

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, SEPTEMBER 24, 2018 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, Village Clerk Leroy Hansen, Trustees Sue Berglund, Umberto Davi, Terrence Kelly, Michael Mistele, Gayle Neal, and Paul Oggerino.

ABSENT: None

Also present were Village Attorney Andrew Acker, Village Administrator Timothy Halik, Director of Finance Carrie Dittman, Chief Robert Schaller, Deputy Chief Lauren Kaspar, Assistant Village Administrator Jeffrey Monteleone, Planning Consultant Natalie Zine, and Deputy Clerk Cindy Stuchl.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

Mayor Trilla asked Chief Schaller to lead everyone in saying the Pledge of Allegiance.

Trustee Davi made statements on how and why he became a trustee and how much he understands all of the citizens concerns with the Sterigenics issue. Trustee Davi related that the Board has heard the concerns of the community and the Village is addressing the issues.

Mayor Trilla provided an update on the public health hazard involving Sterigenics.

Attorney Acker related that they are in discussions with the Illinois Attorney General's Office regarding the AG's Office taking the lead in enforcement actions against Sterigenics. The discussions have focused on violations of the Environmental Protection Act. Attorney Acker also advised that research has been done into the Village's Zoning Code and the intent when the codes were adopted.

4. VISITORS' BUSINESS

Several residents spoke about issues and concerns relating to Sterigenics.

5. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Regular Board Meeting - September 10, 2018 (APPROVE)
- c. Warrants - \$336,051.72 (APPROVE)
- d. Resolution - A Resolution Authorizing the Mayor and Village Clerk to Accept a Proposal to Conduct the 2018 Village-Wide Fall Brush Collection Program - N.J. Ryan Tree & Landscape, LLC - Resolution No. 18-R-61 (ADOPT)
- e. Resolution - A Resolution Approving a Plat of Easement - 7814 Brookbank Road - Resolution No. 18-R-62 (ADOPT)
- f. Motion - Board Authorization for Staff to Process Current Delinquent Water Bills in Accordance with Past Practices (PASS)

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 Oggerino to approve the Omnibus Vote Agenda as presented.

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 APPROVING AND AUTHORIZING THE EXECUTION OF THE REDEVELOPMENT AGREEMENT BY AND BETWEEN WILLOWBROOK TOWN CENTER, LLC AND THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS

Director Dittman reminded the Board that the Willowbrook Town Center had a large vacancy when The Sports Authority closed. The developer had found two tenants to split the square footage of the space: Marshall's and Sketchers Outlet. The cost for the reconstruction of the unit is estimated at \$3.9 million.

Director Dittman advised that in order to bridge the financial gap, the Village considered providing a sales tax incentive to the developer.

A redevelopment agreement was drafted by the Village Attorney. The agreement provides for a partial reimbursement of reconstruction costs, up to a maximum of \$2 million (principal only). The reimbursement will be paid in annual increments solely from the 1% Business District sales tax generated by the Marshall's and Sketchers Outlet.

Director Dittman stated that the maximum period of reimbursement is 20 years. If the two stores do not generate the \$2 million in Business District sales tax within the 20-year time period, the payments would cease and the developer would not receive the full amount.

Trustee Kelly questioned if this agreement is the standard agreement used in the past. Mayor Trilla advised that it was.

Trustee Mistele questioned when the projected opening dates are for these stores. Director Dittman related that Marshall's will be opening in the fall and Sketchers in late 2019.

MOTION: Made by Trustee Mistele and seconded by Trustee Berglund to pass Ordinance No. 18-0-25 as presented.

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

MOTION DECLARED CARRIED

7. ORDINANCE - AN ORDINANCE AMENDING SPECIAL USE PERMIT NO. 02-143 AS APPROVED IN ORDINANCE NO. 02-0-06 AND AMENDED IN ORDINANCE NO. 16-0-33 AND GRANTING CERTAIN VARIATIONS FROM THE ZONING ORDINANCE - PC 18-06: 5800 SOUTH HOLMES AVENUE - HOLMES ELEMENTARY SCHOOL ADDITION

Planning Consultant Zine related that the Maercker School District is requesting an addition to the existing school building and upgrades to the bus drop area at Holmes Elementary School. The two-story addition will take over the majority of the blacktop area. The addition will allow for the preschool program to be brought inside from the mobile classrooms, which will then be removed.

The proposed addition will require two variances in the maximum lot coverage and maximum floor area ratio.

The Plan Commission recommended approval of this special use amendment with seven conditions.

Trustee Berglund advised that there were several area residents at the Plan Commission meeting and all were in favor of the addition.

MOTION: Made by Trustee Mistele and seconded by Trustee Kelly to pass Ordinance No. 18-0-26 as presented.

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

MOTION DECLARED CARRIED

8. RESOLUTION - A RESOLUTION AUTHORIZING THE MAYOR AND VILLAGE CLERK TO ACCEPT AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE VILLAGE OF WILLOWBROOK AND P. FARBER & ASSOCIATES, LLC

Trustee Neal stated the hiring of P. Farber & Associates, LLC will complete the Task Force of qualified professionals to assist the Village concerning the Sterigenics incident. Trustee Neal related that Mr. Farber is experienced in the field of emissions control consulting.

MOTION: Made by Trustee Berglund and seconded by Trustee Kelly to adopt Resolution No. 18-R-63 as presented.

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

MOTION DECLARED CARRIED

9. RESOLUTION - A RESOLUTION AUTHORIZING THE MAYOR AND VILLAGE CLERK TO ACCEPT A PROPOSAL TO PROVIDE INDOOR AIR QUALITY (IAQ) ASSESSMENT SERVICES AT DESIGNATED LOCATIONS - GHD SERVICES, INC.

Trustee Neal advised that the Task Force discussed that the USEPA only performs ambient air testing and no indoor air quality testing as a result of the Sterigenics incident. The Task Force recommended that the Village conduct its own initial testing. GHD Services, Inc. was included in the Task Force specifically for testing purposes. Testing will be conducted at eight (8) locations within the affected area.

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MOTION: Made by Trustee Kelly and seconded by Trustee Berglund to adopt Resolution No. 18-R-64 as presented.

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

MOTION DECLARED CARRIED

10. PRESENTATION - WILLOWBROOK POLICE DEPARTMENT 2017 ANNUAL REPORT

Chief Schaller provided a summary of the highlights of the 2017 Annual Report.

PRIOR BUSINESS

11. COMMITTEE REPORTS

Trustees Berglund, Kelly, Mistele, Neal, and Oggerino thanked Trustee Davi for his sincere statements at the beginning of tonight's meeting.

12. ATTORNEY'S REPORT

See Attorney's report earlier in this set of minutes.

13. CLERK'S REPORT

Clerk Hansen reminded everyone in attendance about registering to vote and that election packets are available for the 2019 local election.

14. ADMINISTRATOR'S REPORT

Administrator Halik thanked the Board for approving the proposal for the indoor air quality assessment. Administrator Halik related that this was not a budgeted item.

15. MAYOR'S REPORT

Mayor Trilla responded to comments and questions that were raised by the citizens during Visitors' Business.

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16. CLOSED SESSION

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

17. ADJOURNMENT

MOTION: Made by Trustee Neal and seconded by Trustee Kelly, to adjourn the Regular Meeting at the hour of 7:50 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.

October 8, 2018.

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Mayor

Minutes transcribed by Deputy Clerk Cindy Stuchl.