

**A REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES
OF THE VILLAGE OF BOLINGBROOK –NOVEMBER 18, 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 8:02 p.m., November 18, 2014, in Bolingbrook, Illinois, by Deputy Leroy Brown. Mayor Claar was out-of-town.

PLEDGE OF ALLEGIANCE

Mayor Claar requested a Sebastian Brown, Boy Scout from Troop 131, to lead the Pledge of Allegiance to the Flag. He was working on his Communications Merit Badge to earn his Eagle Scout rank.

ROLL CALL

Village Clerk, Carol Penning, called the roll. Present were: Mayor Roger C. Claar, 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 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: Laura Katauskas - Bolingbrook Sun
Geoff Ziezulewicz - Chicago Tribune

JOURNAL OF PROCEEDINGS

Motion Morales, second Zarate to approve the minutes of the October 21, 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 Schanks, second Morales to approve the agenda as presented.

Voice vote. Motion carried.

MAYOR'S REPORT

Mayor Claar discussed two (2) points:

- 1. Emerald Ash Borer update: 30,000 Ash trees in Bolingbrook have been attacked by the Emerald Ash Borer; 20,000 trees on private property and 10,000 trees on public property. To date, 2,512 trees have been cut down at a cost of \$460,000. Larger trees were cut down first, before winter, so that they would not destroy property during the winter storms. This was only the beginning and the Village has a long way to go to get all of the destroyed trees cut down. Homer Trees will be working through the winter to eliminate all the infected trees marked with a red "x".
- 2. Trojan Football has been an active youth group in Bolingbrook for over 30 years. This year, several of their groups have won 1st Place in competition and earned the right to compete at the National level at Disneyworld in Florida. The team groups are:

Pee Wee Cheerleaders (girls 9 - 11 yrs. old) - 1st Place Chicagoland Pop Warner Conference

Midget Cheerleaders (girls 12 -15 yrs. old) - 1st Place Chicagoland Mid America Champions and overall Grand Champions

Midget Football Team: (boys 13 & 14 yrs. old) - 1st Place Mid America Pop Warner Competition

Mayor Claar noted that all three (3) Trojan teams need help from the community support to raise enough money so that all of them will be able to attend the National Competition in Florida.

APPROVAL OF APPOINTMENTS/PROMOTIONS

Police Department: Thomas M. Ross promoted to Public Safety Director
 Officer Stephen Sinnott promoted to Sergeant

Fire Department: Gary Obidowicz and Brian Moody as new Fire Fighters

ORDINANCE 14-091

APPOINTING PUBLIC SAFETY DIRECTOR

Motion Morelli, second Lawler to pass an ordinance appointing Thomas M. Ross as Public Safety Director effective January 16, 2015.

This ordinance appointed Deputy Police Chief Tom Ross to the position of Public Safety Director upon Kevin McCarthy's retirement in January 2015. Tom will be sworn in at the January 13, 2015, Village Board Meeting.

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

Nay 0 - None

Absent 0 - None

Motion carried.

Police Department: Officer Stephen Sinnott was sworn in as a Sergeant.

Fire Department: Gary Obidowicz and Brian Moody were sworn in as new Fire Fighters.

Fire and Police Board members present were: Dennis Meehan, Chair, Ray Macri and Barbara Provo.

PROCLAMATIONS

None

BILL APPROVAL

Motion Brown, second Zarate to approve expenditures submitted as Bill Listing A - Payables in the amount of \$1,508,315.26 and Bill Listing B - Pre-pays in the amount of \$1,732,184.65 totaling \$3,240,499.91. (Copies would be available in the Finance Dept. and Clerk's Office.)

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

Nay 0 - None

Absent 0 - None

Motion carried.

TAX RECEIPTS:

1. August, 2014 State Income Tax - \$695,788.83 (August, 2013 State Income Tax - \$688,786.96) – a 1.0% Increase
2. September, 2014 Sales Tax - \$3,191,439.82 (September, 2013 Sales Tax - \$2,640,016.53) – a 20.9% Increase
3. September, 2014 Motor Fuel Tax - \$159,053.98 (September, 2013 Motor Fuel Tax - \$160,280.74) – a .1% Decrease

MOTIONS

None

RESOLUTIONS

RESOLUTION 14R-053

APPROVING PROPOSAL FOR RENEWAL FROM MESIROW FOR WORKERS COMPENSATION INSURANCE:

Motion Schanks, second Lawler to adopt a resolution approving a proposal for renewal from Mesirow for Workers Compensation Insurance.

This resolution accepted a recommendation from Mesirow, the Village's Insurance Broker, for the renewal of the Village's Workman's Compensation Insurance. Mesirow recommended that

the Village move from a “first dollar” program where the carrier covers all losses to a “self-insured” program. The carrier and claims administration will continue through the Illinois Counties Risk management Trust (ICRMT). There will be a “stop loss” of \$100,000 per claim. The projected annual cost will be \$2,125,491. That was a projected savings of \$194,710 over the “Dollar One” premium of \$2,320,201 and was \$439,246.40 under the budgeted amount of \$2,564,737.40. The Finance Committee reviewed the proposal and recommended approval.

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

Nay 0 - None

Absent 0 - None

Motion carried.

RESOLUTION 14R-054

APPROVING EMPLOYEE BENEFIT PLAN COVERAGE

Motion Brown, second Morales to adopt a resolution approving the Employee Benefit Plan coverage.

This resolution renewed the Village’s Employee Benefit Plan Coverages for Health, Dental and Life Insurance. Mesirow, the Village’s Broker of Record, recommended that Health Insurance be renewed with Blue Cross/Blue Shield of Illinois. That the Dental Program be renewed with ASA, a division of Health Care Service Corporation and a licensee of Blue Cross. Dearborn National would continue to provide life and disability insurance.

The costs were projected as follows:

- Health Insurance premiums decrease by 2.9%
- Dental premiums increase by 3.6%
- Third Party Administration Fees increase by 8.3%
- Life and Disability premiums – no change

Overall costs increased by 1.6% to \$7,801,773.72. The Finance Committee reviewed the plans and recommended approval.

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

Nay 0 - None

Absent 0 - None

Motion carried.

RESOLUTION 14R-055

APPROVING PURCHASE OF MINI DUMP TRUCK FROM CURRIE MOTORS

Motion Schanks, second Zarate to adopt an ordinance approving the purchase of a mini dump truck from Currie Motors.

This resolution approved the purchase of a 2015 Ford F-450 Chassis from Currie Motors through the Suburban Purchasing Cooperative with a “dump bed” installed by Monroe Truck Equipment. The “dump bed” will include a “hot patch” asphalt heater. This vehicle was a replacement for a 2004 Ford Truck. The cost was \$81,549. That was \$8,931 under the budgeted amount of \$90,000. The Public Services Committee reviewed the purchase and recommended approval.

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

Nay 0 - None

Absent 0 - None

Motion carried.

ORDINANCES

PC 14-35

APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT, DR. MARIA BARINO, 685 W. BOUGHTON ROAD; ROBERT QUINN, ATTORNEY, APPLICANT

Motion Morelli, second Morales to accept Plan Commission Report PC 14-35 for approval of a Special Use Permit for a Planned Unit Development, Dr. Maria Barino, 685 W. Boughton Road; Robert Quinn, Attorney, Applicant.

Voice vote. Motion carried.

ORDINANCE 14-092

APPROVING SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT TO ALLOW A MEDICAL OFFICE (685 W. BOUGHTON ROAD)

Motion Brown, second Lawler to pass an ordinance approving a Special Use Permit for a Planned Unit Development to allow a medical office at 685 W. Boughton Rd.

The applicant, Robert Quinn, on behalf of Dr. Maria Barino, requested approval of a Special Use Permit that would allow 1,300 sq. ft. of tenant space at 685 W. Boughton (Family Video Center) to be used as a medical office. Dr. Barino was a General Practitioner and was relocating from 406 W. Boughton. The property was zoned residential so a Special Use Permit was required to locate in the center.

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

Nay 0 - None

Absent 0 - None

Motion carried.

PC 14-36

APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT, ONCE UPON A CHILD, 315 N. BOLINGBROOK DRIVE; RON POLLASTRINI, BONNIE MANAGEMENT CORP., APPLICANT

Motion Morales, second Schanks to accept Plan Commission Report PC 14-36 for approval of a Special Use Permit for a Planned Unit Development, "Once Upon A Child", 315 N. Bolingbrook Dr.; Ron Pollastrini, Bonnie Management Corp., Applicant.

Voice vote. Motion carried.

ORDINANCE 14-093

APPROVING SPECIAL USE PERMIT FOR PLANNED UNIT DEVELOPMENT TO ALLOW A SECONDHAND STORE – ONCE UPON A CHILD (315 N. BOLINGBROOK DRIVE)

Motion Brown, second Morales to pass an ordinance approving a Special Use Permit for a Planned Unit Development to allow a secondhand store, "Once Upon A Child", at 315 N. Bolingbrook Dr.

The applicant Ron Pollastrini, property manager, is seeking approval of a "secondhand store" to occupy 4,468 sq. ft. of tenant space at 315 N Bolingbrook Drive (retail center across from Menards). The store is "Once Upon a Child" that used to be located in the Maple Park Place Center on Weber Road. The retailer sells slightly used children's clothing and furniture. The Plan Commission reviewed the Special Use and recommended approval.

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

Nay 0 - None

Absent 0 - None

Motion carried.

PC 14-37

APPROVAL OF A SPECIAL USE PERMIT FOR A PLANNED INDUSTRIAL DEVELOPMENT WITH VARIANCES AND CONCEPT PLAN, 1310 REMINGTON BOULEVARD, LOT 1 REMINGTON CROSSINGS SUBDIVISION, LAWRENCE LANTERO, JR. UNITED INSULATED STRUCTURES CORP. ON BEHALF OF WEST LIBERTY FOODS, APPLICANT

Motion Morelli, second Zarate to accept Plan Commission Report PC 14-37 for approval of a Special Use Permit for a Planned Industrial Development with variances and Concept Plan, 1310 Remington Boulevard, Lot 1 Remington Crossings Subdivision; Lawrence Lantero, Jr., United Insulated Structures Corp., on behalf of West Liberty Foods, Applicant

Voice vote. Motion carried.

ORDINANCE 14-094

APPROVING SPECIAL USE PERMIT FOR PLANNED INDUSTRIAL DEVELOPMENT WITH VARIANCES AND CONCEPT PLAN – WEST LIBERTY FOODS (1310 REMINGTON BOULEVARD, LOT 1 REMINGTON CROSSINGS SUBDIVISION)

Motion Lawler, second Morales to pass an ordinance approving a Special Use Permit for a Planned Industrial Development with variances and Concept Plan - West Liberty Foods (1310 Remington Blvd., Lot 1, Remington Crossings Subdivision).

The applicant, United Insulated Structures Corp., was the developer for West Liberty Foods which was the tenant for a proposed freezer distribution building to be located at 1310 Remington Boulevard (14.76 acres just off Weber Road west of the 7 Eleven station and Tilted Kilt). The proposed building would be 170,000 sq. ft. expandable by another 132,000 sq. ft. In order to construct the facility, the parties sought approval of a Concept Plan and Special Use Permit for a Planned Industrial Development with nine (9) associated variances. This ordinance approved the project. The Plan Commission reviewed the request and recommended approval.

Tim Cox, Director of of Supply Chain for West Liberty Foods, addressed the meeting. In his position, he helps with the distribution network for Subway, Costco and Walmart. Their intention was to open the new building up to the public and other retailers. Construction should begin in March 2015 and finish in March 2016. West Liberty Foods hopes to build out the facility to 300,000 sq. ft. in three (3) to five (5) years.

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

 Nay 0 - None

 Absent 0 - None

 Motion carried.

ORDINANCE 14-095

APPROVING FREEZER DISTRIBUTION FACILITY DEVELOPMENT AGREEMENT (WEST LIBERTY FOODS) SUBJECT TO ATTORNEYS APPROVAL

Motion Brown, second Morales to pass an ordinance approving a Freezer Distribution Facility Development Agreement (West Liberty Foods) subject to attorney approval.

West Liberty Foods purchased three (3) buildings that were owned by Quantum Foods. These buildings were specialized for meat processing and disposal of waste bi-products. They were “one-of-a-kind buildings”. When Quantum Foods declared bankruptcy these buildings stood a good chance of being vacant for an extended period of time.

Building 1 is 191,251 sq. ft. and was located at 750 S. Schmidt Road. This building had meat processing lines, cutting equipment and some freezer space.

Building 2 is 10,792 sq. ft. and was located at 570 W. Crossroads Parkway. This was the culinary building and was used for cooking and packaging prepared food.

Building 3 was a pre-treatment plant consisting of 68,975 sq. ft. located at 525 W. Crossroads Parkway and was used to remove high levels of (BOD) Bio-Chemical Oxygen Demand material that needs to be removed before waste entered the public sanitary system.

These buildings encompass ± 15 acres. The previous ordinance covers another fifteen (15) acres, bringing West Liberty's investment in the Village to ± 30 acres. In order to secure the freezer building location in Bolingbrook, the developer (United Insulated Structures Corp.) and tenant (West Liberty Foods) requested financial assistance. The attached Development Agreement was still in draft form, so the staff requested that the ordinance be passed subject to Attorney approval. The parties have agreed in concept but the language was being worked on. The Agreement provided for:

1. A \$50,000 reduction in the sanitary tap-on fees;
2. A waiver of the plan review fees, inspection and engineering fees estimated at \$233,000;
3. Developer to pay to the Village the recapture fee for Remington in the amount of \$233,127;
4. Reimbursement of the buyer's one-half of the Village's Real Estate Transfer Tax - \$16,000.00;
5. A commitment from the developer to comply with Illinois Prevailing Wage laws; and
6. A "claw back" provision to repay the Village for the waived fees if West Liberty Foods ceases operations.

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

Nay 0 - None

Absent 0 - None

Motion carried.

ORDINANCE 14-096
APPROVING ELECTRICAL FENCE EXEMPTION SUBJECT TO CERTAIN CONDITIONS –
SAFETY LANE, INC. D/B/A DART SAFETY LANE (190 E. OLD CHICAGO DRIVE)

Motion Morales, second Schanks to pass an ordinance approving an electrical fence exemption subject to certain conditions to Safety Lane, Inc., d/b/a/ Dart Safety Lane (190 E. Old Chicago Drive)

The Village Code (Chapter 29 Article 5 Section 5-105(c)2.b) prohibits electrical fences. Dart Safety Lane (Dart Trucking), located at 190 E. Old Chicago Drive (northwest corner of Old Chicago and Stevenson Dr., requested an exemption to the prohibition to allow an electrical fence to provide another level of security. This ordinance granted the exemption. Mayor Claar explained that the Village does not like to grant this type of variance but

Trustee Morales noted that the few buildings in town that have been granted electric fences are not easily accessible to the public and a person would have to go out of their way to get to them.

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

Nay 0 - None

Absent 0 - None

Motion carried.

ORDINANCE 14-097

APPROVING THIRD AMENDMENT TO AIRPORT MANAGEMENT AGREEMENT

Motion Zarate, second Lawler to pass an ordinance approving the third amendment to the Airport Management Agreement.

Joe DePaulo has been managing Clow Airport since 2003. Since then, the Village has granted two (2) additional contract extensions. This ordinance was a third amendment which extended his contract through May 1, 2017. The management fees remained at \$12,458/mo. and Mr. DePaulo will continue to pay \$1,200 per month to rent office space. All other terms remained the same.

The Village anticipated that the Airport runway will be closed to flights during the time a new runway will be built. The Agreement provided for a fee reduction during the time the airport will be closed.

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

Nay 0 - None

Absent 0 - None

Motion carried.

ORDINANCE 14-098

APPROVING PLAT OF EASEMENT – RIVER HILLS PHASE 3 (LOTS 215-222 MISTY CREEK TRAIL)

Motion Brown, second Shanks to pass an ordinance approving a Plat of Easement for River Hills Phase 3 (Lots 215-222 Misty Creek Trail).

River Hills Phase 3, located off Reagan near Plainfield Road, recently changed the location of a sanitary sewer line and it was shifted out of the dedicated right-of-way. This ordinance approved a Plat of Easement covering the location of the pipe. Ten (10) feet of Lots 215-222 on Misty Creek Trail were involved. This ordinance approves the plat changing the dedicated right-of-way.

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

Nay 0 - None

Absent 0 - None

Motion carried.

ORDINANCE 14-099

PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$75,000,000 GENERAL OBLIGATION REFUNDING BONDS SERIES 2014 OF THE VILLAGE OF BOLINGBROOK, WILL AND DUPAGE COUNTIES, ILLINOIS, IN ONE OR MORE SERIES, AUTHORIZING THE EXECUTION OF A BOND ORDER, AND PROVIDING FOR THE LEVY AND COLLECTION OF A DIRECT ANNUAL TAX FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS:

Motion Morelli, second Zarate to pass an ordinance providing for the issuance of not to exceed \$75,000,000 General Obligation Refunding Bonds Series 2014 of the Village of Bolingbrook, Will and DuPage Counties, Illinois, in one or more series, authorizing the execution of a Bond Order, and providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds.

With the continued low interest rates the Village has an opportunity to save money by refinancing (termed refunding) some of the Village's outstanding General Obligation Bond Debt. This ordinance authorized the issuance of up to \$75 million in Bonds. No additional new debt for projects is being incurred. This was solely a refinance of existing debt. Based on current rates the Village will save \$21,686,458.00 in future interest payments by refinancing. The net present value savings will be approximately \$3.1 million. The primary underwriter is William Blair who recommended approval of the refinance.

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

Nay 0 - None

Absent 0 - None

Motion carried.

PUBLIC COMMENTS

Geoff Ziezulewicz – Reporter with the Chicago Tribune – chose not to come to the microphone and state his name and address. The question was inaudible but the subject was regarding bonds. Attorney Jim Boan explained the difference between Capital Appreciation Bonds and Refunding Bonds. He assured him that the Village would not use Capital Appreciation Bonds as they are frowned upon by the rating agencies and the bond market. The Village was paying off their Capital Appreciation Bonds.

TRUSTEE COMMENTS

Trustee Lawler wished everyone a Happy Thanksgiving

Trustee Morelli congratulated Mayor Claar and his wife, Pat on the birth of their first grandchild, Samantha Joy. He congratulated Tom Ross on his appointment and noted that Chief McCarthy was the best Police Chief that he had ever worked with, a true leader that is respected by his peers. He then wished everyone a Happy Thanksgiving.

Trustee Brown also congratulated Tom Ross on his appointment to Public Safety Director and thanked outgoing Director Kevin McCarthy for all his help he received from the chief when he had issues to take care of and the professionalism he brought to his position. He asked those watching to help those in need during the holidays as there are many this year. Happy Thanksgiving wishes to everyone.

Trustee Schanks congratulated Tom Ross on his appointment, Sergeant Sinnott's promotion and the appointment of both new Fire Fighters. She wished a Happy Thanksgiving to all.

Trustee Morales gave information on the Pie & Bake Sale at the Promenade to help families in need during the holidays. Goods can be dropped off at the Promenade offices on Wednesday, November 26th. He congratulated Tom Ross on the appointment to Public Safety Director and wished everyone a Happy Thanksgiving.

Trustee Zarate gave information on the Thanksgiving Dinner hosted by Westbrook Church on Lily Cache and Veterans Parkway Tuesday, November 25th at 7:00 p.m. Details were given about "A Joy to Remember" presented by the Bolingbrook Chorus at 1st Presbyterian Church of DuPage on Weber Road on December 7th at 2:00 p.m. She congratulated Tom Ross on his appointment and wished Chief McCarthy the best on his retirement. She congratulated Mayor Claar on the birth of their granddaughter. Lastly, she wished all a Happy Thanksgiving.

ADJOURNMENT

Motion Brown, second Zarate 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