

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, APRIL 27, 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 Acting Village President Robert Napoli.

2. ROLL CALL

Those present at roll call were Trustees Terrence Kelly, Michael Mistele, Paul Schoenbeck, Sandra O'Connor, Timothy McMahon and Acting President Napoli. ABSENT: Trustee Dennis Baker. Also present were Village Clerk Leroy Hansen, Village Attorney Thomas Good, Village Administrator Phil Modaff, Chief of Police Edward Konstanty, Director of Finance Sue Stanish, Director of Municipal Services Timothy Halik, Superintendent of Parks & Recreation Walter Righton and Administrative Intern Garrett Hummel.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

Acting 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 - April 13, 2009 (APPROVE)
- c. Warrants - April 27 2009 - \$102,225.80 (APPROVE)
- d. MOTION TO APPROVE - MOTION TO APPROVE PAYMENT OF THE DUMEG "FAIR SHARE" CONTRIBUTION FOR 2009/10 - \$13,520.00 (APPROVE)
- e. MOTION TO APPROVE - PAYMENT FOR NORTHEAST MULTI REGIONAL MEMBERSHIP ASSESSMENT FEE FOR 2009/10 - \$2,790.00 (APPROVE)
- f. MOTION TO APPROVE - PUBLIC WORKS FACILITY CONSTRUCTION CONTRACT: PAYOUT #7 - PARTIAL PAYMENT, FBG CONSTRUCTION CORPORATION - \$134,550.00 (APPROVE)
- g. MOTION TO APPROVE - REQUEST FOR WAIVER OF PERMIT FEES - WEST SHRINE CLUB - APRIL 31 THRU MAY 2, 2009 (APPROVE)
- h. RESOLUTION NO. 09-R-20 - A RESOLUTION AUTHORIZING THE ACTING VILLAGE PRESIDENT AND VILLAGE CLERK TO ACCEPT A PROPOSAL FOR THE 2009 SPRING BRUSH

- COLLECTION PROGRAM - HOMER TREE CARE, INC.
(ADOPT)
- i. RESOLUTION NO. 09-R-21 - A RESOLUTION AUTHORIZING THE ACTING VILLAGE PRESIDENT TO EXECUTE A PROPOSAL FOR PROFESSIONAL SERVICES BETWEEN THE VILLAGE OF WILLOWBROOK AND CHRISTOPHER B. BURKE ENGINEERING, LTD. (ADOPT)
 - j. RESOLUTION NO. 09-R-22 - A RESOLUTION AUTHORIZING THE ACTING VILLAGE PRESIDENT TO EXECUTE A PROPOSAL FOR PROFESSIONAL SERVICES BETWEEN THE VILLAGE OF WILLOWBROOK AND CHRISTOPHER B. BURKE ENGINEERING, LTD. (ADOPT)
 - k. RESOLUTION NO. 09-R-23 - A RESOLUTION AUTHORIZING THE EXECUTION OF A TRAFFIC CONTROL AGREEMENT - SUPER 8 MOTEL (ADOPT)
 - l. RESOLUTION NO. 09-R-24 - A RESOLUTION AUTHORIZING THE PRESIDENT AND VILLAGE CLERK TO ENTER INTO A CERTAIN AGREEMENT - LINDA S. PIECZYNSKI - VILLAGE ORDINANCE PROSECUTIONS (ADOPT)
 - m. RESOLUTION NO. 09-R-25 - A RESOLUTION URGING PASSAGE OF A COMPREHENSIVE CAPITAL INFRASTRUCTURE PROGRAM

Acting President Napoli asked if any Board Member wanted any item(s) removed from the Omnibus Vote Agenda for discussion or correction.

Trustee Mistele requested that Item 4b be removed for correction.

MOTION: Made by Trustee Mistele, seconded by Trustee Schoenbeck, to approve the Omnibus Vote Agenda exclusive of Item 4b.

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

MOTION DECLARED CARRIED

Trustee Mistele noted that within the minutes of the April 13, 2009 meeting, Item No. 11, the motion reads "Made by Trustee Schoenbeck, seconded by Trustee Schoenbeck". The minutes should read "Made by Trustee Schoenbeck, seconded by Trustee Mistele."

MOTION: Made by Trustee Schoenbeck, seconded by Trustee O'Connor, to approve Agenda Item No. 4b as amended.

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

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 Board that there were two delinquent water bills in the amounts of \$54.10 and \$121.36, respectively, and requested permission to proceed as per past Village policy.

7. PROCLAMATION - RECOGNIZING MAY 3, 2009 THRU MAY 9, 2009 AS MUNICIPAL CLERKS WEEK

MOTION: Made by Trustee Schoenbeck, seconded by Trustee McMahon, to approve the proclamation recognizing Municipal Clerks Week.

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

MOTION DECLARED CARRIED

8. PROCLAMATION - RECOGNIZING MAY 15, 2009 AS PEACE OFFICERS' MEMORIAL DAY AND MAY 11, 2009 THRU May 15, 2009 AS POLICE WEEK

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Mistele, to approve the proclamation recognizing Peace Officers' Memorial Day and Police Week.

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

MOTION DECLARED CARRIED

9. PROCLAMATION - RECOGNIZING MAY 17, 2009 THRU MAY 23, 2009 AS NATIONAL PUBLIC WORKS WEEK

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Mistele, to approve the proclamation recognizing National Public Works Week.

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

MOTION DECLARED CARRIED

10. MOTION - MOTION TO CONCUR WITH VILLAGE PRESIDENT'S RECOMMENDATIONS FOR REAPPOINTMENT

MOTION: Made by Trustee Mistele, seconded by Trustee Schoenbeck, to concur with Village President's recommendations for reappointments.

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

MOTION DECLARED CARRIED

11. RESOLUTION - A RESOLUTION AUTHORIZING THE ACTING VILLAGE PRESIDENT AND VILLAGE CLERK TO EXECUTE AN AGREEMENT - DOME CORPORATION OF NORTH AMERICA - FOR CONSTRUCTION OF A ROCK SALT STORAGE BUILDING

Director Halik informed the Board that a public bid opening was conducted on April 14, 2009 and two bids were submitted prior to that date. Dome Corp. of North America submitted the lowest qualified bid, which came in over \$22,000 lower than estimated. Staff contacted several of the professional references submitted by Dome Corp. and received favorable responses. The substantial completion date for the salt storage building is anticipated as June 25, 2009.

MOTION: Made by Trustee Mistele, seconded by Trustee McMahon, to adopt Resolution No. 09-R-26.

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

MOTION DECLARED CARRIED

12. RESOLUTION - A RESOLUTION WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING THE VILLAGE ADMINISTRATOR TO EXECUTE THE PURCHASE AND DELIVERY OF PARK PLAYGROUND EQUIPMENT FROM NUTOYS LEISURE PRODUCTS IN AN AMOUNT NOT TO EXCEED \$45,749.00

Superintendent Righton advised the Board that the Waterford Park playground project has been included in the Village's Long-Range Plan for the past several years and had been budgeted at \$74,000 in the FY09-10 budget. Last November the Finance/Administration Committee approved the concept of the playground renovation. An ad hoc committee was formed to develop a playground plan and on March 25, 2009 the ad hoc committee unanimously approved the plan that is before the Board this evening. On April 7, 2009, the Committee's plan was unanimously approved by the Parks & Recreation Commission and on April 13, 2009 the Finance/Administration Committee supported the Commission's recommendation. Mr. Righton informed the Board that since the selected playground equipment is available from just one source, bid requirements must be waived. The Staff was authorized to seek competitive bids for the professional installation of the equipment and to present the bid results to the Finance/Administration Committee at the meeting on May 11, 2009.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee McMahon, to adopt Resolution No. 09-R-27.

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

MOTION DECLARED CARRIED

13. REPORT - WILLOWBROOK POLICE DEPARTMENT 2008 ANNUAL REPORT

Chief Konstanty presented the Police Department's 2008 Annual Report.

- Service codes increased 41% as compared to last year.
- DUI arrests increased by 46% as compared to last year.

- Traffic accidents were reduced by 22 accidents as compared to last year.
- The Department was recredited for the fifth consecutive time and were recognized by CALEA as a "Flagship" agency.
- Three officers were honored by the DuPage 100 Club with the "Distinguished Award of Valor" for their actions of saving a woman's life at Willow Pond.
- The Cadets participated in 2008 National Law Enforcement Explorer Conference.
- Two employees, Marianne Koerfer and Joseph Pec, retired from the Village this past year.
- The Red Light Program is proceeding at a planned pace; it has been pushed back slightly at this time due to some issues with the State.

Acting President Napoli accepted the report and congratulated Chief Konstanty and his department on the well done report.

14. MOTION - MOTION TO APPROVE - FY 2009-10 BUDGET

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Mistele, to approve the FY 2009-10 Budget.

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

MOTION DECLARED CARRIED

OLD BUSINESS

15. COMMITTEE REPORTS

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.

16. ATTORNEY'S REPORT

Village Attorney Good had no report.

17. CLERK'S REPORT

Village Clerk Hansen had no report.

18. ADMINISTRATOR'S REPORT

Administrator Modaff congratulated the Staff on the significant items on the agenda this evening that were a culmination of a lot of work over the last few months. First and foremost was the Annual Police Report, which is a well put together report. Also, the Public Works Garage, as Trustee Mistele pointed out, we have made payouts now through about 60% completion and the salt dome construction project. The Village is fortunate to have Director Halik, who is a Master Code Official, who can supervise the construction of the building in addition to his already very full, full time job. Also, congratulations to Director Stanish for the preparation of the budget and to the Board for approving a surplus budget. In addition, Administrator Modaff noted that Superintendent Righton has an outstanding process in approving the types of park projects such as the Waterford playground where he engages residents from the neighborhood to come out to select the equipment along with members of the Parks Commission.

Administrator Modaff wanted to affirm the position he had gotten from the Board members and the Plan Commission with regard to a potential fast food restaurant in the Town Center. He noted he had met with Rick Filler from the Town Center who updated Mr. Modaff on the potential Chik-Fil-A restaurant. Mr. Modaff informed Mr. Filler that the Board generally was not in support of that type of restaurant, which would include a drive-thru and that was not what was envisioned by the Board for the premium property locations there.

The consensus of the Board was that they were not in support of a fast food type restaurant at one of the premium restaurant locations at the Town Center.

Administrator Modaff informed the Board that the joint Plan Commission/Village Board meeting will be held on May 20 where we will start to look at the sign code.

Trustee McMahon commented that from the Finance Committee perspective he really appreciated how the budgeting process has evolved over the last five years or so; we are coming in with logical budgets and a good comprehension of them.

19. EXECUTIVE SESSION

There was no need for an Executive Session.

20. ADJOURNMENT

MOTION: Made by Trustee Schoenbeck, seconded by Trustee McMahon, to adjourn the regular meeting at the hour of 7:55 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED,

May 11, 2009

Robert A. Napoli
Village President

Minutes transcribed by Mary Partyka.