

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, APRIL 9, 2012 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 6:30 p.m. by Mayor Robert Napoli.

2. ROLL CALL

Those present at roll call were Mayor Robert Napoli, Clerk Leroy Hansen, Trustees Dennis Baker, Terrence Kelly, Michael Mistele, Sue Berglund, Umberto Davi, and Frank Trilla.

ABSENT: None

Also present were Village Administrator Timothy Halik, Village Attorney William Hennessy, Chief Mark Shelton, Deputy Chief Paul Oggerino, Management Analyst Garrett Hummel, and Deputy Clerk Cindy Stuchl.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

President Napoli asked Trustee Trilla to lead everyone in saying the Pledge of Allegiance.

4. VISITOR'S BUSINESS

None presented.

5. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Regular Board Meeting - March 26, 2012 (APPROVE)
- c. Minutes - Executive Session Meeting - March 12, 2012 (APPROVE)
- d. Minutes - Executive Session - Special Meeting Budget Workshop - March 19, 2012 (APPROVE)
- e. Warrants - \$111,034.77 (APPROVE)
- f. Monthly Financial Report - March 31, 2012 (APPROVE)
- g. Motion to Approve - Request for Waiver of Permit Fees - West Suburban Shrine Club - May 4th-6th, 2012 (APPROVE)

- h. Resolution - A Resolution Waiving the Competitive Bidding Process and Authorizing the Mayor and Village Clerk to Execute a Certain Agreement - Janitorial Services - Between the Village of Willowbrook and Eco Clean Maintenance, Inc. - No. 12-R-17 (ADOPT)

Mayor Napoli asked the Board if there was any item to be removed from the Omnibus Vote Agenda.

MOTION: Made by Trustee Baker and seconded by Trustee Davi to approve the Omnibus Vote Agenda as presented.

ROLL CALL VOTE: AYES: Trustees Baker, Berglund, Davi, Kelly, Mistele, and Trilla. NAYS: None. ABSENT: None.

MOTION DECLARED CARRIED

NEW BUSINESS

6. ORDINANCE - AN ORDINANCE AMENDING WILLOWBROOK MUNICIPAL CODE SECTION 1-5-1 BY SETTING FORTH THE TERM, QUALIFICATIONS, POWERS, DUTIES AND RESPONSIBILITIES OF THE ELECTIVE PUBLIC OFFICE OF VILLAGE TRUSTEE

Attorney Hennessy stated that this is the follow up to the ordinances that had already been adopted for the Mayor and Village Clerk. This ordinance is to clarify the powers, duties, and responsibilities of the office of Village Trustee.

Trustee Mistele had concern about the verbiage reference an individual of the Board, when acting as an authorized conservator of the peace, has the power to arrest. Trustee Mistele recommended that the entire Item (b) be deleted in its entirety. Trustee Kelly questioned if these powers are currently granted under the state statute. Attorney Hennessy stated yes.

Trustee Davi questioned what is the fear if this issue was left in the ordinance. By clarifying the duties of the Village Trustee from what is listed in the state statute, no authority is being given to the Trustee that they do not already have. Trustee Mistele stated that at the state level, the requirement is training in terms of being a conservator of the peace. Trustee Mistele stated that this not true in the ordinance. Trustee Davi stated that is not correct. Trustee Mistele's concern was if this was approved, do the trustees need to go

through the training even though they have no intentions of arresting anybody.

Trustee Mistele felt that this ordinance is not necessary in its entirety. Mayor Napoli stated that he can be a conservator of the peace because it was adopted in the Mayoral ordinance that has already been passed. However, he cannot be a conservator of the peace without an ordinance from the Village.

Attorney Hennessy stated that if the fear is that by the adoption of the ordinance that a trustee is automatically a conservator of the peace, that is incorrect. The trustee will still need to be authorized to do so by the Village, and complete a state training program to become certified. In order to do this, there would need to be an ordinance of the Village authorizing those trustees named in the ordinance to go for the state training program and become certified.

Trustee Trilla questioned if this ordinance would be considered similar to a job description. Attorney Hennessy stated that this is a summation of the state laws that governs the office of Village Trustee.

Trustee Berglund stated that she agreed with Trustee Mistele that if this is listed in the ordinance than it should be more specific as to what a trustee needs to do in order to become a conservator. Mayor Napoli stated that this is a different issue. He stated that the current ordinance was adopted 39 years ago. This new proposed trustee ordinance is a summary of what is actually in the state statutes.

MOTION: Made by Trustee Davi and seconded by Trustee Baker to adopt Ordinance No. 12-0-08 as presented.

ROLL CALL VOTE: AYES: Trustees Baker, Davi, Kelly, and Trilla.
NAYS: Trustees Berglund and Mistele. ABSENT: None.

MOTION DECLARED CARRIED

PRIOR BUSINESS

7. COMMITTEE REPORTS

Trustee Baker had no report.

Trustee Kelly had no report.

Trustee Mistele stated that the Brush Collection program will be coming. The Village is staying with Homer Tree at a slight increase on hourly rate. Next month will have the contract for the street light maintenance on the Omnibus agenda.

Trustee Berglund had no report.

Trustee Davi stated that there was discussion during the Finance Committee meeting about the proposed Village of Willowbrook Fund Balance Policy. New GASB standards have a new directive on how to qualify Village funds. The current policy only states the 120-day fund cushion. The new policy will have to qualify the funds into three major categories, with the third category having three additional sub-categories.

Trustee Trilla had no report.

8. ATTORNEY'S REPORT

Attorney Hennessy had no report.

9. CLERK'S REPORT

Clerk Hansen had no report.

10. ADMINISTRATOR'S REPORT

Administrator Halik had no report.

11. MAYOR'S REPORT

Mayor Napoli stated that the Easter Egg Hunt was the largest ever with over 130 children attending. Mayor Napoli stated that he wanted to thank the Parks Commission and Superintendent Kristin Violante for a great job. Walgreen's and Chicken Basket were sponsors. Mayor Napoli also wanted to recognize Officer Darren Biggs who was also there. The event was very well attended and well run.

12. EXECUTIVE SESSION

- a. REVIEW 2012 MINUTES - Pursuant to 5 ILCS 120/2(c)(21) Regarding the Minutes of Executive Session Meetings That Were Lawfully Closed Under the Open Meetings Act
- b. Consideration of Collective Negotiating Matters Between the Village and Its Employees and Their Representatives Pursuant to Chapter 5 ILCS 120/1(c)(2)

ADJOURN INTO EXECUTIVE SESSION

MOTION: Made by Trustee Baker and seconded by Trustee Kelly to adjourn into Executive Session at the hour of 7:01 p.m.

ROLL CALL VOTE: AYES: Trustees Baker, Berglund, Davi, Kelly, Mistele, and Trilla. NAYS: None. ABSENT: None.

MOTION DECLARED CARRIED

13. ADJOURNMENT

MOTION: Made by Trustee Baker and seconded by Trustee Davi, to adjourn the Executive Session at the hour of 7:22 p.m.

PREVIOUS ROLL CALL VOTE: AYES: Trustees Baker, Berglund, Davi, Kelly, Mistele, and Trilla. NAYS: None. ABSENT: None.

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED.

April 23, 2012.

Mayor

Minutes transcribed by Deputy Clerk Cindy Stuchl.