

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, JULY 8, 2019 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 6:32 p.m. by Village Clerk Leroy Hansen.

2. ROLL CALL

Those present at roll call were Village Clerk Leroy Hansen, Trustees Sue Berglund, Umberto Davi, Terrence Kelly, Michael Mistele, Gayle Neal and Paul Oggerino.

ABSENT: Mayor Frank Trilla

Also present were Village Attorney Andrew Acker, Village Administrator Brian Pabst, Director of Finance Carrie Dittman, Chief Robert Schaller, Assistant Village Administrator Michael Mertens, and Deputy Clerk Christine Mardegan.

3. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Mistele asked Superintendent of Public Works Joseph Coons to lead everyone in saying the Pledge of Allegiance.

A QUORUM WAS DECLARED

4. MOTION TO APPROVE - A MOTION TO APPOINT TRUSTEE MICHAEL MISTELE AS TEMPORARY CHAIRMAN IN THE MAYOR'S ABSENCE

Village Clerk Hansen advised that a motion was necessary to appoint Trustee Michael Mistele as Mayor Pro Tem for tonight's meeting.

MOTION: Made by Trustee Davi and seconded by Trustee Berglund to appoint Trustee Mistele as Mayor Pro Tem.

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

MOTION DECLARED CARRIED

5. LAWS AND ORDINANCES COMMITTEE UPDATE

Trustee Kelly Update on the proposed amendments changing to Section 6-8 of the Village Code clarifying that property

owners are ultimately responsible for paying all water bills, shut-off fees and other expenses relating to water bills. It was recommended that a proposed text amendment clarifying the definition of building height be referred to the Plan Commission. The proposed amendment prohibits roof tanks, bulkheads, chimneys and similar roof structures exceeding ten feet above the roof of a building. Any building proposing a structure that exceeds the ten-foot limit will be required to apply for a variance.

There was discussion on modifying the Fire Code to require companies that maintain, or store or handle hazardous materials or conduct processes utilizing hazardous materials to apply for a new Operational Permit. This new permit would be renewed on an annual basis. The new ordinance would allow the Village to gather information about chemicals used by permit holders or stored on their properties and the ways permit holders process these chemicals. This will allow the Village to confirm permit holders are conducting their operations in compliance with its Fire Code and the International Fire Code. The proposed amendments will be modeled on the Hazardous Materials Reporting and Operational Permit system currently in use in the Village of Lombard. Staff has been in touch with Lombard and Tri-State Fire Protection District regarding this program.

The Village currently requires two businesses in town to provide third party alarm notifications for hazardous chemicals. Staff has recommended that the Village review its performance standards for third party alarm notifications and codify it as a formalized permit condition. The Committee directed staff to continue working on amendments to the Fire Code requiring third party notification, in coordination with Tri-State Fire Protection District.

The Village Attorney informed the Committee of another proposed new ordinance that will incorporate many of the reporting requirements contained in SB 1852 into a local ordinance. The proposed ordinance will require owners of Ethylene Oxide sterilization operations to file copies of reports submitted to the IEPA directly with local authorities like the Village and the Tri-State Fire Protection District.

During the visitors' business session of the Law and Ordinance Committee meeting, a resident asked when the Village planned on adopting an ordinance empowering it to shut down Sterigenics if the seal order is lifted. While the Board has made it clear that Sterigenics is no longer welcome in the Village, every law firm we talked to said we do not have the

regulatory authority to shut down Sterigenics Operations. Many of the ordinances we are working on use our Home Rule powers to allow us to regulate hazardous materials more comprehensively than in the past.

6. VISITORS' BUSINESS

A Resident asked if she could have a copy of Trustee Kelly's notes. Mayor Pro Tem Mistele stated that the notes will be reflected in the minutes.

7. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Board Meeting - June 24, 2019 (APPROVE)
- c. Warrants - \$256,519.64 (APPROVE)
- d. Monthly Financial Report - June 30, 2019 (APPROVE)
- e. MOTION - A Motion to Approve the Final Payment for the Phase I Community Resource Center/Village Council Chambers Renovation Project, L.J. Morse Construction Company in an Amount Not-To-Exceed \$17,880.91 (PASS)
- f. MOTION - A Motion to Approve the Final Payment for Architectural Construction Plans and Permit for the Phase I Community Recourse Center/ Village Council Chambers Renovation Project, N. Batistich, Architects in an Amount Not-To-Exceed \$2,750.00 (PASS)

Mayor Pro Tem Mistele asked the Board if there were any items to be removed from the Omnibus Vote Agenda

MOTION: Made by Trustee Oggerino and seconded by Trustee Davi 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

8. NEW BUSINESS

ORDINANCE -An Ordinance Granting a Variation from the Zoning Ordinance - Morgan Harbour Construction, LLC 7510 S. Madison Street, Willowbrook, Illinois, PC 19-03: Requesting Approval of a Variance to Reduce the Number of Parking Stalls from Fifty-Four

Page 4
Village Board Minutes
July 8th, 2019

(54) to Thirty - Five (35) Parking Spaces to Accommodate 10,645 Square Feet of Warehouse Space and 7,902 Square Feet of Warehouse Space (PASS)

Assistant Village Administrator Mertens related that in 2016, the Village gave a 34-stall parking variance for the property. The petitioner is proposing to modify a portion of their warehouse space into more office space and will restripe the parking lot. The proposed modification would require a 35-stall variance.

MOTION: Made by Trustee Kelly and seconded by Trustee Oggerino to adopt Resolution No. 19-0-11 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 Approving and Authorizing the Village Administrator to Execute a Proposal to Manage and Administer the Promotional Application and Examination Process for the Police Sergeant Hiring Process- DMACT Services, Inc.

Chief Schaller stated, on Friday, June 28, 2019 during the regular meeting of the Board of Police Commissioners (BOPC), a proposal from DMACT Services, Inc. was presented to the Board of Police Commissioners, who voted unanimously to recommend to the Village Board that the proposal for DMACT Services, Inc. be accepted. This service will save the Village in excess of \$7,100.00.

MOTION: Made by Trustee Berglund and seconded by Trustee Oggerino to adopt Resolution No. 19-R-40 as presented.

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

MOTION DECLARED CARRIED

10. ORDINANCE - A Ordinance of the Village of Willowbrook, DuPage County, Illinois, Authorizing the Mayor and Village Clerk to Execute an Amendment to the Development Agreement Regarding the

Route 83 and Plainfield Road Tax Increment Redevelopment Project Area (PASS)

Assistant Village Administrator Mertens stated that the development of the Town Center Shopping Center is governed by a Development Agreement. This is for the public improvements within the area specifically tied to the lighted intersection. This one-year extension would provide additional time in order for the developer to complete the public improvements.

MOTION: Made by Trustee Davi and seconded by Trustee Oggerino to adopt Resolution No. 19-0-12 as presented.

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

MOTION DECLARED CARRIED

11. ORDINANCE - A Ordinance of the Village of Willowbrook, DuPage County, Illinois, Authorizing the Mayor and Village Clerk to Execute an Amendment to the Escrow Deposit Agreement with Willowbrook Town Center LLC (PASS)

Assistant Village Administrator Mertens related that this is the Escrow Agreement between Pete's Fresh Market, Willowbrook Town Center LLC. and Willowbrook Bowl. This escrow agreement is for the public improvements within the area specifically tied to the lighted intersection. This one-year extension would provide additional time in order for the developer to complete the public improvements and have funds paid out of the escrow agreement.

MOTION: Made by Trustee Davi and seconded by Trustee Berglund to adopt Resolution No. 19-0-13 as presented.

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

MOTION DECLARED CARRIED

12. RESOLUTION - A Resolution Approving the Proposal to Purchase the BEAST Evidence Management System from Porter Lee Corporation, and Authorizing the Village Administrator to Execute a Purchase Agreement in an Amount Not-To-Exceed \$10,352.00 (ADOPT)

Chief Schaller related that our property management system is antiquated, requiring repetitive duplication of the same task, and has become difficult to meet CALEA standards. He recommended that

our department purchase the new BEAST evidence Management System. This was presented at the Public Safety Committee meeting on July 8, 2019.

MOTION: Made by Trustee Oggerino and seconded by Trustee Neal to adopt Ordinance No. 19-R-41 as presented.

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

MOTION DECLARED CARRIED

PRIOR BUSINESS

12. TRUSTEE REPORTS

Trustee Neal had no report.

Trustee Kelly had no report.

Trustee Berglund had no report.

Trustee Davi had no report.

Trustee Oggerino had no report.

13. ATTORNEY'S REPORT

Attorney Acker had a brief report on a petition to intervene with Hinsdale, Burr Ridge and Darien in the case of Sterigenics v the Illinois Environmental Protection Agency that is coming up on July 18, 2019.

14. CLERK'S REPORT

Clerk Hansen had no report.

15. ADMINISTRATOR'S REPORT

Administrator Pabst had no report.

16. MAYOR'S REPORT

Mayor Pro Tem Mistele had no report.

17. CLOSED SESSION

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

18. ADJOURNMENT

MOTION: Made by Trustee Oggerino and seconded by Trustee Berglund, to adjourn the Regular Meeting at the hour of 6:57 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED.

_____, 2019.

Mayor

Minutes transcribed by Deputy Clerk Christine Mardegan.