

**MINUTES FOR THE REGULAR MEETING OF THE MAYOR AND BOARD
OF TRUSTEES OF THE VILLAGE OF BOLINGBROOK – JUNE 28, 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., June 28, 2016, in Bolingbrook, Illinois, by Mayor Roger C. Claar.

PLEDGE OF ALLEGIANCE

Mayor Claar requested Aaron Juco, 12-year-old Boy Scout from Woodridge Troop 512 and Bolingbrook resident, lead the Pledge of Allegiance. Aaron was there to fulfill a qualification for the Community Merit Badge.

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 and Maria A. Zarate

Absent: Patricia E. Schanks

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: No press attended.

JOURNAL OF PROCEEDINGS

Motion Morales, second Zarate to approve the minutes of the regular meeting of June 14, 2016, Village Board meeting as submitted by the Village Clerk.

Voice vote. Motion carried.

APPROVAL OF AGENDA/ADDITIONS

There were no additions or corrections to the agenda.

Motion Lawler, second Zarate to approve the agenda.

Voice vote. Motion carried.

APPROVAL OF APPOINTMENTS/REAPPOINTMENTS

None

REPORTS OF OFFICERS

Mayor Claar thanked the Civic and Cultural Affairs Commission for a successful 32nd Annual Village Picnic and complimented them on a job well done.

He then mentioned details regarding the 4th of July Celebration at the Bolingbrook Golf Club on Monday, July 4th.

He also congratulated Deputy Mayor Leroy Brown and his lovely wife Pat on their 50th Wedding Anniversary.

PROCLAMATIONS

NATIONAL HISTORIC PRESERVATION MONTH, JULY 2016: Mayor Claar proclaimed the month of July 2016, as NATIONAL HISTORIC PRESERVATION MONTH in Bolingbrook and called upon the residents of the Village to join their fellow citizens across the United States in recognizing and participating in this special observance of preserving local history. Bill Kohl, Chair of the Historic Preservation Commission, and Ruth Blumenstein, member Commission and Chair of the Bolingbrook Museum, accepted the proclamation. Bill talked a little about the history of Bolingbrook and Ruth talked about the new Bolingbrook Museum. Ruth encouraged Bolingbrook residents to come out and visit the museum which is open every 2nd and 4th Saturday from 1:00 p.m. to 3:00 p.m. Also, residents can make an appointment for a specific date and time by calling (630) 226-8411.

BILL APPROVAL

Motion Morales, second Zarate to approve expenditures submitted as Bill Listing A - Payables in the amount of \$818,086.79 and Bill Listing B - Pre-pays in the amount of \$339,627.28 totaling \$1,157,714.07. (Copies were made available in the Finance Dept. and Clerk's Office.)

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Zarate
 Nay 0 - None
 Absent 1 - Schanks

Motion carried.

TAX RECEIPTS

1. March, 2016 State Income Tax - \$1,000,707.64 (March, 2015 State Income Tax - \$1,315,128.43) – a 23.9% Decrease
2. April, 2016 Sales Tax - \$2,544,538.78 (April, 2015 Sales Tax - \$2,478,318.64) – a 2.7% Increase
3. April, 2016 Motor Fuel Tax - \$165,823.33 (April, 2015 Motor Fuel Tax - \$160,213.87) – a 3.5% Increase

MOTIONS

MOTION TO ACCEPT LOW BID FROM ZSL ELECTRIC, INC. IN THE AMOUNT OF \$25,124.00 FOR THE 2016-17 MFT MATERIALS GROUP 1 – STREET LIGHT POLES

Motion Morelli, second Lawler to accept a motion to accept the low bid from ZSL Electric, Inc., in the amount of \$25,124 for the 2016-2017 MFT Materials Group 1 - Street Light Poles.

This motion accepted the low bid for the 2016-2017 MFT Group 1 - Street Light Poles. Six (6) bid packets were sent out and three (3) bids were received. ZSL Electric, Inc., was the low bidder. The amount was \$25,124. The budgeted amount was \$30,000 so the bid was \$4,876 under budget.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Zarate
 Nay 0 - None
 Absent 1 - Schanks

Motion carried.

MOTION TO CANCEL THE JULY 26, 2016 VILLAGE BOARD MEETING AND TO CONSOLIDATE THE AUGUST 9TH AND AUGUST 23RD MEETINGS AND RESCHEDULING THE AUGUST BOARD MEETING TO AUGUST 16TH AT 8:00 P.M.

Motion Brown, second Zarate to accept a motion to cancel the July 26, 2016, Village Board meeting and to consolidate the August 9th and August 23rd meetings and rescheduling the August Board meeting to August 16th at 8:00 p.m.

This motion adopted a summer schedule for Village Board meetings. There will be one meeting in July (Tuesday, July 12th) and one in August (August 16th).

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Zarate
 Nay 0 - None
 Absent 1 - Schanks

Motion carried.

RESOLUTIONS

RESOLUTION 16R-030 **APPROVING AGREEMENT WITH TASER INTERNATIONAL FOR LEASING 75 NEW TASERS FOR THE POLICE DEPARTMENT**

Motion Brown, second Zarate to adopt a resolution approving an agreement with Taser International for leasing seventy-five (75) new Tasers for the Police Department.

This resolution approved a lease/purchase agreement with Taser International. The agreement was for sixty (60) months and leased seventy-five (75) new Tasers. Lease payments for the first twelve (12) months was \$15,124.96/year. Payments for the thirteenth (13) through sixtieth (60) months was \$19,800/year. The Village currently has sixty-five (65) eleven (11) year old Tasers, which would be traded in. Trade-in value was \$10,737.86. Total cost with trade-in credit was

\$94,324.96. The purchase option at the end of sixty (60) months was \$1.00. Funding came from Federal Forfeiture monies. The Public Safety Committee reviewed the agreement and recommended acceptance.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Zarate
 Nay 0 - None
 Absent 1 - Schanks

Motion carried.

RESOLUTION 16R-031
APPROVING AGREEMENT WITH PACE, THE SUBURBAN BUS DIVISION OF THE
REGIONAL TRANSPORTATION AUTHORITY TO ENFORCE TRAFFIC REGULATIONS ON
PACE PROPERTY

Motion Zarate, second Morales to adopt a resolution approving an agreement with PACE , the Suburban Bus Division of the Regional Transportation Authority, to enforce traffic regulations on PACE property.

This resolution allowed the Police Department to enter onto the parking lots at 170 Canterbury Lane and 120 Old Chicago Drive. The agreement was made with PACE, a division of the RTA for the purpose of the Police Department enforcing local ordinances and traffic laws. The Village has this agreement with most of the Retail Centers and the Promenade. The Public Safety Committee has reviewed the agreement and recommended acceptance.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Zarate
 Nay 0 - None
 Absent 1 - Schanks

Motion carried.

RESOLUTION 16R-032
APPROVING PURCHASE OF A CHEVROLET TRAVERSE FROM ADVANTAGE
CHEVROLET

Motion Morales, second Lawler to adopt a resolution approving the purchase of a Chevrolet Traverse from Advantage Chevrolet.

This resolution authorized the purchase of one (1) 2016 Chevrolet Traverse from Advantage Chevrolet in the amount of \$31,110. This vehicle replaced a 2015 Chevy Traverse with 40,000 miles that was reassigned to another area. Additionally, an older vehicle in the fleet would be sent to auction so the fleet would remain the same size. The Public Safety Committee reviewed the purchase and recommended acceptance.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Zarate
 Nay 0 - None
 Absent 1 - Schanks

Motion carried.

ORDINANCES

PC 16.18

APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN – CIRCLE K AT 255 N. WEBER ROAD; APPLICANT: PAYMAN HOMAYOUNI, BOWMAN CONSULTING GROUP

Motion Brown, second Lawler to accept Plan Commission Report PC 16.18 for approval of a Special Use Permit for a Planned Development with variances and Final Development Plan for Circle K at 255 N. Weber Rd; Payman Homayouni, Bowman Consulting Group, Applicant.

Voice vote. Motion carried.

ORDINANCE 16-059

APPROVING SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES AND FINAL DEVELOPMENT PLAN (CIRCLE K) – 255 N. WEBER ROAD

Motion Morelli, second Zarate to pass an ordinance approving a Special Use Permit for a Planned Development with variances and Final Development Plan for Circle K (Shell Fuel Station) at 255 N. Weber Rd.

The Applicant, Bowman Consulting Group on behalf of Shell Oil, proposed to redevelop the existing fuel station at the south west corner of Weber and Boughton Road. They proposed a 4,351 sq. ft. convenience store with outdoor seating, relocated car wash and an eight (8) pump fueling island. The company also sought a variance to operate twenty-four (24) hours a day. This ordinance approved the requested Special Use Permit for a Planned Development with six (6) associated variances and Final Development Plan. The Plan Commission reviewed the project and recommended approval.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Zarate
 Nay 0 - None
 Absent 1 - Schanks

Motion carried.

PC 16.19

APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES - ATI PHYSICAL THERAPY, 790 REMINGTON BOULEVARD; APPLICANT: BRANDON WEIS, AURORA SIGN COMPANY

Motion Brown, second Zarate to accept Plan Commission Report 16.19 for approval of a Special Use Permit for a Planned Development with variances for ATI Physical Therapy at 790 Remington Blvd.; Brandon Weis, Aurora Sign Company, Applicant.

Voice vote. Motion carried.

ORDINANCE 16-060

APPROVING SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT WITH VARIANCES (ATI PHYSICAL THERAPY) – 790 REMINGTON BOULEVARD

Motion Lawler, second Morales to pass an ordinance approving a Special Use Permit for a Planned Development with variances for ATI Physical Therapy at 790 Remington Blvd.

Aurora Sign Company requested a Special Use Permit for signs to be installed at ATI Physical Therapy located at 790 Remington. They requested a variance to allow two (2) monument signs. One (1) sign approximately ten (10) feet high (95 sq. ft.) would replace the existing sign near their parking lot entrance. The other “v-shaped” sign approximately five (5) feet high (130 sq. ft. total) would be at the northeast corner of Territorial and Remington Boulevard. The Plan Commission reviewed the request and recommended approval.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Zarate
 Nay 0 - None
 Absent 1 - Schanks

Motion carried.

PC 16.20

APPROVAL OF A SPECIAL USE PERMIT FOR A COMMERCIAL RECREATION FACILITY, BREATHE, THE ART OF YOGA, 479 N. BOLINGBROOK DRIVE; APPLICANT: TOULA GAGAS-SMITH

Motion Morales, second Zarate to accept Plan Commission Report PC 16.20 for approval of a Special Use Permit for a Commercial Recreation Facility, "Breathe, the Art of Yoga", at 479 N. Bolingbrook Dr.

Voice vote. Motion carried.

ORDINANCE 16-061

APPROVING SPECIAL USE PERMIT FOR A COMMERCIAL RECREATION FACILITY (BREATHE, THE ART OF YOGA) – 479 N. BOLINGBROOK DRIVE

Motion Zarate, second Morelli to pass an ordinance approving a Special Use Permit for a Commercial Recreation Facility (Breathe, The Art of Yoga) at 479 N. Bolingbrook Dr.

Toula Gagas-Smith d/b/a “Breathe, The Art of Yoga”, sought approval of a Special Use Permit for a commercial recreation facility in 1, 237 sq. ft. of tenant space located at 479 N. Bolingbrook Drive (behind Coops’ Den).

Non-sales tax generating businesses are required to obtain a Special Use Permit to locate in B-2 zoned districts. The Plan Commission reviewed the application and recommended approval.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Zarate
 Nay 0 - None
 Absent 1 - Schanks

Motion carried.

ORDINANCE 16-062

AMENDING CERTAIN PROVISIONS OF CHAPTER 5 OF THE MUNICIPAL CODE RE REPOSSESSION OF VEHICLES

Motion Brown, second Morales to pass an ordinance amending certain provisions of Chapter 5 of the Municipal Code regarding "Repossession of Vehicles".

This was a "housekeeping" amendment to the Municipal Code. The Police Department requested that Chapter 5, Article 4, "Repossession of Vehicles", be replaced to comply with 225 ILCS 422/105 and to clarify and regulate the procedure a person must follow to repossess a vehicle located within the Village. The Public Safety Committee reviewed the changes and recommended approval.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Zarate
 Nay 0 - None
 Absent 1 - Schanks

Motion carried.

ORDINANCE 16-063

APPROVING OFFICE BUILDING REDEVELOPMENT AGREEMENT WITH ERNIE LOBERG CONSTRUCTION CO. AND INDEVOR DEVELOPMENT LLC (ATI – 220 REMINGTON)

Motion Zarate, second Lawler to pass an ordinance approving an Office Building Redevelopment Agreement with Ernie Loberg Construction Co. and Indevor Development LLC for ATI at 220 Remington Blvd.

ATI Physical Therapy purchased, through their real estate holding company, Indevor Development LLC, the vacant office building at 220 Remington Boulevard. The 82,863 sq. ft. building was located on ±8 acres and has been vacant for ten (10) years. It was previously occupied by Unicare. The Developer planned to invest \$9 - 10 million in renovations. ATI initially planned to occupy one (1) of the three (3) floors while keeping their main facility at 790 Remington Boulevard. Due to the cost of renovations, the Developer asked the Village for financial assistance. ATI would locate 100 - 150 employees here. They plan to add a second 66,000 sq. ft. building in the future. This ordinance waived the Village's permit review and inspection fees that would be charged for the renovations.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Zarate
 Nay 0 - None
 Absent 1 - Schanks

Motion carried.

ORDINANCE 16-064

AMENDING CHAPTER 13 OF THE MUNICIPAL CODE INCREASING CLASS "C" FROM NINE (9) TO TEN (10) (BEER & WINE) AND CLASS "C-2" FROM FOUR (4) TO FIVE (5) (BEER & WINE OUTDOOR) – COVO BOLINGBROOK, INC. D/B/A COVO GREEK STREET FOOD

Motion Lawler, second Morelli to pass an ordinance amending Chapter 13 of the Municipal Code increasing Class "C" from nine (9) to ten (10) (beer & wine) and Class "C-2" from four (4) to five (5) (beer & wine outdoor) - Covo Bolingbrook, Inc. d.b.a. Covo Greek Street Food.

COVO Greek Street Food would be opening a restaurant at 1246 W. Boughton Road (formerly occupied by Five Guys). They plan to open around August 1, 2016. They would like to serve beer and wine. This ordinance increased the number of Class "C" liquor licenses from nine (9) to ten (10) and the number of Class "C-2" (Patio) licenses from four (4) to five (5) to accommodate the request.

Anna Michelis spoke about what type of Greek restaurant they planned to open. Their family had been in the restaurant business for fifty (50) years and own six (6) different types of restaurants. COVO is a unique concept and will have something different which will appeal to all generations, young and old, with authentic Greek dishes like original gyros sandwiches and homemade Greek yogurt with different toppings to put on it. They planned to be open seven (7) days a week from 10:30 a.m. until 10:00 p.m.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Zarate
 Nay 0 - None
 Absent 1 - Schanks

Motion carried.

ORDINANCE 16-065

AMENDING CHAPTER 13 OF THE MUNICIPAL CODE INCREASING CLASS "C" (BEER & WINE) FROM TEN (10) TO ELEVEN (11) – PORTILLO'S HOT DOGS, LLC

Motion Morales, second Zarate to pass an ordinance amending Chapter 13 of the Municipal Code increasing Class "C" (beer & wine) liquor licenses from ten (10) to eleven (11) - Portillo's Hot Dogs, LLC.

In 2009, Portillo's Hot Dogs opted not to renew their beer and wine liquor license. They now desire to serve beer and wine again. This ordinance increased the number of Class "C" (beer & wine) liquor licenses from ten (10) to eleven (11) to accommodate their request.

ROLL CALL: Yea 5 - Brown, Lawler, Morales, Morelli, Zarate
 Nay 0 - None
 Absent 1 - Schanks

Motion carried.

PUBLIC COMMENTS

None

TRUSTEES' COMMENTS AND REPORTS

Trustee Lawler gave details on the Summer Concerts held behind Village Hall every Wednesday evening at the Performing Arts Center from 7:30 p.m. to 9:00 p.m. The entertainment scheduled to perform will be the band, "Dick Diamond and the Dusters". The concerts are sponsored by the Bolingbrook Park District, AMITA Health Adventist Bolingbrook Hospital and the Village of Bolingbrook. He then gave information on the Farmers Market held on Thursdays, from 4:00 to 9:00 p.m., at the Promenade Bolingbrook. He noted that the Promenade also has concerts on some Thursdays, from 7:00 to 9:00 p.m. with a Beatles tribute band playing this week.

Trustee Morales gave details on the Bolingbrook Arts Council "The Art of Wine" event being held at the "2016 Taste of Bolingbrook" on July 23rd, 2016, at the Promenade Bolingbrook between 4:00 and 8:00 p.m. The "Taste" runs from Noon to 10:00 p.m.

Trustee Brown gave detailed information about the 4th of July Celebration at the Bolingbrook Golf Club on Monday, July 4th.

Trustee Morelli gave information on the new Electronic Waste Program for residents through Groot on regular garbage pick-up days. 48 hours notice would be required to have any electronics picked up. He also noted that garbage pick-up day would be delayed the week of July 4th due to the Monday holiday.

Trustee Zarate gave details on H2O's "Christmas in July" fundraiser on Thursday, July 14th, at the Bolingbrook Golf Club. The event would be an all-day affair starting with golf and ending with a Gala Dinner. Tee times for golf were full but tickets were still available for the Gala Dinner that evening.

EXECUTIVE SESSION

None

ADJOURNMENT

Motion Brown, second Zarate to adjourn the meeting.

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

ATTEST:

Roger C. Claar
MAYOR

Carol S. Penning, CMC
VILLAGE CLERK