

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, MARCH 24, 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 7:30 p.m. by Village Clerk Leroy Hansen.

2. ROLL CALL

Those present at roll call were Trustees Dennis Baker, Michael Mistele, Michael Brown, Robert Napoli, Paul Schoenbeck and Timothy McMahon. ABSENT: Village President Gary Pretzer. Also present were Village Clerk Leroy Hansen, Village Attorney Thomas Good, Village Administrator Phil Modaff, Director of Finance Sue Stanish, Director of Municipal Services Timothy Halik, Deputy Chief Pat Foley, Planner Sara Hage and Administrative Intern Garrett Hummel.

A QUORUM WAS DECLARED

3. ELECTION - 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 Mistele, to elect Robert Napoli President Pro Tem.

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

MOTION DECLARED CARRIED

4. PLEDGE OF ALLEGIANCE

President Pro Tem Napoli asked everyone to join him in saying the Pledge of Allegiance.

5. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Regular Board Meeting - March 10, 2008 (APPROVE)
- c. Warrants - March 24, 2008 - \$157,355.70 (APPROVE)
- d. RESOLUTION NO. 08-R-10 - A RESOLUTION APPROVING A PLAT OF EASEMENT - 825 MIDWAY DRIVE (ADOPT)

- e. RESOLUTION NO. 08-R-11 - A RESOLUTION AUTHORIZING CONTINUING MEMBERSHIP IN THE SOUTH CENTRAL DUPAGE COUNTY BENEFIT POOL (ADOPT)

President Pro Tem requested that Agenda Item Nos. 10, 11 and 12 be added to the Omnibus Vote Agenda as follows:

- f. RESOLUTION NO. 08-R-14 - A RESOLUTION WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING THE PRESIDENT AND VILLAGE CLERK TO EXECUTE A CERTAIN AGREEMENT - LANDSCAPE FERTILIZATION SERVICES - BETWEEN THE VILLAGE OF WILLOWBROOK AND SPRING GREEN LAWN AND TREE CARE (ADOPT)
- g. RESOLUTION NO. 08-R-15 - A RESOLUTION WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING THE PRESIDENT AND VILLAGE CLERK TO EXECUTE A CERTAIN AGREEMENT - JANITORIAL SERVICES - BETWEEN THE VILLAGE OF WILLOWBROOK AND BEST QUALITY CLEANING, INC. (ADOPT)
- h. RESOLUTION NO. 08-R-16 - A RESOLUTION WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING THE PRESIDENT AND VILLAGE CLERK TO ACCEPT A PROPOSAL FOR THE COMPLETION OF THE WATER STORAGE STRUCTURE WASHING PROJECT - WATER TOWER CLEAN AND COAT, INC. (ADOPT)

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

Trustee Schoenbeck requested Items 5b and 5c be removed from the Omnibus Vote Agenda for further discussion.

MOTION: Made by Trustee McMahon, seconded by Trustee Mistele, 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

Trustee Schoenbeck noted that Item 5b, page 4 of the Minutes, second paragraph, indicated that "Trustee Schoenbeck asked what the total number of members in Gateway was" was incorrect; Trustee Baker asked that question.

Trustee Schoenbeck noted that Item 5c, page 1 of the Warrants, there was a payment to the Burr Ridge Park District in the amount of \$12,189.00, which seemed rather high. Director Stanish responded

that the payment is for budgeted senior programs administered by the Burr Ridge Part District as well as for ADA recreation accommodations.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Baker, to approve Item 5b as amended and Item 5c of the Omnibus Vote Agenda.

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)

There was no visitor's business.

7. DELINQUENT WATER BILLS

Director Halik reported to the Board that there was one delinquent water bill in the amount of \$149.00 and he requested permission to proceed as per Village policy.

8. RESOLUTION - A RESOLUTION ADOPTING THE DUPAGE COUNTY NATURAL HAZARDS MITIGATION PLAN

Director Halik indicated an error on the first page of the Resolution which should read "details 8 guidelines and 19 action items".

In July 2006, The Village Board adopted a resolution agreeing to participate in the DuPage County hazard mitigation planning process and to name a Village representative to attend the monthly meetings at the County. The Village's involvement was brought about by the Disaster Mitigation Act of 2000 (DMA 2000), which is a program administered by FEMA. The hazard mitigation workgroup was made up of County, municipal and fire district representatives and was facilitated by a consultant, who worked to prepare the DuPage County Natural Hazards Mitigation Plan. The cost for the generation of this plan was paid by a grant obtained by DuPage County, with the balance being paid by the County. The workgroup held eight (8) meetings between May 2006 and February 2007. The plan proposed for adoption details the types of mitigation measures that can be taken for each type of hazard incident and meets the Federal mitigation planning requirements.

Trustee Schoenbeck inquired if there would be a quarterly or annual report given to the Committee or the Board. Director Halik responded that the plan keeps the core workgroup active as a permanent body and the action items in the plan require an annual update, so he can provide an annual update to the Committee and the Board.

MOTION: Made by Trustee Baker, seconded by Trustee Mistele, to adopt Resolution No. 08-R-12.

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 CLERK TO EXECUTE AN AGREEMENT BETWEEN THE VILLAGE OF WILLOWBROOK AND LASERCRAFT, INC. - IMPLEMENTATION OF A RED-LIGHT CAMERA ENFORCEMENT SYSTEM

Deputy Chief Foley reported that in 2006 legislation was passed by the State of Illinois to allow municipalities to use cameras for the enforcement of roadway violations. The use of such cameras has been proven to improve enforcement that in theory would lead to increased compliance with red-light regulations and thus reduce accidents. While preparing a recommendation, several legal challenges were filed against the City of Chicago. In 2007, the litigation was resolved in favor of the City of Chicago. With the approval of the Board, staff prepared and sent out Request For Proposals to red-light enforcement vendors. Two vendors returned proposals.

Deputy Chief Foley advised that although the Police Department Staff has an expectation of benefits related to this project such as an increase in voluntary compliance with red light laws, there are several concerns:

- The first concern is the volume of citations that need to be reviewed. It is proposed to hire a part-time employee to review the citations and an adjudicator to overview the adjudication process.
- The second concern is of possible future legal challenges.
- The third concern is of unpredictable revenues. The staff fully expects and research has shown that violations will decline the longer cameras are in place. Eventually, violations will decrease and the fine revenue would stabilize.

Although the camera system is cost neutral to the Village, there will be some expenses. Adjudication must be established in order to implement the program. The cost of hiring the adjudicator would be similar to other legal services. Staff is currently working on a Request For Proposal for such services. It is anticipated to have two court sessions per month, one on a Wednesday afternoon and one on a Saturday morning. The other routine cost would be a part-time employee to review the video for possible citations, likely a retired police officer working between 10-20 hours per week.

After reviewing both the proposals that were submitted, the staff recommended adopting the Resolution authorizing the execution of an agreement between the Village of Willowbrook and LaserCraft, Inc. for the implementation of a red-light camera enforcement system.

Trustee McMahon inquired if there would be a need for new Ordinances to make this applicable to the Village code. Village Attorney Good responded that the Village code needs to provide for the adjudication process.

Trustee Schoenbeck asked if there were any provisions for the repair of equipment or update of the software and if there was a guaranteed turnaround time to be back up and running. Deputy Chief Foley responded that LaserCraft was responsible for the repair of equipment in case of a breakdown or an accident. There was a turnaround period of 36-48 hours for repair of equipment stipulated in the contract and in the event of an accident; it is in the best interest of LaserCraft to get the equipment up and running as soon as possible.

Trustee Schoenbeck asked if the out of pocket cost for an adjudicator and part-time person was going to be covered by the fines or could it potentially exceed what the fines would bring in. Attorney Good responded that from their experience with the Village of Lombard, the cost would not exceed the fines received.

Trustee Schoenbeck inquired what the start up time would be. Administrator Modaff responded that though the State has a record of approving these systems it takes six or more months and we are not positive with DuPage County as yet. He indicated that he has been in discussion with the Director of the County Department of Transportation and the County is currently discussing how and under what terms they would allow these cameras at intersections that involve County roads.

Trustee Schoenbeck asked if the State takes a portion of the fine. Administrator Modaff responded that currently the State does not take any portion of the fine, the County has not indicated it would. He is aware that in Kane County the fee associated for allowing equipment on their approaches is an annual \$100 permit fee.

Trustee Brown asked if the Board approved the agreement tonight, would the staff go ahead with the red light program. Administrator Modaff responded that should the Board approve the agreement tonight, staff can do the survey of the intersections, planning where LaserCraft would put their technology while applying to the State and County for permits and on another parallel path we would have to finalize our adjudication process and our administrative process for actually reviewing the videos for citations.

MOTION: Made by Trustee Baker, seconded by Trustee Brown, to adopt Resolution No. 08-R-13.

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

MOTION DECLARED CARRIED

10. RESOLUTION - A RESOLUTION WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING THE PRESIDENT AND VILLAGE CLERK TO EXECUTE A CERTAIN AGREEMENT - LANDSCAPE FERTILIZATION SERVICES - BETWEEN THE VILLAGE OF WILLOWBROOK AND SPRING GREEN LAWN AND TREE CARE

Approved under Omnibus Vote Agenda Item 5f.

11. RESOLUTION - A RESOLUTION WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING THE PRESIDENT AND VILLAGE CLERK TO EXECUTE A CERTAIN AGREEMENT - JANITORIAL SERVICES - BETWEEN THE VILLAGE OF WILLOWBROOK AND BEST QUALITY CLEANING, INC.

Approved under Omnibus Vote Agenda Item 5g.

12. RESOLUTION - A RESOLUTION WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING THE PRESIDENT AND VILLAGE CLERK TO ACCEPT A PROPOSAL FOR THE COMPLETION OF THE WATER STORAGE STRUCTURE WASHING PROJECT - WATER TOWER CLEAN AND COAT, INC.

Approved under Omnibus Vote Agenda Item 5h.

14. RESOLUTION - A RESOLUTION URGING THE GENERAL ASSEMBLY TO ADOPT REFORM POLICIES FOR THE SUBURBAN AND DOWNSTATE PUBLIC SAFETY PENSION FUNDS (Clerk's Note: This item was moved up on the agenda by President Pro Tem.)

Action on this item was deferred until a future meeting.

13. RESOLUTION - A RESOLUTION WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING THE VILLAGE ADMINISTRATOR'S EMERGENCY PURCHASE OF TWO REPLACEMENT DATA COLLECTION UNITS (DCU) AND RATIFYING AND CONFIRMING THE VILLAGE ADMINISTRATOR'S PRIOR EXECUTION OF SAID EMERGENCY PURCHASE ORDER AGREEMENT

President Pro Tem noted that the Resolution requested the emergency purchase of three replacement data collection units.

Administrator Modaff informed the Board that Willowbrook operates three Data Collection Units (DCU's) to remotely collect water billing data and transmitting it to our billing software. Due to recent changes in the cellular network technology to convert to only digital, the Staff worked with our vendor to determine if the new technology would require changes to the equipment. The vendor and ATT both agreed our units would remain operable. However, once the changeover occurred, the equipment failed to operate. The change in technology required that we replace our equipment since it is obsolete and not even eligible for updating. The Resolution before the Board would approve the emergency purchase order signed by Village Administrator Modaff for three replacement DCU's. The Village Board was advised that the new equipment will not be up and running in time for the next water billing cycle and our vendor will provide estimated bills to customers. The new DCU's will be installed by the end of the month.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Baker, to adopt Resolution No. 08-R-17.

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

MOTION DECLARED CARRIED

15. ORDINANCE - AN ORDINANCE PROVIDING FOR THE OFFICIAL ZONING MAP OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS

Planner Hage advised the Board that the Village is required to publish its Zoning Map by March 31st of each year if there had been any map amendments during the preceding calendar year. The Village's Zoning Map had been updated to reflect the various land use actions approved by the Village Board in 2007 and map corrections. The Ordinance before the Board this evening provides for the adoption and publication of the updated Village Zoning Map.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Brown, to pass Ordinance No. 08-O-05.

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

MOTION DECLARED CARRIED

16. DISCUSSION - FY 2008-09 BUDGET UPDATE

Director Stanish provided a summary of the changes made to the draft budget previously presented to the Board at its budget workshop on February 19, 2008.

- General Fund
 - o Includes transfer to the CIP fund for debt service payments for the 75th Street Extension and the Public Works facility.
 - o Additional amounts were included for tuition reimbursement, website/marketing fees, dispatching fees and laptop purchases for elected officials.
- Water Capital Fund
 - o Includes transfer of \$544,701 for Public Works facility
 - o \$75,000 budgeted in FY07-08 for architect fees that will not be finished by April 30, 2008 resulting in the estimated expenditures for FY07-08 reduced by \$57,845 and FY08-09 budget increased by \$62,500.
- Capital Projects Fund
 - o Amounts have been budgeted in revenues and expenditures for the 75th Street Extension, the Public Works facility, bond issuance costs and annual debt service payment.

The final budget is scheduled for approval at the meeting of April 14, 2008.

OLD BUSINESS

12. COMMITTEE REPORTS

Trustee McMahon advised that the Finance/Administration Committee requested a special meeting of the Board to include an Executive Session to discuss salaries. The consensus of the Board was to meet on April 7, 2008 at 7:30 p.m.

Trustee Baker had no report.

Trustee Mistele had no report.

Trustee Brown had no report.

Trustee Napoli had no report.

Trustee Schoenbeck had no report.

13. ATTORNEY'S REPORT

Village Attorney Good had no report.

14. CLERK'S REPORT

Village Clerk Hansen had no report.

15. ADMINISTRATOR'S REPORT

Administrator Modaff provided the Board with an update on the E-packets. Director Stanish included the cost of the purchase of new laptops in the draft budget and Director Halik had electrical outlets installed on the dais, using funds from the current budget.

16. EXECUTIVE SESSION

There was no need for an Executive Session.

17. ADJOURNMENT

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

MOTION: Made by Trustee Baker, seconded by Trustee Brown, to adjourn the meeting at the hour of 8:27 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,

April 14, 2008


Village President

Minutes transcribed by Mary Partyka.