

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, JANUARY 27, 2014 AT THE VILLAGE HALL, 7760 QUINCY STREET, IN THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

1. CALL TO ORDER

The meeting was called to order at the hour of 6:30 p.m. by Mayor Frank Trilla.

2. ROLL CALL

Those present at roll call were Mayor Frank Trilla, Trustees Dennis Baker (via teleconference), Terrence Kelly, Michael Mistele, Sue Berglund, Umberto Davi, and Paul Oggerino.

ABSENT: Village Clerk Leroy Hansen.

Also present were Village Attorney Michael Durkin, Village Administrator Timothy Halik, Chief Mark Shelton, Deputy Chief Mark Altobella, Management Analyst Garrett Hummel, and Deputy Clerk Cindy Stuchl.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

Mayor Trilla asked Attorney Durkin to lead everyone in saying the Pledge of Allegiance.

4. VISITORS' BUSINESS

None presented.

5. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Regular Board Meeting - January 13, 2014 (APPROVE)
- c. Minutes - Executive Session - December 16, 2013 (APPROVE)
- d. Warrants - \$342,224.84 (APPROVE)
- e. Ordinance - An Ordinance Amending Title 3, Chapter 12, Section 3-12-5(E) of the Village Code - Classifications: Class E License - Ordinance No. 14-O-05 (PASS)
- f. Ordinance - An Ordinance Amending Title 3, Chapter 1A, Section 3-1A-1(7) of the Village Code - Fees Enumerated - Barbershops - Ordinance No. 14-O-06 (PASS)

Trustee Kelly stated that he needed to vote "Present" on Item 5e.

Mayor Trilla asked the Board if there was any other item to be removed from the Omnibus Vote Agenda.

MOTION: Made by Trustee Mistele and seconded by Trustee Oggerino to approve the Omnibus Vote Agenda as presented.

ROLL CALL VOTE: AYES: Trustees Baker, Berglund, Davi, Kelly, Mistele, and Oggerino. NAYS: None. ABSENT: None.

MOTION DECLARED CARRIED

NEW BUSINESS

6. DELINQUENT WATER BILLS

Administrator Halik advised that there were three (3) delinquent water bills in the amount of \$258.18, \$254.04, and \$399.51. Staff requested authorization to proceed in accordance with past practices, which was approved.

7. ORDINANCE - AN ORDINANCE AMENDING TITLE 3, CHAPTER 12, SECTION 3-12-5(B) OF THE VILLAGE CODE - CLASSIFICATIONS: CLASS B LICENSE

Administrator Halik stated that this amendment will create an additional Class B Liquor License, to bring the total number to fourteen (14), and will be issued to the Stats Sports Bar and Grill located in the Woodland Shopping Plaza.

The application was received and required background checks have been completed.

MOTION: Made by Trustee Mistele and seconded by Trustee Berglund to pass Ordinance No. 14-0-07.

ROLL CALL VOTE: AYES: Trustees Baker, Berglund, Davi, Mistele, and Oggerino. NAYS: None. ABSENT: None. PRESENT: Trustee Kelly

MOTION DECLARED CARRIED

8. ORDINANCE - AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR AND THE ISSUANCE OF ZONING APPROVALS FOR LICENSED MARIJUANA CULTIVATION CENTERS AND LICENSED MEDICAL MARIJUANA DISPENSARIES IN THE ZONING DISTRICTS OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS

Administrator Halik stated that the DuPage Mayors and Managers Conference released a report meant to assist municipalities in addressing the impact of the Medical Cannabis Program act. Illinois is an early adopter of this legislation. New laws and policies will need to be instituted and also review and amend existing policies.

Two of the three State Departments responsible for the implementation of the act have given little direction to what the rules may contain or when they will be available. Agencies have until the end of April to submit their proposed rules to the State, which will then be reviewed by the Joint Commission on Administrative Rules (JCAR) and will then be approved later in the year.

The act allows local governments to enact reasonable zoning regulations that are not in conflict with the act or Department of Public Health Regulations. The Village cannot complete this task until the final rules for the program have been adopted.

As a result, this ordinance would establish a temporary moratorium on the acceptance and processing of applications for uses involving medical marijuana until either a new text amendment is approved by the Village Board or 120 days after the JCAR approves the administrative rules for the program. This will give the Village the opportunity to consider the appropriate ordinance amendments, process them for public hearings before the Plan Commission, and for the Village Board to properly regulate such uses.

MOTION: Made by Trustee Davi and seconded by Trustee Kelly to pass Ordinance No. 14-O-08.

ROLL CALL VOTE: AYES: Trustees Baker, Berglund, Davi, Kelly, Mistele, and Oggerino. NAYS: None. ABSENT: None.

MOTION DECLARED CARRIED

9. RESOLUTION - A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT AND EXECUTE A PROPOSAL FOR PROFESSIONAL SERVICES BETWEEN THE VILLAGE OF WILLOWBROOK AND CHRISTOPHER B. BURKE ENGINEERING, LTD.

Administrator Halik stated that Phase 1 of the Master Facilities Plan includes the renovation of the 835 Midway building along with necessary site alterations to link the parking facilities. The architectural phase will be completed by Williams Architects. The civil site plan will need to be developed by a separate firm.

Christopher B. Burke Engineering has already completed the underlying site topographic survey which will serve as the base plan for the Phase 1 project.

Burke submitted a proposal for professional services in an amount not to exceed \$4,550.00. This includes the development of site engineering plans that will be part of the architectural bid packet, completion of a storm water permit report, and attendance at meetings involving the Village, architect, and other parties to coordinate the civil plan.

Administrator Halik stated that he has shared the proposal with Municipal Services Committee Chairman Trustee Mistele who thought it was a competitive price.

MOTION: Made by Trustee Mistele and seconded by Trustee Oggerino to adopt Resolution No. 14-R-01.

PREVIOUS ROLL CALL VOTE: AYES: Trustees Baker, Berglund, Davi, Kelly, Mistele, and Oggerino. NAYS: None. ABSENT: None.

MOTION DECLARED CARRIED

PRIOR BUSINESS

10. COMMITTEE REPORTS

Trustee Baker had no report.

Trustee Kelly had no report.

Trustee Mistele had no report.

Trustee Berglund had no report.

Trustee Davi had no report.

Trustee Oggerino had no report.

11. ATTORNEY'S REPORT

Attorney Durkin had no report.

12. CLERK'S REPORT

Deputy Clerk Stuchl had no report.

13. ADMINISTRATOR'S REPORT

Administrator Halik stated that he would like to schedule a Joint Committee Budget Review meeting to be held on Wednesday, February 12, 2014 at 5:30 p.m. and asked that the Board contact him with their availability.

14. MAYOR'S REPORT

Mayor Trilla invited the Board to a breakfast on February 8th. The Village is now a member of the West Central Municipal Conference. Legislative issues will be reviewed at the breakfast. If anyone would like to attend, please contact Administrator Halik.

15. EXECUTIVE SESSION

- a. REVIEW 2014 MINUTES - Pursuant to 5 ILCS 120/2(c)(21) Regarding the Minutes of Executive Session Meetings That Were Lawfully Closed Under the Open Meetings Act
- b. DISCUSSION - Pursuant to 5 ILCS 120/2(c)(21) Regarding the Destruction of Audio or Video Recordings of Closed Meetings Under the Open Meetings Act for the Purpose of a Semi-Annual Review of Said Recordings as Mandated by 5 ILCS 120/2.06(3)(c)(1)
- c. DISCUSSION - Pursuant to 5 ILCS 120/2(c)(21) Regarding Previously Approved Minutes of Meetings That Were Lawfully Closed Under the Open Meetings Act for the Purpose of a Semi-Annual Review of Said Minutes as

Mandated by 5 ILCS 120/2.06(d), for Purposes of
Possible Release

RECESS INTO EXECUTIVE SESSION

MOTION: Made by Trustee Kelly and seconded by Trustee Berglund to recess into Executive Session at the hour of 6:44 p.m.

PREVIOUS ROLL CALL VOTE: AYES: Trustees Baker, Berglund, Davi, Kelly, Mistele, and Oggerino. NAYS: None. ABSENT: None.

MOTION DECLARED CARRIED

The Board reconvened the Regular Meeting at the hour of 6:51 p.m.

16. RESOLUTION - A RESOLUTION AUTHORIZING THE DESTRUCTION OF AUDIO OR VIDEO RECORDINGS OF CLOSED MEETINGS

MOTION: Made by Trustee Mistele and seconded by Trustee Berglund to adopt Resolution No. 14-R-02 as presented.

ROLL CALL VOTE: AYES: Trustees Baker, Berglund, Davi, Kelly, Mistele, and Oggerino. NAYS: None. ABSENT: None.

MOTION DECLARED CARRIED

17. RESOLUTION - A RESOLUTION MAKING A DETERMINATION RELATIVE TO THE RELEASE OF EXECUTIVE SESSION MINUTES PURSUANT TO THE ILLINOIS OPEN MEETINGS ACT

MOTION: Made by Trustee Mistele and seconded by Trustee Kelly to adopt Resolution No. 14-R-03 as presented.

ROLL CALL VOTE: AYES: Trustees Baker, Berglund, Davi, Kelly, Mistele, and Oggerino. NAYS: None. ABSENT: None.

MOTION DECLARED CARRIED

18. ADJOURNMENT

MOTION: Made by Trustee Mistele and seconded by Trustee Kelly, to adjourn the Regular Meeting at the hour of 6:53 p.m.

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PREVIOUS ROLL CALL VOTE: AYES: Trustees Baker, Berglund, Davi,
Kelly, Mistele, and Oggerino. NAYS: None. ABSENT: None.

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED.

February 10, 2014.

Mayor

Minutes transcribed by Deputy Clerk Cindy Stuchl.