

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, AUGUST 10, 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, Michael Mistele, Paul Schoenbeck, Sandra O'Connor, Timothy McMahon and President Napoli. ABSENT: Trustee Terrence Kelly. 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 Mark Shelton 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 - July 27, 2009 (APPROVE)
- c. Warrants - August 10, 2009 - \$86,366.83 (APPROVE)
- d. Monthly Financial Report - July 31, 2009 - \$14,410,846.53 (ACCEPT)

President Napoli asked if any Board Member wanted any item(s) removed from the Omnibus Vote Agenda for further discussion. Village Clerk Hansen requested that under Agenda Item 4c to hold check #73539 for Williams Architects.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee McMahon, to approve the Omnibus Vote Agenda with the exception of Item 4c, check #73539 for payment to Williams Architects.

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

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. MOTION - PRESIDENTIAL APPOINTMENT - PARKS AND RECREATION COMMISSIONER

Chief Konstanty informed the Board that there are currently four (4) vacancies on the Parks and Recreation Commission. The Village President recommended the appointment of Ramona Weigus to the Parks and Recreation Commission. Ms. Weigus would fill the vacancy of former Parks Commissioner Janice Winter for a term to expire on April 30, 2011. Chief Konstanty advised the Board that President Napoli, Superintendent of Parks & Recreation Walter Righton and he met with Ms. Weigus and all thought she was an excellent candidate for this position.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Mistele, to concur with the appointment of Ramona Weigus as a Parks and Recreation Commissioner for a term to expire on April 30, 2011.

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

MOTION DECLARED CARRIED

7. DISCUSSION - VIDEO POKER MACHINES

Chief Konstanty informed the Board that the State passed legislation that allows liquor license holders to have up to five video poker machines per establishment. There is a revenue sharing allowance in the state statute for municipalities that allow video poker machines. The current Village Code does not allow for these types of machines. The Illinois Municipal League estimates the municipal portion would be \$2,250 per machine. Chief Konstanty noted that there were eleven (11) liquor license holders that would be eligible for this use.

Director Halik reported that the Governor signed the bill into law on July 13; what happens is now the bill will go to the Illinois Gaming Commission to write the appropriate rules and regulations. The Gaming Commission has stated that they will be

unable to meet the 60 day deadline and they anticipate it would take 12 to 18 months to complete the rules and regulations and to have the required public commentary.

President Napoli advised that he wanted to bring this matter to the attention of the Board because it is going to be a discussion item that will be in the papers and with other villages. He also thought that he and Chief Konstanty would meet with the liquor license holders and invite them to come to a meeting to get their input and see what they have to say with regard to this issue.

Trustee ^{Schoenbeck} McMahon asked if there was something that the Board has to do if we elect not to do anything or have them in our community.

Chief Konstanty responded that we could clarify the Code a little more if we are not doing it but right now our Ordinance does not allow it.

Trustee McMahon felt that due diligence suggests we should explore it and go forward in an exploratory way.

The consensus of the Board was to direct Staff to explore the matter further.

8. MOTION TO APPROVE - SALE OF PERSONAL PROPERTY OWNED BY THE VILLAGE OF WILLOWBROOK

Chief Konstanty informed the Board there were two (2) surplus vehicles that are no longer necessary or useful to the Village of Willowbrook and the best interest of the Village would be served by their sale. He recommended approval of the sale of these vehicles on eBay.

MOTION: Made by Trustee McMahon, seconded by Trustee Schoenbeck, to approve the sale of the two Village of Willowbrook vehicles.

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

MOTION DECLARED CARRIED

9. RESOLUTION NO. 09-R-46 - A RESOLUTION REJECTING BIDS -
WATER STORAGE TANK REHABILITATION PROJECT

Director Halik advised the Board that public bid opening was conducted on June 30 and of the five bids received all exceeded the engineer's original estimate and the amount budgeted for FY 09/10. The bid results were reviewed by the Municipal Services Committee during their July 13, 2009 meeting. At that time Staff recommended that Staff be allowed to determine why the bids came in so high and report back to the Committee with a recommendation. After meetings were held with both the consulting engineer and several of the vendors, it had been determined that as the specifications were being drafted, additional items were added to the repair list without due regard for budget limitations. Therefore, Staff revised the scope of work to bring the project back down to include the original list of items only. Staff had met with representatives of the low bidder, Era Valdivia Contractors, to request a proposal based on the reduced scope of the work. Era Valdivia submitted a proposal of \$94,500.00 for original repairs items and an additional four items. This price is \$10,500.00 below the budgeted amount and if accepted would enable us to complete the repairs this fall as originally planned. The Municipal Services Committee discussed this item at their regular meeting prior to this evening's Board meeting and recommended that a second resolution to be brought before the Board on August 24 for consideration. The Resolution before the Board this evening merely serves to reject all bids received based on the expanded scope of work. The Staff and Municipal Services Committee recommend this Resolution be adopted.

Trustee Mistele noted the scope of work that remains within these requested contracts is the safety and long-term maintenance work that we need done on all three of the water towers. Some of the issues that were discretionary like replacing light fixtures, items that were non life safety oriented items, is why we were able to revise this down. It followed recommendations received by the department received a year or so ago.

Trustee Schoenbeck asked Trustee Mistele on the part that the scope of the repairs were expanded without due regard of the budget limitation, was this something the vendor did? Trustee Mistele replied that it was done by our people and the engineer in an effort to save money overall.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Mistele, to adopt Resolution No. 09-R-46.

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

MOTION DECLARED CARRIED

OLD BUSINESS

10. COMMITTEE REPORTS

Trustee McMahon had no report.

Trustee O'Connor had no report.

Trustee Schoenbeck had no report.

Trustee Mistele had no report.

Trustee Baker had no report.

11. ATTORNEY'S REPORT

Village Attorney Hennessy had no report.

12. CLERK'S REPORT

Village Clerk Hansen reminded the Board of the upcoming IML Conference to be held September 24-26, 2009. He had attended the last several years and there is a lot of good information attendees would get at that conference.

13. ADMINISTRATOR'S REPORT

Chief Konstanty noted that the Board had been receiving the Weekly Briefing Report for the last four weeks and asked if they had any comments and improvements that could be made.

At this time, Chief Konstanty reported that the Red Light Program goes online this coming Wednesday for 63rd Street and 75th Street. Deputy Chief Mark Shelton presented a 30 second commercial advertising the Red Light Program, which is going to run for three weeks. Each resident will get a postcard informing them of the implementation of the Red Light Program.

President Napoli congratulated Trustee McMahon and his wife on their 30th wedding anniversary and Village Clerk Hansen and his wife on their 50th wedding anniversary.

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 7:53 p.m.

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

MOTION DECLARED CARRIED

SEE APPROPRIATE EXECUTIVE SESSION MINUTES

PRESENTED, READ and APPROVED,

August 24, 2009

Robert A. Napoli
Village President

Minutes transcribed by Mary Partyka.