

**A REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES
OF THE VILLAGE OF BOLINGBROOK – APRIL 14, 2015**

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., April 14, 2015, in Bolingbrook, Illinois, by Mayor Roger C. Claar.

PLEDGE OF ALLEGIANCE

Mayor Claar requested Ben Nelson, a Scout from Troop 75 working on his Citizenship Badge and 7th grader at Brooks Middle School, lead the Pledge of Allegiance to the Flag.

ROLL CALL

Village Clerk, Carol Penning, called the roll. Present were: Mayor Roger C. Claar, and Trustees Leroy J. Brown, Michael T. Lawler, Ricardo Morales, Joseph B. Morelli, Patricia E. Schanks and Maria A. Zarate

Absent: None

Also present were: Village Clerk – Carol S. Penning, Village Attorney - James Boan, Public Safety Director - Thomas Ross, Finance Director – Rosa Cojulun, Director of Public Services & Development – Lucas Rickelman

Absent: None

Representing the press: No press attended.

JOURNAL OF PROCEEDINGS

Motion Morales, second Zarate to approve the minutes of the regular meeting of March 24, 2015, Village Board meeting submitted by the Village Clerk.

Voice vote. Motion carried.

APPROVAL OF AGENDA/ADDITIONS

Jim Boan, Village Attorney, requested that under G)2., Resolution 15R-014, regarding replacement of infected trees, be stricken from the agenda.

Motion Lawler, second Morales to approve the agenda as amended.

Voice vote. Motion carried.

APPROVAL OF APPOINTMENTS/REAPPOINTMENTS

None

PROCLAMATIONS

TRANSPARENCY: Mayor Claar announced that the Illinois Policy Institute had awarded the Village a Sunshine Award for 100% Transparency. He thanked Fran for all her hard work to make this possible in such a short time. He noted that out of all the over 1200 state and local governments in Illinois, there were only eight (8) that qualified for the Sunshine Award. He also noted that it was another unfunded mandate by the State

ARBOR DAY, April 18, 2015: Mayor Claar proclaimed April 18th, 2015, "ARBOR DAY" in Bolingbrook and invited all residents to enjoy free refreshments and participate in the festivities of Arbor Day at Home Depot between 11:00 a.m. and 2:00 p.m. Phyllis Ruggiero, Chair of the Beautification Commission, accepted the proclamation and gave details about the Arbor Day activities. She also invited everyone to the Tree Planting Ceremony held at Village Hall just south of the War Memorial at 10:00 a.m. A Sour Gum Black Tupelo tree will be planted.

EARTH DAY, April 22, 2015: Mayor Claar proclaimed April 22nd, as "EARTH DAY" and called upon all citizens to support green economy initiatives in Bolingbrook and to encourage others to undertake similar actions. Kevin Engel and Steve Miller, Foreman, from the Forestry Department, accepted the proclamation.

RECOGNITION

ICE MACHINE: Mir Ali, Army Veteran, President of the Chamber of Commerce, Zoning Board of Appeals Commissioner and Manager of both KFC and Taco Bell in town, was recognized for donating an Ice Machine to the Village for use in the refreshment bar at the Performing Arts Center during summer events. Mayor Claar gave him a plaque to thank him for his donation and it will be placed on the wall of the concession stand at the Performing Arts Center.

CLAIRE MUELLER/911 CALL: Claire Mueller, 11 years old, was recognized for her quick response to a fire emergency and calling 911 for help. She showed a tremendous amount of bravery and composure during a fire in her home while getting her father and dog out of the house and continuing to describe the situation to the 911 operator. Tom Ross, Director of Public Safety and Trinidad Garza, Deputy Chief/Fire Department, Tony Voitovich/Battalion Chief Fire Department, and Jenna Swendsen, Officer/Police Department, participated in the recognition by presenting her with a plaque and "goody bag" from the Fire Department.

BILL APPROVAL

Motion Morales, second Zarate to approve expenditures submitted as Bill Listing A - Payables in the amount of \$849,191.92 and Bill Listing B - Pre-pays in the amount of \$377,506.65 totaling \$1,226,698.57. (Copies were made available in the Finance Dept. and Clerk's Office.)

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

MOTIONS

MOTION TO RELEASE MINUTES OF THE EXECUTIVE SESSIONS OF THE MAYOR AND BOARD OF TRUSTEES AS IDENTIFIED ON THE VILLAGE CLERK'S MEMORANDUM DATED JANUARY 9, 2015 FROM 2008 THROUGH 2013

Motion Brown, second Lawler to accept a motion to release the minutes of the Executive Sessions of the Mayor and Board of Trustees as identified on the Village Clerk's Memorandum dated January 9, 2015, from 2008 through 2013.

Illinois Statutes required that units of local government periodically review and release executive session minutes. This motion released the minutes from Executive Sessions from 2008 through 2013 and made them available to the public upon request.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

MOTION TO ACCEPT LOW BID FROM P.T. FERRO CONSTRUCTION IN THE AMOUNT OF \$560,961.20 FOR ST. JAMES GATE AT JOLIET ROAD TRAFFIC SIGNAL INSTALLATION, ROADWAY WIDENING AND RESURFACING (SUBJECT TO DIRECTOR APPROVAL)

Motion Zarate, second Morales to adopt a motion to accept the low bid from P.T. Ferro Construction in the amount of \$560,961.20 for St. James Gate at Joliet Road traffic signal installation, roadway widening and resurfacing (subject to approval of Director).

The Village had been working with the State (IDOT and Department of Commerce and Economic Opportunity-DECO) to signalize the intersection of St. James Gate and Joliet Road. This motion awarded a construction contract to P.T. Ferro Construction Company, the low bidder, for the project. Four (4) bid packets were sent out and two (2) bids were returned. The low bid was in the amount of \$560,961.20. DECO has awarded the Village a \$250,000 grant for this project. The Village cost was \$91,038.80 under the budgeted amount.

There were some minor details that needed to be worked out with IDOT, so the staff recommended that the motion be passed "Subject to the Approval of the Director of Public Services & Development".

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

RESOLUTIONS

RESOLUTION 15R-013
APPROVING PROPOSAL FOR REMOVAL OF EMERALD ASH BORER INFECTED TREES – HOMER TREE CARE, INC.

Motion Zarate, second Morales to adopt a resolution approving a proposal for the removal of Emerald Ash Borer infected trees - Homer Tree Care, Inc.

Mayor Claar talked about the problem regarding the Emerald Ash Borer devastation.

The Village originally passed Resolution 14R-016 in May of 2014 to begin the tree removal of Emerald Ash Borer infected trees. Since then, two (2) contract amendments have been added in the Village's efforts to remove the trees. To date, the Village has removed 4,527 trees at a cost of \$835,394. An estimated 1,500 infected trees remain to be removed.

This resolution was the third amendment to the tree removal contract with Homer Tree Service. The amendment authorized expenses up to \$150,000.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

RESOLUTION 15R-
APPROVING PROPOSAL FOR REPLACEMENT OF EMERALD ASH BORER INFECTED TREES – AMERICAN LANDSCAPE ASSOCIATES, INC.

This resolution was stricken from the agenda.

RESOLUTION 15R-014
APPROVING PURCHASE OF SPEAKER AND AUDIO/AMP SYSTEM (MUSIC SOLUTIONS LLC) FOR THE PERFORMING ARTS CENTER

Motion Brown, second Lawler to adopt a resolution approving the purchase of speaker and audio/AMP system from Music Solutions LLC.

This resolution was part of the ongoing project to upgrade and replace the sixteen (16) year old Audio and Speaker System at the Performing Arts Center. In February (Resolution 15R-008), the Village Board approved the purchase of speakers and horn cabinets. This resolution authorized the purchase of sound amplifiers, processors, hardware and additional speakers. The cost was \$47,180.99. The purchase was from Music Solutions LLC.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

RESOLUTION 15R-015
APPROVING RETAIL SALES AGREEMENT FOR BOLINGBROOK COMMUNITY TELEVISION HD UPGRADE EQUIPMENT (AVI SYSTEMS, INC.)

Motion Morales, second Schanks to adopt a resolution approving the Retail Sales Agreement for Bolingbrook Community Television HD Upgrade Equipment (AVI Systems, Inc.).

Bolingbrook Community Television (BCT) has been broadcasting a standard definition analogue signal since its inception. The existing equipment was outdated and replacements were no longer available. Additionally, the current programming system was written for XP software, which was no longer being supported by Microsoft. BCT requested that the broadcast equipment be upgraded to provide for High Definition (HD) signal. This resolution authorized the purchase of HD broadcast equipment, cameras and studio console. Some of the conversion materials were authorized in Resolution 15R-001. This resolution authorized the purchase of the remaining equipment needed to complete the conversion to HD. The purchase was from AVI Systems, Inc., in the amount of \$61,305.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

RESOLUTION 15R-016
APPROVING PURCHASE OF DUMP/PLOW TRUCK FROM JX ENTERPRISES, INC. D/B/A JX PETERBILT FOR USE BY PUBLIC WORKS

Motion Brown, second Zarate to adopt a resolution approving the purchase of a dump/plow truck from JX Enterprises, Inc., d/b/a JX Peterbilt for use by Public Works.

This Resolution authorized the purchase of a 2016 Peterbilt truck chassis from JX Enterprises, Inc., d/b/a JX Peterbilt. The purchase was for a Model 348 Tandem truck that would be fitted with a stainless steel "V" box dump bed, snow plow and wing plow. The truck would replace an eleven (11) year old twin axle dump truck. The cost was \$190,970.66 and was \$5,970.66 over the budgeted amount of \$185,000. The Public Works Committee reviewed the purchase and recommended approval.

It was noted that there were twenty-two (22) of these trucks in the fleet with an average age of eight (8) years.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

RESOLUTION 15R-017
APPROVING PURCHASE OF TWO 2015 CHEVROLET SILVERADO PICK-UP TRUCKS
FROM ADVANTAGE CHEVROLET FOR USE BY PUBLIC WORKS

Motion Brown, second Lawler to adopt a resolution approving the purchase of two (2) 2015 Chevrolet Silverado pick-up trucks from Advantage Chevrolet for use by Public Works.

This resolution authorized the purchase of two (2) replacement pick-up trucks from Advantage Chevrolet. A 2001 Ford with over 100,000 miles and a 2004 Chevrolet with over 87,000 miles and mechanical problems would be removed from services. The purchase was for two (2) 2015 Chevrolet Silverado 2500HD trucks with 4-wheel drive. The cost was \$58,165.26, which was \$15,480.74 under budget. The Public Works Committee reviewed the purchase and recommended approval.

Lucas Rickelman, Director of Public Services and Development, explained that the old vehicles are sold at the Arena Auto Auction in Bolingbrook.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

RESOLUTION 15R-018
APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE VILLAGE OF
BOLINGBROOK AND METROPOLITAN ALLIANCE OF POLICE CHAPTER #3, CHAPTER
#4 AND CHAPTER #522, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL
3005 AND OPERATING ENGINEERS LOCAL #150

Motion Schanks, second Zarate to pass an ordinance approving a Memorandum of Understanding between the Village of Bolingbrook and the Metropolitan Alliance of Police Chapter #3, Chapter #4 and Chapter #522, International Association of Firefighters Local 3005 and Operating Engineers Local #150.

The Retiree Insurance Program was created in 2000. It was intended to provide Health Insurance for retired Village employees. The Village entered into an agreement with five (5) labor unions to fund a "pool" of monies to pay the cost of health insurance premiums for retirees. The level of funding hasn't increased since 2000 yet the number of retirees has grown and insurance premiums have increased. Last June, the fund got to a point where monthly expenses exceeded monthly deposits. Since then the parties have tried to find an equitable solution but some basic structural issues have arisen.

At issue was whether all employees should pay the same percentage of their wages when public safety employees can retire at fifty (50) years of age while IMRF employees have to wait until their sixties (60's). The Unions were asking to raise all employee contributions from one (1)

to two and a half (2.5) percent. The majority of the non-collective bargaining personnel requested that the Village vote no on this stipulation.

ROLL CALL: Yea 0 - None

Nay 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Absent 0 - None

Motion defeated.

RESOLUTION 15R-019
OPPOSING APPROVAL OF SPECIAL USE PERMIT AND VARIANCES FOR A PARCEL OF PROPERTY WITHIN ONE AND ONE-HALF MILES OF THE VILLAGE OF BOLINGBROOK CHICAGO TITLE LAND TRUST COMPANY UNDER A TRUST AGREEMENT DATED OCTOBER 21, 1979 AND KNOWN AS TRUST NUMBER 1689 (HENRY E. JAMES)

Motion Brown, second Lawler to adopt a resolution opposing the approval of a Special Use Permit and variances for a parcel of property within one and one-half miles of the Village of Bolingbrook Chicago Title Land Trust Company under a trust agreement dated October 21, 1979, and known as Trust Number 1689 (Henry E. James).

Ed James (formerly of Ed James Chevrolet) was the beneficiary and owner of the land trust mentioned in the resolution title. The effected parcel consisted of ± 3 acres located at the southeast corner of Veterans Parkway and I-55. Its common address was 11911 W. Frontage Road South. It was adjacent to and north of the six (6) cell towers on the Lasky property that was being redeveloped by James Love. The property was zoned I-2 Industrial in 1979 by Will County. Ed James started using the parcel for outdoor storage in 1989. The Mayor had met several times with Mr. James regarding the condition of the property. For lack of a better term, the property was a "junk yard". Will County Code Enforcement had issued citations based on the condition of the property. It was filled with inoperable vehicles and trailers, overgrown vegetation, auto parts and rusting metal.

Mr. James filed a Petition with the County requesting the issuance of a Special Use Permit with two (2) associated variances. If granted, the existing site conditions would be allowed to remain.

This resolution expressed the Village's formal opposition against the Special Use Permit and variances to Will County. The Village's opposition was based on two (2) factors:

First:

The Village surrounded the parcel and the Village believed it should be annexed and subject to the Village's jurisdiction.

Second:

If the County were to grant the Special Use Permit and variances, it would perpetuate an unsightly and potentially unhealthy "junk yard".

This resolution formalized the Village's opposition.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

ORDINANCES

ORDINANCE 15-013

CONVEYING PROPERTY LOCATED AT FIRE STATION #5 (0.01 ACRES) SUBJECT TO ATTORNEY APPROVAL

Motion Brown, second Schanks to pass an ordinance conveying property located at Fire Station #5 (0.01 acres) subject to attorney approval.

Fire Station #5, located at the northeast corner of Kings Road and Rodeo Drive, has an adjacent residential property to the rear of the fire station property (1629 Arlington Street; Raymond Redell/homeowner). Mr. Redell widened his driveway and encroached on Village land. This ordinance transferred and conveyed .01 acres (439 sq. ft.) to the homeowner for the payment of \$2,000. The property was surplus, did not affect the fire station, and would allow him to keep the pavement he installed.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

ORDINANCE 15-014

AMENDING CHAPTER 4 OF THE MUNICIPAL CODE TO ESTABLISH A NEW COMMISSION BOLINGBROOK COMMUNITY TELEVISION COMMISSION

Motion Schanks, second Morales to pass an ordinance amending Chapter 4 of the Municipal Code to establish a new commission: Bolingbrook Community Television Commission.

Bolingbrook Community Television (BCT) was formed in the 1970's by a group of volunteers that had an interest in audio-visual technology and civic activities. Money from a Franchise Agreement with Joyce Cable provided start-up funding. Over the years, the Village funded new equipment, studio and a mobile broadcast vehicle. BCT has evolved from a solely volunteer organization into a "quasi" Village Commission.

This ordinance created a new Bolingbrook Community Television Commission (BCT). The BCT will consist of twenty (20) members with a chairman and vice-chairman. The terms, purpose,

powers, compensation and duties will be similar to that of other commissions. There will also be provisions for BCT to use volunteers to record/broadcast if no members were available to film/edit an event. This ordinance created the Bolingbrook Community Television Commission.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

ORDINANCE 15-015

AMENDING CHAPTER 17 OF THE MUNICIPAL CODE TO ADOPT ILLINOIS VEHICLE CODE

Motion Brown, second Lawler to pass an ordinance amending Chapter 17 of the Municipal Code adopting the Illinois Vehicle Code.

This was a “housekeeping” ordinance. The Village Code (Chapter 17) reflected the Illinois Vehicle Code (625 Illinois Compiled Statutes). From time to time, amendments were made to the Statute. The local ordinance should reflect the current Illinois Motor Vehicle Code. This ordinance updated the Village Code by adopting the current Illinois Motor Vehicle Code.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

ORDINANCE 15-016

APPROVING PARKING LANDBANKING AGREEMENT – HART 901 CARLOW, LLC, AN ILLINOIS LIMITED PARTNERSHIP

Motion Morales, second Zarate to pass an ordinance approving a Parking Landbanking Agreement with Hart 901 Carlow, LLC, an Illinois Limited Partnership.

Northern Builders built Carlow II at 901 Carlow Drive. The property was currently occupied by Ferrara Candy. The current building was 733,000 sq. ft. Ferrara was in the process of adding 250,650 sq. ft. to the building. A building of that size required 738 parking spaces. There were currently 278 spaces and 182 spaces would be added with the new addition. The applicant requested to landbank 289 spaces. If the land use changes in the future or the Village requires additional parking spaces, the land owner would be required to install them. This ordinance approved the Landbanking Agreement.

Mayor Claar explained that one of the reasons for the expansion was that Ferrara planned to move their packaging facility here.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

ORDINANCE 15-017

AMENDING CHAPTER 13 OF THE MUNICIPAL CODE AND INCREASING CLASS “C-6” FROM ZERO (0) TO ONE (1) – LOS 7 MARES

Motion Morelli, second Lawler to pass an ordinance amending Chapter 13 of the Municipal Code and increase Class C-7 Liquor Licenses from zero (0) to one (0) - Los 7 Mares.

The applicant, Jose Rodriguez, will be opening “Los 7 Mares” restaurant at 431 N. Bolingbrook Dr. in the Indian Oaks Plaza (formerly El Balcon space). This restaurant would like to offer beer and wine. This ordinance amended the number of Class C-6 licenses from zero (0) to one (1) to accommodate their request.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

ORDINANCE 15-018

AMENDING CHAPTER 13 OF THE MUNICIPAL CODE INCREASING CLASS “D-1” FROM SIXTEEN (16) TO SEVENTEEN (17) – CASA MARGARITA

Motion Zarate, second Morales to pass an ordinance amending Chapter 13 of the Municipal Code increasing Class D-1 Liquor Licenses from sixteen (16) to seventeen (17) - Casa Margarita.

The applicant, Chase Loffi, operated Casa Margarita restaurant at 145 S. Weber Road (formerly Bennigan’s). He currently held a Class D (full service) liquor license and was adding a patio on the Northside of the building. He has applied for a Class D-1 outdoor patio liquor license. This ordinance increased the number of Class D-1 licenses from sixteen (16) to seventeen (17) to accommodate the request.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

PUBLIC COMMENTS

None

TRUSTEE COMMENTS

Trustee Lawler congratulated the newly re-elected Village Trustees Brown, Morales and Schanks. He noted that they had run a positive campaign based on their successful record as Trustees. He then gave information on the Hazardous Waste Drop-Off Day Saturday, May 9th, from 8:00 a.m. to 3:00 p.m., in the Bolingbrook Village Hall parking lot. He gave details on the Theater-on-the-Hill event, "Made of Stars", held every weekend from now until April 26th on the Performing Arts Stage at Village Hall.

Trustee Morales gave details about the Pancake Breakfast at Fire Station #4 (1111 W. Boughton) on Saturday, April 25th, from 8:00 a.m. to 12 noon. The breakfast was sponsored by Boy Scout Troop 39, Local Fire Fighters 3005 and the Bolingbrook Fire Department. Proceeds went to Boy Scout Troop 39.

Trustee Schanks gave information on The Rasmussen College "Dress for Success" seminar being held on Wednesday, April 22nd, at 6:00 p.m. She also gave details on "Money Smart Week" held by Fountaindale Library from April 20th through April 23rd from 7:00 to 8:30 p.m. Sponsors of the classes are Community Service Council, BMO Bank and Fountaindale Library.

Trustee Brown gave details on the Letter Carriers "23rd Annual Food Drive" being held on Saturday, May 9th. People were asked to leave bags of non-perishable food items and household products next to their mailboxes. The food collected will go to the DuPage Township Food pantry which serves both Bolingbrook and Romeoville residents in need.

Trustee Morelli talked about the Ribbon Cutting for the new Xfinity/Comcast store held on Friday, March 27th. He commented on how attractive the store is and how convenient the location will be for Bolingbrook residents. The new store location was 1122 W. Boughton near Target. He also congratulated the three (3) re-elected Trustees: Leroy Brown, Ric Morales and Pat Schanks.

Trustee Zarate congratulated Clair Mueller for her quick action calling 911 when the dryer in her home caught on fire. Her swift action and calm demeanor helped to save her family and home from becoming a major fire. She also thanked Mir Ali for his generous donation of the ice machine for use in the Performing Arts Center refreshment stand. She congratulated Trustees Brown, Morales and Schanks for their successful re-election bid. She then gave details on the First Presbyterian Church of DuPage "All You Can Eat Spaghetti Dinner" on Saturday, April 25th, from 4:30 p.m. until 7:00 p.m.

Mayor Claar gave information on the St. Dominick's Pancake Breakfast being held on Saturday, April 18th, from 7:30 to 11:00 a.m.

EXECUTIVE SESSION

None

ADJOURNMENT

Motion Brown, second Schanks to adjourn the meeting.

Voice vote. Motion carried and meeting adjourned at 9:15 p.m.

ATTEST:

Roger C. Claar
MAYOR

Carol S. Penning, CMC
VILLAGE CLERK