

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, APRIL 12, 2010, 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, Sandra O'Connor, Paul Schoenbeck and President Napoli. ABSENT: None. Also present were Village Clerk Leroy Hansen, Village Attorney William Hennessy, Interim Village Administrator Larry Maholland, Interim Village Administrator Megan Pierce, Acting Chief of Police Mark Shelton, Director of Municipal Services Timothy Halik, Director of Finance Sue Stanish, Deputy Chief Pat Foley 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. MOTION - BOARD ADVICE AND CONSENT TO PRESIDENT'S APPOINTMENT OF UMBERTO S. DAVI TO FILL A VACANCY IN THE OFFICE OF VILLAGE TRUSTEE

MOTION: Made by Trustee Baker, seconded by Trustee Kelly, to concur with the President's recommendation to appoint Umberto S. Davi to fill the vacancy in the office of Village Trustee.

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

MOTION FAILED

Trustee Mistele stated that this vote was not against Mr. Davi but the process. The majority of the Village Board felt they should have had the opportunity to interview the candidates for appointment.

5. OATH OF OFFICE

No Oath of Office.

6. ROLL CALL

No Roll Call.

7. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Special Board Meeting - March 15, 2010 (APPROVE)
- c. Minutes - Regular Board Meeting - March 22, 2010 (APPROVE)
- d. Minutes - Executive Session - February 22, 2010 (APPROVE)
- e. Minutes - Executive Session - March 8, 2010 (APPROVE)
- f. Minutes - Executive Session - Budget Workshop - March 1, 2010 (APPROVE)
- g. Minutes - Executive Session - March 15, 2010 (APPROVE)
- h. Minutes - Executive Session - March 22, 2010 (APPROVE)
- i. Warrants - April 12, 2010 - \$150,221.02 (APPROVE)
- j. Monthly Financial Report - March 31, 2010 - \$14,935,382.71 (ACCEPT)
- k. APPLICATION FOR LICENSE TO HOLD A RAFFLE - TEEN PARENT CONNECTION - APRIL 23, 2010 (APPROVE)
- l. RESIGNATION OF ETHICS OFFICER - KATHERINE PATERNO (ACCEPT)
- m. RESOLUTION NO. 10-R-11 - A RESOLUTION OPPOSING REDUCTION OF LOCAL GOVERNMENT DISTRIBUTIVE FUND (ADOPT)
- n. RESOLUTION NO. 10-R-12 - A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT AND VILLAGE CLERK TO EXECUTE A CERTAIN AGREEMENT - DUPAGE CONVENTION AND VISITORS BUREAU (ADOPT)
- o. RESOLUTION NO. 10-R-13 - A RESOLUTION TO ADOPT MUNICIPAL LEGISLATIVE POSITIONS AND PRIORITIES FOR THE 2010 LEGISLATIVE SESSION (ADOPT)
- p. RESOLUTION NO. 10-R-14 - A RESOLUTION ACKNOWLEDGING REQUIREMENTS OF THE ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT) AS THEY PERTAIN TO THE MAINTENANCE OF VILLAGE OWNED UTILITIES LOCATED WITHIN STATE RIGHTS-OF-WAY (ADOPT)
- q. RESOLUTION NO. 10-R-15 - A RESOLUTION WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING THE VILLAGE PRESIDENT AND VILLAGE CLERK TO EXECUTE A CERTAIN AGREEMENT - LANDSCAPE FERTILIZATION

- SERVICES - BETWEEN THE VILLAGE OF WILLOWBROOK AND SPRING GREEN LAWN AND TREE CARE (ADOPT)
- r. RESOLUTION NO. 10-R-16 - A RESOLUTION WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING THE VILLAGE PRESIDENT AND VILLAGE CLERK TO EXECUTE A CERTAIN AGREEMENT - JANITORIAL SERVICES - BETWEEN THE VILLAGE OF WILLOWBROOK AND BEST QUALITY CLEANING, INC. (ADOPT)
- s. RESOLUTION NO. 10-R-17 - A RESOLUTION WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING THE PRESIDENT AND VILLAGE CLERK TO EXECUTE A CERTAIN AGREEMENT - STREETLIGHT MAINTENANCE SERVICES - BETWEEN THE VILLAGE OF WILLOWBROOK AND MEADE ELECTRIC COMPANY, INC. (ADOPT)

President Napoli asked if any Board Member wanted any item(s) removed from the Omnibus Vote Agenda. Trustee Schoenbeck requested and Trustee O'Connor concurred that Agenda Item Nos. 7d thru 7h be deferred to the next Board meeting.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Mistele, to approve the Omnibus Vote Agenda exclusive of Agenda Item Nos. 7d thru 7h.

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

MOTION DECLARED CARRIED

NEW BUSINESS

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

There was no visitor's business.

9. POLICE DEPARTMENT AWARDS

Chief Shelton presented the awards issued by the State of Illinois in recognition of the eight Willowbrook Police Officers and their outstanding DUI arrests.

10. MOTION - BOARD ADVICE AND CONSENT TO PRESIDENT'S APPOINTMENT OF ROBERT A. NOVELLE, JR. TO FILL A VACANCY IN THE OFFICE OF VILLAGE ETHICS OFFICER

This item was deferred.

11. MOTION - BOARD ADVICE AND CONSENT TO PRESIDENT'S REAPPOINTMENT OF STEPHEN LANDSMAN TO THE OFFICE OF MEMBER OF THE VILLAGE BOARD OF POLICE COMMISSIONERS

MOTION: Made by Trustee Schoenbeck, seconded by Trustee O'Connor, to concur with the President's recommendation to reappoint Stephen Landsman to the office of Member of the Village Board of Police Commissioners.

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

MOTION FAILED

12. MOTION - BOARD ADVICE AND CONSENT TO PRESIDENT'S APPOINTMENT OF JOSEPH HEERY TO FILL A VACANCY IN THE OFFICE OF MEMBER OF THE VILLAGE BOARD OF POLICE COMMISSIONERS

This item was deferred.

13. RESOLUTION - A RESOLUTION AWARDDING THE FISCAL YEAR 2010-11 MOTOR FUEL TAX ROADWAY MAINTENANCE PROGRAM CONTRACT TO JAMES D. FIALA PAVING COMPANY, INC. IN THE AMOUNT OF \$191,689.00

Both Attorney Hennessy and President Napoli informed the Board for the purpose of complete transparency that they have had involvement indirectly with the Fiala Paving Company on different occasions but had no involvement with the contract before the Board this evening.

Trustee Schoenbeck suggested that an independent attorney review the contract.

Director Halik informed the Board that IDOT has thoroughly reviewed and approved this contract, which is good for 30 days. Should the contract lapse or if an independent attorney reviewed the contract and makes changes, then the Village would be required to start over and go through the entire bid proposal process once again.

The consensus of the Board was to defer this item.

14. RESOLUTION - A RESOLUTION WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING THE PRESIDENT AND VILLAGE CLERK TO ACCEPT A PROPOSAL FOR THE COMPLETION OF THE ADAMS STREET DRAINAGE IMPROVEMENT PROJECT - SCOTT CONTRACTING, INC.

Director Halik informed the Village Board that during the budget workshop, the staff reviewed a recently identified drainage problem that affected the intersection of Adams Street and Tanglewood Lane. The Village engineer reviewed the storm drainage route and developed a solution. Staff obtained proposals from two underground contractors to complete the work and recommended the Village Board accept the lower proposal from Scott Contracting Inc. in the amount of \$6,475.00, to complete the project. To help reduce project costs, the Village will provide the required bedding stone for the installation and haul away excavated spoils from the project. Landscape restoration will be completed at a later date after the trench settles.

MOTION: Made by Trustee Mistele, seconded by Trustee Schoenbeck, to adopt Resolution No. 10-R-18.

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

MOTION DECLARED CARRIED

15. RESOLUTION - A RESOLUTION AUTHORIZING THE PRESIDENT AND VILLAGE CLERK TO ENTER INTO AN EMPLOYMENT AGREEMENT BETWEEN THE VILLAGE OF WILLOWBROOK AND MARK SHELTON AS ITS CHIEF OF POLICE

President Napoli recommended the appointment of Mark Shelton to the position of Chief of Police.

Trustee Schoenbeck suggested that the Board recess into Executive Session to address a few questions with regard to the contract.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee O'Connor, to recess into Executive Session at the hour of 8:05 p.m. to discuss matters of personnel regarding the Chief of Police.

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

MOTION DECLARED CARRIED

The Board reconvened the regular meeting at the hour of 8:37 p.m.

MOTION: Made by Trustee Baker, seconded by Trustee Mistele, to adopt Resolution No. 10-R-19.

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

MOTION DECLARED CARRIED

16. ORDINANCE - AN ORDINANCE AMENDING THE VILLAGE CODE OF THE VILLAGE OF WILLOWBROOK - TITLE 6, SECTION 6-8-3 - WATER SYSTEM; RATES

Director Stanish informed the Village Board that the Finance/Administration and Municipal Services Committees held a joint meeting prior to this meeting to discuss and recommend an increase to the Village water rates. The Committees recommended the implementation of Option 1, the pay as you go financing for the Village's water towers. In eight years there will be funds on hand to paint the towers. The Committees recommended the passage of the Ordinance this evening.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Kelly, to pass Ordinance No. 10-O-10.

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

MOTION DECLARED CARRIED

17. RESOLUTION - A RESOLUTION AUTHORIZING THE PRESIDENT AND VILLAGE CLERK TO RENEW AN AGREEMENT FOR MANAGEMENT SERVICES

This item was deferred.

PRIOR BUSINESS

18. COMMITTEE REPORTS

Trustee Baker had no report.

Trustee Kelly had no report.

Trustee Mistele had no report.

Trustee O'Connor had no report.

Trustee Schoenbeck had no report.

19. ATTORNEY'S REPORT

Village Attorney Hennessy had no report.

20. CLERK'S REPORT

Village Clerk Hansen had no report.

21. ADMINISTRATOR'S REPORT

Administrator Pierce had no report.

22. PRESIDENT'S REPORT

President Napoli had no report.

Trustee Mistele inquired as to the status of the budget process; if there was another budget workshop planned. Also, asked where we were with regard to the Police negotiations.

President Napoli responded that the staff is talking with the Labor Attorney and the Board will be getting information on the Police negotiations in the near future. As far as the budget, it will be on the agenda for the next meeting. He asked if the Board needed another meeting prior to that.

Trustee Mistele felt the Board needed to discuss salaries and some costs relative to the Police Department, the water rates, Sikich contract, and how these items need to be dovetailed into the budget.

Director Stanish advised with regard to the budget, the Board can approve the budget on April 26, 2010 and make changes at a later date if necessary.

Trustee Mistele thought it would be important for the Board to discuss salary increases for the management staff, the Union increases and policies regarding the administrator position and the number of days operating expense.

Trustee Schoenbeck asked if the Board would be able to get a bulleted list of what the Union will be asking for in their contract by the next meeting so it can be discussed in closed session. President Napoli said there was a very strong possibility he would be able to get this list for the next meeting.

Director Stanish reiterated that the Board could approve the budget on April 26 but the salaries could be added later.

Trustee Mistele indicated that the Board should not be using the phrase "question the issue"; Roberts Rules indicates the phrase is "table the issue". He further explained to President Napoli that the issue this evening was not to devalue any of the appointees; the real issue was the procedure.

23. EXECUTIVE SESSION (CLERK'S NOTE: EXECUTIVE SESSION WAS HELD DURING DISCUSSION OF AGENDA ITEM NO. 15)

See Agenda Item No. 15.

24. ADJOURNMENT

MOTION: Made by Trustee Schoenbeck, seconded by Trustee O'Connor, to adjourn the regular meeting at the hour of 9:07 p.m.

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

MOTION DECLARED CARRIED

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PRESENTED, READ and APPROVED,

_____, 2010

Village President

Minutes transcribed by Mary Partyka.