

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, JUNE 25, 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, and Frank Trilla.

ABSENT: Trustee Umberto Davi.

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

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

4. VISITORS' BUSINESS

None presented.

5. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Regular Board Meeting - June 11, 2012 (APPROVE)
- c. Minutes - Executive Session Meeting - May 29, 2012 (APPROVE)
- d. Warrants - \$300,204.40 (APPROVE)

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 Mistele to approve the Omnibus Vote Agenda as presented.

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

MOTION DECLARED CARRIED

NEW BUSINESS

6. DELINQUENT WATER BILLS

Administrator Halik advised that there was one (1) delinquent water bill in the amount of \$143.04. Staff requested permission to proceed in accordance with past practices, which was approved.

7. RESOLUTION - A RESOLUTION FOR A TRAFFIC AGREEMENT WITH MARYDALE CONDOMINIUM ASSOCIATION

Chief Shelton stated that the Marydale Condominium Association never had a traffic agreement with the police department, which allows police officers to patrol their private parking lot. This traffic agreement was requested by the Association's President.

MOTION: Made by Trustee Mistele and seconded by Trustee Baker to pass Resolution No. 12-R-29 as presented.

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

MOTION DECLARED CARRIED

8. DISCUSSION - VILLAGE ETHICS ORDINANCE REVISIONS

Attorney Hennessy stated that the proposed ordinance was prompted by the experience that the Board had a couple of years ago when dealing with allegations of conflict of interest. The existing code was deficient in that it failed to provide for appropriate due process when dealing with those charged with violating its provisions.

Discussion included the forming of an Ethics Commission and whether it should be formed of members of the Village Board or by citizens appointed by the Mayor and consented to by the Board of Trustees.

Trustee Berglund related that the Ethics Commission will be reviewing the conduct of the Mayor and Trustees and stated that the Commission should not be made up of any Board members. Trustee Mistele agreed.

Mayor Napoli stated that there already is an appointed Ethics Officer that reviews issues that have arisen. Mayor Napoli stated that there could be problems with citizens that are appointed to the Ethics Commission and do not understand how the system works. Trustee Berglund stated that the Ethics Officer can explain issues with the citizen.

Trustee Trilla questioned why the Ethics Officer does not make the decision. Attorney Hennessy stated that the current structure is that the Ethics Officer holds an advisory position to the Board. He does not make final decisions on matters of conflict of interest.

Trustee Kelly questioned what is the authority of the Ethics Commission to handle inappropriate or unethical conduct. Does it really only apply to Trustees? Would there be a point in time when a grievance could become an ethical issue that would come under the jurisdiction of the Ethics Commission?

Attorney Hennessy stated that he was not prepared to discuss the details of the ordinance. He stated that he was looking for guidance from the Board on how the Board wished to process ethical complaints. Attorney Hennessy stated that in the existing Ethics Ordinance, there are provisions on how to handle discipline for any member of the corporate authority or Village employee.

Trustee Kelly stated that there are three (3) options to the composition of the Ethics Commission: 1) Three non-board members, 2) Three Trustees, or 3) a combination of Option 1 and 2.

A suggestion from the Board was that if an Ethics Commission needed to be created, than at least one (1) member should be a non-board individual so it gives more of a perception of transparency and this individual, if possible, should be an expert in the particular field that the violation is related.

This item will be placed on a future agenda for further discussion.

PRIOR BUSINESS

9. COMMITTEE REPORTS

Trustee Baker had no report.

Trustee Kelly had no report.

Trustee Mistele had no report.

Trustee Berglund had no report.

Trustee Trilla had no report.

10. ATTORNEY'S REPORT

Attorney Hennessy stated that Administrator Halik and he are looking into revising the Solicitation Ordinance, as a result of a new state law that has been passed.

11. CLERK'S REPORT

Clerk Hansen had no report.

12. ADMINISTRATOR'S REPORT

Administrator Halik had two updates on infrastructure work. The two pavilion structures at Community Park have been reroofed. Also, there is a contractor currently working in the Village who is exercising, GPS locating, and maintaining fire hydrants.

13. MAYOR'S REPORT

Mayor Napoli had no report.

14. 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 the Performance of a Specific Village Employee pursuant to Chapter 5 ILCS 120/2(c)(1)

ADJOURN INTO EXECUTIVE SESSION

MOTION: Made by Trustee Baker and seconded by Trustee Mistele to adjourn into Executive Session at the hour of 7:30 p.m.

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

MOTION DECLARED CARRIED

15. ADJOURNMENT

MOTION: Made by Trustee Baker and seconded by Trustee Kelly, to adjourn the Executive Session at the hour of 7:58 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED.

July 9, 2012.

Mayor

Minutes transcribed by Deputy Clerk Cindy Stuchl.