

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, APRIL 14, 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 President Gary Pretzer.

2. ROLL CALL

Those present at roll call were Trustees Dennis Baker, Michael Mistele, Michael Brown, Robert Napoli, Timothy McMahon and President Pretzer. ABSENT: Trustee Paul Schoenbeck. Also present were Village Clerk Leroy Hansen, Village Attorney Thomas Good, Village Attorney Robin Jones, Village Administrator Phil Modaff, Chief of Police Edward Konstanty, Director of Finance Sue Stanish, Director of Municipal Services Timothy Halik, Deputy Chief Pat Foley, Deputy Chief Mark Shelton, Planner Sara Hage 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. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Regular Board Meeting - March 24, 2008 (APPROVE)
- c. Minutes - Special Board Meeting - April 7, 2008 (APPROVE)
- d. Warrants - April 14, 2008 - \$203,419.63 (APPROVE)
- e. Monthly Financial Report - March 31, 2008 - \$19,625,558.84 (ACCEPT)
- f. MOTION FOR THE EXPENDITURE OF THE DuMEG "FAIR SHARE" CONTRIBUTION FOR 2008/09 - \$13,520.00 (APPROVE)
- g. RESOLUTION No. 08-R-19 - A RESOLUTION WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING THE PRESIDENT AND VILLAGE CLERK TO EXECUTE A CERTAIN AGREEMENT - LANDSCAPE MAINTENANCE SERVICES - BETWEEN THE VILLAGE OF WILLOWBROOK AND FALCO'S LANDSCAPING (ADOPT)

President Pretzer asked if any Board member(s) wanted any item(s) removed from the Omnibus Vote Agenda. No Board member wanted any item removed from the Omnibus Vote Agenda.

MOTION: Made by Trustee Baker, seconded by Trustee Napoli, to approve the Omnibus Vote Agenda.

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

MOTION DECLARED CARRIED

NEW BUSINESS

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

Phyllis Zimmer, 6446 Tennessee Avenue, commented that the Village of Willowbrook is allowing storm water runoff to be directed onto her property.

Roger Klepacki, 5827 Bentley, inquired when or if they will get Lake Michigan water north of 59th Street. He noted that as yet nothing has been done with regard to a petition that was circulated asking the Village to do a feasibility study of the costs and a plan of action to bring Lake Michigan water to his part of the Village. Mr. Klepacki asked the Board to reconsider this project and bring the rest of the Village into the 21st century.

Director Halik responded that approximately five years ago, a survey was conducted of the residents north of 59th Street and west of Clarendon Hills Road with regard to a looped water main in that area. The majority of residents at that time did not support this project and it was made even more difficult due to the residents in that area who were unincorporated and would not have been bound by any agreement for the water main loop.

President Pretzer requested that Director Halik contact Mr. Klepacki to discuss this matter further.

6. DISCUSSION AND ACCEPTANCE OF PLAN COMMISSION RECOMMENDATIONS, ADOPTION OF THE FINDINGS OF FACT AND DIRECTION TO THE VILLAGE ATTORNEY TO PREPARE THE NECESSARY ORDINANCES - HINSBROOK BANK & TRUST, 6262 S. ROUTE 83

Planner Hage advised the Board that before them this evening was an application requesting approval of a drive-thru facility and the construction of a new entrance to the southern façade of the bank building. The applicant's request would require approval of a Special Use Permit for the drive-thru, an amended Special Use Permit for a PUD, Amended Preliminary and Final Plat of PUD. The Plan Commission

recommended approval of the petition on the condition that the drive-thru canopy be sprinklered and subject to the plans listed in the Staff Report dated April 2, 2008.

MOTION: Made by Trustee Napoli, seconded by Trustee Mistele, to accept the Plan Commission recommendations, adopt the Findings of Fact and direct the Village Attorney to prepare the necessary ordinances.

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

MOTION DECLARED CARRIED

7. ORDINANCE - AN ORDINANCE AMENDING THE VILLAGE CODE OF THE VILLAGE OF WILLOWBROOK - TITLE 5, SECTION 5-4-9(B) - POLICE; ALARM DEVICES; FALSE ALARM CHARGES

Chief Konstanty noted that in 1995 the Village passed an Ordinance charging for false alarms that were activated for residential and business burglar alarms. The current fees have not changed since that time. At the request of the Public Safety Committee a review was conducted of neighboring communities with regard to charges for false alarms. Upon Board approval of the proposed false alarm fees, residents and businesses will be sent letters notifying them of the increases.

MOTION: Made by Trustee Baker, seconded by Trustee Napoli, to pass Ordinance No. 08-0-06.

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

MOTION DECLARED CARRIED

8. RESOLUTION - A RESOLUTION WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING THE PRESIDENT AND VILLAGE CLERK TO EXECUTE A CERTAIN AGREEMENT - STREETLIGHT MAINTENANCE SERVICES - BETWEEN THE VILLAGE OF WILLOWBROOK AND MEADE ELECTRIC COMPANY, INC.

Director Halik informed the Board that the current Village contract for streetlight maintenance is with Meade Electric Company for a period from May 1, 2007 thru April 30, 2008 for the amount of \$9,972.00. The current contract was awarded at the same time this year after a competitive bidding process. It has been Village practice to extend such service contracts for a subsequent year

provided the service is acceptable and the price does not significantly change. Meade Electric Company has provided satisfactory service to the Village and has agreed to extend the contract with no increase in price. Staff recommended that the Village Board adopt the Resolution approving the Agreement with Meade Electric in the amount of \$9,972.00.

MOTION: Made by Trustee Mistele, seconded by Trustee Brown, to adopt Resolution No. 08-R-20.

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

MOTION DECLARED CARRIED

9. RESOLUTION - A RESOLUTION CALLING A PUBLIC HEARING CONCERNING THE INTENT OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS, TO SELL \$2,250,000 GENERAL OBLIGATION BONDS (COMBINED ALTERNATE REVENUE SOURCE)

President Pretzer recommended combining Agenda Item Nos. 9, 10, 11 and 12 for discussion purposes. The Board concurred with the recommendation.

Director Stanish advised that the Board at its meeting of March 24, 2008 approved the concept of issuing bonds to complete the 75th Street Extension Project and a Public Works Facility. The first Resolution before the Board this evening is to hold a public hearing and is one of the steps necessary to complete the bond sale. The Resolution also provides for publication of the proper notice and the holding of a public hearing on May 12, 2008 as is required statutorily.

Regarding the first Ordinance under Agenda Item No. 10, Director Stanish noted that it is for authorization to issue bonds for \$675,000 from the Waterworks Funds. The Village is required in the way the bond issue is structured to approve a separate ordinance for those bonds. The \$675,000 is included in the total of the \$2,250,000.

Regarding the seconded Ordinance under Agenda Item No. 11, Director Stanish advised that this Ordinance authorizes the issuance of the full bond package in the amount of \$2,250,000. The \$2,250,000 is the maximum authorized amount for the Bonds, which may be reduced prior to the actual issuance of the Bonds.

Regarding the second Resolution under Agenda Item No. 12, Director Stanish indicated that in order to issue the 2008 General Obligation Bonds, the Village would need to utilize the services of Bond Counsel Chapman and Cutler, who has served as the Village's Bond Counsel for many years. The Finance/Administration Committee reviewed this agreement and recommended the Board adopt the Resolution.

MOTION: Made by Trustee Napoli, seconded by Trustee Baker, to adopt Resolution No. 08-R-21.

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

MOTION DECLARED CARRIED

10. ORDINANCE - AN ORDINANCE AUTHORIZING THE ISSUANCE OF WATERWORKS SYSTEM REVENUE BONDS OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$675,000 FOR THE PURPOSE OF PROVIDING A PUBLIC WORKS GARAGE AN ALLOCABLE PORTION OF WHICH WILL SERVE THE EXISTING WATERWORKS SYSTEM OF SAID VILLAGE

MOTION: Made by Trustee Napoli, seconded by Trustee Baker, to pass Ordinance No. 08-O-07.

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

MOTION DECLARED CARRIED

11. ORDINANCE - AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS (COMBINED ALTERNATE REVENUE SOURCE) OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$2,250,000 FOR THE PURPOSE OF CONSTRUCTING PUBLIC IMPROVEMENTS IN AND FOR SAID VILLAGE

MOTION: Made by Trustee Napoli, seconded by Trustee Baker, to pass Ordinance No. 08-O-08.

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

MOTION DECLARED CARRIED

12. RESOLUTION - A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO EXECUTE AN AGREEMENT FOR BOND COUNSEL SERVICES BETWEEN THE VILLAGE OF WILLOWBROOK AND CHAPMAN AND CUTLER LLP

MOTION: Made by Trustee Napoli, seconded by Trustee Baker, to adopt Resolution No. 08-R-22.

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

MOTION DECLARED CARRIED

13. MOTION TO APPROVE FISCAL YEAR 2008-2009 OPERATING BUDGET

Director Stanish informed the Board that the final draft budget before them this evening incorporates the items that were discussed at the February 19 Budget Workshop and the March 24 budget update. The Board will be approving the Appropriation Ordinance in May, which is the Village's legal authority to spend money.

MOTION: Made by Trustee Mistele, seconded by Trustee McMahon, to approve the Fiscal Year 2008-09 Operating Budget.

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

MOTION DECLARED CARRIED

14. DISCUSSION OF 2005 POLICE DEPARTMENT REORGANIZATION - COMMANDER/SERGEANT POSITION

Administrator Modaff provided the Board with a history of the Police Department reorganization plan that was adopted in 2005, which included the creation of two Deputy Chief positions, elimination of two Commander positions, the re-designation of Commander position to Sergeant (upon separation of individuals holding rank of Commander) and the creation of a Community Service Officer position. The Deputy Chief position was accomplished very successfully. The Community Service Officer position has not been filled. The Sergeant position would have been subordinate to the existing Commander position until the current Commanders retired. Upon further investigation and further discussions with the Village Attorney and Labor Counsel it was determined that the Sergeant rank operationally was not the best for the organization. The Staff recommended to the Public Safety Committee that an additional position subordinate to the Commander position not be created. The Public Safety Committee agreed with this

recommendation. Another item that was left for discussion was whether the current Commander title be renamed to Sergeant without any changes to its authority or salary.

Trustee Baker thought that there should be the rank of Sergeant in the Police Department and that by attrition to get away from the rank of Commander. He suggested that upon the separation of a Commander, the replacement be given the rank of Sergeant with the same authority and salary until eventually the Department would consist of Chief, Deputy Chiefs, Sergeants and Patrol Officers.

President Pretzer recommended the Board pursue further discussions with Labor Counsel Jacoby with regard to the Commander/Sergeant rank and how we can draft the Ordinance to make the title change but how everything else would be comparable. The consensus of the Board was to concur with the recommendation.

Commander Joseph Pec provided the Board with a brief history with regard to the rank of Commander. He felt the rank of Commander is a benefit and would like to keep the rank as is. There is a professional association in the County that as a Commander they can join, which has opened up a number of opportunities to network with senior law enforcement officials throughout the County. As a Sergeant they would not be able to join. On a personal level, Commander Pec commented that it would be difficult to explain going from Sergeant to Commander to Deputy Chief and back to Sergeant for future employment. The rank of Commander has been a benefit individually and to the community. Commander Pec also informed the Board that historically the Commanders salary and benefits have been comparable to Sergeants.

OLD BUSINESS

15. COMMITTEE REPORTS

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

Trustee Baker had no report.

Trustee Mistele had no report.

Trustee Brown had no report.

Trustee Napoli had no report.

16. ATTORNEY'S REPORT

Village Attorney Good and Village Attorney Jones had no report.

17. CLERK'S REPORT

Village Clerk Hansen had no report.

18. ADMINISTRATOR'S REPORT

Village Administrator Modaff had no report.

19. EXECUTIVE SESSION

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

MOTION: Made by Trustee Baker, seconded by Trustee Napoli, to adjourn into Executive Session to discuss personnel at the hour of 8:20 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED,

_____, 2008

Village President

Minutes transcribed by Mary Partyka.