

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, MARCH 9, 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 Dennis Baker, Terrence Kelly, Michael Mistele, Paul Schoenbeck, Sandra O'Connor, Timothy McMahon and Acting President Napoli. ABSENT: None. Also present were Village Clerk Leroy Hansen, Village Attorney Robin Jones, Village Administrator Phil Modaff, Chief of Police Edward Konstanty, Director of Finance Sue Stanish, Director of Municipal Services Timothy Halik, Planner Sara Hage 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 - February 23, 2009 (APPROVE)
- c. Minutes - Executive Session - February 23, 2009 (APPROVE)
- d. Warrants - March 9, 2009 - \$112,756.60 (APPROVE)
- e. Monthly Financial Report - February 28, 2009 - \$16,751,511.52 (ACCEPT)
- f. RESOLUTION NO. 09-R-08 - A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT AND VILLAGE CLERK TO EXECUTE A CERTAIN AGREEMENT - DUPAGE CONVENTION AND VISITORS BUREAU (ADOPT)
- g. RESOLUTION NO. 09-R-09 - A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR'S ACCEPTANCE OF CHANGE ORDER NUMBER 17 - WINTER CONDITIONS ALLOWANCE - FOR THE CONSTRUCTION OF THE VILLAGE PUBLIC WORKS FACILITY AND RATIFYING AND CONFIRMING THE VILLAGE ADMINISTRATOR'S PRIOR EXECUTION OF SAID CHANGE ORDER (ADOPT)

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

MOTION: Made by Trustee Mistele, seconded by Trustee Schoenbeck, 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. PROCLAMATION - DELL RHEAS CHICKEN BASKET

Acting President Napoli read and presented the Proclamation to Patrick Rhea, owner of Dell Rheas Chicken Basket Restaurant, and congratulated him on behalf of the Village Board.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee McMahon, to approve the Proclamation for Dell Rheas Chicken Basket.

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

MOTION DECLARED CARRIED

6. VISITOR'S BUSINESS (Public comment is limited to three minutes per person)

There was no visitors business.

Acting President Napoli requested the Board to consider that in the future if they would want to have a policy to allow visitors to speak up to three minutes with regard to an agenda item; a visitor would not be allowed to speak to an item not on the agenda. This would also apply to Committee meetings.

Trustee Schoenbeck suggested this matter be placed on the agenda for the next meeting. He felt this would be a more orderly way to conduct the meeting.

Acting President Napoli advised the Board if they had ideas or questions to contact Administrator Modaff or himself.

7. ORDINANCE - AN ORDINANCE ABATING THE TAXES HERETOFORE LEVIED FOR THE YEAR 2008 TO PAY THE PRINCIPAL AND INTEREST ON THE \$1,300,000 GENERAL OBLIGATION BONDS (COMBINED ALTERNATE REVENUE SOURCE), SERIES 2000 OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS

Director Stanish informed the Board that this tax abatement ordinance is passed every year and filed with the DuPage County Clerk's office abating any property taxes that would be set for our water bond obligation back in 2000.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee McMahon, to pass Ordinance No. 09-0-06.

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

MOTION DECLARED CARRIED

8. ORDINANCE - AN ORDINANCE ABATING THE TAXES HERETOFORE LEVIED FOR THE YEAR 2008 TO PAY THE PRINCIPAL AND INTEREST ON THE \$2,050,000 GENERAL OBLIGATION BONDS (ALTERNATE REVENUE SOURCE), SERIES 2008 OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS

Director Stanish informed the Board that this is similar to the previous ordinance. This ordinance would abate taxes to be assessed on our new 2008 bond issue and would be filed annually with the DuPage County Clerk's office for the next twenty years.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Kelly, to pass Ordinance No. 09-0-07.

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

MOTION DECLARED CARRIED

9. RESOLUTION - A RESOLUTION ADOPTING AN AMENDED VILLAGE OF WILLOWBROOK PERSONNEL MANUAL

Trustee Baker requested that this item be deferred for one month based on conversations that may take place in Executive Session.

MOTION: Made by Trustee Baker, seconded by Trustee Schoenbeck, to defer consideration of the Personnel Manual for one month.

AMENDED MOTION: Made by Trustee Baker, seconded by Trustee Schoenbeck, to defer consideration of the Personnel Manual to the next meeting.

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

MOTION DECLARED CARRIED

10. ORDINANCE - AN ORDINANCE AMENDING THE VILLAGE CODE OF THE VILLAGE OF WILLOWBROOK - TITLE 12, SECTIONS 12-2-2 AND 12-2-7 - EMPLOYMENT AND OTHER GRIEVANCE PROCEDURES; DEFINITIONS, HEARING OF CHARGES; APPEALS AND TITLE 12, SECTION 12-4-1 - EMPLOYMENT AND OTHER GRIEVANCE PROCEDURES; PURPOSE

Attorney Jones suggested the Board also defer this item since most of the changes in this ordinance relate to the new language in the Personnel Manual.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee McMahon, to defer consideration of this Ordinance to the next meeting.

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

MOTION DECLARED CARRIED

OLD BUSINESS

11. COMMITTEE REPORTS

Trustee McMahon reported that tonight the Finance/Administration Committee received the December sales tax and for the first time they are down. As a consequence, the Committee will be holding a special meeting in two weeks to look at additional numbers and look at a revised budget and then propose having a second budget workshop to look at it in a less rosy perspective.

Trustee O'Connor had no report.

Trustee Schoenbeck had no report.

Trustee Mistele had no report.

Trustee Kelly had no report.

Trustee Baker had no report.

12. ATTORNEY'S REPORT

Village Attorney Jones had no report.

13. CLERK'S REPORT

Village Clerk Hansen had no report.

14. ADMINISTRATOR'S REPORT

Administrator Modaff noted that if any Board member is interested in the annual Springfield Drive Down with the DuPage Mayors & Managers Conference to let Mary Partyka or him know this week in order to make the appropriate reservations.

15. EXECUTIVE SESSION

Acting President Napoli asked for a motion to adjourn into Executive Session to discuss personnel and probable and imminent litigation.

MOTION: Made by Trustee Baker, seconded by Trustee Schoenbeck, to adjourn into Executive Session to discuss personnel and probable and imminent litigation at the hour of 7:44 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED,

March 23, 2009

Robert A. Napoli
Acting Village President

Minutes transcribed by Mary Partyka.