

Public participation is invited on each agenda item prior to the Board's deliberation. **When called upon, please approach the microphone and state your name and the address where you live. Kindly limit your remarks to three (3) minutes.**

VILLAGE OF VILLA PARK

**Village Hall
20 S. Ardmore Avenue
Villa Park, IL 60181**

Traffic and Safety Commission

April 2, 2024

8:00 PM

Chairperson J. Pienkos

Commissioners: Jack Cuthbertson, Joey DeTomaso, Vicki Flaskamp, Tricia Little, Edward McMurray, Carl Timmerman, Karen Timmerman, and Bob Wagner

Please Note: The commission created herein shall act in an advisory capacity to the corporate authorities in all matters of traffic and safety which are referred to the commission or which are initiated or investigated by the commission on its own motion.

- 1. Call to Order**
- 2. Roll Call**
- 3. Amendments to the Agenda**
- 4. Public Comments on Agenda Items**
- 5. Public Comments on Non-Agenda Items**
- 6. Presentations**
 - a. Report of the Bike, Pedestrian, and Transit Subcommittee
- 7. Approval of Minutes**
 - a. Consider approval of pending minutes from the Traffic and Safety Commission meeting held on March 5, 2024
- 8. Old Business**
- 9. New Business**
 - a. Item No. 898 - "Drive Like Your Kids Live Here" signs
 - b. Discussion on Preparing an Ordinance to Amend Chapter 13, Article 18, Special Event Permit Further Defining When a Special Event Permit is Needed - North Avenue car shows.

- 10. Commissioner Comments**
- 11. Chairperson Comments**
- 12. Village Board Liaison Comments**
- 13. Village Staff Comments**
- 14. Adjournment**

The Villa Park Village Hall is subject to the requirements of the Americans with Disabilities Act of 1990. An elevator is operational at the north side entrance to the Village Hall during normal work hours and also during evenings. Individuals with special needs are requested to contact the Village's Compliance Officer at (630) 834-8500 so that reasonable accommodations can be made for those persons.



MEMORANDUM

TO: Traffic and Safety Commission
FROM: Kevin Mantels, Assistant Village Engineer
DATE: April 2, 2024
SUBJECT: Report of the Bike, Pedestrian, and Transit Subcommittee

RECOMMENDED ACTION:

BACKGROUND:

DISCUSSION:



MEMORANDUM

TO: Traffic and Safety Commission
FROM: Kevin Mantels, Assistant Village Engineer
DATE: April 2, 2024
SUBJECT: Consider approval of pending minutes from the Traffic and Safety Commission meeting held on March 5, 2024

RECOMMENDED ACTION:

BACKGROUND:

DISCUSSION:

VILLAGE OF VILLA PARK

Village Hall, Board Chambers

20 South Ardmore Avenue

Villa Park, Illinois 60181

Traffic and Safety Commission

March 5, 2024

8:00 PM

Chairperson J. Pienkos

Commissioners Jack Cuthbertson, Joey DeTomaso, Vicki Flaskamp, Edward McMurray,
Carl Timmerman, Karen Timmerman, and Bob Wagner

MINUTES OF THE MEETING HELD IN VILLAGE HALL BY THE TRAFFIC AND SAFETY COMMISSION OF THE VILLAGE OF VILLA PARK ON MARCH 5, 2024

1. Call to Order.

Chairperson Pienkos called the meeting to order at 8:01 p.m.

2. Roll Call.

Ex-Officio Mantels called the roll.

PRESENT: Cuthbertson, DeTomaso, Flaskamp, Pienkos, C. Timmerman, K. Timmerman,
Wagner.

ABSENT: McMurray.

Staff Present: Jesus Landa, Police Sergeant; Kevin Mantels, Assistant Village Engineer.

Board Present: None.

Others Present: None.

3. Amendments to the Agenda.

None.

4. Public Comments on Agenda Items.

Joe Amore of 309 East Maple Avenue spoke regarding Agenda Item No. 6a, Report of the Bike Pedestrian, and Transit (BPT) Subcommittee. Topics mentioned included the BPT's Golden Shovel award, a request to make commission meetings available for the public to attend and participate online, and gaps in the fence along the railroad. Mr. Amore submitted documents for the record which are attached to these minutes.

5. Public Comments on Non-Agenda Items.

None.

6. Presentations.

6a. Report of the Bike, Pedestrian, and Transit Subcommittee.

Commissioner Wagner gave a report of the Bike, Pedestrian, and Transit Subcommittee. Commissioner Wagner mentioned that the last meeting of the subcommittee was on 02/22/2024. The meeting was attended by some visitors. Topics discussed included

planning for bike month in May; the subcommittee's coordination of a Walk / Roll to School Day with North Elementary School on 05/08/2024; coordination with the Villa Park Library for a public showing of the movie "The Engine Inside"; a ride of silence on 05/15/2024; a smart cycling class on 05/11/2024; future improvements on Ardmore Avenue; Pace Bus programs; Ride DuPage; the Golden Shovel Program; an update from the most recent meeting of the DuPage Rail Safety Council; and the VFW's planning of a bike event in April.

7. Approval of Minutes.

7a. Consider approval of pending minutes from the Traffic and Safety Commission meeting held on February 6, 2024.

Motion to approve the minutes of the Traffic and Safety Commission meeting held on February 6, 2024, was made by Commissioner DeTomaso and seconded by Commissioner Wagner. Voice vote passed with all ayes.

Motion carried.

Minutes approved.

8. Old Business.

Police Sergeant Landa provided an update on the Police Department's recent traffic enforcement efforts at the intersection of Addison Road and Vermont Street. Sergeant Landa submitted documents for the record which are attached to these minutes.

9. New Business.

None.

New item(s).

Commissioner DeTomaso suggested that the commission should look into offering signs for residents to place in their yards encouraging motorists to slow down. Commissioners discussed that the commission had previously offered similar signs to residents, and that all had since been distributed. Commissioners discussed adding a new item to the agenda. Commissioners agreed to add new Item No. 898, "Drive Like Your Kids Live Here" signs. Commissioners briefly discussed wording and color options for the signs and agreed that they would think about options.

Commissioner DeTomaso asked about the possibility of adding new or additional safety measures at trail crossings. He noted that Ex-Officio Mantels had mentioned that some such measures were already planned. Ex-Officio Mantels confirmed that staff planned to install a set of Rectangular Rapid Flashing Beacons, or "RRFBs", at one trail crossing each year. Commissioners discussed several drawbacks to the RRFBs, including their cost and the fact that trail users must stop and push a button to activate them. Commissioner DeTomaso asked about the possibility of installing reflective markers in the roadway. Ex-Officio Mantels responded that staff could look into the feasibility and cost of such measures. Commissioners also discussed the responsibility of trail users to obey trail traffic control devices, to yield to oncoming motorists, and to wait to enter the roadway until it is safe to do so. Commissioners discussed whether the topic should be added as an agenda item and agreed that it would not be added as a new item at this time.

10. Commissioner Comments.

Commissioner C. Timmerman mentioned that there had been a traffic accident that evening in Oakbrook Terrace on 22nd Street that resulted in a fatality, and questioned if the victim may have

been engaged in panhandling at the time. Commissioners briefly discussed the topic of panhandling.

Commissioner K. Timmerman mentioned that early voting for the primary election was currently underway and would continue until March 18th and that March 19th is Election Day. She urged everyone to be sure to vote.

Commissioner Cuthbertson had no report or recommendations.

Commissioner Flaskamp had no report or recommendations.

Commissioner Wagner mentioned that the Manual on Uniform Traffic Control Devices (MUTCD) had recently been updated, and that the Federal Highway Administration (FHWA) would be holding several webinars pertaining to the updates. Commissioner Wagner also mentioned the Green Champion Award that would be presented by the Environmental Concerns Commission and noted that the deadline for nominations was 03/21/2024.

Commissioner DeTomaso had no report or recommendations.

11. Chairperson Comments.

Chairperson Pienkos had no report or recommendations.

12. Village Board Liaison Comments.

None.

13. Village Staff Comments.

Ex-Officio Mantels had no report or recommendations.

14. Adjournment.

Motion to adjourn was made by Commissioner C. Timmerman and seconded by Commissioner Wagner. Voice vote passed with all ayes.

Motion carried.

Meeting adjourned at 8:43 p.m.

Respectfully submitted,

Kevin L. Mantels
Assistant Village Engineer

Next Meeting is scheduled for April 2, 2024.

Village of Villa Park

Traffic and Safety Commission



Request to Speak

Public participation is invited prior to the commission's deliberation. If you would like to speak, please fill out your name below, indicate which item you wish to speak about, and return this form to the commission chairman. Please make your comments when called upon. Kindly limit your remarks to three (3) minutes.

Name:

Joe Amore

Meeting Date:

3/3/24

☒

I wish to speak regarding an agenda item.

Agenda Item No.:

6A

☐

I wish to speak regarding a non-agenda item.

Filling out the below information is optional, but providing it may allow Village staff or commission members to follow up with you regarding your comments.

Address:

309 E. Maple St.

Phone:

Email:



Shared space for Commission meetings

From: C. Joseph Amore (amorexpress@sbcglobal.net)

To: mharline@invillapark.com; presidentcuzzone@invillapark.com

Cc: mguerra@invillapark.com; trusteepatrick@invillapark.com; trusteeckery@invillapark.com; trusteekozar@invillapark.com; trusteekumar@invillapark.com; trusteecondova@invillapark.com; trusteealfano@invillapark.com; robertwagner114@comcast.net; leishmanallan@gmail.com; pride@invillapark.com; gracaneli@invillapark.com; mmclaughlin@invillapark.com; raesrch@yorktwsp.com; pruziz@invillapark.com; sbarajas@invillapark.com; bhruby@invillapark.com; tkubish@invillapark.com; clerkkorynecky@invillapark.com

Date: Wednesday, February 28, 2024 at 02:05 PM CST

Greetings!

I recently attended the City of Wheaton's Bicyclist & Pedestrian Commission meeting at the Wheaton City Hall. Their meeting space is set up with Zoom access and allows In Person and Virtual attendance for Commissioners and the public. A sample of the meeting agenda is downloadable and attached below.

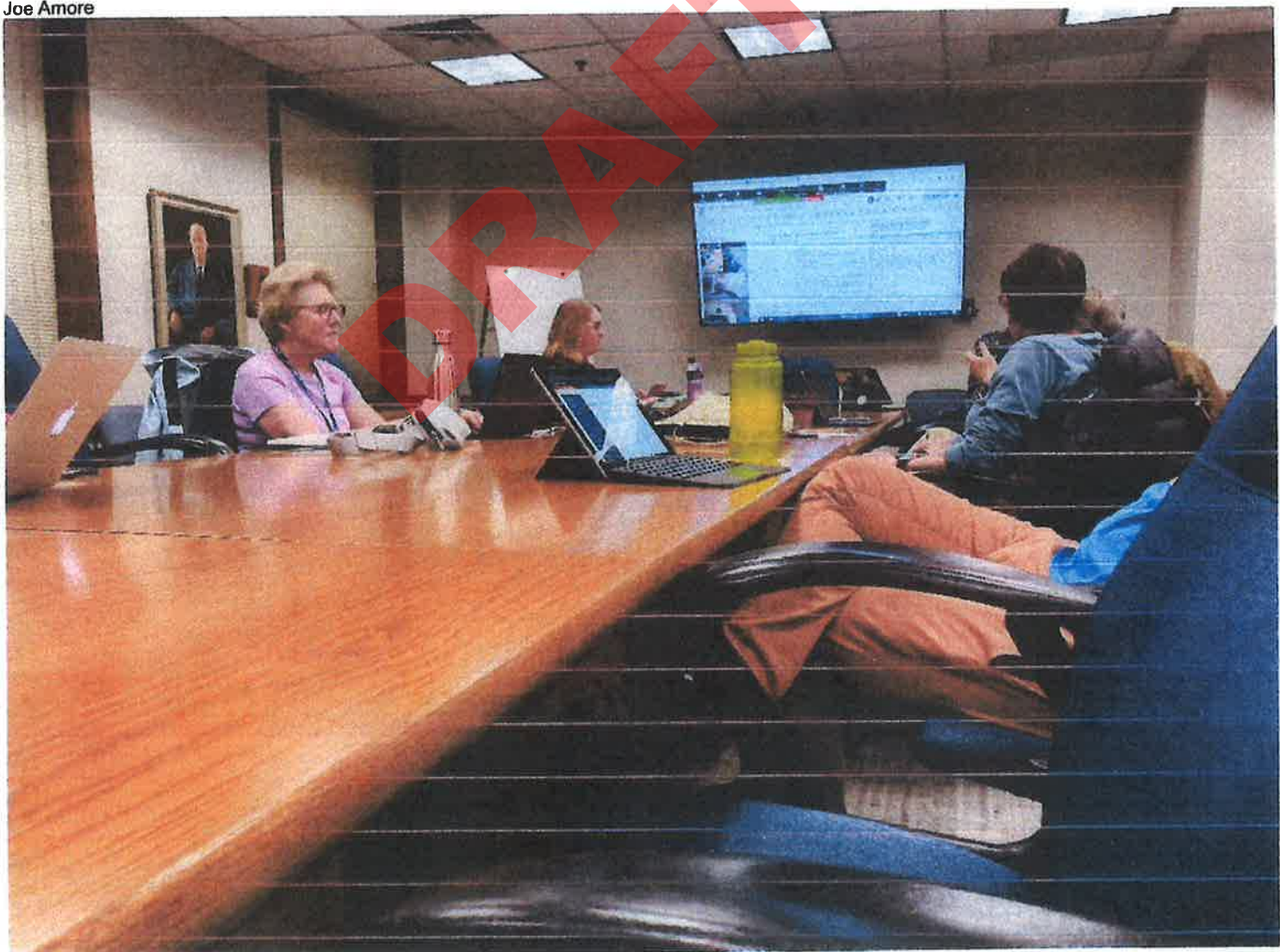
Villa Park should explore creating such a space for commissions so the public and officials who may not be able to attend will allow increased participation. An added benefit allows viewers who are hearing impaired to activate screen captions for better comprehension.

The proposed elimination of the Iowa Center as a meeting space should hasten the consideration and adoption of this proposal.

The City of Wheaton Clerk is Andrea Rosedale. I was advised that she would be the person to follow up with for additional information. Her phone is 630-260-2012 and email is arosedale@wheaton.il.us and she is willing to explain the process that lead to it's adoption.

Thank you for your interest. Be safe & well!

Joe Amore





BICYCLIST & PEDESTRIAN COMMISSION MEETING AGENDA

WHEATON, ILLINOIS 60187 | 100 WEST 5TH STREET | WHEATON, IL 60187 | 630.330.1000

February 21, 2024

7pm

Gammon Room, Wheaton City Hall, Wheaton, IL

In person and Virtual meeting

Zoom Meeting: <https://us02web.zoom.us/j/3207572444> **Meeting ID:** 320 757 2444

The public can also join the meeting and make comments by calling 1-312-626-6789 and providing the meeting ID number when prompted, followed by the * sign. If asked for a participant number, press the * sign again. Please be in a quiet place to prevent distractions or disruptions to the meeting.

- I. **Call to Order**
- II. **Approval of January Minutes**
- III. **Public Comment**
- IV. **Chair Report**
 - A. **Updates on Signs**
 - B. **February City Council meeting**
 - C. **Safe Streets**
 - D. **Grant Writing**
- V. **Ongoing Business**
 - A. **Possible update to our Resource section on our webpage.**
sportsdegreeonline.org/introducing-kids-to-biking/
 - B. **Bike Plan Review**
 - C. **City Council Meeting**-plan for who will attend in Mar
- VI. **New Business**
- VII. **Upcoming Meeting: Mar 20, 2024-finish discussing Bike Plan**

RECOMMENDATIONS FOR UPDATING EXISTING SIGNAGE LOCATIONS AND PLACEMENT OF NEW SIGNS ONCE THEY BECOME AVAILABLE:

CREATE STICKERS "OR DIAL 988" TO BE AFFIXED TO EXISTING SIGNS NEAR RAIL CROSSINGS IN VILLA PARK AT THE FOLLOWING LOCATIONS:

Southbound Villa Av. @ UPRR crossing next to sidewalk.

Southbound Villa Av. @ CNRR crossing next to sidewalk.

Northbound Villa Av. @ CNRR crossing. **NOTE: sign is currently located on east side of street where no sidewalk exists. Sign should be relocated to west side along sidewalk.**

East end of north Metra lot on light pole where fencing begins.

Summit Av. north of Maple St. @ end of roadway.

Metra station building next to south entrance.

Metra enclosure on south platform on east wall.

Northbound Ardmore Av. @ UPRR crossing.

Northbound Westmore Av. @ end of roadway @ UPRR. **NOTE: Lombard side of road.**

RECOMMENDATIONS FOR ADDING NEW "988 SUICIDE & CRISIS LIFELINE" SIGNS AT THE FOLLOWING LOCATIONS:

Northbound Villa Av. @ UPRR crossing along west sidewalk. Signpost previously mounted on center island but is now missing.

Both sides of pedestrian crosswalk at east end of station platform. **NOTE: may need approval from UPRR or Metra.**

West side of Metra enclosure on south platform.

Ardmore Av. UPRR crossing sidewalks; both southbound and west side of northbound.

All sidewalks in both directions on Addison Rd. @ UPRR & CNRR crossings.

Additional fencing is also needed along south side of UPRR from Addison Rd. behind residences eastward to 220 W. Division St., end of Princeton Av. where footpath leading to tracks is visible and end of Yale Av. where stockade fence has collapsed. Fencing is also needed @ Gerard Av. on north side of tracks.

DIRECTED PATROL DETAILS

02-12-2024 / 03:05 PM / Jose Pagan (Villa Park Police Department)

START DATE:	2/12/2024
END DATE:	3/12/2024
SUBJECT:	Stop Sign Violators
AREA/BEAT:	V1
LOCATION:	Addison and Vermont
CAD/REPORT #:	
DESCRIPTION:	Vehicle traffic is not adhering to clearly posted stop signs. Please conduct extra patrols and take appropriate action should any violations be observed. Document in frontline. (Dayshift and Afternoon Shift).

Issue Date	Start Time	End Time	Ticket Type	Ticket Count	Warning Count	Contact Card	Traffic Stops	Narrative	Officer
3/5/2024	09-24-AM	09-45-AM	Select	0	0	0	0	no issues	Elizabeth Gonzalez
3/4/2024	10-05-AM	10-20-AM	Select	0	0	0	0	no issues	Anthony Perkins
3/3/2024	10-52-AM	11-02-AM	Select	0	0	0	0	no issues	Anthony Blake
3/2/2024	09-56-AM	10-10-AM	Select	0	1	0	1		Anthony Blake
3/1/2024	03-08-PM	03-20-PM	Select	0	0	0	0		Anthony Blake
3/1/2024	08-17-AM	08-27-AM	Select	0	1	0	1	warning issued	Anthony Blake
2/29/2024	09-00-PM	09-30-PM	Select	0	0	0	0	no issues	Daniel Schultz
2/29/2024	09-21-AM	09-36-AM	Select	0	0	0	0	no issues	Anthony Perkins
2/28/2024	10-18-PM	10-48-PM	Select	0	2	0	2	two violations observed. two stops. two warnings.	Nicholas Simons
2/28/2024	07-30-PM	08-15-PM	Select	1	2	0	3		Daniel Schultz
2/28/2024	02-46-PM	03-00-PM	Select	0	0	0	0	No issues	Elsa Franco
2/28/2024	09-00-AM	09-15-AM	Select	0	0	0	0	no issues	Elizabeth Gonzalez
2/27/2024	03-20-PM	03-35-PM	Select	2	0	0	2	2 citations issued.	Anthony Blake
2/27/2024	06-25-AM	06-35-AM	Select	0	0	0	0	no issues	Anthony Blake
2/22/2024	10-58-AM	11-11-AM	Select	0	0	0	0	no issues	Anthony Perkins
2/20/2024	09-56-AM	10-15-AM	Select	0	0	0	0	no issues	Elizabeth Gonzalez
2/15/2024	10-35-AM	11-00-AM	Select	0	0	0	0		Elizabeth Gonzalez
2/14/2024	07-35-AM	08-00-AM	Select	0	0	0	0	all good	Elizabeth Gonzalez
2/13/2024	03-43-PM	04-04-PM	Select	0	0	0	0	No violations observed.	Gerard Grabowski



MEMORANDUM

TO: Traffic and Safety Commission
FROM: Kevin Mantels, Assistant Village Engineer
DATE: April 2, 2024
SUBJECT: Item No. 898 - "Drive Like Your Kids Live Here" signs

RECOMMENDED ACTION:

BACKGROUND:

DISCUSSION:



MEMORANDUM

TO: Traffic and Safety Commission

FROM:

DATE: April 2, 2024

SUBJECT: Discussion on Preparing an Ordinance to Amend Chapter 13, Article 18, Special Event Permit Further Defining When a Special Event Permit is Needed - North Avenue car shows.

RECOMMENDED ACTION:

BACKGROUND:

DISCUSSION:



MEMORANDUM

TO: Village Board of Trustees

FROM:

DATE: March 25, 2024

SUBJECT: Discussion on Preparing an Ordinance to Amend Chapter 13, Article 18, Special Event Permit Further Defining When a Special Event Permit is Needed - North Avenue car shows

RECOMMENDED ACTION:

Village staff seeks direction on addressing the safety and nuisance concerns with ad hoc car shows that occur around and at Strat's restaurant at 231 E North Avenue.

BACKGROUND:

The problem with ad hoc or pop-up car shows at Strat's has been occurring for many years. In 2016, Ordinance 3912 was passed that defined new nuisance violations related to parking in lots accessible to the public where vehicles were attending events on other properties and did not have the permission of the owner of the parking lot, revving their engines, sudden acceleration or braking, drinking alcohol or several other nuisance behaviors. In the summer of 2020 the issue was discussed again with summons being issued and eventually the attached agreement was executed between the Village and the owner of Strats. One of the suggestions was to make the requirements for Special Events permits cover these events.

Over the last few weekends, the car shows have started up again and neighboring residents, businesses and commercial property owners have all expressed their displeasure with the current situation.

DISCUSSION:

Strat's restaurant at 231 E North Avenue has frequently been the site of "car shows" where social media sites advertise the location, give a time and date. These advertisements are not officially coordinated in any way that we can demonstrate with Strat's or its owners. However, Strat's does not request any permits for special events (as Wildfire Harley-Davidson does, nor have they been providing adequate security. The events involve cars that will drive at excessive rates of speed, "peel out" of the parking lot at Strat's, rev engines and run modified exhaust systems creating excessive noise, fill up parking lots along North Avenue, Hill Street and other local streets, and engage in drag racing when there isn't a heavy police presence.

The neighboring property owners find trash and occasionally damaged property on their lots. People,

many younger than 21, line up along North Avenue or in the median with their phones out to record any thing that interests them, and cars back up on North Avenue as far back as Ardmore to the west. The situation is hazardous and a nuisance.

Staff is once again looking at ordinances that would address these events by requiring compensation to the Village for the extra police presence necessary, and keeping cars out of the parking lots where property owners do not want them. We hope to have an ordinance ready by April 8, and may ask for a waiver of the first reading. In the meantime, we will work with the owner of Strat's to see if we can have a peaceful and safe summer on North Avenue.

Settlement Agreement and Release

This Settlement Agreement ("Agreement") is entered into and effective as of October 21, 2020 memorializing the terms of the settlement reached by and between the parties. The parties to this Agreement are Village of Villa Park ("Village") and Efrastratios Matsas, owner, and Strat's Restaurant (collectively "Strat's").

WHEREAS the parties wish to enter into this Agreement in order to resolve any potential disputes arising out of the citations issued to Strat's and the Notice to Abate served on Strat's attached hereto as Exhibits A and B respectively;

WHEREAS, the Village has the authority to issue citations for alleged ordinance violations and to seek the abatement of nuisances at Strat's;

WHEREAS, in consideration for this Agreement and promises contained therein and for good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

I. Strat's

1. That during the Covid restrictions set by the State of Illinois and/or DuPage County involving occupancy and crowd size, Strat's agrees that only every other parking space be available for occupancy. Should the current occupancy or crowd size level become more restrictive, Strat's will comply with those restrictions.
2. Further, Strat's agrees that the drive thru lane will always be left open and not used for parking at any time.
3. Strat's agrees that the parking lot will be maintained to indicate clearly marked parking spaces and the drive thru lane. Strat's will place signage or other indication that parking is allowed only in marked parking spaces.
4. Strat's will limit the number of people on the property at any one time to comport with the current Covid restrictions. Further, Strat's agrees to limit the number of people and cars on the property once the restrictions are lifted. Strat's and the Village will meet and confer to determine what a reasonable number will be once the restrictions are lifted.
5. Strat's will place signs on its property prohibiting loitering, prohibiting parking on the grass and parkway, prohibiting parking in neighboring business lots, no excessive engine noise, no loud music, and no reckless driving/tire squealing.
6. Strat's agrees that a snow fence or similar device restricting access to the property will be placed around the business as depicted in the map attached hereto as Exhibit C on Fridays and Saturdays starting on March 1st of each year and continuing until November 30th of each year (the "relevant time period"). Strat's further agrees that should the levels of crowds and vehicle traffic that forms the basis for the Notice to Abate start to occur on days other than Friday and Saturday during the relevant time period, that Strat's will erect the snow fence or similar device restricting access to the property on those days as well.
7. Strat's will have a minimum of four (4) uniformed trained security guards working

at the restaurant on Friday and Saturday nights beginning on March 1st of each year until November 30th of each year to control the number of patrons and vehicles on the property at any one time. On all other nights, Strat's will have two (2) uniformed trained security guards working at the restaurant to control the number of patrons and vehicles on the property at any one time. Villa Park Police will provide assistance to security for patrons unwilling to leave the premises if instructed to do so by arresting them for trespassing and a representative of Strat's agrees that they will appear at any and all court proceedings necessary to prosecute the trespasser.

8. Strat's will pay the sum of \$2,000.00 total for the violations set forth in citations VP - 50180, VP- 50181, VP-50182, VP-50183, VP-50185, VP-50186 and VP-50188.

II. Villa Park

In consideration for this Agreement as set forth in Section I, the Village agrees to the following:

1. That the Notice to Abate will be entered and continued until June 3, 2021 for status on compliance. If there is a breach of this Agreement the Notice to Abate will be set for hearing, at a date and time convenient with the Village, with notice sent to Strat's.
2. If there is compliance with all the terms set forth above in Section I, the Village will dismiss the Notice to Abate at the November 4, 2021 court date.
3. That citations S551, S552, S553, S554 and S555 are continued until November 4, 2021. Should there be compliance with all the terms set forth above in Section I, the Village will dismiss citations S551, S552, S553, S554 and S555 at the November 4, 2021 court date. If there is a breach of this Agreement then the citations will be set for hearing, at a date and time convenient for the Village, with notice provided to Strat's.

III. Breach

By entering into this Agreement Strat's agrees to abide by its terms and all ordinances of the Village of Villa Park that apply to him and his business. Should this Agreement be violated the Village can set for hearing the stayed citations and the Notice to Abate. Further, nothing in this Agreement prohibits the Village from issuing citations or taking any other available enforcement action to address violations of the Village's ordinances, this Agreement, or the law. In addition, the Village can seek any and all fines, fees and cost permitted by its ordinances or State law.

IV. Hold Harmless

As provided by Illinois law, Strat's hereby promises and covenants to forever keep harmless, indemnify, and defend, at its sole cost and expense, the Village, its officers, employees, volunteers and agents from and against any and all claims, damages, loss, costs, expense, suits, actions, liabilities and expense (including reasonable attorneys' and paralegals' fees) for personal injury, property damage or death by whomsoever sustained, arising out of or in connection with the implementation of the measures as set forth in Section I above.

V. Attorneys' Fees

The parties agree and understand that each party shall bear its own attorneys' fees and expenses that it may incur, or has incurred, in connection with the negotiation, review and execution of this Agreement.

VI. Binding on Successors and Assigns

This Agreement is binding upon and for the benefit of Strat's and its successors and assigns.

VII. Negotiation

This Agreement is the product of arms-length negotiations and contains all the terms and conditions agreed upon by the parties regarding the subject matter hereof. This Agreement shall be deemed jointly negotiated and drafted. The headings, titles, and captions contained in this Agreement are merely for reference and do not define, limit, extend, or describe the scope of this Agreement or any provision herein. For purposes of this Agreement, unless the context requires otherwise, the singular number shall include the plural, and vice versa; the masculine gender shall include the feminine and neuter genders; the feminine gender shall include the masculine and neuter genders; and the neuter gender shall include the masculine and feminine genders.

VIII. Severability

If any provision or portion of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.

IX. Entire Agreement

This Agreement sets forth the entire agreement and understanding between the Village and Strat's with respect to the subject matter hereof and supersedes all prior contracts, agreements, arrangements, communications, promises, discussions, negotiations, representations and warranties between the parties, whether oral or written, except as otherwise reserved herein. In the event that there are any inconsistencies between the terms of this Agreement and any other agreement, the terms of this Agreement shall constitute an amendment to, and shall supersede for all purposes, the relevant provision of that document, unless otherwise reserved herein.

X. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the State of Illinois. The parties hereby irrevocably submit to the jurisdiction Circuit Court of DuPage County, Illinois, in any action or proceeding brought to enforce or otherwise arising out of or relating to this Agreement and irrevocably waive to the fullest extent permitted by law any objection which either of them may now or hereafter have to the laying of venue in any such action or proceeding in any such forum in DuPage County, Illinois, and hereby further irrevocably waive any claim that any such forum is an inconvenient forum.

XI. Counter Parts

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall be deemed one Agreement. Signatures by facsimile are sufficient for execution of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated below.

Village of Villa Park
Restaurant

By: Phil Keckler, Jr.

Dated: 10-21-2020

Efrastratios Matsas, owner Strat's

By: Efrastratios Matsas

Dated: 10/20/20