

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON MONDAY, MARCH 22, 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, Village Clerk Deborah Hahn, Trustees Sue Berglund, Umberto Davi, Michael Mistele, Gayle Neal, Greg Ruffolo, Assistant Village Administrator Sean Halloran, and Deputy Clerk Mardegan.

Present Via conference call, due to the COVID-19 pandemic, were Village Attorney Michael Durkin, Assistant Village Administrator Michael Mertens, Chief Robert Schaller, Deputy Chief Lauren Kasper, Director of Finance Carrie Dittman, Building Official Roy Giuntoli, Planning Consultant Ann Choi, Public Works Foreman AJ Passero, Parks & Recreation Manager John Fenske, and Public Services Coordinator Virginia Stoltz.

Absent: Village Administrator Brian Pabst.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

Mayor Trilla asked Assistant Village Administrator Sean Halloran to lead everyone in saying the Pledge of Allegiance.

4. VISITORS' BUSINESS

Keith Yearman, a longtime professor at College of DuPage, thanked the Board for approving the memorial of TWA Flight 29. Trustee Berglund and I have a hard time to memorize this crash. This crash is a forgotten part of DuPage history, and this memorial will change that by providing a place of reflection and mourning. With tonight's authorization, we can begin to start a fundraiser and formulate text for the marker. On behalf of the TWA flight Facebook group, more than two hundred (200) people signed an online petition supporting the memorial. I thank you again for your vote tonight.

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 - Regular Board Meeting - March 8, 2021 (APPROVE)
- c. Minutes - Special Joint Meeting of the Finance & Administration, Laws & Ordinances, Municipal Services, and Public Safety Committees - February 15, 2021 (APPROVE)
- d. Warrants - \$142,015.68 (APPROVE)
- e. ORDINANCE NO. 21-O-13 - An Ordinance Extending Temporary Executive Powers Pursuant to 65 ILCS 5/11-1-6 (PASS)
- f. ORDINANCE NO. 21-O-14 - An Ordinance Providing for the Official Zoning Map of the Village of Willowbrook, DuPage County, Illinois (PASS)
- g. RESOLUTION NO. 21-R-13 - A Resolution Appointing A Delegate to the Intergovernmental Risk Management Agency (ADOPT)
- h. RESOLUTION NO. 21-R-14 - A Resolution Approving and Authorizing the Design and Placement of a Memorial to Passengers and Crew of TWA Flight 529 (ADOPT)
- i. RESOLUTION NO. 21-R-15 - A Resolution Approving a Plat of Easement - 114 79th Street (ADOPT)
- j. RESOLUTION NO. 21-R-16 - A Resolution Approving a Plat of Easement - 5936 Bentley Avenue (ADOPT)
- k. RESOLUTION NO. 21-R-17 - A Resolution Approving a Plat of Easement - 500 Ridgemoor Drive (ADOPT)
- l. RESOLUTION NO. 21-R-18 - A Resolution Approving a Final Plat of Planned Unit Development - 625 Joliet Road (ADOPT)

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

Clerk Hahn advised the Board that there was a script error on page 10 in the Regular Village Board Minutes from March 8, 2021.

This error was corrected, and the agenda was updated on the Village website.

Trustee Davi asked if we could discuss item # 5h from the Omnibus Agenda.

Trustee Davi shared, I have lived in the Village for over thirty years, and I have never heard of this incident. Thank you, Trustee Berglund, for bringing this to our attention. One of my friend's father was the photographer at the scene of the accident. Why did we never do anything about this as a Village?

Mayor Trilla stated it happened so long ago before I was an elected official.

Trustee Neal remembered; this was brought to the Board's attention several years ago. At that time, it was discussed to place a marker in what had become, since the event, a residential home area. The suggestion of placing a memorial in a park was not mentioned at that time.

Trustee Davi asked the Board if the Village would consider contributing towards the memorial?

Mayor Trilla said that is something we could consider. The issue tonight is to allow the memorial.

Trustee Neal suggested once this is finalized, we could add something to the Village website in the "Our Village" section. This is where the history of our Village is located.

Trustee Oggerino thanked Trustee Berglund and added that the articles were interesting.

MOTION: Made by Trustee Davi and seconded by Trustee Ruffolo to approve the Omnibus Vote Agenda with the discussion of 5h.

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-O-15 - An Ordinance Amending Chapter 13

Entitled "Solicitors" of Title 3 Entitled "Business Regulations" of the Village Code of Ordinance of The Village of Willowbrook (PASS)

Chief Schaller presented on September 14, 2020, Law and Ordinances Committee staff presented an overview of the current Village code of ordinances for solicitors operating within the community. The current Village ordinance language related to Solicitors can be found in Chapter 13 of the Village code. A summary of the current code of ordinances for solicitors is listed in the agenda packet. On January 11, 2021, Law & Ordinances Committee staff presented a proposed redline version of an enhanced amendment to Chapter 13 - Solicitation Regulations. Staff has presented a reordering of the code sections to bring the Village code in line with neighboring communities to streamline the language for easier interpretation by the solicitors and enforcement by the Village.

Additionally, we have proposed updated definitions and have added sections such as to permit exemption for minors and no limitations on free speech and redefined solicitation hours and locations. Staff attempted to blend some of the unique items of the Willowbrook code while realigning the permit process through the Police Department for a more focused permit review and tracking system. Based upon the discussion, the Village Attorney has provided an updated version of the amended Chapter 13 - Solicitation Regulations that you will find in the agenda's preceding pages.

MOTION: Made by Trustee Berglund and seconded by Trustee Oggerino to pass Ordinance No. 21-0-15 as presented.

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

MOTION DECLARED CARRIED

7. RESOLUTION NO.21-R-19 - A Resolution of the Village of Willowbrook Under the Provisions of the Illinois Highway Code Appropriating the Sum of \$350,000 of Motor Fuel Tax Funds (ADOPT)

Public Works Foreman stated, on April 26, 2021, the Village Board will be considering approval of the 2021/22 fiscal budget. The Motor Fuel Tax (MFT) Roadway Maintenance Program has a proposed budgeted amount of \$350,000 for street improvements and \$25,000 for engineering. This Resolution will identify the dollar amount maximum that the Village intends to utilize for the 2021 MFT Road Improvement Program. The Village Board can always do a smaller program than the projected \$350,000 proposal should the Village not approve the full budget requested. This Appropriation

Resolution is required as part of the initial IDOT submittal for the MFT Road Improvement Program.

MOTION: Made by Trustee Mistele and seconded by Trustee Davi to adopt Resolution No. 21-R-19 as presented.

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

MOTION DECLARED CARRIED

8. RECIEVE - Receive Plan Commission Recommendation for Public Hearing Case 21-03: Consideration of a petition requesting approval of a special use permit for a planned unit development, including a financial institution with the drive-through, a fast-food establishment with drive-through, an automobile washing and cleaning facility, including certain relief, exceptions, and variations from Title 9 and Title 10 of the Village Code; approval of a Preliminary Plat of Subdivision; and approval of a Preliminary Plat of PUD. The applicant for this petition is Alex Katz of G.W. Property Group LLC, 2211 N. Elston Avenue, Suite 304, Chicago IL 60614. The property owner is Viren-Gill Ltd., LLC, 735 Plainfield Road, Willowbrook, IL 60527. (RECEIVE)

Consultant Choi shared, the subject property is currently improved with one vacant building, formerly occupied by the Willowbrook Bowling Alley. The Plan Commission first saw concepts on the subject property back in October 2018 to redevelop the Willowbrook Bowling Alley to repurpose the existing building as an entertainment venue in conjunction with Chase Bank as an out lot. Since then, the Applicant, G.W. Properties, has presented two different proposals for the site at the next Plan Commission meetings:

1. February 5, 2020: Conceptual review and feedback on PUD approval consisting of a hotel, coffee shop with drive-through, bank with drive-through, and a three-lot subdivision.
2. November 4, 2020: Conceptual review and feedback on PUD approval consisting of a car wash, fast-food establishment with drive-through, bank with drive-through, and a three-lot subdivision.

3. February 3, 2021: Public Hearing on PUD approval consisting of a car wash, fast-food establishment with drive-through, bank with drive-through, and a three-lot subdivision.
4. March 3, 2021: Continued Public Hearing.

G.W. Properties proposes to demolish the existing building and request a special use permit for the proposed PUD that includes a car wash, a fast-food establishment with drive-through, and a bank with drive-through. The applicant has worked with Village staff to improve the proposed on-site and off-site traffic circulation, signage, and landscaping.

As outlined in the Conditions of Approval in the staff report, the following items will need to be addressed during the Final PUD stage if the Preliminary PUD is approved:

1. Approval of Preliminary Plat of PUD is expressly conditioned on the approval of an amendment of the Town Center PUD for changes in the ingress, egress, and incorporation of a dedicated left-turn lane as shown on 735 Plainfield Road Plat of PUD. An exclusive southbound left-turn lane shall be provided at the proposed full movement access drive to keep southbound through lane clear and minimize the queueing back toward Plainfield Road.
2. That as part of the Final PUD and Final Plat of Subdivision processes, the applicant shall investigate the feasibility of proposing an Ingress and Egress Easement on the northeast end of the subject property to allow vehicular access between the subject realty and the TCF Bank property.
3. Prior to approval of a Final Plat of Subdivision and Final Plat of PUD, the applicant shall provide a photometric/lighting study that demonstrates compliance with DuDOT standards for any required off-street lighting.

Planning staff recommends that the Village Board modify the third condition to read:

3. Prior to approval of a Final Plat of Subdivision and Final Plat of PUD, the applicant shall provide plans for street lighting along Plainfield Road in the vicinity of the PUD compliant with DuDoT standards and provide a photometric/lighting study that demonstrates compliance with any standards for required off-street lighting.

This modification clarifies that the applicant is required to provide streetlights if determined to be feasible after DuDOT reviews the off-site lighting study.

The Plan Commission held two hearings (the second hearing was a continuation of the first) and received many comments from surrounding business owners and residents, summarized in the attached report and detailed in transcripts available at Village Hall. At the March 3, 2021, Plan Commission meeting, the Plan Commission voted unanimously with a 5-0 roll call vote of the commissioners' present, with required changes and conditions, to forward a positive recommendation on the petition to the Village Board.

Consultant Ann Choi read a letter from Hani Atassi and Omar Dweydari, owners of Chase Bank 720-730 Plainfield Road.

In conclusion, some of the benefits would be increased foot traffic, additional tax revenue, and additional traffic calming measures on Plainfield Road.

Mayor Trilla reminded the Board that this is to receive an item.

9. MOTION- A Motion Directing the Village Mayor to Execute and Serve a Notice of Termination upon H.R. Simplified, Inc. Terminating an Agreement by and between the Village of Willowbrook and H.R. Simplified, Inc. to provide Third Party Administrative Services Regarding the Village's COBRA Services. (PASS)

Director Dittman stated items #9 and #10 on the agenda are related. Currently, the Village uses H.R. Simplified, Inc., to provide COBRA notices to an employee or employee's dependent when coverage terminates due to termination of an employee, dependent age-out, and other factors. H.R. Simplified bills the Village a charge per the notice, with a minimum charge of \$100/month for this service. The Village utilized H.R. Simplified, Inc. because of having health, dental and flexible spending benefits under different providers.

At the March 8, 2021, Village Board meeting, the Board voted affirmatively to move our dental provider, Delta Dental, from the Village's individual contract to be under the IPBC's umbrella, effective July 1, 2021. With this change, the Village's insurance

products will now be consolidated within IPBC. The Village can achieve additional cost savings and administrative ease by utilizing IPBC's subcontractor, Benefit Solver, to provide COBRA continuation services for the Village. The Village was previously required by IPBC to use Benefit Solver for member enrollment and termination and billing purposes. The cost for using Benefit Solver will be charging roughly \$42 per month. Agenda item #9 is to authorize a written notification to H.R. Simplified to terminate that contract. Item #10 is to approve Benefit Solver.

MOTION: Made by Trustee Ruffolo and seconded by Trustee Mistele to approve termination agreement with H.R. Simplified as presented.

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

MOTION DECLARED CARRIED

10. MOTION- A Motion Approving an Agreement by and between the Village of Willowbrook and Benefit Solver to Provide Third Party Administrator Services to the Village Regarding the Village's COBRA Services. (PASS)

MOTION: Made by Trustee Mistele and seconded by Trustee Berglund to approve an agreement with Benefit Solver as presented.

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

MOTION DECLARED CARRIED

11. DISCUSS - Water Late Fees and Shut-offs During Covid-19 Restore Illinois Tier 1 Mitigation Phase (Receive)

Public Works Foreman Passero presented, on December 14, 2020, the Village Board discussed water Late Fees and Water Shutoffs. The direction at that time was to hold off on issuing new late fees and water shut-offs while the State was in a Tier 3 Resurgence Mitigation Phase. Now that the State has moved to a Tier 1 Mitigation stage, staff is seeking direction on re-instituting water late fees and water shut-offs for commercial and residential

properties. Staff survived other communities' current practices during the COVID-19 pandemic is as follows:

- **Burr Ridge:** Due to the pandemic, we have suspended any water shut-offs but continue to send notices. We resumed late fees/penalties in July 2020. They are meeting on this issue next week (3/14/2021) to update their policy.
- **Downers Grove:** They were charging late fees and resumed doing water shut-offs in September 2020.
- **DuPage County/City of Darien:** No late fees and no water shut-offs.
- **Hinsdale:** They are charging late fees and shutting off the water.
- **Woodridge:** They are adding late fees beginning March 2021, and water shut-offs will begin in April.

The chart on the next page indicates the water shuts offs.

Mayor Trilla and the Board members want to implement a payment plan to help the residents through this difficult time.

PRIOR BUSINESS

12. TRUSTEE REPORTS

Trustee Neal had asked Chief Schaller to discuss body cameras. Chief Schaller wanted to clarify that at the March 15 Budget meeting, we went over a line item for body cameras that will cost \$60,000. That cost is year one of a five-year agreement. The remaining years 2-5 will cost \$30,600.

Trustee Ruffolo had no report.

Trustee Mistele had no report.

Trustee Berglund was not preset.

Trustee Davi had no report.

Trustee Oggerino had no report.

13. ATTORNEY'S REPORT

Attorney Durkin had no report.

14. CLERK'S REPORT

Clerk Hahn had no report.

15. ADMINISTRATOR'S REPORT

Administrator Pabst was not present.

16. MAYOR'S REPORT

Mayor Trilla had no report.

17. CLOSED SESSION

Mayor Trilla advised there was no need for a closed session at tonight's meeting.

18. ADJOURNMENT

MOTION: Made by Trustee Mistele and seconded by Trustee Berglund to adjourn the Regular Meeting at the hour of 7:29 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ, and APPROVED.

_____, 2021.

Frank A. Trilla, Mayor

Minutes transcribed by Deputy Clerk Christine Mardegan.