

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, JUNE 12, 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 Village Engineer Dan Lynch.

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 - May 22, 2006 (APPROVE)
- c. Warrants - June 12, 2006 - \$281,706.29 (APPROVE)
- d. Monthly Financial Report - May 31, 2006 - \$10,989,362.54 (ACCEPT)
- e. Request for Purchase Exceeding \$2,500 - Hinsbrook Bank & Trust - Debt Service Payment General Obligation (Combined Alternate Revenue Source, Series 2000) - \$148,998.75 (APPROVE)
- f. Request for Purchase Exceeding \$2,500 - Hinsbrook Bank Installment Contract - \$5,232.50 (APPROVE)
- g. Request for Purchase Exceeding \$5,000 - Police Department - Three Replacement Squad Cars - Thomas Dodge - \$63,816.00 (APPROVE)
- h. Request for Purchase Exceeding \$2,500 - Gateway Special Recreation Association Membership Dues - July 1, 2006-June 30, 2007 - \$13,992.55 (APPROVE)

- i. Request for Approval of Park Permit - Sunday -
July 16, 2006 (APPROVE)

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

MOTION: Made by Trustee Baker, seconded by Trustee Mistele, 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 that the Village of Willowbrook and developers are using her private property for regional stormwater detention.

6. ORDINANCE - AN ORDINANCE REZONING PROPERTY AND APPROVING A FINAL PLAT OF SUBDIVISION, ADAMS AND 68TH STREET - OMAR DWEYDARI

Administrator Zordan noted that at its meeting of February 27, 2006, the Board discussed the application for rezoning the subject property to the R-1A Zoning District and to resubdivide the property into three lots. The Board had no objections to the proposed redevelopment and directed the Village Attorney to prepare the necessary Ordinance. The Staff recommended the Board pass the Ordinance before them this evening.

MOTION: Made by Trustee Brown, seconded by Trustee Schoenbeck, to pass Ordinance No. 06-O-15.

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

MOTION DECLARED CARRIED

7. RESOLUTION - A RESOLUTION AUTHORIZING THE PRESIDENT AND VILLAGE CLERK TO ENTER INTO AN AGREEMENT BETWEEN THE VILLAGE OF WILLOWBROOK AND ILLINOIS FRATERNAL ORDER OF POLICE LABOR COUNCIL

Administrator Zordan informed the Village Board that on May 25, 2006, the Police Union voted to formally approve the employment contract. Mr. Zordan provided a summary of the main issues of the contract for the Board.

MOTION: Made by Trustee Napoli, seconded by Trustee Brown, to adopt Resolution No. 06-R-36.

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

MOTION DECLARED CARRIED

8. DISCUSSION - TOWN CENTER DEVELOPMENT PROJECT - PLAN COMMISSION RECOMMENDATION

Administrator Zordan noted that before the Board this evening was the latest version of the Town Center Development Project. At this time, Mr. Zordan introduced Mr. Rick Filler of The Harlem Irving Companies.

Mr. Filler, along with the engineering and landscaping consultants, provided an overview to the Board of the proposed development plan for the Town Center Project.

Administrator Zordan noted that the Board last reviewed this development proposal on December 19, 2005. At that time, the big change in the project was the addition of the self-storage facility and the Portillo's restaurant. The Board directed that the project move forward to the public hearing stage. Several issues were raised during the public hearing process. The City of Darien raised the issues with regard to stormwater and buffering for some of their residents on the west side of Route 83, which have been resolved. Concerns were raised with regard to the access on 72nd Court, which were reviewed by the Village's traffic consultant that resulted in the realignment of the driveway and additional landscaping. The issue of the height of the self-storage facility was discussed at length by the Plan Commission, which resulted in additional buffering and signage being displayed on only two sides of the building. In addition, the Plan Commission approved the site plan and additional signage for outlot buildings and the access on 72nd Court.

Ryan McMahon, a Willowbrook resident, made inquiries with regard to the proposed landscape plan.

Administrator Zordan noted that the landscape plan has not been finalized as yet.

Marie Sticca, 7245 Willoway Lane, expressed her concern that some residents in Lake Willoway would be able to see the proposed signs to be located on Route 83 when they look out of their windows. She also had concerns with regard to the type of landscaping that would be used to buffer the view of the buildings from the Lake Willoway complex.

Carole Lazinski, a resident of Lake Willoway, requested an opportunity to review the transcripts from the Plan Commission and the site plans. She also inquired as to the kinds of restaurants that were being proposed for the development, whether they were upscale types of restaurants or the same category as a Chipotle. Ms. Lazinski expressed concerns with regard to the height of the storage facility, the garbage compactor enclosure, the hours of operation of the restaurants, and the stormwater runoff's affect on the Lake Willoway property.

The Village Board requested clarification on the status of the wetland mitigation for the project site, the parking space allotment with regard to the restaurants and retail space, and the height of the proposed storage facility.

President Pretzer noted that the Village Board will take the proposal into consideration and the proposed signs and the four-story building are issues currently not allowed by Village Code that will need to be addressed. In addition, the special uses and the proposed drive thru will have to be addressed. Mr. Pretzer advised that the proposal will be placed on the Board's agenda within the next two to four weeks.

9. FINANCIAL INCENTIVES - TOWN CENTER DEVELOPMENT PROJECT.

Jim Prosser, of Ehlers and Associates, Inc., presented a recommendation on the financial incentive package for the Town Center Project. A few of the basic elements of the financial terms include a 13.77% return on equity to the developer. Profits above 15% but less than 16% equity will be shared equally between the Village and the developer. The Village would sell Special Service Area Bonds in the amount of approximately \$3 million. The Village would issue a note to the developer

pledging the projected property tax increment from the development through the term of the district and a note pledging 50% of the sales tax projected to be generated from this development through 2015. Mr. Prosser noted that the amount of the sales tax note is greater than noted in the pro forma analysis to provide a rate of return to Harlem Irving Companies within market range. The total maximum assistance to the developer by the Village is approximately \$6.8 million with \$3.8 million of direct assistance and \$3 million of indirect assistance.

President Pretzer noted that Village Attorney Robin Jones was in attendance during the negotiating sessions.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Brown, to instruct the Village Attorney to use the outline prepared by Ehlers & Associates, Inc. in preparing the development agreement for the Town Center Development Project.

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

MOTION DECLARED CARRIED

OLD BUSINESS

10. COMMITTEE REPORTS

Trustee Baker had no report.

Trustee Mistele had no report.

Trustee Brown had no report.

Trustee Napoli noted that the dedication of the Willow Pond Fishing Pier is scheduled for July 8, 2006.

Trustee Schoenbeck that the Police Department presented the canine unit at the Chamber of Commerce luncheon and coming up at the end of this month, the Board will see a presentation at the June 26 meeting.

Trustee McMahon had no report.

11. ATTORNEY'S REPORT

Village Attorney Jones had no report.

12. CLERK'S REPORT

Village Clerk Hansen had no report.

13. ADMINISTRATOR'S REPORT

Administrator Zordan had no report.

14. EXECUTIVE SESSION - PERSONNEL

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Brown, to adjourn into Executive Session to discuss personnel at the hour of 9:32 p.m.

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

Village President

Minutes transcribed by Mary Partyka.