

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

MINUTES OF THE COMMITTEE OF THE WHOLE
September 19, 2023

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

PRESENT: 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: E. Summers, B. Bellissimo, J. Caracci, S. Flynn, K. Pozsgay, D. Schultz, D. Schulze, C. Williamsen

Public Comment: **Daniel Focht – Baron's Baseball**

Mr. Focht asked for permission to use Bensenville as his team name for his baseball team. Director of Recreation, Sean Flynn, was directed to meet with Mr. Focht regarding his request.

Chris McCullough – 829 Brentwood Drive

Mr. McCullough addressed the Committee regarding his opposition to the proposed gas station and Grand Avenue and County Line Road.

Valarie Special – 120 Forestview Drive

Ms. Special addressed the Committee regarding her opposition to the proposed gas station and Grand Avenue and County Line Road.

Approval of Minutes:

The August 15, 2023 Committee of the Whole Meeting minutes were presented.

Motion:

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

All were in favor. Motion carried.

Amending Title 3

Motor Fuel Tax: Village Manager, Evan Summer, presented an **Ordinance of the Village of Bensenville, DuPage and Cook Counties, Illinois Amending Title Three of the Bensenville Village Code to Impose a Municipal Motor Fuel Tax.**

Village Manager, Evan Summers stated in December of 2019, the Governor of the State of Illinois signed into Act 101-604 into law that amended Section 8-11-2.3 of Illinois Municipal code, 65 ILCS 5/8-11-2.3 allowing certain non-homerule municipalities to enact a municipal motor fuel tax.

Mr. Summers stated pursuant to Section 8-11-2.3 of the Illinois Municipal Code, 65 ILCS 5/8-11-2.3 in addition to any other tax may be imposed, a municipality located either wholly or in part in the county, may, by Ordinance, adopt a municipal tax on the sale at retail of motor fuel at the rate not-to-exceed three cents (\$0.03) per gallon.

Mr. Summers stated adopting a \$0.03/gal municipal motor fuel tax in the Village of Bensenville presents an opportunity to generate revenue and fund local initiatives which directly benefits our residents.

Mr. Summers stated once initial revenue projections are completed, staff will report anticipated annual remittances and the Village Board will discuss potential initiatives to benefit the Village.

Trustee Panicola asked if the Village plans to raise the tax in the future. Mr. Summers stated that is not the plan.

Motion:

Trustee Panicola made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Frey seconded the motion.

All were in favor. Motion Carried.

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DuPage National Hazards

Mitigation Plan: Village Manager, Evan Summer, presented a **Resolution Renewing and Adopting the DuPage County National Hazards Mitigation Plan as an Official Plan of the Village of Bensenville.**

Emergency Management Coordinator, Don Schultz, stated the Plan makes DuPage County and participating jurisdictions eligible for Federal Hazard Mitigation Assistance (HMA) grant funding. Mr. Schulz stated DuPage County was awarded federal funding to complete this plan update.

Mr. Schulz stated The Village of Bensenville must renew and adopt the DuPage County National Hazards Mitigation Plan as an Official Plan of the Village of Bensenville every five years. Mr. Schulz stated the last adoption of the Plan was in 2018.

Mr. Schulz stated by updating and adopting the DuPage County National Hazards Mitigation Plan as an Official Plan of the Village of Bensenville. Mr. Schulz stated currently, the Village of Bensenville will continue to qualify for federal funding that may be awarded in the areas to include Office of Homeland Security, Emergency Management, Stormwater Management, and various divisions of Public Works including GIS, Building & Zoning, and Transportation.

Motion: Trustee Lomax made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Franz seconded the motion.

All were in favor. Motion Carried.

214 N. Walnut St.: Village Manager, Evan Summers, presented an **Ordinance Approving a Preliminary and Final Planned Unit Development with Code Departures for a New 10-Unit Townhome Complex at 214 N Walnut Street.**

Director of Community and Economic Development, Kurtis Pozsgay stated the Petitioner is seeking approval of a preliminary and final Planned Unit Development for the construction of 10 townhomes with attached two-car garages at 214 N Walnut Street.

Mr. Pozsgay stated the project was previously granted approval in 2021, however they did not move forward with the project at that time. Mr. Pozsgay stated as the threshold to submit the project for permit has passed, the project has been applied for through the community development commission again.

Mr. Pozsgay stated the development entails razing the existing single-family home and detached garage on the property to allow for the construction of the new townhomes. Mr. Pozsgay stated the townhomes will be oriented towards the north, as opposed to fronting Walnut Street.

Mr. Pozsgay stated the departures requested include maximum driveway width (proposed 25' driveway exceeds maximum required 10') and tree preservation replacement standards (replacement rates not met for the existing trees scheduled to be removed on site).

Mr. Pozsgay stated the Community Development Commission voted unanimously (6-0) to recommend approval with conditions of the requests.

Motion: Trustee Panicola made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Carmona seconded the motion.

All were in favor. Motion Carried.

Quick-Trip Gas Station: Village Manager, Evan Summers, presented an **Ordinance Approving an Amendment to the Bo Jackson Elite Sports Dome Complex Planned Unit Development to Construct a Gas Station at the Northwest Corner of the Grand Avenue and County Line Road Intersection.**

President DeSimone stated this type of development has always been a part of the planned unit development for this property.

President DeSimone stated he as had numerous conversations with management and Quick-Trip regarding this proposed project.

Mr. Andrew Smith from Quick-Trip was present and addressed the Committee regarding their proposed project providing an overview of the site and scope of work.

President DeSimone requested the following conditions be included as part of the approval of the proposed ordinance:

- 4 foot wall and greenery be installed at the northern portion of the proposed development.
- Truck parking be reduced from 14 to 6.
- Car parking be reduced from 45 to 40.
- License Plate reading machine be installed on site with Quick-Trip paying the annual fee for software and allowing the Bensenville Police Department to access.
- Remove proposed truck scale.
- Improvements to current intersection.
- No showers.
- No liquor sales.
- No video gambling machines.

Mr. Smith of Quick-Trip stated they are in agreeance with the proposed restrictions to the development as stated by President DeSimone.

Motion: Trustee Franz made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Frey seconded the motion.

No action was taken on the above motion.

Motion: Trustee Perez made an amended motion to approve this item for placement on a future Village Board Meeting Agenda for action with the conditions listed above. Trustee Carmona seconded the motion.

All were in favor. Motion carried.

150 Ridgewood Avenue: Village Manager, Evan Summers, presented an **Ordinance Approving Variations for the Alteration of an Existing Lot Due to a Proposed Subdivision at 150 Ridgewood Avenue.**

Mr. Pozsgay stated the Petitioner is requesting variations in order to account for new nonconformities on the existing structure as a result of a proposed subdivision of the property into two parcels at 150 Ridgewood Avenue.

Mr. Pozsgay stated in its current configuration, the home meets the front yard (along Grove Avenue) setback requirements of 30' and the rear yard (along south property line) setback requirements of 25'. Mr. Pozsgay stated the existing garage on the property is located within the rear yard, which meets code requirements.

Mr. Pozsgay stated upon subdivision, the existing home on the property will no longer conform to the 30' front yard (along Ridgewood Avenue) setback and the 25' rear yard (along west property line) setback requirements. Mr. Pozsgay stated upon subdivision of the property, the garage will be located within the interior side yard of the property, requiring a variation request.

Mr. Pozsgay stated the Community Development Commission voted unanimously (6-0) to recommend approval with conditions of the requests.

Motion: Trustee Lomax made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Perez seconded the motion.

All were in favor. Motion Carried.

796 Fairway Dr.: Village Manager, Evan Summers, presented an **Ordinance Approving a Special Use Permit and Variations for a new Truck Repair Facility at 796 Fairway Drive.**

Mr. Pozsgay stated the petitioner is requesting approval of Site Plan Review, a Special Use Permit (Truck Repair), and variations to alter an existing building and rear lot to utilize the property for the maintenance and repair of the applicant's fleet of bobtail vehicles.

Mr. Pozsgay stated due to the layout of the lot, the existing building is proposed to be reduced in size for adequate drive aisle spacing. Mr. Pozsgay stated the property is currently accessed via a single driveway at the northwest corner of the property leading to Fairway Drive.

Mr. Pozsgay stated the property is bounded by railroad tracks on the east, Higgins Creek to the north, Village property to the south, and industrial property to the west.

Mr. Pozsgay stated the site plan includes three repair bays with overhead doors on either side of the bay, an office area in the northwest corner of the building, vehicle parking at the northeast corner of the property, and bobtail parking along the east property line.

Mr. Pozsgay stated the applicant has provided landscape screening and coverage throughout the lot area. Mr. Pozsgay stated a 6' opaque wood fence is proposed for the east and south property lines to eliminate encroachment of vehicles on neighboring properties.

Mr. Pozsgay stated at their 09.05.23 Public Hearing, The Community Development Commission voted (6-0) to recommend Approval with conditions of the requests.

Motion: Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Lomax seconded the motion.

All were in favor. Motion Carried.

**Omega Sign &
Lighting:**

Village Manager, Evan Summers, presented a **Resolution Authorizing a Purchase Order to Omega Sign & Lighting for Bensenville Theater Signage in the Not-to-Exceed Amount of \$33,479.**

Mr. Pozsgay stated the Village is undertaking a rebranding of the Bensenville Theater, removing the tired awning sign, tuckpointing the facade, replacing the windows, and installing new signage. Mr. Pozsgay stated historically, the theater was known as the Center Theatre. Mr. Pozsgay stated this new double bladed sign will harken back to the historic theater, with a sign matching the old neon blade sign dating back to the 1920s.

Motion: Trustee Panicola made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Carmona seconded the motion.

All were in favor. Motion Carried.

**Preventative
Maintenance**

Change Order #1: Village Manager, Evan Summers, presented a **Resolution Authorizing Change Order #1 to the Preventative Maintenance Contract for the Edge and Edge II Facilities with PremiStar Mechanical Services in the Amount of \$5,280 for a Revised Contract Amount of \$14,580.**

Director of Public Works, Joe Caracci, stated Staff approved a Preventative Maintenance Agreement for the Ice Rinks in February 2023. Mr. Caracci stated this agreement included a regular scheduled maintenance and emergency services for the Dehumidification and Condensing equipment at the Edge and Edge II facilities. Mr. Caracci stated this contract was structured on an as needed basis. The value of the contract was \$9,300.

Mr. Caracci stated with the departure of the Facilities Manager within the Recreation Department, it is imperative that we move forward with enhanced services from PremiStar to make sure our equipment is running properly and efficiently. Mr. Caracci stated in order to catch up with maintenance and perform additional services needed (that were being performed in-house) an increase of \$5,280 is needed to finish out the calendar year.

Mr. Caracci stated as the original contract was below \$10,000, administrative approval was granted. Mr. Caracci stated adding this change order will increase the value of the contract over the \$10,000 administrative threshold. Therefore, we come to the Village Board for approval of the Change Order and modified contract amount.

Motion: Trustee Lomax made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Frey seconded the motion.

All were in favor. Motion Carried.

Shake Guys: Village Manager, Evan Summers, presented a **Resolution Authorizing a Purchase Order to Shake Guys for Replacement of Five (5) Gazebo Roofs at the Redmond Park in the Not-to-Exceed Amount of \$46,307.12.**

Mr. Caracci stated Staff has evaluated the roofs on gazebos at the Redmond Park and they are all in a need of a replacement due to wear and tear and weather elements, for aesthetic and safety purposes. Redmond Park is visited and enjoyed daily by our residents.

Mr. Caracci stated the roofs need to be completely removed and replaced. Mr. Caracci stated we have opted to replace them with a lifetime warranty composite roof, that looks like the original cedar shakes that are on the roof currently. Mr. Caracci stated the vendor with the low bid has stated that if we do all 5 of them this year, they could provide a significant discount. Which is reflected in the submitted proposals.

Mr. Caracci stated internally, staff has discussed the future of the bandshell. If the Village decides to remove the bandshell, we will not replace the roof on this structure. The deduction for not doing the band shell roof is \$9,261.42.

Motion: Trustee Perez made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Carmona seconded the motion.

All were in favor. Motion Carried.

Grove Masonry: Village Manager, Evan Summers, presented a **Resolution Authorizing a Contract to Grove Masonry Maintenance for Masonry Renovations on Bensenville Theater in the Not-to-Exceed Amount of \$28,000.**

Mr. Caracci stated the Village is looking to make improvements to the theatre and ice cream shoppe over the next couple of years. Mr. Caracci stated planned renovations include exterior (new marque sign, removal of awning, tuckpointing, window replacement, door replacement, etc.) and interior improvements (seating, carpeting, painting, equipment upgrades, and ice cream shoppe updates).

Mr. Caracci stated this year we will focus on exterior improvements. Mr. Caracci stated staff will be performing what they can in house (awning removal, window replacement, door replacement) while we contract out for the marque sign and tuckpointing/masonry repairs.

Motion: Trustee Lomax made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Perez seconded the motion.

All were in favor. Motion Carried.

Sternberg Lighting: Village Manager, Evan Summers, presented a **Resolution Authorizing a Purchase Order to Sternberg Lighting, for the Purchase of Three (3) Cast Iron Street Light Poles with Bases for Irving Park Road in the Not-to-Exceed Amount of \$51,000.**

Mr. Caracci stated the Village owns and maintains 100 streetlights along Irving Park Road. Mr. Caracci stated these streetlight assemblies were designed and manufactured by Sternberg Lighting (and sold through KSA Lighting and Controls) and include a cast iron pole, clam shell base, pedestrian light fixture, streetlight fixture, and associated arms to attach. Unfortunately, the poles get hit and damaged occasionally requiring repair or replacement.

Mr. Caracci stated the streetlight assemblies are purchased solely through KSA Lighting and Controls as a sole source supplier of Sternberg products. Mr. Caracci stated we are looking to purchase three new assemblies minus the streetlight fixture. Mr. Caracci stated the cost of one of these assemblies (without the streetlight) is \$16,918. Mr. Caracci stated the lead time for ordering is 5-6 months. We currently have one assembly in stock.

Mr. Caracci stated the total cost of the three assemblies is \$50,754. Mr. Caracci stated we are seeking a purchase order in the amount of \$51,000 to account for any miscellaneous shipping charges.

Motion: Trustee Panicola made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Perez seconded the motion.

All were in favor. Motion Carried.

Recreation Facilities

Staffing

(Informational): Mr. Summers informed the Committee that with the recent departure of the Facilities Manager, the village will be changing the title and responsibilities of the replacement and making it a unionized position.

There was no action taken on this item.

Informational Items:

There was no informational items.

Unfinished Business:

There was no unfinished business.

Executive

Session: Village Manager, Evan Summers, stated there was not a need for executive session.

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

All were in favor. Motion carried.

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

Corey Williamsen
Deputy Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this 17th day, October 2023