

MINUTES OF THE MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON MONDAY, OCTOBER 12, 2020, AT 6:30 P.M. AT THE WILLOWBROOK POLICE DEPARTMENT TRAINING ROOM, 7760 QUINCY STREET, WILLOWBROOK, DUPAGE COUNTY, ILLINOIS .

DUE TO THE COVID 19 PANDEMIC, THE VILLAGE WILL BE UTILIZING A ZOOM CONFERENCE CALL FOR THIS MEETING.

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 physically present at roll call were Mayor Frank A. Trilla, Trustees, Sue Berglund, Umberto Davi, Michael Mistele, Gayle Neal, and Gregory Ruffolo.

Present Via conference call, due to COVID-19 Pandemic, were Village Clerk Leroy R. Hansen and Trustee Oggerino.

Also, physically present were Deputy Chief Lauren Kaspar.

Present Via conference call, due to COVID-19 Pandemic, were Village Attorney Thomas Bastian, Village Administrator Brian Pabst, Assistant Village Administrator Michael Mertens, Director of Finance Carrie Dittman, Building Official Roy Giuntoli, Planning Consultant Ann Choi, Public Works Foreman Andrew Passero, Phil McKenna of Kane, McKenna and Associates and Kimberly Marshall from BKD Associates.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

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

4. VISITORS' BUSINESS

None presented and no written comments were received.

5. OMNIBUS VOTE AGENDA

Mayor Trilla read over each item in the Omnibus Vote Agenda for the record.

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Regular Board Meeting - September 25, 2020 (APPROVE)
- c. Monthly Financial Report - September 2020

- d. Warrants - \$289,375.72 (APPROVE)
- e. ORDINANCE - An Ordinance Extending Temporary Executive Powers Pursuant to 65 ILCS 5/11-1-6 Ordinance No. 20-O-45 (PASS)
- f. ORDINANCE - An Ordinance of the Village of Willowbrook Declaring Surplus Property and Authorizing the Sale or Disposal of One (1) 2005 F 550 and One (1) 2006 Ford F 350 Motor Vehicles Ordinance No. 20-O-46 (PASS)
- g. RECEIVE - Receive Plan Commission Recommendation - Public Hearing Case PC 20-08: A Text Amendment to Amend the Fence Code in Section 9-12-4(D)2 of Title 9 - Zoning Title of the Village of the Willowbrook Municipal Code (RECEIVE)
- h. RESOLUTION - A Resolution Creating Set Hours for Halloween Solicitation Resolution No. 20-R-44 - (ADOPT)
- i. MOTION - A Motion to Approve an Application for a License to Hold a Raffle - Willowbrook / Burr Ridge Chamber of Commerce (PASS)

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

MOTION: Made by Trustee Davi and seconded by Trustee Berglund to approve the Omnibus Vote Agenda.

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

MOTION DECLARED CARRIED

#### NEW BUSINESS

- 6. ORDINANCE - An Ordinance Amending Title 9, Entitled "Zoning Regulations", of the Municipal Code of the Village of Willowbrook to Define "Retail Tobacco Stores with Smoking Lounge", Replace "Tobacco Stores" and "Tobacco Shops" with "Retail Tobacco Stores with Smoking Lounge" in the B-2 and B 3 Zoning Districts, and Add "Retail Tobacco Stores With Smoking Lounge" as a New Permitted Use in the B-4 Zoning District (PASS)

Consultant Choi stated this text amendment was proposed by Roy Dobrasinovic, the applicant and new owner of an existing

building located at 7900 Joliet Road on property zoned B-4. The petitioner is requesting to allow a cigar lounge in the now vacant space. The proposed use is not currently permitted in the B-4 Zoning District. The text amendment would also clarify inconsistencies such as "Tobacco stores" and "Tobacco shops" in the B-2 and B-3 Zoning Districts. These terms would be replaced by "Retail tobacco stores with smoking lounge" to establish a use category that is used consistently in the Zoning Ordinance.

As a special use in the B-4 Zoning District, the Village would have the opportunity to notify surrounding property owners and conduct a public hearing before the Plan Commission. The Plan Commission would be able to recommend conditions to the proposed project before forwarding their recommendation to the Village Board for final approval. The special use process would provide a transparent, public review process to determine if the use will be compatible with surrounding uses and development patterns. Staff recommended that the retail tobacco store with smoking lounge be permitted as a special use in the B-4 Zoning District to provide for the most effective review and approval process.

The Plan Commission did not express any opposition to the proposed retail tobacco store with smoking lounge but indicated that the special use process may be too costly and onerous of a process for a use that is permitted by right in the B-2 and B-3 Zoning Districts. Most of the Plan Commission members were in favor of allowing the retail tobacco store with smoking lounge as a permitted use in the B-4 Zoning District and made a motion to forward this recommendation. The Plan Commission voted 5-1 of the members present in favor of the proposed text amendments with the recommended modification and forwarded a positive recommendation to the Village Board.

Trustee Berglund asked if the Tri-State Fire Protection District was involved in this review process.

Consultant Choi responded not at this time because this is a text amendment.

Attorney Bastian noted that during the building permit process the Building Department will inspect and may have Tri-State do reviews and inspections.

Building Official Giuntoli commented that Tri-State will be involved in the review and inspection process.

Trustee Neal asked if they would want an outdoor smoking lounge.

Consultant Choi stated they had plans for an outdoor area but is not sure if smoking will be allowed in that area. She will review the plans and get back to the Board.

Attorney Bastian shared that the guidelines of the Smoke Free Act must be followed.

MOTION: Made by Trustee Davi and seconded by Trustee Ruffolo to pass Ordinance No. 20-O-47 as presented.

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

MOTION DECLARED CARRIED

7. RESOLUTION - A Resolution of the Village of Willowbrook Approving and Authorizing the Execution of a Phase II Tax Increment Financing District ("TIF") Consultant Services Agreement By and Between Kane, McKenna and Associates, Inc. to  
Complete a Redevelopment Plan and Project for the  
Implementation of a TIF District at a Cost Not To Exceed  
\$30,000.00 (ADOPT)

Administrator Pabst stated we are considering the Phase II Portion of the proposed Tax Increment Financing District and need direction from the Board. The Municipal Services Committee has coordinated a stormwater drainage review of the Executive Plaza area and Christopher B. Burke Engineering has supplied the Committee with Drainage Master Plan. The plan highlights the area drainage design, drainage history and drainage improvement recommendations. The most feasible design option for consideration is to elevate the Executive Drive and portions of Plaza Court and construct underground stormwater storage. This concept would provide a 100-year level of protection, while making the roadway passable to car traffic. The projected project cost is estimated at +/- \$2 million plus the required engineering design cost. The Village does not currently have a funding mechanism in place for the proposed improvements. Staff was directed to explore the possibility of creating a Tax Increment Financing (TIF) District for the area as an alternate funding option for the public improvements, environmental cleanup, and redevelopment costs within the area. On September 28, 2020, KMA presented their findings on the Eligibility Study and Report. KMA

has found that the Study Area likely qualifies as a "conservation area", as defined in the State of Illinois Tax Increment Allocation Act 65 ILCS 5/11-74.4, et seq., as amended (the "TIF Act"), and would be eligible for tax increment financing.

The Eligibility Report has determined that Study Area likely qualifies as a conservation area. The second phase of the proposed Tax Increment Financing Project is to complete a redevelopment plan and project report. The plan would include the following items:

- 1) A statement of redevelopment goals and objectives.
- 2) Examination of qualifications factors and presentation of rationale for basis under which the TIF District or other economic development programs are to be justified under state law.
- 3) A state of eligible redevelopment activities the Village may implement under the plan and a statement that the plan will conform to the Village's Comprehensive Plan and any future amendments.
- 4) Presentation of estimated costs for the redevelopment projects contemplated for implementation under the plans.
- 5) A detailed discussion of impediments to the successful redevelopment of the property area and the measures the Village could undertake to eliminate such barriers to promote economic revitalization with the project area.
- 6) Assist the Village by Participating in meetings with all interested parties and affected parties, including property owners, and overlapping tax jurisdictions.
- 7) Work with Village counsel in preparation of the appropriate ordinances required for adoption of the redevelopment plan and project by the Village whether amending and/or implementing a TIF District or economic development programs.
- 8) Assist the Village to establish and maintain complete documentation files to assure proper support findings to provide legal standing for amending and/or implementation of a TIF District or other economic development programs.

Mayor Trilla asked if there are any other expenses for this Project.

McKenna responded this is Phase II of II. This is the final portion of the process for TIF approval consideration.

Trustee Mistele asked if KMA will work with Burke Engineers regarding the potential solution?

McKenna stated they will work closely with the engineers.

MOTION: Made by Trustee Mistele and seconded by Trustee Berglund to adopt Resolution No. 20-R-45 as presented.

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

MOTION DECLARED CARRIED

8. RESOLUTION - A Resolution Approving and Authorizing the Purchase of One (1) Potable Water Circulation Equipment System for the Village Water Tower Standpipe at a Cost Not-To-Exceed \$19,380.00 (ADOPT)

Public Works Foreman Passero stated in the winter of 2018/19 a polar vortex hit the Midwest region. This deep freeze triggered ice to form in the standpipe that caused significant damage to the cathodic protection equipment inside the tank. The standpipe needed to be completely drained to make the necessary repairs. Staff recommends the installation of the water circulation system as the mixer system helps circulate the water in the tank to keep it from becoming stagnant at the bottom of the tank, and to keep chlorine levels consistent in the standpipe. Another benefit of the circulation system would be to keep water moving in the tank during the cold winter months to prevent ice buildup.

MOTION: Made by Trustee Mistele and seconded by Trustee Ruffolo to adopt Resolution No. 20-R-46 as presented.

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

MOTION DECLARED CARRIED

9. RESOLUTION - A Resolution of the Village of Willowbrook

Waiving Competitive Bidding, Approving and Accepting a Proposal from CDW Government for the Purchase of Ten (10) GETAC A140 G2 Tablet Computers at a Cost Not-To-Exceed Forty Five Thousand Eighty-Eight and 20/100 Dollars (ADOPT)

Deputy Kasper explained that currently the Police Department is utilizing Panasonic Toughbook CF-31 mobile data terminals (MDTs) in each squad car. These MDTs were manufactured in 2015 and put into service later that year. Currently there are software compatibility issues and problems associated with procedural changes due to the COVID-19 Pandemic. Based on recommendations from our village contracted IT professional, it was advised that we investigate options for replacing or upgrading our current MDTs.

To alleviate software problems, IT personnel upgraded one of the existing MDTs with a new hard drive and Windows 10 operating system. This upgrade was thought to provide a temporary fix and push back the need to replace the MDTs for a couple of years. Several weeks after completing the upgrade, there were continued compatibility issues. The upgraded MDT have GPS connectivity problems that were unable to be corrected by IT and were deemed to be an issue between Windows 10 and the existing GPS hardware. The inability to connect to the MDT's GPS means that in an emergency, an officer's location would not be available to the dispatcher. This creates an officer safety issue and makes upgrading the MDTs not a viable option.

Upon learning that upgrading the MDTs created an officer safety issue, options for replacing the MDTs were explored. Based on current recommendations from our IT professional, ongoing procedural changes implemented due to the COVID-19 pandemic, and research conducted, staff recommends the replacement of the current MDTs with 10 Getac A140 Rugged tablet computers. Funding for this purchase will be provided by State/Federal Drug Forfeiture Funds.

Trustee Mistele asked how long is the service agreement.

Deputy Kasper responded it is for two years.

MOTION: Made by Trustee Davi and seconded by Trustee Mistele to adopt Resolution No. 20-R-47 as presented.

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

MOTION DECLARED CARRIED

10. MOTION - A Motion to Approve the Fiscal Year 2019-20 Comprehensive Annual Financial Report (CAFR) and Management Letter (PASS)

Director Dittman explained that attached to the current agenda is a short summary of our Fiscal Year 2019-2020. Included in your agenda packet is the following: Comprehensive Annual Financial Report for the Village for the year ended April 30, 2020 and a management letter prepared by the Village's audit firm, BKD. The general fund revenues exceeded the budgeted amount by \$1,307,258 or 15.84%. The Total general fund expenditures came in under the budgeted amount by \$566,038, excluding transfers out. Most departments were at or under budget. The net increase in fund balance that resulted after all year-end adjustments and transfers were made was \$246,239. The Village budgeted a net decrease of \$1,722,288. This represents approximately 216 days of operating expenditures, which exceeds the Village's existing target of reserves of 120.

Mayor Trilla asked about the L.A.F.E.R fund.

Director Dittman responded there is about \$18,000 dollars in the fund.

Kimberly Marshall from BKT thanked Carrie for working with her and her team and the Village of Willowbrook for the opportunity to work with the Village. Marshall gave her presentation and highlighted key areas on the Comprehensive Annual Financial Report.

Mayor Trilla thanked Director Dittman for all her hard work and Also thanked Administrator Pabst and Assistant Administrator Mertens.

MOTION: Made by Trustee Mistele and seconded by Trustee Davi to approve the Fiscal Year 2019-20 Comprehensive Annual Financial



Report as presented.

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

PRIOR BUSINESS

11. TRUSTEE REPORTS

Trustee Neal had no report.

Trustee Ruffolo had no report.

Trustee Mistele had no report.

Trustee Berglund had no report.

Trustee Davi had no report.

Trustee Oggerino no report.

12. ATTORNEY'S REPORT

Attorney Bastian has no report.

13. CLERK'S REPORT

Clerk Hansen had no report.

14. ADMINISTRATOR'S REPORT

Administrator Pabst has no report.

15. MAYOR'S REPORT

Mayor Trilla had no report.

16. CLOSED SESSION

Mayor Trilla advised there was no need for closed session at tonight's meeting.

17. ADJOURNMENT

MOTION: Made by Trustee Ruffolo and seconded by Trustee Mistele to adjourn the Regular Meeting at the hour of 7:07 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ, and APPROVED.

\_\_\_\_\_, 2020.

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Frank A. Trilla, Mayor

Minutes transcribed by Deputy Clerk Christine Mardegan.