

**A REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES  
OF THE VILLAGE OF BOLINGBROOK – MAY 13, 2014**

**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., May 13, 2014, in Bolingbrook, Illinois, by Mayor Roger C. Claar.

**PLEDGE OF ALLEGIANCE**

Mayor Claar requested Miss Haley Nelson, Oak View Elementary School student, lead the Pledge of Allegiance to the Flag.

**ROLL CALL**

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

Absent: None

Also present were: Village Clerk – Carol S. Penning, Village Attorney - James Boan, Public Safety Director- Kevin McCarthy, Finance Director – Rosa Cojulun, Director of Public Services & Development – Lucas Rickelman

Absent: None

Representing the press: No press attended.

**JOURNAL OF PROCEEDINGS**

Motion Brown, second Zarate to approve the minutes of the April 22, 2014, Village Board meeting submitted by the Village Clerk.

Voice vote. Motion carried.

**APPROVAL OF AGENDA/ADDITIONS**

There were no additions or corrections to the agenda.

Motion Morales, second Morelli to approve the agenda.

Voice vote. Motion carried.

**APPROVAL OF APPOINTMENTS**

None

Mayor Claar gave an update on the Letter Carriers Food Drive held last weekend. The letter carriers collected a total of 28,550 lbs. of food for the pantry, which was 1,970 lbs. more than they collected last year.

He also announced the locations and times of events scheduled for Memorial Day, Monday, May 26th.

Mayor Claar then discussed the 6,000 trees that had been treated in parkways for Emerald Ash Borer infestation and 20,000 additional trees treated on private property at the owner's expense. He explained that the treatment, removal and replacement of these diseased trees will be a long and expensive process. Trees will only be replaced when the budget permits.

### **PROCLAMATIONS**

**POPPY DAYS, MAY 16 - 18, 2014:** Mayor Claar proclaimed May 16th through May 18th, 2014, POPPY DAYS in Bolingbrook and urged citizens to recognize the merits of this cause by contributing generously to its support through the purchase of poppies and to wear a Buddy Poppy to signify gratitude to the men and women of this country who have risked their lives in defense of the freedoms which we continue to enjoy as American citizens. Bob Adame, Commander of Bolingbrook VFW Post 5917, and Leroy Rheubottom, Commander of American Legion Post 1288, accepted the proclamation.

**NATIONAL POLICE WEEK, MAY 11 - MAY 17, 2014:** Mayor Claar proclaimed May 11th through May 17th, 2014, NATIONAL POLICE WEEK and urged citizens to especially honor and show our sincere appreciation for the Police Officers of Bolingbrook by deed, remark and attitude. The proclamation asked all residents to make every effort to express their thanks to our men and women who make it possible for us to leave our homes and families in safety each day and return knowing they are protected by men and women willing to sacrifice their lives, if necessary, to guard our loved ones, property and government against all who would violate the law. Chief Kevin McCarthy, Director of Public Safety, accepted the proclamation.

### **BILL APPROVAL**

Motion Brown, second Zarate to approve expenditures submitted as Bill Listing A - Payables in the amount of \$733,796.56 and Bill Listing B - Pre-pays in the amount of \$265,435.32 totaling \$999,231.88. (Copies were 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.

**MOTIONS**

**MOTION TO ACCEPT LOW BID FROM SKC CONSTRUCTION, INC. IN THE AMOUNT OF \$261,690.00 FOR 2014 FIBERIZED CRACKFILLING PROGRAM**

Motion Morales, second Lawler to accept a motion to accept the low bid from SKC Construction, Inc., in the amount of \$261,690 for the 2014 Fiberized Crackfilling Program.

This motion accepted the sole bid for this year's "Crackfilling" Program from SKC Construction in the amount of \$261,690. Five (5) bid packets were sent out and one (1) bid was returned. The budgeted amount was \$275,000, which made the bid \$13,310 under budget.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

The next four (4) motions all accepted the low bid from annual Motor Fuel Tax purchases. Each bid was reviewed by the Public Services Committee and recommended for approval:

**MOTION TO ACCEPT LOW BID FROM SUBURBAN CONCRETE, INC. IN THE AMOUNT OF \$211,250.00 FOR THE 2014-15 MFT SIDEWALK PROGRAM**

Motion Schanks, second Zarate to accept a motion to accept the low bid from Suburban Concrete, Inc., in the amount of \$211,250 for the 2014-2015 MFT Sidewalk Program.

This motion accepted the low bid from Suburban Concrete, Inc., for the 2014-2015 MFT Sidewalk Program in the amount of \$211,250. Ten (10) bid packets were sent out and eight (8) bids were received. The budgeted amount was \$250,000, which made the bid \$38,750 under budget.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**MOTION TO ACCEPT LOW BID FROM CRESCENT ELECTRIC SUPPLY IN THE AMOUNT OF \$31,129.75 FOR 2014-15 MFT MATERIALS GROUP III – STREET LIGHT LAMPS**

Motion Morelli, second Lawler to accept a motion to accept the low bid from Crescent Electric Supply in the amount of \$31,129.75 for 2014-2015 MFT Materials Group III - Street Light Lamps.

This motion accepted the low bid for the 2014-2015 MFT Group III Street Light Lamps from Crescent Electric Supply. The low bid was \$31,129.75, which was \$8,870.28 under the budgeted amount of \$40,000. Ten (10) bid packets were sent out and three (3) were submitted.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**MOTION TO ACCEPT LOW BID FROM JAMES D. FIALA PAVING COMPANY, INC. IN THE AMOUNT OF \$36,850.00 FOR 2014-15 MFT MATERIALS GROUP II – ASPHALT**

Motion Brown, second Morales to accept a motion to accept the low bid from James D. Fiala Paving Company, Inc., in the amount of \$36,850 for the 2014-2015 MFT Materials Group II - Asphalt.

This motion accepted the low bid from James D. Fiala Paving Company, Inc., for 2014-2015 MFT Group II - Asphalt. The low bid was \$36,850, which was \$13,400 under the budgeted amount of \$50,250. Ten (10) bid packets were sent out and two (2) bids were received.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**MOTION TO ACCEPT LOW BID FROM ELMHURST CHICAGO STONE COMPANY IN THE AMOUNT OF \$38,800.20 FOR 2014-2015 MFT MATERIALS GROUP 1 – CONCRETE & GRAVEL**

Motion Morelli, second Zarate to accept a motion to accept the low bid from Elmhurst Chicago Stone Company in the amount of \$38,800.20 for 2014-2015 MFT Materials Group 1 - Concrete & Gravel.

This motion accepted the sole bid for 2014-2015 MFT Group 1 - Concrete & Gravel from Elmhurst Chicago Stone Company in the amount of \$38,800.20. Ten (10) bid packets were sent out and one (1) was returned. The bid was \$8,199.80 under the budgeted amount of \$47,000.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**MOTION TO REJECT ALL BIDS FOR THE 2014-2015 MFT PAVEMENT MARKING**

Motion Brown, second Zarate to accept a motion to reject all bids for the 2014-2015 MFT Pavement Marking (Stripping) Program.

This motion rejected the MFT bids for this year’s Pavement Stripping Program. There was a procedural error and the project will be rebid.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**MOTION TO RATIFY ORDINANCE 14-036 AND ORDINANCE 14-037 WHICH WERE APPROVED AT THE APRIL 22, 2014, REGULAR VILLAGE BOARD MEETING**

Motion Schanks, second Zarate to accept a motion to ratify Ordinance 14-036 and Ordinance 14-037 that were approved at the April 22, 2014, Regular Village Board meeting regarding the liquor licenses for Tilted Kilt.

At the April 22<sup>nd</sup> meeting, the Board approved liquor licenses (D-1 & D-2) for the new owner of Tilted Kilt. Those ordinances were not on the original agenda and did not meet the “48 hour Public Notice” requirement but needed to be passed to keep the business open.

This motion ratified the Board’s April 22<sup>nd</sup> actions that approved the liquor licenses that withdrew the license from the old owners and granted a new license to the new owners of the Tilted Kilt on Weber Road..

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**RESOLUTIONS**

**RESOLUTION 14-008  
APPROVING EMERGENCY REPAIR OF MAINTENANCE BUILDING ROOF –  
BOLINGBROOK GOLF COURSE (LOWEST QUOTE)**

Motion Schanks, second Morales to adopt a resolution approving an emergency repair of the maintenance building roof - Bolingbrook Golf Club (lowest quote).

This resolution approved an emergency contract for the re-roofing of the maintenance building at the Golf Club. The current roof was leaking on to electrical and alarm building components. Four (4) quotes were obtained. This resolution approved the contract with the lowest quote; Alliance Roofing and Construction, a Bolingbrook business, had the lowest price at \$29,700.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**RESOLUTION 14-009**

**APPROVING AGREEMENT FOR CONSULTANT SERVICES RE BOLINGBROOK'S CLOW INTERNATIONAL AIRPORT OBSTRUCTION REMOVAL – HANSON PROFESSIONAL SERVICES, INC.**

Motion Brown, second Zarate to adopt a resolution approving an agreement for consultant services regarding Bolingbrook's Clow International Airport obstruction removal from Hanson Professional Services, Inc.

This resolution approved an IDOT Agreement with Hanson Professional Services, Inc., to survey the area around Bolingbrook's Clow Airport and to identify airport obstructions, including preparing an easement for ComEd in regards to removing the overhead lines on Boughton Road. The total cost was \$56,500. This was a 90-5-5 reimbursement project so the Village's final share will be \$2,825.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**RESOLUTION 14-010**

**APPROVING AGREEMENT FOR CONSULTANT SERVICES RE BOLINGBROOK'S CLOW INTERNATIONAL AIRPORT CONSTRUCTION OF REPLACEMENT RUNWAY – HANSON PROFESSIONAL SERVICES, INC.**

Motion Lawler, second Morales to adopt a resolution approving an agreement for consultant services regarding Bolingbrook's Clow International Airport construction of a replacement runway - Hanson Professional Services, Inc.

The resolution approved an IDOT Agreement with Hanson Professional Services for Phase 1 (Grading and Drainage) of the runway replacement at Bolingbrook's Clow Airport. The pavement and lighting components will be covered by a separate contract. This will be a 95-2.5-2.5 reimbursement contract. The total contract will be \$235,000. The Village's final contribution will be \$11,750.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**RESOLUTION 14-011**

**APPROVING CONTRACT AMENDMENT RE CUMBERLAND POND PROJECT - SHORELINE BUILDERS**

Motion Brown, second Morales to adopt a resolution approving a contract amendment regarding the Cumberland Pond Project - Shoreline Builders.

The Village Board previously approved a contract on 9/22/13 with Shoreline Builders, Inc., to dredge and restore Cumberland Pond behind the Levy Center. The original contract was for \$522,201. During the project, it was determined that a "safety shelf" needed to be installed and additional sediment needed to be removed. This resolution approved a final balancing change order in the amount of \$122,356.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**RESOLUTION 14-012**

**AUTHORIZING PURCHASE OF POLICE CANINE FROM STATE SEIZURE FUNDS FROM VOHNE LICHE KENNELS, INC.**

Motion Morelli, second Morales to adopt a resolution authorizing the purchase of a Police canine from State Seizure Funds from Vohn Liche Kennels, Inc.

This resolution approved the purchase of a canine for use in the Police Department. The new dog will replace Goliath who is scheduled to retire this month. The purchase was from Vohne Liche Kennels in Denver, Indiana. The cost, including training, will be \$17,712 and will be funded with Sate Forfeiture funds. The Public Safety Committee reviewed the purchase and recommended approval.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**RESOLUTION 14-013**  
**APPROVING PROPOSALS – LANDSCAPE MAINTENANCE CONTRACTS FOR THE 2014 SEASON**

Motion Schanks, second Zarate to adopt a resolution approving proposals for landscape maintenance contracts for the 2014 season.

This resolution approved the Village’s 2014 Spring/Summer Landscape Maintenance Contracts that were contained in the current budget. The contracts included grass cutting, chemical applications and seasonal plantings. The contract amounts were as follows:

American Landscaping	\$ 90,921
Capital Ventures	\$ 37,884
Hassert Landscaping	\$ 78,000
Rick’s Landscaping	\$173,396
Sebert Landscaping	<u>\$251,203</u>
 TOTAL:	 \$631,404

The budgeted amount was \$700,000, so the total of all contracts was \$68,596 under budget. The Public Services Committee reviewed the contracts and recommended approval.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**RESOLUTION 14-014**  
**APPROVING AGREEMENT WITH ARCADIA PUBLISHING, INC. REGARDING A PUBLICATION CONCERNING THE HISTORY OF BOLINGBROOK SUBJECT TO ATTORNEY APPROVAL**

Motion Lawler, second Brown to adopt a resolution approving an agreement with Arcadia Publishing, Inc., regarding a publication concerning the history of Bolingbrook subject to Attorney approval.

In conjunction with the Village’s Golden Anniversary next year, the Historic Preservation Commission has decided to publish a commemorative book on the history of Bolingbrook. They selected Arcadia Publishing to print the publication. Arcadia had produced similar books for Romeoville, Lockport and Plainfield. The contract was in the process of being negotiated so the staff requested that this resolution be passed subject to Attorney approval. The Commission would like to have the book available for purchase next year.



ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

## **ORDINANCES**

### **PC 14-10**

#### **APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN, 900 WINDHAM PARKWAY, WINDHAM COMMERCE CENTER, LOT 2 WINDHAM LAKES BUSINESS PARK; SEEFRIED INDUSTRIAL PROPERTIES, INC., APPLICANT**

Motion Schanks, second Morales to accept Plan Commission Report PC 14-10 for approval of a Special Use Permit for a Planned Development with variances and Final Development Plan, 900 Windham Parkway, Windham Commerce Center, Lot 2, Windham Lakes Business Park; Seefried Industrial Properties, Inc., Applicant.

Voice vote. Motion carried.

### **ORDINANCE 14-038**

#### **APPROVING SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN – LIT INDUSTRIAL LIMITED PARTNERSHIP (900 WINDHAM PARKWAY – WINDHAM COMMERCE CENTER, LOT 2 WINDHAM LAKES BUSINESS PARK)**

Motion Morelli, second Lawler to pass an ordinance approving a Special Use Permit for a Planned Unit Development with variances and a Final Development Plan for LIT Industrial Ltd. Partnership (900 Windham Parkway - Windham Commerce Center, Lot 2, Windham Lakes Business Park).

Seefried Industrial Properties recently purchased the ±12.896 acres at 900 Windham Parkway (North Frontage Road and Veterans Parkway). They would like to construct a 237,050 sq. ft. distribution building on the site. This ordinance approved a Special Use Permit for a Planned Industrial Development, Final Development Plan and associated variances. The Plan Commission reviewed the project and recommended approval.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**PC 14-11**

**APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED COMMERCIAL DEVELOPMENT WITH A VARIANCE, JIMMY JOHN'S GOURMET SANDWICHES, 1238 W. BOUGHTON ROAD; TONY RAMBOW, RAMBOW BROS., INC., APPLICANT**

Motion Brown, second Zarate to accept Plan Commission Report PC 14-11 for approval of a Special Use Permit for a Planned Commercial Development with a variance, Jimmy John's Gourmet Sandwiches, 1238 W. Boughton Road; Tony Rambos, Rambos Bros., Inc., Applicant.

Voice vote. Motion carried.

**ORDINANCE 14-039**

**APPROVING SPECIAL USE PERMIT FOR A PLANNED COMMERCIAL DEVELOPMENT WITH PARKING VARIANCE – JIMMY JOHN'S GOURMET SANDWICHES (1238 W. BOUGHTON ROAD)**

Motion Lawler, second Morales to pass an ordinance approving a Special Use Permit for a Planned Commercial Development with a parking variance for Jimmy John's Gourmet Sandwiches (1238 W. Boughton Rd.).

Jimmy John's Gourmet Sandwiches, located at 1236 W. Boughton Road in the Two Rivers Plaza, would like to move next door to 1238 W. Boughton Road, which is a larger space. This locale would increase their customer seating from thirty-two (32) to seventy-six (76) persons. This ordinance approved a Special Use Permit to allow a carry-out restaurant along with a parking variance. The Plan Commission reviewed the project and recommended approval.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**PC 14-12**

**APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT, VIRGIN RENT-TO- OWN, 231 S. BOLINGBROOK DRIVE; LORRIE KELLY, VIRGIN RENTALS, LLC, APPLICANT**

Motion Lawler, second Schanks to accept Plan Commission Report 14-12 for approval of a Special Use Permit for a Planned Unit Development, Virgin Rent-to-Own, 231 S. Bolingbrook Dr.; Lorrie Kelly, Virgin Rentals, LLC, Applicant.

Voice vote. Motion Carried.

**ORDINANCE 14-040**

**APPROVING SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT TO ALLOW AN EQUIPMENT RENTAL ESTABLISHMENT – VIRGIN RENT-TO-OWN (231 S. BOLINGBROOK DRIVE)**

Motion Brown, second Morales to pass an ordinance approving a Special Use Permit for a Planned Unit Development to allow an equipment rental establishment - Virgin Rent-to-Own (231 S. Bolingbrook Dr.).

The applicant, Lorrie Kelly d/b/a Virgin Rentals, LLC, would like to lease 4,000 sq. ft. of tenant space in the Pheasant Hill North Shopping Center (231 S. Bolingbrook Drive). The business would sell and rent furniture, appliances and equipment. This ordinance approved a Special Use Permit to allow a “rent to own” business subject to a prohibition from offering any financial services at the location. This aspect would prohibit the business from providing any type of lending service or currency exchange operation at the location. The Plan Commission reviewed the project and recommended approval.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**PC 14-13**

**APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT, LUCKY FOOT SPA, 485 S. WEBER ROAD; LI FUMING, APPLICANT**

Motion Schanks, second Zarate to accept Plan Commission Report 14-13 for approval of a Special Use Permit for a Planned Unit Development named Lucky Foot Spa, 485 S. Weber Rd.: Li Fuming, Applicant.

Voice vote. Motion carried.

**ORDINANCE 14-041**

**APPROVING SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT TO ALLOW A FOOT REFLEXOLOGY AND SPA ESTABLISHMENT – LUCKY FOOT SPA (485 S. WEBER ROAD)**

Motion Lawler, second Zarate to pass an ordinance approving a Special Use Permit for a Planned Unit Development to allow a foot reflexology and spa establishment called Lucky Foot Spa at 485 S. Weber Rd.

The applicant, Li Fuming d/b/a Lucky Foot Spa, would like to lease 1,260 sq. ft. of tenant space in the Manor Square Shopping Center (northwest corner of Weber and Hassert). The business would provide foot reflexology and waxing services (hair removal). Non-sales tax generating businesses require a Special Use Permit in commercially zoned properties. This ordinance approved a Special Use Permit. The owner hopes to open the spa within the next week. The Plan Commission reviewed the project and recommended approval.

ROLL CALL: Yea 6 - Brown, Lawler, Morales, Morelli, Schanks, Zarate

Nay 0 - None

Absent 0 - None

Motion carried.

**PUBLIC COMMENTS**

None

**TRUSTEE COMMENTS**

Trustee Lawler gave information on the Memorial Day Carnival being held at Village Hall from Thursday, May 22nd through May 26th. The Carnival is sponsored by the Bolingbrook Lions and the American Cancer Society.

Trustee Morales gave details about the "Home-Based Business Expo" being held at the Bolingbrook Community Center, 201 Canterbury Lane, on Saturday May 17th from 11 a.m. to 3 p.m. This event is sponsored by the Bolingbrook Chamber of Commerce.

He also mentioned Nancy Klimah, a hairdresser in Bolingbrook, who will be climbing Mt. Shasta in California this June to help raise money to fight breast cancer.

Trustee Schanks had no report.

Trustee Brown had no report

Trustee Morelli had no report.

Trustee Zarate had no report.

Mayor Claar added that a portion of the monies raised by the Memorial Day Weekend Carnival will be utilized to build another pavilion in Meyer Park. The Memorial Day Carnival was always sponsored by the Bolingbrook Gray Core, but they have turned over this project to the Lions and American Cancer Society. The Grey Core completed two of the pavilions in Meyer Park and hopefully this year's carnival will help raise enough money to build the third one.

Mayor Claar gave the history of the transformation of the 1<sup>st</sup> water treatment plant which was closed. Now there is a beautiful park with the pavilions which are utilized for birthdays, picnics, graduations, etc.

**EXECUTIVE SESSION**

None

**ADJOURNMENT**

Motion Brown, second Schanks to adjourn the meeting.

Voice vote. Motion carried and meeting adjourned at 8:46 p.m.

ATTEST:

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Roger C. Claar  
MAYOR

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Carol S. Penning, CMC  
VILLAGE CLERK