

A G E N D A

REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON MONDAY, JUNE 28, 2010, AT 6:30 P.M. AT THE VILLAGE HALL, 7760 QUINCY STREET, IN THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. EXECUTIVE SESSION
 - a) 5ILCS 120/2(c)(2) Regarding Collective Negotiating Matters Between the Public Body and Its Employees or Their Representatives
 - b) 5ILCS 120/2(c)(3) Regarding The Discipline Of An Occupant Of A Public Office
 - c) 5ILCS 120/2(c)(21) Regarding the Discussion of the Minutes Of Meetings That Were Lawfully Closed Under the Open Meetings Act For the Purpose of a Semi-Annual Review of Said Minutes As Mandated by 5ILCS 120/2.06(d)
5. OMNIBUS VOTE AGENDA
 - a. Waive Reading of Minutes (APPROVE)
 - b. Minutes - Regular Board Meeting - June 14, 2010 (APPROVE)
 - c. Minutes - Special Meeting - Budget Workshop - May 17, 2010 (APPROVE)
 - d. Minutes - Executive Session - April 12, 2010 (APPROVE)
 - e. Minutes - Executive Session - April 26, 2010 (APPROVE)
 - f. Minutes - Executive Session - May 10, 2010 (APPROVE)
 - g. Minutes - Executive Session - May 17, 2010 (APPROVE)
 - h. Minutes - Executive Session - June 7, 2010 (APPROVE)
 - i. Warrants - June 28, 2010 - \$435,182.38 (APPROVE)
 - j. MOTION TO APPROVE EXPENDITURE OVER \$2,500.00 - REPLACEMENT OF SQUAD #53'S ENGINE - \$6,696.30 (APPROVE)
 - k. MOTION TO ACCEPT A PROPOSAL TO COMPLETE A/C IMPROVEMENTS IN THE VILLAGE HALL GARAGE

- SPACE FOR DOCUMENT RETENTION PURPOSES,
SEASON COMFORT, CORP. (APPROVE)
1. ORDINANCE NO. 10-O-12 - AN ORDINANCE
ADOPTING PREVAILING WAGE RATES PURSUANT TO
THE PREVAILING WAGE LAW (PASS)

NEW BUSINESS

6. VISITOR'S BUSINESS (Public comment is limited to
three minutes per person on agenda items only)
7. DELINQUENT WATER BILLS
8. RESOLUTION - A RESOLUTION MAKING A DETERMINATION
RELATIVE TO THE RELEASE OF EXECUTIVE SESSION
MINUTES PURSUANT TO THE ILLINOIS OPEN MEETINGS
ACT
9. RESOLUTION - A RESOLUTION AUTHORIZING THE
DESTRUCTION OF AUDIO OR VIDEO RECORDINGS OF
CLOSED MEETINGS
10. RESOLUTION - A RESOLUTION APPOINTING A DELEGATE
AND ALTERNATE DELEGATE TO THE INTERGOVERNMENTAL
RISK MANAGEMENT AGENCY
11. ORDINANCE - AN ORDINANCE AMENDING THE VILLAGE
CODE OF THE VILLAGE OF WILLOWBROOK - TITLE 8,
CHAPTER 8 - REVISING SECTION 8-8-17 - PARKING OF
VEHICLE WITH EXPIRED REGISTRATION
12. ORDINANCE - AN ORDINANCE AMENDING THE VILLAGE
CODE OF THE VILLAGE OF WILLOWBROOK - TITLE 9,
CHAPTER 2 - ZONING ORDINANCE, DEFINITIONS; AND
TITLE 9, CHAPTER 11 - ZONING ORDINANCE, SIGNS

PRIOR BUSINESS

13. COMMITTEE REPORTS
14. ATTORNEY'S REPORT
15. CLERK'S REPORT
16. ADMINISTRATOR'S REPORT

17. PRESIDENT'S REPORT
 - a) Report to Ethics Officer
18. ADJOURNMENT

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 - a) Report to Ethics Officer
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MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, JUNE 14, 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, Umberto Davi, Sandra O'Connor, Paul Schoenbeck and President Napoli. ABSENT: None. Also present were Deputy Clerk Mary Partyka, Village Attorney William Hennessy, Interim Village Administrator Megan Pierce, Director of Municipal Services Timothy Halik, Director of Finance Sue Stanish, Deputy Chief of Police Paul Oggerino 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 - May 24, 2010 (APPROVE)
- c. Warrants - June 14, 2010 - \$428,598.19 (APPROVE)
- d. Monthly Financial Reports - May 31, 2010 - \$16,608,576.85 (ACCEPT)
- e. PLAN COMMISSION RECOMMENDATION - PROPOSED SIGN ORDINANCE TEXT AMENDMENTS - TITLE 9, SECTION 2: DEFINITIONS AND TITLE 9, SECTION 11: SIGNS (RECEIVE)

President Napoli asked if any Board member(s) wanted to remove any item(s) from the Omnibus Vote Agenda for discussion. Trustee O'Connor requested a response from Attorney Hennessy on some several items under 4c, in that the Board received the packet late in the afternoon on Friday and she had a couple of questions on the billing.

Trustee O'Connor said the first one was the 3 hours on May 5 in Williams versus Willowbrook. She asked Attorney Hennessy to disclose the nature of this litigation.

Attorney Hennessy responded that Trustee O'Connor was referring to an invoice for 3 hours in the case of Williams v. Willowbrook 2010MR268. This is the first challenge to the Village's Red Light Ordinance. What he did was indicate that he went to the courthouse and filed the Villages answer in affirmative defenses with the Clerk and gave notice of that to the Plaintiff. The Plaintiff in the case is Williams and he is appearing pro se on his own behalf without benefit of counsel. Basically, he is alleging that what happened at the hearing is that it was insufficient evidence to establish that he violated the Red Light Standard. Our answer in the case, because it is a case seeking administrative review, under the Administrative Review Act the court basically looks at the record of the case and makes a simple determination if there record was there sufficient evidence in the record to support the decision of the hearing officer. It is not a trial where we go over the whole thing from A to Z, it is simply a review. What we have done is to submit the record as our answer and to deny any of the allegations he has made in his complaint. This case will be heard on June 28 in the Wheaton Courthouse. Mr. Hennessy filed the appearance. The other attorneys that represent the Village, the hearing officer could not and the Village Prosecutor could not because that has not been part of the scope of their responsibilities and their convictions; it was his duty to file it. That accounts largely for travel time to and from and if it was possible to do it electronically, he would have.

Trustee O'Connor asked that if every time we get a challenge this type of method would be observed.

Attorney Hennessy responded that it would have to be responded to there unless the Board decides to have these matters in the future handled by the Village Prosecutor, which was what he was going to discuss when the Deputy Chief makes his report on this matter. There has to be a more expeditious and cost effective way in defense of these things. He did not know how many prosecutions there have been but this is the only time apparently somebody has taken an appeal and, of course, the judge will make the determination but since the photography itself is prima fascia evidence you do not have to provide the foundation for it through witness or anything. It is pretty difficult for the defendant to rebut the charges.

Trustee Schoenbeck asked if they are found guilty is it the maximum we are going to get is the \$200.

Attorney Hennessy responded that is right. That is the Achilles heel of this. The filing fee in this case was \$162 so under the Statute if the holding of our hearing officer is affirmed he believed there are additional costs that are imposed on this litigant but we do not recover the \$162. There has to be a better way to do this so that we can avoid going out there. He has not seen another one of these yet; it seems as if this guy was particularly incensed because he wasn't the only one going through the red light at the time so he should have been given a pass because he was simply doing what others were doing. That was the construction derived from reading his testimony.

Trustee O'Connor said the other question she had was on May 30 there was an hour's worth of work related to the Executive Order, can you detail what that is related too.

Attorney Hennessy responded the President directed him to prepare for his use and the Board's consideration a draft of an Executive Order with regard to the duties and responsibilities of Village Staff, clarifying what those duties and responsibilities are. How they are to communicate any directions that are received, including directions from Village Trustees to do this that or the other thing and those directions would include requests or in fact questions needed to be answered. That has been prepared and given to the President and it was his understanding he is going to disseminate this tonight for discussion by the body. It was his understanding the President has not signed the Executive Order preferring to first discuss it with his colleagues on the Board.

Trustee O'Connor is that the Executive Order he can turn to by law and restricts our access to the Staff.

Attorney Hennessy advised the research on it is pretty clear under the Municipal Code. Presidents are no different than Mayors in fact the two words are interchangeable under the Code; they are both Chief Executive Officers of their respective municipalities and they are required to see that the laws are faithfully executed. All that means is enforced. Those laws in the context of the Village would be the ordinances of the Village as well as the laws of the State. President and Mayor have the same supervisory powers and duties; in sum the President has the power and obligation to assure that all administrative officers and employees are performing their duties as prescribed for them by the corporate authority.

President Napoli advised he brought the Executive Order with him and he will disseminate it at the end of the meeting. His plan was to let the Village Board read the Executive Order and to discuss it at the next meeting.

Trustee O'Connor asked about one more item on Page 6; it was for an hour's worth of work related to legal advice relating to a Tribune article with respect to appointments. She asked Attorney Hennessy to detail the nature of what legal advice he was giving related to the article.

Attorney Hennessy responded that on May 6 he met with President Napoli for the purposes of answering his questions based upon review of the law relative to his power of appointment of officers and appointment of vacancies on the Board of Trustees. His concern was that he be properly informed as to what the Statutes called for in certain circumstances under which he could act with Board approval and without Board approval.

Trustee O'Connor asked how that related to the Tribune article.

Attorney Hennessy responded he believed there was a Tribune article dealing with actions taken to disapprove appointments to various officers, positions here at the Village and that is the reference or tie in that precipitated his inquiry to me and to what the law was on the subject.

Trustee Schoenbeck noted that we held up the invoice last meeting for Attorney Hennessy's billing in the amount of \$5,700 or so. He thought that has not been paid yet, correct Director Stanish.

Director Stanish responded that is correct. It is on this Warrant for payment and it is at the very end. If Trustee Schoenbeck would recall from the last Board meeting, the only reason we did not void the check and reissue the check was a year end accounting issue.

Trustee Schoenbeck asked if these will, for consultants and lawyers, appear at the end.

Director Stanish noted just the April bill because it is the end of our fiscal year.

Trustee Schoenbeck said so it has to be separated out.

Director Stanish said we did that just for the purpose of accounting to keep our year end clean. April and May are both on these Warrants; if you approve these Warrants you are approving both.

Trustee Schoenbeck recalled back about a month or so ago Trustee Kelly had discussed that we all have these consultant and attorney bills so we do not have to take up the time in the meeting to discuss them. Contrary to what was stated last meeting, he had not pulled these matters off when I have gotten a recent invoice correctly and a response. Actually, Mr. Hennessy has been very good about responding to his questions and he has not pulled those invoices off the agenda for consideration because his questions had been answered. He would appreciate that he continues to receive those invoices; unfortunately, he does not have the time to get to the part-time people and track these down. He does not care if he gets them electronically, they can be emailed. He can then contact whatever attorney or consultant or contact staff if that is the President's desire or you. But like yourself, he is also very busy and he does not have time to call each in a single month. The Board does not get our disks until Thursday, that means he has Friday or early first thing Monday morning to make a phone call and then go out of his way to review them and then call the people that are necessary. He would rather when those bills come in and the staff has them available that he electronically gets them or get a copy of them, whichever works best for them. That was approved by the Board as a whole back when. He appreciated President Napoli's suggestion last time that that will not happen but he would still appreciate his that way and look forward to getting them that way. He did not receive the May invoice on Mr. Hennessy but he will trust there is nothing in there. He would like a copy of it sent to him, but he had no problem approving that this evening. Mr. Hennessy has been very good about answering the questions. As long as he can get them soon enough, he can get the questions to him or any of these consultants or attorneys and there is no inconvenience to them. But Thursday, or remembering to call somebody and knowing the bill came in; he is just not going to do it.

Trustee O'Connor noted that we received it on Friday afternoon and there was no opportunity for us to come here.

President Napoli related he had a couple of discussions with some of the employees and they have been overburdened at times with respect to a lot of requests when they have their assigned work. The reason he is considering the Executive Order is

because of the interference with the day to day operation. The employees here have their duties that are assigned and they know what to do. We have an excellent administrative staff in the three department heads and their associates and he found things were being interfered with that is why he is seriously considering the Executive Order. He commented to Trustee Schoenbeck that he keeps on saying consultants and the only consultant he ever had a question on is the attorney from day one. If he is wrong on that it is like Ivory soap, it is 99.9 of the time it is the attorney's bill.

Trustee Schoenbeck clarified that he did ask, and he can count on one hand when he called the Village Hall to talk to anybody or ask them or as you state interrupt anybody. What he has asked for was regarding Jo Ellen Charlton, who is a consultant, and a comparable as you know was presented to this Board for her versus the fulltime person we had. When he asked about that he was told she goes under Christopher Burke billing, they do not actually separate out their billing. He thought it would be easier on the Staff if he had a standing order that when those bills come in to just scan them and send them to him. There should be two or three law firms and one consulting firm, Christopher Burke. It would be no different than what the Board approved back in May.

President Napoli responded he will take it under advisement and he will pass the Executive Order out tonight and then we will discuss it at the next meeting.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Davi, to approve the Omnibus Vote Agenda as presented.

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

MOTION DECLARED CARRIED

NEW BUSINESS

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

None.

6. ORDINANCE - ANNUAL APPROPRIATION ORDINANCE, VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS, FOR THE FISCAL YEAR BEGINNING MAY 1, 2010 AND ENDING APRIL 30, 2011

Director Stanish informed the Board that before them this evening was the Annual Appropriation Ordinance. It is double what the management budget was that we approved this year. The Appropriation Ordinance will be filed with the County Clerk along with a copy of the Village's Administrative Budget. This gives the Village the legal authority to spend money moving forward for the fiscal year 2010-11.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Mistele, to pass Ordinance No. 10-0-11.

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

MOTION DECLARED CARRIED

PRIOR BUSINESS

7. COMMITTEE REPORTS

Trustee Baker had no report.

Trustee Kelly had no report.

Trustee Mistele reported one item for information purposes. He advised we did discuss the installation of an air handling unit for the garage of this building, about \$6,100. The garage is currently heated with unit heaters; this air handling unit is intended to decrease the amount of humidity in that space. We are storing documents out there. The objective is to minimize if not eliminate mold. It was a \$6,100 item so we decided to get it done; this will be part of the consent agenda.

Trustee Davi had no report.

Trustee O'Connor had no report.

Trustee Schoenbeck had no report but noted that he had several closed session minutes from last meeting that the Clerk was looking for us to review.

President Napoli responded that he and the Village Clerk had a discussion and since he is not here tonight he asked me to state

with respect to that the Clerk's office will prepare three or four of them and in Executive Session at the next meeting we will go through them. The Village Clerk will give a list to the Board members for the next meeting.

8. ATTORNEY'S REPORT

Village Attorney Hennessy had no report.

9. CLERK'S REPORT

Deputy Clerk Partyka had no report.

10. ADMINISTRATOR'S REPORT

Administrator Pierce had no report.

11. PRESIDENT'S REPORT

President Napoli indicated that Director Halik had several reports.

Director Halik reported that he sent a memo out to the Board on Wednesday, June 9, responding to a press article related to the DuPage Water Commission accounting error that was reported. He advised the Board at that time that we had received some reports regarding recent notification of an accounting underage and that he would advise the Board accordingly if and when we did receive that notice. We did in fact receive it the following day. We received a formal notification from the Water Commission on June 10 that they had discovered an accounting error. It dates back to fiscal year 2009 so the period on which they are reassessing the Village what we owe is May 1, 2008 through April 30, 2010. It was an accounting error that was brought about as a result of a usage reduction that the previous finance administrator for the Water Commission assessed. It was incorrectly assessed; it had a negative effect to all 25 Charter Customers. As a result they went back and recalculated what every town owes; the Village of Willowbrook owes them \$3,688.56. Given the relatively low amount, we would recommend that we pay the entire bill at this time, although the Commission is allowing towns that owe a larger amount up to twelve months to pay it back. Given the funds would come out of the Water Fund opposed to the General Fund, we would recommend we just pay it at this time. Unless the Board has any questions or are opposed to that action, we will move forward and process the payment.

Trustee Schoenbeck asked how we are going to make sure this is a full settlement amount.

Director Halik noted that Trustee Schoenbeck brought up a good question. He asked that we contact the DuPage Water Commission and try to obtain in writing from them a statement saying this will settle any accounting errors that may have occurred over the two year period.

President Napoli advised they have an ongoing audit. Since it is just a bill that was not invoiced correctly, they have this audit going plus the possible remake of the Board, depending on a bill that is in the legislature. He would suggest we pay the bill out of the Water Fund and be done with it. Then see where the audit takes us. He thought the Village was okay. He asked Director Halik if he wanted to speak about what is going on with the situation in Springfield and how there was a bill put in and then the change that occurred at the last minute.

Director Halik responded as the Board is aware, the Village joined a consortium of members to oppose Senator Cronin's legislation which would abolish the Water Commission as an independent body and place it as a Committee of the County. Through some last minute negotiations downstate we were able to force a compromise amendment to that bill. The amendment would require that the Board is reconstituted at the end of the year. All thirteen members would be reappointed. The elimination of the quarter percent sales tax would be eliminated in 2012 and there were also two more minor items. That bill was introduced in the Senate, was approved, and sent to the Governor for his signature. Unfortunately, on the cusp of that action, Senator Cronin is now trying to muster support for another bill.

President Napoli noted the action was contrary to what the agreement was. The DuPage Mayors and Managers met with him and set up a compromise that went to the Governor and while it was in the Governor's office for signature, Senator Cronin tried further maneuvers to change this without the knowledge and consent of the DuPage Mayors and Managers. What you have here is a complete situation in flux that no one knows where we are at because there are still negotiations going on again. He thought it would be about the third time so we do not know what the final outcome will be because we do not know what he will agree to next. Secondly, it is unsure if he will stay on track with that agreement because he has changed once or twice already.

Trustee Mistele asked if it was the objective of the DuPage Mayors and Managers to maintain the independent board and agree to the reduction in the sales tax.

President Napoli responded they did not go for the reduction in the sales tax in the beginning but they agreed to that as part of the compromise.

President Napoli further stated that all along, people do not realize there are thirteen members and six members are from the DuPage Mayors and Managers selected by that group to be Board members and the County has had control of the majority. They have six seats plus the Chair. Also, the Water Fund was in great shape but if you recall about five or six years ago the County came in and took \$75 million out of it at \$15 million a year and depleted it quite a bit. There was a lot of reserve for future expansion and maintenance. Now we have this situation.

Trustee Schoenbeck noted that communities also received monies. A big chunk of our public works facility came from that money, about \$500,000. Unfortunately, apparently it was a mistake.

Director Halik said it was a \$500,000 rebate.

President Napoli noted then you go back to what we had to do just recently, the twenty some percent increase because they did not put in the increases for two or three years they should have because Chicago went up fifteen to seventeen percent or so. They went up a tremendous amount and never passed it on so they went into the reserves then. It was his understanding the audit is being conducted and they haven't reached a final conclusion. As soon as we hear anything on the Water Commission audit, we will get a copy and bring it to the Board.

Trustee Schoenbeck said he would agree with President Napoli that we go ahead and pay the bill. He would like to include a letter in with the check and see if we can get a response back that this payment clears this up. Or at least when they are done with the audit they will send us that letter.

President Napoli said we can try it but he did not think we would have much success because the audit is ongoing and they will not commit to that.

Director Halik reported one other item. He wanted to call the Board's attention that a much anticipated Plan Commission recommendation was on this evening's Consent Agenda. At the May

Plan Commission meeting, the Plan Commission did unanimously vote to accept the recommended changes to the Village sign ordinance. The recommendation letter is in the Board's packet along with several documents, one of which is a Summary Report staff prepared that outlines the major changes within the draft amendments. Also, included is a clean copy of the Sign Code amendments. Lastly, is a matrix meant to be a cheat sheet advising you what the old code requirement was as opposed to the new. If Board members wanted a full sized copy of the matrix to please contact him. He suggested the Board preview the amendments over the next two weeks. Staff will begin drafting the ordinance and perhaps in two weeks we can bring it back to the Board for discussion and possible Board action on an amending ordinance.

Trustee Mistele noted these generally follow the planning recommendations we reviewed as a Board back in January or February.

Director Halik responded exactly. At the joint workshop you may recall that was the process that culminated after that.

Trustee Schoenbeck asked if the recommendations come back to Director Halik with any suggestions.

Director Halik advised that if anyone had questions in the interim he would be glad to answer them before we have the meeting in two weeks.

Trustee Schoenbeck asked if they go to committee or anything else, or do they go right to the Board for approval.

President Napoli advised that this item will be on the agenda for June 28.

Deputy Chief Oggerino reported that the Village of Willowbrook had received its first appeal to the Adjudication Officer's ruling regarding the Red Light Camera Enforcement Program. On January 20, during the monthly Red Light Adjudication Hearing, the violator that we were talking about earlier in the meeting gave his argument against the Red Light citation he received on September 23, 2009 at southbound Route 83 and 63rd Street. The Adjudication Officer found he was liable for that violation. The violator was given instructions to appeal the hearing officer's decision by going to the DuPage County Circuit Clerk's office. The violator, who is representing himself, filed a petition on March 1, 2010 at the DuPage County Court House. The

Village acknowledged receipt of the hearing date. A transcript of the January 20 proceedings was completed and certified with the DuPage County Circuit Court on May 5. A hearing date has been scheduled for June 28, 2010, at the Court House in Wheaton.

Trustee Schoenbeck asked who hears those things.

Attorney Hennessy responded that he forgets the name of the judge who's got it. The judge sits as the Trier of Facts so he will make a determination as to whether or not there was sufficient evidence of the record to warrant finding against Williams.

Trustee Schoenbeck said there is nothing really held here.

Attorney Hennessy advised that nothing really comes back here, even though it is a complaint for administrative review, it is in the nature of an appeal. It is not a new trial. It is just a review of the record. What the two parties normally do, if he has a lawyer, which he doesn't, is to make arguments based on the law and the facts in the case and to point out wherein the finding of the Adjudication Officer is unsupported by evidence. But the whole of the case is one page of his testimony, one page of Q & A, and the whole of the citation rests upon the photography which pointed out the state statute is prima fascia evidence of the violation.

Trustee Schoenbeck asked that is Mr. Hennessy saying that if these types of things happen again something whether or not we can use our Village Prosecutor and if he recalled correctly, this whole thing was set up prior to your time starting on the Board, correct.

Attorney Hennessy responded that is correct. He had assumed incorrectly that the process would be that as with other enforcement issues that Mrs. Pieczynski as the Village Prosecutor would handle that. Again, she is in an enforcement court that is not in Wheaton. Also, because he got it on the last day his answer was due, because he sent it down to the company down in Georgia, the President directed him to get out there and file an appearance, which he did and then filed an answer. In the future, the Board may want to consider having the Village Prosecutor handle these matters.

President Napoli related that he had talked to Chief Shelton and he suggested that since this happened that he, Deputy Chief Oggerino and the attorney get together and talk about how this

should be handled and come back with information for the Board as to how it is going to be handled.

Trustee Baker thought part of the problem was that it went to Georgia or someplace first instead of here.

President Napoli informed the Board that he intended to have Sikich Human Resources come in but we are going to ask them to be at the first meeting of July because at the next Board meeting we have Labor Attorney Jacoby coming in. He will be at the next Board meeting to give us an update on June 28.

President Napoli also advised the Board that Mr. Marchesi from Harlem Irving met with him today and he would like to come and make a presentation to the Board at the next meeting, either he or one of his staff, regarding the possibility of the CVS coming in at the Town Center. They have some new information that they want to bring before the Board. President Napoli indicated to him that when they were in the last time, we were looking for a pro forma, which we had not received and he said he would have it to the Board in the next week and that he has a packet he would send it to the Board. President Napoli directed him to send it to Mr. Halik who in turn would send it out to the Board and it will be on the agenda for June 28.

Trustee Mistele asked why that was not going to the Plan Commission.

President Napoli responded that he wants to make a general presentation with respect to the economic conditions and what the likelihood would be if they would put retail in there instead of a restaurant.

Trustee Mistele said he is modifying a PUD then the normal procedure would be to go the Plan Commission. He should not have to come to this Board until after it has gone through the Plan Commission.

President Napoli responded if that is what the Board would like to do, that is fine.

Trustee Mistele said that is where he would recommend that we direct Harlem Irving.

President Napoli asked if he wanted it to go the Plan Commission directly. When is the next meeting of the Plan Commission.

Director Halik responded July 7, the first Wednesday in July.

President Napoli asked Director Halik to get in touch with Mr. Marchesi and the Plan Commission Chair with regard to this matter.

Trustee Mistele said he was interpreting this to mean that they were looking for a location modification to a PUD introducing the retail use i.e. CVS on a restaurant pad.

Director Halik advised they would need to modify the approved plat for the development and they would need a Special Use Permit for a new drive through.

Trustee Mistele noted that should all go through the Plan Commission before it comes here.

Director Halik said his feeling was that Harlem Irving was just hoping to gauge the support among the Board for a CVS. If there was absolutely no support, he would not even waste his time with the Plan Commission. It would ultimately come to the Board for final approval anyway.

Trustee Schoenbeck noted that question was posed to the Board members about four months ago and he understood it was a majority that said they were not interested.

Director Halik responded that four out of six advised that they would not support a CVS at the Town Center. That information was conveyed back to Harlem Irving. They have since put together some additional information and parking analysis looking into various restaurant uses that may or may not be available for the site. They have a new packet of information that they would like to present. It was his understanding was President Napoli advised Harlem Irving that they could share the information and potentially re-poll the Board to see if there is any movement towards CVS from the Board.

Trustee Schoenbeck agreed with Trustee Mistele that it should probably go back to the Plan Commission only because once we have said that we weren't interested and they change something, it circumvents the authority of the Plan Commission and we will start running into a problem. He remembers when the whole Harlem Irving thing started, we had a couple of informal meetings with people and individual Board members met with them and he remembered it started to create some dissatisfaction among the members of the Plan Commission asking "What are we here for"

type of thing. Maybe an informal presentation to the Plan Commission to give them some steerage because they will have to look at it at some point.

Director Halik noted that we do have a sketch plan process available at the Plan Commission so there is a format where they can bring that development forward. He thought in their mind they might be thinking that even if the Plan Commission does support the project, the Board could still overrule the Plan Commission support. If there is absolutely no support here they would not even waste their time.

Trustee O'Connor thought maybe we can re-poll everybody again right now, maybe not this moment but individually with you.

Director Halik said once we get the new information that the President referenced tonight.

President Napoli thought what they would do is he and Director Halik would meet with the Chair of the Plan Commission and talk with him and see how he would want this to proceed and we will go from there. Once we get the new information probably what we should do in talking to Mr. Kopp would be to get the information, get enough copies so the Plan Commission could look and we can look at it and then we can proceed from there. If he can get that to us in the next week we might be able to have a discussion and direction at the next Board meeting as to how we will proceed with this.

Trustee Schoenbeck thought the worst case scenario we would potentially be able to look at Harlem Irving if the Plan Commission looks at it and says go ahead walk it to the Board at the second meeting in July. It would not delay them too much. Are they looking to do something this construction season or don't they know?

Director Halik responded he believed so. If there was a CVS development that came to fruition it would be a sale. They would sell the pad to CVS. They intimated to us that this sale would be a precursor to seeking permanent financing for the development. They are trying to seek a twenty five year permanent mortgage on the development. Director Halik noted that according to their actuary, if they sell the pad, they will lower their equity enough to approve them for permanent financing.

Trustee Mistele felt the aspect that they wanted to sell the land is a huge piece of information that we did not know when we first evaluated this CVS. He did not remember that being said.

President Napoli advised that they were trying to sell the pads to restaurants all along. National City was purchased and those out pads they wanted a long term rent or sale.

Trustee Baker asked wasn't the Board's objection, if remembered correctly, was the drive through. That was really what we based our choices on.

Trustee Mistele said he would look to the Plan Commission for a recommendation.

President Napoli will meet with Mr. Kopp and we will come back to the Board.

Trustee Schoenbeck said he would not want to see the Board hold up their process if they are doing some sort of permanent financing. On that same subject, we had an issue that came up about the façade at the bowling alley. Did that ever go to a one time contribution or had that been resolved.

Director Halik responded that we still have been negotiating with Harlem Irving on the escrow agreement. The original amount was \$250,000; they have spent about \$75,000 on site work. So there is about \$175,000 remaining. We had negotiated the terms of the escrow agreement, about the time we were finalizing the agreement and we were bringing it to the Board for authorization, Harlem Irving came to us and said that they have cash flow problems and cannot spend that money. Since that time there has been other negotiations with Harlem Irving on possible alternatives to satisfy that condition of the original approving ordinance. He believed that in the near future we are going to probably detail some of those alternatives to the Board.

Director Halik shared some of the news they have heard is that the owner of the bowling alley is actively pursuing sale of the site for redevelopment. Our obvious concern is that we force the developer to put \$175,000 into the façade and it is sold, and the building torn down.

President Napoli informed the Board that Chief Shelton's father had passed away and the arrangements are tomorrow. The Board should have a note at your dais. He wished to extend our condolences and sympathies to his family, his mother and fellow

siblings with respect to the passing of his father and our prayers will be with him and the arrangements are noted for tomorrow. He just wanted that to be part of the record.

12. EXECUTIVE SESSION

There was no need for an Executive Session.

24. ADJOURNMENT

MOTION: Made by Trustee O'Connor, seconded by Trustee Schoenbeck, to adjourn the regular meeting at the hour of 8:15 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED,

_____, 2010

Village President

Minutes transcribed by Mary Partyka.

MINUTES OF THE SPECIAL MEETING WORKSHOP OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, MAY 17, 2010, AT THE VILLAGE HALL, 7760 QUINCY STREET, WILLOWBROOK, DUPAGE COUNTY, ILLINOIS

1. CALL TO ORDER

The meeting was called to order at the hour of 6:30 p.m. by President Robert Napoli.

2. ROLL CALL

Those present at roll call were Trustees Dennis Baker, Terrence Kelly, Michael Mistele, Paul Schoenbeck, Sandra O'Connor and President Napoli. ABSENT: None. Also present were Village Clerk Leroy Hansen, Village Attorney William Hennessy, Interim Village Administrator Larry Maholland, Chief of Police Mark Shelton, Director of Finance Sue Stanish, Director of Municipal Services Timothy Halik and Administrative Intern Garrett Hummel.

A QUORUM WAS DECLARED

3. VISITORS BUSINESS

None.

4. DISCUSSION - FY 2010-11 BUDGET AND PERSONNEL

Administrator Maholland informed the Board that he understood the budget was reviewed and approved with the exception of trying to understand the salary situation of the Union and non-union employees and the concern about the Commander budget. We have provided information about union and non-union wages.

Director Stanish provided a history when we did the budget preview workshop in October 2009 we started to look at the five year plan, we were looking at Fiscal 2011-12 for the first large deficit of \$600,000. When we met at the Budget Workshop on March 1, 2010 that deficit was down to \$400,000. Since we eliminated a Planner position and a Deputy Chief position, that deficit for the FY11-12 is down to \$250,000 and the next four years of our five year plan it runs about \$450,000 in the red per year. So what the Board was told at the last Board meeting for FY11-12, the deficit number is \$250,000. It takes into account all the personnel changes that we have made to date.

Trustee Mistele noted the deficit is for 12-13, 13-14, 14-15 it is about \$450,000 each year.

Director Stanish noted \$450,000 each year and whatever the Board does in one year that is significant it will just domino effect into the next year as far as major changes either way.

Trustee O'Connor inquired if we showed a deficit going into this year when we did the plan last year.

Director Stanish responded that last year at this time we did show a deficit coming into FY10-11; we do not have a deficit. Based on changing the vehicle replacement program in the Police Department, the changes in personnel and other redirections, is over \$250,000-\$300,000. The reduction in salary costs will carry forward every year, but in the past we have sometime shown a deficit in a year and when we get slashed spending. From a Staff perspective, next year there is no way we can take out \$250,000 in operating and capital; we have gone down to the bare minimum this year in order to balance this year's budget.

President Napoli indicated there were deferred capital expenses that we are going to have face sooner or later.

Director Stanish as an example noted the Police Department revamped their whole vehicle replacement program philosophy where we were replacing four, now we are down to two vehicles a year. They cannot revamp everything next year and come back down to zero. We are going to have to keep at least a minimum of two vehicles. That is just one example. A simple example in Admin/Finance where we do not spend a lot of money no computer upgrades for the next year. That is not going to be realistic, within the next five years we are going to have to keep our systems up to date and re-lease our computers. If we cut everything to the bare minimum trying to balance this year's budget; we did. The budget is \$200,000 in the black right now but it is not sustainable.

President Napoli advised that we will also be having a Financial Workshop meeting possibly in June.

President Napoli asked the Board for their preference: an extended night from 5:00-5:30pm to 9:00 or 9:30pm or a Saturday.

Trustee Baker felt the meeting could be kept to three hours in the evening.

President Napoli thought they could do a 5:30pm-8:30pm. Should he have Deputy Clerk Partyka poll them for the second or third week in June what would be good? He asked Administrator Maholland to carry through with Deputy Clerk Partyka on that.

President Napoli noted that the Board has some reports that were provided to them regarding some costs.

Administrator Maholland advised that they had information on wage increases from other communities to related non-union wages.

President Napoli said this document was a summary analysis and review of information found by Director Stanish and reviewed by the Board titled, "Wage Increases for Non-Union Employees" dated May 17, 2010, three columns for 08-09, 09-10 and 10-11 from comparable communities.

President Napoli noted that Willowbrook was the only community that does not have a property tax. All the other communities had property tax.

Director Stanish responded that Countryside did not have a property tax.

President Napoli noted that ten out of the seventeen communities did not give any increase for FY 10-11.

Trustee Mistele noted that even the year before there were still a significant portion of these communities that did not afford any increase. We were only able to provide a little over one percent.

President Napoli asked if any of the communities had cut benefits.

Director Stanish responded that she did not survey that part. Everyone has been cutting back one way or another but could not say for each community what they have done with their benefit amounts or if they had layoffs.

President Napoli asked what the total would be for a one percent raise for non-union staff.

Director Stanish responded that if we stayed under the current pay plan, a one percent increase would be a total salary plus benefits of \$44,000.

Administrator Maholland asked if that was for non-union.

Director Stanish responded that it would include everything.

President Napoli asked if she said everything did it include all employees.

Director Stanish responded that when you say non-union we are talking Commanders and the rest of the employees.

Trustee Schoenbeck commented that the two terms we have used in the past were non-union and non-sworn. That is two different pools of people.

Director Stanish responded currently the Commanders are in with the non-union employees; they are under the pay plan of the Village. They are not in the Union.

President Napoli noted they had gotten the 1.1% last year.

Director Stanish responded that most of the Commanders didn't get anything.

Trustee Schoenbeck asked President Napoli if we would want to be looking at the non-union number then.

President Napoli responded he was looking at the Administrative staff.

Director Stanish reiterated if we stay under our current pay plan, and Sikich recommended doing a step plan for non-union employees so that is going to change these numbers, the numbers she ran assumes we have our current ranges in place, which limits salary increases for those administrative and four Commanders that are at the top of their range. If we moved it 2 percent they would not be getting a pay increase because they are at the top, in fact the three administrative employees who are already at the top of their range, they would get a small increase. If we are under our current parameters of the pay plan and we were to give a 1 percent increase it would be for the other administrative staff around \$11,000 plus benefits, so about \$50,000 and then for the Commanders their increase and their pension cost would be about \$22,000. A total package of

Commanders, their benefits and increase in pension and non-union is around \$72,000.

President Napoli asked if it was \$72,000.

Director Stanish responded yes and the benefits were the largest piece of that. Salary increases are very minimal. The increases in pensions this year have been significant for both sides.

Trustee Schoenbeck commented, just to clarify, that the only thing this excludes, \$72,000, is the union rank and file.

Director Stanish responded yes. Director Stanish made the correction if we did give a one percent increase over the current cost of where we are for non-union and Commanders it would be about \$21,000.

Trustee Schoenbeck said the total is not \$72,000 it is \$21,000.

Director Stanish noted what she told the Board was incorrect; it was \$21,000 over our current base amount. If you take where we are right now and gave everyone a one percent increase it would be about \$21,000 for non-union and Commanders, excluding the Police Officers, anyone in the Union.

Trustee Mistele noted that if it was across the Board it would be \$44,000.

Director Stanish responded correct, for non-union and Union.

Trustee Mistele that was the gross number budget in terms of trying to apply a number into this budget if we assume a 2.5 percent range it is going to be \$110,000 added to the budget.

Director Stanish responded it is there about because as you move up and you give people more and they are at the top of range they are not going to get 2.5 percent unless you move the ranges 2.5 percent.

Trustee O'Connor noted that \$110,000 is the maximum, it could be less.

Trustee Mistele thought it is the gross level needed to try to take care of Staff which is the real issue.

Trustee Schoenbeck commented the numbers we are mentioning right now are not in this budget.

Director Stanish responded that is correct.

Trustee Mistele commented that this is really a lean operating budget. There is very little capital projects in here whatsoever. We have nothing relative to mechanical plans other than the MFT funds that are an issue.

Director Halik responded we deferred much of our capital items when we did our budget and as noted earlier, we cannot continue to do that.

Trustee Mistele noted that one of the keys we have always used to evaluate the strength of this budget has been the operating reserve days. Currently, they are 170 something?

Director Stanish responded that she did not have final numbers as yet but we will have them within two or three weeks when we finalize adjustments for our accrual but we end the year on a cash basis and that is a very good position. She thought we budgeted around 163 days and she expected to keep that for the year.

Trustee Mistele asked if she could roughly estimate what it would be for the next few years if we deplete reserves by \$250,000 a year and then \$450,000 a year for the next two years.

Director Stanish responded she could do that but she said it would snowball because the first time you deplete your reserves it impacts your beginning balance for the next year and it just spirals.

Trustee Mistele said it dovetails into another conversation about what this reserve number should be and at the end of this, that the reserve number is actually a criterion against what we're judged for our borrowing capability, our ability to do business. It was his understanding that we had a written policy in place where our goal has been 120 days. Because it is a written goal, we manage ourselves to meet or exceed that, Standard and Poors evaluation of our ability to borrow is not negatively affected if we go down to 120 days. Did he state that fairly? So we have 170 days but we can do work for maybe a year, a year and a half at the most, when we go down to 120 days real fast.

Director Stanish responded we are in the black right now, which is around 180 days and whatever the Board does from here going forward will take that number down.

Trustee O'Connor said there is very little income that has also increased. We are relying more and more on Red Light, which we are funding, that is what in the next budget? \$500,000?

Director Stanish responded \$420,000.

Trustee Mistele noted the reality seems to be, we looked at even in this budget, the quick overview in terms of when these start dropping below that 120. At one time it was up to 2019; now it is coming in at 2014 so it is going to be here quicker than we thought years ago. We need to identify other revenue sources.

Trustee O'Connor commented the reality of other revenue sources, realistically would be two years out.

Administrator Maholland responded yes, by the time you pass a referendum, there is a certain distance after which you can apply for assistance so that is around two years.

Trustee Mistele noted there is also the process of educating.

Trustee O'Connor said that is part of it. She said it is not going to help in the near term.

Administrator Maholland responded that is right.

Trustee Schoenbeck asked if Director Stanish had heard more from the State with regard to the income tax reduction.

Director Stanish responded that the last update we had was still IML, things were in a better position. The municipal group is in a better position but it is still in the Illinois planning budget, which would be a \$200,000 loss for the Village. It has been very quiet on that front. All the legislative groups are focusing on other things.

Trustee O'Connor said it is just how we want to plan for it. Do you want to be conservative and plan for a decrease or do you want to assume we are not losing it.

Director Stanish noted that we are assuming we are not losing the income tax. We are going to keep the same percentage we are at now.

Trustee Mistele said we actually reduced what we thought the income would be through all those line items; it varied between 3-5 percent that we reduced for this coming year already in this budget.

Trustee Schoenbeck noted that people that chose the retirements, we may have their costs coming up and is there any way we can find out what that is or is that going to be just minimal.

Director Stanish said she had reports to let them know what that will be. She noted those numbers are not included in the budget because we did not know where we would be when we put this together. The people taking the VSI are getting a twelve week payout; to bring someone in either at a different rate of pay or a lower rate, there will be some offset.

Trustee Schoenbeck thought it would be easier to adopt this budget just from a suggestion standpoint because there are so many variables. Could we just get something that you are aware of as the income tax that may or may not go away. What impact that has around \$200,000.

President Napoli commented that Trustee Schoenbeck was talking about an alternate budget on the "what if" basis; if certain things happen what the impact will be on the Village.

Trustee Schoenbeck said absolutely it would become an issue if these things happened. These are real things. If the increases are not in here what are we talking about in operating days? If we lose this income tax during the course of this fiscal budget?

Administrator Maholland noted that the budget really is the best guess at some point. So if you decide to include something like an income tax, which our best guess isn't going to happen.

Trustee Mistele asked if he is saying he did not think it was going to happen.

Administrator Maholland did not think it will but if you do think it will and it is our guess at this point that if you will want to be that conservative, then that's a change you can make in the budget. You can probably do it but is that going to help pass the budget.

Trustee Mistele thought we were still in the global level of trying to budget for some of these voluntary separations, trying

to budget generally for some sort of recognition for the people that run Willowbrook for us, our professional staff, both Union and non-union. He is hearing that one percent is \$41,000 a year; 2.5% is \$110,000-\$115,000 as a budget number that is plugged in here. He is hearing we are at \$200,000 surplus with a decision like that we are using up a lot of the surplus. If we wanted to recognize the decline in income tax revenue, \$200,000 and \$100,000, then we fully depleted any kind of surplus we are budgeting for right now. It is a tough decision.

President Napoli asked would the buyouts deplete the \$200,000.

Director Stanish responded no because we will be paying for the buyouts but depending what is going to be done with those positions there will be an offset.

Administrator Maholland noted they expect there to be an offset. One of the positions will be replaced with part-time, we will have a whole year to take advantage of that and in the other case there will be probably a lower salary.

Director Stanish noted that she would expect the buyouts should be taken out of the equation when we are thinking about financial goals for the next year.

President Napoli asked the Board if we should take some of the \$200,000 and put it in our days in reserve and use some of it for raises since we are going to have a deficit next year we can pick up four or five days in reserve if we do that.

Trustee Mistele said he would like to suggest that we reaffirm the managing goal of maintaining at least 120 days in reserve. This extends the written policy we have had in place for years. Even with the depletion of reserve funds we still do not shoot ourselves in the foot in terms of our capability to borrow.

Trustee O'Connor noted that when the senior partner was here from Sikich and he had advised us that for a community of our nature and with our revenue stream actually 180 days was advisable.

Administrator Maholland noted that they actually recommended more.

Trustee Mistele thought it was 360 days.

Administrator Maholland noted that they see some communities that actually have that the 360 days or maybe it is 270 but you have two primary sources of revenue, income tax and sales tax. The sales tax is about 40 some percent.

Director Stanish noted that sales tax is 43 percent.

Administrator Maholland said so you have that, you do not have a property tax, most of your revenue sources are what they call highly elastic because they change quite a bit. You also have a lot of intergovernmental revenue and you are not doing a lot of things in terms of GIS and some other things you would like to do to move forward so it is the suggestion to start saving some money towards these things.

Trustee Mistele noted that we are also operating a service industry for the folks in Willowbrook. Right now we are at \$10 million a year to operate Willowbrook. If we were to keep 360 days in the bank we are holding \$10 million in tax payers' money. At 120 days we are going to be holding about \$3 million. How the market place assesses Willowbrook's credit worthiness versus 120 days/360 days, there is no difference. He strongly encouraged the Board to stay with the guidelines we have used for years.

Trustee Mistele said that 360 days is almost a full calendar year; trying to build a reserve of 360 days would need \$10 million in the bank.

Administrator Maholland noted that includes water revenue.

President Napoli indicated when Fred Lantz was here he did say a community of our size based on our taxes should have a full year or 360 days in reserve. He said he did not want to lay anybody off, as a Village; he did not want to fire anyone. He did not want to furlough anyone and he did not want to cut benefits if he could avoid it. The reason he would like to have a reserve is we do not have a property tax so we cannot wait until every May; we cannot wait until every September, when we have money coming in. We are strictly a roll of the dice for gas tax, how many people drive through and buy, how many people drive through and shop. And that could change dramatically. He was looking at it in the sense if two years from now we have a \$450,000 deficit, and this recession will not be over in a short term, he would rather see the Village have a reserve so that we can turn around and maybe we can take out of the reserve and maintain people employed so we can provide the services on the same standards

that we have all along without having a cut or diminishment of services. He was in favor of having the much larger reserve. If we do not have the reserve the Village may not be able to borrow or if we do borrow it is going to cost us a lot of money. We have not borrowed to this extent except for the purchase of the land and the public works building. Those are the only two things we have done. Even now when we just set up the water tower painting, repair and maintenance, we set up the fee increase for water so we would not have to borrow the money and hopefully in eight years or nine years, we will have enough in the reserve to pay cash and not have to charge the citizens interest for borrowing money. The Village has always been fiscally conservative and he thought that is the way it should remain.

Trustee Baker asked if you were thinking of going to the public marketplace to raise money.

Trustee Kelly noted there was an article in the Wall Street about basically about small municipalities having a hard borrowing the money. It is going to be expensive. Although 360 days seems real high to me but staying at 120 days or drawing down to 120 days would be a mistake.

Trustee Mistele thought President Napoli said it best. Philosophically, trying to maintain the services is huge. And I think we do a really good job here in Willowbrook. Relative to reserves it is a written policy we have had for years, the 120 days. The real issue here is if we are going to maintain services in Willowbrook, we will have to look at another alternative. And this goes back to what we talked about earlier in terms of educating the citizens of Willowbrook. Relative to our borrowing, it has been extremely limited for capital projects; when we start looking at normal ratios and equalized assessed value and the way the lending companies look at that, we are very conservative. We do not borrow anything unless we know we can pay it back.

President Napoli thought there are some communities around us that are in trouble because they over extended themselves thinking things were going to be okay and things did not go okay. We have not done that.

Trustee Mistele said relative to the basis against which we gather revenue, he thought we can count one hand communities that do not have a property tax and still operate to provide services in DuPage County. It is becoming an unrealistic or

untenable position to try to manage the process unless you start giving up services.

President Napoli said there is Oak Brook, Countryside and us.

Director Stanish noted there used to be part of Schaumburg but they changed it this year. The case in point, communities like Oak Brook had a non-home rule sales tax; Schaumburg used to be the same way. Not only does Willowbrook not have a property tax but we do not have a local sales tax compared to some of the other communities that are operating without a property tax, they have a local sales tax.

Trustee Mistele noted those two examples have extremely large regional retail centers.

Director Stanish noted that Countryside had all the dealerships when they were strong, they were rolling in cash. Now they are hurting,

Trustee Schoenbeck asked if we had any debt we are retiring this year or next fiscal year.

Director Stanish responded that in this fiscal year, in June, we will be paying the final payment for the water bond we issued ten years ago to paint the water towers, do the meter reading system and finish the water main extensions.

Trustee Schoenbeck asked what amount we pay a month for that.

Director Stanish responded it is an annual payment of \$160,000. This amount is completely out of the water fund and will not impact anything we are discussing as far as general. The other bond we have outstanding is a twenty year bond.

Trustee Mistele noted that bond was for the public works facility and isn't there another set of bonds for some of the public improvements.

Director Stanish responded yes, there are the TIF bonds and TIF notes that are out there.

Trustee Mistele asked until 2017.

Director Stanish responded the TIF are 2013 and Sales Tax Sharer Notes are in 2015.

Trustee Mistele noted that we tried real hard to live within our means and we have still have been able to build up the \$3.5 million plus of tax payer money for 170 days. We have a good chunk of reserve. He thought what started this conversation is coming back and focusing on the issue of do we take care of our professional staff with raises, do we talk about positions. You mentioned we got rid of an administrator, the chief, the deputy chief, the planner, there is a lot out here we have to think about that we are going to have to try to take care of.

Trustee Schoenbeck said we have not passed the appropriations yet and we have not adopted the budget, correct.

Director Stanish responded correct.

Trustee Schoenbeck said we have to dedicate some time somewhere to answer what we are going to do because we have costs that are attached to the Union negotiations we are in right now. Those are potentially two different ones. We have the administrator, do we want to put that person in fulltime and is that going to change what has been appropriated in the budget for a contracted person, either up or down. And then what do we do for non-union salary increases. That doesn't consider anything if the income tax goes away in the middle of the year, any other unforeseen things that we may run across. He recalled even last year we put off some things that at some point may come up.

President Napoli asked are we going to be talking in terms of a \$200,000 cushion and should we be considering a portion of this for raises for non-union and union. And then the other would be a meeting in June regarding enhanced revenue sources for the Village to be considered so we can start to work on that. He asked Administrator Maholland where we were at with the Unions; had he talked with Mr. Jacoby.

Administrator Maholland responded that we passed out the issues and we are waiting to discuss that with the Board as we did last time. So, once we determine how the Board feels about that then we are going to go ahead. He did talk with Mr. Jacoby.

President Napoli noted that we were waiting for a hearing on the Commanders.

Administrator Maholland noted that the Commanders are scheduled on May 20 to talk about the hearing, judge and attorneys.

President Napoli asked if he was ready to come back to the Board after that with information so then possibly we can have Mr. Jacoby at the June meeting.

Trustee Schoenbeck asked if President Napoli was suggesting in closed session in this evening we can get an idea of what we want to do with regard to the non-union people and what direction we might want to go with regard the Union contract.

President Napoli commented that he did not know if we would be able to do that. He was just trying to get a general parameter that we were going to give some raises and then see where the Union goes. President Napoli asked how does this go; does this really start with the Union and what they ask and then we start to negotiate and then we come back and take a look at how it would impact the Village and then consider the other employees.

Administrator Maholland responded it was up to the Board how you want to do it; he thought the Board needs to decide what it wants to do in terms of increases, what direction it wants to go in whether that is some limited amount like we have shown you and do you want to do something with the non-union prior to that. His suggestion would be that they wait to see what happens with the Union; negotiate that and do something similar for the non-union.

Trustee Schoenbeck asked if it was safe to say that the multi-page sheet given to the Board in closed session last meeting was of the last meeting with the Union. That is what the bargaining people came up with for the Board to look at. Then there will be a subsequent meeting to that.

Administrator Maholland responded they were both Village issues and Union issues; he tried to describe those issues for the Board and also make some suggestions.

Trustee Schoenbeck thought this is what puts the Board in a curious situation in this whole budget because he never recalled us waiting this long getting into these negotiations and there are some financial commitments aside from any pay increase or no increase that the Union would look at.

President Napoli thought any raise would have an impact on the budget.

Trustee Schoenbeck felt it was more than that. They have some other financial issues in there as well.

President Napoli noted that is typical of any Union negotiations.

President Napoli asked the Board what they wished to do. Do you wish Mr. Jacoby to handle this and then come back in and give us his opinion as to the Union negotiations on both levels and then we can talk to him about what our bargaining position would be.

Trustee Schoenbeck noted by our next meeting, come to the table with these issues that Administrator Maholland and Administrator Pierce gave us at one point and see where the Board stands on what we want to pursue or what we want to take off. That is our negotiation and get back to the negotiating team by the end of our next meeting.

Trustee O'Connor thought the Board was to take a look at the sheets and then come back.

President Napoli asked Administrator Maholland if anyone had gotten back to him.

Administrator Maholland responded not at this point.

President Napoli said it was set up that the Board should have gotten back to Administrator Maholland with their opinions on Union issues.

Trustee Schoenbeck felt some of the items were just discussion items and would not take more than 45 minutes of discussion for the Board to go through the items.

Attorney Hennessy advised that if it was the pleasure of the Body to go into Executive Session he did not think it adversely implicates the effect of the notice of a special meeting.

President Napoli asked if it was the consensus of the Board to go into Executive Session.

5. EXECUTIVE SESSION

President Napoli asked for a motion to recess into Executive Session to discuss Collective Bargaining pursuant to Chapter 5 ILCS 120/2(c)2.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Mistele, to recess into Executive Session at the hour of 7:38 p.m. to discuss Collective Bargaining matters for Patrol Officers.

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

MOTION DECLARED CARRIED

SEE APPROPRIATE EXECUTIVE SESSION MINUTES

The Village Board reconvened the regular meeting at 8:14 p.m.

6. ADJOURNMENT

MOTION: Made by Trustee Baker, seconded by Trustee Mistele, to adjourn the meeting at the hour of 8:14 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED,

_____, 2010

Village President

Minutes transcribed by Mary Partyka.

WARRANTS

June 28, 2010

GENERAL CORPORATE FUND	-----	\$61,856.71
WATER FUND	-----	70,284.64
HOTEL/MOTEL TAX FUND	-----	3,791.00
T I F SPECIAL REVENUE FUND	-----	191,091.25
SSA ONE BOND & IINTEREST FUND	-----	107,020.00
CAPITAL PROJECT FUND	-----	1,138.78
TOTAL WARRANTS	-----	\$435,182.38



Sue Stanish, Director of Finance

APPROVED:

Robert A. Napoli, Village President

VILLAGE OF WILLOWBROOK

RUN DATE: 06/23/10

BILLS PAID REPORT FOR JUNE, 2010

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GENERAL CORPORATE FUND

CHECKS & DIR. DEBITS

DESCRIPTION	ACCOUNT NUMBER	AMOUNT
A.W.P. CUSTOM UNIFORMS (157)	06/29 CK# 75513	\$598.50
7589 VILLAGE ANNIVERSARY CELEBRATION 01-05-420-368	01-05-420-368	598.50
AFLAC (46)	06/29 CK# 75514	\$2,669.40
JUNE 2010 EMP DED PAY - AFLAC/ACCIDENT 01-210-217	01-210-217	565.38
JUNE 2010 EMP DED PAY - AFLAC/OTHER INS 01-210-218	01-210-218	2,104.02
AL WARREN OIL CO (2205)	06/29 CK# 75515	\$2,892.48
1598527 GASOLINE INVENTORY 01-190-126	01-190-126	2,892.48
AMERICAN VIDEO SERVICES-SOUND MEMORIES (102)	06/29 CK# 75516	\$400.00
MOVIE 7/22 CHILDRENS SPECIAL EVENTS 01-625-150	01-20-585-150	400.00
AMERICAN VIDEO SERVICES-SOUND MEMORIES (102)	06/29 CK# 75517	\$200.00
FUN DAY 6/26 VILLAGE ANNIVERSARY CELEBRATION 01-05-420-368	01-05-420-368	200.00
AMERICAN FIRST AID SERVICE INC (77)	06/29 CK# 75518	\$49.65
85880 OPERATING EQUIPMENT 01-451-401	01-30-630-401	23.55
85881 BUILDING MAINTENANCE SUPPLIES 01-405-351	01-10-466-351	26.10
AT & T (67)	06/29 CK# 75520	\$98.80
630-734-9661JUN TELEPHONES 01-501-201	01-35-710-201	98.80
B.V. SANTIAGO CONSTRUCTION CO. (268)	06/29 CK# 75521	\$6,500.00
389 STREET & ROW MAINTENANCE 01-535-328	01-35-750-328	6,500.00
CDR PRINTING INC (2266)	06/29 CK# 75523	\$28.00
19055 PRINTING & PUBLISHING 01-601-302	01-20-550-302	28.00
CLARKE ENVIRONMENTAL (350)	06/29 CK# 75524	\$6,057.84
6330056 MOSQUITO ABATEMENT 01-775-259	01-35-760-259	6,057.84
COCA-COLA BOTTLING COMPANY (2260)	06/29 CK# 75525	\$183.76
6478294313 COMMISSARY PROVISION 01-420-355	01-10-455-355	183.76
COMMONWEALTH EDISON (370)	06/29 CK# 75526	\$849.32
0423085170JUN RED LIGHT - COM ED	01-30-630-248	62.12
0791026027JUN RED LIGHT - COM ED	01-30-630-248	45.07
4215105154JUN ENERGY - STREET LIGHT 01-530-207	01-35-745-207	603.52
4403140110JUN ENERGY - STREET LIGHT 01-530-207	01-35-745-207	68.60
6863089003JUN RED LIGHT - COM ED	01-30-630-248	70.01
CORAZON G FERNANDES (1466)	06/29 CK# 75527	\$200.00
PERMIT #19 PARK PERMIT FEES 01-310-814	01-310-814	200.00
DUPAGE COUNTY TREASURER (497)	06/29 CK# 75528	\$250.00
7650/MAY 2010 EDP-SOFTWARE 01-457-212	01-30-640-212	250.00
DUPAGE MAYORS AND MGRS. CONF. (527)	06/29 CK# 75530	\$110.00
6346 SCHOOLS-CONFERENCE TRAVEL 01-420-304	01-10-455-304	110.00
FREDRIKSEN & SONS (638)	06/29 CK# 75533	\$1,213.80
124846 MAINTENANCE - BUILDING 01-405-228	01-10-466-228	1,213.80
GOVT FINANCE OFCRS ASSN (705)	06/29 CK# 75534	\$280.00
BUDGET AWARD FEES DUES SUBSCRIPTIONS 01-25-610-307	01-25-610-307	280.00
GOWER SCHOOL DIST.62 (711)	06/29 CK# 75535	\$480.00
214 RENT - FACILITY 01-625-232	01-20-585-232	480.00
W.W. GRAINGER (1999)	06/29 CK# 75536	\$134.12
9271782113 OPERATING EQUIPMENT 01-540-401	01-35-755-401	26.60
9271782121 OPERATING SUPPLIES & EQUIPMENT 01-503-401	01-35-715-401	107.52
H AND R CONSTRUCTION INC. (742)	06/29 CK# 75537	\$2,459.00
13808 SITE IMPROVEMENTS 01-535-289	01-35-750-289	2,459.00

VILLAGE OF WILLOWBROOK

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GENERAL CORPORATE FUND

CHECKS & DIR. DEBITS

DESCRIPTION	ACCOUNT NUMBER	AMOUNT
HARRY'S SWEAT SHOP (760)	06/29 CK# 75538	\$153.00
6/3/10 UNIFORMS 01-501-345	01-35-710-345	153.00
HINSDALE NURSERIES, INC. (793)	06/29 CK# 75539	\$95.00
625220 TREE MAINTENANCE 01-535-338	01-35-750-338	95.00
HR SIMPLIFIED (744)	06/29 CK# 75540	\$3.00
27326 EMPLOYEE BENEFIT - MEDICAL INSURANC	01-10-455-141	3.00
I.M.R.F. PENSION FUND (917)	06/29 CK# 75541	\$1,885.91
JUNE 2010 SLEP PENSION 01-420-155	01-10-455-155	1,885.91
I.R.M.A. (966)	06/29 CK# 75542	\$220.00
5/31/10 SCHOOLS-CONFERENCE TRAVEL 01-451-304	01-30-630-304	220.00
IL GOVERNMENT FINANCE OFFICERS (880)	06/29 CK# 75543	\$275.00
CONF/STANISH SCHOOLS-CONFERENCE TRAVEL 01-25-610-304	01-25-610-304	275.00
ILLINOIS PAPER COMPANY (898)	06/29 CK# 75544	\$689.50
556298 OFFICE SUPPLIES 01-420-301	01-10-455-301	689.50
IURIE BLAJIN (1862)	06/29 CK# 75545	\$100.00
WL 70967/71019 TRAFFIC FINES 01-310-502	01-310-502	100.00
JILL HEYSER (1466)	06/29 CK# 75546	\$190.00
PERMIT #5 PARK PERMIT FEES 01-310-814	01-310-814	190.00
JODI PLEWA (1466)	06/29 CK# 75547	\$100.00
PERMIT #20 PARK PERMIT FEES 01-310-814	01-310-814	100.00
JULIE, INC. (1018)	06/29 CK# 75548	\$125.25
05101709/MAY J.U.L.I.E. 01-540-332	01-35-755-332	125.25
MARIA A MORENO (1466)	06/29 CK# 75549	\$250.00
PEERMIT #17 PARK PERMIT FEES 01-310-814	01-310-814	250.00
METRO REPORTING SERVICE LTD. (1246)	06/29 CK# 75551	\$441.80
19685 FEES - COURT REPORTER 01-15-520-246	01-15-520-246	441.80
MIDLAND GROUP PROPERTY SERVICES (1265)	06/29 CK# 75552	\$1,028.50
391 TREE MAINTENANCE 01-535-338	01-35-750-338	572.25
394 TREE MAINTENANCE 01-535-338	01-35-750-338	456.25
MIDWEST HEALTH WORKS (1273)	06/29 CK# 75553	\$50.00
16847 WELLNESS 01-440-276	01-10-480-276	50.00
PCS INTERNATIONAL (2201)	06/29 CK# 75554	\$926.09
124368 E.D.P. SOFTWARE 01-25-615-212	01-25-615-212	926.09
PETTY CASH C/O SUE STANISH (1492)	06/29 CK# 75555	\$21.43
6/22/10 CASH - OVER OR SHORT 01-420-505	01-10-455-505	10.93
6/22/10 SCHOOLS-CONFERENCE TRAVEL 01-451-304	01-30-630-304	8.00
FRONT DRAWER CASH - OVER OR SHORT 01-420-505	01-10-455-505	2.50
PUBLIC SAFETY DIRECT INC (2309)	06/29 CK# 75556	\$118.75
21137 MAINTENANCE - VEHICLES 01-451-409	01-30-630-409	95.00
21138 MAINTENANCE - VEHICLES 01-451-409	01-30-630-409	23.75
R&R PRINT N SERVE INC (1582)	06/29 CK# 75557	\$682.80
23438 VILLAGE ANNIVERSARY CELEBRATION 01-05-420-368	01-05-420-368	392.80
23441 PRINTING & PUBLISHING 01-25-610-302	01-25-610-302	290.00
RADIO SHACK CORPORATION (1573)	06/29 CK# 75558	\$4.99
269804 OPERATING EQUIPMENT 01-451-401	01-30-630-401	4.99

VILLAGE OF WILLOWBROOK

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GENERAL CORPORATE FUND

CHECKS & DIR. DEBITS

DESCRIPTION	ACCOUNT NUMBER	AMOUNT
RAGS ELECTRIC, INC (1585)	06/29 CK# 75559	\$92.00
5963 MAINTENANCE - BUILDING 01-405-228	01-10-466-228	92.00
RIGHTON WALTER (1623)	06/29 CK# 75560	\$200.00
IPRA WEBSITE PERSONAL RECRUITMENT 01-420-131	01-10-455-131	200.00
LORI RINELLA (2204)	06/29 CK# 75561	\$100.00
2010 UNIFORMS UNIFORMS 01-451-345	01-30-630-345	100.00
RON ISDONAS (1292)	06/29 CK# 75562	\$264.77
FUN DAY ITEMS VILLAGE ANNIVERSARY CELEBRATION 01-05-420-368	01-05-420-368	264.77
RUTLEDGE PRINTING CO. (1648)	06/29 CK# 75563	\$119.57
104371 PRINTING & PUBLISHING 01-451-302	01-30-630-302	119.57
SAFETY KLEEN (1664)	06/29 CK# 75564	\$274.57
50864571 FIRING RANGE 01-451-245	01-30-630-245	274.57
SEASON COMFORT, CORP. (1687)	06/29 CK# 75566	\$201.25
148729 MAINTENANCE - BUILDING 01-405-228	01-10-466-228	201.25
SERVICE SANITATION INC (1697)	06/29 CK# 75567	\$93.00
6499399 RENT - EQUIPMENT 01-615-234	01-20-570-234	93.00
SOUTHWEST CENTRAL DISPATCH (1751)	06/29 CK# 75568	\$21,333.45
JULY 2010 RADIO DISPATCHING 01-483-235	01-30-675-235	21,333.45
SPORTSFIELD, INC. (1764)	06/29 CK# 75569	\$653.80
201537 PARK LANDSCAPE SUPPLIES 01-610-341	01-20-565-341	653.80
SPRING-GREEN (1755)	06/29 CK# 75570	\$731.90
3843225 ROUTE 83 BEAUTIFICATION 01-540-281	01-35-755-281	39.00
3857642 LANDSCAPE MAINTENANCE SERVICES 01-610-342	01-20-565-342	324.20
3857648 LANDSCAPE MAINTENANCE SERVICES 01-610-342	01-20-565-342	273.35
3857649 LANDSCAPE MAINTENANCE SERVICES 01-610-342	01-20-565-342	95.35
STAPLES (1767)	06/29 CK# 75571	\$63.24
8015667123 OFFICE SUPPLIES 01-501-301	01-35-710-301	63.24
STERICYCLE INC (1772)	06/29 CK# 75572	\$47.96
4001744987 JAIL SUPPLIES 01-465-343	01-30-650-343	47.96
STEVEN SPIRO (1862)	06/29 CK# 75573	\$25.00
WL69157 TRAFFIC FINES 01-310-502	01-310-502	25.00
TAMELING INDUSTRIES (1844)	06/29 CK# 75574	\$189.00
67217 ST & ROW MAINTENANCE OTHER 01-540-328	01-35-755-328	189.00
THOMPSON ELEV. INSPECT. SERVICE (1873)	06/29 CK# 75575	\$100.00
10-1975 REIMB.	01-40-830-117	100.00
THOMSON WEST (1871)	06/29 CK# 75576	\$551.13
820819600 FEES DUES SUBSCRIPTIONS 01-451-307	01-30-630-307	478.13
8820789196 FEES-DUES-SUBSCRIPTIONS 01-451-307	01-30-630-307	73.00
UNIFIRST (1926)	06/29 CK# 75578	\$180.05
0610517400 MAINTENANCE - BUILDING 01-405-228	01-10-466-228	180.05
VEDDER, PRICE, KAUFMAN & KAMMHOLZ PC (1971)	06/29 CK# 75579	\$2,122.00
367183 FEES - LABOR COUNSEL 01-425-242	01-10-470-242	2,122.00
WAREHOUSE DIRECT (2002)	06/29 CK# 75581	\$79.65
752611-0 OFFICE SUPPLIES 01-451-301	01-30-630-301	52.68
753800-0 OFFICE SUPPLIES 01-451-301	01-30-630-301	26.97

VILLAGE OF WILLOWBROOK

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GENERAL CORPORATE FUND

CHECKS & DIR. DEBITS

DESCRIPTION	ACCOUNT NUMBER	AMOUNT
WESTFIELD FORD (2028)	06/29 CK# 75582	\$43.70
282991 MAINTENANCE - VEHICLES 01-520-409	01-35-735-409	23.10
283490 MAINTENANCE - VEHICLES 01-520-409	01-35-735-409	20.60
WESTOWN AUTO SUPPLY COMPANY (2026)	06/29 CK# 75583	\$9.98
29663 MAINTENANCE - VEHICLES 01-520-409	01-35-735-409	9.98
WILD GOOSE CHASE INC (2047)	06/29 CK# 75584	\$630.00
13587 LANDSCAPE MAINTENANCE SERVICES 01-610-342	01-20-565-342	630.00
THE YOGA TEACHERS' GROUP INC (2109)	06/29 CK# 75586	\$735.00
SMR 5/10-*6/21 SUMMER PROGRAM MATERIALS & SERVICES	01-20-575-119	735.00
TOTAL GENERAL CORPORATE FUND		\$61,856.71

VILLAGE OF WILLOWBROOK

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WATER FUND

CHECKS & DIR. DEBITS

DESCRIPTION	ACCOUNT NUMBER	AMOUNT
AT & T MOBILITY (64) 826930710/JUN PHONE - TELEPHONES 02-401-201	06/29 CK# 75519 02-50-401-201	\$116.22 116.22
AT & T (67) 630-323-0337 PHONE - TELEPHONES 02-401-201	06/29 CK# 75520 02-50-401-201	\$597.14 597.14
DUPAGE WATER COMMISSION (521) 8709/MAY 10 PURCHASE OF WATER 02-420-575	06/29 CK# 75531 02-50-420-575	\$65,693.03 65,693.03
ENVIRO TEST INC (555) 10-126970 SAMPLING ANALYSIS 02-420-362	06/29 CK# 75532 02-50-420-362	\$87.50 87.50
SCOTT CONTRACTING INC (1682) 381 WATER DISTRIBUTION REPAIR-MAINTENAN	06/29 CK# 75565 02-50-430-277	\$2,064.75 2,064.75
U.S. POSTMASTER (1948) DEPOSIT POSTAGE & METER RENT 02-401-311	06/29 CK# 75577 02-50-401-311	\$700.00 700.00
WALSH, KNIPPEN, KNIGHT AND POLLOCK CHTD (1993) 17150 DUPAGE WATER COMM EXCHANGE ACCT 02-280-109	06/29 CK# 75580 02-280-109	\$1,026.00 1,026.00
TOTAL WATER FUND		\$70,284.64

VILLAGE OF WILLOWBROOK

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HOTEL/MOTEL TAX FUND

CHECKS & DIR. DEBITS

DESCRIPTION	ACCOUNT NUMBER	AMOUNT
DUPAGE CONVENTION (494)	06/29 CK# 75529	\$3,791.00
7201 ADVERTISING 03-435-317	03-53-435-317	3,191.00
ADJ - FY 09/10 FEES-DUES-SUBSCRIPTIONS 03-401-307	03-53-401-307	-400.00
MAY 2010 FEES-DUES-SUBSCRIPTIONS 03-401-307	03-53-401-307	1,000.00
TOTAL HOTEL/MOTEL TAX FUND		\$3,791.00

VILLAGE OF WILLOWBROOK

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T I F SPECIAL REVENUE FUND

CHECKS & DIR. DEBITS

DESCRIPTION	ACCOUNT NUMBER	AMOUNT
WILLOWBROOK TOWN CENTER LLC (2069)	06/29 CK# 75585	\$191,091.25
7/1/10 PYMNT INTEREST EXPENSE 05-401-305	05-59-401-305	50,833.91
7/1/10 PYMNT PRINCIPAL EXPENSE 05-410-306	05-59-410-306	140,257.34
TOTAL T I F SPECIAL REVENUE FUND		\$191,091.25

VILLAGE OF WILLOWBROOK

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SSA ONE BOND & INTEREST FUND

CHECKS & DIR. DEBITS

DESCRIPTION	ACCOUNT NUMBER	AMOUNT
MB FINANCIAL BANK (2155)	06/29 CK# 75550	\$107,020.00
INTEREST BOND INTEREST EXPENSE 06-60-550-402	06-60-550-402	107,020.00
TOTAL SSA ONE BOND & INTEREST FUND		\$107,020.00

VILLAGE OF WILLOWBROOK

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CAPITAL PROJECT FUND

CHECKS & DIR. DEBITS

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DESCRIPTION	ACCOUNT NUMBER	AMOUNT
THE BANK OF NEW YORK MELLON (2174)	06/29 CK# 75522	\$428.00
252-1482655 BOND ISSUANCE COSTS	10-68-545-414	428.00
RAGS ELECTRIC, INC (1585)	06/29 CK# 75559	\$710.78
5901 VILLAGE HALL GARAGE RENOVATION 10-68-540-416	10-68-540-416	710.78
-	TOTAL CAPITAL PROJECT FUND	\$1,138.78

VILLAGE OF WILLOWBROOK

BILLS PAID REPORT FOR JUNE, 2010

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SUMMARY ALL FUNDS

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BANK ACCOUNT	DESCRIPTION	AMOUNT	
01-110-105	GENERAL CORPORATE FUND-CHECKING - 0010330283	61,856.71	*
02-110-105	WATER FUND-CHECKING 0010330283	70,284.64	*
03-110-105	HOTEL/MOTEL TAX FUND-CHECKING 0010330283	3,791.00	*
05-110-105	T I F SPECIAL REVENUE FUND-CHECKING 0010330283	191,091.25	*
06-110-105	SSA ONE BOND & INTEREST FUND-CHECKING	107,020.00	*
10-110-105	CAPITAL PROJECT FUND-CHECKING 0010330283	1,138.78	*
	TOTAL ALL FUNDS	435,182.38	**

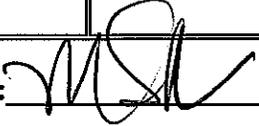
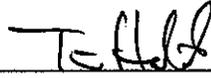
VILLAGE OF WILLOWBROOK

BOARD MEETING

AGENDA ITEM - HISTORY/COMMENTARY

ITEM TITLE:

MOTION TO APPROVE EXPENDITURE OVER \$2,500.00 –
REPLACEMENT OF SQUAD #53'S ENGINE

AGENDA NO. 5J**AGENDA DATE:** 6/28/10**STAFF REVIEW:** Mark Shelton**SIGNATURE:** **LEGAL REVIEW:** N/A**SIGNATURE:** _____**RECOMMENDED BY VILLAGE ADMIN.:****SIGNATURE:** **REVIEWED & APPROVED BY COMMITTEE:** YES _____ NO X N/A _____**ITEM HISTORY (PREVIOUS VILLAGE BOARD REVIEWS, ACTIONS RELATED TO THIS ITEM, OTHER PERTINENT HISTORY)**

NONE.

ITEM COMMENTARY (BACKGROUND, DISCUSSION, KEY POINTS, RECOMMENDATIONS, ETC.)

Recently Squad #53, a 2007 Dodge Charger, was sent in for repairs and it was discovered that two (2) heater core hoses had ruptured and damaged the engine. An inspection of the engine determined it to have severe internal engine damage and was unrepairable.

An estimate of \$6,696.30 was obtained to replace the engine by Jack Phelan Dodge/Suzuki. This includes engine replacement, oil, filters, fluid and labor along with a 3 year, 100,000 mile warranty with \$0 deductible.

The Village Staff requests the President and Board of Trustees approve the expenditure of \$6,696.30 to Jack Phelan Dodge/Suzuki.

ACTION PROPOSED:

Approve Motion.

ESTIMATE SHEET

JACK PHELAN DODGE/SUZUKI
708-352-5300

WILLOWBROOK POLICE DEPT
2007 DODGE CHARGER
VIN# 2B3KA43H07H644510
ATTN: CHRIS DRAKE
FROM: CHRIS ZAMECNIK

INSPECTION FOUND SEVERE INTERNAL ENGINE DAMAGE DUE TO
EXCESSIVE OVERHEATING.
ENGINE IS UNREPAIRABLE.

EST FOR NEW CHRYSLER REMAN LONG BLOCK ENGINE ASSY:
WARRANTY 12/12 DUE TO FLEET VEHICLE USEAGE.

LONG BLOCK ENGINE ASSY.....	4320.00
2 HEATER CORE HOSES.....	98.30
MISC OIL/COOLANT/FLUIDS.....	100.00
LABOR.....	2178.00
TOTAL.....	6696.30

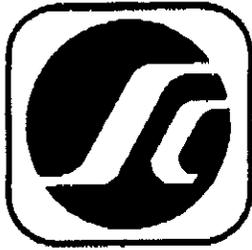
*3-yr X 100k
0.00 DEP.*

EST FOR LKQ REMAN LONGBLOCK ENGINE
WARRANTY 3YR 100K CUST PAYS 65.00 PER HR LABOR COST ON
WARRANTY REPAIRS

USED ENGINE ASSY.....	4290.00
MISC OIL/FILTERS/FLUIDS.....	100.00
LABOR.....	2178.00
TOTAL.....	6568.00

*ORDERED
06-16-10
@ 1245 hrs
w/ Chris*

QUOTATION



Season Comfort, Corp.

AIR CONDITIONING • HEATING • VENTILATION • REFRIGERATION • SHEET METAL
107 WEST 61st STREET • WESTMONT, IL 60559-2617 • (630) 810-1919 • FAX: (630) 810-0263

TO: Village of Willowbrook
7760 Quincy Street
Willowbrook, IL. 60521
Attn: Tim

DATE 6-01-10
QUOTATION NO.
PROJECT R 2280

We propose to furnish labor and material necessary to install the following for the garage area.:

-One new Armstrong unit heater low profile, spark ignition-model LS24-75H with a heating capacity of 75,000 b.t.u.

COST.....~~\$2,175.00~~ N/A

WARRANTY: ONE YEAR PARTS AND LABOR
TEN YEAR HEAT EXCHANGER

-One new Goodman Air Handler model AR1F364216 with 3 ton cooling coil in garage area for new storage room.

-One Goodman condensing unit model GS1300361 refrigerant 410A 13 seer with a cooling capacity of 3 ton with necessary spiral duct, return and supply registers and filter rack.

TOTAL COST.....\$6,160.00 *

WARRANTY: ONE YEAR LABOR
10 YEARS LIMITED-PARTS

NOT INCLUDED: MAIN ELECTRICAL (BY OTHERS)

THIS PROPOSAL HAS BEEN ACCEPTED:

Date _____
Company Name _____
By _____
Title _____

RESPECTFULLY SUBMITTED...

By Vito Palma
Date 6-1-10

Prices Quoted Are Valid for 30 Days, Unless Stated Otherwise Herein.
The Standard Terms and Conditions on the reverse side are hereby made a part hereof.

VILLAGE OF WILLOWBROOK

BOARD MEETING AGENDA ITEM - HISTORY/COMMENTARY

ITEM TITLE:

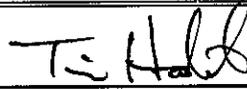
An Ordinance Adopting Prevailing Wage Rates
Pursuant to the Prevailing Wage Law

AGENDA NO. 51

AGENDA DATE: 06/28/10

STAFF REVIEW: Tim Halik,
Director of Municipal Services

SIGNATURE: _____

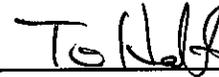


LEGAL REVIEW: N/A

SIGNATURE: _____

RECOMMENDED BY VILLAGE ADMIN.:

SIGNATURE: _____



REVIEWED & APPROVED BY COMMITTEE:

YES

NO

N/A

ITEM HISTORY (PREVIOUS VILLAGE BOARD REVIEWS, ACTIONS RELATED TO THIS ITEM, OTHER PERTINENT HISTORY)

N/A

ITEM COMMENTARY (BACKGROUND, DISCUSSION, RECOMMENDATIONS, ETC.)

Under Illinois State Statute, each municipality must investigate and ascertain the prevailing rates of wages paid in the completion of public works projects and post or make available its determination of such prevailing wages. The attached schedule of rates provided by the Illinois Department of Labor (IDOL), when passed through a local ordinance, satisfies the statutory requirement.

Once the ordinance is passed, a certified copy must be provided to both the Office of the Secretary of State in Springfield, and the Illinois Department of Labor. In addition, the ordinance must be published in a local newspaper.

ACTION PROPOSED:

The Village staff recommends that the President and Board of Trustees pass the attached ordinance adopting the June 2010 Prevailing Wage Rates for DuPage County pursuant to the Prevailing Wage Law.

ORDINANCE NO. 10-O- 12

AN ORDINANCE ADOPTING PREVAILING WAGE
RATES PURSUANT TO THE PREVAILING WAGE LAW

WHEREAS, the State of Illinois has enacted "An Act Regulating Wages of Laborers, Mechanics and Other Workers Employed in Any Public Works by the State, County, City or any Public Body or Any Political Subdivision or by Any One Under Contract for Public Works," approved June 26, 1941, as amended, being 820 Illinois Compiled Statutes 130/0.01 ET Seq. and;

WHEREAS, the aforesaid Act requires that the Village of Willowbrook investigate and ascertain the prevailing rate of wages as defined in said Act for laborers, mechanics and other workers in the locality of said Village employed in performing construction of public works, for said Village.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK:

SECTION ONE: To the extent and as required by "An Act regulating wages of laborers, mechanics and other workers employed in any public works by State, county, city or any public body or any political subdivision or by any one under contract for public works," approved June 26, 1941, as amended, the general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in construction of public works coming under the jurisdiction of the Village is hereby ascertained to be the same as the prevailing rate of wages for construction work in the DuPage County area as determined by the Department of Labor of the

State of Illinois as of June, 2010 a copy of that determination being attached hereto and incorporated herein by reference. The definition of any terms appearing in this Ordinance which are also used in aforesaid Act shall be the same as in said Act.

SECTION TWO: Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment except public works construction of the Village to the extent required by the aforesaid Act.

SECTION THREE: The Village Clerk shall publicly post or keep available for inspection by any interested party in the main office of this Village this determination of such prevailing rate of wage.

SECTION FOUR: The Village Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed their name and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

SECTION FIVE: The Village Clerk shall promptly file a certified copy of this Ordinance with both the Secretary of State and the Department of Labor of the State of Illinois.

SECTION SIX: The Village Clerk shall cause to be published in a newspaper of general circulation within the area a copy of this Ordinance, and such publication shall constitute notice that the determination is effective and that this is the determination of this public body.

PASSED and APPROVED this 28th day of June, 2010.

APPROVED:

Village President

ATTEST:

Village Clerk

ROLL CALL VOTE: AYES: _____

NAYS: _____

ABSTENTIONS: _____

ABSENT: _____

Du Page County Prevailing Wage for June 2010

Trade Name	RG	TYP	C	Base	FRMAN	*M-F>8	OSA	OSH	H/W	Pensn	Vac	Trng
ASBESTOS ABT-GEN		ALL		35.200	35.700	1.5	1.5	2.0	9.130	8.370	0.000	0.400
ASBESTOS ABT-MEC		BLD		31.540	0.000	1.5	1.5	2.0	9.670	9.610	0.000	0.520
BOILERMAKER		BLD		43.020	46.890	2.0	2.0	2.0	6.720	9.890	0.000	0.350
BRICK MASON		BLD		39.030	42.930	1.5	1.5	2.0	8.800	10.67	0.000	0.740
CARPENTER		ALL		40.770	42.770	1.5	1.5	2.0	9.840	9.790	0.000	0.490
CEMENT MASON		ALL		38.000	40.000	2.0	1.5	2.0	7.700	14.45	0.000	0.380
CERAMIC TILE FNSHER		BLD		33.600	0.000	2.0	1.5	2.0	6.950	8.020	0.000	0.540
COMMUNICATION TECH		BLD		32.650	34.750	1.5	1.5	2.0	7.650	11.98	0.500	0.490
ELECTRIC PWR EQMT OP		ALL		33.140	42.570	1.5	1.5	2.0	4.750	10.27	0.000	0.250
ELECTRIC PWR GRNDMAN		ALL		25.680	42.570	1.5	1.5	2.0	4.750	7.960	0.000	0.190
ELECTRIC PWR LINEMAN		ALL		39.420	42.570	1.5	1.5	2.0	4.750	12.22	0.000	0.300
ELECTRIC PWR TRK DRV		ALL		26.520	42.570	1.5	1.5	2.0	4.750	8.230	0.000	0.200
ELECTRICIAN		BLD		36.200	39.820	1.5	1.5	2.0	8.650	14.07	3.980	0.580
ELEVATOR CONSTRUCTOR		BLD		46.160	51.930	2.0	2.0	2.0	10.03	9.460	2.770	0.000
FENCE ERECTOR	NE	ALL		30.700	32.200	1.5	1.5	2.0	7.950	8.430	0.000	0.500
FENCE ERECTOR	W	ALL		40.200	42.210	2.0	2.0	2.0	8.140	15.16	0.000	0.230
GLAZIER		BLD		37.000	38.500	1.5	1.5	2.0	7.340	12.05	0.000	0.740
HT/FROST INSULATOR		BLD		42.050	44.550	1.5	1.5	2.0	9.670	10.81	0.000	0.520
IRON WORKER	E	ALL		40.750	42.750	2.0	2.0	2.0	11.00	15.99	0.000	0.300
IRON WORKER	W	ALL		40.200	42.210	2.0	2.0	2.0	8.140	15.16	0.000	0.230
LABORER		ALL		35.200	35.950	1.5	1.5	2.0	9.130	8.370	0.000	0.400
LATHER		ALL		40.770	42.770	1.5	1.5	2.0	9.840	9.790	0.000	0.490
MACHINIST		BLD		42.770	44.770	1.5	1.5	2.0	7.750	8.690	0.650	0.000
MARBLE FINISHERS		ALL		29.100	0.000	1.5	1.5	2.0	8.800	10.67	0.000	0.740
MARBLE MASON		BLD		39.030	42.930	1.5	1.5	2.0	8.800	10.67	0.000	0.740
MATERIAL TESTER I		ALL		25.200	0.000	1.5	1.5	2.0	9.130	8.370	0.000	0.400
MATERIALS TESTER II		ALL		30.200	0.000	1.5	1.5	2.0	9.130	8.370	0.000	0.400
MILLWRIGHT		ALL		40.770	42.770	1.5	1.5	2.0	9.840	9.790	0.000	0.490
OPERATING ENGINEER		BLD 1		45.100	49.100	2.0	2.0	2.0	11.70	8.050	1.900	1.150
OPERATING ENGINEER		BLD 2		43.800	49.100	2.0	2.0	2.0	11.70	8.050	1.900	1.150
OPERATING ENGINEER		BLD 3		41.250	49.100	2.0	2.0	2.0	11.70	8.050	1.900	1.150
OPERATING ENGINEER		BLD 4		39.500	49.100	2.0	2.0	2.0	11.70	8.050	1.900	1.150
OPERATING ENGINEER		BLD 5		48.850	49.100	2.0	2.0	2.0	11.70	8.050	1.900	1.150
OPERATING ENGINEER		BLD 6		46.100	49.100	2.0	2.0	2.0	11.70	8.050	1.900	1.150
OPERATING ENGINEER		BLD 7		48.100	49.100	2.0	2.0	2.0	11.70	8.050	1.900	1.150
OPERATING ENGINEER		HWY 1		43.300	47.300	1.5	1.5	2.0	11.70	8.050	1.900	1.150
OPERATING ENGINEER		HWY 2		42.750	47.300	1.5	1.5	2.0	11.70	8.050	1.900	1.150
OPERATING ENGINEER		HWY 3		40.700	47.300	1.5	1.5	2.0	11.70	8.050	1.900	1.150
OPERATING ENGINEER		HWY 4		39.300	47.300	1.5	1.5	2.0	11.70	8.050	1.900	1.150
OPERATING ENGINEER		HWY 5		38.100	47.300	1.5	1.5	2.0	11.70	8.050	1.900	1.150
OPERATING ENGINEER		HWY 6		46.300	47.300	1.5	1.5	2.0	11.70	8.050	1.900	1.150
OPERATING ENGINEER		HWY 7		44.300	47.300	1.5	1.5	2.0	11.70	8.050	1.900	1.150
ORNAMNTL IRON WORKER E		ALL		40.200	42.450	2.0	2.0	2.0	8.700	14.04	0.000	0.500
ORNAMNTL IRON WORKER W		ALL		40.200	42.210	2.0	2.0	2.0	8.140	15.16	0.000	0.230
PAINTER		ALL		39.680	41.680	1.5	1.5	1.5	8.100	8.200	0.000	1.000
PAINTER SIGNS		BLD		31.740	35.640	1.5	1.5	1.5	2.600	2.540	0.000	0.000
PILEDRIIVER		ALL		40.770	42.770	1.5	1.5	2.0	9.840	9.790	0.000	0.490
PIPEFITTER		BLD		39.500	41.500	1.5	1.5	2.0	9.900	12.99	0.000	1.360
PLASTERER		BLD		32.000	33.500	1.5	1.5	2.0	6.450	6.770	0.000	0.570
PLUMBER		BLD		39.500	41.500	1.5	1.5	2.0	9.900	12.99	0.000	1.360
ROOFER		BLD		37.000	40.000	1.5	1.5	2.0	7.500	6.020	0.000	0.330
SHEETMETAL WORKER		BLD		41.660	43.660	1.5	1.5	2.0	8.810	10.66	0.000	0.780
SPRINKLER FITTER		BLD		40.500	42.500	1.5	1.5	2.0	8.500	6.850	0.000	0.500
STEEL ERECTOR	E	ALL		40.750	42.750	2.0	2.0	2.0	10.95	15.99	0.000	0.300

STEEL ERECTOR	W	ALL	40.200	42.210	2.0	2.0	2.0	8.140	15.16	0.000	0.230
STONE MASON		BLD	39.030	42.930	1.5	1.5	2.0	8.800	10.67	0.000	0.740
TERRAZZO FINISHER		BLD	35.150	0.000	1.5	1.5	2.0	6.950	10.57	0.000	0.380
TERRAZZO MASON		BLD	39.010	42.010	1.5	1.5	2.0	6.950	11.91	0.000	0.510
TILE MASON		BLD	40.490	44.490	2.0	1.5	2.0	6.950	9.730	0.000	0.610
TRAFFIC SAFETY WRKR		HWY	24.300	25.900	1.5	1.5	2.0	3.780	1.875	0.000	0.000
TRUCK DRIVER		ALL 1	32.550	33.100	1.5	1.5	2.0	6.500	4.350	0.000	0.150
TRUCK DRIVER		ALL 2	32.700	33.100	1.5	1.5	2.0	6.500	4.350	0.000	0.150
TRUCK DRIVER		ALL 3	32.900	33.100	1.5	1.5	2.0	6.500	4.350	0.000	0.150
TRUCK DRIVER		ALL 4	33.100	33.100	1.5	1.5	2.0	6.500	4.350	0.000	0.150
TUCKPOINTER		BLD	39.200	40.200	1.5	1.5	2.0	7.830	10.25	0.000	0.770

Legend:

- M-F>8 (Overtime is required for any hour greater than 8 worked each day, Monday through Friday.)
- OSA (Overtime is required for every hour worked on Saturday)
- OSH (Overtime is required for every hour worked on Sunday and Holidays)
- H/W (Health & Welfare Insurance)
- Pensn (Pension)
- Vac (Vacation)
- Trng (Training)

Explanations

DUPAGE COUNTY

IRON WORKERS AND FENCE ERECTOR (WEST) - West of Route 53.

The following list is considered as those days for which holiday rates of wages for work performed apply: New Years Day, Memorial/Decoration Day, Fourth of July, Labor Day, Veterans Day, Thanksgiving Day, Christmas Day. Generally, any of these holidays which fall on a Sunday is celebrated on the following Monday. This then makes work performed on that Monday payable at the appropriate overtime rate for holiday pay. Common practice in a given local may alter certain days of celebration such as the day after Thanksgiving for Veterans Day. If in doubt, please check with IDOL.

EXPLANATION OF CLASSES

ASBESTOS - GENERAL - removal of asbestos material/mold and hazardous materials from any place in a building, including mechanical systems where those mechanical systems are to be removed. This includes the removal of asbestos materials/mold and hazardous materials from ductwork or pipes in a building when the building is to be demolished at the time or at some close future date.

ASBESTOS - MECHANICAL - removal of asbestos material from mechanical systems, such as pipes, ducts, and boilers, where the mechanical systems are to remain.

TRAFFIC SAFETY - work associated with barricades, horses and drums used to reduce lane usage on highway work, the installation and removal of temporary lane markings, and the installation and removal of temporary road signs.

CERAMIC TILE FINISHER

The grouting, cleaning, and polishing of all classes of tile, whether for interior or exterior purposes, all burned, glazed or unglazed

products; all composition materials, granite tiles, warning detectable tiles, cement tiles, epoxy composite materials, pavers, glass, mosaics, fiberglass, and all substitute materials, for tile made in tile-like units; all mixtures in tile like form of cement, metals, and other materials that are for and intended for use as a finished floor surface, stair treads, promenade roofs, walks, walls, ceilings, swimming pools, and all other places where tile is to form a finished interior or exterior. The mixing of all setting mortars including but not limited to thin-set mortars, epoxies, wall mud, and any other sand and cement mixtures or adhesives when used in the preparation, installation, repair, or maintenance of tile and/or similar materials. The handling and unloading of all sand, cement, lime, tile, fixtures, equipment, adhesives, or any other materials to be used in the preparation, installation, repair, or maintenance of tile and/or similar materials. Ceramic Tile Finishers shall fill all joints and voids regardless of method on all tile work, particularly and especially after installation of said tile work. Application of any and all protective coverings to all types of tile installations including, but not be limited to, all soap compounds, paper products, tapes, and all polyethylene coverings, plywood, masonite, cardboard, and any new type of products that may be used to protect tile installations, Blastrac equipment, and all floor scarifying equipment used in preparing floors to receive tile. The clean up and removal of all waste and materials. All demolition of existing tile floors and walls to be re-tiled.

COMMUNICATIONS TECHNICIAN

Low voltage installation, maintenance and removal of telecommunication facilities (voice, sound, data and video) including telephone and data inside wire, interconnect, terminal equipment, central offices, PABX, fiber optic cable and equipment, micro waves, V-SAT, bypass, CATV, WAN (wide area networks), LAN (local area networks), and ISDN (integrated system digital network), pulling of wire in raceways, but not the installation of raceways.

MARBLE FINISHER

Loading and unloading trucks, distribution of all materials (all stone, sand, etc.), stocking of floors with material, performing all rigging for heavy work, the handling of all material that may be needed for the installation of such materials, building of scaffolding, polishing if needed, patching, waxing of material if damaged, pointing up, caulking, grouting and cleaning of marble, holding water on diamond or Carborundum blade or saw for setters cutting, use of tub saw or any other saw needed for preparation of material, drilling of holes for wires that anchor material set by setters, mixing up of molding plaster for installation of material, mixing up thin set for the installation of material, mixing up of sand to cement for the installation of material and such other work as may be required in helping a Marble Setter in the handling of all material in the erection or installation of interior marble, slate, travertine, art marble, serpentine, alberene stone, blue stone, granite and other stones (meaning as to stone any foreign or domestic materials as are specified and used in building interiors and exteriors and customarily known as stone in the trade), carrara, sanionyx, vitrolite and similar opaque glass and the laying of all marble tile, terrazzo tile, slate tile and precast tile, steps, risers treads, base, or any other materials that may be used as substitutes

for any of the aforementioned materials and which are used on interior and exterior which are installed in a similar manner.

MATERIAL TESTER I: Hand coring and drilling for testing of materials; field inspection of uncured concrete and asphalt.

MATERIAL TESTER II: Field inspection of welds, structural steel, fireproofing, masonry, soil, facade, reinforcing steel, formwork, cured concrete, and concrete and asphalt batch plants; adjusting proportions of bituminous mixtures.

OPERATING ENGINEER - BUILDING

Class 1. Asphalt Plant; Asphalt Spreader; Autograde; Backhoes with Caisson Attachment; Batch Plant; Benoto (requires Two Engineers); Boiler and Throttle Valve; Caisson Rigs; Central Redi-Mix Plant; Combination Back Hoe Front End-loader Machine; Compressor and Throttle Valve; Concrete Breaker (Truck Mounted); Concrete Conveyor; Concrete Conveyor (Truck Mounted); Concrete Paver Over 27E cu. ft; Concrete Paver 27E cu. ft. and Under; Concrete Placer; Concrete Placing Boom; Concrete Pump (Truck Mounted); Concrete Tower; Cranes, All; Cranes, Hammerhead; Cranes, (GCI and similar Type); Creter Crane; Crusher, Stone, etc.; Derricks, All; Derricks, Traveling; Formless Curb and Gutter Machine; Grader, Elevating; Grouting Machines; Highlift Shovels or Front Endloader 2-1/4 yd. and over; Hoists, Elevators, outside type rack and pinion and similar machines; Hoists, One, Two and Three Drum; Hoists, Two Tugger One Floor; Hydraulic Backhoes; Hydraulic Boom Trucks; Hydro Vac (and similar equipment); Locomotives, All; Motor Patrol; Lubrication Technician; Manipulators; Pile Drivers and Skid Rig; Post Hole Digger; Pre-Stress Machine; Pump Cretes Dual Ram; Pump Cretes: Squeeze Cretes-Screw Type Pumps; Gypsum Bulker and Pump; Raised and Blind Hole Drill; Roto Mill Grinder; Scoops - Tractor Drawn; Slip-Form Paver; Straddle Buggies; Tournapull; Tractor with Boom and Side Boom; Trenching Machines.

Class 2. Boilers; Broom, All Power Propelled; Bulldozers; Concrete Mixer (Two Bag and Over); Conveyor, Portable; Forklift Trucks; Highlift Shovels or Front Endloaders under 2-1/4 yd.; Hoists, Automatic; Hoists, Inside Elevators; Hoists, Sewer Dragging Machine; Hoists, Tugger Single Drum; Rock Drill (Self-Propelled); Rock Drill (Truck Mounted); Rollers, All; Steam Generators; Tractors, All; Tractor Drawn Vibratory Roller; Winch Trucks with "A" Frame.

Class 3. Air Compressor; Combination Small Equipment Operator; Generators; Heaters, Mechanical; Hoists, Inside Elevators; Hydraulic Power Units (Pile Driving, Extracting, and Drilling); Pumps, over 3" (1 to 3 not to exceed a total of 300 ft.); Low Boys; Pumps, Well Points; Welding Machines (2 through 5); Winches, 4 Small Electric Drill Winches; Bobcats (up to and including $\frac{3}{4}$ cu yd.) .

Class 4. Bobcats and/or other Skid Steer Loaders (other than bobcats up to and including $\frac{3}{4}$ cu yd.); Oilers; and Brick Forklift.

Class 5. Assistant Craft Foreman.

Class 6. Gradall .

Class 7. Mechanics.

OPERATING ENGINEERS - HIGHWAY CONSTRUCTION

Class 1. Asphalt Plant; Asphalt Heater and Planer Combination; Asphalt Heater Scarfire; Asphalt Spreader; Autograder/GOMACO or other similar type machines: ABG Paver; Backhoes with Caisson Attachment; Ballast Regulator; Belt Loader; Caisson Rigs; Car Dumper; Central Redi-Mix Plant; Combination Backhoe Front Endloader Machine, (1 cu. yd. Backhoe Bucket or over or with attachments); Concrete Breaker (Truck Mounted); Concrete Conveyor; Concrete Paver over 27E cu. ft.; Concrete Placer; Concrete Tube Float; Cranes, all attachments; Cranes, Tower Cranes of all types: Creter Crane: Crusher, Stone, etc.; Derricks, All; Derrick Boats; Derricks, Traveling; Dowell Machine with Air Compressor; Dredges; Formless Curb and Gutter Machine; Grader, Elevating; Grader, Motor Grader, Motor Patrol, Auto Patrol, Form Grader, Pull Grader, Subgrader; Guard Rail Post Driver Truck Mounted; Hoists, One, Two and Three Drum; Hydraulic Backhoes; Backhoes with shear attachments; Lubrication Technician; Manipulators; Mucking Machine; Pile Drivers and Skid Rig; Pre-Stress Machine; Pump Cretes Dual Ram; Rock Drill - Crawler or Skid Rig; Rock Drill - Truck Mounted; Rock/Track Tamper; Roto Mill Grinder; Slip-Form Paver; Soil Test Drill Rig (Truck Mounted); Straddle Buggies; Hydraulic Telescoping Form (Tunnel); Tractor Drawn Belt Loader (with attached pusher - two engineers); Tractor with Boom; Tractaire with Attachments; Trenching Machine; Truck Mounted Concrete Pump with Boom; Raised or Blind Hole Drills (Tunnel Shaft); Underground Boring and/or Mining Machines 5 ft. in diameter and over tunnel, etc; Underground Boring and/or Mining Machines under 5 ft. in diameter; Wheel Excavator; Widener (APSCO).

Class 2. Batch Plant; Bituminous Mixer; Boiler and Throttle Valve; Bulldozers; Car Loader Trailing Conveyors; Combination Backhoe Front Endloader Machine (Less than 1 cu. yd. Backhoe Bucket or over or with attachments); Compressor and Throttle Valve; Compressor, Common Receiver (3); Concrete Breaker or Hydro Hammer; Concrete Grinding Machine; Concrete Mixer or Paver 7S Series to and including 27 cu. ft.; Concrete Spreader; Concrete Curing Machine, Burlap Machine, Belting Machine and Sealing Machine; Concrete Wheel Saw; Conveyor Muck Cars (Haglund or Similar Type); Drills, All; Finishing Machine - Concrete; Highlift Shovels or Front Endloader; Hoist - Sewer Dragging Machine; Hydraulic Boom Trucks (All Attachments); Hydro-Blaster; All Locomotives, Dinky; Off-Road Hauling Units (including articulating)/2 ton capacity or more; Non Self-Loading Ejection Dump; Pump Cretes: Squeeze Cretes - Screw Type Pumps, Gypsum Bulker and Pump; Roller, Asphalt; Rotary Snow Plows; Rototiller, Seaman, etc., self-propelled; Scoops - Tractor Drawn; Self-Propelled Compactor; Spreader - Chip - Stone, etc.; Scraper; Scraper - Prime Mover in Tandem (Regardless of Size); Tank Car Heater; Tractors, Push, Pulling Sheeps Foot, Disc, Compactor, etc.; Tug Boats.

Class 3. Boilers; Brooms, All Power Propelled; Cement Supply Tender; Compressor, Common Receiver (2); Concrete Mixer (Two Bag and Over); Conveyor, Portable; Farm-Type Tractors Used for Mowing, Seeding, etc.; Fireman on Boilers; Forklift Trucks; Grouting Machine; Hoists, Automatic; Hoists, All Elevators; Hoists, Tugger Single Drum; Jeep Diggers; Low Boys; Pipe Jacking Machines; Post-Hole Digger; Power Saw, Concrete Power Driven; Pug Mills; Rollers, other than Asphalt; Seed and Straw Blower; Steam Generators; Stump Machine; Winch Trucks with "A" Frame; Work Boats; Tamper-Form-Motor Driven.

Class 4. Air Compressor; Combination - Small Equipment Operator; Directional Boring Machine; Generators; Heaters, Mechanical; Hydraulic Power Unit (Pile Driving, Extracting, or Drilling); Hydro- Blaster; Light Plants, All (1 through 5); Pumps, over 3" (1 to 3 not to exceed a total of 300 ft.); Pumps, Well Points; Tractaire; Welding Machines (2 through 5); Winches, 4 Small Electric Drill Winches.

Class 5. Bobcats (all); Brick Forklifts; Oilers.

Class 6. Field Mechanics and Field Welders

Class 7. Gradall and machines of like nature.

TRUCK DRIVER - BUILDING, HEAVY AND HIGHWAY CONSTRUCTION

Class 1. Two or three Axle Trucks. A-frame Truck when used for transportation purposes; Air Compressors and Welding Machines, including those pulled by cars, pick-up trucks and tractors; Ambulances; Batch Gate Lockers; Batch Hopperman; Car and Truck Washers; Carry-alls; Fork Lifts and Hoisters; Helpers; Mechanics Helpers and Greasers; Oil Distributors 2-man operation; Pavement Breakers; Pole Trailer, up to 40 feet; Power Mower Tractors; Self-propelled Chip Spreader; Skipman; Slurry Trucks, 2-man operation; Slurry Truck Conveyor Operation, 2 or 3 man; Teamsters Unskilled dumpman; and Truck Drivers hauling warning lights, barricades, and portable toilets on the job site.

Class 2. Four axle trucks; Dump Crets and Adgetors under 7 yards; Dumpsters, Track Trucks, Euclids, Hug Bottom Dump Turnapulls or Turnatrailers when pulling other than self-loading equipment or similar equipment under 16 cubic yards; Mixer Trucks under 7 yards; Ready-mix Plant Hopper Operator, and Winch Trucks, 2 Axles.

Class 3. Five axle trucks; Dump Crets and Adgetors 7 yards and over; Dumpsters, Track Trucks, Euclids, Hug Bottom Dump Turnatrailers or turnapulls when pulling other than self-loading equipment or similar equipment over 16 cubic yards; Explosives and/or Fission Material Trucks; Mixer Trucks 7 yards or over; Mobile Cranes while in transit; Oil Distributors, 1-man operation; Pole Trailer, over 40 feet; Pole and Expandable Trailers hauling material over 50 feet long; Slurry trucks, 1-man operation; Winch trucks, 3 axles or more; Mechanic--Truck Welder and Truck Painter.

Class 4. Six axle trucks; Dual-purpose vehicles, such as mounted crane trucks with hoist and accessories; Foreman; Master Mechanic; Self-loading equipment like P.B. and trucks with scoops on the front.

TERRAZZO FINISHER

The handling of sand, cement, marble chips, and all other materials that may be used by the Mosaic Terrazzo Mechanic, and the mixing, grinding, grouting, cleaning and sealing of all Marble, Mosaic, and Terrazzo work, floors, base, stairs, and wainscoting by hand or machine, and in addition, assisting and aiding Marble, Masonic, and Terrazzo Mechanics.

Other Classifications of Work:

For definitions of classifications not otherwise set out, the Department generally has on file such definitions which are available. If a task to be performed is not subject to one of the classifications of pay set out, the Department will upon being contacted state which neighboring county has such a classification and provide such rate, such rate being deemed to exist by reference in this document. If no neighboring county rate applies to the task, the Department shall undertake a special determination, such special determination being then deemed to have existed under this determination. If a project requires these, or any classification not listed, please contact IDOL at 217-782-1710 for wage rates or clarifications.

LANDSCAPING

Landscaping work falls under the existing classifications for laborer, operating engineer and truck driver. The work performed by landscape plantsman and landscape laborer is covered by the existing classification of laborer. The work performed by landscape operators (regardless of equipment used or its size) is covered by the classifications of operating engineer. The work performed by landscape truck drivers (regardless of size of truck driven) is covered by the classifications of truck driver.

The Village of

WILLOWBROOK

7760 Quincy Street • Willowbrook, Illinois 60527-5594 • Phone: (630) 323-8215 • Fax: (630) 323-0787

Village President

Robert A. Napoli

Village Clerk

Leroy R. Hansen

Village Trustees

Dennis Baker

Terrence Kelly

Timothy McMahon

Michael Mistele

Sandra O'Connor

Paul Schoenbeck

May 28, 2010

Ms. Dina Gritsak
7727 Eleanor Pl
Willowbrook Il 60527

Re: Account No. 111640.005
Delinquent Water Bill

Dear Ms. Gritsak:

Please be advised that your water bill is now delinquent in the amount of \$126.87. This amount now includes a \$25.00 fee pursuant to Section 6-8-5 of the Village of Willowbrook Code. This \$25.00 is added to all accounts delinquent 45 or more days after the billing date. This amount also includes all other penalties pursuant to Section 6-8-5 of the Village Code. Your failure to satisfy the total amount of this delinquency on or before June 28, 2010, will result in the immediate termination of your water service.

Should your water service be terminated, Section 6-8-8 of the Village Code provides that a \$70.00 non-refundable reinstatement fee be charged. Said \$70.00 reinstatement fee shall be paid in addition to all delinquent bills and all penalties thereon before water service will be reinstated.

If you have any questions concerning your water bill, or if you wish to arrange a hearing before the President and Board of Trustees to contest the termination of your water service, please contact me at the Village of Willowbrook by writing to 7760 Quincy Street, Willowbrook, Il 60527 or call 920-2238 not later than five (5) days prior to the scheduled termination date.

If you do not satisfy the bill or contact me, your water service will be automatically terminated.

Sincerely,



Timothy J. Halik
Director of Municipal Services

TJH:pkp

The Village of WILLOWBROOK

7760 Quincy Street • Willowbrook, Illinois 60527-5594 • Phone: (630) 323-8215 • Fax: (630) 323-0787

Village President

May 28, 2010

Robert A. Napoli

Holiday Inn
7800 Kingery Hwy
Willowbrook Il 60527

Village Clerk

Re: Account No. 410295.001
Delinquent Water Bill

Leroy R. Hansen

Dear Sir or Madam:

Please be advised that your water bill is now delinquent in the amount of \$2127.18. This amount now includes a \$25.00 fee pursuant to Section 6-8-5 of the Village of Willowbrook Code. This \$25.00 is added to all accounts delinquent 45 or more days after the billing date. This amount also includes all other penalties pursuant to Section 6-8-5 of the Village Code. Your failure to satisfy the total amount of this delinquency on or before June 28, 2010, will result in the immediate termination of your water service.

Village Trustees

Dennis Baker

Terrence Kelly

Timothy McMahan

Should your water service be terminated, Section 6-8-8 of the Village Code provides that a \$70.00 non-refundable reinstatement fee be charged. Said \$70.00 reinstatement fee shall be paid in addition to all delinquent bills and all penalties thereon before water service will be reinstated.

Michael Mistele

Sandra O'Connor

Paul Schoenbeck

If you have any questions concerning your water bill, or if you wish to arrange a hearing before the President and Board of Trustees to contest the termination of your water service, please contact me at the Village of Willowbrook by writing to 7760 Quincy Street, Willowbrook, Il 60527 or call 920-2238 not later than five (5) days prior to the scheduled termination date.

If you do not satisfy the bill or contact me, your water service will be automatically terminated.

Sincerely,



Timothy J. Halik
Director of Municipal Services

TJH:pkp

The Village of

WILLOWBROOK

7760 Quincy Street • Willowbrook, Illinois 60527-5594 • Phone: (630) 323-8215 • Fax: (630) 323-0787

Village President

May 28, 2010

Robert A. Napoli

Ms. Lisa Kimbrough
318 Sheridan Dr # 2E
Willowbrook Il 60527

Village Clerk

Re: Account No. 110745.006
Delinquent Water Bill

Leroy R. Hansen

Dear Ms. Kimbrough:

Village Trustees

Please be advised that your water bill is now delinquent in the amount of \$162.27. This amount now includes a \$25.00 fee pursuant to Section 6-8-5 of the Village of Willowbrook Code. This \$25.00 is added to all accounts delinquent 45 or more days after the billing date. This amount also includes all other penalties pursuant to Section 6-8-5 of the Village Code. Your failure to satisfy the total amount of this delinquency on or before June 28, 2010, will result in the immediate termination of your water service.

Dennis Baker

Terrence Kelly

Timothy McMahan

Should your water service be terminated, Section 6-8-8 of the Village Code provides that a \$70.00 non-refundable reinstatement fee be charged. Said \$70.00 reinstatement fee shall be paid in addition to all delinquent bills and all penalties thereon before water service will be reinstated.

Michael Mistele

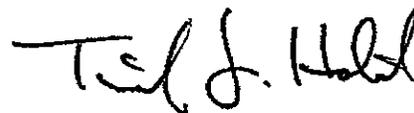
Sandra O'Connor

Paul Schoenbeck

If you have any questions concerning your water bill, or if you wish to arrange a hearing before the President and Board of Trustees to contest the termination of your water service, please contact me at the Village of Willowbrook by writing to 7760 Quincy Street, Willowbrook, Il 60527 or call 920-2238 not later than five (5) days prior to the scheduled termination date.

If you do not satisfy the bill or contact me, your water service will be automatically terminated.

Sincerely,



Timothy J. Halik
Director of Municipal Services

TJH:pkp

The Village of

WILLOWBROOK

7760 Quincy Street • Willowbrook, Illinois 60527-5594 • Phone: (630) 323-8215 • Fax: (630) 323-0787

Village President

May 28, 2010

Robert A. Napoli

Mr. & Mrs. Reynaldo Robles
7613 Arlene Ave
Willowbrook Il 60527

Village Clerk

Re: Account No. 112695.000
Delinquent Water Bill

Leroy R. Hansen

Dear Mr. & Mrs. Robles:

Please be advised that your water bill is now delinquent in the amount of \$128.70. This amount now includes a \$25.00 fee pursuant to Section 6-8-5 of the Village of Willowbrook Code. This \$25.00 is added to all accounts delinquent 45 or more days after the billing date. This amount also includes all other penalties pursuant to Section 6-8-5 of the Village Code. Your failure to satisfy the total amount of this delinquency on or before June 28, 2010, will result in the immediate termination of your water service.

Village Trustees

Dennis Baker

Terrence Kelly

Timothy McMahan

Should your water service be terminated, Section 6-8-8 of the Village Code provides that a \$70.00 non-refundable reinstatement fee be charged. Said \$70.00 reinstatement fee shall be paid in addition to all delinquent bills and all penalties thereon before water service will be reinstated.

Michael Mistele

Sandra O'Connor

If you have any questions concerning your water bill, or if you wish to arrange a hearing before the President and Board of Trustees to contest the termination of your water service, please contact me at the Village of Willowbrook by writing to 7760 Quincy Street, Willowbrook, Il 60527 or call 920-2238 not later than five (5) days prior to the scheduled termination date.

Paul Schoenbeck

If you do not satisfy the bill or contact me, your water service will be automatically terminated.

Sincerely,



Timothy J. Halik
Director of Municipal Services

TJH:pkp

VILLAGE OF WILLOWBROOK

BOARD MEETING

AGENDA ITEM - HISTORY/COMMENTARY

ITEM TITLE: A RESOLUTION MAKING A DETERMINATION
RELATIVE TO THE RELEASE OF EXECUTIVE SESSION MINUTES
PURSUANT TO THE ILLINOIS OPEN MEETINGS ACT

AGENDA NO. 8

AGENDA DATE: 6/28/10

STAFF REVIEW: Mary Partyka

SIGNATURE: Mary Partyka

LEGAL REVIEW: William Hennessy

SIGNATURE: W. Hennessy

RECOMMENDED BY VILLAGE ADMIN.:

SIGNATURE: [Signature]

REVIEWED & APPROVED BY COMMITTEE: YES NO N/A

ITEM HISTORY (PREVIOUS VILLAGE BOARD REVIEWS, ACTIONS RELATED TO THIS ITEM, OTHER PERTINENT HISTORY)

In compliance with the Illinois Open Meetings Act, Illinois Compiled Statutes requires that minutes of meetings closed to the public shall be available only after the public body determines that it is no longer necessary to protect the public interest or the privacy of an individual by keeping them confidential. Each public body shall review closed session minutes no less than semi-annually.

ITEM COMMENTARY (BACKGROUND, DISCUSSION, KEY POINTS, RECOMMENDATIONS, ETC.)

The Village Attorney and Deputy Clerk have reviewed the closed session minutes itemized on Schedules A & B of the Resolution. The Village Staff and Village Attorney recommend the adoption of the Resolution making a determination relative to the release of the closed session minutes pursuant to the Illinois Open Meetings Act as listed on the attached Schedules A & B.

ACTION PROPOSED: ADOPT THE RESOLUTION.

RESOLUTION NO. 10-R-_____

A RESOLUTION MAKING A DETERMINATION RELATIVE
TO THE RELEASE OF EXECUTIVE SESSION MINUTES
PURSUANT TO THE ILLINOIS OPEN MEETINGS ACT

WHEREAS, the President and Board of Trustees of the Village of Willowbrook have met from time to time in executive session for the purposes authorized by the Illinois Open Meetings Act; and

WHEREAS, as required by the Act, the Village Clerk has kept written minutes of all such executive sessions; and

WHEREAS, pursuant to the requirements of the Open Meetings Act, the President and Board of Trustees have met in executive session to review all executive session minutes; and

WHEREAS, they have determined that a need for confidentiality still exists as to the executive session minutes from the meetings set forth on Schedule "A" attached hereto; and

WHEREAS, they have further determined that the minutes of the meetings listed on Schedule "B" attached hereto no longer require confidential treatment and should be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Willowbrook, DuPage County, Illinois, as follows:

SECTION ONE: The Executive Session minutes from those meetings set forth on Schedule "B" attached hereto are hereby released for public inspection.

SECTION TWO: The Village Clerk is hereby authorized and directed to make said minutes available for inspection and copying in accordance with the standing procedures of the Clerk's office.

SECTION THREE: This Resolution shall be in full force and effect from and after its adoption and approval.

ADOPTED and APPROVED this _____ day of _____, 2010.

APPROVED:

Village President

ATTEST:

Village Clerk

ROLL CALL VOTE: AYES: _____

NAYS: _____

ABSTENTIONS: _____

ABSENT: _____

SCHEDULE "A"

**EXECUTIVE SESSION MINUTES
FOR WHICH THE NEED FOR CONFIDENTIALITY STILL EXISTS**

1991

March 25
August 12-Items 3&4

1992

February 24 9:30 pm
April 27
June 8

1995

February 13,-Item 3

1996

June 10
June 24

1997

March 24-Item 3

1998

April 27-Items 4&5
July 13-Item 6

1999

October 25-Item 3

2001

April 23-Item 3
May 29-Item 4
June 11
July 9-Item 4
December 10

2002

April 22-Item 3
July 8-Item 4
July 22
August 12
September 9
October 9
November 11
November 25
December 9

2003

January 13-Item 3
April 28-Items 3&4
June 23
November 21
November 24

2004

January 12-Item 4
January 26
March 8
May 10
May 24
June 14-Items 3&4
July 12-Item 5

2005

February 28-Item 3
April 11
June 13
June 27-Items 3&4
October 22

SCHEDULE "A" CONTINUED

2006

January 23
December 11

2007

March 26
April 23
May 29
June 11
June 25
July 9
August 13
September 24
October 8
October 22
November 12
December 10

2008

January 14
January 28
February 19
April 14
April 28
May 12
September 8
October 27
November 10

2009

January 12
February 9
February 23
March 9
April 13
May 26
June 8
June 22
July 13
July 27
August 10
September 14
November 9
November 19
November 23
December 14
December 21

2010

January 11
February 8
February 22
March 1
March 8
March 15
March 22
April 12
April 26
May 10

SCHEDULE "B"

**EXECUTIVE SESSION MINUTES
WHICH NO LONGER REQUIRE CONFIDENTIAL TREATMENT
AND ARE AVAILABLE FOR PUBLIC INSPECTION**

1990

October 22

1991

February 11-Item 3

1992

January 27
May 26

1993

March 22
April 26

1997

February 24
March 10-Item 3
July 28-Item 4

2000

January 10-Item 6
February 28

2001

August 13-Item 4
October 8-Item 3
November 26

2002

March 25-Item 3
April 8-Item 3
May 28
August 26
September 23

2003

January 27
February 10-Item 3
February 24
March 10
March 31-Item 3
August 11-Item 3

2004

September 13-Item 4
October 25
November 8

2005

January 24
February 14
July 11
September 27

2006

February 13-Item 3
March 13-Item 3
March 22
March 27
April 24
May 8-Item 3
May 22
June 12
September 25
October 9
November 11

2009

February 26
May 11
September 28
October 5
October 12

VILLAGE OF WILLOWBROOK

BOARD MEETING

AGENDA ITEM - HISTORY/COMMENTARY

ITEM TITLE: A RESOLUTION AUTHORIZING THE DESTRUCTION OF AUDIO OR VIDEO RECORDINGS OF CLOSED MEETINGS

AGENDA NO. 9

AGENDA DATE: 6/28/10

STAFF REVIEW: Mary Partyka

SIGNATURE: Mary Partyka

LEGAL REVIEW: William Hennessy

SIGNATURE: W. Hennessy

RECOMMENDED BY VILLAGE ADMIN.:

SIGNATURE: T. Kelly

REVIEWED & APPROVED BY COMMITTEE: YES NO N/A

ITEM HISTORY (PREVIOUS VILLAGE BOARD REVIEWS, ACTIONS RELATED TO THIS ITEM, OTHER PERTINENT HISTORY)

Effective January 2004, the Illinois Open Meetings Act, Illinois Compiled Statutes required governmental bodies to audio or video record closed meetings. The Illinois Open Meetings Act permits the destruction of verbatim records of closed meetings without notification to or the approval of a records commission or the State Archivist under the Local Records Act or the State Records Act not less than 18 months after the completion of the meeting recorded. The destruction of these verbatim records are allowed after: 1) It (governmental body) approves the destruction of a particular recording; and 2) It (governmental body) approves written minutes of the closed meeting.

ITEM COMMENTARY (BACKGROUND, DISCUSSION, KEY POINTS, RECOMMENDATIONS, ETC.)

The Village Administrator, Village Attorney and Deputy Clerk have reviewed the list of verbatim record by tape to be destroyed of the closed meetings itemized in the Resolution. It was determined that at least 18 months have passed since the completion of each of the closed meetings and the governmental body has approved the written minutes for each of the meetings set forth in Section Two of the Resolution. The Village Staff and Village Attorney recommend the adoption of the Resolution authorizing the destruction of the verbatim record of the closed meetings pursuant to the Illinois Open Meetings Act as listed in Section Two of the Resolution.

ACTION PROPOSED: ADOPT THE RESOLUTION.

RESOLUTION NO. 10-R-_____

A RESOLUTION AUTHORIZING THE DESTRUCTION OF
AUDIO OR VIDEO RECORDINGS OF CLOSED MEETINGS

WHEREAS, the Open Meetings Act requires governmental bodies to audio or video record their closed meetings; and

WHEREAS, this governmental body has complied with that requirement; and

WHEREAS, the Open Meetings Act permits governmental bodies to destroy the verbatim record of closed meetings without notification to or the approval of a records commission or the State Archivist under the Local Records Act or the State Records Act not less than eighteen (18) months after the completion of the meeting recorded, but only after:

1. It approves the destruction of a particular recording; and

2. It approves written minutes of the closed meeting; and

WHEREAS, for the verbatim record by audio tape of the meeting(s) set forth in Section Two of this Resolution, at least eighteen (18) months have passed since the completion of each of those meetings, and this governmental body has approved written minutes for each of the meetings set forth in Section Two; and

WHEREAS, this governmental body may order the destruction of the verbatim record even if it continues to

withhold the approved minutes of the closed meeting until some later period of time;

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Willowbrook, DuPage County, Illinois, as follows:

SECTION ONE: The Whereas clauses set forth above are incorporated herein by reference as if set out in full.

SECTION TWO: The President and Board of Trustees of the Village of Willowbrook hereby orders the destruction of the verbatim record being an audio tape of the following closed meetings:

<u>2007</u>	<u>2008</u>	
December 10	January 14	May 12
	January 28	September 8
	February 19	October 27
	April 14	November 10
	April 28	

SECTION THREE: This Resolution shall be in full force and effect from and after its adoption and approval.

ADOPTED AND APPROVED this _____ day of _____, 2010.

APPROVED:

Village President

ATTEST:

Village Clerk

ROLL CALL VOTE: AYES: _____

NAYS: _____

ABSTENTIONS: _____

ABSENT: _____

VILLAGE OF WILLOWBROOK

BOARD MEETING

AGENDA ITEM - HISTORY/COMMENTARY

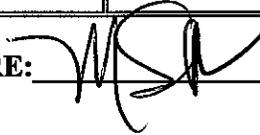
ITEM TITLE:

A RESOLUTION APPOINTING A DELEGATE AND ALTERNATE DELEGATE TO THE INTERGOVERNMENTAL RISK MANAGEMENT AGENCY

AGENDA NO. 10

AGENDA DATE: 06/28/10

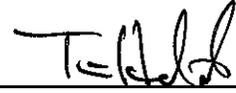
STAFF REVIEW: Mark Shelton

SIGNATURE: 

LEGAL REVIEW: N/A

SIGNATURE: _____

RECOMMENDED BY VILLAGE ADMIN.:

SIGNATURE: 

REVIEWED & APPROVED BY COMMITTEE: YES NO N/A

ITEM HISTORY (PREVIOUS VILLAGE BOARD REVIEWS, ACTIONS RELATED TO THIS ITEM, OTHER PERTINENT HISTORY)

Attached is a Resolution, which allows for the appointment of Paul Oggerino, Deputy Chief of Police to represent the Village of Willowbrook on the Board of Directors of the Intergovernmental Risk Management Agency (IRMA).

In addition, it also allows Sue Stanish, Director of Finance to act as the alternate delegate to IRMA, in the event Deputy Chief Oggerino is unable to carry out his duties as the representative of IRMA.

ITEM COMMENTARY (BACKGROUND, DISCUSSION, KEY POINTS, RECOMMENDATIONS, ETC.)

The Village Staff requests the President and Board of Trustees approve and adopt the Resolution appointing Paul Oggerino, Deputy Chief of Police and Sue Stanish, Director of Finance as IRMA delegates.

ACTION PROPOSED:

ADOPT THE RESOLUTION.

RESOLUTION NO. 10-R-__

A RESOLUTION APPOINTING A DELEGATE AND ALTERNATE
DELEGATE TO THE INTERGOVERNMENTAL RISK MANAGEMENT
AGENCY

WHEREAS, the Village of Willowbrook adopted the Contract and By-Laws of the Intergovernmental Risk Management Agency by Ordinance and thereby became a member of said cooperative; and

WHEREAS, said contract provides that member units of local government shall by majority vote of its corporate authorities select one (1) person to represent that body on the Board of Directors of said Intergovernmental Agency;

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Willowbrook, DuPage County, Illinois, that Paul Oggerino, Deputy Chief of Police, of the Village of Willowbrook is hereby appointed to represent the Village of Willowbrook on the Board of Directors of said Intergovernmental Risk Management Agency commencing on June 29, 2010.

BE IT FURTHER RESOLVED that Sue Stanish, Director of Finance of the Village of Willowbrook is hereby selected as the alternative representative to serve if Paul Oggerino is unable to carry out his aforesaid duties as the representative of the

Village of Willowbrook to said Intergovernmental Agency.

ADOPTED AND APPROVED this 28th day of June, 2010.

APPROVED:

Village President

ATTEST:

Village Clerk

ROLL CALL VOTE:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

SAMPLE

**RESOLUTION APPOINTING A DELEGATE AND ALTERNATE DELEGATE
TO THE INTERGOVERNMENTAL RISK MANAGEMENT AGENCY**

WHEREAS, the (Municipality/Special District) adopted the Contract and By-Laws of the Intergovernmental Risk Management Agency by Ordinance and thereby became a member of said cooperative; and

WHEREAS, said contract provides that member units of local government shall by majority vote of its corporate authorities select one (1) person to represent that body on the Board of Directors of said Intergovernmental Agency;

NOW, THEREFORE, BE IT RESOLVED by the CORPORATE AUTHORITIES, of the (Municipality/Special District), (County), Illinois, that (Name), (Position/Title), of the (Municipality/Special District) is hereby appointed to represent the (Municipality/Special District) on the Board of Directors of said Intergovernmental Risk Management Agency commencing (Date).

BE IT FURTHER RESOLVED that (Name), (Position/Title) of the (Municipality/Special District) is hereby selected as the alternative representative to serve if (Name - Delegate) is unable to carry out his aforesaid duties as the representative of the (Municipality/Special District) to said Intergovernmental Agency.

PASSED by the Board of Trustees of the (Municipality/Special District), Illinois, this _____ day of _____, 20_____.

AYES: _____

NAYES: _____

ABSENT: _____

APPROVED by the President of the (Municipality/Special District), Illinois, this _____ day of _____, 20_____.

Municipality/Special District President

ATTEST:

Municipality/Special District Clerk
(Seal)

VILLAGE OF WILLOWBROOK

BOARD MEETING

AGENDA ITEM - HISTORY/COMMENTARY

AN ORDINANCE AMENDING THE VILLAGE CODE OF THE VILLAGE OF WILLOWBROOK – TITLE 8, CHAPTER 8 – REVISING SECTION 8-8-17 – PARKING OF VEHICLE WITH EXPIRED REGISTRATION

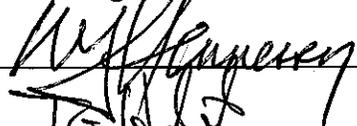
AGENDA NO. //

AGENDA DATE: 06/28/10

STAFF REVIEW: MARK SHELTON

SIGNATURE: 

LEGAL REVIEW: WILLIAM HENNESSEY

SIGNATURE: 

RECOMMENDED BY VILLAGE ADMIN.:

SIGNATURE: 

REVIEWED & APPROVED BY COMMITTEE: YES NO N/A

ITEM HISTORY (PREVIOUS VILLAGE BOARD REVIEWS, ACTIONS RELATED TO THIS ITEM, OTHER PERTINENT HISTORY)

The current language of Village Code 8-8-17: Parking of Vehicle with Expired Registration reads as follows:

No person may stop, park, or leave standing upon a public street, highway, or roadway within the village a vehicle upon which is displayed an Illinois registration plate or plates or registration sticker after termination of the registration period for which the registration plate or plates or registration sticker was issued or after the expiration date set under section 3-414 or 3-414.1 of the Illinois vehicle code. Any person violating the provisions of this section shall be subject to a fine of twenty five dollars (\$25.00). (Ord. 00-O-18, 6-12-2000)

The Village Staff requests the language of Village Code 8-8-17: Parking of Vehicle with Expired Registration be amended as follows:

It shall be unlawful to leave or possess on any lot in the Village any trailer, semi-trailer, truck, automobile or major parts thereof, which vehicle or parts thereof is not licensed by the State of Illinois and the Village for the current year.. Any person violating the provisions of this section shall be subject to a fine of twenty five dollars (\$25.00).

ITEM COMMENTARY (BACKGROUND, DISCUSSION, KEY POINTS, RECOMMENDATIONS, ETC.)

The Village Staff recommends the President and Board of Trustees pass the attached Ordinance amending Village Code 8-8-17: Parking of Vehicle with Expired Registration.

ACTION PROPOSED:

PASSAGE OF AMENDED ORDINANCE

ORDINANCE NO. 10-0-_____

AN ORDINANCE AMENDING THE VILLAGE CODE OF THE VILLAGE OF WILLOWBROOK - TITLE 8; CHAPTER 8, SECTIONS 8-8-17 - PARKING RULES; PARKING OF VEHICLE WITH EXPIRED REGISTRATION

BE IT ORDAINED by the President and Board of Trustees of the Village of Willowbrook, DuPage County, Illinois, as follows:

SECTION ONE: That Title 8, Section 8-8-17 of the Village Code of the Village of Willowbrook entitled "PARKING OF VEHICLE WITH EXPIRED REGISTRATION" is hereby deleted in its entirety and in lieu thereof, the following language shall be substituted:

"8-8-17: **STORAGE OF UNLICENSED VEHICLES:** It shall be unlawful to leave or possess on any lot in the Village any trailer, semi-trailer, truck, automobile or major parts thereof, which vehicle or parts thereof is not licensed by the State of Illinois and the Village for the current year. Any person violating the provisions of this section shall be subject to a fine of twenty five dollars (\$25.00).

SECTION TWO: That all ordinances and resolutions or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

SECTION THREE: That this Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED and APPROVED this ____ day of _____,

2010.

APPROVED:

Village President

ATTEST:

Village Clerk

ROLL CALL VOTE:

AYES: _____

NAYS: _____

ABSTENTIONS: _____

ABSENT: _____

VILLAGE OF WILLOWBROOK

BOARD MEETING AGENDA ITEM - HISTORY/COMMENTARY

ITEM TITLE:

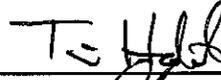
AN ORDINANCE AMENDING THE VILLAGE CODE OF THE VILLAGE OF WILLOWBROOK TITLE 9, CHAPTER 2 – ZONING ORDINANCE, DEFINITIONS; AND TITLE 9, CHAPTER 11 – ZONING ORDINANCE, SIGNS

AGENDA NO. 12

AGENDA DATE: 06/28/10

STAFF REVIEW: Tim Halik,
Director of Municipal Services

SIGNATURE: _____



LEGAL REVIEW: William Hennessy, Village Attorney

SIGNATURE: _____



RECOMMENDED BY VILLAGE ADMIN.:

SIGNATURE: _____



REVIEWED & APPROVED BY COMMITTEE: YES NO N/A

ITEM HISTORY (PREVIOUS VILLAGE BOARD REVIEWS, ACTIONS RELATED TO THIS ITEM, PERTINENT HISTORY)

In May of 2009 the Village Board and Plan Commission held a joint workshop to discuss changes to the Village Sign Code. At that time, the Village Board directed the Plan Commission to discuss comprehensive sign code changes and return a recommendation. The Plan Commission began their deliberations in September 2009, proposing revisions to one section of the chapter at a time. The results of their discussions are recommendations for proposed changes that would provide Willowbrook businesses greater promotion opportunities and the ability to establish their presence to customers. The Plan Commission coordinated with the Chamber of Commerce and held the first public hearing on the complete package of proposed changes on February 3, 2010 to solicit public comments. Continued public hearings were held by the Plan Commission on March 3, 2010, April 7, 2010, and May 5, 2010. After final discussion at the May 5th Plan Commission meeting, the Commission unanimously recommended approval of the proposed sign code amendments.

ITEM COMMENTARY (BACKGROUND, DISCUSSION, RECOMMENDATIONS, ETC.)

These amendments represent the largest changes made to the Village's sign ordinance in at least 15 years. The following documents are attached for reference in consideration:

- Amending Ordinance, consisting of thirty-four (34) pages.
- Sign Code Text Amendments – SUMMARY REPORT, consisting of seven (7) pages.
- Proposed Sign Code – COMPLETE CHAPTER 11 TEXT, consisting of twenty-six (26) pages.
- Proposed Sign Code – summary of proposed requirements based on zoning district in matrix form, consisting of three (3) - 11" x 17" sheets.

Staff will be prepared to answer any questions the Board may have during the meeting.

ACTION PROPOSED:

Approve the ordinance.

ORDINANCE NO. 10-0-_____

AN ORDINANCE AMENDING THE VILLAGE CODE OF
THE VILLAGE OF WILLOWBROOK
TITLE 9 CHAPTER 2 - ZONING ORDINANCE, DEFINITIONS; AND
TITLE 9, CHAPTER 11 - ZONING ORDINANCE, SIGNS

WHEREAS, the Village of Willowbrook, as applicant, filed an application for certain amendments to the Zoning Ordinance of the Village of Willowbrook, to amend sign regulations; and,

WHEREAS, Notice of Public Hearing on said amendment to the Village of Willowbrook Zoning Ordinance was published in the Doings newspaper on January 14, 2010, all as required by the statutes of the State of Illinois and the ordinances of the Village of Willowbrook; and,

WHEREAS, a Public Hearing was conducted by the Plan Commission of the Village of Willowbrook on February 3, 2010, March 3, 2010, and May 5, 2010, pursuant to said Notice, all as required by the statutes of the State of Illinois and the ordinances of the Village of Willowbrook; and,

WHEREAS, at said Public Hearing, the applicant provided testimony in support of the proposed amendments to the Village of Willowbrook Zoning Ordinance, and all interested parties had an opportunity to be heard; and,

WHEREAS, the President and Board of Trustees of the Village of Willowbrook have received the recommendation of the Plan Commission pursuant to a letter dated May 6, 2010.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Willowbrook, DuPage County, Illinois, as follows:

SECTION ONE: That Title 9, Chapter 2 of the Village Code of the Village of Willowbrook entitled "Definitions" is hereby amended by deleting in its entirety the definition for "Business Site Frontage", and in lieu thereof, the following language shall be substituted:

"BUSINESS SITE FRONTAGE: When utilized to calculate allowable sign surface area in the following situations:

- (A) Freestanding businesses: The lot width, measured in feet, or in the case of a corner lot, the length of the exterior side lot line, measured in feet, but not both.
- (B) Shopping centers, outparcels and single-story multi-tenant commercial buildings: The building width or in the case of a multi-tenant building, the unit width, measured in feet, of a building's front or primary facades or portion thereof, in or from which a particular business is conducted, and which is adjacent to a public or private street, customer parking area or site access, not including service drives or areas meant for deliveries or loading/unloading facilities. If a business's primary facade vertically extends behind another building and at least seven feet (7') of the primary facade is visible from a public or private street, customer parking area or site access, not including service drives or areas meant for deliveries or loading/unloading facilities, then that length of facade may also be counted towards business site frontage."

SECTION TWO: That Title 9, Chapter 2 of the Village Code of the Village of Willowbrook entitled "Definitions" is hereby amended to add the following definition:

"SHOPPING CENTER OUTPARCEL: Any building pad or subdivided parcel developed as part of a shopping center and which shares common parking areas and/or access drives."

SECTION THREE: That Title 9, Chapter 2 of the Village Code of the Village of Willowbrook entitled "Definitions" is hereby amended to add the following definitions alphabetically within the "SIGN" definition:

"SIGN: DYNAMIC: Any sign designed for outdoor advertising use that is capable of displaying a video signal, including, but not limited to, cathode-ray tubes (CRT), light-emitting diode (LED) displays, plasma displays, liquid-crystal displays (LCD), or other technologies used in commercially available televisions or computer monitors.

SIGN: SANDWICH BOARD SIGN: A temporary or movable sign not secured or attached to the ground or surface upon which it is located and constructed in such a manner as to form an "A" or a tent-like shape with each angular face held at an appropriate distance by a supporting member and which may or may not be hinged at the top."

SECTION FOUR: That Title 9, Chapter 11 of the Village Code of the Village of Willowbrook entitled "SIGNS" is hereby deleted in its entirety and in lieu thereof, the following language shall be substituted:

"9-11-1: PURPOSE AND INTENT:

The purpose of this chapter is to preserve and protect the public health, safety and welfare by regulating outdoor advertising and signs of all types. It is intended to enhance the physical appearance of the village, make it a more enjoyable and pleasing community and create an attractive economic and business climate. Also, it is intended to reduce the sign or advertising distractions which may increase traffic accidents, eliminate hazards caused by signs overhanging or projecting over public rights of way, relieve pedestrian and traffic congestion, provide more open space and avoid the "canceling out" effect of adjacent signs. (Ord. 82-0-39, 9-8-1982; amd. Ord. 85-0-11, 3-25-1985)

9-11-2: DEFINITIONS:

The definitions applicable to the interpretation and enforcement of the provisions of this chapter are contained in section 9-2-2 of this title. (Ord. 97-0-05, 1-27-1997)

9-11-3: PERMITS REQUIRED:

No sign shall be erected, constructed, altered or relocated without a permit issued by the director of municipal services, except as otherwise provided herein. Where electrical permits are required, they shall be obtained at the same time as the sign permit.

(A) Application For A Permit: Application for a permit shall be made upon blanks provided by the director of municipal services and shall include the following information: (Ord. 82-0-39, 9-8-1982; amd. Ord. 85-0-11, 3-25-1985; Ord. 05-0-32, 11-14-2005)

1. Name, address and telephone number of the applicant.
2. Location of the building, structure or parcel of property to which, or upon which, the sign is to be attached or erected.
3. Position of sign in relation to nearby building, structures, lot line and street grade.
4. Two (2) copies of plans and specifications showing method of construction, location and support, sealed by a registered architect or structural engineer or professional engineer.
5. Sketch showing sign faces, exposed surfaces and proposed message thereof accurately represented in scale as to size, proportion and color.
6. Name of person, firm, corporation or association erecting, constructing, altering or relocating the sign.
7. Written consent of the owners of the building, structure or land on or to which the sign is to be erected. (Ord. 82-0-39, 9-8-1982)
8. Such other information as the director of municipal services shall require to show full compliance with this and all other laws and ordinances of the village.
9. It shall be the duty of the director of municipal services, who shall be the enforcing officer, upon the filing of an application for a permit, to examine such plans and specifications, the premises upon which it is proposed to erect, construct, alter or relocate the sign or other advertising structure and other data; and, if it shall appear that the proposed structure is in compliance with all the requirements of this chapter, and all other provisions of this code, he shall then issue the permit. If the work authorized under the permit has not been completed within six (6) months after the date of issuance, the said permit shall become null and void.

(B) Revocation Of Permits: The director of municipal services is hereby authorized and empowered to revoke any permit issued by

him upon failure of the holder thereof to comply with any provision of this chapter. (Ord. 82-0-39, 9-8-1982; amd. Ord. 85-0-11, 3-25-1985; Ord. 05-0-32, 11-14-2005)

9-11-4: PROHIBITED SIGNS:

The following signs are specifically prohibited:

- (A) Commercial billboards and posterboards, when located upon vacant lots or parcels or when displaying information not related to the conduct of a business or other enterprise located on the same premises as said billboard or posterboard, except as hereinafter provided when such signs are permitted and regulated under section 4.04 of the highway advertising control act of 1971 and referenced in Section 9-11-16 of this Code; (Ord. 89-0-18, 5-8-1989; amd. Ord. 97-0-05, 1-27-1997)
- (B) Flashing signs;
- (C) Roof signs;
- (D) Projecting signs;
- (E) Pennants, streamers, portable signs and festoon lights not specifically authorized by the board of trustees; (Ord. 82-0-39, 9-8-1982)
- (F) Commercial signs not indicating bona fide business conducted or a product sold on the property, except for Construction Signs and Real Estate Signs as regulated by this Chapter, and as hereinafter provided when such signs are permitted and regulated under section 4.04 of the highway advertising control act of 1971 and referenced in Section 9-11-16 of this Code; (Ord. 89-0-18, 5-8-1989)
- (G) Signs which move or have moving parts, which movement is caused either by the wind or mechanically;
- (H) Signs which contain statements, words, pictures or other depictions of an obscene, indecent or immoral character and which offend public morals or decency;
- (I) Miscellaneous advertising devices, other than signs which conform to the provisions of this chapter, shall not be allowed;
- (J) Signs in conflict with traffic signals, vehicular or pedestrian travel, access to fire hydrants and fire lanes and exits, and other signs which reasonably impede or impair the public health, safety and welfare;
- (K) Signs painted on the walls or windows of any building, except as hereinafter permitted;
- (L) Signs on vehicles, boats or trailers in place other than one sign not larger than two feet by two feet (2' x 2') advertising said vehicle, boat and/or trailer for sale or rent;

- (M) Attention getting devices;
- (N) Signs hung across any street or alley;
- (O) Obsolete signs;
- (P) Neon signs, that is, signs employing exposed neon lights not completely covered by other acceptable signage materials, except for interior window signs provided for in Section 9-11-5(E)2 of this Code;
- (Q) Signs painted on or otherwise affixed to fences. (Ord. 82-0-39, 9-8-1982); and
- (R) Multiple message, digital, dynamic and / or video display signs except as otherwise permitted for gasoline pricing signs in Section 9-11-6(P).

9-11-5: TEMPORARY SIGNS:

The following signs shall be permitted anywhere in the village and shall not require a permit, except those temporary signs provided for in subsection (C) of this section, which shall obtain a permit and pay for a permit fee as otherwise set forth in this code. All temporary signs shall in all respects comply with the applicable regulations contained in this chapter and, further, such signs shall not be mounted at a height which causes the top of said sign to exceed eight feet (8') above average surrounding grade.

- (A) Construction and real estate signs are permitted according to the following provisions:
 1. Construction signs in all districts: On development sites less than ten (10) acres, a maximum of two such signs are permitted provided that no more than one sign is installed adjacent to any lot frontage and that the combined sign surface area of both signs shall not exceed thirty two (32) square feet; on development sites measuring ten (10) acres or greater, a maximum of two such signs are permitted provided that no more than one sign is installed adjacent to any lot frontage and that the combined sign surface area of both signs shall not exceed sixty-four (64) square feet. Construction signs on development sites shall announce a pending or future development, or one whose construction is in progress, identify the architects, engineers, contractors and other individuals or firms involved with the construction and announce the character of the building enterprise or the purpose for which the building is intended, but shall not include the advertisement of any product. The signs shall be confined to the site of the construction, and shall be removed within fourteen (14) days after the issuance of the first occupancy permit.
 2. Real estate signs in nonresidential districts, unless placed on a Freestanding Sign or Ground Sign pursuant to 9-11-12(C)4(c)7 or 9-11-12(B)4: On sites less than ten (10) acres, one real estate sign is permitted advertising that

particular business office, unit or manufacturing site for sale or lease with a sign surface area not to exceed sixteen (16) square feet. On sites measuring ten (10) acres or greater, a maximum of two such signs are permitted advertising that particular business, office, unit or manufacturing site for sale or lease provided that no more than one sign is installed adjacent to any lot frontage and that the combined sign surface area of both signs shall not exceed thirty two (32) square feet. In the case of shopping centers, a freestanding real estate sign is not permitted unless a minimum of ten percent (10%) of the gross floor area is vacant.

These signs must be removed within seven (7) days after the sale is closed, the lease is executed or a building permit is issued, whichever comes first.

3. Real estate signs for residential uses in residential districts: One real estate sign not exceeding a total area of four (4) square feet advertising the sale or rental of all, or part, of the premises on which the sign is displayed. The sign must be removed within seven (7) days after the sale is closed or the lease is signed.
- (B) Political campaign signs, announcing the candidates seeking public political office and other data pertinent thereto, not exceeding sixteen (16) square feet in area for each lot. These signs shall be confined within private property and removed within fourteen (14) days after the date of the election. (Ord. 82-0-39, 9-8-1982)
- (C) Portable signs, banners, streamers, searchlights and other promotional signs, for non-residential uses related to a specific promotion or event, as specifically approved by the director of municipal services, and only for the location(s) designated by the director of municipal services, subject to the following conditions:
1. Portable signs, banners, streamers or other promotional signs: Each freestanding business, non-residential use, or tenant in a multi-tenant building or shopping center is allowed four (4) permits per calendar year issued for a period of not to exceed fourteen (14) days for each promotion.
 2. Searchlights: Notwithstanding any provision contained herein to the contrary, searchlights shall be permitted subject to the issuance of a permit. A maximum of two (2) permits shall be issued per calendar year per property for a period of not to exceed three (3) days each. No more than one (1) searchlight permit within the Village shall be issued for a particular day, date and time.

Searchlights must be oriented skyward, not breaking an angle of forty-five degrees (45°) from the ground. No searchlight shall be operated between the hours of 11:00 p.m. and 7:00 a.m. No more than one (1) searchlight shall be in use within the Village on any given day and date.

3. No permit required by this subsection shall be issued for any promotion at a given location unless said promotion is scheduled to commence not less than thirty (30) days following the conclusion of any previous promotion at said location which required the issuance of a permit pursuant to this subsection. (Ord. 95-0-13, 6-26-1995; amd. Ord. 05-0-32, 11-14-2005)

The application for a temporary sign permit shall include a diagram depicting the number, location, size and other information identifying any proposed signage. No more than one portable sign may be included within the temporary promotional signage. Said portable sign may not exceed four feet by eight feet (4' x 8') in size and may not be illuminated, except for searchlights, as specifically permitted herein.

4. Notwithstanding any provision contained herein to the contrary, the following temporary signage shall be strictly prohibited:

- (a) Portable signs mounted on a trailer.
- (b) Building signage higher than twenty feet (20') above grade. (Ord. 88-0-17, 6-13-1988)
- (c) Freestanding or portable signs and inflatable devices higher than eight feet (8') above the average surrounding grade and greater than thirty-two (32) square feet of sign surface area. (Ord. 88-0-18, 5-8-1989)
- (d) Flashing lights.
- (e) Searchlights, unless specifically permitted.
- (f) Off site signage. (Ord. 88-0-17, 6-13-1988)
- (g) Pennants, streamers, banners and flags higher than twenty feet (20') above average surrounding grade or the height of the building, whichever is lower. (Ord. 89-0-18, 5-8-1989)

5. All temporary promotional signage shall be in proportion to the size of the site as determined by the director of municipal services. Village sponsored events or community events authorized by the Village Administrator shall be exempt from the provisions of this section, provided, however, that promotional devices associated with such village sponsored or authorized events shall be subject to the specific approval of the director of municipal services or Village Administrator. (Ord. 90-0-42, 11-26-1990; amd. Ord. 05-0-32, 11-14-2005)

6. Notwithstanding any provision of this subsection to the contrary, such signs, pennants, streamers or other promotional signs shall not be permitted with respect to residentially zoned property, except during the actual

construction phase of any residential project. (Ord. 90-0-42, 11-26-1990)

(D) Sandwich board signs are permitted subject to the following conditions:

1. Sandwich board signs are only permitted for businesses that meet all of the following criteria:
 - a. The business is located on the ground level.
 - b. The business has a customer entrance or service window which faces and is within ten feet (10') of the sidewalk on which the sandwich board sign will be located.
 - c. The business is located in a district that is zoned B-1, B-2, B-3, or B-4.
2. Number: Not more than one (1) sandwich board sign shall be permitted per business.
3. Size: Sandwich board signs shall have a sign surface area no greater than fifteen (15) square feet and a maximum height of five feet (5').
4. Location: Sandwich board signs must be located partially or entirely on a sidewalk. A minimum of four feet (4') of the sidewalk's width shall remain unobstructed.
5. Illumination: Sandwich board signs may not be illuminated.
6. Design and Construction: Sandwich board signs must be professionally constructed, maintained in good condition and be properly weighted so as to not create a wind-blown hazard.

(E) Window signs are permitted in the B1, B2, B3 and B4 commercial districts subject to the following conditions:

1. Area: The sum total of all window identification and window promotional signs shall not exceed forty percent (40%) of the total area of the windows in which they are located. A series of windows which are separated by frames and supporting material of less than six inches (6") in width shall be considered as a single window for the purposes of computation.
2. Illuminated Window Signs: Businesses with one façade with business site frontage shall be permitted only one mechanical or illuminated window sign; businesses with two façades with business site frontage shall be permitted a maximum of two (2) mechanical or illuminated window signs with no more than one (1) such sign displayed per façade. Illuminated window signs shall be permitted as part of the allowed window sign area noted in Sec. 9-11-5(E)1. Each such illuminated sign must have a sign surface area no greater than four (4) square feet. Permitted illumination

includes the use of exposed neon bulbs and / or backlit signs. (Ord. 82-0-39, 9-8-1982)

- (F) "Garage Sale" signs are permitted subject to the following conditions: Only one freestanding residential "Garage Sale" sign not exceeding four feet (4') in height and four (4) square feet in area advertising the conduct of a residential "garage sale". In the case of a corner lot (properties having frontages on 2 public streets), one sign may be displayed upon each frontage. The sign(s) may be located only upon the private property where the actual garage sale is being held and are expressly prohibited on property other than the private property where the sale is located. "Garage Sale" signs are also prohibited upon any public right of way. Any and all "Garage Sale" signs may be posted for no more than three (3) consecutive days. All such signs must be removed by nine o'clock (9:00) P.M. of the third day. (Ord. 01-0-13, 5-14-2001)

9-11-6: EXEMPTIONS:

The following types of signs are exempted from all the provisions of this chapter, except for construction, maintenance and safety regulations:

- (A) Official signs of any public or government agency.
- (B) Any sign of official court or public office, notices thereof, or any flag, emblem or insignia of a government entity. (Ord. 82-0-39, 9-8-1982)
- (C) Signs which are located completely within an enclosed building and which are not visible from beyond the boundaries of the lot or parcel upon which they are situated or from any public thoroughfare or right of way. (Ord. 97-0-05, 1-27-1997)
- (D) Tablets, grave markers, headstones, statuary/memorial plaques or remembrances of persons or events that are noncommercial in nature.
- (E) Any official traffic signs authorized by the Illinois Compiled Statutes, the Illinois vehicle code and/or this code.
- (F) Temporary signs celebrating the occasion of traditionally accepted patriotic or religious holidays as well as national and state holidays.
- (G) No trespassing signs, warning signs (e.g., "Beware of Dog") and other such signs regulating the use of property when such signs do not exceed two (2) square feet in area.
- (H) Changing of the copy of a sign, bulletin board, display encasement, or marquee; the maintenance of signs where no structural changes are made, or the changing of interchangeable letters on signs designed for use of interchangeable letters.
- (I) Private (noncommercial) nameplate identification signs or street address identification signs when such signs are affixed to a

building wall, do not exceed two (2) square feet in area, and otherwise comply with location and height limitations of the district in which the sign is located.

- (J) Street address information not to exceed a maximum lettering height of eight inches (8") on a maximum twelve inch (12") high panel or lettering field, shall be in addition to the permitted sign surface area of any Freestanding Sign or Ground Sign.
- (K) Tablets, memorials and cornerstones naming a building or date of erection when built into the walls of the building.
- (L) Private traffic direction signs directing traffic movement onto a premises or within a premises, not exceeding four (4) square feet in area and four feet (4') in height for each sign. Illumination of these signs shall be permitted in accordance with the regulations contained in this chapter. (Ord. 82-O-39, 9-8-1982)
- (M) Automated teller machine (ATM) signs used to direct traffic movement onto a premises or to an ATM machine location on private property; provided, however, that such signs shall comply with the following regulations:
 - 1. Such signs shall not exceed four (4) square feet in area and eight feet (8') in height;
 - 2. The only copy which may be included on ATM signs are the letters "ATM", or a colloquial expression commonly used with regard to "ATM" machines (e.g., cash station), and a directional symbol;
 - 3. Illumination of such signs shall be permitted in accordance with the regulations contained in this chapter;
 - 4. ATM signs located within storefront windows must comply with the provisions for "window signs" contained in this chapter, and, therefore, may not be illuminated. (Ord. 01-O-13, 5-14-2001)
- (N) Other noncommercial signs providing they meet the bulk regulations for signs in the zoning district in which the lot or parcel to be improved with said sign is located, except as hereinafter otherwise provided. (Ord. 82-O-39, 9-8-1982; amd. Ord. 01-O-13, 5-14-2001)
- (O) Vending machine signs, when such signs do not exceed one square foot in area. (Ord. 97-O-05, 1-27-1997; amd. Ord. 01-O-13, 5-14-2001)
- (P) Gasoline pricing signs; provided, however, that such signs shall comply with the following regulations:
 - 1. Manual or electronic changeable copy gasoline pricing signs shall be allowed as part of and attached to a freestanding or ground sign, a gasoline pump island canopy support or a building as permitted in section 9-11-12 of this chapter, provided the electronic or changeable components are used solely for the purpose of displaying the price of gasoline.

The sign must comply with the illumination standards set forth in section 9-11-13 of this chapter.

2. A maximum of four (4) gasoline pricing sign faces shall be permitted, provided that no gasoline pricing sign face shall exceed twenty (20) square feet in area.
 3. Such signs shall in no case exceed a height of twelve feet (12'). (Ord. 07-0-19, 8-13-2007)
- (Q) Service station informational signs, provided, however, such signs shall comply with the following regulations:
1. Service station information signs shall be permanently mounted to gasoline pumps or gasoline pump island canopy supports;
 2. A maximum of four (4) sign faces per gasoline pump island shall be permitted, and a maximum of twenty four (24) square feet per pump island shall be permitted, provided that no sign face shall exceed nine (9) square feet in area;
 3. Such signs shall in no case exceed a height of twelve feet (12'); (Ord. 83-0-15, 3-14-1983; amd. Ord. 01-0-13, 5-14-2001)
 4. Such signs shall read full/self-service and/or cash/credit sales. Service station informational signs shall contain no other advertising information. (Ord. 87-0-20, 5-11-1987; amd. Ord. 01-0-13, 5-14-2001)

9-11-7: CONSTRUCTION, MAINTENANCE:

All signs shall be constructed and maintained as hereinafter described:

- (A) Building Code: All signs shall be constructed of approved materials and shall comply with the requirements of the village building code and any amendments thereto as adopted by the village from time to time.
- (B) Electrical Code: All signs in which any electrical wiring and/or connections are to be used shall comply with the village electrical code. All illuminated surfaces of a sign shall be maintained to properly function as set forth in the approved sign permit. Burnt out lights and bulbs shall be replaced within seven (7) days. (Ord. 82-0-39, 9-8-1982; amd. Ord. 97-0-05, 1-27-1997)
- (C) Metal Signs: A metal sign shall have its face or background constructed of metal not thinner than no. 28 B&S gauge, which may be over a wood frame and may be provided with letters, figures, characters, borders or moldings of wood. The border, if of wood, shall not exceed three inches (3") in width.
- (D) Painting And/Or Maintenance: The owner of any sign shall paint and maintain all parts and supports thereof as necessary to

prevent rusting, rotting or deterioration. (Ord. 82-0-39, 9-8-1982)

- (E) Wind Pressure And Dead Load Requirements: Every sign shall be designed and constructed to withstand a wind pressure of thirty (30) pounds per square foot and shall be constructed to receive dead loads as required in the village building code and any amendments thereto or other applicable ordinances. (Ord. 82-0-39, 9-8-1982; amd. Ord. 97-0-05, 1-27-1997)
- (F) Date Of Erection, Name Of Permittee And Voltage To Be On Sign: Every sign hereafter erected shall have painted in a conspicuous place thereon, in legible letters, the date of erection, the name of the permittee and the voltage of any electrical apparatus used in connection therewith.
- (G) Glass, Limitation: Any glass forming part of a sign shall be safety glass. In case any single piece or pane of glass has an area exceeding three (3) square feet, it shall be wired glass.
- (H) Obstructions To Doors, Windows Or Fire Escapes: No sign shall be erected, relocated or maintained so as to prevent free access to, or egress from, any door, window or fire escape. No sign of any kind shall be attached to a standpipe or fire escape. (Ord. 82-0-39, 9-8-1982)

9-11-8: UNSAFE OR UNLAWFUL SIGNS:

- (A) If the director of municipal services shall find that any sign is unsafe, insecure or a menace to the public, or has been constructed, erected or maintained in violation of the provisions of this chapter, or has not been completed within six (6) months of the date of the issuance of the permit, he shall give written notice to the owner. If the owner fails to remove or alter the structure so as to comply with the standards herein set forth within ten (10) days after such notice, the village shall initiate such legal proceedings as may be required to compel the removal of said sign(s) and the recovery of any costs incurred in connection therewith.
- (B) Any sign, which no longer identifies a bona fide business conducted or a product sold on the premises where said sign is located, shall be taken down and removed by the person having the beneficial use of the building, structure or property upon which said sign may be found within ten (10) days after the written notification from the director of municipal services; and upon failure to comply with such notice within the time specified in the order, the village shall initiate such legal proceedings as may be required to compel the removal of said sign(s) and the recovery of any cost incurred in connection therewith. (Ord. 82-0-39, 9-8-1982; amd. Ord. 85-0-11, 3-25-1985; Ord. 05-0-32, 11-14-2005)

9-11-9: GENERAL PROVISIONS:

- (A) In order to obtain and secure traffic safety, no sign shall be erected or maintained in such a manner as to be likely to interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device, as determined by the director of municipal services. Accordingly, no sign, marquee, canopy or awning shall make use of the words, "Stop", "Go", "Look", "Slow", "Danger", or a similar word, phrase, symbol or character or employ any red, yellow, orange, green or other colored lamp in such a manner as to interfere with, mislead or confuse traffic. (Ord. 82-0-39, 9-8-1982; amd. Ord. 85-0-11, 3-25-1985; Ord. 05-0-32, 11-14-2005)
- (B) No sign permitted under this chapter shall be allowed or maintained if the sign shall in any way violate the Illinois highway advertising control act of 1971, as amended. (Ord. 82-0-39, 9-8-1982)
- (C) Except as otherwise permitted by this chapter, no sign shall be located so as to project above the top edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette and in no case exceed a height of twenty feet (20'), whichever is lower. (Ord. 95-0-13, 6-26-1995)
- (D) No sign shall be erected in a location prohibited by this chapter. No sign shall be erected so as to prevent free ingress to or egress from any door or window, or any other way required by the building code of the village.
- (E) No sign shall be attached to a utility pole, a tree, a standpipe, gutter, drain or fire escape, nor shall any sign be erected so as to impair access to a roof.
- (F) No sign shall be located, erected or maintained upon, over or project into any public right of way or easement for any purpose. (Ord. 82-0-39, 9-8-1982)

9-11-10: AWNINGS, CANOPIES AND MARQUEES:

Signs shall be permitted on awnings, canopies and marquees. However, such signs shall not exceed a height of seventeen feet (17') above the average surrounding grade. The area of such signs shall be counted against the maximum sign surface area permitted in this chapter. (Ord. 89-0-18, 5-8-1989; amd. Ord. 97-0-05, 1-27-1997)

9-11-11: LOCATION:

Signs shall be located on the same lot as the principal use served and in yards or attached to buildings as follows:

- (A) Residential Districts: Permitted signs may be located anywhere on the property, but not closer than five feet (5') to any lot line. The location of signs on lots or parcels within residential districts devoted to nonresidential uses shall conform to the

standards set forth in subsection (C) of this section. (Ord. 82-0-39, 9-8-1982; amd. Ord. 97-0-05, 1-27-1997)

(B) B-1, B-2, B-3 And B-4 Business Districts:

1. No sign shall project into the public way nor shall a sign attached to a building extend more than twelve inches (12") from the face of the building. (Ord. 83-0-15, 3-14-1983)
2. Except as otherwise permitted by this chapter, no building mounted sign shall extend higher than one foot below the top line of the face of the building or exceed a height of twenty feet (20'), whichever is lower. (Ord. 95-0-13, 6-26-1995)
3. Freestanding or ground signs, as permitted herein, shall be set back a minimum of five feet (5') from every lot line (Ord. 83-0-15, 3-14-1983)

(C) L-O-P Limited Office Professional District, O-R Office And Research District, L-O-R Limited Office And Research District And M-1 Light Manufacturing District:

1. No sign shall project into the public way nor shall a sign attached to a building extend more than twelve inches (12") from the face of the building. (Ord. 83-0-15, 3-14-1983; amd. Ord. 85-0-36, 9-23-1985)
2. Except as otherwise permitted by this chapter, no building mounted sign shall extend higher than one foot (1') below the top line of the face of the building or exceed a height of twenty feet (20'), whichever is lower. (Ord. 95-0-13, 6-26-1995)
3. Freestanding or ground signs, as permitted herein, shall be set back a minimum of five feet (5') from every lot line. (Ord. 83-0-15, 3-14-1983)

9-11-12: SIGN SURFACE AREA, NUMBER, SIGN TYPES AND HEIGHT LIMITATIONS:

(A) R-1, R-1A, R-2, R-3, R-4 And R-5 Residential Districts:

1. There shall be no more than one nameplate, not exceeding two (2) square feet in area, affixed to a wall or door of each one- and two-family dwelling unit indicating the name or address of the occupant. (Ord. 90-0-42, 11-26-1990)
2. Multiple-family development identification signs may be permitted subject to the following requirements:
 - (a) A single identification sign, not exceeding eight (8) square feet in area, indicating only the name and address of the development and the name of the management thereof, may be displayed. No wall, fence, monument or any other structure upon which any such

sign is mounted shall exceed one hundred (100) square feet in surface area on any one elevation.

- (b) For a multiple-family development located upon a lot or parcel having an area of not less than ten (10) acres and having frontage and access driveways on two (2) or more public streets, a second identification sign, not exceeding eight (8) square feet in area, indicating only the name and address of the development and the name of the management thereof, may be displayed along the secondary street frontage. Only one identification sign shall be permitted for each street frontage. No wall, fence, monument or any other structure upon which any such sign is mounted shall exceed fifty (50) square feet in surface area on any one elevation.
 - (c) The height of a multiple-family development identification sign and any structure to which it is attached shall not exceed eight feet (8') above the average surrounding grade. (Ord. 97-0-05, 1-27-1997)
3. No sign on any improved lot or parcel shall be mounted at a height which causes the top of the sign to exceed eight feet (8') above average surrounding grade.
4. Subdivision identification signs may be permitted subject to the following requirements:
- (a) Subdivision identification signs shall not exceed five (5) square feet in surface area and may be attached to a wall, monument or other supporting structure having a surface area not in excess of one hundred (100) square feet on any one elevation.
 - (b) The height of a subdivision identification sign and any structure to which it is attached shall not exceed eight feet (8') above average surrounding grade.
 - (c) Subdivision identification signs shall indicate the name of the subdivision only and not include any other information. (Ord. 90-0-42, 11-26-1990)
 - (d) Subdivision identification signs shall only be located at the points where subdivision streets intersect with streets classified as regional arterials, major arterials or minor arterials by the village of Willowbrook comprehensive plan. (Ord. 97-0-05, 1-27-1997)
 - (e) Subdivision identification signs shall be located completely on private property. An agreement for access and maintenance of such signs may be required in a format approved by the director of municipal services. (Ord. 90-0-42, 11-26-1990; amd. Ord. 05-0-32, 11-14-2005)

(f) For every square foot of monument surface area, there shall be provided one and one-half (1½) square feet of landscape area.

(g) Subdivision identification signs and all surrounding plantings shall be maintained in a neat and orderly manner.

5. The sign surface area, number and height of signs, situated on lots or parcels located within residential districts, but devoted to nonresidential uses shall conform to the standards set forth in subsection (C) of this section. (Ord. 90-0-42, 11-26-1990)

(B) B-1, B-2, B-3 And B-4 Business Districts:

1. Businesses in the B-1, B-2 and B-3 Districts Having A Gross Floor Area Of Less Than Thirty Five Thousand (35,000) Square Feet:

(a) Total Sign Surface Area Permitted: One and one quarter (1 ¼) square feet of sign surface area for each one foot (1') of business site frontage up to a maximum of three hundred fifty (350) square feet of sign surface area is permitted.

(b) Wall Signs Permitted: One wall sign is permitted indicating only the business name and address, the major enterprise or the principal product offered for sale on the premises or a combination of these.

Additional wall signs are permitted under the following conditions:

(1.) Freestanding businesses adjacent to or with an unobstructed line of sight to at least two (2) public streets; and

(2.) Outparcels and businesses in shopping centers with more than one primary façade with "business site frontage";

then in such cases one wall sign shall be permitted for each façade with "business site frontage", such signs to be distributed such that no more than three (3) signs are erected on any one façade and have a minimum separation distance upon the building façade equal to or greater than twenty percent (20%) of the linear dimension of the business site frontage and further provided that the total sign surface area of all signs shall not exceed the total sign surface area permitted under subsection (B)1(a) of this section.

In addition to this number, one additional bonus wall sign may be permitted provided that the total sign surface area permitted under subsection (B)1(a) of

this section shall be reduced by five percent (5%). In no case shall there be more than five (5) wall signs for any business.

It is further provided that no such sign provided for in this subsection shall face towards a residential zoning district unless there is an intervening public street with a minimum right of way width of eighty feet (80').

(c) Wall Sign Height Limitation:

(1) Where a wall sign is attached to a permitted building on a building elevation which:

(i) Does not face a residential zoning district boundary, or

(ii) Faces a residential zoning district boundary, which is located at least one hundred fifty feet (150') from the building elevation on which the sign is located,

then in either such event such wall sign shall be no higher than one foot (1') below the top of the wall to which it is affixed or forty feet (40'), whichever is lower.

(2) All other wall signs shall be no higher than one foot (1') below the top of the wall to which it is affixed or twenty feet (20'), whichever is lower.

(3) Any sign which projects from the face of the wall shall be no lower than seven feet six inches (7'6") above average surrounding grade.

(d) Freestanding Sign Or Ground Sign Permitted: If such a business is not located within a shopping center and is located upon a lot or parcel having a lot width of not less than one hundred feet (100'), then such business may elect to construct one freestanding or ground sign, subject to the following criteria:

(1) Signs must contain brick or other similar material in keeping with the design of the principal structure.

(2) No other freestanding or ground sign shall be constructed or erected on the lot.

(3) Such freestanding or ground sign shall not be constructed or erected so that any part thereof is located closer than twenty feet (20') from the nearest existing freestanding or ground sign.

- (4) The freestanding or ground sign shall not contain any advertisement other than the identity of the business located therein.
- (5) The sign surface area of any such freestanding or ground sign shall be counted against the total sign surface area permitted under subsection (B)1(a) of this section.
- (6) The total sign surface area permitted under subsection (B)1(a) of this section shall be reduced by seven and one-half (7 1/2) square feet per each foot of sign height for any freestanding or ground sign constructed in excess of eight feet (8') above average surrounding grade.
- (7) No freestanding or ground sign shall be constructed or erected to a height greater than twelve feet (12') above the average surrounding grade. The sign surface area portion of the sign shall not be less than three feet (3') above the average surrounding grade.

2. Businesses in the B-1, B-2 and B-3 Districts Having A Gross Floor Area Of Thirty Five Thousand (35,000) To Eighty Nine Thousand Nine Hundred Ninety Nine (89,999) Square Feet:

- (a) Total Sign Surface Area Permitted: One and one quarter (1 1/4) square feet of sign surface area for each one foot (1') of business site frontage up to a maximum of four hundred and fifty (450) square feet of sign surface area is permitted.
- (b) Wall Signs Permitted: Three (3) individual wall signs are permitted indicating only a business name and address, the major enterprise or a principal product offered for sale on the premises or a combination of these. The three (3) individual signs must have a minimum separation distance upon the building facade equal to or greater than twenty percent (20%) of the linear dimension of the business site frontage.

Additional wall signs are permitted under the following conditions:

- (1.) Freestanding businesses adjacent to or with an unobstructed line of sight to at least two (2) public streets; and
- (2.) Outparcels and businesses in shopping centers with more than one primary façade with "business site frontage";

then in such cases a fourth wall sign shall be permitted provided that the total sign surface area

of all signs shall not exceed the total sign surface area permitted under subsection (B)2(a) of this section, the minimum separation distance between such signs complies with the requirements in subsection (B)2(b), and that a maximum of three (3) wall signs may be erected on any one façade.

In addition to this number, one additional bonus wall sign may be permitted provided that the total sign surface area permitted under subsection (B)1(a) of this section shall be reduced by five percent (5%).

In no case shall there be more than five (5) wall signs for any business.

It is further provided that no additional wall sign provided for in this subsection shall face towards a residential zoning district unless there is an intervening public street with a minimum right of way width of eighty feet (80').

(c) Wall Sign Height Limitation+

(1) Where a wall sign is attached to a permitted building on a building elevation which:

- (i) Does not face a residential zoning district boundary, or
- (ii) Faces a residential zoning district boundary, which is located at least one hundred fifty feet (150') from the building elevation on which the sign is located,

then in either such event such wall sign shall be no higher than one foot (1') below the top of the wall to which it is affixed or forty feet (40'), whichever is lower.

(2) All other wall signs shall be no higher than one foot (1') below the top of the wall to which it is affixed or twenty feet (20'), whichever is lower.

(3) Any sign which projects from the face of the wall shall be no lower than seven feet six inches (7'6") above average surrounding grade.

(d) Freestanding Sign Or Ground Sign Permitted: If such a business is not located within a shopping center, then such business shall be permitted to construct or erect one freestanding or ground sign subject to the following criteria:

- (1) Signs must contain brick or other similar material in keeping with the design of the principal structure.
- (2) No other freestanding or ground sign shall be constructed or erected on the lot.
- (3) The freestanding or ground sign shall not contain any advertisement other than the identity of the business located therein.
- (4) The total sign surface area of the freestanding or ground sign shall not exceed ninety (90) square feet in area and shall be sign surface area permitted in addition to the total sign surface area permitted under subsection (B)2(a) of this section.
- (5) The freestanding or ground sign shall not be constructed or erected to a height greater than twelve feet (12') above average surrounding grade. The sign surface area portion of the sign shall not be less than three feet (3') above the average surrounding grade. (Ord. 07-0-19, 8-13-2007)

3. Businesses in the B-1, B-2 and B-3 Districts Having A Gross Floor Area Of Ninety Thousand Square Feet Or More and all Businesses in B-4 District:

- (a) Total Sign Surface Area Permitted: One and one quarter (1 $\frac{1}{4}$) square feet of sign surface area for each one foot (1') of business site frontage up to a maximum of five hundred and fifty (550) square feet of sign surface area is permitted.
- (b) Wall Signs Permitted: Three (3) individual wall signs are permitted indicating only a business name and address, the major enterprise or the principal product offered for sale on the premises or a combination of these. The three (3) individual signs must have a minimum separation distance upon the building facade equal to or greater than twenty percent (20%) of the linear dimension of the business site frontage.

Additional wall signs are permitted under the following conditions:

- (1.) Freestanding businesses adjacent to or with an unobstructed line of sight to at least two (2) public streets; and
- (2.) Outparcels and businesses in shopping centers with more than one primary façade with "business site frontage";

then in such cases a fourth wall sign shall be permitted provided that the total sign surface area of all signs shall not exceed the total sign surface area permitted under subsection (B)3(a) of this section, the minimum separation distance between such signs complies with the requirements in subsection (B)3(b), and that a maximum of three (3) wall signs may be erected on any one façade,

In addition to this number, one additional bonus wall sign may be permitted provided that the total sign surface area permitted under subsection (B)3(a) of this section shall be reduced by five percent (5%).

In no case shall there be more than five (5) wall signs for any business.

It is further provided that no such wall sign provided for in this subsection shall face towards a residential zoning district unless there is an intervening public street with a minimum right of way width of eighty feet (80').

(c) Wall Sign Height Limitation:

(1) Where a wall sign is attached to a permitted building on a building elevation which:

- (i) Does not face a residential zoning district boundary, or
- (ii) Faces a residential zoning district boundary, which is located at least one hundred fifty feet (150') from the building elevation on which the sign is located.

then in either such event such wall sign shall be no higher than one foot (1') below the top of the wall to which it is affixed or forty feet (40'), whichever is lower.

(2) All other wall signs shall be no higher than one foot (1') below to top of the wall to which it is affixed or twenty feet (20'), whichever is lower.

(3) Any sign which projects from the face of the wall shall be no lower than seven feet six inches (7'6") above average surrounding grade.

(d) Freestanding Sign Or Ground Sign Permitted for the B-1, B-2 and B-3 Districts: If such a business is not located within a shopping center and is not in the B-4 District, then such business may elect to construct or erect one freestanding or ground sign subject to the following criteria:

- (1) Signs must contain brick or other similar material in keeping with the design of the principal structure.
 - (2) No other freestanding or ground sign shall be constructed or erected on the lot.
 - (3) The freestanding or ground sign shall not contain any advertisement other than the identity of the business located therein.
 - (4) The total sign surface area of the freestanding or ground sign shall not exceed ninety (90) square feet in area and shall be sign surface area permitted in addition to total sign area permitted under subsection (B)3(a) of this section.
 - (5) The freestanding or ground sign shall not be constructed or erected to a height greater than twelve feet (12') above average surrounding grade. The sign surface area portion of the sign shall not be less than three feet (3') above the average surrounding grade.
- (e) Freestanding Sign Or Ground Sign Permitted in the B-4 District: If a business is located within the B-4 District, has a minimum of two hundred feet (200') of business site frontage: A maximum of one (1) freestanding or ground sign is permitted subject to the following criteria:
- (1) Signs must contain brick or other similar material in keeping with the design of the primary structure.
 - (2) No other freestanding or ground signs shall be constructed or erected within the area comprising the business.
 - (3) The freestanding or ground signs shall not contain any advertisement other than the identity of the business located therein.
 - (4) The total sign surface area of each ground sign shall not exceed four hundred (400) square feet in area and shall be sign surface area permitted in addition to the total sign surface area permitted this subsection.
 - (5) The sign shall not be constructed or erected to a height greater than twenty-four feet (24') above average surrounding grade. The sign surface area portion of the sign shall not be less than three feet (3') above the average surrounding grade.

4. Shopping Center Freestanding Signs Or Ground Signs:
- (a) Shopping centers having less than ten (10) acres: One freestanding or ground shopping center identification sign is permitted subject to the following criteria:
- (1) Signs must contain brick or other similar material in keeping with the design of the principal structure.
 - (2) No other freestanding or ground sign shall be constructed or erected within the area comprising the shopping center.
 - (3) The freestanding or ground shopping center identification sign shall not contain any advertisement other than the identity of the shopping center, the address, and the businesses located therein, except for leasing information, not exceeding 16 square feet in sign surface area, only when there is no other Real Estate sign(s) pursuant to 9-11-5(A)2. Leasing information on a Ground Sign pursuant to this paragraph shall be in addition to the permitted sign surface area of a Freestanding Sign or Ground Sign.
 - (4) The total sign surface area of the shopping center identification sign shall not exceed one hundred (100) square feet in area and shall be sign surface area permitted in addition to the total sign area in subsections (B)1, (B)2 and (B)3 of this section. The panel or area identifying the shopping center shall not be included in the calculation of the sign surface area provided that said panel or area does not exceed fifteen percent (15%) of the total area of each sign face.
 - (5) The shopping center identification sign shall not be constructed or erected to a height greater than sixteen feet (16') above average surrounding grade. The sign surface area portion of the sign shall not be less than three feet (3') above the average surrounding grade.
- (b) Shopping centers having not less than ten (10) acres and having a minimum of two hundred feet (200') of frontage on each of any two (2) designated arterials (Illinois Route 83, 63rd Street, 75th Street, Plainfield Road): A maximum of two (2) freestanding or ground shopping center identification signs are permitted subject to the following criteria:
- (1) A maximum of one sign is allowed along each arterial.

- (2) Signs must contain brick or other similar material in keeping with the design of the primary structure.
- (3) No other freestanding or ground signs shall be constructed or erected within the area comprising the shopping center, except as permitted in this subsection.
- (4) The freestanding or ground shopping center identification sign shall not contain any advertisement other than the identity of the shopping center, the address, and the businesses located therein, except for leasing information, not exceeding 16 square feet in sign surface area, only when there is no other Real Estate sign(s) pursuant to 9-11-5(A)2. Leasing information on a Ground Sign pursuant to this paragraph shall be in addition to the permitted sign surface area of a Freestanding Sign or Ground Sign.
- (5) The total sign surface area of each shopping center identification sign shall not exceed four hundred (400) square feet in area and shall be sign surface area permitted in addition to the total sign surface area permitted in subsections (B)1, (B)2 and (B)3 of this section. The panel or area identifying the shopping center shall not be included in the calculation of the sign surface area provided that said panel or area does not exceed fifteen percent (15%) of the total area of each sign face.
- (6) The shopping center identification sign shall not be constructed or erected to a height greater than twenty-four feet (24') above average surrounding grade. The sign surface area portion of the sign shall not be less than three feet (3') above the average surrounding grade.
- (7) In addition to the shopping center identification signs permitted herein, outparcel ground signs shall be permitted on a shopping center outparcel created as a building site for one principal building or use. An outparcel ground sign shall not exceed a height of five feet (5') and shall not exceed a total sign surface area of sixty four (64) square feet.

(C) L-O-P Limited Office Professional District, O-R Office And Research District, L-O-R Limited Office And Research District, M-1 Light Manufacturing District and Non-Residential Uses in Residential Districts:

1. Total Sign Surface Area Permitted:

- (a) Single-Tenant Buildings or Multi-Story Multi-Tenant Buildings: One square foot of sign surface area for each one foot (1') of business site frontage up to a maximum of one hundred square feet of sign surface area is permitted. Signs may only indicate the business name, building name, address or the major enterprise or a combination of these.
- (b) Single-Story Multi-Tenant Buildings: One square foot of sign surface area for each one foot (1') of business site frontage up to a maximum of fifty (50) square feet of sign surface area is permitted. Signs may only indicate the major tenant or business name, the building name, address or a combination of these.

In addition, individual businesses located in a single-story multi-tenant building with direct ingress/egress to the outside are permitted one square foot of sign surface area for each one foot (1') of business site frontage up to a maximum of thirty (30) square feet of sign surface area indicating the business name,

2. Wall Signs Permitted:

- (a) Single-Tenant Buildings or Multi-Story Multi-Tenant Buildings Located Upon Interior Lots or Parcels: One wall sign is permitted provided that the total sign surface area shall not be in excess of that permitted in subsection (C)1(a) of this Section.
- (b) Single-Tenant Buildings or Multi-Story Multi-Tenant Buildings Located Upon Corner Lots or Parcels: One wall sign may be erected or constructed on each façade having Business Site Frontage onto a public street provided that the total sign surface area shall not be in excess of that permitted in subsection (C)1(a) of this Section.
- (c) Single-Story Multi-Tenant Buildings: One wall sign indicating the major tenant or business name, the building name, address or a combination of these and one additional wall sign for each individual tenant space may be erected according to the provisions of subsection (C)1(b) of this section.

3. Wall Sign Height Limitations:

- (a) Where a wall sign is attached to a permitted building on a building elevation which:
 - (1) Does not face a residential zoning district boundary, or
 - (2) Faces a residential zoning district boundary, which is located at least one hundred fifty

feet (150') from the building elevation on which the sign is located,

then in either such event such wall sign shall be no higher than one foot (1') below the top of the wall elevation to which it is affixed or forty feet (40'), whichever is lower.

- (b) All other wall signs shall be no higher than one foot (1') below the top of the wall elevation to which it is affixed or twenty feet (20') whichever is lower.
- (c) Any sign which projects from the face of the wall shall be no lower than seven feet six inches (7'6") above average surrounding grade.

4. Freestanding Sign Or Ground Sign Permitted:

- (a) If a business or use is located upon a lot or parcel having a lot width of not less than one hundred feet (100'), then such business or use shall be permitted to construct one (1) freestanding or ground sign.
- (b) If a business or use is located upon a lot or parcel having a lot width of not less than two hundred and fifty feet (250'), an area of not less than four (4) acres and frontage on two (2) or more public streets, then such business or use shall be permitted to construct two (2) freestanding or ground signs provided that not more than one (1) such sign can be placed along a particular street frontage and that such signs must be no closer to each other than one hundred feet (100') as measured along the exterior lot lines adjacent to the signs.
- (c) Such freestanding or ground signs shall be subject to the following limitations:
 - (1) No such sign shall be constructed or erected so that any part thereof is located closer than twenty feet (20') from the nearest existing freestanding or ground sign.
 - (2) A ground sign shall have no more than two (2) sign surfaces.
 - (3) Signs must contain brick or other similar material in keeping with the design of the primary structure.
 - (4) Any such individual freestanding or ground sign shall not exceed a total sign surface area of fifty-five (55) square feet. The sign surface area for a permitted freestanding or ground sign shall be in addition to the permitted total sign surface area in subsection (C)1.

- (5) No freestanding or ground sign shall be constructed or erected to a height greater than ten feet (10') above the average surrounding grade except that a freestanding or ground sign constructed on a lot with a non-residential use in a residential district shall not exceed eight feet (8') above the average surrounding grade.
- (6) The sign surface area portion of the sign shall not be less than two feet (2') above the average surrounding grade.
- (7) The freestanding or ground sign shall not contain any advertisement other than the business name and address, the major enterprise, the building name or the identity of the building tenants or a combination of these, except for leasing information, not exceeding sixteen (16) square feet in sign surface area, only when there is no other Real Estate sign(s) pursuant to 9-11-5(A)2. Leasing information on a Ground Sign pursuant to this paragraph shall be in addition to the permitted sign surface area of a Freestanding Sign or Ground Sign and shall not be subject to removal pursuant to 9-11-5A2.

9-11-13: SIGN ILLUMINATION STANDARDS:

- (A) Signs in direct line of vision of motorists approaching any traffic signal shall not have red, green or amber illumination.
- (B) Neither the direct nor reflected light from primary light sources shall create a traffic hazard for or confuse operators of motor vehicles on public thoroughfares.
- (C) No sign shall have moving, blinking, flashing or fluttering lights or other illuminating device, which has a changing light intensity, brightness or color. Searchlights are permitted only as specifically provided in Sec. 9-11-5(C)2 in this chapter.
- (D) No exposed reflective type bulb or incandescent lamp which exceeds fifteen (15) watts shall be used on the exterior surface of any sign so as to expose the face of the bulb, light or lamp to any public street or adjacent property. (Ord. 82-0-39, 9-8-1982)
- (E) All sources of light, whether by direct exposure, surface reflection or transmission, having an intrinsic brightness greater than thirty (30) foot-lamberts shall be shielded so that the source of light cannot be seen at any point within a residential district.
- (F) Any luminous source of light, whether direct exposure, surface reflection or transmission whose total area is larger than one

square foot and which can be seen from any point within a residential district shall not exceed a brightness value of one hundred fifty (150) foot-lamberts.

- (G) No source of light shall be permitted to cause illumination in excess of one-half (1/2) foot-candle in a residential district. (Ord. 82-O-39, 9-8-1982; amd. Ord. 97-O-05, 1-27-1997)
- (H) The light from any illuminated sign shall be so shaded, shielded or directed that the light intensity or brightness will not be objectionable to surrounding areas. (Ord. 82-O-39, 9-8-1982)

9-11-14: REQUIRED LANDSCAPING: Every permit application for a freestanding or ground sign shall be accompanied by a landscape plan meeting the standards hereinafter specified:

- (A) For every square foot of sign surface area, there shall be provided one and one-half (1 1/2) square feet of landscape area.
- (B) Any freestanding or ground sign constructed or erected to a height in excess of eight feet (8') above the average surrounding grade shall be required to be improved with an additional one and one-half (1 1/2) square feet of landscaped area for each foot of height or portion thereof that said sign is constructed or erected above said eight feet (8') in height. The additional landscaping requirements set forth herein shall not exceed six (6) square feet.
- (C) Sodded or seeded areas shall not qualify as such a landscaped area. (Ord. 82-O-39, 9-8-1982)
- (D) The required landscaped areas shall be improved with such plantings as hedges, conifers, flowering plants, evergreens, etc., of a size and in quantity proportionate to the size and height of the sign as judged by the director of municipal services. (Ord. 82-O-39, 9-8-1982; amd. Ord. 85-O-11, 3-25-1985; Ord. 05-O-32, 11-14-2005)
- (E) In addition to the plantings herein described, the landscaped area shall also include ground protection such as, but not limited to, ground cover plants, landscaping bark, decorative stone or landscape timbers.
- (F) It shall be the duty of each party owning any lot or parcel improved or to be improved with the landscaping required herein to maintain said landscaping including, but not by way of limitation, the replacement of any dead or diseased vegetation, the trimming of any overgrown vegetation and the maintenance of any ground cover or protection provided in accordance with the terms hereof. (Ord. 82-O-39, 9-8-1982)

9-11-15: NONCONFORMING SIGNS: All signs presently erected and maintained in the village as of August 9, 1982, being the date upon which this chapter was adopted, or which shall come to be located within the corporate limits of the

village by virtue of any annexation after the date aforesaid, shall be subject to the following regulations:

(A) Legal Signs: All signs existing within the corporate limits of the village as of the date of the adoption of this chapter or which shall become subject to the terms of this code by reason of annexation and which shall be in compliance with the rules and regulations set forth herein, shall be considered to be legal signs and shall hereafter be owned, operated and maintained in conformance with the regulations contained herein. (Ord. 82-0-39, 9-8-1982)

(B) Legal Nonconforming Signs: Any sign which existed lawfully on the date of the adoption of this chapter and which remains or becomes nonconforming by reason of the adoption of this chapter or because of any subsequent amendment thereto, or which shall become nonconforming by reason of the annexation to the village of Willowbrook of the lot or parcel on which said sign is located, shall be considered a legal nonconforming sign and may be continued only in accordance with the regulations hereinafter set forth: (Ord. 95-0-13, 6-26-1995; amd. Ord. 97-0-05, 1-27-1997)

1. Special Conditions For Legal Nonconforming Signs: It is reasonable that special conditions be placed upon the continuance of existing legal nonconforming signs. This special condition program permits the continued use of the legal nonconforming sign while at the same time assuring eventual compliance with the provisions of this chapter.

(a) Continuance Of Legal Nonconforming Signs: Subject to the termination provisions set forth below, a legal nonconforming sign may be continued in operation and maintained provided, however, that no such sign shall be changed in any manner; and, provided further, that the burden of establishing a sign to be legal nonconforming under this chapter rests entirely upon the person claiming a nonconforming status for a sign. Routine maintenance and repairs shall be permitted in accordance with the regulations hereinafter set forth:

(1) Repairs, Alterations, Expansion, Moving: The owner or beneficial user of any legal nonconforming sign shall maintain such sign in good condition and repair provided that such sign shall not be changed or altered in any manner which would increase the degree of its nonconformity; shall not be changed to another legal nonconforming sign; shall not be expanded; shall not be structurally altered to prolong its useful life; or shall not be moved in whole or in part in any other location where it would remain nonconforming.

(2) Exception For Repairs Pursuant To Public Order: Nothing in this section shall be deemed to

prevent the strengthening or restoration to a safe condition of a legal nonconforming sign in accordance with a reasonable order of a public official who is charged with protecting the public safety and who declares such a sign to be unsafe and orders its restoration to a safe condition, provided such restoration is not otherwise in violation of the various provisions of this section prohibiting the repair or restoration of partially damaged or destroyed signs.

(b) Termination Or Loss Of Legal Nonconforming Sign Status:

- (1) By Abandonment: Any legal nonconforming sign, the use of which is discontinued for a period of sixty (60) days, shall be presumed abandoned and shall not thereafter be reestablished. Any period of such discontinuance caused by government actions, strikes, material shortages or acts of God, and without any contributing fault by the owner of such sign shall not be considered in calculating the length of discontinuance for purposes of this section.
- (2) By Violation Of This Chapter: Any violation of the provisions of this chapter with respect to a legal nonconforming sign shall immediately terminate the right to maintain such legal nonconforming sign.
- (3) By Destruction, Damage Or Obsolescence: The right to maintain any legal nonconforming sign shall terminate whenever the sign:
 - (i) Is damaged or destroyed, from any cause whatsoever, to the extent that its repair or replacement cost exceeds fifty percent (50%) of its replacement cost as of the date it became nonconforming, or
 - (ii) Becomes obsolete or substandard under any applicable ordinance of the village, or
 - (iii) Becomes a hazard or a danger to the safety or welfare of the general public, or
 - (iv) Is destroyed, from any cause whatsoever.
- (4) By New Development On The Lot: Where substantial new construction occurs on a lot, any legal nonconforming sign which may exist on said lot shall be removed or modified as necessary to conform with all elements of this chapter. This shall occur before permits are issued for site development and building

construction on the lot. For the purposes of this section, substantial new construction shall include any new development or redevelopment that involves one or more of the following criteria on the lot:

- (i) Granting of a special use permit.
- (ii) Granting of a variation.
- (iii) Expansion of the footprint of an existing building by more than five hundred (500) square feet.
- (iv) Demolition and reconstruction of the existing principal building.
- (v) Renovation of existing principal building that involves:
 - (1) In excess of fifty percent (50%) of the gross floor area of the existing building.
 - (2) Construction of a new exterior facade that includes in excess of fifty percent (50%) of the total area of all exterior building elevations. (Ord. 95-0-13, 6-26-1995)

2. Maintenance And Landscaping: All legal nonconforming signs shall, within eighteen (18) months of the date set forth in this section, be brought into compliance with each rule and regulation set forth in this title relating to the maintenance and landscaping of signs and of lots and parcels improved with signs.

3. Vending Machines, Gasoline Pricing, And Service Station Informational Signs: All legal nonconforming vending machine, gasoline pricing and service station informational signs shall, within eighteen (18) months of the date first set forth in this section, be brought into compliance with each rule and regulation set forth in this chapter relating to such signs. (Ord. 95-0-13, 6-26-1995; amd. Ord. 97-0-05, 1-27-1997)

(C) Illegal And Prohibited Signs: All signs rendered illegal or prohibited by the terms of this chapter shall, within sixty (60) days of the date set forth in this section, be removed. (Ord. 82-0-39, 9-8-1982)

(D) Inventory Of Signs: The village has developed and shall maintain an inventory of all signs existing within the corporate limits of the village as of the date set forth in this section. Any person wishing to determine the classification of any sign regulated pursuant to the terms of this title may request the director of municipal services to make available for inspection the inventory

of signs maintained hereunder. (Ord. 82-0-39, 9-8-1982; amd. Ord. 87-0-20, 5-11-1987; Ord. 97-0-05, 1-27-1997; Ord. 05-0-32, 11-14-2005)

9-11-16: SIGNS REGULATED UNDER THE HIGHWAY ADVERTISING CONTROL ACT OF 1971:

Signs not indicating a bona fide business conducted or a product sold on the same premises, which are permitted and regulated pursuant to section 4.04 of the highway advertising control act of 1971, as amended, shall be permitted hereunder, provided that: (Ord. 89-0-18, 5-8-1989)

- (A) No such sign shall be constructed or erected on any zoning lot in the R-1, R-1A, R-2, R-3, R-4 or R-5 residential districts. (Ord. 97-0-05, 1-27-1997)
- (B) Such signs shall be located within six hundred sixty feet (660') of the right of way of a highway designated by the Illinois department of transportation, and approved by the United States department of transportation, as a part of the national system of interstate and defense highways or the federal aid primary system, and such signs must be visible from the main traveled way of such highway.
- (C) Such signs shall comply with all of the requirements of the Illinois highway advertising control act of 1971, as amended, except where this section imposes more restrictive requirements, in which case such signs shall comply with the more restrictive requirements of this section.
- (D) Such signs shall be the subject of a current and validly issued Illinois department of transportation permit.
- (E) Not more than one such sign shall be constructed or erected on any zoning lot. (Ord. 89-0-18, 5-8-1989)
- (F) Such signs shall comply with the sign illumination standards, the construction, maintenance, location and general provisions sections of this chapter. (Ord. 97-0-05, 1-27-1997)
- (G) Such signs shall comply with the setback and yard requirements for freestanding and ground signs in the zoning district in which the sign is located.
- (H) Such signs shall not exceed twelve feet (12') in height, above average surrounding grade, including border and trim, ornamental base or apron, supports and other structural members.
- (I) Such signs shall be constructed or erected so that no part of the sign is located closer than twenty feet (20') from the nearest existing freestanding or ground sign which indicates a bona fide business conducted or product sold on the zoning lot whereon such existing sign is located, and no part of the sign is closer than eighty feet (80') from the boundary of any residentially zoned district.
- (J) The combined sign surface area of all signs on any lot or parcel, including the sign regulated pursuant to section 4.04 of the highway

advertising control act of 1971, shall not exceed the maximum sign surface area permitted for lots or parcels in the applicable zoning district. (Ord. 89-O-18, 5-8-1989)."

SECTION FIVE: That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

SECTION SIX: That this Ordinance shall be in full force and effect ten (10) days from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED and APPROVED this 28th day of June, 2010.

APPROVED:

Village President

ATTEST:

Village Clerk

ROLL CALL VOTE: AYES: _____
 NAYS: _____
 ABSTENTIONS: _____
 ABSENT: _____

Title 9, Zoning Ordinance Text Amendments – SIGNS: SUMMARY REPORT

Introduction

At its May 5, 2010 meeting, the Village of Willowbrook Plan Commission completed its review of the Sign Code Amendments and is forwarding their recommendation and text for the Village Board's review. Please take an opportunity to review this information and provide any comments prior to the June 28, 2010 Village Board meeting, where staff expects to have an ordinance prepared for the Board's consideration.

The Sign Ordinance Text Amendment process is the culmination of a significant effort on behalf of the Village of Willowbrook to accomplish the following earlier stated objectives:

1. To add clarity and structure to the Sign Code such that it is easily interpreted and applied by both Village staff and members of the community.
2. To encourage economic development and create a pro-business atmosphere that provides opportunities for businesses to clearly establish their identity within the Village and attract customers while allowing the Village to maintain an orderly landscape free of visual clutter.

This report summarizes some of the highlights of the proposed changes. The final draft document is attached as Exhibit 1. Exhibit 2 is a copy of the Plan Commission's recommendation. Exhibit 3 is a matrix that summarizes major components of the non-residential sign text.

Amendment Highlights

Sec. 9-2

Definitions

Business Site Frontage: This definition was amended to further clarify what dimensions of a site or tenant unit are used to determine the total Sign Surface Area (SSA). For freestanding businesses, the Business Site Frontage is equal to the width of the lot or, if a freestanding business is located at an intersection of two streets, the Business Site Frontage is equal to the length of the exterior side lot line.

For businesses that are either outparcels, located in shopping centers, or are units in single-story multi-tenant buildings, the Business Site Frontage is the total length of the business' primary facades, which are adjacent to public or private streets, customer parking areas or site entrances.

Shopping Center Outparcel: This definition was added to the Code and is defined as a building pad or parcel developed as part of a shopping center sharing common parking or access.

Title 9, Zoning Ordinance Text Amendments – SIGNS: SUMMARY REPORT

Sandwich Board Signs: These types of signs are small, pedestrian-scaled movable A-frame style signs. They have been defined in the code and are proposed as a new type of allowable temporary signage.

Sec. 9-11-4(P) and Sec. 9-11-5(E)-2

Prohibited Signs and Window Signs

Neon signs and illuminated window signs are currently prohibited in the Village sign; however, Village policy has been to allow neon signs placed in the windows of businesses to indicate whether a business is open or closed. The proposed text allows illuminated window signs (including neon signs), provided that a maximum of one (1) illuminated sign (two (2) if the business has two facades with business site frontage) be installed with a maximum sign size of four (4) square feet for each sign.

Sec. 9-11-4(R)

Multiple message, digital, dynamic and/or Video Display Signs

These signs have been prohibited except as otherwise permitted for gasoline pricing signs.

Sec. 9-11-5(A)

Construction and Real Estate Signs

Changes to the construction and real estate sign provisions allow for more reasonable promotion of large developments, both during construction and during the leasing phase. This is especially important on large sites such as the Town Center and Kmart.

CONSTRUCTION SIGNS IN ALL DISTRICTS:

Development / construction sites greater than ten (10) acres would be permitted one (1) construction sign per lot frontage with a total combined sign surface area not to exceed sixty-four (64) square feet. Such signs shall advertise a pending or future development or one whose construction is in progress. Similarly sized signs were allowed for the Town Center during their construction phases.

REAL ESTATE SALE OR LEASE SIGNS IN NONRESIDENTIAL DISTRICTS:

Sites measuring ten (10) acres or greater located in nonresidential districts would be permitted one (1) real estate sign per lot frontage with a total combined sign surface area not to exceed thirty-two (32) square feet advertising that particular business, office, unit or manufacturing site for sale or lease. Shopping centers would not be permitted to erect such a sign unless ten percent (10%) of their gross floor area is vacant.

Title 9, Zoning Ordinance Text Amendments – SIGNS:

SUMMARY REPORT

The revised text also provides for an option for offices and shopping centers to permanently include up to 16 square feet of leasing center information on the freestanding or ground sign. This square footage is in addition to the otherwise permitted area. If this option is chosen, the temporary real estate signs cannot also be installed on the property.

Sec. 9-11-5(C)

Temporary Promotional Signs

Increases the time period from 10 days to 14 days and clarifies that promotional signs are permitted for non-residential uses and are applicable to tenants as well as standalone businesses or operations.

Searchlights

Although searchlights are currently prohibited in the Village, Village policy has been to permit searchlights for special events at businesses like Ashton Place. The code has been updated to officially adopt this policy and place specified restrictions on such promotional lighting. Specifically, the searchlights will be allowed for properties located within the B-1, B-2, B-3 and B-4 districts provided that a permit is obtained and that such attention getting devices would be limited to a maximum of two (2) permits per year and per property, each permit period not to exceed three (3) days. Furthermore, only one (1) searchlight would be permitted to be in use within the Village on any given day. Standards for searchlights would include restrictions that searchlights be oriented skyward, not breaking an angle of forty-five degrees (45°) from the ground, and shall not be operated between the hours of 11:00pm and 7:00am.

Portable Signs

Clarifies that portable signs may not be illuminated except for searchlights, and that portable signs mounted on a trailer are specifically prohibited.

Community Events

Clarifies that community events authorized by the Village may be exempt from regulations if approved by the village administrator or director of municipal services.

Title 9, Zoning Ordinance Text Amendments – SIGNS:

SUMMARY REPORT

Sec. 9-11-5(D)

Sandwich Board Signs

To provide greater opportunity for businesses to attract foot traffic and call attention to their store entrances, sandwich board signs on sidewalks will be allowed under the new code. This is especially important in shopping centers with long buildings such as Hinsdale Lake Commons and the Town Center. Such signs would be permitted on a daily basis and would be considered separately from the temporary *promotional* signs that are provided for in Sec. 9-11-5(C).

Sandwich board signs would be for businesses that are located in the B-1, B-2, B-3, or B-4 districts, are on the ground level of the building and have a customer entrance or service window which faces and is within ten feet (10') of the sidewalk on which the sandwich board sign would be located. Businesses meeting these criteria would be limited to a maximum of one (1) non-illuminated sandwich board sign with a sign surface area no greater than ten (10) square feet and a maximum height of four feet (4'), which generally equates to a one and one-quarter foot (1.25') by four feet (4') double-sided sign.

All such signs must be located so as not to create a tripping hazard and must be either partially or entirely on a sidewalk leaving a minimum of four feet (4') of the sidewalk's width unobstructed. Such signs could not be displayed before sunrise and must be taken down no later than 10:00 p.m.

Sandwich board signs must be professionally constructed with an "A"-frame design, maintained in good condition and properly weighted so as to not create a wind-blown hazard. No such sign could have protruding nails, tacks, wires, or sharp metal edges.

Sec. 9-11-6:

Addresses

Allows street address information with text not to exceed 8" in height to be added to a freestanding sign without being counted against the SSA.

Sec. 9-11-11:

Sign Setbacks

In all districts, the required sign setback has been changed from various distances to five feet (5').

Title 9, Zoning Ordinance Text Amendments – SIGNS:

SUMMARY REPORT

Sec. 9-11-12:

Sign Surface Area, Number, Sign Types and Height Limitations

A significant increase in sign surface area (SSA) and the number of permitted signs is proposed across all of the nonresidential districts. This was done in part to be more comparable to the signage allowed in surveyed competing communities. Many Willowbrook local businesses have requested greater signage allowances and many lease negotiations have been dependent upon the tenant securing more signage than what is currently allowed by the Village.

Provided below is a summary of the changes for commercial signage.

Sec. 9-11-12(B)

B-1, B-2, B-3 and B-4 Districts

Wall Signs

Sign Surface Area is being increased from 1 SF to 1.25 of SSA per 1 LF of Business Site Frontage. A simplified scale for signage allowances for wall signs in retail districts is utilized. All businesses (regardless of their location within a shopping center or as a freestanding business), have equal opportunity to earn signage relative to the size of their building and parcel. The maximum total SSA has also been raised, allowing smaller business to have up to 350 SF of signage if their site/building warrants it and the largest buildings (those over 90,000 SF) such as Target and Kmart would be allowed to have a maximum SSA of 550 SF.

At a minimum, all businesses would be allowed to have 1 sign for each of their facades that have Business Site Frontage. These signs could be distributed in any manner provided that no more than three (3) signs are located on any one façade and as long as the maximum SSA is not exceeded. In addition, one additional "bonus" sign for businesses with multiple facades with Business Site Frontage is available. These bonus signs would be conditioned upon the business reducing their maximum permitted SSA by 5%. For example, if a business that desires a bonus sign is maxed out at 350 SSA, they would only be able to erect such a sign if they agree to reduce their overall sign package SSA so that it totals no more than 95% of the allowed 350 SF, or 332.5 SF.

Shopping Center Ground Signs

In addition to the changes in wall sign allowances, changes to ground signs are also incorporated into the new text. As is the current practice, larger properties will be afforded greater signage opportunities.

Title 9, Zoning Ordinance Text Amendments – SIGNS:

SUMMARY REPORT

Sites Less than Ten (10) Acres

Currently, signs in these areas are limited to twelve feet (12'), but the amendment has increased height to fifteen feet (15'), or a 25% increase.

The SSA for such signs has also been increased from 90 SF to 100 SF, or a ten percent increase. Additionally, the name of the shopping center will no longer be counted against the total SSA if the name does not exceed 15% of the overall SSA (or 7.5 SF on each side of a 100 SF sign).

Sites More than Ten (10) Acres and with 200 LF of Frontage on a Designated Arterial

Currently, signs in these areas are limited to sixteen feet (16'), but the amendment has increased height to twenty feet (24'), which amounts to a 25% increase.

Staff also suggests a sizable increase in the maximum SSA for such signs, from 120 SF to 400 SF. Again, staff recommends that panels indicating the name of the shopping center be exempt from the total SSA count if they do not exceed 15% of the total SSA on each side.

Sec. 9-11-12(C)

LOP, OR, LOR and M-1 Districts

The sign provisions for these districts apply to non-retail commercial districts and nonresidential uses in residential districts.

SSA

The current sign provisions allow for only one-half (1/2) SF of SSA for each one (1) LF of frontage with a maximum SSA of 45 SF. This total allowable SSA includes any monument signs desired by the business. However, individual in-line tenants in a multi-tenant building may erect individual business signs with one-half (1/2) SF of SSA for each one (1) LF of frontage, up to a maximum SSA of 15 SF. The tenant panels in this case do not count toward the maximum SSA of 45 SF.

The text amendment allows an increase in SSA to one (1) SF of SSA for each one (1) LF of frontage with a maximum SSA of 100 SF for single tenant buildings or multi-story multi-tenant buildings. Single-Story multi tenant buildings are limited to a maximum of fifty 50 SF, however individual businesses located in these areas are permitted up to 30 SF additional signage for the business name.

Ground Signs

Staff has received requests from local businesses, including Turtle Wax, Chateau Center, and Woodland Plaza businesses to increase the allowance for signs – especially ground signs – to allow for greater visibility within the community.

Title 9, Zoning Ordinance Text Amendments – SIGNS: SUMMARY REPORT

Increases in ground signs are also provided in the text amendment. The revision allows up to 55 SF of SSA that is not counted against the permitted maximum wall sign SSA of 100 SF.

In addition, staff suggests an amendment to allow a business with frontage on two or more public streets, a lot width of not less than two hundred and fifty feet (250') and an area of not less than four (4) acres, to erect one (1) freestanding or ground sign adjacent to each public street with a maximum of two (2) freestanding or ground signs.

Conclusion

The text amendment were created to provide a Sign Code that is meaningful, easily used and, most importantly, supportive of the local business community while maintaining an orderly landscape that is easily navigable and free of visual clutter. Staff supports the Plan Commission's recommendation but welcomes the Village Board's feedback prior to finalizing the text and the ordinance for the Village Board's final consideration at the June 28, 2010 meeting.

Sign Code Amendments

Chapter 9-11: SIGNS – PROPOSED CODE LANGUAGE

9-11-1: PURPOSE AND INTENT:

The purpose of this chapter is to preserve and protect the public health, safety and welfare by regulating outdoor advertising and signs of all types. It is intended to enhance the physical appearance of the village, make it a more enjoyable and pleasing community and create an attractive economic and business climate. Also, it is intended to reduce the sign or advertising distractions which may increase traffic accidents, eliminate hazards caused by signs overhanging or projecting over public rights of way, relieve pedestrian and traffic congestion, provide more open space and avoid the "canceling out" effect of adjacent signs. (Ord. 82-O-39, 9-8-1982; amd. Ord. 85-O-11, 3-25-1985)

9-11-2: DEFINITIONS:

The definitions applicable to the interpretation and enforcement of the provisions of this chapter are contained in section 9-2-2 of this title. (Ord. 97-O-05, 1-27-1997)

9-11-3: PERMITS REQUIRED:

No sign shall be erected, constructed, altered or relocated without a permit issued by the director of municipal services, except as otherwise provided herein. Where electrical permits are required, they shall be obtained at the same time as the sign permit.

- (A) Application For A Permit: Application for a permit shall be made upon blanks provided by the director of municipal services and shall include the following information: (Ord. 82-O-39, 9-8-1982; amd. Ord. 85-O-11, 3-25-1985; Ord. 05-O-32, 11-14-2005)
1. Name, address and telephone number of the applicant.
 2. Location of the building, structure or parcel of property to which, or upon which, the sign is to be attached or erected.
 3. Position of sign in relation to nearby building, structures, lot line and street grade.
 4. Two (2) copies of plans and specifications showing method of construction, location and support, sealed by a registered architect or structural engineer or professional engineer.
 5. Sketch showing sign faces, exposed surfaces and proposed message thereof accurately represented in scale as to size, proportion and color.
 6. Name of person, firm, corporation or association erecting, constructing, altering or relocating the sign.
 7. Written consent of the owners of the building, structure or land on or to which the sign is to be erected. (Ord. 82-O-39, 9-8-1982)
 8. Such other information as the director of municipal services shall require to show full compliance with this and all other laws and ordinances of the village.
 9. It shall be the duty of the director of municipal services, who shall be the enforcing officer, upon the filing of an application for a permit, to examine such plans and specifications, the premises upon which it is proposed to erect, construct, alter or relocate the sign or

Sign Code Amendments

Chapter 9-11: SIGNS – PROPOSED CODE LANGUAGE

other advertising structure and other data; and, if it shall appear that the proposed structure is in compliance with all the requirements of this chapter, and all other provisions of this code, he shall then issue the permit. If the work authorized under the permit has not been completed within six (6) months after the date of issuance, the said permit shall become null and void.

- (B) Revocation Of Permits: The director of municipal services is hereby authorized and empowered to revoke any permit issued by him upon failure of the holder thereof to comply with any provision of this chapter. (Ord. 82-O-39, 9-8-1982; amd. Ord. 85-O-11, 3-25-1985; Ord. 05-O-32, 11-14-2005)

9-11-4: PROHIBITED SIGNS:

The following signs are specifically prohibited:

- (A) Commercial billboards and posterboards, when located upon vacant lots or parcels or when displaying information not related to the conduct of a business or other enterprise located on the same premises as said billboard or posterboard, except as hereinafter provided when such signs are permitted and regulated under section 4.04 of the highway advertising control act of 1971 and referenced in Section 9-11-16 of this Code; (Ord. 89-O-18, 5-8-1989; amd. Ord. 97-O-05, 1-27-1997)
- (B) Flashing signs;
- (C) Roof signs;
- (D) Projecting signs;
- (E) Pennants, streamers, portable signs and festoon lights not specifically authorized by the board of trustees; (Ord. 82-O-39, 9-8-1982)
- (F) Commercial signs not indicating bona fide business conducted or a product sold on the property, except for Construction Signs and Real Estate Signs as regulated by this Chapter, and as hereinafter provided when such signs are permitted and regulated under section 4.04 of the highway advertising control act of 1971 and referenced in Section 9-11-16 of this Code; (Ord. 89-O-18, 5-8-1989)
- (G) Signs which move or have moving parts, which movement is caused either by the wind or mechanically;
- (H) Signs which contain statements, words, pictures or other depictions of an obscene, indecent or immoral character and which offend public morals or decency;
- (I) Miscellaneous advertising devices, other than signs which conform to the provisions of this chapter, shall not be allowed;
- (J) Signs in conflict with traffic signals, vehicular or pedestrian travel, access to fire hydrants and fire lanes and exits, and other signs which reasonably impede or impair the public health, safety and welfare;

Sign Code Amendments

Chapter 9-11: SIGNS – PROPOSED CODE LANGUAGE

- (K) Signs painted on the walls or windows of any building, except as hereinafter permitted;
- (L) Signs on vehicles, boats or trailers in place other than one sign not larger than two feet by two feet (2' x 2') advertising said vehicle, boat and/or trailer for sale or rent;
- (M) Attention getting devices;
- (N) Signs hung across any street or alley;
- (O) Obsolete signs;
- (P) Neon signs, that is, signs employing exposed neon lights not completely covered by other acceptable signage materials, except for interior window signs provided for in Section 9-11-5(E)2 of this Code;
- (Q) Signs painted on or otherwise affixed to fences. (Ord. 82-O-39, 9-8-1982); and
- (R) Multiple message, digital, dynamic and / or video display signs except as otherwise permitted for gasoline pricing signs in Section 9-11-6(P).

9-11-5: TEMPORARY SIGNS:

The following signs shall be permitted anywhere in the village and shall not require a permit, except those temporary signs provided for in subsection (C) of this section, which shall obtain a permit and pay for a permit fee as otherwise set forth in this code. All temporary signs shall in all respects comply with the applicable regulations contained in this chapter and, further, such signs shall not be mounted at a height which causes the top of said sign to exceed eight feet (8') above average surrounding grade.

- (A) Construction and real estate signs are permitted according to the following provisions:
 1. Construction signs in all districts: On development sites less than ten (10) acres, a maximum of two such signs are permitted provided that no more than one sign is installed adjacent to any lot frontage and that the combined sign surface area of both signs shall not exceed thirty two (32) square feet; on development sites measuring ten (10) acres or greater, a maximum of two such signs are permitted provided that no more than one sign is installed adjacent to any lot frontage and that the combined sign surface area of both signs shall not exceed sixty-four (64) square feet. Construction signs on development sites shall announce a pending or future development, or one whose construction is in progress, identify the architects, engineers, contractors and other individuals or firms involved with the construction and announce the character of the building enterprise or the purpose for which the building is intended, but shall not include the advertisement of any product. The signs shall be confined to the site of the construction, and shall be removed within fourteen (14) days after the issuance of the first occupancy permit.
 2. Real estate signs in nonresidential districts, unless placed on a Freestanding Sign or Ground Sign pursuant to 9-11-12(C)4(c)7 or 9-11-12(B)4: On sites less than ten (10) acres, one real estate sign is permitted advertising that particular business office, unit or manufacturing site for sale or lease with a sign surface area not to exceed sixteen (16)

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square feet. On sites measuring ten (10) acres or greater, a maximum of two such signs are permitted advertising that particular business, office, unit or manufacturing site for sale or lease provided that no more than one sign is installed adjacent to any lot frontage and that the combined sign surface area of both signs shall not exceed thirty two (32) square feet. In the case of shopping centers, a freestanding real estate sign is not permitted unless a minimum of ten percent (10%) of the gross floor area is vacant.

These signs must be removed within seven (7) days after the sale is closed, the lease is executed or a building permit is issued, whichever comes first.

3. Real estate signs for residential uses in residential districts: One real estate sign not exceeding a total area of four (4) square feet advertising the sale or rental of all, or part, of the premises on which the sign is displayed. The sign must be removed within seven (7) days after the sale is closed or the lease is signed.
- (B) Political campaign signs, announcing the candidates seeking public political office and other data pertinent thereto, not exceeding sixteen (16) square feet in area for each lot. These signs shall be confined within private property and removed within fourteen (14) days after the date of the election. (Ord. 82-O-39, 9-8-1982)
- (C) Portable signs, banners, streamers, searchlights and other promotional signs, for non-residential uses related to a specific promotion or event, as specifically approved by the director of municipal services, and only for the location(s) designated by the director of municipal services, subject to the following conditions:
1. Portable signs, banners, streamers or other promotional signs: Each freestanding business, non-residential use, or tenant in a multi-tenant building or shopping center is allowed four (4) permits per calendar year issued for a period of not to exceed fourteen (14) days for each promotion.
 2. Searchlights: Notwithstanding any provision contained herein to the contrary, searchlights shall be permitted subject to the issuance of a permit. A maximum of two (2) permits shall be issued per calendar year per property for a period of not to exceed three (3) days each. No more than one (1) searchlight permit within the Village shall be issued for a particular day, date and time.

Searchlights must be oriented skyward, not breaking an angle of forty-five degrees (45°) from the ground. No searchlight shall be operated between the hours of 11:00 p.m. and 7:00 a.m. No more than one (1) searchlight shall be in use within the Village on any given day and date.
 3. No permit required by this subsection shall be issued for any promotion at a given location unless said promotion is scheduled to commence not less than thirty (30) days following the conclusion of any previous promotion at said location which required the issuance of a permit pursuant to this subsection. (Ord. 95-O-13, 6-26-1995; amd. Ord. 05-O-32, 11-14-2005)

The application for a temporary sign permit shall include a diagram depicting the number, location, size and other information identifying any proposed signage. No more than one portable sign may be included within the temporary promotional signage. Said portable

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sign may not exceed four feet by eight feet (4' x 8') in size and may not be illuminated, except for searchlights, as specifically permitted herein.

4. Notwithstanding any provision contained herein to the contrary, the following temporary signage shall be strictly prohibited:
 - (a) Portable signs mounted on a trailer.
 - (b) Building signage higher than twenty feet (20') above grade. (Ord. 88-O-17, 6-13-1988)
 - (c) Freestanding or portable signs and inflatable devices higher than eight feet (8') above the average surrounding grade and greater than thirty two (32) square feet of sign surface area. (Ord. 88-O-18, 5-8-1989)
 - (d) Flashing lights.
 - (e) Searchlights, unless specifically permitted.
 - (f) Off site signage. (Ord. 88-O-17, 6-13-1988)
 - (g) Pennants, streamers, banners and flags higher than twenty feet (20') above average surrounding grade or the height of the building, whichever is lower. (Ord. 89-O-18, 5-8-1989)
 5. All temporary promotional signage shall be in proportion to the size of the site as determined by the director of municipal services. Village sponsored events or community events authorized by the Village Administrator shall be exempt from the provisions of this section, provided, however, that promotional devices associated with such village sponsored or authorized events shall be subject to the specific approval of the director of municipal services or Village Administrator. (Ord. 90-O-42, 11-26-1990; amd. Ord. 05-O-32, 11-14-2005)
 6. Notwithstanding any provision of this subsection to the contrary, such signs, pennants, streamers or other promotional signs shall not be permitted with respect to residentially zoned property, except during the actual construction phase of any residential project. (Ord. 90-O-42, 11-26-1990)
- (D) Sandwich board signs are permitted subject to the following conditions:
1. Sandwich board signs are only permitted for businesses that meet all of the following criteria:
 - a. The business is located on the ground level.
 - b. The business has a customer entrance or service window which faces and is within ten feet (10') of the sidewalk on which the sandwich board sign will be located.
 - c. The business is located in a district that is zoned B-1, B-2, B-3, or B-4.

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2. Number: Not more than one (1) sandwich board sign shall be permitted per business.
 3. Size: Sandwich board signs shall have a sign surface area no greater than fifteen (15) square feet and a maximum height of five feet (5').
 4. Location: Sandwich board signs must be located partially or entirely on a sidewalk. A minimum of four feet (4') of the sidewalk's width shall remain unobstructed.
 5. Illumination: Sandwich board signs may not be illuminated.
 6. Design and Construction: Sandwich board signs must be professionally constructed, maintained in good condition and be properly weighted so as to not create a wind-blown hazard.
- (E) Window signs are permitted in the B1, B2, B3 and B4 commercial districts subject to the following conditions:
1. Area: The sum total of all window identification and window promotional signs shall not exceed forty percent (40%) of the total area of the windows in which they are located. A series of windows which are separated by frames and supporting material of less than six inches (6") in width shall be considered as a single window for the purposes of computation.
 2. Illuminated Window Signs: Businesses with one façade with business site frontage shall be permitted only one mechanical or illuminated window sign; businesses with two facades with business site frontage shall be permitted a maximum of two (2) mechanical or illuminated window signs with no more than one (1) such sign displayed per façade. Illuminated window signs shall be permitted as part of the allowed window signage area noted in Sec. 9-11-5(E)1. Each such illuminated sign must have a sign surface area no greater than four (4) square feet. Permitted illumination includes the use of exposed neon bulbs and / or backlit signs. (Ord. 82-O-39, 9-8-1982)
- (F) "Garage Sale" signs are permitted subject to the following conditions: Only one freestanding residential "Garage Sale" sign not exceeding four feet (4') in height and four (4) square feet in area advertising the conduct of a residential "garage sale". In the case of a corner lot (properties having frontages on 2 public streets), one sign may be displayed upon each frontage. The sign(s) may be located only upon the private property where the actual garage sale is being held and are expressly prohibited on property other than the private property where the sale is located. "Garage Sale" signs are also prohibited upon any public right of way. Any and all "Garage Sale" signs may be posted for no more than three (3) consecutive days. All such signs must be removed by nine o'clock (9:00) P.M. of the third day. (Ord. 01-O-13, 5-14-2001)

9-11-6: EXEMPTIONS:

The following types of signs are exempted from all the provisions of this chapter, except for construction, maintenance and safety regulations:

- (A) Official signs of any public or government agency.

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- (B) Any sign of official court or public office, notices thereof, or any flag, emblem or insignia of a government entity. (Ord. 82-O-39, 9-8-1982)
- (C) Signs which are located completely within an enclosed building and which are not visible from beyond the boundaries of the lot or parcel upon which they are situated or from any public thoroughfare or right of way. (Ord. 97-O-05, 1-27-1997)
- (D) Tablets, grave markers, headstones, statuary/memorial plaques or remembrances of persons or events that are noncommercial in nature.
- (E) Any official traffic signs authorized by the Illinois Compiled Statutes, the Illinois vehicle code and/or this code.
- (F) Temporary signs celebrating the occasion of traditionally accepted patriotic or religious holidays as well as national and state holidays.
- (G) No trespassing signs, warning signs (e.g., "Beware of Dog") and other such signs regulating the use of property when such signs do not exceed two (2) square feet in area.
- (H) Changing of the copy of a sign, bulletin board, display encasement, or marquee; the maintenance of signs where no structural changes are made, or the changing of interchangeable letters on signs designed for use of interchangeable letters.
- (I) Private (noncommercial) nameplate identification signs or street address identification signs when such signs are affixed to a building wall, do not exceed two (2) square feet in area, and otherwise comply with location and height limitations of the district in which the sign is located.
- (J) Street address information not to exceed a maximum lettering height of eight inches (8") on a maximum twelve inch (12") high panel or lettering field, shall be in addition to the permitted sign surface area of any Freestanding Sign or Ground Sign.
- (K) Tablets, memorials and cornerstones naming a building or date of erection when built into the walls of the building.
- (L) Private traffic direction signs directing traffic movement onto a premises or within a premises, not exceeding four (4) square feet in area and four feet (4') in height for each sign. Illumination of these signs shall be permitted in accordance with the regulations contained in this chapter. (Ord. 82-O-39, 9-8-1982)
- (M) Automated teller machine (ATM) signs used to direct traffic movement onto a premises or to an ATM machine location on private property; provided, however, that such signs shall comply with the following regulations:
 - 1. Such signs shall not exceed four (4) square feet in area and eight feet (8') in height;
 - 2. The only copy which may be included on ATM signs are the letters "ATM", or a colloquial expression commonly used with regard to "ATM" machines (e.g., cash station), and a directional symbol;
 - 3. Illumination of such signs shall be permitted in accordance with the regulations contained in this chapter;

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4. ATM signs located within storefront windows must comply with the provisions for "window signs" contained in this chapter, and, therefore, may not be illuminated. (Ord. 01-O-13, 5-14-2001)
- (N) Other noncommercial signs providing they meet the bulk regulations for signs in the zoning district in which the lot or parcel to be improved with said sign is located, except as hereinafter otherwise provided. (Ord. 82-O-39, 9-8-1982; amd. Ord. 01-O-13, 5-14-2001)
- (O) Vending machine signs, when such signs do not exceed one square foot in area. (Ord. 97-O-05, 1-27-1997; amd. Ord. 01-O-13, 5-14-2001)
- (P) Gasoline pricing signs; provided, however, that such signs shall comply with the following regulations:
1. Manual or electronic changeable copy gasoline pricing signs shall be allowed as part of and attached to a freestanding or ground sign, a gasoline pump island canopy support or a building as permitted in section 9-11-12 of this chapter, provided the electronic or changeable components are used solely for the purpose of displaying the price of gasoline. The sign must comply with the illumination standards set forth in section 9-11-13 of this chapter.
 2. A maximum of four (4) gasoline pricing sign faces shall be permitted, provided that no gasoline pricing sign face shall exceed twenty (20) square feet in area.
 3. Such signs shall in no case exceed a height of twelve feet (12'). (Ord. 07-O-19, 8-13-2007)
- (Q) Service station informational signs, provided, however, such signs shall comply with the following regulations:
1. Service station information signs shall be permanently mounted to gasoline pumps or gasoline pump island canopy supports;
 2. A maximum of four (4) sign faces per gasoline pump island shall be permitted, and a maximum of twenty four (24) square feet per pump island shall be permitted, provided that no sign face shall exceed nine (9) square feet in area;
 3. Such signs shall in no case exceed a height of twelve feet (12'); (Ord. 83-O-15, 3-14-1983; amd. Ord. 01-O-13, 5-14-2001)
 4. Such signs shall read full/self-service and/or cash/credit sales. Service station informational signs shall contain no other advertising information. (Ord. 87-O-20, 5-11-1987; amd. Ord. 01-O-13, 5-14-2001)

9-11-7: CONSTRUCTION, MAINTENANCE:

All signs shall be constructed and maintained as hereinafter described:

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- (A) Building Code: All signs shall be constructed of approved materials and shall comply with the requirements of the village building code and any amendments thereto as adopted by the village from time to time.
- (B) Electrical Code: All signs in which any electrical wiring and/or connections are to be used shall comply with the village electrical code. All illuminated surfaces of a sign shall be maintained to properly function as set forth in the approved sign permit. Burnt out lights and bulbs shall be replaced within seven (7) days. (Ord. 82-O-39, 9-8-1982; amd. Ord. 97-O-05, 1-27-1997)
- (C) Metal Signs: A metal sign shall have its face or background constructed of metal not thinner than no. 28 B&S gauge, which may be over a wood frame and may be provided with letters, figures, characters, borders or moldings of wood. The border, if of wood, shall not exceed three inches (3") in width.
- (D) Painting And/Or Maintenance: The owner of any sign shall paint and maintain all parts and supports thereof as necessary to prevent rusting, rotting or deterioration. (Ord. 82-O-39, 9-8-1982)
- (E) Wind Pressure And Dead Load Requirements: Every sign shall be designed and constructed to withstand a wind pressure of thirty (30) pounds per square foot and shall be constructed to receive dead loads as required in the village building code and any amendments thereto or other applicable ordinances. (Ord. 82-O-39, 9-8-1982; amd. Ord. 97-O-05, 1-27-1997)
- (F) Date Of Erection, Name Of Permittee And Voltage To Be On Sign: Every sign hereafter erected shall have painted in a conspicuous place thereon, in legible letters, the date of erection, the name of the permittee and the voltage of any electrical apparatus used in connection therewith.
- (G) Glass, Limitation: Any glass forming part of a sign shall be safety glass. In case any single piece or pane of glass has an area exceeding three (3) square feet, it shall be wired glass.
- (H) Obstructions To Doors, Windows Or Fire Escapes: No sign shall be erected, relocated or maintained so as to prevent free access to, or egress from, any door, window or fire escape. No sign of any kind shall be attached to a standpipe or fire escape. (Ord. 82-O-39, 9-8-1982)

9-11-8: UNSAFE OR UNLAWFUL SIGNS:

- (A) If the director of municipal services shall find that any sign is unsafe, insecure or a menace to the public, or has been constructed, erected or maintained in violation of the provisions of this chapter, or has not been completed within six (6) months of the date of the issuance of the permit, he shall give written notice to the owner. If the owner fails to remove or alter the structure so as to comply with the standards herein set forth within ten (10) days after such notice, the village shall initiate such legal proceedings as may be required to compel the removal of said sign(s) and the recovery of any costs incurred in connection therewith.
- (B) Any sign, which no longer identifies a bona fide business conducted or a product sold on the premises where said sign is located, shall be taken down and removed by the person having the beneficial use of the building, structure or property upon which said sign may be found within ten (10) days after the written notification from the director of municipal services; and upon failure to comply with such notice within the time specified in the order, the village shall initiate such legal

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proceedings as may be required to compel the removal of said sign(s) and the recovery of any cost incurred in connection therewith. (Ord. 82-O-39, 9-8-1982; amd. Ord. 85-O-11, 3-25-1985; Ord. 05-O-32, 11-14-2005)

9-11-9: GENERAL PROVISIONS:

- (A) In order to obtain and secure traffic safety, no sign shall be erected or maintained in such a manner as to be likely to interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device, as determined by the director of municipal services. Accordingly, no sign, marquee, canopy or awning shall make use of the words, "Stop", "Go", "Look", "Slow", "Danger", or a similar word, phrase, symbol or character or employ any red, yellow, orange, green or other colored lamp in such a manner as to interfere with, mislead or confuse traffic. (Ord. 82-O-39, 9-8-1982; amd. Ord. 85-O-11, 3-25-1985; Ord. 05-O-32, 11-14-2005)
- (B) No sign permitted under this chapter shall be allowed or maintained if the sign shall in any way violate the Illinois highway advertising control act of 1971, as amended. (Ord. 82-O-39, 9-8-1982)
- (C) Except as otherwise permitted by this chapter, no sign shall be located so as to project above the top edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette and in no case exceed a height of twenty feet (20'), whichever is lower. (Ord. 95-O-13, 6-26-1995)
- (D) No sign shall be erected in a location prohibited by this chapter. No sign shall be erected so as to prevent free ingress to or egress from any door or window, or any other way required by the building code of the village.
- (E) No sign shall be attached to a utility pole, a tree, a standpipe, gutter, drain or fire escape, nor shall any sign be erected so as to impair access to a roof.
- (F) No sign shall be located, erected or maintained upon, over or project into any public right of way or easement for any purpose. (Ord. 82-O-39, 9-8-1982)

9-11-10: AWNINGS, CANOPIES AND MARQUEES:

Signs shall be permitted on awnings, canopies and marquees. However, such signs shall not exceed a height of seventeen feet (17') above the average surrounding grade. The area of such signs shall be counted against the maximum sign surface area permitted in this chapter. (Ord. 89-O-18, 5-8-1989; amd. Ord. 97-O-05, 1-27-1997)

9-11-11: LOCATION:

Signs shall be located on the same lot as the principal use served and in yards or attached to buildings as follows:

- (A) Residential Districts: Permitted signs may be located anywhere on the property, but not closer than five feet (5') to any lot line. The location of signs on lots or parcels within residential districts

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devoted to nonresidential uses shall conform to the standards set forth in subsection (C) of this section. (Ord. 82-O-39, 9-8-1982; amd. Ord. 97-O-05, 1-27-1997)

(B) B-1, B-2, B-3 And B-4 Business Districts:

1. No sign shall project into the public way nor shall a sign attached to a building extend more than twelve inches (12") from the face of the building. (Ord. 83-O-15, 3-14-1983)
2. Except as otherwise permitted by this chapter, no building mounted sign shall extend higher than one foot below the top line of the face of the building or exceed a height of twenty feet (20'), whichever is lower. (Ord. 95-O-13, 6-26-1995)
3. Freestanding or ground signs, as permitted herein, shall be set back a minimum of five feet (5') from every lot line (Ord. 83-O-15, 3-14-1983)

(C) L-O-P Limited Office Professional District, O-R Office And Research District, L-O-R Limited Office And Research District And M-1 Light Manufacturing District:

1. No sign shall project into the public way nor shall a sign attached to a building extend more than twelve inches (12") from the face of the building. (Ord. 83-O-15, 3-14-1983; amd. Ord. 85-O-36, 9-23-1985)
2. Except as otherwise permitted by this chapter, no building mounted sign shall extend higher than one foot (1') below the top line of the face of the building or exceed a height of twenty feet (20'), whichever is lower. (Ord. 95-O-13, 6-26-1995)
3. Freestanding or ground signs, as permitted herein, shall be set back a minimum of five feet (5') from every lot line. (Ord. 83-O-15, 3-14-1983)

9-11-12: SIGN SURFACE AREA, NUMBER, SIGN TYPES AND HEIGHT LIMITATIONS:

(A) R-1, R-1A, R-2, R-3, R-4 And R-5 Residential Districts:

1. There shall be no more than one nameplate, not exceeding two (2) square feet in area, affixed to a wall or door of each one- and two-family dwelling unit indicating the name or address of the occupant. (Ord. 90-O-42, 11-26-1990)
2. Multiple-family development identification signs may be permitted subject to the following requirements:
 - (a) A single identification sign, not exceeding eight (8) square feet in area, indicating only the name and address of the development and the name of the management thereof, may be displayed. No wall, fence, monument or any other structure upon which any such sign is mounted shall exceed one hundred (100) square feet in surface area on any one elevation.
 - (b) For a multiple-family development located upon a lot or parcel having an area of not less than ten (10) acres and having frontage and access driveways on two (2) or more public streets, a second identification sign, not exceeding eight (8)

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square feet in area, indicating only the name and address of the development and the name of the management thereof, may be displayed along the secondary street frontage. Only one identification sign shall be permitted for each street frontage. No wall, fence, monument or any other structure upon which any such sign is mounted shall exceed fifty (50) square feet in surface area on any one elevation.

- (c) The height of a multiple-family development identification sign and any structure to which it is attached shall not exceed eight feet (8') above the average surrounding grade. (Ord. 97-O-05, 1-27-1997)
3. No sign on any improved lot or parcel shall be mounted at a height which causes the top of the sign to exceed eight feet (8') above average surrounding grade.
 4. Subdivision identification signs may be permitted subject to the following requirements:
 - (a) Subdivision identification signs shall not exceed five (5) square feet in surface area and may be attached to a wall, monument or other supporting structure having a surface area not in excess of one hundred (100) square feet on any one elevation.
 - (b) The height of a subdivision identification sign and any structure to which it is attached shall not exceed eight feet (8') above average surrounding grade.
 - (c) Subdivision identification signs shall indicate the name of the subdivision only and not include any other information. (Ord. 90-O-42, 11-26-1990)
 - (d) Subdivision identification signs shall only be located at the points where subdivision streets intersect with streets classified as regional arterials, major arterials or minor arterials by the village of Willowbrook comprehensive plan. (Ord. 97-O-05, 1-27-1997)
 - (e) Subdivision identification signs shall be located completely on private property. An agreement for access and maintenance of such signs may be required in a format approved by the director of municipal services. (Ord. 90-O-42, 11-26-1990; amd. Ord. 05-O-32, 11-14-2005)
 - (f) For every square foot of monument surface area, there shall be provided one and one-half (1½) square feet of landscape area.
 - (g) Subdivision identification signs and all surrounding plantings shall be maintained in a neat and orderly manner.
 5. The sign surface area, number and height of signs, situated on lots or parcels located within residential districts, but devoted to nonresidential uses shall conform to the standards set forth in subsection (C) of this section. (Ord. 90-O-42, 11-26-1990)

(B) B-1, B-2, B-3 And B-4 Business Districts:

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1. Businesses in the B-1, B-2 and B-3 Districts Having A Gross Floor Area Of Less Than Thirty Five Thousand (35,000) Square Feet:

- (a) Total Sign Surface Area Permitted: One and one quarter (1 ¼) square feet of sign surface area for each one foot (1') of business site frontage up to a maximum of three hundred fifty (350) square feet of sign surface area is permitted.
- (b) Wall Signs Permitted: One wall sign is permitted indicating only the business name and address, the major enterprise or the principal product offered for sale on the premises or a combination of these.

Additional wall signs are permitted under the following conditions:

- (1.) Freestanding businesses adjacent to or with an unobstructed line of sight to at least two (2) public streets; and
- (2.) Outparcels and businesses in shopping centers with more than one primary façade with “business site frontage”;

then in such cases one wall sign shall be permitted for each façade with “business site frontage”, such signs to be distributed such that no more than three (3) signs are erected on any one façade and have a minimum separation distance upon the building façade equal to or greater than twenty percent (20%) of the linear dimension of the business site frontage and further provided that the total sign surface area of all signs shall not exceed the total sign surface area permitted under subsection (B)1(a) of this section.

In addition to this number, one additional bonus wall sign may be permitted provided that the total sign surface area permitted under subsection (B)1(a) of this section shall be reduced by five percent (5%). In no case shall there be more than five (5) wall signs for any business.

It is further provided that no such sign provided for in this subsection shall face towards a residential zoning district unless there is an intervening public street with a minimum right of way width of eighty feet (80').

- (c) Wall Sign Height Limitation:

- (1) Where a wall sign is attached to a permitted building on a building elevation which:
 - (i) Does not face a residential zoning district boundary, or
 - (ii) Faces a residential zoning district boundary, which is located at least one hundred fifty feet (150') from the building elevation on which the sign is located,

then in either such event such wall sign shall be no higher than one foot (1') below the top of the wall to which it is affixed or forty feet (40'), whichever is lower.

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- (2) All other wall signs shall be no higher than one foot (1') below the top of the wall to which it is affixed or twenty feet (20'), whichever is lower.
- (3) Any sign which projects from the face of the wall shall be no lower than seven feet six inches (7'6") above average surrounding grade.
- (d) Freestanding Sign Or Ground Sign Permitted: If such a business is not located within a shopping center and is located upon a lot or parcel having a lot width of not less than one hundred feet (100'), then such business may elect to construct one freestanding or ground sign, subject to the following criteria:
 - (1) Signs must contain brick or other similar material in keeping with the design of the principal structure.
 - (2) No other freestanding or ground sign shall be constructed or erected on the lot.
 - (3) Such freestanding or ground sign shall not be constructed or erected so that any part thereof is located closer than twenty feet (20') from the nearest existing freestanding or ground sign.
 - (4) The freestanding or ground sign shall not contain any advertisement other than the identity of the business located therein.
 - (5) The sign surface area of any such freestanding or ground sign shall be counted against the total sign surface area permitted under subsection (B)1(a) of this section.
 - (6) The total sign surface area permitted under subsection (B)1(a) of this section shall be reduced by seven and one-half (7 1/2) square feet per each foot of sign height for any freestanding or ground sign constructed in excess of eight feet (8') above average surrounding grade.
 - (7) No freestanding or ground sign shall be constructed or erected to a height greater than twelve feet (12') above the average surrounding grade. The sign surface area portion of the sign shall not be less than three feet (3') above the average surrounding grade.
2. Businesses in the B-1, B-2 and B-3 Districts Having A Gross Floor Area Of Thirty Five Thousand (35,000) To Eighty Nine Thousand Nine Hundred Ninety Nine (89,999) Square Feet:
 - (a) Total Sign Surface Area Permitted: One and one quarter (1 1/4) square feet of sign surface area for each one foot (1') of business site frontage up to a maximum of four hundred and fifty (450) square feet of sign surface area is permitted.
 - (b) Wall Signs Permitted: Three (3) individual wall signs are permitted indicating only a business name and address, the major enterprise or a principal product offered for sale on the premises or a combination of these. The three (3) individual signs must have a minimum separation distance upon the building

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façade equal to or greater than twenty percent (20%) of the linear dimension of the business site frontage.

Additional wall signs are permitted under the following conditions:

- (1.) Freestanding businesses adjacent to or with an unobstructed line of sight to at least two (2) public streets; and
- (2.) Outparcels and businesses in shopping centers with more than one primary façade with “business site frontage”;

then in such cases a fourth wall sign shall be permitted provided that the total sign surface area of all signs shall not exceed the total sign surface area permitted under subsection (B)2(a) of this section, the minimum separation distance between such signs complies with the requirements in subsection (B)2(b), and that a maximum of three (3) wall signs may be erected on any one façade.

In addition to this number, one additional bonus wall sign may be permitted provided that the total sign surface area permitted under subsection (B)1(a) of this section shall be reduced by five percent (5%).

In no case shall there be more than five (5) wall signs for any business.

It is further provided that no additional wall sign provided for in this subsection shall face towards a residential zoning district unless there is an intervening public street with a minimum right of way width of eighty feet (80').

(c) Wall Sign Height Limitation:

- (1) Where a wall sign is attached to a permitted building on a building elevation which:
 - (i) Does not face a residential zoning district boundary, or
 - (ii) Faces a residential zoning district boundary, which is located at least one hundred fifty feet (150') from the building elevation on which the sign is located,

then in either such event such wall sign shall be no higher than one foot (1') below the top of the wall to which it is affixed or forty feet (40'), whichever is lower.
- (2) All other wall signs shall be no higher than one foot (1') below the top of the wall to which it is affixed or twenty feet (20'), whichever is lower.
- (3) Any sign which projects from the face of the wall shall be no lower than seven feet six inches (7'6") above average surrounding grade.

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- (d) Freestanding Sign Or Ground Sign Permitted: If such a business is not located within a shopping center, then such business shall be permitted to construct or erect one freestanding or ground sign subject to the following criteria:
- (1) Signs must contain brick or other similar material in keeping with the design of the principal structure.
 - (2) No other freestanding or ground sign shall be constructed or erected on the lot.
 - (3) The freestanding or ground sign shall not contain any advertisement other than the identity of the business located therein.
 - (4) The total sign surface area of the freestanding or ground sign shall not exceed ninety (90) square feet in area and shall be sign surface area permitted in addition to the total sign surface area permitted under subsection (B)2(a) of this section.
 - (5) The freestanding or ground sign shall not be constructed or erected to a height greater than twelve feet (12') above average surrounding grade. The sign surface area portion of the sign shall not be less than three feet (3') above the average surrounding grade. (Ord. 07-O-19, 8-13-2007)
3. Businesses in the B-1, B-2 and B-3 Districts Having A Gross Floor Area Of Ninety Thousand Square Feet Or More and all Businesses in B-4 District:
- (a) Total Sign Surface Area Permitted: One and one quarter (1¼) square feet of sign surface area for each one foot (1') of business site frontage up to a maximum of five hundred and fifty (550) square feet of sign surface area is permitted.
 - (b) Wall Signs Permitted: Three (3) individual wall signs are permitted indicating only a business name and address, the major enterprise or the principal product offered for sale on the premises or a combination of these. The three (3) individual signs must have a minimum separation distance upon the building facade equal to or greater than twenty percent (20%) of the linear dimension of the business site frontage.

Additional wall signs are permitted under the following conditions:

- (1.) Freestanding businesses adjacent to or with an unobstructed line of sight to at least two (2) public streets; and
- (2.) Outparcels and businesses in shopping centers with more than one primary façade with "business site frontage";

then in such cases a fourth wall sign shall be permitted provided that the total sign surface area of all signs shall not exceed the total sign surface area permitted under subsection (B)3(a) of this section, the minimum separation distance between such signs complies with the requirements in subsection (B)3(b), and that a maximum of three (3) wall signs may be erected on any one façade,

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In addition to this number, one additional bonus wall sign may be permitted provided that the total sign surface area permitted under subsection (B)3(a) of this section shall be reduced by five percent (5%).

In no case shall there be more than five (5) wall signs for any business.

It is further provided that no such wall sign provided for in this subsection shall face towards a residential zoning district unless there is an intervening public street with a minimum right of way width of eighty feet (80').

(c) Wall Sign Height Limitation:

(1) Where a wall sign is attached to a permitted building on a building elevation which:

- (i) Does not face a residential zoning district boundary, or
- (ii) Faces a residential zoning district boundary, which is located at least one hundred fifty feet (150') from the building elevation on which the sign is located.

then in either such event such wall sign shall be no higher than one foot (1') below the top of the wall to which it is affixed or forty feet (40'), whichever is lower.

(2) All other wall signs shall be no higher than one foot (1') below to top of the wall to which it is affixed or twenty feet (20'), whichever is lower.

(3) Any sign which projects from the face of the wall shall be no lower than seven feet six inches (7'6") above average surrounding grade.

(d) Freestanding Sign Or Ground Sign Permitted for the B-1, B-2 and B-3 Districts: If such a business is not located within a shopping center and is not in the B-4 District, then such business may elect to construct or erect one freestanding or ground sign subject to the following criteria:

(1) Signs must contain brick or other similar material in keeping with the design of the principal structure.

(2) No other freestanding or ground sign shall be constructed or erected on the lot.

(3) The freestanding or ground sign shall not contain any advertisement other than the identity of the business located therein.

(4) The total sign surface area of the freestanding or ground sign shall not exceed ninety (90) square feet in area and shall be sign surface area permitted in addition to total sign area permitted under subsection (B)3(a) of this section.

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- (5) The freestanding or ground sign shall not be constructed or erected to a height greater than twelve feet (12') above average surrounding grade. The sign surface area portion of the sign shall not be less than three feet (3') above the average surrounding grade.
- (e) Freestanding Sign Or Ground Sign Permitted in the B-4 District: If a business is located within the B-4 District, has a minimum of two hundred feet (200') of business site frontage: A maximum of one (1) freestanding or ground sign is permitted subject to the following criteria:
 - (1) Signs must contain brick or other similar material in keeping with the design of the primary structure.
 - (2) No other freestanding or ground signs shall be constructed or erected within the area comprising the business.
 - (3) The freestanding or ground signs shall not contain any advertisement other than the identity of the business located therein.
 - (4) The total sign surface area of each ground sign shall not exceed four hundred (400) square feet in area and shall be sign surface area permitted in addition to the total sign surface area permitted this subsection.
 - (5) The sign shall not be constructed or erected to a height greater than twenty-four feet (24') above average surrounding grade. The sign surface area portion of the sign shall not be less than three feet (3') above the average surrounding grade.
- 4. Shopping Center Freestanding Signs Or Ground Signs:
 - (a) Shopping centers having less than ten (10) acres: One freestanding or ground shopping center identification sign is permitted subject to the following criteria:
 - (1) Signs must contain brick or other similar material in keeping with the design of the principal structure.
 - (2) No other freestanding or ground sign shall be constructed or erected within the area comprising the shopping center.
 - (3) The freestanding or ground shopping center identification sign shall not contain any advertisement other than the identity of the shopping center, the address, and the businesses located therein, except for leasing information, not exceeding 16 square feet in sign surface area, only when there is no other Real Estate sign(s) pursuant to 9-11-5(A)2. Leasing information on a Ground Sign pursuant to this paragraph shall be in addition to the permitted sign surface area of a Freestanding Sign or Ground Sign.

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- (4) The total sign surface area of the shopping center identification sign shall not exceed one hundred (100) square feet in area and shall be sign surface area permitted in addition to the total sign area in subsections (B)1, (B)2 and (B)3 of this section. The panel or area identifying the shopping center shall not be included in the calculation of the sign surface area provided that said panel or area does not exceed fifteen percent (15%) of the total area of each sign face.
 - (5) The shopping center identification sign shall not be constructed or erected to a height greater than sixteen feet (16') above average surrounding grade. The sign surface area portion of the sign shall not be less than three feet (3') above the average surrounding grade.
- (b) Shopping centers having not less than ten (10) acres and having a minimum of two hundred feet (200') of frontage on each of any two (2) designated arterials (Illinois Route 83, 63rd Street, 75th Street, Plainfield Road): A maximum of two (2) freestanding or ground shopping center identification signs are permitted subject to the following criteria:
- (1) A maximum of one sign is allowed along each arterial.
 - (2) Signs must contain brick or other similar material in keeping with the design of the primary structure.
 - (3) No other freestanding or ground signs shall be constructed or erected within the area comprising the shopping center, except as permitted in this subsection.
 - (4) The freestanding or ground shopping center identification sign shall not contain any advertisement other than the identity of the shopping center, the address, and the businesses located therein, except for leasing information, not exceeding 16 square feet in sign surface area, only when there is no other Real Estate sign(s) pursuant to 9-11-5(A)2. Leasing information on a Ground Sign pursuant to this paragraph shall be in addition to the permitted sign surface area of a Freestanding Sign or Ground Sign.
 - (5) The total sign surface area of each shopping center identification sign shall not exceed four hundred (400) square feet in area and shall be sign surface area permitted in addition to the total sign surface area permitted in subsections (B)1, (B)2 and (B)3 of this section. The panel or area identifying the shopping center shall not be included in the calculation of the sign surface area provided that said panel or area does not exceed fifteen percent (15%) of the total area of each sign face.
 - (6) The shopping center identification sign shall not be constructed or erected to a height greater than twenty-four feet (24') above average surrounding grade. The sign surface area portion of the sign shall not be less than three feet (3') above the average surrounding grade.

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- (7) In addition to the shopping center identification signs permitted herein, outparcel ground signs shall be permitted on a shopping center outparcel created as a building site for one principal building or use. An outparcel ground sign shall not exceed a height of five feet (5') and shall not exceed a total sign surface area of sixty four (64) square feet.
- (C) L-O-P Limited Office Professional District, O-R Office And Research District, L-O-R Limited Office And Research District, M-1 Light Manufacturing District and Non-Residential Uses in Residential Districts:
1. Total Sign Surface Area Permitted:
 - (a) Single-Tenant Buildings or Multi-Story Multi-Tenant Buildings: One square foot of sign surface area for each one foot (1') of business site frontage up to a maximum of one hundred square feet of sign surface area is permitted. Signs may only indicate the business name, building name, address or the major enterprise or a combination of these.
 - (b) Single-Story Multi-Tenant Buildings: One square foot of sign surface area for each one foot (1') of business site frontage up to a maximum of fifty (50) square feet of sign surface area is permitted. Signs may only indicate the major tenant or business name, the building name, address or a combination of these.

In addition, individual businesses located in a single-story multi-tenant building with direct ingress/egress to the outside are permitted one square foot of sign surface area for each one foot (1') of business site frontage up to a maximum of thirty (30) square feet of sign surface area indicating the business name,
 2. Wall Signs Permitted:
 - (a) Single-Tenant Buildings or Multi-Story Multi-Tenant Buildings Located Upon Interior Lots or Parcels: One wall sign is permitted provided that the total sign surface area shall not be in excess of that permitted in subsection (C)1(a) of this Section.
 - (b) Single-Tenant Buildings or Multi-Story Multi-Tenant Buildings Located Upon Corner Lots or Parcels: One wall sign may be erected or constructed on each façade having Business Site Frontage onto a public street provided that the total sign surface area shall not be in excess of that permitted in subsection (C)1(a) of this Section.
 - (c) Single-Story Multi-Tenant Buildings: One wall sign indicating the major tenant or business name, the building name, address or a combination of these and one additional wall sign for each individual tenant space may be erected according to the provisions of subsection (C)1(b) of this section.
 3. Wall Sign Height Limitations:
 - (a) Where a wall sign is attached to a permitted building on a building elevation which:

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- (1) Does not face a residential zoning district boundary, or
 - (2) Faces a residential zoning district boundary, which is located at least one hundred fifty feet (150') from the building elevation on which the sign is located,

then in either such event such wall sign shall be no higher than one foot (1') below the top of the wall elevation to which it is affixed or forty feet (40'), whichever is lower.
- (b) All other wall signs shall be no higher than one foot (1') below the top of the wall elevation to which it is affixed or twenty feet (20') whichever is lower.
 - (c) Any sign which projects from the face of the wall shall be no lower than seven feet six inches (7'6") above average surrounding grade.
4. Freestanding Sign Or Ground Sign Permitted:
- (a) If a business or use is located upon a lot or parcel having a lot width of not less than one hundred feet (100'), then such business or use shall be permitted to construct one (1) freestanding or ground sign.
 - (b) If a business or use is located upon a lot or parcel having a lot width of not less than two hundred and fifty feet (250'), an area of not less than four (4) acres and frontage on two (2) or more public streets, then such business or use shall be permitted to construct two (2) freestanding or ground signs provided that not more than one (1) such sign can be placed along a particular street frontage and that such signs must be no closer to each other than one hundred feet (100') as measured along the exterior lot lines adjacent to the signs.
 - (c) Such freestanding or ground signs shall be subject to the following limitations:
 - (1) No such sign shall be constructed or erected so that any part thereof is located closer than twenty feet (20') from the nearest existing freestanding or ground sign.
 - (2) A ground sign shall have no more than two (2) sign surfaces.
 - (3) Signs must contain brick or other similar material in keeping with the design of the primary structure.
 - (4) Any such individual freestanding or ground sign shall not exceed a total sign surface area of fifty-five (55) square feet. The sign surface area for a permitted freestanding or ground sign shall be in addition to the permitted total sign surface area in subsection (C)1.
 - (5) No freestanding or ground sign shall be constructed or erected to a height greater than ten feet (10') above the average surrounding grade except that a freestanding or ground sign constructed on a lot with a non-residential use in a residential district shall not exceed eight feet (8') above the average surrounding grade.

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- (6) The sign surface area portion of the sign shall not be less than two feet (2') above the average surrounding grade.
- (7) The freestanding or ground sign shall not contain any advertisement other than the business name and address, the major enterprise, the building name or the identity of the building tenants or a combination of these, except for leasing information, not exceeding sixteen (16) square feet in sign surface area, only when there is no other Real Estate sign(s) pursuant to 9-11-5(A)2. Leasing information on a Ground Sign pursuant to this paragraph shall be in addition to the permitted sign surface area of a Freestanding Sign or Ground Sign and shall not be subject to removal pursuant to 9-11-5A2.

9-11-13: SIGN ILLUMINATION STANDARDS:

- (A) Signs in direct line of vision of motorists approaching any traffic signal shall not have red, green or amber illumination.
- (B) Neither the direct nor reflected light from primary light sources shall create a traffic hazard for or confuse operators of motor vehicles on public thoroughfares.
- (C) No sign shall have moving, blinking, flashing or fluttering lights or other illuminating device, which has a changing light intensity, brightness or color. Searchlights are permitted only as specifically provided in Sec. 9-11-5(C)2 in this chapter.
- (D) No exposed reflective type bulb or incandescent lamp which exceeds fifteen (15) watts shall be used on the exterior surface of any sign so as to expose the face of the bulb, light or lamp to any public street or adjacent property. (Ord. 82-O-39, 9-8-1982)
- (E) All sources of light, whether by direct exposure, surface reflection or transmission, having an intrinsic brightness greater than thirty (30) foot-lamberts shall be shielded so that the source of light cannot be seen at any point within a residential district.
- (F) Any luminous source of light, whether direct exposure, surface reflection or transmission whose total area is larger than one square foot and which can be seen from any point within a residential district shall not exceed a brightness value of one hundred fifty (150) foot-lamberts.
- (G) No source of light shall be permitted to cause illumination in excess of one-half (1/2) foot-candle in a residential district. (Ord. 82-O-39, 9-8-1982; amd. Ord. 97-O-05, 1-27-1997)
- (H) The light from any illuminated sign shall be so shaded, shielded or directed that the light intensity or brightness will not be objectionable to surrounding areas. (Ord. 82-O-39, 9-8-1982)

9-11-14: REQUIRED LANDSCAPING: Every permit application for a freestanding or ground sign shall be accompanied by a landscape plan meeting the standards hereinafter specified:

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- (A) For every square foot of sign surface area, there shall be provided one and one-half (1 1/2) square feet of landscape area.
- (B) Any freestanding or ground sign constructed or erected to a height in excess of eight feet (8') above the average surrounding grade shall be required to be improved with an additional one and one-half (1 1/2) square feet of landscaped area for each foot of height or portion thereof that said sign is constructed or erected above said eight feet (8') in height. The additional landscaping requirements set forth herein shall not exceed six (6) square feet.
- (C) Sodded or seeded areas shall not qualify as such a landscaped area. (Ord. 82-O-39, 9-8-1982)
- (D) The required landscaped areas shall be improved with such plantings as hedges, conifers, flowering plants, evergreens, etc., of a size and in quantity proportionate to the size and height of the sign as judged by the director of municipal services. (Ord. 82-O-39, 9-8-1982; amd. Ord. 85-O-11, 3-25-1985; Ord. 05-O-32, 11-14-2005)
- (E) In addition to the plantings herein described, the landscaped area shall also include ground protection such as, but not limited to, ground cover plants, landscaping bark, decorative stone or landscape timbers.
- (F) It shall be the duty of each party owning any lot or parcel improved or to be improved with the landscaping required herein to maintain said landscaping including, but not by way of limitation, the replacement of any dead or diseased vegetation, the trimming of any overgrown vegetation and the maintenance of any ground cover or protection provided in accordance with the terms hereof. (Ord. 82-O-39, 9-8-1982)

9-11-15: NONCONFORMING SIGNS: All signs presently erected and maintained in the village as of August 9, 1982, being the date upon which this chapter was adopted, or which shall come to be located within the corporate limits of the village by virtue of any annexation after the date aforesaid, shall be subject to the following regulations:

- (A) **Legal Signs:** All signs existing within the corporate limits of the village as of the date of the adoption of this chapter or which shall become subject to the terms of this code by reason of annexation and which shall be in compliance with the rules and regulations set forth herein, shall be considered to be legal signs and shall hereafter be owned, operated and maintained in conformance with the regulations contained herein. (Ord. 82-O-39, 9-8-1982)
- (B) **Legal Nonconforming Signs:** Any sign which existed lawfully on the date of the adoption of this chapter and which remains or becomes nonconforming by reason of the adoption of this chapter or because of any subsequent amendment thereto, or which shall become nonconforming by reason of the annexation to the village of Willowbrook of the lot or parcel on which said sign is located, shall be considered a legal nonconforming sign and may be continued only in accordance with the regulations hereinafter set forth: (Ord. 95-O-13, 6-26-1995; amd. Ord. 97-O-05, 1-27-1997)
 - 1. **Special Conditions For Legal Nonconforming Signs:** It is reasonable that special conditions be placed upon the continuance of existing legal nonconforming signs. This special condition program permits the continued use of the legal nonconforming sign while at the same time assuring eventual compliance with the provisions of this chapter.

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- (a) Continuation Of Legal Nonconforming Signs: Subject to the termination provisions set forth below, a legal nonconforming sign may be continued in operation and maintained provided, however, that no such sign shall be changed in any manner; and, provided further, that the burden of establishing a sign to be legal nonconforming under this chapter rests entirely upon the person claiming a nonconforming status for a sign. Routine maintenance and repairs shall be permitted in accordance with the regulations hereinafter set forth:
- (1) Repairs, Alterations, Expansion, Moving: The owner or beneficial user of any legal nonconforming sign shall maintain such sign in good condition and repair provided that such sign shall not be changed or altered in any manner which would increase the degree of its nonconformity; shall not be changed to another legal nonconforming sign; shall not be expanded; shall not be structurally altered to prolong its useful life; or shall not be moved in whole or in part in any other location where it would remain nonconforming.
 - (2) Exception For Repairs Pursuant To Public Order: Nothing in this section shall be deemed to prevent the strengthening or restoration to a safe condition of a legal nonconforming sign in accordance with a reasonable order of a public official who is charged with protecting the public safety and who declares such a sign to be unsafe and orders its restoration to a safe condition, provided such restoration is not otherwise in violation of the various provisions of this section prohibiting the repair or restoration of partially damaged or destroyed signs.
- (b) Termination Or Loss Of Legal Nonconforming Sign Status:
- (1) By Abandonment: Any legal nonconforming sign, the use of which is discontinued for a period of sixty (60) days, shall be presumed abandoned and shall not thereafter be reestablished. Any period of such discontinuance caused by government actions, strikes, material shortages or acts of God, and without any contributing fault by the owner of such sign shall not be considered in calculating the length of discontinuance for purposes of this section.
 - (2) By Violation Of This Chapter: Any violation of the provisions of this chapter with respect to a legal nonconforming sign shall immediately terminate the right to maintain such legal nonconforming sign.
 - (3) By Destruction, Damage Or Obsolescence: The right to maintain any legal nonconforming sign shall terminate whenever the sign:
 - (i) Is damaged or destroyed, from any cause whatsoever, to the extent that its repair or replacement cost exceeds fifty percent (50%) of its replacement cost as of the date it became nonconforming, or
 - (ii) Becomes obsolete or substandard under any applicable ordinance of the village, or

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- (iii) Becomes a hazard or a danger to the safety or welfare of the general public, or
 - (iv) Is destroyed, from any cause whatsoever.
 - (4) **By New Development On The Lot:** Where substantial new construction occurs on a lot, any legal nonconforming sign which may exist on said lot shall be removed or modified as necessary to conform with all elements of this chapter. This shall occur before permits are issued for site development and building construction on the lot. For the purposes of this section, substantial new construction shall include any new development or redevelopment that involves one or more of the following criteria on the lot:
 - (i) Granting of a special use permit.
 - (ii) Granting of a variation.
 - (iii) Expansion of the footprint of an existing building by more than five hundred (500) square feet.
 - (iv) Demolition and reconstruction of the existing principal building.
 - (v) Renovation of existing principal building that involves:
 - (1) In excess of fifty percent (50%) of the gross floor area of the existing building.
 - (2) Construction of a new exterior facade that includes in excess of fifty percent (50%) of the total area of all exterior building elevations. (Ord. 95-O-13, 6-26-1995)
- 2. **Maintenance And Landscaping:** All legal nonconforming signs shall, within eighteen (18) months of the date set forth in this section, be brought into compliance with each rule and regulation set forth in this title relating to the maintenance and landscaping of signs and of lots and parcels improved with signs.
- 3. **Vending Machines, Gasoline Pricing, And Service Station Informational Signs:** All legal nonconforming vending machine, gasoline pricing and service station informational signs shall, within eighteen (18) months of the date first set forth in this section, be brought into compliance with each rule and regulation set forth in this chapter relating to such signs. (Ord. 95-O-13, 6-26-1995; amd. Ord. 97-O-05, 1-27-1997)
- (C) **Illegal And Prohibited Signs:** All signs rendered illegal or prohibited by the terms of this chapter shall, within sixty (60) days of the date set forth in this section, be removed. (Ord. 82-O-39, 9-8-1982)
- (D) **Inventory Of Signs:** The village has developed and shall maintain an inventory of all signs existing within the corporate limits of the village as of the date set forth in this section. Any person wishing to determine the classification of any sign regulated pursuant to the terms of this title may request the director of municipal services to make available for inspection the inventory of signs

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maintained hereunder. (Ord. 82-O-39, 9-8-1982; amd. Ord. 87-O-20, 5-11-1987; Ord. 97-O-05, 1-27-1997; Ord. 05-O-32, 11-14-2005)

9-11-16: SIGNS REGULATED UNDER THE HIGHWAY ADVERTISING CONTROL ACT OF 1971: Signs not indicating a bona fide business conducted or a product sold on the same premises, which are permitted and regulated pursuant to section 4.04 of the highway advertising control act of 1971, as amended, shall be permitted hereunder, provided that: (Ord. 89-O-18, 5-8-1989)

- (A) No such sign shall be constructed or erected on any zoning lot in the R-1, R-1A, R-2, R-3, R-4 or R-5 residential districts. (Ord. 97-O-05, 1-27-1997)
- (B) Such signs shall be located within six hundred sixty feet (660') of the right of way of a highway designated by the Illinois department of transportation, and approved by the United States department of transportation, as a part of the national system of interstate and defense highways or the federal aid primary system, and such signs must be visible from the main traveled way of such highway.
- (C) Such signs shall comply with all of the requirements of the Illinois highway advertising control act of 1971, as amended, except where this section imposes more restrictive requirements, in which case such signs shall comply with the more restrictive requirements of this section.
- (D) Such signs shall be the subject of a current and validly issued Illinois department of transportation permit.
- (E) Not more than one such sign shall be constructed or erected on any zoning lot. (Ord. 89-O-18, 5-8-1989)
- (F) Such signs shall comply with the sign illumination standards, the construction, maintenance, location and general provisions sections of this chapter. (Ord. 97-O-05, 1-27-1997)
- (G) Such signs shall comply with the setback and yard requirements for freestanding and ground signs in the zoning district in which the sign is located.
- (H) Such signs shall not exceed twelve feet (12') in height, above average surrounding grade, including border and trim, ornamental base or apron, supports and other structural members.
- (I) Such signs shall be constructed or erected so that no part of the sign is located closer than twenty feet (20') from the nearest existing freestanding or ground sign which indicates a bona fide business conducted or product sold on the zoning lot whereon such existing sign is located, and no part of the sign is closer than eighty feet (80') from the boundary of any residentially zoned district.
- (J) The combined sign surface area of all signs on any lot or parcel, including the sign regulated pursuant to section 4.04 of the highway advertising control act of 1971, shall not exceed the maximum sign surface area permitted for lots or parcels in the applicable zoning district. (Ord. 89-O-18, 5-8-1989)

Exhibit 3

**Shopping Center 10 acres + and
at least 200' frontage on each of
2 designated arterials**

BUSINESS DISTRICTS	Businesses in B1, B2, B3 <35000	Business in B1, B2, B3 35,000-89999	Business in B1, B2, B3 90,000 AND all B4	Business in B4, minimum 200 feet bsf on designate arterial	Shopping Center < 10 acres	
Total Sign Surface Area	1.25/linear foot or max 350 sf	1.25/linear foot or max 450 sf	1.25/linear foot or max 550 sf			
Wall Signs						
Number		1	3	3		
Content	Name, address, major enterprise, principal product or combination	Name, address, major enterprise, principal product or combination	Name, address, major enterprise, principal product or combination			
Bonus						
Freestanding business with unobstructed sight to at least 2 streets, and outparcels and businesses in Shopping Centers with more than one facade with "business site frontage"	equivalent of 1 for each facade area not to exceed SSA	+1 not to exceed SSA	+1 not to exceed SSA			
Super Bonus	+1 if SSA is reduced by 5%	+1 if SSA is reduced by 5%	+1 if SSA is reduced by 5%			
Max per facade	3	3	3	3		
Max per business	5	5	5	5		
Minimum spacing between signs	= or > 20% of site frontage	= or > 20% of site frontage	= or > 20% of site frontage			
Restrictions	Can't face residential zoning district unless 80' row	Can't face residential zoning district unless 80' row	Can't face residential zoning district unless 80' row			
Height						
For signs not facing residential or 150'+ separation if facing residential	lower of 1' below top of wall or 40'	lower of 1' below top of wall or 40'	lower of 1' below top of wall or 40'			
For signs that face residential or are < 150' from building elevation to residential	lower of 1' below top of wall or 20'	lower of 1' below top of wall or 20'	lower of 1' below top of wall or 20'			
No lower than	7'6"	7'6"	7'6"			
Freestanding Sign						
Number						
Business in Shopping Center	0	0	0	0		
Stand Alone Business	1	1	1 if not in B-4	2		
Number per arterial street				1		1 1/arterial, 2 max
Restrictions						
Minimum Lot Width	100'	Any	Any	Any		
Construction	Brick or material similar to bldg	Brick or material similar to bldg	Brick or material similar to bldg			
Other FS GS on lot?	No	No	No	No	No	No, except for "outparcels"
Separation from other FS GS	20'	Not regulated	Not regulated	Not regulated	Not regulated	Not regulated
Content	Identity of Business Only	Name of Shopping Center and business names only	Name of Shopping Center and business names only			
Count Against SSA	Yes	No	No	No	No	No
Maximum Area	Based on SSA allowed	90 square feet	90 square feet	400 square feet	100 square feet (SC ID not counted against SSA if not exceed 15% of each sign face)	400 square feet (SC ID not counted against SSA if not exceed 15% of each sign face)
Reduce if taller than 8'	7.5 square feet/foot above 8'	NA	NA	NA	NA	NA
Maximum Height	Not less than 3' above ASG to maximum 12'	Not less than 3' above ASG to maximum 12'	Not less than 3' above ASG to maximum 12'	Not less than 3' above ASG to maximum 24'	Not less than 3' above ASG to maximum 15'	not less than 3' above ASG to maximum 24'

LOP, OR, LOR AND MI DISTRICTS

	1 Tenant or multi-story multi tenant	1 story multi tenant buildings
Total Sign Surface Area	1 sqft : 1' of frontage, maximum 100 sqft	1 sqft:1 of frontage, maximum fifty sqft (50)
Content	Business name, buildig name, address, major enterprise or a combination	Major tenant, business name, building name, address or combination
Bonus	None	1sqft:1' frontage maximum 30 square feet indicating business name only for each tenant if tenant has direct ingress/egress to outside
Bonus Content		Business Name
Wall Signs		
Number		
On Interior Lots	1 not to exceed SSA	NA
On Corner Lots	1 for each façade with frontage on public street, not to exceed SSA	NA
On All Lots		1 indicating major tenant, business name, building name, address or combination PLUS 1 for each individual tenant space if tenant has direct ingress/egress to outside
Height		
Not face residential or residential 150'+ from building elevation	lower of 1' below top of wall elevation to which it is affixed or 40'	lower of 1' below top of wall elevation to which it is affixed or 40'
Face Residential or < 150' from building elevation to residential	lower of 1' below top of wall elevation to which it is affixed or 20'	lower of 1' below top of wall elevation to which it is affixed or 20'
No lower than	7'6" above ASG	7'6" above ASG
Freestanding Sign		
Number		
For Business/Use having lot width of not less than 100'	1	1
For Business/Use having lot width of not less than 250, area not less than 4 acres, and frontage on two or more public streets	2, with no more than 1/street frontage, and signs are no closer to each other than 100' as measured along the exterior lot lines adjacent the signs	2, with no more than 1/street frontage, and signs are no closer to each other than 100' as measured along the exterior lot lines adjacent the signs
Restrictions		
Separation	20'	20'
Maximum Sign Faces	2	2
Construction	Brick or material similar to building	Brick or material similar to building
Area	55 sqft	55 sqft

Counted against SSA

No

No

Exhibit 3

Height (Non-residential Districts)

10' above ASG

10' above ASG

Height (Non-residential uses in Residential Districts)

8' above ASG

8' above ASG

Minimum distance from grade

3'

3'

Content

Business name, address, major enterprise, building name, identity of tenants or combination

Business name, address, major enterprise, building name, identity of tenants or combination

To: Robert A. Novelle, Jr., Village Ethics Officer
From: William J. Hennessy, Village Attorney
Re: Request for Guidance on a Question Concerning
the Interpretation of, and Compliance with, the
Village Code of Ethics.
CC: President and Board of Trustees of the Village of
Willowbrook, Illinois
Date: June 24, 2010

QUESTION PRESENTED:

The purpose of this memorandum is to formally request your professional determination of the following question: Were President Napoli to participate in a vote on a Resolution to award the Village's 2010-2011 Motor Fuel Tax Roadway Maintenance Program Contract to the James D. Fiala Paving Company, Inc., would his voting participation on that Resolution give rise to either the appearance or the actuality of a conflict of interest under the terms, conditions and provisions of the Village Code of Ethics?

BACKGROUND:

This question arises in consequence of concerns voiced by some trustees that President Napoli's prior involvement as a retained expert appraisal witness for the plaintiffs in the following lawsuit conflicts with the proper performance of his duties and responsibilities as an officer of the Village given the conflict of interest prohibitions set forth in the said Code. This lawsuit is entitled as:

***STANDARD BANK & TRUST COMPANY, a Corporation of Illinois,
TUT #18303; JAMES D. FIALA, as Sole Beneficiary of the Trust;
and LAMAR ADVANTAGE GP COMPANY, LLC., d.b.a. LAMAR
ADVERTISING OF NORTHWEST INDIANA, a Delaware Limited
Liability Company v. THE COUNTY OF COOK, a Body Corporate
and Politic, No. 08CH9855.***

This lawsuit is scheduled for trial next month in the Circuit Court of Cook County. The case embraces a Complaint for Declaratory Judgment holding the Cook County Zoning Ordinance unconstitutional as applied to the subject property (a 49± acre industrial parcel located in unincorporated Lemont Township) and for an Injunction authorizing plaintiffs' proposed use of the same with two (2) outdoor advertising signs as described in the said Complaint. Following the County's denial of plaintiffs' March 1, 2007 Variance Applications, this lawsuit was filed on March 14, 2008.

The plaintiff James D. Fiala, as beneficiary aforesaid, is the owner of the subject property. The plaintiff Lamar Advertising is a contract lessee from Mr. Fiala with said lease conditioned upon both parties securing all such variation relief from the County's Zoning Ordinance as will allow it to erect such advertising signage upon the said property. Mr. Fiala is a necessary party to this lawsuit as, without his participation as the property owner, Lamar Advertising would not have the standing necessary under Illinois law to prosecute the lawsuit. The said property is not owned by the James D. Fiala Paving Company, Inc.

I am the counsel for the plaintiffs in this lawsuit. I have been retained by Lamar to represent both plaintiffs. Mr. Napoli has been retained by Lamar to act as both plaintiffs' expert appraisal witness. In no respect are Mr. Napoli or myself being compensated by Mr. Fiala for our respective professional services in this lawsuit. Our entire compensation is per professional engagement contracts with Lamar.

THE PRESIDENT'S RECUSAL:

On April 12, 2010, a regular meeting of the Village Board of Trustees occurred at which a Resolution Item appeared in its Official Agenda to award the Village's 2010-2011 Motor Fuel Tax Roadway Maintenance Program Contract to the James D. Fiala Paving Company, Inc. as the recognized low bidder per a sealed bid process. Before any Board action was taken on this Resolution, both President Napoli and I reported to the Board our prior involvement in the above-referenced lawsuit. Neither the President nor I felt there was any conflict but reported said involvement in the interest of full transparency. Nevertheless, some trustees felt otherwise and, in consequence, the Board voted that evening to defer a decision on the Resolution pending receipt of additional information from Village Staff.

On April 26, 2010, the Board again met to consider the Resolution. To eliminate any concern among the Trustees regarding the issue of conflict, Mr. Napoli recused himself from both the discussion of, and the voting upon, the Resolution. Notwithstanding this recusal and instead of voting upon the Resolution to award the contract to the low bidder, the James D. Fiala Paving Company, Inc., the Board (on a 3-2 vote) awarded the contract to Crowley-Sheppard Asphalt, Inc., the next lowest bidder among a total field of eight bidders.

THE PRESIDENT'S VETO:

On April 27, 2010, the new owners of the James D. Fiala Paving Company, Inc. wrote the Village to advise of the following: (1) that James D. Fiala had sold the company to new ownership over a year ago in March of 2009, and (2) that, as the rightful low bidder they were now considering their legal options. Upon receipt of this letter, Mr. Napoli realized that there was now clearly no conflict of interest. Accordingly, on April 29, 2010, the President vetoed the Board's action

of April 26, 2010 which had instead awarded the said contract to Crowley Sheppard Asphalt, Inc.

THE AWARD OF THE 2010-2011 MFT CONTRACT:

At present, none of the eight (8) companies that submitted sealed bids on this contract have secured an award of the same from the Village. Because of the pressing need to resurface some 1.91 miles of Village streets, an award of the MFT contract needs to be made without delay. Because no vote was ever actually taken on the Resolution to award the contract to the low bidder, the James D. Fiala Paving Company, Inc., the President now intends to again bring that Resolution before the Board for a vote. If necessary, he intends this time to vote on the matter, but only after your determination of the question raised hereinabove. Should you determine that his voting participation on this Resolution would give rise to either the appearance or the actuality of a conflict of interest, he will not so participate in the vote; however, in the event you determine otherwise, he will so participate in the vote if such proves necessary to decide the matter.

APPENDIX:

To assist you in better understanding this matter and determining the question, I append hereto the following for your reference:

- The April 12, 2010 MFT Agenda Sheet
- A Chronology of the MFT Matter
- A Copy of the Standard Bank Lawsuit
- A Copy of the Village Code of Ethics

ADDITIONAL SUBMISSIONS:

Should you require any further information, do not hesitate to contact me.

VILLAGE OF WILLOWBROOK

BOARD MEETING AGENDA ITEM - HISTORY/COMMENTARY

ITEM TITLE:

A RESOLUTION AWARDING 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

AGENDA NO. 13

AGENDA DATE: 04/12/10

STAFF REVIEW: Tim Halik,
Director of Municipal Services

SIGNATURE: Tim Halik

LEGAL REVIEW: N/A

SIGNATURE: _____

RECOMMENDED BY VILLAGE ADMIN.:

SIGNATURE: Mary E. Quinn

REVIEWED & APPROVED BY COMMITTEE:

YES on 03/01/10 NO N/A

ITEM HISTORY (PREVIOUS VILLAGE BOARD REVIEWS, ACTIONS RELATED TO THIS ITEM, PERTINENT HISTORY)

This season's Roadway Maintenance Program will include full-depth patching, partial milling, resurfacing, and re-striping of 1.91 miles of roadway located in the general northwest quadrant of town. This road work is in addition to the reconstruction project of Clarendon Hills Road between 75th Street and 79th Street, which was recently awarded by IDOT as an ARRA stimulus funded project.

Since the funding for this work will come from the Village Motor Fuel Tax (MFT) Fund, the construction bid documents were required to be submitted to the Illinois Department of Transportation (IDOT) for approval prior to going out to public bid. Once IDOT reviewed and approved the bid document, the project was put out to bid. The public bid opening was held at the Village Hall on Monday, April 5, 2010 at 11:00 AM.

<u>VENDOR</u>	<u>BID AMOUNT</u>
<i>Engineer's Estimate</i>	\$221,050.00
James D. Fiala Paving Co., Inc.	\$191,689.00
Crowley Sheppard Asphalt, Inc.	\$209,045.00
K-Five Construction Corp.	\$214,006.00
Central Blacktop Co., Inc.	\$218,457.50
Chicagoland Paving Contractors, Inc.	\$220,010.00
Brothers Asphalt Paving, Inc.	\$228,240.00
Schroeder Asphalt Services, Inc.	\$229,468.50
RW Dunteman Company	\$261,818.50

James D. Fiala Paving Co., Inc. is an IDOT pre-qualified bidder. They have performed work in the Village in the past. The company is well qualified to complete our roadway maintenance program this year.

STAFF RECOMMENDATION:

Staff would recommend that the attached resolution authorizing the Village President and Village Clerk to award the contract for the 2010 MFT Roadway Maintenance Program to James D. Fiala Paving Co., Inc. in the amount of \$191,689.00 be adopted. Once the Village Board awards the contract, the contract will then be sent to IDOT for final approval. Once IDOT approves the contract, the Village can issue a Notice to Proceed to the contractor, and the work will begin. Staff anticipates that the work would start in mid-May.

CHRONOLOGY of VILLAGE BOARD ACTION

2010 MFT ROADWAY MAINTENANCE CONTRACT

April 5, 2010:

A sealed bid opening for the 2010 MFT funded Roadway Maintenance Program work takes place:

Low Bidder – Fiala Paving, \$191,689.00

Second to Low Bidder – Crowley Sheppard, \$209,045.00

Village Board Meeting
of April 12, 2010:

Staff recommends to Village Board that the contract be awarded to Fiala Paving.

Before a vote is taken, Attorney Hennessy and President Napoli advise the Board of a separate business related matter they are involved with regarding property personally owned by Mr. James D. Fiala. Therefore, President Napoli will recuse himself from the discussion and vote.

The Village Board agrees to defer a vote to award a contract pending receipt and consideration of additional information to be provided by staff.

Village Board Meeting
of April 26, 2010:

Staff recommends to Village Board that contract be awarded to Fiala Paving.

Motion made by Trustee Mistele, seconded by Trustee Schoenbeck to award FY 10/11 MFT Roadway Maintenance Program to Crowley Sheppard.

<u>Vote:</u> Baker – Nay	}	
Kelly – Nay	}	
Mistele – Aye	}	Motion
Schoenbeck – Aye	}	Declared
O'Connor – Aye	}	Carried
Napoli – Recused	}	

April 27, 2010:

Director Halik contacts Fiala Paving to explain Board action of 4/26. This prompts Fiala to submit a written response advising that no conflict of interest exists due to the fact that James D. Fiala, the individual, sold the paving company to new ownership in March 2009. In the professional opinion of Director Halik, the letter also threatens possible litigation if Fiala is not awarded the project as the rightful low bidder.

April 29, 2010:

President Napoli issues a Veto Message, providing advanced notice to the Board, barring the MFT Contract to be awarded to Crowley Sheppard.

Village Board Meeting
of May 10, 2010:

Veto Message of April 29, 2010 is included in Board agenda.

Motion to Reconsider MFT Contract Award is listed as item #6 on Board agenda. Staff recommends To Village Board that contract be awarded to Fiala Paving.

Motion made by Trustee Kelly, seconded by Trustee Baker to rescind MFT Contract award to Crowley Sheppard.

<u>Vote:</u> Baker – Aye	}	
Kelly – Aye	}	
Mistele – Nay	}	Motion
Schoenbeck – Nay	}	Declared
O'Connor – Nay	}	Failed
Napoli – Recused	}	

Village Board Meeting
of May 24, 2010:

Motion to Override President's Veto of the Board Action of April 26, 2010 Awarding the 2010 MFT Roadway Maintenance Contract to Crowley Sheppard Asphalt, Inc. is listed as item #17 on Board agenda.

Motion made by Trustee Mistele, seconded by Trustee Schoenbeck to override President's veto.

<u>Vote:</u> Baker – Nay	}	
Kelly – Nay	}	
Mistele – Aye	}	Motion
Davi – Nay	}	Declared
Schoenbeck – Aye	}	Failed
O'Connor – Aye	}	

(3) That the Plaintiff, **STANDARD BANK & TRUST COMPANY**, as Trustee under Trust No. 18303 is the legal titleholder of the subject property of this proceeding.

(4) That the Plaintiff, **JAMES D. FIALA**, is the Sole Beneficial Owner of the said Trust and the Lessor of the said property under separate Lease Agreements with the Plaintiff **LAMAR ADVANTAGE GP COMPANY, L.L.C.**, d.b.a. **LAMAR ADVERTISING OF NORTHWEST INDIANA**, a Delaware Limited Liability Company, hereinafter "**LAMAR**".

(5) That the 2,159,457 square foot (49.5743 acre) parcel of land which is the subject property of this proceeding is located in unincorporated Lemont Township, County of Cook and State of Illinois; and, that the said subject property is legally described as:

*Lots 21, 26, 41 and 43 in County Clerk's Division in Section 30, Township 37 North, Range 11 East of the Third Principal Meridian; excepting therefrom that part of Lots 21, 26, 28, 41 and 43 in County Clerk's Division in Section 30, Township 37 North, Range 11 East of the Third Principal Meridian, taken as a tract and described as follows:
Beginning at a point on the Southerly line of said tract at a point 2310 feet Northeasterly of the Southwesterly corner thereof; thence Northwesterly at 90 degrees to the Southerly line thereof a distance of 200 feet; thence Northeasterly at 90 degrees to last described course a distance of 120 feet; thence Southeasterly at 90 degrees to last described course a distance of 200 feet to the Southerly line of said tract; thence Southwesterly a distance of 120 feet to the point of beginning in Cook County, Illinois.*

PIN #: 22-30-100-012-0000

ADDRESS: 12300 New Avenue, Lemont, Illinois, 60439

(6) That the Defendant **COUNTY OF COOK** is a Body Politic and Corporate by virtue of the laws of the State of Illinois and is charged with the administration of the zoning laws of the said County.

(7) That on or about March 1, 2007, Plaintiffs **FIALA** and **LAMAR** filed two (2) Applications for Variations from the Billboard and Off-Premise Outdoor Advertising Sign Ordinance of Cook County (Article 02-0-95 of the Cook County Zoning Ordinance of 2001) with the Defendant's Building and Zoning Department.

(8) The first Application (Sign A) sought the County's grant of Variations from the said Sign Ordinance to allow for the location and establishment of an Outdoor Advertising Sign on the subject property at a point approximately 230 feet North of the NWC of New Avenue and the Overhead Bridge Extension of I-355 then under construction; and, the second Application (Sign B) sought the County's grant of Variations from the said Sign Ordinance to allow for the location and establishment of an Outdoor Advertising Sign on the subject property at a point approximately 210 feet North of the NEC of New Avenue and the Overhead Bridge Extension of I-355 then under construction.

(9) The Variations requested to permit the location and establishment of Sign A were the following: a Variation permitting a reduction in the location of said sign relative to the I & M Canal from 500 feet to approximately 282 feet; and, a Variation permitting an increase in the height of the sign from 40 feet above lot grade to approximately 135 feet.

(10) The Variations requested to permit the location and establishment of Sign B were the following: a Variation permitting a reduction in the location of said sign relative to the I & M Canal from 500 feet to approximately 299 feet; and, a Variation permitting an increase in the height of the sign from 40 feet above lot grade to 135 feet.

(11) That the use of the subject property is governed by the Defendant's Zoning Ordinance of 2001, which Ordinance classifies said property under its I-2 General Industrial District zoning classification; and, that said I-2 General Industrial District zoning classification lists "Signs" as a permitted use on all property regulated by that zoning classification.

(12) That Variations from the otherwise applicable regulations of the Sign Ordinance are governed by the Standards for the allowance of same as set forth at Section 13.6.3 of the Cook County Zoning Ordinance of 2001.

(13) That following the Plaintiffs' filing of the aforesaid Sign Variation Applications, the Defendant's Zoning Board of Appeals conducted public hearings upon the same and unanimously voted to recommend approval of the aforesaid Variation Applications to the Defendant's Board of County Commissioners.

(14) That, on December 18, 2007, the Defendant's County Board of Commissioners denied the said Sign Variation Applications.

(15) That the said legislative decision of the Defendant's County Board of Commissioners denying the said Sign Variation Applications was an arbitrary, capricious and unreasonable act of that legislative body as it is clearly contrary to the unanimous Findings and Recommendations of its own Zoning Board of Appeals, which Findings and Recommendations are specifically based upon the aforesaid Zoning Ordinance standards governing the possible allowance of Variations to the Sign Ordinance.

(16) That the Plaintiffs are, and have been, prevented from developing the subject property with two (2) Outdoor Advertising Signs as proposed in Paragraph 8 by

the Defendant's refusal to grant the requested Sign Variation Applications as set forth in Paragraphs 9 and 10.

(17) That the Defendant's Outdoor Advertising Sign Ordinance, as applied to the Plaintiffs' subject property, denies to the said Plaintiffs the right to develop the said property for its highest and best use which use is that of two (2) Outdoor Advertising Signs on a Zoning Lot as described in Paragraph 8; and, that the Defendant's denial of the said proposed use is an arbitrary action of its legislative body contrary to the Findings and Recommendations of its own Zoning Board of Appeals and bearing no reasonable relationship to public health, safety, comfort, morals or welfare.

(18) That the Fifth and Fourteenth Amendments of the Constitution of the United States of America and Sections Two and Thirteen of Article II of the Constitution of the State of Illinois guarantee that the Plaintiffs shall be permitted to develop the subject property to its highest and best use; but, that the uses permitted the subject property by the Defendant under its Outdoor Advertising Sign Ordinance deny the Plaintiffs the highest and best use of the said property and, in effect, substantially reduce its use and value; that the Plaintiffs are guaranteed the right to use the said property for such highest and best use subject only to such burdens and restraints as are necessary to protect public health, safety, comfort, morals and general welfare; that Defendant's Outdoor Advertising Sign Ordinance, as applied, denies Plaintiffs the highest and best use of the said property without any corresponding benefit to public health, safety, comfort, morals and general welfare; and, that the Plaintiffs cannot dispose of the said property at the full value thereof because of such unnecessary restrictions.

(19) That the Defendant's Outdoor Advertising Sign Ordinance is contrary to the Constitution of the United States of America and the Constitution of the State of Illinois, insofar as it purports to apply to the subject property described herein and is invalid for the following reasons:

- a) *That said ordinance is contrary to and does not bear any reasonable relation to, or tend to permit or preserve, the public health, comfort, morals and safety or general welfare.*
- b) *That said ordinance is arbitrary, discriminatory and unreasonable.*
- c) *That said ordinance constitutes the taking of Plaintiffs' property without just compensation or due process of law.*
- d) *That said ordinance is confiscatory.*

(20) That, by reason of the matters set forth in this Complaint, the action of the Defendant in refusing to approve the Plaintiffs' Applications for Sign Zoning Variations from its Outdoor Advertising Sign Ordinance to develop the subject property with two (2) Outdoor Advertising Signs was an arbitrary, capricious and unreasonable act in that said action bore no real or substantial relationship to public health, safety, morals or general welfare.

(21) That the Plaintiffs' property and the rights of the Plaintiffs in that property, as well as the best interests of the general public, can best be served if Plaintiffs are permitted to develop the subject property with two (2) Outdoor Advertising Signs as proposed by the Plaintiffs; and, that any restrictions which the Defendant might place on the use and development of the subject property as described in this Complaint would violate, and be contrary to Sections 2 and 15 of Article I of the Constitution of the State

of Illinois and the Fifth and Fourteenth Amendments of the Constitution of the United States.

(22) That the Defendant, by its officers, agents and employees, has threatened to enforce the provisions of the said Outdoor Advertising Sign Ordinance against the Plaintiffs and the subject property owned by the Plaintiffs to prevent the use of the said property as proposed and if permitted to do so will cause irreparable harm and injury to the Plaintiffs.

(23) That a dispute has arisen between the Plaintiffs and the Defendant concerning the Plaintiffs' right to use the subject property as proposed; and, that it is therefore desirable and feasible that the court declare the rights of the parties.

WHEREFORE, the Plaintiffs pray:

(A) That this Court enter a Declaratory Judgment determining and decreeing that the Outdoor Advertising Sign Ordinance of the Defendant is invalid and void insofar as it relates to the Plaintiffs' subject property and prevents the development of that property with two (2) Outdoor Advertising Signs as described in this Complaint;

(B) That this Court determine and decree that the Plaintiffs, and anyone acting through, with, and under them, shall have the right to use the above-described subject property for said two (2) Outdoor Advertising Signs as described in this Complaint;

(C) That this Court issue an Order of Injunction restraining the Defendant and its officers, agents and employees from enforcing or endeavoring to enforce the Outdoor Advertising Sign Ordinance regulations of its Zoning Ordinance with respect to the

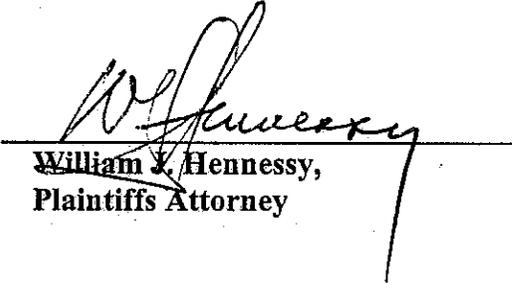
subject property so as to prevent the development and use of that property with said two
(2) Outdoor Advertising Signs as described in this Complaint.

(D) That the Court issue its Order of Injunction restraining the Defendant and its officers, agents and employees from interfering in any manner with the Plaintiffs or any person claiming by, through or under the Plaintiffs, in the use and development of the subject property with said two (2) Outdoor Advertising Signs as described in this Complaint; and,

(E) That the Plaintiffs may have such other and further relief in this matter as to the court may seem just or necessary.

**STANDARD BANK & TRUST
COMPANY, TUT # 18303; JAMES D.
FIALA; and, LAMAR ADVANTAGE
GP COMPANY, d.b.a. LAMAR
ADVERTISING OF NORTHWEST
INDIANA
Plaintiffs,**

By:



**William J. Hennessy,
Plaintiffs Attorney**

**William J. Hennessy, #12458
20 North Clark Street, Ste. 803
Chicago, IL 60602
PH: 312.372.6339
FAX: 312.372.6335
Attorney for Plaintiffs**

CHAPTER 12
CODE OF ETHICS

SECTION:

- 1-12-1: Purpose
- 1-12-2: Definitions
- 1-12-3: General Prohibition
- 1-12-3.1: Abstention
- 1-12-3.2: Adoption Of Certain Provisions Of The State Officials And
Employees Ethics Act
- 1-12-4: Financial Disclosure
- 1-12-5: Financial Disclosure Statements
- 1-12-6: Public Record
- 1-12-7: Violation
- 1-12-8: Employee Protection

1-12-1: **PURPOSE:** All elected and appointed officers and all employees of the village shall, in relation to the positions of public trust and employment which they may occupy, maintain the standards of ethical conduct set forth in this code. Such officers and employees shall at all times segregate their personal and private business interests from the performance of their duties and responsibilities as officers or employees of the village to the end that the appearance of, as well as any actual conflict of interest does not exist. (Ord. 77-O-21, 5-23-1977)

1-12-2: **DEFINITIONS:** As used in this chapter, the following words and phrases shall have the meanings given to them herein:

BUSINESS ENTITY: Any legal entity, including, without limitation, sole proprietorship, partnership, limited partnership, joint venture, corporation or trust. Business entity shall also include any legal entities owned or owned by, in whole or in part, any legal entity qualifying as a business entity.

DIRECT OR INDIRECT INTEREST:

Any legal or equitable ownership interest which a public servant or a member of the public servant's immediate family holds in a business entity which is equal to or greater than seven and five-tenths percent (7.5%) of the total ownership of the business entity.

PUBLIC SERVANT:

Any officer, full time employee, whether elected, appointed or employed by the village of Willowbrook, together with all engineers, accountants, attorneys, insurance agents, land planners or other consultants retained or employed for the purpose of rendering professional services to the village of Willowbrook.

VILLAGE CONFIDENTIAL INFORMATION:

Any information relating to the village which has not yet been disclosed to the public. (Ord. 77-O-21, 5-23-1977; amd. Ord. 84-O-30, 6-25-1984; Ord. 92-O-97, 2-9-1992)

1-12-3: GENERAL PROHIBITION:

- (A) 1. No public servant shall be interested, directly or indirectly, in his own name or in the name of any business entity in which the public servant holds a direct or indirect interest, in any contract, work or business of the village, or in the sale of any article, whenever the expense, price or consideration of the contract, work, business or sale is paid either from the village treasury or by any assessments levied by any statute or ordinance, or upon which said public servant may be called upon to act or vote.
2. No public servant shall represent, either as agent or otherwise, any person, association, trust, corporation or other business entity, with respect to any application or bid for any contract, work or business of the village, or in the sale of any article, whenever the expense, price or consideration of the contract, work, business or sale is paid either from the village treasury or by any assessment levied by any statute or ordinance, or upon which said public servant may be called upon to act or vote.
3. No public servant shall be interested, directly or indirectly, in his own name or in the name of any business entity in which the public

servant holds a direct or indirect interest, in the purchase of any property which: a) belongs to the village; or b) is sold for taxes or assessments; or c) is sold by virtue of legal process initiated by the village.

4. The prohibitions contained in subsections (A)1, (A)2 and/or (A)3 of this section shall not apply if such prohibited interest is disclosed by the public servant prior to the village's consideration of the subject transaction and the corporate authorities approve such transaction, notwithstanding such disclosed interest, by the affirmative vote of each member of the corporate authorities eligible to vote with respect to such transaction. No provision of this subsection shall be so construed as to authorize or permit any public servant to be in violation of any statute of the state, including, but not limited to, 65 Illinois Compiled Statutes 5/3-14-4 and/or "an act to prevent fraudulent and corrupt practices in the making or accepting of official appointments and contracts by public officers", 50 Illinois Compiled Statutes 105/1 et seq. (Ord. 92-O-07, 2-9-1992)

- (B) No public servant may accept, during any calendar year, a gift(s) with a value in the aggregate greater than one hundred seventy five dollars (\$175.00) from any one person or business entity who has or may reasonably be expected to have business of any sort with the village. No public servant shall have a direct or indirect interest in any business entity which accepts, during any calendar year, a gift(s) with a value in the aggregate greater than one hundred seventy five dollars (\$175.00) from any one person or business entity who has or may reasonably be expected to have business of any sort with the village.

This prohibition shall not apply to gifts provided to public servants which are consumed on village premises and which are not for the personal benefit of any single public servant. This provision shall not preempt any stricter provisions adopted as part of the village's personnel manual. (Ord. 99-O-22, 8-9-1999)

- (C) No public servant may accept any economic opportunity from any third party for purposes of influencing the performance of his or her official duties. No public servant shall have a direct or indirect interest in any business entity that accepts any economic opportunity from any third party for purposes of influencing the performance of his or her official duties.
- (D) No public servant shall disclose village confidential information to any third party. No public servant shall disclose any nonconfidential

village information where the purpose is to enhance an economic opportunity for the public servant or a business entity in which the public servant holds a direct or indirect interest. (Ord. 92-O-07, 2-9-1992)

1-12-3.1: **ABSTENTION:** Every public servant shall abstain from participating in any official function, duty or vote if because of any competing interest there is a material threat to the public servant exercising independent judgment or if exercising such official function, duty or vote creates the appearance of impropriety. Should any public servant have any question whether his or her actions may violate the requirements of this section, the public servant may raise such issue to the village board or its designate prior to taking such action and the village board shall rule whether the public servant must abstain or may participate in the village function, duty or vote. (Ord. 92-O-07, 2-9-1992)

1-12-3.2: **ADOPTION OF CERTAIN PROVISIONS OF THE STATE OFFICIALS AND EMPLOYEES ETHICS ACT:**

- (A) The provisions of section 5-15¹ and article 10² of the state officials and employees ethics act, 5 Illinois Compiled Statutes 430/1-1 et seq., (hereinafter referred to as the "act" in this section) are hereby adopted by reference and made applicable to the officers and employees of the village to the extent required by 5 Illinois Compiled Statutes 430/70-5. Three (3) copies of the act are, and have been for not less than thirty (30) days prior to the enactment of this section, on file in the office of the village clerk.
- (B) The solicitation or acceptance of gifts prohibited to be solicited or accepted under the act by any officer or any employee of the village is hereby prohibited.
- (C) The offering or making of gifts prohibited to be offered or made to an officer or employee of the village under the act is hereby prohibited.
- (D) The participation in political activities prohibited under the act, by any officer or employee of the village is hereby prohibited.

1. 5 ILCS 430/5-15.
2. 5 ILCS 430/10-10 through 10-40.

- (E) For purposes of this section, the terms "officer" and "employee" shall be defined as set forth in 5 Illinois Compiled Statutes 430/70-5(c).
- (F) The penalties for violations of this section shall be the same as those penalties set forth in 5 Illinois Compiled Statutes 430/50-5 for similar violations of the act.
- (G) This section does not repeal or otherwise amend or modify any existing ordinances, codes, rules, regulations or policies, including, but not limited to, the village's personnel manual, which regulate the conduct of village officers and employees. To the extent that any such existing ordinances or policies are less restrictive than this section, however, the provisions of this section shall prevail in accordance with the provisions of 5 Illinois Compiled Statutes 430/70-5(a).
- (H) There is hereby created the office of ethics officer. The ethics officer shall be appointed by the president with the advice and consent of the corporate authorities. The ethics officer may hold another village office, either elected or appointed. The ethics officer shall provide guidance to the officers and employees of the village concerning the interpretation of and compliance with the provisions of this section and state ethics laws. The ethics officer shall perform such other duties as may be delegated by the village.
- (I) Any amendment to the act that becomes effective after the effective date of this section shall be incorporated into this section by reference and shall be applicable to the solicitation, acceptance, offering and making of gifts and to prohibited political activities. However, any amendment that makes its provisions optional for adoption by municipalities shall not be incorporated into this section by reference without formal action by the corporate authorities of the village.
- (J) If the Illinois supreme court declares the act unconstitutional in its entirety, then this section shall be repealed as of the date that the Illinois supreme court's decision becomes final and not subject to any further appeals or rehearings. This section shall be deemed repealed without further action by the corporate authorities of the village of Willowbrook if the act is found unconstitutional by the Illinois supreme court.
- (K) If the Illinois supreme court declares part of the act unconstitutional but upholds the constitutionality of the remainder of the act, or does not address the remainder of the act, then the remainder of the act

as adopted by this section shall remain in full force and effect; however, that part of this section relating to the part of the act found unconstitutional shall be deemed repealed without further action by the corporate authorities of the village of Willowbrook. (Ord. 04-O-17, 4-26-2004)

1-12-4: **FINANCIAL DISCLOSURE:** Each public servant shall file with the village clerk a statement of financial disclosure containing the following information:

- (A) The name and address of any business entity in which the public servant has a "direct or indirect interest", as defined elsewhere in this chapter.
- (B) The location and present use of each parcel of real property owned by the public servant or a business entity in which the public servant has a "direct or indirect interest", as defined elsewhere in this chapter. (Ord. 92-O-07, 2-9-1992)

1-12-5: **FINANCIAL DISCLOSURE STATEMENTS:** Financial disclosure statements shall be provided by the village clerk. Each public servant shall file the required statement reflecting the information required thereon as of January 1 of each year, such statement to be filed on or before January 31 of each year. Any person who becomes a public servant after January 1 of any year shall file the required financial statement within thirty one (31) days of entering office or assuming the duties of employment, which statement shall reflect the information required thereon as of the date of his entry into such office or assumption of such duties of employment. (Ord. 77-O-21, 5-23-1977)

1-12-6: **PUBLIC RECORD:** All financial disclosure statements filed in accordance with the provisions of this code shall be available for public inspection in the office of the village clerk, subject only to such reasonable rules and regulations as the village clerk shall from time to time adopt and publish. (Ord. 77-O-21, 5-23-1977)

1-12-7: **VIOLATION:** Any public servant found to have violated any provision of this chapter shall be subject to discipline as follows:

1-12-7

1-12-8

- (A) Any member of the corporate authorities, or village clerk, found to have violated any provision of this chapter shall be subject to censure by a vote of a majority of the corporate authorities then holding office.
- (B) Any sworn police officer found to have violated any provision of this chapter shall be subject to discipline by the board of police commissioners, pursuant to the rules and regulations duly adopted by said board.
- (C) Any employee subject to the provisions of title 12, chapter 2 of this code found to have violated any provision of this chapter shall be subject to discipline in accordance with title 12, chapter 2 of this code.
- (D) Any village administrator, village attorney, or other officer or consultant of the village of Willowbrook, not provided for hereinabove, found to have violated any provision of this chapter shall be subject to removal, censure, or such other action as the corporate authorities deem appropriate. (Ord. 92-O-07, 3-9-1992)

1-12-8: **EMPLOYEE PROTECTION:** No employee shall be discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment by the village because of lawful acts done by the employee, on behalf of the employee or others, in furtherance of investigation of, initiation of, testimony for or assistance with an alleged violation of this chapter. (Ord. 98-O-14, 5-26-1998)