

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, NOVEMBER 14, 2005, 2005, 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 Gary Pretzer.

2. ROLL CALL

Those present at roll call were Trustees Dennis Baker, Robert Napoli, Stephen Landsman, Paul Schoenbeck, Timothy McMahon and Village President Pretzer. ABSENT: Trustee Michael Brown. Also present were Deputy Clerk Mary Partyka, Village Attorney Thomas Good, Village Administrator Carl Goldsmith, Director of Municipal Services Alan Zordan and Chief of Police Edward Konstanty.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

President Pretzer asked everyone to join him in saying the Pledge of Allegiance.

4. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Special Board Meeting - October 22, 2005 (APPROVE)
- c. Minutes - Executive Session - October 22, 2005 (APPROVE)
- d. Minutes - Regular Board Meeting - October 24, 2005 (APPROVE)
- e. Warrants - November 14, 2005 - \$164,010.49 (APPROVE)
- f. Monthly Financial Reports - October 31, 2005 - \$9,966,747.89 (ACCEPT)
- g. Request For Purchase Exceeding \$1,000 - Target Economic Incentive Agreement - Sales Tax Rebate - \$50,000.00 (APPROVE)
- h. Budget Adoption Timetable - Fiscal Year 2006-07 (APPROVE)
- i. Application For License To Hold A Raffle - Santa Lucia Church - Ashton Place (APPROVE)
- j. Ordinance No. 05-O-31 - An Ordinance Rezoning Certain Territory - 6015 Bentley Avenue (PASS)

President Pretzer asked if any Board member wanted any item(s) removed from the Omnibus Vote Agenda. No Board member wanted any items removed from the Omnibus Vote Agenda.

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

ROLL CALL VOTE: AYES: Trustees Baker, Napoli, Landsman, Schoenbeck and McMahon; NAYS: None; ABSENT: Trustee Brown.

MOTION DECLARED CARRIED

NEW BUSINESS

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

Phyllis Zimmer, 6446 Tennessee Avenue, commented that the Village of Willowbrook must eliminate the storm water that is being directed onto her property.

Trustee Baker presented correspondence from a resident, Helen Neal, 11 Lake Shore Drive, in Lake Hinsdale Village, to IDOT relating to the pavement conditions of Illinois Route 83 between 63rd and 67th Streets. In addition, Trustee Baker introduced a letter dated November 8, 2005 from Mr. Brock Phelps of IDOT to Senator Christine Radogno indicating that IDOT crews have looked at all the road conditions and determined that no hazardous conditions existed.

The Village Board directed Staff to contact IDOT to request that they reinspect Route 83 between 63rd and 67th Streets and to consider installing signage stating "No Jake Braking" or other appropriate signage to discourage the use of downshifting by truck drivers and for IDOT to install a landscape buffer between the roadway and the residential units in Lake Hinsdale Village.

6. PRESIDENTIAL APPOINTMENT - PLAN COMMISSION VICE CHAIRMAN

President Pretzer recommended the appointment of John Wagner as Vice Chairman of the Plan Commission.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Baker, to concur with President Pretzer's recommendation.

PREVIOUS ROLL CALL VOTE: AYES: Trustees Baker, Napoli, Landsman, Schoenbeck and McMahon; NAYS: None; ABSENT: Trustee Brown.

MOTION DECLARED CARRIED

7. PUBLIC HEARING - RECAPTURE AGREEMENT FOR THE GNAT
SUBDIVISION WATER MAIN EXTENSION

President Pretzer asked for a motion open the public hearing.

MOTION: Made by Trustee Napoli, seconded by Trustee Schoenbeck, to open the public hearing at the hour of 7:40 p.m.

PREVIOUS ROLL CALL VOTE: AYES: Trustees Baker, Napoli, Landsman, Schoenbeck and McMahon; NAYS: None; ABSENT: Trustee Brown.

MOTION DECLARED CARRIED

Director Zordan provided the Village Board with the background for approving the three (3) lot Gnat Subdivision which is located at 5828 Clarendon Hills Road. Mr. and Mrs. Gnat were required to extend the Village's water main to service the development. In doing this, five additional lots on Alabama Avenue can be served by the water main. The Village Board agreed to grant the developer a recapture against these five additional properties to help offset the cost of the construction of the water main.

The Village Engineer reviewed the costs related to the construction of the water main and determined that the cost of the water main that is recapturable against the eight lots is \$51,187.00, for a total cost of \$6,399.00 per benefiting lots. The recapture agreement for the Gnat Subdivision is set for a term of 10 years and contains no interest component. In addition, the Village's mandatory connection requirement would not apply to the benefiting properties because they are already served by a public water utility and are not on individual wells.

Director Zordan noted that the presented recapture agreement for this water main extension is appropriate and recommended that the Village Board move forward with the establishment of this recapture.

Trustee Schoenbeck inquired what would happen in the event the Clarendon Water Company exists longer than 10 years?

Attorney Good related that the recapture agreement would expire in 10 years and a recapture is payable only at the time the resident chooses to connect to the water main. After 10 years, when the recapture agreement expires, the resident would still be able to connect to the water main but without paying the recapture amount.

Gerald Gnat, developer of the Gnat Subdivision, commented he was lead to believe that he was going to have a mandatory recapture agreement and this is the first time he heard this would not apply.

Mr. Gnat also noted that he had submitted costs for the project to the Village and the Village determined that not all the costs applied to the agreement and he did not agree with that decision.

Attorney Good responded that it is a recapture when someone connects to the water system. This follows the Illinois State Statutes that money is only paid upon connection. He further explained that the mandatory connection to the Village system only applies to people on wells.

Attorney Good further noted that what amount is deemed applicable to the improvements is up to the Village's Engineer.

Sonia Miller, whose father lives at 5825 Alabama, asked if her father would be able to connect to the water main installed in connection with the Gnat Subdivision.

Administrator Goldsmith noted that the gentlemen would not be allowed to hook up to the water main because the Village Code would require him to extend the water main along the entire frontage of his property. The resident would be required to pay for the extension.

Mary Kureja, 5850 Alabama Avenue, asked if the \$6,399.00 recapture would be paid to the Village and would it have to be paid at one time and could it be paid installments.

Director Zordan replied that it would be paid to the Village and the Village would pay Mr. Gnat and that it would have to be paid in full before a connection could be allowed to the water system.

Deborah Karnas, 5860 Alabama Avenue, asked what if it is after the 10 years and they wanted to hook up?

Attorney Good replied that after 10 years the recapture agreement expires and the resident would have to pay only the tap on fees, etc.

MOTION: Made by Trustee Landsman, seconded by Trustee Schoenbeck to close the public hearing at the hour of 8:09 p.m.

PREVIOUS ROLL CALL VOTE: AYES: Trustees Baker, Napoli, Landsman, Schoenbeck and McMahon; NAYS: None; ABSENT: Trustee Brown.

MOTION DECLARED CARRIED

8. DISCUSSION - RECAPTURE AGREEMENT FOR THE GNAT
SUBDIVISION WATER MAIN EXTENSION

MOTION: Made by Trustee Landsman, seconded by Trustee Schoenbeck, to instruct the Village Attorney to prepare the necessary documents.

PREVIOUS ROLL CALL VOTE: AYES: Trustees Baker, Napoli, Landsman, Schoenbeck and McMahon; NAYS: None; ABSENT: Trustee Brown.

MOTION DECLARED CARRIED

9. DISCUSSION - APPLICATION FOR REZONING AND PLAT OF
SUBDIVISION - FITZPATRICK SUBDIVISION - 6220 CLARENDON
HILLS ROAD

Director Zordan informed the Village Board that the applicant, Kevin Fitzpatrick, has requested consideration of the rezoning to the R-1A Single Family District and the creation of a two lot subdivision of the property located at 6220 Clarendon Hills Road. The proposed two new lots would meet all of the R-1A Zoning District.

The Plan Commission recommended that the two new lots have turn-arounds installed in the driveways so that vehicles would not have to back out onto Clarendon Hills Road. In addition, the Village would require the applicant to dedicate an additional 17 feet of right-of-way along Clarendon Hills Road to match the 50-foot from centerline dedications to the south.

The Plan Commission conducted a public hearing on May 4, 2005 and one neighbor expressed concern with the water runoff and asked that a swale be constructed to direct water away from her property. Director Zordan indicated that the Village engineer looked into this request and determined that there is sufficient slope to the land to install the requested drainage swales. At

its regular meeting of August 5, 2005, the Plan Commission recommended that the Village Board rezone the property to the R-1A Zoning District and approve the Plat of Subdivision with two variations from the Subdivision Regulations.

The Staff concurred with the Plan Commission recommendation with the following variations and conditions:

- That Section 10-7-2(B) of the subdivision regulations related to the street width be waived
- That Section 10-7-2(C) of the subdivision regulations related to curb and gutter drainage improvements be waived

MOTION: Made by Trustee McMahon, seconded by Trustee Baker, to instruct the Village Attorney to prepare the necessary documents.

PREVIOUS ROLL CALL VOTE: AYES: Trustees Baker, Napoli, Landsman, Schoenbeck and McMahon; NAYS: None; ABSENT: Trustee Brown.

MOTION DECLARED CARRIED

10. RESOLUTION - A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT AND VILLAGE CLERK TO ENTER INTO A CERTAIN AGREEMENT - CHRISTOPHER B. BURKE ENGINEERING, LTD. - WILLOWBROOK CENTRE PARKWAY

This item was deferred until the next meeting.

11. ORDINANCE - AN ORDINANCE AMENDING THE VILLAGE CODE OF THE VILLAGE OF WILLOWBROOK - TITLE 1, SECTION 1-5-2 (C) - ADMINISTRATIVE, MEETINGS OF BOARD; TITLE 1, SECTION 1-14-1 - ADMINISTRATIVE, COMMITTEES OF THE BOARD OF TRUSTEES; TITLE 2, CHAPTER 4, ADDING A NEW SECTION 2-4-11 - BOARDS AND COMMISSIONS, BOARD OF POLICE COMMISSIONERS, DEPUTY CHIEFS; TITLE 4, CHAPTER 1 - COMMUNITY DEVELOPMENT AND BUILDING, DEPARTMENT OF COMMUNITY DEVELOPMENT AND ADDING A NEW CHAPTER 3, STREETS, A NEW CHAPTER 4, PARKS AND A NEW CHAPTER 5, TELECOMMUNICATIONS; TITLE 5, SECTION 5-1-1 - POLICE, CREATION AND COMPOSITION OF DEPARTMENT; TITLE 7 - PUBLIC WAYS AND PROPERTY; AND VARIOUS OTHER PROVISIONS

Administrator Goldsmith informed the Village Board that after the implementation of the reorganization plans for the both the Village Hall and the Police Department, the changes are in need of codification in the Village code. He highlighted a few of the changes included in the Ordinance this evening:

- The creation of the Municipal Services Department and the elimination of the Community Development and Public Services Department
- The restructuring of the Committees of the Village Board to include Public Safety, Finance/Administration and Municipal Services Committees
- The reorganization of the Police Department to include the ranks of Deputy Chief, Sergeants and a Community Service Officer

Staff recommended that the Village Board adopt the Ordinance before them this evening, which shall take effect ten days after its passage.

MOTION: Made by Trustee McMahon, seconded by Trustee Schoenbeck, to pass Ordinance No. 05-O-32.

PREVIOUS ROLL CALL VOTE: AYES: Trustees Baker, Napoli, Landsman, Schoenbeck and McMahon; NAYS: None; ABSENT: Trustee Brown.

MOTION DECLARED CARRIED

12. DISCUSSION - LONG RANGE FINANCIAL PLAN 2006-2011

Administrator Goldsmith reported to the Village Board that the draft of the Village's Long Range Financial Plan for years 2006-2011 was identical to the plan reviewed at the special meeting held on October 22, 2005. Whiles discussions continue on service level expectations, the Staff recommended that the Village Board adopt the current plan.

MOTION: Made by Trustee Landsman, seconded by Trustee Schoenbeck, to adopt the Long Range Plan 2006-2011.

PREVIOUS ROLL CALL VOTE: AYES: Trustees Baker, Napoli, Landsman, Schoenbeck and McMahon; NAYS: None; ABSENT: Trustee Brown.

MOTION DECLARED CARRIED

OLD BUSINESS

13. DEFERRED - RESOLUTION NO. 05-R-44 - A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO A CERTAIN AGREEMENT - AZAVAR TECHNOLOGIES - MUNICIPAL UTILITY TAX AUDIT PROGRAM

This item was deferred until the next meeting.

14. DISCUSSION - CREDIT CARDS AND E-BAY

Administrator Goldsmith informed the Village Board that at its direction the Staff had investigated the use of Village issued credit cards for establishing an account with Pay-Pal to sell Village assets on E-Bay. Staff recommended that the Village enter into an agreement with Citi-Bank to obtain one credit card specifically to set up the Pay-Pal account.

The Board felt that credit cards should be issued to the Village President, Department Heads and Village Administrator, which would provide a more defined documentation of expenses. The Board also requested that reimbursement items be included on warrants based upon a receipt from the credit card holder instead of waiting for the actual credit card invoice. This would allow the Village to pay credit cards within the required pay period in order to avoid payment of late fees. Trustee Schoenbeck requested that when credit card payments are made based upon a receipt, they should be marked in some way on the warrants.

MOTION: Made by Trustee Landsman, seconded by Trustee Schoenbeck, to authorize the Staff to enter into an Agreement with Citi-Bank and establish an account with Pay Pal.

PREVIOUS ROLL CALL VOTE: AYES: Trustees Baker, Napoli, Landsman, Schoenbeck and McMahon; NAYS: None; ABSENT: Trustee Brown.

MOTION DECLARED CARRIED

15. COMMITTEE REPORTS

Trustee Schoenbeck had no report.

Trustee McMahon had no report.

Trustee Baker had no report.

Trustee Napoli had no report.

Trustee Landsman had no report.

16. ATTORNEY'S REPORT

Village Attorney Good had no report.

17. CLERK'S REPORT

Deputy Clerk Partyka had no report.

18. ADMINISTRATOR'S REPORT

Administrator Goldsmith had no report.

19. EXECUTIVE SESSION - COLLECTIVE BARGAINING AND PERSONNEL

President Pretzer asked for a motion to adjourn into Executive Session to discuss collective bargaining and personnel.

MOTION: Made by Trustee McMahon, seconded by Trustee Baker, to adjourn into Executive Session to discuss collective bargaining and personnel at the hour of 8:50 p.m.

PREVIOUS ROLL CALL VOTE: AYES: Trustees Baker, Napoli, Landsman, Schoenbeck and McMahon; NAYS: None; ABSENT: Trustee Brown.

MOTION DECLARED CARRIED

SEE APPROPRIATE EXECUTIVE SESSION MINUTES

PRESENTED, READ and APPROVED,
_____, 2005

Village President

Minutes transcribed by Mary Partyka.