

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, MARCH 23, 2020 AT THE WILLOWBROOK POLICE DEPARTMENT, 7760 QUINCY STREET, 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 Frank Trilla.

2. ROLL CALL

Those present at roll call were Mayor Trilla, Trustees Sue Berglund, Umberto Davi, and Michael Mistele.

Present Via Conference Call Due to the COVID-19 Pandemic Were Trustees Terrence Kelly, Gayle Neal and Paul Oggerino.

ABSENT: Village Clerk Leroy Hansen.

Also present was Assistant Village Administrator Michael Mertens.

Present Via conference call due to COVID-19 Pandemic were Village Attorney Thomas Bastian, Village Administrator Brian Pabst, Director of Finance Carrie Dittman, Chief Robert Schaller, Deputy Chief Lauren Kaspar, Deputy Clerk Christine Mardegan, and Ann Choi Planning Consultant (at 6:38 pm).

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

Mayor Trilla led everyone in saying the Pledge of Allegiance.

4. VISITORS' BUSINESS

None Presented.

5. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Board Meeting - March 9, 2020 (APPROVE)
- c. Warrants - \$233,155.34 (APPROVE)
- d. Motion - A Motion for Board Authorization for Staff to Process Current Delinquent Water Bills in Accordance with Past Practices (PASS)
- e. RESOLUTION - A Resolution Approving, Confirming and Ratifying the Purchase of Ten (10) Laptop Computers - Resolution No. 20-R-15 (ADOPT)
- f. RESOLUTON - A Resolution Approving, Confirming and Ratifying the Purchase of Thirty-Five (35) Desktop Computers - Resolution No. 20-R-16 (ADOPT)

- g. RESOLUTION - A Resolution Approving, Confirming and Ratifying the Purchase of Replacement Solid State Server Drives and Hard Drives and Server Rental for March 2020 - Resolution No. 20-R-17 (ADOPT)
- h. RESOLUTION - A Resolution Approving, Confirming and Ratifying the Purchase of a Security Firewall for the Village Hall and Public Works - Resolution No. 20-R-18 (ADOPT)

Trustee Davi noted a scribe's error to be corrected on the minutes from March 9, 2020.

Mayor Trilla asked the Board if there were any items to be removed from the Omnibus Vote Agenda.

MOTION: Made by Trustee Davi and seconded by Trustee Mistele to approve the Omnibus Vote Agenda with corrections.

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

MOTION DECLARED CARRIED

NEW BUSINESS

- 6. ORDINANCE - An Ordinance Amending a Special Use Permit for Planned Unit Development and an Amendment to a Planned Unit Development as Approved in Ordinance No. 17-O-02 - PC 20-03: 625 Joliet Road, Compass Event Center and Arena PUD Amendment (PASS)

Planning Consultant Choi stated, in October 2019, the Village of Willowbrook received a set of proposed revised drawings for the Compass Arena seeking a building permit to complete building construction. The revised drawings proposed a change in the approved uses on the second floor which increased the parking requirement for the project. Additionally, this discovery led to a realization that other changes have been made and are significant enough to require a PUD amendment. It is important to note that a set of building plans that reflected the mirrored building footprint, which departed significantly from the approved Final PUD Plat, was approved by the Village on March 31, 2018.

The development is currently under construction, but the majority of the building has been completed. Only the interior build-out of the arena and some exterior work remains. Many of the changes made during the previous three years should have been considered major changes to the PUD and approvals should have been obtained under

a PUD amendment process. But for various reasons such as a high turnover rate in Village staff overseeing zoning compliance and the Village's focus on controversial projects, a PUD amendment was never sought and changes that required Board action were instead approved administratively without Board approval. The Plan Commission discussed this petition at the March 4, 2020, regular meeting of the Plan Commission and voted a unanimous vote of 5-0 of the members present to forward a positive recommendation to the Village Board.

Trustee Mistele questioned the second-floor lounge area at the northwest portion of the plans. This lounge area that is connected to an exterior balcony that has the capacity to exceed fifty (50) people with only one single point of egress. Has anyone addressed that issue?

Planning Consultant Choi responded "That should be a Building Department permit issue."

Trustee Davi asked Consultant Choi to clarify if we are looking A-1 or A-3.

Mayor Trilla responded, "A-3".

Trustee Neal asked Consultant Choi if we are looking at A-1?

Planning Consultant Choi responded, "A-3."

Assistant Administrator Mertens stated that when this was initially drawn up, there were chairs on the south balcony. Those chairs were removed because there was not enough room between the edge of the wall and the railing. Building Official Giuntoli looked at the plan.

Consultant Choi asked, "Which balcony we are looking at? I am having a hard time hearing."

Mertens responded, "The one on the east side."

Mertens asked Architect Randy King to speak.

Architect King responded that he did not attend any meeting on this discussion but for over fifty (50) people a 7.5 egress is required.

Consultant Choi was not part of this discussion.

Trustee Mistele is concerned that there is only a single means of egress and there is only one way out of the lounge/balcony area.

Architect King stated, "There are two access points. This was approved on the first set of plans. This is a building code issue and needs to be reviewed."

Trustee Mistele thanked Architect King for looking into this.

Attorney Bastian stated if the board approves this Ordinance, they should consider stating, "contingent upon final permit review by Tri-State Fire Protection District and the Building Department."

Attorney Gary Grosso thanked the board, staff and Mayor for all of their hard work on completing this project.

MOTION: Made by Trustee Davi and seconded by Trustee Oggerino to adopt Ordinance 20-0-07 contingent on final plan approval by Tri-State Fire Protection and Building Department.

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

MOTION DECLARED CARRIED

7. RESOLUTION - A Resolution Approving A Legal Services Engagement Agreement with Actuate Law, LLC and Authorizing the Mayor to Execute the Engagement Agreement on Behalf of the Village of Willowbrook (ADOPT)

Administrator Pabst related, as a result of a ransomware attack, it is recommended that the Village of Willowbrook approve and execute a legal services engagement agreement with Actuate Law, L.L.C. to provide legal services to the Village of Willowbrook in connection with providing advice and counsel regarding the investigation, response and remediation of a potential data security incident. The Legal Services Engagement Agreement with Actuate Law, L.L.C. to provide legal services to the Village are detailed in the terms and conditions set forth in the Legal Services Engagement Agreement.

Trustee Kelly asked Administrator Pabst to clarify the Cyber Security Specialist Verses Actuate Law LLC?

Administrator Pabst stated, "They are a law firm specializing in legal aspect of cyber security."

Attorney Bastian stated, "They are specialists in their field. They are familiar with this type of law."

Trustee Davi asked if \$7,500 was the cost of the legal fees?

Assistant Administrator Mertens responded there are two components: the legal aspect, which is a per hourly rate; and, the forensic IT review is \$3,900.00 and the Compromise Assessment is \$7,500.00.

MOTION: Made by Trustee Mistele and seconded by Trustee Berglund to adopt Resolution No. 20-R-19 as presented.

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

MOTION DECLARED CARRIED

8. ORDINANCE - A Ordinance of the Village of Willowbrook Establishing Temporary Executive Powers Pursuant to 65 ILCS 5/11-1-6.

Attorney Bastian related that due to COVID-19, the Village needs to declare an Ordinance authorizing the Principal Executive Officer to declare an emergency on behalf of the Mayor in the Mayor's absence. This is to ensure the safety of the Village residents and to make sure the Village runs smoothly. This had to be approved by the board. This is being adopted by several municipalities.

Trustee Kelly asked, "Who will be the emergency interim successor?"

Mayor Trilla appointed Trustee Neal.

MOTION: Made by Trustee Neal and seconded by Trustee Davi to adopt the Ordinance 20-0-08 as presented.

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

MOTION DECLARED CARRIED

9. TRUSTEE REPORTS

Trustee Neal had no report.

Trustee Kelly had expressed concerns of the Village finances in the upcoming year and requested an earlier review of the budget.

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Trustee Mistele had no report.

Trustee Berglund had no report.

Trustee Davi had no report.

Trustee Oggerino had no report.

10. ATTORNEY'S REPORT

Attorney Bastian had no report.

11. CLERK'S REPORT

Clerk Hansen was not present.

12. ADMINISTRATOR'S REPORT

Administrator Pabst had no report.

13. MAYOR'S REPORT

Mayor Trilla stated that the COVID-19 cases at the Chateau have leveled off. The Mayor donated gloves, masks and water to the Chateau.

14. CLOSED SESSION

Mayor Trilla stated that there was no need for Closed Session during tonight's meeting.

15. ADJOURNMENT

MOTION: Made by Trustee Mistele and seconded by Trustee Berglund, to adjourn the Regular Meeting at the hour of 7:18 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED.

April 13, 2020.


Frank A. Trilla, Mayor