

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, January 14, 2019 AT THE WILLOWBROOK POLICE DEPARTMENT, 7760 QUINCY STREET, VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

1. CALL TO ORDER

The meeting was called to order at the hour of 6:30 p.m. by Village Clerk Leroy Hansen.

2. ROLL CALL

Those present at roll call were Village Clerk Leroy Hansen, Trustees Sue Berglund, Umberto Davi, Terrence Kelly, Michael Mistele, Gayle Neal, and Paul Oggerino.

ABSENT: Mayor Frank Trilla

Also, present were Village Attorney Thomas Bastian, Village Administrator Timothy Halik, Director of Finance Carrie Dittman, Chief Robert Schaller, Deputy Chief Lauren Kaspar, Planning Consultant Ann Choi, and Deputy Clerk Christine Mardegan.

A QUORUM WAS DECLARED

3. MOTION TO APPROVE - A MOTION TO APPOINT TRUSTEE MICHAEL MISTELE AS TEMPORARY CHAIRMAN IN THE MAYOR'S ABSENCE

Village Clerk Hansen advised that a motion was necessary to appoint Trustee Michael Mistele as Mayor Pro Tem for tonight's meeting.

MOTION: Made by Trustee Davi and seconded by Trustee Berglund to appoint Trustee Mistele as Mayor Pro Tem.

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

MOTION DECLARED CARRIED

4. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Mistele asked Patrol Officer Aaron Porter to lead everyone in saying the Pledge of Allegiance.

5. VISITORS' BUSINESS

Several residents spoke about issues and concerns relating to Sterigenics.

6. OMNIBUS VOTE AGENDA

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Regular Board Meeting - December 17, 2018 (APPROVE)
- c. Warrants - \$524,927.11 (APPROVE)
- d. Monthly Financial Report - December 31, 2018 (APPROVE)
- e. Ordinance - An Ordinance Amending Title 3, Chapter 12, Section 3-12-5(B)(2) of the Village Code - Classifications: Class B-2 License - Ordinance No. 19-O-01 (PASS)
- f. Resolution - A Resolution Waiving the Competitive Bidding Process and Authorizing the Mayor and Village Clerk to Accept the Proposal from NJ Ryan Tree & Landscape to Complete the Village's 2019 Parkway Tree Trimming Program - Resolution 19-R-01 (ADOPT)
- g. Motion - A Motion to Approve Application for a License to Hold a Raffle - "D86 Vote Yes" Fundraiser (PASS)

Mayor Pro Tem Mistele 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 Neal to approve the Omnibus Vote Agenda as presented.

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

MOTION DECLARED CARRIED

NEW BUSINESS

7. OFFICIAL APPOINTMENT TO RANK OF SERGEANT - OFFICER SCOTT EISENBEIS

MOTION: Made by Trustee Davi and seconded by Trustee Berglund to postpone this item until the January 28, 2019 regular Village Board meeting.

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

MOTION DECLARED CARRIED

8. OFFICIAL APPOINTMENT TO RANK OF PATROL OFFICER - JOAQUIN SILVA

Chief Schaller introduced Officer Silva to the Board. Officer Silva was sworn into office on September 10, 2018.

9. OFFICIAL APPOINTMENT TO RANK OF PATROL OFFICER - AARON M. PORTER

Chief Schaller introduced Officer Porter to the Board. Officer Porter was sworn into office earlier this morning.

10. ORDINANCE - AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A 3,716 SQUARE FOOT RESTAURANT IN TENANT SPACE 800 IN THE WILLOWBROOK PLAZA SHOPPING CENTER (PREVIOUSLY WINGREN PLAZA)

Planning Consultant Choi advised that this special use request is for a restaurant called Lucky Bernie's. The restaurant will offer video gaming and alcohol sales. The new restaurant will also offer hot and cold deli food as well as meat and cheeses sold by the pound.

Planning Consultant Choi stated that this special use permit request was presented at the Plan Commission meeting held on December 5, 2018 and received unanimously approval from the commissioners.

Trustee Neal related that the part of the ordinance that refers to the maintenance and repairs to the parking lot and property needs to coincide with the plans that were approved in the Corridor Study.

MOTION: Made by Trustee Berglund and seconded by Trustee Neal to pass Ordinance No. 19-O-02 as presented.

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

MOTION DECLARED CARRIED

11. RESOLUTION - A RESOLUTION AUTHORIZING THE MAYOR AND VILLAGE CLERK TO ACCEPT A PROPOSAL TO PROVIDE HAZARD ASSESSMENT AND AMBIENT AIR SAMPLING SERVICES AT DESIGNATED LOCATIONS - GHD SERVICES, INC.

Trustee Neal related that previous ambient air testing that was completed in November showed fluctuations in levels that was also

reported by the USEPA. The Willowbrook Task Force recommended that additional testing be performed for a longer duration.

Trustee Neal advised that the new testing will consist of five (5) outdoor locations and two (2) indoor locations and will last for 30 days.

Mayor Pro Tem Mistele stated to the residents in attendance that the Village has spent over \$300,000 in testing and committee work pertaining to the Sterigenics issue.

MOTION: Made by Trustee Berglund and seconded by Trustee Oggerino to adopt Resolution No. 19-R-02 as presented.

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

MOTION DECLARED CARRIED

12. RESOLUTION - A RESOLUTION OF THE VILLAGE OF WILLOWBROOK APPROVING AND AUTHORIZING THE EXECUTION OF A JOINT PROSECUTION AGREEMENT BY AND BETWEEN THE VILLAGE OF WILLOWBROOK, THE OFFICE OF THE ILLINOIS ATTORNEY GENERAL AND THE OFFICE OF THE DUPAGE COUNTY STATE'S ATTORNEY

Attorney Bastian reminded the Board that the Village had filed an intervening petition to join the lawsuit that was filed by the Illinois Attorney General's Office and the DuPage County State's Attorney's Office against Sterigenics. Sterigenics has since filed a motion to remove the case to federal court, where it is now pending. The Attorney General's Office has filed a motion to remand the case back to Circuit Court.

The Illinois Attorney General's Office and the DuPage County State's Attorney's Office have requested that all parties sign a Joint Prosecution Agreement. This agreement is necessary due to joint and overlapping claims and will ensure that privilege and confidentiality pertaining to information will extend to all parties.

MOTION: Made by Trustee Davi and seconded by Trustee Kelly to adopt Resolution No. 19-R-03 as presented.

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

MOTION DECLARED CARRIED

PRIOR BUSINESS

13. COMMITTEE REPORTS

Trustee Neal advised that a letter was posted on the Village website on January 14, 2019 sent to the Illinois EPA regarding a request for documentation.

Trustee Kelly had no report.

Trustee Mistele had no report.

Trustee Berglund had no report.

Trustee Davi had no report.

Trustee Oggerino had no report.

14. ATTORNEY'S REPORT

Attorney Bastian had no report.

15. CLERK'S REPORT

Clerk Hansen had no report.

16. ADMINISTRATOR'S REPORT

Administrator Halik had no report.

17. MAYOR'S REPORT

No Mayor's report due to Mayor Trilla's absence.

18. CLOSED SESSION

Mayor Pro Tem Mistele stated that there was no need for Closed Session during tonight's meeting.

19. ADJOURNMENT

MOTION: Made by Trustee Oggerino and seconded by Trustee Davi, to adjourn the Regular Meeting at the hour of 6:59 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ and APPROVED.

February 11, 2019.

Mayor

Minutes transcribed by Deputy Clerk Christine Mardegan.