

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 24, 2015

CALL TO ORDER: 1. President Soto called the meeting to order at 6:03 p.m.

ROLL CALL: 2. Upon roll call by Deputy Village Clerk, Corey Williamsen, the following Board Members were present:

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

Absent: Village Clerk, Ilsa Rivera-Trujillo

A quorum was present.

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

President Soto asked to move the Admiration, Finance and Legislation Standing Committee Items to this portion of the agenda. There were no objections from the Village Board.

PUBLIC HEARING: President Soto opened the Public Hearing on the proposed 2016 annual budget and community investment plan.

Director of Finance, Amit Thakkar, made a brief presentation to the Village Board highlighting the proposed 2016 annual budget and community investment plan.

President Soto asked if there was any member of the Public that would like to address the Village Board regarding the proposed 2016 annual budget and community investment plan. There were none.

President Soto asked if there was any member of the Board that would like to comment on the proposed 2016 annual budget and community investment plan.

Trustee DeSimone stated a budget should consider what is best for the Residents and business owners of Bensenville. Trustee DeSimone stated he does not see how the proposed budget

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addresses issues the Village currently faces. Trustee DeSimone stated he has an issue with the amount of Staff hired by the Village within the past few years. Trustee DeSimone stated the salaries of employees the Village Board is asked to approve is extremely high so the size of Bensenville. Trustee DeSimone stated he is opposed to the proposed budget that allows for some raises that reach 13%. Trustee DeSimone stated in good conscious, he could not vote to approve the proposed budget.

Trustee Jaworska stated after her review of the budget, she did not see any provisions that allows the Village to address its current debt. Trustee Jaworska stated she is aware of budgeted items that address the Village's current debt but questions what lies ahead for the Resident's future. Trustee Jaworska stated she did not see anything in the proposed budget that helps pay the debt quicker to save money on interest in the long term. Trustee Jaworska questioned why there was budgeted items that allowed for Village Staff to join organizations that she feels do nothing for the Village at this time. Trustee Jaworska questioned the budgeted item to the DuPage Convention and Visitors Bureau and stated the Village does not have any venues that match-up to what they provide. Trustee Jaworska questioned the budget item for IT hardware and asked why the Village does not address the issues at hand first. Trustee Jaworska questioned the amount of money budgeted for lobbyists and federal level attorneys and stated the Village should be seeking grants for these type of funds.

Trustee Carmona stated she agreed with comments made by Trustee DeSimone and Trustee Jaworska. Trustee Carmona stated she would like to see more clarity in the Village Budget and see a more detailed budget showing spending for all items.

Trustee Wesseler asked why Trustee DeSimone, Trustee Jaworska and Trustee Carmona did not ask these questions at the four budget meetings held that all Village Board members attended with Staff. Trustee Wesseler stated it is important that these issues be brought up at the budget meetings so they can be addressed properly.

President Soto stated he was extremely disappointed with the Comments made by Trustees during the Public Hearing. President Soto stated the Village has had a balanced budget since 2009.

President Soto stated surrounding towns are levying their Residents for 5% and the Village of Bensenville is levying its Residents for 1%. President Soto stated for a \$200,000 home in Bensenville, a 1% levy comes to \$6.43 per year. President Soto stated all members of the Village Board sat through four budget sessions that lasted hours and these concerns should have been raised then. President Soto stated the proposed budget was unanimously approved at a Committee level by all seven members of the Village Board.

President Soto closed the Public Hearing at 6:25 p.m.

**Ordinance No.
74-2015:**

3. President Soto gave the summarization of the action contemplated in **Ordinance No. 74-2015** entitled **An Ordinance Adopting the 2015 Tax Levy for the Village of Bensenville, DuPage and Cook Counties, for the Fiscal Year Beginning January 1, 2015, and Ending December 31, 2015.**

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: Janowiak, O'Connell, Wesseler, President Soto

NAYS: None

PRESENT: Carmona, DeSimone, Jaworska

Motion carries.

**Ordinance No.
75-2015:**

4. President Soto gave the summarization of the action contemplated in **Ordinance No. 75-2015** entitled **An Ordinance Adopting the Annual Budget for the Village of Bensenville for the Fiscal Year Commencing January 1, 2016 and Ending December 31, 2016.**

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: Janowiak, O'Connell, Wesseler, President Soto

NAYS: Carmona, DeSimone, Jaworska

Motion carries.

PUBLIC COMMENT: **Jim Healy – Chairman of the DuPage County Public Works Committee**

Mr. Healy addressed the Village Board regarding the proposed agreement on the agenda for engineering services from Christopher B. Burke. Mr. Healy stated he had the opportunity to meet with Village Staff and Residents of the unincorporated White Pines area and that it was agreed upon by all parties involved that the proposed study from Christopher B. Burke needs to be completed. Mr. Healy encouraged the Village Board to vote in favor of the proposed agreement.

Mark Keane – 910 West Hillside Drive

Mr. Keane addressed the Village Board regarding comments made by President Soto at a previous Committee Meeting in regards to a proposed easement of an ally at the Center Street condos.

Paul De Michele – 17W275 Rodeck Lane

Mr. De Michele addressed the Village Board regarding a recent FOIA request he received from Village Staff. Mr. De Michele stated he was in error with the clarification of his request and re-submitted his FOIA request to Village Staff. Mr. De Michele asked that Village Staff contact him with any questions regarding his FOIA.

Pete Gallagher

Mr. Gallagher addressed the Village Board regarding comments made by President Soto regarding attorneys hired by the Suburban O'Hare Commission. Mr. Gallagher referred to an article from February 22, 2005 that stated the Suburban O'Hare Commission had signed two contracts totaling \$285,000 to hire aviation experts to address issues produced from O'Hare Airport.

**APPROVAL OF
MINUTES:**

5. The November 10, 2015 Village Board Meeting minutes were presented.

Motion:

Trustee Janowiak made a motion to approve the minutes as presented. Trustee O'Connell seconded the motion.

All were in favor. Motion carried.

**WARRANT NO.
15/21:**

6. President Soto presented **Warrant No. 15/21** in the amount of \$1,151,943.07.

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

There were no questions from the Village Board.

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

NAYS: None.

All were in favor. The motion carried.

Motion: 7. Trustee Janowiak made a motion to set the Consent Agenda as presented. Trustee O'Connell seconded the motion.

All were in favor. Motion carried.

Ordinance No.
68-2015:

An Ordinance Approving a Conditional Use Permit for Motor Vehicle Repair, Major and Minor at 100 Leland Court Unit C for Highway Xpress, Inc. (Consent Agenda)

Ordinance No.
69-2015:

An Ordinance approving A Variance at 710 East Green Street to Allow a Generator in the Actual Front Yard. (Consent Agenda)

Ordinance No.
70-2015:

An Ordinance approving a Variance to allow an Increase in Garage Height from 12 Feet to 14 Feet 1 Inch at 675 John Street. (Consent Agenda)

Resolution No.
R-125-2015:

A Resolution Authorizing a One Year Contract Extension to Clarke Environmental Mosquito Management, Inc. for Mosquito Abatement Services in the Not-to-Exceed Amount of \$33,970.00. (Consent Agenda)

Resolution No.
R-126-2015:

A Resolution Authorizing the Approval of Year Two of a Two Year Contract with M.E. Simpson Co., Inc. for Unidirectional Water Main Flushing Services in the Not to Exceed Amount of \$45,932.25. (Consent Agenda)

Resolution No.
R-127-2015:

A Resolution Authorizing the Approval of Year Two of a Two Year Contract with M.E. Simpson Co., Inc. for Fire Hydrant Flow

**Testing for Main Capacity in the Not to Exceed Amount of
\$32,844.00. (Consent Agenda)**

Resolution No.
R-128-2015:

A Resolution Authorizing the Approval of a Contract to Lindahl Brothers, Inc. for Sand & Stone Delivery and Debris Hauling in the Not-to-Exceed Amount of \$93,020. (Consent Agenda)

Resolution No.
R-129-2015:

A Resolution Concerning the Determination of the Bensenville Village Board that Change Order Number Four with Williams Brothers Construction, Inc. for an Increase of \$282,023 is Required for the Wastewater Treatment Plant Improvements Project for a Revised Contract Cost of \$27,187,795 and a Time Extension of Forty Days. (Consent Agenda)

Resolution No.
R-130-2015:

A Resolution Authorizing the Approval of a Contract Extension to First Transit, Inc. for Dial-A-Bus Service in the Not-to-Exceed Amount of \$276,366.96. (Consent Agenda)

Resolution No.
R-131-2015:

A Resolution authorizing the execution of a Purchase Order to Municipal GIS Partners, Inc., for GIS Services in the Not-to-Exceed Amount of \$78,074. (Consent Agenda)

Resolution No.
R-132-2015:

A Resolution Authorizing the Execution of an Agreement with Network Fleet for the Purchase, Installation, and GPS Tracking Services in the Not-To-Exceed amount of \$32,500. (Consent Agenda)

Resolution No.
R-133-2015:

A Resolution Approving an Intergovernmental Cooperation Agreement Between the Village of Bensenville and Bensenville Park District regarding the Shared Use Path along Church Road from Grand Ave to Jefferson St. (Consent Agenda)

Resolution No.
R-134-2015:

A Resolution Authorizing the 2016 Paratransit Service Provider Agreement By and Between Suburban Bus Division of the Regional Transportation Authority (Pace) and the Village of Bensenville. (Consent Agenda)

Resolution No.
R-135-2015:

A Resolution Establishing Refuse, Recycling and Yard Waste Rates for January 1, 2016 through December 31, 2016. (Consent

Agenda)

Resolution No.
R-136-2015:

A Resolution authorizing renewal of two Preventative Maintenance Agreements with AMS Mechanical Systems, Inc. to perform monthly Preventative Maintenance for the refrigeration systems located at the Edge on John (\$3,750) and the Edge on Jefferson Street (\$6,900) for the combined amount of \$10,650. (Consent Agenda)

Ordinance No.
71-2015:

An Ordinance Amending Section 3-3-5 of the Bensenville Village Code – Liquor Regulations – to increase the number of Class E-1 liquor licenses from 5 to 6 and reduce the number of Class E-2 liquor licenses from 2 to 1. (Consent Agenda)

Ordinance No.
72-2015:

An Ordinance Amending Section 3-3-5 of the Bensenville Village Code – Liquor Regulations – to increase the number of Class H liquor licenses from 1 to 2. (Consent Agenda)

Ordinance No.
73-2015:

Changes to the Village Ordinance to Reflect Changes to the Illinois Compiled Statute 235 ILCS 5/1-3.25 that Pertains to the Training of Alcohol Servers. (Consent Agenda)

Resolution No.
R-137-2015:

A Resolution Approving the 2016 Regular Meeting Schedule for the Village of Bensenville Board and Standing Committees. (Consent Agenda)

Motion:

Trustee Janowiak made a motion to approve the Consent Agenda 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.

Resolution No.
R-138-2015:

8. President Soto gave the summarization of the action contemplated in **Resolution No. R-138-2015** entitled **A Resolution Approving**

**the Engagement of 7 Layer Solutions for Information
Technology Support and Operations Services for \$90,000.**

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: Janowiak, O'Connell, Wesseler

NAYS: DeSimone, Jaworska

ABSTAINED: Carmona

Motion carries.

**PRESIDENT'S
REMARKS:**

President Soto announced that toys and coats will be distributed at Johnson School on December 12, 2015. President Soto stated donations are still being accepted for the toy and coat drive. President Soto stated additional information is available on the Village's website.

President Soto stated the Village has received a request from the Bandits Cheerleading Association to assist with funds to help send their team to Nationals in Orlando, Florida.

Motion: Trustee Wesseler made a motion to donate \$500 to the Bandits Cheerleading Association to assist with the expenses for their travel to Orlando, Florida to compete in Nationals. Trustee Janowiak seconded the motion.

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

NAYS: None

All were in favor. Motion carries.

President Soto announced that A&E Luxury Apartments recently held a groundbreaking event to begin construction on their new development along Walnut Street. President Soto stated the housing

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market in other communities has been relatively flat or declining but Bensenville is seeing an uptake in housing. President Soto stated having a bank finance a project of this magnitude is significant to Bensenville for a number of reasons. President Soto stated it is nice to see a desire to invest in Bensenville. President Soto stated there was a recent CMAP study that showed a comparison on home values in municipalities and the results showed that Bensenville's home values had increased 17.90%.

President Soto announced the 1st annual Bensenville Holiday home and business decorating contest will be held this season. President Soto stated additional information is available on the Village's website.

Resolution No.
R-139-2015:

9. President Soto gave the summarization of the action contemplated in **Resolution No. R-139-2015** entitled **A Resolution Proclaiming the Benefits and Importance of Community Schools.**

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.

President Soto wished all a Happy Thanksgiving.

**MANAGERS
REPORT:**

Resolution No.
R-140-2015:

10. Director of Public Works, Joe Caracci, gave the summarization of the action contemplated in **Resolution No. R-140-2015** entitled **A Resolution Authorizing the Execution of a Design Engineering Services Contract for the White Pines Water System Isolation / Metering with Christopher B. Burke Engineering, Ltd. (CBBEL) in the Not-to-Exceed Amount of \$49,900.**

Mr. Caracci stated the Village Board, at the recommendation of staff, has decided to isolate and meter the system and work toward a transition plan to have another provider take over the maintenance

and operation of the system. Mr. Caracci stated the need to expedite this work is a result of an upcoming construction project along Church Road that will result in the resurfacing of the roadway and the installation of a multi-use path along the east side of Church Road. Mr. Caracci stated this project is partially funded through Federal Surface Transportation Funds sponsored by DMMC. Mr. Caracci stated the project must be completed in 2016 in order to maintain these funds. Mr. Caracci stated the project is currently slated on the March 2016 IDOT letting schedule. We anticipate construction to start in June 2016.

There were no questions from the Village Board.

Motion:

Trustee Janowiak made a motion to approve the resolution 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.

**Resolution No.
R-141-2015:**

11. Director of Public Works, Joe Caracci, gave the summarization of the action contemplated in **Resolution No. R-141-2015** entitled **A Resolution Authorizing the Execution of a Design Engineering Services Contract for the White Pines Water Main Replacement Project with Christopher B. Burke Engineering, Ltd. (CBBEL) in the Not-to-Exceed Amount of \$337,378.**

Mr. Caracci stated the Village of Bensenville currently provides Lake Michigan water to the unincorporated residents of the White Pines subdivision. Mr. Caracci stated the existing water main has passed its useful life and has experienced repeated water main breaks and infrastructure failures in the past ten years. Mr. Caracci stated the existing water mains reside mostly in the rear yards of the properties and are very difficult to access for maintenance and repair. Mr. Caracci stated replacement and relocation of the water mains and other water distribution infrastructure is necessary. Mr. Caracci stated the history behind efforts to perform a project to replace the water system in White Pines is vast.

Mr. Caracci stated a meeting was conducted on November 17th to discuss the current status of the project and to determine how best to move forward. Mr. Caracci stated this meeting was organized by DuPage County and included the following individuals: District 1

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County Board Members (Sam Tornatore, Paul Fichtner, Don Puchalski), Bensenville Village President Frank Soto, White Pines Civic Association members, as well as staff and consultants from DuPage County, Bensenville and the Illinois American Water Company. Mr. Caracci stated the main focus of this meeting was to come to a consensus as to the appropriate course of action that should be taken with respect to the design engineering contract being considered by the Village of Bensenville. Mr. Caracci stated after a considerable amount of discussion, all parties agreed that it would be beneficial to the White Pines residents if the Village were to proceed with the engineering contract. Mr. Caracci stated the design will investigate, and incorporate where applicable, alternatives to replacement such as relining and directional boring. Mr. Caracci stated existing mains that are determined to be acceptable in both size and condition will be considered for remaining in place. Mr. Caracci stated the ISO flow standards used for pipe sizing during the design process will also be reviewed for accuracy and industry consistency. In addition, DuPage County and Bensenville will work closely with the design engineers to ensure that the most cost effective options are considered and incorporated into the final design. Mr. Caracci stated the completion of the design engineering phase for the White Pines Water Improvement Project will be critical to the project in order to determine the preferred future course of action. Mr. Caracci stated this design will provide a much more detailed and refined cost estimate for the residents to consider in the future. Mr. Caracci stated the final engineering design will be relevant and beneficial for all possible service providers. Mr. Caracci stated as part of this final design, the design will also include required system isolation measures in the event that a provider other than Bensenville is selected to supply the water to White Pines. Mr. Caracci stated it is expected that the preliminary design efforts will take approximately 3-4 months.

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.

**VILLAGE ATTORNEY
REPORT:**

**Resolution No.
R-142-2015:**

12. Village Attorney, Pat Bond, gave the summarization of the action contemplated in **Resolution No. R-142-2015 entitled A Resolution Determining that Removal and Relocation of Commonwealth Edison Company Electric Poles on the Wastewater Treatment Plant Property is Necessary.**

Mr. Bond stated the Village has approved plans for the improvement of the Wastewater Treatment Plant at 711 E. Jefferson. Mr. Bond stated the Demolition Plan for the property calls for the removal of three existing Commonwealth Edison poles, and the relocation of a fourth pole. Mr. Bond stated in this regard, the Village has previously approved Ordinance No. 30-92, "An Ordinance Authorizing Commonwealth Edison Company to Use the Public Ways and Other Public Property In Conjunction with Its Construction, Operation and Maintenance of an Electric System In and Through the Village of Bensenville, Cook and DuPage County, Illinois." Mr. Bond stated pursuant to this Ordinance, Commonwealth Edison has been granted the right to construct, operate and maintain certain of its facilities, including poles for electric lines, within the Village, and on Village owned property. Mr. Bond stated Village Staff has requested that Commonwealth Edison remove the three designated poles and to relocate a fourth pole. Mr. Bond stated at this time, in order to require Commonwealth Edison to pay for removal and relocation of the poles at its own expense, the Village's Corporate Authorities must, pursuant to Ordinance No. 30-92, determine that "such removal, relocation, change or alteration: (1) is reasonably necessary for the construction, repair, maintenance, improvement or use of such Public Ways or Public Property; (2) is reasonably necessary for the location, construction, replacement, maintenance, improvement or use of other Property of the Village; or (3) is reasonably necessary for the operations of the Village." Mr. Bond stated this Resolution makes such determination.

There were no questions from the Village Board.

Motion:

Trustee Janowiak made a motion to approve the resolution 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.

Resolution No.

_____ : 13. 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 a date certain at the request of the Attorney representing the Homeowners Association.

Trustee Jaworska recused herself from the discussion and the vote.

There were no questions from the Village Board.

Motion: Trustee Janowiak made a motion to table the resolution until a date certain. Trustee O'Connell 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: There was no new business.

EXECUTIVE SESSION: Village Attorney, Pat Bond, stated there was not a need for executive session.

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

All were in favor. Motion carried.

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President Soto adjourned the meeting at 7:16 p.m.

Ilsa Rivera-Trujillo
Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this 8th day, December 2015