

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON MONDAY, MAY 10, 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, Village Attorney Thomas Bastian, Trustees Sue Berglund, Umberto Davi, Michael Mistele, Gayle Neal, Greg Ruffolo, Village Administrator Brian Pabst, Assistant Village Administrator Sean Halloran, Chief Robert Schaller, Deputy Chief Lauren Kasper, Public Works Foreman AJ Passero, Deputy Clerk Mardegan and Judge Brian McKillip.

Due to the COVID-19 pandemic, present Via conference call was Trustee Paul Oggerino, Director of Finance Carrie Dittman, Planning Consultant Ann Choi and Building Official Roy Giuntoli.

Absent: None.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

Mayor Trilla asked Judge Brian McKillip to lead everyone in saying the Pledge of Allegiance.

4. OATH OF OFFICE

The Honorable Judge Brian McKillip administered the Oath of Office to the following:

- i. VILLAGE TRUSTEE MICHAEL MISTELE
- ii. VILLAGE TRUSTEE GREG RUFFOLO
- iii. VILLAGE TRUSTEE UMBERTO DAVI
- iv. VILLAGE CLERK DEBORAH HAHN
- v. VILLAGE PRESIDENT (MAYOR) FRANK TRILLA

5. VISITORS' BUSINESS

None presented, and no written comments were received.

6. OMNIBUS VOTE AGENDA

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

OMNIBUS VOTE AGENDA:

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Regular Board Meeting - April 26, 2021 (APPROVE)
- c. Warrants - \$296,259.58 (APPROVE)
- d. Monthly Financial Report - April 2021 (APPROVE)
- e. A Proclamation Declaring May 15, 2021, as Police Officers Memorial Day and the Week of May 9th - May 15th, 2021 as Police Week in the Village of Willowbrook. (ADOPT)
- f. RESOLUTION NO. 21-R-26 - A Resolution of the Village of Willowbrook Supporting Restoration of Local Government Distributive Fund Revenue. (ADOPT)
- g. ORDINANCE NO. 21-O-23 - An Ordinance Extending Temporary Executive Powers Pursuant to 65 ILCS 5/11-1-6. (PASS)
- h. RESOLUTION NO. 21-R-27 - A Resolution of the Village of Willowbrook Approving and Accepting a Proposal From Sikich, LLP for Services to Create a Request for Proposals for IT Managed Services and to Assist in the Evaluation and Selection Process. (ADOPT)
- i. RESOLUTION NO. 21-R-28 - A Resolution Approving and Authorizing the Purchase of One (1) Livescan Rugged Booking Cabinet at a Total Cost Not to Exceed \$20,650.00. (ADOPT)
- j. Receive Plan Commission Recommendation - Public Hearing Case 21-05: Consideration of a petition requesting review and recommendation regarding a Final Plat for 7809 and 7815 Clarendon Hills Road, Willowbrook, Illinois (minor subdivision)

for a lot line adjustment between two residential lots), approval of written recommendation regarding a Final Plat for 7809 and 7815 Clarendon Hills Road, Willowbrook, Illinois (minor subdivision for a lot line adjustment between two residential lots), approval of a variation from Section 9-3-7(B)1 of the Village of Willowbrook Zoning Ordinance to reduce the minimum required setback on Clarendon Hills Road from seventy feet (70') to forty-feet (40') for the newly proposed Lot 2, and consideration of other such relief, exceptions, and variations from Title 9 and Title 10 of the Village Code. The Applicant for this petition is Icon Building Group, 106 Roman Lane, Hawthorne Woods, IL 60047. The property owners are Joseph and Catherine McHugh, 7815 Clarendon Hills Road, Willowbrook IL 60527, and Michael Gwozdz and Catherine McHugh (Gwozdz), 7809 Clarendon Hills Road, Willowbrook IL 60527. (RECEIVE)

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 Berglund to approve the Omnibus Vote Agenda as presented.

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

MOTION DECLARED CARRIED

NEW BUSINESS

7. RESOLUTION No. 21-R-29 - A Resolution Pursuant to Title 5, Chapter 1, Section 5-1-14 of the Village Code to Deviate from the Police Department Hiring Rotation Process and Affect the Original Appointment of One (1) Lateral Police Candidate for the Rank of Patrol Officer. (ADOPT)

Chief Schaller related that a vacancy has been created due to the resignation of a patrol officer from the field training program. The Police department currently has no reserved spots for the upcoming May police academy class. Due to the terms and conditions of fulfilling the COPS grant and the lack of a reservation at the police academy, a deviation from the hiring

rotation as defined in Section 5-1-14 of the Municipal Code of the Village of Willowbrook is requested to effect the hiring from the lateral transfer applicant list.

Trustee Mistele questioned would we replace this officer with a lateral hire?

Chief Schaller responded yes.

MOTION: Made by Trustee Davi and seconded by Trustee Ruffolo to adopt Resolution No. 21-R-29 as presented.

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

MOTION DECLARED CARRIED

8. ORDINANCE NO. 21-O-24 - An Ordinance of the Village of Willowbrook Dissolving the Willowbrook Parks and Recreation Commission.

Assistant Administrator Halloran stated in accordance with the Village's organizational priorities for 2021, staff has evaluated the restructuring of the Parks and Recreation Commission and is recommending dissolving the commission. Staff is incredibly grateful for the countless hours dedicated by volunteers since its inception. Moving forward, staff will continue to evaluate the priorities for recreational activities to enhance services and community events for Willowbrook residents.

MOTION: Made by Trustee Berglund and seconded by Trustee Davi to pass Ordinance No. 21-O-24 as presented.

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

MOTION DECLARED CARRIED

9. RESOLUTION NO. 21-R-30 - A Resolution to Approve and Authorize the Execution of an Agreement for Professional Engineering Services to Perform a Risk and Resilience Assessment & Emergency Response Plan for the Village's Public Water Supply and the Preparation of a Capital Improvement Plan By and Between Christopher B. Burke Engineering, Ltd. and the Village of Willowbrook. (ADOPT)

Public works Foreman Passero reported, in 2018, the United States Congress enacted the American Water Infrastructure Act (AWIA). Section 2013 of the Act requires that community water systems serving more than 3,300 people complete a risk and resilience assessment and develop an emergency response plan. The engineering services under this proposal's Scope of Services are to prepare a Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP) for Willowbrook's public water supply system in conformance with the guidelines outlined by the USEPA and the AWWA. Upon the completion and acceptance by the Village of the RRA and ERP, the Village can submit the Certifications to USEPA confirming that the Village has complied with Section 2013 of the American Water Infrastructure Act of 2018. The Capital Improvement Plan (CIP), prepared concurrently with the RRA and ERP, will be used for future water infrastructure improvements.

Trustee Mistele asked how long will this take?

Dan Lynch, Village Engineer, responded ninety days from the notice of receiving.

MOTION: Made by Trustee Mistele and seconded by Trustee Neal to adopt Resolution No. 21-R-30 as presented.

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

MOTION DECLARED CARRIED

10. RESOLUTION NO. 21-R-31 - A Resolution to Approve and Authorize the Execution of an Agreement for Professional Engineering Services to Perform a Comprehensive Water Rate Study in the Village of Willowbrook By and Between Christopher

B. Burke Engineering, Ltd. And the Village of Willowbrook.
(ADOPT)

Public works Foreman Passero shared, The Village of Willowbrook receives its Chicago water supply through the DuPage Water Commission. The last water rate adjustment by the Village of Willowbrook occurred on January 1, 2015. A summary of the rate increases by the Village and the DuPage Water Commission (DWC) is attached for your review.

As of right now, the Village does not have an established system for setting water rates or rate adjustments. Every couple of years, a water system needs an assessment to evaluate the age of the water mains, pipes, valves, and other system components to determine the system's future capital needs. The goal of this study is to evaluate funding for future capital improvement needs and operational expenses as compared to existing and proposed rate structures. The results of the analysis will allow for financial stability and justification for water rates moving forward. The study will offer water rates centered on a base system maintenance number applied to all users and water usage rates to balance the customer base and the community's needs.

Mayor Trilla asked if this study will show data from other communities?

Dan Lynch, Village Engineer responded, yes, it will.

Trustee Mistele asked how long will this survey take to conduct?

Engineer Lynch stated four (4) months after the first study is completed.

MOTION: Made by Trustee Mistele and seconded by Trustee Davi to adopt Resolution No. 21-R-31 as presented.

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

MOTION DECLARED CARRIED

11. ORDINANCE NO. 21-O-25 - An Ordinance Granting Special Use Permits for a Fast-Food Establishment and Drive Through Use and Granting Certain Variations from the Zoning Ordinance - PC 21-01: 7505 Kingery Highway - Panda Express (PASS)

- Consultant Choi reported, the property consists of a total of 1.0 acre and is located at the southeast corner of Illinois Route 83 and 75th Street. The property is zoned B-2 Community Shopping and is surrounded by the Willowbrook/Wingren Shopping Center to the north, Potbelly's restaurant to the west, Willowbrook Key Light Manufacturing to the east, the Red Roof Inn to the south.
- If you recall, the Village Board last saw concepts for the proposed Panda Express special use and variations requests back in February of this year. Comments issued by IDOT in early January raised the issue of the new proposed driveway on Route 83. Since it encroached into the property to the south, IDOT proposed two solutions: the first was to provide a Lot Line Agreement with the neighbor to the south, but if this were not feasible, then the driveway would need to shift north several feet so that no part of the driveway encroaches into the right-of-way area next to the property to the south. The Applicant was able to achieve an agreement with Red Roof Inn in exchange for a cross access driveway between the subject property and Red Roof Inn, and the Applicant was thus able to shift the driveway further to the south, so avoid the relocation of the existing RLR camera which is currently sited right next to the Route 83 driveway. This had impacts on the variations requested, which necessitated a new public hearing.
- The subject property is currently accessed from IL Route 83 and 75th Street via three driveways, two on 75th Street and one on Route 83. The Panda Express site layout proposes constructing new access driveways in the approximate location of the existing access driveways, with the exception of the westernmost right-in only site access drive on 75th Street, which will be closed off and curbed. The access on 75th Street will be a full movement for inbound traffic and limited to a right-out only during the hours of 4-6 PM on Mondays-Fridays. The access on IL Route 83/Kingery Highway will remain as a right-in/right-out access.
- According to the Traffic Plan [page 258], the proposed site layout is designed to provide a total storage length of 7

vehicles for the drive-through window queue, with the placement of the menu/order board at the fifth car. Furthermore, two drive-through parking pick-up spaces are proposed to help reduce drive-through queueing as needed during peak business hours.

- The Traffic Study has been reviewed by the Village's traffic consultant, who found the study to adequately address the comments, questions, and concerns raised during the multiple reviews.
- One of the recommended conditions of approval from the Plan Commission was to eliminate the restriction on the 75th Street driveway from right out only to allow vehicles to make a left out onto 75th Street from the Panda Express property. This change was requested due to the new cross-access driveway granted to the Red Roof Inn property to the south to allow hotel patrons access through the restaurant property to gain access to 75th Street and to allow those patrons to go westbound if so desired.
- The Village's traffic engineer has reviewed all of the documentation provided and found the plans to adequately address her previous comments regarding traffic, parking, and on-site circulation, and offered the following additional information pertaining to Plan Commission recommendation.
- There are several benefits to permit left-turn movements exiting the site access to 75th Street westbound, including minimizing recirculation through the roadway system to the east and minimizing U-turn maneuvers, reducing the potential for weaving maneuvers (a vehicle that is destined to the west on 75th Street would not have to exit right out onto IL Route 83 across multiple lanes of traffic to get to the left-turn lane), as well as during the Saturday midday (peak lunch) and off-peak timeframes the westbound vehicle queue on 75th Street at Kingery Highway does not block the proposed site access.
- Accordingly, the following alternatives were previously presented to the applicant to accommodate the Plan Commission recommendation:
 - o Install a "Do Not Block Driveway" sign on westbound 75th Street in advance of the Panda Express access. This could be supplemented with pavement marking on 75th Street, or
 - o Sign the access (northbound approach to 75th Street) "No Left-Turn, Monday to Friday from 4-6 PM".

- The revised Traffic Plan included in your agenda packets consists of the time-of-day restriction to prohibit left-turn movement between the hours of 4-6 PM on Mondays through Fridays and was found acceptable by the Village's traffic engineer.
- The Applicant is requesting four variations from the setback requirements of the Zoning Ordinance. Relief is requested from the 100-foot specific setback and 60-foot front yard setback on Route 83, from the 60-foot exterior side yard setback on 75th Street and the interior side parking area setback. The subject property is further governed by Ordinance No. 94-O-16, which provided significant zoning relief from the specific setbacks and B-2 bulk regulations. Staff also considered the reduced setbacks of adjoining properties and the Village's history of allowing reduced setbacks in similar instances.

Site Lighting

- Site lighting is in general compliance with Village Code and standard engineering methods. Please note that the Village reserves the right to require glare shields to be installed, should it deem appropriate.

Landscaping

- The modifications to the site are an improvement over the existing conditions. Additional foundation, interior parking lot, and perimeter landscape areas will improve circulation and safety. A significant amount of new landscaping is being provided site wide.

Signage

- One freestanding ground sign is proposed at the northwest corner of the site, in the approximate location of the existing ground sign for the Shell gas station. A total of 4 wall signs are proposed, and the combined signage is under the required total sign surface area required.

Parking & Loading

- A 2,300 square foot restaurant requires 23 parking spaces, or 1 space for every 100 square feet of gross floor area. The facility is providing forty-six (46) parking spaces which exceeds the requirement and will be useful in servicing the additional seasonal outdoor seating as well, which is currently not proposed and not technically included in the

parking requirement. The proposed fast food establishment is below the threshold of 5,001 square feet to trigger the requirement of providing a loading berth.

Contaminants

The Applicant has a purchase agreement in place with the current property owner/seller (True North Energy, LLC) for the property that outlines the removal procedure for any contaminants from the existing gas station. This agreement states a No Further Remediation (NFR) letter from the Illinois Environmental Protection Agency (IEPA) is the responsibility of the current property owner/seller; therefore, the purchase of the property is contingent on the current property owner/seller to obtain the NFR letter from the IEPA (that is acceptable to the Applicant for its intended use of the property). The Village is agreeable to this and has added a condition of approval that the NFR letter will be required at time of building permit if the seller and buyer have the NFR letter as a condition of the sale closing.

Staff Recommendation

- Staff does not have any objections to the proposed special use for a fast-food establishment with a drive through. The site improvements create an improved situation than exists today even though variations are required.

Conclusion

- And that concludes my presentation. I am available for any questions. The Applicant's team is also present for questions.

Mayor Trilla questioned the safety of the left-hand turn lane onto 75th Street.

Consultant Choi assured the Mayor that it is safe. Based on the recommendations, left hand turns will be restricted, not allowing left turns onto 75th Street during peak times, Monday through Friday, from 4 p.m. to 6 p.m.

Trustee Neal asked if the easement will automatically be transferred with the sale of the property.

Attorney Bastien responded, yes.

MOTION: Made by Trustee Berglund and seconded by Trustee Mistele to pass Ordinance No. 21-O-25 as presented.

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

MOTION DECLARED CARRIED

12. CLOSED SESSION

The Appointment, Employment, Compensation, Discipline, Performances or Dismissal of Specific Village Employees

Discussion was had on the employment contracts. There was no need for closed session at this evening's meeting.

13. RECONVENE BOARD MEETING

As a closed session was not required, reconvening was also unnecessary.

14. RESOLUTION NO. 21-R-32 - A Resolution Approving and Authorizing the Mayor to Execute, on Behalf of the Village of Willowbrook, an Employment Agreement with Robert Schaller for the Employment Position of Chief of Police of the Village of Willowbrook, DuPage County, Illinois (ADOPT)

MOTION: Made by Trustee Mistele and seconded by Trustee Davi to adopt Resolution No. 21-R-32 as presented.

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

MOTION DECLARED CARRIED

15. RESOLUTION NO. 21-R-33 - A Resolution Approving and Authorizing the Mayor to Execute, on Behalf of the Village of Willowbrook, an Employment Agreement with Caroline A. Dittman for the Employment Position of Director of Finance of the Village of Willowbrook, DuPage County, Illinois (ADOPT)

MOTION: Made by Trustee Mistele and seconded by Trustee Berglund to adopt Resolution No. 21-R-33 as presented.

ROLL CALL VOTE: AYES: Trustees Berglund, Davi, Mistele, Neal and Ruffolo. NAYS: None. ABSENT: None. UNAVAILABLE: Oggerino no response due to zoom connection.

MOTION DECLARED CARRIED

16. RESOLUTION NO. 21-R-34- A Resolution Approving and Authorizing the Mayor to Execute, on Behalf of the Village of Willowbrook, an Employment Agreement with Brian Pabst for the Employment Position of Village Administrator of the Village of Willowbrook, DuPage County, Illinois (ADOPT)

MOTION: Made by Trustee Davi and seconded by Trustee Mistele to adopt Resolution No. 21-R-34 as presented.

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

MOTION DECLARED CARRIED

PRIOR BUSINESS

17. TRUSTEE REPORTS

Trustee Neal had no report.

Trustee Ruffolo had no report.

Trustee Mistele had no report but was glad to be back to the in-person meetings.

Trustee Berglund had no report but wished the Mayor a Happy Birthday.

Trustee Davi had no report but introduced his family to the Board and thanked them for attending the meeting.

Trustee Oggerino had no report.

18. ATTORNEY'S REPORT

Attorney Bastian congratulated the Newly Elected Board Members, Mayor and Clerk.

19. CLERK'S REPORT

Clerk Hahn had no report.

20. ADMINISTRATOR'S REPORT

Administrator shared that the Village will be receiving disbursement of 1.6 million dollars from the federal government for the American Rescue Plan approved by Congress and signed by the President on March 11, 2021. The first distribution will be in May or June of this year, with the remainder to be distributed in 2022.

21. MAYOR'S REPORT

Mayor Trilla thanked the Board of Trustees, the Clerk and the new Assistant Administrator for all their hard work.

22. ADJOURNMENT

MOTION: Made by Trustee Mistle and seconded by Trustee Davi to adjourn the Regular Meeting at the hour of 7:12 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ, and APPROVED.

_____, 2021.

Frank A. Trilla, Mayor

Minutes transcribed by Deputy Clerk Christine Mardegan.