

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, OCTOBER 13, 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 6:32 p.m. by Mayor Frank Trilla.

2. ROLL CALL

Those present at roll call were Mayor Frank Trilla, Village Clerk Leroy Hansen, Trustees Sue Berglund, Terrence Kelly, Michael Mistele, and Paul Oggerino.

ABSENT: Trustee Umberto Davi

Also present were Village Attorney Thomas Bastian, Village Attorney Michael Durkin, Village Administrator Timothy Halik, Chief Mark Shelton, Deputy Chief Mark Altobella, Planning Consultant JoEllen Charlton, Interim Finance Director Carrie Dittman, Management Analyst Garrett Hummel, and Deputy Clerk Cindy Stuchl.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

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

4. MOTION - BOARD ADVICE AND CONSENT TO MAYOR'S APPOINTMENT OF GAYLE NEAL TO FILL A VACANCY IN THE OFFICE OF VILLAGE TRUSTEE

Mayor Trilla introduced Gayle Neal to the Board. Mayor Trilla stated that Gayle Neal is very diligent, detail oriented, thoughtful, and a team player. She lives in the Lake Hinsdale Village complex and has been an active participant in different committees and charities, such as Wounded Warriors. Ms. Neal has expressed interest to serve the Village as Trustee.

MOTION: Made by Trustee Kelly and seconded by Trustee Berglund to approve the appointment of Gayle Neal as Village Trustee.

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

MOTION DECLARED CARRIED

5. OATH OF OFFICE - VILLAGE TRUSTEE

Village Clerk Hansen administered the oath of office for Village Trustee to Gayle Neal.

6. ROLL CALL

Those present at the second roll call were Mayor Frank Trilla, Village Clerk Leroy Hansen, Trustees Sue Berglund, Terrence Kelly, Michael Mistele, Gayle Neal, and Paul Oggerino.

ABSENT: Trustee Umberto Davi

Clerk Hansen advised the rest of staff was still in attendance.

7. VISITORS' BUSINESS

None presented.

8. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Regular Board Meeting - September 22, 2014 (APPROVE)
- c. Warrants - \$270,960.20 (APPROVE)
- d. Monthly Financial Report - September 30, 2014 (APPROVE)
- e. Ordinance - An Ordinance Ratifying the Execution of a Rider to that Certain Real Estate Purchase Contract for the Sale of Lot 2 in the Willowbrook Corporate Center - Ordinance No. 14-O-44 (PASS)
- f. Ordinance - An Ordinance Authorizing the Closing of the Sale of Surplus Real Estate to Willowbrook Business Center, LLC - 700 Willowbrook Centre Parkway - Ordinance No. 14-O-45 (PASS)
- g. Resolution - A Resolution Authorizing the Village Administrator's Acceptance of Change order Number 2 and 6 - Electrical Revisions and Additional Electric Work - Village Hall Renovation Project, and Ratifying and Confirming the Village Administrator's Prior Execution of Said Change Orders - Resolution No. 14-R-48 (ADOPT)
- h. Resolution - A Resolution Creating Set Hours for Halloween Solicitation - Resolution No. 14-R-49 (ADOPT)

- i. Resolution - A Resolution Proclaiming Red Ribbon Week in the Village of Willowbrook - Resolution No. 14-R-50 (ADOPT)
- j. Motion to Approve - 2014 Motor Fuel Tax (MFT) Road Maintenance Program: Payout #1 - Partial Payment, Fiala Paving Company (APPROVE)
- k. Proclamation - A Proclamation Recognizing Fire Prevention Week and Fire Safety Month in October Within the Village of Willowbrook (APPROVE)

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

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

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

MOTION DECLARED CARRIED

NEW BUSINESS

9. MOTION - BOARD ADVICE AND CONSENT TO MAYOR'S APPOINTMENT OF GAYLE NEAL TO FILL THE VACANCY IN THE OFFICE OF MEMBER OF THE PUBLIC SAFETY COMMITTEE

MOTION: Made by Trustee Kelly and seconded by Trustee Mistele to approve the appointment of Gayle Neal as a member of the Public Safety Committee.

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

MOTION DECLARED CARRIED

10. MOTION - A MOTION TO APPROVE THE FISCAL YEAR 2013/14 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) AND AUDIT MANAGEMENT LETTER

Interim Director Dittman advised that in the Board packet are excerpts of the Annual Audit that was prepared. Highlights included:

- General Fund Revenue exceeded budget by \$874,096 or 11.67%.
- General Fund Expenditures were under budget by \$16,137 or 0.22%.

- The Village's ending fund balance for April 30, 2014 was \$4,615,117, with 218 operating days, which exceeds the Village's targeted amount of days of 120.

Ms. Dittman advised that in the letter addressed to the Village Board from Wolf & Company, LLP, it is stated that there is a net pension asset that is not recorded on the government-wide financial statement. This was a result of the Village overfunding the SLEP pension to achieve the early payoff, which saved the Village approximately \$104,000 in future interest costs. Because the Village overpaid the required contribution, it created a pension asset. After conferring with the auditors, it was determined to not report it in the financial statement.

Ms. Dittman introduced Scott Termine from Wolf & Company, LLP., auditors for the Village of Willowbrook.

Mr. Termine stated that the audit went very smoothly and all documents were well prepared by Village staff. The opinion on the Comprehensive Annual Financial Report is an unqualified opinion which indicates that the audit was satisfactory that all balances were properly presented, and required disclosures were also presented in a clear and consistent manner.

Mr. Termine advised that there is a new government accounting standards statement that will affect the Village's fiscal year ending April 30, 2016. There is a significant change in the reporting of the Village's pension obligations. Mr. Termine stated that essentially this will result in significant changes in footnote disclosures regarding the pension plans, but also the recognition of the associated liabilities that relate to the Police Pension Plan and the IMRF Plan.

Mr. Termine indicated that the current reporting models focus on funding and not the outstanding unfunded pension obligation. Beginning with the Year 2016, the Governmental Accounting Standards Board is requiring that the Village recognize the unfunded liability in the financial statements.

Mayor Trilla questioned if the unfunded liability considered against the Village for its credit rating. Mr. Termine stated that it is.

MOTION: Made by Trustee Oggerino and seconded by Trustee Berglund to approve the Fiscal Year 2013/14 Comprehensive Annual Financial Report, Tax Increment Financing District Fund Report, and Audit Management Letter as presented.

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

MOTION DECLARED CARRIED

11. ORDINANCE - AN ORDINANCE ANNEXING TERRITORY TO THE VILLAGE OF WILLOWBROOK - REMAINING UNINCORPORATED AREAS WITHIN 6407 LANE COURT, 504 RIDGEMOOR DRIVE, AND 512 RIDGEMOOR DRIVE

Planning Consultant Charlton stated that the property located at 6407 Lane Court had been purchased and the new owner wants to tear down the existing home and build new. This lot and three (3) other lots on Ridgemoor Drive have a portion of their property within Willowbrook jurisdiction and a portion of the property in Unincorporated DuPage County. This was a result when property had been annexed back when the Village was first incorporated.

The Village reached out to the residents on Ridgemoor Drive to see if the property owners would be willing to fully incorporate within the Village of Willowbrook at this time. The one remaining property owner was unable to be contacted and additional annexation may occur in the future.

MOTION: Made by Trustee Mistele and seconded by Trustee Oggerino to pass Ordinance No. 14-0-46 as presented.

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

MOTION DECLARED CARRIED

12. ORDINANCE - AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD WITHIN A CERTAIN AREA IN THE VILLAGE OF WILLOWBROOK

Planning Consultant Charlton advised that this item is a follow-up requirement for the shopping center development that is located in the northwest corner of Route 83 and 75th Street. This property was previously a gas station. It was required to comply with standards for remediating contaminated soils as part of the new development. One of the requirements that was made by the EPA was to secure this ordinance from the Village.

This ordinance will prohibit any new wells from being dug or for the use of any existing wells as a potable water supply. This

ordinance only affects 12 properties that are in close proximity to this location, which include two (2) lots to the west of the shopping center, eight (8) residential properties located on the south side of 75th Street, and the Potbelly Restaurant. All properties are already served by Village water. Any wells that currently exist are either capped or only used for irrigation purposes.

MOTION: Made by Trustee Mistele and seconded by Trustee Kelly to pass Ordinance No. 14-O-47 as presented.

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

MOTION DECLARED CARRIED

13. ORDINANCE - AN ORDINANCE AMENDING CHAPTER 3 ENTITLED "MISDEAMEANORS" OF TITLE 5 ENTITLED "POLICE" OF THE VILLAGE CODE OF ORDINANCE OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS

Attorney Bastian related that the current Village code contains provisions prohibiting the possession and use of cannabis and drug paraphernalia. With the adoption of the Compassionate Medical Marijuana program act, cannabis under certain amounts and certain conditions is authorized.

The modification to the Village code will exclude the possession and/or use of cannabis by persons authorized to possess and use cannabis.

MOTION: Made by Trustee Oggerino and seconded by Trustee Mistele to pass Ordinance No. 14-O-48 as presented.

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

MOTION DECLARED CARRIED

PRIOR BUSINESS

14. COMMITTEE REPORTS

Trustee Neal had no report.

Trustee Kelly had no report.

Trustee Mistele had no report.

Trustee Berglund had no report.

Trustee Oggerino had no report.

15. ATTORNEY'S REPORT

Attorney Bastian had no report.

16. CLERK'S REPORT

Clerk Hansen had no report.

17. ADMINISTRATOR'S REPORT

Administrator Halik had no report.

18. MAYOR'S REPORT

Mayor Trilla had no report.

19. EXECUTIVE SESSION

Mayor Trilla stated that there was no need for Executive Session during tonight's meeting.

20. ADJOURNMENT

MOTION: Made by Trustee Mistele and seconded by Trustee Berglund, to adjourn the Regular Meeting at the hour of 7:02 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED.

October 27, 2014.

Mayor

Minutes transcribed by Deputy Clerk Cindy Stuchl.