

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON MONDAY, JANUARY 11, 2021 AT 6:30 P.M. AT THE WILLOWBROOK POLICE DEPARTMENT TRAINING ROOM, 7760 QUINCY STREET, WILLOWBROOK, DUPAGE COUNTY, ILLINOIS .

DUE TO THE COVID 19 PANDEMIC, THE VILLAGE WILL BE UTILIZING A ZOOM CONFERENCE CALL FOR THIS MEETING.

1. CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Mayor Frank Trilla.

2. ROLL CALL

Those physically present at roll call were Mayor Frank A. Trilla, Trustees Michael Mistele, and Umberto Davi, Village Administrator Brian Pabst, and Deputy Clerk Mardegan.

Present Via conference call, due to the COVID-19 Pandemic, were Village Clerk Deborah Hahn, Trustees Sue Berglund, Gayle Neal, Paul Oggerino, and Greg Ruffolo, Village Attorney Thomas Bastian, Assistant Village Administrator Michael Mertens, Director of Finance Carrie Dittman, Chief Robert Schaller, Deputy Chief Lauren Kasper, Building Official Roy Giuntoli, Planning Consultant Ann Choi, and Code Enforcement Officer Karyn Byrne.

Absent: None.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

Mayor Trilla asked Trustee Davi to lead everyone in saying the Pledge of Allegiance.

4. VISITORS' BUSINESS

None presented and no written comments were received.

5. OMNIBUS VOTE AGENDA

Mayor Trilla read over each item in the Omnibus Vote Agenda for the record.

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Special Village Board Meeting - December 14, 2020 (APPROVE)

- c. Monthly Financial Report - December 2020 (APPROVE)
- d. Warrants - \$472,746.85 (APPROVE)
- e. ORDINANCE NO. 21-O-01 - An Ordinance Extending Temporary Executive Powers Pursuant to 65 ILCS 5/11-1-6 (PASS)
- f. MOTION - A Motion to Approve the 2020 Motor Fuel Tax (MFT) Roadway Maintenance Program and Village Hall Parking Lot - Pay Estimate No. 2 (FINAL) - Brothers Asphalt Paving, Inc. (PASS)
- g. RECEIVE - Receive Plan Commission Recommendation - Public Hearing Case 20-12: Consideration of a petition to rezone the subject property from the R-1 Single Family Residence District to the R-2 Single Family Residence District, and review and recommendation regarding a Final Plat of Subdivision for 6544 Tennessee Avenue, Willowbrook, Illinois (minor subdivision for a two residential lot subdivision) and approval of a written recommendation regarding a Final Plat of Subdivision for 6544 Tennessee Avenue, Willowbrook, Illinois (minor subdivision for a two residential lot subdivision). The applicant proposes to subdivide the existing R-1 zoned single-family lot into two separate R-2 zoned single-family lots. (RECEIVE)
- h. ORDINANCE NO. 21-O-02 - An Ordinance Approving and Authorizing the Execution of a Termination of a Memorandum of Agreement (PASS)
- i. RESOLUTION NO. 21-R-02 - A Resolution Approving and Authorizing the Execution of a Two-Year Independent Contractor Agreement for Code Enforcement Services (ADOPT)

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

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

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

MOTION DECLARED CARRIED

NEW BUSINESS

6. ORDINANCE NO. 21-0-03 - An Ordinance Amending Section 9-6-1 Entitled "General Conditions" of Chapter 6 Entitled "Business Districts" and Section 9-12-10 Entitled "Temporary Uses" of Chapter 12 Entitled "Accessory Uses and Home Occupations" of Title 9 Entitled "Zoning Regulations" of the Municipal Code of the Municipal Code of the Village of Willowbrook (PASS)

Consultant Choi stated, in response to an inquire from a local business owner of a gas station, the Village of Willowbrook initiated the text amendment before you. This would allow the use of outdoor displays of merchandise at automotive service station and drug stores with a minimum of gross floor area of 13,500 square feet. The Village has prohibited the outdoor display of merchandise at service stations to prevent these businesses from having large unattractive displays, these were primarily aesthetic and safety. concerns. The perception of the industry has changed as well, and gas stations are now expected to sell a much broader variety of items such as windshield washer fluid, anti-freeze, melting salt, oil products, gas drying agents, propane, firewood, and mulch. If these items were more visible there would be more foot traffic and increase sales which would in return provide an increase in retail sales tax for the Village. The Plan Commission conducted a public hearing on this petition at their November 4, 2020 meeting and this public hearing was continued to December 2, 2020 as a definitive consensus was not reached by the members of the Plan Commission. Most of the commissioners expressed support for allowing the outdoor display of merchandise at gas station and drugstores by-right with restrictions, and planning staff was instructed to look at alternatives to achieve this. This petition is to consider a text amendment to allow the "outdoor display of merchandise" as a temporary use at automobile service stations and drugstores. As a temporary use permit, gas stations would need to reapply annually (calendar year) with the building department. The Village's building department currently charges approximately anywhere between \$300 to \$400 for an annual temporary use permit which includes a plan review and a final building inspection. The proposed conditions are listed on page two (2) and three (3) under section one (1) and pages three (3) and five (5) under section three (3) of the ordinances. The conditions are:

1. The sum of all merchandise display areas shall be no larger than one hundred square feet (100 SF) in size unless an exception to this provision has been granted by the Village Administrator or his/her designee.

2. All outdoor displays shall be located immediately adjoining the side or front facade of the principal building or underneath a canopy, but not within a required yard.
3. Such outdoor display of merchandise shall be incidental to the primary business and shall be located only on private property.
4. Merchandise shall not be located within required parking spaces or those spaces designated for disabled persons.
5. At least three feet (3') of walkway shall be always maintained for pedestrian traffic, and if applicable, as required by the Illinois Accessibility Code.
6. No individual item or stack of items may exceed six feet (6') in height unless an exception to this provision has been granted by the Village Administrator or his/her designee.

Trustee Berglund asked if this is related to Pete's Fresh Market?

Consultant Choi answered that this text amendment does not pertain to Pete's Fresh Market, it only gas stations and drug stores.

Building Official Giuntoli added, Pete's Fresh Market, through their PUD entitlement approval, could display their stock outside. Staff is working with them, so they do not block ingress or egress.

Mayor Trilla asked if we are at the 100 square feet?

Consultant Choi stated it is written into the condition that there is an exception to the provision if it is granted by the Village Administrator. It will be evaluated on a case-by-case basis.

MOTION: Made by Trustee Oggerino and seconded by Trustee Ruffolo to pass Ordinance No. 21-0-03 as presented.

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

MOTION DECLARED CARRIED

7. PRIOR BUSINESS

TRUSTEE REPORTS

Trustee Neal has no report.

Trustee Ruffolo had no report.

Trustee Mistele had no report.

Trustee Berglund had no report.

Trustee Davi had no report but wished everyone a Happy New Year.

Trustee Oggerino had no report.

8. ATTORNEY'S REPORT

Attorney Bastian had no report.

9. CLERK'S REPORT

Clerk Hahn had no report.

10. ADMINISTRATOR'S REPORT

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Administrator Pabst stated that the lighting installed by public Works is over the amount of \$5000. The amount is \$5, 804.00 which must be approved at the Board Meeting.

- a. Expenditure in Excess of \$5,000: Replacement of the Existing Lighting Systems with LED Lighting at the Village of Willowbrook Public Works Facility Through a ComEd Enhancement Grant (\$5,804.00)

11. MAYOR'S REPORT

Mayor Trilla related the legislative session is in full swing in Springfield. There are over twelve hundred pages legislation being negotiated. The DuPage Mayors and Managers have sent a letter to slow this process down due to the large content.

12. CLOSED SESSION

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- Collective Bargaining 5 ILCS 120/2 (c) (2)

Mayor Trilla stated that Closed Session will occur as a separate meeting using the call-in number following the recess of the regular meeting.

MOTION: Made by Trustee Davi and seconded by Trustee Mistele to recess to closed session at the hour of 7:02 p.m.

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

MOTION DECLARED CARRIED

Reconvene the regular Village Board meeting at 7:26 p.m.

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

MOTION DECLARED CARRIED

13. RESOLUTION NO. 21-R-02 - A Resolution Approving and Authorizing the Mayor to Execute and Authorizing the Village Clerk to Attest to, On Behalf of the Village of Willowbrook, A Three(3) Year Collective Bargaining Agreement Between the Village of Willowbrook and the Illinois FOP Labor Council (ADOPT)

Mayor Trilla asked the Board if there were any questions or comments. No questions from Board members.

MOTION: Made by Trustee Mistele and seconded by Trustee Davi to adopt Resolution No. 21-R-03 as presented.

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

MOTION DECLARED CARRIED

14. ADJOURNMENT

MOTION: Made by Trustee Ruffolo and seconded by Trustee Davi to adjourn the Regular Meeting at the hour of 7:30 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ, and APPROVED.

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Frank A. Trilla, Mayor

Minutes transcribed by Deputy Clerk Christine Mardegan.