

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 3 minutes.**

**VILLAGE OF VILLA PARK**

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

**Traffic and Safety Commission**

**May 7, 2024**

**8:00 PM**

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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 April 2, 2024
8. **Old Business**
  - a. Item No. 898 - "Drive Like Your Kids Live Here" signs
  
  - b. Item No. 899 - North Avenue Car Shows
9. **New Business**
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:** May 7, 2024  
**SUBJECT:** Report of the Bike, Pedestrian, and Transit Subcommittee

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**RECOMMENDED ACTION:**

**BACKGROUND:**

**DISCUSSION:**



## MEMORANDUM

**TO:** Traffic and Safety Commission  
**FROM:** Kevin Mantels, Assistant Village Engineer  
**DATE:** May 7, 2024  
**SUBJECT:** Consider approval of pending minutes from the Traffic and Safety Commission meeting held on April 2, 2024

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**RECOMMENDED ACTION:**

**BACKGROUND:**

**DISCUSSION:**

# VILLAGE OF VILLA PARK

Village Hall, Board Chambers  
20 South Ardmore Avenue  
Villa Park, Illinois 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

### MINUTES OF THE MEETING HELD IN VILLAGE HALL BY THE TRAFFIC AND SAFETY COMMISSION OF THE VILLAGE OF VILLA PARK ON APRIL 2, 2024

**1. Call to Order.**

Chairperson Pienkos called the meeting to order at 8:02 p.m.

**2. Roll Call.**

Ex-Officio Mantels called the roll.

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

Staff Present: Jesus Landa, Police Sergeant; Kevin Mantels, Assistant Village Engineer; Dan McCann, Deputy Police Chief.

Board Present: Kevin Patrick.

Others Present: None.

**3. Amendments to the Agenda.**

Chairperson Pienkos stated that he would like to amend the agenda to move directly to Agenda Item Number 9b., 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. Chairperson Pienkos asked if there were any objections and there were none.

**9b. 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.**

Deputy Chief McCann explained that Strat's on North Avenue had been hosting car shows for years, and that the events had become very heavily attended. This resulted in numerous issues and safety concerns, such as vehicles and motorcycles speeding and even racing on North Avenue; attendees parking at other businesses and private properties along the North Avenue corridor; pedestrians crossing North Avenue and standing in the North Avenue median in close proximity to heavy and speeding traffic; the lack of access to the Strat's site by emergency fire and medical services if those services were to be needed; and general noise and nuisance complaints from nearby property owners. Deputy Chief McCann mentioned that that these events at Strat's were occupying significant police and village resources. He noted that per the Village of Villa Park Municipal Code of Ordinances, the village has the authority to require that permits be obtained for special events, but that there was uncertainty as to whether or not the car shows at Strat's could

be considered special events under the current definition in the municipal code. For this reason, village staff believed that an ordinance amending the code to expand and clarify the definition of a special event would give the village the ability to require Strat's to apply for and obtain special event permits, to abide by their requirements, and to cover the costs of hiring police officers to attend the events. Deputy Chief McCann noted that the Village Attorney had prepared a draft ordinance reflecting the proposed changes and provided copies of the draft ordinance to commissioners. A copy of that draft ordinance is included in these minutes.

Commissioners discussed the topic at length. This included, among other things, discussion about whether or not the draft ordinance would resolve or even improve the situation at Strat's; whether the fines proposed in the draft ordinance would be sufficient to compel Strat's to obtain special event permits and absorb the cost of compliance with those permits versus simply paying the fines, whether or not the definition of a special event as outlined in the draft ordinance was sufficient or whether it needed further revisions, and whether or not the draft ordinance could lead to village residents or other businesses being targeted for holding parties or other personal events.

Commissioners also viewed a YouTube video that had been filmed and posted the past weekend depicting one such event at Strat's.

Commissioners discussed whether they should proceed with a recommendation to the Village Board to adopt the draft ordinance, or if they should instead pend the item, investigate further, and discuss again at a future commission meeting. Commissioners voiced concerns that if something was not done soon that there could be consequences in the meantime, and most commissioners generally agreed that it would be best to proceed with a recommendation to the Village Board to adopt the draft ordinance.

Motion to make a recommendation to the Village of Villa Park Village Board for adoption of the draft ordinance was made by Commissioner Wagner and seconded by Commissioner Cuthbertson.

Roll call vote tallied six (6) ayes made by Commissioners Cuthbertson, DeTomaso, Little, C. Timmerman, Wagner, and Chairperson Pienkos; and one (1) nay made by Commissioner Flaskamp.

Motion carried.

Recommendation to the Village of Villa Park Village Board for adoption of the draft ordinance approved.

Commissioners discussed and agreed that the item would be given Item No. 899 and would remain on the agenda.

Item pending.

**4. Public Comments on Agenda Items.**

None.

**5. Public Comments on Non-Agenda Items.**

Trustee Kevin Patrick thanked commissioners for their time and for their contributions.

**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 there were a few events coming up in May, including Bike and Walk to School Day at North Elementary School on 05/08/2024; a public showing of the movie "The Engine Inside" at the Villa Park Library on 05/09/2024; and a ride of silence on 05/15/2024. Commissioner Wagner also mentioned the Bike Friendly Community application and recommendations for areas where the village can improve.

**7. Approval of Minutes.**

**7a. Consider approval of pending minutes from the Traffic and Safety Commission meeting held on March 5, 2024.**

Motion to approve the minutes of the Traffic and Safety Commission meeting held on March 5, 2024, was made by Commissioner DeTomaso and seconded by Commissioner Flaskamp. Voice vote passed with all ayes.

Motion carried.

Minutes approved.

**8. Old Business.**

None.

**9. New Business.**

**9a. Item No. 898 – “Drive Like Your Kids Live Here” signs**

Commissioners discussed whether or not they would cover this item at this meeting and suggested that perhaps this item should be tabled until the next meeting.

Motion to table Item No. 898 was made by Commissioner C. Timmerman and seconded by Commissioner Little.

Roll call vote tallied six (6) ayes made by Commissioners Cuthbertson, DeTomaso, Flaskamp, Little, C. Timmerman, and Chairperson Pienkos; and one (1) nay made by Commissioner Wagner.

Motion carried.

Item tabled.

**9b. 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.**

The agenda was amended to move this Item 9b after Item 3. See that location in these minutes for Item 9b.

**New item(s).**

None.

**10. Commissioner Comments.**

Commissioner Little had no report or recommendations.

Commissioner C. Timmerman had no report or recommendations.

Commissioner Cuthbertson had no report or recommendations.

Commissioner Wagner had no report or recommendations.

Commissioner Flaskamp had no report or recommendations.

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 welcomed Tricia Little to the commission.

**14. Adjournment.**

Motion to adjourn was made by Commissioner Flaskamp and seconded by Commissioner DeTomaso. Voice vote passed with all ayes.

Motion carried.

Meeting adjourned at 9:49 p.m.

Respectfully submitted,

Kevin L. Mantels  
Assistant Village Engineer

**Next Meeting is scheduled for May 7, 2024.**

**DRAFT**

Ordinance No. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE VILLAGE OF VILLA PARK, DUPAGE COUNTY, ILLINOIS,  
AMENDING THE VILLAGE OF VILLA PARK MUNICIPAL CODE REGARDING SPECIAL  
EVENT PERMIT REQUIREMENTS AND NUISANCE PARKING PROHIBITIONS**

**WHEREAS**, the Village of Villa Park (the "Village") is a duly organized and validly existing non-home rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and

**WHEREAS**, the Village desires to clarify the applicability of its permit requirements for special events in the Village and amend the code to abate nuisances associated with large gatherings or special events that impact the public health, safety and welfare; and

**WHEREAS**, Sections 11-60-2 of the Illinois Municipal Code (65 ILCS 5/11-60-2) authorizes the Village to define, prevent and abate nuisances; and

**WHEREAS**, the President and Board of Trustees of the Village of Villa Park have determined that it is in the best interests of the citizens of the Village of Villa Park to amend Chapter 13 and Chapter 15 of the Village of Villa Park Municipal Code, regarding special event permit requirements and parking prohibitions to abate nuisances, including those associated with special events, as more particularly set forth hereinafter.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Villa Park, DuPage County, Illinois, as follows:

**Section 1:** That Section 13-1802, entitled "Definitions", of Article XVIII, entitled "Special Event Permit", of Chapter 13, entitled "Licenses, Permits and Business Regulations", of the Village of Villa Park Municipal Code, be and is hereby amended to read as follows:

Sec. 13-1802. - Definitions.

For the purpose of this article, the following definitions shall apply:

Special event: means any event in the village that is located in whole or in part on public property or on private property within the Village when it may have a direct effect upon public property, traffic flow or public health or safety, and which may require the use of special Village services or that: uses village park or other village-owned property, temporarily provides food service, will use a public address or sound system, will use portable toilets, will conduct a raffle, will require additional refuse receptacles, will require safety or special fencing, will require special street lighting or electrical service, will require special water service, will use stages or other temporary structures, will require the closing of a village street, will require the closing of an off-street parking facility, will result in or require parking or standing of vehicles that exceeds the

Ordinance No. \_\_\_\_\_

parking space allotted on the property responsible for the event; will result in or require the use of parking or standing of vehicles on private property other than the property responsible for the event; will result in the obstruction of a public or private street or sidewalk or any public or private fire or emergency lane; will require the use of village barricades, will require the services of the police or fire department, will require an emergency evacuation plan, will sell or serve alcoholic beverages, will display fireworks, will need the services of village maintenance workers or other employees, or will require an additional village license or permit. A special event also means any event that requires the use or aggregation of more than one parcel of land or the use of any off-site parking arrangements to accommodate expected attendance.

**Section 2:** That Section 15-803, entitled "Owner's responsibilities", of Article VIII, entitled "Public Parking Areas", of Chapter 15, entitled "Nuisances", of the Village of Villa Park Municipal Code, be and is hereby amended to read as follows:

Sec. 15-803. - Owner's responsibilities.

The owner, lessee or operator of any public parking area shall maintain the public parking area in compliance with this Code and this article, must assure the mobility and access of emergency vehicles in any parking lot that is open to the public, and shall not permit disorderly conduct or any unlawful noise, nuisance or hazardous condition in the public parking area.

**Section 3:** That Section 15-804, entitled "Prohibitions in parking areas", of Article VIII, entitled "Public Parking Areas", of Chapter 15, entitled "Nuisances", of the Village of Villa Park Municipal Code, be and is hereby amended to read as follows:

Sec. 15-804. - Prohibitions in parking areas.

- (a) It is unlawful in a public parking area for any person to race the motor of a motor vehicle or motorcycle by a sudden acceleration or deceleration of the motor.
- (b) It is unlawful in a public parking area for any person to bring a motor vehicle or motorcycle to a sudden stop or start such that the tires on such a vehicle shall squeal or cause a loud or unusual noise.
- (c) It is unlawful for any person in a public parking area to blow or cause to be blown any motor vehicle horn or motorcycle horn while the vehicle is parked.
- (d) It is unlawful in a public parking area for any person to race, needlessly weave or suddenly change course of a motor vehicle or motorcycle or endanger any person or vehicle in the public parking area.
- (e) It is unlawful for a person driving or in charge of a motor vehicle or motorcycle that is unattended or without a person in the vehicle, without first stopping the engine and removing the key.

Ordinance No. \_\_\_\_\_

- (f) It is unlawful for any person in a public parking area, whether in or out of a motor vehicle or motorcycle to drink any alcoholic beverage or have in his or her possession any open container containing an alcoholic beverage.
- (g) It is unlawful for any person to drive a motor vehicle or motorcycle onto a public parking area and then from that public parking area, unless there is no unoccupied parking space available in the public parking area.
- (h) It is unlawful for any person to leave an unoccupied motor vehicle or motorcycle in any public parking area and then leave the premises thereof except with the knowledge and consent of the owner, lessee or operator of any public parking area.
- (i) It is unlawful for any person to obstruct pedestrian or vehicular traffic in any public parking area.
- (j) It is unlawful for any person to obstruct the mobility and access of emergency vehicles in any public parking area.

**Section 4:** That all other ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 5:** That this Ordinance shall be in full force and effect thirty (30) days from and after its passage and approval according to law.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2024, pursuant to a roll call vote as follows:

AYES:  
NAYS:  
ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Nick Cuzzone, Village President

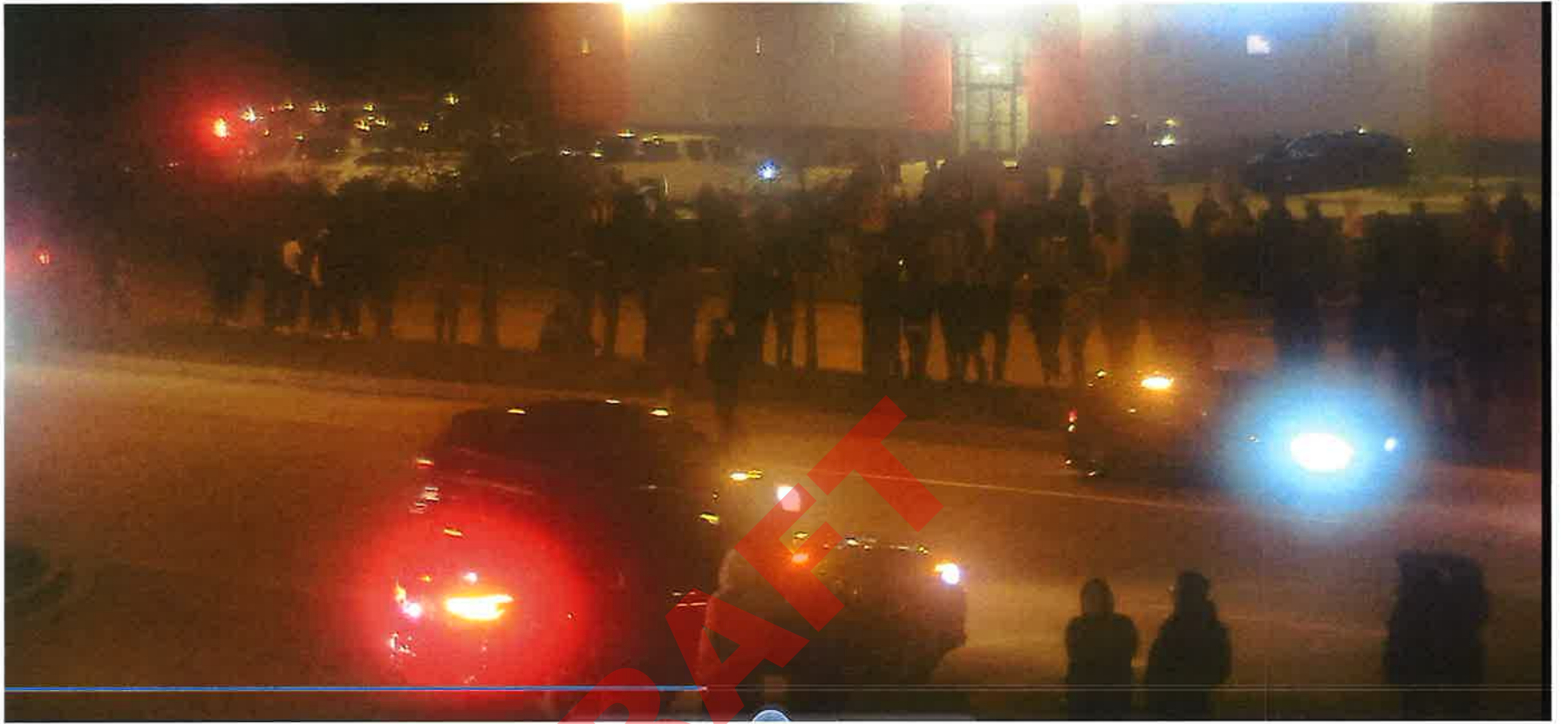
PUBLISHED in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

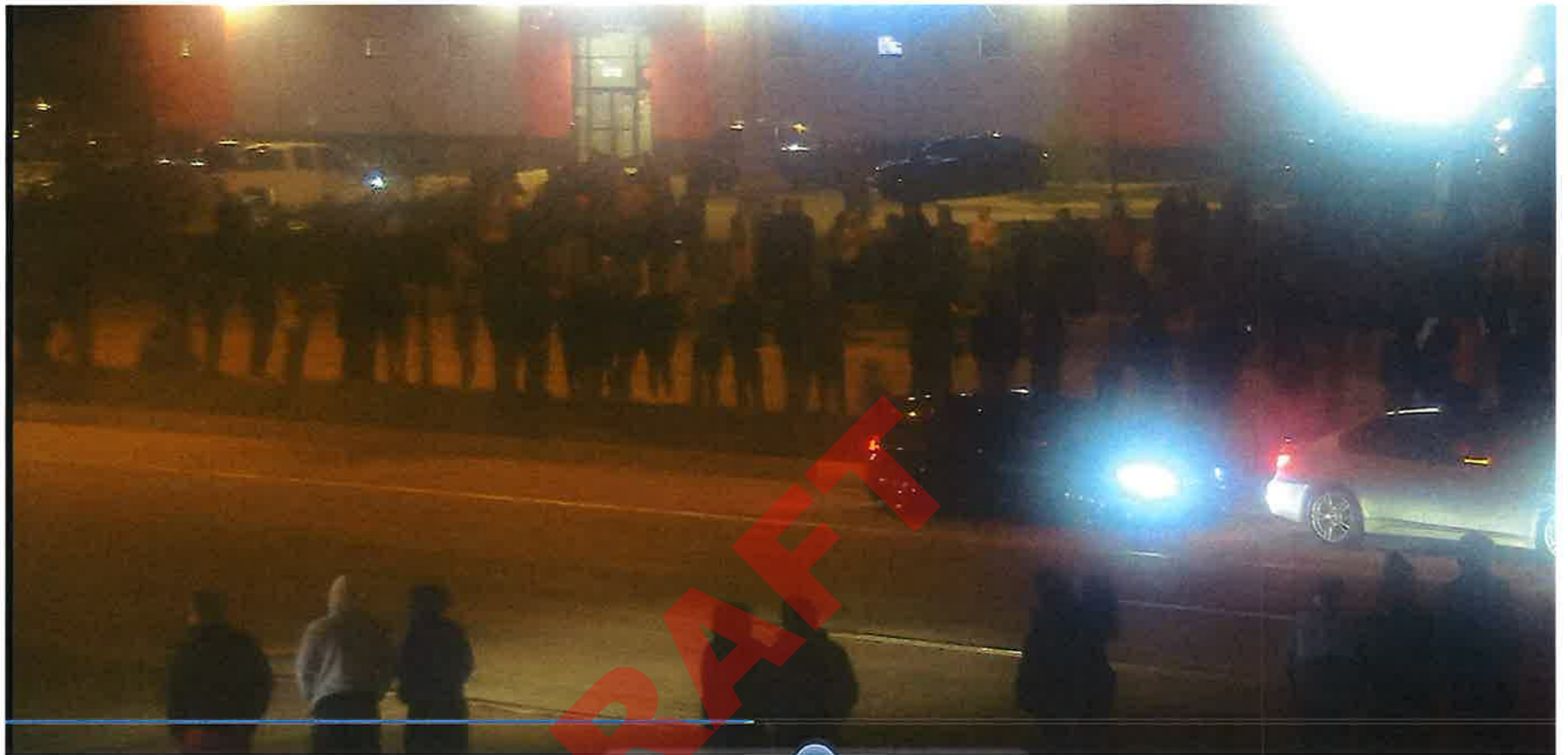
ATTEST:

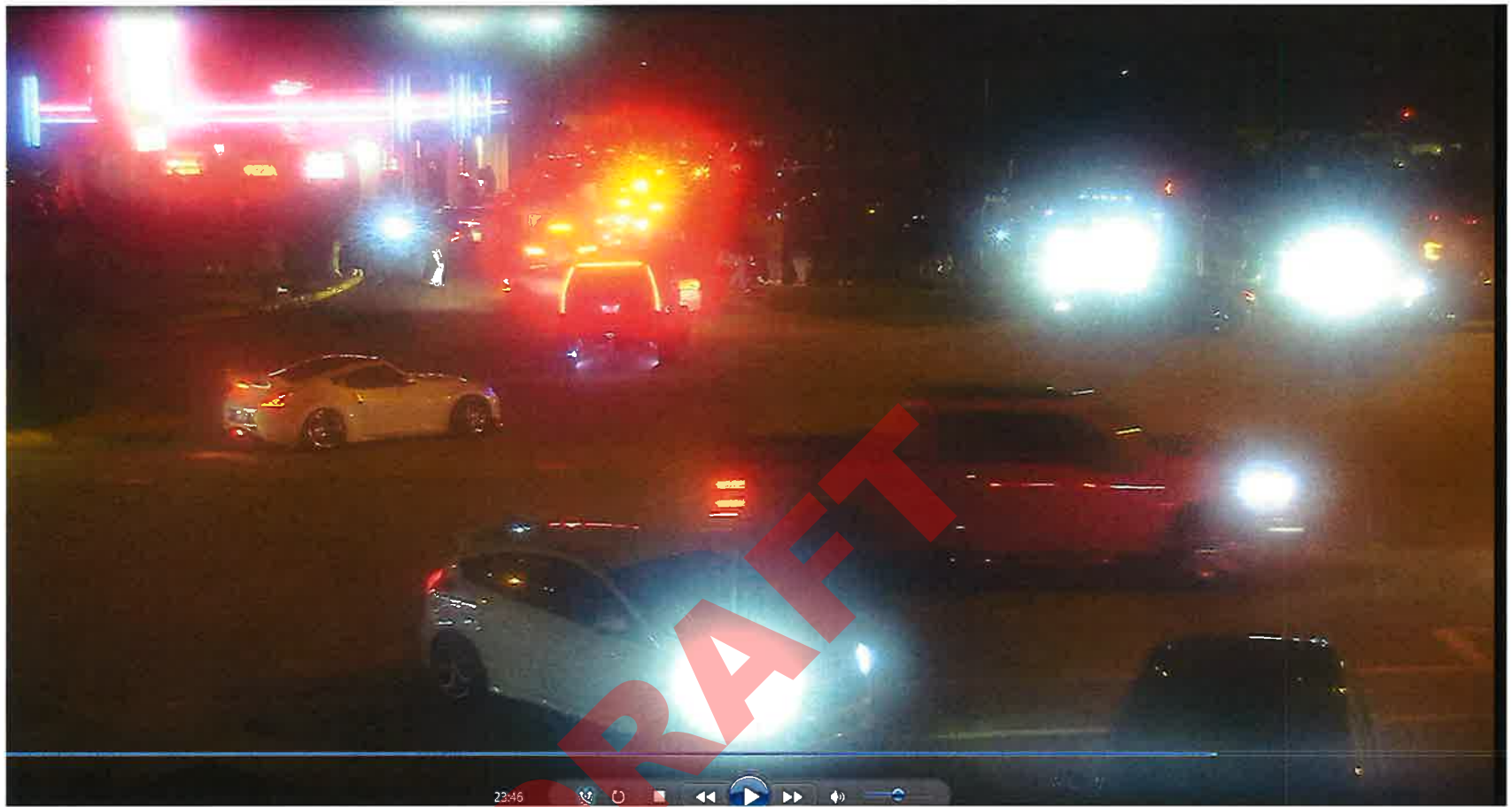
\_\_\_\_\_  
Village Clerk















## MEMORANDUM

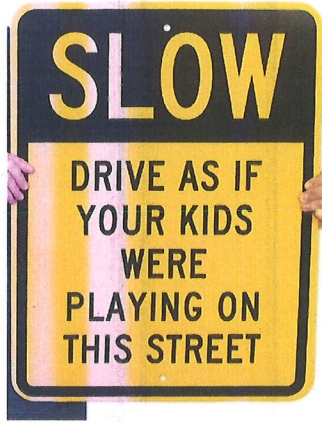
**TO:** Traffic and Safety Commission  
**FROM:** Kevin Mantels, Assistant Village Engineer  
**DATE:** May 7, 2024  
**SUBJECT:** Item No. 898 - "Drive Like Your Kids Live Here" signs

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**RECOMMENDED ACTION:**

**BACKGROUND:**

**DISCUSSION:**



From: Petulia Pugliares <[info@drivelikeyourkidslivehere.com](mailto:info@drivelikeyourkidslivehere.com)>  
To: Robert wagne  
Date: 10/06/2021 11:36 AM CDT  
Subject: Re: Drive Like Your Kids Live Here

Hello Robert,

It is good to hear from you again, thank you for your order and your support. All of our yard/lawn signs include wire stands for posting, and all bulk orders include shipping cost.

See below for your order total:

100 Quantity / 18"x24" Drive Like Your Kids Live Here yard sign including wire stand  
\$7 each x 100 = \$700.00 Total

To proceed with your order, please provide a shipping address. An electronic invoice with your order details will be sent for payment processing. Shipping and handling at this time is approximately 10-14 business days. Feel free to contact me if you have any questions.

Thank you,

Petulia Pugliares  
Drive Like Your Kids Live Here  
PO Box 290149  
Wethersfield, CT 06129  
[www.drivelikeyourkidslivehere.com](http://www.drivelikeyourkidslivehere.com)



On Wed, Oct 6, 2021 at 12:00 PM Robert wagne wrote:

Contact Name: Robert wagner

Email Address: XXXXXXXXXXXXX

We are getting ready to order 100 DLYKLH signs for the Village of Villa Park (IL). In a previous e-mail you indicated the cost would be \$7 per sign for an order of 100 or more. I assume that includes the "wire" that goes inside the corrugated plastic sign. Your web site states shipping is included. Can you provide the total cost for 100 signs. Do you have a phone number in case we have additional questions?

## **For Immediate Release...**

In an effort to remind drivers to be vigilant and obey traffic laws and to slow down and obey posted speeds, the Villa Park Traffic and Safety Commission has initiated a pilot program to distribute a limited number of special yard signs. The 18" x 24" yard signs are red and white and read "Drive Like Your Kids Live Here."

Signs can be picked up in the lobby of the Villa Park Police Station at 40 S. Ardmore Monday through Friday between 7 AM and 7 PM. Residents are asked to display the signs in keeping with village code and to limit their requests to one sign per household. Signs may go quickly so please call the Villa Park Police Department non-emergency number at 630-834-7447 to confirm availability.



## MEMORANDUM

**TO:** Traffic and Safety Commission  
**FROM:**  
**DATE:** May 7, 2024  
**SUBJECT:** Item No. 899 - North Avenue Car Shows

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**RECOMMENDED ACTION:**

**BACKGROUND:**

**DISCUSSION:**

**ORDINANCE NO. 4404**

**AN ORDINANCE OF THE VILLAGE OF VILLA PARK, DUPAGE COUNTY, ILLINOIS,  
AMENDING THE VILLAGE OF VILLA PARK MUNICIPAL CODE REGARDING SPECIAL  
EVENT PERMIT REQUIREMENTS AND NUISANCE PARKING PROHIBITIONS**

**WHEREAS**, the Village of Villa Park (the "Village") is a duly organized and validly existing non-home rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and

**WHEREAS**, the Village desires to clarify the applicability of its permit requirements for special events in the Village and amend the code to abate nuisances associated with large gatherings or special events that impact the public health, safety and welfare; and

**WHEREAS**, Sections 11-60-2 of the Illinois Municipal Code (65 ILCS 5/11-60-2) authorizes the Village to define, prevent and abate nuisances; and

**WHEREAS**, the Traffic and Safety Committee for the Village has recommended approval of this Ordinance; and

**WHEREAS**, the President and Board of Trustees of the Village of Villa Park have determined that it is in the best interests of the citizens of the Village of Villa Park to amend Chapter 13 and Chapter 15 of the Village of Villa Park Municipal Code, regarding special event permit requirements and parking prohibitions to abate nuisances, including those associated with special events, as more particularly set forth hereinafter.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Villa Park, DuPage County, Illinois, as follows:

**Section 1:** That Section 13-1802, entitled "Definitions", of Article XVIII, entitled "Special Event Permit", of Chapter 13, entitled "Licenses, Permits and Business Regulations", of the Village of Villa Park Municipal Code, be and is hereby amended to read as follows:

Sec. 13-1802. - Definitions.

For the purpose of this article, the following definitions shall apply:

Special event means any event in the village that is located in whole or in part on public property or on private property within the Village when it:

- 1) is likely to have a direct effect upon public property, traffic flow or public health or safety, and which may require the use of special Village services;
- 2) uses village park or other village-owned property;
- 3) temporarily provides food service;
- 4) will use a public address or sound system;
- 5) will use portable toilets;
- 6) will conduct a raffle;
- 7) will require additional refuse receptacles;
- 8) will require safety or special fencing;
- 9) will require special street lighting or electrical service;
- 10) will require special water service;
- 11) will use stages or other temporary structures;
- 12) will require the closing of a village street;
- 13) will require the closing of an off-street parking facility;

**Ordinance No. 4404**

- 14) will result in or require parking or standing of vehicles that exceeds the parking space allotted on the property responsible for the event;
- 15) will result in or require the use of parking or standing of vehicles on private property other than the property responsible for the event;
- 16) will result in the obstruction of a public or private street or sidewalk or any public or private fire or emergency lane;
- 17) will require the use of village barricades;
- 18) will require the services of the police or fire department;
- 19) will require an emergency evacuation plan;
- 20) will sell or serve alcoholic beverages;
- 21) will display fireworks;
- 22) will need the services of village maintenance workers or other employees; or
- 23) will require an additional village license or permit.

A special event also means any event that requires the use or aggregation of more than one parcel of land or the use of any off-site parking arrangements to accommodate expected attendance.

**Section 2:** That Section 15-803, entitled "Owner's responsibilities", of Article VIII, entitled "Public Parking Areas", of Chapter 15, entitled "Nuisances", of the Village of Villa Park Municipal Code, be and is hereby amended to read as follows:

Sec. 15-803. - Owner's responsibilities.

The owner, lessee or operator of any public parking area shall maintain the public parking area in compliance with this Code and this article, must assure the mobility and access of emergency vehicles in any parking lot that is open to the public, and shall not permit disorderly conduct or any unlawful noise, nuisance or hazardous condition in the public parking area.

**Section 3:** That Section 15-804, entitled "Prohibitions in parking areas", of Article VIII, entitled "Public Parking Areas", of Chapter 15, entitled "Nuisances", of the Village of Villa Park Municipal Code, be and is hereby amended to read as follows:

Sec. 15-804. - Prohibitions in parking areas.

- (a) It is unlawful in a public parking area for any person to race the motor of a motor vehicle or motorcycle by a sudden acceleration or deceleration of the motor.
- (b) It is unlawful in a public parking area for any person to bring a motor vehicle or motorcycle to a sudden stop or start such that the tires on such a vehicle shall squeal or cause a loud or unusual noise.
- (c) It is unlawful for any person in a public parking area to blow or cause to be blown any motor vehicle horn or motorcycle horn while the vehicle is parked.
- (d) It is unlawful in a public parking area for any person to race, needlessly weave or suddenly change course of a motor vehicle or motorcycle or endanger any person or vehicle in the public parking area.
- (e) It is unlawful for a person driving or in charge of a motor vehicle or motorcycle that is unattended or without a person in the vehicle, without first stopping the engine and removing the key.

**Ordinance No. 4404**

- (f) It is unlawful for any person in a public parking area, whether in or out of a motor vehicle or motorcycle to drink any alcoholic beverage or have in his or her possession any open container containing an alcoholic beverage.
- (g) It is unlawful for any person to drive a motor vehicle or motorcycle onto a public parking area and then from that public parking area, unless there is no unoccupied parking space available in the public parking area.
- (h) It is unlawful for any person to leave an unoccupied motor vehicle or motorcycle in any public parking area and then leave the premises thereof except with the knowledge and consent of the owner, lessee or operator of any public parking area.
- (i) It is unlawful for any person to obstruct pedestrian or vehicular traffic in any public parking area.
- (j) It is unlawful for any person to obstruct the mobility and access of emergency vehicles in any public parking area.

**Section 4:** That the Village Board shall consider and review the impacts of this Ordinance at the meeting of the Village President and Board of Trustees on May 13, 2024.

**Section 5:** That all other ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 6:** That this Ordinance shall be in full force and effect upon its passage and approval according to law.

PASSED this 8th day of April, 2024, pursuant to a roll call vote as follows:

AYES: 7  
NAYS: 0  
ABSENT: 0

APPROVED this 8th day of April, 2024.

  
\_\_\_\_\_  
Nick Cuzzone, Village President

PUBLISHED in pamphlet form this 8th day of April, 2024.

ATTEST:

  
\_\_\_\_\_  
Savannah Graybeak  
Village Clerk







## 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

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### **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 1<sup>st</sup> of each year and continuing until November 30<sup>th</sup> 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 1<sup>st</sup> of each year until November 30<sup>th</sup> 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     , 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: *Rich Keckler, Jr.*

Dated: 10-21-2020

Efrastratios Matsas, owner Strat's

By: *Efrastratios Matsas*

Dated: 10/20/20