

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON TUESDAY, MAY 26, 2020 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

Present Via Conference Call Due to the COVID-19 Pandemic Were Mayor Frank A. Trilla, Trustees Sue Berglund, Umberto Davi, Terrence Kelly, Michael Mistele, Gayle Neal, Paul Oggerino and Clerk Leroy R. Hansen.

ABSENT: None.

Also, present Via conference call due to COVID-19 Pandemic were Village Attorney Thomas Bastian, Village Administrator Brian Pabst, Assistant Village Administrator Michael Mertens, Director of Finance Carrie Dittman, Chief Robert Schaller, Deputy Chief Lauren Kaspar, Deputy Clerk Christine Mardegan, Building Official Roy Giuntoli, Superintendent of Public Works Joe Coons and Planning Consultant Ann Choi.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

Mayor Trilla asked for a moment of silence in honor of Memorial Day and then asked Trustee Neal to lead everyone in saying the Pledge of Allegiance.

4. VISITORS' BUSINESS

None Presented.

5. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Regular Board Meeting - May 11, 2020 (APPROVE)
- c. Warrants - \$256,398.44 (APPROVE)
- d. ORDINANCE - An Ordinance Extending Temporary Executive Powers Pursuant to 65 ILCS 5/11-1-6

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

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

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

MOTION DECLARED CARRIED

NEW BUSINESS

6. ORDINANCE - Annual Appropriation Ordinance, Village of Willowbrook, DuPage County, Illinois for the Fiscal Year Beginning May 1, 2020, and Ending April 30, 2021 (PASS)

Director Dittman related that the operational budget was passed at the end of April which is our day-to-day management tool for spending. However, our legal spending authority is the Appropriation Ordinance as the Village follows which must be filed with the County Clerk within the first quarter of the year.

MOTION: Made by Trustee Mistele and seconded by Trustee Neal to adopt the Ordinance 20-O-20 as presented.

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

MOTION DECLARED CARRIED

7. RESOLUTION - A Resolution Approving and Authorizing the Execution of an Agreement with Groot Industries, Inc. To Provide Residential Scavenger Services to the Village of Willowbrook (ADOPT)

Assistant Administrator Mertens stated, as a reminder, in July 2019 the Village voted to extend the residential solid waste and recycling services contract with Republic Services, which was set to expire on December 31, 2019, to a new 6-month contract extension. The contract extension adjusted the contract expiration date to July 31, 2020. When this was done, Republic Services switched from a 3-day service to a one-day service.

A Request for Proposal was issued. Groot Industries (Groot) was the lowest, most responsive and responsible bidder with a 3-day service program. Groot currently services Burr Ridge, Willow Springs, and Brookfield. This proposal is for a four (4) year contract with the Village having an option for renewal. Within the contract Groot would supply each single-family homeowner with a new tote for weekly waste and recycle pick-up. They would supply a ninety-five (95) gallon tote to customers unless the customer requests a sixty-five (65) or a thirty-five (35) gallon system.

Groot will provide optional yard waste service that would be a seasonally billed and run from April 1 through the second week of December. The residents will be billed quarterly for the service package that they choose.

Currently the Brush Collection fee is \$2.16 per household, per month. The proposed contract has adjusted the rate to \$4.35 per household, per month.

The contract would modify from the one-day pick-up program back to a three-day pick-up program on Monday, Tuesday, and Wednesday of each week. Groot would work on a public awareness program to educate the residents on the new pricing structure and pick-up dates.

Mayor Trilla asked if the residents need to opt in for yard waste pickup?

Assistant Administrator Mertens responded that it is a separate service that the residents would need to include in their package. Residents can also purchase stickers for the yard waste.

Trustee Mistele asked if the Village will continue with the Brush Collection.

Assistant Administrator Mertens responded, yes as many residents have been calling in to find out about the current collection dates. It is a popular program.

Trustee Oggerino stated that this was discussed thoroughly at the last meeting.

MOTION: Made by Trustee Kelly and seconded by Trustee Oggerino to adopt the Resolution 20-R-25 as presented.

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

MOTION DECLARED CARRIED

8. DISCUSS - Discuss Map Alternatives for the Proposed Tax Increment Financing District Commonly Described as the Willowbrook Industrial Redevelopment Project Area

Assistant Administrator Mertens related that the board is aware that at the January 27, 2020 and the February 24, 2020 Municipal Service Committee Meetings, staff highlighted the findings of the Executive Plaza Drainage Master Plan. He reviewed the most feasible design option which is to elevate the roadway and construct

underground stormwater storage. This concept would provide a 100-year level of protection, while making the roadway passable to vehicle traffic. The projected project cost is estimated \$2 million plus the required engineering design cost. The Village does not currently have a funding mechanism in place for the proposed improvements. Staff was directed to explore the possibility of creating a Tax Increment Financing (TIF) District for the area as an alternate funding option for the public improvements, environmental cleanup, and redevelopment costs within the area. The TIF can be used for public improvements, lease hold improvements, environmental costs, economic development redevelopment activities in older properties, just to name a few TIF eligible expenses.

Staff put together three TIF map concepts for consideration by the board:

**Exhibit 1** - Includes the Executive Plaza drainage area as well as environmental redevelopment areas on Midway and Quincy, and hospitality/business redevelopment opportunities along 79<sup>th</sup> Street & Frontage Road. (Compass & Beyond Self Storage were left out of the proposed district).

**Exhibit 2** - Adds four (4) residential properties off 73<sup>rd</sup> Court for possible redevelopment opportunities along with the main Executive Plaza drainage area, as well as environmental redevelopment areas on Midway and Quincy, and hospitality/business redevelopment opportunities along 79<sup>th</sup> Street & Frontage Road. (Compass & Beyond Self Storage were left out of the proposed district).

**Exhibit 3** - Adds thirteen (13) residential properties off 73<sup>rd</sup> Court for possible redevelopment opportunities along with the main Executive Plaza drainage area, as well as environmental redevelopment areas on Midway and Quincy, and hospitality/business redevelopment opportunities along 79<sup>th</sup> Street & Frontage Road. (Compass & Beyond Self Storage were left out of the proposed district). Note this proposed map would require a housing relocation study as part of the TIF Redevelopment Plan.

These maps were discussed at the last Municipal Services Committee meeting. The Committee wanted the Board to decide what option is the best. The Staff feels that the best option is Exhibit 2 which has the four residential properties.

Trustee Mistele stated that he originally recommended no residential and then heard from the Assistant Administrator regarding the redevelopment options available for the property

owners. He would support staff recommendation Exhibit #2 with the four (4) residences that are on 75<sup>th</sup> court.

All Trustees and the Mayor agreed that Exhibit #2 is the best option.

The consensus is to proceed with Exhibit #2.

9. RESOLUTION - A Resolution of the Village of Willowbrook Approving and Authorizing the Execution of a Tax Increment Financing District Consultant Services Agreement by and Between Kane, McKenna and Associates, Inc. (ADOPT)

Administrator Pabst advised Kane, McKenna & Associates has provided documentation for a professional service proposal for Phase I TIF Eligibility Report, indicated on the map exhibit #2. The Village has used Kane, McKenna on a few economic projects over the last year.

Trustee Mistele stated after reviewing the proposal from Kane, McKenna & Associates, one of the things that came to mind is what is the best way to handle the flooding. I am unable to find that information in the packet.

Administrator Pabst responded that they used flooding as a criteria to justify the formation of a district. They are not engineers. They are acting as a TIF consultant. If this qualifies for a TIF we can address the problems within the TIF report and utilizing the expertise of Christopher B. Burke Engineering on the drainage issues.

MOTION: Made by Trustee Davi and seconded by Trustee Berglund to adopt the resolution 20-R-26 as presented.

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

10. RESOLUTION - A Resolution Expressing Official Intent Regarding Certain Expenditures to be Reimbursed From the Special Tax Allocation Fund For and/or From Proceeds of an Obligation Issued, If Any, In Connection With a Proposed Tax Increment Financing District Commonly Described as The Willowbrook Industrial Redevelopment Project Area (ADOPT)

Administrator Pabst related this proposed resolution would allow the Village to reimburse itself for eligible expenses, including, but not limited to, eligible redevelopment project costs. These

expenditures may initially be paid from the general fund of the Village. The Village reasonably expects to reimburse itself for the expenditures from the Special Tax Allocation Fund for the District. The dollar figure contained in Section 3 does not obligate the Village in any way but provides flexibility in the event a developer incurs TIF eligible expenses prior to the establishment of the TIF.

MOTION: Made by Trustee Mistele and seconded by Trustee Davi to adopt the Resolution 20-R-27 as presented.

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

11. RECEIVE - A Presentation from Tri-State Fire Protection District on a Proposed Radio Communication Dish System at the Village of Willowbrook Water Tower located at 7760 Quincy Street (RECEIVE)

Chief Molinaro thanked the Board and the Mayor for their consideration. He stated, once the General Assembly passed legislation to amend the emergency phone systems, our department was looking for the best way to combine all four stations from a communication perspective. After discussing this with their consultants, it was determined that having a microwave system between all four stations would be advantageous to all parties. This would allow for all programs that are in the packet to fully function. This proposal would include three (3) small dishes on the water tower which would connect to Station 123.

Trustee Berglund asked how large are these dishes? John Sullivan Responded that two of the dishes are twenty-four (24) inches and one is thirty -six (36) inches.

Administrator Pabst wanted board consensus before this project is started and before the Fire Prevention District expended more dollars through the permitting process.

Trustee Davi agrees that this makes sense but wondered if there is a downside to this.

John Sullivan stated that this project would connect the station With as minimal equipment as possible and we do not have direct line of sight to the Burr Ridge Station. If we were able to use the water tower, we would be able to see it. This project was



worked on with DuComm as well.

Trustee Davi questioned the liability and maintenance that may occur.

Attorney Bastian answered that this item is to get a consensus from the Board this evening. Once this is approved, there will be two agreements, an Intergovernmental Agreement, and Indemnification Agreement for the installation along with easement granting them access.

Trustee Berglund inquired about the color of the paint on the dishes.

John Sullivan responded that the dishes will be white.

The consensus of the Board is to move forward with this project.

## 12. TRUSTEE REPORTS

Trustee Neal had no report.

Trustee Kelly had no report.

Trustee Mistele had no report but misses seeing everyone.

Trustee Berglund had no report.

Trustee Davi had no report.

Trustee Oggerino had no report.

## 13. ATTORNEY'S REPORT

Attorney Bastian had no report.

## 14. CLERK'S REPORT

Clerk Hansen had no report.

## 15. ADMINISTRATOR'S REPORT

Assistant Administrator Mertens stated that on Friday, May 29<sup>th</sup> the state is moving to a phase three (3) recovery stage. During this stage, the State will allow outdoor dining with certain criteria. Retail stores, salons, offices, and manufacturing will be allowed to open. Staff has started reviewing some of our codes specifically

restaurants and service industries. Our current Village code does allow for outdoor seating for restaurants in the B1, B-2, B-3, and B-4 district. The M1 Manufacturing District is not currently mentioned, although the brewery may benefit from such a use during this time. The code does not allow for outdoor dining at fast food establishments. Staff has started receiving some calls from local businesses seeking to get some flexibility. Staff is looking for direction for the following:

- 1) Allow for a temporary building permit to be issued for services businesses to utilize exterior space to conduct business activities.
- 2) Allow for outdoor dining within the M1 Business district.
- 3) Allow for outdoor dining at fast food establishments.
- 4) Allow for outdoor dining to extend beyond September 30 of each year.
- 5) Allow for reduction in parking requirements and/or reduced drive aisles for outside business activities and outdoor dining.
- 6) Allow for creative marketing, special events and signage to promote business activities.

As this is reviewed, each mall will be reviewed on a mall-by-mall basis. There will need to be some flexibility. The state is allowing outdoor dining but with the 6-feet apart distance which is challenging for many of our businesses. Staff would like this to be handled quickly as these businesses need our help. Health clubs will be limited by the State for inside use on one-by-one basis. These businesses are inquiring about the ability to conduct an outside class. Our code does not allow for this. Orange Theory has inquired about outdoor classes. All permits would go through the Building Department to ensure safety precautions. Some people have inquired about a drive-in movie and serve food to people sitting in their cars. From a staff perspective, we are trying to be quick, safe, and meet all State guidelines. This is brought to the Board to get some consensus and direction to formalize any recommended ordinances.

Attorney Bastian stated the issues we are faced with is how to do this as quickly, and economically as possible. There are a few options. One is adoption of the ordinance making it retro active until the 29<sup>th</sup>. That ordinance would expand on a temporary basis by the Board that may not be approved by the Zoning Board. Another option is to utilize emergency powers executive ordinance and then an ordinance ratifying the amended uses. We will determine by days end tomorrow the best route to take.

Mayor Trilla suggested that staff would have the authority to make decisions keeping safety as the main priority. He would



like to allow everything we can to help the businesses. Another suggestion is to waive any fees associated with permits.

Trustee Mistele agreed with the Mayor. We want to do everything in our power to get this economy going again. What is happening in DuPage County?

Mayor Trilla said that they are doing everything in their power to help their communities. I would like us to consider waiving all fees.

Trustee Mistele stated to do whatever we can to get the small businesses up and running again.

Mayor Trilla shared that Trustee Neal had a great idea that the ice arena may be able to use the parking lot for street hockey.

Trustee Berglund stated that she is in support.

Trustee Davi commented that we have trust in our staff to help the businesses in any way we can.

Trustee Kelly spoke with the Assistant Administrator last week and basically expressed the same thoughts that everyone has stated. My suggestion is that someone on staff be appointed to deal directly with DuPage County Health Department with respect to re-opening any business. The County Health Department must be notified.

Mayor Trilla was on a conference call and asked what rules we follow, the State of Illinois or DuPage County? Everyone on the call said they would comply with the State guidelines. DuPage County Health Department does not have the staffing to manage this. They are following the State guidelines.

Building Official Giuntoli within the Suburban Network some of the other building officials trading emails of the employees at the DuPage County Health center stated restaurants are to follow states guidelines. They do not review outdoor seating permits. DuPage County Health Department would get involved if the restaurant were cooking the food outside.

Attorney Bastian commented that the State guidelines are very clear, as Roy stated, the County would not get involved.

Trustee Neal asked if the Brewery could still bring in food trucks.

Building Official Giuntoli, said yes, if they follow state guidelines.

This will be further discussed at the June 8<sup>th</sup> Laws and Ordinances Meeting.

16. MAYOR'S REPORT

Mayor Trilla had no report.

18. CLOSED SESSION

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

19. ADJOURNMENT

MOTION: Made by Trustee Berglund and seconded by Trustee Oggerino, to adjourn the Regular Meeting at the hour of 7:40 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ, and APPROVED.

\_\_\_\_\_, 2020.

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Frank A. Trilla, Mayor

Minutes transcribed by Deputy Clerk Christine Mardegan.