

**A REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES
OF THE VILLAGE OF BOLINGBROOK – JANUARY 12, 2016**

CALL TO ORDER

The Regular Meeting of the Mayor and Board of Trustees of the Village of Bolingbrook was called to order at the hour of 8:00 p.m., January 12, 2016, in Bolingbrook, Illinois, by Mayor Roger C. Claar.

PLEDGE OF ALLEGIANCE

Mayor Claar requested Don Sale, a forty (40) year resident celebrating his 46th birthday, lead the Pledge of Allegiance.

ROLL CALL

Village Clerk, Carol S. Penning, called the roll. Present were: Mayor Roger C. Claar, and Trustees Leroy J. Brown, Michael T. Lawler, Ricardo Morales, Joseph B. Morelli, Patricia E. Schanks and Maria A. Zarate

Absent: None

Also present were: Village Clerk, Carol Penning, Village Attorney - James Boan, Public Safety Director - Thomas Ross, Director of Public Services & Development – Lucas Rickelman and Finance Director – Rosa Cojulun

Representing the press: Sarah Marchmont - Local Trib

JOURNAL OF PROCEEDINGS

Motion Brown, second Schanks to approve the minutes of the regular meeting of December 15, 2015, Village Board meeting as submitted by the Village Clerk.

Voice vote. Motion carried.

APPROVAL OF AGENDA/ADDITIONS

There were no additions or deletions to the agenda.

Motion Morales, second Zarate to approve the agenda as submitted.

Voice vote. Motion carried.

APPROVAL OF APPOINTMENTS/REAPPOINTMENTS

Motion Lawler, second Zarate to approve commission appointments as follows:

Civic & Cultural Affairs Commission: Byron Letcher

Voice vote. Motion carried.

PROCLAMATIONS

DR. MARTIN LUTHER KING, JR. DAY, January 18, 2016: Mayor Claar proclaimed January 18, 2016, Dr. Martin Luther King, Jr. Day in Bolingbrook. He asked residents to recognize all of Dr. King's great achievements and the life he dedicated to protect the legal and moral rights of all people. Lindsey Miller, Bolingbrook resident and undergraduate student at the University of Illinois/Urbana-Champaign, accepted the proclamation.

PROMOTIONS/SWEARING-IN

Police Department: Jamel Pankey was sworn-in as a Bolingbrook Police officer (Badge #1207).

Fire & Police Board members present were Prem Lalvani, Ray Macri and Major Jones.

APPOINTMENTS

Civic & Cultural Affairs Commission: Byron Letcher was sworn-in as a new commissioner.

BILL APPROVAL

Motion Brown, second Schanks to approve expenditures submitted as Bill Listing A - Payables in the amount of \$1,224,562.81 and Bill Listing B - Pre-pays in the amount of \$8,558,909.07* totaling \$9,783,471.88. (Copies were made available in the Finance Dept. and Clerk's Office.)

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate
 Nay 0 - None
 Absent 0 - None

Motion carried.

*Includes \$6,464,832.13 for the January 1, 2016, bond payments.

TAX RECEIPTS

1. September, 2015 State Income Tax - \$493,576.63 (September, 2014 State Income Tax - \$496,096.60) – a .5% decrease.
2. October, 2015 Sales Tax - \$2,523,048.57 (October, 2014 Sales Tax - \$2,847,149.62) – an 11.4% decrease.
3. October, 2015 Motor Fuel Tax - \$180,684.25 (October, 2014 Motor Fuel Tax – \$161,216.86) – a 12.1% increase.

The Village finally received the monies for MFT (Motor Fuel Taxes) from the State.

2015 MFT Funds due for June, July, August and September 2015 - \$639,457.81 (Prior 2014 MFT Funds - \$575,622.24) - an 11.1% increase.

MOTIONS

MOTION TO AUTHORIZE THE FILING OF A PETITION TO INTERVENE IN THE CASE OF CHICAGO LAND TRUST COMPANY KNOWN AS TRUST #1689 AND HENRY JAMES VS COUNTY OF WILL ET AL IN CASE NO. 15MR2972; IN THE TWELFTH JUDICIAL CIRCUIT, WILL COUNTY, ILLINOIS

Motion Morelli, second Morales to accept a motion to authorize the filing of a petition to intervene in the case of Chicago Land Trust Company known as Trust #1689 and Henry James vs. County of Will et al in Case No. 15MR2972; in the Twelfth Judicial Circuit, Will County, Illinois.

The Village opposed all of the actions of Ed James in regards to obtaining County permission to maintain his outside storage (junk yard) at 115 West South Frontage Road near the northeast corner of I-55 and South East Frontage. He lost a County Code Enforcement case in Court and was denied zoning and variance requests from the County Board. He then filed a “mandamus” action against the County Board arguing the denial was arbitrary and the Courts should order that he be allowed to continue outdoor storage on the property.

This motion authorized the Village’s law firm, Robbins Schwartz, to file a Petition with the Court which requested permission to participate in the case. The Village believed it had a vested interest in the matter since the Village surrounded the property and it would eventually be incorporated into the Village.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate
 Nay 0 - None
 Absent 0 - None

Motion carried.

RESOLUTIONS

RESOLUTION 16R-001

APPROVING PROPOSAL FROM GREAT MIDWEST CONTRACTING CORPORATION FOR REPLACEMENT OF BAR SCREEN AT WASTEWATER TREATMENT PLANT #2

Motion Lawler, second Schanks to adopt a resolution approving a proposal from Great Midwest Contracting Corporation for replacement of bar screen at Wastewater Treatment Plant #2.

This resolution authorized the purchase of replacement sludge screening, conveying and bagging equipment at Sewage Treatment Plant #2 on West Boughton Road. The current equipment was over twenty (20) years old and obsolete. New equipment would help eliminate odors and improve operation and maintenance functions at the Plant. This was a Construction Management Contract with Great Midwest Contracting Corporation. The work included design, construction and oversight. The cost should not exceed \$175,637, which was \$2,363 under budget. The Public Services Committee reviewed the proposal and recommended approval.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate
Nay 0 - None
Absent 0 - None

Motion carried.

ORDINANCES

PC 15-23

APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT – APC TOWERS & T-MOBILE, 779 FALCON RIDGE WAY; NATIONAL WIRELESS VENTURES, APPLICANT

Motion Brown, second Schanks to accept Plan Commission Report PC 15-23 for approval of a Special Use Permit for a Planned Development for APC Towers & T-Mobile, 779 Falcon Ridge Way (Humphrey Middle School); National Wireless Ventures, Applicant.

Voice vote. Motion carried.

ORDINANCE 16-001

APPROVING SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT TO ALLOW INSTALLATION OF A TELECOMMUNICATION MONOPOLE (APC TOWERS AND T-MOBILE), 779 FALCON RIDGE WAY, BOLINGBROOK, IL (HUMPHREY MIDDLE SCHOOL)

Motion Morelli, second Lawler to pass an ordinance approving a Special Use Permit for a Planned Development to allow installation of a telecommunication monopole (APC Towers & T-Mobile) at 779 Falcon Ridge Way, Bolingbrook, IL (Humphrey Middle School).

APC Towers and T-Mobile sought approval of a Special Use Permit to construct a 125 foot Telecommunication Monopole on the Hubert H. Humphrey Middle School property. They entered into a lease with the Valley View School District and will be relocating District equipment on the pole. The Special Use Permit also included language that the Village, if it desired, may add emergency equipment to the pole in the future without charge for use. This ordinance approved the Special Use Permit. The Plan Commission reviewed the Special Use Permit request and recommended approval.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate
Nay 0 - None
Absent 0 - None

Motion carried.

PC 15-24

APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN – GAIN CLEAN FUEL CNG STATION, 550 STEVENSON DRIVE; ENDPOINT SOLUTIONS CORP., APPLICANT

Motion Lawler, second Brown to accept Plan Commission Report PC 15-24 for approval of a Special Use Permit for a Planned Development with variances and Final Development Plan for Gain Clean Fuel CNG Station at 550 Stevenson Drive; Endpoint Solutions Corp., Applicant.

Voice vote. Motion carried.

ORDINANCE 16-002

APPROVING SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN FOR A COMPRESSED NATURAL GAS FUELING STATION (GAIN CLEAN FUEL), 550 STEVENSON DRIVE, BOLINGBROOK, IL

Motion Morelli, second Lawler to pass an ordinance approving a Special Use Permit for a Planned Development with variances and Final Development Plan for a compressed natural gas fueling station (GAIN Clean Fuel), 550 Stevenson Dr., Bolingbrook, IL.

This ordinance approved a Special Use Permit with associated variances and Final Development Plan for a compressed natural gas fueling station at 550 Stevenson Drive. GAIN Clean Fuel entered into a lease with Dart Transportation Company to construct a compressed natural gas fueling station, including three (3) “pumps” with associated equipment near the intersection of Stevenson and Old Chicago Drive. The State did not require this type of fueling station be maned and could operate on a 24-hour basis. This ordinance approved the Special Use Permit with variances and Final Development Plan. It was noted that compressed natural gas had become a common fuel used by over-the-road trucks. The Plan Commission reviewed the permit and plan and recommended approval.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate
 Nay 0 - None
 Absent 0 - None

Motion carried.

PC 15-25

APPROVAL OF A SPECIAL USE PERMIT FOR EXTENDED HOURS OF OPERATION TWENTY-FOUR HOURS A DAY, SEVEN DAYS A WEEK – CHECKERS, 439 N. BOLINGBROOK DRIVE; PUROHIT ARCHITECTS, INC., APPLICANT

Motion Schanks, second Zarate to accept Plan Commission Report PC 15-25 for approval of a Special Use Permit for extended hours of operation (twenty-four (24) hours a day, seven (7) days a week) at Checkers, 439 N. Bolingbrook Drive; Purohit Architects, Inc., Applicant.

Voice vote. Motion carried.

ORDINANCE 16-003

APPROVING SPECIAL USE PERMIT FOR EXTENDED HOURS OF OPERATION FOR A RESTAURANT WITH HOURS BEYOND 10:00 P.M. (CHECKERS), 439 N. BOLINGBROOK DRIVE, BOLINGBROOK, IL

Motion Brown, second Lawler to pass an ordinance approving a Special Use Permit for extended hours of operation for a restaurant with hours beyond 10:00 p.m. (Checkers), 439 N. Bolingbrook Drive, Bolingbrook, IL.

Checkers had moved into the 1,830 sq. ft. restaurant formerly occupied by Browns Chicken and Pasta located at 439 N. Bolingbrook Drive (an outlot of the Indian Oaks Plaza). The applicant, Hemal Purohit (architect), requested extended hours of operation. The restaurant would like to operate twenty-four (24) hours a day. There were no residences in the area and Taco Bell across the street has a twenty-four (24) hour operation. This ordinance approved the Special Use Permit. The Plan Commission reviewed the request and recommended approval.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate
Nay 0 - None
Absent 0 - None

Motion carried.

PC 15-26

APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT MATTE' NAIL SALON, 257 S. WEBER ROAD; JIMMY TRAN, APPLICANT

Motion Morales, second Zarate to accept Plan Commission Report PC 15-26 for approval of a Special Use Permit for a Planned Development for Matte' Nail Salon, 257 S. Weber Road; Jimmy Tran, Applicant.

Voice vote. Motion carried.

ORDINANCE 16-004

APPROVING SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT FOR A NAIL SALON ESTABLISHMENT (MATTE' NAIL SALON), 257 SOUTH WEBER ROAD, BOLINGBROOK, IL

Motion Morelli, second Lawler to pass an ordinance approving a Special Use Permit for a Planned Development for a nail salon establishment (Matte' Nail Salon), 257 S. Weber Rd., Bolingbrook, IL.

This ordinance approved the Special Use Permit for a nail salon (Matte' Nail Salon) which would allow the applicant Jimmy Tran, to occupy 1,596 sq. ft. of tenant space in the Country Aire Market Retail Center (Karen's Floral). Non sales tax generating businesses required a Special Use Permit. The Plan Commission reviewed the permit and recommended approval.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate
Nay 0 - None
Absent 0 - None

Motion carried.

ORDINANCE 16-005

APPROVING AGREEMENT RE TRAFFIC REGULATIONS – VICTORY CATHEDRAL

Motion Brown, second Schanks to pass an ordinance approving an agreement regarding traffic regulations for Victory Cathedral Church.

This ordinance authorized the Police Department to enter upon the Victory Cathedral Worship Center property at 369 N. Weber Road to enforce local ordinances and traffic regulations. The Village had similar ordinances with most commercial and retail properties. This agreement was requested by church. The Public Safety Committee reviewed the agreement and recommended approval.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate
Nay 0 - None
Absent 0 - None

Motion carried.

ORDINANCE 16-006

AMENDING CHAPTER 13 OF THE MUNICIPAL CODE DECREASING CLASS “D-3” FROM ONE (1) TO ZERO (0) – SHO JAPANESE STEAKHOUSE AND SUSHI

Motion Zarate, second Lawler to pass an ordinance amending Chapter 13 of the Municipal Code decreasing the Class D-3 Liquor License from one (1) to zero (0) - Sho Japanese Steakhouse and Sushi.

Sho Japanese Steakhouse and Sushi (formerly Applebee's) located at 1296 W. Boughton closed. This ordinance reduced the number of D-3 Liquor Licenses from one (1) to zero (0) to reflect the closing.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate
Nay 0 - None
Absent 0 - None

Motion carried.

PUBLIC COMMENTS

None

TRUSTEES’ COMMENTS AND REPORTS

Trustee Lawler gave details on the Car Seat Safety Check and Installation held at Bolingbrook Fire Station #4, 1111 W. Boughton Rd., on Saturday, January 16th, from 9:00 a.m. until noon.

Trustee Morales made reference to an article about the 2016 McDonald's American All Stars Women's Basketball Team. Bolingbrook's own Brittney Patrick was in the running to make the team.

Trustee Schanks gave information on the Operation Christmas Garage Sale scheduled to be held on Friday, January 15th and Saturday, January 16th on the Performing Arts Stage from 9:00 a.m. until 4:00 p.m. All proceeds from this event will be used for Operation Christmas 2016 which helps families in need during the holiday season. She wished Don Sale a Happy Birthday.

Trustee Brown congratulated the new Police Officer, Jamel Pankey. He then wished that Mayor Claar have his best State of the Village ever on Thursday, January 14th.

Trustee Morelli had no comment.

Trustee Zarate gave information about the Chili Cook-Off to be held on Friday, January 15th, from 5:00 p.m. to 7:00 p.m. at the Levy Center.

EXECUTIVE SESSION

None

ADJOURNMENT

Motion Brown, second Schanks to adjourn the meeting.

Voice vote. Motion carried and meeting adjourned at 9:02 p.m.

ATTEST:

Roger C. Claar
MAYOR

Carol S. Penning, CMC
VILLAGE CLERK