

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, FEBRUARY 13, 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, Michael Mistele, Michael Brown, Robert Napoli, Paul Schoenbeck, Timothy McMahon and Village President Pretzer. ABSENT: None. Also present were Village Clerk Leroy Hansen, Village Attorney Thomas Good, Village Administrator Carl Goldsmith, Director of Municipal Services Alan Zordan, Chief of Police Edward Konstanty, Director of Finance Sue Stanish, Superintendent of Parks & Recreation Walter Righton 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 - January 23, 2006 (APPROVE)
- c. Warrants - February 13, 2006 - \$237,878.76 (APPROVE)
- d. Monthly Financial Report - January 31, 2006 - \$10,429,766.40 (ACCEPT)
- e. Application For License To Hold A Raffle - Greater DuPage MYM - April 28, 2006 (APPROVE)
- f. Application For License To Hold A Raffle - Gift of Care Foundation, Inc. - March 11, 2006 (APPROVE)
- g. Application For License To Hold A Raffle - Community Care Options - February 24, 2006 (APPROVE)
- h. Text Amendment to the Zoning Ordinance - Title 9, Section 9-3-8(E), Existing Setbacks (REFER TO PLAN COMMISSION)

- i. Application For Rezoning - 5818 Bentley Avenue - Charles Becker (REFER TO PLAN COMMISSION)

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

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

MOTION DECLARED CARRIED

NEW BUSINESS

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

Phyllis Zimmer, 6446 Tennessee Avenue, expressed her concern about storm water runoff being directed onto her property.

Carol Lazarski, 7748 Cherry Tree Lane, expressed her disappointment in the appointment of Trustee Michael Mistele at the last Village Board meeting. She felt that a resident who was a single family homeowner should have been appointed by the Village President to a Board made up of a majority of multi-family residents. Ms. Lazarski questioned if the makeup of the Board had a bearing on the decision to sell Midway Park.

6. DISCUSSION - APPLICATION FOR REZONING AND CERTAIN VARIATIONS FROM THE ZONING ORDINANCE - 6810 SOUTH ADAMS STREET

Director Zordan informed the Board that Mr. Casey Zubiek had petitioned the Village to rezone the subject property, 6810 South Adams Street, from the R-1 Single Family Residential Zoning District to the R-1A Single-Family Residential Zoning District, along with two setback variations, to permit the construction of a new residence. The proposed setback variations would provide a uniformity of setbacks in the neighborhood.

A public hearing was conducted by the Plan Commission on January 31, 2006. There were no objections noted at the hearing with regard to the proposed rezoning and variations. There was testimony in favor of the request. The Plan Commission discussed the application on the same evening and recommended that the

Village Board grant the proposed rezoning and variations. Staff concurred with the Plan Commission recommendation.

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

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

MOTION DECLARED CARRIED

7. DISCUSSION - APPLICATION FOR REZONING, VARIATIONS FROM THE SUBDIVISION REGULATIONS AND PLAT OF SUBDIVISION APPROVAL - 6415 BENTLEY AVENUE

Director Zordan informed the Board that the applicant, William Remkus, has petitioned the Village to rezone the subject property, 6415 Bentley Avenue, from the R-1 Single Family Residential Zoning District to the R-1A Single Family Residential Zoning District in order to subdivide the parcel into two buildable lots. The development proposal requires some variations from the Subdivision Regulations as they relate to curb and gutter, sidewalks and street width.

The developer would not be required to provide separate detention on a subdivision of this size. However, the developer has agreed to a cash contribution of \$6,780.00 to be used for future storm water studies or improvements in this area.

A public hearing was conducted by the Plan Commission on February 4, 2006. Prior to the public hearing, the Village received a letter of objection from Ms. Grace Olech and input in favor of the proposal from Mrs. Kathy Erian. During the hearing, Ms. Phyllis Zimmer spoke against the proposal while Mr. Donald Hoffman spoke in favor of it.

The Plan Commission discussed the proposal at its regular meeting following the public hearing and recommended that the Village Board approve the proposed rezoning and a Plat of Subdivision with variations from the Subdivision Regulations, along with the contribution of \$6,780.00. The Staff concurred with the Plan Commission recommendation.

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

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

MOTION DECLARED CARRIED

8. DISCUSSION - MIDWAY PARK

President Pretzer noted that over the years, the Village Board has brought up the subject of the sale of Midway Park. The park had been evaluated several times over the years and it is on the agenda this evening to post in the paper for a bidding process for three successive weeks. The action tonight will start that process, however, bids would come back to the Board on March 27 at which time the Board can accept or reject or deal with any of the proposed bids at that point. Midway Park has been in existence since 1975 and has been utilized until the purchase and expansion of Community Park. Subsequent to that the Parks Commissions and Boards had seen it as not a safe thing to use that park because of Midway Drive and the focus was on the 17 acres. Subsequent to that, in the year 2000 the Village purchased approximately 3.5 acres of land on Willowbrook Centre Parkway for additional Village facilities and park recreational areas. In addition, through purchase and developer contribution the Village has acquired up to 5 acres of additional open space.

President Pretzer noted that this evening's action is for the Board to decided to proceed with the bidding process and if bids are received to deal with the issue of whether or not to sell Midway Park.

Trustee McMahon commented that his concern was regarding the provision of field activities and Superintendent Righton provided him with information that indicated that these activities would not be affected with the selling of Midway Park or the expansion of the parking lot at Community Park.

Nancy Olsick, 6173 Knoll Lane Court, expressed her distress at the idea of selling Midway Park and she hoped if the Board did sell the park it would be for a good price and not short changed for someone's benefit.

Leslie Simeral, 6159 Knollway Drive, commented she was vehemently opposed to selling any kind of a park and felt that green space was very important.

Jana Conev, 234 Midway Drive, commented that the residents voted twice not to sell the park and the Parks Commission voted against it. She felt that the decision to sell the much coveted

park land was irresponsible and questioned the constitutionality of selling park land without allowing residents a voice in the decision.

Superintendent Righton responded that over the years there were two public hearings held where residents voiced their opinions regarding the sale of Midway Park but there were no votes taken. In addition, there had been Ad Hoc Committees with Board representation where residents were able to voice their opinions.

Karin Miller, 315 59th Street, commented that the value of land is priceless and once the land is gone, it is gone forever. She suggested that Midway Park could be used for different uses and even expanded in the future.

Carol Lazarski, 7748 Cherry Tree Lane, noted that the Parks Commissioners believed that the purchase of land for a park recreational/municipal center was planning for the future but never at the risk of losing open land. She felt by selling Midway Park, the Village Board is shortchanging the recreational future of the Village.

Janis Winter, 133 Waterford Drive, stated she was completely against the sale of Midway Park. She felt open land was a premium and the Village should covet the space it has and use it.

Doug Stetina, 6774 South Madison, stated he has been on the Parks Commission for close to 30 years. One issue he had was that over the years the Parks Commission would come up with ideas for the park and were blown away. The second issue was a letter to the Village Board regarding the Parks Commission desire not to have the park sold. Mr. Stetina felt very strongly about not selling the park.

Rich Cobb, 200 Hill Road, noted that as Chairman of the Parks Commission, it was a unanimous vote against selling Midway Park.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Brown, to instruct the Village Staff to proceed with the posting of the appropriate notices to proceed as outlined in the memorandum dated February 3, 2006.

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

MOTION DECLARED CARRIED

9. PRESIDENTIAL APPOINTMENT

President Pretzer recommended the appointment of Stephen Landsman as the Village of Willowbrook's Ethics Officer.

MOTION: Made by Trustee Napoli, seconded by Trustee McMahon, to concur with the Village President's appointment.

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

MOTION DECLARED CARRIED

10. ORDINANCE - AN ORDINANCE PROVIDING FOR THE OFFICIAL ZONING MAP OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS

Director Zordan informed the Village Board that Illinois Compiled Statutes requires the annual publication of the Zoning Map if there had been any amendments in the previous year. The Ordinance before the Board this evening provided for the adoption and publication of the Village Zoning Map dated January 25, 2006.

MOTION: Made by Trustee McMahon, seconded by Trustee Napoli, to pass Ordinance No. 06-O-03.

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

MOTION DECLARED CARRIED

11. ORDINANCE - AN ORDINANCE ABATING THE TAXES HERETOFORE LEVIED FOR THE YEAR 2005 TO PAY THE PRINCIPAL AND INTEREST ON THE \$1,300,000 GENERAL OBLIGATION BONDS (COMBINED ALTERNATE REVENUE SOURCE), SERIES 2000 OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY

Director Stanish advised the Village Board that the Village issued \$1,300,000 in General Obligation Bonds for the new water meter system, painting of two water towers and the 79th Street water main extension project. Every year the DuPage County Clerk automatically prepares an annual property tax levy extension for the payment of the bond debt service unless an annual tax abatement ordinance is filed with the Clerk's office. The Staff recommended the Village Board pass the abatement tax ordinance to be filed with the County Clerk's office.

MOTION: Made by Trustee McMahon, seconded by Trustee Baker, to pass Ordinance No. 06-0-02.

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

MOTION DECLARED CARRIED

12. RESOLUTION - A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO A CERTAIN AGREEMENT - EHLERS & ASSOCIATES, INC. - TOWN CENTER PRO FORMA ANALYSIS

Administrator Goldsmith informed the Village Board that the Staff has been in discussions with the Harlem Irving Companies for approximately 5 years with regard to the development of the town center site at Plainfield Road and Route 83. The Plan Commission had conducted a public hearing on February 1, 2006 with regard to the proposal by Harlem Irving Companies. Harlem Irving Companies had submitted a request for an incentive package and it would be beneficial have an analysis performed of the package at this time. Staff recommended that the Village Board direct the Village Administrator to enter into an Agreement with Ehlers & Associates, Inc. to conduct a Town Center Pro Forma Analysis. Mr. Goldsmith advised that the cost of the analysis would be paid out of the TIF funds.

MOTION: Made by Trustee Mistele, seconded by Trustee Schoenbeck, to adopt Resolution No. 06-R-08.

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

MOTION DECLARED CARRIED

OLD BUSINESS

13. COMMITTEE REPORTS

Trustee Schoenbeck had no report.

Trustee McMahon had no report.

Trustee Baker had no report.

Trustee Mistele had no report.

Trustee Brown had no report.

Trustee Napoli noted that the Hotel/Motel Tax Advisory Committee minutes were in the packet for information only.

14. ATTORNEY'S REPORT

Village Attorney Good had no report.

15. CLERK'S REPORT

Village Clerk Hansen had no report.

16. ADMINISTRATOR'S REPORT

Administrator Goldsmith noted that he had provided information that was requested by various Board members after the budget workshop.

17. EXECUTIVE SESSION - COLLECTIVE BARGAINING AND PERSONNEL

MOTION: Made by Trustee Brown, seconded by Trustee Schoenbeck, to adjourn into Executive Session to discuss collective bargaining and personnel at the hour of 8:30 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED,

_____, 2006

Village President

Minutes transcribed by Mary Partyka.