

MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON MONDAY, DECEMBER 14, 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 6:31 p.m. by Mayor Frank Trilla.

2. ROLL CALL

Those physically present at roll call were Mayor Frank A. Trilla, Trustee Michael Mistele and Trustee Umberto Davi.

Present Via conference call, due to the COVID-19 Pandemic, were Trustees Sue Berglund, Gayle Neal, Paul Oggerino, Greg Ruffolo, Clerk Deborah Hahn, Village Attorney Thomas Bastian, Village Administrator Brian Pabst, Assistant Village Administrator Michael Mertens, Director of Finance Carrie Dittman, Chief Robert Schaller, Deputy Chief Lauren Kasper, Public Works Foreman Andrew Passero, Building Official Roy Giuntoli and Consultant Derek Hubbartt from GHD.

Absent: Deputy Clerk Mardegan.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

Mayor Trilla asked Trustee Davi 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 - November 23, 2020 (APPROVE)
- c. Monthly Financial Report - November 2020 (APPROVE)
- d. Warrants - \$728,551.35 (APPROVE)

- e. ORDINANCE - An Ordinance Extending Temporary Executive Powers Pursuant to 65 ILCS 5/11-1-6 Ordinance No. 20-O-63 (PASS)
- f. MOTION - A Motion to Approve the Fiscal Year 21/22 Budget Schedule (PASS)
- g. MOTION - A Motion to Approve the Calendar Year 2021 Payment to Intergovernmental Risk Management Agency (PASS)
- h. RECEIVE - Plan Commission Recommendation: Zoning Hearing Case 20-10: Consideration of a Petition for a Text Amendment to Amend Sections 9-6-1(b) and 9-12-10 of Title 9 - Zoning Title of the Village of Willowbrook Municipal Code Regarding the Outdoor Display of Merchandise (RECEIVE)

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

MOTION: Made by Trustee Mistele 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. RESOLUTION - A Resolution of the Village of Willowbrook Approving and Accepting a Proposal from GHD Services, Inc. For Review of Environmental Investigation and Remediation Activities at 7775 S Quincy Street, Willowbrook Illinois at a Cost Not-To-Exceed Ten Thousand Five Hundred Dollars (\$10,500.00) (ADOPT)

Administrator Pabst shared that the Sterigenics building located at 7775 South Quincy Street reported a spill containing ethylene glycol to the IEPA in 2013 resulting in a no further remediation (NFR) letter from the IEPA in 2014. However, there was a second spill on August 23, 2018 of ethylene glycol at the 7775 Quincy. As reported by Sterigenics, this spill was approximately 1,700 gallons of a liquid containing water, ethylene glycol and sulfuric acid. Sterigenics reported that only 7 to 27 gallons of this liquid went into the soil while the majority was captured in their containment pit. The first remediation attempt was unsuccessful and another attempt at removing all contaminated soil will be conducted as a part of this building permit. The location of the

spills has been in the northeast corner area of the building however, it is unknown at this time if the contamination of soil or groundwater traveled to neighboring properties. Staff is recommending that the Village utilize an environmental expert to review all documentation pertaining to the first spill in 2013 and the second spill in 2018 and conclude whether there is enough information available to indicate that the spills on the site may have resulted in soil and groundwater contamination to areas outside of the Sterigenics property line. Should information be available that indicates the spill event may have resulted in impacts to Village owned property, as a second step, GHD will prepare a work plan to perform investigation activities on Village owned property.

Mayor Trilla asked if the cost will cover the perimeter or the Village property?

Administrator Pabst responded that the first part of the project is to analyze all the relevant documents and make the determination of additional activities the Village should consider. For the second part, I will let the Consultant Derek Hubbartt explain the process.

Consultant Hubbartt stated they would analyze the environmental documents and information on spills. Analyze where the dilatation is. This would provide information on both adjoining properties and the Village owned property.

Trustee Davi asked Consultant Hubbartt to explain the process.

Consultant Hubbartt responded that the first part is to analyze the data and the second part is to develop a work plan to conduct additional investigation that may be necessary.

Trustee Davi what happens if they do not agree with our assessment?

Consultant Hubbartt stated the purpose of this is to evaluate the potential impact on the Village property.

Trustee Davi ask if Brian could add to that?

Administrator Pabst added we would not need their permission to do this analysis off their property. The analysis is to protect our interest.

Attorney Bastian added that we need the information to determine what further action, if any, is necessary. If there is contamination on the Village property, we will expect Sterigenics to remediate.

MOTION: Made by Trustee Berglund and seconded by Trustee Oggerino to adopt Resolution No. 20-R-56 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 Approving and Authorizing the Purchase of One (1) Card Access System for the Willowbrook Village Hall at a Cost Not-To-Exceed \$10,710.00 (ADOPT)

Public Works Foreman Passero shared that the card access system for the Village Hall is outdated and in need of upgrading. The Village Hall front access door cannot be opened with the current card system and new access cards cannot be made for new personnel. Staff is recommending that the Village consider upgrading to the card access system to match the system that is currently being utilized at the Willowbrook Police Department. Staff investigated other vendors and systems as a replacement door card access option. The installation of an alternate system would require new readers at each door and the replacement of the entire door lock system in conjunction with an alternate programming system. This option would be more costly for the Village as well as having two separate system to maintain at the Village Hall and Police Department.

Public Works staff recommends upgrading the card access system to the same system that is used in the Police Department for consistency in training, parts and a system that is well received by the department an amount not-to-exceed \$10,710.00.

MOTION: Made by Trustee Ruffolo and seconded by Trustee Mistele Berglund to adopt Resolution No. 20-R-57 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 to Approving and Authorizing the Execution of an Intergovernmental Agreement Between the Village of Willowbrook and County of DuPage For the Installation of Folding Stop Signs (ADOPT)

Public Works Foreman Passero stated any time there is an emergency

at a county intersection Public Works staff or the Police Department is called out and unfold the stop signs when there is a power loss to the traffic signals. The Village of Willowbrook is responsible for the entire cost of installing and maintaining the emergency folding stop signs. The agreement also requires that the Village of Willowbrook indemnify, hold harmless and defend DuPage County from and against any liability, claims, etc.

The DuPage County Board authorized the Director of Transportation County Engineer to sign the Intergovernmental Agreement going forward. This agreement will allow Public Works to oversee the intersections stated in the agenda.

MOTION: Made by Trustee Mistele and seconded by Trustee Berglund to adopt Resolution No. 20-R-58 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 Approving and Authorizing the Execution of a First Amendment Agreement with Groot Industries, Inc. to Provide Residential Scavenger Services to the Village of Willowbrook (ADOPT)

Assistant Administrator Mertens stated the Village over the years has contracted a twice-a-year brush collection program for all single-family homes within the community. The program is funded through what is called a "pass-through" collection fee that was in our contracts with Republic Services and now Groot Industries. The past contracts the Village had with Republic Services called for the contractor to bill the residents a minimum monthly pass-through surcharge for the Village brush collection program. The old rate in the Republic Services contract was billed at \$2.16 per household, per quarter. The new contract with Groot Services adjusted the pass-through rate to \$4.35 per household, per quarter. This amount was updated to cover the current Village cost for the spring and fall brush collection program. The Village then applies that pass-through collected fee to pay a separate contractor to perform the twice-a-year brush collection program for the single-family homes. The Village received several calls from residents questioning their Groot Industries bill regarding the brush collection.

The Current Brush Collection occurs in the Spring and the Fall and is contracted out to D. Ryan Tree & landscaping at a cost of

\$31,200 per year. Some residents complained that they do not use the program. This item was discussed at the November 23, 2020 Municipal Services Committee. Staff offered the following options for consideration for moving forward with the 2021 Village Brush Program:

- 1) Keep the program as currently design as highlighted above.
- 2) Modify the program to once a year brush collection program and billed twice a year at \$4.35/single family home.
- 3) Convert to a Village funded program.
- 4) Convert the program, being with the fall brush collection, to a sticker program through Groot industries. In this program the brush and branches must be bundled with twin and may not exceed 4 feet in length or 2 feet in diameter. Individual branches should not exceed 4 inches in diameter. Bundles should not exceed 40 pounds each.
- 5) Remove Groot Industries from the Brush Collection billing starting in the 1st quarter 2021. The Village takes over the billing at \$4.35 / quarter, starting in the 2nd quarter 2021. Create an Opt-Out program for residents who do not use the brush collection program.

Upon discussion, the consensus of the Committee was to recommend that the Village Board keep the level of service for the program the same for 2021 but have the Village of Willowbrook take over the full funding of the brush collection program moving forward. Additionally, the Committee recommend that upon Village Board consideration that a letter be mailed to the single-family homeowners explaining the funding enhancements to the program (attached). The attached Resolution removes the pass-through fee from the Groot Service contract.

MOTION: Made by Trustee Mistele and seconded by Trustee Ruffolo to adopt Resolution No. 20-R-59 as presented.

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

MOTION DECLARED CARRIED

10. DISCUSSION - Discuss Water Late Fees During the Covid-19 Restore Illinois Tier 3 Mitigation Phase (DISCUSS)

Assistant Administrator Mertens advised that on March 20, 2020 Governor Pritzker issued an Executive Order in response to the Covid-19 pandemic, No. 2020-10. This executive order established a stay-at-home order, social distancing requirements and a cessation of non-essential business operations. The stay-at-home directives, locally and nationally, have caused the furloughs

and layoffs of millions of people. During this COVID-19 pandemic shutdown, staff was directed to hold off on issuing water billing late fees and performing water shutoffs. During this time, the Village paused late fees and shutoff penalties for the months of March, April, and May 2020 for residential and commercial accounts.

The State of Illinois entered Stage 4 of the Restore Illinois Plan on Friday June 26, 2020. The Municipal Services Committee discussed the moratorium on water late fees and water shutoffs at their June 22, 2020 Committee meeting. Upon discussion of the subject matter, the consensus of the Committee was to resume normal billing activities starting with the July billing cycle. The Village Board was advised that the late fees for March, April and May would be waived for the three-month period and the normal billing process resumed with the July billing cycle.

On November 10, 2020, the Governor issued Executive Order 2020-70 further tightening restrictions on bars, restaurants, and social gatherings to help mitigate the spread of COVID-19. On November 20, 2020, the Governor implemented Tier 3 Resurgence Mitigation restrictions to combat the exponential growth of COVID-19 within the State. Payments are due 30 days after the bill is issued. On the 31st day, a 10% penalty is added to any unpaid accounts giving the account holder an additional 15 days to pay before a shutoff letter is mailed and \$25 is added to their account. The shutoff date for said letter is the day after the following second Monday of the month board meeting. If payment is not made, water is shut off and a \$70 fee is added to the account. Residential properties are billed quarterly over three (3) billing cycles.

Staff is seeking feedback from the Village Board on a short-term moratorium for water late fees and shutoffs during the State of Illinois Tier 3 Resurgence Mitigation restrictions.

Upon discussion, the Village Board directed that there should be no late fees until further notice and the keep the Village Board updated on the status of the subject.

PRIOR BUSINESS

11. TRUSTEE REPORTS

Trustee Neal reported that the recent evaluation on the traffic study that was done on Eleanor Place that was done in October was revised. One of the homeowners noticed a math error on the calculations. We have received a corrected recommendation with

the revised calculation. This will be discussed at the January Public Safety meeting.

Trustee Ruffolo had no report.

Trustee Mistele had no report but wished everyone a Merry Christmas and Happy New Year to all .

Trustee Berglund had no report but wished everyone a Blessed Christmas and a Happy New Year.

Trustee Davi had no report but wished everyone Happy Holidays.

Trustee Oggerino Merry Christmas to everyone.

12. ATTORNEY'S REPORT

Attorney Bastian had no report wished everyone a happy and safe holiday.

13. CLERK'S REPORT

Clerk Hahn stated today was the first day to turn in the packets for the election and collection will continue until Monday, December 21, 2020 at 5:00 p.m.

14. ADMINISTRATOR'S REPORT

Administrator Pabst had no report.

15. MAYOR'S REPORT

Mayor Trilla related to everyone to have a safe, healthy Christmas and New year.

16. CLOSED SESSION

No need for closed session tonight.

17. ADJOURNMENT

MOTION: Made by Trustee Mistele and seconded by Trustee Davi to adjourn the Regular Meeting at the hour of 7:14 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.

Frank A. Trilla, Mayor

Minutes transcribed by Deputy Clerk Christine Mardegan.