

**A REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES  
OF THE VILLAGE OF BOLINGBROOK – OCTOBER 9, 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., October 9, 2012, in Bolingbrook, Illinois, by Mayor Roger C. Claar.

**PLEDGE OF ALLEGIANCE**

Mayor Claar requested that Joe Callahan, Scout from Troop #75, lead the Pledge of Allegiance to the Flag. He explained that Joe began scouting at 6 years old in Bolingbrook Cub Scout Pack #38. He bridged into Bolingbrook Boy Scout Troop #35 in 5th grade. He has already earned the ranks of tenderfoot, second class and first class. He will be completing his Citizenship in the Community Merit Badge by attending tonight's meeting and that will help him finish his Star Scout rank. He will then have only one rank to achieve before qualifying to earn the rank of Eagle Scout.

**ROLL CALL**

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

Absent: Joseph B. Morelli

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: Don Grigas - The Bolingbrook Reporter

**JOURNAL OF PROCEEDINGS**

Motion Brown, second Swinkunas to approve the minutes of the September 25, 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 Schanks to approve agenda as presented.

Voice vote. Motion carried.

## **APPROVAL OF APPOINTMENTS/POSITIONS**

None

## **PROCLAMATIONS**

**BOLINGBROOK LIONS CLUB CANDY DAYS, Friday and Saturday, October 12th and 13th, 2012:** Mayor Claar proclaimed October 12th and 13th BOLINGBROOK LIONS CLUB CANDY DAYS and urged residents to donate generously that weekend in support of this worthy endeavor to help the hearing and vision impaired. Larry Devereux, President, and members of the Bolingbrook Lions Club accepted the proclamation.

**TAKE BACK THE NIGHT, October 11, 2012:** Mayor Claar proclaimed October 2012 DOMESTIC VIOLENCE AWARENESS MONTH and to attend the 14th Annual TAKE BACK THE NIGHT rally day on October 11th at DuPage Township Levy Center at 5:30 p.m. The rally and march will demonstrate concern for victims of domestic abuse and raise awareness to prevent future acts of violence. Sandy Iverson, Chair, accepted the proclamation and gave information regarding the activities that evening.

## **PUBLIC HEARING**

### **PUBLIC HEARING RE ANNEXATION AND ANNEXATION AGREEMENT (1490 W BOUGHTON ROAD, BOLINGBROOK, IL 60490 - SCHRAMM PROPERTY**

Motion Brown, second Morales to open a Public Hearing regarding the Annexation and Annexation Agreement - Schramm Property located at 1490 W. Boughton Road, Bolingbrook, IL 60490.

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

Nay 0 - None

Absent 1 - Morelli

Motion carried. The Public Hearing was opened at 8:18 p.m.

The Schramm property, located at 1490 W Boughton Road, consists of  $\pm 1$  acre. It was currently unincorporated and improved with a single-family home. The property is surrounded by the Village of Bolingbrook. Michael and Dianne Schramm have submitted a Petition to Voluntarily Annex their property into the Village. The Annexation Agreement deferred development fees until the property was redeveloped. At the time of development, all building and construction fees that were in effect, at that time, will become due and payable.

There were no questions or comments received at the Public Hearing.

Motion Swinkunas, second Schanks to close the Public Hearing.

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

Nay 0 - None

Absent 1 - Morelli

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

**BILL APPROVAL**

Motion Brown, second Lawler to approve expenditures submitted as Bill Listing A - Payables in the amount of \$555,055.88 and Bill Listing B - Pre-paids in the amount of \$1,319,941.97 totaling \$1,874,997.85. (Copies would be available in the Finance Dept. and Clerk's Office.)

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

Nay 0 - None

Absent 1 - Morelli

Motion carried.

**MOTIONS**

**MOTION TO APPROVE LOW BID FROM ORANGE CRUSH, LLC FOR BOUGHTON ROAD COMMONS PUBLIC IMPROVEMENT WITH CERTAIN ITEMS EXCLUDED IN THE AMOUNT OF \$335,802.00**

Motion Swinkunas, second Schanks to accept a motion to approve the low bid from Orange Crush, LLC for the Boughton Road Commons public improvement with certain items excluded in the amount of \$335,802.

This motion accepted the low bid from Orange Crush for the completion of the realignment of Preston and Kildeer. Three (3) bid packets were sent out and two (2) bids were received. The Village will be undertaking the completion of the public improvements for an unfinished development. Kildeer Drive will be closed off from Boughton Road by a median and traffic will be redirected to exit onto Preston Drive where there will be a four-way traffic signal installed at Boughton. Traffic coming off Kildeer will only be able to turn right onto Boughton. The developer, Homewerks, has gone out of business. The Village has a \$250,000 Completion Bond that the developer posted. The Village will be collecting the principle amount of the Surety Bond. The Village also had a \$15,000 cash Nuisance Abatement Bond that will be applied to the project. These funds will be used to pay for the infrastructure completion. The staff will try to reduce the scope of work to match the funds available.

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

Nay 0 - None

Absent 1 - Morelli

Motion carried.

## **RESOLUTIONS**

### **RESOLUTION 12R-055**

#### **APPROVING CONTRACT AMENDMENT RE SIDEWALK IMPROVEMENTS (STRADA CONSTRUCTION CO.)**

Motion Lawler, second Morales to adopt a resolution approving a contract amendment regarding sidewalk improvements with Strada Construction Co.

At the May 8, 2012, Board meeting the Village approved a contract for the 2012/13 MFT Sidewalk Replacement Program. The low bid was from Strada Construction for \$167,005. This resolution approved a final balancing change order in the amount of \$47,106.75, which brought the total cost to \$214,111.75 (\$5,888.25 under the budgeted amount of \$220,000). The Public Works Committee reviewed and recommended approval.

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

                          Nay 0 - None

                          Absent 1 - Morelli

                          Motion carried.

### **RESOLUTION 12R-056**

#### **AUTHORIZING PURCHASE OF CARDIAC MONITOR FOR AMBULANCE 2 FROM ZOLL MEDICAL CORPORATION**

Motion Swinkunas, second Schanks to adopt a resolution authorizing the purchase of a cardiac monitor for Ambulance #2 from Zoll Medical Corporation.

This resolution approved the purchase of one (1) Zoll Heart Monitor in the amount of \$21,592.50. The purchase replaced the monitor in the ambulance located at Fire Station 2. The current monitor was obsolete and repair parts were no longer available. The new unit will be compatible with the Village's electronic patient care reporting system. Zoll was the sole provider. The Public Safety Committee has reviewed and recommended approval.

Trustee Morales asked how long the unit lasted. Chief Litton answered 15 years and noted that the newer unit would drastically improve technology.

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

                          Nay 0 - None

                          Absent 1 - Morelli

                          Motion carried.

**ORDINANCE 12-062**

**APPROVING ANNEXATION AGREEMENT - SCHRAMM PROPERTY (1490 WEST BOUGHTON ROAD)**

Motion Brown, second Lawler to pass an ordinance approving an Annexation Agreement with owners of the Schramm Property at 1490 West Boughton Road.

This ordinance approved the Annexation Agreement described during the Public Hearing earlier in the meeting.

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

Nay 0 - None

Absent 1 - Morelli

Motion carried.

**ORDINANCE 12-063**

**ANNEXING CERTAIN TERRITORY TO THE VILLAGE OF BOLINGBROOK – SCHRAMM PROPERTY (1490 WEST BOUGHTON ROAD)**

Motion Lawler, second Swinkunas to pass an ordinance annexing certain territory to the Village of Bolingbrook - Schramm Property (1490 West Boughton Road).

This ordinance annexed the Schramm property ( $\pm 1$  acre) located at 1490 West Boughton Road into the corporate limits of the Village.

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

Nay 0 - None

Absent 1 - Morelli

Motion carried.

**PC 12-29**

**APPROVAL OF A REZONING FROM ER ESTATE RESIDENCE TO R-3 SINGLE FAMILY RESIDENCE – SCHRAMM PROPERTY – 1490 W BOUGHTON ROAD – MICHAEL J. AND DIANNE J. SCHRAMM – APPLICANT**

Motion Swinkunas, second Morales to accept Plan Commission Report PC 12-29 for approval of a rezoning from ER, Estate Residential to R-3, Single Family Residential.

Voice vote. Motion carried.

**ORDINANCE 12-064**

**REZONING TERRITORY WITHIN THE VILLAGE – ER, ESTATE RESIDENTIAL, TO R-3, SINGLE FAMILY RESIDENCE DISTRICT (1490 WEST BOUGHTON ROAD)**

Motion Brown, second Schanks to pass an ordinance rezoning territory with the Village from ER, Estate Residential, to R-3, Single Family Residence District (1490 West Boughton Road).

When a piece of property is annexed into the Village, it is automatically zoned as the least dense zoning the Village has, which is Estate Residential. This ordinance rezoned the property to R-3 Single-Family, which was appropriate, because the annexed land was surrounded by other R-3 Single-Family zoned properties. The Plan Commission reviewed and recommended approval.

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

Nay 0 - None

Absent 1 - Morelli

Motion carried.

**ORDINANCE 12-065**

**APPROVING CERTIFICATE OF TERMINATION OF DEVELOPMENT AGREEMENT – BOUGHTON WOODWARD COMMERCIAL CENTER (GALLAGHER & HENRY)**

Motion Lawler, second Morales to pass an ordinance approving a Certificate of Termination of Development Agreement - Boughton Woodward Commercial Center (Gallagher & Henry).

On February 23, 2010, the Village entered into a Development Agreement with Boughton Woodward Commercial Center, LLC (Gallagher & Henry) regarding the COSTCO development. The agreement laid out the obligations of the Village (for Boughton Road) and developer's responsibilities and obligation. All of the terms of the agreement have been satisfied. This ordinance terminated the previously approved Development Agreement.

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

Nay 0 - None

Absent 1 - Morelli

Motion carried.

**ORDINANCE 12-066**

**AMENDING CHAPTER 13 OF THE MUNICIPAL CODE RE SERVING HOURS AND APPROVING LATE CLOSING ON NEW YEAR'S EVE FOR CERTAIN LICENSE CLASSIFICATIONS**

Motion Schanks, second Morales to pass an ordinance amending Chapter 13 of the Municipal Code regarding serving hours and approving late closing on New Year's Eve for certain license classifications.

This ordinance was a "housekeeping" measure being requested by the staff. This year, New Year's Eve falls on a Monday. Liquor license holders with a D-2 and D-4 classification have business hours which end at midnight on weekdays. This ordinance temporarily amended D-2 and D-4 liquor licenses to allow those establishments to remain open until 2:00 a.m. on January 1, 2013.

There were also two (2) other changes that reconciled language in the Liquor Control Ordinance with language in the liquor license schedule regarding serving hours.

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

Nay 0 - None

Absent 1 - Morelli

Motion carried.

### **QUESTIONS FROM AUDIENCE/PRESS**

None

### **TRUSTEE COMMENTS**

Trustee Lawler informed residents that the Beautification Commission will be surveying Bolingbrook residences on Friday night, October 19th, to judge Halloween decorations. He also announced that Trick-or-Treat hours will be on Wednesday, October 31st from 4:00 to 7:00 p.m.

Trustee Swinkunas had no comment.

Trustee Brown gave information on the 2nd Annual H<sub>2</sub>O 5K "Heart Haven Hustle" on Sunday, October 14th, at the Promenade.

Trustee Schanks gave details on the 6th Annual Lovely Ladies Craft & Holiday Bazaar at the Levy Center on Sunday, October 21st, from Noon to 7:00 p.m. She also gave information on the DuPage Township "Resource Day" on Thursday, November 1st, from 2:00 to 6:00 p.m. at the Levy Center.

Trustee Morales gave details on a blood drive sponsored by American Legion Post #1288. The American Red Cross will have a Bloodmobile located at Tailgaters on Saturday, October 20th, from 10:00 a.m. to 2:00 p.m.

### **EXECUTIVE SESSION**

None

**ADJOURNMENT**

Motion Morales, second Brown to adjourn the regular meeting.

Voice vote. Motion carried and meeting adjourned at 8:40 p.m.

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Roger C. Claar  
MAYOR

ATTEST:

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Carol S. Penning, CMC  
VILLAGE CLERK