

Village of Bensenville
Board Room
12 South Center Street
Bensenville, Illinois 60106
Counties of DuPage and Cook

MINUTES OF THE VILLAGE BOARD MEETING
August 7, 2006

CALL TO ORDER: 1. In the absence of President Geils, Attorney Gorski called the meeting to order at 7:56 p.m.

PRESIDENT PRO-TEM

APPOINTMENT: 2. Trustee Williams made a motion to appoint Trustee Walberg as President Pro-Tem. Trustee Tralewski seconded the motion.

All were in favor. Motion carried.

**PLEDGE OF
ALLEGIANCE:**

3. The meeting opened with the Pledge of Allegiance to the American Flag.

**ROLL CALL &
QUORUM:**

4. Upon roll call by Village Clerk, Patricia Johnson, the following Board Members were present:

Mandziara, Tralewski, Walberg, Williams

Absent: Geils, Adamowski, Basso

A quorum was present

**HEARING OF
DELEGATIONS:**

5. Richard Johnson representing the Chamber of Commerce along with Tyrone Kalogeresis representing the Kiwanis introduced the winners of the "Why I Love Bensenville essay contest." Jonathan Alexander Mercado, Johnson School, Grade 4, and Juanita Olague, Blackhawk Middle School, Grade 6 read their essays individually. The third winner, Celena Slowick, Chippewa School, Grade 3, was not in attendance. In her absence, Mr. Johnson read her essay. The winners of the essay contest were the Grand Marshal's at the July 4, 2006 parade. President Pro-Tem Walberg presented each of the winners with appreciation plaques.

Village Board Meeting Minutes
August 7, 2006 - Page 2

Mr. Johnson thanked the Village Board for their participation and support in the July 4, 2006 parade.

President Pro-Tem Walberg thanked the Chamber of Commerce and Kiwanis for the fine job they did on the 4th of July.

6. Attorney Joseph Karaganis provided a synopsis of the decision reached in the D.C. Circuit Court last week. Tomorrow evening at 6:30 p.m. the Village of Bensenville and the Village of Elk Grove will conduct a joint Village Board Meeting to discuss hear from the Washington counsel and discuss what action if any is to be taken next. The majority of the meeting will take place in Executive Session but the actions of the Village Boards will be announced.
7. Janice Williams of 431 S. Addison representing Peace Church extended gratitude to the Village Board for re-routing the recent bicycle race so that they were able to conduct their church services. The members of Peace Church appreciate the efforts of the Village Board.

JOURNAL OF PROCEEDINGS:

8. The minutes of the Village Board Meeting of June 5, 2006 were presented.
Trustee Tralewski made a motion to approve the minutes as presented. Trustee Mandziara seconded the motion.
All were in favor. Motion carried.
9. The minutes of the Village Board Meeting of June 19, 2006 were presented.
Trustee Tralewski made a motion to approve the minutes as presented. Trustee Mandziara seconded the motion.
All were in favor. Motion carried.
10. The minutes of the Village Board Meeting of July 10, 2006 were presented.

Village Board Meeting Minutes

Motion

Trustee Tralewski made a motion to approve the minutes as presented. Trustee Mandziara seconded the motion.

All were in favor. Motion carried.

11. The minutes of the Village Board Meeting of July 24, 2006 were presented.

Motion

Trustee Tralewski made a motion to approve the minutes as presented. Trustee Mandziara seconded the motion.

All were in favor. Motion carried.

ORDINANCE NO.

45-2006:

12. Director of Community Development, Russ Adams, gave the second summarization of the action contemplated in **Ordinance No. 45-2006**, entitled **Amending Village Code, Title 9, Chapter 1, Section 9-1-3, Permit Fees**.

Motion

Trustee Mandziara made a motion to adopt the ordinance as presented. Trustee Williams seconded the motion.

ROLL CALL:

AYES: Mandziara, Tralewski, Walberg, Williams

NAYS: None

Motion carried.

ORDINANCE NO.

46-2006:

13. Assistant Village Manager for Community Development, Steven Marshall, second summarization of the action contemplated in **Ordinance No. 46-2006**, entitled **Amending Village Code, Title 9, Chapter 11, Section 9-11-1, DuPage County Countywide Stormwater and Flood Plain Ordinance**.

Motion

Trustee Tralewski made a motion to adopt the ordinance as presented. Trustee Mandziara seconded the motion.

ROLL CALL:

AYES: Mandziara, Tralewski, Walberg, Williams

NAYS: None

Motion carried.

Village Board Meeting Minutes
August 7, 2006 - Page 4

ORDINANCE NO.

47-2006:

14. Assistant Village Manager for Community Development, Steven Marshall, second summarization of the action contemplated in **Ordinance No. 47-2006**, entitled **Authorizing FS Meyer Chicago, LLC, Northeast Corner of Meyer and Leland Ct., Bensenville, IL, Site Plan (Preliminary/Final) Approval, Architectural Review Approval (CDC Case No. 050806-1)**.

Motion

Trustee Williams made a motion to adopt the ordinance as presented. Trustee Mandziara seconded the motion.

ROLL CALL:

AYES: Mandziara, Tralewski, Walberg, Williams

NAYS: None

Motion carried.

ORDINANCE NO.

48-2006:

15 Assistant Village Manager for Community Development, Steven Marshall, gave the first summarization of the action contemplated and read **Ordinance No. 48-2006**, entitled **Amendment to Moratorium on Uses - I-3 Heavy Industrial Zoning District Preliminary to Rezoning**.

Motion

Trustee Mandziara made a motion to Waive Rule 6. Trustee Williams seconded the motion.

All were in favor. Motion carried.

Motion

Trustee Mandziara made a motion to adopt the ordinance as read. Trustee Williams seconded the motion.

ROLL CALL:

AYES: Mandziara, Tralewski, Walberg, Williams

NAYS: None

Motion carried.

Village Board Meeting Minutes
August 7, 2006 - Page 5

ORDINANCE NO.

49-2006:

16. Village Manager, James Johnson, gave the first summarization of the action contemplated and read **Ordinance No. 49-2006**, entitled **An Ordinance Amending Ordinance #9-2006, entitled “An Ordinance Amending the Bensenville Village Code, Title 9, Chapter 6 - Building Moving and Demolition - Imposing a Moratorium on the Issuance of Building Demolition Permits Pending Development of a Comprehensive Demolition Regulation Plan and the Development of an Occupation Tax on the Occupation of Demolition Contractors.”**

Motion

Trustee Mandziara made a motion to Waive Rule 6. Trustee Williams seconded the motion.

All were in favor. Motion carried.

Motion

Trustee Mandziara made a motion to adopt the ordinance as read. Trustee Williams seconded the motion.

ROLL CALL:

AYES: Mandziara, Tralewski, Walberg, Williams

NAYS: None

Motion carried.

ORDINANCE NO.

_____ :

17 Assistant Village Manager for Community Development, Steven Marshall, gave the first summarization of the action contemplated in **Ordinance No. _____**, entitled **1121 N. Ellis Street, Bensenville, Conditional Use - Planned Unit Development (Preliminary/Final) (CDC Case No. 121205-01)**.

Motion

Trustee Tralewski made a motion to hold the ordinance for public review. Trustee Williams seconded the motion.

All were in favor. Motion carried.

Village Board Meeting Minutes
August 7, 2006 - Page 6

ORDINANCE NO.

_____ :

18. Assistant Village Manager for Community Development, Steven Marshall, gave the first summarization of the action contemplated in **Ordinance No. _____**, entitled **Authorizing U. S. Cellular 130 Foot High Monopole Cellular Communications Tower with Equipment Shed, 1069 Bryn Mawr Avenue, Bensenville, Conditional Use - Telecommunications Antennae/Equipment Shed, Site Plan (Preliminary/Final) (CDC Case No. 071105-1)**.

Motion

Trustee Tralewski made a motion to hold the ordinance for public review. Trustee Williams seconded the motion.

All were in favor. Motion carried.

ORDINANCE NO.

_____ :

19. Assistant Village Manager for Community Development, Steven Marshall, gave the first summarization of the action contemplated in **Ordinance No. _____**, entitled **Authorizing Master Sign Plan, 229 W. Grand Avenue, Bensenville, IL 60106, Plaza De Campana (CDC Case No. 061206-1)**.

Motion

Trustee Mandziara made a motion to hold the ordinance for public review. Trustee Tralewski seconded the motion.

All were in favor. Motion carried.

ORDINANCE NO.

_____ :

20. Assistant Village Manager for Community Development, Steven Marshall, gave the first summarization of the action contemplated in **Ordinance No. _____**, entitled **Authorizing Master Sign Plan, 475 W. Irving Park Road, Bensenville, IL 60106, Walnut Park Plaza (CDC Case No. 061206-2)**.

Motion

Trustee Mandziara made a motion to hold the ordinance for public review. Trustee Tralewski seconded the motion.

All were in favor. Motion carried.

RESOLUTION NO.

R-137-2006:

21. Director of Community Events, Special Facilities & Programs, Stan Urban, summarized the action contemplated in **Resolution No. R-137-2006**, entitled **Authorizing Payment to Chicagoland Paving Contractors, Inc.**

Village Board Meeting Minutes

Motion Trustee Mandziara made a motion to approve the resolution as presented. Trustee Williams seconded the motion.

ROLL CALL: AYES: Mandziara, Tralewski, Walberg, Williams

NAYS: None

Motion carried.

RESOLUTION NO.

R-138-2006: 22. Village Manager, James Johnson, summarized the action contemplated in **Resolution No. R-138-2006**, entitled **Authorizing Intergovernmental Agreement in Support of Bensenville Community Public Library District**.

Motion Trustee Williams made a motion to approve the resolution as presented. Trustee Tralewski seconded the motion.

ROLL CALL: AYES: Mandziara, Tralewski, Walberg, Williams

NAYS: None

Motion carried.

TRUSTEE COMMENTS: Trustee Williams stated that he was very proud of Bensenville and the steps that were taken to save the library. Trustee Mandziara expressed pride in his position as a member of the Village Board and as a resident of Bensenville.

RESOLUTION NO.

R-139-2006: 23. Interim Finance Director, Ron Heller, summarized the action contemplated in **Resolution No. R-139-2006**, entitled **Authorizing Agreement with Munilytics Municipal Finance Consulting**.

Motion Trustee Tralewski made a motion to approve the resolution as presented. Trustee Mandziara seconded the motion.

ROLL CALL: AYES: Mandziara, Tralewski, Walberg, Williams

NAYS: None

Motion carried.

Village Board Meeting Minutes
August 7, 2006 - Page 8

COMMENTS: Trustee Williams and President Pro-Tem Walberg welcomed back Mr. Heller.

RESOLUTION NO.

R-140-2006: 24. Village Manager, James Johnson, summarized the action contemplated in **Resolution No. R-140-2006**, entitled **Amending Addendum #2 of Residential Solid Waste, Yard Waste and Recycling Services Agreement**.

Motion Trustee Mandziara made a motion to approve the resolution as presented. Trustee Williams seconded the motion.

ROLL CALL: AYES: Mandziara, Tralewski, Walberg, Williams

NAYS: None

Motion carried.

RESOLUTION NO.

R-141-2006: 25. Director of Community Events, Special Facilities & Programs, Stan Urban, summarized the action contemplated in **Resolution No. R-141-2006**, entitled **Authorizing Execution of Purchase Order with Precision Mechanical**.

Motion Trustee Williams made a motion to approve the resolution as presented. Trustee Mandziara seconded the motion.

ROLL CALL: AYES: Mandziara, Tralewski, Walberg, Williams

NAYS: None

Motion carried.

RESOLUTION NO.

R-142-2006: 26. Village Manager, James Johnson, summarized the action contemplated in **Resolution No. R-142-2006**, entitled **Authorizing Non-Union Employee Salary/Wage Increases**.

Motion Trustee Tralewski made a motion to approve the resolution as presented. Trustee Williams seconded the motion.

Village Board Meeting Minutes
August 7, 2006 - Page 9

ROLL CALL: AYES: Mandziara, Tralewski, Walberg, Williams

NAYS: None

Motion carried.

MOTION: 27. **Trustee Mandziara made a motion to deny the request for a Conditional Use to use an existing 3,108 square foot storage yard at the rear of a building on an 0.55 acre lot in the I-2 Light Industrial Zoning District, 1100 Industrial Drive, Bensenville (CDC Case No. 041006-2). Trustee Williams seconded the motion.**

ROLL CALL: AYES: Mandziara, Tralewski, Walberg, Williams

NAYS: None

Motion carried.

INFORMATION

ITEMS: 28. The Committee of the Whole Meeting Minutes of May 1, June 5, 19, 26, and July 10, 2006, and the Special Committee of the Whole Meeting Minutes of May 31, 2006 were presented.

WARRANT NO.

007-07:

29. Trustee Walberg presented **Warrant No. 007-07** in the amount of **\$1,117,039.24.**

Motion

Trustee Tralewski made a motion to approve the warrant as presented. Trustee Williams seconded the motion.

ROLL CALL:

AYES: Mandziara, Tralewski, Walberg, Williams

NAYS: None

Motion carried.

Village Board Meeting Minutes
August 7, 2006 - Page 10

**EXECUTIVE
SESSION:**

30. President Pro-Tem Walberg called for an Executive Session following the Committee of the Whole Meeting for the purpose of discussing personnel, pending, probable or imminent litigation, acquisition of real property, collective negotiation matters, and security procedures. Action may be taken place as a result of these discussions.

Motion

Trustee Williams made a motion to recess the Village Board Meeting in order to go into Executive Session. Trustee Mandziara seconded the motion.

ROLL CALL:

AYES: Mandziara, Tralewski, Walberg, Williams

NAYS: None

Motion carried.

President Pro-Tem Walberg recessed the meeting at 8:30 p.m.

RECONVENE:

31. Trustee Mandziara made a motion to reconvene the meeting. Trustee Tralewski seconded the motion.

All were in favor. Motion carried.

President Pro-Tem Walberg reconvened the meeting at 10:28 p.m.

**ROLL CALL &
QUORUM:**

32. Upon roll call by Village Clerk, Patricia Johnson, the following Board Members were present:

Mandziara, Tralewski, Walberg, Williams

Absent: Geils, Adamowski, Basso

A quorum was present

**Village Board Meeting Minutes
August 7, 2006 - Page 11**

**TAKING OF ACTION CONSISTENT WITH
DELIBERATIONS CONDUCTED IN
EXECUTIVE SESSION**

MOTION: 33. Trustee Williams made a motion to authorize Village Manager, James Johnson, to execute, on behalf of the Village of Bensenville, a settlement agreement in the case of Faraone vs. Village of Bensenville in the case pending in the Circuit Court for the 18th Judicial Circuit, DuPage County, Illinois, #2005 MR 01341. Trustee Mandziara seconded the motion.

ROLL CALL: AYES: Mandziara, Tralewski, Walberg, Williams

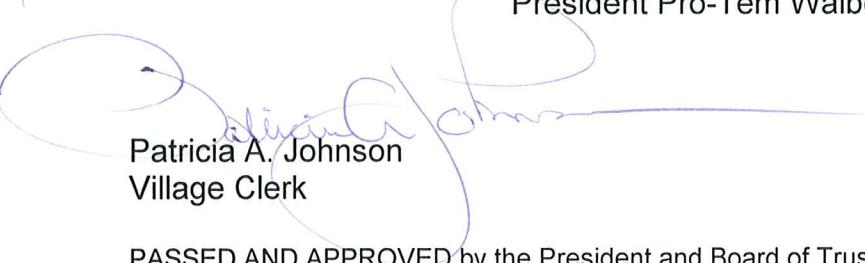
NAYS: None

Motion carried.

ADJOURNMENT: 34 Trustee Tralewski made a motion to adjourn the meeting. Trustee Williams seconded the motion.

All were in favor. Motion carried.

President Pro-Tem Walberg adjourned the meeting at 10:29 p.m.



Patricia A. Johnson
Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this 5th day of September, 2006.