

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, SEPTEMBER 28, 2009, 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 7:30 p.m. by Village President Robert Napoli.

2. ROLL CALL

Those present at roll call were Trustees Dennis Baker, Terrence Kelly, Michael Mistele, Paul Schoenbeck, Sandra O'Connor, Timothy McMahon and President Napoli. ABSENT: None. Also present were Village Clerk Leroy Hansen, Village Attorney William Hennessy, Chief of Police Edward Konstanty, Director of Municipal Services Timothy Halik, Director of Finance Sue Stanish, Deputy Chief Pat Foley, Planner Sara Hage and Administrative Intern Garrett Hummel.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

President Napoli asked everyone to join him in saying the Pledge of Allegiance.

4. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Regular Board Meeting - September 14, 2009 (APPROVE)
- c. Warrants - September 28, 2009 - \$140,747.42 (APPROVE)
- d. MOTION TO APPROVE - EXPENDITURE FOR REPLACEMENT OF ONE IN-CAR VIDEO CAMERA - \$4,912.00 (APPROVE)
- e. MOTION TO APPROVE - FISCAL YEAR 2010-11 BUDGET SCHEDULE (APPROVE)
- f. PROCLAMATION - PROCLAIMING OCTOBER 2009 AS FIRE PREVENTION MONTH IN THE VILLAGE OF WILLOWBROOK (APPROVE)
- g. PROCLAMATION - PROCLAIMING OCTOBER 2009 AS NATIONAL BREAST CANCER AWARENESS MONTH IN THE VILLAGE OF WILLOWBROOK (APPROVE)

President Napoli asked if any Board member wanted any item(s) removed from the Omnibus Vote Agenda for discussion. No Board member wanted any item(s) removed from the Omnibus Vote Agenda.

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

ROLL CALL VOTE: AYES: Trustees Baker, Kelly, Mistele, Schoenbeck, O'Connor and McMahon; NAYS: None; ABSENT: None.

MOTION DECLARED CARRIED

NEW BUSINESS

5. VISITOR'S BUSINESS (Public comment is limited to three minutes per person on agenda items only)

There was no visitors business.

6. DELINQUENT WATER BILLS

Director Halik reported to the Village Board that there was one delinquent water bill before them this evening in the amount of \$243.08 and requested permission to proceed as per Village policy.

7. ORDINANCE - AN ORDINANCE REZONING CERTAIN TERRITORY TO THE M-1 DISTRICT - 7904 JOLIET ROAD

Planner Hage informed the Board that the ordinance before them was to rezone the subject property, 7904 Joliet Road, from the R-1 Residential District to the M-1 District. The owner's request to rezone the property to the M-1 District would allow for uses that are compatible with surrounding uses and facilitate a sale of the property.

MOTION: Made by Trustee Mistele, seconded by Trustee McMahon, to pass Ordinance No. 09-0-21.

PREVIOUS ROLL CALL VOTE: AYES: Trustees Baker, Kelly, Mistele, Schoenbeck, O'Connor and McMahon; NAYS: None; ABSENT: None.

MOTION DECLARED CARRIED

8. RESOLUTION - A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT AND VILLAGE CLERK TO ACCEPT A PROPOSAL FOR THE 2009 FALL BRUSH COLLECTION PROGRAM - KRAMER TREE SPECIALISTS, INC.

Director Halik advised the Board that he requested a proposal from the Village's regular tree maintenance contractor, Kramer

Tree Specialists, Inc. The brush pick-up program will be held the October 19-October 23. Kramer Tree Specialists suggested a differently run program that includes the collection of brush at the curbside, with grapple loading equipment, which is then brought to a central location in town, where it is grounded into high quality mulch and the mulch gets used in landscape beds, village rights-of-way, parks and will be made available to the public. Kramer provided a proposal to complete this program in an amount not to exceed \$7,580, which represents a \$1,320 savings from the cost of the previous program. This program eliminates the chipping noise and mess created by the previous program and is more environmentally friendly. Staff recommends the Village Board adopt this resolution.

Trustee Mistele advised the Board that the Municipal Services Committee reviewed this item and highly recommends we follow through on what we told our residents we would do.

MOTION: Made by Trustee Baker, seconded by Trustee McMahon, to adopt Resolution No. 09-R-50.

PREVIOUS ROLL CALL VOTE: AYES: Trustees Baker, Kelly, Mistele, Schoenbeck, O'Connor and McMahon; NAYS: None; ABSENT: None.

MOTION DECLARED CARRIED

9. MOTION TO APPROVE FISCAL YEAR 2008-09 COMPREHENSIVE ANNUAL FINANCIAL REPORT, TIF COMPLIANCE REPORT AND MANAGEMENT LETTER

Director Stanish provided highlights for the Board with regard to the different Village Funds and identified two funds that had a deficit at the end of the fiscal year:

- The Hotel/Motel Tax Fund had a year-end deficit largely due to the Holiday Inn bankruptcy. There is currently an \$8,000 cash balance in this account and the Fund is beginning to spend some money on advertising.
- The Motor Fuel Tax Fund also had a year-end deficit due to a decrease in receipts in per-capita distributions from the State of Illinois. There is currently \$65,000 in the fund that will be spent on MFT projects.

At this time, Director Stanish introduced Fred Lantz with Sikich LLC, the Village's auditor.

Mr. Lantz advised the Board that as a result of the audit, three documents were presented for their review. The Comprehensive Annual Financial Report, Management Letter (Recommendations for Improvement) and the TIF District Fund Compliance Report.

Mr. Lantz reported that the financial statements presented are based on sound accounting principles and fairly present the respective financial positions of each fund of the Village of Willowbrook as of April 30, 2009. Less than three tenths of one percent of all municipalities in the country with populations less than 25,000 annually received a clean and unqualified opinion and Mr. Lantz congratulated the Village Board on this accomplishment. He further noted that the Village had received a Certificate of Achievement in Financial Report (CAFR) and the Board discovered how important this certificate was when they went for a bond rating and to issue bonds to pay for construction of the public works facility.

Mr. Lantz provided an overview of the Annual Financial Report, the Management Letter (Recommendations for Improvements) and the compliance report regarding the Tax Increment Financing District.

There were no significant deficiencies identified in the Management Letter but they did identify some minor control deficiencies that were put forth in the report that related to Police Pension Investment reporting and Collateral Agreements, which Mr. Lantz noted had been addressed.

Trustee Schoenbeck inquired with regard to SLEP and Police Pension what would that mean in additional costs to the Village this year.

Director Stanish responded that last year we projected a 20% increase in what that contribution would be but it will be more like 35% increase, which is approximately a \$70,000 impact. The SLEP contribution has increased to \$50,000 this year. In the FY 09-10 budget, we assumed to pay the higher contribution rate with regard to IMRF pensions.

President Napoli noted that a year or two ago, Mr. Lantz was asked what our reserves should be for a Village of our size and thought he stated a year of reserves would be sufficient, is

that the best possible scenario for us. We usually are at around 180 days.

Mr. Lantz responded that he thought at the time the Village was at about 120 days of reserve and the best scenario for the Village was to get to the 180 days, which the Village had achieved in 2009. He thought it was noted at the time that one or two of the neighboring communities that are similar to Willowbrook and have very healthy sales tax revenues do have a 100 percent fund balance policy. It can certainly be worth a look to see why Oak Brook has a higher fund balance but they do have a fire department and a library, which Willowbrook does not have. He did note that a 100 percent fund balance policy would provide another layer of insulation for the Village's finances; however, Mr. Lantz thought what the Village has right now is very concrete and trying to achieve 100% fund balance in reserves would be very challenging.

MOTION: Made by Trustee McMahon, seconded by Trustee Mistele, to approve Fiscal Year 2008-09 Comprehensive Annual Financial Report, TIF Compliance Report and Management Letter as presented.

PREVIOUS ROLL CALL VOTE: AYES: Trustees Baker, Kelly, Mistele, Schoenbeck, O'Connor and McMahon; NAYS: None; ABSENT: None.

MOTION DECLARED CARRIED

OLD BUSINESS

10. COMMITTEE REPORTS

Trustee Baker had no report.

Trustee Kelly had no report.

Trustee Mistele had no report.

Trustee Schoenbeck had no report.

Trustee O'Connor had no report.

Trustee McMahon had no report.

11. ATTORNEY'S REPORT

Village Attorney Hennessy had no report.

12. CLERK'S REPORT

Village Clerk Hansen informed the Board that he had attended the IML Conference and later on he will present the new Freedom of Information Act (FOIA) rules and regulations.

13. ADMINISTRATOR'S REPORT

Chief Konstanty had no report.

14. EXECUTIVE SESSION

MOTION: Made by Trustee McMahon, seconded by Trustee Baker, to adjourn into Executive Session to discuss personnel and probable and imminent litigation at the hour of 8:15 p.m.

PREVIOUS ROLL CALL VOTE: AYES: Trustee Baker, Kelly, Mistele, Schoenbeck, O'Connor and McMahon; NAYS: None; ABSENT: None.

MOTION DECLARED CARRIED

SEE APPROPRIATE EXECUTIVE SESSION MINUTES

PRESENTED, READ and APPROVED,

_____, 2009

Village President

Minutes transcribed by Mary Partyka.