

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, NOVEMBER 26, 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 7:30 p.m. by Village Clerk Leroy Hansen.

2. ROLL CALL

Those present at roll call were Trustees Michael Mistele, Michael Brown, Robert Napoli, Paul Schoenbeck and Timothy McMahon. ABSENT: President Gary Pretzer and Trustee Dennis Baker. Also present were Village Clerk Leroy Hansen, Village Attorney Robin Jones, Village Administrator Phil Modaff, Director of Finance Sue Stanish, Director of Municipal Services Timothy Halik, Planner Sara Hage and Superintendent of Parks & Recreation Walter Righton.

A QUORUM WAS DECLARED

ELECTION OF PRESIDENT PRO TEM

Village Clerk Hansen asked for a motion to elect Trustee Robert Napoli President Pro Tem.

MOTION: Made by Trustee McMahon, seconded by Trustee Schoenbeck, to elect Trustee Robert Napoli President Pro Tem.

UNANIMOUS VOICE VOTE

MOTION DECLARED CARRIED

3. PLEDGE OF ALLEGIANCE

President Pro Tem Napoli 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 - November 12, 2007 (APPROVE)
- c. Minutes - Executive Session - November 12, 2007 (APPROVE)
- d. Warrants - November 26, 2007 - \$182,455.81 (APPROVE)
- e. MOTION TO APPROVE - REQUEST FOR PURCHASE OF SERVICES EXCEEDING \$2,500.00 - RAGS Electric - \$3,000.00 (APPROVE)
- f. ORDINANCE NO. 07-O-27 - AN ORDINANCE REZONING CERTAIN PROPERTY AND GRANTING CERTAIN VARIATIONS FROM THE

- ZONING ORDINANCE - 7901 JOLIET ROAD - HOUSE OF TRUCKS  
(PASS)
- g. ORDINANCE NO. 07-O-28 - AN ORDINANCE APPROVING A PLAT OF ROADWAY EASEMENT VACATION - QUINCY STREET AT JOLIET ROAD (PASS)
  - h. RESOLUTION NO. 07-R-57 - A RESOLUTION APPROVING A PLAT OF GRANT OF EASEMENT AND PLAT OF DEDICATION - 325 63<sup>RD</sup> STREET (ADOPT)
  - i. RESOLUTION NO. 07-R-58 - A RESOLUTION PROCLAIMING THE MONTH OF DECEMBER 2007 AS NATIONAL DRUNK AND DRUGGED DRIVING (3D) PREVENTION MONTH IN THE VILLAGE OF WILLOWBROOK (ADOPT)

President Pro Tem Napoli asked if any Board member 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 Schoenbeck, seconded by Trustee Brown, to approve the Omnibus Vote Agenda.

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

MOTION DECLARED CARRIED

NEW BUSINESS

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

There was no visitor's business.

6. DELINQUENT WATER BILLS

Director Halik reported that there were two (2) delinquent water bills in the amount of \$148.89 and \$322.43, respectively, and requested permission to proceed as per Village policy.

7. ORDINANCE - AN ORDINANCE AMENDING TITLE 4 OF THE VILLAGE CODE OF THE VILLAGE OF WILLOWBROOK - PUBLIC WAYS AND PROPERTY - VARIOUS PROVISIONS

Administrator Modaff informed the Board that because of the Cable and Video Competition Law of 2007 passed by the Legislature this summer, there had to be amendments to the Village Ordinance. Agenda Item No. 7 relates to construction of utilities in the rights-of-way and

Agenda Item No. 8 is the Ordinance which covers customer service and by reference mirrors the state law that was passed. These are the first two of four related to the new law that will be before the Board.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Brown, to pass Ordinance No. 07-0-29.

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

MOTION DECLARED CARRIED

8. ORDINANCE - AN ORDINANCE AMENDING THE VILLAGE CODE OF THE VILLAGE OF WILLOWBROOK - TITLE 3, CHAPTER 20 - ESTABLISHING CABLE AND VIDEO CUSTOMER SERVICE AND PRIVACY PROTECTIONS STANDARDS

Administrator Modaff informed the Board that the Cable and Video Competition Law of 2007 made necessary the passage of a Customer Service and Privacy Ordinance applicable to cable or video providers offering services within a municipality's boundaries. The ordinance before the Board this evening adopts by reference the regulations of the Cable and Video Competition Law of 2007 and provides that any future amendments to the Law shall be incorporated into the Village's Code by reference and would be applicable to cable and video providers offering services within Willowbrook's boundaries.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Brown, to pass Ordinance No. 07-0-30.

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

MOTION DECLARED CARRIED

9. RESOLUTION - A RESOLUTION WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING THE VILLAGE PRESIDENT AND VILLAGE CLERK TO ACCEPT A PROPOSAL FOR THE COMPLETION OF THE EXECUTIVE PLAZA WATER MAIN REPLACEMENT PROJECT - WESTERN UTILITY CONTRACTORS, INC.

Director Halik advised the Board that recently three (3) water main breaks occurred within the Executive Plaza area within two (2) weeks time, in addition to multiple breaks within this section of main over the last several years. The water main is severely deteriorated from

presumably corrosive soils and electrolysis conditions. Each time this section requires repair, the water service is shut down to three buildings affecting a total of thirty-six tenants. Director Halik proposed using the same underground contractor, Western Utility, for labor and equipment to perform the repair.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Mistele, to adopt Resolution No. 07-R-59.

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

MOTION DECLARED CARRIED

10. RESOLUTION - A RESOLUTION AUTHORIZING THE PRESIDENT AND VILLAGE CLERK OF THE VILLAGE OF WILLOWBROOK TO ENTER INTO A CERTAIN ANNEXATION AGREEMENT - TRI-STATE FIRE PROTECTION DISTRICT

Planner Hage presented Agenda Item Nos. 10, 11 and 12.

Planner Hage noted that the three items before the Village Board relate to the Tri-State Fire Protection District Station #4. The Resolution would authorize the execution of the Annexation Agreement, the first Ordinance would annex the property and the second Ordinance would issue the special use permit allowing for the public service and utility use of a fire station on that property.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Mistele, to adopt Resolution No. 07-R-60.

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

MOTION DECLARED CARRIED

11. ORDINANCE - AN ORDINANCE ANNEXING TERRITORY TO THE VILLAGE OF WILLOWBROOK - TRI-STATE FIRE PROTECTION DISTRICT

MOTION: Made by Trustee McMahon, seconded by Trustee Schoenbeck, to pass Ordinance No. 07-O-31.

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

MOTION DECLARED CARRIED

12. ORDINANCE - AN ORDINANCE GRANTING A SPECIAL USE PERMIT - TRI-STATE FIRE PROTECTION DISTRICT

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Brown, to pass Ordinance No. 07-0-32.

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

MOTION DECLARED CARRIED

13. ORDINANCE - AN ORDINANCE TO ESTABLISH SPECIAL SERVICE AREA NUMBER ONE OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS

Director Stanish advised the Village Board that the passage of the Ordinance this evening would establish Special Service Area One for public improvements related to the Town Center Development. The Village would issue bonds for the public improvements which would be paid by the property owners through the levy of a tax.

MOTION: Made by Trustee McMahon, seconded by Trustee Schoenbeck, to pass Ordinance No. 07-0-33.

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

MOTION DECLARED CARRIED

14. ORDINANCE - AN ORDINANCE PROVIDING FOR THE LEVY OF TAXES FOR THE FISCAL YEAR COMMENCING ON MAY 1, 2007 AND ENDING APRIL 30, 2008, OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS

Director Stanish noted that over the last several years, the Board has levied the Special Recreation Tax for the Village. The proposed tax levy this year is for \$63,000, which would have a tax impact for a home owner with a home market value of \$300,000 of approximately \$14.00.

Trustee Brown requested that this item be deferred pending further discussion of the specific items to be funded. He indicated that the Board had not previously discussed the matter. Trustee Schoenbeck indicated that the Finance and Administration Committee reviewed and recommended support of this item.

MOTION: Made by Trustee Mistele, seconded by Trustee McMahon, to pass Ordinance No. 07-0-34.

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

MOTION DECLARED CARRIED

OLD BUSINESS

15. COMMITTEE REPORTS

Trustee McMahon noted that the minutes from the Finance and Administration Committee meeting of October 8, 2007 were in the packet for information purposes.

Trustee Mistele had no report.

Trustee Brown had no report.

Trustee Napoli had no report.

Trustee Schoenbeck had no report.

16. ATTORNEY'S REPORT

Village Attorney Jones had no report.

17. CLERK'S REPORT

Village Clerk Hansen had no report.

18. ADMINISTRATOR'S REPORT

Administrator Modaff informed the Village Board that he had hoped to have final information available from the Village of Burr Ridge Board meeting this evening. He had received a call from Burr Ridge's Village Administrator and President Pretzer had talked with Burr Ridge's Mayor Grasso, to advise us that it was Mayor Grasso's intention to ask the Burr Ridge Board to table the subject of police consolidation indefinitely without any schedule for further consideration of consolidation. Administrator Modaff also thought in the near future the Board would have to consider if there is any continued interest in a combined police facility with the Village of Burr Ridge.

President Pro Tem Napoli indicated he had talked to President Pretzer and President Pretzer asked that discussion of this subject be continued to the next meeting.

Administrator Modaff distributed the first draft of the updated Personnel Manual for their review. He proposed addressing the manual in a series of workshops with the final adoption by May 1, 2008, the beginning of the new fiscal year. The Board preferred having one special meeting to review the Personnel Manual and then if needed, to have a workshop following the regular meeting.

19. EXECUTIVE SESSION

There was no need for an Executive Session.

20. ADJOURNMENT

President Pro Tem Napoli asked for a motion to adjourn the regular meeting.

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

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

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED,

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

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Village President

Minutes transcribed by Mary Partyka.