

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, NOVEMBER 12, 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 Thomas Bastian, Village Administrator Timothy Halik, Director of Finance Carrie Dittman, Chief Robert Schaller, Deputy Chief Lauren Kaspar, Assistant Village Administrator Jeffrey Monteleone, and Deputy Clerk Cindy Stuchl.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

Mayor Trilla asked Task Force member, Paul Farber, to lead everyone in saying the Pledge of Allegiance.

4. MAYOR'S REPORT

Mayor Trilla provided an update on the environmental issue involving Sterigenics.

Trustee Neal provided an update on the Sterigenics Task Force.

5. VISITORS' BUSINESS

Several residents spoke about issues and concerns relating to Sterigenics.

6. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Regular Board Meeting - October 22, 2018 (APPROVE)
- c. Warrants - \$219,843.93 (APPROVE)
- d. Monthly Financial Report - October 31, 2018 (APPROVE)
- e. Ordinance - An Ordinance Amending the Village of Willowbrook Employee Personnel Manual by Amending its Procedures for Filing a complaint of Harassment/ Discrimination or Sexual Harassment - Ordinance No. 18-O-27 (PASS)
- f. Resolution - a Resolution of the Village of Willowbrook Approving and Authorizing the Execution of an Intergovernmental Agreement between the Village of Willowbrook and the county of DuPage to Provide Mowing Services Along County Roads and Rights-of-Way - Resolution No. 18-R-71 (ADOPT)

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 Kelly 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

7. ORDINANCE - AN ORDINANCE PROVIDING FOR THE LEVY OF TAXES FOR THE FISCAL YEAR COMMENCING ON MAY 1, 2018 AND ENDING APRIL 30, 2019, OF THE VILLAGE OF WILLOWBROOK DUPAGE COUNTY, ILLINOIS

Director Dittman advised that one component in the Parks and Recreation Department budget is the Special Recreation Tax Levy. This tax is solely for the use of ADA accessible park programs, membership dues to the Gateway Special Recreation Association, and other park related needs for special recreation. The proposed tax levy for 2018 is \$74,420, which is approximately a 5% decrease from the prior year. The tax impact for a home owner with a home market value of \$300,000.00 would be approximately \$17.22.

The ordinance was presented to the Finance and Administration Committee meeting on October 8, 2018 and was recommended by the committee.

MOTION: Made by Trustee Berglund and seconded by Trustee Kelly to pass Ordinance No. 18-0-28 as presented.

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

MOTION DECLARED CARRIED

8. ORDINANCE - AN ORDINANCE AMENDING THE VILLAGE CODE OF THE VILLAGE OF WILLOWBROOK - TITLE 5, CHAPTER 1, SECTION 5-1-1 - POLICE; CREATION AND COMPOSITION OF DEPARTMENT

Chief Schaller related that one sergeant was placed on Public Employee Disability Act (PEDA) leave due to an on-duty injury. A promotion of a new sergeant will be necessary for shift coverage. This ordinance will temporarily increase the number of sergeants until the injured sergeant begins his line-of-duty disability pension, which will begin once the PEDA leave expires.

MOTION: Made by Trustee Oggerino and seconded by Trustee Neal to pass Ordinance No. 18-0-29 as presented.

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 BOARD OF POLICE COMMISSIONERS (BOPC) TO EFFECT THE ORIGINAL PROMOTION OF ONE (1) CANDIDATE TO THE RANK OF SERGEANT AND THE ORIGINAL APPOINTMENT OF ONE (1) CANDIDATE TO FILL A VACANCY CREATED IN THE RANK OF PATROL OFFICER WITHIN THE POLICE DEPARTMENT

Administrator Halik advised that this resolution will provide formal authorization to the BOPC to effect the promotion of one (1) sergeant and the hiring of one (1) patrol officer.

MOTION: Made by Trustee Kelly and seconded by Trustee Neal to adopt Resolution No. 18-R-72 as presented.

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

MOTION DECLARED CARRIED

10. RESOLUTION - A RESOLUTION AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE VILLAGE OF WILLOWBROOK AND THE ILLINOIS FRATERNAL ORDER OF POLICE (IFOP) LABOR COUNCIL - ADDITION OF DETECTIVE AND SERGEANTS PERFORMANCE EVALUATIONS

Chief Schaller stated that during the most recent assessment process through the Commission on Accreditation of Law Enforcement Agencies, Inc. (CALEA), the Commission was looking for specific performance evaluations for sergeants and detectives. After meeting with the IFOP, the attached Memorandum of Understand will satisfy the CALEA standard.

MOTION: Made by Trustee Berglund and seconded by Trustee Oggerino to adopt Resolution No. 18-R-73 as presented.

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

MOTION DECLARED CARRIED

11. MOTION - A MOTION DIRECTING THE VILLAGE ATTORNEY TO FILE A PETITION TO INTERVENE AS AN ADDITIONAL PARTY PLAINTIFF IN THE COMPLAINT PEOPLE OF THE STATE OF ILLINOIS v. STERIGENICS U.S., LLC, FILED IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT, DUPAGE COUNTY, ILLINOIS, ON OCTOBER 30, 2018

Attorney Bastian reminded the Board that the Illinois Attorney General and DuPage County State's Attorney filed a two-count complaint against Sterigenics for a violation of the Clean Air Act and Common Law-Public Nuisance. Attorney Bastian stated that Sterigenics position is that their emissions are within the levels set by the EPA. The complaint is saying that Sterigenics is still polluting the air.

Attorney Bastian advised that he is looking for authority to intervene. The Village does not have a statutory right to intervene; however, there is a provision in the Code of Civil Procedure for intervention where the court may grant discretion to intervene.

MOTION: Made by Trustee Davi and seconded by Trustee Oggerino to approve the filing of a petition to intervene as an additional party plaintiff in the above mentioned court case as presented.

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

MOTION DECLARED CARRIED

PRIOR BUSINESS

12. COMMITTEE REPORTS

Trustee Neal had no additional report.

Trustee Kelly had no report.

Trustee Mistele had no report.

Trustee Berglund had no report.

Trustee Davi had no report.

Trustee Oggerino had no report.

13. ATTORNEY'S REPORT

Attorney Bastian had no report.

14. CLERK'S REPORT

Clerk Hansen had no report.

15. ADMINISTRATOR'S REPORT

Administrator Halik had no report.

Mayor Trilla provided answers to some of the questions raised during Visitors' Business.

16. CLOSED SESSION

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

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17. ADJOURNMENT

MOTION: Made by Trustee Neal and seconded by Trustee Oggerino, to adjourn the Regular Meeting at the hour of 7:17 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.

December 17, 2018.

Mayor

Minutes transcribed by Deputy Clerk Cindy Stuchl.