

MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK HELD ON TUESDAY, MAY 29, 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 Village President Gary Pretzer.

2. ROLL CALL

Those present at roll call were Trustees Michael Mistele, Michael Brown, Robert Napoli, Paul Schoenbeck, Timothy McMahon and Village President Pretzer. ABSENT: Trustee Dennis Baker. Also present were Deputy Clerk Mary Partyka, Village Attorney Thomas Good, Village Administrator Phil Modaff, Director of Municipal Services Timothy Halik, Director of Finance Sue Stanish, Chief of Police Edward Konstanty, Planner Sara Hage and Administrative Intern Jacob Smith.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

President Pretzer asked everyone to join him in saying the pledge of allegiance.

4. OMNIBUS VOTE AGENDA

President Pretzer suggested adding Agenda Item Nos. 9, 10, 11, 12, 13 and 15 to the Omnibus Vote Agenda. The Board concurred with President Pretzer's suggestion.

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Regular Board Meeting - May 14, 2007 (APPROVE)
- c. Minutes - Executive Session - May 14, 2007 (APPROVE)
- d. Warrants - May 29, 2007 - \$149,361.22 (APPROVE)
- e. Monthly Financial Report - April 30, 2007 - \$12,610,152.97 (ACCEPT)
- f. Motion to Approve Expenditure for F.I.A.T. Contribution for Fiscal Year 2007/08 - \$3,000.00 (APPROVE)
- g. Ordinance No. 07-O-11 - Annual Appropriation Ordinance, Village of Willowbrook, DuPage County, Illinois, For the Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008 (PASS)

- h. Ordinance No. 07-O-12 - An Ordinance Adopting Prevailing Wage Rates Pursuant to the Prevailing Wage Law (PASS)
- i. Resolution No. 07-R-22 - A Resolution Authorizing the President and Village Clerk to Enter Into a Certain Agreement - Linda S. Pieczynski - Village Ordinance Prosecutions (ADOPT)
- j. Resolution No. 07-R-23 - A Resolution Authorizing the Execution of the Traffic Control Agreement - Holiday Inn Willowbrook (ADOPT)
- k. Resolution No. 07-R-24 - A Resolution Authorizing the Execution of the Traffic Control Agreement - Alan Meyer 2001 Trust - Woodland Plaza (ADOPT)
- l. Ordinance No. 07-O-13 - An Ordinance Amending the Village Code of the Village of Willowbrook - Title 8, Section 8-8-15 - Traffic; Parking Restrictions (PASS)

President Pretzer asked if any Board members wanted to remove any item(s) from the Omnibus Vote Agenda. No Board members wanted any item(s) removed from the Omnibus Vote Agenda.

MOTION: Made by Trustee McMahon, seconded by Trustee Mistele, to approve the Omnibus Vote Agenda.

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

MOTION DECLARED CARRIED

NEW BUSINESS

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

There was no visitor's business.

- 6. DELINQUENT WATER BILLS

Director Halik reported to the Village Board that there were three (3) delinquent water bills in the amounts of \$66.30, \$119.07 and \$155.54 respectively, and requested permission to proceed as per Village policy.

7. MOTION - TO ACCEPT THE PLAN COMMISSION'S RECOMMENDATION FOR REZONING TO THE R-4 RESIDENTIAL DISTRICT, THE GRANTING OF A SPECIAL USE PERMIT FOR MULTIPLE-FAMILY HOUSING AND CERTAIN VARIATIONS FROM THE ZONING ORDINANCE - YASMEEN CONDOMINIUM - 6503 CLARENDON HILLS ROAD

Planner Hage informed the Board that the developer had previously submitted an application for a proposed town home planned unit development that would have required a text amendment to lower the threshold for PUDs from two (2) acres to one (1) acre. The Village Board ultimately denied the request for this text amendment. The developer then submitted a revised application to request approval of a one building, 8-unit, multiple-family dwellings. The application before the Board this evening would require approval for the rezoning of the subject property to the R-4 Residential District, a special use permit and variations subject to the conditions noted in the Staff's report dated May 2, 2007. The Plan Commission conducted a public hearing on August 2, 2006. At its regular meeting of May 2, 2007, the Plan Commission recommended the approval of the rezoning, special use permit and the variations with the conditions as outlined in the Staff report. Ms. Hage advised that there were only minor corrections needed to be made to the plans, which will be completed prior to the Board's final approval of the necessary ordinance.

Trustee Napoli expressed his concern with regard to the drainage for the project. Ms. Hage noted that the drainage for the proposed project would be directed to the east and that the downspouts would have surface discharge.

Jack Mancione, of Werks Management, representing The Lawns Phases I, II and III, noted that an agreement was mentioned and that he has not seen an easement agreement. Ms. Hage responded that he was referring to the Construction Easement necessary for the landscape buffer as shown on the Landscape Plan. The plan which was reviewed by the Lawns is the same plan the Board will be approving.

MOTION: Made by Trustee McMahon, seconded by Trustee Mistele, to accept the Plan Commission's recommendation for approval of the request for rezoning to the R-4 residential district, the granting of a special use permit for multiple-family housing and certain variations and to instruct the Village Attorney to prepare the necessary documents.

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

MOTION DECLARED CARRIED

8. ORDINANCE - AN ORDINANCE APPROVING A FINAL PLAT OF SUBDIVISION AND PLANNED UNIT DEVELOPMENT AND RELATED MATTERS - ROUTE 83 AND PLAINFIELD ROAD - WILLOWBROOK TOWN CENTER

Planner Hage advised that on August 26, 2006, the Village Board approved Ordinance No. 06-0-27, which provided for the preliminary approvals of the Willowbrook Town Center. On April 4, 2007, the Plan Commission unanimously recommended approval of the Final Plat of Subdivision and PUD for the Town Center. This item was on the April 23, 2007 Board's agenda but was removed at the developer's request to allow for easement changes. Staff has reviewed the revised plans and easements and a few minor drafting errors still need to be corrected as outlined in Staff's review letter of May 24. Ms. Hage noted that these corrections must be completed and approved by Staff prior to the document being recorded.

Also, Planner Hage informed the Board that the Harlem Irving Companies had requested approval of both the final plat of subdivision and final plan and plat of a PUD for the Town Center project. The proposed plans for this approval were consistent with the preliminary plans and the Comprehensive Plan. No additional variations or conditions were being requested nor recommended.

Planner Hage noted that the proposal had previously included a signalized main access on Plainfield Road that would align with the current access to the Kmart store on the north side of Plainfield Road. After reviewing the proposal, IDOT had determined that the project does not meet the warrants for this traffic signal at this time.

Administrator Modaff took this opportunity to recognize Tim Halik and Sara Hage for the significant amount of work they did with The Harlem Irving Companies to get to the point of final approval on the project.

MOTION: Made by Trustee Mistele, seconded by Trustee Napoli, to pass Ordinance No. 07-0-10.

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

MOTION DECLARED CARRIED

9. ORDINANCE - ANNUAL APPROPRIATION ORDINANCE, VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS, FOR THE FISCAL YEAR BEGINNING MAY 1, 2007 AND ENDING APRIL 30, 2008 (Clerk's Note: This item was moved to the Omnibus Vote Agenda)

See Agenda Item No. 4g.

10. ORDINANCE - AN ORDINANCE ADOPTING PREVAILING WAGE RATES PURSUANT TO THE PREVAILING WAGE LAW (Clerk's Note: This item was moved to the Omnibus Vote Agenda)

See Agenda Item No. 4h.

11. RESOLUTION - A RESOLUTION AUTHORIZING THE PRESIDENT AND VILLAGE CLERK TO ENTER INTO A CERTAIN AGREEMENT - LINDA S. PIECZYNSKI - VILLAGE ORDINANCE PROSECUTIONS (Clerk's Note: This item was moved to the Omnibus Vote Agenda)

See Agenda Item No. 4i.

12. RESOLUTION - A RESOLUTION AUTHORIZING THE EXECUTION OF THE TRAFFIC CONTROL AGREEMENT - HOLIDAY INN WILLOWBROOK (Clerk's Note: This item was moved to the Omnibus Vote Agenda)

See Agenda Item No. 4j.

13. RESOLUTION - A RESOLUTION AUTHORIZING THE EXECUTION OF THE TRAFFIC CONTROL AGREEMENT - ALAN MEYER 2001 TRUST - WOODLAND PLAZA (Clerk's Note: This item was moved to the Omnibus Vote Agenda)

See Agenda Item No. 4k.

14. RESOLUTION - A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT AND THE VILLAGE CLERK OF THE VILLAGE OF WILLOWBROOK TO PURSUE THE DEVELOPMENT OF A SOUTH DUPAGE CONSOLIDATED DISPATCH CENTER

Chief Konstanty informed the Board that for the past several months he and Administrator Modaff have been participating in a study for the development of a new consolidated dispatch facility to serve agencies in South DuPage County. The purpose of the study was to determine the feasibility of creating a regional dispatch facility. The concept is that a new regional facility serving agencies in South DuPage County would promote the common goal of improving communication through the use of shared resources, maximization of ESTB funding and the introduction of new technology. Chief Konstanty noted that the preliminary findings were encouraging and warranted additional study. He advised it was important that participating agencies indicate in a more formal manner their support for continued analysis, as it will require Staff time and administrative resources. This additional work will be critical in determining the level of financial commitment that the ESTB may dedicate to a consolidated facility. The financial commitment from ESTB will be a significant determining factor in Willowbrook's decision making process in that we are already involved in consolidated dispatching through Southwest Central Dispatch. The Resolution before the Board this evening does not commit the Village to become a member of any organization that may eventually be formed nor does it offer any financial commitment other than Staff time.

The Public Safety Committee reviewed this item and recommended that the Village Board adopt the Resolution before them this evening.

Administrator Modaff advised that it appears the annual cost would be roughly the same per officer. He further noted that it would not make sense for the Village to be part of a regional dispatch facility for South DuPage if ESTB did not contribute financially to the facility.

MOTION: Made by Trustee Schoenbeck, seconded by Trustee Mistele, to adopt Resolution No. 07-R-25.

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

MOTION DECLARED CARRIED

15. ORDINANCE - AN ORDINANCE AMENDING THE VILLAGE CODE OF THE VILLAGE OF WILLOWBROOK - TITLE 8, SECTION 8-8-15 - TRAFFIC; PARKING RESTRICTIONS (Clerk's Note: This item was moved to the Omnibus Vote Agenda)

See Agenda Item No. 41.

16. RESOLUTION - A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT AND VILLAGE CLERK TO EXECUTE AN AGREEMENT FOR ARCHITECTURAL SERVICES BETWEEN THE VILLAGE OF WILLOWBROOK AND WILLIAMS ARCHITECTS, LTD. - MUNICIPAL SITE MASTER PLAN UPDATE AND NEW PUBLIC WORKS FACILITY

Administrator Modaff related that in 2002, the Village issued a Request for Qualifications for the selection of an architectural firm to complete a "Preliminary Needs Study for a New Village Hall, Police Department, Recreation Center and Public Works Facility." Williams Architects was selected and they completed their final report in January 2004.

During the recent FY08 Budget Workshops, the Village Board approved Staff's recommendation to complete an update of the Williams 2004 Space Needs Plan and to undertake architectural work towards the design and specifications for a Public Works facility on the property on Willowbrook Centre Parkway. In anticipation of beginning the work, Staff had completed the following:

- Met with Williams Architects to solicit a proposal for the plan update and building design
- Completed a wetlands delineation analysis, which revealed that the area of the property that the original space needs study had identified for the public works facility is located entirely within a wetland or wetland buffer. As a result, the next phase will necessarily include a new Master Plan for the site.
- Requested feedback from the Finance/Administration Committee regarding the selection of an architect for the proposed project. The Committee agreed with the Staff's recommendation to use Williams Architects.

The Resolution includes a proposal from Williams Architects in the amount of \$150,000 and a Standard Form of Agreement to provide architectural services including a Master Plan update for the entire site and architectural design services for the

proposed Public Works facility. The Form of Agreement will not be signed until it is approved by the Village Attorney.

MOTION: Made by Trustee Mistele, seconded by Trustee Brown, to adopt Resolution No. 07-R-26.

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

MOTION DECLARED CARRIED

17. MOTION - TO APPROVE THE PURCHASE OF TWO NETWORK SERVERS

Director Stanish informed the Village Board the FY 2007-08 Budget included the funds for the purchase of two new servers that will replace the existing network servers in the Police Department and Administration. The new servers will allow for remote access to the Village's server and would also allow for elected officials to have access to information such as the Administrator's Report. The specifications for the servers were prepared by Netlojix, the Village's Network Administrator. CDW-G submitted the lowest qualified proposal of \$15,719.

MOTION: Made by Trustee Mistele, seconded by Trustee Napoli, to approve the purchase of two network servers from CDW-G.

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

MOTION DECLARED CARRIED

18. DISCUSSION - COMMITTEE OF THE WHOLE

Administrator Modaff noted that Trustee Schoenbeck requested the concept of a Committee of the Whole be placed on the Board's agenda for discussion. He distributed a survey of comparable communities. Of the 37 communities that responded, 29 have a Committee of the Whole. Of these communities, 19 communities have replaced the old committee system with a Committee of the Whole and hold no other committee meetings while 10 communities have a Committee of the Whole meeting as well as other committee meetings.

In most instances, the small committee system works but Administrator Modaff did note that there have been situations



where not all the Board members heard some information and felt they did not have the opportunity to provide input.

After discussion by the Board, it was determined to retain the small committee system and to schedule a workshop or a Committee of the Whole meeting for issues that need to be discussed by the entire Board.

President Pretzer indicated that he would be reassigning the Committees within the upcoming months.

OLD BUSINESS

19. COMMITTEE REPORTS

Trustee Brown had no report.

Trustee Napoli had no report.

Trustee Schoenbeck had no report.

Trustee McMahon had no report.

Trustee Mistele had no report.

20. ATTORNEY'S REPORT

Village Attorney Good had no report.

21. CLERK'S REPORT

Deputy Clerk Partyka had no report.

22. ADMINISTRATOR'S REPORT

Administrator Modaff had no report.

23. EXECUTIVE SESSION

President Pretzer asked for a motion to adjourn into Executive Session to discuss probable and imminent litigation.

MOTION: Made by Trustee Napoli, seconded Trustee McMahon, to adjourn into Executive Session to discuss probable and imminent litigation at the hour of 8:25 p.m.

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

MOTION DECLARED CARRIED

\*\*\*SEE APPROPRIATE EXECUTIVE SESSION MINUTES\*\*\*

PRESENTED, READ and APPROVED,

\_\_\_\_\_, 2007

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Village President

Minutes transcribed by Mary Partyka.