

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
May 9, 2023

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:

President DeSimone, Carmona, Franz, Frey, Lomax, Panicola

Absent: Perez

A quorum was present.

Staff Present: E. Summers, J. Caracci, S. Flynn, K. Pozsgay, D. Schulze, C. Williamsen

Proclamation: Deputy Village Clerk, Corey Williamsen, read a proclamation Recognizing May as Mental Health Awareness Month.

Motion: Trustee Franz made a motion to approve the proclamation as presented. Trustee Carmona seconded the motion.

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

NAYS: None

All were in favor. Motion carried.

Proclamation: Deputy Village Clerk, Corey Williamsen, read a proclamation Recognizing National Police Week in the Village of Bensenville.

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

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

NAYS: None

All were in favor. Motion carried.

PUBLIC COMMENT:

Henry Wessler – 11 West Green Street, Bensenville, Illinois

Mr. Wessler addressed the Village Board with his opposition and concerns with the proposed project at 145 South Center Street.

Paul De Michele – 17W275 Rodeck Lane, Bensenville, Illinois

Mr. De Michele addressed the Village Board with his support for a CDC case that was denied seeking massage therapy. Mr. De Michele also addressed the Village Board with his opposition and concerns with the proposed project at 145 South Center Street.

Valarie Special – 120 Forestview Street, Bensenville, Illinois

Ms. Special addressed the Village Board regarding Agenda Item IX-E-2. Ms. Special asked for clarification regarding soil comments made in the cover page of the agenda item. *Village Manager, Evan Summers stated Staff will answer her questions during their presentation of the agenda item during the meeting.*

Rich Rebmann – 11 West Green Street, Bensenville, Illinois

Mr. Rebmann addressed the Village Board with his opposition and concerns with the proposed project at 145 South Center Street.

Mike Jaffe – 410 Judson Street, Bensenville, Illinois

Mr. Jaffe congratulated Village Trustees Carmona, Panicola and Frey along with other who ran for Office on their re-election. Mr. Jaffe thanked President DeSimone for a job well done. Mr. Jaffe thanked Village Staff for their work in addressing his issues. Mr. Jaffe stated he would like to see the Village and Park District to work together to better Bensenville. Mr. Jaffe stated he would like to see a regular tree trimming schedule and asked Village Staff to address properties that are not up to Village standards.

Chester Gorniak– 597 Hillside Drive Bensenville, Illinois

Mr. Gorniak addressed the Village Board regarding recent news with the Fly-Quiet Program. *Mr. Summers stated he will provide an update during Village Manager's Report.*

**APPROVAL OF
MINUTES:**

4. The April 25, 2023 Village Board Meeting minutes were presented.

Motion:

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

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

NAYS: None

All were in favor. Motion carried.

**WARRANT NO.
23/08:**

5. President DeSimone presented **Warrant No. 23/08** in the amount of \$1,639,258.56.

Motion: Trustee Lomax made a motion to approve the warrant as presented.
Trustee Franz the motion.

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-64-2023:**

6. President DeSimone gave the summarization of the action contemplated in **Resolution No. 64-2023** entitled a **Resolution Authorizing the Execution of a Contract with Tria Architecture for the Senior Center Construction Oversight Services in the Not-to-Exceed Amount of \$40,000.**

Director of Public Works, Joe Caracci stated the Village has received funding in the amount of \$1,180,000.00 to construct a Senior Center through the Illinois Department of Commerce and Economic Opportunity (DCEO). Mr. Caracci stated based on discussions at the staff level with the DCEO, the Village is in the final stages of securing the grant agreement and can move forward with construction.

Mr. Caracci stated the Village had originally planned to rehabilitate the first floor of the St. Alexis school building located at 400 W Wood Ave to provide a Senior Center for its senior community. Mr. Caracci stated this location was designed and bid, however, the bids came in much higher than expected and out of range with our budget. Mr. Caracci stated staff re-evaluated the location and recommended the adaptive reuse of the lower level of Village Hall as a potential option. Mr. Caracci stated the Village Board accepted this recommendation and staff had the new location designed and bid.

Mr. Caracci stated the scope of work consists of converting the entire lower level of Village Hall into the new Senior Center. Mr. Caracci stated the final product will include a large meeting / banquet area with the capability of dividing into two smaller areas, a dedicated meeting room, a lounge, a warming kitchen, and a staff office. Mr. Caracci stated in order to accommodate the space, the relocation of the media department (including studio), IT office, mailroom, and employee lounge will be necessary. Mr. Caracci stated IT and the mailroom will be relocated to offices on the first floor. Mr. Caracci stated in order to accommodate the media department and lounge, the second floor of Village Hall will see extensive redesign as well that will include construction in just about all areas except the Boardroom and offices in the Managers office.

Mr. Caracci stated a construction contract was awarded to Empire Construction in January 2023. Mr. Caracci stated we are looking for an expedited schedule on this project with a substantial completion date of June 20, 2023.

Mr. Caracci stated Tria Architecture has been performing construction oversight on the Senior Center Project since January. Mr. Caracci stated unfortunately, we never engaged in a contract with Tria for construction oversight. Mr. Caracci stated we thought that the oversight work was part of the original design contract, but it is clearly identified as not included. Mr. Caracci stated as such we asked Tria Architecture to submit a proposal for the oversight work. Mr. Caracci stated the proposal includes construction observation, documentation, preparation of pay estimates, and grant assistance as required. Mr. Caracci stated the total work effort and fee is based on time & material with a not to exceed amount of \$40,000. Staff has reviewed the proposal and find it to be in order.

Mr. Caracci stated typical construction observation for interior renovation projects does not include full time onsite attendance. Mr. Caracci stated as such, the range of oversight will typically be approximately 5% of the construction cost. This fee is 4.9% of the bid price.

Mr. Caracci stated staff recommends approval of a Resolution Authorizing the Execution of a Contract with Tria Architecture for the Senior Center Construction Oversight Services in the Not-to-Exceed Amount of \$40,000.

Mr. Caracci stated the CY2023 budget includes \$150,000 for construction oversight. This expense is reimbursable through the DCEO grant.

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

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-65-2023:**

7. President DeSimone gave the summarization of the action contemplated in **Resolution No. 65-2023** entitled a **Resolution Authorizing the Execution of a Memorandum of Agreement (MOA) Between the City of Chicago and the Village of Bensenville Concerning the Installation and Operation of Certain Navigational Aid Facilities Supporting O'Hare International Airport.**

Mr. Caracci stated back in 1990, the Village secured two easements within a subdivision for future watermain and future sidewalk along the west side of York Road just south of Supreme Drive.

Mr. Caracci stated as part of the O'Hare Modernization Program (OMP), the Chicago Department of Aviation (CDA) constructed Runway 9R-27L. Mr. Caracci stated to support the operations of this new runway, CDA plans to install various navigational aid systems including an approach light and sequenced flashing system (ALSF). The ALSF system bisects our easements, rendering them useless for watermain or sidewalk.

Mr. Caracci stated the Village has spent millions of dollars on bike paths over the past decade in order to expand our network and also to connect to other regional paths. Mr. Caracci stated the Village has always planned to install a bike path on North York Road in order to connect to an Elk Grove Village path that is proposed to terminate at our Village limit (south of Pan Am). Mr. Caracci stated due to the ALSF system, we will not be able to utilize our bike path easement for our future bike path. Instead, it is likely that we will need to go around the ALSF system.

Mr. Caracci stated to make matters more complicated, the land around the ALSF is owned by both Tollway and DuPage County. Mr. Caracci stated the CDA has already come to terms with the Tollway to allow the construction of the ALSF facility on Tollway property by way of permit. Mr. Caracci stated the CDA has also come to terms with DuPage County to allow the construction of the ALSF Facility on

DuPage property by way of IGA, pending Village approval and execution of the three (3) party IGA.

Mr. Caracci stated because the Village will now be required to spend additional money to design and build a path around the ALSF System and through an area that is currently used for compensatory storage with historic poor soils, we are seeking some compensation from CDA to cover some of the additional costs through a Memorandum of Agreement (MOA).

Mr. Caracci stated one last item that will need to be arranged is a three-party IGA with Tollway and DuPage County that will formalize a series of actions that will be necessary for the Village to construct a future bike path across current Tollway and County property. Mr. Caracci stated this IGA will be drafted and considered for approval in the coming months.

Mr. Caracci stated the MOA will allow the CDA to construct the ALSF System within the Village's easements. Mr. Caracci stated the CDA will compensate the Village \$300,000 to put toward costs associated with the design and construction of the future North York Road Bike Path.

Mr. Caracci stated the Resolution will allow the Village Manager to execute the agreement upon final attorney review.

Mr. Caracci stated staff recommends approval of the Resolution Authorizing the Execution of a Memorandum of Agreement (MOA) Between the City of Chicago and the Village of Bensenville Concerning the Installation and Operation of Certain Navigational Aid Facilities Supporting O'Hare International Airport.

Mr. Caracci stated this item will generate \$300,000 of revenue earmarked for the design of the North York Road Bike Path Project.

Trustee Lomax asked when IDOT plans to widen York Road to six lanes. Mr. Caracci stated that potential project is 15-20 years away.

Trustee Lomax asked if the project is still budged. Village Manager, Evan Summers, stated Staff has prepared for this scenario.

Trustee Panicola asked when the City of Chicago plans to construct their project. Mr. Caracci stated as soon as possible.

Village Manager, Evan Summers, addressed Ms. Specials comments by clarifying the soil is not contaminated and is in poor condition. The City of Chicago will be taking all necessary actions needed to build on.

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

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-66-2023:**

8. President DeSimone gave the summarization of the action contemplated in **Resolution No. 66-2023** entitled a **Resolution Authorizing the Execution of an Intergovernmental Agreement (IGA) Between the County of DuPage, the City of Chicago, and the Village of Bensenville Concerning the Installation and Operation of Certain Navigational Aid Facilities Supporting O'Hare International Airport.**

Mr. Caracci stated his previous presentation is the same for this agenda item.

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

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

NAYS: None

All were in favor. Motion carried.

**PRESIDENT'S
REMARKS:**

President DeSimone announced the Senior Center build out is currently ongoing.

President DeSimone announced the next Senior Lunch will be held on June 6th.

President DeSimone announced the Spring Community Yard Sale will take place June 1 – June 4th; all information can be found on the Village's website.

President DeSimone announced Grand Subaru's Cars and Cloths event being held at Village Hall on May 19th from 5:30pm – 8:00pm; flyers can be picked up at Village Hall or Grand Subaru.

**MANAGERS
REPORT:**

Village Manager, Evan Summers, announced the Coalition of Communities who opposed with the Canadian Pacific Kansas City Rail merger will authorize legal action that attorneys will file a petition for judicial review in the Seventh Circuit.

Mr. Summers informed the Village Board and Community that the Village received notice from the FAA that the proposed Fly Quiet Rotation Plan is untenable due to safety concerns. Mr. Summers stated the Village has spent the last eight years working on this proposal. Mr. Summers stated he has been in communication with the media and FAA to find a path forward and at this time, there seems to be none. Mr. Summers stated he is willing to do whatever needs to be done, including putting the FAA on notice for making the wrong decision and meeting with Congress.

**VILLAGE ATTORNEY
REPORT:**

Village Attorney, P. Joseph Montana, stated he had no Village Attorney Report.

**UNFINISHED
BUSINESS:**

There was no unfinished business.

NEW BUSINESS:

There was no new business.

**EXECUTIVE
SESSION:**

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

ADJOURNMENT:

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

ROLL CALL:

AYES: Carmona, Franz, Frey, Lomax, Panicola

NAYS: None

All were in favor. Motion carried.

President DeSimone adjourned the meeting at 7:07 p.m.

Nancy Quinn
Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this 23rd day, May 2023