

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
November 10, 2015

CALL TO ORDER: 1. President Soto called the meeting to order at 6:30 p.m.

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

Carmona, DeSimone, Jaworska, Wesseler, Janowiak, O'Connell

Absent: None

A quorum was present.

Staff Present: Village Attorney, Pat Bond, J. Caracci, T. Finner, K. Katz, F. Kosman, M. Martell, , M. Rysavy, A. Thakkar, S. Viger, C. Williamsen

PUBLIC COMMENT:

Ann Franz – 902 Hillside Drive

Ms. Franz addressed the Village Board regarding the Noise 101 meeting held at the Police Station for Residents, hosted by the CDC. Ms. Franz stated the CDC informed those in attendance that the north tower at O'Hare Airport was not being utilized due to low funding. Ms. Franz asked the Village Board to pursue the possibility with the CDC to operate the north tower at night and close the south tower at O'Hare Airport. Ms. Franz also requested the Village Board organize an event similar to the event being hosted by the City of Wood Dale regarding airplane noise and its impact on the Community.

Paul De Michele – 17W275 Rodeck Lane

Mr. De Michele addressed the Village Board regarding a letter he received from the Village in the mail regarding an IEPA loan that was applied for by the Village of Bensenville. Mr. De Michele asked the Village to turn the unincorporated White Pines water system over to the County of DuPage.

Gary Gardner – 17W131 Woodland Avenue

Mr. Gardner addressed the Village Board regarding comments made by Trustee O'Connell at a recent Committee meeting. Mr. Gardner asked the Village to turn the unincorporated White Pines water system over to the County of DuPage.

**APPROVAL OF
MINUTES:**

3. The October 27, 2015 Village Board Meeting minutes were presented.

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

All were in favor. Motion carried.

WARRANT NO.

15/20: 4. President Soto presented Warrant No. 15/20 in the amount of \$1,905,857.81.

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

Trustee DeSimone questioned a warrant item in the amount of \$10,000.00 for a payment to the Rory Group.

Trustee DeSimone asked for an update regarding the RFP process for lobbyist and consulting services. Interim Village Manager, Frank Kosman, stated RFPs have been received and will be evaluated by Village Staff and presented to the Village Board in the first quarter of 2016.

Motion: Trustee DeSimone made a motion to approve an amended Warrant No. 15/20 in the amount of \$1,895,857.81. Trustee Jaworska seconded the motion.

ROLL CALL: AYES: Carmona, DeSimone, Jaworska

NAYS: Janowiak, O'Connell, Wesseler, President Soto

The motion failed.

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

ROLL CALL: AYES: Janowiak, O'Connell, Wesseler, President Soto

NAYS: Carmona, DeSimone, Jaworska

The motion carried.

Ordinance No.

48-2015: 5. President Soto gave the summarization of the action contemplated in Ordinance No. 48-2015 entitled **An Ordinance abating the tax**

heretofore levied for the year 2015 to pay debt service on \$2,200,000 series 2003G General Obligation Bonds (alternate revenue source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois.

There were no questions from the Village Board.

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

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

Ordinance No.
49-2015:

6. President Soto gave the summarization of the action contemplated in **Ordinance No. 49-2015** entitled **An Ordinance abating the tax heretofore levied for the year 2015 to pay debt service on \$4,000,000 series 2004D General Obligation Bonds (alternate revenue source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois.**

There were no questions from the Village Board.

Motion: Trustee Wesseler made a motion to adopt the ordinance as presented. Trustee Janowiak seconded the motion.

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

Ordinance No.
50-2015:

7. President Soto gave the summarization of the action contemplated in **Ordinance No. 50-2015** entitled **An Ordinance abating the tax**

heretofore levied for the year 2015 to pay debt service on \$3,500,000 series 2004E General Obligation Bonds (alternate revenue source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois.

There were no questions from the Village Board.

Motion: Trustee Wesseler made a motion to adopt the ordinance as presented. Trustee Janowiak seconded the motion.

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

Ordinance No.
51-2015:

8. President Soto gave the summarization of the action contemplated in **Ordinance No. 51-2015** entitled **An Ordinance abating the tax heretofore levied for the year 2015 to pay debt service on \$17,975,000 series 2011A General Obligation Bonds (alternate revenue source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois.**

There were no questions from the Village Board.

Motion: Trustee Janowiak made a motion to adopt the ordinance as presented. Trustee Carmona seconded the motion.

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

Ordinance No.
52-2015:

9. President Soto gave the summarization of the action contemplated in **Ordinance No. 52-2015** entitled **An Ordinance abating the tax**

heretofore levied for the year 2015 to pay debt service on \$7,205,000 series 2011B General Obligation Bonds (alternate revenue source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois.

There were no questions from the Village Board.

Motion: Trustee Wesseler made a motion to adopt the ordinance as presented. Trustee DeSimone seconded the motion.

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

Ordinance No.
53-2015:

10. President Soto gave the summarization of the action contemplated in **Ordinance No. 53-2015** entitled **An Ordinance abating the tax heretofore levied for the year 2015 to pay debt service on \$1,380,000 series 2011C General Obligation Bonds (alternate revenue source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois.**

There were no questions from the Village Board.

Motion: Trustee DeSimone made a motion to adopt the ordinance as presented. Trustee Jaworska seconded the motion.

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

Ordinance No.
54-2015:

11. President Soto gave the summarization of the action contemplated in **Ordinance No. 54-2015** entitled **An Ordinance abating the tax**

heretofore levied for the year 2015 to pay debt service on \$1,630,000 series 2011D General Obligation Bonds (alternate revenue source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois.

There were no questions from the Village Board.

Motion: Trustee Janowiak made a motion to adopt the ordinance as presented. Trustee DeSimone seconded the motion.

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

Ordinance No.
55-2015:

12. President Soto gave the summarization of the action contemplated in **Ordinance No. 55-2015** entitled **An Ordinance abating the tax heretofore levied for the year 2015 to pay debt service on \$1,730,000 series 2012A General Obligation Bonds (alternate revenue source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois.**

There were no questions from the Village Board.

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

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

Ordinance No.
56-2015:

13. President Soto gave the summarization of the action contemplated in **Ordinance No. 56-2015** entitled **An Ordinance abating the tax**

heretofore levied for the year 2015 to pay debt service on \$945,000 series 2012B General Obligation Bonds (alternate revenue source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois.

There were no questions from the Village Board.

Motion: Trustee DeSimone made a motion to adopt the ordinance as presented. Trustee Janowiak seconded the motion.

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

Ordinance No.
57-2015:

14. President Soto gave the summarization of the action contemplated in **Ordinance No. 57-2015** entitled **An Ordinance abating the tax heretofore levied for the year 2015 to pay debt service on \$1,400,000 series 2012C General Obligation Bonds (alternate revenue source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois.**

There were no questions from the Village Board.

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

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

Ordinance No.
58-2015:

15. President Soto gave the summarization of the action contemplated in **Ordinance No. 58-2015** entitled **An Ordinance abating the tax**

heretofore levied for the year 2015 to pay debt service on \$5,345,000 series 2012E General Obligation Bonds (alternate revenue source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois.

There were no questions from the Village Board.

Motion: Trustee Wesseler made a motion to adopt the ordinance as presented. Trustee DeSimone seconded the motion.

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

Ordinance No.
59-2015:

16. President Soto gave the summarization of the action contemplated in **Ordinance No. 59-2015** entitled **An Ordinance abating the tax heretofore levied for the year 2015 to pay debt service on \$3,785,000 series 2013A General Obligation Bonds (alternate revenue source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois.**

There were no questions from the Village Board.

Motion: Trustee Wesseler made a motion to adopt the ordinance as presented. Trustee Jaworska seconded the motion.

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

Ordinance No.
60-2015:

17. President Soto gave the summarization of the action contemplated in **Ordinance No. 60-2015** entitled **An Ordinance abating the tax**

heretofore levied for the year 2015 to pay debt service on \$8,000,000 series 2013E General Obligation Bonds (alternate revenue source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois.

There were no questions from the Village Board.

Motion: Trustee Wesseler made a motion to adopt the ordinance as presented. Trustee Janowiak seconded the motion.

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

Ordinance No.
61-2015:

18. President Soto gave the summarization of the action contemplated in **Ordinance No. 61-2015** entitled **An Ordinance abating the tax heretofore levied for the year 2015 to pay debt service on \$1,625,000 series 2014A General Obligation Bonds (alternate revenue source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois.**

There were no questions from the Village Board.

Motion: Trustee Wesseler made a motion to adopt the ordinance as presented. Trustee DeSimone seconded the motion.

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

Ordinance No.
62-2015:

19. President Soto gave the summarization of the action contemplated in **Ordinance No. 62-2015** entitled **An Ordinance abating the tax**

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heretofore levied for the year 2015 to pay debt service on \$6,815,000 series 2014B General Obligation Bonds (alternate revenue source - Qualified Energy Conservation Bonds Direct Payment) of the Village of Bensenville, Counties of Cook and DuPage, Illinois.

There were no questions from the Village Board.

Motion: Trustee Wesseler made a motion to adopt the ordinance as presented. Trustee DeSimone seconded the motion.

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

**Ordinance No.
63-2015:**

20. President Soto gave the summarization of the action contemplated in **Ordinance No. 63-2015** entitled **An Ordinance abating the tax heretofore levied for the year 2015 to pay debt service on \$1,185,000 series 2013D General Obligation Bonds (alternate revenue source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois.**

There were no questions from the Village Board.

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

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

**Ordinance No.
64-2015:**

21. President Soto gave the summarization of the action contemplated in **Ordinance No. 64-2015** entitled **An Ordinance abating the tax**

heretofore levied for the year 2015 to pay debt service on \$2,425,000 series 2014E General Obligation Bonds (alternate revenue source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois.

There were no questions from the Village Board.

Motion: Trustee Wesseler made a motion to adopt the ordinance as presented. Trustee Carmona seconded the motion.

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

**Ordinance No.
65-2015:**

22. President Soto gave the summarization of the action contemplated in **Ordinance No. 65-2015 entitled An Ordinance abating the tax heretofore levied for the year 2015 to pay debt service on \$600,000 series 2014C General Obligation Bonds of the Village of Bensenville, Counties of Cook and DuPage, Illinois.**

There were no questions from the Village Board.

Motion: Trustee Wesseler made a motion to adopt the ordinance as presented. Trustee DeSimone seconded the motion.

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

**PRESIDENT'S
REMARKS:**

President Soto announced that House Bill 4305 passed that authorizes the release of funds to local government from the State of Illinois. President Soto announced the bill is on the Governor's desk awaiting signature.

President Soto announced he attended The Efficiency Advantage seminar on November 2nd hosted by Transform Illinois. President Soto stated he would provide the Village Board with information in an

upcoming confidential packet about consolidation of government services and reducing unfunded mandates.

President Soto announced he attended and spoke at the annual NOISE conference in Nashville. President Soto stated members at the conference share similar issues as Bensenville regarding noise from airplanes and the impact on their Communities. President Soto stated he would provide the Village Board with additional information in an upcoming confidential packet.

President Soto stated that runway 9R has been closed due to construction and was informed it would be re-opening soon. President Soto stated he was informed this will help elevate the use of runways over Bensenville.

President Soto stated he was informed by those in attendance at the Noise 101 seminar regarding the comments made by the CDC regarding the north tower. President Soto stated he plans to bring the matter forth at the next Adcock Committee meeting for discussions and an action plan.

President Soto stated Staff has been informed that Jewel/Osco plans to host a soft opening on January 15, 2016 and that there will be a Starbucks located inside. President Soto also stated Staff is working with Jewel/Osco to host a job fair. President Soto stated additional information can be found on the Village's website.

**Resolution No.
R-121-2015:**

23. President Soto gave the summarization of the action contemplated in **Resolution No. R-121-2015 entitled A Resolution Supporting Preservation of Local Revenue and Calling for the Release of State Collected Revenues Owed to Local Governments.**

There were no questions from the Village Board.

Motion: Trustee Wesseler made a motion to approve the resolution as presented. Trustee Janowiak seconded the motion.

ROLL CALL:

AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

**MANAGERS
REPORT:**

Interim Village Manager, Frank Kosman, had no report.

**VILLAGE ATTORNEY
REPORT:**

**Resolution No.
R-122-2015:**

24. Village Attorney, Pat Bond, gave the summarization of the action contemplated in **Resolution No. R-122-2015** entitled **A Resolution Approving the Granting of a Permanente Easement in a Certain Village-Owned Parcel of Property, EO-1B-12-930, to the Illinois Toll Highway Authority and Confirming the Execution of a Contract Therefor.**

Mr. Bond stated the proposed Resolution approves and confirms a Contract for Permanent Easement ("Contract") with the Illinois Toll Highway Authority ("Tollway") for the granting of a permanent easement in a Village-owned parcel of real estate to the Tollway. Mr. Bond stated the parcel, a portion of the existing right-of-way of Supreme Drive at its intersection with Thorndale Avenue, was identified by the Tollway as needed for the construction of the roadway overpass for the Elgin-O'Hare Tollway. Mr. Bond stated to meet the Tollway's deadline for concluding negotiations, the Contract with the Tollway for the granting of the Easement was previously executed by Village Manager subject to the confirmation by the Village Board of Trustees. Mr. Bond stated The Village will be compensated \$37,000.00 cash for the easement, which is its appraised value.

There were no questions from the Village Board.

Motion:

Trustee Wesseler made a motion to approve the resolution as presented. Trustee Janowiak seconded the motion.

ROLL CALL:

AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

Resolution No.
R-123-2015:

25. Village Attorney, Pat Bond, gave the summarization of the action contemplated in **Resolution No. R-123-2015** entitled **A Resolution Approving the Sale of a Certain Village-Owned Parcel of Property, EO-1B-12-928, to the Illinois Toll Highway Authority and Confirming the Execution of a Contract Therefor**

Mr. Bond stated the proposed Resolution approves and confirms a Contract for Sale of Real Estate ("Contract") with the Illinois Toll Highway Authority ("Tollway") for the sale of a Village-owned parcel of real estate to the Tollway. Mr. Bond stated the parcel, a portion of the existing right-of-way of Thomas Drive at its intersection with Thorndale Avenue, was identified by the Tollway as needed for the construction of the roadway of the Elgin-O'Hare Tollway. Mr. Bond stated to meet the Tollway's deadline for concluding negotiations, the Contract with the Tollway for the parcel's sale was previously executed by Village Manager subject to the confirmation by the Village Board of Trustees. Mr. Bond stated the Village will be compensated \$560,000.00 cash for the parcel, which is its appraised value.

There were no questions from the Village Board.

Motion: Trustee Janowiak made a motion to approve the resolution as presented. Trustee Carmona seconded the motion.

ROLL CALL:

AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

Ordinance No.
66-2015:

26. Village Attorney, Pat Bond, gave the summarization of the action contemplated in **Ordinance No. 66-2015** entitled **An Ordinance of the Village of Bensenville, Illinois Authorizing the Conveyance of Title to Certain Property to the Bensenville Park District Pursuant to Settlement of Litigation.**

Mr. Bond stated the Village Board adopted Resolution R-6-2005 in February 2005, whereby it authorized execution of a Settlement Agreement with the Bensenville Park District. Mr. Bond stated

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pursuant to the Settlement Agreement, title to Village-owned property at 765 Church Road was to be conveyed to the Park District upon the Park District's payment therefore. Mr. Bond stated while the Park District has paid for the Property, through oversight, the title was never conveyed through the Court. Mr. Bond stated this error was recently discovered, thus now the Village is asked to approve the Ordinance conveying title.

There were no questions from the Village Board.

Motion: Trustee Wesseler made a motion to adopt the ordinance as presented. Trustee Janowiak seconded the motion.

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

Resolution No.

_____ : 27. Village Attorney, Pat Bond, gave the summarization of the action contemplated in **Resolution No. _____** entitled **A Resolution of the Village of Bensenville of DuPage and Cook Counties, Illinois Authorizing the Transfer of Municipally Owned Real Estate.**

Mr. Bond asked the Village Board to table this item until November 24, 2015 as he is awaiting for the Developer's attorney to return from vacation to review the proposed release.

Trustee Jaworska recused herself from the discussion and the vote.

There were no questions from the Village Board.

Motion: President Soto made a motion to table the resolution until November 24, 2015. Trustee DeSimone seconded the motion.

ROLL CALL: AYES: Carmona, DeSimone, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

**UNFINISHED
BUSINESS:**

There was no unfinished business.

NEW BUSINESS: Trustee Janowiak announced Holiday Magic is taking place on November 22, 2015 starting at 3:00pm and encourages all to attend.

EXECUTIVE SESSION: Village Attorney, Pat Bond, called for an Executive Session for the purpose of discussing pending, probable, or imminent litigation, acquisition of real estate property, personnel, and collective negotiating matters. Actions will take place as a result of the discussions.

Motion: Trustee O'Connell made a motion to recess the meeting and go into executive session. Trustee Janowiak seconded the motion.

All were in favor. Motion carried.

President Soto recessed the meeting at 7:42 p.m.

President Soto called the meeting back to order at 9:10 p.m.

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

Carmona, DeSimone, Jaworska, Wesseler, Janowiak, O'Connell

Absent: None

A quorum was present.

**Ordinance No.
67-2015:**

Village Attorney, Pat Bond, gave the summarization of the action contemplated in **Ordinance No. 67-2015 entitled An Ordinance of the Village of Bensenville, Illinois Authorizing the Acquisition of a Parcel Commonly Known as "108 Brookwood Street" for Corporate Purposes.**

There were no questions from the Village Board.

Motion: President Soto made a motion to adopt the ordinance as presented. Trustee DeSimone seconded the motion.

ROLL CALL: AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

Resolution No.
R-124-2015:

- Village Attorney, Pat Bond, gave the summarization of the action contemplated in **Resolution No. R-124-2015** entitled **A Resolution Approving the Execution of a Consulting Agreement between the Village of Bensenville and Westbrook Strategic Consultants, Inc. for Consulting Services.**

There were no questions from the Village Board.

Motion:

Trustee DeSimone made a motion to approve the resolution as presented. Trustee Janowiak seconded the motion.

ROLL CALL:

AYES: Carmona, DeSimone, Jaworska, Janowiak, O'Connell, Wesseler

NAYS: None

All were in favor. Motion carries.

ADJOURNMENT:

Trustee O'Connell made a motion to adjourn the meeting. Trustee Janowiak seconded the motion.

All were in favor. Motion carried.

President Soto adjourned the meeting at 9:12 p.m.

Ilsa Rivera-Trujillo
Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this 24th day, November 2015