

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, MARCH 24, 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, Village Clerk Leroy Hansen, Trustees Dennis Baker (via teleconference), Terrence Kelly, Michael Mistele, Sue Berglund, Umberto Davi, and Paul Oggerino.

ABSENT: None.

Also present were Village Attorney Thomas Bastian, Village Attorney Michael Durkin, Village Administrator Timothy Halik, Chief Mark Shelton, Planning Consultant JoEllen Charlton, and Management Analyst Garrett Hummel.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

Mayor Trilla asked Chief Shelton to lead everyone in saying the Pledge of Allegiance.

Attorney Bastian stated that Trustee Baker is requesting to participate in the Board meeting through teleconference and needs a motion to approve.

MOTION: Made by Trustee Davi and seconded by Trustee Kelly to allow Trustee Baker to participate in tonight's Board meeting.

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

MOTION DECLARED CARRIED

4. VISITORS' BUSINESS

Willowbrook Resident Mark Pinnow spoke in reference to the ordinance pertaining to Gun Shop locations and their proximity to schools.

5. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Regular Board Meeting - March 10, 2014 (APPROVE)
- c. Minutes - Special Board Workshop - March 17, 2014 (APPROVE)
- d. Minutes - Executive Session - February 24, 2014 (APPROVE)
- e. Warrants - \$228,398.75 (APPROVE)
- f. Ordinance - An Ordinance Providing for the Official Zoning Map of the Village of Willowbrook, DuPage County, Illinois - Ordinance No. 14-O-13 (PASS)
- g. Resolution - A Resolution Waiving the Competitive Bidding Process and Authorizing the Mayor and Village Clerk to Execute a Certain Agreement - Landscape Fertilization Services - Between the Village of Willowbrook and TruGreen LP - Resolution No. 14-R-11 (ADOPT)
- h. Resolution - A Resolution Waiving the Competitive Bidding Process and Authorizing the Mayor and Village Clerk to Execute a Certain Agreement - Janitorial Services - Between the Village of Willowbrook and Eco Clean Maintenance, Inc. - Resolution No. 14-R-12 (ADOPT)
- i. Resolution - A Resolution Authorizing the Mayor and Village Clerk to Accept a Proposal for the Purchase of Picnic Tables for Park Properties - Belson Outdoors - Resolution No. 14-R-13 (ADOPT)
- j. Proclamation - A Proclamation Declaring May 17, 2014 as DuPage River Sweep Day Throughout DuPage County (APPROVE)

Mayor Trilla asked the Board if there were any items to be removed from the Omnibus Vote Agenda.

MOTION: Made by Trustee Davi and seconded by Trustee Berglund 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 two (2) delinquent water bills in the amount of \$299.22 and \$254.04. Staff requested authorization to proceed in accordance with past practices which was approved.

7. ORDINANCE - AN ORDINANCE REZONING PROPERTY FROM THE R-1 ZONING DISTRICT TO THE B-4 ZONING DISTRICT - 79TH STREET MAP AMENDMENTS

Planning Consultant Charlton stated that this ordinance rezones four (4) commercial properties, located south of 79th Street and east of Route 83, from the R-1 classification to a B-4 classification.

Ms. Charlton stated that these properties were annexed into Willowbrook and at the time were designated to the most restrictive zoning class, which was R-1 residential. All the surrounding properties are businesses. The Village's Comprehensive Plan supports the rezoning of these properties.

MOTION: Made by Trustee Oggerino and seconded by Trustee Mistele to pass Ordinance No. 14-0-14 as presented.

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

MOTION DECLARED CARRIED

8. ORDINANCE - AN ORDINANCE AMENDING THE VILLAGE CODE OF THE VILLAGE OF WILLOWBROOK TITLE 9 - ZONING ORDINANCE

Planning Consultant Charlton stated that this ordinance is a text amendment that defines and regulates fire arms stores and indoor firing ranges. By making these text amendments, it will allow the Village to control and protect fire arms uses being located in areas that would not be appropriate. Current code does not specifically list fire arms sales, indoor firing ranges, and anything to do with guns. Some communities have been challenged when prospective gun store owners propose to locate in districts that contain broad classifications, such as sporting goods stores, and have been limited in their ability to exclude them if courts get involved.

When presented with possible gun sale businesses, the Village decided to be proactive about defining, regulating, and limiting where these types of businesses can be located.

This ordinance proposes that stand-alone fire arms stores are permitted uses within the B-4 zoning district. Firing ranges can vary and therefore, these uses will be added as a special use in the B-4 zoning district which means that every application would require a hearing before the Plan Commission and approval of an ordinance by the Village Board.

The new regulations would also include parking requirements of two parking spaces for each firing lane in the firing range.

Mayor Trilla stated that text not allowing fire arms uses along Route 83 or Interstate 55 should be added to further restrict the locations.

Mayor Trilla questioned Chief Shelton if other communities have had any issues with gun shops or ranges. Chief Shelton stated they have not had any problems.

MOTION: Made by Trustee Oggerino and seconded by Trustee Davi to pass Ordinance No. 14-O-15 as amended.

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

MOTION DECLARED CARRIED

9. ORDINANCE - AN ORDINANCE ABATING THE TAXES HERETOFORE LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL AND INTEREST ON THE \$3,540,000 SPECIAL SERVICE AREA NUMBER ONE UNLIMITED AD VALOREM TAX BONDS, SERIES 2007 OF THE VILLAGE OF WILLOWBROOK DUPAGE COUNTY, ILLINOIS

Administrator Halik stated that special service area (SSA) bonds were issued in December of 2007 to help fund the infrastructure improvements in the Town Center Development. A property tax is levied annually to pay the principal and interest on the SSA bonds. Each year, the Village and County determine what the abatement on the SSA needs to be to collect the correct amount of property taxes.

The calculation and resulting abatement is reviewed and approved by the Village, Harlem Irving, and the Lock-Up Self Storage. This is the last time that this abatement will be necessary due

to the TIF expiring in August of 2013 and will be removed from the tax rolls as of this year.

MOTION: Made by Trustee Mistele and seconded by Trustee Kelly to pass Ordinance No. 14-0-16 as presented.

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

MOTION DECLARED CARRIED

10. ORDINANCE - AN ORDINANCE AMENDING SECTION 3-12-2 ENTITLED "DEFINITIONS:" AND SECTION 3-12-5: ENTITLED "CLASSIFICATIONS," OF CHAPTER 12, ENTITLED "LIQUOR," OF TITLE 3, ENTITLED "BUSINESS," OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF WILLOWBROOK, ILLINOIS

Administrator Halik stated that during the 2014 liquor license renewals, suggestions were made for the provisions relating to homeowners associations. After review by Attorney Bastian, it was recommended that a new classification of liquor license be created to specifically address the retail sale of alcoholic beverages by a homeowners association. The new Class "J" liquor license will allow homeowners associations to sell liquor at special events not to exceed 20 events throughout the year, which mirrors the state liquor license regulations.

The homeowners association will be required to submit a written application for each event to the Village Administrator. The annual fee will be set at \$250.00. This ordinance also creates one (1) Class J license which will be issued to the Lake Hinsdale Village Homeowners Association.

MOTION: Made by Trustee Davi and seconded by Trustee Berglund to pass Ordinance No. 14-0-17 as presented.

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

MOTION DECLARED CARRIED

11. RESOLUTION - A RESOLUTION AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE A CERTAIN INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OF DUPAGE, ILLINOIS FOR MOWING ALONG COUNTY ROADS AND RIGHTS OF WAY

Administrator Halik stated that the property along Kingery Highway is owned by the State of Illinois, the Village has a long standing agreement to mow the turf throughout the growing season without reimbursement from the Illinois Department of Transportation.

In 2012, staff reviewed a mowing reimbursement arrangement with DuPage County along 75th Street. At the time, several complaints had been received about the quality of the mowing that was being performed. The County at the time already had a contract in place.

After the contract expired, the County contacted the Village reference the mowing along 75th Street, and also sections of Plainfield Road, Madison Street, and 63rd Street. The Village has also received several complaints along these areas.

The cost of the mowing would be reimbursed by the County of DuPage at a set rate. A cost proposal was obtained from the Village's current mowing contractor to complete the work. With the reimbursement, the expenses would be cost neutral and allows for the Village to improve the aesthetics of the streets.

The contract was reviewed and authorized by the Municipal Services Committee and Village Attorney.

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

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

MOTION DECLARED CARRIED

PRIOR BUSINESS

12. 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.

13. ATTORNEY'S REPORT

Attorney Bastian had no report.

14. CLERK'S REPORT

Clerk Hansen reminded the Board about the Municipal Clerks of DuPage County meeting on April 2, 2014 beginning at 6:00 p.m. at Dell Rhea's Chicken Basket.

15. ADMINISTRATOR'S REPORT

Administrator Halik had no report.

16. MAYOR'S REPORT

Mayor Trilla wanted to thank the staff for their work on tonight's meeting.

17. 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. Consideration of the Setting of a Price for Sale of Real Property Owned by the Public Body Pursuant to 5 ILCS 120/2(c)(6)
- c. Consideration of the Assignment of Undercover Personnel Pursuant to 5 ILCS 120/2(c)(14)

RECESS INTO EXECUTIVE SESSION

MOTION: Made by Trustee Mistele and seconded by Trustee Oggerino to adjourn into Executive Session at the hour of 7:18 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 7:38 p.m.

18. ORDINANCE - AN ORDINANCE OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS AUTHORIZING AND APPROVING EXECUTION OF A CONTRACT FOR THE SALE OF THE PROPERTY COMMONLY DESCRIBED AS 700 WILLOWBROOK CENTRE PARKWAY, WILLOWBROOK, ILLINOIS

MOTION: Made by Trustee Mistele and seconded by Trustee Baker to pass Ordinance No. 14-O-18 as presented.

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

MOTION DECLARED CARRIED

19. ADJOURNMENT

MOTION: Made by Trustee Mistele and seconded by Trustee Berglund, to adjourn the Regular Meeting at the hour of 7:40 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED.

April 14, 2014.

Mayor

Minutes transcribed by Deputy Clerk Cindy Stuchl.