

**A REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES
OF THE VILLAGE OF BOLINGBROOK – SEPTEMBER 25, 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., September 25, 2012, in Bolingbrook, Illinois, by Mayor Roger C. Claar.

PLEDGE OF ALLEGIANCE

Mayor Claar requested that Cub Scout Pack 31 lead the Pledge of Allegiance to the Flag. They are here to earn their Citizenship Badge by attending our meeting.

ROLL CALL

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

Absent: Sandra S. Swinkunas

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, and Information Technology and Human Resources Director – Brenda Ladipo

Absent: Finance Director – Rosa Cojulun

Representing the press: Laura Katauskas - The Bolingbrook Bugle
Joseph Ruzich - Tribune Local

JOURNAL OF PROCEEDINGS

Motion Brown, second Schanks to approve the minutes of the September 11, 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 Morales, second Lawler to approve agenda as presented.

Voice vote. Motion carried.

APPROVAL OF APPOINTMENTS/POSITIONS

None

PROCLAMATIONS

FIRE PREVENTION WEEK, October 7 through October 13, 2012: Mayor Claar proclaimed the week of October 7th, 2012, as FIRE PREVENTION WEEK and called upon the people of Bolingbrook to remember Fire Prevention Week 2012 themed "Have Two Ways Out". Fire Marshal, Jeff LaJoie, accepted the proclamation and talked about the events taking place during that week.

FILIPINO AMERICAN HISTORY MONTH, October 2012: Mayor Claar proclaimed the month of October 2012 FILIPINO AMERICAN HISTORY MONTH in Bolingbrook in order to recognize the contributions Filipino Americans have made to our Village and to our nation as a whole and to celebrate the Filipino Americans who call Bolingbrook home. Tony Amante, President of the Filipino Friendship Society, accepted the proclamation.

SWEARING-IN

Police Department: Joseph Gruben was sworn-in as a new police officer (Badge # 1194).

Police Chief, Kevin McCarthy, Fire & Police Board Chair, Dennis Meehan, and Commissioners Ray Macri, Barbara Provo, Major Jones and Prem Lalvani were present.

PUBLIC HEARING

PUBLIC HEARING RE ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR 2012

Motion Brown, second Schanks to reconvene the Public Hearing regarding the Annual Action Plan for the Community Development Block Grant Program for 2012 that was continued from the August 28, 2012, Board meeting.

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

Nay 0 - None

Absent 1 - Swinkunas

Motion carried. The Public Hearing was reconvened at 8:15 p.m.

The 2012 Community Development Block Grant Program was discussed during the Village's 2012-2013 Budget Hearing. Prior to the start of the Federal Fiscal Year (October 1st), a Public Hearing is required on this year's proposed Annual Action Plan. The CDBG Programs and expenditures for this year are:

Administration	\$ 61,650
Housing/Finance Counseling: Foreclosure Prevention	36,000
Housing/Repair/Emergency Repair Assistance	35,000
Emergency Housing Assistance for Displaced Persons	2,000
Police Officer Assigned to Higher Crime Areas (Daytime)	8,237
Infrastructure Improvements	<u>165,365</u>
TOTAL	\$308,252

There were no questions or comments received.

Motion Brown, second Lawler to close the Public Hearing.

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

Nay 0 - None

Absent 1 - Swinkunas

Motion carried. The Public Hearing was closed at 8:20 p.m.

BILL APPROVAL

Motion Morales, second Morelli to approve expenditures submitted as Bill Listing A - Payables in the amount of \$339,988.43 and Bill Listing B - Pre-pays in the amount of \$487,670.26 totaling \$827,658.69. (Copies would be available in the Finance Dept. and Clerk's Office.)

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

Nay 0 - None

Absent 1 - Swinkunas

Motion carried.

TAX RECEIPTS

1. June, 2012 State Income Tax - \$390,556.16 (June, 2011 State Income Tax - \$390,312.53 — a .06% Increase
2. July, 2012 Sales Tax - \$2,433,402.51 (July, 2011 Sales Tax - \$2,363,229.92 – a 3.00% Increase
3. July, 2012 Motor Fuel Tax - \$156,178.25 (July, 2011 Motor Fuel Tax - \$160,308.57) – a 2.6% Decrease

RESOLUTIONS

RESOLUTION 12R-051

APPROVING MAINTENANCE CONTRACTS FOR MUNIS SOFTWARE – TYLER TECHNOLOGIES

Motion Lawler, second Morales to adopt a resolution approving maintenance contracts for Munis software - Tyler Technologies.

This resolution renewed the software license and maintenance agreement for the Village's MUNIS System with Tyler Technologies. MUNIS is the Village's financial software package. Tyler Technologies is the sole local provider of the service. The cost will be \$63,608.59, which was \$6,391.41 under budget. The Finance Committee reviewed and recommended approval.

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

Nay 0 - None

Absent 1 - Swinkunas

Motion carried.

RESOLUTION 12R-052

APPROVING PURCHASE OF THIRTEEN REPLACEMENT LAPTOP COMPUTERS AND ASSOCIATED EQUIPMENT FOR POLICE DEPARTMENT (BRITE)

Motion Morelli, second Schanks to adopt a resolution approving the purchase of thirteen (13) replacement laptop computers and associated equipment for the Police Department from Brite.

This resolution approved the purchase of thirteen (13) replacement laptop computers for use by the Police Department in squad cars. The purchase was from Brite in the amount of \$41,060.50 and included mounting hardware and software. The purchase was reviewed by the E-911 Advisory Committee and recommended for approval.

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

Nay 0 - None

Absent 1 - Swinkunas

Motion carried.

RESOLUTION 12R-053

REPEALING RESOLUTION NO. 12R-043 AND APPROVING COOPERATION AGREEMENT WITH THE COUNTY (FISCAL YEARS 2013 AND 2014) RE COMMUNITY RENEWAL AND HOUSING ACTIVITIES

Motion Morales, second Brown to adopt a resolution repealing Resolution No. 12R-043 and approving a cooperation agreement with the County (Fiscal Years 2013 and 2014) regarding community renewal and housing activities.

At the July 24, 2012, meeting, the Board passed Resolution 12R-043 with Will County for the administration of the Village's Community Development Block Grant Program. After further discussions with Will County and The Federal Department of Housing and Urban Development (HUD), the format and terms of the Agreement needed to be modified. This resolution repealed the earlier Agreement, modified and replaced it. The Will County Board approved the Agreement at its September 19th meeting. The Agreement is effective for three (3) years (through 2014).

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

Nay 0 - None

Absent 1 - Swinkunas

Motion carried.

RESOLUTION 12R-054

OPPOSING APPROVAL OF REZONING AND SPECIAL USE PERMIT FOR A PARCEL OF PROPERTY WITHIN ONE AND ONE-HALF MILES OF THE VILLAGE OF BOLINGBROOK (BOUGHTON MATERIALS, INC.)

Motion Morales, second Schanks to adopt a resolution opposing the approval of rezoning and Special Use Permit for a parcel of property within one and one-half miles of the Village of Bolingbrook (Boughton Materials, Inc.).

This resolution was the Village's formal objection to a proposed construction debris recycling center and demolition material landfill proposed for the Boughton Quarry located at the northwest corner of Hassert Boulevard and Naperville-Plainfield Road. The property is unincorporated, so the Zoning Petition filed by Boughton Materials, Inc., went before Will County. The Village's objection to the proposed land use change was based on:

- a) increased truck traffic,
- b) increased noise, dust and odors associated with the crushing operation,
- c) the close proximity to the Plainfield East High School and
- d) unsightly stock piles of debris.

Additionally, when a similar construction debris and recycling center operated off Janes Avenue (Tamelung-Rizzi), the Village had numerous complaints from Woodridge residents and the IEPA issued a number of tickets, ultimately shutting the business down.

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

Nay 0 - None

Absent 1 - Swinkunas

Motion carried.

ORDINANCES

PC 12-26

APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED COMMERCIAL DEVELOPMENT WITH VARIANCES - TIM WALLACE LANDSCAPING SUPPLY, INC. – 1481 W. BOUGHTON ROAD; HENRY BOESCH, BOESCH CONSULTING ENGINEERS, INC., APPLICANT

Motion Brown, second Schanks to accept Plan Commission Report PC 12-26 for approval of a Special Use Permit for a Planned Commercial Development with variances for Tim Wallace

Landscaping Supply, Inc. - 1481 W. Boughton Road; Henry Boesch, Boesch Consulting Engineers, Inc., Applicant.

Voice vote. Motion carried.

ORDINANCE 12-058

APPROVING SPECIAL USE PERMIT FOR PLANNED COMMERCIAL DEVELOPMENT WITH TWO OVERSIZED ACCESSORY BUILDINGS AND CONVERSION OF A RAILROAD CABOOSE INTO A CARRY-OUT RESTAURANT (ICE CREAM SHOP) WITH OUTDOOR DINING – TIM WALLACE LANDSCAPING SUPPLY

Motion Brown, second Schanks to pass an ordinance approving a Special Use Permit for a Planned Commercial Development with two (2) oversized accessory buildings and conversion of a railroad caboose into a carry-out restaurant (ice cream shop) with outdoor dining - Tim Wallace Landscaping Supply.

This ordinance approved a Special Use Permit for a Planned Commercial Development with associated variances. Tim Wallace Landscaping, located at 1481 W Boughton Road, was the applicant. The applicant would like to construct two (2) accessory buildings for the storage of materials. He would also like to install a railroad caboose along Boughton Road which would be renovated into an ice cream shop. Five (5) associated variances were also requested. The Plan Commission reviewed and recommended approval.

Tim Wallace, owner, addressed the meeting and explained that before he got into the landscaping business he worked in and ice cream shop at nights. He always wanted to open one of his own and thought he could do it in tandem with his landscaping business. He purchased a 1930 Santa Fe caboose and will renovate it into the ice cream shop. There will be two (2) walk-up windows for service and a patio with table and chairs for customers. People will also be able to enter one end and physically see the inside of the caboose. Caboose are no longer used so it will be a good history lesson for people to see. They hope to open around July 4th next year. The ice cream shop will be open from Noon until 9:00 p.m., April 15th through October 15th.

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

Nay 0 - None

Absent 1 - Swinkunas

Motion carried.

PC 12-27

APPROVAL OF AN AMENDMENT TO A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT WITH VARIANCES – MACNEIL REAL ESTATE HOLDINGS, LLC – 510 WOODCREEK DRIVE; KEVIN GREYHILL, WEATHERTECH, APPLICANT

Motion Morelli, second Morales to accept Plan Commission Report PC 12-27 for approval of an amendment to a Special Use Permit for a Planned Unit Development with variances for MacNeil Real Estate Holding, LLC - 510 Woodcreek Drive; Kevin Greyhill, WeatherTech, Applicant.

Voice vote. Motion carried.

ORDINANCE 12-059

AMENDING SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT – THE FIELDHOUSE – 510 WOODCREEK DRIVE (MACNEIL AUTOMOTIVE PRODUCTS)

Motion Brown, second Lawler to pass an ordinance amending a Special Use Permit for a Planned Development - The Fieldhouse at 510 Woodcreek Drive (MacNeil Automotive Products).

The building, formerly known as the Fieldhouse, is located on 7.48 acres at 510 Woodcreek Drive and was improved with a partially completed 53,000 sq. ft. building. Dave MacNeil (WeatherTech) has acquired the property. He plans to finish the building into a mixed office and manufacturing use facility. MacNeil would also like to install an enlarged development sign along I-55. This ordinance approved an amendment to a Special Use Permit for a Planned Unit Development with associated sign variances. The Plan Commission reviewed and recommended approval.

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

Nay 0 - None

Absent 1 - Swinkunas

Motion carried.

PC 12-28

APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT – INTEGRITY DENTAL & ASSOCIATES – 276 S WEBER ROAD – ROBERT QUINN, ATTORNEY – APPLICANT

Motion Morales, second Morelli to accept Plan Commission Report PC 12-28 for approval of a Special Use Permit for a Planned Unit Development called Integrity Dental & Associates at 276 South Weber Road; Robert Quinn, Attorney, Applicant.

Voice vote. Motion carried.

ORDINANCE 12-060

APPROVING SPECIAL USE PERMIT FOR PLANNED UNIT DEVELOPMENT FOR DENTAL OFFICE – 276 SOUTH WEBER ROAD (COUNTRY AIRE COMMONS) – INTEGRITY DENTAL & ASSOCIATES

Motion Brown, second Schanks to pass an ordinance approving a Special Use Permit for a Planned Unit Development for a dental office at 276 South Weber Road (Country Aire Commons) - Integrity Dental & Associates.

Integrity Dental & Associates sought approval for a Special Use Permit to allow a dental office to occupy 1,600 sq. ft. of tenant space within the County Aire Commons (northeast corner of Lily Cache and Weber). Non-sales tax generating uses require a Special Use Permit in B-2 commercial zones. The applicant agreed to pay the Village a sales tax subsidy to locate there. The Plan Commission reviewed and recommended approval.

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

Nay 0 - None

Absent 1 - Swinkunas

Motion carried.

ORDINANCE 12-061

APPROVING 2012 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN

Motion Morales, second Lawler to pass an ordinance approving the 2012 Community Development Block Grant Annual Action Plan.

This ordinance approved the Village's 2012-2013 Annual Action Plan discussed during the budget process and as set forth in the Public Hearing earlier in the meeting. As noted in Resolution 12R-053, the Village's CDGB Program will be administered by Will County.

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

Nay 0 - None

Absent 1 - Swinkunas

Motion carried.

QUESTIONS FROM AUDIENCE/PRESS

None

TRUSTEE COMMENTS

Trustee Lawler gave details on the 2nd Annual H₂O 5K "Heart Haven Hustle" on Sunday, October 14th, at the Promenade.

Trustee Brown gave information on the Friends of the Fountaindale Public Library used book sale on Saturday, October 6th, from 9:30 a.m. to 4:00 p.m. and Sunday, October 7th, from Noon to 3:00 p.m.

Trustee Schanks gave details on the 5th Annual DuPage Township Job Fair at the Levy Center on Wednesday, October 3rd, from 9:00 a.m. to 1:00 p.m.

Trustee Morelli welcomed and congratulated new Bolingbrook Police Officer Joseph Gruben.

Trustee Morales had no comments.

Mayor Clear urged residents to attend the Bolingbrook Raiders Varsity Football game on Friday night at Lincolnway East. He noted that Bolingbrook was undefeated and Lincolnway East was almost as good a team.

EXECUTIVE SESSION

None

ADJOURNMENT

Motion Brown, second Schanks to adjourn the regular meeting.

Voice vote. Motion carried and meeting adjourned at 8:51 p.m.

Roger C. Claar
MAYOR

ATTEST:

Carol S. Penning, CMC
VILLAGE CLERK