

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, October 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, Michael Mistele, Michael Brown, Robert Napoli, Paul Schoenbeck and Village President Pretzer. ABSENT: Trustee Timothy McMahon. Also present were Deputy Clerk Mary Partyka, Village Attorney Thomas Good, Village Administrator Phil Modaff, Director of Municipal Services Alan Zordan, Director of Finance Sue Stanish, Chief of Police Edward Konstanty, 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.

MOTION DECLARED CARRIED

OLD BUSINESS

4. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Regular Board Meeting - September 25, 2006 (APPROVE)
- c. Minutes - Executive Session - September 25, 2006 (APPROVE)
- d. Warrants - October 9, 2006 - \$119,579.92 (APPROVE)
- e. Monthly Financial Report - September 30, 2006 - \$11,775,017.11 (ACCEPT)
- f. MOTION - To Ratify the Chief of Police's Execution of the Contract and Approving the Contract With the DEA (CARRIED)

Village President 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 Mistele, seconded by Trustee Brown, to approve the Omnibus Vote Agenda.

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

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 the stagnating water on her property that she believes is caused by her property being used for storm water runoff.

6. RESOLUTION - A RESOLUTION COMMENDING JANET KUFRIN FOR TWENTY YEARS OF SERVICE WITH THE VILLAGE OF WILLOWBROOK

President Pretzer presented a Resolution commending Janet Kufirin on her twenty years of service with the Village. The Village Board offered their congratulations to Ms. Kufirin.

MOTION: Made by Trustee Napoli, seconded by Trustee Schoenbeck, to adopt Resolution No. 06-R-54.

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

MOTION DECLARED CARRIED

7. ORDINANCE - AN ORDINANCE ANNEXING TERRITORY TO THE VILLAGE OF WILLOWBROOK - 369 59TH STREET

Director Zordan informed the Village Board that the applicants, Kenneth and Linda Burke, petitioned to be annexed to the Village. He indicated that this property represents the last case in which the property owners were allowed to construct a new home in unincorporated County, tap onto the Village's water system and then complete the annexation process once the County

issued the full certificate of occupancy. The property is located on the south side of 59th Street between Bentley and Western Avenues and is contiguous to the Village's corporate limits on all four sides. The Staff recommended that the Board approve the Ordinance before them this evening.

MOTION: Made by Trustee Mistele, seconded by Trustee Schoenbeck, to pass Ordinance No. 06-0-31.

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

MOTION DECLARED CARRIED

8. RESOLUTION - A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT AND VILLAGE CLERK TO ACCEPT A PROPOSAL FOR THE 2006 FALL BRUSH COLLECTION PROGRAM - THE CARE OF TREES

Assistant Director Halik advised the Board that the FY 06-07 Budget included funds in the amount of \$10,305 to conduct a Village wide Fall Brush Collection Program. Staff estimated that two (2) crews working 50 hours each would be needed to complete this program. Requests For Proposals were sent to eleven (11) tree maintenance contractors with three (3) responses. The Care of Trees submitted the lowest bid in the amount of \$100/per crew hour with an anticipated total of \$10,000 for the program. Mr. Halik noted that The Care of Trees is the Village's regular tree trimming contractor and has provided very good service. Staff recommended approval of the Resolution before the Board this evening.

MOTION: Made by Trustee Napoli, seconded by Trustee Mistele, to adopt Resolution No. 06-R-55.

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

MOTION DECLARED CARRIED

9. ORDINANCE - AN ORDINANCE AMENDING THE VILLAGE CODE OF THE VILLAGE OF WILLOWBROOK - TITLE 6, CHAPTER 8, ADDING A NEW SUBSECTION 6-8-2(F)4(F) - WATER SYSTEM, ADDITIONAL CONNECTION CHARGES

Director Zordan informed the Board that the Thurlow Street watermain extension created a financial obligation for the twelve benefiting property owners. All but one of the property owners has paid their share of the construction costs of the project. In order to memorialize the obligation of the single remaining property owner on this project, the Village Code needs to be amended to establish this additional connection fee. Director Zordan noted that the proposed Code amendment would identify the additional charge for the property, 7S052 Thurlow Street, as well as incorporate the 7% per annum interest rate utilized by the Village in all other such fees.

MOTION: Made by Trustee Napoli, seconded by Trustee Mistele, to pass Ordinance No. 06-O-32.

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

MOTION DECLARED CARRIED

10. ORDINANCE - AN ORDINANCE GRANTING A SPECIAL USE PERMIT - 870 75TH STREET, UNIT 104-B, WILLOWBROOK - SINGLE SITE SOLUTIONS CORP. - "ELITE MARTIAL ARTS EXTREME"

Director Zordan informed the Board that at its September 25, 2006 meeting, the request for a Special Use Permit and the Plan Commission's recommendation was discussed. After thoroughly discussing this matter, the Board directed the Village Attorney to prepare the necessary Ordinance with the conditions outlined in the Plan Commission recommendation with an additional condition with regard to signage restricting parking and waiting along with safety recommendations by the school's operator. The majority of the conditions had already been completed. Director Zordan did indicate that two minor changes were made to the Ordinance:

- Under Section Three, 4., change "prior to the issuance to a special use permit" to "prior to the issuance of a Certificate of Occupancy,"
- Under Section Three, 5., to provide for additional time with regard to the completion of the lighting work.

Although the owner of the karate school had been cited for several violations with regard to not going through the proper zoning and permit process, the Board noted that the owners of the shopping center had acted in good faith and completed most

of the required conditions and should not be held responsible for the owner of the karate school's actions. In the event the karate school continues to incur violations, Attorney Good advised the Board that it could go to hearing and revoke the Special Use Permit for that specific tenant.

MOTION: Made by Trustee Brown, seconded by Trustee Schoenbeck, to pass Ordinance No. 06-0-33.

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

MOTION DECLARED CARRIED

11A. PRESENTATION - ALAN ZORDAN

President Pretzer thanked Alan Zordan and presented him with a plaque in recognition of his service to Willowbrook and wished him well in his new position with the Village of Mokena.

11B. DISCUSSION - PROPOSED REORGANIZATION PLAN

Administrator Modaff informed the Board that the information discussed during the joint meeting of the Finance/Administration and Municipal Services Committees was the same information the Board had discussed at the September 25 meeting. He indicated there was a portion of the reorganization plan that would be discussed further in Executive Session. The Finance/Administration and Municipal Services Committees recommended approval of the proposed plan.

Trustees Schoenbeck and Brown expressed disappointment that they had been excluded from discussion of this issue at the Committee level. Trustee Napoli recanted that the discussion at Committee was identical to that held at the prior Board meeting and that Administrator Modaff was directed to take the matter to the joint meeting.

MOTION: Made by Trustee Napoli, seconded by Trustee Mistele, to approve the Reorganization Plan as presented.

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

MOTION DECLARED CARRIED

12. COMMITTEE REPORTS

Trustee Napoli had no report.

Trustee Schoenbeck had no report.

Trustee Baker had no report.

Trustee Mistele had no report.

Trustee Brown had no report.

13. ATTORNEY'S REPORT

Attorney Good had no report.

14. CLERK'S REPORT

Deputy Clerk Partyka had no report.

15. ADMINISTRATOR'S REPORT

Administrator Modaff noted that Trustee Schoenbeck had inquired about consultant services we use for building inspections, plan review, engineering, etc. He and Director Stanish were able to break it out by vendor, by types of service over the last 2-1/2 fiscal years. That report will be in the upcoming Administrator's Report.

Administrator Modaff indicated that several Board members inquired about the way the organization structure is currently depicted in the annual audit and Village budget, where there was no direct connection between the residents and the Trustees. Village Attorney Good confirmed that the structure is properly depicted in the organizational chart but he did acknowledge that we could insert the Board of Trustees in the line under the Village President. This would not statutorily diminish the authority or responsibilities of the Village President or the Board of Trustees.

Administrator Modaff noted that the Board had been issued a wallet sized card denoting the phone numbers of the Staff and the Board members.

President Pretzer commented that the IML Conference, which was attended by three elected officials, was very worthwhile and offered very interesting and informative workshops.

16. EXECUTIVE SESSION - PERSONNEL

MOTION: Made by Trustee Baker, seconded by Trustee Napoli, to adjourn into Executive Session at the hour of 8:12 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED,

_____, 2006

Village President

Minutes transcribed by Mary Partyka.