

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, JANUARY 12, 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 Thomas Good, Village Administrator Phil Modaff, Chief of Police Edward Konstanty, Director of Finance Sue Stanish, Director of Municipal Services Timothy Halik, Village 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 - December 15, 2008 (APPROVE)
- c. Warrants - January 12, 2009- \$329,969.48 (APPROVE)
- d. Monthly Financial Reports - December 31, 2008 - \$16,931,537.78 (ACCEPT)

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

Phyllis Zimmer, 6446 Tennessee Avenue, commented that her property is being flooded and damaged with storm water runoff.

6. DELINQUENT WATER BILLS

Director Halik informed the Board that there was one delinquent water bill in the amount of \$95.67 and requested permission to proceed as per Village Policy.

7. ORDINANCE - AN ORDINANCE REZONING CERTAIN TERRITORY, GRANTING A CERTAIN VARIATION FROM THE ZONING ORDINANCE AND GRANTING APPROVAL OF A FINAL PLAT OF SUBDIVISION - 209 WEST 58TH PLACE

Planner Hage informed the Board that this item is a follow-up from a discussion item at the last Village Board meeting to approve the rezoning of the property at 209 West 58th Place, the Final Plat of Subdivision and variation from the Zoning Ordinance.

Trustee Schoenbeck inquired if the Plan Commission held a public hearing regarding this item and if there were any objections raised at the public hearing. Planner Hage responded that the Plan Commission did hold a public hearing and no objections were raised at the hearing.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Mistele, to pass Ordinance No. 09-0-01.

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

MOTION DECLARED CARRIED

8. DISCUSSION AND MOTION - A PETITION FOR ANNEXATION TO THE VILLAGE OF WILLOWBROOK - DENA MASS - 16w161 64th STREET

Planner Hage informed the Board that on December 16, 2008, the Village received a petition for annexation from Dena Mass; the application was actually submitted by Christopher Burke Engineering and Dan Lynch, acting upon her behalf. The

property in question is located within the Thurlow and 64th Street neighborhood. In 2006, The Village extended its water system throughout this small area. At the time, the Masses paid the Village \$12,977 for their portion of the water main extension but chose not to immediately annex the property. Mrs. Mass now wishes to annex her property and connect to the Village water system.

MOTION: Made by Trustee Mistele, seconded by Trustee Schoenbeck, to instruct the Village Attorney to prepare an Ordinance for the annexation of 16W161 64th Street.

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

MOTION DECLARED CARRIED

OLD BUSINESS

9. COMMITTEE REPORTS

Trustee McMahon had no report.

Trustee O'Connor had no report.

Trustee Schoenbeck had no report.

Trustee Mistele provided an update of the construction progress at the Public Works Facility. The steel is fabricated and ready to go but we do not have walls to hold the steel up as yet. With regard to the winter conditions that were previously discussed, last week the first \$10,000 of the \$30,000 was requested and authorized for the tenting and temporary heating of the masonry work in order to extend the walls up to bearing. With the weather reports through this week we will probably see the second \$10,000 used rather quickly. This is all being done to keep the project as close to the original schedule as possible so that it can be completed by early June. It will be two or three weeks out before we actually see, even with the heating techniques, the walls get where they need to be and have the steel on the building. If we do not do it now, we could lose a 3-4 week period waiting for the weather to break.

Acting President Napoli asked if Trustee Mistele thought it could be done, if we go to the winter conditions, in 2-3 weeks where the walls will be up. Trustee Mistele responded yes, that is one of the calls by the contractor.

Acting President Napoli asked what the projected cost was, whether it would take another \$30,000. Trustee Mistele responded that what has been authorized to date is \$10,000. Given the weather projections, with subzero temperatures being predicted for the end of this week and the next week, there may be a request from the contractor for additional funds.

Trustee Kelly had no report.

Trustee Baker had no report.

10. ATTORNEY'S REPORT

Village Attorney Good had no report.

11. CLERK'S REPORT

Village Clerk Hansen noted that the nomination petitions may be submitted beginning January 19 through January 26, 2009.

12. ADMINISTRATOR'S REPORT

Administrator Modaff reported that IRMA has accepted the fuel contamination issue as a claim. They will be handling a subrogation from any responsible parties they determine. IRMA was hooked up with the Fire District's insurance carrier and their related losses. Most of the work is being done under warranty but anything that falls outside of that will be submitted as a claim and IRMA will be taking that up for us.

Administrator Modaff noted that Planner Hage will distribute a piece of reference material to the Board, a Zoning Handbook for Municipal Officials.

Administrator Modaff reminded the Board that the Personnel Manual update will be placed on the agenda for the January 26 meeting. The Board will receive a copy of the manual a week in advance for their review.

Trustee Schoenbeck requested that a history of what was already discussed be provided specifically for the benefit of the new Trustees.

Administrator Modaff responded that as the process has gone along, he has maintained a grid of every single issue discussed and any proposed changes and their financial impact; he will highlight for the Board members the issues that still need to

have follow up from the last meeting. Everyone will see every issue that was raised.

Trustee Schoenbeck inquired if there was any feeling as to the monetary scope of the claim turned into Irma on the fuel issue. Administrator Modaff responded that it is continuing, there are other vehicles that still need to be addressed.

Trustee Schoenbeck asked if it is significant enough that the claim is worth making. Administrator Modaff responded absolutely. We have a \$2,500 deductible and have already exceeded that.

13. EXECUTIVE SESSION

MOTION: Made by Trustee McMahon, seconded by Trustee Schoenbeck, to adjourn into Executive Session to discuss Personnel at the hour of 7:45 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,

January 26, 2009

Robert A. Napoli
Acting Village President

Minutes transcribed by Mary Partyka.