

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, SEPTEMBER 10, 2007, AT THE VILLAGE HALL, 7760 QUINCY STREET, IN THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

1. CALL TO ORDER

The meeting was called to order at the hour of 7:30 p.m. by Deputy Clerk Mary Partyka.

2. ROLL CALL

Those present at roll call were Trustees Michael Mistele, Michael Brown, Robert Napoli, Paul Schoenbeck and Timothy McMahon. ABSENT: Village President Gary Pretzer. Also present were Deputy Clerk Mary Partyka, Village Attorney Robin Jones, Village Administrator Phil Modaff, Chief of Police Edward Konstanty, Director of Finance Sue Stanish, Director of Municipal Services Timothy Halik, Village Planner Sara Hage and Superintendent of Parks and Recreation Walter Righton.

A QUORUM WAS DECLARED

3. ELECTION - PRESIDENT PRO TEM

Deputy Clerk Partyka asked for a motion to elect the President Pro Tem for this evening's meeting.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Mistele, to elect Trustee Robert Napoli as President Pro Tem for this evening's meeting.

ROLL CALL VOTE: AYES: Trustees Baker, Mistele, Brown, Schoenbeck, McMahon and President Pro Tem Napoli; NAYS: None; ABSENT: None.

MOTION DECLARED CARRIED

4. PLEDGE OF ALLEGIANCE

President Pro Tem Napoli asked everyone to join him in saying the pledge of allegiance.

5. ACKNOWLEDGEMENT OF 9/11

President Pro Tem Napoli asked for a moment of silence in remembrance of the tragic events of September 11, 2001 and for all the military personnel.

6. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Regular Board Meeting - August 27, 2007 (APPROVE)
- c. Warrants - September 10, 2007 - \$131,835.14 (APPROVE)
- d. Monthly Financial Report - August 31, 2007 - \$14,461,287.11 (ACCEPT)
- e. Motion to Approve Expenditure Under \$5,000.00 - Portable Traffic Analyzer - \$2,924.20 (APPROVE)

President Pro Tem Napoli asked if any Board member(s) wanted to remove any item(s) from the Omnibus Vote Agenda for further discussion. No Board member(s) wanted any item(s) removed from the Omnibus Vote Agenda.

MOTION: Made by Trustee Baker, seconded by Trustee Brown, to approve the Omnibus Vote Agenda as presented.

PREVIOUS ROLL CALL VOTE: AYES: Trustees Baker, Mistele, Brown, Schoenbeck, McMahon and President Pro Tem Napoli; NAYS: None; ABSENT: None.

MOTION DECLARED CARRIED

NEW BUSINESS

7. VISITOR'S BUSINESS (Public comment is limited to three minutes per person)

Phyllis Zimmer, of 6446 Tennessee Avenue, commented with regard to the storm water runoff being directed onto her property.

8. MOTION TO APPROVE AUTHORIZATION TO BID - CONSTRUCTION OF COMMUNITY PARK RESTROOM/CONCESSION FACILITY

Superintendent Righton reported that the construction estimates for the original design of the Community Park Restroom/Concession previously presented to the Village Board were substantially higher than the budget would allow, which came in between \$250,000 and \$400,000. This prompted the development of the revised plan before the Board this evening. The intent of the revised plan was to draw bids that would deliver the project on schedule and under budget. Although the revised plans call for a smaller building, the plan retained the essential amenities. Mr. Righton informed the Board

that the revised plan was approved by the Finance and Administration Committee on August 13, 2007, the Parks and Recreation Commission on September 4, 2007 and the BR/W Softball on August 24, 2007. It was recommended that the Village Board authorize the Staff to go to bid on the construction of the restroom/concession facility.

Superintendent Righton acknowledged that Parks Commissioners Laurie Landsman and Carol Lazaraki, along with Deb Stefaniak, president of the BR-W Softball, were in the audience this evening.

Trustee Brown asked for assurance that the cost for the project would be no higher than the \$180,000 budgeted.

Administrator Modaff responded that the Staff would not recommend going over budget even if the bids may come in higher than budgeted.

Trustee Brown expressed his concern, even though he supported the project, that the building would now be frame and felt that the Village should go ahead with the original plan for the project. He further suggested having the contractors who submit bids come to a meeting before the Board makes a decision.

Trustee Schoenbeck asked if the competitive bidding process could be waived to allow the Village to negotiate a better contract.

Administrator Modaff responded that going through the bidding process would not preclude the Village from waiving the competitive bidding process and negotiate with a contractor.

Trustees Brown and Schoenbeck both expressed their belief that there might be a contractor who would be able to construct the building denoted on the original plan for the budgeted cost of \$180,000 and asked if it would be possible that plans and bid specifications for the original building be prepared to go out to bid along with the revised plans.

Administrator Modaff advised that it would take an additional two weeks and additional cost to prepare the plans and bid specifications for the original building plan and could possibly delay construction of the project until spring, which is the busiest season for park use. Superintendent Righton also reinforced/stated that spring construction was not an option, so any delay this year would mean Fall '08 construction.

Trustee Mistele interjected that the original plan requires concrete blocks and mortar, which are season dictated whereas the material proposed on the revised plan can be constructed all year.

Attorney Jones suggested that if there was interest by the Board, they could authorize Administrator Modaff to go to bid now and if the Board is unhappy with the bids to reject all the bids or the Board can negotiate with the lowest bid contractor on the expanded facility.

Trustee McMahon asked for a straw poll to see if the Board would support a \$250,000 budget for the project. There was no response from the Board at this time.

It was suggested that should the bidding process move forward, the recommended contractor be in attendance at the Board meeting when the contract was before them for approval.

MOTION: Made by Trustee Mistele, seconded by Trustee Baker, to approve authorization to bid for the construction of Community Park Restroom Concession Facility.

ROLL CALL VOTE: AYES: Trustees Baker, Mistele, McMahon and President Pro Tem Napoli; NAYS: None; ABSENTIONS: Trustee Brown; PRESENT: Trustee Schoenbeck.

MOTION DECLARED CARRIED

9. ORDINANCE - AN ORDINANCE AMENDING TITLE 3, SECTION 3-12-5(B) OF THE VILLAGE CODE - LIQUOR CONTROL, CLASS B LICENSE

Administrator Modaff informed the Village Board that the Village Code provides for the number of liquor licenses that are currently issued to qualified business establishments within the Village. The Village Board is being requested to approve the Ordinance before them this evening that would increase the number of Class B liquor licenses from eleven (11) to twelve (12) to accommodate the Portillo's Restaurant which is scheduled to open in the Town Center in early October.

MOTION: Made by Trustee Mistele, seconded by Trustee Brown, to pass Ordinance No. 07-0-21.

ROLL CALL VOTE: AYES: Trustees Baker, Mistele, Brown, Schoenbeck, McMahon and President Pro Tem Napoli; NAYS: None; ABSENT: None.

MOTION DECLARED CARRIED

OLD BUSINESS

10. COMMITTEE REPORTS

Trustee Baker had no report.

Trustee Mistele had no report.

Trustee Brown had no report.

Trustee Schoenbeck had no report.

Trustee McMahon reported that the minutes of the Finance and Administration Committee meeting were in the packet for information purposes.

President Pro Tem Napoli had no report.

11. ATTORNEY'S REPORT

Attorney Jones had no report.

12. CLERK'S REPORT

Deputy Clerk Partyka had no report.

13. ADMINISTRATOR'S REPORT

Administrator Modaff informed the Board that at its next meeting they will receive for a first reading a Plan Commission recommendation for the construction of a veterinary clinic at 6200 South Kingery Highway. There was opposition voiced at the Plan Commission meeting with regard to this project. The applicant, Dr. Prince, owns several clinics in the area and Ms. Hage personally visited them. Ms. Hage distributed a memorandum to each Board member providing the location information on and directions to Dr. Prince's other veterinary clinics. The Board members were encouraged to visit these clinics prior to its next meeting of September 24.

Administrator Modaff advised the Board that the MFT Contract bid opening is scheduled for Friday, September 14, and will be on the Board's agenda for September 24 for approval.

Attendance at the DuPage Mayors and Managers Conference monthly meeting on September 19 was opened up to two Village Trustees. Trustees interested in attending the DMMC meeting were advised to contact Mary Partyka.

Administrator Modaff informed the Village Board that after looking at Community Development Block Grants managed by the County, it was thought we could help the County help our residents on 73rd Court by encouraging them to apply for a CDPG grant. At that time, staff noted that this qualifying, low-income area also includes an area of our 75th Street extension. The Staff drew up a letter of intent to apply for CDBG funds for the street extension and are waiting for feedback from the County. At that time, we will then submit a grant application form. However, part of the application process requires a public hearing and we would like to schedule a public hearing at the next Board meeting on September 24, 2007. Should the grant application process be successful, Mr. Modaff noted that the Village might receive money for these projects.

Administrator Modaff informed the Village Board that the Personnel Manual in the final discussions by the Staff and it is at the point where some issues should be brought to the Board. The consensus of the Board was to discuss Personnel Manual issues at a workshop for the entire Board. Mr. Modaff noted that a workshop could be scheduled in October.

14. EXECUTIVE SESSION

There was no need for an Executive Session.

15. ADJOURNMENT

President Pro Tem Napoli asked for a motion to adjourn the regular meeting.

MOTION: Made by Trustee McMahon, seconded by Trustee Mistele, to adjourn the meeting at the hour of 8:35 p.m.

ROLL CALL VOTE: AYES: Trustees Baker, Mistele, Brown, Schoenbeck, McMahon and President Pro Tem Napoli; NAYS: None; ABSENT: None.

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MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED,

_____, 2007

Village President

Minutes transcribed by Mary Partyka.