

MINUTES OF THE MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON MONDAY, OCTOBER 26, 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 6:30 p.m. by Mayor Frank A. Trilla.

2. ROLL CALL

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

Also, physically present were Village Clerk Leroy R. Hansen, Village Administrator Brian Pabst, and Deputy Clerk Christine Mardegan.

Present Via conference call, due to COVID-19 Pandemic, were Trustee Gayle Neal, Village Attorney Thomas Bastian, Assistant Village Administrator Michael Mertens, Director of Finance Carrie Dittman, Chief Robert Schaller, Deputy Chief Lauren Kaspar, Building Official Roy Giuntoli and Planning Consultant Ann Choi.

Absent: None.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

Mayor Trilla asked Clerk Hansen 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 - October 12, 2020 (APPROVE)
- c. Minutes Special Board Meeting - October 6, 2020 (APPROVE)

- d. Warrants - \$ 264,332.25 (APPROVE)
- e. ORDINANCE - An Ordinance Extending Temporary Executive Powers Pursuant to 65 ILCS 5/11-1-6 Ordinance No. 20-O-48 (PASS)
- f. MOTION - A Motion to Approve the 2020 Motor Fuel Tax (MFT) Roadway Maintenance Program and Village Hall Parking Lot - Pay Estimate No. 1 - Brothers Asphalt Paving, Inc. (PASS)

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

MOTION: Made by Trustee Berglund and seconded by Trustee Davi 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. REPORT - Annual Police Pension Board Report (APPROVE)

Director Dittman advised that annually, required by state statute, the Police Pension Board is required to report to the municipality the financial condition of the pension fund at the end of its most recent fiscal year which is April 30, 2020. The report is used when determining the amount of taxes to levy to fund police pension benefits, although the Village has historically not levied a property tax and instead funded the police pension expenditures through General Fund sources.

The Police Pension Board approved the report at the October 14, 2020 pension board meeting. They formally request \$1,190,994 as the annual municipal contribution from the Village of Willowbrook for the FY 2021/2022 police pension fund benefits and administrative costs.

A few highlights are the statutory minimum contribution of \$744,118 or 38.2 % of covered payroll. The actuary is recommending \$1,190,994 in municipal contributions (61.2% of covered payroll), in accordance with the Entry Age Normal actuarial cost method, the accepted method under accounting standards and what the Village has historically followed for funding purposes. The contribution amount funds both benefit payments for the 19 current beneficiaries plus future benefits for the 21 active

officers who were employed as of the valuation date of April 30, 2020.

Future increases to either beneficiaries or active officers will increase the required pension contribution.

MOTION: Made by Trustee Ruffolo and seconded by Trustee Mistele to adopt the annual Police Board Pension Report 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  
Estimating the Property Taxes to be Levied for the 2020  
Property Tax Levy (ADOPT)

Director Dittman shared that this is another item related to the budget. Since FY 2006, the Board levied the tax as an alternative to using other funds from the General Fund. The Village Board determined that the effect of funding the following items through the Special Recreation Tax is preferable to the funding then from General Fund sources. The 2020 proposed tax levy is \$74,794. At this amount, the tax impact to a homeowner with a home market value of \$300,000 would be approximately \$14.64. This is a 2.81% increase from the prior year's levy, or \$2,044.00, and includes amounts planned for ADA accessibility at Village Parks and the Community Resource Center. The Village will have \$110,046 in accumulated special recreation tax funds.

Trustee Berglund asked if we have any grant money for this. Director Dittman responded not for any accessibility programs. Trustee Neal asked what account does the handicap accessible door come from that was installed in the Police Department. Director Dittman answered that does not come from this fund. This fund is for Parks.

Attorney Bastian asked what is the current consumer price index? Director Dittman responded 1.7 % was the CPI increase for the last six (6) months.

MOTION: Made by Trustee Davi and seconded by Trustee Berglund to adopt Resolution No. 20-R-48 as presented.

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

MOTION DECLARED CARRIED

8. ORDINANCE - An Ordinance Amending Chapter 12, Section 9-12-4(D)2: Bulk Regulations: Fences and Walls, of Title 9, Entitled "Zoning Regulations" of the Municipal Code of the Village of Willowbrook (PASS)

Consultant Choi stated the Village of Willowbrook does not allow relief from the fence regulations except in the case of planned unit developments. The proposed text amendment would address the numerous complaints made to the Village's building and planning departments over the Village's restrictive fence regulations.

On September 12, 2016, the Village Board approved Ordinance No. 16-O-42, an Ordinance Amending Title 9, Chapter 12, Section 9-12-4(D)(2)(d) of the Village Code - Bulk Regulations: Fences and Walls. The purpose of this text amendment was to allow a 5' fence in an exterior side yard of a corner lot that abuts the front yard of an adjacent lot, where the subject corner lot is along Illinois Route 83, Plainfield Road, 63rd Street, 75th Street, or Madison Street. Village staff found this section of the code to be inconsistent and confusing and therefore proposes to revise this section again to allow a 4' tall and at least 80% open fence within the exterior side yard of corner lots whose exterior side yard abuts the front yard of an adjoining lot.

On September 14, 2020, amendments to the fence code were briefly discussed at the Law & Ordinance Committee, and there was consensus that Village staff should prepare text amendments for Plan Commission and Village Board consideration.

The purpose of this text amendment is to allow the following within residential zoning districts:

1. A solid 5' fence anywhere on a lot except in a required front or exterior side yard.
2. A 4' fence that is at least 50% open within the exterior side yard of a lot where an exterior side yard abuts the front yard of an adjoining lot on streets other than Illinois Route 83, Plainfield Road, 63rd Street, 75th Street or Madison Street.
3. An open or solid fence not greater than eight feet (8') in height on an exterior side or rear lot line of a residentially zoned lot where such line(s) are conterminous with the right of way lines of the Illinois Route 83.

Consultant Choi continued with a detailed presentation that was tied to the agenda.

The Plan Commission did not express any opposition to the proposed text amendment with the addition of the modification of allowing a solid 5-foot tall fence in the corner lot situations discussed above. The Plan Commission voted 7-0 in favor of the proposed text amendment to forward a positive recommendation to the Village Board.

Mayor Trilla thanked Ann and asked do they have to install a five (5) foot fence. Consultant Choi said that is correct.

MOTION: Made by Trustee Oggerino and seconded by Trustee Berglund to pass Ordinance No. 20-O-49 as presented.

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

MOTION DECLARED CARRIED

9. ORDINANCE - An Ordinance Amending Chapter 1A Entitled "License Fees" of Title 3 Entitled "Business Regulations" of the Village Code of Ordinances of the Village of Willowbrook, DuPage County, Illinois (PASS)ORDINANCE - An Ordinance Amending Section 5-2-1 Entitled

Assistant Administrator Mertens stated this item was reviewed at the Law and Ordinances Committee meeting during its review of Chapter 9 Hotel / Motel Village Code. During this staff review process, the Deputy Clerk reviewed the Village Code for Business License Fees applied to the businesses within the community and has advised that the Village does not currently impose a late fee on business licenses. Staff surveyed surrounding communities to determine what comparable communities were charging for late fees. The ranges are ten (10) percent to twenty-five (25) percent.

On September 14, 2020, staff presented our business license comparable communities late fee survey as well as our current business license process. Upon discussion, the consensus of the Law and Ordinances Committee was to consider a 10% late fee applied after 30-days and a 20% late fee applied after 60-days with citations to be issued after 3 months.

MOTION: Made by Trustee Davi and seconded by Trustee Ruffolo to pass Ordinance No. 20-O-50 as presented.

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

MOTION DECLARED CARRIED

10. ORDINANCE - An Ordinance of the Village of Willowbrook  
Reducing Certain Licensee Fees for the 2021 Licensing Year  
(PASS)

Assistant Administrator Mertens advised that at the October 6, 2020 Special Village Board Meeting Mayor Trilla asked staff to investigate options for a Covid-19 Pandemic Reduction Fee Program for Gaming Terminal and Liquor License fees. A proposed program was presented to the Finance and Administration Committee. The consensus of the Committee was to recommend a one-year 75% discount program for gaming terminal fees and liquor license fees, excluding retail and grocery licenses. The program would then be revisited again in one year to determine if additional consideration is warranted.

The attached ordinance provides for a one-year 75% discount off gaming terminal fees and liquor licenses. Retail / Grocery Store licenses were not included in the proposed program as they were not restricted by the Governor's Stay-at-Home Order.

MOTION: Made by Trustee Mistele and seconded by Trustee Berglund to pass Ordinance No. 20-O-51 as presented.

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

MOTION DECLARED CARRIED

11. ORDINANCE - An Ordinance of the Village of Willowbrook  
Establishing a One Year Moratorium on Unregulated and  
Unlicensed Use of Food Trucks and Mobile Food Vendors  
Within the Corporate Limits of the Village of Willowbrook  
(PASS)

At the Law and Ordinances Committee meeting on July 13, 2020, staff presented an overview of the Village ordinances for food trucks operating within the community. The Committee sought to have a thorough review of our Village Code of Ordinances to standardize the code language with leading practices with a focus

on public health, safety, welfare, and appropriate business licensing.

The Village finds that it is in the best interest of the health, safety and welfare of the residents, visitors and the licensed businesses operating in the Village to impose a one-year moratorium of the operation of unlicensed and unregulated food trucks within the Village until such time as a comprehensive study can be conducted as to the licensing, regulation, inspection of food trucks and mobile food vendors and the effect such operations may have on existing licensed restaurants and licensed food service establishments lawfully operating within the Village.

MOTION: Made by Trustee Mistele and seconded by Trustee Berglund to pass Ordinance No. 20-O-52 presented.

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

CARRIED

MOTION                      DECLARED

PRIOR BUSINESS

12. 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 asked the Board to look at the Chamber website as it is new and improved.

13. ATTORNEY'S REPORT

Attorney Bastian had no report.

14. CLERK'S REPORT

Clerk Hansen thanked the Board and Mayor and shared that this would be his last meeting.

15. ADMINISTRATOR'S REPORT

Administrator Pabst had no report.

16. MAYOR'S REPORT

Mayor Trilla presented Clerk Hansen with a plaque and thanked him for all his years of service.

17. CLOSED SESSION

CLOSED SESSION

- a) Personnel - 5 ILCS 120/2 (c)(1) - Appointment, Employment, Compensation, Discipline, Performance or Dismissal of Specific Employees
- b) Personnel - 5 ILCS 120/2 (c)(2)- Salary Schedules for One or More Classes of Employees

MOTION: Made by Trustee Davi and seconded by Trustee Oggerino to recess into Closed Session at 7:16 pm.

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

MOTION DECLARED CARRIED

Recessed into Closed Session.

MOTION: Made by Trustee Davi and seconded by Trustee Ruffolo to adjourn the Closed Session at the hour of 7:57 p.m. and reconvene the regular Board meeting.

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

MOTION DECLARED CARRIED

18. RESOLUTION - A Resolution of the Village of Willowbrook Further Modifying the Village of Willowbrook's Personnel Manual by Amending the Non-Union Salary Plan (ADOPT)

Mayor Trilla stated that Staff presented comparable community results and possible pay plans based on a 9-year step plan to the Finance and Administration Committee on June 8, 2020, and incorporated feedback into the meetings held July 13, 2020, August 10, 2020, and September 14:



- Use a 9-year step to reach the maximum of the range (as presented June 8)
- Use a 10% differential between grades (as presented June 8)
- Incorporate 15 grades into the pay plan (as presented June 8)
- Use a fixed increase each year to reach the maximum at Year 9 (as presented June 8)
- Use the 60<sup>th</sup> percentile of the comparable community surveys to place Willowbrook's existing positions into a grade (as presented July 13)
- Plug each position into the correct year of the new pay plan based on current salary (as presented August 10); if resulting increase was < 2.5%, move to next step in pay plan.

At a Special Village Board meeting on October 6, 2020, staff presented the above findings and recommendations. Staff was directed to provide additional salary survey information regarding two positions which will be discussed tonight in closed session with the final pay plan to be considered at the October 26, 2020 Village Board meeting.

Administrator Pabst asked the Board to view Exhibit 5, except for two (2) employee salary adjustments recommended by Trustee Mistele.

Trustee Mistele recommended the salary for the Administrator to be \$180,460 per year, and the salary of the Director of Finance to be \$149,140. All other salaries listed in Exhibit 5 will remain as presented.

MOTION: Made by Trustee Mistele and seconded by Trustee Berglund to amend Resolution No. 20-R-49 as discussed.

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

MOTION DECLARED CARRIED

19. RESOLUTION - A Resolution Amending the Village of Willowbrook Personnel Manual to Create the Employment Position of Full

Time Receptionist and to Reclassify the Employment Position  
of  
Interim Superintendent of Parks and Recreation to Part-Time  
Parks and Recreation Manager in the Village of Willowbrook,  
DuPage County, Illinois (ADOPT)

MOTION: Made by Trustee Berglund and seconded by Trustee Ruffolo  
to amend the Resolution No. 20-R-50 and eliminate the words  
part-time and full-time from the titles.

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

MOTION DECLARED CARRIED

20. RESOLUTION - A Resolution Approving the Promotion of  
Elizabeth  
Komperda to the Employment Position of Full-Time  
Receptionist  
in the Village of Willowbrook, DuPage County, Illinois  
(ADOPT)

Administrator Pabst shared that staff reviewed a non-sworn  
employee salary survey as a part of FY 20/21 budget discussions  
and for future consideration. This report was presented to the  
Village Board at the May 11, 2020 meeting. Two salary surveys  
were conducted, the first using seven towns (presented 5/11) and  
a second using twelve (presented 6/8). The survey results  
indicate that the Village of Willowbrook is under the average  
salary ranges in most categories.

During this process one of our part-time receptionists has  
resigned to move out of state. As such, the Village  
Administrators review of the position needs recommends turning  
the position into a full-time receptionist position.

MOTION: Made by Trustee Davi and seconded by Trustee Berglund  
to adopt Resolution No. 20-R-51 as presented.

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

MOTION DECLARED CARRIED

21. ADJOURNMENT

MOTION: Made by Trustee Mistele and seconded by Trustee Ruffolo to adjourn the Regular Meeting at the hour of 8:15 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.