

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, MARCH 10, 2008, 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 President Pretzer. ABSENT: Village Clerk Leroy Hansen. Also present were Deputy Clerk Mary Partyka, Village Attorney Robin Jones, Village Administrator Phil Modaff, Chief of Police Edward Konstanty, Director of Finance Sue Stanish, Director of Municipal Services Timothy Halik, Planner Sara Hage, Superintendent of Parks & Recreation Walter Righton and Administrative Intern Garrett Hummel.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

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

4. PUBLIC HEARING - APPROPRIATION ORDINANCE

President Pretzer opened the public hearing at 7:38 p.m.

The public hearing was held relative to the proposed Appropriation Ordinance for Fiscal Year 2008-2009. Copies of the proposed Appropriation Ordinance are available for public inspection at the Village Hall. Notice of the Public Hearing was published in the February 28, 2008 edition of The Doings Newspaper.

There were no comments from the Board or the audience.

President Pretzer closed the public hearing at 7:40 p.m.

5. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Budget Workshop - February 19, 2008 (APPROVE)
- c. Minutes - Regular Board Meeting - February 25, 2008 (APPROVE)

- d. Minutes - Personnel Manual Workshop - February 25, 2008 (APPROVE)
- e. Warrants - March 10, 2008 - \$111,510.83 (APPROVE)
- f. Monthly Financial Report - February 29, 2008 - \$19,270,459.68 (ACCEPT)
- g. RESOLUTION NO. 08-R-07 - A Resolution Authorizing the Village President and Village Clerk to Execute a Certain Agreement - DuPage Convention & Visitors Bureau (ADOPT)
- h. ORDINANCE NO. 08-O-03 - An Ordinance Approving a Final Plat of Subdivision - 635 63rd Street - Triple "A" Subdivision (PASS)
- i. ORDINANCE NO. 08-O-04 - An Ordinance Authorizing the Sale of Personal Property Owned by the Village of Willowbrook (PASS)

President Pretzer asked if any Board member(s) wanted any item removed from the Omnibus Vote Agenda.

Trustee Mistele noted a correction to agenda Item 5b, page 7, paragraph 3, in that "appraisal" be deleted and replaced by "programming and planning work". He did not want this item removed from the Omnibus Vote Agenda for further discussion.

No other Board member(s) wanted any item removed from the Omnibus Vote Agenda.

MOTION Made by Trustee Mistele, seconded by Trustee Schoenbeck, to approve the Omnibus Vote Agenda as amended.

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 her property had water on it due to the Village directing storm water onto her property. She distributed photographs to the Board of her property and several other properties in her area.

7. MOTION - PRESIDENTIAL APPOINTMENT - KATHERINE A. PATERNO

President Pretzer recommended the appointment of Katherine A. Paterno as the Village's Ethics Officer.

MOTION: Made by Trustee Napoli, seconded by Trustee McMahon, to concur with the Village President's recommendation to appoint Katherine A. Paterno as the Village's Ethics Officer.

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

MOTION DECLARED CARRIED

8. RESOLUTION - A RESOLUTION PURSUANT TO SECTION 4-4-4(C) OF THE VILLAGE CODE - A RESOLUTION ESTABLISHING PERMIT FEES FOR VILLAGE OF WILLOWBROOK PARKS

Superintendent Righton advised that changes made to the permit fees for the Village parks must be approved by the Village Board. The main purpose of the increase was to continue to make Village facilities available at a reasonable cost comparable to neighboring communities. In addition, the proposed fees provide a recapture of the actual costs for providing trash removal, adequate amount of security deposits and a simplified fee schedule and permitting process for both park patrons and Staff. The Finance/Administration Committee reviewed the proposed fees and supported the changes to the permit fees recommended by the Staff.

MOTION: Made by Trustee Baker, seconded by Trustee Mistele, to adopt Resolution No. 08-R-08.

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

MOTION DECLARED CARRIED

9. RESOLUTION - A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT AND VILLAGE CLERK TO EXECUTE A CERTAIN FOURTH AMENDED ARTICLES OF AGREEMENT - GATEWAY SPECIAL RECREATION ASSOCIATION

Superintendent Righton informed the Board that membership in the Gateway Special Recreation Association is currently governed by the Association's Third Amended Articles of Agreement, adopted in 1999. At its February 14, 2008 meeting, the Gateway Special Recreation

Board unanimously approved the draft of the Fourth Amended Articles of Agreement. The Gateway Board is now seeking approval from all its members. The main changes are that a Member's voluntary withdrawal from the Association by April 1 would become effective on June 30 of the following year, recognizing the addition of the Westchester and York Center park districts to the Association, tying the Gateway Board's By-Laws to the Fourth Amended Articles and providing the Gateway Board with a more effective means of enforcing its By-Laws by linking enforcement to the Articles of Agreement.

~~Trustee Schoenbeck~~ Trustee Baker asked what the total number of members in Gateway was. Superintendent Righton responded there were nine (9) members. The number of Willowbrook residents using Gateway programs varies from 4 to 12.

MOTION: Made by Trustee Napoli, seconded by Trustee Schoenbeck, to adopt Resolution No. 08-R-09.

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

MOTION DECLARED CARRIED

10. DISCUSSION - E PACKET PROGRAM

Administrator Modaff informed the Board that, if the Board was comfortable with the E-packet program, laptop computers can be purchased in the area of \$600 each for a cost of \$5,000. In addition, they can be put on a 4-5 year replacement program. The proposal would be that the laptop computers be kept on the dais for use by the Board not only for regular meetings but Committee meetings and workshops as well. Each Trustee can choose to receive their packets via email or a hand delivered disk.

President Pretzer thought that the E-packet seems very easy to work with and supported going forward with the purchase of laptop computers for the entire Board. He also suggested Staff check with SWCD to see if they have any surplus units available.

Administrator Modaff requested the Board's direction with regard to including the purchase of the laptop computers into the FY 2009 budget.

The consensus of the Board was supportive of the E-packet program and to go forward with the purchase of the laptop computers. The Board did not feel it was necessary to include the purchase of a scanner

for large maps, plans etc. In addition, the Board felt it would be important to include the cost of \$1,500 for electricity on the dais.

The Staff was given direction to include the \$5,000 cost for the purchase of eight (8) laptop computers and the \$1,500 cost for electricity on the dais in the FY09 budget.

11. PRESENTATION - OPEN MEETINGS ACT UPDATE

Attorney Jones provided an overview of the Open Meetings Act and its policy regarding notices/agendas, open meetings, recording meetings, minutes, attendance at meeting and noncompliance/violations.

Attorney Jones emphasized some of the changes and items that were in need of review:

- A gathering of a majority of a quorum can be in person or by *video or audio conference, telephone call or electronic or other means of contemporaneous interactive communication such as e-mail or instant messaging.*
- The Board needs to be very diligent regarding e-mails.
- Majority of a quorum present must vote to go into closed session and the vote of each member must be recorded.
 - o It was determined that calling for a "previous roll call vote" would fulfill this requirement
- If a quorum is physically present, a majority may allow another member to attend by video or audio conference only when such member cannot physically attend due to personal illness or disability, employment purposes or a family/other emergency.
- States Attorney has the authority to bring a civil action for an alleged noncompliance prior to or within 60 days after the meeting during which a violation occurred.
 - o Any person violating the act is guilty of a Class C misdemeanor punishable by \$1,500 fine and 30 days imprisonment.

Although not part of the Opens Meeting Act, Public Participation via recording and taping meetings is allowable. Many towns have developed restrictions regarding public participation at meetings.

Attorney Jones discussed the matter of records retention. She advised the Board that with regard to e-packets, if a document is considered a public record then it can only be disposed of by getting

permission from the Local Records Commission. The Village would keep these records.

Trustee Schoenbeck inquired about Executive Session information and minutes.

President Pretzer responded that the Board will continue to receive paper copies of Executive Session information and minutes.

The Staff was directed to prepare policies with regard to absentee attendance at Board meetings and to set parameters for the visual and/or audio taping of meetings by the public.

OLD BUSINESS

12. COMMITTEE REPORTS

Trustee Brown had no report.

Trustee Napoli had no report.

Trustee Schoenbeck had no report.

Trustee McMahon noted that the minutes from the Finance/Administration Committee meeting were in the packet for information purposes.

Trustee Baker had no report.

Trustee Mistele had no report.

13. ATTORNEY'S REPORT

Village Attorney Jones had no report.

14. CLERK'S REPORT

Deputy Clerk Partyka had no report.

15. ADMINISTRATOR'S REPORT

Administrator Modaff reminded the Board that if anyone wanted to participate in the Springfield Drive Down on April 8 and 9, they would need to get their reservations in for the bus and hotel to Mary Partyka by the next day.

16. EXECUTIVE SESSION

There was no need for an Executive Session.

17. ADJOURNMENT

President Pretzer asked for a motion to adjourn the regular meeting.

MOTION: Made by Trustee McMahon, seconded by Trustee Brown, to adjourn the meeting at the hour of 8:25 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,

_____, 2008

Village President

Minutes transcribed by Mary Partyka.