

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

MINUTES OF THE SPECIAL VILLAGE BOARD OF TRUSTEES MEETING
November 12, 2019

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

ROLL CALL: 2. Upon roll call by Village Clerk, Nancy Quinn, the following Board Members were present:

Carmona, Franz, Frey, Lomax, Panicola, Perez

Absent: None

A quorum was present.

Staff Present: J. Caracci, T. Finner, G. Ferguson, J. McManus, M. Ribando, D. Schulze, S. Viger, C. Williamsen

PUBLIC HEARING: President DeSimone opened the Public Hearing for the proposed 2020 Budget at 6:32 p.m.

Upon roll call by Village Clerk, Nancy Quinn, the following Board Members were present:

Carmona, Franz, Frey, Lomax, Panicola, Perez

Absent: None

A quorum was present.

President DeSimone provided a summery of the proposed 2020 Budget. President DeSimone asked if there was any member of the Public that would like to comment on the proposed 2020 Budget. There was none.

Close: Trustee Franz made a motion to close the Public Hearing. Trustee Frey seconded the motion.

All were in favor. Motion carried.

President DeSimone closed the Public Hearing at 6:34 p.m.

President DeSimone addressed the Community to address misinformation about Cannabis in Bensenville. President DeSimone stated unfortunately misrepresentations concerning the legalization

and the sale of cannabis in the Village has been spreading. President DeSimone stated on January 1, 2020; the State of Illinois new cannabis law will take effect, the State Law will make it legal to buy and sell cannabis in the State of Illinois. President DeSimone stated in response to the new State Law, the Village held a Public Hearing on October 1, 2019 and passed zoning laws to prohibit cannabis sales in several areas of the Village; including all residential neighborhoods and areas around schools, daycare centers, recreational facilities and parks. President DeSimone stated the Village also imposed business regulations for establishments that get a license from the State of Illinois to sell cannabis in the Village including restrictions on the hours of operation and security requirements. President DeSimone stated the Village also passed a tax to be paid by an establishment that gets a license from the State of Illinois to operate in the Village. President DeSimone stated all these requirements are in addition to the Law established by the State of Illinois. President DeSimone stated while a cannabis establishment may try to operate in certain areas of the Village, every business will need to obtain a Special Use permit and will have to come in front of the Community Development Commission. President DeSimone stated by Law, all Special Use permits require a Public Hearing. President DeSimone stated from the very beginning, the Village Board made it clear that they wanted Public Hearings at every step of the process and Staff must continue to follow that direction. President DeSimone stated the Village has no received any applications for a dispensary or any other cannabis related businesses. President DeSimone stated no establishment has filed an application. President DeSimone stated to date, the Illinois Department of Financial Professional Regulations has approved fourteen locations in the entire State; Bensenville is not one of these locations. President DeSimone stated the Village is also not aware of any establishment has filed an application with the State of Illinois for a location in the Village. President DeSimone stated to clear up inaccurate information and rumors and as permitted by law; he is directing Village Staff to refrain from Staff time or Village resources on cannabis related businesses unless required by Law and only after the State of Illinois has clarified its rules and provides additional guidance on the issues during the current Session in Springfield.

PUBLIC COMMENT:

Paul De Michele – 17W275 Rodeck Ln., Bensenville, Illinois

Mr. De Michele addressed the Village Board regarding the adopted ordinance regarding regulations of adult use cannabis businesses.

James Nylander – 211 Jacquelyn Dr., Bensenville, Illinois

Mr. Nylander addressed the Village Board regarding the adopted ordinance regarding regulations of adult use cannabis businesses.

Kathleen De La Paz – 313 Ridgewood Ave., Bensenville, Illinois

Ms. De La Paz addressed the Village Board regarding the adopted ordinance regarding regulations of adult use cannabis businesses.

**APPROVAL OF
MINUTES:**

3. The October 22, 2019 Village Board Meeting minutes were presented.

Motion: Trustee Lomax made a motion to approve the minutes as presented. Trustee Perez seconded the motion.

All were in favor. Motion carried.

**WARRANT NO.
19/20:**

4. President DeSimone presented **Warrant No. 19/20** in the amount of \$1,181,697.23.

Motion: Trustee Lomax made a motion to approve the warrants as presented. Trustee Frey the motion.

Trustee Perez recused himself from the action taken as he has items on the expenditure list for reimbursements of deposits made.

ROLL CALL:

AYES: Carmona, Franz, Frey, Lomax, Panicola

NAYS: None

All were in favor. Motion carried.

**Ordinance No.
69-2019:**

5. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 69-2019** entitled an **Ordinance Denying Variations to Allow a 16' by 9' Extension of a Driveway Parking Pad at 15 N. Ashby Way, Bensenville, Illinois.**

There were no questions from the Village Board.

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

ROLL CALL:

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Ordinance No.
70-2019:**

6. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 70-2019** entitled an **Ordinance Adopting the Annual Budget for the Village of Bensenville for the Fiscal Year Commencing January 1, 2020 and Ending December 31, 2020.**

There were no questions from the Village Board.

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

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Ordinance No.
71-2019:**

7. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 71-2019** entitled an **Ordinance Adopting the 2019 Tax Levy for the Village of Bensenville, DuPage and Cook Counties, for the Fiscal Year Beginning January 1, 2019 and Ending December 31, 2019.**

There were no questions from the Village Board.

Motion: Trustee Franz made a motion adopt the ordinance as presented. Trustee Perez seconded the motion.

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-126-2019:**

8. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-126-2019** entitled a **Resolution**

Authorizing A Contract with Travelers Insurance and Other Ancillary Insurance Companies for Comprehensive Liability Insurance Package Effective December 1, 2019.

There were no questions from the Village Board.

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

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

Resolution No.
R-127-2019:

9. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-127-2019** entitled a **Resolution Authorizing Contract with the Illinois Public Risk Fund for Worker's Compensation Insurance Effective January 1, 2020 to December 31, 2020.**

There were no questions from the Village Board.

Motion: Trustee Lomax made a motion approve the resolution as presented. Trustee Franz seconded the motion.

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

Resolution No.
R-128-2019:

10. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-128-2019** entitled a **Resolution Establishing the Refuse, Recycling and Yard Waste Rates with Republic Services for the Village of Bensenville Effective January 1, 2020.**

There were no questions from the Village Board.

Motion: Trustee Panicola made a motion approve the resolution as presented. Trustee Franz seconded the motion.

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

Resolution No.

R-129-2019:

11. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-129-2019** entitled a **Resolution for Automated External Defibrillator Purchase.**

There were no questions from the Village Board.

Motion:

Trustee Franz made a motion approve the resolution as presented. Trustee Frey seconded the motion.

ROLL CALL:

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

Ordinance No.

72-2019:

12. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 72-2019** entitled an **Ordinance Designating Certain Property as Surplus and Authorizing the Disposal.**

There were no questions from the Village Board.

Motion:

Trustee Franz made a motion adopt the ordinance as presented. Trustee Perez seconded the motion.

ROLL CALL:

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

Resolution No.

R-130-2019:

13. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-130-2019** entitled a **Resolution**

Authorizing the Execution of a Contract with R.W. Duntzman Company of Addison, IL for the Emergency Pavement Patching Contract in the Not-to-Exceed Amount of \$46,519.85.

There were no questions from the Village Board.

Motion: Trustee Franz made a motion approve the resolution as presented. Trustee Frey seconded the motion.

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-131-2019:**

14. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-131-2019** entitled a **Resolution Approving an Agreement Between the Village of Bensenville and Mad Bomber Fireworks for the Firework Display on July 4th, 2020 in the Not-to-Exceed Amount of \$42,800.**

There were no questions from the Village Board.

Motion: Trustee Panicola made a motion approve the resolution as presented. Trustee Franz seconded the motion.

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**PRESIDENT'S
REMARKS:**

President DeSimone announced he is willing to talk to each Resident attending the Village Board meeting to discuss their concerns.

President DeSimone announced construction on the south half of downtown will be completed by Friday, November 15th, weather pending.

President DeSimone announced Holiday Magic will be December 1st.

President DeSimone announced CP Rail's Holiday Train will pull into Bensenville on December 2nd, additional information can be found on

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the Village website. President DeSimone announced festivities are set to begin at 3:30 p.m.

**MANAGERS
REPORT:**

Village Manager, Evan Summers, announced Village Hall will be closed in observation of Thanksgiving 11/28 – 11/30.

Mr. Summers announced the Village's Toy Drive and Coat Drive collections are ongoing throughout town.

Mr. Summers announced the Holiday Ice Show and Skate with Santa will be held December 15th at the Edge.

Ms. Summers announced the Holiday Decoration contest winner will be announced at the December 17th Village Board meeting. Mr. Summers announced the deadline for submissions is December 6th.

Director of Public Works, Joe Caracci, announced the Village's new initiative "don't blow it, bag it". Mr. Caracci announced it is illegal to blow leaves into the street, please dispose of them legally by bagging them.

Mr. Caracci announced the Village's brush pick up for 2019 is complete and the next date will be in the spring of 2020.

Mr. Caracci announced it is illegal to park on Village streets between the hours of 2:00 a.m. and 6:00 a.m and during snow events of 2" or greater.

Mr. Caracci announced the Village will begin a new Christmas light recycling program this year beginning December 1st ending February 29th. Mr. Caracci announced receptacles will be placed at Public Works and Village Hall.

Mr. Caracci announced it is illegal to shovel snow into Village Streets.

**VILLAGE ATTORNEY
REPORT:**

Village Attorney, Joseph Montana, had no report.

**UNFINISHED
BUSINESS:**

There was no unfinished business.

**NEW BUSINESS:
EXECUTIVE
SESSION:**

There was no new business.

Village Attorney, Joseph Montana, stated there was not a need for

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Executive Session.

ADJOURNMENT: Trustee Carmona made a motion to adjourn the meeting. Trustee Perez seconded the motion.

All were in favor. Motion carried.

President DeSimone adjourned the meeting at 7:08 p.m.

Nancy Quinn
Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this 17th day, December 2019