

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
July 27, 2021

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

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

President DeSimone, Carmona, Franz, Frey, Panicola, Perez

Absent: Village Clerk, Nancy Quinn, Lomax

A quorum was present.

Staff Present: E. Summers, J. Caracci, S. Flynn, J. McManus, D. Schultz, S. Viger, C. Williamsen

PRESENTATION: Sara Hunn of the Illinois Association for Floodplain and Stormwater Management presented the Village of Bensenville with the IASFM "Excellence in Stormwater Management" award.

Director of Public Works, Joe Caracci, presented Three Proclamations Recognizing Public Works Employees Eugene Giannola Jr., Clay Stueve, and Eduardo DeAnda for their combined 120 years of service to the Village of Bensenville.

PUBLIC COMMENT: **Mehul Patel – 2400 Lindsay Court, West Chicago, Illinois**

Mr. Patel thanked the Village Board and Staff for giving him the opportunity to serve as the Village's Assistant Public Works Director.

Matt Pauga - 6 Kingston Court, North Barrington, Illinois

Mr. Pauga addressed the Village Board regarding his request to rezone his properties. Mr. Pauga submitted an exhibit to the Village Board. The exhibit has been attached to the minutes as "Exhibit A".

Mary Ann Medina – 185 South Church Road, Illinois

Ms. Medina addressed the Village Board regarding her recent water bill. Ms. Medina submitted an exhibit to the Village Board. The exhibit has been attached to the minutes as "Exhibit B".

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APPROVAL OF

MINUTES:

4. The June 15, 2021 Village Board Meeting minutes were presented.

Motion:

Trustee Panicola made a motion to approve the minutes as presented. Trustee Carmona seconded the motion.

ROLL CALL:

AYES: Carmona, Franz, Frey, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

WARRANT NO.

21/11:

5. President DeSimone presented **Warrant No. 21/11** in the amount of \$5,009,313.55.

Trustee Perez recused himself from voting on the agenda item due to a bond refund check appearing on the warrant.

Motion:

Trustee Franz made a motion to approve the warrants as presented. Trustee Frey the motion.

ROLL CALL:

AYES: Carmona, Franz, Frey, Panicola

NAYS: None

Motion carried.

Ordinance No.

20-2021:

6. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 20-2021** entitled **an Ordinance of the Village of Bensenville, DuPage and Cook Counties, Illinois Authorizing an Employment Agreement with Evan K. Summers as Village Manager.**

There were no questions from the Village Board.

Motion:

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

ROLL CALL:

AYES: Carmona, Franz, Frey, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

Resolution No.

R-64-2021:

7. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-64-2021** entitled a **Resolution Approving a Lobbying Services Agreement between the Village of Bensenville and Maren Ronan Ltd.**

There were no questions from the Village Board.

Motion:

Trustee Carmona made a motion to approve the resolution as presented. Trustee Panicola seconded the motion.

ROLL CALL:

AYES: Carmona, Franz, Frey, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

Ordinance No.

21-2021:

8. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 21-2021** entitled an **Ordinance Granting Site Plan Review and a Final Planned Unit Development with Code Departures for the Properties Located in the Mohawk Terrace Subdivision.**

There were no questions from the Village Board.

Motion:

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

ROLL CALL:

AYES: Carmona, Franz, Frey, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

Ordinance No.

22-2021:

9. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 22-2021** entitled an **Ordinance Approving Site Plan Review and Granting an Amendment to a PUD and a Final Plat of Subdivision for the Properties Located in the Mohawk Terrace Subdivision.**

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, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

Ordinance No.

23-2021:

10. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 23-2021** entitled an **Ordinance Granting a Variation to Allow an Increase in the Driveway Parking Pad, and Denying a Variation to Increase Driveway Width at 386 E Red Oak Street, Bensenville, IL.**

There were no questions from the Village Board.

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

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

NAYS: None

All were in favor. Motion carried.

Ordinance No.

24-2021:

11. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 24-2021** entitled an **Ordinance Granting a Variation to Allow a Paved Parking Area in the Corner Side Yard at 243 Spruce Avenue, Bensenville, IL.**

There were no questions from the Village Board.

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

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

NAYS: None

All were in favor. Motion carried.

Ordinance No.

25-2021:

12. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 25-2021** entitled an **Ordinance Granting a PUD, and Denying a Zoning Map Amendment to Rezone the site from C-2 Commercial to R-5 Residential at 1131-39 Center Street, Bensenville, IL.**

There were no questions from the Village Board.

Motion:

Trustee Panicola made a motion to adopt the ordinance as presented. Trustee Frey seconded the motion.

ROLL CALL:

AYES: Carmona, Franz, Frey, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

Ordinance No.

26-2021:

13. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 26-2021** entitled an **Ordinance Granting Variations to Increase Driveway Width and Parking Pad Depth at 213 S York Road, Bensenville, IL.**

There were no questions from the Village Board.

Motion:

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

ROLL CALL:

AYES: Carmona, Franz, Frey, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

Ordinance No.

27-2021:

14. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 27-2021** entitled an **Ordinance Approving a Plat of Consolidation at 1000 N IL Rte. 83, Bensenville, IL.**

There were no questions from the Village Board.

Motion:

Trustee Carmona made a motion to adopt the ordinance as presented. Trustee Frey seconded the motion.

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

NAYS: None

All were in favor. Motion carried.

Ordinance No.

28-2021:

15. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 28-2021** entitled an **Ordinance Granting a Special Use Permit to Operate a Tobacco Shop at 213 W Grand Avenue, Bensenville, IL.**

There were no questions from the Village Board.

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

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

NAYS: None

All were in favor. Motion carried.

138 N. Addison St: 16. President DeSimone gave the summarization of the action contemplated in **Motion to Remand back to the Community Development Commission an Ordinance Approving Variations to Increase Driveway Width and Parking Pad Depth at 138 N Addison Street, Bensenville, IL**

There were no questions from the Village Board.

Motion: Trustee Panicola made a motion to Remand this Matter back to the Community Development Commission. Trustee Franz seconded the motion.

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

NAYS: None

All were in favor. Motion carried.

Resolution No.

R-65-2021:

17. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-65-2021** entitled a **Resolution Declaring A Vacant Parcel of Real Property at 840 East Green Street as Surplus Property and Authorizing the Village Manager To Obtain Proposals For Its Sale and Development.**

There were no questions from the Village Board.

Motion:

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

ROLL CALL:

AYES: Carmona, Franz, Frey, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

Resolution No.

R-66-2021:

18. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-66-2021** entitled a **Resolution Adopting the Village of Bensenville Debt Management Policy.**

There were no questions from the Village Board.

Motion:

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

ROLL CALL:

AYES: Carmona, Franz, Frey, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

Monthly Treasure

Report:

19. Director of Finance, Julie McManus provided the Monthly Treasure Report for May 2021 to the Village Board.

There was no action taken on this Item.

Financial Update:

20. Director of Finance, Julie McManus provided the First Quarter Financial Update to the Village Board.

There was no action taken on this Item.

Resolution No.

R-67-2021:

21. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-67-2021** entitled a **Resolution Approving Payment of Invoice to Northeast DuPage Family and Youth Services.**

There were no questions from the Village Board.

Motion:

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

ROLL CALL:

AYES: Carmona, Franz, Frey, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

Resolution No.

R-68-2021:

22. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-68-2021** entitled a **Resolution Approving Change of Vendor for Squad Car Outfitting to Ultra Strobe.**

There were no questions from the Village Board.

Motion:

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

ROLL CALL:

AYES: Carmona, Franz, Frey, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

Resolution No.

R-69-2021:

23. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-69-2021** entitled a **Resolution Authorizing an Award of a Contract for the 2021 MPI MFT Pavement Patching Program with RW Duntzman Company of Addison, IL in the Amount of \$92,276.00.**

There were no questions from the Village Board.

Motion:

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

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

NAYS: None

All were in favor. Motion carried.

Resolution No.

R-70-2021:

24. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-70-2021** entitled a **Resolution Authorizing the Approval of a Four (4) Year Contract (2021-2024) with Consulting Engineering, Inc. for the Leak Detection Services in the Not-to-Exceed Amount of \$48,000.**

There were no questions from the Village Board.

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

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

NAYS: None

All were in favor. Motion carried.

Resolution No.

R-71-2021:

25. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-71-2021** entitled a **Resolution Authorizing the Approval of a Four (4) Year Contract (2021-2024) with The Jean Ross Company for the Fire Hydrant Flow Testing Services in the Not-to-Exceed Amount of \$44,631.**

There were no questions from the Village Board.

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

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

NAYS: None

All were in favor. Motion carried.

Resolution No.

R-72-2021:

26. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-72-2021** entitled a **Resolution Authorizing an Award of a Contract for the 800 E Jefferson St Parking Lot Improvements with R W Dunteman Company of Addison, IL in the Amount of \$27,120.00.**

There were no questions from the Village Board.

Motion:

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

ROLL CALL:

AYES: Carmona, Franz, Frey, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

Resolution No.

R-73-2021:

27. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-73-2021** entitled a **Resolution Authorizing the Execution of an Engineering Service Contract with Engineering Resource Associates, Inc. of Warrenville, IL to perform Culvert Analysis Study in the Not-to-Exceed Amount of \$25,905.60.**

There were no questions from the Village Board.

Motion:

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

ROLL CALL:

AYES: Carmona, Franz, Frey, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

Resolution No.

R-74-2021:

28. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-74-2021** entitled a **Resolution Authorizing the Village Manager to be the Authorized Village Representative for the Community Development Block Grant – Disaster Recovery (CDBG-DR) Funding Agreement for 2018 Storm Sewer Improvement Project also known as the Addison Creek Storm Sewer Improvements Phase I.**

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There were no questions from the Village Board.

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

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

NAYS: None

All were in favor. Motion carried.

Resolution No.
R-75-2021:

29. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-75-2021** entitled a **Resolution Authorizing a Design Engineering Services Agreement with Engineering Resource Associates for the Addison Creek Storm Sewer Project – Phase I (CDBG) in the Not-to-Exceed Amount of \$111,770.00.**

There were no questions from the Village Board.

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

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

NAYS: None

All were in favor. Motion carried.

Resolution No.
R-76-2021:

30. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-76-2021** entitled a **Resolution Authorizing the Water Tank Maintenance Agreement between the Village of Bensenville and Utility Service Company, Inc. for the Foster Ave Water Tank.**

There were no questions from the Village Board.

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

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

NAYS: None

All were in favor. Motion carried.

Resolution No.

R-77-2021:

31. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-77-2021** entitled a **Resolution Authorizing the Execution of an Ice Arena and Facility Usage License Agreement Between the American Hearing Impaired Hockey Association (AHIHA) and the Village of Bensenville.**

There were no questions from the Village Board.

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

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

NAYS: None

All were in favor. Motion carried.

Resolution No.

R-78-2021:

32. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-78-2021** entitled a **Resolution Authorizing a Facility Usage License Agreement Between the Village of Bensenville and 200 X 85, LLC.**

There were no questions from the Village Board.

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

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

NAYS: None

All were in favor. Motion carried.

Resolution No.

R-79-2021:

33. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-79-2021** entitled a **Resolution Authorizing the Execution of a Contract with AMS Mechanical Systems, INC for the Emergency Repair of the Edge on John Street's Brine Feeder Line in the Not-to-Exceed Amount of \$7,500.**

There were no questions from the Village Board.

Motion:

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

ROLL CALL:

AYES: Carmona, Franz, Frey, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

Resolution No.

R-80-2021:

34. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-80-2021** entitled a **Resolution Authorizing the Execution of a Contract with AMS Mechanical Systems, INC for the Emergency Repair of the Edge on John Street's Bonnet Gaskets, Service Valve Gaskets and Replacement of the Float Switch for the Ammonia System in the Not-to-Exceed Amount of \$3,500.**

There were no questions from the Village Board.

Motion:

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

ROLL CALL:

AYES: Carmona, Franz, Frey, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**PRESIDENT'S
REMARKS:**

President DeSimone announced Music in the Park is ongoing and the last show is scheduled for August 25, 2021; a full schedule can be found on the Village's Website.

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President DeSimone announced the Village has partnered with the Bensenville Garden Club to host a landscaping contest; detail can be found on the Village's Social Media pages.

President DeSimone announced he has been in discussion with promoters to possible host a MMA event at the Edge Ice Arena.

**MANAGERS
REPORT:**

Village Manager, Evan Summers, announced IDPH mobile vaccine clinic is at every Music in the Park event for those interested in receiving the COVID vaccine.

Mr. Summers announced the Village's new Residential Key Box Program; Residents are encouraged to contact the Community and Economic Development Department for full details.

Mr. Summers announced the next brush pickup will take place on August 2nd; brush must be placed on the curb no later than 6:00am on August 2nd.

**VILLAGE ATTORNEY
REPORT:**

Village Attorney, Peter Murphy, had no report.

**UNFINISHED
BUSINESS:**

There was no unfinished business.

**NEW BUSINESS:
EXECUTIVE
SESSION:**

There was no new business.

Village Attorney, Peter Murphy, stated there was not a need for Executive Session.

ADJOURNMENT:

Trustee Carmona made a motion to adjourn the meeting. Trustee Panicola seconded the motion.

ROLL CALL:

AYES: Carmona, Franz, Frey, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

President DeSimone adjourned the meeting at 7:50 p.m.

Nancy Quinn
Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this 10th day, August 2021

July 27, 2021 Special Village
Board Meeting Minutes
Exhibit A (3 pgs.)

RE: Village of Bensenville CDC case 2021-11
Allegation of Questionable Conduct by Steve Johnson – representing Grand Subaru Vs. Brook
Forest, LP
Attn: Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois
One Prudential Plaza
130 East Randolph Drive, Suite 1500
Chicago, IL 60601-6219
(312) 565-2600
Fax: (312) 565-2320
July 27th, 2021

To whom it may concern,

This complaint regarding Steve Johnson is about a zoning case involving Grand Subaru, the Village of Bensenville, and Brook Forest LP, the latter of which is a multifamily apartment complex that I own. Our neighbor, The Grand Subaru car dealership, wants to put a car wash approximately 40 feet from our apartment buildings. The public hearing took place on 7/6/2021 and eventually the trustees voted in favor of allowing the car wash to be built because we were improperly zoned as commercial property instead of residential in 2019. In order to conserve your time in making your determination, I will state the issue involving the attorney and give back up information from the hearing transcript.

This matter has to do with the attorney Mr. Steve Johnson and his representation of the petitioner Grand Subaru. The address of Mr. Steve Johnson is 311 S County Farm Road, Suite L, Wheaton IL 60187.

Not being an attorney, some of my conclusions might have no legal significance and might be dismissed.

Transcript, Page 14. Steve Johnson at the hearing stated:

"The Village knew that as part of our purchase that that was integral to us purchasing that land. We wouldn't have purchased it but for the fact that the village would allow us to put the car wash there."

The exact placement of the car wash was not defined in the incentive agreement that the village entered into with them. In what appears to be a private meeting, no one can give assurances on matters of this nature, but only those in a public meeting and trustees voting on the matter. Was this matter preordained before the zoning meeting? Steve Johnson's expression on this matter gives the impression that it was.

I want to point out the attorney is giving information that he is not qualified to give. We have every reason to believe that Mr. Johnson gave false testimony. He states that the doors will be closed during the car wash's operation. Page 16 on the meeting minutes. However, according to someone from Keller, the planner, architect, and builder of the car wash, the doors will be mostly open during the car wash operation.

Page 17, 18, 19, 20, 21, 22

Why did Mr. Johnson give testimony on the performance of the car wash when they have someone from Keller who designed the building, who has planning and building credentials, and is present at the meeting? They have the specs and refused to give to us for evaluation. The denial of facts that are crucial to the case for our evaluation could result in erroneous conclusions. I was denied information on the equipment that was to be used in the car wash. I requested the car wash equipment specifications from Grand Subaru's manager, Grand Subaru's attorney, Steve Johnson, and Scott Viger from the Village of Bensenville's zoning department. I was set up with Riverbank Acoustical Laboratories in Geneva, IL, a highly respected acoustical service, to come through and analyze the sound performance of the equipment. This is a vital material factor that impacts the residents in close proximity to the operation of the car wash.

Pg. 69 and 70.

I have no recollection of him using the word identical. Mr. Johnson is playing with words. I recall asking him for the car wash equipment specifications. I asked the general manager of Grand Subaru and the Village of Bensenville for it. See page for my testimony. At some point I learned the equipment was Sonny 125 EDT. It is strange the way he puts it.

Bottom of page 70, and that you just confirmed the car wash is Sonny 125 EDT.

"And if the Village requires or wants us to provide the specifications or decibel noises or that type of information WE WILL BE HAPPY TO SUBMIT THAT LATER." Stated Mr. Johnson. Why is he unable to provide specific information at this meeting? He is providing information that he deemed relevant to his case, and is influencing the result through omission and deception. The village isn't requiring it, we are the ones requesting it.

The attorney is giving testimony on the noise issue of the car wash that will influence the board on their decision on this matter. Eventually, he was aware and has the specs and denied us access to it. No handout was given and he was interpreting this matter, which is a material matter, in this case. He did have someone from Keller, the design firm, who was silent during the whole presentation and had to be part of the strategy of gaining acceptance on this proposal. It seems the attorney was doing alright with his own set of facts. His engineer was silent during the whole presentation, even though to design the building he would need to have the Sonny 125 EDT specs. Was the engineer a co-conspirator?

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Grand Subaru contributed \$70-100,000 every year through their "Share the Love" campaign to Bensenville and local Charities. This meeting of establishing a PUD and amendments happened after the fact that Grand Subaru had been donating money over the past two and a half years. Mr Johnson's comment was, "We believe we met or exceeded all the requirements from the village and we ask all of our variants to be approved." Note, grand Subaru did not give any money prior to these negotiations. Pg. 74.

We have yet to find a car wash that has the doors closed all the time during operational hours.

How can the city do their due diligence without the 125 EDT data? His abbreviation of this relevant data puts him in an empowered position to win this case. Notice that they did not state in their data how many cars would be cleaned at this car wash. Lacking much information put the whole hearing in their favor.

I believe after observing and hearing Mr. Steve Johnson at the public hearing that his actions warrant a formal complaint and investigation into his conduct should be required. He withheld vital information from the Village Board, the public, our residents, and myself in an attempt to shroud the true nature of this car wash's impact on us and the surrounding community.

Sincerely,
Matt Pauga
(847) 713-2901
Brook Forest LP
7330 Fairmount Avenue
Downers Grove, IL 60516
White Birch Management Company
President

Mrs. Nancy Quinn
July 27, 2021

July 27, 2021 Special Village
Board Minutes Exhibit B
(2 pgs.)

I am Mary Ann Medina. We have lived in Bensenville since Dec. 20, 1969, before some of you may have even been born.

Attached is a copy of a letter I presented to the Village Board in June, 2018, disputing the manner in which the sanitary sewer portion of my water bill was mathematically computed, and NOTHING has changed insofar as our water bill is concerned, as you will see if you read the attached letter.

We recently had to re-sod our front lawn. If we did not keep the sod watered, especially with all the 90' days we've had, we would have ended up with dead sod and throwing \$500+ away, which is a big chunk of money for 2 senior citizens who, in these days of rising prices, are trying to make ends meet. Our water bill, which was due today (and has been paid), was \$130.63. Of that amount, the water usage was 5,352, at the cost of \$55.13 (less the senior discount) and the sanitary/sewer bill was \$46.78, bringing the total bill to \$130.83, including WS debt service and Refuse service. We did, of course, pay the bill, which is unfair in my opinion. Never since we moved here have we ever been late in bill paying, and will continue to pay on time. I disagree with the way this bill has been computed, even tho Ms. McManus disagrees with me. Our average sanitary service bill for 2019 was \$22.56 per mo.; for 2020 it was \$21.13 per mo., and for Jan. thru June 2021 it was \$26.14 per month. The July bill jumped to \$46.78, over \$20 more for the sewer costs - usage we DID NOT utilize, since the majority of the water used went onto the sod and gardens, NOT into the sewer system. as we are charged! This is \$20+ more than any of the previous 6 months. The water went **directly** into the new sod; we should **not** be charged extra for a service we **did not** use.

We live on one of the main streets of Bensenville, and want to help keep our village, and our small section of it, something to be proud of, as many people pass by our home every day - school buses, folks going to church, the library, leisure center, the train station, shopping, etc. It is my understanding that Bensenville has been recognized as a great place to live, and we try to keep our property well-maintained.

If May, 2018 was hot, then I feel certain the summer of 2021 is going to surpass 2018 with all the 90+ days we are experiencing, and some drastic measures are required. I am sure that all of you board members have a lot of "smarts" and should be able to figure out a way to make the sanitary/sewer portion of the **summer** water bill more equitable for the home owners who want to keep their property in tip-top shape, and who, incidentally, pay your wages. Even a small discount for the sewer charges for the months of June, July, and August, would be a big help to homeowners who are trying to keep their property well-maintained. If we had to apply for a permit to re-sod our lawns in order to get this discount, it would be well worth it.

Thank you for your time. I do hope you find a solution to this problem, and thank you, again, for hearing me out.

Mary Ann Medina
185 S. Church Road
Bensenville, IL 60106
630-595-5974

Letter to the Village Board in June, 2018

My name is Mary Ann Medina. We have lived in Bensenville for over 51 years, and I would to dispute my most recent utility bill.

The water usage shown on the bill for May 31, 2018 was 5,417. I do not dispute this figure, as we had to replace the lawn in front of our home, removing the damaged grass, rototilling the yard, and rolling it to even out the surface, sowing the grass seed and raking it in so that the seed would have a good footing, and spreading straw mulch over all of it, and keeping it watered, so that the seed would germinate and the grass would grow. This was a very labor-intensive job for 80+year-olds to do in a course of 4 days, for our own satisfaction, and to keep our little area of Bensenville looking good and well cared for.

What I **do** dispute is the charge for sanitary sewer - to the tune of **\$45.99**. The **majority** of the water we used went **directly** into the ground - **NOT** into a sanitary sewer system! The water was used to get our lawn established, and to water our vegetable and flower gardens - again, **NOT** to go into a sanitary sewer!

Over the past 17 months, our average water usage per month was 2,597, with the average cost of \$28.30, and the average sanitary sewer usage per month was \$13.55. I feel that the cost for the sewer in May should have been **no more** than \$23.03, which we paid in April, 2018, when we used 2,713 for water. To be charged \$45.99 for sanitary sewer usage in May 2018, which we **DID NOT even use**, is in my opinion **grossly unfair** and is, in fact, highway robbery.

Would any of you board members be willing to pay for something you **didn't even use**? I doubt it.

To make matters worse, May of 2018 was the hottest May in recorded history. We **HAD** to water, but we **did not have to, nor did we**, use the sewer system for the majority of water used!

To sum it all up, I definitely feel that I am due a refund on my next water bill in the amount of at least \$20 to offset this erroneous method of determining the sanitary sewer portion of the bill.

In closing, I would remind the board members that most of the water used by Bensenville homeowners during the months of May through Mid-September is probably used for watering lawns and gardens, and does not go into sanitary sewers, as in my case. Therefore, I would like to charge you to figure out a **more-equitable formula** for determining the cost of sewer usage in these months so that all homeowners are treated fairly.

(I would be willing to accept a \$20 credit instead of the charge of \$45.99 for sewer usage, leaving me a cost for the month of May, 2018 of \$25.99. a more equitable figure.)