

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

MINUTES OF THE VILLAGE BOARD MEETING

March 6, 2007

CALL TO ORDER: 1. President Geils called the meeting to order at 7:39 p.m.

PLEDGE OF ALLEGIANCE: 2. The meeting opened with the Pledge of Allegiance to the American Flag.

ROLL CALL: 3. Upon roll call by Village Clerk, Patricia Johnson, the following Board Members were present:

Geils, Adamowski, Basso, Mandziara, Tralewski, Walberg, Williams

A quorum was present.

HEARING OF DELEGATIONS: 4. President Geils asked if any members of the audience wished to address the Village Board.

Henry Wessler, Park District Board Vice President and Board appointed Village Liaison, advised that he wished to address the Village Board on two outstanding issues. The first issue is that he understands that the Village is seeking to purchase Fire Station No. 1 for \$10 as part of the current lease agreement. He advised the Village Board that this item will be discussed at the March 14, 2007 Park District Board Meeting, and invited the Village Board to attend. Secondly, Mr. Wessler requested the Village Board consider continuing water and sewer service to the Park District.

Trustee Williams reminded Commissioner Wessler of the numerous times the Village has attempted to work with the Park District and their unwillingness to work together.

Attorney Gorski provided an historical perspective on the events between the Village and Park District which have transpired to date. Despite the Village's efforts to accommodate the Park District, de-annexation still took place. The Park District has sued the Village two or three times, lobbied for legislation to force the

Village Board Meeting Minutes
March 6, 2007 - Page 2

Village to provide water after de-annexation, gone to Appellate Court two or three times, and has cost the Village a considerable amount of taxpayer dollars in legal fees. A settlement agreement has been reached through the court system. Attorney Gorski expressed confusion and concern as to why Commissioner Wessler began his address to the Village Board with reference to the Fire Station purchase. The Fire Station purchase is a completely separate issue from the utility issue. In addition, utility service is still being provided to the Park District from the Village with no plan to discontinue.

Trustee Basso stated that he has asked the Park District Commissioners one question over and over and has never received a reply. The question is, "Why did the Park District de-annex from the Village."

Commissioner Wessler responded that he was not on the Board at the time. He believes it occurred because the Park District and Village could not get along.

Village Manager Johnson stated that when the referendum questions were on the ballot regarding the de-annexation of the Park District, the voters did not want de-annexation, and wanted the water service to the Park District to be discontinued if de-annexation occurred.

President Geils stated that the dilemma the Park District faces is a product of their own creation. They had a solution and chose not to invoke it. The Village is currently providing water and service to the Park District. The solution to the Park District's problem is in the Park District's hands, not the Village's.

Attorney Gorski added that there was no ambiguity in the settlement agreement. The Park District had one year to secure water and sewer service.

Commissioner Wessler advised that the Commissioners thought they had an alternative in going to the legislature and to the DuPage Water Commission.

President Geils advised that changing the law is not the same as seeking alternate water and sewer service.

Park District Commissioner Richard Johnson, addressed the Village Board. Commissioner Johnson advised that the reason the

Village Board Meeting Minutes
March 6, 2007 - Page 3

Park District disconnected from the Village was the liquor license. Commissioner Johnson advised that he voted against disconnection, against the deep well, against the attorney and engineering fees. The disconnection and litigation fees have cost the Park District almost \$3 million. Commissioner Johnson feels that there have been many missed opportunities to rectify the problems between the Village and the Park District.. Commissioner Johnson stated that whatever the Village offered the Park District, it was denied. Commissioner Johnson is very concerned with the amount of tax payer dollars the Park District is spending. The \$2.9 million spent does not include ongoing maintenance to the waste water treatment plant and the \$100,000 that has to be paid to the county.

Trustee Basso added that the Village changed the liquor license laws to accommodate the Park District and that still wasn't good enough.

President Geils inquired whether there was anyone else in attendance who wished to address the Village Board. There were none.

President Geils inquired if there were any further comments from members of the Board. There were none.

**JOURNAL OF
PROCEEDINGS:**

5. The minutes of the Village Board Meeting of February 6, 2007 were presented.

Motion

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

All were in favor. Motion carried.

OMNIBUS VOTE:

6. Village Attorney, Peter Ostling, gave the first summarization of the action contemplated in agenda items 1.a. through 1.n. listed as follows:
 - a. **An Ordinance Abating Tax Heretofore Levied for the Year 2006, Series 1998, General Revenue Obligation Bonds (Alternative Revenue Source.**
 - b. **An Ordinance Abating Tax Heretofore Levied for the Year 2006, Series 1998A, General Revenue Obligation Bonds**

(Alternative Revenue Source).

- c. An Ordinance Abating Tax Heretofore Levied for the Year 2006, Series 2001A, General Revenue Obligation Bonds.
- d. An Ordinance Abating Tax Heretofore Levied for the Year 2006, Series 2001B, General Revenue Obligation Bonds.
- e. An Ordinance Abating Tax Heretofore Levied for the Year 2006, Series 2001C, General Revenue Obligation Bonds.
- f. An Ordinance Abating Tax Heretofore Levied for the Year 2006, Series 2001D, General Revenue Obligation Bonds.
- g. An Ordinance Abating Tax Heretofore Levied for the Year 2006, Series 2001E, General Revenue Obligation Bonds.
- h. An Ordinance Abating Tax Heretofore Levied for the Year 2006, Series 2002A, General Revenue Obligation Bonds.
- i. An Ordinance Abating Tax Heretofore Levied for the Year 2006, Series 2002B, General Revenue Obligation Bonds.
- j. An Ordinance Abating Tax Heretofore Levied for the Year 2006, Series 2003A, General Revenue Obligation Bonds.
- k. An Ordinance Abating Tax Heretofore Levied for the Year 2006, Series 2003G, General Revenue Obligation Bonds.
- l. An Ordinance Abating Tax Heretofore Levied for the Year 2006, Series 2004D, General Revenue Obligation Bonds.
- m. An Ordinance Abating Tax Heretofore Levied for the Year 2006, Series 2004E, General Revenue Obligation Bonds.
- n. An Ordinance Partially Abating Tax Heretofore Levied for the Year 2006, Series 2000, Special Service Area Number 2 Bonds.

Motion

With the unanimous consent of the Board to consider all those items listed under the omnibus vote, Trustee Walberg made a motion to hold agenda items 1.a. through 1.n. for public review. Trustee Tralewski seconded the motion.

Village Board Meeting Minutes
March 6, 2007 - Page 5

All were in favor. Motion carried.

ORDINANCE NO.
_____:

7. Director of Management Services, Thomas Walter, gave the first summarization of the action contemplated in **Ordinance No. _____**, entitled **An Ordinance Partially Abating the Tax Heretofore Levied for the Year 2006 Village of Bensenville, Counties of Cook and DuPage, Illinois.**

Motion

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

All were in favor. Motion carried.

ORDINANCE NO.
_____:

8. Assistant Village Manager for Community Development, Steven Marshall, gave the first summarization of the action contemplated in **Ordinance No. _____**, entitled **Authorizing Sprint-Nextel Roof Wireless Telecommunication Equipment (Nine Roof Antennae and Equipment Enclosure) 24 S. Addison, Bensenville, Conditional Use - Telecommunications Equipment (CDC Case No. 012207-1).**

Motion

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

All were in favor. Motion carried.

ORDINANCE NO.
_____:

9. Assistant Village Manager for Community Development, Steven Marshall, gave the first summarization of the action contemplated in **Ordinance No. _____**, entitled **Authorizing Text Amendment to the General Industrial District, Section 10-9D-3: Conditional Uses: Tattoo/Body Piercing Parlor.**

Motion

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

All were in favor. Motion carried.

ORDINANCE NO.
_____:

10. Assistant Village Manager for Community Development, Steven Marshall, gave the first summarization of the action contemplated in **Ordinance No. _____**, entitled **Authorizing Master Sign**

Village Board Meeting Minutes
March 6, 2007 - Page 6

Plan, 13 Main Street, Bensenville, IL 60106, Main Street Plaza (CDC Case No. 021207-2).

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

All were in favor. Motion carried.

ORDINANCE NO.

_____:

- 11 Assistant Village Manager for Community Development, Steven Marshall, gave the first summarization of the action contemplated in **Ordinance No. _____**, entitled **Authorizing Master Sign Plan, 1201-1221 Irving Park Road, Bensenville, IL 60106, Plaza 83 (CDC Case No. 021207-1).**

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

All were in favor. Motion carried.

RESOLUTION NO.

R-37-2007:

12. Director of Public Works, Paul Quinn, summarized the action contemplated in **Resolution No. R-37-2007**, entitled **Authorizing the Purchase of Street Light Poles from Traditional Concrete, Inc.**

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

ROLL CALL:

AYES: Adamowski, Basso, Mandziara, Tralewski, Walberg, Williams

NAYS: None

Motion carried.

RESOLUTION NO.

R-38-2007:

13. Director of Management Services, Thomas Walter, summarized the action contemplated in **Resolution No. R-38-2007**, entitled **Budget Transfers.**

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

Village Board Meeting Minutes
March 6, 2007 - Page 7

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

NAYS: None

Motion carried.

RESOLUTION NO.
R-39-2007:

14. Village Manager, James Johnson, summarized the action contemplated in **Resolution No. R-39-2007**, entitled **Authorizing Contract with Wendy Nussbaum, LCPC, Bensenville Teen Center. This resolution rescinds R-109-2006.**

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

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

NAYS: None

Motion carried.

RESOLUTION NO.
R-40-2007:

15. Assistant Village Manager for Community Development, Steven Marshall, summarized the action contemplated in **Resolution No. R-40-2007**, entitled **Authorizing Waterproofing Contract, Village Hall Elevator Equipment Room.**

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

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

NAYS: None

Motion carried.

RESOLUTION NO.
R-41-2007:

16. Assistant Village Manager for Community Development, Steven Marshall, summarized the action contemplated in **Resolution No. R-41-2007**, entitled **Authorizing Property Appraisal Contract with MaRous & Company.**

Village Board Meeting Minutes
March 6, 2007 - Page 8

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

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

NAYS: None

Motion carried.

RESOLUTION NO.
R-42-2007:

17. Police Chief, Frank Kosman, summarized the action contemplated in **Resolution No. R-42-2007**, entitled **Authorizing the Payment for the Annual Quad Community Social Services Contribution for Fiscal Year 2007**.

Motion Trustee Walberg made a motion to approve the resolution as presented. Trustee Basso seconded the motion.

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

NAYS: None

Motion carried.

WARRANT NO.
007-21:

18. Trustee Walberg presented **Warrant No. 007-21** in the amount of **\$1,652,082.00**.

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

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

NAYS: None

Motion carried.

EXECUTIVE
SESSION:

19. President Geils called for an Executive Session for the purpose of discussing personnel, pending, probable or imminent litigation,

Village Board Meeting Minutes
March 6, 2007 - Page 9

acquisition of real property, collective negotiation matters, and security procedures. No action will take place as a result of these discussions.

Motion Trustee Basso made a motion to go into Executive Session. Trustee Tralewski seconded the motion.

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

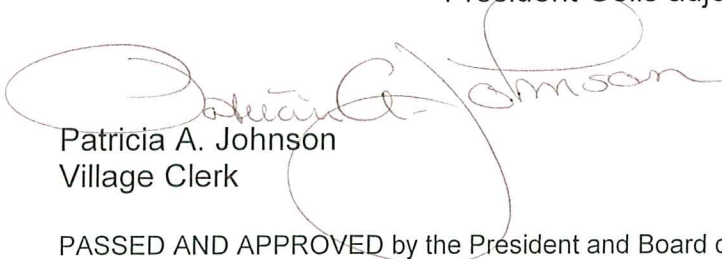
NAYS: None

Motion carried.

ADJOURNMENT: 20. Trustee Basso made a motion to adjourn the meeting. Trustee Williams seconded the motion.

All were in favor. Motion carried.

President Geils adjourned the meeting at 8:27 p.m.



Patricia A. Johnson
Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this 3rd day of April, 2007.