

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES  
OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, JULY 22, 2019 AT THE  
WILLOWBROOK POLICE DEPARTMENT, 7760 QUINCY STREET, VILLAGE OF  
WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

5b

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 Brian Pabst, Director of Finance Carrie Dittman, Chief Robert Schaller, Assistant Village Administrator Michael Mertens, Deputy Chief Lauren Kaspar, Building Official Roy Giuntoli, Superintendent of Public Works Joe Coons, Planning Consultant Ann Choi and Deputy Clerk Christine Mardegan.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

Mayor Trilla asked Building Official Roy Giuntoli to lead everyone in saying the Pledge of Allegiance.

4. LAWS AND ORDINANCES COMMITTEE UPDATE

Trustee Kelly related when he attended the Plan Commission Meeting on June 5, 2019 a couple of issues came up. Item 6g on the agenda applies to new businesses that want to do business in Willowbrook. This would require new businesses to apply for a special use permit for industrial uses that manufacture, process or store hazardous chemicals.

Trustee Kelly discussed Item #12, an Ordinance Amending Section 9-2-2. This item is a text amendment that clarifies the definition of building height in the Village, specifically with how various roof structures would be calculated as it relates to the building height.

Lastly, Trustee Kelly requested that Item #11, an Ordinance amending Section 4-2-11 and 4-2-48 (Operational Permits), be tabled for further discussion.

5. VISITORS' BUSINESS

Several residents spoke about issues and concerns related to Sterigenics. They also thanked the Mayor and Trustees for all their hard work. There are many challenges ahead of the Village but the community is behind the Village.

Mayor Trilla thanked the residents for their concerns and responded that the Village is doing everything in their power to address the concerns of the residents related to Sterigenics.

6. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Board Meeting - July 8, 2019 (APPROVE)
- c. Warrants - \$490,652.59 (APPROVE)
- d. Motion - Board Authorization for Staff to Process Current Delinquent Water Bills in Accordance with Past Practices (PASS)
- e. Plan Commission Recommendation - Public Hearing 19-02: review and Recommendation Regarding Final Plat for 6350 and 6406 South Clarendon Hills Road, Willowbrook, Illinois (minor subdivision for two residential lot consolidation), Approval of Written Recommendation Regarding Final Plat for 6350 and 6406 South Clarendon Hills Road, Willowbrook, Illinois (minor subdivision for two residential lot consolidation), and consideration of a petition to approve a variation from Section 9-5B-3 (D) 2 of the Village of Willowbrook Zoning Ordinance to reduce the interior side yard setback from twenty feet (20') to fourteen and 66/100 feet (14.66') along the north property line, and consideration of other such relief, exceptions and variations from Title 9 of the Village Code. 6350 Clarendon Hills Road and 6406 Clarendon Hills Road - "Reyes Subdivision" (RECEIVE)
- f. Plan Commission Recommendation - Public Hearing 19-04: Consideration of a petition for a text amendment to amend Sections 9-3-15, 9-12-2, and 9-14-4 (C) of the Zoning Title of the Village of Willowbrook regarding regulation of telecommunications antennas and antenna support structures (RECEIVE)
- g. Plan Commission Recommendation - Public Hearing 19-05: Consideration of a petition for a text amendment to amend Section 9-9-7, entitled "Fire and Explosion Hazard Standards," of the Willowbrook Municipal Code of the Village of Willowbrook, DuPage County, Illinois (RECEIVE)

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 Neal 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. RESOLUTION - A Resolution Approving and Authorizing the Execution of an Intergovernmental Agreement Between the Village of Willowbrook and the Village of Downers Grove for the Operation and Maintenance of a Peer Jury Program for Restorative Juvenile Justice (ADOPT)

Chief Robert Schaller related; The Village of Willowbrook Police Department is participating in the Downers Grove Regional Peer Jury Program. A peer jury is an alternative to court for first time juvenile offenders of non-serious offenses, such as theft, vandalism, disorderly conduct, or underage drinking. The cooperative effort includes Burr Ridge, Clarendon Hills, Darien, Downers Grove, Hinsdale, Oak Brook and Willowbrook.

MOTION: Made by Trustee Mistele and seconded by Trustee Oggerino to adopt Resolution No. 19-R-43 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 Appointing A Delegate and Alternate Delegate to the Intergovernmental Risk Management Agency (ADOPT)

MOTION: Made by Trustee Davi and seconded by Trustee Berglund to adopt Resolution No. 19-R-44 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 Mayor to Execute, on Behalf of the Village of Willowbrook, a First Amendment to an Agreement for Scavenger Services (ADOPT)

MOTION: Made by Trustee Davi and seconded by Trustee Oggerino to adopt Resolution No. 19-R-45 as presented.

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

MOTION DECLARED CARRIED

10. RESOLUTION - A Resolution to Approve and Authorize the Execution of an Agreement for Professional Services to Prepare a Stormwater Master Plan for the Executive Plaza in the Village of Willowbrook By and Between Christopher B. Burke Engineering, Ltd. and the Village of Willowbrook (ADOPT)

Assistant Village Administrator Mertens stated that this area floods when we have severe rains. We have gotten up to 2 feet of rain and can affect all businesses in the area. The flooding can cause business closures and affect life safety responses. The Executive Plaza area was developed in the 1970s. Christopher B. Burke Engineering has provided an engineering service proposal to review the Stormwater Master Plan for the Executive Plaza drainage area.

MOTION: Made by Trustee Mistele and seconded by Trustee Berglund to adopt Resolution No. 19-R-46 as presented.

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

MOTION DECLARED CARRIED

11. ORDINANCE - An Ordinance Amending Section 4-2-11 Entitled "Permit Fees;" and Section 4-2-48 Entitled "Fire Code Adopted;" of Chapter 2 Entitled "Building Code" of Title 4 Entitled "Municipal Services" of the Village Code of Ordinances of the Village of Willowbrook (PASS)

MOTION: Made by Trustee Kelly and seconded by Trustee Davi to postpone Ordinance No. 19-0-14 until the next Board Meeting on August 12, 2019.

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

MOTION DECLARED CARRIED

12. ORDINANCE - An Ordinance Amending Section 9-2-2, Entitled "Definitions," of Chapter 2, Entitled "Definitions," of Title 9, Entitled "Zoning Title of the Village," of the Willowbrook Municipal Code of the Village of Willowbrook, DuPage County, Illinois (PASS)

Planning Consultant Ann Choi stated that the purpose of the proposed text amendment is to remove outdated and confusing language in the current definition of the building height and to clarify how building height is calculated. The Plan Commission had considered the proposed text amendments as part of a Village-wide review of its current zoning code during the public hearing on July 17, 2019.

MOTION: Made by Trustee Berglund and seconded by Trustee Oggerino to Pass Ordinance No. 19-0-15 as presented.

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

#### PRIOR BUSINESS

#### 13. TRUSTEE REPORTS

Trustee Neal thanked Chief Schaller for participating in the Downers Grove Regional Peer Jury Program.

Trustee Neal stated, I would also like to say I share your outrage and your belief in the violation of the public trust that Sterigenics has performed. I am not happy with the consent decree.

Trustee Kelly said he had been thinking about Sterigenics for a while and wanted to share some questions with everyone in the room. His questions are summarized below:

- Why are the Governor and Legislators engaging in an argument about whether to call a Special Legislative Session to address apparent shortcoming in SB 1852? If there are ways of strengthening the new law, a Special Session should be convened so the Legislature can get the job done.

- Why is it that the Attorney General's office and the DuPage County State's Attorney's office haven't expedited the Village's petition to intervene in the Sterigenics lawsuit?
- Why were negotiations between the Attorney General, the State's Attorney's office and Sterigenics conducted in secret?
- Why weren't we informed of the Consent Order before it was agreed to and publicly released?
- When will our voice be heard?

Trustee Mistele had no report.

Trustee Berglund thanked Caroline Nash for her support.

Trustee Davi thanked Trustee Kelly for his comments.

Trustee Oggerino had no report.

13. ATTORNEY'S REPORT

Attorney Bastian thanked Trustee Kelly and invited everyone to appear in court on Wednesday at 1:30 p.m. Attorney Bastian discussed the Consent Order. We do intend to ask the judge to allow us to be a part of the law suit and not to enter the consent decree until after public input has been considered.

14. CLERK'S REPORT

Clerk Hansen had no report.

15. ADMINISTRATOR'S REPORT

Administrator Pabst had no report.

16. MAYOR'S REPORT

Mayor Trilla advised that the lawsuit with the gun club is settled. The Mayor also provided an update on the environmental issue involving Sterigenics.

17. CLOSED SESSION

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

18. ADJOURNMENT

MOTION: Made by Trustee Mistele and seconded by Trustee Oggerino, to adjourn the Regular Meeting at the hour of 7:07 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.

\_\_\_\_\_, 2019.

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Mayor

Minutes transcribed by Deputy Clerk Christine Mardegan.