

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, JULY 24, 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, Robert Napoli, Paul Schoenbeck, Timothy McMahon and Village President Pretzer. ABSENT: Michael Brown. Also present were Village Clerk Leroy Hansen, Village Attorney Thomas Good, Interim Village Administrator Alan Zordan, Chief Edward Konstanty, Director of Finance Sue Stanish, Assistant Director of Municipal Services Timothy Halik and Administrative Intern Jacob Smith.

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 - July 10, 2006 (APPROVE)
- c. Warrants - July 24, 2006 - \$229,599.60 (APPROVE)
- d. Ordinance No. 06-0-23 - An Ordinance Granting Certain Variations From the Zoning Ordinance - 7719 Eleanor Place (PASS)
- e. An Application for Text Amendments to the Village of Willowbrook Sign Ordinance (REFER TO PLAN COMMISSION)
- f. An Application for Plat of Subdivision Approval With Variations - 300 60<sup>th</sup> Court (REFER TO PLAN COMMISSION)
- g. An Application for Plat of Subdivision Approval, Rezoning and Variations - Yasmeen Townhomes (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 item(s) removed from the Omnibus Vote Agenda.

MOTION: Made by Trustee McMahon, seconded by Trustee Schoenbeck, to approve the Omnibus Vote Agenda.

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

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 with regard to the stormwater runoff onto her property.

6. PRESENTATION - WILLOWBROOK POLICE CADETS

Commander John Barnacle thanked the Village Board and Public Safety Committee for its support of the Police Cadet Program. Commander Michael Kurinec informed the Village Board that the Police Cadets who attended the Conference earned a second place trophy in the White Collar Crime Investigation portion of the competition and did very well overall in the competition.

The Village Board congratulated the Cadets and their Supervisors and thanked them for the hard work that they put into the problem.

7. DELINQUENT WATER BILLS

Administrator Zordan informed the Village Board that there were no delinquent water bills.

8. PLAN COMMISSION RECOMMENDATION - AN APPLICATION TO REZONE PROPERTY FROM THE R-1 TO R-1A ZONING DISTRICT - 367 WEST 59<sup>TH</sup> STREET

Administrator Zordan informed the Village Board that the petitioner, Cheryl Brand, requested consideration of the rezoning of the property located at 367 West 59<sup>th</sup> Street from the R-1 Zoning District to the R-1A Zoning District classification. The requested rezoning would allow the applicant to build an

addition and modify the existing non-conforming single family residence.

The Plan Commission conducted a public hearing on July 5, 2006 and there were no objections made at that time. The Plan Commission discussed the application and recommended that the Village Board grant the rezoning of the subject property with the following conditions:

- The detached accessory garage shall be demolished prior to the issuance of a certificate of occupancy for any construction on the site.
- The existing driveway shall be reconstructed or modified so that it is not located on the existing 5' side yard easement prior to the issuance of a certificate of occupancy for any construction on the site.

The Staff concurred with the Plan Commission recommendation, which is compatible with the established residential character of the neighborhood and is consistent with the Villages' Comprehensive Plan.

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

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

MOTION DECLARED CARRIED

9. RESOLUTION - A RESOLUTION AWARDING THE FISCAL YEAR 2006-2007 MOTOR FUEL TAX SIDEWALK REPLACEMENT PROGRAM CONTRACT TO MARTINO CONCRETE COMPANY IN AN AMOUNT NOT TO EXCEED \$27,000

Assistant Director Halik informed the Village Board that the current Administrative Budget allocates \$30,000 to fund this year's sidewalk replacement program. The program annually identifies and replaces defective sections of concrete pedestrian sidewalk upon Village rights-of-way. Christopher B. Burke Engineering, Ltd. drafted the contract and the project was put out to bid on May 25, with the bid opening on June 16. The lowest responsive bidder was Martino Concrete Company. The Staff recommended that the contract for the 2006 MFT Sidewalk Replacement Program be awarded to Martino Concrete Company in an amount not to exceed \$27,000.

MOTION: Made by Trustee Napoli, seconded by Trustee Baker, to adopt Resolution No. 06-R-43.

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

MOTION DECLARED CARRIED

10. RESOLUTION - A RESOLUTION AUTHORIZING THE PRESIDENT AND VILLAGE CLERK TO ENTER INTO AN EMPLOYMENT AGREEMENT WITH THE VILLAGE ADMINISTRATOR - PHILIP J. MODAFF

President Pretzer noted that after interviewing several very qualified candidates for the position of Village Administrator, Philip Modaff was selected for the position. Mr. Modaff would be starting his employment with the Village on August 28.

The Village Board congratulated and welcomed Mr. Modaff as Village Administrator of the Village of Willowbrook.

MOTION: Made by Trustee Mistele, seconded by Trustee Napoli, to adopt Resolution No. 06-R-44.

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

MOTION DECLARED CARRIED

11. DISCUSSION - TOWN CENTER DEVELOPMENT PROJECT

Administrator Zordan informed the Village Board that at its meeting of July 10, the development agreement along with the financial incentive agreement were reviewed and approved. The issues regarding the trash compactors, plaza identification signs and the height of the self-storage building were also approved that same evening.

Administrator Zordan advised that the variance request to mitigate the wetlands in a separate watershed will be heard by the DuPage County Stormwater Committee on August 1. The Village Board will conduct the required public hearing granting the Stormwater Committee variance approval on August 14 prior to the regular meeting.

The plans, conditions and variations and special uses that would apply to the proposed town center development were itemized in Administrator Zordan's memorandum of July 17, 2006. The Staff recommended that the Village Board instruct the Village Attorney to prepare the necessary ordinance granting the approvals of this project.

Trustee Napoli requested colored renderings of the exterior building facades.

Trustee Schoenbeck inquired if there was a restriction with regard to the operation of the drive-through outside speakers. Administrator Zordan responded that the restrictions made were for outside music and not the drive-through speakers.

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

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

MOTION DECLARED CARRIED

OLD BUSINESS

12. COMMITTEE REPORTS

Trustee McMahon had no report.

Trustee Baker had no report.

Trustee Mistele had no report.

Trustee Napoli had no report.

Trustee Schoenbeck noted that the minutes of the Public Safety Committee meeting of July 10 were in the packets for information only.

13. ATTORNEY'S REPORT

Village Attorney Good had no report.

14. CLERK'S REPORT

Village Clerk Hansen noted that Administrative Intern Jacob Smith was in attendance.

15. ADMINISTRATOR'S REPORT

Administrator Zordan had no report.

16. EXECUTIVE SESSION - TO DISCUSS THE RELEASE OF EXECUTIVE SESSION MINUTES, PENDING LITIGATION AND PERSONNEL

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

MOTION: Made by Trustee McMahon, seconded by Trustee Baker, to go in to Executive Session to discuss the Release of Executive Session Minutes, Pending Litigation and Personnel at the hour of 7:50 p.m.

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

MOTION DECLARED CARRIED

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

The Village Board reconvened the regular meeting at the hour of 7:58 p.m.

16A. ROLL CALL

Those present at roll call were Trustees Dennis Baker, Michael Mistele, Robert Napoli, Paul Schoenbeck, Timothy McMahon and Village President Pretzer. ABSENT: Michael Brown. 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

President Pretzer noted that there were no Executive Session minutes requested to be released at this time.

MOTION: Made by Trustee Napoli, seconded by Trustee Baker, to adopt Resolution No. 06-R-45.

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

MOTION DECLARED CARRIED

18.           ADJOURNMENT

The Village Board thanked Administrator Zordan for all his service, hard work and dedication as Interim Village Administrator.

President Pretzer asked for a motion to adjourn.

MOTION: Made by Trustee McMahon, seconded by Trustee Schoenbeck, to adjourn the regular meeting at the hour of 8:05 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED,

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

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Village President

Minutes transcribed by Mary Partyka.