

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, OCTOBER 8, 2007, 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 7:35 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, Village Administrator Phil Modaff, Chief of Police Edward Konstanty, Director of Finance Sue Stanish, Director of Municipal Services Timothy Halik and Superintendent of Parks & Recreation Walter Righton.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

President Pretzer asked everyone to join him in saying the Pledge of Allegiance.

4. INTRODUCTION AND FORMAL SWEARING IN OF OFFICER LAUREN KASPAR

This item was deferred until October 22, 2007.

5. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Regular Board Meeting - September 24, 2007 (APPROVE)
- c. Warrants - October 8, 2007 - \$91,216.26 (APPROVE)
- d. Monthly Financial Report - September 30, 2007 - \$14,792,268.34 (ACCEPT)
- e. Resolution No. 07-R-47 - A Resolution Creating Set Hours for Halloween Solicitation (ADOPT)
- f. Resolution No. 07-R-48 - A Resolution Proclaiming Red Ribbon Week in the Village of Willowbrook (ADOPT)
- g. Resolution No. 07-R-49 - A Resolution Authorizing the Village President and Village Clerk to Accept a Proposal For the 2007 Fall Brush Collection Program - Steve Piper & Sons, Inc. (ADOPT)

President Pretzer asked if any Board member(s) wanted to remove any item(s) 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 Baker, to approve the Omnibus Vote Agenda as presented.

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

MOTION DECLARED CARRIED

NEW BUSINESS

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

Phyllis Zimmer, 6446 Tennessee Avenue, commented that storm water is being wrongfully directed onto her property.

Grace Olech, 6440 Tennessee Avenue, expressed her concern with being questioned by the Village on her low water usage in her home but yet the Village never called her to investigate an extremely high water bill about \$3,000 a few years ago. She also expressed her concern about seriously contaminated storm water being directed onto her property.

Administrator Modaff responded that Ms. Olech's meter was showing zero usage and we wanted to make sure the outside equipment was matching the inside equipment. We did go to the Olech residence and found out that it was working properly. The other item mentioned was that there was an extraordinarily high bill; it probably should have been flagged before the bill was sent out and it was not but when it was brought to the Village's attention, the matter was resolved.

7. ORDINANCE - AN ORDINANCE PROPOSING THE ESTABLISHMENT OF SPECIAL SERVICE AREA NUMBER ONE OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS, AND THE ISSUANCE OF BONDS IN AN AMOUNT NOT TO EXCEED \$3,850,000 FOR THE PURPOSE OF PAYING THE COST OF PROVIDING SPECIAL SERVICES IN AND FOR SUCH AREA

Director Stanish informed the Village Board that one of the financing mechanisms for the development of the Town Center is the establishment of a Special Service Area (SSA), which encompasses the TIF area except for the bowling alley, and the issuance of bonds to

fund the related public improvements. Once the Special Service Area is in place and the required public hearing is held, the Village will issue Special Service Area bonds for the public improvements related to the Town Center development. The bonds would be paid for by the property owners, Harlem Irving, through the levy of a tax. The Village would not be responsible for paying the debt service on the SSA bonds from any of the Village funds. The SSA would be in place for a maximum of 22 years.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Brown, to pass Ordinance No. 07-0-23.

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

MOTION DECLARED CARRIED

8. RESOLUTION - A RESOLUTION TO ADOPT A STATEMENT OF INTEROPERABILITY

Chief Konstanty advised the Board that since September 11, 2001, the need for communication interoperability has become evident for emergency services and management. Interoperability means the ability for municipalities to communicate with each other on a single system. The DuPage County Emergency Telephone System Board had entered into a contract with Motorola for an interoperability "backbone" for a radio system that would allow for emergency communication for fire and police agencies within DuPage County. The direction for this project is through the DuPage County Emergency Telephone System Board with minimal interaction with municipal stakeholders. The purpose of the Resolution before the Board this evening would be to notify the DuPage County Emergency Telephone System Board that each municipality must be an equal partner in any decisions regarding communications interoperability. The DuPage Mayors and Managers Conference requested that each DuPage County municipality adopt a Resolution to support a statement of interoperability.

MOTION: Made by Trustee Baker, seconded by Trustee Napoli, to adopt Resolution No. 07-R-50.

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

MOTION DECLARED CARRIED

9. RESOLUTION - A RESOLUTION REJECTING BIDS - COMMUNITY PARK RESTROOMS AND CONCESSION FACILITY

Trustee McMahon noted that the bids for the reduced Community Park Restroom and Concession Facility came in highly variable and higher than most of us thought would be reasonable. He thought the bids should be rejected.

Trustee McMahon suggested waiving the bid process and asking Staff to do two things: 1) go out to local contractors and find out what they can do this fall and what kind of numbers can they make, setting a limit as to the amount; 2) ask Staff to go out and look for individuals who would do the bigger project sometime next year, either early spring or fall, if they can come in at a good number. If they come in with a good number next year, we would take that, if they cannot we have somebody potentially to do it this fall.

President Pretzer recommended setting up a subcommittee, made up of two Trustees and the Chairman of the Parks & Recreation Commission, to work with Staff on this. It certainly is a need that has existed for several years and would bring the park up to a better standard.

Deb Stefaniak, president of Burr Ridge/Willowbrook Baseball Programs, informed the Board of the use of the Community Park by the Girls Softball Program and the number of attendees during their tournaments.

Richard Cobb, Chairman of the Parks Commission, felt that Community Park is the jewel of the Village and it is an embarrassment to have the girl's softball programs have to use two portable toilets. There are many amenities that could be installed at Community Park but he felt the first item should be the restroom and concession building.

Laurie Landsman, Parks Commissioner, commented that the Village should look at building the larger size restroom and concession facility. She felt it was a good idea for the Village to look into obtaining the services of a local contractor.

MOTION: Made by Trustee McMahon, seconded by Trustee Schoenbeck, to adopt Resolution No. 07-R-51.

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

MOTION DECLARED CARRIED

The subcommittee would be comprised of Trustee McMahon, Trustee Mistele, Parks Commission Chairman Richard Cobb and staff.

MOTION: Made by Trustee Napoli, seconded by Trustee McMahon, to authorize the Village Administrator to negotiate and enter into contracts, along with the subcommittee, for the Community Park Restroom and Concession Facility with a tentative budget not to exceed \$250,000, provide a recommendation to the Village Board on October 22, 2007 and to waive the competitive bidding process.

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

MOTION DECLARED CARRIED

OLD BUSINESS

10. COMMITTEE REPORTS

Trustee McMahon noted that the minutes from the Finance and Administration Committee meeting were in the packet.

Trustee Baker noted that the minutes from the Public Safety Committee meeting were in the packet.

Trustee Mistele had no report.

Trustee Brown had no report.

Trustee Napoli had no report.

Trustee Schoenbeck had no report.

11. ATTORNEY'S REPORT

Village Attorney Jones addressed several issues.

a) Email Policy

Attorney Jones related that effective January of 2007, the Statutes now define meetings differently than it used to. Under the new

definition, a gathering can be either in person or a meeting by video or audio conference, telephone call, or electronic such as email. The Statute calls contemporaneous interactive communication, which is email or instant messaging. Elected officials need to be very diligent on the use of email and sending correspondence. Some municipalities have adopted formal email policies which set forth guidelines on how to communicate, which is not required but it is something that is available.

b) Project Lightspeed

Attorney Jones informed the Board that the Illinois Cable and Video Competition Law of 2007, which now permits cable companies to obtain State issued authorization to provide cable service to municipalities versus coming to a municipality and enter into a franchise agreement. The law does contain many provisions that are to the benefit of municipalities as to controlling cable operators and how they utilize public right of way. Part of that were the Cable and Video Customer Protection Laws, which also set forth customer service standards, privacy issues, etc. that the cable companies have to abide with. In order to implement the provisions of both laws, a series of four ordinances over the next few months need to be passed. The first ordinance will be the Right Of Way Construction Standard Ordinance, which is a very comprehensive ordinance that deals with cable providers using the Village's rights of way.

12. CLERK'S REPORT

Village Clerk Hansen had no report.

13. ADMINISTRATOR'S REPORT

Administrator Modaff reported that Portillo's is scheduled to open Tuesday, October 9, 2007.

14. EXECUTIVE SESSION

President Pretzer asked for a motion to adjourn into Executive Session to discuss land acquisition.

MOTION: Made by Trustee Napoli, seconded by Trustee Schoenbeck, to adjourn into Executive Session to discuss land acquisition at the hour of 8:40 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,

\_\_\_\_\_, 2007

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Village President

Minutes transcribed by Mary Partyka.