

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, JANUARY 9, 2006, 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, Michael Brown, Paul Schoenbeck, Timothy McMahon and Village President Pretzer. ABSENT: Trustee Stephen Landsman. Also present were Deputy Clerk Mary Partyka, Village Attorney Thomas Good, Village Administrator Carl Goldsmith, Director of Municipal Services Alan Zordan, Chief of Police Edward Konstanty, Director of Finance Sue Stanish and Administrative Intern Benjamin Nelson.

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 - Regular Board Meeting - December 19, 2005 (APPROVE)
- c. Minutes - Executive Session - December 19, 2005 (APPROVE)
- d. Warrants - January 9, 2006 - \$135,472.17 (APPROVE)
- e. Monthly Financial Report - December 31, 2005 - \$10,145,038.22 (ACCEPT)
- f. Application For License To Hold A Raffle - Hinsdale South Booster Club - February 6, 2006 (APPROVE)

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 Brown, to approve the Omnibus Vote Agenda.

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

MOTION DECLARED CARRIED

NEW BUSINESS

5. PRESIDENTIAL APPOINTMENT AND OATH OF OFFICE - VILLAGE CLERK

President Pretzer recommended the appointment of Leroy R. Hansen to the position of Village Clerk.

MOTION: Made by Trustee McMahon, seconded by Trustee Schoenbeck, to concur with the appointment.

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

MOTION DECLARED CARRIED

President Pretzer administered the oath of the office to Mr. Hansen.

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

Phyllis Zimmer, of 6446 Tennessee Avenue, expressed her concern regarding storm water runoff onto her property.

7. DELINQUENT WATER BILLS

Director Zordan informed the Village Board that there were two delinquent water bills in the amount of \$66.30 and \$57.40, respectively, and requested permission to proceed as per Village policy.

8. RESOLUTION - A RESOLUTION AUTHORIZING THE EXECUTION OF THE TRAFFIC CONTROL AGREEMENT - LAKE HINSDALE TOWERS CONDOMINIUM ASSOCIATION

Chief Konstanty informed the Village Board that the traffic agreement for Lake Hinsdale Towers Condominium Association had expired and the new agreement would be in full force for twenty years. The agreement would allow for the Police Department to access and enforce health and safety issues without being

requested by the property owner. Chief Konstanty noted that this agreement had been reviewed by the Village Attorney.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee McMahon, to adopt Resolution No. 06-R-01.

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

MOTION DECLARED CARRIED

9. RESOLUTION - A RESOLUTION APPROVING A WAIVER OF CERTAIN PROVISIONS OF THE CHARTER CUSTOMER CONTRACT WITH THE DUPAGE WATER COMMISSION

Administrator Goldsmith advised the Board that the Village of Willowbrook has been a Charter Customer of the DuPage Water Commission since its inception in 1986. The Charter Customer Agreement includes the component that no Subsequent Customer may have an Agreement with the Commission that is more favorable than the Charter Customer Agreement. DuPage County has negotiated a Draft Subsequent Customer Agreement with the DuPage Water Commission, which varies slightly. Prior to the Commission entering into a contract with DuPage County, the requirements of Section 12(c) of the Charter Customer Contract must be complied with, eliminated by formal contract amendment or waived by unanimous consent. An analysis of the Subsequent Customer Agreement presented to the Charter Customers by a Task Force failed to fully comply with the provisions of Section 12(c) in that there was not an independent review. Based upon the fact that the terms and conditions for DuPage County either meet or exceed those imposed on the Charter Customers, it is recommended that all Charter Customers waive Section 12(c) as outlined the resolution before the Board this evening.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee McMahon, to adopt Resolution No. 06-R-02.

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

MOTION DECLARED CARRIED

OLD BUSINESS

10. RESOLUTION NO. 05-R-47 - A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT AND VILLAGE CLERK TO ENTER INTO A CERTAIN AGREEMENT - CHRISTOPHER B. BURKE ENGINEERING, LTD. - WILLOWBROOK CENTRE PARKWAY

Administrator Goldsmith noted that at the meeting of November 14, 2005, the Village Board considered the resolution before them this evening pertaining to engineering services provided by Christopher B. Burke Engineering, Ltd. (CBBEL) with regard to the preparation of Plats of Dedication and associated legal documents to complete Phase II of Willowbrook Centre Parkway. The Board expressed concern with regard to the need for additional right-of-way in order to complete the project. Mr. Goldsmith provided the Board with a history of the discussions that occurred since the inception of the project in 2000. CBBEL submitted a revised engineering agreement that contained engineering and design of the roadway that is anticipated to be constructed under the STP grant for 75th Street in the amount of \$40,032.88. Any additional engineering and right-of-way acquisition will occur at the time the Village seeks to complete the north, south and west legs of the intersection of 75th Street and Quincy Street. In addition, the Village will need to engage in an engineering agreement for construction observation and testing prior to the construction of Phase II.

MOTION: Made by Trustee Brown, seconded by Trustee Schoenbeck, to adopt Resolution 05-R-47.

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

MOTION DECLARED CARRIED

11. COMMITTEE REPORTS

Trustee Schoenbeck had no report.

Trustee McMahon had no report.

Trustee Baker had no report.

Trustee Napoli had no report.

Trustee Brown had no report.

12. ATTORNEY'S REPORT

Village Attorney Good had no report.

13. CLERK'S REPORT

Village Clerk Hansen had no report.

14. ADMINISTRATOR'S REPORT

Administrator Goldsmith introduced the new Building Inspector, Roy Giuntoli, to the Village Board. He noted that Mr. Giuntoli had started his employment with the Village on January 5, 2006. The Board expressed their welcome to Mr. Giuntoli.

Trustee Schoenbeck inquired as to the status of the striping for the bike path on 59th Street and Bentley Avenue. He noted that it was a solid white line and did not allow for an actual bike path. Trustee Schoenbeck noted that in Westmont, the striping for bike paths is very definitive.

Administrator Goldsmith replied that the County widened the street two feet on each side in order to accommodate the bike path and that the striping was put on the edge of the pavement, but did include the bike path.

President Pretzer noted that the Staff would look into it.

15. EXECUTIVE SESSION - PERSONNEL AND TO DISCUSS IF THE NEED FOR CONFIDENTIALITY STILL EXISTS AS TO PREVIOUS EXECUTIVE SESSION MINUTES

President Pretzer asked for a motion to go into Executive Session.

MOTION: Made by Trustee McMahon, seconded by Trustee Schoenbeck, to go into Executive Session to discuss Personnel and To Discuss If The Need For Confidentiality Still Exists As To Previous Executive Session Minutes at the hour of 8:00 p.m.

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

MOTION DECLARED CARRIED

SEE APPROPRIATE EXECUTIVE SESSION MINUTES

16. ROLL CALL

Those present at roll call were Trustees Dennis Baker, Robert Napoli, Michael Brown, Paul Schoenbeck, Timothy McMahon and Village President Pretzer. ABSENT: Trustee Stephen Landsman. Also present were Village Clerk Leroy Hansen and Village Attorney Thomas Good.

A QUORUM WAS DECLARED

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

MOTION: Made by Trustee McMahon, seconded by Trustee Schoenbeck, to adopt Resolution No. 06-R-03.

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

MOTION DECLARED CARRIED

18. ADJOURNMENT

President Pretzer asked for a motion to adjourn the regular meeting.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Brown, to adjourn the regular meeting at the hour of 8:10 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED,

_____, 2006

Village President

Minutes transcribed by Mary Partyka.