

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, DECEMBER 19, 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, Michael Brown, Paul Schoenbeck, Timothy McMahon and Village President Pretzer. ABSENT: Trustees Stephen Landsman and Robert Napoli. Also present were Deputy Clerk Mary Partyka, Village Attorney Aaron Reinke, Village Administrator Carl Goldsmith, Director of Municipal Services Alan Zordan, Chief of Police Edward Konstanty and Director of Finance Sue Stanish.

A QUORUM WAS DECLARED

Trustee Landsman entered the meeting at approximately 7:41 p.m.

3. PLEDGE OF ALLEGIANCE

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

4. PUBLIC HEARING - Special Recreation Property Tax Levy

President Pretzer asked for a motion to open the public hearing.

MOTION: Made by Trustee Baker, seconded by Trustee Schoenbeck, to open the public hearing for the Special Recreation Property Tax Levy at the hour of 7:32 p.m.

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

MOTION DECLARED CARRIED

Administrator Goldsmith provided the history of the special recreation tax levy which was originally approved in 2003 for an amount of \$30,297.50 and again in 2004 for \$32,240.00. The amount of the levy being requested was \$63,000, which equates to \$16.59 per year for a Willowbrook residence with a market value

of \$300,000. In addition to the cost of the Village's portion of dues to Gateway Special Recreation Association, legal fees for the preparation of the levy and a portion of the salary for the Superintendent of Parks & Recreation, Administrator Goldsmith informed the Village Board that additional costs had been included in the tax levy:

- Handicapped Accessible Fishing Pier at Willow Pond
- Waterford Park Accessible Path
- ADA Accommodations
- ADA Compliance Audit
- ADA Compliant Benches and Tables
- ADA Compliant Drinking Fountains

Peter Strategos, 201 Sunset Ridge Road, urged the Village Board to approve the SRA property tax levy. He informed the Board that his 27 year old daughter has cerebral palsy and has benefited from what has been provided through the special recreation activities and facilities.

President Pretzer asked for a motion to close the public hearing.

MOTION: Made by Trustee McMahon, seconded by Trustee Baker, to adjourn the public hearing for the Special Recreation Property Tax Levy at the hour of 7:37 p.m.

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

MOTION DECLARED CARRIED

5. OMNIBUS VOTE AGENDA
- a. Waive Reading of Minutes (APPROVE)
 - b. Minutes - Special Board Meeting - December 5, 2005 (APPROVE)
 - c. Warrants - December 19, 2005 - \$431,689.21 (APPROVE)
 - d. Monthly Financial Reports - November 30, 2005 - \$10,042,834.26 (ACCEPT)
 - e. Resolution No. 05-R-49 - A Resolution Authorizing the Village Administrator to Accept a Proposal for the Purchase, Delivery and Installation of Office Furniture - Midwest Office Interiors, Inc. (ADOPT)

- f. Resolution No. 05-R-50 - A Resolution Proclaiming the Month of December 2005 as National Drunk and Drugged Driving (3D) Prevention Month in the Village of Willowbrook (ADOPT)
- g. Resolution No. 05-R-51 - A Resolution Authorizing the Village President and Village Clerk to Execute a Certain Plat of Easement - 7509 Brookbank Road (ADOPT)

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 Schoenbeck, seconded by Trustee Brown, to approve the Omnibus Vote Agenda.

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

MOTION DECLARED CARRIED

NEW BUSINESS

- 6. VISITOR'S BUSINESS (PUBLIC COMMENT IS LIMITED TO THREE MINUTES PER PERSON)

Phyllis Zimmer, of 6446 Tennessee Avenue, commented that the Village should not use her back yard for storm water storage.

- 6A. DISCUSSION - TOWN CENTER DEVELOPMENT - HARLEM IRVING COMPANIES (CLERK'S NOTE: THIS ITEM WAS MOVED UP DUE TO THE NUMBER OF INTERESTED RESIDENTS IN ATTENDANCE)

Administrator Goldsmith informed the Village Board that representatives from Harlem Irving would make a presentation with regard to the status of the Town Center Project. The purpose of the presentation this evening was to review the current development proposal. He advised the Village Board that representatives of Harlem Irving met with the Staff and the Lake Willoway Board of Directors on December 12, 2005 to discuss the project. The Lake Willoway Board had several issues with the project:

- Controlling access at 72nd Court
- Visual buffer to the site
- Noise pollution from deliveries

- Density of proposed storage facility along Adams Street

Harlem Irving submitted the necessary materials to schedule and conduct a public hearing before the Plan Commission. It is anticipated that the hearing would be held on January 18, 2006.

The Staff requested the Village Board to provide its comments and concerns to the developer in order to allow the project to continue to the Plan Commission for consideration.

At this time, Administrator Goldsmith introduced Rick Filler, of Harlem Irving Companies.

Mr. Filler informed the Board that all the development site properties were under contract. He provided an overview of the site, noting the confirmed tenants and their locations within the center. The bowling alley would receive a facelift to complement the façade of the center. Mr. Filler provided samples of the various bricks and stone that would be used throughout the center.

Peter Theodore, the project architect, noted that the town center project was a unique development due to the quality of the materials that will be used, the landscaping and the fact that the materials used on the façade of the center would improve with age.

Residents of the Lake Willoway Condominiums were in attendance and expressed various concerns with regard to the project.

- Traffic congestion
- Cut through traffic
- Access in and out of the center especially along Plainfield Road
- The height of the proposed public storage facility
- Storm water run off
- Water retention and detention
- Location and number of security gates
- Berming between the center and Lake Willoway
- Snow removal

The Board expressed its concern on the proposed public storage facility and what impact the drive through facilities would have on the development and on the surrounding community.

MOTION: Made by Trustee Landsman, seconded by Trustee Schoenbeck, to move the project forward for review by the Plan Commission.

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

MOTION DECLARED CARRIED

7. RESOLUTION - A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE VILLAGE OF WILLOWBROOK AND GATEWAY SPECIAL RECREATION ASSOCIATION

Administrator Goldsmith noted that Agenda Items 7 and 8 were presented at the public hearing held prior to the meeting. In order to move forward, the Village Board would need to approve both of these items.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Baker, to adopt Resolution No. 05-R-52.

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

MOTION DECLARED CARRIED

8. ORDINANCE - AN ORDINANCE PROVIDING FOR THE LEVY OF TAXES FOR THE FISCAL YEAR COMMENCING ON MAY 1, 2005 AND ENDING APRIL 30, 2006, OF VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS

MOTION: Made by Trustee Baker, seconded by Trustee Schoenbeck, to pass Ordinance No. 05-O-34.

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

MOTION DECLARED CARRIED

9. RESOLUTION - A RESOLUTION WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING THE PRESIDENT AND VILLAGE CLERK TO EXTEND A CERTAIN CONTRACT - 2006 STREET LIGHT MAINTENANCE - BETWEEN THE VILLAGE OF WILLOWBROOK AND MEADE ELECTRIC COMPANY, INC.

Director Zordan noted that the Illinois Department of Transportation regulations allow for the extension of service

contracts that are funded with MFT money for one additional year without competitive bidding as long as the price for service remains the same. The Village's current contract for street light maintenance is with Meade Electric Company Inc. in the amount of \$7,988.50. The Resolution before the Board this evening authorizes the waiving of competitive bidding and extends the contract with Meade Electric for one additional year at a cost of \$7,988.50.

MOTION: Made by Trustee Brown, seconded by Trustee Schoenbeck, to adopt Resolution No. 05-R-53.

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

MOTION DECLARED CARRIED

10. DISCUSSION - QUARTERLY FINANCIAL REPORTS - SECOND QUARTER FISCAL YEAR 2006

Director Stanish presented to the Village Board the Quarterly Financial Reports for the Second Quarter of Fiscal Year 2006 as highlighted below:

- General Fund revenues are projected to be greater than the budget by about \$391,132 or 6.5% at 4/30/06.
- Income Tax revenues are projected to come in at \$679,700 or 75.80 per capita, which would be about \$63,000 in additional revenues.
- Utility Taxes are projected to exceed the budgeted amount by \$297,900 or 27%.
- Permit Revenues are projected to exceed the budgeted amount by \$46,000.
- Interest Income is projected to continue to rise.
- Total Expenditures for the General Fund are projected to come in at \$6,025,065, which is \$7,863 greater than the budgeted amount.
- The projected fund balance at 4/30/06 is expected to be about \$1,899,321, which is \$578,397 greater than the budgeted amount.
- The projected fund balance at 4/30/06 equates to 120 of days operating expenses compared to the budgeted number of 83 days.
- The projected liquid fund balance at 10/31/05 equates to 67 days operating expense and 87 days projected at 4/30/06.

MOTION: Made by Trustee McMahon, seconded by Trustee Brown, to accept the Quarterly Financial Reports for Second Quarter Fiscal Year 2006 as presented.

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

MOTION DECLARED CARRIED

11. DISCUSSION - EMPLOYEE SAFETY INCENTIVE DIVIDEND AND CONTRIBUTION TO THE INTERGOVERNMENTAL RISK MANAGEMENT AGENCY

Administrator Goldsmith reported to the Village Board that the Village experienced a loss history during calendar years 2002, 2003, and 2004, which enabled the Village to earn a credit on its premium for 2005. Due to the Village's favorable loss experience, upon approval by the Board and as outlined in the Village's Personnel Manual, eligible employees may receive a safety compensation day and/or a portion of the credit received. There are forty-two (42) eligible employees as defined in Section II of Addendum No. 1 of the Village's Personnel Manual.

Administrator Goldsmith noted that as a member of the Intergovernmental Risk Management Agency (IRMA), the Village makes an annual premium payment to secure insurance coverage for the calendar year. The payment reflects Willowbrook's pro rata share of the anticipated expenses, based on revenue, of all the member communities, which is estimated at \$174,533. Due to the Village's loss experience for 2002, 2003, and 2004, the Village received a credit of \$2,904.00. In addition, the Village has built up a reserve fund with IRMA of \$129,965, which has been used in the past to fund the premiums.

The Staff recommended the President and Board of Trustees approve the payment to IRMA in the amount of \$83,000, authorize the application of surplus fund towards the 2006 premium, approve the payment of the credit amount to be divided equally amongst the eligible employees and to grant one safety day to the eligible employees.

After a brief discussion, the Board suggested that the issue regarding the distribution of any credit the Village receives from IRMA to the employees be further discussed in conjunction with the revisions to the Personnel Manual.

MOTION: Made by Trustee Landsman, seconded by Trustee Schoenbeck, to approve the Staff's recommendation:

- A. That the Village President and Board of Trustees approve the calendar year 2006 payment to IRMA in the amount of \$83,000.
- B. That the President and Board of Trustees authorize the application of \$88,629 of the Village's Excess Surplus Fund towards the 2006 premium.
- C. That the President and Board of Trustees approve the payment of the credit amount of \$2,904.00 to be divided equally amongst the eligible employees and those voted to receive shares.
- D. That the Village President and Board of Trustees grant one safety compensation day to the eligible employees.

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

MOTION DECLARED CARRIED

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

MOTION DECLARED CARRIED

OLD BUSINESS

12. DISCUSSION - TOWN CENTER DEVELOPMENT - HARLEM IRVING COMPANIES

This item was discussed under Item 6A.

13. COMMITTEE REPORTS

Trustee Brown had no report.

Trustee Landsman had no report.

Trustee Schoenbeck had no report.

Trustee McMahon reported that the position of Building Inspector has been filled. The Village has hired Roy Giuntoli, who will begin employment on January 3, 2006.

Trustee Baker had no report.

14. ATTORNEY'S REPORT

Village Attorney Reinke had no report.

15. CLERK'S REPORT

Deputy Clerk Partyka had no report.

16. ADMINISTRATOR'S REPORT

Administrator Goldsmith had no report.

17. EXECUTIVE SESSION - PENDING LITIGATION AND PERSONNEL

Village President Pretzer asked for a motion to adjourn into Executive Session to discuss pending litigation and personnel.

MOTION: Made by Trustee Baker, seconded by Trustee Schoenbeck, to adjourn into Executive Session to discuss pending litigation and personnel at the hour of 9:10 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED,

_____, 2005

Village President

Minutes transcribed by Mary Partyka.