

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, MAY 8, 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 Robin Jones, Interim Village Administrator Alan Zordan, Chief of Police Edward Konstanty, Director of Finance Sue Stanish, Superintendent of Parks & Recreation Walter Righton, Assistant Director of Municipal Services Timothy Halik 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 - April 24, 2006 (APPROVE)
- c. Warrants - May 8, 2006 - \$156,579.41 (APPROVE)
- d. Payout Request No. 2 - Final Payment - DuPage County 59<sup>th</sup> Street Bike Path Project - Crowley-Sheppard Asphalt Company - \$59,533.08 (APPROVE)
- e. Request for Purchase Exceeding \$1,000 - DuPage Mayors and Managers Conference Membership Dues - \$7,508.07 (APPROVE)
- f. Resolution No. 06-R-30 - A Resolution Commending Stephen N. Landsman for His Years of Service to the Village of Willowbrook (ADOPT)
- g. Ordinance No. 06-O-10 - An Ordinance Rezoning Certain Territory - 5818 Bentley Avenue (PASS)
- h. Application for a Variation - Steve and Sandra Walters - 7719 Eleanor Place (REFER TO PLAN COMMISSION)

- i. Resolution No. 06-R-33 - A Resolution Proclaiming May 15, 2006 as Police Officers Memorial Day and the Week of May 12-16, 2006 as Police Week in the Village of Willowbrook (ADOPT)

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

Trustee Schoenbeck noted that the Public Safety Committee requested the addition of item 4i to the Omnibus Vote Agenda, a resolution recognizing Police Officer Memorial week.

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

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, of 6446 Tennessee Avenue, commented she would like the Village to remove the water on her property. Ms. Zimmer also noted that she would like to meet with the Village Staff and Village Engineers to hear and consider their proposal with regard to her property.

6. PRESENTATION - BENJAMIN C. NELSON

President Pretzer presented a plaque to Administrative Intern Nelson for his service to the Village of Willowbrook. The Board congratulated Mr. Nelson and wished him well on his new job.

7. RESOLUTION - A RESOLUTION WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING THE VILLAGE PRESIDENT AND VILLAGE CLERK TO ACCEPT A PROPOSAL FOR THE CONSTRUCTION OF THE WILLOW POND ACCESSIBLE FISHING PIER - D & M CUSTOM DECKS, INC.

Assistant Director Halik informed the Board that the Staff was successful in obtaining pro bono architectural services provided by N. Batistich Architects for the design of the accessible fishing pier structure for Willow Pond. The amount of \$15,000.00

has been budgeted for this project through a combination of Village funds and donations. Seven (7) requests for proposals were sent out and three (3) proposals were received. D&M Custom Decks, Inc. submitted the lowest proposal in the amount of \$13,128.00. The proposal received by D&M Custom Decks, Inc. suggested a number of upgrades be included that would improve the structural stability of the pier. Staff recommended that the Board adopt the resolution before them this evening for a total amount not to exceed \$14,506.00.

Superintendent Righton noted that a dedication of the fishing pier is tentatively planned for Saturday, July 1 and it is anticipated that the architect, Kiwanis Club and the Rotary Club, although disbanded, would be recognized for their donations toward the construction of the pier.

MOTION: Made by Trustee Baker, seconded by Trustee Napoli, to adopt Resolution No. 06-R-31.

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

MOTION DECLARED CARRIED

8. ORDINANCE - ANNUAL APPROPRIATION ORDINANCE, VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS FOR THE FISCAL YEAR BEGINNING MAY 1, 2006 AND ENDING APRIL 30, 2007

Director Stanish advised that submitted to the Village Board for adoption is the Annual Appropriation Ordinance for the fiscal year beginning on May 1, 2006 and ending on April 30, 2007. In that the Village is under the Appropriation Act, it is required to adopt an appropriation ordinance within the first quarter of the fiscal year. The ordinance provides expenditure/expense amounts that the Village cannot exceed in the fiscal year 2006-07. However, it does not replace the previously adopted Administrative Budget. Upon approval by the Board, a certified copy of the ordinance will be filed with the DuPage County Clerk.

MOTION: Made by Trustee Mistele, seconded by Trustee Brown, to pass Ordinance No. 06-O-11.

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

MOTION DECLARED CARRIED

9. RESOLUTION - A RESOLUTION AWARDING A CONTRACT FOR THE 64<sup>TH</sup> STREET AND THURLOW STREET WATER MAIN EXTENSION TO THE JOHN REDINA CONSTRUCTION CORPORATION IN THE AMOUNT OF \$135,420.00 AND TO AUTHORIZE THE VILLAGE PRESIDENT AND VILLAGE CLERK TO EXECUTE THE CONTRACT

Administrator Zordan advised the Village Board that at the meeting of March 27, 2006, the Board reviewed the results of a bid opening for a water main extension project in the 64<sup>th</sup> Street and Thurlow Street area. The Staff was directed to contact the twelve affected property owners with the cost of the project per lot owner, which is \$12,977.75. Nine of the property owners have already paid. Administrator Zordan informed the Board that there were more than enough funds in the water capital improvement fund to cover the remaining cost of the property owners that have not paid for this project. In the event the three remaining property owners do not come forward by the end of the year, a recapture fee will be established so that the Village can be reimbursed with interest for future costs when a connection to the water system is requested. Mr. Zordan noted that should the Village Board wish to move forward on this project, each property owner will be required to annex into the Village as a condition of connecting to the water system.

MOTION: Made by Trustee McMahon, seconded by Trustee Schoenbeck, to adopt Resolution No. 06-R-32.

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

MOTION DECLARED CARRIED

10. ORDINANCE - AN ORDINANCE AMENDING THE VILLAGE CODE OF THE VILLAGE OF WILLOWBROOK - TITLE 9, SECTION 9-13-6 - ZONING ORDINANCE; PLANNED UNIT DEVELOPMENT STANDARDS

Administrator Zordan advised that at the March 13, 2006 meeting, the Board reviewed the Plan Commission recommendation on the revised standards for Planned Unit Developments. At that time the Board did not object to the proposed revisions and the Village Attorney prepared the necessary ordinance.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Napoli, to pass Ordinance No. 06-O-12.

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

MOTION DECLARED CARRIED

11. DISCUSSION - UPDATE AMUSEMENT TAX AUDIT

Director Stanish noted that at the November 28, 2005 meeting the Village Board approved of an amusement tax review by Sikich, LLP, which is comprised by mainly two entities, Willowbrook Lanes and Nationale Centre Sportsplex/World Gym Complex.

With regard to Willowbrook Lanes, it was determined through the review that two revenue sources had not been included as reportable income for the purpose of assessing the 6.0% amusement tax: shoe rental and locker rental. Village Attorney Jones provided an opinion that under the Village's ordinance, the rental fees for shoes and lockers are subject to the tax. Willowbrook Lanes has been notified by Sikich, LLP of this finding. The Finance Committee discussed this matter and recommended that the tax should be charged on shoe and locker rental income effective June 1, 2006. The annual estimated tax would be \$2,500.

With regard to the Nationale Centre Sportsplex/World Gym Complex, it was determined that for the two months the review was conducted, all transactions and revenue were not calculated for the tax. The transactions were random omissions. Staff has requested the taxpayer to provide a schedule of amounts not reported from January to March 2006. Upon receipt of the schedule, the Village's auditors will review the information and determine if further audit activities are warranted. The two month estimated tax would be \$114.

MOTION: Made by Trustee Mistele, seconded by Trustee Napoli, to accept the Amusement Tax Audits as prepared by Sikich, LLP and the Staff and Finance Committee recommendations.

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

MOTION DECLARED CARRIED

OLD BUSINESS

12. COMMITTEE REPORTS

Trustee McMahon had no report.

Trustee Baker had no report.

Trustee Mistele had no report.

Trustee Brown had no report.

Trustee Napoli had no report.

Trustee Schoenbeck noted that the minutes of the Public Safety Committee meeting of April 10, 2006 are in the packet.

13. ATTORNEY'S REPORT

Village Attorney Jones had no report.

14. CLERK'S REPORT

Village Clerk Hansen had no report.

15. ADMINISTRATOR'S REPORT

Administrator Zordan reminded the Board that the brush collection program goes into effect the week of May 15, 2006.

The Chamber of Commerce will be hosting the Home and Improvement Show on May 20, 2006 at the Arabian Knights Farm. The Village is going to have a booth there.

Administrator Zordan reported that a pipeline company has done several digs along Route 83 in order to make some minor repairs to their pipelines.

16. EXECUTIVE SESSION - COLLECTIVE BARGAINING AND PERSONNEL

MOTION: Made by Trustee McMahon, seconded by Trustee Schoenbeck, to adjourn into Executive Session to discuss collective bargaining and personnel at the hour of 8:00 p.m.

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

MOTION DECLARED CARRIED

\*\*\*SEE APPROPRIATE EXECUTIVE SESSION MINUTES\*\*\*

PRESENTED, READ and APPROVED,

\_\_\_\_\_, 2006

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Village President

Minutes transcribed by Mary Partyka.