

**A REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES  
OF THE VILLAGE OF BOLINGBROOK – MAY 27, 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 27, 2014, in Bolingbrook, Illinois, by Mayor Roger C. Claar.

**PLEDGE OF ALLEGIANCE**

Mayor Claar requested the Jamie McGee Elementary School Leadership Club, consisting of 4th and 5th grade students, 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

Absent: Maria A. Zarate

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: Geoff Ziezulewicz - Chicago Tribune

**JOURNAL OF PROCEEDINGS**

Motion Brown, second Schanks to approve the minutes of the May 13, 2014, Village Board meeting submitted by the Village Clerk.

Voice vote. Motion carried.

**APPROVAL OF AGENDA/ADDITIONS**

Village Attorney, Jim Boan, requested that "Item #4" Resolution 14R-018 have the amount changed from \$194,580 to \$219,330.

Motion Morales, second Lawler to approve the agenda as amended.

Voice vote. Motion carried.

**APPROVAL OF APPOINTMENTS**

Motion Schanks, second Morelli to approve appointments as follows:

Civic & Cultural Affairs Commission: Maurice Binns II and Brenda Maule

Voice vote. Motion carried.

**RECOGNITION**

The 4th and 5th graders belonging to the JAMIE McGEE ELEMENTARY SCHOOL LEADERSHIP CLUB were recognized for all of their achievements and leadership qualities.

**PROCLAMATIONS**

**AMERICAN CANCER SOCIETY "RELAY FOR LIFE", June 7th and 8th, 2014:** Mayor Claar proclaimed May 7th and May 8th, 2014, AMERICAN CANCER SOCIETY "RELAY FOR LIFE" days in Bolingbrook and encouraged all Bolingbrook residents to participate in and support the Relay for Life event. Joe McDowell, a cancer survivor on the Relay for Life staff, accepted the proclamation.

**APPOINTMENTS**

Civic and Cultural Affairs Commission: Maurice Binns II and Brenda Maule were sworn in as new commissioners.

**BILL APPROVAL**

Motion Brown, second Schanks to approve expenditures submitted as Bill Listing A - Payables in the amount of \$1,000,586.21 and Bill Listing B - Pre-pays in the amount of \$130,839.66 totaling \$1,131,425.87. (Copies were available in the Finance Dept. and Clerk's Office.)

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Schanks

Nay 0 - None

Absent 1 - Zarate

Motion carried.

**TAX RECEIPTS**

1. February, 2014 State Income Tax - \$714,498.76 (February, 2013 State Income Tax - \$677,699.25) – a 5.43% Increase
2. March, 2014 Sales Tax - \$2,049,319.22 (March, 2013 Sales Tax - \$1,995,073.01) – a 2.7% Increase
3. March, 2014 Motor Fuel Tax - \$135,253.25 (March, 2013 Motor Fuel Tax - \$125,246.12) – a 8.0% Increase

**MOTIONS**

**MOTION TO ACCEPT LOW BID FROM JAMES D. FIALA PAVING COMPANY INC. IN THE AMOUNT OF \$1,464,678.20 FOR 2014 STREET RESURFACING PROGRAM**

Motion Morales, second Lawler to accept a motion to accept the low bid from James D. Fiala Paving Company, Inc., in the amount of \$1,464,678.20 for 2014 Street Resurfacing Program.

This motion accepted the low bid from James D. Fiala Paving Company, Inc., for the 2014 non-MFT Street Resurfacing Program. Six (6) bid packets were sent out and four (4) bids were received. The bid included 12.2 lane miles of resurfacing. The cost was \$1,464,678.20, which was \$9,078.20 over the budgeted amount of \$1,455,600.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Schanks

Nay 0 - None

Absent 1 - Zarate

Motion carried.

**MOTION TO ACCEPT LOW BID FROM ORANGE CRUSH, LLC IN THE AMOUNT OF \$211,695.00 FOR THE 2014 HMA PAVEMENT PATCHING PROGRAM**

Motion Brown, second Schanks to accept a motion to accept the low bid from Orange Crush, LLC in the amount of \$211,695 for the 2014 HMA (hot mixed asphalt) Pavement Patching Program.

This motion accepted the low bid for the 2014 non-MFT HMA Pavement Patching Program. Seven (7) bid packets were sent out and four (4) bids were received. The low bidder was Orange Crush, LLC in the amount of \$211,695. The bid was \$63,305 under the budgeted amount of \$275,000.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Schanks

Nay 0 - None

Absent 1 - Zarate

Motion carried.

**RESOLUTIONS**

**RESOLUTION 14R-015**

**AUTHORIZING CONTRIBUTION TO COMMUNITY SERVICE COUNCIL OF NORTHERN WILL COUNTY FOR FAMILY AND INDIVIDUAL CLINICAL COUNSELING**

Motion Morelli, second Schanks to adopt a resolution authorizing a contribution to Community Service Council of Northern Will County for Family and Individual Clinical Counseling.

The Village has contributed to the Community Service Council for over thirty (30) years. The budgeted annual contribution has been \$32,000, which was designated for use toward Individual and Family Clinical Counseling. This resolution approved the 2014 contribution with the same designation.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Schanks

Nay 0 - None

Absent 1 - Zarate

Motion carried.

**RESOLUTION 14R-016**  
**APPROVING PROPOSAL FOR REMOVAL OF EMERALD ASH BORER INFECTED TREES –**  
**HOMER TREE SERVICE**

Motion Schanks, second Lawler to adopt a resolution approving a proposal for removal of Emerald Ash Borer infected trees.

With the appearance of the tree leaves, the destruction from the Emerald Ash Borer has been apparent. The Village needed to start the removal process before the dead trees became a safety issue. This resolution authorized Homer Tree Service to begin the dead tree removal process. The initial phase was for \$75,000. Two (2) additional phases of \$75,000 each was authorized and may be initiated by the Mayor. The cost was \$13.00/inch for trees up to six (6) inches and \$20.00/inch for larger trees and included stump removal. The budgeted amount for dealing with EAB was \$500,000. A flyer will be going out to residents in the near future with regarding several topics including information on services to remove trees on private property.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Schanks

Nay 0 - None

Absent 1 - Zarate

Motion carried.

**RESOLUTION 14R-017**  
**APPROVING EMERGENCY REPLACEMENT OF VIDEO RECORDING SYSTEM FOR**  
**POLICE DEPARTMENT – ADVENT SYSTEMS, INC.**

Motion Brown, second Morales to adopt a resolution approving the emergency replacement of a video recording system for the Police Department - Advent Systems, Inc.

The video surveillance and security system for Village Hall was installed in 2004. In 2010, General Electric discontinued the product. The software and hardware were no longer being supported or maintained. Recently, the servers have been failing and the staff has been unable to recover camera/video feeds. This resolution approved the emergency replacement purchase of a digital video recording system from Advent Systems, Inc., for an amount not to exceed \$41,622. The Public Safety Committee reviewed the quote and recommended approval.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Schanks

Nay 0 - None

Absent 1 - Zarate

Motion carried.

**RESOLUTION 14R-018**

**APPROVING AIRY'S INC. PROPOSAL FOR STORMWATER PUMP STATION AND PIPING – CHICK EVANS/AUGUSTA VILLAGE**

Motion Lawler, second Morales to adopt a resolution approving the Airy's, Inc., proposal for a stormwater pump station and piping - Chick Evans/Augusta Village.

For the last several years, the Village has been investigating the source of basement flooding in Augusta Village; particularly the homes on Chick Evans. It has been determined that seasonal ground water levels are higher than the foundations footings for six (6) homes. Knight Engineering was retained to determine how to mitigate the basement flooding. It was decided by the Village and residents that the best solution was to drain and pump the water away from the homes. Three (3) proposals were received to install the proposed drainage system. This resolution awarded the construction contract to the low quote from Airy's, Inc., in the amount of \$219,330. Work should begin this summer and be completed by fall.

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

Nay 0 - None

Absent 0 - None

Motion carried.

**ORDINANCES**

**ORDINANCE 14-042**

**APPROVING 2014 AMENDMENT OF LEASE – AMERICAN SPORTS, LTD. (ICE ARENA)**

Motion Schanks, second Morales to pass an ordinance approving a 2014 Amendment of Lease for American Sports, Ltd. (Rocket Ice Arena).

Ed Schroeder d/b/a American Sports, LTD was in the process of refinancing Rocket Ice Arena. The Village owns the property. This ordinance authorized the Mayor and Village Clerk to execute a mortgage on the property. This was not a "full faith and credit" obligation of the Village. Ed also desired to amend the existing lease terms to pay the Village 1% of gross revenues as the annual lease payment. The current lease provided for rent to be 1% for the first 10 years and then rise to 3%. The request would extend the 1% until June 1, 2024, and then increase to 3%.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Schanks

Nay 0 - None

Absent 1 - Zarate

Motion carried.

**ORDINANCE 14-043**

**APPROVING A PILOT SALES PROGRAM (AMERICANA ESTATES)**

Motion Brown, second Morales to pass an ordinance approving a Pilot Sales Program for Americana Estates.

This ordinance approved a stimulus program for residential lots in Americana Estates. It set the lot price for lots 1 through 8 (Clinton Court) in Phase 2 at \$60,000/lot. If a building permit is issued within 180 days (6 months) of closing, the sewer tap-on fees will be waived (\$12,000). If a building permit is issued between 181 to 366 days of closing, 50% (\$6,000) of the tap-on fees will be waived. In either case, an occupancy permit must be issued within 1-year of the date of the building permit. In the event a builder wants to put up a model, the occupancy permit requirement will be substituted with a certificate of substantial completion. Purchase offers would be accepted starting June 2nd. Three (3) builders have expressed interest in the program.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Schanks

Nay 0 - None

Absent 1 - Zarate

Motion carried.

Say Beignet recently opened across from I-PIC Theater at the Promenade. Mayor Claar commented that the interior of the restaurant is absolutely stunning with a modern, upscale design. Live jazz music performs outside every Thursday through Sunday. The business currently has a Class C and C-2 Liquor License which allows them to sell beer and wine only. They would like to upgrade to a license which includes "hard liquor". The next two (2) ordinances provide for the license upgrade requested.

**ORDINANCE 14-044**

**AMENDING CHAPTER 13 OF THE MUNICIPAL CODE DECREASING CLASS "C" FROM ELEVEN (11) TO TEN (10) AND CLASS "C-2" FROM SEVEN (7) TO SIX (6) – SAY BEIGNET CAFÉ & WINE BAR LLC (627 E. BOUGHTON ROAD, SUITE 115)**

Motion Schanks, second Lawler to pass an ordinance amending Chapter 13 of the Municipal Code decreasing Class C from eleven (11) to ten (10) and Class C-2 from seven (7) to six (6) - Say Beignet Cafe & Wine Bar LLC (627 E. Boughton Rd., Ste. 115).

This ordinance reduced the number of class C licenses (beer and wine) from eleven (11) to ten (10) and the number of Class C-2 licenses (outdoor seating) from seven (7) to six (6) to reflect their current license classification being dropped. There will be a Grand Opening on June 5th at 5:00 p.m.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Schanks

Nay 0 - None

Absent 1 - Zarate

Motion carried.

**ORDINANCE 14-045**

**AMENDING CHAPTER 13 OF THE MUNICIPAL CODE INCREASING CLASS "D-1" FROM FIFTEEN (15) TO SIXTEEN (16) AND CLASS "D-2" FROM NINE (9) TO TEN (10) – SAY BEIGNET CAFÉ & WINE BAR LLC (627 E. BOUGHTON ROAD, SUITE 115)**

Motion Morelli, second Morales to pass an ordinance amending Chapter 13 of the Municipal Code increasing Class D-2 from fifteen (15) to sixteen (16) and Class D-2 from nine (9) to ten (10) - Say Beignet Cafe & Wine Bar LLC (627 E. Boughton Rd., Ste. 115).

This ordinance increased the number of Class D-2 licenses (full liquor service) from nine (9) to ten (10) and the number of D-1 licenses (outdoor seating/full liquor service) from fifteen (15) to sixteen (16) to complete the applicants request to change license categories.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Schanks

Nay 0 - None

Absent 1 - Zarate

Motion carried.

**PUBLIC COMMENTS**

None

**TRUSTEE COMMENTS**

Trustee Morelli gave details on the Hampton Park Social Meat Raffle on July 10th at the Bolingbrook Golf Club. Proceeds go to help Romeoville and Bolingbrook youth sports programs. He also announced that Bolingbrook Flag Football sign-ups will begin soon and explained that the football program is part of the Bolingbrook Athletic Club, which is a non-profit organization.

Trustee Brown informed the audience that the Bolingbrook High School will showcase its new "Sound Shell" stage with an event held on Wednesday, June 4th, at 7:00 p.m. in the auditorium.

Trustee Schanks gave information about the Friends of the Levy Center Board "Bingo/Fish Fry Night" being held on Thursday, May 29th.

Trustee Morales gave details about the "Cavalcade of Planes" event at the Bolingbrook's Clow International Airport on Saturday, June 7th, and Sunday, June 8th, from 10 a.m. to 4 p.m. each day. Parking will be free but there will be a nominal entrance fee.

Trustee Lawler gave information on the free Summer Concert Series at the Performing Arts Center every Wednesday evening beginning on June 11th through August 27th at 7:30 p.m.

Mayor Claar made note that Trustee Morelli will become the grandfather of a baby girl in October and that he, himself, will also be having a granddaughter about one week later named "Samantha Joy". It was also mentioned that Sheldon Watts, Trustee on the DuPage Township Board, will become the proud father of twins this year.

**EXECUTIVE SESSION**

None

**ADJOURNMENT**

Motion Brown, second Schanks to adjourn the meeting.

Voice vote. Motion carried and meeting adjourned at 8:59 p.m.

ATTEST:

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Roger C. Claar  
MAYOR

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Carol S. Penning, CMC  
VILLAGE CLERK