

**A REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES
OF THE VILLAGE OF BOLINGBROOK – JULY 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., July 14, 2015, in Bolingbrook, Illinois, by Mayor Roger C. Claar.

PLEDGE OF ALLEGIANCE

Mayor Claar requested Timothy Bowie recite the Pledge of Allegiance. He was the recipient of a recognition presented by Edward Bannister for Timothy's assistance to Citizens with Disabilities.

ROLL CALL

Village Clerk, Carol S. 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, Director of Public Services & Development – Lucas Rickelman and Finance Director – Rosa Cojulun

Representing the press: None

JOURNAL OF PROCEEDINGS

Motion Brown, second Shanks to approve the minutes of the regular meeting of June 23, 2015, Village Board meeting submitted by the Village Clerk.

Voice vote. Motion carried.

APPROVAL OF AGENDA/ADDITIONS

There were no changes to the agenda.

Motion Morelli, second Morales to approve the agenda as submitted.

Voice vote. Motion carried.

APPROVAL OF APPOINTMENTS/REAPPOINTMENTS

Motion Morales, second Lawler to approve commission appointments as follows:

Bolingbrook Community TV Commission: Nancy Lou Hansen

Voice vote. Motion carried.

PROCLAMATIONS

25th ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT, JULY 26, 2015:

Mayor Claar proclaimed July 26th, 2015, as the 25th ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT. The ADA protects the rights of individuals with disabilities to work, access the benefits of state and local government programs, use transportation services, utilize telecommunication and access public accommodations and commercial facilities. Mayor Claar encouraged all residents and businesses to work with civic and disability partners to inspire action with commitments and legacies that fulfill the ADA's transformative promise of equal opportunity, full participation independent living and economic self-sufficiency of people with disabilities. Tabitha Boshears and Sam Knight from the Will/Grundy Center of Independent Living accepted the proclamation.

Mayor Claar talked about the pro-active way the Village has instituted visitability ordinances that require contractors to build homes that are user friendly for those with disabilities.

CITIZENS WITH DISABILITIES AWARENESS WEEK, July 26 - August 1, 2015:

Mayor Claar proclaimed the week of July 26th through August 1st, 2015, as CITIZENS WITH DISABILITIES AWARENESS WEEK. It was stated in the proclamation that the ADA brought "visitability (accessible homes) to Bolingbrook. The Coalition of Citizens with Disabilities (CCDI) provides the disabled and elderly community with an identity and a forum to express their concerns and have a voice on local, state and national levels in the affairs of their community. Edward Bannister and Bob O'Keefe accepted the proclamation. Ed Bannister presented Reverend Timothy Bowie with the "Distinguished Citizen of the Year Award" from the Bolingbrook Citizen's with Disabilities Coalition.

APPOINTMENTS/SWEARING-IN

Bolingbrook Community TV Commission: Nancy Lou Hanson was sworn in as a new commissioner.

Mayor Claar gave an update on the infected Emerald Ash trees. So far, 6,332 trees had been cut down in Bolingbrook. After they were cut down, a pile of wood chips was left by Homer Tree Service where the trunk was located. These chips were then picked up by the Public Services Dept. and made available to the public for mulch. The cost of cutting down all of these trees in Bolingbrook has been millions of dollars.

BILL APPROVAL

Motion Schanks, second Lawler to approve expenditures submitted as Bill Listing A - Payables in the amount of \$1,114,787.31 and Bill Listing B - Pre-paids in the amount of \$2,277,264.06 totaling \$3,392,051.37. (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 CANCEL THE JULY 28, 2015 VILLAGE BOARD MEETING

Motion Morales, second Brown to accept a motion to cancel the July 28, 2015, Village Board meeting.

Based on the lack of pending business, the staff recommended that the July 28th regularly scheduled board meeting be cancelled. The next meeting will be held on Tuesday, August 11th.

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

Nay 0 - None

Absent 0 - None

Motion carried.

RESOLUTIONS

RESOLUTION 15R-046

ACCEPTING PROPOSAL OF INTERRA INC. FOR ROAD MATERIALS INSPECTION AND TESTING FOR THE 2015 STREET RESURFACING PROGRAM

Motion Brown, second Lawler to adopt a resolution accepting a proposal from Interra, Inc., for road materials inspection and testing for the 2015 Street Resurfacing Program.

This resolution retained the services of Interra, Inc., to provide materials (asphalt and concrete) testing for quality control purposes. The testing will be for the Village's 2015 Street Resurfacing Program. Testing was required by IDOT and CDBG. The cost shall not exceed \$39,856. The Director of Public Services and Development requested that the contract be approved subject to his approval because some reimbursable expenses were still being finalized.

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

Nay 0 - None

Absent 0 - None

Motion carried.

RESOLUTION 15R-047

AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN VILLAGE OF BOLINGBROOK AND THE DUPAGE RIVER/SALT CREEK WORKGROUP

Motion Morales, second Zarate to adopt a resolution authorizing the execution on an agreement between the Village of Bolingbrook and the DuPage River/Salt Creek Workgroup.

The State IEPA has moved to impose regulations limiting the amount of phosphorous that may be discharged from sewer treatment plants into streams. The Village along with sixteen (16) other communities founded the DuPage River/Salt Creek Workgroup (DRSCW) in 2005. The group was formed to study and improve aquatic life in the Upper DuPage River Watershed. The State has agreed to delay implementation of the rule in order for the (DRSCW) to study phosphorous levels and effects in the DuPage Watershed.

By entering into this Agreement, the Village could delay the implementation of the phosphorous reduction rules for ten (10) years. The Agreement required the Village to pay its annual dues and a Special Project Assessment for the cost of the study. The 1st year cost will be \$38,137. The total cost will be \$594,914. By entering into this Agreement, the Village will defer approximately \$2.5 Million in expenses that would be required to meet the new regulations.

Steve McCracken, DRSCW Environmental Engineer, and Larry Cox, DRSCW Board Member, explained what the organization was trying to do in order to lower the phosphorous level into the streams in the area. The organization is a collaborative effort of municipalities, environmental groups, DuPage County and others to examine the problem and make recommendations back to the State IEPA.

Mayor Claar noted that people complain about government raising their taxes but, a good part of the time, your taxes were not raised by the elected officials but by the bureaucrats in these agencies that were appointed and don't answer to the taxpayer like the State EPA in this case. These regulations were mandated and not passed by law yet shoulder municipalities and county government with projects needed to conform to the regulations that cost millions of dollars.

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

Nay 0 - None

Absent 0 - None

Motion carried.

RESOLUTION 15R-048

APPROVING THE CONTRACT RENEWAL WITH SYNAGRO CENTRAL, LLC TO PROVIDE BIO-SOLIDS MANAGEMENT SERVICES

Motion Brown, second Lawler to adopt a resolution approving the contract renewal with Synagro Central, LLC to provide bio-solids management services.

This resolution renewed a contract with Synagro Central, LLC to remove, transport and dispose of bio-solids from the Village's three (3) sewage treatment plants. The contract was for three (3) years. The cost was 4.7 cents/gallon for liquids and \$24.15/per cubic yard for solids. The estimated cost per year was \$498,000. The Public Works Committee reviewed the renewal contract and recommended approval.

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

Nay 0 - None

Absent 0 - None

Motion carried.

RESOLUTION 15R-049

ACCEPTING PROPOSALS OF SEBERT LANDSCAPING AND HASSERT LANDSCAPING TO REPLACE PLANT MATERIALS ALONG ROUTE 53 AND BOUGHTON ROAD

Motion Morelli, second Morales to adopt a resolution accepting proposals of Sebert and Hassert Landscaping companies to replace plant materials along Rt. 53 and Boughton.

This resolution approved contracts with Sebert Landscaping and Hassert Landscaping to replace plant materials along Rt. 53 and Boughton Road. Over the years, some plant materials in the medians and around the Interchanges had died. These contracts covered the cost of pruning and replacements. The total cost will be \$57,301 (Sebert \$28,268 and Hassert \$29,033). The Public Works Committee reviewed the proposals and recommended approval.

Mayor Claar explained that it was important to keep up the landscaping in town. When developers, potential residents, home builders and prospective businesses come to Bolingbrook, it's important that they get a positive first impression when they enter Bolingbrook. Landscaping that looks beautiful is a part of that first impression.

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

Nay 0 - None

Absent 0 - None

Motion carried.

RESOLUTION 15R-050

APPROVING PROPOSAL FROM XTREME EDGE EXCAVATING, INC. FOR DEMOLITION (835 TAMMS LANE)

Motion Morelli, second Zarate to adopt a resolution approving a proposal from Xtreme Edge Excavating, Inc., for demolition (835 Tamms Lane).

This resolution accepted a proposal to demolish and remove the house at 835 Tamms Lane. The building suffered a fire in July of 2011 and the property had been abandoned ever since. Code Enforcement had issued numerous citations. The property was uninhabitable and neither the owners or bank have made an effort to make repairs. In March, the Village filed an action in Circuit Court to demolish the house. On May 22, 2015, a Will County Judge entered an Order for Demolition. Two (2) quotes for the demolition were obtained. The most qualified vendor was Xtreme Edge Excavating, Inc. The cost of removing the structure was \$17,400. The demolition cost along with all other fees and charges will be filed as a lien against the property. The Public Safety Committee reviewed the proposal and recommended approval.

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

Nay 0 - None

Absent 0 - None

Motion carried.

RESOLUTION 15R-051

APPROVING AGREEMENT RE LANDBANK PARKING WITH CONOR COMMERCIAL REAL ESTATE, LLC

Motion Brown, second Schanks to approve an agreement regarding landbank parking with Conor Commercial Real Estate, LLC.

This resolution approved a Landbanking Agreement with Conor Commercial Real Estate (McShane) concerning the development of the Kappos property (see Ordinance 15-045). Under Village Code requirements, 785 parking spaces would be required. The developer planned to install 704 spaces and agreed to landbank 119, (which was more than the required number). If the Village deemed there was a need for any additional parking, the developer would be obligated to install it.

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

Nay 0 - None

Absent 0 - None

Motion carried.

ORDINANCES

PC 15-11

APPROVAL OF A SPECIAL USE PERMIT FOR TRUCK & AUTOMOBILE RENTAL SERVICE, ENTERPRISE LEASING COMPANY OF CHICAGO, LLC, 80 OLD CHICAGO DRIVE; GREG TOSTE, ENTERPRISE LEASING COMPANY OF CHICAGO, LLC, APPLICANT

Motion Schanks, second Morales to accept Plan Commission Report PC 15-11 for approval of a Special Use Permit for a truck & automobile rental service, Enterprise Leasing Company of Chicago, LLC, 880 Old Chicago Dr.; Greg Toste, Enterprise Leasing Co. of Chgo., LLC, Applicant.

Voice vote. Motion carried.

ORDINANCE 15-044

APPROVING SPECIAL USE PERMIT FOR TRUCK & AUTOMOBILE RENTAL SERVICE, ENTERPRISE LEASING COMPANY OF CHICAGO, LLC (80 OLD CHICAGO DRIVE)

Motion Brown, second Lawler to pass an ordinance approving a Special Use Permit for a truck & automobile rental service, Enterprise Leasing Co. of Chgo., LLC at 80 Old Chicago Drive.

Enterprise Leasing Company of Chicago, LLC sought approval of a Special Use Permit to allow a Truck Rental and Service Center at 80 Old Chicago Drive. They planned to lease 7,500 sq. ft. of an existing 10,500 sq. ft. building. The building was previously an auto repair and maintenance facility. The company plans to lease trucks and autos from the office portion of the building and perform maintenance and body repairs in the five (5) overhead garage bays. They will offer trucks and vans up to 26 ft. in length and expect to rent 1-15 trucks and 5-10 cars a day. The Plan Commission reviewed the Special Use Permit request and recommended approval.

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

Nay 0 - None

Absent 0 - None

Motion carried.

PC 15-12

APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED INDUSTRIAL DEVELOPMENT WITH VARIANCES, PRELIMINARY DEVELOPMENT PLAN OVERALL, FINAL DEVELOPMENT PLAN OF BUILDINGS 1-3 & PONDS, FINAL PLAT OF SUBDIVISION, PLAT OF VACATION AND ADOPTION OF FINDINGS OF FACT, NORTHWEST CORNER OF REMINGTON BOULEVARD AND SCHMIDT ROAD; CONOR COMMERCIAL REAL ESTATE, LLC, APPLICANT

Motion Morelli, second Morales to accept Plan Commission Report PC 15-12 for approval of a Special Use Permit for a Planned Industrial Development with variances, Preliminary Development Plan Overall, Final Development Plan of buildings 1-3 & ponds, Final Plat of Subdivision, Plat of Vacation and adoption of Finding of Fact for the northwest corner of Remington Blvd. & Schmidt Rd; Conor Commercial Real Estate, LLC, Applicant.

ORDINANCE 15-045

APPROVING SPECIAL USE PERMIT FOR PLANNED INDUSTRIAL DEVELOPMENT WITH VARIANCES, PRELIMINARY DEVELOPMENT PLAN OVERALL, FINAL DEVELOPMENT PLAN BUILDINGS 1-3 AND PONDS, FINAL PLAT OF SUBDIVISION AND PLAT OF VACATION – CONOR COMMERCIAL REAL ESTATE, LLC - A MCSHANE COMPANY (NORTHWEST CORNER OF REMINGTON BLVD. & SCHMIDT RD.)

Motion Lawler, second Schanks to pass an ordinance approving a Special Use Permit for a Planned Industrial Development with variances, Preliminary Development Plan Overall, Final Development Plan for buildings 1-2 & ponds, Final Plat of Subdivision and Plat of Vacation for the northwest corner of Remington Blvd. & Schmidt Rd.- Conor Commercial Real Estate, LLC - A McShane Co.

Conor Commercial Real Estate (McShane) proposed to develop the ±70 acres Kappos property at the northwest corner of Schmidt and Remington Blvd. They plan to construct five (5) buildings containing 955,000 sq. ft. of office/distribution space. The plans also included three (3) retention ponds. Two (2) will be located along Remington and one (1) adjacent to the power lines on the west. There will also be a two (2) acre park feature to be built on the corner of Schmidt Rd. and Remington Blvd.. The business park would be named "Fountain Square Commerce Center".

Four (4) residents testified at the Public Hearing. The staff and developer addressed their questions. The following actions were requested by the applicant:

- Approval of a Special Use Permit for a Planned Industrial Development
- Approval of eight (8) associated variances
- Approval of a Preliminary Development Plan
- Final Development Plan for Buildings 1-3 and the three (3) ponds
- Final Plat of Subdivision
- Plat of Vacation

This ordinance approved the actions listed above. The Plan Commission reviewed the project and recommended approval.

James Sampson, 598 Rebecca Lane, had no objection to the construction but asked if the landscaping would be uniform across the back of the property next to the residential area. Mayor Claar showed him the design boards depicting the development of the property and explained that there would be heavy landscaping in the area he was talking about. There would also be other types of noise reduction features on the side of the building facing the residential homes. He also told the homeowner that each property owner along the back of the industrial property was being offered a thirty (30) foot extension onto the back of their lots from the builder. He encouraged all of them to accept the offer as it increased their property value.

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

Nay 0 - None

Absent 0 - None

Motion carried.

ORDINANCE 15-046

AMENDING CHAPTER 21 OF THE VILLAGE CODE REGARDING DANGEROUS DOGS

Motion Lawler, second Schanks to pass an ordinance amending Chapter 21 of the Village Code regarding dangerous dogs.

The Police Department had an increase in the number of calls regarding vicious and dangerous dogs including "pit bulls". The calls have escalated in the last year. The Department recommended that Chapter 21 of the Municipal Code be amended to address the problem. The Code currently regulated vicious and dangerous dogs. The proposal contained in this ordinance created a "Nuisance Dog" category. The new designation provided that if an owner and/or dog

were cited three (3) or more times for barking, howling, running at large or defecation on property other than the owners', the dog could be deemed a "nuisance". Once deemed a nuisance, the owner must secure a \$250,000 liability insurance policy, register the dog with the police department and obtain a nuisance tag. Additionally, the ordinance increased the liability insurance requirements for "vicious dogs" from \$500,000 to \$1 million and dangerous dogs" to \$500,000.

The ordinance also raised the fine from \$50 to \$250 for violations of these Sections of the Code.

Public Safety Director Tom Ross commented that there were 3,100 dogs in Bolingbrook. Each year Animal Control received, approximately, 2,600 animal complaints. On average, 300 dogs and 170 cats were impounded. The biggest problem, outside of wild animals, tended to be Pit Bulls, Rottweilers and Dobermans. This ordinance added the "nuisance" category which incorporates the "three (3) strikes and you're out" provision. He noted that this provision would make it easier for the Police Department to stop a vicious dog, in advance, from hurting someone.

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

Nay 0 - None

Absent 0 - None

Motion carried.

ORDINANCE 15-047

AMENDING CHAPTER 13 OF THE VILLAGE CODE ESTABLISHING ONE DAY "BRING YOUR OWN BEVERAGE (BYOB)" PERMITS

Motion Zarate, second Morales to pass an ordinance amending Chapter 13 of the Village Code establishing a one (1) day "Bring Your Own Beverage (BYOB)" permit - Class F-9 Liquor License.

This ordinance revised Chapter 13 of the Municipal Code and added a new Liquor License category (Class F-9). A number of groups have approached the Village about the ability to have guests bring their own alcohol to an event.

The Code currently prohibits "Bring your own Beverage" (BYOB). This ordinance created a new Class F-9 license that would allow BYOB. The proposed ordinance would create a one (1) day Special Event License with a cost of \$100. There were several conditions to obtain the license. They included insurance and supervision requirements.

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

Nay 0 - None

Absent 0 - None

Motion carried.

PUBLIC COMMENTS

None

TRUSTEES' COMMENTS AND REPORTS:

Trustee Zarate gave information on the DuPage Township "Family Fun Fest". It will be held on Sunday, July 26th, between Noon and 4 p.m. She also thanked all those who helped make the Heart Haven Outreach Golf Outing fundraiser such a success.

Trustee Morelli gave details about the annual Hampton Park Meat Raffle from Noon to 5 p.m. this Sunday under the tent at the Bolingbrook Golf Club. Proceeds will go to youth programs in Bolingbrook and Romeoville.

Trustee Brown gave information on the Heart Haven Outreach Annual Golf Outing and "Christmas in July" Gala Dinner. The event will be held at the Bolingbrook Golf Club on Wednesday, July 15th (tomorrow). He also told Mayor Claar that a number of residents wanted to thank him for the 4th of July fireworks show which was one of the best we have ever had in Bolingbrook. Brown also thanked the Village staff for their hard work in successfully managing the huge crowd that had attended the fireworks show.

Trustee Schanks gave details about the Arts Council's and Fountaindale Public Library's "Street Art" event that will be held at the library on Saturday, July 18th, between 10 a.m. and 2 p.m. She also reminded everyone that the 50th Anniversary coins, book and T-shirts were still for sale in the Finance Department.

Trustee Morales gave information concerning "Coffee with the Chiefs" which offers Bolingbrook residents a chance to personally meet with Public Safety Director Tom Ross and other members of the Police and Fire Department leadership in a casual setting. Meetings will take place on the first Tuesday of every month at various breakfast places in the Village from 8:00 to 9:00 a.m.

Trustee Lawler gave information about the Summer Concerts held every Wednesday evening at 7:30 p.m. and Theatre-on-the Hill which was showing "Mary Poppins" between July 10th and 26th. Both the concerts and the theater are held at the Performing Arts Center. He then gave details about the giant screen outdoor movie being offered on Monday, July 27th, at 8:30 p.m. in back of Village Hall. The movie will be "Those Magnificent Men in Those Flying Machines".

Mayor Claar informed the audience that the entire Village had already been sprayed once for mosquitos but will be sprayed again this week (Thursday) by Clarke Environmental. He noted that all of the rain this year had made the mosquito population particularly bad by providing a lot of standing water for their breeding grounds. He then made note that around 20,000 people attending the fireworks show on the 4th. Lastly, he informed residents that the Stanley Cup would be on display at the Golf Club this Thursday from 11 a.m. to 1 p.m.

EXECUTIVE SESSION

None

ADJOURNMENT

Motion Brown, second Zarate 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