects comes up and they have all this property there, there is nothing we could do about it. Kreger mentioned that at one time he met with a group of people in Chicago at a law firm office dealing with wanting to put this together. Penske was part of the discussion. Someone asked Mr. Kreger what would be the biggest roadblock to getting it done. Kreger answered, "Penske". They are the only one to have the money to fight you on what you want. If they joined with you, fine. But, Penske was a possible joint venture there. Kreger stated that he didn't have any authority to speak on behalf of the village. But, he didn't think that the village was the problem. Trustee White said that letting them expand just creates a bigger problem. It gives them too much control. Trustee Savopoulos asked if Penske requires 450 feet frontage, and are you saying that they would move Penske on the other side?

Attorney Kreger now looked at the map to orientate himself with the Koppers plant. They will be expanding within their own property to frontage road.

There being no further business, Trustee White moved, duly seconded by Trustee Gomez that the meeting be adjourned at 7:00 p.m.

Respectfully submitted,

Audrey McAdams, Village Clerk

Approved by me this day of 2014

Patrick Sleighter, Chairman of the Zoning Committee of the
Stickney Board of Trustees

September 16, 2014

**State of Illinois
County of Cook
Village of Stickney**

The Board of Trustees of the Village of Stickney met in regular session on Tuesday, September 16, 2014 at 7:00 p.m. in the Stickney Village Hall, 6533 W. Pershing Road, Stickney, Illinois.

**Upon the roll call, the following Trustees were present:
Trustees De Leshe, Gomez, Lazansky, Savopoulos, Sleigher and White**

Trustee Sleigher moved, duly seconded by Trustee Gomez, to approve the minutes of the previous regular session on Tuesday September 2, 2014.

**Upon the roll call, the following Trustees voted:
Ayes: Trustees De Leshe, Gomez, Lazansky, Savopoulos, Sleigher and White
Nays: None
Mayor Morelli declared the motion carried.**

Trustee Lazansky moved, duly seconded by Trustee Sleigher that the bills, approved by the various committees of the Board, be approved for payment, and to approve warrants which authorize the Village Treasurer to draw checks to pay the bills, to be signed by the authorized signers, as provided for by the Ordinances of the Village of Stickney.

**Upon the roll call, the following Trustees voted:
Ayes: Trustees De Leshe, Gomez, Lazansky, Savopoulos, Sleigher and White
Nays: None
Mayor Morelli declared the motion carried.**

Trustee Lazansky moved, duly seconded by Trustee Savopoulos to accept the report from the Illinois Department of Revenue for sales tax collected for the month of June, 2014 indicating the sum of \$46,856.95.

**Upon the roll call, the following Trustees voted:
Ayes: Trustees De Leshe, Gomez, Lazansky, Savopoulos, Sleigher and White
Nays: None
Mayor Morelli declared the motion carried.**

Trustee White moved, duly seconded by Trustee Gomez to accept the report from the Illinois Department of Transportation for the month of August, 2014 in the amount of \$10,054.49.

**Upon the roll call, the following Trustees voted:
Ayes: Trustees De Leshe, Gomez, Lazansky, Savopoulos, Sleigher and White
Nays: None
Mayor Morelli declared the motion carried.**

Mayor Deborah Morelli introduced Koppers' representatives Jason Bakk, Steve Paterson and Attorney Michael Del Galdo. Mr. Bakk, Koppers Stickney plant manager, proceeded to give a project overview of a \$45 million investment to the Koppers plant. An event timeline showed that environmental permitting will start in the fall of 2014 including final engineering designs and site preparation. Construction will begin in early 2015 and new operations will begin in late 2015. An additional \$10 million will be invested to limit emissions in the next 5 years. They expect a 10% increase in local workforce. New controls will limit emissions and odors.

Trustee Lazansky moved, duly seconded by Trustee Sleigher to take from the table Ordinance 2014-06, "An Ordinance for the Annual Budget and Appropriations for the Village of Stickney, Cook County, Illinois for Fiscal Year Beginning May 1, 2014 and Ending April 30, 2015.

Attorney Kreger said it was tabled until the next meeting, therefore it is off the table anyway.

Trustee Lazansky moved, duly seconded by Trustee Sleigher to pass the Ordinance 2014-06 for the annual budget.

Upon the roll call, the following Trustees voted:

Ayes: Trustees De Leshe, Gomez, Lazansky, Savopoulos, Sleigher and White

Nays: None

Mayor Morelli declared the motion carried.

Prior to the vote, Trustee De Leshe asked what the reduced amount from the original one was. Treasurer Kasnicka explained it was \$271,000. He said that he took out some things that he knew were not going to be expended. Trustee De Leshe was told that there was going to be a 15% increase in water. De Leshe asked about an increase in garbage. Kasnicka told him that it is still to be determined. He said that he has some additional revenue from last year's budget but that is for another time if the board wishes to raise it for more revenue. Kasnicka admitted that there is a small increase. But, it does not take effect unless the board passes an ordinance specifically increasing that. The treasurer explained that right now it is \$12 per month and increasing \$3 making it \$15. That was the discussion but, we would have to get a consensus to go ahead with that. This is just for budget purposes. That is what you would decide at a later date. Kasnicka assured us that there is no effect on the garbage rates, it is only for budget purposes. He said that our garbage rates are the lowest rates in the area. When we do need some additional money this is one source to raise it a little bit. Again he said that it can be determined later.

Trustee DeLeshe asked where our tax levy stands at this time. Kasnicka said that our tax levy stayed the same. We were told that the tax levy is filed in December. One of the things you have to do is determine how much money you are going to levy 30 days before you approve the tax levy. Kasnicka said that at one of the meetings in October he is going to have three proposals. Right now there is an increase to the general fund for \$25,000. The second one would be small increase for the police pension

fund. The last one is the bond & interest fund. He explained that he will give the trustees three options to pick from. From there he will prepare the tax levy. He doesn't spend the time to do three tax levies. He will give them a summary so they can decide on how to handle the taxes. You could go with the "no increase", or, do a nominal increase. The worst case scenario is 1.5% if you did everything. If you so choose you don't want to raise it, you have that option. We will have that available in October to have you decide the final numbers on that.

Trustee White stated that the first budget was \$500,000 short, wasn't that correct? Treasurer Kasnicka said that the amount we went into reserves was \$550,000. Right now we knocked \$250,000 out of that so the current amount we are short is \$300,000. Trustee White asked, "So the only way to have a balanced budget is to increase the tax levy?" Kasnicka told him, "Not just an increase in the tax levy but it is a combination of raising more revenues whether it is the tax fees, raising the garbage fees. . . . Trustee White asked if the garbage fees would make up the \$300,000. The answer was, "No". The treasurer then said that this is part of the equation. The other side is to look at the expenditures. Hopefully we don't have to spend for certain things. We could still get some savings out of some accounts. But, obviously not as much because we took some of it out. He went on to say that looking at the expenditure side we have achieved some of that.

Attorney Kreger stated that historically we spend less than what we appropriate. Trustee White said that we took that fluff out. Kasnicka said that historically what the goal here is to break even. We are not here to make money. Yet, we can't lose money here.

Trustee Sleighter asked, "How can we progress when all we do is break even?" Cross talk took place at this point. Attorney Kreger explained that if the revenues go up you generally improve but what you spend things on. You can get better services.

Treasurer Kasnicka said that the budget is short term. . . . it is one year. Long term you are right, we will have to raise more revenues. Some things that are in the budget such as water. When the rates were not changed on January 1, 2013, the City of Chicago increased the rates 15% but the Village did not pass it on. Right now we are paying the City of Chicago approximately \$2 million. So, \$2 million at 15% is \$300,000. That is what we will be losing each year until we make an adjustment on the water rate. Kasnicka went on to say that when we talked about doing East Avenue (sewer repair).....we just went into reserves to finish the water tower. He defined the water usage. Sixty percent is industrial and Koppers is the big one there, 10% is commercial and 30% is residential. Trustee Sleighter asked why the village keeps eating the water rate increases. Trustee Savopoulos asked the treasurer what we take in revenue for water. Kasnicka replied that \$3.4 million approximately is taken in. He said that the ratio is that 2/3 is going out to the City of Chicago. The ratio had been 50%. If we brought more money in we would bring that ratio back down and that would make more money available to do things like the East Avenue project. By the time you pay for the water and the other operating expenses you are pretty close where you are going into reserves. We cannot do anymore big projects right now.

Trustee Lazansky asked how many water main breaks have we had. The Public Works Supervisor informed us that the most recent one cost us \$25,000 and we have had six or eight. He told us that other towns have 30 to 50 breaks. Our infrastructure is up to 100 years old.

Treasurer Kasnicka went on to give multiple examples over how we have to run as a business. Ultimately we need to bring in more money. We could raise commercial or industrial rates and if you want to give a break to the homeowners. Trustee Lazansky made comments about being stagnant and the effects into the future. The treasurer told us that we could cut expenditures as much as possible but we will have to raise money eventually. Things come up. Public Works is looking for another truck. We have the ambulance in the works right now. Somehow we need the revenue to do these things.

Trustee Savopoulos remarked that there is no plan. He reminded us that every piece of equipment has a life. Kasnicka projected additional revenue coming in from Koppers' expansion permit fees and the race track possibly in the future. Trustee DeLeshe asked about the costs of projects. Kasnicka said that East Avenue will cost about \$280,000 and \$20,000 was spent for the Harlem Avenue sink hole early in the summer.

Trustee Sleighter moved, duly seconded by Trustee Gomez to table the consideration of Architects Frega Associates' Proposal for the Stickney Police Department Entrance Renovation FA#D4501 until further review for an indefinite time.

Upon the roll call, the following Trustees voted:

Ayes: Trustees De Leshe, Gomez, Lazansky, Savopoulos, Sleighter and White

Nays: None

Mayor Morelli declared the motion carried.

Trustee White moved, duly seconded by Trustee Savopoulos to Pass and Approve Ordinance 2014-07, "An Ordinance Amending Chapter 14, "Motor Vehicles and Traffic" by Amending Sec. 14-161.1 Creating Additional Residential Parking Zone."

Upon the roll call, the following Trustees voted:

Ayes: Trustees Gomez, Lazansky, Savopoulos, Sleighter and White

Present: Trustee DeLeshe

Nays: None

Mayor Morelli declared the motion carried.

Trustee Sleighter moved, duly seconded by Trustee Gomez to pass Ordinance 2014-08, "An Ordinance Repealing Section 2-254, and "Qualifications of Employees".

Upon the roll call, the following Trustees voted:

Ayes: Trustees De Leshe, Gomez, Lazansky, Savopoulos, Sleighter and White

Nays: None

Mayor Morelli declared the motion carried.

Trustee Lazansky moved, duly seconded by Trustee Savopoulos to grant permission to the Stickney-Forest View Lions Club to conduct their annual Candy Day Solicitation on Oct. 10 & 11, 2014.

Upon the roll call, the following Trustees voted:

Ayes: Trustees De Leshe, Gomez, Lazansky, Savopoulos, Sleighter and White

Nays: None

Mayor Morelli declared the motion carried.

Trustee Savopoulos moved, duly seconded by Trustee White to grant permission to the Girl Scouts of Greater Chicago to conduct their Fall Product Sale in the Village on October 1-30, 2014.

Upon the roll call, the following Trustees voted:

Ayes: Trustees De Leshe, Gomez, Lazansky, Savopoulos, Sleighter and White

Nays: None

Mayor Morelli declared the motion carried.

MAYOR REPORT: Mayor Morelli thanked everybody that participated and helped for the Fall Festival. There was \$16,000 in donations given toward the event. She especially thanked Koppers for their \$5,000 for the fireworks. We are in the black by \$2,000 less our sales tax.

CLERKS REPORT: Clerk McAdams informed the board that the previously approved block party for September 13, was cancelled by the requestor. The EPA provided a notice of violation at American Grading Company Landfill located at 5100 Lawndale, Summit.

Trustee Lazansky gave the police report for the month of August, 2014. The total number of calls for service; 2,084: Total number of E911 calls received; 603: Arrest by type: Traffic: 118; Village Ordinance Offences: 17; Warrants and Complaints: 7; Parking violations: 249; Total number of arrests/citations issued: 391; Total number of squad miles: 9,157; Total amount of gasoline used: 1,074.1 Average gas mileage/squad: 8.525 mpg.

Ordinance Activity Report for the month of August, 2014. Ordinance Investigations: 355, Business License Investigations: 8, Violation Notices Issued: 12, Miscellaneous Details: 183, S.L.O. Tickets: 0, Parking Citations Issued: 94,

DEPARTMENT REPORTS: Public Works Supervisor Jeff Boyajian notified us that the electronic recycling program collected the following: Printers with ink & toner equaled 203 pounds; 20 TVs and computer screen equaled 619 pounds; low grade scrap equaled 991 pounds for a total of 3813 pounds. In addition he received an email from our Village Engineer, Tim Geary, alerting him that the Motor Fuel Tax Funds are declining by 32%. This means that we will have fewer funds to fix roads. This is compounded by a yearly increase of 2.5% in the costs to fix roads.

Fire Chief Larry Meyer reminded us of a recent incident where an Elgin man started his furnace and his house blew up. He suggested that things can happen especially if

your furnace has been damaged in a flood. We were also informed of a 5,000 gallon heating fuel tank that was removed from the area of Edison School. There is a continuing program to get these tanks removed. There was one located near St. Pius and the convalescent home. There may be one located near Home School as well. They do leak and can cause the surrounding soil to be contaminated. Someone asked the chief about the all-terrain vehicle used at the Fall Festival. It came from MABAS and it is available for use because we are members. It didn't cost the village. It is usually for emergency uses. But, it does provide our department with training on its use. The large lights used at the event were also from MABAS, and another one was from the County. At 1:30 p.m. today there was a large explosion heard from a Southwest Airline jet taking off from Midway. The noise came from an engine exploding. The sound reverberated. The pilot declared an emergency and plane circled back to Midway.

Treasurer Kurt Kasnicka announced that our Motor Fuel Tax receipts are down a bit. We received a payment from Illinois Jobs Now in the sum of approximately \$26,000. The bad news is that the cost of salt is going up. He also divulged that we were charged a monthly bank fee from U.S. Bank to the tune of \$2,500. He mentioned that we were originally with Charter One prior to U.S. Bank taking it over. Charter One didn't charge any fees. He is in the process of talking to someone concerning these excessive fees. In the past we did get some proposals from other banks and we do have an approved agreement with BMO Harris. We may have to look at our options.

There being no further business, Trustee Lazansky moved, duly seconded by Trustee Gomez that the meeting be adjourned. Upon which the Board adopted the motion at 8:17 p.m.

Respectfully submitted,

Audrey McAdams, Village Clerk

Approved by me this of 2014

Deborah E. Morelli, Village Mayor

Village of Stickney
2014 Proposed Financing

The following chart shows the Village's outstanding bond issues.

<u>Series</u>	<u>Type</u>	<u>Remaining Principal</u>	<u>Maturity</u>	<u>Coupons</u>	<u>Call Date</u>
2004	General Obligation	\$945,000	12/1/2014-19	3.90% - 4.40%	12/1/14
2008	General Obligation (Alternate Revenue Source)	\$6,055,000	12/1/2014-28	3.25% - 4.50%	12/1/18
2011	General Obligation	\$1,835,000	12/1/2014-23	2.00% - 3.75%	12/1/18

Since the Series 2004 are callable on December 1, 2014 George K. Baum & Company is recommending the Village call these bonds and refinance them at interest rates that are lower than the rates on the outstanding bonds. In addition, the Village would issue \$500,000 in new money for various capital needs.

The proposed structure lowers the annual debt service from 2015 – 2018. In 2019 the remaining principal of the refunding bonds, as well as the \$500,000 in new money, would mature.

Because the Village's other bond issues (Series 2008 and 2011) are callable December 1, 2018, the Village can refinance those bonds on or around the call date to negate the impact of the Series 2014 new money maturing on December 1, 2019.



Crown Castle
2000 Corporate Drive
Canonsburg, PA 15317

August 12, 2014

VIA FedEx
7708 1898 1821

Village of Stickney
Attn: Kurt Kasnicka
6533 W. Pershing Road
Stickney, IL 60402

Re: Tower site: **STICKNEY PUBLIC WORKS**
Located at: 6419 W 43rd, Stickney, IL 60402
Site number: 828245

Dear Landlord:

Pursuant to Paragraph 2 of Schedule I to the First Amendment to Site Lease dated October 25, 2010, Landlord granted to Tenant the right to enlarge the Premises (the "Additional Premises") on the same terms and conditions as set forth in the Agreement subject to Landlord's reasonable approval and for a rental price per square foot equal to the lesser of the current rental price per square foot paid to the Landlord or \$1.50 per square foot.

Grantee hereby gives notice of its exercise of the Additional Premises for an additional 720 square feet for and in consideration of \$1,080.00/month (720 sq. ft. x \$1.50/month) subject to the terms and conditions set forth in the Agreement. Enclosed are drawings showing a more specific depiction of the Expansion Area.

Please sign below to acknowledge that you approve of the proposed expansion location depicted in the attached drawings. Please return one copy to me for our records in the enclosed envelope.

We will be sending the actual Amendment and other necessary documents to you for execution as soon as they are drafted by our outside counsel.

Thank you in advance for your continued cooperation with Crown Castle. If you have any further questions, please do not hesitate to contact me directly at (724) 416-2984 or Melanie.Norman@crowncastle.com.

Sincerely,

A handwritten signature in cursive script that reads 'Melanie Norman'.

Melanie Norman
Property Specialist – Chicago District
Midwest Area

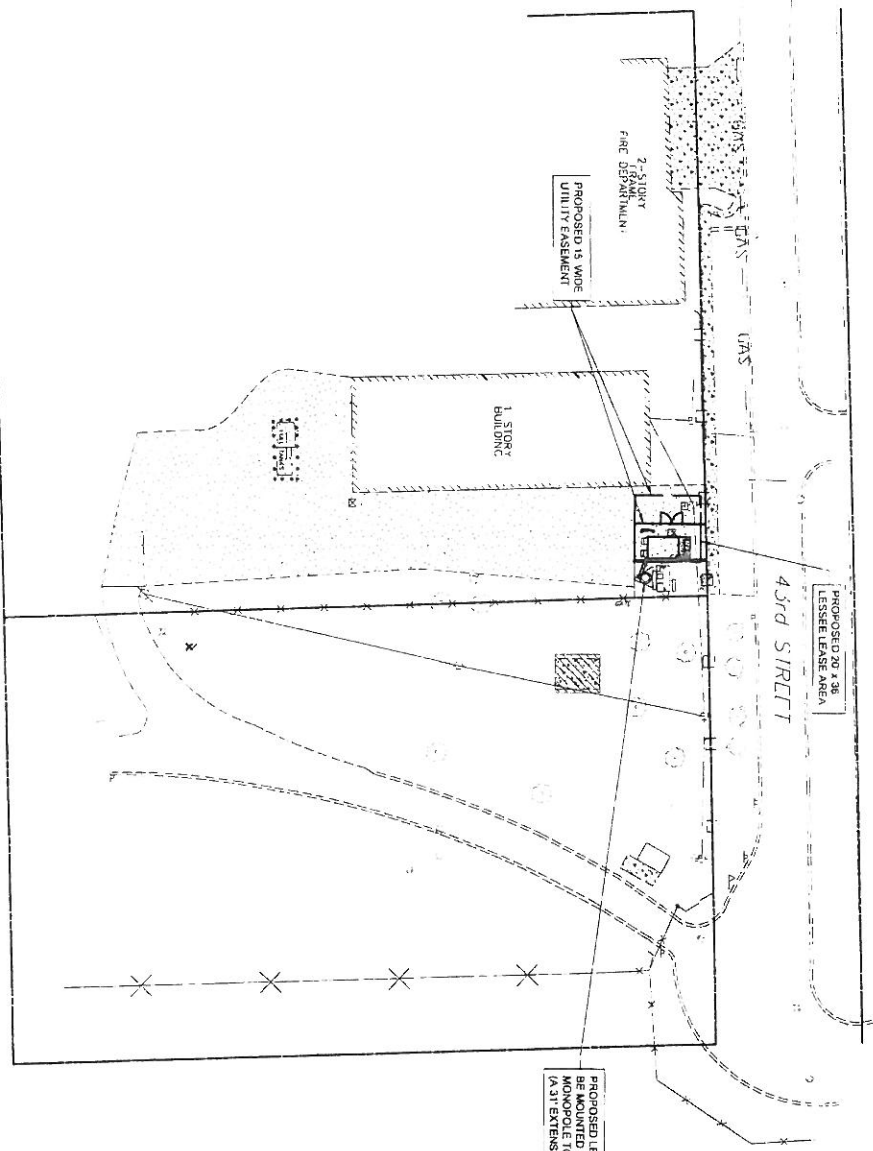
Expansion Area approved by :

Signature : _____

Name : _____

Date : _____

NOTE:
 LESSEE TO UTILIZE EXISTING
 ACCESS EASEMENT



THOMSON SURVEYING LTD.
 1000 N. WILSON AVE.
 CHICAGO, IL 60642
 TEL: (312) 311-1100
 FAX: (312) 311-1101
 WWW.TSLL.COM

THOMSON SURVEYING LTD.
 1000 N. WILSON AVE.
 CHICAGO, IL 60642
 TEL: (312) 311-1100
 FAX: (312) 311-1101
 WWW.TSLL.COM

CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING PAVEMENT OR UTILITIES CAUSED DURING CONSTRUCTION. SHALL BE REPLACED TO EXISTING OR BETTER CONDITION AT NO ADDITIONAL COST.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES EXISTING ON THE SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES EXISTING ON THE SITE.

CONTRACTOR TO PROVIDE APPROXIMATE 50' x 50' STAGING AREA AND TEMPORARY ROAD. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND RESTORE TO EXISTING CONDITIONS AS NECESSARY UPON COMPLETION OF THE PROJECT.

DATE OF: 1-25
 CHECKED BY: TAC
 DATE: 02/21/14
 PROJECT: 23141

LOC. #282606
 FORESTVIEW
 6419 W. 3RD STREET
 STICKNEY, IL 60402

THOMSON SURVEYING LTD.
 1000 N. WILSON AVE.
 CHICAGO, IL 60642
 TEL: (312) 311-1100
 FAX: (312) 311-1101
 WWW.TSLL.COM

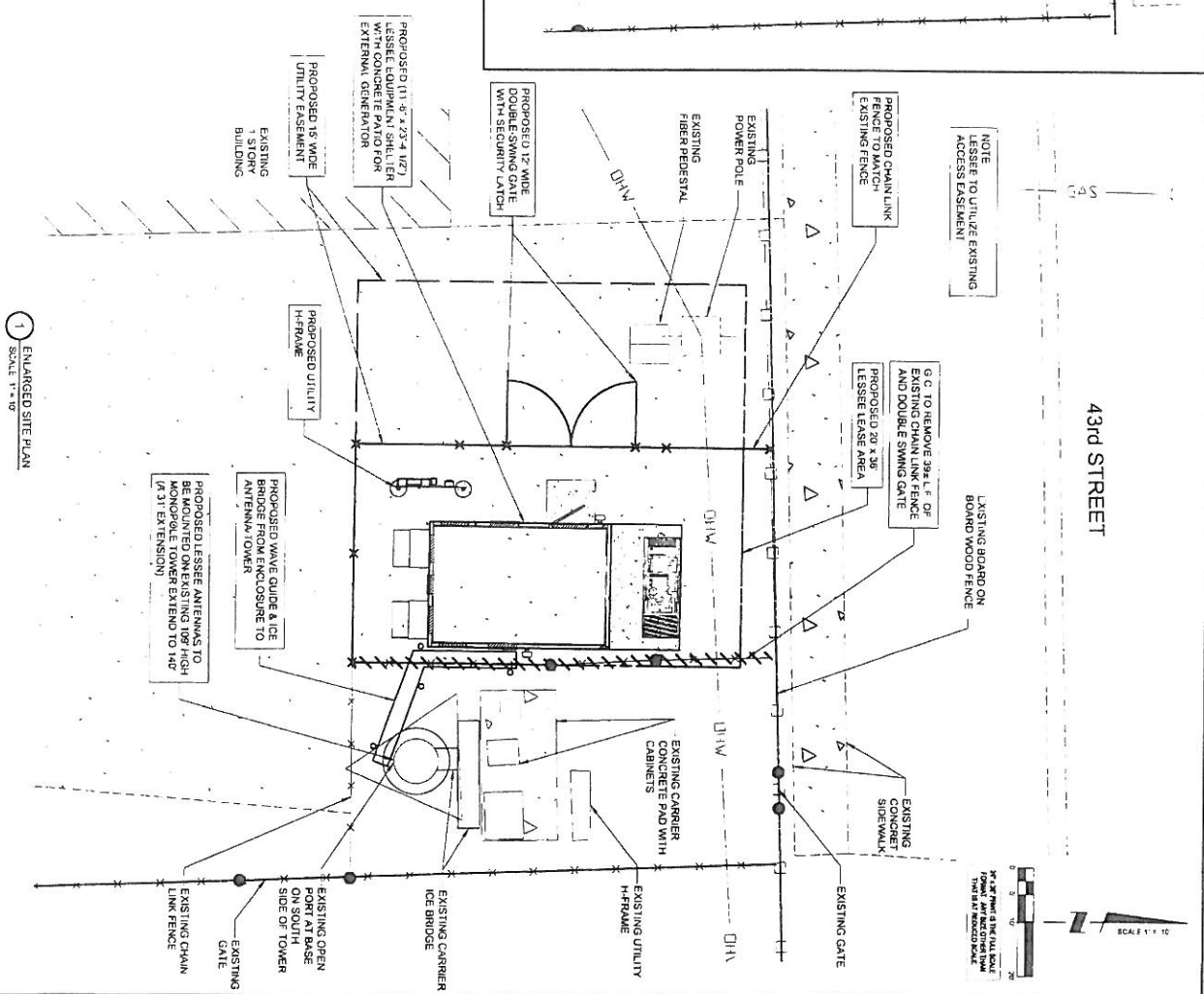
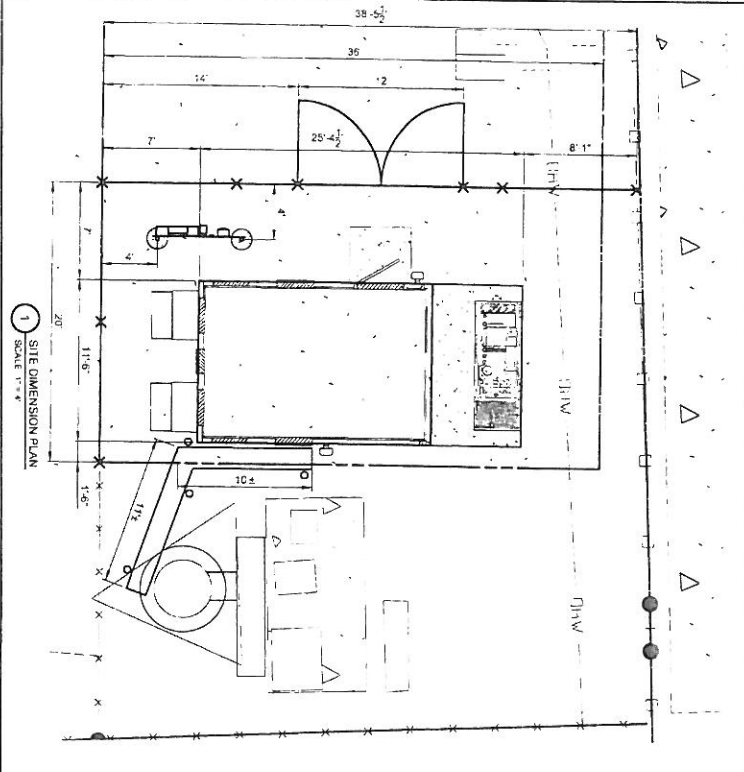
REVISIONS	DATE	BY
DESCRIPTION	02/21/14	TLS
ISSUED FOR REVIEW		

TERRA
 CONSULTING GROUP, LTD.
 600 Busskirk Road
 Oak Brook, IL 60069
 Tel: 630/598 6400
 Fax: 630/598 6400

CHICAGO SMSA
 limited partnership
 d/b/a VERIZON WIRELESS

THOMSON SURVEYING LTD.
 3775 W. 97th Road
 Suite 100
 Oak Brook, IL 60057
 Tel: 630.581.7700
 Fax: 630.581.7701
 Email: info@thomson-surveying.com

THOMSON SURVEYING LTD.
 3775 W. 97th Road
 Suite 100
 Oak Brook, IL 60057
 Tel: 630.581.7700
 Fax: 630.581.7701
 Email: info@thomson-surveying.com



LOC: #282606

FORESTVIEW

6419 W 3rd STREET
 STICKNEY, IL 60402

REVISIONS

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR REVIEW	02/12/14	TJS

TERRA
 CONSULTING GROUP, LTD.

6000 Lusk Highway
 Park Ridge, IL 60068
 Tel: 847/698 6400
 Fax: 847/698 6400

CHICAGO SMSA
 limited partnership
 d/b/a VERIZON WIRELESS

C-1

ENLARGED SITE PLAN

DRAMA

Checked by: TJS
 Date: 02/12/14
 Initials: TJS

SCALE

1" = 10'

Dear Municipality,

The Emergency Equipment Memorandum of Understanding (MOU) outlines the acquisition of emergency equipment by Cook County municipalities from the Cook County Department of Homeland Security and Emergency Management (DHSEM). The MOU specifies the equipment receipt and return procedures, as well as ownership, insurance, and liability limitations.

The DHSEM will be sending each municipality a digital copy of the signed Emergency Equipment MOU. Please provide an email address below:

Would you like a hard copy of the MOU in addition to a digital copy? Note: A hard copy will be mailed to the address provided in the signed MOU.

☐ Yes

☐ No

If you have any further questions or concerns regarding the Emergency Equipment MOU and its implications for your municipality, please contact Monica Schwarm, Special Legal Counsel, at (312) 603-8194 or Monica.Schwarm@cookcountyil.gov.

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE COUNTY OF COOK
AND
THE VILLAGE OF STICKNEY**

This **Memorandum of Understanding** (“Understanding”) is entered into by and between the County of Cook (“County”), a body politic and corporate of the State of Illinois, through its Department of Homeland Security and Emergency Management (DHSEM), and The Village of Stickney, an entity of local government (“Jurisdiction”). The County, the DHSEM and Jurisdiction are herein referred to collectively as the “Parties.”

RECITALS

WHEREAS, it is the policy of the DHSEM to assist other local government entities in the event of an emergency or disaster by making equipment available to them that can assist in mitigating against, responding to, or recovering from an emergency event or disaster as efficiently and effectively as possible; and

WHEREAS, the DHSEM works to support local government entities with their emergency equipment needs during emergency events or disasters; and

WHEREAS, The Village of Stickney wishes to be able to avail itself of assistance from DHSEM when necessary by obtaining emergency equipment from DHSEM to enable the Village of Stickney to better respond to an emergency event or disaster; and

WHEREAS, the purpose of this Understanding is to provide disaster response assistance through the use of DHSEM emergency equipment when local and regional resources are insufficient to meet the response needs of the Jurisdiction.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein, the Parties hereby agree as follows:

I. INCORPORATION OF RECITALS

The recitals set forth above are incorporated herein by reference and made a part hereof.

II. PROCEDURE FOR REQUESTING EMERGENCY EQUIPMENT

In the event of an emergency or disaster for which the Jurisdiction wishes to use DHSEM emergency equipment, the Village of Stickney must contact the DHSEM Duty Desk at 312.603.8185 or through WebEOC to request the equipment.

After verifying the request is being made by an authorized entity, DHSEM will acknowledge receipt of the request, verify its content, and coordinate initiation of the response plan. DHSEM will require the following information:

- Name of the requesting agency
- Nature of the incident
- Equipment requested
- Staging area for the equipment
- Name of contact person at staging area
- Call-back telephone number of contact or command person
- Directions to staging area
- Any other special details or instructions for responding personnel/equipment

Once a request for equipment has been received and approved, the Jurisdiction initiating the request shall coordinate with the DHSEM Duty Desk to assure personnel are assigned to the designated staging area in order to meet the arrival of DHSEM personnel/equipment. The equipment mobilized, designated staging area and number of personnel assigned shall be coordinated and confirmed with the DHSEM Duty Desk.

A request for DHSEM equipment or mutual aid requires the approval of the chief officer from the relevant department of the requesting Village of Stickney, or director of the organization with respect to mutual aid associations. A duly authorized individual acting on behalf of the chief/director may make the request.

Unless otherwise expressly provided, or later agreed upon, the responsible official of the Village of Stickney requesting equipment and/or mutual aid shall remain in charge. It is operationally essential that the local official coordinate all actions with responding agencies to ensure an effective application of forces.

The Village of Stickney requesting equipment and/or mutual aid is responsible for the following:

- Identifying numbers and types of mutual aid resources requested.
- Identifying specific missions for mutual aid responder tasking.
- Advising responders what equipment they should bring. □ Establishing an assembly area for responding resources.
- Identifying communications channels compatible with command and control of field resources.
- Designating a liaison officer to facilitate a coordinated assimilation of responding mutual aid resources.
- Preparing a situation briefing including local maps for responders.
- Providing logistical support such as food, lodging, rest intervals and equipment maintenance as appropriate, for mutual aid personnel.

III. OWNERSHIP OF EQUIPMENT AND EQUIPMENT RETURN

All equipment provided by DHSEM to the Village of Stickney pursuant to this Understanding shall remain the property of DHSEM and County. The Village of Stickney, regardless of type of activation, shall work with DHSEM to ensure that equipment is utilized as effectively and efficiently as possible, including the release of equipment as soon as the situation is restored to a point which reasonably permits the Village of Stickney to satisfactorily handle the situation with their resources or the pre-planned event is concluded.

It is the responsibility of the Village of Stickney to replace any consumables or other supplies used from any piece of equipment utilized to address an incident. Appropriate inventory procedures should be utilized to ensure equipment and supplies are returned to the DHSEM in the same form they were received by the Jurisdiction.

All DHSEM equipment requiring motor fuel should always be stored with full tanks of fuel in preparation and readiness to respond to any emergency that may occur within Cook County. The Village of Stickney requesting DHSEM equipment will be responsible for the refueling of any utilized equipment to maintain an appropriate state of readiness.

IV. LIABILITY AND RISK OF LOSS FOR DAMAGE TO EQUIPMENT AND INJURIES TO PERSONNEL

The Village of Stickney shall assume all liability for the use of DHSEM equipment and utilizing the same will assume liability for all issues associated with the use or transit of the equipment, while under the control of that entity. Neither the County, DHSEM, nor its agents, shall be legally liable for any negligence or wrongful act either of omission or commission chargeable to the Village of Stickney or their agents; this shall not be construed as seeking either to enlarge or diminish any obligation or duty owed by one party against the other or against third parties.

The Village of Stickney utilizing DHSEM equipment will be liable and responsible for any damage caused to the equipment during the course of the mobilization and identified by DHSEM of up to \$5,000.00, where the equipment is not under the direct control and supervision of DHSEM.

No agency or agencies shall implement a local policy or policies, mutual aid agreements, memorandums of understanding or intergovernmental agreements that would delay the deployment of DHSEM equipment, contradict the intent of, or seek to or actually have the effect of, overriding these procedures.

V. TERM AND TERMINATION

The Term of this Agreement shall commence on February 19, 2014, and shall continue thereafter until terminated by either Party. Either Party may terminate this Agreement, for any reason or for no reason, by providing sixty (60) days written notice of its intent to terminate to the other Party. In the event of termination, the Parties shall complete their obligations established during the course of this Agreement.

VI. INSURANCE

The Village of Stickney shall be responsible for obtaining and maintaining liability insurance which provides coverage against loss or damage to property, including property damage to DHSEM's emergency equipment, and coverage for injury or death to persons which injury is associated with the use of DHSEM's emergency equipment. A copy of the insurance policy shall be provided to DHSEM.

VII. LIABILITY

It is understood and agreed that neither Party to this Understanding shall be legally liable for any negligence or wrongful act, either of omission or of commission, chargeable to the other and that this Understanding shall not be construed as seeking to enlarge or diminish any obligation or duty owed by one Party against the other or against third parties.

VIII. COMPLIANCE WITH THE LAW

Each Party shall comply with all relevant laws of any governing jurisdiction or authority. A Party's non-compliance with any relevant laws shall constitute a material breach of this Understanding.

IX. NON-EXCLUSIVITY

This Understanding is non-exclusive. Both Parties retain the right, at their sole discretion and without prior or subsequent notification to one another, to enter into similar Understandings with third parties not related to this Understanding.

X. ENTIRE AGREEMENT

This Understanding, including any exhibits, constitutes the entire agreement of the Parties with respect to the matters contained herein. This Understanding shall not be altered, modified or amended except by written instrument signed by both Parties hereto.

XI. GOVERNING LAW AND FORUM

This Understanding shall be interpreted under, and governed by, the laws of the State of Illinois, without regard to conflicts of laws principles. Any claim, suit, action or proceeding brought in connection with this Understanding shall be in the Circuit Court of Cook County and each Party hereby irrevocably consents to the personal subject matter jurisdiction of such court and waives any claim that such court does not constitute a convenient and appropriate venue for such claims, suits, actions or proceedings.

XII. SEVERABILITY

If any provision of this Understanding shall be held or deemed to be or shall in fact be inoperative or unenforceable as applied in any particular case in any jurisdiction or in all cases because it conflicts with any provision hereof or any constitution, statute, ordinance, rule of law, or public policy, or for any reason, such circumstances shall not have the effect of rendering any other provision contained herein invalid, inoperative or unenforceable to any extent whatsoever. The invalidity of any one or more phrases, sentences, clauses or sections contained in this Understanding shall not affect the remaining portions of this Understanding or any part hereof.

XIII. NOTICE

Immediately upon execution of this Understanding, the following individuals will represent the Parties as a primary contact in all matters related to this Understanding. All notices given under this Understanding shall be in writing and shall be either (a) served personally during regular business hours; (b) served by facsimile transmission during regular business hours with the mailing of the originals using the U.S. Mail on the same day, postage prepaid; or (c) served by certified or registered mail, return receipt requested, properly addressed with postage prepaid and deposited in the U.S. Mail. Notices served personally or by facsimile transmission shall be effective upon receipt, and notices served by mail shall be effective upon receipt as verified by the U.S. Postal Service.

Notice to County/DHSEM shall be addressed to:

Michael Masters
Executive Director
Cook County Department of Homeland Security & Emergency Management
69 West Washington Street, Suite 2630
Chicago, IL 60602

Notice to the Village of Stickney shall be addressed to:

XIV. COOPERATION WITH INSPECTOR GENERAL

The Village of Stickney shall have the duty to cooperate in the conduct of any investigation undertaken by the Office of the Independent Inspector General (OIIG) in accordance with Section 2-285 of the Cook County Code of Ordinances. Any refusal to cooperate with the OIIG as required by the OIIG Ordinance shall subject Jurisdiction to penalties as outlined in Section 2-291 of the cook county Code of Ordinances.

IN WITNESS WHEREOF, this Understanding is hereby executed on behalf of the Parties through their authorized representatives as set forth below.

ON BEHALF OF COOK COUNTY:

By: Michael Masters
Executive Director
Cook County
Department of Homeland Security & Emergency Management

Date

ON BEHALF OF JURISDICTION

By: _____

Date

Approved as to form:

Cook County Assistant State's Attorney



PROPOSED RULEMAKING ON RAIL TANK CAR SAFETY

ISSUE SUMMARY & ACTION REQUEST

September 9, 2014

ISSUE SUMMARY:

In 2011, after a fatal ethanol train derailment in Cherry Valley, IL, the rail industry began the petition process before the Pipeline and Hazardous Materials Safety Administration (PHMSA) seeking improved performance standards for new rail tanks cars carrying liquid hazmat in recognition that the current “workhorse” tank car of the fleet (the DOT-111) has a high tendency to puncture in accidents. These efforts began two decades after the National Transportation Safety Board had warned industry and regulators that there were significant safety-related flaws in this tank car’s design. In 2012, the Illinois TRAC Coalition also petitioned PHMSA for improved standards to cover both new and existing tank cars.

The rulemaking process stalled, however, until the derailment of a crude oil train in Lac-Megantic, Quebec in July 2013 that killed 47 people. After that tragedy, PHMSA finally released its Advance Notice of Proposed Rulemaking (ANPRM) last fall asking for input into what safety-enhancing provisions should be included in the rulemaking. The comment period for that phase of the process was completed in December 2013, with those comments serving as the basis for ***the rules PHMSA has now outlined in the NPRM that was released on August 1. Interested parties will have until September 30, 2014 to weigh in on the proposed rules the agency is planning to promulgate.***

While there are some positive aspects of the rules being outlined by PHMSA, including better safety standards and enhanced braking requirements for tank cars, there is a fundamental defect that must be rectified to adequately protect the safety of the public and the environment. **Rather than having the rules apply to all tank cars carrying flammable hazmat, PHMSA chose to minimize the scope of the rulemaking to deal only with enhanced tank car standards and operational controls for “high-hazard flammable trains” or HHFTs** (defined as any train with 20 or more cars of Class 3 flammable liquids, which the agency believes will be limited to crude oil and ethanol.)

In doing this, PHMSA has exempted from any safety-related upgrades fully 40% of the liquid hazmat that is shipped by rail in deficient DOT-111 tank cars. Its rationale for doing so is not supported by the evidence PHMSA provides from its review of 46 mainline derailments that occurred between 2006 and 2013. Those derailments show that the breach of even a single or a small number of tank cars can result in a significant release of hazmat. In 43 of the 46 mainline derailments used by the agency to support limiting new tank car standards and enhanced operational control to HHFTs, the accidents involved fewer than 20 tank cars releasing their contents. In fact, in 20 of these derailments, only a single tank car was breached. With 93% of these mainline derailments involving fewer than 20 tank cars breaching, it’s indefensible for PHMSA to apply its rules solely to HHFTs.

The flammable hazmat that would be allowed by PHMSA to remain in DOT-111 tank cars for the next 40 years unless the agency can be convinced to adjust course on this exemption, includes highly dangerous substances like gasoline, diesel fuel, condensate, aviation fuel, acetone, corrosive flammable liquids, oil sands, and even crude oil and ethanol if it is on a manifest train. **Therefore, TRAC believes that any tank car carrying liquid hazmat must meet the most robust tank car standards as outlined in the NPRM.**

The NPRM also fails to adequately address emergency preparation and response for rail hazmat incidents at the local level -- where all emergencies occur. It is critical that new rules require that railroads provide adequate notice to local emergency responders of the type and frequency of hazmat transported within their jurisdictions. Railroads should also be required -- subject to PHMSA and FRA audit and enforcement -- to provide appropriate hazardous materials training and materials to local emergency responders, including the location of sufficient quantities of hazmat response assets to enable a coordinated response effort among the local responders and the railroad. Joint response training events between the railroad and local responders should be required with a reasonable amount of frequency.

ACTION REQUEST OF LOCAL GOVERNMENTS:

It is vital that local governments weigh in on this NPRM prior to the September 30, 2014 comment deadline.

To that end, a sample resolution is attached that local units of government can adopt and forward to PHMSA to indicate their support for the NPRM changes detailed in this summary.

Please act expeditiously to pass this resolution. Once adopted, a copy of your government's resolution should be submitted in **one** of three ways:

- Through the Federal Rulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Via Fax: 1-202-493-2251.
- By mail: Docket Management System; U.S. Department of Transportation, West Building, Ground Floor, Room W12-140, Routing Symbol M-30, 1200 New Jersey Avenue SE., Washington, DC 20590.

Instructions: All submissions must include the agency name and docket number for this notice (as shown in the model resolution) at the beginning of the comment. To avoid duplication, please use only one of the three methods of delivery.

Any questions you may have on this matter can be directed to FightRailCongestion@gmail.com. Thank you!

(CITY, TOWN, VILLAGE, COUNTY OF _____) RESOLUTION
REGARDING

NOTICE OF PROPOSED RULEMAKING PROCEEDINGS
“HAZARDOUS MATERIALS: ENHANCED TANK CAR STANDARDS AND
OPERATIONAL CONTROLS FOR HIGH-HAZARD FLAMMABLE TRAINS”

BEFORE THE PIPELINES AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
IN DOCKET NO. PHMSA-2012-0082 (HM-251)

Whereas, each day, rail freight operations impact thousands of villages, towns, cities and counties across all regions of the United States of America; and

Whereas, safe rail operations are of critical interest to local units of government based on the need to prevent catastrophic accidents like the one that occurred in Lac-Mégantic, Canada in July 2013 as well as several others since then; and

Whereas, local governments have the responsibility to provide emergency response to manage the impact of rail accidents and derailments in communities across the country and to oversee clean up and environmental remediation; and

Whereas, clean up, environmental remediation, medical expenses other personal injury damages or wrongful death claims for community residents have the potential to surpass the rail industry’s ability to pay for them; and

Whereas, ethanol, crude oil, and other flammable Class 3 hazmat are a large and exponentially growing segment of rail freight being shipped across the nation and will continue as a growing and market-flexible transport mode for this hazmat; and

Whereas, since 1991, it has been known to industry and federal regulators that there are safety-related defects in the DOT-111 tank car that serves as the primary tank car used in the shipping of these hazardous flammable materials via freight rail; and

Whereas, the federal Pipelines and Hazardous Materials Safety Administration (PHMSA) regulates the safe transport of hazardous materials by railroads in the United States with the mission “to protect people and the environment from the risks of hazardous materials transportation”; and

Whereas, the business decisions of railroad companies and hazardous material shippers impact the safety, environment, and emergency response systems in the communities in which the freight railroads traverse, but state and local governments have no ability to regulate railroad operations; and

Whereas, industry has failed to act in the last two decades to correct the known safety deficiencies in DOT-111 tank cars despite repeated National Transportation Safety Board warnings, and waited until 2011 to seek government approval to upgrade safety standards for tank cars meant to carry liquid hazmat; and

Whereas, the comments submitted to PHMSA on December 5, 2013 by Barrington, Illinois and the Illinois TRAC Coalition reflect the point of view of local governments, which is supported by recommendations of the National Transportation Safety Board, that changes are needed in federal regulations and/or law to better protect public safety relative to tank car safety standards; and

Whereas, the August 1, 2014 NPRM released by PHMSA proposed various regulatory options for improving the crashworthiness of tank cars consisting of three standards of robustness and Option 1 is the best solution for maximizing the crashworthiness of tank cars and will best protect the public's safety; and

Whereas, the NPRM undercuts the strength of the proposed rules by limiting its coverage to only "high-hazard flammable trains" (HHFTs), defined as trains composed of 20 or more cars of Class 3 flammable liquids, and thereby exempts over 40% of rail car origins involving Class 3 hazmat commodities; and

Whereas, placed in the 2012 data context provided by PHMSA, this exempts from improved safety regulations 281,404 tank car originations annually – or 771 carloads of flammable hazmat traveling each day of the year in deficient tank cars throughout the United States; and

Whereas, if PHMSA does not bar the use of DOT-111 tank cars for all flammable hazmat service in its new regulations, those deficient tank car will be allowed to carry dangerous liquid hazmat for the remainder of their useful life (up to another 40 years); and

Whereas, any regulatory solution should solve the whole problem and not provide the public with a false sense of security around the rail transport of hazmat because federal Hazardous Materials Regulations (HMR) are designed "to ensure that hazardous materials are packaged safely" – meaning ALL hazmat, and not just large quantities; and,

Whereas, PHMSA's rationale for limiting the coverage of its new rules to HHFTs is not supported by the evidence the agency provides from its review of 46 mainline derailments that occurred between 2006 and 2013, in that those derailments show that the breach of even a single or a small number of tank cars can result in a significant release of hazmat; and

Whereas, a DOT-111 tank car is too dangerous for the shipment of any Class 3 hazmat and allowing a regulatory gap that extends their use for this transport will likely encourage industry to make operational changes that will continue to endanger the public and pose an environmental hazard; and

Whereas, it is critical in the event of a hazardous materials rail incident that local emergency responders are prepared and have access to adequate resources to appropriately respond; and

Whereas, preparation begins with local responder knowledge of what hazardous material is passing through a locality and the proper response beforehand, and

Whereas, railroads have the ability to inform local emergency responders about the hazmat threat to their localities and provide training for response to such, including information about the location and sufficiency of railroad assets which can be deployed to assist in an emergency response, and

Whereas, railroads have the ability to make the existence and location of hazardous cargo consists available promptly and directly to local emergency responders in the event of a rail incident;

Therefore, Be It Resolved by the Corporate Authorities of _____, (State) as follows:

Section 1: We support comments seeking to insure that all tank cars used in the transport of Class 3 flammable hazmat, not only those in HHFTs, will be covered by the agency's new rules.

Section 2: We support comments supporting the Option 1 tank car standards, as that maximizes the crashworthiness and best protects public safety, as outlined in detail in Docket No. PHMSA-2012-0082 (HM-251).

Section 3: We support comments seeking to require railroads to provide to local emergency responders: adequate and timely information about the hazmat traveling through their jurisdictions, sufficient training to prepare for emergencies, including response support from the railroads transporting such hazmat in order to provide an effective and coordinated response to hazmat rail incidents.

Section 4: This Resolution shall take effect from and after its passage and approval as provided by law.

Section 5: This adopted Resolution shall be sent to the Pipelines and Hazardous Materials Safety Administration in Docket No. PHMSA-2012-0082 (HM-251) urging expeditious action so that rail transport of all Class 3 hazmat is covered by the rules promulgated from the August 1, 2014 PHMSA NPRM.

PASSED THIS ____ DAY OF _____, 2010 BY ROLL CALL VOTE AS FOLLOWS:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

APPROVED THIS ____ DAY OF _____, 2012

BY: _____

(Print Name) _____

(Title) _____

ATTESTED AND FILED THIS ____ DAY OF _____, 2012

(Print Name) _____

(Title) _____

<mayor@thevillageofsummit.com>; "Mayor Tobolski, McCook" <jtobolski@villageofmccook.org>;
"Mayor Tobolski, McCook 2" <rbotica@villageofmccook.org>; "President Abu-Taleb, Oak Park"
<anan@oak-park.us>; "President Adduci, River Forest" <cadduci@river-forest.us>; "President
Andrews, Indian Head Park" <admin@indianheadpark-il.gov>; "President Chmura, Norridge"
<jchmura@villageofnorridge.com>; "President Cummings, Hodgkins"
<ncummings@villageofhodgkins.org>; "President Discipio, LaGrange Park"
<james.discipio@gmail.com>; "President Discipio, LaGrange Park 2" <jdiscipio@lagrangepark.org>;
"President Getty, Lyons" <chris@gettyins.com>; "President Getty, Lyons 2" <cgetty@villageoflyons-
il.net>; "President Grenvich, Forest View" <fvvilloffice@comcast.net>; "President Jones, Broadview"
<villagehall@broadview-il.gov>; "President Ketchmark, Brookfield" <kpketch91@comcast.net>;
"President Livingston, LaGrange" <tlivingston@villageoflagrange.com>; "President Livingston,
LaGrange 2" <rpilipiszyn@villageoflagrange.com>; "President May, River Grove" <pres@vorg.us>;
"President Mazzulla, Stone Park" <bmazzulla@vosp.us>; "President Morelli, Stickney"
<dmorelli@villageofstickney.com>; "President Nowaczyk, Willow Springs"
<anowaczyk@willowsprings-il.gov>; "President Pedersen, Franklin Park" <president@vofp.com>;
"President Pedersen, Franklin Park 2" <barrett@vofp.com>; "President Piltaver, Schiller Park"
<mayor@villageofschillerpark.com>; "President Pulia, Westchester" <spulia@westchester-il.org>;
"President Rodeghier, Western Springs" <wrodeghier@wsprings.com>; "President Saviano, Elmwood
Park" <asaviano@elmwoodpark.org>; "President Sells, Riverside" <bsells@riverside.il.us>;
"President Tamburino, Hillside" <jtamburino@eqrworld.com>
Cc: Rich Pellegrino <rpell@westcook.org>; "njames@westcook.org" <njames@westcook.org>;
"Brian Pabst, Berwyn" <bpabst@ci.berwyn.il.us>; "Cara Pavliceck, Oak Park" <cpavliceck@oak-
park.us>; "Cara Pavliceck, Oak Park 2" <villagemanager@oak-park.us>; "Chet Strzelczyk, Summit"
<cstrzelczyk@thevillageofsummit.com>; "Chet Strzelczyk, Summit" <chet@summit-il.org>; "David
Hough, Franklin Park" <comptroller@vofp.com>; "Eric Palm, River Forest" <epalm@river-forest.us>;
"Frank Calistro, River Grove" <admin@vorg.us>; "Frank Yurka, Forest View"
<frankyrka@forestview-il.org>; "Gail Paul, Countryside" <gpaul@countryside-il.org>; "Janet
Matthys, Westchester" <jmatthys@westchester-il.org>; "Jeff Boyajian, Stickney"
<jboyajian@villageofstickney.com>; "John Brooks, Indian Head Park" <jbrooks@indianheadpark-
il.gov>; "Julia Cedillo, LaGrange Park" <jcedillo@lagrangepark.org>; "Kevin Barr, Schiller Park"
<kbarr@villageofschillerpark.com>; "Maria Punzo-Arias, Cicero" <marias@thetownofcicero.com>;
"Marian Gibson, Berkeley" <mgibson@berkeley.il.us>; "Melody Salerno, Hodgkins"
<msalerno@villageofhodgkins.org>; "Pat Higgins, Western Springs" <prhiggins@wsprings.com>;
"Paul Volpe, Elmwood Park" <pvolpe@elmwoodpark.org>; "Peter Scalera, Riverside"
<pscalera@riverside.il.us>; "Peter Tsiolis, Bellwood" <ptsiolis@vil.bellwood.il.us>; "Riccardo Ginex,
Brookfield" <rginex@brookfieldil.gov>; "Russell Wajda, Hillside" <rwajda@hillside-il.org>; "Thomas
Sheahan, Lyons" <webmail@villageoflyons-il.net>; "Tim Gillian, Forest Park"
<tgillian@forestpark.net>; "William Murray, Willow Springs" <wpm@willowsprings-il.gov>

Sent: Monday, September 15, 2014 1:03 PM

Subject: Rail Tank Car Safety Rulemaking Action Request: Comments Due September 30

Mayor:

If you are from a community with railroad tracks which run through your town and you are concerned about rail tanker car safety, you will likely find this email helpful.

As you may know, the Federal Pipeline and Hazardous Materials Safety Administration (PHMSA) is currently engaged in a rulemaking on rail tanker car safety. In fact, public comments are due by September 30. Mayors Karen Darch of Barrington and Tom Weisner of Aurora, leaders of the TRAC Coalition, have asked me to provide the attached documents to you in the event your municipality wants to submit comments by the end of the month. The first is an action request which summarizes the rulemaking. The second is a model resolution.

Mayors Darch and Weisner encourage you to consider adopting the model resolution. Directions on where and how it should be submitted to PHMSA are provided on the second page of the action request summary. If your Board or Council is unable to pass the resolution by the September 30 deadline, they ask that you consider sending a letter making the same points as the resolution instead. The letter should be submitted using one of the three options mentioned on the second page of the action request summary as well.

Any questions you may have regarding the attached documents can be directed to fightrailcongestion@gmail.com.

Finally, I've been told that over one-third of the comments PHMSA received when it previously held public hearings in 2013 on the tanker car safety issue were from local officials from Illinois. If you filed comments last year, it's probably more important that you weigh in with comments on the current rulemaking.

Dave

Dave Bennett, Executive Director
Metropolitan Mayors Caucus
233 S. Wacker Drive, Suite 800
Chicago, IL 60606

O: 312.201.4505

F: 312.258.1851

C: 312.315.3187

E: dbennett@mayorscaucus.org



The Salvation Army

Founded in 1865 by William and Catherine Booth

DOING THE MOST GOOD™

Metropolitan Division

Andre Cox
General

February 19, 2014

Paul R. Seiler
Territorial Commander

Ralph Butkiewicz
Lt. Colonel
Divisional Commander

Ms. Audrey McAdams
Village Clerk
Village of Stickney
6533 W. 39th Street
Stickney, IL 60402

Dear Ms. Audrey McAdams:

On behalf of the grateful Chicago communities that benefit from the donations collected on city streets, we thank you for your support over the years for The Salvation Army's annual Donut Day and Red Kettle Campaign. With your generous help, we were able to raise over \$11 million for our 2013 Campaign.

As our community continues to fight economic hardship, we are reminded that the need for social services continues to grow. During these trying times, The Salvation Army commits to providing a ray of hope for the less fortunate year-round, and we could never do it without you.

As in years past, we would like your support and permission to conduct the following fundraising campaigns on the public sidewalks and right-of-ways:

DONUT DAY

Friday and Saturday, May 30 and 31, and June 6 and 7, 2014

RED KETTLE CAMPAIGN

Friday, November 7, 2014 through Wednesday, December 24th, 2014

Enclosed is a confirmation form. Please take a few minutes to fill it out, specifying any requirements or notes you'd like us to acknowledge. Please be sure to keep a copy for your records. Fax and email transmittal information is on the form. For any additional information, please feel free to call or email Twyla Brookins: (773) 205-3257 or Twyla_Brookins@usc.salvationarmy.org. We look forward to hearing from you soon.

Sincerely,

Suzanne Ploger
Development Department

RECEIVED

SEP 29 2014

September 26, 2014

Dear Stickney Village Board, **VILLAGE OF STICKNEY**

On behalf of the Edison School PTA and Dr. Jan Bernard we would like to inquire about distributing Market Day flyers to Stickney residents. NEHS (National Honor Society) students from Edison would distribute these flyers once a month during the fall and spring in order to generate more revenue for the PTA. This has been successful in the past and is a good opportunity for NEHS students to accumulate volunteer hours. Thank you for your consideration.

Respectfully submitted,
Linda Campos
Vice President

Stickney-Forest View Lions Club

62 Years of Service

"Watch
1-A
Mushroom"



1952



2014



Village of Stickney
Village Board
6533 w. Pershing
Stickney, IL 60402

RECEIVED
OCT 3 - 2014
VILLAGE OF STICKNEY

Oct. 1, 2014

Dear Mayor & Trustees,

I would like to thank Deputy Chief Jaczak, Chief Larry Meyer, and Supervisor Boyajian for their efforts making our Inaugural 5K Run/ Walk a success which went off on Sunday, September 28th without any major issues and was very successful.

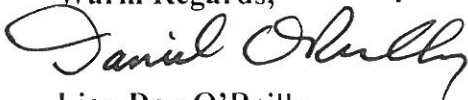
The Stickney-Forest View Lions Club is requesting permission to hold the Second Annual Charity 5K Run/Walk for Breast Cancer Research, on Sunday, September 27th, 2015 at 8:00am.

We will start and end at 41st & Ridgeland at the Pavilion. We will have volunteers man the street corners for the safety of the participants and we should be on the streets no longer than an hour.

I have enclosed a map of the route, which has been successful in the past 5k run in the village. Also enclosed is our proof of liability insurance, it also names the village as "*Also insured*".

We thank you for your consideration, and look forward to serving our village for years to come.

Warm Regards,

A handwritten signature in cursive script that reads "Daniel O'Reilly".

Lion Dan O'Reilly
Event Chairman
708-795-0997

COURSE

