

**A REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES  
OF THE VILLAGE OF BOLINGBROOK – JANUARY 10, 2012**

**CALL TO ORDER**

The Regular Meeting of the Mayor and Board of Trustees of the Village of Bolingbrook was called to order at the hour of 8:00 p.m., January 10, 2012, in Bolingbrook, Illinois, by Deputy Mayor Leroy J. Brown. Mayor Roger C. Claar was out-of-town on business.

**PLEDGE OF ALLEGIANCE**

Deputy Mayor Leroy J. Brown requested that Russ Fletcher, Zoning Board of Appeals Chair, lead the Pledge of Allegiance to the Flag.

**ROLL CALL**

Village Clerk, Carol S. Penning, called the roll. Present were: Trustees Leroy J. Brown, Rick Morales, Joseph B. Morelli, Patricia Schanks and Sandra S. Swinkunas.

Absent: Mayor Roger C. Claar and Trustee Michael T. Lawler

Also present were: Village Clerk – Carol S. Penning, Village Attorney - James Boan, Police Chief - Kevin McCarthy, Fire Chief - David Litton, Director of Community Development - Dennis Kowalczyk, Director of Public Works – Mike Drey, Finance Director – Rosa Cojulun and Information Technology Director – Brenda Ladipo.

Absent: None

Representing the press: Laura Katauskas - The Bolingbrook Bugle  
Brian Feldt - The Bolingbrook Patch  
Joseph Ruzich - Tribune Local  
Don Grigas - The Bolingbrook Reporter

**JOURNAL OF PROCEEDINGS**

Motion Swinkunas, second Morelli to approve the minutes of the December 13, 2011, Village Board meeting submitted by the Village Clerk.

Voice vote. Motion carried.

**APPROVAL OF AGENDA/ADDITIONS**

There were no additions or corrections.

Motion Morales, second Swinkunas to approve the agenda.

Voice vote. Motion carried.

**APPROVAL OF APPOINTMENTS**

Motion Morelli, second Schanks to approve the following appointments:

Zoning Board of Appeals: Terri Bethune and Felix Greco as Commissioners

Voice vote. Motion carried.

**PROCLAMATION**

**DR. MARTIN LUTHER KING, JR. DAY, January 16, 2012:** Mayor Claar proclaimed January 16, 2012, DR. MARTIN LUTHER KING, JR., DAY in Bolingbrook in recognition of the great achievements and exemplary life of Dr. Martin Luther King, Jr. Sheldon Watts, Zoning Board of Appeals Commissioner, accepted the proclamation.

**PRESENTATIONS**

**ARTS COUNCIL PRESENTATION TO WINNERS OF THE COMMUNITY CALENDAR ART CONTEST:** Roberta and Matthew Bockus, members of the Arts Council, assisted Deputy Mayor Brown with presenting the winners of the "Community Calendar Art Contest". Winners were:

Cover	Christina Wolodkowicz	Bolingbrook High School	12th Grade
January	Eryn C. Jones	Jamie McGee Elementary	4th Grade
February	McKenna Kramer	Jonas Salk Elementary	2nd Grade
March	Abigaile Phanor	Tibbot Elementary	4th Grade
April	Emily Zavala	Tibbot Elementary	2nd Grade
May	Ishtar Sheno	Midwest Christian Montessori Academy	8th Grade
June	Tyler Simwenyi	Jamie McGee Elementary	1st Grade
July	Karen King	Midwest Christian Montessori Academy	8th Grade
August	Kylie Clapsaddle	Midwest Christian Montessori Academy	6th Grade
September	Natalie O'Callaghan	Jonas Salk Elementary	5th Grade
October	Daniel Celedon	Bolingbrook High School	12th Grade
November	Kyle Januska	Tibbot Elementary	5th Grade
December	Tyler Bialek	Wood View Elementary	4th Grade

**APPOINTMENTS**

Zoning Board of Appeals: Terri Bethune and Felix Greco were sworn-in as commissioners.

Present were Chair Russ Fletcher and Commissioner Sheldon Watts.

**BILL APPROVAL**

Motion Swinkunas, second Morelli to approve expenditures submitted as Bill Listing A - Payables in the amount of \$872,517.26 and Bill Listing B - Pre-paids in the amount of \$5,760,838.27\* totaling \$6,633,355.53\*. (Copies were made available in the Finance Dept. and Clerk's Office.)

\*Includes \$3,291,233.88 of bond interest/principal payments processed on 1/3/12.

ROLL CALL: Yea 5 - Brown, Morales, Morelli, Schanks, Swinkunas

Nay 0 - None

Absent 2 - Mayor Claar and Lawler

Motion carried.

### **TAX RECEIPTS**

1. September, 2011 State Income Tax - \$380,019.63 (September, 2010 State Income Tax - \$386,566.48) – a 1.69% Decrease
2. October, 2011 Sales Tax - \$2,191,928.06 (October, 2010 Sales Tax - \$1,943,487.18) – a 12.8% Increase
3. October, 2011 Motor Fuel Tax - \$156,694.39 (October, 2010 Motor Fuel Tax - \$125,177.60) – a 25.2% Increase

### **MOTION TO REVIEW AND ACCEPT THE 2010-11 FISCAL YEAR AUDIT PREPARED BY WOLF & COMPANY**

Motion Swinkunas, second Morales to approve a motion to review and accept the 2010 - 2011 Fiscal Year Audit prepared by Wolf & Company.

This Motion accepted the 2010 - 2011 Fiscal Year Audit prepared by Wolf & Company. Upon acceptance, the Audit will be put on the Village's website.

The Finance Committee had reviewed and recommended acceptance.

ROLL CALL: Yea 5 - Brown, Morales, Morelli, Schanks, Swinkunas

Nay 0 - None

Absent 2 - Mayor Claar and Lawler

Motion carried.

## **RESOLUTIONS**

### **RESOLUTION 12R-001**

#### **APPROVING CONTRACT FOR MICROWAVE SYSTEM TO LINK PUBLIC SAFETY RADIO SITES AND COMPUTER DATA LINKS – DIGITAL SKY, LLC (SUBJECT TO ATTORNEY APPROVAL)**

Motion Swinkunas, second Schanks to adopt a resolution approving a contract for Microwave System to link public safety radio sites and computer data links in the Village - Digital Sky, LLC (subject to attorney approval.)

This resolution accepted a proposal from Digital Sky, LLC to purchase a microwave communication system for use in public safety operations. The Police and Fire Departments have been investigating linking the existing eight (8) radio sites with microwave communications which will provide a radio signal throughout the Village and data communications between the five (5) fire stations and town center. The changeover to a microwave system will allow the Village to eliminate the use of telephone lines, which are subject to disruption and eliminate the monthly phone bills approximately \$100,000/year.

Six (6) companies were sent requests for proposals and two (2) proposals were submitted. Digital Sky had the lowest quote. Total cost should not exceed \$970,220.22. \$306,903.34 will be reimbursed from Will County E-911. The balance of the funds will come from the Village's E-911 budget. The project should be completed by August 2012.

The E-911 Committee and Public Safety Committee have reviewed and recommended approval. This resolution was approved subject to attorney's approval because the final contract was not completed.

Fire Chief Dave Litton explained that current communications are done through a repeater and travels via copper wire (T1 lines). This technique is 1960's technology and is subject to physical deterioration and destruction by weather or utilities accidentally breaking the lines when digging. Microwave radio systems are 99.9% efficient and failsafe. It will also be very efficient with training classes. The class can be held in one fire station and all the other stations will be able to view the class without leaving their locations.

ROLL CALL: Yea 5 - Brown, Morales, Morelli, Schanks, Swinkunas

Nay 0 - None

Absent 2 - Mayor Claar and Lawler

Motion carried.

**RESOLUTION 12R-002**

**APPROVING PROPOSAL FOR PROJECT MANAGER FOR MICROWAVE SYSTEM FOR MICROWAVE CONNECTION AND DATA LINKS – MIDWEST PUBLIC SAFETY COMMUNICATIONS, INC. (SUBJECT TO ATTORNEY APPROVAL)**

Motion Morelli, second Morales to approve a proposal for project manager for a microwave system for microwave connection and data links - Midwest Public Safety Communications, Inc., (subject to attorney approval).

In conjunction with the prior resolution, the Village needed the professional services of a consultant to oversee the Microwave Project. This resolution accepted a proposal from Midwest Public Safety Communications, Inc., to serve as technical consultant and project manager. The cost should not exceed \$28,175. The funds were budgeted in the E-911 fund.

The E-911 Committee and Public Safety Committee have reviewed and recommended approval of the proposal.

ROLL CALL:           Yea 5 - Brown, Morales, Morelli, Schanks, Swinkunas

                          Nay 0 - None

                          Absent 2 - Mayor Claar and Lawler

                          Motion carried.

**RESOLUTION 12R-003**

**AUTHORIZING REIMBURSEMENT OF WALSH LANDSCAPE CONSTRUCTION - RESTORATION RE LILY CACHE WIDENING PROJECT**

Motion Swinkunas, second Schanks to adopt a resolution authorizing reimbursement of Walsh Landscape construction and restoration regarding the Lily Cache Widening Project.

In conjunction with the widening of Lily Cache Lane, restoration work adjacent to the Walsh Landscape properties was needed. The work was done in the right-of-way and “tapered” into the Walsh property. Walsh preferred to do the restoration work on their property. This resolution approved the payment of \$22,745 for the cost of relocating fencing, a landscape sprinkler system and electrical line, which resulted from the road widening.

ROLL CALL:           Yea 5 - Brown, Morales, Morelli, Schanks, Swinkunas

                          Nay 0 - None

                          Absent 2 - Mayor Claar and Lawler

                          Motion carried.

**ORDINANCES**

**PC 11-27**

**APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED COMMERCIAL DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN, CIRCLE K – 101 E BOUGHTON ROAD; AMBROSE DESIGN GROUP, LLC, APPLICANT**

Motion Swinkunas, second Morales to accept Plan Commission Report PC 11-27 for approval of a Special Use Permit for a Planned Commercial Development with variances and Final Development Plan for Circle K - 101 E. Boughton Road; Ambrose Design Group, LLC, Applicant.

Voice vote. Motion carried.

**ORDINANCE 12-001**

**APPROVING SPECIAL USE PERMIT FOR A PLANNED COMMERCIAL DEVELOPMENT AND FINAL DEVELOPMENT PLAN FOR GASOLINE SERVICE STATION AND CIRCLE K CONVENIENCE STORE AT SOUTHEAST CORNER OF BOUGHTON AND ROUTE 53**

Motion Morelli, second Schanks to pass an ordinance approving a Special Use Permit for a Planned Commercial Development and Final Development Plan for a gasoline service station and Circle K Convenience Store at the southeast corner of Boughton and Route 53.

Shell Oil Company has purchased the  $\pm 1$  acre property at the southeast corner of Rt. 53 and Boughton. They plan to construct a "Circle K" convenience store and fuel station on the property. The facility would include twelve (12) pump stations and a 3,907 sq. foot building. In order to develop the site, the applicant sought approval of a Special Use Permit to operate a 24-hour fueling station with convenience store along with six (6) associated variances.

This ordinance approved the Special Use Permit. The Plan Commission has reviewed and recommended approval.

ROLL CALL: Yea 5 - Brown, Morales, Morelli, Schanks, Swinkunas

Nay 0 - None

Absent 2 - Mayor Claar and Lawler

Motion carried.

**PC 11-28**

**APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED COMMERCIAL DEVELOPMENT WITH VARIANCES, FINAL DEVELOPMENT PLAN, AND FINAL PLAT OF SUBDIVISION, NORTHWEST CORNER OF WEBER RD AND THACKERAY DR.; GREENBERG FARROW, APPLICANT**

Motion Schanks, second Swinkunas to accept Plan Commission Report PC 11-28 for approval of a Special Use Permit for a Planned Commercial Development with variances, Final Development Plan and Final Plat of Subdivision on the northwest corner of Weber Rd. and Thackeray Dr.; Greenberg Farrow, Applicant.

Voice vote. Motion carried.

Country Aire Plaza consists of 11.58 acres and is located at the northwest corner of Weber Road and Thackeray. It is anchored by Home Depot. Home Depot would like to subdivide the property to create a ±1.295 acre lot, which they plan to improve with a ±7,400 sq. ft. multi-tenant strip center, including a yet unnamed restaurant user with a drive-thru and outdoor seating. The applicant sought a Special Use Permit to allow:

- a. a carry out restaurant
- b. outdoor seating
- c. a drive-thru lane
- d. five (5) associated development variances

The Plan Commission had reviewed and recommended approval.

Voice vote. Motion carried.

**ORDINANCE 12-002**  
**APPROVING SPECIAL USE PERMITS FOR PLANNED COMMERCIAL DEVELOPMENT (HOME DEPOT OUTLOT) – MULTI-TENANT RETAIL WITH CARRY OUT RESTAURANT AND OUTDOOR DINING AND FINAL DEVELOPMENT PLAN – (COUNTRY AIRE PLAZA PHASE 1 – NW CORNER WEBER AND THACKERAY)**

Motion Morelli, second Morales to pass an ordinance approving Special Use Permits for a Planned Commercial Development (Home Depot Outlot), a multi-tenant retail with carry-out restaurant and outdoor dining, and Final Development Plan (Country Aire Plaza Phase 1 - NW corner Weber and Thackeray).

This Ordinance approved the Special Use Permit for the development and the associated variances requested.

ROLL CALL: Yea 5 - Brown, Morales, Morelli, Schanks, Swinkunas

Nay 0 - None

Absent 2 - Mayor Claar and Lawler

Motion carried.

**ORDINANCE 12-003**  
**APPROVING FINAL PLAT OF SUBDIVISION OF SEMUBOL RESUBDIVISION (HOME DEPOT OUTLOT - COUNTRY AIRE PLAZA PHASE 1 – NW CORNER WEBER AND THACKERAY)**

Motion Swinkunas, second Morales to pass an ordinance approving a Final Plat of Subdivision of Semubol Resubdivision (Home Depot Outlot - Country Aire Plaza Phase 1 - NW corner of Weber and Thackeray).

This Ordinance approves a plat of re-subdivision creating two (2) lots. Lot 1 (Home Depot) will consist of ±10.284 acres. Lot 2 will be ±1.295 acres, which will be improved with the multi-tenant building.

ROLL CALL: Yea 5 - Brown, Morales, Morelli, Schanks, Swinkunas

Nay 0 - None

Absent 2 - Mayor Claar and Lawler

Motion carried.

**PC 12-01**

**APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT (PUD), MOST VALUABLE PERSONNEL (MVP), 461 W. BOUGHTON ROAD; LISETTE ROBLES, APPLICANT**

Motion Schanks, second Morales to accept Plan Commission Report PC 12-01 for approval of a Special Use Permit for a Planned Unit Development (PUC), Most Valuable Personnel (MVP), 461 W. Boughton Road; Lisette Robles.

Voice vote. Motion carried.

**ORDINANCE 12-004**

**APPROVING SPECIAL USE PERMIT FOR PLANNED UNIT DEVELOPMENT TO ALLOW STAFFING AGENCY – MOST VALUABLE PERSONNEL, 461 WEST BOUGHTON ROAD**

Motion Morelli, second Morales to pass an ordinance approving a Special Use Permit for a Planned Unit Development to allow a staffing agency, Most Valuable Personnel (MVP), at 461 West Boughton Road.

The Riverwood Plaza (Tailgaters) is a multi-tenant commercial development located at 461 W Boughton Road. Most Valuable Personnel (MVP) would like to locate a staffing agency in 1,240 sq. feet of vacant space in the shopping center. The applicant required a Special Use Permit to operate at this location. This ordinance granted the Special Use Permit.

The Plan Commission had reviewed and recommended approval.

ROLL CALL: Yea 5 - Brown, Morales, Morelli, Schanks, Swinkunas

Nay 0 - None

Absent 2 - Mayor Claar and Lawler

Motion carried.



**ORDINANCE 12-005**

**RENAMING ARROWHEAD COURT AND ARROWHEAD PLACE TO ARROWHEAD LANE**

Motion Morales, second Swinkunas to pass an ordinance renaming Arrowhead Court and Arrowhead Place to Arrowhead Lane.

Over the course of the last 35 years, the residences located along Arrowhead Lane have referred to their street as Lane, Place and Court. The Village has added to the confusion with multiple street sign names. Will County E-911 requested that the “street name” issue be resolved for dispatching purposes. The residents and the Post Office have been contacted about consolidating the street names into Arrowhead Lane. Their numerical street numbers will stay the same.

This ordinance consolidated all of the addresses making them consistent by naming all of the streets “Arrowhead Lane”.

ROLL CALL: Yea 5 - Brown, Morales, Morelli, Schanks, Swinkunas

Nay 0 - None

Absent 2 - Mayor Claar and Lawler

Motion carried.

**PUBLIC COMMENTS**

None

**TRUSTEE COMMENTS**

Trustee Morales noted that Mike Drey, Director of Public Works & Engineering, and his crew have been doing a fantastic job of keeping Bolingbrook streets clear of snow this year.

Trustee Morelli gave details on the Bolingbrook Lions Club 14th Annual All-You-Can-Eat Spaghetti Dinner fundraiser on Friday, January 20th, at the Levy Center. Proceeds for this event go to the DuPage Township Food Pantry.

Trustee Schanks gave information on the 20th Annual Community Service Council Garage Sale being held on the Performing Arts Stage in back of Village Hall Friday and Saturday, January 13th and 14th.

Trustee Swinkunas thanked all the residents that decorated their homes for Christmas. She also thanked businesses on Remington, Weather Tech and ATI, for their spectacular light displays this year.

Deputy Mayor Brown thanked all of the service agencies that helped those in need during the holiday season. He also thanked the Bolingbrook Police Department for keeping the community and its citizens safe over the holidays. The Fire Department also did a great job handling issues that came up over the last month. He also thanked Mike Drey and the Public Works Department for their continued good work performance.

**EXECUTIVE SESSION**

None

**ADJOURNMENT**

Motion Swinkunas, second Morelli to adjourn the regular meeting.

Voice vote. Motion carried and meeting adjourned at 8:45 p.m.

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Roger C. Claar  
MAYOR

ATTEST:

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Carol S. Penning, CMC  
VILLAGE CLERK