

A G E N D A

REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON MONDAY, AUGUST 26, 2019, AT 6:30 P.M. AT THE WILLOWBROOK POLICE DEPARTMENT TRAINING ROOM, 7760 QUINCY STREET, WILLOWBROOK, IL, DUPAGE COUNTY, ILLINOIS

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. VISITORS' BUSINESS - Public Comment is Limited to Three Minutes Per Person
5. OMNIBUS VOTE AGENDA:
 - a. Waive Reading of Minutes (APPROVE)
 - b. Minutes - Regular Board Meeting - August 12, 2019 (APPROVE)
 - c. Warrants - \$414,406.79 (APPROVE)
 - d. Motion - Board Authorization for Staff to Process Current Delinquent Water Bills in Accordance with Past Practices (PASS)
 - e. Motion - A Motion to Approve the Payment for the Repair of the Village Hall Building Pylon Sign by L.J. Morse Construction in an Amount Not-To-Exceed \$24,500.00 (PASS)

NEW BUSINESS

6. ORDINANCE - An Ordinance Amending Special Use Permit No. 02-143 as Approved in Ordinance No. 02-O-06 and as Amended in Ordinance Nos. 16-O-33 and 18-O-26 and Granting Certain Variations from the Zoning Ordinance - PC 19-07: 5800 South Holmes Avenue - Holmes Elementary School Trash Enclosure (PASS)
7. ORDINANCE - An Ordinance Amending Chapter 3, Entitled "Municipal Hotel Tax," of Title 11, Entitled "Taxes", of the Willowbrook Municipal Code of the Village of Willowbrook, DuPage County, Illinois (PASS)

8. ORDINANCE - An Ordinance Amending Chapter 7 Entitled "Condition of Vehicles" of Title 8 Entitled "Traffic Regulations" of the Village of Willowbrook Municipal Code (PASS)
9. ORDINANCE - An Ordinance Amending Chapter 1 Entitled "Department of Municipal Services" of Title 4 Entitled "Municipal Services" of the Village Code of Ordinances of the Village of Willowbrook (PASS)
10. PRESENTATION - A Presentation by Laurel Dineff of Maribis LLC Regarding a Recreational Cannabis Dispensary in the B4 Highway and Service Business District (RECEIVE)

PRIOR BUSINESS

11. TRUSTEE REPORTS
12. ATTORNEY'S REPORT
13. CLERK'S REPORT
14. ADMINISTRATOR'S REPORT
15. MAYOR'S REPORT
16. CLOSED SESSION - Collective Bargaining 5 ILCS 120/2(c)(2)
17. ADJOURNMENT

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, AUGUST 12, 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 6:30 p.m. by Mayor Frank Trilla.

2. ROLL CALL

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

ABSENT: Umberto Davi

Also, present were Village Attorney Thomas Bastian, Village Administrator Brian Pabst, Assistant Administrator Michael Mertens, Chief Robert Schaller, Deputy Chief Lauren Kaspar, Building Official Roy Giuntoli, Superintendent of Public Works Joseph Coons, Planning Consultant Ann Choi and Deputy Clerk Christine Mardegan.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

Mayor Trilla asked Village Administrator Brian Pabst to lead everyone in saying the Pledge of Allegiance.

4. VISITORS' BUSINESS

A few residents spoke about issues and concerns relating to Sterigenics. A resident was in favor of item #13 on the agenda and thanked the board.

5. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Regular Board Meeting - July 22, 2019 (APPROVE)
- c. Warrants - \$250,888.63 (APPROVE)
- d. Monthly Financial Report - July 2019 (APPROVE)
- e. RECEIVE PLAN COMMISSION RECOMMENDATION - A Public Hearing 19-07: Consideration of a petition requesting approval of an amendment to an existing special use permit, including certain variations from Title 9 of the Village Code to allow a trash enclosure and

- associated improvements in the R-1 Zoning District -
Holmes School 5800 Holmes Avenue (RECEIVE)
- f. RESOLUTION - A Resolution Declaring Surplus Property and the Sale of the Same (ADOPT)
 - g. PROCLAMATION - A Proclamation Designating October 6, 12, 2019 as Fire Prevention Week in the Village of Willowbrook, DuPage County, Illinois (ADOPT)

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

MOTION: Made by Trustee Neal and seconded by Trustee Oggerino to approve the Omnibus Vote Agenda as presented.

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

MOTION DECLARED CARRIED

NEW BUSINESS

- 6. ORDINANCE - An Ordinance Granting a Variation from the Zoning Ordinance and Approving a Final Plat for 6350 and 6406 South Clarendon Hills Road "Reyes Subdivision"

MOTION: Made by Trustee Neal and seconded by Trustee Oggerino to adopt Ordinance No. 19-O-16 as presented.

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

MOTION DECLARED CARRIED

- 7. ORDINANCE - An Ordinance Amending Section 9-9-7, Entitled "Fire and Explosion Hazard Standards," of Chapter 9, Entitled "Performance Standards," of Title 9, Entitled "Zoning Title of the Village," of the Willowbrook Municipal Code of the Village of Willowbrook, DuPage County, Illinois (PASS)

MOTION: Made by Trustee Neal and seconded by Trustee Kelly to adopt Resolution No. 19-O-17 as presented.

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

MOTION DECLARED CARRIED

NEW BUSINESS

8. ORDINANCE - An Ordinance Amending the Village Code of the Village of Willowbrook Title 9-Zoning Ordinance (Antenna Regulations for Village Zoning Districts) (PASS)

Trustee Mistele asked, "Is there any private citizen that has applied to put an antenna up?" Planner Choi responded no application.

MOTION: Made by Trustee Berglund and seconded by Trustee Kelly to adopt Ordinance No. 19-O-18 as presented.

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

MOTION DECLARED CARRIED

9. 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)

Trustee Kelly asked Building official Giuntoli to explain the ordinance. Building Official Giuntoli stated item C does allow the Building Department to require operational permits of a business that has hazardous materials and chemicals on site. It allows us to obtain inventory and the right of entry to inspect the physical property prior to the permit. In the event the code is not approved a violation could occur. The violation would cost \$75.00 - \$750.00 per day per violation. This code does provide us with a wide range of privileges to compliances.

Mayor Trilla stated that we will be sending copies of the new ordinances to the businesses in industrial parks.

MOTION: Made by Trustee Neal and seconded by Trustee Kelly to adopt Ordinance No. 19-O-14 as presented.

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

MOTION DECLARED CARRIED

10. RESOLUTION - A Resolution of the Village of Willowbrook Determining the Lowest Responsible Bidder for the 2019/2020 Roadway Maintenance Program and Awarding a Contract to Chicagoland Paving Contractors, Inc. (ADOPT)

MOTION: Made by Trustee Kelly and seconded by Trustee Berglund to adopt Resolution No. 19-R-48 as presented.

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

MOTION DECLARED CARRIED

11. RESOLUTION - A Resolution Authorizing the Board of Police Commissioners (BOPC) to Affect the Original Appointment of One (1) Candidate to Fill a Vacancy in the Rank of Patrol Officer Within the Village Police Department (ADOPT)

MOTION: Made by Trustee Neal and seconded by Trustee Oggerino to adopt Resolution No. 19-R-49 as presented.

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

MOTION DECLARED CARRIED

12. ORDINANCE - An Ordinance Amending Section 3-12-5 Entitled "Classifications," of Chapter 12 Entitled "Liquor," of Title 3 Entitled "Business" of the Village Code of Ordinances of the Village of Willowbrook, DuPage County, Illinois (PASS)

MOTION: Made by Trustee Neal and seconded by Trustee Kelly to adopt Resolution No. 19-O-20 as presented.

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

MOTION DECLARED CARRIED

13. RESOLUTION - A Resolution of the Village of Willowbrook Approving the Study of a Potential Intergovernmental Agreement with Darien, Burr Ridge and Hinsdale as to the Acquisition of Certain Property in the Village of Willowbrook - (ADOPT)

MOTION: Made by Trustee Berglund and seconded by Trustee Oggerino to adopt Resolution No. 19-R-50 as presented.

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

MOTION DECLARED CARRIED

14. TRUSTEE REPORTS

Trustee Neal stated that the Police Department has signs stating "Drive Safety" if anyone is interested in placing them in their front lawn. There were two items brought up at the Public Safety Meeting, 1. A standing or parked idling vehicle on a public street 2. Parking of large vehicles prohibited which will be discussed at the next Board Meeting

Trustee Kelly wanted to thank everyone that was involved with item #9.

Trustee Mistele had no report.

Trustee Berglund had no report.

Trustee Davi was not present.

Trustee Oggerino thanked everyone that was involved in the first annual picnic that was well received by the community.

15. ATTORNEY'S REPORT

Attorney Bastian had no report.

16. CLERK'S REPORT

Clerk Hansen had no report.

17. ADMINISTRATOR'S REPORT

Administrator Pabst had no report.

18. MAYOR'S REPORT

Mayor Trilla thanked parks for all their hard work with the first annual picnic.

19. CLOSED SESSION

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

20. ADJOURNMENT

MOTION: Made by Trustee Mistele and seconded by Trustee Oggerino, to adjourn the Regular Meeting at the hour of 7:02 p.m.

Page 6
Village Board Minutes
August 12, 2019

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

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED.

August, 2019.

Mayor

Minutes transcribed by Deputy Clerk Christine Mardegan.

WARRANTS

August 26, 2019

GENERAL CORPORATE FUND	-----	\$207,781.52
WATER FUND	-----	\$203,625.27
HOTEL/MOTEL TAX FUND	-----	\$3,000.00
TOTAL WARRANTS	-----	\$414,406.79

Carrie Dittman, Director of Finance *C.D.*APPROVED:
Frank A. Trilla, Mayor

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND							
08/16/2019	APCH	94542	FIRST NATIONAL BANK OMAHA	COMMISSARY PROVISION-WATER IN CONF RO	455-355	10	43.59
				PUBLIC RELATIONS-GADDIS RETIREMENT LU	475-365	10	418.00
				CHECK APCHK 94542 TOTAL FOR FUND 01:			461.59
08/19/2019	APCH	94543	U.S. POSTMASTER	PRINTING & PUBLISHING	550-302	20	1,513.40
08/27/2019	APCH	140(E)*#	INTERGOVERNMENTAL PERSONNEL	EMP DED PAY- INSURANCE	210-204	00	20,772.61
				LIFE INSURANCE - ELECTED OFFICIALS	410-141	05	63.84
				LIFE INSURANCE - COMMISSIONERS	435-148	07	18.48
				HEALTH/DENTAL/LIFE INSURANCE	455-141	10	3,633.00
				HEALTH/DENTAL/LIFE INSURANCE	455-141	10	100.15
				HEALTH/DENTAL/LIFE INSURANCE	510-141	15	588.89
				LIFE INSURANCE - PLAN COMMISSION	510-340	15	70.56
				LIFE INSURANCE - COMMISSIONERS	550-148	20	72.24
				HEALTH/DENTAL/LIFE INSURANCE	610-141	25	941.96
				HEALTH/DENTAL/LIFE INSURANCE	630-141	30	24,703.46
				HEALTH/DENTAL/LIFE INSURANCE	710-141	35	4,195.04
				HEALTH/DENTAL/LIFE INSURANCE	810-141	40	1,792.43
				CHECK APCHK 140(E) TOTAL FOR FUND 01:			56,952.66
08/27/2019	APCH	94544	ADMIT ONE DJS INC	CRISIS MANAGEMENT	475-367	10	1,300.00
08/27/2019	APCH	94546	ALEXANDER EQUIPMENT COMPANY INC	MAINTENANCE - EQUIPMENT	735-411	35	478.20
				MAINTENANCE - EQUIPMENT	735-411	35	67.10
				MAINTENANCE - EQUIPMENT	735-411	35	231.20
				MAINTENANCE - EQUIPMENT	735-411	35	191.10
				MAINTENANCE - EQUIPMENT	735-411	35	36.40
				MAINTENANCE - EQUIPMENT CREDIT RETURN	735-411	35	(306.95)
				CHECK APCHK 94546 TOTAL FOR FUND 01:			697.05
08/27/2019	APCH	94547	APPLIED COMMUNICATIONS GROUP	BUILDING CONSTR & REMODEL	635-288	30	345.00
08/27/2019	APCH	94548	APPRIZE PROMOTIONAL PRODUCTS	PRINTING & PUBLISHING	710-302	35	149.00
08/27/2019	APCH	94549	ARTISTIC ENGRAVING	UNIFORMS	630-345	30	175.08
				OPERATING EQUIPMENT	630-401	30	75.47

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND							
08/27/2019	APCH	94551	BLACK GOLD SEPTIC	CHECK APCBK 94549 TOTAL FOR FUND 01:			250.55
				MAINTENANCE - PW BUILDING	725-418	35	350.00
08/27/2019	APCH	94552	Brian Ofenloch	BROW18-009 - PB18-165	210-109	00	2,000.00
				BTC019-003 - PB18-165	210-109	00	20,000.00
				CHECK APCBK 94552 TOTAL FOR FUND 01:			22,000.00
08/27/2019	APCH	94553*	CALL ONE INC	PHONE - TELEPHONES	455-201	10	786.45
				PHONE - TELEPHONES	630-201	30	651.48
				CHECK APCBK 94553 TOTAL FOR FUND 01:			1,437.93
08/27/2019	APCH	94554	CHICAGO METRO AGENCY FOR PLANNING	FEES/DUES/SUBSCRIPTIONS	510-307	15	323.15
08/27/2019	APCH	94555	CHICAGO SUN-TIMES, INC	PRINTING & PUBLISHING	510-302	15	820.52
08/27/2019	APCH	94556	CHOICE OFFICE EQUIP & SUPPLIES IN	COPY SERVICE	455-315	10	480.14
08/27/2019	APCH	94557#	CHRISTOPHER B. BURKE	PLAN REVIEW - ENGINEER-REIMB	520-254	15	275.00
				PLAN REVIEW - ENGINEER-REIMB	520-254	15	220.00
				FEES - ENGINEERING	720-245	35	2,792.00
				FEES - ENGINEERING	720-245	35	1,282.81
				FEES - ENGINEERING	720-245	35	46.00
				FEES - ENGINEERING	720-245	35	510.21
				FEES - ENGINEERING	720-245	35	2,125.97
				PLAN REVIEW - DRAINAGE ENGINEER -REIM	820-259	40	150.00
				PLAN REVIEW - DRAINAGE ENGINEER-REIMB	820-259	40	110.00
				PLAN REVIEW - DRAINAGE ENGINEER-REIMB	820-259	40	150.00
				PLAN REVIEW - DRAINAGE ENGINEER-REIMB	820-259	40	150.00
				PLAN REVIEW - DRAINAGE ENGINEER-REIMB	820-259	40	110.00
				PLAN REVIEW - DRAINAGE ENGINEER	820-259	40	502.08
				PLAN REVIEW - DRAINAGE ENGINEER-REIMB	820-259	40	220.00
				CHECK APCBK 94557 TOTAL FOR FUND 01:			8,644.07
08/27/2019	APCH	94558	CINTAS CORPORATION NO 2	MAINTENANCE - PW BUILDING	725-418	35	74.66
				MAINTENANCE - PW BUILDING	725-418	35	74.66

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND							
08/27/2019	APCH	94559	CITY WIDE OF ILLINOIS	CHECK APCHK 94558 TOTAL FOR FUND 01:			149.32
08/27/2019	APCH	94560	COMCAST CABLE	MAINTENANCE - BUILDING	466-228	10	330.34
08/27/2019	APCH	94561*	COMED	INTERNET/WEBSITE HOSTING	460-225	10	225.54
08/27/2019	APCH	94562#	DISCOVERY BENEFITS SIMPLIFY	RED LIGHT - COM ED - REIMB	630-248	30	43.48
08/27/2019	APCH	94564	DUPAGE COUNTY FIRE INVESTIGATION	RED LIGHT - COM ED - REIMB	630-248	30	43.41
08/27/2019	APCH	94565	E.S.A. SMALL ENGINE	RED LIGHT - COM ED - REIMB	630-248	30	36.34
08/27/2019	APCH	94568	FALCO'S LANDSCAPING INC	ENERGY - STREET LIGHTS	745-207	35	366.38
08/27/2019	APCH	94569	FENSKE JOHN	ENERGY - STREET LIGHTS	745-207	35	42.38
08/27/2019	APCH	94570	FOSTER & FOSTER, INC.	ENERGY - STREET LIGHTS	745-207	35	135.86
08/27/2019	APCH	94571	FOX TOWN PLUMBING INC	CHECK APCHK 94561 TOTAL FOR FUND 01:			667.85
08/27/2019	APCH	94562#	DISCOVERY BENEFITS SIMPLIFY	EMP DED PAY - FSA FEE	210-221	00	52.80
08/27/2019	APCH	94564	DUPAGE COUNTY FIRE INVESTIGATION	HEALTH/DENTAL/LIFE INSURANCE	455-141	10	(2.80)
08/27/2019	APCH	94565	E.S.A. SMALL ENGINE	CHECK APCHK 94562 TOTAL FOR FUND 01:			50.00
08/27/2019	APCH	94568	FALCO'S LANDSCAPING INC	SCHOOLS/CONFERENCES/TRAVEL - BIGGS	630-304	30	20.00
08/27/2019	APCH	94569	FENSKE JOHN	MAINTENANCE - EQUIPMENT	735-411	35	60.94
08/27/2019	APCH	94570	FOSTER & FOSTER, INC.	STREET & ROW MAINTENANCE	750-328	35	9,100.00
08/27/2019	APCH	94571	FOX TOWN PLUMBING INC	STREET & ROW MAINTENANCE	750-328	35	4,680.00
08/27/2019	APCH	94562#	DISCOVERY BENEFITS SIMPLIFY	STREET & ROW MAINTENANCE	750-328	35	9,360.00
08/27/2019	APCH	94564	DUPAGE COUNTY FIRE INVESTIGATION	STREET & ROW MAINTENANCE	750-328	35	9,620.00
08/27/2019	APCH	94565	E.S.A. SMALL ENGINE	STREET & ROW MAINTENANCE	750-328	35	4,160.00
08/27/2019	APCH	94568	FALCO'S LANDSCAPING INC	CHECK APCHK 94568 TOTAL FOR FUND 01:			36,920.00
08/27/2019	APCH	94569	FENSKE JOHN	SUMMER PROGRAM MATERIALS & SERVICES	575-119	20	18.55
08/27/2019	APCH	94570	FOSTER & FOSTER, INC.	COMMUNITY PICNIC	585-157	20	308.50
08/27/2019	APCH	94571	FOX TOWN PLUMBING INC	CHECK APCHK 94569 TOTAL FOR FUND 01:			327.05
08/27/2019	APCH	94562#	DISCOVERY BENEFITS SIMPLIFY	FINANCIAL SERVICES	620-252	25	2,500.00
08/27/2019	APCH	94564	DUPAGE COUNTY FIRE INVESTIGATION	BALLFIELD MAINTENANCE/SUPPLIES	570-280	20	1,234.97

CHECK DISBURSEMENT REPORT FOR VILLAGE OF WILLOWBROOK
 CHECK DATE FROM 08/14/2019 - 08/27/2019

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND							
08/27/2019	APCH	94572	FREDRIKSEN FIRE EQUIPMENT	MAINTENANCE - BUILDING	466-228	10	1,035.65
08/27/2019	APCH	94574	HINSDALE NURSERIES, INC.	STORM WATER IMPROVEMENTS MAINTENANCE	750-381	35	72.60
				STORM WATER IMPROVEMENTS MAINTENANCE	750-381	35	146.00
				CHECK APCHK 94574 TOTAL FOR FUND 01:			218.60
08/27/2019	APCH	94575**	HOME DEPOT CREDIT SERVICES	MAINTENANCE - EQUIPMENT	740-411	35	565.67
				STREET & ROW MAINTENANCE	750-328	35	61.91
				CHECK APCHK 94575 TOTAL FOR FUND 01:			627.58
08/27/2019	APCH	94576	HR SIMPLIFIED	HEALTH/DENTAL/LIFE INSURANCE	455-141	10	100.00
08/27/2019	APCH	94578#	I.R.M.A.	SELF INSURANCE - DEDUCTIBLE	480-273	10	11,111.50
				SELF INSURANCE - DEDUCTIBLE	645-273	30	(3,878.29)
				CHECK APCHK 94578 TOTAL FOR FUND 01:			7,233.21
08/27/2019	APCH	94579	ILL. MUNICIPAL LEAGUE	SCHOOLS/CONFERENCES/TRAVEL -CLERK HAN	410-304	05	180.00
08/27/2019	APCH	94580	ILLINOIS LAW ENFORCEMENT ALARMS	FEES/DUES/SUBSCRIPTIONS	630-307	30	120.00
08/27/2019	APCH	94582	ILLINOIS TRUCK ENFORCEMENT ASSOC	SCHOOLS/CONFERENCES/TRAVEL-HUNTLEY	630-304	30	100.00
08/27/2019	APCH	94583#	J.P. COOKE CO.	OFFICE SUPPLIES	455-301	10	49.70
				OFFICE SUPPLIES	810-301	40	77.30
				CHECK APCHK 94583 TOTAL FOR FUND 01:			127.00
08/27/2019	APCH	94584	JOHN BECKEL	CRISIS MANAGEMENT	475-367	10	1,350.00
08/27/2019	APCH	94585	JSN INDUSTRIES USA INC	COMMUNITY PICNIC	585-157	20	118.00
08/27/2019	APCH	94586**	KEVRON PRINTING & DESIGN INC	PRINTING & PUBLISHING	810-302	40	1,272.38
08/27/2019	APCH	94587	KING CAR WASH	FUEL/MILEAGE/WASH	630-303	30	325.00
08/27/2019	APCH	94588	KIPP'S LAWNMOWER SALES & SERVICE	MAINTENANCE - EQUIPMENT	740-411	35	46.50
08/27/2019	APCH	94589	KLEIN, THORPE & JENKINS, LTD.	FEES - VILLAGE ATTORNEY	470-239	10	175.00

CHECK DISBURSEMENT REPORT FOR VILLAGE OF WILLOWBROOK
 CHECK DATE FROM 08/14/2019 - 08/27/2019

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND							
08/27/2019	APCH	94590#	KONICA MINOLTA BUSINESS SOLUTION	COPY SERVICE	630-315	30	129.83
				COPY SERVICE	630-315	30	316.14
				COPY SERVICE	810-315	40	484.04
				CHECK APCHK 94590 TOTAL FOR FUND 01:			930.01
08/27/2019	APCH	94591	LARRY DENZ	SUMMER PROGRAM MATERIALS & SERVICES	575-119	20	252.00
08/27/2019	APCH	94592	LORI RINELLA	FUEL/MILEAGE/WASH	630-303	30	19.14
08/27/2019	APCH	94593	MARK CAPOSIENO	SUMMER PROGRAM MATERIALS & SERVICES	575-119	20	252.00
08/27/2019	APCH	94594	MEL KREJCI	SUMMER PROGRAM MATERIALS & SERVICES	575-119	20	108.00
08/27/2019	APCH	94595	METRO REPORTING SERVICE LTD.	FEES - COURT REPORTER	520-246	15	290.00
08/27/2019	APCH	94597	MIKE KREJCI	SUMMER PROGRAM MATERIALS & SERVICES	575-119	20	288.00
08/27/2019	APCH	94598	MOTOROLA SOLUTIONS INC	PHONE - TELEPHONES	630-201	30	102.00
08/27/2019	APCH	94599	MUNICIPAL CLERKS OF DUPAGE CNTY	SCHOOLS/CONFERENCES/TRAVEL-MARDEGAN	410-304	05	30.00
08/27/2019	APCH	94600	NCPERS GROUP LIFE INSURANCE	EMP DED - SUPPLEMENTAL LIFE INSURANCE	210-213	00	80.00
08/27/2019	APCH	94601	NORTH EAST MULTI REGIONAL TRNG.	SCHOOLS/CONFERENCES/TRAVEL- ROSAL	630-304	30	175.00
08/27/2019	APCH	94602	PHILLIP'S FLOWERS	PUBLIC RELATIONS	475-365	10	91.95
08/27/2019	APCH	94603	RAY O'HERRON CO., INC.	UNIFORMS	630-345	30	159.98
				UNIFORMS- MARTINO	630-345	30	1,217.99
				UNIFORMS - EISENBEIS	630-345	30	248.98
				UNIFORMS - ESQUEDA	630-345	30	91.80
				UNIFORMS - ROBLES	630-345	30	123.98
				CHECK APCHK 94603 TOTAL FOR FUND 01:			1,842.73
08/27/2019	APCH	94604	ROBERT DERMODY	SUMMER PROGRAM MATERIALS & SERVICES	575-119	20	180.00
08/27/2019	APCH	94605	ROBERT PIONKE	COMMUNITY PICNIC	585-157	20	43.38
08/27/2019	APCH	94606	RUTLEDGE PRINTING CO.	PRINTING & PUBLISHING	630-302	30	365.22
08/27/2019	APCH	94607#	SATELLITE PHONE STORE	PHONE - TELEPHONES	455-201	10	65.76

CHECK DISBURSEMENT REPORT FOR VILLAGE OF WILLOWBROOK
 CHECK DATE FROM 08/14/2019 - 08/27/2019

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND							
				PHONE - TELEPHONES	630-201	30	65.76
				CHECK APCHK 94607 TOTAL FOR FUND 01:			131.52
08/27/2019	APCH	94608	SECRETARY OF STATE	MAINTENANCE - VEHICLES - SQUAD 67	630-409	30	101.00
08/27/2019	APCH	94609	SHERIDAN PLUMBING & SEWER	STORM WATER IMPROVEMENTS MAINTENANCE	750-381	35	2,400.00
08/27/2019	APCH	94610	SST USA, INC	SCHOOLS/CONFERENCES/TRAVEL	630-304	30	399.00
08/27/2019	APCH	94611#	STAPLES	OFFICE SUPPLIES	455-301	10	9.52
				COMMISSARY PROVISION	455-355	10	47.37
				COMMISSARY PROVISION	455-355	10	56.47
				OFFICE SUPPLIES	610-301	25	32.49
				CHECK APCHK 94611 TOTAL FOR FUND 01:			145.85
08/27/2019	APCH	94612	SUBURBAN DOOR CHECK & LOCK SERVI	MAINTENANCE - EQUIPMENT	570-411	20	47.40
08/27/2019	APCH	94613#	T.P.I.	CRISIS MANAGEMENT	475-367	10	4,620.00
				PLAN REVIEW - BUILDING CODE - REIMB	820-258	40	6,680.84
				PLAN REVIEW - BUILDING CODE - REIMB	820-258	40	10,962.00
				PART TIME - INSPECTOR - REIMB	830-109	40	3,654.00
				PLUMBING INSPECTION - REIMB	830-115	40	7,525.00
				CHECK APCHK 94613 TOTAL FOR FUND 01:			33,441.84
08/27/2019	APCH	94614*#	TAMELING GRADING	CONTRACTED MAINTENANCE	570-281	20	830.00
				STREET & ROW MAINTENANCE	750-328	35	3,940.00
				CHECK APCHK 94614 TOTAL FOR FUND 01:			4,770.00
08/27/2019	APCH	94615	TAMELING INDUSTRIES	OPERATING SUPPLIES & EQUIPMENT	710-401	35	23.34
				STREET & ROW MAINTENANCE	750-328	35	57.60
				STREET & ROW MAINTENANCE	750-328	35	155.25
				STORM WATER IMPROVEMENTS MAINTENANCE	750-381	35	121.50
				CHECK APCHK 94615 TOTAL FOR FUND 01:			357.69
08/27/2019	APCH	94616	THOMPSON ELEV. INSPECT. SERVICE	ELEVATOR INSPECTION	830-117	40	688.00
08/27/2019	APCH	94617	THOMSON REUTERS - WEST	FEES/DUES/SUBSCRIPTIONS	630-307	30	163.61

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND							
08/27/2019	APCH	94618	TOM & JERRY'S SHELL SERVICES	MAINTENANCE - VEHICLES 2008 FOR PICKU	735-409	35	30.00
				MAINTENANCE - EQUIPMENT	735-411	35	116.00
				CHECK APCHK 94618 TOTAL FOR FUND 01:			146.00
08/27/2019	APCH	94619	TOOLS PLUS INDUSTRIES LLC	UNIFORMS -SAFETY GLASSES	710-345	35	133.20
08/27/2019	APCH	94620	TRAFFIC CONTROL & PROTECTIONS	ROAD SIGNS	755-333	35	857.50
08/27/2019	APCH	94622	UNITED STATE POSTAL SERVICE	PREPAID POSTAGE	190-102	00	5,000.00
08/27/2019	APCH	94623*#	VERIZON WIRELESS	PHONE - TELEPHONES	410-201	05	56.62
				PHONE - TELEPHONES	455-201	10	(52.80)
				PHONE - TELEPHONES	630-201	30	950.32
				TELEPHONES	710-201	35	123.65
				TELEPHONES	810-201	40	72.22
				CHECK APCHK 94623 TOTAL FOR FUND 01:			1,150.01
08/27/2019	APCH	94624#	WAREHOUSE DIRECT	OFFICE SUPPLIES	455-301	10	56.90
				OFFICE SUPPLIES	455-301	10	238.59
				COMMISSARY PROVISION	455-355	10	16.88
				OFFICE SUPPLIES	610-301	25	17.56
				OPERATING SUPPLIES	630-331	30	39.90
				OPERATING SUPPLIES	630-331	30	11.20
				OPERATING SUPPLIES	630-331	30	43.65
				OPERATING SUPPLIES	630-331	30	54.75
				OPERATING SUPPLIES	630-331	30	14.14
				OPERATING EQUIPMENT	630-401	30	28.67
				OPERATING EQUIPMENT	630-401	30	308.48
				CHECK APCHK 94624 TOTAL FOR FUND 01:			830.72
08/27/2019	APCH	94625	WELD-ALL, INC.	MAINTENANCE - EQUIPMENT	735-411	35	75.00
08/27/2019	APCH	94626	WESTERN FIRST AID & SAFETY	OPERATING SUPPLIES	630-331	30	51.14
08/27/2019	APCH	94627	WESTOWN AUTO SUPPLY COMPANY	MAINTENANCE - VEHICLES	735-409	35	491.77
08/27/2019	APCH	94628	WILLOWBROOK CURRENCY EXCHANGE	MAINTENANCE - VEHICLES	630-409	30	110.85

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
------------	------	---------	-------	-------------	---------	------	--------

Fund: 01 GENERAL FUND

Total for fund 01 GENERAL FUND

207,781.52

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 02 WATER FUND							
08/27/2019	APCH	139(E)	DUPAGE WATER COMMISSION	PURCHASE OF WATER	420-575	50	169,934.24
08/27/2019	APCH	140(E)*#	INTERGOVERNMENTAL PERSONNEL	HEALTH/DENTAL/LIFE INSURANCE	401-141	50	4,267.95
08/27/2019	APCH	94545	ALARM DETECTION SYSTEMS INC	REPAIRS & MAINTENANCE-STANDPIPE/PUMPH	425-485	50	238.56
				REPAIRS & MAINTENANCE-STANDPIPE/PUMPH	425-485	50	205.38
				REPAIRS & MAINTENANCE-STANDPIPE/PUMPH	425-485	50	345.03
				CHECK APCHK 94545 TOTAL FOR FUND 02:			788.97
08/27/2019	APCH	94550	AT & T MOBILITY	PHONE - TELEPHONES	401-201	50	63.24
08/27/2019	APCH	94553*#	CALL ONE INC	PHONE - TELEPHONES	401-201	50	233.73
08/27/2019	APCH	94561*#	COMED	ENERGY - ELECTRIC PUMP	420-206	50	690.95
08/27/2019	APCH	94566	EJ USA INC	MATERIAL & SUPPLIES - DISTRIBUTION	430-476	50	505.40
08/27/2019	APCH	94567	ETP LABS INC	SAMPLING ANALYSIS	420-362	50	90.00
08/27/2019	APCH	94573	H AND R CONSTRUCTION INC.	WATER DISTRIBUTION REPAIRS/MAINTENANC	430-277	50	4,425.00
				WATER DISTRIBUTION REPAIRS/MAINT - RE	430-277	50	3,400.00
				WATER DISTRIBUTION REPAIRS/MAINTENANC	430-277	50	2,500.00
				WATER DISTRIBUTION REPAIRS/MAINTENANC	430-277	50	4,200.00
				WATER DISTRIBUTION REPAIRS/MAINTENANC	430-277	50	4,485.00
				CHECK APCHK 94573 TOTAL FOR FUND 02:			19,010.00
08/27/2019	APCH	94575*#	HOME DEPOT CREDIT SERVICES	MATERIALS & SUPPLIES- STANDPIPE/PUMPH	425-475	50	70.34
08/27/2019	APCH	94577	HUNTER ASPHALT PAVING INC	WATER DISTRIBUTION REPAIRS/MAINTENANC	430-277	50	1,195.00
08/27/2019	APCH	94581	ILLINOIS TOLLWAY	SCHOOLS CONFERENCE TRAVEL	401-304	50	10.60
08/27/2019	APCH	94586*#	KEVRON PRINTING & DESIGN INC	PRINTING & PUBLISHING	401-302	50	266.22
08/27/2019	APCH	94596	MIDWEST METER INC	NEW METERING EQUIPMENT	435-461	50	4,340.00

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 02 WATER FUND							
08/27/2019	APCH	94614*#	TAMELING GRADING	WATER DISTRIBUTION REPAIRS/MAINTENANC	430-277	50	480.00
08/27/2019	APCH	94621	UNDERGROUND PIPE & VALVE, CO.	MATERIAL & SUPPLIES - DISTRIBUTION	430-476	50	150.00
				MATERIAL & SUPPLIES - DISTRIBUTION	430-476	50	150.00
				MATERIAL & SUPPLIES - DISTRIBUTION	430-476	50	1,254.98
				CHECK APCHK 94621 TOTAL FOR FUND 02:			1,554.98
08/27/2019	APCH	94623*#	VERIZON WIRELESS	PHONE - TELEPHONES	401-201	50	123.65
				Total for fund 02 WATER FUND			203,625.27

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 03 HOTEL/MOTEL TAX FUND							
08/27/2019	APCH	94563	DUPAGE CONVENTION	FEES DUES SUBSCRIPTIONS	401-307	53	1,000.00
				FEES DUES SUBSCRIPTIONS	401-307	53	1,000.00
				FEES DUES SUBSCRIPTIONS	401-307	53	1,000.00
				CHECK APCHK 94563 TOTAL FOR FUND 03:			3,000.00
			TOTAL - ALL FUNDS	Total for fund 03 HOTEL/MOTEL TAX FUND			3,000.00
							414,406.79

'*'-INDICATES CHECK DISTRIBUTED TO MORE THAN ONE FUND
'#'-INDICATES CHECK DISTRIBUTED TO MORE THAN ONE DEPARTMENT



Willowbrook

835 Midway Drive
Willowbrook, IL 60527-5549

Phone: (630) 323-8215 Fax: (630) 323-0787 www.willowbrookil.org

July 29, 2019

Mayor

Frank A. Trilla

Village Clerk

Leroy R. Hansen

Village Trustees

Sue Berglund

Umberto Davi

Terrence Kelly

Michael Mistele

Gayle Neal

Paul Oggerino

Village Administrator

Brian Pabsi

Chief of Police

Robert Schaller

Director of Finance

Carrie Dittman

PO BOX 127

CLARENDON HILLS, IL 60514-0127

Re: Account [REDACTED]
PIN # [REDACTED]
Delinquent Water Bill

Dear Owner/Resident/Tenant,

Please be advised that your water bill is now delinquent in the amount of \$ 115.35. This amount now includes a \$25.00 fee pursuant to Section 6-8-5 of the Village of Willowbrook Code. This \$25.00 is added to all accounts delinquent 45 or more days after the billing date. This amount also includes all other penalties pursuant to Section 6-8-5 of the Village Code. Your failure to satisfy the total amount of this delinquency on or before August 23, 2019, will result in the immediate termination of your water service.

Should your water service be terminated, Section 6-8-8 of the Village Code provides that a \$70.00 non-refundable reinstatement fee be charged. Said \$70.00 reinstatement fee shall be paid in addition to all delinquent bills and all penalties thereon before water service will be reinstated.

You may pay your bill online by visiting www.willowbrookil.org and select "Pay A Bill." You will need your account number and PIN as listed above. A convenience fee will apply.

If you have any questions concerning your water bill, please contact the billing office at 630-920-2238. If you wish to arrange a hearing before the Mayor and Board of Trustees to contest the termination of your water service, please contact the Village Deputy Clerk at 630-920-2234 or in writing to 835 Midway Dr., Willowbrook, IL 60527 no later than five (5) days prior to the scheduled termination date.

If you do not satisfy the bill or contact one of the options listed above, your water service will be automatically terminated.

Sincerely,

Village of Willowbrook



Proud Member of the
Illinois Route 66 Scenic Byway



Willowbrook

835 Midway Drive
Willowbrook, IL 60527-5549

Phone: (630) 323-8215 Fax: (630) 323-0787 www.willowbrookil.org

July 29, 2019

Mayor

Frank A. Trilla

Village Clerk

Leroy R. Hansen

Village Trustees

Sue Berglund

Umberto Davi

Terrence Kelly

Michael Mistele

Gayle Neal

Paul Oggerino

**Village
Administrator**

Brian Pabst

Chief of Police

Robert Schaller

**Director of
Finance**

Carrie Dittman

[REDACTED]
67 PORTWINE RD
WILLOWBROOK, IL 60527-2225

Re: Account [REDACTED]
PIN # [REDACTED]
Delinquent Water Bill

Dear Owner/Resident/Tenant,

Please be advised that your water bill is now delinquent in the amount of \$ 213.72. This amount now includes a \$25.00 fee pursuant to Section 6-8-5 of the Village of Willowbrook Code. This \$25.00 is added to all accounts delinquent 45 or more days after the billing date. This amount also includes all other penalties pursuant to Section 6-8-5 of the Village Code. Your failure to satisfy the total amount of this delinquency on or before August 23, 2019, will result in the immediate termination of your water service.

Should your water service be terminated, Section 6-8-8 of the Village Code provides that a \$70.00 non-refundable reinstatement fee be charged. Said \$70.00 reinstatement fee shall be paid in addition to all delinquent bills and all penalties thereon before water service will be reinstated.

You may pay your bill online by visiting www.willowbrookil.org and select "Pay A Bill." You will need your account number and PIN as listed above. A convenience fee will apply.

If you have any questions concerning your water bill, please contact the billing office at 630-920-2238. If you wish to arrange a hearing before the Mayor and Board of Trustees to contest the termination of your water service, please contact the Village Deputy Clerk at 630-920-2234 or in writing to 835 Midway Dr., Willowbrook, IL 60527 no later than five (5) days prior to the scheduled termination date.

If you do not satisfy the bill or contact one of the options listed above, your water service will be automatically terminated.

Sincerely,

Village of Willowbrook



Proud Member of the
Illinois Route 66 Scenic Byway

VILLAGE OF WILLOWBROOK

BOARD MEETING AGENDA ITEM - HISTORY/COMMENTARY

MOTION – A MOTION TO APPROVE THE PAYMENT FOR THE REPAIR OF THE VILLAGE HALL BUILDING PYLON SIGN BY L.J. MORSE CONSTRUCTION IN AN AMOUNT NOT-TO-EXCEED \$24,500.00

AGENDA NO. 5e

AGENDA DATE: 08/26/2019

STAFF REVIEW: Mike Mertens, Assistant Village Administrator

SIGNATURE: M. Mertens

LEGAL REVIEW: Thomas Bastian, Village Attorney

SIGNATURE: Tom Bastian / MM

RECOMMENDED BY: Mike Mertens, Assistant Village Administrator

SIGNATURE: M. Mertens

REVIEWED & APPROVED COMMITTEE: YES ☐ NO ☐ N/A ☒

ITEM HISTORY (PREVIOUS VILLAGE BOARD REVIEWS, ACTIONS RELATED TO THIS ITEM, OTHER HISTORY)

At the regular meeting on July 28, 2019, the Village Board approved Resolution # 19-R-26, for the repair of the Village Hall Building Pylon Sign by L.J. Morse Construction. The repair contract was for an amount of \$24,500.00.

The scope of service for the repair included the following items:

- The removal and replacement of the broken limestone pieces
- Remove and re-install existing signage
- Replace the roofing material on the top of the pylon to provide weathertight seal
- Project coordination
- Legal disposal of debris generated from this work

ITEM COMMENTARY (BACKGROUND, DISCUSSION, RECOMMENDATIONS, ETC.)

L.J. Morse Construction has completed the repair work as of August 16, 2019. This item was budgeted in the 2019 / 2020 Fiscal Year, with funds to be paid from Account # 01-10-485-602.

ACTION PROPOSED: Approve Motion.

INVOICE



INVOICE NO.

128914

128 S. Broadway
Aurora, IL 60505
(630) 896-2696

BILL Village of Willowbrook
TO: 835 Midway Drive
Willowbrook, IL 60527

JOB Vlg Hall Building Pylon Sign
NAME: 7760 S Quincy Street
Willowbrook, IL 60527

CUSTOMER	PURCHASE ORDER #	BILL THRU	TERMS	INVOICE DATE	PAGE
VILLW060			Net 30	8/20/2019	1

QTY/DESCRIPTION			UNIT PRICE	EXTENDED PRICE
LABOR	1.0hr	Labor & Materials per contract dated 5/28/19	24,500.00	24,500.00
			TOTAL	\$24,500.00

01-10-485-602

RESOLUTION NO. 19-R- 26

**A RESOLUTION WAIVING COMPETITIVE BIDDING AND APPROVING A
CONTRACT BETWEEN THE VILLAGE OF WILLOWBROOK AND L.J. MORSE
CONSTRUCTION COMPANY, INC. FOR THE REPAIR OF THE VILLAGE HALL
PYLON SIGN IN AN AMOUNT NOT TO EXCEED \$24,500.00**

WHEREAS, the Corporate Authorities of the Village of Willowbrook have determined that it is in the best interest of the Village to waive competitive bidding and award a contract to L.J. Morse Construction Company, Inc. for the repair of the Village Hall Building Pylon Sign.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Trustees of the Village of Willowbrook, County of DuPage, State of Illinois, that the competitive bid process for the repair of the Village Hall Building Pylon Sign is hereby waived.

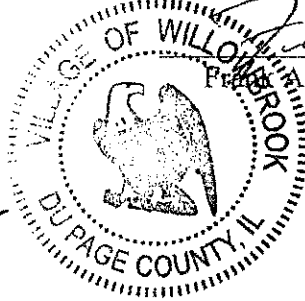
BE IT FURTHER RESOLVED that that certain Agreement by and between the Village of Willowbrook and L.J. Morse Construction Company, Inc. to repair the Village Hall Building Pylon Sign in an amount not to exceed \$24,500.00 is approved, a copy of which Agreement is attached hereto as Exhibit "A" and made a part hereto.

BE IT FURTHER RESOLVED that the Mayor is hereby directed to execute said Agreement and the Village Clerk is hereby directed to attest to the Mayor's signature all on behalf of the Village of Willowbrook.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

ADOPTED and APPROVED this 23 day of May, 2019.

APPROVED:



Frank A. Trilla
Frank A. Trilla, Mayor

ATTEST:

LeRoy R. Hansen
Village Clerk

ROLL CALL VOTE:

AYES: Berglund, Davi, Kelly, Mistele, Neal, Oggerino

NAYS: 0

ABSTENTIONS: 0

ABSENT: 0

EXHIBIT A

CONTRACT

THIS CONTRACT ENTERED INTO THIS 28th day of May, 2019 between L.J. Morse Construction Company, Inc. ("Contractor") and the Village of Willowbrook, a municipal corporation of the State of Illinois ("Village"), in consideration of the following and other valuable consideration the sufficiency of which is hereby acknowledged, the Village and Contractor agree as follows:

1. The Village of Willowbrook has found it to be in the best interests of the Village to repair the Village Hall Building Pylon Sign.

2. Contractor has submitted a proposal to the Village. Such proposal dated March 28, 2019, including all terms, conditions, requirements and specifications contained therein are incorporated herein as "Exhibit A" and expressly made a part of this agreement as if each term, condition and requirement was repeated herein verbatim. In the event any inconsistent terms are contained in this agreement and in "Exhibit A," the terms of this agreement shall control 128 S. Broadway Avenue, Aurora, Illinois 60505.

3. Contractor agrees to complete such work in a good and workmanlike manner in accordance with the plans and specifications attached hereto.

4. The Contractor certifies that the Contractor is not delinquent in the payment of taxes to the Illinois Department of Revenue in accordance with 65 ILCS 5/11-42.1-1.

5. Contractor certifies that it is not barred from bidding on state, municipal or other contracts by reason of Sections 33E-3 (bid rigging) or 33E-4 (bid totaling) of the Criminal Code of 1961 (720 ILCS 5/33E-3 and 5/33E-4), and further certifies that it is not barred from bidding on State, municipal and other contracts by reason of conviction of State laws regarding bid rigging or bid rotation.

6. The Village of Willowbrook agrees to pay Contractor for the performance of the work completed in a good and workmanlike manner (an amount not to exceed Twenty-Four Thousand Five Hundred and 00/100 Dollars (\$24,500.00). Payment shall be in conformance with the provisions of the Local Government Prompt Payment Act (50 ILCS 505/1 et. seq.).

7. Contractor agrees that not less than the prevailing wage as determined by the Illinois Department of Labor, shall be paid to all laborers, workers and mechanics performing work under this Contract in accordance with the Illinois Prevailing Wage Act and Contractor agrees to comply with all other provisions of the Illinois Prevailing Wage Act (820 ILCS 130/0.01 et. seq.) as amended. If the Department of Labor revises the wage rates, the revised rate as provided by the Illinois Department of Labor shall apply to this Agreement and Contractor will not be allowed additional compensation on account of said revisions.

Contractor shall make and keep, for a period of not less than five (5) years, records of all laborers, mechanics, and other workers employed by them on the project; the records shall include each worker's name, address, telephone number when available, social security number, classification or classifications, the hourly wages paid in each period, the number of hours worked each day, and the starting and ending times of work each day.

Contractor shall submit monthly, in person, by mail, or electronically a certified payroll to the Village of Willowbrook. The certified payroll shall consist of a complete copy of the records. The certified payroll shall be accompanied by a statement signed by Contractor that:

- A. such records are true and accurate;
- B. the hourly rate paid to each worker is not less than the general prevailing rate of hourly wages required; and

C. Contractor is aware that filing a certified payroll that he or she knows to be false is a Class B misdemeanor.

Upon seven (7) business days' notice, Contractor shall make available for inspection the records to the Village of Willowbrook, its officers and agents, and to the Director of Labor and his deputies and agents at all reasonable hours at a location within this State. Contractor and each subcontractor shall permit his/her employees to be interviewed on the job, during working hours, by compliance investigators of the Department or the Department of Labor. (See Attached for Certified Payroll Form)

8. Contractor agrees that it has and will comply with all laws relating to the employment preference to veterans in accordance with the Veterans Preference Act (330 ILCS 55/0.01 et. seq.).

9. Contractor agrees that it has and will comply with all laws relating to the employment of Illinois workers in accordance with the Employment of Illinois Workers on Public Works Act (30 ILCS 570/1 et. seq.).

10. Contractor agrees that it, pursuant to 30 ILCS 580/1 et seq. ("Drug-Free Workplace Act"), will provide a drugfree workplace by:

A. Publishing a statement:

- (1) Notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance including cannabis, is prohibited in the workplace.
- (2) Specifying the actions that will be taken against employees for violations of such prohibition; and

(3) Notifying the employee that, as a condition of employment on this Agreement, the employee will:

(a) Abide by the terms of the statement; and

(b) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

B. Establishing a drug-free awareness program to inform employees about:

(1) The dangers of drug abuse in the workplace;

(2) Contractor's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance program;
and

(4) The penalties that may be imposed upon employees for drug violations.

C. Making it a requirement to give a copy of the statement required by Subsection A to each employee engaged in the performance of the Agreement and to post the statement in a prominent place in the workplace.

D. Notifying the Village of Willowbrook within ten (10) days after receiving notice under Subparagraph 11(A) 3 (b) from an employee or otherwise receiving actual notice of such conviction.

E. Imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who is convicted, as required by 30 ILCS 580/5.

F. Assisting employees in selecting a course of action in the event drug counseling treatment and rehabilitation is required and indicating that a trained referral team is in place.

G. Making a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

11. The Contractor certifies that if the Contractor is not a party to a collective bargaining agreement in effect, Contractor is in compliance with the Substance Abuse Prevention on Public Works Projects Act (820 ILCS 265/1, *et seq.*) and if Contractor is a party to a collective bargaining agreement, that agreement deals with the subject matter of the Substance Abuse Prevention on Public Works Projects Act or has in place and is enforcing a written program which meets or exceeds the program requirements of the Substance Abuse Prevention on Public Works Projects Act.

12. Contractor agrees that it has and will have in place and will enforce a written sexual harassment policy in compliance with 775 ILCS 5/2-105(A)(4).

13. During the performance of this contract, the Contractor agrees as follows:

A. That it will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, marital status, national origin or ancestry, citizenship status, age, physical or mental disability unrelated to ability, sexual orientation, military status or an unfavorable discharge from military service; and, further, that he or she will examine all job classifications to determine if minority persons or women are underutilized and will take appropriate affirmative action to rectify any underutilization.

B. That, if he or she hires additional employees in order to perform this contract or any portion of this contract, he or she will determine the availability (in accordance with the Department's Rules and Regulations) of minorities and women in the areas from which he or she may reasonably recruit and he or she will hire for each job classification for which employees are hired in a way that minorities and women are not underutilized.

C. That, in all solicitations or advertisements for employees placed by him or her or on his or her behalf, he or she will state that all applicants will be afforded equal opportunity without discrimination because of race, color, religion, sex, sexual orientation, marital status, national origin or ancestry, citizenship status, age, physical or mental disability unrelated to ability, sexual orientation, military status or an unfavorable discharge from military service.

D. That he or she will send to each labor organization or representative of workers with which he or she has or is bound by a collective bargaining or other agreement or understanding, a notice advising the labor organization or representative of the contractor's obligations under the Act and the Department's Rules and Regulations. If any labor organization or representative fails or refuses to cooperate with the contractor in his or her efforts to comply with the Act and Rules and Regulations, the contractor will promptly notify the Department and the contracting agency and will recruit employees from other sources when necessary to fulfill its obligations under the contract.

E. That he or she will submit reports as required by the Department's Rules and Regulations, furnish all relevant information as may from time to time be requested by the Department or the contracting agency, and in all respects comply with the Act and the Department's Rules and Regulations.

F. That he or she will permit access to all relevant books, records, accounts and work sites by personnel of the contracting agency and the Department for purposes of investigation to ascertain compliance with the Act and the Department's Rules and Regulations.

G. That he or she will include verbatim or by reference the provisions of this clause in every subcontract that may be awarded under which any portion of the contract obligations are undertaken or assumed, so that the provisions will be binding upon the subcontractor. In the

same manner as with other provisions of this contract, the contractor will be liable for compliance with applicable provisions of this clause by subcontractors; and further it will promptly notify the contracting agency and the Department in the event any subcontractor fails or refuses to comply with the provisions. In addition, the contractor will not utilize any subcontractor declared by the Illinois Human Rights Commission to be ineligible for contracts or subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations.

In the event of the contractor's non-compliance with the provisions of this Equal Employment Opportunity Clause, the Act or the Rules and Regulations of the Department, the contractor may be declared ineligible for future contracts or subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations, and the contract may be cancelled or voided in whole or in part, and other sanctions or penalties may be imposed or remedies invoked as provided by statute or regulation.

14. During the performance of its Agreement with the Village of Willowbrook, Contractor:

Will not maintain or provide for its employees any segregated facilities at any of its establishments, and not permit its employees to perform their services at any location, under its control, where segregated facilities' means any waiting rooms, work areas, restrooms and washrooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin because of habit, local custom, or otherwise. Contractor (except where it has obtained identical certifications from

proposed Subcontractors and material suppliers for specific time periods), obtain certifications in compliance with this subparagraph from proposed subcontractors or material suppliers prior to the award of a subcontract or the consummation of material supply agreements, exceeding \$10,000.00 which are not exempt from the provisions of the Equal Opportunity clause, and that Contractor will retain such certifications in its files.

15. Contractor agrees to assume all risk of loss and to indemnify and hold harmless the Village of Willowbrook, its officers, agents and employees from any and all liabilities, claims, suits, injuries, losses, damages, fines or judgments, including litigation costs and attorneys' fees, arising out of the work performed by Contractor including, to the extent allowed by law, those liabilities, injuries, claims, suits, losses, damages, fines or judgments, including litigation costs and attorneys' fees arising out of, or alleged to arise out of, the intentional, willful, wanton or negligent acts of Contractor, its employees, agents, assigns and/or subcontractors.

16. The Contractor represents and warrants to the Village that neither it nor any of its principals, shareholders, members, partners, or affiliates, as applicable, is a person or entity named as a Specially Designated National and Blocked Person (as defined in Presidential Executive Order 13224) and that it is not acting, directly or indirectly, for or on behalf of a Specially Designated National and Blocked Person. The Contractor further represents and warrants to the Village that the Contractor and its principals, shareholders, members, partners, or affiliates, as applicable, are not, directly or indirectly, engaged in, and are not facilitating, the transactions contemplated by this Agreement on behalf of any person or entity named as a Specially Designated National and Blocked Person. The Contractor hereby agrees to defend, indemnify and hold harmless the Village, the Corporate Authorities, and all Village elected or

appointed officials, officers, employees, agents, representatives, engineers, and attorneys, from and against any and all claims, damages, losses, risks, liabilities, and expenses (including reasonable attorneys' fees and costs) arising from and related to any breach of the foregoing representations and warranties.

17. Insurance requirements shall be as follows:

A. Contractor shall procure and maintain for the duration of the Contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the Work by the contractor, its agents, representatives, employees or subcontractors.

B. Coverage shall be at least as broad as:

- (1) Insurance Services Office Commercial General Liability Occurrence form CG 0001 (Ed. 11/85); and
- (2) Insurance Services Office form number CA0001 (Ed. 1/87) covering Automobile Liability, symbol 01 "any auto" and endorsement CA0029 (Ed. 12/88) changes in Business Auto and Truckers coverage forms -- Insured Contract; and
- (3) Worker's Compensation as required by the Labor Code of the State of Illinois and Employers' Liability Insurance.

C. Contractor shall maintain limits no less than:

- (1) Commercial General Liability: \$2,000,000 combined single limit per occurrence for bodily injury, personal injury, and property damage.
- (2) Automobile Liability: \$1,000,000 combined single limit per accident for bodily injury and property damage.

- (3) Worker's Compensation and Employers' Liability: Worker's Compensation limits as required by the Labor Code of the State of Illinois and Employers' Liability limits of \$1,000,000 per accident.
- D. The policies are to contain, or be endorsed to contain the following provisions:
 - (1) Commercial General Liability and Automobile Liability Coverages:
 - (a) The Village, its officials and employees are to be covered as additional insureds as respects liability arising out of activities performed by or on behalf of the Contractor, as well as materials, and equipment procured, owned, leased, hired or borrowed by the Contractor. The coverage shall contain no special limits on the scope of the protection afforded to the Village and its officials.
 - (b) The Contractor's insurance coverage shall be primary insurance as respects the Village, its officials and employees. Any insurance or self-insurance maintained by the Village, its officials or employees shall be excess of Contractor's insurance and shall not contribute with it.
 - (c) Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the Village, its officials or employees.
 - (d) Coverage shall state that the Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
 - (2) Worker's Compensation and Employers' Liability Coverage:

The insurer shall agree to waive all rights of subrogation against the Village, its officials, employees or volunteers for losses arising from work performed by the Contractor for the Village.

(3) All Coverages:

Each insurance policy required by this clause shall be endorsed to state that the coverage shall not be suspended, voided, canceled, reduced in coverage or in limits except after thirty (30) day's prior written notice by certified mail, return receipt requested, has been given to the Village.

18. Contractor shall at all times observe and comply with all laws, ordinances, and regulations of the federal, state, local and Village government which may in any manner affect the performance of this Contract.

19. No member of the governing body of the Village of Willowbrook or other unit of government and no other officer, employee, or agent of the Village of Willowbrook or other unit of government who exercises any functions or responsibilities in connection with the carrying out of this project to which this Contract pertains, shall have personal interest, direct or indirect, in the Contract.

Additionally, the Contractor certifies that no officer or employee of the Village of Willowbrook has solicited any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to the government employment or the official position of the employee or officer from the contractor in violation of Chapter 12 of the Village Code of Ordinances of the Village of Willowbrook, adopted by the

Village pursuant to the requirements of Article 10 of the State Officials and Employees Ethics Act.

Finally, The Contractor certifies that the Contractor has not given to any officer or employee of the Village of Willowbrook any gratuity, discount entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to the government employment or the official position of the employee or officer from the contractor in violation of Chapter 12 of the Village Code of Ordinances of the Village of Willowbrook adopted by the Village pursuant to the requirements of Article 10 of the State Officials and Employees Ethics Act.

20. In the event that Contractor shall fail to perform such work within a reasonable time after being assigned such work or shall fail to complete such work in a good and workmanlike manner, the Village of Willowbrook may terminate this Contract by written notice to Contractor, effective immediately upon mailing.

21. All change orders increasing the cost of the contract by Ten Thousand Dollars (\$10,000.00) or less must be approved, in writing, by the Village Administrator. All change orders increasing the cost of the contract by Ten Thousand Dollars (\$10,000.00) or more must be approved by official action of the Village Board of the Village of Willowbrook.

Additionally, no change order which authorizes or necessitates any increase in the contract price that is fifty percent (50%) or more of the original contract price or that authorizes or necessitates any increase in the price of a subcontract under the contract that is fifty percent (50%) or more of the original subcontract price shall be issued, unless the portion of the contract that is covered by the change order is resubmitted for bidding in the same manner for which the

original contract was bid, or unless competitive bidding was waived for the original portion of the contract that is covered by the change order. Bidding for the portion of the contract covered by the change order shall be subject to any requirements to employ females and minorities on the project that existed at the bidding for the original contract, together with any later requirements imposed by law.

22. Notice as provided for herein shall be transmitted to the Village of Willowbrook, Village Administrator, 835 Midway Drive, Willowbrook, Illinois 60527 or to L.J. Morse, 185 S. Broadway Avenue, Aurora, Illinois 60505 as may be applicable by first class prepaid mail. Any notice to Contractor shall be deemed received when mailed.

23. Contractor agrees to maintain all records and documents for projects of the Public Body in compliance with the Freedom of Information Act, 5 ILCS 140/1 et seq. In addition, Contractor shall produce within three (3) days, without cost to the Public Body, records which are responsive to a request received by the Public Body under the Freedom of Information Act so that the Public Body may provide records to those requesting them within the required five (5) business day period. If additional time is necessary to compile records in response to a request, then Contractor shall so notify the Public Body within three (3) days in order for the Village shall request an extension so as to comply with the Act. In the event that the Village is found to have not complied with the Freedom of Information Act based upon Contractor's failure to produce documents or otherwise appropriately respond to a request under the Act, then Contractor shall indemnify and hold the Village harmless, and pay all amounts determined to be due including but not limited to fines, costs, attorneys' fees and penalties.

24. Time is of the essence of this Contract.

This Contract is made and executed in duplicate in Willowbrook, DuPage County,
Illinois the day and year first above written.

Contractor:

L.J. MORSE CONSTRUCTION COMPANY, INC.

By 

L.J. Morse, its duly authorized agent

ATTEST:

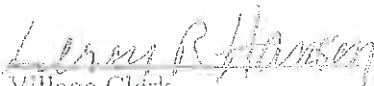

Title:

Village of Willowbrook

By 

Frank A. Trilla, Mayor

ATTEST:


Village Clerk



INSTRUCTIONS FOR CERTIFIED PAYROLL FORM

PLEASE NOTE: THE SUBMISSION OF FALSIFIED PAYROLL RECORDS IS A CRIMINAL OFFENSE.

1. For all public works projects, Payroll Certifications and Accompanying Affidavit must be filed with the Village of Willowbrook on a monthly basis under the Illinois Prevailing Wage Act (820 ILCS 130/5).
2. The information must be provided for **each payroll period**. Please note the starting and ending dates of each payroll period in the space provided.
3. If you are a contractor or subcontractor working for the Village of Willowbrook on more than one project, please fill out a form for each project.
4. For each project you worked on for the Village of Willowbrook, you must identify the names of employees that worked on the project and their classifications. You must record the number of hours they worked each day of the pay period, along with the total hourly wages paid during that pay period, including the hourly fringe benefits paid.
5. Please note that pertinent information is required on the second sheet. The Subcontractor information, if applicable, is very important; however, it is **ABSOLUTELY IMPERATIVE** that the **AFFIDAVIT** information be completed in its **ENTIRETY** including **SIGNATURE**. If additional forms are needed and copies are made, please be sure to also duplicate the second sheet. A second sheet **MUST** accompany every certified transcript of payroll form showing that you are swearing that the information on each sheet is accurate.
6. Fringe Benefits **MUST** be paid if required for the work classification, regardless of your union or non-union status.
7. If a fringe benefit is paid into a fund, place the letter "F" behind the rate; if the benefit is included on the employee's payroll check, place the letter "E" behind the rate; credit will be given for health insurance paid, payments made into an ERISA approved pension plan, required vacation and/or training (registration in a BAT-approved program).
8. The items requested under the heading, "Contract Information," help to correctly identify the project. If a Contract or Project Number is not known, please do your best to secure the information. The information requested for "Project" and "Project Location" should always be completed.
9. You are invited to visit Illinois Department of Labor's web site at www.state.il.us/agency/idol for more detailed information regarding application of the Prevailing Wage Act.

AFFIDAVIT**SUBCONTRACTORS****Monthly Statement of Compliance**

Date: _____

I, _____ (name
signatory party), _____ (title),do hereby state: that I pay or supervise the payment
of the persons employed on the public works project

_____ (name

of project); that during the payroll period commencing

on the _____ day of _____, _____ (year), and

ending on the _____ day of _____, _____ (year),

all persons employed on said project have been

paid the full wages earned, that no rebates

have been or will be made either directly or indirectly

to or on behalf of said _____

(name of contractor or subcontractor) from the full

wages earned by any person, and that no

deductions have been made either directly or

indirectly from the full wages earned by any

persons, other than permissible deductions as

defined by Federal and/or State law. I further certify

that this payroll is correct and complete; that the wage

rates contained therein are not less than the actual

rates herein stated and that the classification set forth

for each laborers or mechanic conform to the work

he/she performed.

Signature: _____

**Attach explanation of monies paid, copy of contract
or billing, or other pertinent information.**

Company Name: _____

Contact Person: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Company Name: _____

Contact Person: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Company Name: _____

Contact Person: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Company Name: _____

Contact Person: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

**** Please Note: The submission of falsified payroll records is a criminal offense. ****

Contract Information

Pay Period Starting Date: _____
 Pay Period Ending Date: _____
 Date Submitted to City: _____

Report Hours for Each Day, Including Overtime Hours. List Hourly Prevailing Wage Rate and Hourly Fringe Benefits Allotments.

[illegible]

EXHIBIT A



L.J. MORSE
CONSTRUCTION

128 S. Broadway
Aurora, IL 60505
630-896-2696
FAX 630-836-2697

March 28, 2019

RECEIVED

MAR 28 2019

VILLAGE OF
WILLOWBROOK

Mr. Tim Halik
Village Administrator
Village of Willowbrook
835 Midway Drive
Willowbrook, IL. 60527

Re: Village Administration Building; Sign Pylon Repairs

Mr. Halik,

Thank you for the opportunity to quote this work to you.

Our estimate for the replacement of the damaged limestone on the administration building sign pylon consists of the following;

- Remove and replacement of the broken limestone pieces as visible from the exterior of the pylon.
- Remove and re-install existing signage to allow work to proceed.
- Replace the roofing material on the top of the pylon to provide a weathertight seal
- Project coordination
- Legal disposal of debris generated by this work

We exclude;

Bonds

Premium time

Unforeseen damage

Repairs within the pylon structure

Changing of existing reinforcing or structural steel

Permits and Fees

Any work not specifically stated above

Total estimate \$24,500.00

Please feel free to contact me directly if you have any further questions.

Respectfully,

Louis J. Morse

VILLAGE OF WILLOWBROOK

BOARD MEETING AGENDA ITEM - HISTORY/COMMENTARY

ITEM TITLE:

AN ORDINANCE AMENDING SPECIAL USE PERMIT NO. 02-143 AS APPROVED IN ORDINANCE NO. 02-O-06 AND AS AMENDED IN ORDINANCE NOS. 16-O-33 AND 18-O-26 AND GRANTING CERTAIN VARIATIONS FROM THE ZONING ORDINANCE.

– 5800 South Holmes Avenue, Clarendon Hills, Illinois – Holmes Elementary School Trash Enclosure.

AGENDA NO.

6

AGENDA DATE:

08/26/19

STAFF REVIEW: Ann Choi, Planning Consultant

SIGNATURE: 

LEGAL REVIEW: Tom Bastian, Village Attorney

SIGNATURE: 

RECOMMENDED BY: Brian Pabst, Village Administrator

SIGNATURE: 

REVIEWED & APPROVED BY COMMITTEE:

YES ☐

NO ☐

N/A ☒

ITEM HISTORY (PREVIOUS VILLAGE BOARD REVIEWS, ACTIONS RELATED TO THIS ITEM, OTHER HISTORY)

Holmes Elementary School was originally approved and constructed in DuPage County in 1961 and the first building addition was completed in 1969. In association with a second building addition, the subject property was annexed to the Village of Willowbrook in 2002. A Special Use Permit was granted to allow a school on the subject property, per Section 9-5A-2 of the Village code, and approved variations related to the second building addition. In 2016 a Special Use Amendment was granted for new modular classrooms to be used for school children of three (3) to five (5) years of age to meet the requirements of the state mandated Individualized Education Plan (IEP) program. At that time the School District was investigating permanent options for the location of the early childhood program; including, but not limited to, construction of a new facility. Finally, in 2018 a Special Use Amendment was granted for the construction of a two-story, 32,000 square foot addition to the existing school building and improvements to the bus drop area and reworking of the play area and landscaping under Ordinance No. 18-O-26.

ITEM COMMENTARY (BACKGROUND, DISCUSSION, RECOMMENDATIONS, ETC.)

Maercker School District 60 is requesting approval of an amendment to an existing special use in the R-1 zoning district including certain variations to allow for the installation of a 280 square foot trash enclosure adjacent to the two-story addition (currently under construction) at Holmes Elementary School, located at 5800 South Holmes Avenue, Clarendon Hills. Prior to the construction of the two-story addition, the trash bins were located near the southwest entrance of the existing school, within a caged fence area. On days of trash pickup, which occur twice a week, these bins were wheeled off to the south end of the property on 58th Place, as close to the sidewalk as possible, for access to the trash trucks. The existing bins were completely open to the street and visible to the neighborhood on the days when trash was picked up. During on-going construction, the trash bins are currently located along the southern portion of the school building, unenclosed, and completely visible to the residential properties on 58th Place. The proposed trash enclosure will be located just south of the existing playground, adjacent to the bus drop off and easily accessible to trash trucks. The proposed enclosure will require some relief from the Location and Screening of Refuse Disposal Areas under Section 9-12-11 to allow the open side of said enclosure to be oriented so that it faces towards an abutting property or street.

The school district worked through numerous options with the primary focus on the safety of the students and minimizing the impact on the neighborhood.

The Plan Commission discussed the School District's petition at the August 7, 2019 regular meeting of the Plan Commission and voted a unanimous vote of 6-0 of the members present to forward a positive recommendation to the Village Board. Their motion included seven (7) conditions of approval.

ACTION PROPOSED: Consideration of Attached Ordinance.

ORDINANCE NO. 19-0-_____

**AN ORDINANCE AMENDING SPECIAL USE PERMIT NO. 02-143 AS APPROVED IN
ORDINANCE NO. 02-O-06 AND AS AMENDED IN ORDINANCE NOS. 16-O-33 AND
18-O-26 AND GRANTING CERTAIN VARIATIONS FROM THE ZONING
ORDINANCE – PC 19-07: 5800 SOUTH HOLMES AVENUE – HOLMES
ELEMENTARY SCHOOL TRASH ENCLOSURE**

WHEREAS, on or about July 19, 2019, Maercker School District 60, as applicant, filed an application with the Village of Willowbrook (“VILLAGE”) affirming that it is the owner of the property legally described as Exhibit “A” attached hereto which is, by this reference, incorporated herein (“SUBJECT REALTY”). Said application requested that the Village grant variations from the requirements of the Zoning Ordinance of the Village to permit the open side of a proposed trash and recycling enclosure to be oriented so that it faces towards an abutting property or street with respect to the SUBJECT REALTY; and

WHEREAS, said application further requested that the terms and conditions of Special Use Permit No. 02-143 heretofore granted with respect to the SUBJECT REALTY by Ordinance 02-O-06 and as amended by Ordinances 16-O-33 and 18-O-26, be further amended so as to permit the installation of a 280 square foot trash and recycling enclosure on the SUBJECT REALTY; and

WHEREAS, a public notice was published in compliance with Section 9-15-3(a) of the Willowbrook Municipal Code, in the Chicago Sun Times on July 22, 2019, which is more than fifteen (15) days but less than thirty (30) days prior to the public hearing date; a notice was mailed by the Village Zoning Officer to all adjacent owners within two hundred-fifty (250) feet in each direction of the location for which the variations are requested more than fifteen (15) days but less than thirty (30) days prior to public hearing date in compliance with 9-15-3(B) of the Willowbrook Municipal Code; and public notice was provided by posting on the property a sign visible to the

general public complying with the requirements of Sections 9-15-3(D) of the Willowbrook Municipal Code, for at least fifteen (15) consecutive days prior to the public hearing date; and,

WHEREAS, pursuant to said Notice, the Plan Commission of the Village of Willowbrook conducted a Public Hearing on or about August 7, 2019, all as required by the statutes of the State of Illinois and the ordinances of the Village; and,

WHEREAS, at said Public Hearing, the applicant provided testimony in support of the proposed amendments to the Village of Willowbrook Zoning Ordinance, and all interested parties had an opportunity to be heard; and,

WHEREAS, the Plan Commission forwarded its recommendations, including its Findings of Fact, to the President and Board of Trustees on or about August 12, 2019, a copy of which is attached hereto as Exhibit "B" which is, by this reference, made a part hereof; and,

WHEREAS, the Mayor and Board of Trustees of the Village of Willowbrook have received the recommendation of the Plan Commission pursuant to a memorandum dated August 12, 2019.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Willowbrook, DuPage County, Illinois, as follows:

SECTION ONE: The recitals set forth in the preamble are hereby incorporated herein by reference and made a part of this Ordinance.

SECTION TWO: That the Findings of Fact made by the Plan Commission in its recommendation attached hereto as Exhibit "B" are hereby adopted by the Mayor and Board of Trustees.

SECTION THREE: That Special Use Permit No. 02-143, passed and approved by Ordinance No. 02-O-06 and amended by Ordinance Nos. 16-O-33 and 18-O-26, is hereby further amended so as to permit the installation of a 280 square foot trash and recycling enclosure on the

SUBJECT REALTY as described in the site plan and application submitted to the Village, subject to the following plans, terms, conditions and provisions:

1. That all construction, use, development and maintenance of the trash enclosure, proposed landscaping surrounding the trash enclosure, and the associated paving be in substantial accordance with the "APPROVED DRAWINGS" attached hereto as EXHIBIT "C", except as noted or except as may be required and approved by the Village in writing prior to the issuance of construction permits.
2. The proposed trash enclosure shall comply with the existing 27' exterior side yard setback.
3. The partial architectural elevation shall be revised to include the full, colored elevation of the enclosure. The revised elevation shall specify the materials and colors of the trash enclosure. The trash enclosure shall match the materials and colors of the existing school and addition.
4. The composite landscape plan shall be revised to replace the two deciduous trees on both sides of the trash enclosure with a row of slender evergreen trees on both sides of the trash enclosure for improved year-round screening and decreased visibility of the enclosure from the residential properties on 58th Place. The landscape plan shall include the species name and quantity of the proposed trees.
5. Final engineering plans shall be reviewed and approved by the Village Engineer prior to issuance of a Site Development Permit by the Village of Willowbrook.
6. The enclosure shall be used strictly for the confinement of refuse and recycling and shall not be used for the outside storage of any other materials or equipment.
7. The doors of the trash enclosure shall remain closed and locked at all times except when the refuse bins are unloaded and loaded.
8. The amendment to the special use shall apply only to the trash enclosure, proposed landscaping surrounding the trash enclosure, and the associated paving only. No other improvements shown on the plans shall be approved as part of this Ordinance.

SECTION FIVE: That the several terms and conditions contained in Special Use Permit No. 02-143, as passed and approved by Ordinance No. 02-O-16, and amended by Ordinance Nos. 16-O-33 and 18-O-26, shall, to the extent not expressly modified by the terms and conditions of this Ordinance, remain in full force and effect as therein provided.

SECTION SIX: That pursuant to Section 9-14-4 of the Village Code, the following variations from the provisions of the Zoning Ordinance be and the same are hereby granted for the SUBJECT REALTY:

A. A variation from Section 9-12-11(A)5 to permit the open side of a refuse disposal enclosure to be oriented so that it faces towards an abutting property or street as depicted upon Exhibit C attached hereto.

B. A variation from Section 9-12-11(B)2(e) to permit the open side of a recycling container enclosure to be oriented so that it faces towards an abutting property or street as depicted on Exhibit C attached hereto.

SECTION SEVEN: That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

SECTION EIGHT: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED and APPROVED this August 26, 2019.

APPROVED:

Frank A. Trilla, Mayor

ATTEST:

Leroy R. Hansen,
Village Clerk

ROLL CALL VOTE: AYES: _____
 NAYS: _____
 ABSTENTIONS: _____
 ABSENT: _____

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT REALTY

LOTS 2 THROUGH 25, BOTH INCLUSIVE, TOGETHER WITH THE SOUTH HALF OF VACATED 58TH STREET WHICH LIES NORTH AND ADJOINING SAID LOTS, TOGETHER WITH THE NORTH HALF OF THE VACATED ALLEY LYING SOUTH AND ADJOINING SAID LOTS 2 THROUGH 25, BOTH INCLUSIVE, AND LOTS 78 THROUGH 101, BOTH INCLUSIVE, TOGETHER WITH THE SOUTH HALF OF THE VACATED ALLEY LYING NORTH AND ADJOINING SAID LOTS 78 THROUGH 101, BOTH INCLUSIVE, ALL IN THE WOMAN'S SUBDIVISION OF LOT 7 IN HALL'S SUBDIVISION OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 12, 1892 AS DOCUMENT 48190, IN DUPAGE COUNTY, ILLINOIS.

PINs: 09-14-104-009 and 09-14-104-024

ADDRESS: 5800 South Holmes Avenue, Clarendon Hills, Illinois 60514

EXHIBIT B

RECOMMENDATION AND FINDINGS OF FACT

MEMORANDUM

MEMO TO: Frank A. Trilla, Mayor
Board of Trustees

MEMO FROM: Daniel Kopp, Chairman, Plan Commission

DATE: August 26, 2019

SUBJECT: **Zoning Hearing Case 19-07:** Holmes Elementary School Trash Enclosure – Maercker School District, 5800 South Holmes Avenue, Clarendon Hills, Illinois. Consideration of a petition for approval of an amendment to an existing special use permit, including certain variations from Title 9 of the Village Code to allow a trash enclosure and associated improvements in the R-1 Zoning District.

At the regular meeting of the Plan Commission held on August 7, 2019 the above referenced application was discussed and the following motion was made:

MOTION: Made by Soukup seconded by Ruffalo that based on the submitted petition and testimony presented, I move that the Plan Commission forward its findings of fact to the Mayor and Village Board for special uses and variations as shown in Attachments 1 and 2 of the staff report prepared for the August 7, 2019 Plan Commission meeting for PC 19-07, and recommend approval of an amendment to the existing special use to allow variations from Section 9-12-11(A)5 and Section 9-12-11(B)2(e) to permit the open side of said enclosure to be oriented so that it faces towards an abutting property or street, subject to the following conditions listed in the staff report for the August 7, 2019 Plan Commission meeting for PC 19-07:

1. The proposed trash enclosure shall comply with the existing 27' exterior side yard setback.
2. The partial architectural elevation shall be revised to include the full, colored elevation of the enclosure. The revised elevation shall specify the materials and colors of the trash enclosure. The trash enclosure shall match the materials and colors of the existing school and addition.
3. The composite landscape plan shall be revised to replace the two deciduous trees on both sides of the trash enclosure with a row of slender evergreen trees on both sides of the trash enclosure for improved year-round screening and decreased visibility of the enclosure from the residential properties on 58th Place. The landscape plan shall include the species name and quantity of the proposed trees.
4. Final engineering plans shall be reviewed and approved by the Village Engineer prior to issuance of a Site Development Permit by the Village of Willowbrook.

5. The enclosure shall be used strictly for the confinement of refuse and recycling and shall not be used for the outside storage of any other materials or equipment.
6. The doors of the trash enclosure shall remain closed and locked at all times except when the refuse bins are unloaded and loaded.
7. The amendment to the special use shall apply only to the trash enclosure, proposed landscaping surrounding the trash enclosure, and the associated paving only. No other improvements shown on the plans shall be approved as part of this review.

ROLL CALL: AYES: Chairman Kopp, Vice Chairman Wagner, Commissioners Kaucky, Ruffolo, Walec, and Soukup; NAYS: None. ABSENT: Commissioner Remkus.

MOTION DECLARED CARRIED

Should any member of the Board have any questions regarding this matter, please do not hesitate to contact me.

DK:jp

FINDINGS OF FACT

Standards for Variations

Section 9-14-4(E) of the Willowbrook Zoning Ordinance establishes seven (7) standards for variations that must be evaluated by the Plan Commission and Village Board. Recommendations may include conditions of approval if appropriate to mitigate any negative impacts created by the variation. A list of the Standards for Variations is provided below, along with the proposed findings to be incorporated in the Plan Commission's recommendation and the Village Board's ordinance if approved.

- (A) The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations of the district in which it is located.

Finding: The property in question wouldn't be able to yield a safe and reasonable return for the community in which it serves if the trash bins were left out in the open on the playground. A major priority is the safety and security of the children within the school. Keeping the refuse enclosure far enough away, and with the access doors facing away from the playground, this minimizes any students from trying to access the refuse enclosure. It also keeps lines of sight for all play areas from hardscape, play equipment, and open fields to allow for proper supervision and threat detection for teachers and staff.

- (B) The proposed variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship which will result if the strict letter of the regulations were carried out and which is not generally applicable to property within the same district.

Finding: The proposed variation will not merely serve as a convenience to the applicant but will alleviate a safety concern as listed above. It will also better serve the community by shielding the open trash bins from the street and neighboring homes.

- (C) The alleged hardship has not been created by any person presently having a proprietary interest in the premises.

Finding: The alleged hardship has not been created by any person presently having a proprietary interest in the premises. It is a hardship established by the site limitations of the school location which has heavy grade changes, an unusable side yard, and is located on a corner lot.

- (D) The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

Finding: The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood. In fact it will remedy an existing condition that is less desirable, and the aesthetics shall match the rest of the facility.

- (E) The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, or endanger the public safety.

Finding: The proposed variation will not impair an adequate supply of light and air to the adjacent property. It shall only be 6'-0" and will maintain the existing conditions for quantity of refuse storage that has been used by the school district for many years.

- (F) The proposed variation will not alter the essential character of the locality. (Ord. 77-O-4, 2-14-1977)

Finding: The proposed variation will not alter the essential character of the locality. The refuse enclosure is designed to match the vocabulary of the site in material.

- (G) The proposed variation is in harmony with the spirit and intent of this title. (Ord. 97-O-05, 1-27-1997)

Finding: The proposed variation is in harmony with the spirit and intent of Title 9 of this Code. All of the above comments depict the harmony and intent of Title 9 of this Code.

FINDINGS OF FACT

9-14-5(B): Standards for Special Use

The Plan Commission shall not recommend and the Board of Trustees shall not grant a Special Use Permit from the regulation of this title unless affirmative findings of fact shall be made as to all of the standards hereinafter set forth, which findings of fact shall be based upon evidence adduced upon the hearing held thereon, that:

- (A) That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

Finding: The establishment is an existing school facility in which the operation will not be detrimental to or endanger the public health, safety, morals comfort or general welfare. The enclosure helps screen the sight of these garbage bins from the neighboring residence and creates a landscaped buffer between those elements and the street.

- (B) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

Finding: The project shall create a better visual barrier between the neighboring properties and the school's existing dumpsters. Current conditions leave the dumpsters out in the open so this would create a better environment for the neighboring properties. The enclosure abides by zoning regulations in having three walls constructed of masonry, and is 6'-0" tall. The masonry matches the existing building to give the same aesthetic of the building. Landscape plantings shall also be provided on either side of the enclosure to abide by zoning regulations as well.

- (C) That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

Finding: The establishment of the special use shall not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. Pick-up times shall be exactly as they were before so there will be no change in operation as has been established with this existing site.

- (D) That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided.

Finding: All engineering has been designed to create code compliant utilities, access roads, drainage and all ancillary public works requirements. See attached plans.

- (E) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Finding: The project is designed to simplify staff operations and pick-up operations for all trash removal.

- (F) That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission.

Finding: The special use shall in all other respects conform to the applicable regulations of the district in which it is located. As mentioned in the opening paragraph the new refuse enclosure complies by all the stipulations within the zoning ordinance, and is located at the approved variation setback requirements that were established in the previous year's request.

- (G) Conditions in the area have substantially changed, and at least one year has elapsed since any denial by the Village Board of any prior application for a special use permit that would have authorized substantially the same use of all or part of the site.

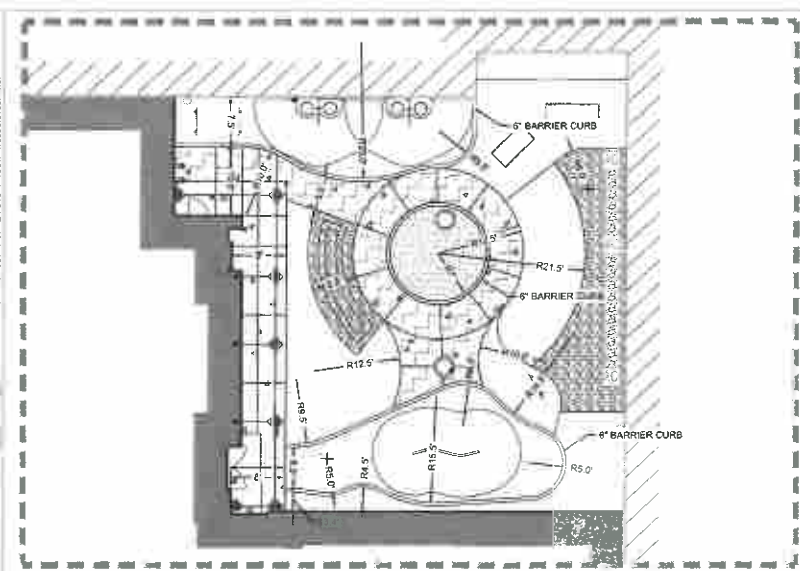
Finding: More than one year has elapsed since any denial by the Village Board of any prior application for a special use permit has been made as part of this site.

EXHIBIT C

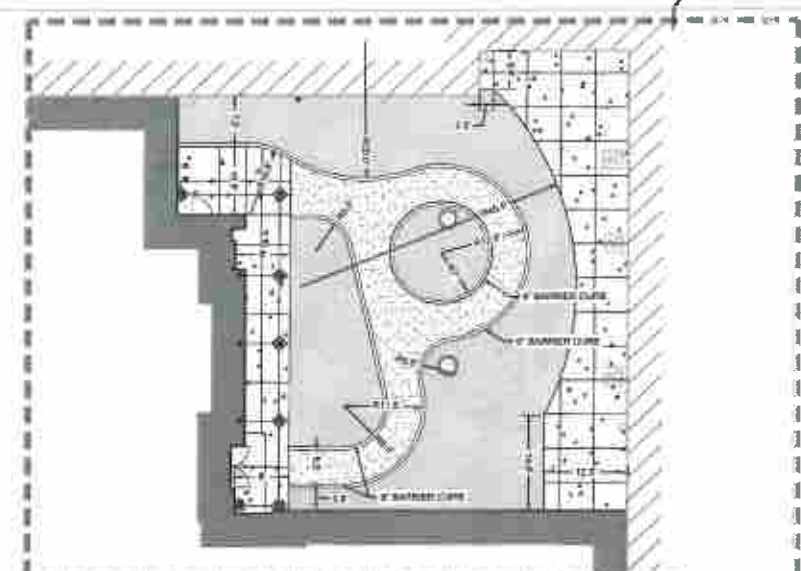
APPROVED DRAWINGS

1. Site Layout Plan, Sheet C1.2, as prepared by CAGE Civil Engineering and Arcon Associates, 2050 South Finley Road, Suite 40, Lombard, Illinois 60140, Project No. 18024, consisting of one (1) sheet, dated July 10, 2019 and bearing the latest revision date of August 20, 2019.
2. Site Grading Plan, Sheet C2.0, as prepared by CAGE Civil Engineering and Arcon Associates, 2050 South Finley Road, Suite 40, Lombard, Illinois 60140, Project No. 18024, consisting of one (1) sheet, dated July 10, 2019 and bearing the latest revision date of August 20, 2019.
3. Composite Landscape and Dumpster Enclosure Plan, as prepared by Arcon Associates, 2050 South Finley Road, Suite 40, Lombard, Illinois 60140, Project No. 18024, consisting of one (1) sheet, dated May 8, 2019 and bearing the latest revision date of August 21, 2019.
4. Trash Enclosure Colored Elevation, bearing a receive date of August 21, 2019.
5. Trash Enclosure Rendering, bearing a receive date of August 21, 2019.

THIS DOCUMENT IS THE PROPERTY OF CAGE CIVIL ENGINEERING, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. WITHOUT THE WRITTEN PERMISSION OF CAGE CIVIL ENGINEERING, INC. NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

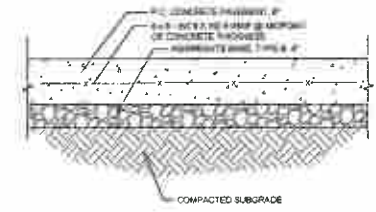


COURTYARD AREA - BASE BID
SCALE: 1"=10'
(REFER TO ARCHITECTURAL PLANS FOR DETAILS)



COURTYARD AREA - ALTERNATE BID
SCALE: 1"=10'
(REFER TO ARCHITECTURAL PLANS FOR DETAILS)

- POC SIDEWALK
- GRAVEL
- STANDARD DUTY BITUMINOUS PAVEMENT
- HEAVY DUTY BITUMINOUS PAVEMENT
- HEAVY DUTY CONCRETE PAVEMENT



1 HEAVY DUTY CONCRETE DETAIL
Scale: N.T.S.

ARCON
landscape architecture
2090 North Daley Road, Suite 40
Lombard, Illinois 60148
p. 630.495.1900
www.arconllc.com

ADDITIONS AND
REMODELING

for
HOLMES SCHOOL
5800 Holmes Ave.
Clarendon Hills, IL
60514

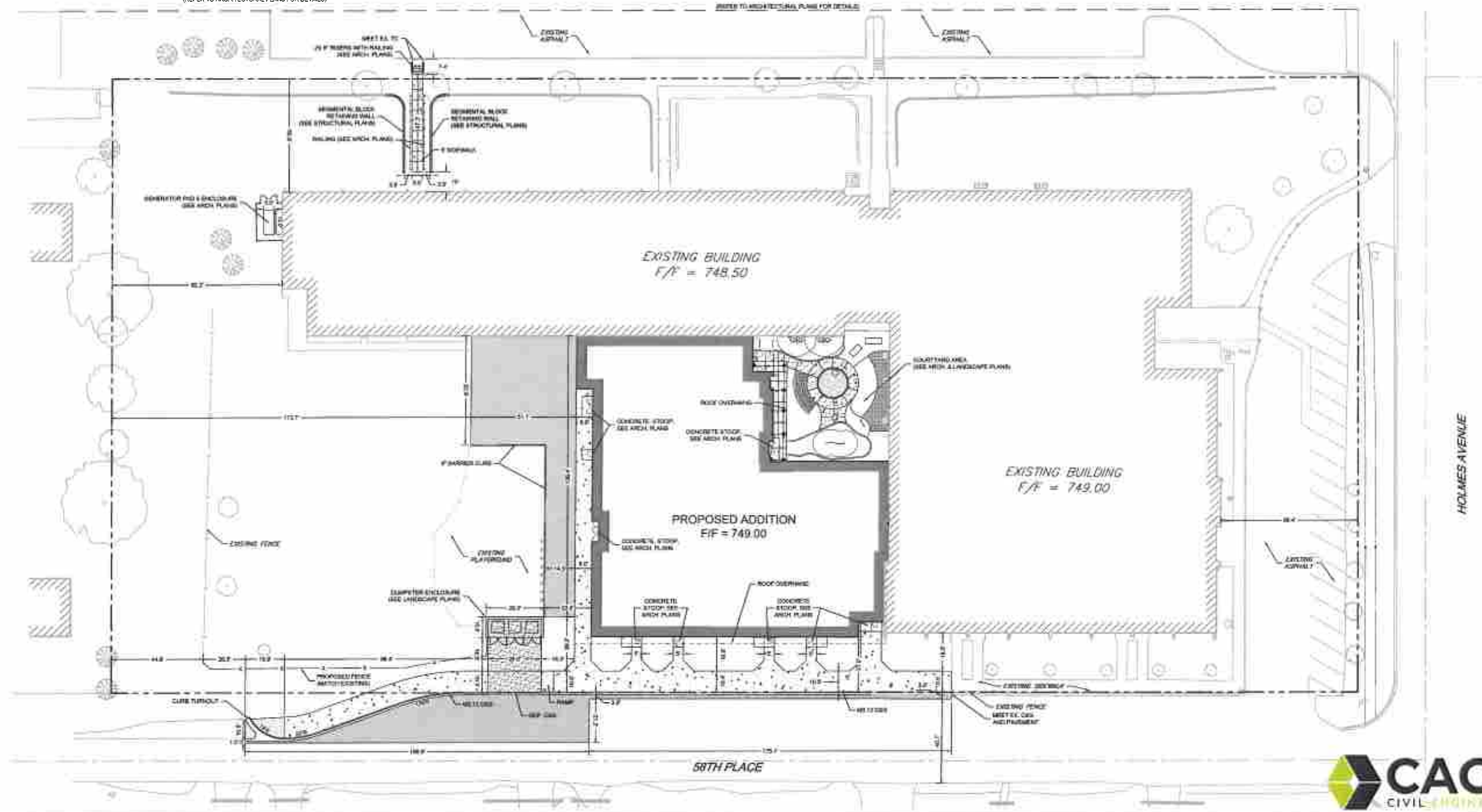
for the
BOARD OF EDUCATION
Marek SD 40
1 S. Cass, Suite 202
Westmont, IL 60559

ZONING DOCUMENTS

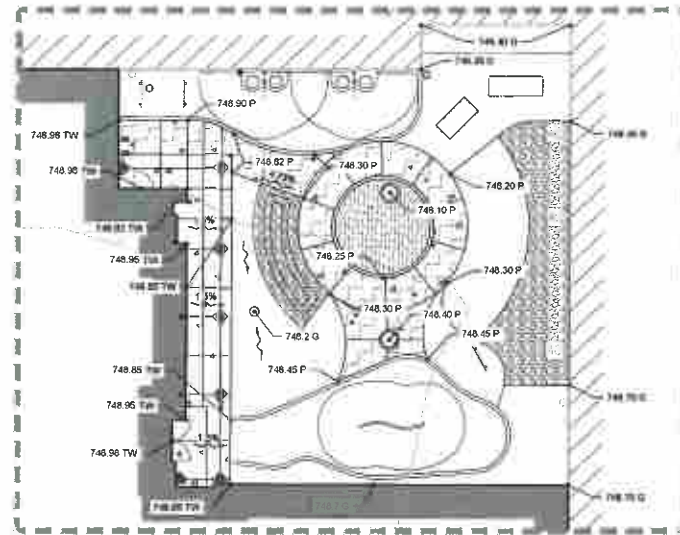
REVISIONS		
No.	Date	By
1	8-20-19	GDD

Project Number:
18024
Issue Date:
JULY 10, 2019
Drawn by:
AMS
Sheet Title
SITE LAYOUT PLAN
Sheet Number

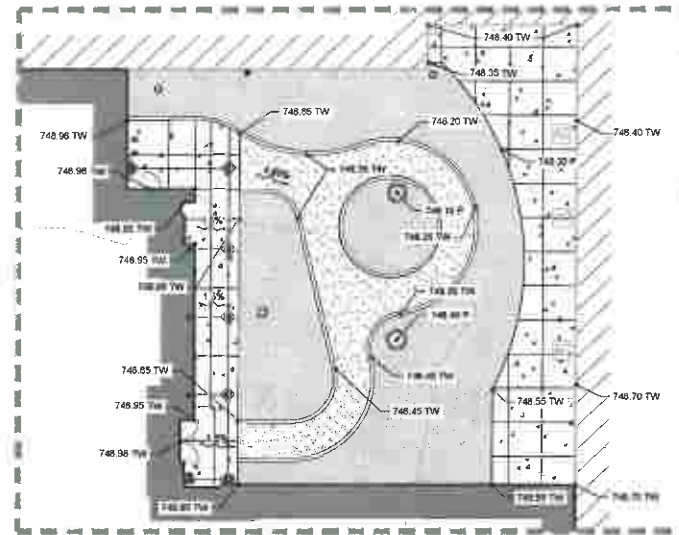
C1.2



THESE DRAWINGS ARE COMPUTER GENERATED. ANY INFORMATION IN THIS DRAWING, IF ANY, PHOTOGRAPHIC, EXPLANATORY, OR OTHER, SHALL BE THE PROPERTY OF THE CLIENT. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE CLIENT. THE CLIENT ASSUMES ALL LIABILITY FOR THE ACCURACY AND COMPLETENESS OF THE INFORMATION PROVIDED TO THE ENGINEER. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL DESIGN AND CONSTRUCTION OF THE PROJECT. THE ENGINEER DOES NOT WARRANT THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED TO THE ENGINEER. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL DESIGN AND CONSTRUCTION OF THE PROJECT. THE ENGINEER DOES NOT WARRANT THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED TO THE ENGINEER.



COURTYARD GRADING DETAIL - BASE BID
SCALE: 1"=10'



COURTYARD GRADING DETAIL - ALTERNATE BID
SCALE: 1"=10'

SEED MIX LEGEND

- SEED MIX 1 (12" MIN. TOPSOIL)
- SEED MIX 2 (12" MIN. TOPSOIL)

SEED MIX 1 - DETENTION BASIN SEED MIX

AVAILABLE THROUGH PRAIRIE NURSERY, WESTFIELD, WI: APPLICATION RATE 10LBS PER ACRE
WILDFLOWERS: NODDING PINK ONION, RED MILKWEED, NEW ENGLAND ASTER, WHITE FALSE
INDIGO, PALE INDIAN PLANTAIN, WILD SENNA, JOE PYE WEED, BONESET, DOGTOOTH DAISY, OX
EYE SUNFLOWER, WILD IRIS, BLUE FLAG IRIS, PRAIRIE BLAZINGSTAR, DENSE BLAZINGSTAR,
GREAT BLUE LOBELIA, BERGAMOT, YELLOW CONEFLOWER, BLACK EYED SUSAN, SWEET BLACK
EYED SUSAN, BROWN EYED SUSAN, ROSINWEED, CUPPLANT, PRAIRIE DOCK, OHIO GOLDENTOP,
STIFF GOLDENROD, BLUE VERNAIN, IRONWEED, GOLDEN ALEXANDERS

GRASSES: BIG BLUESTEM, BERB'S SEDGE, BOTTLEBRUSH SEDGE, FORTYFIVE SEDGE, ARL
FRUITED SEDGE, FOX SEDGE, CANADA WILD RYE, VIRGINIA WILD RYE, SWITCHGRASS, DARK
GREEN BULRUSH, INDIANGRASS, PRAIRIE CORDGRASS, ANNUAL RYE NURSE CROP

SEED MIX 2 - WILDLIFE PRAIRIE FOR CLAY SOILS MIX

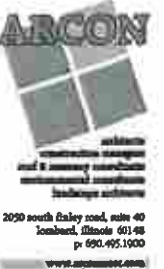
AVAILABLE THROUGH PRAIRIE NURSERY, WESTFIELD, WI: APPLICATION RATE 10LBS PER ACRE
WILDFLOWERS: SMOOTH ASTER, NEW ENGLAND ASTER, CANADA MILK VETCH, BLUE FALSE
INDIGO, WHITE FALSE INDIGO, WILD SENNA, PURPLE PRAIRIE CLOVER, CANADA TICK TREFOIL,
PALE PURPLE CONEFLOWER, PURPLE CONEFLOWER, RATTLESNAKE MASTER, OX EYE
SUNFLOWER, ROUNDHEAD BUSHCLOVER, BERGAMOT, WILD QUININE, SMOOTH PENSTEMON,
YELLOW CONEFLOWER, BLACK EYED SUSAN, SWEET BLACK EYED SUSAN, BROWN EYED SUSAN,
ROSINWEED, COMPASSPLANT, CUPPLANT, PRAIRIE DOCK, STIFF GOLDENROD

GRASSES: BIG BLUESTEM, SIDEOLDS GRAMA, CANADA WILD RYE, SWITCHGRASS, INDIANGRASS

SHEET NOTES:

- EXISTING DETENTION BASIN SHALL BE
CONVERTED FROM A STANDARD TURF BASIN TO A
NATIVE PLANTING BASIN. TOP 12" OF TOPSOIL
SHALL BE REMOVED AND REPLACED WITH A SOIL
MEDIA MIX CONSISTING OF 50% SAND, 30%
COMPOST, AND 20% TOPSOIL. NATIVE PLANTING
SEED MIX SHALL CONSIST OF EMERGENT
PLANTINGS AND LOW PROFILE PRAIRIE SEED
MIXES.

0 20' 40'
1" = 20' (HORIZONTALS)



ADDITIONS AND REMODELING

for
HOLMES SCHOOL
5800 Holmes Ave.
Clarendon Hills, IL
60514

for the
BOARD OF EDUCATION
Market SD 40
1 S. Coast, Suite 202
Westmont, IL 60559

ZONING DOCUMENTS

REVISIONS		
No.	Date	By
1	8-20-19	GOO

Project Number:
18024

Issue Date:
JULY 10, 2019

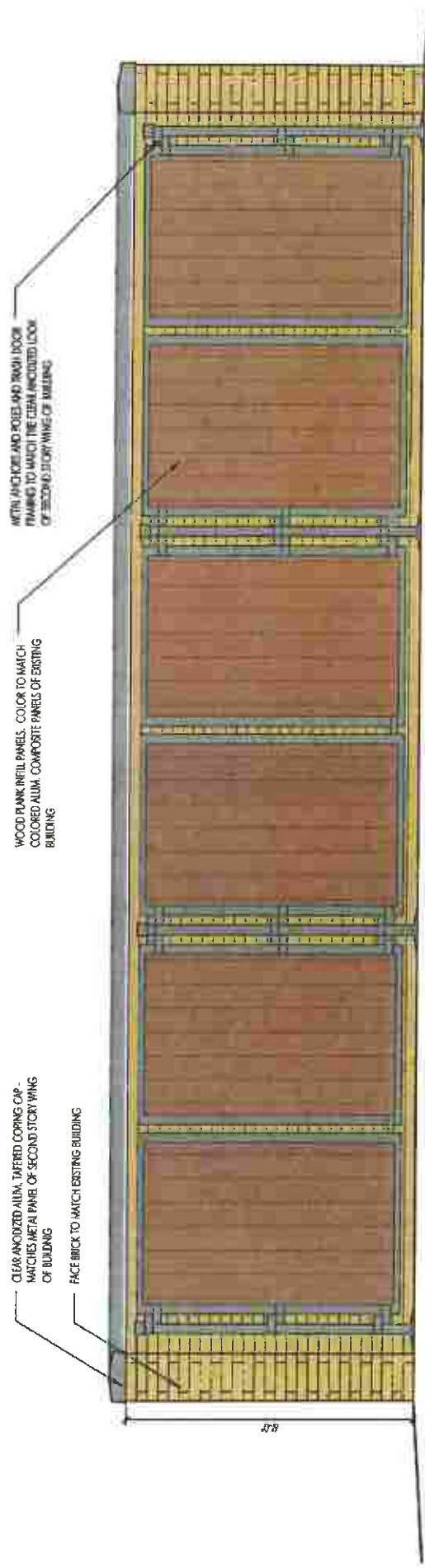
Drawn by:
AMS

Sheet Title
SITE GRADING PLAN

Sheet Number

C2.0





TRASH ENCLOSURE ELEVATION

1/2" = 1'-0"

RECEIVED

AUG 21 2019

VILLAGE OF WILLOWBROOK
BUILDING & ZONING DIVISION



RECEIVED

AUG 21 2019

VILLAGE OF WILLOWBROOK
BUILDING & ZONING DIVISION



Village of Willowbrook

Staff Report to the Village Board

Village Board:**Receive
Vote**

August 12, 2019
August 26, 2019

Public Hearing Date:

August 7, 2019

Prepared By:

Ann Choi, Planning Consultant

Case Title:

19-07: Holmes Elementary School Trash Enclosure, 5800 South Holmes Avenue, Clarendon Hills, Illinois 60514

Petitioner:

Maercker School District ~~60~~, 1 South Cass Avenue, Suite 202, Westmont, IL

Action Requested:

Consideration of a petition for approval of an amendment to an existing special use permit, including certain variations from Title 9 of the Village Code to allow a trash enclosure and associated improvements in the R-1 Zoning District.

Location:

Northwest corner of 58th Place and Holmes Avenue, south of Christian Church of Clarendon Hills

Existing Zoning:

R-1 Single Family Residence District

Existing Land Use:

Elementary School

Property Size:

4.13 acres

Surrounding Land Use:

Use	Zoning
North Christian Church of Clarendon Hills	Village of Clarendon Hills
South 58 th Plaza	58 th Plaza
East Holmes Avenue	Holmes Avenue
West Single Family Residential	Unincorporated

Documents Attached:

1. Findings of Fact, Special Use
2. Findings of Fact, Variations
3. Legal Description of Subject Property
4. Land Title Survey, prepared by Sean T. Krisch, dated 6/15/2018
5. Site Plan, prepared by CAGE Civil Engineering, dated 7/10/19
6. Grading Plan, prepared by ARCON, dated 7/10/19
7. Composite Architectural and Landscape Drawing, prepared by ARCON, dated 5/8/19
8. Village Engineer's Review Letter, prepared by CBBEL, dated 7/22/19
9. Special Use and Variations Response Letter, prepared by ARCON, dated 7/15/19

Necessary Action by Village Board: Consideration of Attached Ordinance.



CONTEXT

Site Description

The property is located at the northwest corner of Holmes Avenue and 58th Place in Willowbrook. Although the property has a Clarendon Hills address, it is incorporated in the Village of Willowbrook. The subject property is bordered by Christian Church of Clarendon Hills to the north (incorporated to Clarendon Hills), unincorporated single family residential to the west, 58th Place to the south, and Holmes Avenue to the east. Land uses across Holmes Avenue and 58th Place include a combination of incorporated and unincorporated single-family residential homes (as shown in Exhibit 2).

Exhibit 1: Location Map



The site is a total of 4.13 acres and contains an existing +/- 85,882 sq. ft. building commonly known as Holmes Elementary School, including a 32,000 sq.ft., two-story addition that is currently being constructed. The building is used solely for school instruction for children in grades pre-kindergarten through second grade. The property has a lot depth of +/- 603 feet, with +/- 264 feet of frontage along Holmes Avenue and +/- 603 feet of frontage along 58th Place. The main entrance to the building and a school drop-off area is located on the east side of the building off of Holmes Avenue.

Exhibit 2: Zoning Map





INTRODUCTION

Maercker School District 60 has filed an application requesting approval of an amendment to an existing special use for variations from Title 9 of the Village Code to allow the installation of a 28-foot by 10-foot freestanding refuse disposal enclosure and associated improvements at Holmes Elementary School, located at 5800 South Holmes Avenue, Clarendon Hills ("subject property"), together with the following relief:

1. A variation from Section 9-12-11(A)5 to permit the open side of said enclosure to be oriented so that it faces towards an abutting property or street.
2. A variation from Section 9-12-11(B)2(e) to permit the open side of said enclosure to be oriented so that it faces towards an abutting property or street.

The application is subject to review by the Plan Commission regarding the special use amendment, including the zoning relief described above. A mailed notice has been sent to property owners within 250 feet in compliance with Section 9-15-3 of the Zoning Ordinance. The public hearing was properly noticed for the special use and variation request in the July 22, 2019 edition of *The Chicago Sun Times* newspaper.

OVERVIEW

Trash Pick up and Operations

Prior to the two-story addition, the trash bins were located near the southwest entrance of the existing school. The school has pick-ups twice a week for all trash/refuge. On a typical day, the bins sat behind a caged fence area adjacent to the southwest entrance of the building. Maintenance staff would be the only employees with access. On days of pick-up, these bins would be wheeled off to the south end of the property on 58th Place, as close to the sidewalk as possible, for access to the dumpster truck. The site plan below highlights the areas where the trash bins were located on a daily basis, and illustrates where they were wheeled out to on days of trash pick-up.

Exhibit 3: Site Plan (Prior to Two-Story Addition)





Exhibit 4: Site Photos (Prior to Construction of the Two-Story Addition)



Prior to the addition, the existing refuse bins were completely open to the street and visible to the neighborhood on the days when trash was picked up, as illustrated in the images above. Currently, the trash bins are now located along the southern portion of the school building, unenclosed, and completely visible to the residential properties on Holmes Avenue, during construction of the two-story addition, as depicted in the image below.

Exhibit 5: Site Photos (During Construction of Two-Story Addition)

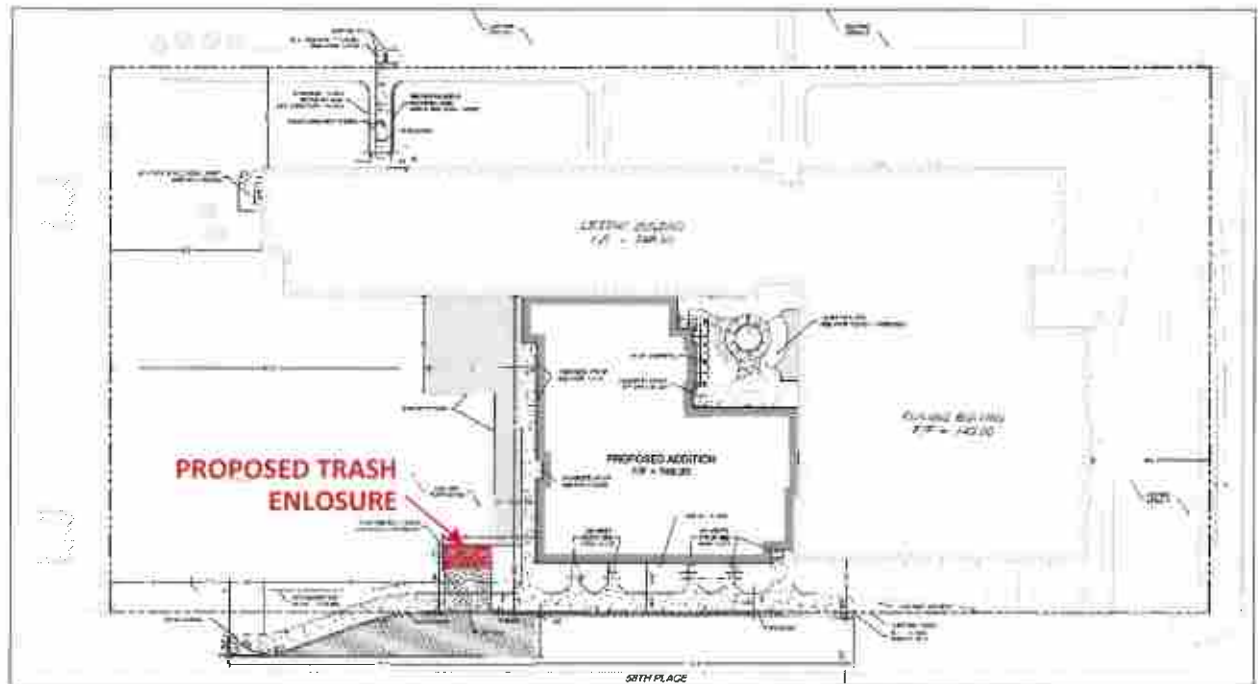




Development Proposal

Maercker School District proposes to locate a fixed trash enclosure just south of the existing playground, adjacent to the bus drop off and easily accessible to trash trucks. The enclosure will only be used for the confinement of refuse and recycling containers and will be located on an impervious surface (concrete).

Exhibit 6: Proposed Site Plan



The district worked through numerous options with the primary focus on the safety of the students and minimizing the impact on the neighborhood. The previous enclosure appears to have been constructed of chain link fencing and was completely open to the street and neighborhood. The proposed enclosure provides more screening for the refuse, while still allowing for proper supervision of all the students on site in the play areas. The enclosure will be constructed of masonry on all three sides with three sets of doors facing 58th Place. Materials and colors, although not specified in the architectural drawing, appear to match the existing school and addition.

Exhibit 7: Rendering





Property History & Special Use

Holmes Elementary School was originally approved and constructed in DuPage County in 1961 and the first building addition was completed in 1969. In association with a second building addition, the subject property was annexed to the Village of Willowbrook in 2002. A Special Use Permit was granted to allow a school on the subject property, per Section 9-5A-2 of the Village code, and approved variations related to the second building addition.

Timeline:

- 1961 - Approval through DuPage County and Initial Construction
- 1969 - First Building Addition
- 2002 - Annexation to the Village of Willowbrook (02-R-25, 02-O-05)
 - Special Use Approval (02-O-06)
 - Plat of Easement (02-R-26)
 - Second Building Addition
- 2016 - Special Use Amendment for Modular Classrooms (16-O-33)
- 2018 - Special Use Amendment for a two-story, 32,000 square foot addition to the existing school building and improvements to the bus drop area and reworking of the play area and landscaping (18-O-26)

Modular Classrooms

In 2016 the Maercker School District applied for and was granted approval of new modular classrooms to be used for school children of three (3) to five (5) years of age to meet the requirements of the state mandated Individualized Education Plan (IEP) program. At that time the School District was investigating permanent options for the location of the early childhood program; including, but not limited to, construction of a new facility.

Exhibit 8: Property/Development History

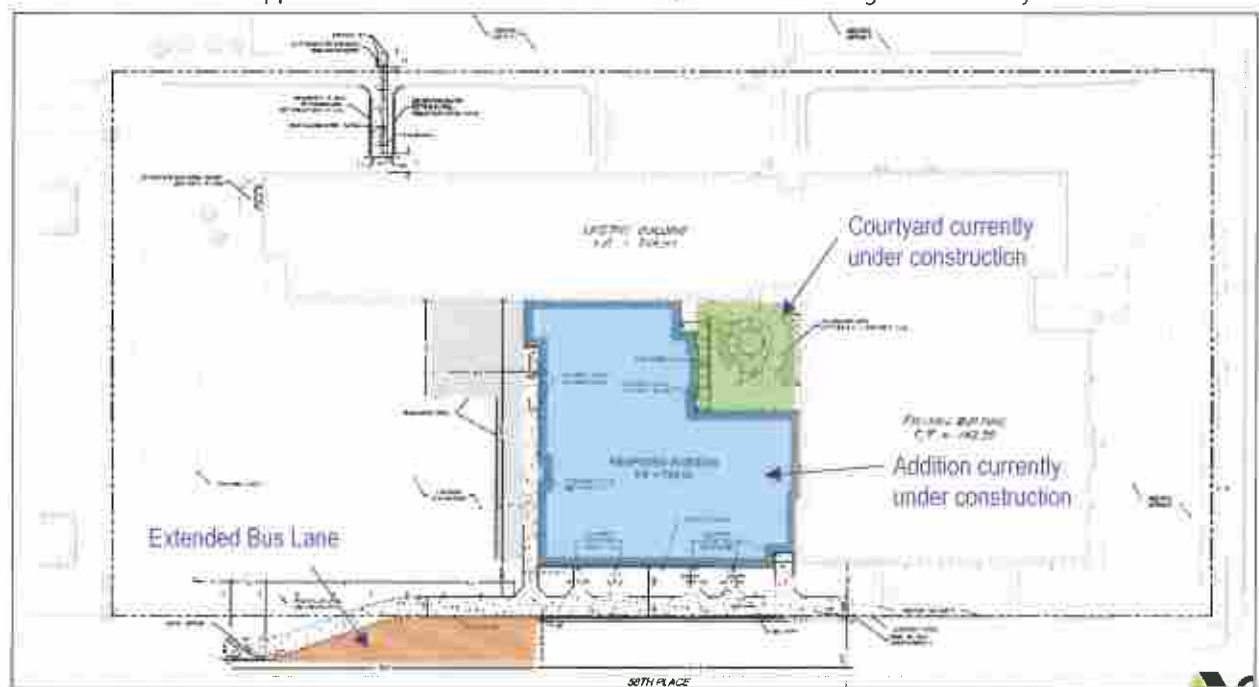




Addition and Improvements to Bus Drop Off, Play Area and Landscaping

In 2018 the Maercker School District applied for and was granted approval of a two-story, 32,000 square foot addition and associated improvements to the bus drop off, play area and landscaping. The two-story addition brought the pre-school program into the building and removed the need of the mobile classrooms, relocated the existing second grade classrooms to the second floor of the school addition, and renovated the existing classroom wing to house only the first grade. All of the classrooms have four walls with secure entries for safety. The bus drop-off was also extended to bring the buses closer to the rear entrance for drop off. All on-site overnight bus parking was moved to the Middle School and over-night bus parking is no longer permitted on the Holmes Elementary School site as part of the 2018 amendment.

Exhibit 9: Approved Site Plan under Ordinance No. 18-O-26 including the Two-Story Addition



Previously Approved Variations

Ord. No. 02-O-06

AN ORDINANCE GRANTING A SPECIAL USE PERMIT AND GRANTING CERTAIN VARIATIONS FROM THE ZONING ORDINANCE - BOARD OF EDUCATION OF MAERCKER SCHOOL DISTRICT NO. 60 - 5800 HOLMES AVENUE

- (A) Section 9-5A-3(D)3, R-1 District Bulk Regulations, Required Minimum Exterior Side Yard Setback, to permit a reduction in the required minimum exterior side yard setback to twenty-seven feet (27').
- (B) Section 9-10-S(G), Off-Street Parking in Yards, Impervious Surface Setback within a Required Front and Exterior Side Yard, to permit a reduction in the required minimum impervious



- surface setback for parking and drives to five feet (5') within the front yard and to zero feet (0') within the exterior side yard.
- (C) Section 9-10-5(L)2(e), Off-Street Parking, Access Drive Spacing, to permit a reduction in the required minimum centerline spacing to one hundred and two feet (102').
 - (D) Section 9-10-5(L)2(f), Off-Street Parking, Access Drive Separation, to permit a reduction in the required minimum distance from perimeter edge to adjacent street right-of-way on a corner lot to twenty-two feet (22').
 - (E) Section 9-12-4(D)2(i), Accessory Uses, Fence Regulations, to permit an increase in the permitted maximum height of an ornamental fence located anywhere on a lot of an institutional use to eight feet (8') and elimination of the decorative design standard to permit chain link construction.
 - (F) Section 9-12-4(D)2(n), Accessory Uses, Wall Regulations, to permit a reduction in the required minimum wall setback within a required interior side yard to seven feet (7').

Ord. No. 16-O-33

AN ORDINANCE AMENDING SPECIAL USE PERMIT NO. 02-143 AS APPROVED IN ORDINANCE NO. 02-0-06 AND GRANTING CERTAIN VARIATIONS FROM THE ZONING ORDINANCE - PC 16-10: 5800 SOUTH HOLMES AVENUE - HOLMES ELEMENTARY SCHOOL TEMPORARY MODULAR CLASSROOMS

- (A) That Section 9-10-5(B) of the Village Code of the Village of Willowbrook establishing the location of required accessory off street parking be varied to allow off-site parking on an adjacent lot with an existing use.
- (B) That Section 9-10-5(K) of the Village Code of the Village of Willowbrook establishing the minimum number of accessory off-street parking spaces for an elementary school be varied by reducing same from one (1) space per employee to sixteen (16) spaces.
- (C) That Section 9-10-5(J) of the Village Code of the Village of Willowbrook establishing parking of certain vehicles prohibited be varied to allow nine (9) overnight bus parking stalls on the subject property.

Ord. No. 18-O-26

AN ORDINANCE AMENDING SPECIAL USE PERMIT NO. 02-143 AS APPROVED IN ORDINANCE NO. 02-0-06 AND AMENDED IN ORDINANCE 16-O-33 AND GRANTING CERTAIN VARIATIONS FROM THE ZONING ORDINANCE - PC 18-07: 5800 SOUTH HOLMES AVENUE - HOLMES ELEMENTARY SCHOOL ADDITION

- (A) That Section 9-5A1-3(E) of the Village Code of the Village of Willowbrook providing a maximum lot coverage of 30% be varied to allow for a lot coverage of 39.7%.
- (B) That section 9-5A1-3(G) of the Village Code of the Village of Willowbrook providing a maximum floor area ratio of 0.30 be varied to allow for a floor area ratio of 0.48%.



STAFF ANALYSIS

In each district there may be established those uses which are accessory to the permitted and special uses listed in the district regulations. The Zoning Code considers refuse bins as permitted accessory structures in rear yards and set forth the location and screening requirements. The applicable requirements regulating refusal disposal areas are summarized in the table below:

Table 1: Applicable Requirements for Accessory Structures (Trash Enclosure)

Permitted Accessory Buildings, Structures and Uses				
Item	Code Section	Code Requirement	Proposed	Variation
Maximum Size of Refuse Bins	9-12-2	The greater of 125 sq.ft. or 1% of Lot Area	280 sq.ft.	None
Permitted Encroachment in Rear Yard	9-12-2	Within 10' of lot line and 20' from principal structure on adjacent property	27' from southern lot line and 23' from principal structure	None
Bulk Regulations				
Maximum Height	9-12-4(C)	Not to exceed 15'	6'	None
Location And Screening Of Refuse Disposal Areas				
Screening	9-12-11(A)1	Screened on 3 sides by a solid masonry wall or equiv. material to a height of not less than 6' and no greater than 7' in height	Yes	None
Impervious Surface	9-12-11(A)3	Shall be located on an impervious surface	Concrete pavement	None
Location	9-12-11(A)4	A refuse disposal area shall not be located in front of a building	Within rear yard	None
Orientation	9-12-11(A)5	Open side of enclosure shall not face towards an abutting property or street	Enclosure faces 58 th Pl. and residential homes	Yes (authorized)
Foundation Plantings	9-12-11(A)6	Along all exposed sides of the structure	Plantings on west and east sides	None
Location and Screening of Recycling Containers				
Impervious Surface	9-12-11(B)2(a)	Shall be located on an impervious surface	Concrete pavement	None
Screening	9-12-11(B)2(b)	Same as 9-12-11(A)1	Yes	None
Outside storage	9-12-11(B)2(c)	No outside storage of other materials	None	None
Location	9-12-11(B)2(d)	Shall not be located in front of a building	Located in rear yard	None
Orientation	9-12-11(B)2(e)	Same as 9-12-11(A)5	Enclosure faces 58 th Pl. and residential homes	Yes (authorized)



Bulk Requirements

The property is zoned R-1 (with a Special Use). The subject property is further governed by Ordinance No. 18-O-26, which provides in some instances, significant zoning relief from the R-1 bulk regulations. A detailed discussion of important bulk exceptions and variations as it relates to the installation of a trash enclosure is provided below.

1. Minimum Lot Area. The minimum lot area for a public or private Elementary School is five (5) acres plus one acre per one hundred (100) students designed enrollment capacity. The site was annexed into the Village with only 4.13 acres.
2. Minimum Lot Width. For all other uses: One hundred fifty feet (150'). The subject property meets this requirement at two-hundred and sixty-four feet (264').
3. Minimum Lot Depth. For all uses: One hundred fifty feet (150'). The subject property meets this requirement at six-hundred and three feet (603').
4. Building Setbacks. The required and proposed minimum setbacks are shown in Table 2 below. The proposed trash enclosure is in conformance with the Village's required R-1 District front, interior side, and rear yard setback requirements.

Table 2: Building Setbacks

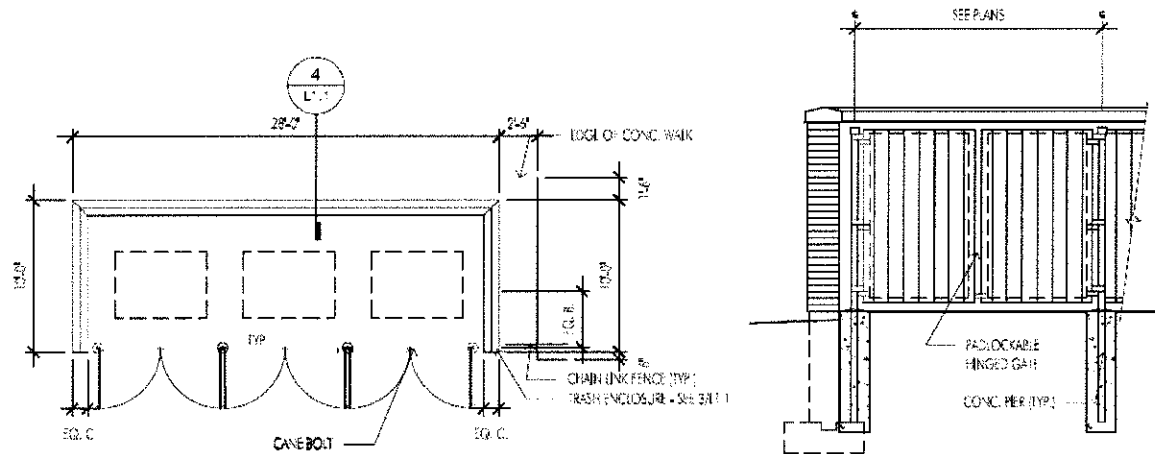
Yard	Description	Required	Provided	Variance
Front	From Holmes Avenue	Min. 60'	More than 60'	None
Interior Side	From Christian Church of CH	Min. 15'	More than 15'	None
Exterior Side	From 58th Place	Min. 27' (Ord. 02-O-06)	27'	None
Rear	From unincorporated residential	Min. 50'	182.4'	None

5. Maximum Lot Coverage. Maximum lot coverage in the R-1 zoning district is 30%. The 71,255 square foot are of the total building footprint after the addition equates to 39.7% coverage, or 9.7% over the maximum. A variation to allow for a lot coverage of 39.7% was approved under Ordinance No. 18-O-26. The 280 square-foot trash enclosure does not count towards this lot coverage.
6. Maximum Floor Area Ratio. Maximum FAR is 0.3 or 30% of the total site area. The subject property is 4.13 acres, or 179,902.8 SF. A variation to allow for a FAR of 0.48% was approved under Ordinance No. 18-O-26. The 280 square-foot trash enclosure does not count towards FAR.

Elevation and Aesthetics

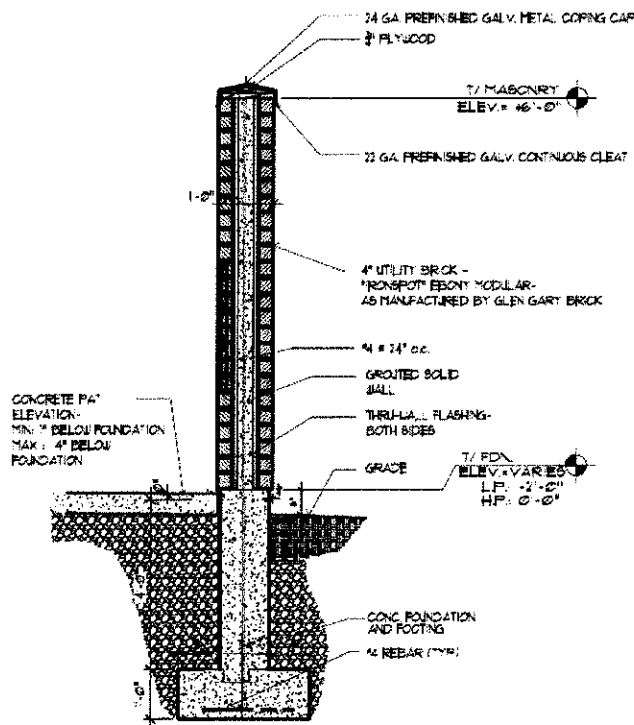
The trash enclosure can accommodate up to three refuse bins and will be constructed of solid masonry walls on three sides. Although the architectural elevation does not specify any colors, the enclosure in the proposed rendering, as depicted in **Exhibit 8**, appears to match the colors and materials of the existing school and new addition. Staff recommends that the architectural drawing be revised to include a full, colored elevation of the enclosure and that specifies the colors and materials of the enclosure.

Exhibit 10: Proposed Enclosure Plan, Partial Elevation and Section



Trash Enclosure Plan

Partial Elevation



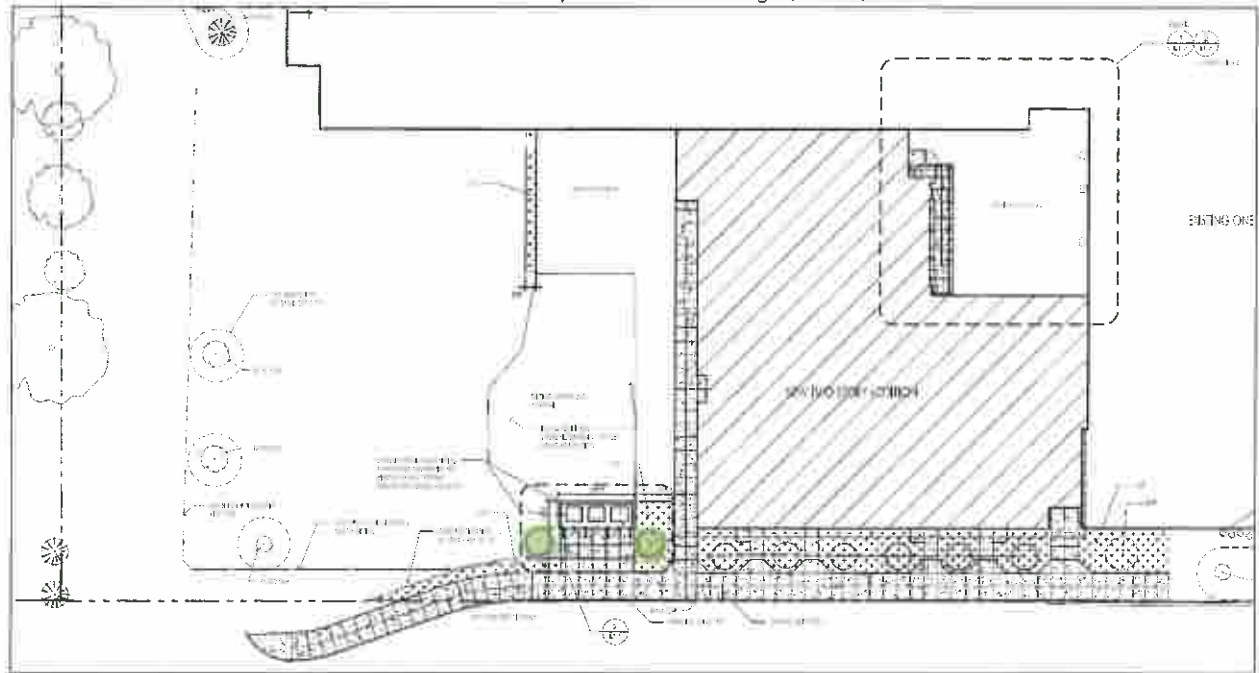
Section



Landscaping

The construction and installation of the Holmes School trash enclosure will result in the addition of two (2) new trees. Staff recommends as a condition of approval that these two trees be replaced by a row of slender evergreen trees on both sides of the trash enclosure. This will ensure improved year-round screening and decreased visibility of the enclosure from the residential properties on 58th Place.

Exhibit 11: Proposed Tree Plantings (2 total)



Visibility, Access and Safety

A major priority that was considered was the safety and security of the children within the school. The enclosure is located as far away as possible from the entrances of the school, and the access doors are faced away from the playground to minimize access into the refuse enclosure. Lines of sight are maintained for all play areas from hardscape, play equipment, and open fields to allow for proper supervision and threat detection for teachers and staff.

Appropriateness of Use

The current use on the subject property is Holmes Elementary School, the proposed use is not changing. The special use amendment requested is only to install a trash enclosure south of the existing playground.

Recommended Conditions for Approval

Staff recommends the following conditions for approval of the Special Use Amendment and request for variations:

1. The proposed trash enclosure shall comply with the existing 27' exterior side yard setback.



2. The partial architectural elevation shall be revised to include the full, colored elevation of the enclosure. The revised elevation shall specify the materials and colors of the trash enclosure. The trash enclosure shall match the materials and colors of the existing school and addition.
3. The composite landscape plan shall be revised to replace the two deciduous trees on both sides of the trash enclosure with a row of slender evergreen trees on both sides of the trash enclosure for improved year-round screening and decreased visibility of the enclosure from the residential properties on 58th Place. The landscape plan shall include the species name and quantity of the proposed trees.
4. Final engineering plans shall be reviewed and approved by the Village Engineer prior to issuance of a Site Development Permit by the Village of Willowbrook.
5. The enclosure shall be used strictly for the confinement of refuse and recycling and shall not be used for the outside storage of any other materials or equipment.
6. The doors of the trash enclosure shall remain closed and locked at all times except when the refuse bins are unloaded and loaded.
7. The amendment to the special use shall apply only to the trash enclosure, proposed landscaping surrounding the trash enclosure, and the associated paving only. No other improvements shown on the plans shall be approved as part of this review.

Standards for Special Use Permit

Section 9-14-5(B) of the Willowbrook Zoning Ordinance establishes seven (7) standards for a Special Use Permit that must be evaluated by the Plan Commission and Village Board. Recommendations may include conditions of approval if appropriate to mitigate any negative impacts created by the special use permit. The applicant's responses are provided in Attachment (1).

Standards for Variations

Section 9-14-4(E) of the Willowbrook Zoning Ordinance establishes seven (7) standards for variations that must be evaluated by the Plan Commission and Village Board. Recommendations may include conditions of approval if appropriate to mitigate any negative impacts created by the variations. The applicant's responses are provided in Attachment (2).



Public Hearing and Recommendation

The Plan Commission conducted a public hearing on this petition at their August 7, 2019 meeting. The following members were in attendance: Chairman Dan Kopp, Vice Chairman Wagner, Commissioners Ruffalo, Kaucky, Soukup, and Walec. George Demarakis, the project architect, and Sean Nugent, the school district's superintendent, were in attendance. There were no members of the public that came forward with public comments.

Chairman Kopp acknowledged that the proposed trash enclosure would be an improvement to the current situation where the refuse bins are exposed and visible to nearby residential properties and expressed support for the proposed special use amendment and requested variations.

Staff Recommendation

Staff supports the requested special use amendment and variations and recommends the Plan Commission approve the following sample motion:

Zoning Case 19-07 Revised Sample Motion:

Based on the submitted petition and testimony presented, I move that the Plan Commission forward its findings of fact to the Mayor and Village Board for special uses and variations as shown in Attachments 1 and 2 of the staff report prepared for the August 7, 2019 Plan Commission meeting for PC 19-07, and recommend approval of an amendment to the existing special use to allow variations from Section 9-12-11(A)5 and Section 9-12-11(B)2(e) to permit the open side of said enclosure to be oriented so that it faces towards an abutting property or street, subject to the conditions listed in the staff report for the August 7, 2019 Plan Commission meeting for PC 19-07.

Motion

The following motion made by Soukup was seconded by Ruffalo and approved unanimous 6-0 roll call vote of the members present:

Based on the submitted petition and testimony presented, I move that the Plan Commission forward its findings of fact to the Mayor and Village Board for **special** uses and variations as shown in Attachments 1 and 2 of the staff report **prepared** for the August 7, 2019 Plan Commission meeting for PC 19-07, and recommend approval of an **amendment** to the existing special use to allow variations from Section 9-12-11(A)5 and Section 9-12-11(B)2(e) to permit the open side of said enclosure to be **oriented** so that it faces towards an abutting **property** or street, subject to the conditions listed in the staff report for the **August** 7, 2019 Plan Commission **meeting** for PC 19-07.



Attachment 1

Special Use Standards and Findings for PC 19-07 Holmes School Trash Enclosure

9-14-4(B): Standards for Special Use

The Plan Commission shall not recommend and the Board of Trustees shall not grant a Special Use Permit from the regulation of this title unless affirmative findings of fact shall be made as to all of the standards hereinafter set forth, which findings of fact shall be based upon evidence adduced upon the hearing held thereon, that:

(A) That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

Finding: The establishment is an existing school facility in which the operation will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare. The enclosure helps screen the sight of these garbage bins from the neighboring residence and creates a landscaped buffer between those elements and the street.

(B) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

Finding: The project shall create a better visual barrier between the neighboring properties and the school's existing dumpsters. Current conditions leave the dumpsters out in the open so this would create a better environment for the neighboring properties. The enclosure abides by zoning regulations in having three walls constructed of masonry, and is 6'-0" tall. The masonry matches the existing building to give the same aesthetic of the building. Landscape plantings shall also be provided on either side of the enclosure to abide by zoning regulations as well.

(C) That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

Finding: The establishment of the special use shall not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. Pick-up times shall be exactly as they were before so there will be no change in operation as has been established with this existing site.

(D) That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided.

Finding: All engineering has been designed to create code compliant utilities, access roads, drainage and all ancillary public works requirements as exhibited in the attached plans.



- (E) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.**

Finding: The project is designed to simplify staff operations and pick-up operations for all trash removal.

- (F) That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission.**

Finding: The special use shall in all other respects conform to the applicable regulations of the district in which it is located. As mentioned in the opening paragraph the new refuse enclosure complies by all the stipulations within the zoning ordinance, and is located at the approved variation setback requirements that were established in the previous year's request.

- (G) Conditions in the area have substantially changed, and at least one year has elapsed since any denial by the Village Board of any prior application for a special use permit that would have authorized substantially the same use of all or part of the site. (Ord. 97-O-05, 1-27-1997).**

Finding: More than one year has elapsed since any denial by the Village Board of any prior application for a special use permit has been made as part of this site.



Attachment 2

Variation Standards and Findings for PC 19-07 Holmes School Trash Enclosure

9-14-4(E): Standards for Variations

The Plan Commission shall not recommend and the Board of Trustees shall not grant variations from the regulation of this title unless affirmative findings of fact shall be made as to all of the standards hereinafter set forth, which findings of fact shall be based upon evidence adduced upon the hearing held thereon, that:

- (A) The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations of the district in which it is located.**

Finding: The property in question wouldn't be able to yield a safe and reasonable return for the community in which it serves if the trash bins were left out in the open on the playground. A major priority is the safety and security of the children within the school. Keeping the refuse enclosure far enough away, and with the access doors facing away from the playground, this minimizes any students from trying to access the refuse enclosure. It also keeps lines of sight for all play areas from hardscape, play equipment, and open fields to allow for proper supervision and threat detection for teachers and staff.

- (B) The proposed variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship which will result if the strict letter of the regulations were carried out and which is not generally applicable to property within the same district.**

Finding: The proposed variation will not merely serve as a convenience to the applicant but will alleviate a safety concern as listed above. It will also better serve the community by shielding the open trash bins from the street and neighboring homes.

- (C) The alleged hardship has not been created by any person presently having a proprietary interest in the premises.**

Finding: The alleged hardship has not been created by any person presently having a proprietary interest in the premises. It is a hardship established by the site limitations of the school location which has heavy grade changes, an unusable side yard, and is located on a corner lot.

- (D) The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood.**

Finding: The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood. In fact it will remedy an existing condition that is less desirable, and the aesthetics shall match the rest of the facility.



- (E) The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, or endanger the public safety.**

Finding: The proposed variation will not impair an adequate supply of light and air to the adjacent property. It shall only be 6'-0" and will maintain the existing conditions for quantity of refuse storage that has been used by the school district for many years.

- (F) The proposed variation will not alter the essential character of the locality. (Ord. 77-O-4, 2-14-1977)**

Finding: The proposed variation will not alter the essential character of the locality. The refuse enclosure is designed to match the vocabulary of the site in material.

- (G) The proposed variation is in harmony with the spirit and intent of this title. (Ord. 97-O-05, 1-27-1997)**

Finding: The proposed variation is in harmony with the spirit and intent of Title 9 of this Code. All of the above comments depict the harmony and intent of Title 9 of this Code.



Attachment 3

Legal Description of Subject Property

LOTS 2 THROUGH 25, BOTH INCLUSIVE, TOGETHER WITH THE SOUTH HALF OF VACATED 58TH STREET WHICH LIES NORTH AND ADJOINING SAID LOTS, TOGETHER WITH THE NORTH HALF OF THE VACATED ALLEY LYING SOUTH AND ADJOINING SAID LOTS 2 THROUGH 25, BOTH INCLUSIVE, AND LOTS 78 THROUGH 101, BOTH INCLUSIVE, TOGETHER WITH THE SOUTH HALF OF THE VACATED ALLEY LYING NORTH AND ADJOINING SAID LOTS 78 THROUGH 101, BOTH INCLUSIVE, ALL IN THE WOMAN'S SUBDIVISION OF LOT 7 IN HALL'S SUBDIVISION OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 12, 1892 AS DOCUMENT 48190, IN DUPAGE COUNTY, ILLINOIS.



Attachment 4

Land Title Survey, prepared by Sean T. Krisch, dated 6/15/2018

LOCATION MAP
(Not To Scale)

10752 THROUGH 20, BOTH INCLUDING THE INTEREST OF THE PARTIES TO THE
 LAND TITLE SURVEY
 - of -
 QUARTER OF SECTION 4, TOWNSHIP 24 NORTH, RANGE 12 WEST, COUNTY OF
 THE HAWAII SUBDIVISION RECORDED APRIL 12, 1954 IN DEED BOOK 4716 IN WAIKANE COUNTY RECORDS
 Downloaded Property Manager 4/14/2016

KRISCH LAND SURVEYING LLC



ALL RIGHTS RESERVED
COPYRIGHT © 2018
ILL. PROFESSIONAL DESIGN FIRM LICENSE NO. 184-00566

CAGE CIVIL ENGINEERING
3110 WOODCREEK DRIVE
DOWNERS GROVE, IL 60515
(630) 588-0007

ALACSM LAND TITLE SURVEY
HOLMES ELEMENTARY SCHOOL
5800 HOLMES AVENUE
CLARENDON HILLS, IL 60514

18-033
CAD NAME
18-033 ALTADING
SCALE
1" = 30'
SHEET
1 of 1
O'RYAN BY
SK

INTRODUCTION SURFAC.

CONCRETE SURFACE

EXISTING BUILDING

Abbreviations

(T)	Dead Dispersion
(M)	Measured Emission
(N)	Net Emission
(P)	Peak Emission
(S)	Ant. Surface
Chd.B	Chord Bending
Chd.L	Chord Length
Conc.	Concentrate
East	East
G/G/T	Gauge Floor
Q/A	Overlaid
N.N.	North
N.T.	North
S.S.	South
S.F.	Square Feet
T.F.	Top of Foundation

Symbol Legend

[illegible][illegible]

Stammes der Delfinen. Delfine sind in der Lage, sich an ihre Umgebung anzupassen. Sie können in verschiedenen Umgebungen leben, wie zum Beispiel im Meer, in Flüssen und in Seen. Delfine sind auch in der Lage, sich an verschiedene Temperaturen anzupassen. Sie können in kaltem Wasser leben, wie zum Beispiel in der Arktik, oder in warmem Wasser, wie zum Beispiel in der Antarktis. Delfine sind auch in der Lage, sich an verschiedene Nahrungsquellen anzupassen. Sie können fressen, was sie wollen, wie zum Beispiel Fisch, Krill und Tintenfisch. Delfine sind auch in der Lage, sich an verschiedene Gefahren anzupassen. Sie können sich vor Raubtieren verstecken, wie zum Beispiel Wale, oder sie können sich vor Menschen verstecken, wie zum Beispiel in der Nähe von Fischerbooten. Delfine sind also sehr anpassungsfähig und können in verschiedenen Umgebungen leben.

Southern Cross Mining

A) Privately developed reserves - 679 gptw ± / a 12-annum.

B) Existing Knapdale Agric 50,720 ± t

C) Miscellaneous MAF Boundary Carver's Unlithic Ophiolite Hosted

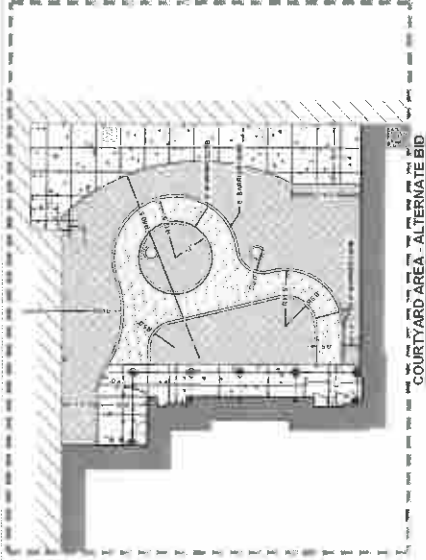
D) 2514(N), 295-54, 100-839 ± 08-54-520-026

[illegible]

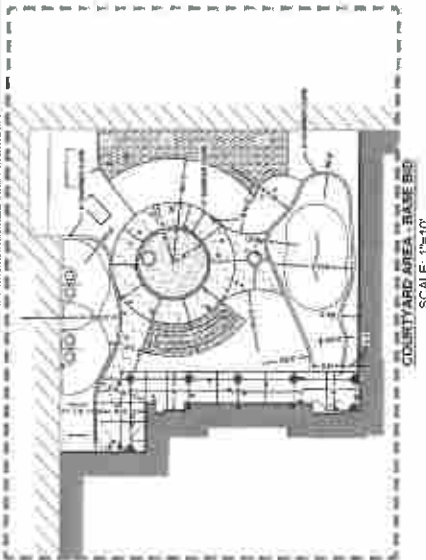
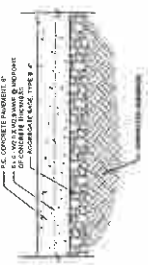
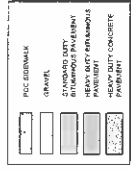


Attachment 5

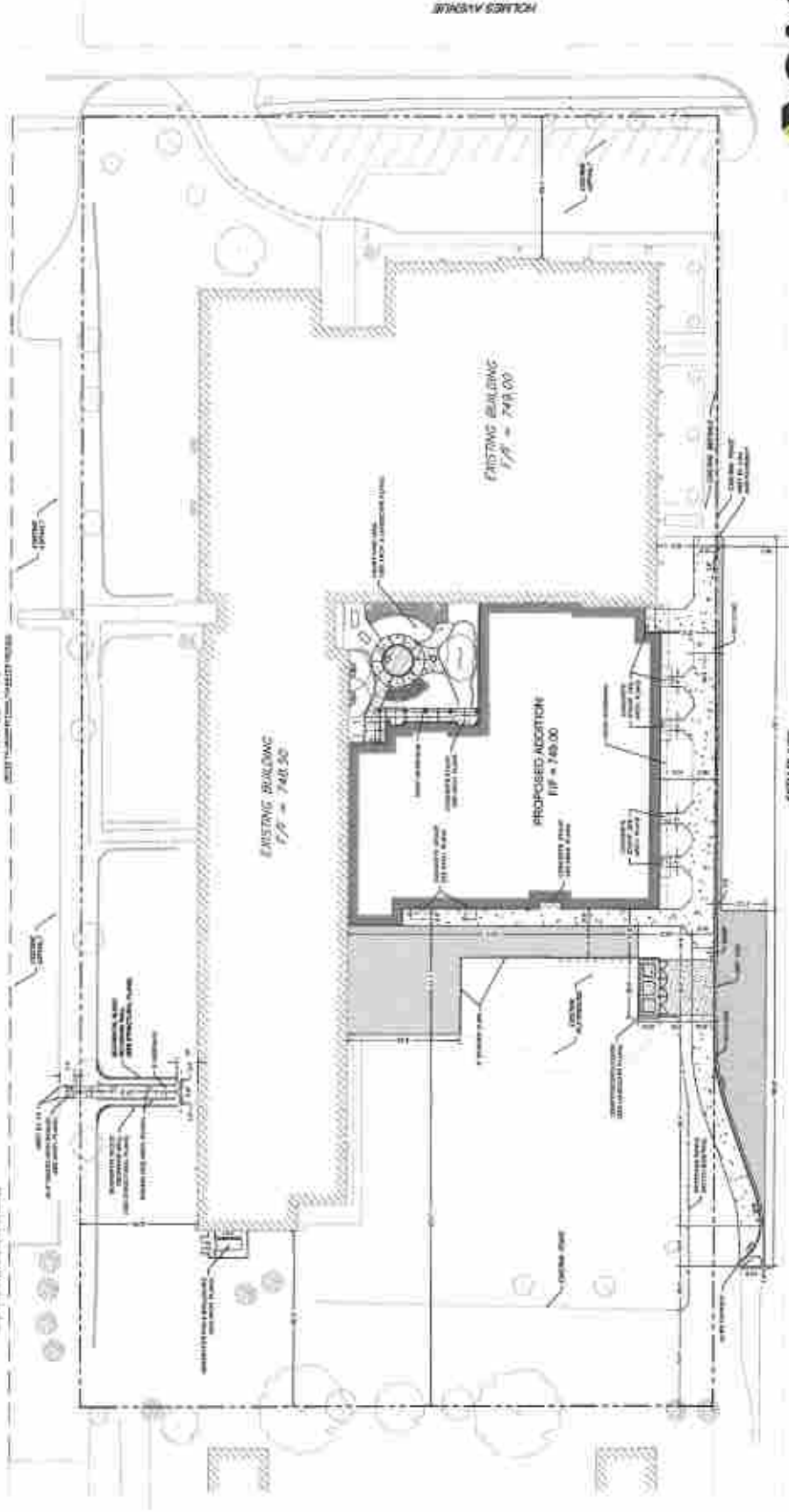
Site Plan, prepared by CAGE Civil Engineering, dated 7/10/19



COURTYARD AREA - ALTERNATE BID

COUNTY AND AREA - HASE B-D
SCALE - 1"=10'

1
HEAVY DUTY CONCRETE DETAIL
Scale: N.T.S.



20472 MAINS

PAID TO ORDER
\$100.00

PAULSTING BUILDING
C/O - 748 50

ElectroPosit Association
 8100 E. 1st Ave., Suite 100
 Denver, CO 80231

INTAGNY SENTEN

ADDITIONS AND REMODELING

6
HOLMES SCHOOL
5800 Holmes Ave.
Cleveland Hills, IL
40514

0061566 0262 d
10148 00000 00000
00000 00000 00000

WISDOM



Attachment 6

Grading Plan, prepared by CAGE Civil Engineering, dated 7/10/19

C2.0



Attachment 7

Composite Landscape and Architectural Drawing, prepared by ARCON, dated 5/8/19



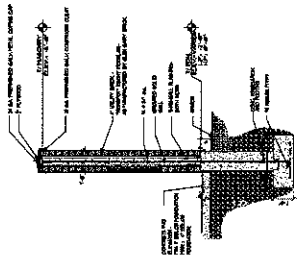
**ADDITIONS
AND
REMODELING**
of
CLARK SCHOOL
3800 Lakeside Drive
Chesapeake, VA 20814
60314

For the
BOARD of EDUCATION
Member: BOB AD
11111 Lakeside Drive
Chesapeake, VA 20814

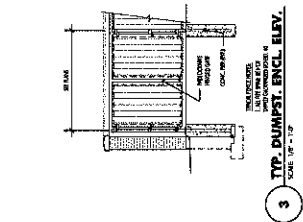
ZONING DOCUMENTS

REVISION	DATE	BY
1	8-21-19	GGD

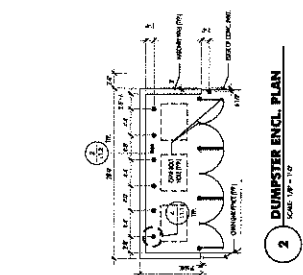
Project Number:
110224
Date:
July 10, 2019
Drawn by:
Sheet Title:
Sheet Number:



1 DUMPSTER ENCL. PLAN
SCALE: 1/8\"/>



2 TOP DUMPST. ENCL. ELEV.
SCALE: 1/8\"/>



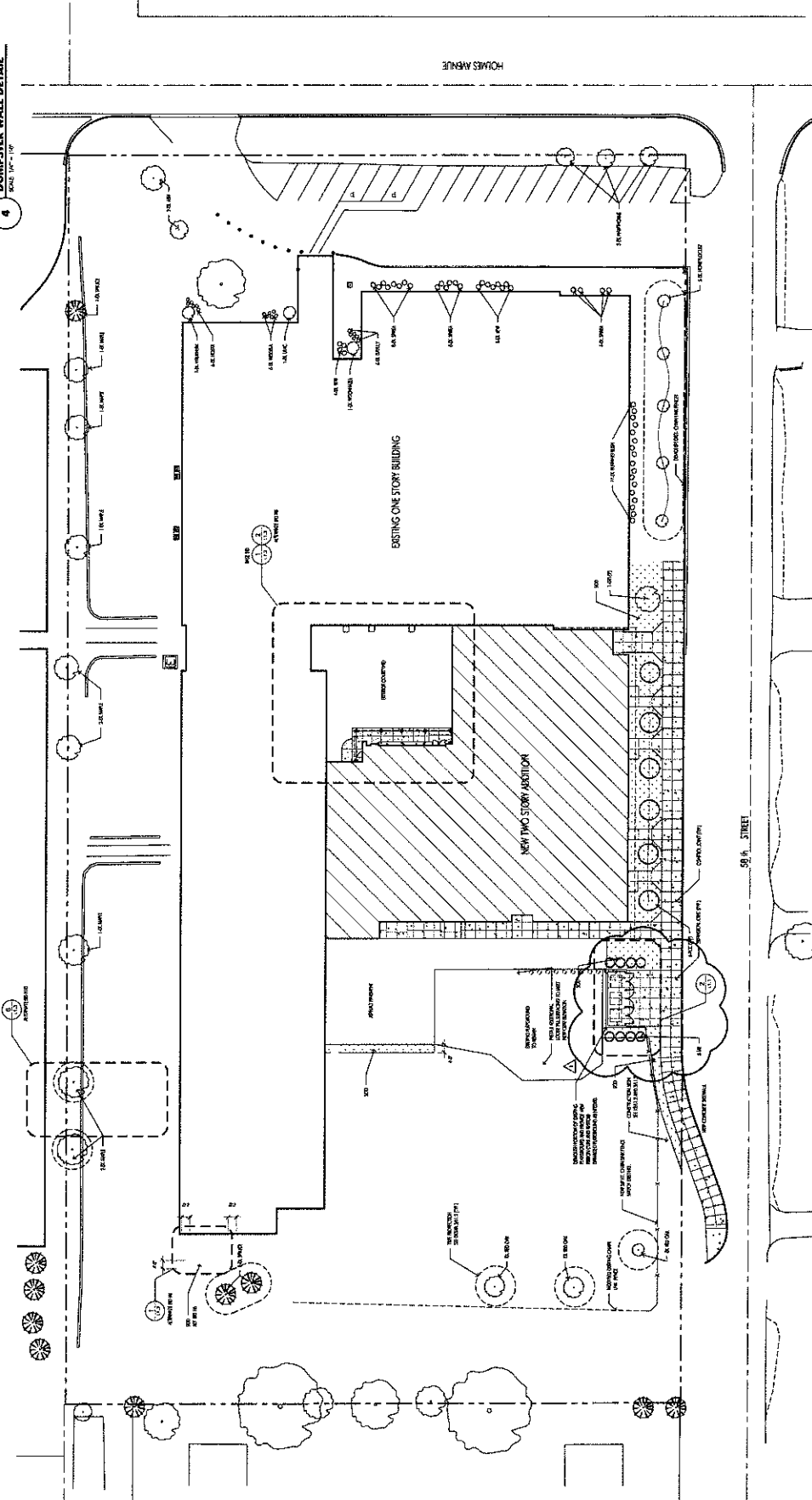
3 DUMPSTER WALL DETAIL
SCALE: 1/4\"/>

PLAN PROVIDES:

1	FACE REPAIRING, 100%
2	CONCRETE, 100%
3	CONCRETE, 100%
4	CONCRETE, 100%

EXISTING PLANT LIST			EXISTING PLANT LIST		
KEY	SHADE TREE	QTY.	KEY	SHRUBS	QTY.
1	SHADE TREE	1	1	SHRUBS	1
2	SHADE TREE	1	2	SHRUBS	1
3	SHADE TREE	1	3	SHRUBS	1
4	SHADE TREE	1	4	SHRUBS	1
5	SHADE TREE	1	5	SHRUBS	1
6	SHADE TREE	1	6	SHRUBS	1
7	SHADE TREE	1	7	SHRUBS	1
8	SHADE TREE	1	8	SHRUBS	1
9	SHADE TREE	1	9	SHRUBS	1
10	SHADE TREE	1	10	SHRUBS	1
11	SHADE TREE	1	11	SHRUBS	1
12	SHADE TREE	1	12	SHRUBS	1
13	SHADE TREE	1	13	SHRUBS	1
14	SHADE TREE	1	14	SHRUBS	1
15	SHADE TREE	1	15	SHRUBS	1
16	SHADE TREE	1	16	SHRUBS	1
17	SHADE TREE	1	17	SHRUBS	1
18	SHADE TREE	1	18	SHRUBS	1
19	SHADE TREE	1	19	SHRUBS	1
20	SHADE TREE	1	20	SHRUBS	1

NEW PLANT LIST		
KEY	SHADE TREE	QTY.
1	SHADE TREE	1
2	SHADE TREE	1
3	SHADE TREE	1
4	SHADE TREE	1
5	SHADE TREE	1
6	SHADE TREE	1
7	SHADE TREE	1
8	SHADE TREE	1
9	SHADE TREE	1
10	SHADE TREE	1
11	SHADE TREE	1
12	SHADE TREE	1
13	SHADE TREE	1
14	SHADE TREE	1
15	SHADE TREE	1
16	SHADE TREE	1
17	SHADE TREE	1
18	SHADE TREE	1
19	SHADE TREE	1
20	SHADE TREE	1





Attachment 8

Engineering Review Letter, prepared by Christopher B. Burke Engineering, Ltd., dated 7/22/19



CHRISTOPHER B. BURKE ENGINEERING, LTD.

9575 West Higgins Road Suite 600 Rosemont, Illinois 60018 TEL (847) 823-0500 FAX (847) 823-0520

July 22, 2019

Village of Willowbrook
835 Midway Drive
Willowbrook, IL 60527

Attention: Ann Choi

Subject: Holmes Elementary School
Dumpster Enclosure
(CBBEL Project No. 90-144.H184)

Dear Ann:

As requested on July 19, 2019, we have reviewed the final engineering plans for the above property prepared by Cage Civil Engineering and dated July 10, 2019. We have no objection to a permit being issued for the project, and note the following:

1. Our review of this plan set was for the dumpster enclosure and associated paving only. No other improvements shown on the plans have been considered as part of this review. The proposed addition was previously reviewed, and we have not verified that the plans remain the same.
2. The proposed work is all on the school property, outside of the public right of way.
3. We have not reviewed the plans with respect to the zoning code and understand that is being completed by you and/or Village staff.
4. We understand the proposed dumpster enclosure will likely be moved 6" – 12" north for zoning compliance. We have no objection and it will not change our review.

If you have any questions, please feel free to contact me.

Sincerely,

Daniel L. Lynch, PE, CFM
Head, Municipal Engineering Department

cc: Roy Giuntoli



Attachment 9

Special Use and Variation Request Letter, prepared by ARCON, dated 7/15/19



July 15, 2019

Village of Willowbrook
835 Midway Drive
Willowbrook IL 60527

RE: ADDITION AT HOLMES ELEMENTARY SCHOOL
MAERCKER SCHOOL DISTRICT 60
5800 HOLMES AVENUE
CLARENDON HILLS, IL 60514
PROJECT NO. 18024

REQUEST FOR SPECIAL USE

Below is the request for special use and variation amendments for the project at Holmes Elementary School. The scope is to build a new refuse enclosure on site to screen and protect the existing dumpsters that are used by the district. The proposed design abides by all zoning codes regarding setbacks, construction, and size for the associated work. Per zoning ordinance, the refuse disposal areas should have (3) sides constructed of solid masonry walls, which this design matches. The enclosure is only to be used for the confinement of refuse and recycling containers, which it shall. The refuse shall be located on an impervious surface: Concrete. The open of said enclosure shall be oriented so that, to the greatest extent possible, it does not face toward the abutting property or street. The district worked through countless options with the primary focus on the safety of the students and minimizing the impact on the neighborhood. Their existing refuse enclosure was completely open to the street and neighborhood and we believe this design helps better screen the refuse than it did previously, while still allowing for proper supervision of all the students on site in the play areas. No other location works on the tight property line, and therefore we believe this solution is the 'greatest extent possible'. Lastly, the foundation landscape shall be placed on either side of the enclosure.

The proposed design meets the Standards for Special Use by addressing the following:

- A. The establishment is an existing school facility in which the operation will not be detrimental to or endanger the public health, safety, morals comfort or general welfare. The enclosure helps screen the sight of these garbage bins from the neighboring residence and creates a landscaped buffer between those elements and the street.
- B. The project shall create a better visual barrier between the neighboring properties and the school's existing dumpsters. Current conditions leave the dumpsters out in the open so this would create a better environment for the neighboring properties. The enclosure obides by zoning regulations in having three walls constructed of masonry, and is 6'-0" tall. The masonry matches the existing building to give the same aesthetic of the building. Landscape plantings shall also be provided on either side of the enclosure to abide by zoning regulations as well.
- C. The establishment of the special use shall not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. Pick-up times shall be exactly as they were before so there will be no change in operation as has been established with this existing site.
- D. All engineering has been designed to create code compliant utilities, access roads, drainage and all ancillary public works requirements. See attached plans.

RE: ADDITION AT HOLME ELEMENTARY SCHOOL
MAERCKER SCHOOL DISTRICT 60
5800 HOLMES AVENUE
CLARENDON HILLS, IL 60514
PROJECT NO. 18024

PAGE TWO

- E. The project is designed to simplify staff operations and pick-up operations for all trash removal.
- F. The special use shall in all other respects conform to the applicable regulations of the district in which it is located. As mentioned in the opening paragraph the new refuse enclosure complies by all the stipulations within the zoning ordinance, and is located at the approved variation setback requirements that were established in the previous year's request.
- G. More than one year has elapsed since any denial by the Village Board of any prior application for a special use permit has been made as part of this site.

REQUEST FOR VARIATION

The proposed design meets the Standards for Variations by addressing the following:

The proposed special use relates to a school that has been in operation for decades, and in an effort to retain such an important asset to the community is being updated to better suit the community needs and daily operations of the building. Safety of both the students and community are a priority and creating this trash enclosure will help maintain safer precautions, better operations, and a more pleasant aesthetic than what currently existed. This will remove the hardship created due to a constrained site with limited access and steep grade changes. Working with the school district, we believe the proposed design is in harmony with the spirit and intent of Title 9 of this code.

- A. The property in question wouldn't be able to yield a safe and reasonable return for the community in which it serves if the trash bins were left out in the open on the playground. A major priority is the safety and security of the children within the school. Keeping the refuse enclosure far enough away, and with the access doors facing away from the playground, this minimizes any students from trying to access the refuse enclosure. It also keeps lines of sight for all play areas from hardscape, play equipment, and open fields to allow for proper supervision and threat detection for teachers and staff.
- B. The proposed variation will not merely serve as a convenience to the applicant but will alleviate a safety concern as listed above. It will also better serve the community by shielding the open trash bins from the street and neighboring homes.
- C. The alleged hardship has not been created by any person presently having a proprietary interest in the premises. It is a hardship established by the site limitations of the school location which has heavy grade changes, an unusable side yard, and is located on a corner lot.
- D. The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood. In fact it will remedy an existing condition that is less desirable, and the aesthetics shall match the rest of the facility.

RE: ADDITION AT HOLME ELEMENTARY SCHOOL
MAERCKER SCHOOL DISTRICT 60
5800 HOLMES AVENUE
CLARENDON HILLS, IL 60514
PROJECT NO. 18024

PAGE THREE

E. The proposed variation will not impair an adequate supply of light and air to the adjacent property. It shall only be 6'-0" and will maintain the existing conditions for quantity of refuse storage that has been used by the school district for many years.

F. The proposed variation will not alter the essential character of the locality. The refuse enclosure is designed to match the vocabulary of the site in material.

G. The proposed variation is in harmony with the spirit and intent of Title 9 of this Code. All of the above comments depict the harmony and intent of Title 9 of this Code.

Sincerely,
ARCON Associates, Inc.



George Demarakis
Associate Principal

GDD/gs

J:\1 D60M\18024 Additions & Remodeling @ Holmes School\1 Docs\Corr\18024C006.wpd

VILLAGE OF WILLOWBROOK

BOARD MEETING AGENDA ITEM - HISTORY/COMMENTARY

**AN ORDINANCE AMENDING CHAPTER 3 ENTITLED
“MUNICIPAL HOTEL TAX” OF TITLE 11, ENTITLED “TAXES”
OF THE WILLOWBROOK MUNICIPAL CODE OF THE VILLAGE
OF WILLOWBROOK**

AGENDA NO. 7

AGENDA DATE: 08/26/2019

STAFF REVIEW: Brian Pabst, Village Administrator

SIGNATURE: Brian Pabst

LEGAL REVIEW: Tom Bastian, Village Attorney

SIGNATURE: Tom Bastian

RECOMMENDED BY: Brian Pabst, Village Administrator

SIGNATURE: Brian Pabst

REVIEWED BY COMMITTEE: YES ☒ NO ☐ N/A ☐

ITEM HISTORY (PREVIOUS VILLAGE BOARD REVIEWS, ACTIONS RELATED TO THIS ITEM, OTHER HISTORY)

The Village of Willowbrook is recommending in Section 11-3-1 of Chapter 3 of Title 11 that we increase our current 5% Hotel Tax to 6%. We currently receive about \$250,000 per year in revenues. A portion of that money is sent to the DuPage County Visitor and Convention Bureau. The 1% adjustment in Hotel Tax would bring in approximately \$50,000 in additional funds to the community.

ACTION PROPOSED: Adopt Ordinance.

ORDINANCE NO. 19-O-__

**AN ORDINANCE AMENDING CHAPTER 3, ENTITLED “MUNICIPAL HOTEL TAX,”
OF TITLE 11, ENTITLED “TAXES”, OF THE WILLOWBROOK MUNICIPAL CODE
OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS**

BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE
VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1. That Section 11-3-1 of Chapter 3, entitled “Municipal Hotel Tax,” of Title 11, entitled “Taxes,” of the Willowbrook Municipal Code of the Village of Willowbrook, DuPage County, Illinois is hereby amended by deleting therefrom “five percent (5%) and inserting therefore “six percent (6%).”

SECTION 2. That Section 11-3-3, entitled “Definitions,” of Chapter 3, entitled “Municipal Hotel Tax,” of Title 11, entitled “Taxes,” of the Willowbrook Municipal Code of the Village of Willowbrook, DuPage County, Illinois is hereby amended by deleting therefrom the definition of “Hotel” and inserting therefore the following:

HOTEL: Any building or buildings in which the public may, for monetary consideration, obtain living quarters, sleeping, shelter, or housekeeping accommodations. The term includes hotels, motels, inns, tourist homes, courts, lodging houses, rooming houses, apartment houses, hostels, bed and breakfasts, and properties or portions thereof rented or leased through Airbnb or similar online marketplace or hospitality service brokerage.

SECTION 3. That Section 11-3-8, entitled “Application of Proceeds,” of Chapter 3, entitled “Municipal Hotel Tax,” of Title 11, entitled “Taxes,” of the Willowbrook Municipal Code of the Village of Willowbrook, DuPage County, Illinois is hereby deleted in its entirety.

SECTION 4. This Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication, in pamphlet form, in the manner provided by law.

SECTION 5. This Ordinance shall be in full force and effect on and after _____, 2019.

PASSED and APPROVED this _____ of _____, 2019.

APPROVED:

Frank A. Trilla, Mayor

ATTEST:

Leroy R. Hansen, Village Clerk

ROLL CALL VOTE: AYES: _____

NAYS: _____

ABSTENTIONS: _____

ABSENT: _____

Published in pamphlet form
this ____ day of _____, 2019.

Leroy R. Hansen, Village Clerk

VILLAGE OF WILLOWBROOK

BOARD MEETING AGENDA ITEM - HISTORY/COMMENTARY

ITEM TITLE:
AN ORDINANCE AMENDING CHAPTER 7 ENTITLED "CONDITION OF VEHICLES" OF TITLE 8 ENTITLED "TRAFFIC REGULATIONS" OF THE VILLAGE OF WILLOWBROOK MUNICIPAL CODE

AGENDA NO. 8

AGENDA DATE: 08/26/19

STAFF REVIEW: Robert Schaller, Chief of Police

SIGNATURE:



LEGAL REVIEW: Tom Bastian, Village Attorney

SIGNATURE:



RECOMMENDED BY: Brian Pabst, Village Administrator

SIGNATURE:



REVIEWED & APPROVED BY PSC: YES ☒ NO ☐ N/A ☐

ITEM HISTORY (PREVIOUS VILLAGE BOARD REVIEWS, ACTIONS RELATED TO THIS ITEM, OTHER HISTORY)

At the August 12, 2019 Public Safety meeting the committee discussed that excessive idling of diesel engine trucks in certain zoning districts located within the Village is detrimental to the environment; and that restricting the amount of time certain diesel-fueled motor vehicles may idle is necessary to promote the health, safety and welfare of the residents of the Village and protect the environment.

The committee has review other communities that have enacted similar ordinances as examples to what would be appropriate.

Enforcement of such regulation by the Willowbrook Police Department would have violators if found found guilty of this Section fined not less than \$150.00 no more than \$250.00 for each offense.

Pending passage of the ordinance signage will be erected, prohibiting excessive idling at the entrance(s) to all M1 and B4 zoning districts within the Village.

ITEM COMMENTARY (BACKGROUND, DISCUSSION, RECOMMENDATIONS, ETC.)

ACTION PROPOSED:

Adopt the Ordinance.

ORDINANCE NO. 19-O-__

AN ORDINANCE AMENDING CHAPTER 7 ENTITLED “CONDITION OF VEHICLES” OF TITLE 8 ENTITLED “TRAFFIC REGULATIONS” OF THE VILLAGE OF WILLOWBROOK MUNICIPAL CODE

WHEREAS, the Village of Willowbrook (the “Village”) is a home rule unit of local government as provided by Article VII, Section 6, of the Constitution of the State of Illinois of 1970; and

WHEREAS, as a home rule unit of local government, the Village is authorized to exercise any power pertaining to its government and affairs, including but not limited to, adopting regulations for the protection of the health, safety and welfare; and

WHEREAS, the Corporate Authorities of the Village have determined that excessive idling of diesel engine trucks in certain zoning districts located within the Village is detrimental to the environment; and

WHEREAS, the Corporate Authorities of the Village have further determined that restricting the amount of time certain diesel-fueled motor vehicles may idle is necessary to promote the health, safety and welfare of the residents of the Village and protect the environment.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Willowbrook, DuPage County, Illinois, as follows:

SECTION ONE: The foregoing recitals are adopted as the findings of the Corporate Authorities of the Village of Willowbrook and expressly incorporated herein.

SECTION TWO: Chapter 7 entitled “Condition of Vehicles” of Title 8 entitled “Traffic Regulations” as amended is hereby further amended by adding thereto Section 8-7-26 entitled “excessive idling” to read as follows:

8-7-26. Excessive Idling.

(A) The stated purpose of this ordinance is to protect public health and the environment by reducing unnecessary motor vehicle diesel emissions while conserving fuel.

(B) A person that operates or is in physical control of a motor vehicle anywhere within a M-1 or B-4 zoning district in the Village of Willowbrook and which motor vehicle operates on diesel fuel within the Village, may not cause or allow the motor vehicle, when it is not in motion, to idle for more than a total of 5 minutes within any 60 minute period, except under the following circumstances:

1. the motor vehicle has a Gross Vehicle Weight Rating of less than 8,000 pounds;
2. the motor vehicle idles while forced to remain motionless because of on roadway traffic, an official traffic control device or signal, or at the direction of a law enforcement official;
3. the motor vehicle idles when operating defrosters, heaters, air conditioners, or other equipment solely to prevent a safety or health emergency;
4. a police, fire, ambulance, public safety, other emergency or law enforcement motor vehicle, or any motor vehicle use in an emergency capacity, idles while in an emergency or training mode and not for the convenience of the vehicle operator;
5. the primary propulsion engine idles for maintenance, servicing, repairing, or diagnostic purposes if idling is necessary for such activity;
6. a motor vehicle idles as part of a government inspection to verify that all equipment is in good working order, provided idling is required as part of the inspection;
7. when idling of the motor vehicle is required to operate auxiliary equipment to accomplish the intended use of the vehicle (such as loading, unloading, mixing or processing cargo; controlling cargo temperature; construction operations; lumbering operations; or oil or gas well servicing); provided that this exemption does not apply when the vehicle is idling solely for cabin comfort or to operate non-essential equipment such as air conditioning, heating, microwave ovens, or televisions;
8. an armored vehicle idles when a person remains inside the vehicle to guard the contents, or while the vehicle is being loaded or unloaded;
9. a bus idles a maximum of 15 minutes in any 60 minute period to maintain passenger comfort while non-driver passengers are on board;
10. when the motor vehicle idles due to mechanical difficulties over which the operator has no control;

11. the motor vehicle is (i) a bus owned by a public transit authority and (ii) being operated on a designated bus route or on a street to highway between designated bus routes for the provision of public transportation;
 12. the motor vehicle is owned by an electric utility and is operated for electricity generation or hydraulic pressure to power equipment necessary in the restoration, repair, modification or installation of electric utility service;
 13. the outdoor temperature is less than 32 degrees Fahrenheit or greater than 80 degrees Fahrenheit; or
 14. the motor vehicle idles while being operated by a remote starter system.
- (C) When the outdoor temperature is 32 degrees Fahrenheit or higher and 80 degrees Fahrenheit or lower, a person who operates a motor vehicle operating on diesel fuel in an affected area may not cause or allow the motor vehicle to idle for a period greater than 20 minutes in any 60 minute period while waiting to weigh, load, or unload cargo or freight, unless the vehicle is in a line of vehicles that regularly and periodically moves forward.
- (D) This Section shall not prohibit the operation of an auxiliary power unit or generator set as an alternative to idling the main engine of a motor vehicle operating on diesel fuel.
- (E) This Section does not apply to the owner of a motor vehicle rented or leased to another entity or person operating the vehicle.
- (F) Any person found guilty of any violation of this Section and shall be fined not less than \$150.00 no more than \$250.00 for each offense.

SECTION THREE: The Chief of Police or his designee, is directed to erect appropriate signage, prohibiting excessive idling at the entrance(s) to all M-1 and B-4 zoning districts within the Village.

SECTION FOUR: Any ordinance or portion of any ordinance in conflict with the provisions of this ordinance is hereby solely to the extent of the conflict.

SECTION FIVE: The adoption of this ordinance is the exercise of the home rule authority granted to the Village pursuant to Article VII, Section 6 of the Illinois Constitution of 1970.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

SECTION SIX: This ordinance shall be in full force and effect ten (10) days after appropriate signage is erected.

PASSED and APPROVED this _____ day of August, 2019.

APPROVED:

Frank A. Trilla, Mayor

ATTEST:

Leroy Hansen,
Village Clerk

ROLL CALL VOTE: AYES: _____

NAYS: _____

ABSTENTIONS: _____

ABSENT: _____

VILLAGE OF WILLOWBROOK

BOARD MEETING AGENDA ITEM - HISTORY/COMMENTARY

**AN ORDINANCE AMENDING CHAPTER 1 ENTITLED
“DEPARTMENT OF MUNICIPAL SERVICES” OF TITLE 4
ENTITLED “MUNICIPAL SERVICES” OF THE VILLAGE CODE
OF ORDINANCES OF THE VILLAGE OF WILLOWBROOK**

AGENDA NO. 9

AGENDA DATE: 08/26/2019

STAFF REVIEW: Roy Giuntoli, Building Official

SIGNATURE: R. Giuntoli

LEGAL REVIEW: Thomas Bastian, Village Attorney

SIGNATURE: Tom Bastian

RECOMMENDED BY: Mike Mertens, Assistant Village Administrator

SIGNATURE: M. S. Mertens

REVIEWED & APPROVED COMMITTEE: YES ☒ NO ☐ N/A ☐

ITEM HISTORY (PREVIOUS VILLAGE BOARD REVIEWS, ACTIONS RELATED TO THIS ITEM, OTHER HISTORY)

In late June, the Village of Willowbrook Building & Zoning Division / Building Department completed a comprehensive update to Title 4, Chapter 2 of our Village Code. Title 4, Chapter 2 encompasses primarily Building & Property Maintenance Codes, as well as rules & regulations for the Building Department and establish overall construction regulations within the village. However, Title 4 has two (2) parts, Chapters '1' and '2'. At the initial meeting adopting the revised Building Codes, staff inadvertently omitted Chapter '1' from the Agenda item.

This meeting agenda item is to include the omitted Chapter 1 from that previous adoption process.

ITEM COMMENTARY (BACKGROUND, DISCUSSION, RECOMMENDATIONS, ETC.)

“Chapter 1” of Title 4 merely establishes the Department of “Municipal Service” for which the “Building & Zoning Division” is a part of.

ACTION PROPOSED: Adopt Ordinance.

ORDINANCE NO. 19-0-__

AN ORDINANCE AMENDING CHAPTER 1 ENTITLED “DEPARTMENT OF MUNICIPAL SERVICES” OF TITLE 4 ENTITLED “MUNICIPAL SERVICES” OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF WILLOWBROOK

BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Willowbrook, DuPage County, Illinois, that the Village Code of the Village of Willowbrook be amended as follows:

SECTION ONE. Chapter 1 entitled “Department of Municipal Services” of Title 4 entitled “Municipal Services” as amended is hereby further amended in its entirety to read as follows:

**“Chapter 1
DEPARTMENT OF MUNICIPAL SERVICES**

4-1-1: ESTABLISHMENT:

4-1-2: BUILDING OFFICIAL:

4-1-3: SALARY:

4-1-4: DUTIES:

4-1-1: ESTABLISHMENT:

There is hereby created the Department of Municipal Services for the Village. This department shall consist of the Building Official and such other officers and employees as may be provided by the Village Board. (Ord. 11-O-10, 7-11-2011)

4-1-2: BUILDING OFFICIAL:

There is hereby created the Position of Building Official, who shall be appointed by the Village Mayor by and with the advice and consent of the Board of Trustees. The Building Official shall supervise all officers and employees assigned to or falling under the jurisdiction of the Department of Municipal Services. The Building Official shall report to the Village Administrator.

4-1-3: SALARY:

The salary of the Building Official shall be as otherwise provided for in section 1-6-2 of this Code.

4-1-4: DUTIES:

The Building Official shall be in charge of all Building and Zoning activities, including, but not limited to, Code Enforcement, and design and construction of public improvements. In addition to those duties assigned by the Village Board or the Village Administrator, the Building Official shall:

- (A) Supervise the activities of the Building and Zoning Secretary, and all employed & consultant Building, Plumbing, Electrical and Mechanical Inspectors;
- (B) Works in conjunction with, the Village Planning Consultant, Village Engineer Consultant, Village Code Enforcement Consultant and Village Building Code Consultant as otherwise provided for in this code;
- (C) Shall provide input to the Village Planning Consultant and review recommendations on Annexations and Subdivisions with other Village staff;
- (D) Contribute to the decision-making process of the engineering, design, supervision and construction of all public improvements including, but not limited to, paving, sidewalks, storm drainage systems, water supply and distribution systems, traffic control and other municipal engineering improvements;
- (E) Engage in on site supervision of construction of public improvements as well as on-site inspection of subdivision construction;
- (F) Submit technical engineering reports, ordinances and regulations as required;
- (G) Conduct preconstruction conferences with contractors and subdividers to coordinate work and inspection and to secure proper understanding of zoning, building, construction and other related requirements;
- (H) Contribute to the decision-making process for community development in a timely fashion to assist the Village Administrator and the Village Board in decision making processes;
- (I) Contribute to the decision-making process of the Plan Commission through the investigation, preparation and distribution of reports as needed;
- (J) Interface with the Plan Commission and Village Planner so as to facilitate the exchange of information and its presentation to the Village Board;
- (K) Implement Village plans and policies by encouraging and assisting annexation of unincorporated property;
- (L) Perform such other duties and functions as shall from time to time be provided for in this code.”

SECTION TWO. This Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication, in pamphlet form, in the manner provided by law.

PASSED and APPROVED this 26th day of August, 2019.

APPROVED:

Frank A. Trilla, Mayor

ATTEST:

Leroy R. Hansen,
Village Clerk

ROLL CALL VOTE:

AYES: _____

NAYS: _____

ABSTENTIONS: _____

ABSENT: _____