

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

MINUTES OF THE VILLAGE BOARD OF TRUSTEES MEETING
September 23, 2014

CALL TO ORDER: 1. President Soto, called the meeting to order at 6:35 p.m.

ROLL CALL: 2. Upon roll call by Village Clerk, Ilsa Rivera-Trujillo, the following Board Members were present:

Bartlett, Janowiak, Jarecki, O'Connell, Ridder, Wesseler

Absent: None

A quorum was present.

Staff Present: Village Attorney, Pat Bond, Cassady, Caracci, DiSanto, F. Kosman, Rysavy, Sloth, Viger, Williamsen

PUBLIC COMMENT: Janet Luby – 284 East Jefferson Street

Ms. Luby addressed the Village Board seeking information regarding an update on the vacant property located at 1145 South York Road; the need for new restaurants in Bensenville; the recently adopted ordinance concerning bedroom occupancy; the need for additional service stations in Bensenville and asked for an update on the current Road Ranger litigation.

President Soto announced the Village has been informed that Tony's Finer Foods is in negotiations of a potential lease with the property owners of 1145 South York Road. President Soto indicated the Village was not allowed to comment on the currant Road Ranger litigation.

**APPROVAL OF
MINUTES:**

3. The September 9, 2014 Village Board Meeting minutes were presented.

Motion: Trustee Wesseler made a motion to approve the minutes as presented. Trustee Bartlett seconded the motion.

All were in favor. Motion carried.

WARRANT NO.

14/16:

4. President Soto presented Warrant No. 14/16 in the amount of \$2,197,793.56.

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Motion: Trustee Ridder made a motion to approve the warrant as presented. Trustee O'Connell seconded the motion.

ROLL CALL: AYES: Bartlett, Janowiak, Jarecki, O'Connell, Ridder, Wesseler

NAYS: None

All were in favor. Motion carries.

Motion: 5. Trustee Ridder made a motion to pull Consent Agenda No. 2 for discussion at a later time. Trustee Bartlett seconded the motion.

All were in favor. Motion carried.

Motion: Trustee Ridder made a motion to set the Consent Agenda as amended. Trustee Bartlett seconded the motion.

All were in favor. Motion carried.

**Ordinance No.
46-2014:**

An Ordinance Granting Approval of Variances to Allow Parking in the Front Yard and a Reduction in Drive Aisle Width for the Property Commonly Identified as 600 North Thomas Drive, PRI Group, LLC. (Consent Agenda)

**Ordinance No.
47-2014:**

An Ordinance Amending the Village Code Zoning Regulations for Qualifications for Filing and Requirements for Planned Unit Developments. (Consent Agenda)

**Resolution No.
R-88-2014:**

A Resolution Authorizing the Execution of a Contract with T.L.C. Group, Ltd. for the 2014 Parkway Tree Planting Program in the not-to-exceed amount of \$31,835.00. (Consent Agenda)

**Resolution No.
R-89-2014:**

A Resolution Authorizing the Execution of a Supplemental Engineering Services Agreement with Civiltech Engineering Inc. for Design on the Church Road LAFO-TCM Project from Grand Ave to Jefferson St in the Not-to-Exceed amount of \$175,045 for a Revised Contract Amount of \$338,528. (Consent Agenda)

**Resolution No.
R-90-2014:**

A Resolution Concerning the Determination of the Bensenville Village Board that Change Order Number One with Williams

Brothers Constructions, Inc. for a Decrease of \$1,904,870 is Required for the Wastewater Treatment Plant Upgrade Project for a Revised Contract Cost of \$26,795,130 and a Time Extension of Seventy Calendar Days. (Consent Agenda)

Resolution No.
R-91-2014:

A Resolution Authorizing the Execution of a Contract with Cargill Incorporated Salt Division for the Purchase of 1,800 Tons of Bulk Rock Salt in the Amount of \$107,478. (Consent Agenda)

Ordinance No.
48-2014:

An Ordinance Amending Ordinance 46-2008, Village Personnel Policy, Police Department Rules and Regulations, Chapter 300, Regarding Firearm Maintenances, Use and Security Regarding Rifles. (Consent Agenda)

Motion: Trustee Ridder made a motion to approve the Consent Agenda as presented. Trustee Bartlett seconded the motion.

ROLL CALL: AYES: Bartlett, Janowiak, Jarecki, O'Connell, Ridder, Wesseler

NAYS: None

All were in favor. Motion carried.

Ordinance No.
49-2014:

6. President Soto gave the summarization of the action contemplated in **Ordinance No. 49-2014** entitled **An Ordinance Amending the Village Code Zoning Regulations to Allow Recycling Centers as Conditional Uses in the I-2 Industrial Districts.**

There were no questions from the Village Board.

Motion: Trustee Ridder made a motion to adopt the ordinance as presented. Trustee O'Connell seconded the motion.

ROLL CALL: AYES: Bartlett, Janowiak, Jarecki, O'Connell, Ridder, Wesseler

NAYS: None

All were in favor. Motion carried.

Ordinance No.
50-2014:

7. President Soto gave the summarization of the action contemplated in **Ordinance No. 50-2014** entitled **An Ordinance Concerning the**

Grant of a Preliminary Planned Unit Development by Valinvest Holding, LLC including Conditional Use Permits to Allow an Electronic Message Center (EMC), a Service Station, a Truck Stop, a Truck Wash and Outdoor Storage up to 50% with Additional Code Deviations at the Property Located at 720 East Green Street, Valinvest Holding, LLC.

Trustee Jarecki asked if Staff has concurred with the Bensenville Fire Department in regards to the proposed use. Village Manager, Michael Cassady, stated this is a preliminary planned unit development and Staff will concur with the Bensenville Fire Department during the final planned unit development process.

Trustee Jarecki asked if the Village Board's concerns have been addressed with the noise produced from parked trucks. Assistant Village Manager, Dan Di Santo, stated there was a condition on the presented ordinance that addressed the Village Board's concern.

Motion:

Trustee Ridder made a motion to adopt the ordinance as presented. Trustee Bartlett seconded the motion.

ROLL CALL:

AYES: Bartlett, Janowiak, Jarecki, O'Connell, Ridder, Wesseler

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-92-2014:**

8. President Soto gave the summarization of the action contemplated in **Resolution No. R-92-2014 entitled A Resolution Accepting a Recommendation to Approve a Façade Improvement Grant Application for an Amount Not-to-Exceed \$10,000 for Property at 111 West main Street, Garcia Tax Service.**

There were no questions from the Village Board.

Motion:

Trustee Ridder made a motion to approve the resolution as presented. Trustee Bartlett seconded the motion.

ROLL CALL:

AYES: Bartlett, Janowiak, Jarecki, O'Connell, Ridder, Wesseler

NAYS: None

All were in favor. Motion carried.

Ordinance No.

51-2014:

9. President Soto gave the summarization of the action contemplated in **Ordinance No. 51-2014** entitled **An Ordinance Concerning the Grant of a Conditional Use Permits to Allow a Service Station and Electronic Message Center with Associated Site Variances at 810 North Illinois Route 83, Ambrose Design Group, LLC.**

There were no questions from the Village Board.

Motion:

Trustee O'Connell made a motion to adopt the ordinance as presented. Trustee Wesseler seconded the motion.

ROLL CALL:

AYES: Janowiak, Jarecki, O'Connell, Ridder, Wesseler

NAYS: Bartlett

Motion carried.

Resolution No.

R-93-2014:

10. President Soto gave the summarization of the action contemplated in **Resolution No. R-93-2014** entitled **A Resolution Regarding Notice of Proposed Rulemaking Proceedings "Hazardous Materials: Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Train: Before the Pipelines and Hazardous Materials Safety Administration in Docket No. PHMSA-2012-0082 (HM-251).**

Mr. Cassady stated the Pipeline and Hazardous Materials Safety Administration (PHMSA) outlined rules that would enhance tank car standards and operational controls that would address approximately 60% of the liquid hazmat carried by the deficient DOT-111 tank car. Mr. Cassady stated a coalition of suburban Chicago communities called "TRAC" (the Regional Answer to Canadian National) asks municipalities along rail lines to pass a Resolution supporting rules that would apply to all the tank cars used in the transport of Class 3 flammable hazmat. Mr. Cassady stated the proposed Resolution also seeks to require the railroads to provide assistance to local emergency responders in planning for and dealing with hazmat traveling through our communities. Mr. Cassady stated Staff recommends approval of this Resolution.

There were no questions from the Village Board.

Motion:

Trustee Wesseler made a motion to approve the resolution as

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presented. Trustee Ridder seconded the motion.

ROLL CALL: AYES: Bartlett, Janowiak, Jarecki, O'Connell, Ridder, Wesseler
NAYS: None

All were in favor. Motion carried.

**PRESIDENT'S
REMARKS:** President Soto stated he has received compliments from local businesses' who have noticed an increase in business due to the Village's efforts with social media. President Soto thanked Staff for their efforts with social media.

**MANAGERS
REPORT:** Village Manager, Michael Cassady, had no report.

**VILLAGE ATTORNEY
REPORT:** Village Attorney, Sean Conway, had no report.

**UNFINISHED
BUSINESS:** There was no unfinished business.

NEW BUSINESS: Trustee Ridder announced the Village, along with Bridgeway, will be hosting a Senor Fair on October 18, 2014 from 10:00am – 3:00pm at Bridgeway. Trustee Ridder announced additional information can be found on the Village's website or by calling Bridgeway

**EXECUTIVE
SESSION:** Village Attorney, Sean Conway, stated there was not a need for executive session.

ADJOURNMENT: Trustee Ridder made a motion to adjourn the meeting. Trustee O'Connell seconded the motion.

All were in favor. Trustee Wesseler opposed. Motion carried.

President Soto adjourned the meeting at 7:13 p.m.

Ilsa Rivera-Trujillo
Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this 14th day, October 2014