

## 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, MAY 8, 2023 FOLLOWING THE COMMITTEE OF THE WHOLE MEETING, OR AT 6:30 P.M., AT THE COMMUNITY RESOURCE CENTER (CRC), 825 MIDWAY DRIVE, WILLOWBROOK, IL, DUPAGE COUNTY, ILLINOIS

**THE VILLAGE WILL BE OFFERING A ZOOM WEBINAR FOR THE MEETING TO ALLOW MEMBERS OF THE PUBLIC TO ATTEND BY VIDEO OR AUDIO IF DESIRED. IF A MEMBER IS USING ZOOM, PLEASE EITHER USE YOUR PHONE OR COMPUTER, NOT BOTH.**

**THE PUBLIC CAN UTILIZE THE FOLLOWING CALL-IN NUMBER:**

**Dial-in Phone Number: 312-626-6799**

**Meeting ID: 881 2067 8053**

**Written Public Comments Can Be Submitted By 6:15 P.M. on May 8, 2023, to [aarteaga@willowbrook.il.us](mailto:aarteaga@willowbrook.il.us)**

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. OATHS OF OFFICE
  - a. VILLAGE TRUSTEE MARK L. ASTRELLA
  - b. VILLAGE TRUSTEE SUZANNE BERGLUND
  - c. VILLAGE TRUSTEE HELEN "GAYLE" NEAL
5. PRESENTATION - MAYOR'S PRESENTATION
6. VISITORS' BUSINESS - Public Comment is Limited to Three Minutes Per Person
7. OMNIBUS VOTE AGENDA:
  - a. Waive Reading of Minutes (Approve)
  - b. [Minutes - Board of Trustees Committee of the Whole Meeting April 24, 2023](#) (APPROVE)
  - c. [Minutes - Board of Trustees Regular Meeting April 24, 2023](#) (APPROVE)
  - d. [Warrants \\$481,024.24](#)

NEW BUSINESS

8. ORDINANCE NO. - AN ORDINANCE GRANTING A SPECIAL USE EXTENSION REQUEST FOR ORDINANCE NO. 21-O-25, A SPECIAL USE PERMIT 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)
9. FINANCE MOTIONS
  - a. MOTION - MOTION TO APPROVE THE WIRE TRANSFER AUTHORIZED REPRESENTATIVE FORM DATED APRIL 20, 2023, CHANGING THE TRANSFER AUTHORIZATION OF FRANK TRILLA, VILLAGE MAYOR, AND PROVIDING SEAN HALLORAN, VILLAGE ADMINISTRATOR, AND LORA FLORI, CHIEF FINANCIAL OFFICER, AUTHORITY TO INITIATE AND CONFIRM HINSDALE BANK & TRUST COMPANY WIRE TRANSFERS ON BEHALF OF THE VILLAGE OF WILLOWBROOK. (PASS)
  - b. MOTION - MOTION TO APPROVE THE LETTER OF DIRECTION, DATED MAY 8, 2023, PROVIDING HINSDALE BANK & TRUST COMPANY AUTHORIZATION TO PROVIDE LORA FLORI, CHIEF FINANCIAL OFFICER, WITH BANK INFORMATION, AS NEEDED. (PASS)
10. RESOLUTION NO. - A RESOLUTION APPROVING OF THE VILLAGE OF WILLOWBROOK CREATING THE VILLAGE OF WILLOWBROOK COMPREHENSIVE PLAN COMMITTEE (ADOPT)
11. MOTION - HARLEM-IRVING ESCROW DEPOSIT (PASS)

PRIOR BUSINESS

12. TRUSTEE REPORTS
13. ATTORNEY'S REPORT
14. CLERK'S REPORT
15. ADMINISTRATOR'S REPORT
16. MAYOR'S REPORT
17. EXECUTIVE SESSION
18. ADJOURNMENT

MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, APRIL 24, 2023 AT 5:30 P.M. AT THE COMMUNITY RESOURCE CENTER, 825 MIDWAY DRIVE, WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

THE VILLAGE WILL BE OFFERING A ZOOM WEBINAR FOR THE MEETING TO ALLOW MEMBERS OF THE PUBLIC TO ATTEND BY VIDEO OR AUDIO IF DESIRED. IF A MEMBER IS USING ZOOM, PLEASE EITHER USE YOUR PHONE OR COMPUTER, NOT BOTH.

1. CALL TO ORDER

The meeting was called to order at 5:30 p.m. by Mayor Frank Trilla.

2. ROLL CALL

Those physically present at roll call were Village Clerk Deborah Hahn, Mayor Frank Trilla, Trustees Mark Astrella, Sue Berglund, Umberto Davi, Michael Mistele, Gayle Neal, Gregory Ruffolo, Village Administrator Sean Halloran, Assistant to the Village Administrator Alex Arteaga, Director of Community Development Michael Krol, Director of Parks and Recreation Dustin Kleefisch, Chief Robert Schaller, Deputy Chief Lauren Kaspar, and Public Works Foreman AJ Passero.

Absent: Chief Financial Officer Lora Flori, Deputy Clerk Christine Mardegan, and Deputy Chief Benjamin Kadolph

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

Mayor Trilla asked Clerk Hahn to lead everyone in saying the pledge of allegiance.

4. VISITOR'S BUSINESS

None presented and no written comments were received.

5. UPDATE - PANDA EXPRESS UPDATE

Mayor Trilla asked Community Development Director Krol to present the update on the Panda Express special use project permit and their request for an additional six-month extension. Representatives from Panda Express and Norr, the architect of records, were also present and available for questions.

Director Krol presented the timeline of this special use process:

- January 13, 2021 Plan Commission Public Hearing held, vote 7-0 recommending approval.
- April 21, 2021, Plan Commission Public Hearing held for a second time because of an IDOT change to the plan. There was a unanimous vote recommending approval.
- May 10, 2021, Ordinance 21-O-25 was approved by the Village Board

for a Special Use for a Fast-Food Establishment and Drive-Through Service Restaurant with fourteen (14) zoning variations for Panda Express located at 7505 Kingery Hwy.

Eighteen (18) conditions of approval were noted in the ordinance. Below is the list of remaining items that are required prior to permit approval:

- o Special Use shall be null and void if construction does not begin eighteen months (18) months after approval.
  - o A copy of the approved IDOT Right-Of Way permit approval.
  - o Cross Access Agreement with the Red Roof Inn property.
  - o Provide NOI letter filed with the IEPA
  - o Provide NFR letter from IEPA
  - o Draft the plat of easement.
- June 7, 2022, True North Service Station #1990, the current property owner, submits the Corrective Action Plan (CAP) and Corrective Action Budget (CAB) to the IEPA.
- October 7, 2022, IEPA rejects the application and plans proposed, with several pages of comments and corrections.
- October 10, 2022, Ordinance 22-0-39 was approved by the Village Board extending the Special Use and zoning variations by six (6) months, making the expiration date of the Panda Express Special Use and zoning variations May 10, 2023.
- November 22, 2022, Groundwater & Environmental Service, Inc. Resubmits plans addressing all comments and questions from IEPA on behalf of True North.
- March 28, 2023, IEPA rejects the CAP and CAB for a second time, with several comments left to address.
- April 24, 2023, Norr and Panda Express are requesting another six (6) month extension.
- May 8, 2023, Village Board to vote on the extension request which would extend the special use permit until November 10, 2023.

The Board agenda packet provided includes comments from the architect as well as the IEPA (Illinois Environmental Protection Agency) conditions and denial letter. Director Krol also provided a site map with the areas of contamination under discussion.

Director Krol turned the floor over to the representatives of Norr and Panda Express. The representative from Norr indicated that Panda Express is committed to the Village. The project has been in progress for 5 years with back and forth between the developer, the property owner and the IEPA. Since the last request for an extension, the number of items to be

completed still outstanding has decreased. We anticipate that True North, the owner of the property responsible for the cleanup, will be able to complete these items and get back to the IEPA in 1-2 months.

Trustee Neal asked if the contamination had spread to other nearby properties. Director Krol responded that samples had been taken from the property to the south, Red Roof Inn, and there was no contamination indicated. Trustee Neal also asked about the properties to the east of the site. Director Krol indicated that he had not seen any reports on the properties to the east.

Trustee Davi wanted reassurance that Panda Express would not be adding anything underground that would further contaminate the site. An affirmative response was returned. Trustee Davi also wanted to know whether, if the remediation measures and the subsequent response from the IEPA is not received within the six-month extension, would the applicant be able to reapply for the permit. Director Krol indicated that yes, the applicant would be able to reapply and that they would need to go through the review process again, with another public hearing before the Plan Commission, and another Village Board ordinance vote.

Mayor Trilla indicated that the Village embraces the project and continues to support it with extensions to the original timeline.

Village Administrator Halloran indicated that if the Board approves the extension on May 8, Panda Express will be required to return to brief the Board in August 2023 for an additional update.

#### ADJOURNMENT

MOTION: Made by Trustee Mistele and seconded by Trustee Astrella to adjourn the Special Meeting at the hour of 5:48 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ, and APPROVED.

\_\_\_\_\_, 2023.

\_\_\_\_\_  
Frank A. Trilla, Mayor

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON MONDAY, APRIL 24, 2023, AT 6:30 P.M. AT THE COMMUNITY RESOURCE CENTER (CRC), 825 MIDWAY DRIVE, WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

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1. CALL TO ORDER

The meeting was called to order at 6:30 P.M. Mayor Trilla.

2. ROLL CALL

Those physically present at roll call were, Village Clerk Deborah Hahn, Mayor Frank Trilla, Trustees Mark Astrella, Sue Berglund, Umberto Davi, Michael Mistele, Gayle Neal, Greg Ruffolo, Village Attorney Michael Durkin, Village Administrator Sean Halloran, Assistant to the Village Administrator Alex Arteaga, Director of Community Development Michael Krol, Director of Parks and Recreation Dustin Kleefisch, Chief Robert Schaller, Deputy Chief Lauren Kaspar and Public Works Foreman AJ Passero.

ABSENT: Deputy Clerk Christine Mardegan, Chief Financial Officer Lora Flori, and Deputy Chief Benjamin Kadolph.

3. PLEDGE OF ALLEGIANCE

Mayor Trilla asked Mr. Arteaga to lead everyone in saying the Pledge of Allegiance.

4. VISITORS' BUSINESS

None presented and no written comments were received.

OMNIBUS VOTE AGENDA

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

5. OMNIBUS VOTE AGENDA:

- a. Waive Reading of Minutes (Approve)
- b. Minutes - Board of Trustees Regular Meeting April 10, 2023 (APPROVE)
- c. Warrants \$206,867.07
- d. ORDINANCE NO. 23-O-12 - AN ORDINANCE BEING THE ANNUAL APPROPRIATION ORDINANCE MAKING APPROPRIATIONS FOR CORPORATE PURPOSES FOR THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS, FOR THE FISCAL YEAR BEGINNING MAY 1, 2023 AND ENDING APRIL 30, 2024. (PASS)

e. RESOLUTION NO. 23-R-17- A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE, ON BEHALF OF THE VILLAGE OF WILLOWBROOK, AN EMPLOYMENT AGREEMENT WITH LAUREN KASPAR FOR THE EMPLOYMENT POSITION OF CHIEF OF POLICE OF 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 Mistele and seconded by Trustee Davi to approve the Omnibus Vote Agenda as presented.

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

MOTION DECLARED CARRIED

NEW BUSINESS

6. MOTION - BOARD ADVICE AND CONSENT TO MAYOR'S APPOINTMENTS TO FILL VACANCIES IN THE PLAN COMMISSION, BOARD OF POLICE COMMISSIONERS, AND POLICE PENSION FUND BOARD (PASS)

Administrator Halloran explained that every few years, as terms expire, the Mayor makes appointments to the Village Commissions and Boards with the advice and consent of the Board of Trustees. All the appointments are reappointments. Mayor Trilla read the following:

a. Plan Commission- Four-year term, 7 members

Candidate:	Appointment Status:	New Term Expires:
Ronald Kanaverskis	Reappointment	4/30/2027
Maciej Walec	Reappointment	4/30/2027

MOTION: Made by Trustee Mistele and seconded by Trustee Astrella to fill vacancies in the Plan Commission as recommended.

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

MOTION DECLARED CARRIED

b. Board of Police Commissioners - Three-year term, 3 members

Candidate:	Appointment Status:	New Term Expires:
Thomas Sailer	Reappointment	4/30/2026

MOTION: Made by Trustee Mistele and seconded by Trustee Astrella to fill vacancies in the Board of Police as recommended.

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

MOTION DECLARED CARRIED

c. Police Pension Fund Board - 2-year term, 2 members

Candidate:	Appointment Status:	New Term Expires:
Umberto Davi (Chairman)	Reappointment	04/30/2025

MOTION: Made by Trustee Mistele and seconded by Trustee Astrella to fill vacancies in the Police Pension Fund Board as recommended.

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

MOTION DECLARED CARRIED

7. RESOLUTION NO. 23-R-18 - A RESOLUTION OF THE VILLAGE OF WILLOWBROOK AMENDING THE 2023 CALENDAR YEAR SCHEDULE OF REGULAR MEETINGS OF THE BOARD OF POLICE COMMISSIONERS OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS (ADOPT)

Chief Schaller shared, at a previous BOPC Meeting, the Commission requested a change in the meeting start time. The commissioner asked that the meetings begin at 9:00 a.m. instead of 8:00 a.m.

MOTION: Made by Trustee Mistele and seconded by Trustee Berglund to adopt Resolution 23-R-18 as presented.

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

MOTION DECLARED CARRIED

8. RESOLUTION NO. 23-R-19 - A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF WILLOWBROOK AND THE COUNTY OF DUPAGE, ILLINOIS FOR THE BORSE MEMORIAL COMMUNITY PARK PARKING LOT IMPROVEMENTS (ADOPT)

Director Kleefisch presented: This grant is from the DuPage County Storm Management Program for the replacement of the current paved parking lot at Borse Memorial Park that will be renovated into a permeable paver parking lot. Per the conditions of the grant, we must enter into an intergovernmental agreement with the County so we can get reimbursed for the funds after the project is completed. The grant provides up to



25% reimbursement of expenses not to exceed \$99,000 whichever occurs first. The work needs to be completed by November 30, 2024.

MOTION: Made by Trustee Davi and seconded by Trustee Astrella to adopt Resolution 23-R-19 as presented.

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

MOTION DECLARED CARRIED

8. RESOLUTION NO. 23-R-20 - A RESOLUTION OF THE VILLAGE OF WILLOWBROOK DETERMINING THE LOWEST RESPONSIBLE BIDDER AND AWARDDING A CONTRACT TO KRAMER TREE SPECIALISTS, INC. FOR SPRING AND FALL 2023 BRUSH COLLECTION SERVICES (ADOPT)

Mr. Arteaga shared with the Board that the Village has contracted for brush collection services. The contract will be for 2023/2024/2025 which includes collection in Spring and Fall of each year.

On March 24, Village staff released RFP #014 for brush collection services. Bids for this RFP were due by April 13. Staff received two bids from NJ Ryan and Kramer Tree Specialists. Brush collection will begin the week of May 8.

MOTION: Made by Trustee Mistele and seconded by Trustee Davi to adopt Resolution 23-R-20 as presented.

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

MOTION DECLARED CARRIED

PRIOR BUSINESS

9. TRUSTEE REPORTS

Trustee Neal had no report.

Trustee Ruffolo had no report.

Trustee Mistele had no report.

Trustee Berglund had no report.

Trustee Davi had no report.

Trustee Astrella had no report.

11. ATTORNEY'S REPORT

Attorney Durkin had no report.

12. CLERK'S REPORT

Clerk Hahn had no report.

13. ADMINISTRATOR'S REPORT

Regarding the Panda Express update, Administrator Halloran wanted to thank Trustee Neal for her efforts in getting additional information through her contacts to provide additional details for the update.

Reminded the Trustees of the second annual White Sox night on July 6 when the Sox host the Toronto Blue Jays. The event has been publicized on the Village sign and website, with links for ticket purchase through the website.

The last item was regarding the water rate restructuring. In January 2023, we were advised by DuPage County of a possible rate increase of 4%. We were notified last week that the water rate increase will be 8.5%, effective May 1, 2023. We will continue to evaluate our revenue stream through the fall. We saw a slight dip in revenues this winter with the change to the implementation of pay for usage as opposed to minimum billing. The \$5.00 fee helped to stabilize the income a bit. We expect the revenue to increase into the spring and summer as residents who spend the winter out of the area return to their residences.

14. MAYOR'S REPORT

Mayor Trilla provided a briefing of his activities and meetings in Springfield last Tuesday and Wednesday. He met with Governor Pritzker and thanked him for his role in shutting down Sterigenics, and admitted the thanks were overdue.

The Mayor also met with the Speaker of the House, Christopher Welch, in regard to securing additional LGDF (Local Government Distributive Fund) funds. Speaker Welch is working closely with the DuPage Mayors and Managers. We're trying to get back to the 10% level, which it was for approximately 50 years, after it was reduced to 5% by former Governor Rauner. It is now back up to 6%.

He also attended a standing-room only meeting hosted by State Representative [Anthony] DeLuca which provided a positive atmosphere with much progress.

After a meeting with the State Treasurer [Michael] Frerichs, we were advised they are available for special events, such as hosting a state "unclaimed properties" event.

The last meeting was with the new Secretary of State [Alexi] Giannoulias whose office also offered to host local events such as driver's license and vehicle registration renewal.

15. EXECUTIVE SESSION

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

16. ADJOURNMENT

MOTION: Made by Trustee Mistele and seconded by Trustee Astrella to adjourn the Regular Meeting at the hour of 6:49 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ, and APPROVED.

\_\_\_\_\_, 2023.

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Frank A. Trilla, Mayor

Minutes transcribed by Deputy Clerk Christine Mardegan.

W A R R A N T S

May 8, 2023

GENERAL CORPORATE FUND	-----	\$	347,690.37
WATER FUND	-----	\$	132,700.05
CAPITAL PROJECT FUND	-----	\$	344.50
RT 83/PLAINFIELD RD BUSINESS DIST TAX	-----	\$	289.32
TOTAL WARRANTS	-----	\$	481,024.24

Lora Flori, Director of Finance

APPROVED:  
Frank A. Trilla, Mayor

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND							
05/08/2023	APCH	100110	AARON PORTER	SCHOOLS/CONFERENCES/TRAVEL	630-304	30	48.79
				UNIFORMS	630-345	30	900.00
				CHECK APCHK 100110 TOTAL FOR FUND 01:			948.79
05/08/2023	APCH	100111	ACOUSTIC ASSOCIATES, LTD	CONTINGENCIES	490-799	10	4,980.00
05/08/2023	APCH	100112	ADMINISTRATIVE CONSULTING SPECIA	CONTINGENCIES	490-799	10	2,083.33
05/08/2023	APCH	100113	AT & T MOBILITY II LLC	PHONE - TELEPHONES	630-201	30	1,640.01
05/08/2023	APCH	100114	B & E AUTO REPAIR & TOWING	MAINTENANCE - VEHICLES	630-409	30	309.00
				MAINTENANCE - VEHICLES	630-409	30	33.00
				MAINTENANCE - VEHICLES	630-409	30	1,001.18
				CHECK APCHK 100114 TOTAL FOR FUND 01:			1,343.18
05/08/2023	APCH	100116	CLARKE ENVIRONMENTAL	MOSQUITO ABATEMENT	760-259	35	6,612.50
05/08/2023	APCH	100117	COMCAST CABLE	INTERNET/WEBSITE HOSTING	715-225	35	10.00
05/08/2023	APCH	100118#	COMED	ENERGY/COMED (835 MIDWAY)	466-240	10	174.08
				ENERGY/COMED (835 MIDWAY)	466-240	10	2,404.40
				ENERGY - STREET LIGHTS	745-207	35	525.17
				ENERGY - STREET LIGHTS	745-207	35	781.35
				MAINTENANCE - TRAFFIC SIGNALS	745-224	35	682.79
				MAINTENANCE - TRAFFIC SIGNALS	745-224	35	1,596.88
				CHECK APCHK 100118 TOTAL FOR FUND 01:			6,164.67
05/08/2023	APCH	100119	DANIEL POLFLIET	UNIFORMS	630-345	30	450.32
05/08/2023	APCH	100120	DARREN BIGGS	JAIL SUPPLIES	650-343	30	60.00
05/08/2023	APCH	100121	DU-COMM	RADIO DISPATCHING	675-235	30	81,390.25
				RADIO DISPATCHING	675-235	30	3,803.11
				CHECK APCHK 100121 TOTAL FOR FUND 01:			85,193.36
05/08/2023	APCH	100122*#	FALCO'S LANDSCAPING INC	MAINTENANCE	725-410	35	3,600.00
				ROUTE 83 BEAUTIFICATION	755-281	35	5,400.00
				ROUTE 83 BEAUTIFICATION	755-281	35	3,800.00
				ROUTE 83 BEAUTIFICATION	755-281	35	4,200.00
				CHECK APCHK 100122 TOTAL FOR FUND 01:			17,000.00

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND							
05/08/2023	APCH	100123#	FOX TOWN PLUMBING INC	LANDSCAPE MAINTENANCE SERVICES	565-342	20	2,454.00
				MAINTENANCE - EQUIPMENT	570-411	20	2,331.00
				BUILDING MAINTENANCE SUPPLIES	630-351	30	140.00
				BUILDING MAINTENANCE SUPPLIES	630-351	30	369.00
				CHECK APCHK 100123 TOTAL FOR FUND 01:			5,294.00
05/08/2023	APCH	100124	FRONTLINE PUBLIC SAFETY SOLUTION	EDP LICENSES	640-263	30	1,653.75
05/08/2023	APCH	100125	FSS TECHNOLOGIES LLC	MAINTENANCE	725-410	35	778.88
05/08/2023	APCH	100126	GEWALT HAMILTON ASSOCIATES INC	CONTINGENCIES	490-799	10	4,900.00
05/08/2023	APCH	100127*#	GOVERNMENT INSURANCE NETWORK	EMP DED PAY- INSURANCE	210-204	00	12,112.70
				LIFE INSURANCE - ELECTED OFFICIALS	410-141	05	76.30
				LIFE INSURANCE - COMMISSIONERS	435-148	07	28.00
				HEALTH/DENTAL/LIFE INSURANCE	455-141	10	4,629.04
				LIFE INSURANCE - PLAN COMMISSION	510-340	15	93.10
				HEALTH/DENTAL/LIFE INSURANCE	550-141	20	843.50
				HEALTH/DENTAL/LIFE INSURANCE	630-141	30	37,978.57
				HEALTH/DENTAL/LIFE INSURANCE	710-141	35	3,851.88
				HEALTH/DENTAL/LIFE INSURANCE	810-141	40	5,880.54
				CHECK APCHK 100127 TOTAL FOR FUND 01:			65,493.63
05/08/2023	APCH	100128#	HAYES MECHANICAL	MAINTENANCE - BUILDING	466-228	10	4,725.00
				MAINTENANCE - BUILDING	630-228	30	1,016.64
				MAINTENANCE - BUILDING	630-228	30	1,885.21
				CHECK APCHK 100128 TOTAL FOR FUND 01:			7,626.85
05/08/2023	APCH	100130	HEARTLAND BUSINESS SYSTEMS, LLC	PHONE - TELEPHONES	630-201	30	262.50
05/08/2023	APCH	100131	HOMER INDUSTRIES	LANDSCAPE MAINTENANCE SERVICES	565-342	20	1,440.00
05/08/2023	APCH	100132	IRMA	SELF INSURANCE - DEDUCTIBLE	480-273	10	6,581.28
05/08/2023	APCH	100133	ITOUCH BIOMETRICS LLC	EDP LICENSES	640-263	30	1,980.00
05/08/2023	APCH	100134	JOSEPH LAVALLE	UNIFORMS	630-345	30	402.79
05/08/2023	APCH	100136	KEVRON PRINTING & DESIGN INC	CONTINGENCIES	490-799	10	104.88
05/08/2023	APCH	100137#	KONICA MINOLTA BUSINESS SOLUTION	COPY SERVICE	455-315	10	150.00
				COPY SERVICE	630-315	30	150.00
				COPY SERVICE	630-315	30	150.00
				COPY SERVICE	810-315	40	150.00
				CHECK APCHK 100137 TOTAL FOR FUND 01:			600.00

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND							
05/08/2023	APCH	100138	LA VONNA KINDRED	RED LIGHT FINES	310-503	00	100.00
05/08/2023	APCH	100139	LAUREN KASPAR	UNIFORMS	630-345	30	296.31
				UNIFORMS	630-345	30	249.13
				CHECK APCHK 100139 TOTAL FOR FUND 01:			545.44
05/08/2023	APCH	100140	LAW OFFICES STORINO RAMELLO&DURK	FEES - VILLAGE ATTORNEY	470-239	10	402.06
				FEES - VILLAGE ATTORNEY	470-239	10	253.00
				FEES - VILLAGE ATTORNEY	470-239	10	16,332.98
				FEES - VILLAGE ATTORNEY	470-239	10	1.30
				FEES - VILLAGE ATTORNEY	470-239	10	1,938.43
				FEES - LABOR COUNSEL	470-242	10	1,181.40
				CHECK APCHK 100140 TOTAL FOR FUND 01:			20,109.17
05/08/2023	APCH	100141	LEIGHTRONIX SERVICES	EDP LICENSES	460-263	10	1,295.00
05/08/2023	APCH	100142	LORI RINELLA	FUEL/MILEAGE/WASH	630-303	30	18.60
				UNIFORMS	630-345	30	254.93
				CHECK APCHK 100142 TOTAL FOR FUND 01:			273.53
05/08/2023	APCH	100144#	MULTISYSTEM MANAGEMENT COMPANY	MAINTENANCE - BUILDING	466-228	10	1,222.50
				MAINTENANCE - EQUIPMENT	570-411	20	640.00
				MAINTENANCE - BUILDING	630-228	30	1,222.50
				CHECK APCHK 100144 TOTAL FOR FUND 01:			3,085.00
05/08/2023	APCH	100145	NCPERS GROUP LIFE INSURANCE	EMP DED - SUPPLEMENTAL LIFE INSURANCE	210-213	00	32.00
05/08/2023	APCH	100146	NICHOLAS VOLEK	UNIFORMS	630-345	30	180.81
05/08/2023	APCH	100147	NICOR GAS	NICOR GAS	725-415	35	285.47
05/08/2023	APCH	100148	NJ RYAN TREE & LANDSCAPE LLC	TREE MAINTENANCE	750-338	35	7,800.00
				TREE MAINTENANCE	750-338	35	4,900.00
				TREE MAINTENANCE	750-338	35	6,300.00
				TREE MAINTENANCE	750-338	35	6,600.00
				TREE MAINTENANCE	750-338	35	7,704.00
				TREE MAINTENANCE	750-338	35	5,992.00
				TREE MAINTENANCE	750-338	35	5,205.00
				CHECK APCHK 100148 TOTAL FOR FUND 01:			44,501.00
05/08/2023	APCH	100149	NORTHWESTERN UNIVERSITY	SCHOOLS/CONFERENCES/TRAVEL	630-304	30	2,600.00

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND							
05/08/2023	APCH	100150	ORBIS SOLUTIONS	CONSULTING SERVICES - IT	460-306	10	6,729.67
05/08/2023	APCH	100151	ORKIN EXTERMINATING	FEES/DUES/SUBSCRIPTIONS	630-307	30	110.99
05/08/2023	APCH	100152	PIOTR OPACIAN	UNIFORMS	630-345	30	114.51
05/08/2023	APCH	100153	RCH ROOFING CONSTRUCTION	BUILDING MAINTENANCE SUPPLIES	630-351	30	1,058.38
05/08/2023	APCH	100154	READY REFRESH	WELLNESS	480-276	10	218.02
05/08/2023	APCH	100155	SCOTT GARON	SUMMER RECREATION FEES	310-815	00	100.00
05/08/2023	APCH	100156#	SEMMER LANDSCAPE	LANDSCAPE MAINTENANCE SERVICES	565-342	20	10,151.88
				LANDSCAPE MAINTENANCE SERVICES	565-342	20	5,075.94
				ROUTE 83 BEAUTIFICATION	755-281	35	5,075.93
				CHECK APCHK 100156 TOTAL FOR FUND 01:			20,303.75
05/08/2023	APCH	100157	STONE WHEEL, INC.	MAINTENANCE - BUILDING	630-228	30	99.60
05/08/2023	APCH	100158#	TAMELING GRADING	MAINTENANCE - EQUIPMENT	570-411	20	5,180.00
				STREET IMPROVEMENTS	765-685	35	10,223.00
				CHECK APCHK 100158 TOTAL FOR FUND 01:			15,403.00
05/08/2023	APCH	100159	TAMELING INDUSTRIES	STREET IMPROVEMENTS	765-685	35	792.00
				STREET IMPROVEMENTS	765-685	35	226.80
				CHECK APCHK 100159 TOTAL FOR FUND 01:			1,018.80
05/08/2023	APCH	100160	THOMAS J BRESCIA	FEES - FIELD COURT ATTORNEY	630-241	30	2,025.00
05/08/2023	APCH	100161	TOMMY R's CATERING	EMPLOYEE RECOGNITION	630-309	30	1,290.00
05/08/2023	APCH	100162	TRAFFIC CONTROL & PROTECTIONS	ROAD SIGNS	755-333	35	415.70
				ROAD SIGNS	755-333	35	104.00
				CHECK APCHK 100162 TOTAL FOR FUND 01:			519.70
05/08/2023	APCH	100166	WAREHOUSE DIRECT	OFFICE SUPPLIES	455-301	10	141.59
				OFFICE SUPPLIES	455-301	10	44.04
				CONTINGENCIES	490-799	10	224.14
				CHECK APCHK 100166 TOTAL FOR FUND 01:			409.77
05/08/2023	APCH	100167	WLBK BURR RIDGE CHAMBER OF COM	COMMISSARY PROVISION	455-355	10	315.00



Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND							
05/08/2023	APCH	313(E) #	AMAZON CAPITAL SERVICES	OFFICE SUPPLIES	455-301	10	313.66
				OFFICE/GENERAL PROGRAM SUPPLIES	550-301	20	313.17
				OFFICE SUPPLIES	630-301	30	735.21
				CHECK APCHK 313(E) TOTAL FOR FUND 01:			<u>1,362.04</u>
				Total for fund 01 GENERAL FUND			347,690.37

05/05/2023 10:06 AM			CHECK DISBURSEMENT REPORT FOR VILLAGE OF WILLOWBROOK					Page	6/8
User: EKOMPERDA			CHECK DATE FROM 04/26/2023 - 05/10/2023						
DB: Willowbrook									
Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount		
Fund: 02 WATER FUND									
05/08/2023	APCH	100115	CASE LOTS, INC	CHEMICALS	420-361	50	160.30		
05/08/2023	APCH	100122*#	FALCO'S LANDSCAPING INC	SPOILS HAULING SERVICES	430-280	50	7,000.00		
				SPOILS HAULING SERVICES	430-280	50	2,500.00		
				SPOILS HAULING SERVICES	430-280	50	2,500.00		
				CHECK APCHK 100122 TOTAL FOR FUND 02:			12,000.00		
05/08/2023	APCH	100127*#	GOVERNMENT INSURANCE NETWORK	HEALTH/DENTAL/LIFE INSURANCE	401-141	50	4,707.86		
				HEALTH/DENTAL/LIFE INSURANCE	401-141	50	867.95		
				CHECK APCHK 100127 TOTAL FOR FUND 02:			5,575.81		
05/08/2023	APCH	100129	HBK WATER METER SERVICE	METERS FLOW TESTING	435-278	50	29.50		
05/08/2023	APCH	100135	JUDE R. VICKERY	PUMP INSPECTION REPAIR MAINTAIN STA	420-491	50	700.00		
				PUMP INSPECTION REPAIR MAINTAIN STA	420-491	50	1,200.00		
				CHECK APCHK 100135 TOTAL FOR FUND 02:			1,900.00		
05/08/2023	APCH	100143	METROPOLITAN INDUSTRIES INC	EDP LICENSES	417-263	50	138.00		
05/08/2023	APCH	100163	ULINE	OFFICE SUPPLIES	401-301	50	466.30		
05/08/2023	APCH	100165	VARIVERGE LLC	PRINTING & PUBLISHING	401-302	50	964.47		
				POSTAGE & METER RENT	401-311	50	826.05		
				CHECK APCHK 100165 TOTAL FOR FUND 02:			1,790.52		
05/08/2023	APCH	314 (E)	DUPAGE WATER COMMISSION	PURCHASE OF WATER	420-575	50	110,639.62		
				Total for fund 02 WATER FUND			132,700.05		

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 10 CAPITAL PROJECT FUND							
05/08/2023	APCH	100164	UMB BANK N.A.	BOND ISSUANCE COSTS	550-404	68	344.50
				Total for fund 10 CAPITAL PROJECT FUND			344.50

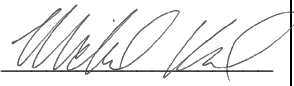
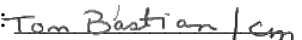
Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 15 RT 83/PLAINFIELD RD BUSINESS DISTRCT TAX							
05/08/2023	APCH	100127*#	GOVERNMENT INSURANCE NETWORK	HEALTH/DENTAL/LIFE INSURANCE	455-141	15	289.32
				Total for fund 15 RT 83/PLAINFIELD RD BUSINESS			289.32
TOTAL - ALL FUNDS							481,024.24

'\*'-INDICATES CHECK DISTRIBUTED TO MORE THAN ONE FUND

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

**VILLAGE OF WILLOWBROOK****VILLAGE BOARD MEETING  
AGENDA ITEM - HISTORY/COMMENTARY****ITEM TITLE:**

AN ORDINANCE GRANTING A SPECIAL USE EXTENSION REQUEST FOR ORDINANCE NO. 21-O-25, A SPECIAL USE PERMIT 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

**AGENDA NO. 8****AGENDA DATE:** 5/8/23**STAFF REVIEW:** Michael Krol, Director of Community Development SIGNATURE: **LEGAL REVIEW:** Tom Bastian, Village AttorneySIGNATURE: **RECOMMENDED BY:** Sean Halloran, Village AdministratorSIGNATURE: **REVIEWED & APPROVED BY COMMITTEE:** YES ☐ NO ☐ N/A ☐**ITEM HISTORY (PREVIOUS VILLAGE BOARD REVIEWS, ACTIONS RELATED TO THIS ITEM, OTHER HISTORY)**

Panda Express, Inc. (the “Applicant”), was granted a Special Use for the construction of a 2,300 square foot Panda Express fast-food restaurant with a drive-through, associated site improvements, and fourteen (14) zoning variations under Ordinance 21-O-25. The special use permit was granted to allow for both the fast-food establishment and a proposed drive-through within the Village of Willowbrook’s B-2 Community Shopping Zoning District.

The Special Use ordinance was approved by the Village Board May 10, 2021, and Ordinance 21-O-25 Section Four, B states: “the special use permit shall be null and void if construction for the proposed use is not commenced within eighteen (18) months of the date of any approval of the special use by the Village Board.” The eighteen (18) month deadline was November 10, 2022. Section 9-14-5(D)2 of the Village Zoning Code states: Special Use Permit, states that, “Upon written application and for good cause shown, the Board of Trustees may, by ordinance, in its sole discretion, grant extensions of time not to exceed one year each from the time limitations set forth in subsection (D)1 of this section.”

A six (6) month Special Use extension was granted by the Village Board on October 10, 2022, per Ordinance 22-O-39, moving Special Use Ordinance 21-O-25 to a new expiration date of May 10, 2023. The applicant is seeking another six (6) month extension, maximizing the Special Use extension allowable by Village code.

The applicant provided an update on April 24, 2023, to the Committee of the Whole on the listed items that still need be submitted to obtain a building permit.

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

The previously approved six (6) month extension under Ordinance 22-O-39 is expiring on May 10<sup>th</sup>, 2023, and Norr, the project architect, has formally requested another extension of six (6) months, making the new expiration date of the Special Use for a drive-through Panda Express Restaurant Nov 10, 2023. No further extensions can be granted beyond a total of twelve (12) months per the Village code.

The current open items that need to be submitted prior to permit approval are:

- A copy of the Approved IDOT ROW permit approval.
- Provide NOI letter filed with the IEPA
- Provide NFR letter from the IEPA

- Draft of the plat of grant of easement (PoGoE)
- Provide a copy of the cross-access easement agreement with Red Roof Inn signed by both parties once it has been recorded.

On April 24, 2023, the Committee of the Whole was provided with a copy of the March 28, 2023, IEPA denial letter and review comments on the Corrective Action Plan and the Corrective Action Budget, citing a total of three (3) comments on the CAP and again the CAB cannot be approved without CAP approval.

It is Village staff's opinion that the property owner, True North Service Station #1990, is close to obtaining an NFR letter from the IEPA and once that letter is issued, the remaining items will soon follow. If the Village Board is to consider another six-month (6) extension, staff is requesting a formal update in three (3) months by the applicant if the permit has not been issued. Village staff supports the proposal of extending Ordinance 21-O-25 by six (6) more months, moving the deadline to November 10, 2023, which is the last possible extension date permitted by the Village Code.

**ACTION PROPOSED:** Pass the Ordinance.



April 14, 2022

City of Willowbrook  
Community Development  
835 Midway Drive  
Willowbrook, IL 60527

**Attn.: Michael Krol**

Dear Mr. Krol:

**Re: Panda Express - 7505 S. Kingery Hwy  
JCDT18045300 – D7058  
Extension of Planning Variance Approvals**

I am writing to request an extension of Ordinance 21-O-25, Section Four, B “The special use permit shall be null and void if construction for the proposed use in not commenced within eighteen (18) months of the date of any approval of the special use by the Village Board.”

True North Energy and its environmental remediation firm, GES, have been working diligently with the Illinois Environmental Protection Agency’s Leaking Underground Storage Tank Section (IEPA) to achieve final closure of the issues at the Property and obtain a No Further Remediation (NFR) letter. True North submitted a Corrective Action Plan (CAP) to IEPA in June 2022. IEPA responded with comments on October 7, 2022, and GES submitted an Amended CAP on November 22, 2022. IEPA responded with two remaining requests on March 28, 2022, and GES is currently working on a final submission. No additional active environmental remediation is anticipated at the Property. After IEPA approves the CAP, True North will then perform any further required action and submit a Corrective Action Completion Report (CACR). Given that IEPA is allowed, and almost always takes, 120 days to respond to submissions, the issuance of an NFR letter will, as a matter of regulatory process, take more than six months.

Sincerely,

A handwritten signature in dark ink that reads "Valentino G. Mancini".

Valentino Mancini  
Studio Manager  
T 313 324 3156 M 313 316 7000 | Valentino.Mancini@norr.com

p:\restaurant\panda\jcdt18-0453 - d7058 willowbrook il (nc)\200-design\210-corr\2023-03-24 extension request.docx

**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**

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**WHEREAS**, on or about November 25, 2020, Hakim Yala of Panda Express, 1683 Walnut Grove Avenue, Rosemead, CA 91770, as applicant (“APPLICANT”) with approval from the property owner, True North Energy, LLC, 10346 Brecksville Road, Brecksville, OH 44141, (“OWNER”), filed an application with the Village of Willowbrook (“VILLAGE”), with respect to the property legally described in Exhibit “A” attached hereto which is, by this reference, incorporated herein (“SUBJECT REALTY”); and,

**WHEREAS**, said application requested that the Village grant special use permits for a fast food establishment and associated drive-through for the SUBJECT REALTY and grant certain waivers from the requirements of the Zoning Ordinance of the Village; and,

**WHEREAS**, Notice of Public Hearing on said application was published in compliance with Section 9-15-3(A) of the Willowbrook Municipal Code, in the *Doings* newspaper on December 24, 2020 and in the *Chicago Sun Times* newspaper on April 5, 2021, 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 of the SUBJECT REALTY more than fifteen (15) days but less than thirty (30) days prior to the public hearing date in compliance with Section 9-15-3(B) of the Willowbrook Municipal Code; and public notice was provided by posting on the property signs 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 dates; and,

**WHEREAS**, pursuant to said Notice, the Plan Commission of the Village of Willowbrook conducted a public hearing on or about January 13, 2021, which was continued to February 3, 2021, and a second public hearing on April 21, 2021, 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 said application and all interested parties has an opportunity to be heard; and,

**WHEREAS**, the Plan Commission forwarded its recommendations, including its Findings of Fact, to the Mayor and Board of Trustees on or about April 26, 2021, 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 April 26, 2021.

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

**SECTION ONE:** That the Zoning Map of the Village of Willowbrook be amended to reflect the granting of special use permits on the SUBJECT REALTY, pursuant to Sections 9-14-5, 9-6B-2-7 and 9-6B-2-10 of the Zoning Ordinance of the Village of Willowbrook, to allow the operation of a fast food establishment and associated drive-through use on the SUBJECT REALTY.

**SECTION TWO:** 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:

- A. A variation from Section 9-3-3(C) to decrease the minimum lot area for two (2) or more special uses from two acres (2 AC) to one acre (1 AC).
- B. A variation from Section 9-3-7(A)(1) to decrease the minimum special setback on Illinois Route 83 from one hundred feet (100') to fifty and two tenths feet (50.2') for the proposed building, to fifty-six and six tenths feet (56.6') for the proposed menu board, and to sixty-two and four tenths feet (62.4') to the order canopy.
- C. A variation from Section 9-6-1(A) to decrease the minimum lot area for two (2) or more special uses (fast food establishment and drive-through) from two acres (2 AC) to one acre (1 AC).
- D. A variation from Section 9-6B-3(A) to decrease the minimum lot area for all uses from two acres (2 AC) to one acre (1 AC).
- E. A variation from Section 9-6B-3(C)(1) to decrease the minimum lot width of 200 feet for restaurants from two hundred feet (200') to one hundred seventy feet (170').
- F. A variation from Section 9-6B-3(E)(1) to decrease the minimum front yard setback on Illinois Route 83 from sixty feet (60') to fifty and two tenths feet (50.2') for the proposed building, and to fifty-six and six tenths feet (56.6') for the proposed menu board.
- G. A variation from Section 9-6B-3(E)(3) to decrease the minimum exterior side yard setback on 75th Street from sixty feet (60') to forty-three and four tenths feet (43.4') for the proposed building, to twenty-five feet (25') to the order canopy, and to thirty-two and seven tenths feet (32.7') for the proposed menu board.
- H. A variation from Section 9-10-5(L)(2)(b)(2)(a) to decrease the radius connecting street pavement edge and driveway edge on 75th street from thirty-five feet (35') to twenty-five feet (25').
- I. A variation from Section 9-10-5(G) to decrease the minimum required interior side yard parking area setback from ten feet (10') to one foot (1') along the south lot line (southern portion of the Route 83 driveway).
- J. A variation from Section 9-10-5(L)(2)(d) to decrease the driveway location on lots for all uses other than single-family residential from seventy feet (70') to sixteen and six tenths feet (16.6') on Illinois Route 83 and to forty-six and eight tenths feet (46.8') on 75th Street.
- K. A variation from Section 9-10-5(L)(2)(e) to decrease the minimum spacing between separate driveway entrances from four hundred feet (400') to three hundred three and nine tenths feet (303.9') between the Illinois Route 83 driveway and the driveway to the south, and to approximately one hundred forty-five and eight tenths feet (145.8') between the 75th Street driveway and the driveway to the east.
- L. A variation from Section 9-10-5(L)(2)(f) to decrease the minimum spacing between driveway entrance and right-of-way of an adjacent intersecting street from five

- hundred feet (500') to one hundred two and four tenths feet (102.4') on Illinois Route 83 and to one hundred sixty-nine and five tenths feet (169.5') on 75th Street.
- M. A variation from Section 9-10-5(L)(2)(g) to eliminate the requirement of a concrete median separation and to reduce the driveway storage from one hundred feet (100') to zero feet on Illinois Route 83 and 75th Street.
- N. A variation from Section 9-14-2(D)(2)(c)(4) to decrease the minimum foundation landscape area from seven feet (7') to three and eight tenths feet (3.8') along the southern façade, to five and two tenths feet (5.2') along the northern portion of the eastern building façade and from seven feet (7') to zero feet along the western building façade and remaining portion of the eastern building façade.

**SECTION THREE:** 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 FOUR:** That the relief granted in Section Two of this Ordinance is expressly conditioned upon the SUBJECT REALTY at all times being constructed, used, operated, and maintained in accordance with the following terms, conditions, and provisions:

- A. The SUBJECT REALTY shall be in substantial accordance with the following plans and specifications ("APPROVED PLANS") attached hereto as Exhibit "C", except as modified herein or as part of approval of the FINAL PLANS:
1. Site Layout Plan – 1 sheet, Sheet C04.0, Panda Project No. D7058, Atwell Project No. 18003769.01, bearing a PC Submittal date of 11/20/2020, bearing the latest PC Submittal #2 date of 03/24/2021, bearing the latest Village Plan Revision #5 date of 04/29/2021, and prepared by Atwell Group.
  2. Architectural Drawings – 5 sheets, Sheets A-202, A-200, A-201, A-101, A-300, Panda Project #: D7058, Arch. Project #: JCDT180453, bearing an issue date of 11-04-2020, bearing the latest PC Submittal date of 03-24-2020, and prepared by NORR Architects Engineers Planners.
  3. Proposed Sign Package – 17 pages, Project #: C59897, dated 12.19.2018, bearing the latest revision date of 04.08.2020, and prepared by Priority Sign.
  4. Final Engineering Plans – 23 sheets, Panda Project #: D7058, Atwell Project No. 18003769.01, bearing a PC Submittal date of 11/20/2020, bearing the latest PC Submittal #2 date of 03/24/2021, bearing the latest Village Plan Revision #5 date of 04/29/2021, and prepared by Atwell Group.
  5. Landscape Plan and Landscape Notes and Details – 2 sheets, Panda Project #: D7058, Atwell Project No. 18003769.01, bearing a PC Submittal date of 11/20/2020, bearing the latest PC Submittal #2 date of 03/24/2021, bearing the latest Village Plan Revision #5 date of 04/29/2021, and prepared by Atwell Group.

6. Traffic Plan – 1 sheet, Sheet EX-02, Panda Project #: D7058, Atwell Project No. 18003769.01, bearing a PC Submittal date of 11/20/2020, Village Plan Revision #5 date of 04/29/2021, and prepared by Atwell Group.
  7. Photometric Plan – 1 sheet, dated 3/29/2021, and prepared by Villa Lighting.
  8. Construction Schedule – 1 page, dated 4/8/2021, and prepared by Atwell Group.
- 
- B. The special use permit shall be null and void if construction for the proposed use is not commenced within eighteen (18) months of the date of any approval of the special use by the Village Board.
  - C. Approved signage is limited to two hundred ninety square feet (290 SF) of signage including one monument sign and four wall signs in substantial conformance with the sign package included in Exhibit “C”.
  - D. The proposed trash enclosure shall be constructed to look like masonry and shall appear similar to the color and style of the building.
  - E. All landscaped areas shall be constructed, and landscape material installed prior to the issuance of any permanent occupancy permit for the subject realty, or such earlier time, as is reasonably practical.
  - F. The Red Maple tree (or any other tree proposed in that location) located to the northeast of the cross access drive shall be maintained so that its leaves and/or foliage are higher than three and five tenths feet (3.5’) from grade to maintain the sight distances at the proposed access driveway on Kingery Highway and 75th Street and internal site intersections.
  - G. A separate sign permit shall be obtained for the proposed building signage, pursuant to the Village Code.
  - H. Construction on the subject realty is subject to the issuance of building permits, which shall not be authorized by the Village until the Applicant and the Village enter into a “Traffic and Regulation Enforcement Agreement” in a form acceptable to the Village.
  - I. Construction on the subject realty is subject to the issuance of building permits, which shall not be authorized by the Village until the Applicant submits satisfactory evidence to the Village that the subject realty was conveyed by the current property owner (True North Energy, LLC) to EC Development II, LLC and leased to the Applicant for operation of a drive-through restaurant.
  - J. Prior to the issuance of any site/civil engineering/grading and or new building permits, the Applicant shall obtain approval of the site plan for the subject realty by the Illinois Department of Transportation (IDOT) relative to access to Route 83.
  - K. Prior to the issuance of any new building permits the Applicant shall submit an engineer’s estimate of cost to establish a development security.
  - L. Prior to issuance of a building permit, a permit is required from IDOT prior to any work in the IL Route 83 right of way.
  - M. Prior to issuance of a building permit, a permit is required from the DuPage County Public Works Department for the sanitary sewer connection.
  - N. Prior to the start of construction, the Applicant shall file a Notice of Intent with the Illinois Environmental Protection Agency (IEPA).
  - O. Prior to issuance of a building permit, the Applicant shall provide the Village with a letter of No Further Remediation (NFR) from the IEPA.

- P. Prior to issuance of a building permit, the Village will require a Plat of Easement to grant access to the B-Box at the building. This can be a 10-foot-wide non-exclusive easement over the water service from 75th Street to the building.
- Q. Prior to issuance of a building permit, the Applicant shall provide a roadway impact statement from DuPage County Department of Transportation (DuDOT) for the 75th Street driveway.
- R. Prior to issuance of a building permit, EC Development II, LLC shall enter into, and record, a cross access easement agreement with the property owner of 7535 Kingery Highway (Red Roof Inn) in a form to be approved by the Village Attorney.

**SECTION FIVE:** That the Village Clerk is hereby authorized and directed to note the zoning grants made by this Ordinance upon the official Zoning Map of the Village of Willowbrook.

**SECTION SIX:** 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 SEVEN:** 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 10th day of May, 2021.

ROLL CALL VOTE:

AYES: Berghand, Dair, Mustale, Neal, Oggerino, Ruffolo

NAYS: Ø

ABSTENTIONS: Ø

ABSENT: None

APPROVED:

Frank A. Trilla  
Frank A. Trilla, Mayor

ATTEST:

Deborah A. Hahn  
Deborah A. Hahn,  
Village Clerk





**ORDINANCE NO. 22-O-39**

**AN ORDINANCE GRANTING A SPECIAL USE EXTENSION REQUEST FOR  
ORDINANCE NO. 21-O-25, A SPECIAL USE PERMIT 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**

---

**WHEREAS**, Panda Express, Inc. (the “Applicant”), was granted a Special Use for the construction of a 2,300 square foot Panda Express fast food restaurant with a drive-through, associated site improvements, and fourteen (14) zoning variations under Ordinance No. 21-O-25, approved by the Mayor and Board of Trustees of the Village of Willowbrook, DuPage County on May 10, 2021; and

**WHEREAS**, Section Four, B, of Ordinance 21-O-25 states “the special use permit shall be null and void if construction for the proposed use is not commenced within eighteen (18) months of the date of any approval of the special use by the Village Board”; and

**WHEREAS**, the eighteen (18) month deadline is November 10, 2022; and

**WHEREAS**, a written request for a twelve (12) month extension has been submitted on behalf of the Applicant, and at the September 26, 2022 Committee of the Whole Meeting, the developer, on behalf of the Applicant, provided a summary of the status of the outstanding items that are required prior to permit approval; and

**WHEREAS**, pursuant to the Village Code of the Village of Willowbrook, upon written application and for good cause shown, the Board of Trustees may, by ordinance, in its sole discretion, grant extensions of time not to exceed one (1) year from the time of the approval of the special use by the Village Board; and

**WHEREAS**, Village staff has recommended that the Village grant an extension of six (6) months, extending the deadline to May 10, 2023.

**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 found to be true and correct and are incorporated herein by reference and made a part of this Ordinance, as if fully recited.

**SECTION TWO.** That a six (6) month special use extension for Section Four, B, of Ordinance No. 21-O-25 is granted, moving the deadline set in Ordinance No. 21-O-25 to commence construction to May 10, 2023.

**SECTION THREE.** That the several terms and conditions contained in the Special Use Permit, as passed and approved by Ordinance No. 21-O-25, 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 FOUR.** 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 FIVE.** That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

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PASSED and APPROVED this 10<sup>TH</sup> day of October, 2022.

ROLL CALL VOTE:

AYES: Astrella Berghand Davi Mistele Neal Ruffolo

NAYS: Ø

ABSTENTIONS: Ø

ABSENT: Ø

APPROVED:

Frank A. Trilla

Frank A. Trilla, Mayor

ATTEST:

Deborah A. Hahn  
Deborah A. Hahn, Village Clerk





**ORDINANCE NO. 23-O-\_\_**

**AN ORDINANCE GRANTING A SPECIAL USE EXTENSION REQUEST FOR  
ORDINANCE NO. 21-O-25, A SPECIAL USE PERMIT 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**

---

**WHEREAS**, Panda Express, Inc. (the “Applicant”), was granted a Special Use for the construction of a 2,300 square foot Panda Express fast food restaurant with a drive-through, associated site improvements, and fourteen (14) zoning variations under Ordinance No. 21-O-25, approved by the Mayor and Board of Trustees of the Village of Willowbrook, DuPage County on May 10, 2021; and

**WHEREAS**, Section Four, B, of Ordinance 21-O-25 states “the special use permit shall be null and void if construction for the proposed use is not commenced within eighteen (18) months of the date of any approval of the special use by the Village Board”; and

**WHEREAS**, the eighteen (18) month deadline passed on November 10, 2022; and

**WHEREAS**, a written request for a twelve (12) month extension was submitted on behalf of the Applicant, and at the September 26, 2022 Committee of the Whole Meeting, the developer, on behalf of the Applicant, provided a summary of the status of the outstanding items that are required prior to permit approval; and

**WHEREAS**, pursuant to the Village Code of the Village of Willowbrook, upon written application and for good cause shown, the Board of Trustees may, by ordinance, in its sole discretion, grant extensions of time not to exceed one (1) year from the time of the approval of the special use by the Village Board; and

**WHEREAS**, pursuant to that request, the Village granted an extension of six (6) months, extending the deadline to May 10, 2023; and

**WHEREAS**, construction has not commenced and the Applicant has requested a second extension.

**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 found to be true and correct and are incorporated herein by reference and made a part of this Ordinance, as if fully recited.

**SECTION TWO.** That a six (6) month special use extension for Section Four, B, of Ordinance No. 21-O-25 is granted, moving the deadline set in Ordinance No. 21-O-25 to commence construction to November 10, 2023.

**SECTION THREE.** That the several terms and conditions contained in the Special Use Permit, as passed and approved by Ordinance No. 21-O-25, 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 FOUR.** 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 FIVE.** That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

**PASSED** and **APPROVED** this 8<sup>th</sup> day of May, 2023 by a ROLL CALL VOTE as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED:

\_\_\_\_\_  
Frank A. Trilla, Mayor

ATTEST:

\_\_\_\_\_  
Deborah A. Hahn, Village Clerk

# VILLAGE OF WILLOWBROOK

## BOARD MEETING

### AGENDA ITEM - HISTORY/COMMENTARY

#### ITEM TITLES:

MOTION TO APPROVE THE *WIRE TRANSFER AUTHORIZED REPRESENTATIVE FORM* DATED APRIL 20, 2023, CHANGING THE TRANSFER AUTHORIZATION OF FRANK TRILLA, VILLAGE MAYOR, AND PROVIDING SEAN HALLORAN, VILLAGE ADMINISTRATOR, AND LORA FLORI, CHIEF FINANCIAL OFFICER, AUTHORITY TO INITIATE AND CONFIRM HINSDALE BANK & TRUST COMPANY WIRE TRANSFERS ON BEHALF OF THE VILLAGE OF WILLOWBROOK.

**AGENDA NO. 9.a.**

**AGENDA DATE: 05/08/2023**

**STAFF REVIEW:** Lora Flori, Chief Financial Officer

**SIGNATURE:** 

**LEGAL REVIEW:** Thomas Bastian, Village Attorney

**SIGNATURE:** 

**RECOMMENDED BY:** Sean Halloran, Village Administrator

**SIGNATURE:** 

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

#### BACKGROUND/DISCUSSION

Due to the retirement of Brian Pabst, former Village Administrator, and the separation of employment of Carrie Dittman, former CFO, the Village Mayor will need to approve the *Wire Transfer Authorized Representative Form*, dated April 20, 2023, to remove former Village Administrator, Brian Pabst and former CFO, Carrie Dittman as authorized representatives of the Village of Willowbrook and add Sean Halloran, Village Administrator and Lora Flori, CFO as authorized representatives having the authority to initiate and confirm Hinsdale Bank & Trust Company wire transfers on behalf of the Village of Willowbrook.

Due to the implementation of a dual approval process for all wire transfers, the Village Mayor will also need to approve the *Wire Transfer Authorized Representative Form*, dated April 20, 2023, to change the Mayor's authority from confirm only to initiate and confirm Hinsdale Bank & Trust Company wire transfers on behalf of the Village of Willowbrook.

#### STAFF RECOMMENDATION

Staff recommends removing Brian Pabst, former Village Administrator and Carrie Dittman, former CFO, as authorized representatives of the Village of Willowbrook and adding Sean Halloran, Village Administrator and Lora Flori, CFO, as authorized representatives having the authority to initiate and confirm Hinsdale Bank & Trust Company wire transfers on behalf of the Village of Willowbrook.

Staff also recommends changing the Village Mayor's authority from confirming only to initiating and confirming Hinsdale Bank & Trust Company wire transfers on behalf of the Village of Willowbrook.

**ACTION PROPOSED:** Pass the motion.

## EXHIBIT B – WIRE TRANSFER AUTHORIZED REPRESENTATIVE FORM

CUSTOMER ACCOUNT TITLE:	VILLAGE OF WILLOWBROOK	DATE:	April 20, 2023
CUSTOMER ACCOUNT NUMBER(S):	SEE ACCOUNT LISTING ATTACHED	CUSTOMER TELEPHONE NUMBER:	

The undersigned hereby authorizes Bank to accept transfer requests or confirm such requests with the Authorized Representative listed below. Each transfer request will be affected only from the Account(s) listed above and within the limitations listed below. Bank is authorized to rely upon instructions received from such Authorized Representative and may assume and act upon the assumption that any person purporting to take any action or giving instructions hereunder is the Authorized Representative he or she purports to be and has the connection with this institution he or she purports to have. A separate Exhibit B should be completed for each additional Authorized Representative. **If Authorized Representatives are to be contacted in a specific order, please indicate by placing numbers next to each name.** These instructions will supercede any wire transfer authorizations presently on file.

<input type="checkbox"/> NEW	<input type="checkbox"/> CHANGE	<input checked="" type="checkbox"/> DELETE
AUTHORIZED REPRESENTATIVE NAME (PLEASE PRINT OR TYPE)	PRIMARY PHONE <input type="checkbox"/> CELL <input type="checkbox"/> HOME <input checked="" type="checkbox"/> OFFICE	SECONDARY PHONE <input checked="" type="checkbox"/> CELL <input type="checkbox"/> HOME <input type="checkbox"/> OFFICE
BRIAN PABST		

☒ Follow Standard Security Procedures (REQUIRED FOR FAX, EMAIL OR FOREIGN CURRENCY ACCOUNT SERVICE)

☐ Follow Alternative Security Procedures as documented here:

☐ No callback on wires when customer calls into the wire room with a wire PIN.

☐ No one user may initiate and confirm the same wire.

☐ No callback on wires initiated via bank's on-line banking system with a token.

☐ No callbacks on repetitive template wires called into the wire room with a wire PIN.

☐ No callback on SWIFT Corporate Service, SWIFT/BIC Code:

☐ Callbacks will only be performed on all wires over \$

☐ Other Alternative Security Procedures must be pre-approved by the bank's wire transfer department and documented below:

TRANSFER AUTHORIZATION	<input type="checkbox"/> INITIATE AND CONFIRM	<input type="checkbox"/> INITIATE ONLY	<input checked="" type="checkbox"/> CONFIRM ONLY
REPETITIVE TEMPLATE LIMIT** (IF NO MAXIMUM PLEASE NOTE "NONE")			\$500,000.00
NON-REPETITIVE LIMIT** (IF NO MAXIMUM PLEASE NOTE "NONE")			\$500,000.00

\*\* These fields indicate the dollar limit the Authorized Representative is restricted from authorizing and/or confirming. If left blank, that Authorized Representative will be assumed to have unlimited dollar amount transferring authority.

The persons executing this document on behalf of a Customer and Bank represent that they respectively have been and are, as of the date hereof, duly authorized by all necessary and appropriate corporate action to enter into this Agreement. To the extent there is more than one Customer executing this Security Procedure, each reference to Customer herein shall be deemed to refer and apply to each Customer individually.

CUSTOMER(S) AUTHORIZATION	BANK OFFICER APPROVAL
Authorized Signature	Authorized Signature
FRANK TRILLA, MAYOR/April 20, 2023	RICARDO MORALES, SVP/April 20, 2023
Print Name/Title/Date	Print Name/Title/Date

## EXHIBIT B – WIRE TRANSFER AUTHORIZED REPRESENTATIVE FORM

CUSTOMER ACCOUNT TITLE:	VILLAGE OF WILLOWBROOK	DATE:	April 20, 2023
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<input type="checkbox"/> NEW	<input type="checkbox"/> CHANGE	<input checked="" type="checkbox"/> DELETE
AUTHORIZED REPRESENTATIVE NAME (PLEASE PRINT OR TYPE)	PRIMARY PHONE <input type="checkbox"/> CELL <input type="checkbox"/> HOME <input checked="" type="checkbox"/> OFFICE	SECONDARY PHONE <input type="checkbox"/> CELL <input type="checkbox"/> HOME <input type="checkbox"/> OFFICE
CARRIE DITTMAN		

☒ Follow Standard Security Procedures (REQUIRED FOR FAX, EMAIL OR FOREIGN CURRENCY ACCOUNT SERVICE)

☐ Follow Alternative Security Procedures as documented here:

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☐ Other Alternative Security Procedures must be pre-approved by the bank's wire transfer department and documented below:

TRANSFER AUTHORIZATION	<input type="checkbox"/> INITIATE AND CONFIRM	<input checked="" type="checkbox"/> INITIATE ONLY	<input type="checkbox"/> CONFIRM ONLY
REPETITIVE TEMPLATE LIMIT** (IF NO MAXIMUM PLEASE NOTE "NONE")		\$500,000.00	
NON-REPETITIVE LIMIT** (IF NO MAXIMUM PLEASE NOTE "NONE")		\$500,000.00	

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CUSTOMER(S) AUTHORIZATION	BANK OFFICER APPROVAL
Authorized Signature	Authorized Signature
FRANK TRILLA, MAYOR/April 20, 2023	RICARDO MORALES, SVP/April 20, 2023
Print Name/Title/Date	Print Name/Title/Date

## EXHIBIT B – WIRE TRANSFER AUTHORIZED REPRESENTATIVE FORM

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AUTHORIZED REPRESENTATIVE NAME (PLEASE PRINT OR TYPE)	PRIMARY PHONE <input type="checkbox"/> CELL <input type="checkbox"/> HOME <input checked="" type="checkbox"/> OFFICE	SECONDARY PHONE <input checked="" type="checkbox"/> CELL <input type="checkbox"/> HOME <input type="checkbox"/> OFFICE
FRANK TRILLA		

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Authorized Signature	Authorized Signature
FRANK TRILLA, MAYOR/April 20, 2023	RICARDO MORALES, SVP/April 20, 2023
Print Name/Title/Date	Print Name/Title/Date

## EXHIBIT B – WIRE TRANSFER AUTHORIZED REPRESENTATIVE FORM

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AUTHORIZED REPRESENTATIVE NAME (PLEASE PRINT OR TYPE)	PRIMARY PHONE <input type="checkbox"/> CELL <input type="checkbox"/> HOME <input checked="" type="checkbox"/> OFFICE	SECONDARY PHONE <input checked="" type="checkbox"/> CELL <input type="checkbox"/> HOME <input type="checkbox"/> OFFICE
SEAN HALLORAN		

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CUSTOMER(S) AUTHORIZATION	BANK OFFICER APPROVAL
Authorized Signature	Authorized Signature
FRANK TRILLA, MAYOR / April 20, 2023	RICARDO MORALES, SVP / April 20, 2023
Print Name/Title/Date	Print Name/Title/Date



## EXHIBIT B – WIRE TRANSFER AUTHORIZED REPRESENTATIVE FORM

CUSTOMER ACCOUNT TITLE:	VILLAGE OF WILLOWBROOK	DATE:	April 20, 2023
CUSTOMER ACCOUNT NUMBER(S):	SEE ACCOUNT LISTING ATTACHED	CUSTOMER TELEPHONE NUMBER:	

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<input checked="" type="checkbox"/> NEW	<input type="checkbox"/> CHANGE	<input type="checkbox"/> DELETE
AUTHORIZED REPRESENTATIVE NAME (PLEASE PRINT OR TYPE)	PRIMARY PHONE <input type="checkbox"/> CELL <input type="checkbox"/> HOME <input checked="" type="checkbox"/> OFFICE	SECONDARY PHONE <input checked="" type="checkbox"/> CELL <input type="checkbox"/> HOME <input type="checkbox"/> OFFICE
LORA FLORI		

☒ Follow Standard Security Procedures (REQUIRED FOR FAX, EMAIL OR FOREIGN CURRENCY ACCOUNT SERVICE)

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CUSTOMER(S) AUTHORIZATION	BANK OFFICER APPROVAL
Authorized Signature	Authorized Signature
FRANK TRILLA, MAYOR / April 20, 2023	RICARDO MORALES, SVP / April 20, 2023
Print Name/Title/Date	Print Name/Title/Date

CUSTOMER ACCOUNT TITLE:	VILLAGE OF WILLOWBROOK	DATE:	April 20, 2023
CUSTOMER ACCOUNT NUMBER(S):	SEE ACCOUNT LISTING ATTACHED	CUSTOMER TELEPHONE NUMBER:	

The undersigned hereby authorizes Bank to notify any one of the Authorized Notification Name individuals as listed below in the indicated manner. These instructions will supersede any wire transfer authorizations presently on file.

AUTHORIZED NOTIFICATION NAME (PLEASE PRINT OR TYPE)	EMAIL ADDRESS	ALL WIRE TRANSFERS	OUTGOING WIRES ONLY	INCOMING WIRES ONLY
LORA FLORI	CFO@WILLOWBROOK.IL.US	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SEAN HALLORAN	SHALLORAN@WILLOWBROOK.IL.US	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/>	<b>No Notifications – Please indicate here if no notifications should be sent for incoming or outgoing wire transfers via email or regular mail. Account activity can also be reviewed via bank statements or online banking.</b>
--------------------------	---

The persons executing this document on behalf of a Customer and Bank represent that they respectively have been and are, as of the date hereof, duly authorized by all necessary and appropriate corporate action to enter into this Agreement. To the extent there is more than one Customer executing this Security Procedure, each reference to Customer herein shall be deemed to refer and apply to each Customer individually.

CUSTOMER(S) AUTHORIZATION		BANK OFFICER APPROVAL	
<div>Authorized Signature</div>		<div>Authorized Signature</div>	
<div>FRANK TRILLA / April 20, 2023</div> <div>Print Name/Title/Date</div>		<div>RICARDO MORALES, SVP / April 20, 2023</div> <div>Print Name/Title/Date</div>	

# VILLAGE OF WILLOWBROOK

## BOARD MEETING

### AGENDA ITEM - HISTORY/COMMENTARY

**ITEM TITLES:**

MOTION TO APPROVE THE *LETTER OF DIRECTION*, DATED MAY 8, 2023, PROVIDING HINSDALE BANK & TRUST COMPANY AUTHORIZATION TO PROVIDE LORA FLORI, CHIEF FINANCIAL OFFICER, WITH BANK INFORMATION, AS NEEDED.

**AGENDA NO. 9.b.****AGENDA DATE: 05/08/2023****STAFF REVIEW:** Lora Flori, Chief Financial OfficerSIGNATURE: **LEGAL REVIEW:** Thomas Bastian, Village Attorney

SIGNATURE: Tom Bastian / cm

**RECOMMENDED BY:** Sean Halloran, Village AdministratorSIGNATURE: **REVIEWED & APPROVED BY COMMITTEE:** YES ☐ NO ☐ N/A ☒**BACKGROUND/DISCUSSION**

For security reasons, Hinsdale Bank & Trust Company will only provide information over the phone to one of the authorized signers on the accounts held on behalf of the Village of Willowbrook (Village). It may be necessary, at certain times, for the CFO to request bank information from Hinsdale Bank & Trust Company when the Village's bank representatives are unavailable.

As the Chief Financial Officer, Lora Flori, is not an authorized signer on the Village's accounts at Hinsdale Bank & Trust Company. A best practice is to have an authorized *Letter of Direction* on file at Hinsdale Bank & Trust Company to ensure that the bank is able to properly provide timely information as may be needed.

**STAFF RECOMMENDATION**

Staff recommends the Mayor approve the *Letter of Direction* and provide it to Hinsdale Bank & Trust Company to ensure that the bank is able to properly provide timely information to the CFO, as may be needed.

**ACTION PROPOSED:** Pass the motion.



# Village of WILLOWBROOK

---

**Mayor**

Frank A. Trilla

**Village Clerk**

Deborah Hahn

**Village Trustees**

Mark L. Astrella

Sue Berglund

Umberto Davi

Michael Mistele

Gayle Neal

Gregory Ruffolo

**Village Administrator**

Sean Halloran

**Chief of Police**

Robert Schaller



Proud Member of the  
Illinois Route 66 Scenic Byway

Nancy C. Hett

Commercial Banking

Senior Client Support Professional

Hinsdale Bank & Trust Company, N.A.

6262 South Kingery Highway, Suite 100

Willowbrook, Illinois 60527

May 8, 2023

Re: Letter of Direction

I hereby authorize Hinsdale Bank & Trust Company, N.A. to provide information to Lora A. Flori, CFO for the following Village of Willowbrook accounts.

XXXXXX0041 – Taxable Bond Proceeds

XXXXXX0243 – Red Light Enforcement Account

XXXXXX0275 – General Fund

XXXXXX0283 – Accounts Payable

XXXXXX0291 – Payroll Account

XXXXXX1771 – General Fund Money Market Account

XXXXXX3804 – Flexible Spending Account

XXXXXX4155 – Police Pension Fund

XXXXXX4163 – Water Fund

XXXXXX4171 – Drug Enforcement

XXXXXX4315 – Tax Exempt Bond Proceeds

Thank you for your assistance.

Sincerely,

---

Frank A. Trilla

Mayor

Village of Willowbrook

835 Midway Drive

Willowbrook, IL 60527

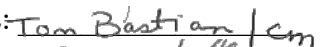
# VILLAGE OF WILLOWBROOK

## BOARD MEETING

### AGENDA ITEM - HISTORY/COMMENTARY

**ITEM TITLES:**

A RESOLUTION APPROVING OF THE VILLAGE OF WILLOWBROOK CREATING THE VILLAGE OF WILLOWBROOK COMPREHENSIVE PLAN COMMITTEE

**AGENDA NO. 10.****AGENDA DATE: 05/8/2023****STAFF REVIEW:** Sean Halloran, Village AdministratorSIGNATURE: **LEGAL REVIEW:** Tom Bastian, Village AttorneySIGNATURE: **RECOMMENDED BY:** Sean Halloran, Village AdministratorSIGNATURE: **REVIEWED & APPROVED BY COMMITTEE:** YES ☐ NO ☐ N/A ☒**BACKGROUND/DISCUSSION**

On January 9, 2023, the Village Board of Trustees approved a contract with Houseal Lavigne Associates, LLC to provide Comprehensive Plan Update services. The Board of Trustees identified an update to the Village's Comprehensive Plan as a priority for this fiscal year and next. The Comprehensive Plan update will consist of several facets, including an examination of existing conditions within the Village, public engagement sessions to ensure community member participation throughout the entire plan updating process, and a thorough process to draft and present a final Comprehensive Plan update to the Village Board and members of the public. The project will result in a final draft of the Comprehensive Plan, including implementation strategies, and recommendations for the Board to consider.

This will be the first time the Village's Comprehensive Plan has been updated since October 1993. Considering the vision that Trustees have for the future development of Willowbrook, the Comprehensive Plan Update will serve as a critical tool to help guide actions pursued by Village staff and elected officials and will present a vision for the future with long-range goals and objectives for all Village initiatives and projects.

In order to successfully manage the Comprehensive Plan Update process, Village staff are requesting a Comprehensive Plan Steering Committee to be created. Similar to the Village's Unified Zoning Ordinance Update process, this Committee will consist of Village Board Trustees and Willowbrook Plan Commission members. Below is an overview of all Steering Committee members:

**Village Board of Trustees:**

- Mayor Frank A. Trilla
- Mark Astrella
- Sue Berglund
- Umberto Davi
- Michael Mistele
- Gayle Neal
- Gregory Ruffolo

**Willowbrook Plan Commission:**

- Chairman Dan Kopp
- Vice Chairman John Wagner
- Zoltan Baksay
- Catherine Kaczmarek
- Ronald Kanaverskis
- Leonard Kaucky
- Maciej Walec

**ACTION PROPOSED:** Adopt the Resolution.

**RESOLUTION NO. 23 R-\_\_\_\_\_**

**A RESOLUTION APPROVING OF THE VILLAGE OF WILLOWBROOK CREATING  
THE VILLAGE OF WILLOWBROOK COMPREHENSIVE PLAN COMMITTEE**

**WHEREAS**, the Village of Willowbrook Comprehensive Plan (“Comprehensive Plan”) was adopted in 1993 and the Comprehensive Plan is the official policy guide for future growth and development in the Village; and

**WHEREAS**, the Comprehensive Plan has long-range recommendations for land use, transportation, community facilities; and

**WHEREAS**, the corporate authorities of the Village have further determined that it is in the best interest of the Village, its residents, visitors and businesses to review, analyze and update the Comprehensive Plan in light of business trends, demographics, and changing and evolving needs of the Village; and

**WHEREAS**, the Comprehensive Plan has not been updated and comprehensively reviewed in thirty (30) years; and

**WHEREAS**, the corporate authorities of the Village have further determined that it is in the best interest of the Village to create a Village of Willowbrook Comprehensive Plan Review Committee, which Committee shall be an advisory Committee tasked with the responsibility of reviewing and analyzing the Comprehensive Plan, taking testimony, receiving citizen and business input, and to ultimately recommend to the corporate authorities of the Village changes, modifications and updates to the Comprehensive Plan.

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

**SECTION 1.** The foregoing recitals are found to be true and correct and are adopted as the findings of the corporate authorities of the Village of Willowbrook as if fully recited herein.

**SECTION 2. CREATION:** There is hereby created an Advisory Committee of the Village of Willowbrook to be known as the Village of Willowbrook Comprehensive Plan Review Committee (“Committee”).

**SECTION 3. COMPOSITION:** The Committee shall consist of fourteen (14) voting members. The Committee Board shall be: 1) the current Village Mayor and Board of Trustees of the Village and such successor members of the corporate authorities, as may be elected or appointed, and the seven (7) members or their successors of the Village Plan Commission, each of which shall constitute the fourteen (14) voting members. The Mayor shall serve as the Chairperson of the Committee. The Village Clerk shall serve as Clerk to the Committee as a non-voting member. The Village Clerk shall serve as the Recording Secretary to the Committee who shall record the minutes of meetings, maintain and preserve all records and testimony of the Committee, and respond to all Freedom of Information Act (5 ILCS 140/1, *et seq.*) requests directed to the Committee.

**SECTION 4. OPEN MEETINGS ACT:** The Committee shall be subject to and abide by all provisions and requirements of the Illinois Open Meetings Act (5 ILCS 120/1, *et seq.*) and the Illinois Freedom of Information Act (5 ILCS 140/1, *et seq.*).

**SECTION 5. COMPENSATION:** The elected Village officials and their successors shall serve without compensation. Appointed members of the Plan Commission and their successors shall receive a stipend of One Hundred Fifty Dollars (\$50.00) per meeting.

**SECTION 6. STAFF LIAISON:** The Village Administrator shall serve as the Village staff liaison to the Committee.

**SECTION 7. DUTIES:** The Committee shall have the power and duty to review the current official Comprehensive Plan and to recommend, in writing, to the corporate authorities of the Village any proposed changes to the Village Comprehensive Plan.

**SECTION 8. MEETINGS:**

1. Regular meeting dates for the Committee may be established at dates and times to be determined by the Committee. Special meetings of the Committee may be called by the Chairperson of the Committee. All meetings shall be open to the public, unless otherwise permitted by law.
2. Public notice of regular and special meetings of the Committee shall be given by posting a copy of the notice not less than forty-eight (48) hours before the time of the meeting at the Village Community Resource Center and, if a meeting is to be held at a location other than the Village Community Resource Center, at the location of the building in which the meeting is to be held. Notices of all meetings shall be posted on the Village website.

**SECTION 9. QUORUM:** A majority of the authorized number of members shall constitute a quorum. No meeting shall be conducted without a quorum being present.

**SECTION 10.** The Committee shall cease to exist upon its making final written recommendations to the corporate authorities of the Village and any recommend changes to the Comprehensive Plan, or sooner, if by action of the corporate authorities of the Village.



**SECTION 11.** This resolution shall be in full force and effect from and after its passage and approval, as provided by law.

**PASSED** and **APPROVED** this 8th day of May, 2023 by a ROLL CALL VOTE as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED:

\_\_\_\_\_  
Frank A. Trilla, Mayor

ATTEST:

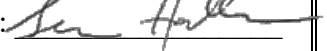

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Deborah A. Hahn, Village Clerk

# VILLAGE OF WILLOWBROOK

## BOARD MEETING AGENDA ITEM - HISTORY/COMMENTARY

**ITEM TITLES:**

Motion – Harlem Irving Escrow Deposit

**AGENDA NO. 11.****AGENDA DATE: 05/8/2023****STAFF REVIEW:** Sean Halloran, Village AdministratorSIGNATURE: **LEGAL REVIEW:** Tom Bastian, Village AttorneySIGNATURE: **RECOMMENDED BY:** Sean Halloran, Village AdministratorSIGNATURE: **BACKGROUND/DISCUSSION:**

On October 4, 2006, an escrow account was created for Harlem-Irving that was related to public improvements within the bowling alley property. At the time of the town center improvement, the Village created an SSA for the project. Therefore, to ensure the bowling alley received a benefit from the available TIF funds, a condition was added in the approving Zoning Ordinance requiring that the developer fund \$250,000 in improvements.

The Development Agreement contained language that in the event the developer and bowling alley owner could not reach an agreement on the improvements, the funds would be placed into an escrow account while the Village tried to work with the owner to complete the work. Harlem Irving and the owner of the bowling alley did fail to come to an agreement. In 2009, the Village began negotiating the terms of an escrow deposit agreement with Harlem Irving. After two years of negotiations between the Village and Harlem Irving, there was an eventual deposit made **from Harlem Irving** into the escrow for improvements at the bowling alley site of \$250,000.

On November 28, 2011, the Village Board approved 11-R-45 which extended the escrow deposit agreement until August 1, 2013, and permitted the use of the funds to be used on “Parking Lot Improvements on the plans entitled “Willowbrook Bowl Parking Lot and Access Plan”, prepared by Manrchris Engineering, Ltd., Job No. 06-021, dated September 21, 2007, consisting of two (2) sheets numbered C-1 and C-2 or (b) public improvements that are of general benefit to the properties embraced within the TIF District boundaries.”

In January 2013, the Village recommended a change of scope regarding the escrow deposit with Harlem Irving. Rather than use the funds to improve the bowling alley site, it was to be used for further public improvements at Plainfield Road. At that time, Village staff agreed to release \$76,354.05 from the escrow because Harlem-Irving had satisfied a portion of the agreement for parking lot improvements.

Per the agreement, if the funds are not used, they will be returned to the developer. Since that time, the Village has executed annual agreements approved by the Village Board and agreed to by Harlem Irving on the remaining balance of \$173,645.95. The last agreement expired in August 2021 and has not been disbursed to Harlem Irving.

**RECOMMENDATION:**

Staff recommends following the agreement with Harlem Irving and approving the motion to allow the release of the remaining \$173,645.95 from escrow to Harlem Irving.

**ACTION PROPOSED:** Pass the motion.