

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON MONDAY, MAY 8, 2023, AT 6:30 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 6:30 P.M. Mayor Trilla.

2. ROLL CALL

Those physically present at roll call were, Village Clerk Deborah Hahn, Mayor Frank Trilla, Village Trustees Umberto Davi, Michael Mistele, Greg Ruffolo, 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, Deputy Chief Benjamin Kadolph, Deputy Clerk Christine Mardegan and Public Works Foreman AJ Passero.

ABSENT: Chief Financial Officer Lora Flori.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

Mayor Trilla asked Chief Schaller to lead everyone in saying the Pledge of Allegiance.

4. OATHS OF OFFICE

The Honorable Judge Linda E. Davenport administered the Oath of Office to the following:

- a. VILLAGE TRUSTEE MARK L. ASTRELLA
- b. VILLAGE TRUSTEE SUZANNE BERGLUND
- c. VILLAGE TRUSTEE HELEN "GAYLE" NEAL

5. PRESENTATION - MAYOR'S PRESENTATION

OFFICIAL APPOINTMENT TO RANK OF PATROL OFFICER:

- a. Brian Farrell

Clerk Hahn had the honor of swearing in the new patrol officer. Mayor welcomed Officer Farrell to the Village.

RETIREMENT RECOGNITION

Chief Robert Schaller is a twenty-eight-year veteran of the Willowbrook Police Department. Chief Schaller has been with the Village since May 15th, 1995. Prior to being appointed Chief of Police for the Village of Willowbrook in March of 2018, Chief Schaller rose through the ranks. Chief Schaller has served as a Patrol Officer, Tactical Officer, Detective and Deputy Chief. Chief Schaller was assigned to the Federal Drug Enforcement Administration as a task force officer.

Chief Schaller was a recipient of the 2004 Illinois Law Enforcement Medal of Honor, 2008 Award of Valor from the Hundred Club of DuPage County and the Illinois Fraternal Order of Police Labor Council's award for bravery in the line of duty in 2009.

Chief Schaller holds a Bachelor of Arts in Criminal Justice from Governors State University, FBI-LEEDA Supervisor Leadership Institute and is a graduate of Northwestern University Center for Public Safety Staff and Command. He is an active member of the Illinois Association of Chiefs of Police and the International Association of Police. We thank you for your service to our Village, Chief Schaller.

Mayor Trilla presented the Chief with an award and mentioned how proud he was of the Chief.

6. VISITORS' BUSINESS

Valentino Mancini, participating via zoom, from Norr Architects, is available for questions that may arise on behalf of Panda Express regarding an ordinance slated for discussion under new business.

Mr. Bill Jagielski, a resident at 5875 Virginia, congratulated the new Trustees and Chief Schaller on his retirement. He indicated that he was at the last meeting where the development of the property at 61st and Bentley was under discussion. His question is whether this project has been approved and been finalized by the Board to move forward.

Director Krol responded that the preliminary plan for the subdivision was approved by the Village Board. There are some engineering comments to address, and the developer has not submitted a final plat of the subdivision.

Mr. Jagielski commented that there is demolition work being done on the site and questioned whether New Horizon owned the property and if

they could begin demolition even though the final issues had not been resolved. Director Krol indicated that yes, New Horizon is the current owner of the property. He noted that since the work being done is not related to the subdivision issues, the work could continue.

Mr. Jagielski also expressed his concern with the number of homes being built and its impact on the traffic in the area. He wondered whether the Village had considered reducing the number of homes being built. He felt with the number of homes being built it would increase the number of residents by at least 20 and most likely 20 more vehicles. He asked if any considerations were made for the change in traffic patterns. Director Krol responded that traffic concerns were addressed during earlier public hearings on the subdivision and the project was approved by the Plan Commission and the Village Board.

Mayor Trilla added that when the Village was approached by the developer, as their project plan met the current restrictions, no additional options were discussed.

Mr. Jagielski also questioned if the existing pond and additional water overflow during heavy rains were taken into consideration and the possibility of flooding. Director Krol indicated that a 69,000 square foot retention area was being built on the property.

The Mayor noted that this issue was addressed at the last meeting by the DuPage County stormwater engineer. The engineer assured and reassured the Board and residents present, that everything is being constructed and engineered to prevent additional stormwater flooding in the area.

7. OMNIBUS VOTE AGENDA:

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

- a. Waive Reading of Minutes (Approve)
- b. Minutes - 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

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

MOTION: Made by Trustee Davi and seconded by Trustee Mistele 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

8. ORDINANCE NO. 23-O-13 - 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)

Director Krol indicated that under Ordinance 21-O-25, 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. 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.

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 previously approved six (6) month extension under Ordinance 22-O-39 is expiring on May 10th, 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.

If the Village Board is to consider another six-month (6) extension, staff will request 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 21-0-25 by six (6) more months, moving the deadline to November 10, 2023, which is the last possible extension date permitted by the Village Code.

Mayor Trilla asked that we follow-up with them monthly to see where they are at with the State of Illinois to keep track of their progress.

Trustee Davi commented that in the past we have had a full discussion on this project, but wondered if there is anything new to report. Director Krol indicated there is no new information.

MOTION: Made by Trustee Ruffolo and seconded by Trustee Davi to adopt Ordinance 23-0-13 as presented.

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

MOTION DECLARED CARRIED

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)

Administrator Halloran presented that item 9a and 9b are due to staffing changes. This is just to update some of the names on the accounts.

MOTION: Made by Trustee Davi and seconded by Trustee Astrella to pass the motion to update the wire transfer authorized representatives for Hinsdale Bank & Trust.

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

MOTION DECLARED CARRIED

- 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)

MOTION: Made by Trustee Ruffolo and seconded by Trustee Berglund to pass the motion to approve the letter of direction to add Lora Flori as authorized to receive banking information from Hinsdale Bank & Trust.

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

MOTION DECLARED CARRIED

10. RESOLUTION NO. 23-R-21- A RESOLUTION APPROVING OF THE VILLAGE OF WILLOWBROOK CREATING THE VILLAGE OF WILLOWBROOK COMPREHENSIVE PLAN COMMITTEE (ADOPT)

Administrator Halloran requested that a Comprehensive Plan steering committee be formed to update the current plan, structuring the committee similar to what was done to the update the Village zoning code. This will be conducted in partnership with Houseal and Lavigne.

MOTION: Made by Trustee Davi and seconded by Trustee Mistele to adopt Resolution No. 23-R-21 as presented.

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

MOTION DECLARED CARRIED

11. MOTION - HARLEM-IRVING ESCROW DEPOSIT (PASS)

Administrator Halloran outlined that 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.

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. 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. 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.

MOTION: Made by Trustee Ruffolo and seconded by Trustee Davi to pass the motion to approve Harlem-Irving Escrow Deposit the 2023/2024 Annual Budget as presented.

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

MOTION DECLARED CARRIED

PRIOR BUSINESS

12. TRUSTEE REPORTS

Trustee Neal stated on behalf of the Public Safety Committee thank you to Chief Schaller. You were outstanding in your leadership of the committee. We accomplished a lot. Congratulations on your retirement and thank you again.

Trustee Ruffolo thanked Chief Schaller for his service, we appreciate all that you have done, and you will be missed.

Trustee Mistele said, Bob [Chief Schaller], we have known you for a long time, thank you for everything.

Trustee Berglund thanked the Chief [Schaller] for everything he has done for the community and board over the years; you've been phenomenal.

Trustee Davi thanked the Chief [Schaller] and wished him well.

Trustee Astrella congratulated the Chief [Schaller] and felt as if he had known him for years, although it was just a short time.

13. ATTORNEY'S REPORT

Attorney Durkin congratulated the three Trustees that were sworn in this evening and Bob [Chief Schaller], it was great working with you. Good luck with the future.

14. CLERK'S REPORT

Clerk Hahn wanted to congratulate all the Trustees that were reelected and congratulated Chief Schaller and stated he will be missed.

15. ADMINISTRATOR'S REPORT

Administrator Halloran congratulated the Trustees on their re-election. He also thanked Chief Schaller for all his help and support over the past two and half years, although it feels like twenty with the amount we have accomplished.

He also announced the receipt of a police grant in the amount of \$182,000 from the Illinois Attorney General's office for combating organized retail crime. I thank Chief Schaller, Deputy Chief Kaspar, and Deputy Chief Kadolph.

We will have the open house for Midway Park and Borse Park on Thursday evening at the Community Resource Center at 5:30 p.m. We will have another open house on May 25th, for the Executive Drive Project. Lastly, Senator John Curran's staff will be at the Community Resource Center on May 17, 2023, from 1:00 p.m. to 3:00 p.m. conducting their travelling office hours.

16. MAYOR'S REPORT

Mayor Trilla congratulated the three Trustees that ran a fantastic campaign, very disciplined and well done. I am glad to have everyone back.

Chief Schaller, you have done an incredible job. It has been great working with you. It was a pleasure. I would also like to welcome the new officer to the team and family. Thank you, Justice Davenport, we appreciate your being here, and thank you to all of our guests this evening.

17. EXECUTIVE SESSION

There was no need for an Executive Session this evening.

18. ADJOURNMENT

MOTION: Made by Trustee Davi and seconded by Trustee Neal to adjourn the Regular Meeting at the hour of 7:00 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

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Minutes transcribed by Deputy Clerk Christine Mardegan.