

**A REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES
OF THE VILLAGE OF BOLINGBROOK – AUGUST 14, 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., August 14, 2012, in Bolingbrook, Illinois, by Mayor Roger C. Claar.

PLEDGE OF ALLEGIANCE

Mayor Roger C. Claar requested that Brian Kuntz, long time Bolingbrook resident and Troop 75 Scout Leader, and Troop 75 scouts, lead the Pledge of Allegiance to the Flag.

ROLL CALL

Village Clerk, Carol Penning, called the roll. Present were: Mayor Roger C. Claar, Trustees Leroy J. Brown, Michael T. Lawler, Rick Morales (entered the meeting late but before any votes were held), Joseph B. Morelli, Patricia Schanks and Sandra S. Swinkunas.

Absent: None

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 and Human Resources Director – Brenda Ladipo

Absent: None

Representing the press: Joseph Ruzich – Tribune Local

JOURNAL OF PROCEEDINGS

Motion Brown, second Swinkunas to approve the minutes of the July 24, 2012, Village Board meeting submitted by the Village Clerk.

Voice vote. Motion carried.

APPROVAL OF AGENDA/ADDITIONS

There were no additions or corrections to the agenda.

Motion Swinkunas, second Lawler to approve agenda as presented.

Voice vote. Motion carried.

APPROVAL OF APPOINTMENTS/POSITIONS

Motion Swinkunas, second Schanks to approve the appointments as listed on the agenda.

Police Department: Steven Ficek, new Police Officer

Zoning Board of Appeals: Mir Ali, Commissioner

Voice vote. Motion carried.

PRESENTATIONS

Mayor Claar introduced the 2012 Citizens of the Year.

Male Citizen of the Year: Brian Kuntz

Brian Kuntz has been a Bolingbrook resident for nineteen (19) years having moved here in 1993. Brian has been married to Tiffany for twenty-four (24) years. They have a son, Jason, 18, and a daughter, Ashley, 17. He has been a cancer survivor and a heart attack survivor!

Brian has been active in all levels of scouting. He was a leader in Cub Scouts for six (6) years and Boy Scouts for over (5) years. Brian is, also, a proud Eagle Scout recipient.

He has chaired the Rainbow Council Cub Scout Day Camp at Village Hall for three (3) years, chaired Scouting University for two (2) years, and chaired the Cub Scout Winter Event for two (2) years. Brian now chairs the Waapi Lenaswa (of Rainbow Council) District Campout which includes Boy Scouts, Cub Scouts, and their families. He is the District Commissioner for Waapi Lenaswa (of Rainbow Council) for Cub Scout Packs and Scout Troops in Bolingbrook. Brian spends at least one weekend per month camping with scouts, as well as a full week in the summer with the scouts at Summer Camp in Bolingbrook.

Besides scouting, his community involvement includes: T-Ball Coach (3+ years) for both his children, BYBL (baseball) Coach (7 years), Panthers Basketball Coach (2 years), and BCB (basketball) Coach (3 years).

For recreation, Brian has been a member of a Friday night bowling league for many years.

Congratulations were given to Brian Kuntz!

Female Citizen of the Year: Anita Kontoh Scott

Driven to succeed partly by her fascination with the Claire Huxtable character from "The Cosby Show", Anita's focus on excellence carried over into the classroom. She graduated from Bolingbrook High School in 1992 with a 3.98 GPA on a 4.0 scale.

Anita attended Adrian, a private liberal arts college in Michigan, because of the low student-to-teacher ratio, beautiful campus and compelling financial aid package. She graduated in 1996 with a double major in Criminal Justice and Business Administration.

Convinced that law was her calling, Anita accepted a three (3) year fellowship at highly ranked Indiana University and earned a Juris Doctorate in May of 1999. She passed the Bar Exam in October of 1999 and was sworn in as a lawyer the following month in November.

Instead of an unpaid internship, Anita decided to hang out a shingle in 2000. Understanding that there was potential in Bolingbrook, Anita bartered for space in the Bolingbrook Commons located off Route 53 and I-55 and opened her law office. Relying on instinct and a desire to represent the underserved, Anita quickly gained a loyal, sizeable clientele.

A mere eight (8) years after launching her private practice, Anita purchased land and built the Diamond Creek Office Complex located at 260 South Schmidt Road.

Today, the successful entrepreneur wears many hats. Her most revered role is that of a mother. In addition, she founded the Black History Awareness Club, is the immediate Past President of the Bolingbrook Rotary Club, a Charter member of the Will County Black Bar Association, a member of the Bolingbrook Chamber of Commerce, volunteers her services to aid the DuPage County NAACP and was just installed as a Commissioner for the Bolingbrook Police Pension Board.

Anita is known to all as a down-to-earth, level-headed, warm and friendly person who is often prone to erupt into fits of giggles. She honors her Ghanian roots and remains humbled by the grace of God who she credits with guiding her steps and propelling her forward on the path of life.

Congratulations were given to Anita Kontoh Scott.

Family of the Year: Chad and Laura Voss

Chad and Laura Voss have been Bolingbrook residents for over thirteen (13) years. They have been married for twenty-three (23) years and have two (2) children, a daughter, Kiersten, 21, and a son, Nick, 16. Kiersten attends Joliet Junior College, and Nick is a junior at Bolingbrook High School.

Laura works as a legal secretary for a law office. Chad has been an electrician for 32 years.

Laura has been an active member of the Bolingbrook Women's Club (formerly known as Newcomers & Neighbors). She has been involved with the club for about thirteen (13) years, holding a Board position for twelve (12) of those years and is currently President.

Laura is a philanthropist and has organized or has been heavily involved with the Club's yearly fundraisers. She has been on the Civic and Cultural Affairs Commission for about eight (8) years and has been responsible for several events held at the Jubilee every year and planning the Annual Valentine's Day Dinner Dances.

She was a PTO volunteer when her children were little, has run a lot of marathons for charities, and bowled in a league for ten (10) years.

Chad has been a member of the Bolingbrook Lions Club since 2006. Chad has been a Lion Tamer, Director, 2nd Vice President, and currently holds the office of President. He has received many Lions' awards:

Lion of the Year, 2009
Lions of Illinois Foundation Fellow, 2011
Melvin Jones Fellow, 2012

Chad has worked on various Bolingbrook commissions. He has chaired the Pathways Parade pop sales for two (2) years, Wolves outing for three (3) years, Super Bowl Raffle and Party for three (3) years, and the Pig Roast to raise funds for pediavision. He has also been the coordinator for Beep Baseball volunteers for three (3) years.

Chad's community involvement included coaching his son in the Bolingbrook T-Ball Association and Bolingbrook Associate Little League (BALL).

Chad is a handy man on the side as a hobby.

Congratulations were given to the Voss Family: Chad, Laura, Kiersten and Nick!

PROCLAMATIONS

BOLINGBROOK JUBILEE, August 17 - 19, 2012: Mayor Claar proclaimed BOLINGBROOK JUBILEE to be held August 17th through the 19th. He urged all residents and their families to join with friends and neighbors to enjoy this music filled event. Ken Lindemann, Chair of the Civic and Cultural Affairs Commission, accepted the proclamation and gave details of all the bands and events taking place over the Jubilee weekend.

INDIA'S 65th INDEPENDENCE DAY, August 15, 2012: Mayor Claar proclaimed August 15, 2012, INDIA'S 65th INDEPENDENCE DAY and urged all residents to appreciate the contributions of our Indian-American community and join with them in celebrating their 65th Anniversary. Prem Lalvani accepted the proclamation.

PAKISTAN'S INDEPENDENCE DAY, August 25, 2012: Mayor Claar proclaimed August 25, 2012, PAKISTAN'S INDEPENDENCE DAY and asked all residents to recognize the contributions of our Pakistan-American community and join with them in celebrating the Anniversary of their Independence Day. Talat Rashid accepted the proclamation.

COMMISSION APPOINTMENTS/SWEARING-IN

Police Department: Steven Ficek was sworn-in as a new Police Officer (Badge #1193).

Chief Kevin McCarthy, Police and Fire Board Members Dennis Meehan (Chair), Ray Macri, Prem Lalvani and Barbara Provo were present for the ceremony.

Zoning Board of Appeals: Mir Ali was sworn in as a new commissioner.

BILL APPROVAL

Motion Brown, second Schanks to approve expenditures submitted as Bill Listing A - Payables in the amount of \$2,104,736.10 and Bill Listing B - Pre-paids in the amount of \$2,506,444.39 totaling \$4,611,180.49. (Copies would be available in the Finance Dept. and Clerk's Office.)

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

Nay 0 - None

Absent 0 - None

Motion Carried.

RESOLUTIONS

RESOLUTION 12R-046

AUTHORIZING PURCHASE OF BIOXIDE FROM SIEMENS INDUSTRY TO CONTROL HYDROGEN SULFIDES IN THE SEWER SYSTEMS OF THE VILLAGE

Motion Morales, second Morelli to adopt a resolution authorizing the purchase of bioxide from Siemens Industry to control hydrogen sulfides in the sewer systems of the Village.

This resolution approved the renewal of a contract with Siemens Water Technologies for the purchase of bioxide. Bioxide is a chemical added to sanitary sewers to control hydrogen sulfide and odors. Siemens held last year's price of \$2.45/gallon. The cost should not to exceed \$91,000. The Public Works Committee has reviewed and recommended approval.

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

Nay 0 - None

Absent 0 - None

Motion Carried.

ORDINANCES

ORDINANCE 12-048

APPROVING SECOND 2012 AMENDMENT OF THE CONTRACT BETWEEN THE VILLAGE OF BOLINGBROOK AND CROWN (NOW GROOT) RECYCLING AND WASTE SERVICES, INC. – SUBJECT TO VILLAGE ATTORNEY APPROVAL

This ordinance was tabled at the July 24th, 2012, Board Meeting. Motion Lawler, second Swinkunas to remove Ordinance 12-048 approving the second 2012 amendment of the contract between the Village of Bolingbrook and Crown (now Groot) Recycling and Waste Services, Inc., from the table for discussion and vote on passage.

The Village has been negotiating with Groot Recycling, the current waste hauler, for approximately nine (9) months over an extension of the current contract. Groot, f/k/a Crown, has been the Village's vendor since 1994. The current contract would expire next year. The

current collection rate is \$18.28 per unit per month. That rate will be reduced to \$17.78 per unit retroactive to November of 2011. The reduction was a result of housing vacancies and an increase in recycling. The proposed contract amendment maintains the same level of service with unlimited pick up of recycling, landscape waste, and “trash bags”. The amendment was for five (5) years and scheduled a 50¢ per unit increase on May 1, 2013, with annual increases based on CPI with a minimum increase of 2% per year with a “cap” of 4%. The Public Works Committee has reviewed and recommended approval.

Ryan Brandsma, Vice President of Groot, gave a short history of the company and talked about the contract and their services.

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

Nay 0 - None

Absent 0 - None

Motion Carried.

PC 12-22

APPROVAL OF AN AMENDMENT TO A SPECIAL USE PERMIT FOR A PLANNED RESIDENTIAL DEVELOPMENT WITH VARIANCES – RIVER HILLS SUBDIVISION – WILLIAM RYAN HOMES, APPLICANT

Motion Brown, second Swinkunas to accept Plan Commission Report PC 12-22 for approval of an amendment to a Special Use Permit for a Planned Residential Development with variances for River Hills subdivision; William Ryan Home, Applicant.

Voice vote. Motion carried.

ORDINANCE 12-049

AMENDING SPECIAL USE PERMIT FOR PLANNED RESIDENTIAL DEVELOPMENT – RIVER HILLS PHASE 1, LOT 1 (WILLIAM RYAN HOMES)

Motion Lawler, second Schanks to pass an ordinance amending a Special Use Permit for a Planned Residential Development - River Hills Phase 1, Lot 1 (William Ryan Homes).

The applicant, William Ryan Homes, is completing the vacant lots in Phase 1 of the River Hills Subdivision (the other phases are being built out by K. Hovnanian Homes). The builder would like to construct a home with a 3-car garage on Lot 1. In order to allow this, the twenty-five (25) foot side yard setback would need to be reduced to twenty-one (21) feet. This ordinance granted the variance. The Plan Commission has reviewed and recommended approval.

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

Nay 0 - None

Absent 0 - None

Motion Carried.

PC 12-23

APPROVAL A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT – RASA EYE CARE, 124 E. BOUGHTON ROAD – RASA MAKSIMAVICINFETHARP, APPLICANT

Motion Morales, second Morelli to accept Plan Commission Report PC 12-23 for approval of a Special Use Permit for a Planned Unit Development - Rasa Eye Care, 124 E. Boughton Road; Rasa Maksimavicinfe-Tharp, Applicant.

Voice vote. Motion carried.

ORDINANCE 12-050

APPROVING SPECIAL USE PERMIT FOR PLANNED UNIT DEVELOPMENT IN ORDER TO ALLOW A MEDICAL OFFICE AT JULIAN’S PLAZA (RASA EYE CARE)

Motion Lawler, second Swinkunas to pass an ordinance approving a Special Use Permit for a Planned Unit Development in order to allow a Medical Office at Julian's Plaza (Rasa Eye Care).

The applicant, Rasa Eye Care, applied for a Special Use Permit to allow an Eye Care Center to locate in Julian’s Plaza (Portillo’s Center). The Doctor would like to occupy 1,837 feet of tenant space. The property is zoned B-2 Community Retail. Non-sales tax generating businesses need a Special Use Permit to locate in commercial business districts. The Plan Commission has reviewed and recommended approval.

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

Nay 0 - None

Absent 0 - None

Motion Carried.

PC 12-24

AMENDMENT TO A SPECIAL USE PERMIT FOR A PLANNED INDUSTRIAL DEVELOPMENT WITH VARIANCES – 254 INTERNATIONAL BOULEVARD, PAUL LOMBARDO, DREW ENTERPRISES - APPLICANT

Motion Brown, second Schanks to accept Plan Commission Report PC 12-24 for an amendment to a Special Use Permit for a Planned Industrial Development with variances at 254 International Boulevard; Paul Lombardo, Drew Enterprises - Applicant.

Voice vote. Motion carried.

ORDINANCE 12-051

APPROVING AMENDMENT OF SPECIAL USE FOR PLANNED INDUSTRIAL DEVELOPMENT - DREW ENTERPRISES LLC/PAUL LOMBARDO – 254 INTERNATIONAL BOULEVARD

Motion Morelli, second Brown to pass an ordinance approving an amendment of a Special Use for a Planned Industrial Development - Drew Enterprises LLC/Paul Lombardo - 254 International Boulevard.

The applicant Paul Lombardo, sought approval of an amendment to a Special Use Permit. In 1990, the Village annexed 175 acres south of I-55 and north of Rt. 66 (Joliet Road). The

existing developments contained conditions which did not meet Village Codes, i.e. stormwater, curbs & gutters, curb cuts, etc. The property line between 254 International Parkway (Ricoh) and 535 E. South Frontage Road (Peterbuilt) is not perpendicular to I-55 creating a situation where part of the Ricoh parking lot is on Lombardo's property and part of the Ricoh property is not developed. This amendment assisted in "straightening out" the property line issue. The amendment approved two (2) variances:

- a) to reduce the side yard setback to zero
- b) to reduce the amount of open space.

The Plan Commission has reviewed and recommended approval.

Mayor Claar introduced Paul Lombardo of Drew Enterprises as a true entrepreneur involved in the moving business, real estate developer, distribution, truck storage and other related businesses.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Swinkunas
 Nay 0 - None
 Absent 0 - None

Motion Carried.

PC 12-25

APPROVAL OF AN AMENDMENT TO A SPECIAL USE PERMIT FOR A PLANNED COMMERCIAL DEVELOPMENT WITH VARIANCES – ADVENTIST BOLINGBROOK HOSPITAL, 500 REMINGTON BOULEVARD - WHITE WAY SIGN COMPANY, APPLICANT

Motion Lawler second Swinkunas to accept Plan Commission Report PC 12-25 for approval of an amendment to a Special Use Permit for a Planned Commercial Development with variances - Adventist Bolingbrook Hospital, 500 Remington Boulevard; White Way Sign Company, Applicant.

Voice vote. Motion carried.

ORDINANCE 12-052

AMENDING SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT – ADVENTIST BOLINGBROOK MEDICAL CENTER SIGN

Motion Morales, second Schanks to pass an ordinance amending a Special Use Permit for a Planned Development - Adventist Bolingbrook Medical Center sign.

A Special Use Permit was issued when Adventist Bolingbrook Hospital opened approving a "signage package" for the entire site. One of the directional signs was located on Schmidt Road. The hospital entrances off of Schmidt are strictly for emergency vehicles and do not connect to the visitor parking lot. Visitors get confused and use these entrances which sometimes conflicts with ambulances arriving at the Emergency Room. The Hospital would like to increase the size of the sign from 13 sq. ft. to 36 sq. ft. and increase the height from 8 ft. to 14 ft. This ordinance amended the Special Use Permit to allow a replacement sign. The Plan Commission has reviewed and recommended approval.

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

Nay 0 - None

Absent 0 - None

Motion Carried.

ORDINANCE 12-053

AUTHORIZING A SPECIAL MOBILE EQUIPMENT CROSSING (ROYCE AND GREENE ROADS)

Motion Morelli, second Swinkunas to pass an ordinance authorizing a special mobile equipment crossing at Royce and Greene Roads.

Elmhurst-Chicago Stone Company has been operating the quarry off Royce Road since the 1950's (before Bolingbrook was incorporated). When the Village annexed the property, the annexation agreement allowed the quarry to continue to operate and also allowed them to move trucks, materials and equipment across Royce and Greene Roads. The Village has been issuing overweight truck permits to allow the crossings. This ordinance formalized the Road Crossing Agreement. The Village and the Company identified three (3) locations where the company needs to cross the road. This ordinance provided a "blanket overweight" permit for the company's overweight trucks and equipment at these three (3) locations.

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

Nay 0 - None

Absent 0 - None

Motion Carried.

ORDINANCE 12-054

ORDINANCE APPROVING TRAFFIC VEHICLE REGULATION AGREEMENT – AMERICANA ESTATES

Motion Brown, second Morales to pass an ordinance approving a Traffic Vehicle Regulation Agreement with Americana Estates.

This ordinance approved an agreement with the Americana Estates Homeowners Association which would allow the Police Department to enter onto Association property, including the streets, to enforce Village ordinances and parking offenses. The Village has entered into similar agreements with other Associations and Commercial Developments. The Public Safety Committee has reviewed and recommended approval.

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

Nay 0 - None

Absent 0 - None

Motion Carried.

ORDINANCE 12-055

APPROVING NEGOTIATED AGREEMENT BETWEEN THE METROPOLITAN ALLIANCE OF POLICE BOLINGBROOK PROFESSIONALS CHAPTER #522 AND THE VILLAGE OF BOLINGBROOK

Motion Morelli, second Swinkunas to pass an ordinance approving a negotiated agreement between the Metropolitan Alliance of Police Bolingbrook Professionals Chapter #522 and the Village of Bolingbrook.

This ordinance approved a Collective Bargaining Agreement with the recently formed Civilian Unit of Metropolitan Alliance of Police Chapter #522. The Unit was initially formed in 2009. AFSCME contested the formation of the Bargaining Unit. The issue went to a Hearing with the Illinois Labor Relations Board which delayed negotiations.

The terms of the labor contract “mirror” the current AFSCME contract. There are sixteen (16) employees in this chapter of MAP. Wages will be retroactive to May 1, 2010. For the years 2012, 2013 and 2014, wages and benefits will be covered with a “me too” clause with whatever AFSCME receives as a result of their negotiations for those years.

Copies of the contract will be available in the Clerk’s Office once signatures are obtained.

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

Nay 0 - None

Absent 0 - None

Motion Carried.

ORDINANCE 12-056

AMENDING CHAPTER 13 OF THE MUNICIPAL CODE AND DECREASING CLASS “D-2” FROM TWELVE (12) TO ELEVEN (11) - RANCHO SANTA FE

Motion Morales, second Lawler to pass an ordinance amending Chapter 13 of the Municipal Code and decreasing Class D-2 from twelve (12) to eleven (11) - Rancho Santa Fe.

The Rancho Santa Fe restaurant was located at 195 Remington Boulevard. The business has closed. This ordinance reduced the number of Class D-2 Liquor Licenses from twelve (12) to eleven (11).

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

Nay 0 - None

Absent 0 - None

Motion Carried.

ORDINANCE 12-057

AMENDING CHAPTER 13 OF THE MUNICIPAL CODE AND INCREASING CLASS “D-2” FROM ELEVEN (11) TO TWELVE (12) – BLUE COYOTE

Motion Swinkunas, second Morales to pass an ordinance amending Chapter 13 of the Municipal Code and increasing Class D-2 from eleven (11) to twelve (12) - Blue Coyote.

The property located at 195 Remington Boulevard was formerly occupied by Rancho Santa Fe. The new owner, Darryl Sams, would like to open a restaurant named Blue Coyote. This ordinance increased the number of Class D-2 Liquor Licenses from eleven (11) to twelve (12).

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

Nay 0 - None

Absent 0 - None

Motion Carried. Ordinance tabled.

QUESTIONS OR COMMENTS

None

TRUSTEE COMMENTS

Trustee Lawler mentioned the free concerts behind Village Hall on Wednesday nights and noted that the band “Lisa McClowry” will be playing at the Performing Arts Center tomorrow starting at 7:30 p.m. He also congratulated the Citizens of the Year.

Trustee Swinkunas congratulated the Citizens of the Year and the new Police Officer, Steven Ficek. She encouraged residents to come to the Bolingbrook Jubilee this weekend.

Trustee Brown gave information regarding Bolingbrook JoyFest being held at the Performing Arts Center on Saturday, September 8th, from Noon until 7:00 p.m. He noted that school will be starting soon and the jaywalking ordinance will be strictly enforced around schools. He then congratulated all of the Citizens of the Year.

Trustee Schanks congratulated the Citizens of the Year and noted that the American Legion Post #1288 was looking for Veterans (including handicapped Veterans) to participate in the Pathways Parade Sunday, September 9th.

Trustee Morelli congratulated the Citizens of the Year. He then gave details on the Bolingbrook Park District's "Summers Last Blast" party to be held at the BRAC Center on Saturday, August 25th.

Trustee Morales noted to residents that the kids will be back in school so be careful driving and reminded residents that a new Illinois law was passed that bans cell phone and texting while driving in school zones. Fines for either offense are \$75.

EXECUTIVE SESSION

None

ADJOURNMENT

Motion Brown, second Swinkunas to adjourn the regular meeting.

Voice vote. Motion carried and meeting adjourned at 9:30 p.m.

Roger C. Claar
MAYOR

ATTEST:

Carol S. Penning, CMC
VILLAGE CLERK