

Village of Bensenville
Board Room
12 South Center Street
Bensenville, Illinois 60106
Counties of DuPage and Cook

MINUTES OF THE VILLAGE BOARD OF TRUSTEES MEETING
June 9, 2015

CALL TO ORDER: 1. President Soto called the meeting to order at 6:31 p.m.

ROLL CALL: 2. Upon roll call by Village Clerk, Ilsa Rivera-Trujillo, the following Board Members were present:

DeSimone, Jaworska, Carmona, Wesseler, O'Connell

Absent: Janowiak

A quorum was present.

Staff Present: Village Attorney, Pat Bond, M. Cassady, D. DiSanto, V. Benham, G. Ferguson, F. Kosman, M. Martella, M. Patel, T. Sloth, A. Thakkar, S. Viger, C. Williamsen

PUBLIC COMMENT: **Janet Luby – 284 East Jefferson Street**

Ms. Luby addressed the Village Board asking if the Village had any plans to resurface Church Road between Jefferson Street and Grand Avenue. Ms. Luby also asked for an update regarding the vacant Dominick's store. Ms. Luby also asked the Village to install four way stop signs at the corner of Jefferson Street and Marian Street.

APPROVAL OF MINUTES:

3. The May 26, 2015 Village Board Meeting minutes were presented.

Motion: Trustee O'Connell made a motion to approve the minutes as presented. Trustee DeSimone seconded the motion.

All were in favor. Motion carried.

WARRANT NO.

15/11: 4. President Soto presented Warrant No. 15/11 in the amount of \$3,625,075.59.

Motion: Trustee DeSimone made a motion to pull invoice #1958 for the Rory Group in the amount of \$10,000 from the warrant. Trustee Carmona seconded the motion.

ROLL CALL: AYES: DeSimone, Carmona, Jaworska, Wesseler

NAYS: O'Connell

Motion carries.

Trustee DeSimone asked that the contract for the Rory Group be placed on a Committee Agenda for review.

President Soto presented amended Warrant No. 15/11 in the amount of \$3,615,075.59.

Motion: Trustee O'Connell made a motion to approve the warrant as amended. Trustee DeSimone seconded the motion.

ROLL CALL: AYES: DeSimone, Carmona, Jaworska, Wesseler, O'Connell

NAYS: None

All were in favor. Motion carries.

Motion: Trustee O'Connell made a motion to approve invoice #1958 for payment to the Rory Group in the amount of \$10,000.00. Trustee Wesseler seconded the motion.

President Soto stated he has no issues of discussing the Rory Group agreement at a future Committee meeting but fears the Village would violate the Prompt Payment Act.

Trustee DeSimone stated he reviewed the last update from the Rory Group and feels the work performed was not sufficient for a \$10,000.00 payment.

Trustee Wesseler stated he agrees with Trustee DeSimone for the need of a Committee review of the Rory Group Agreement. Trustee Wesseler also stated he agreed with President Soto that the Village would be in violation of the Prompt Payment Act if the payment was withheld.

ROLL CALL: AYES: DeSimone, Carmona, Jaworska, Wessler, O'Connell

NAYS: None

All were in favor. Motion carries.

**PRESIDENT'S
REMARKS:**

President Soto stated the condition of Church Road between Jefferson Street and Grand Avenue is currently being assessed. President Soto stated the Village is working with the Bensenville Park District to utilize their property along Church Road for the installation of bike paths. President Soto stated the Village is also seeking grants to assist with the cost of the bike paths and resurfacing of the street. President Soto stated there was an open house for the proposed project earlier in the evening for Residents to provide feedback. President Soto stated if all goes according to plan, the project should be completed in the summer of 2016.

President Soto addressed the vacant Dominick's store. President Soto stated the Village is working with other Communities who face similar issues to fill the vacant store. President Soto stated Albertson, who owns Jewel Osco, bought out Safeway, who owned Dominick's. President Soto stated Albertsons now owns the current lease at 1127 South York Road. President Soto stated Staff has pushed for Albertson to open a Jewel Osco at the location and they have decided not to do so. President Soto stated Albertson has the right to choose who can operate the space and that they have decided to deny potential competitors.

President Soto asked Staff to contact Ms. Luby with her concerns regarding the potential installation of stop signs at the corner on Jefferson Street and Marian Street.

President Soto announced there is a current vacancy on the Youth Coalition and nominated Trustee Janowiak to serve on the Coalition on behalf of the Village.

Trustee Jaworska stated she has an interest to serve on the Coalition but is unable to attend the meetings due to her work schedule. Trustee Jaworska asked if the meeting could be moved to the evening so that she would be able to attend as a Village representative.

President Soto suggested appointing Trustee Jaworska as an alternate representative on behalf of the Village.

Motion: President Soto made a motion to appoint Trustee Janowiak to serve as a member of the Youth Coalition as a representative of the Village of Bensenville and to appoint Trustee Jaworska as an alternate representative on behalf of the Village of Bensenville. Trustee O'Connell seconded the motion.

All were in favor. Motion carried.

**MANAGERS
REPORT:**

**Resolution No.
R-66-2015:**

Village Manager, Michael Cassady, gave the summarization of the action contemplated in **Resolution No. R-66-2015** entitled **A Resolution Authorizing an Application for a U.S. Department of Justice Grant for the Body-Worn Camera Pilot Implementation Program.**

Mr. Cassady stated The US Department of Justice offers a competitive grant for law enforcement agencies seeking to establish a body-worn camera policy and implementation programs. Mr. Cassady stated body-worn cameras are a promising tool to improve law enforcement interactions with the public. Mr. Cassady stated if awarded, the grant covers up to 50% of the cost of purchasing body-worn cameras. Mr. Cassady stated the Village's application is for 42 cameras and includes the cost to establish appropriate privacy policies, operational procedures, tracking mechanisms, and training of officers. Mr. Cassady stated the total cost is estimated to be \$46,180, of which \$23,090 could be covered by the grant. Mr. Cassady stated the grant deadline is June 16, 2015 and requires approval of a Resolution. Mr. Cassady stated due to this timing requirement, this agenda item is forwarded directly to the Village Board. Staff recommends approval.

Trustee DeSimone asked if the cameras would be mandatory to wear. Police Chief, Frank Kosman, stated Staff has not prepared a policy yet and would most likely follow the State regulations if the Village was to move fourth with the body-worn cameras.

Motion: Trustee Wessler made a motion to approve the resolution as presented. Trustee O'Connell seconded the motion.

ROLL CALL: AYES: DeSimone, Jaworska, Carmona, Wesseler, O'Connell

NAYS: None

All were in favor. Motion carried.

**Ordinance No.
26-2015:**

Village Manager, Michael Cassady, gave the summarization of the action contemplated in **Ordinance No. 26-2015** entitled **An Ordinance Authorizing the Execution of an Agreement with SprintCom, Inc. for the Lease of Village Property for the Construction and Maintenance of a Cell Tower.**

Mr. Cassady stated the property at 230 W. Belmont is the site of a Village water tower that has historically been leased for cell tower usage. Mr. Cassady stated U.S. Cellular had a long term lease of the facility; however the site was recently decommissioned, and became available to a new user. Mr. Cassady stated SprintCom, Inc. approached the Village for its lease of the site for cell tower purposes. Mr. Cassady stated Staff has negotiated a 5 year lease, with five additional five year terms thereafter for the site with SpringCom which requires an annual lease payment commencing at \$30,000.00 with a 3% escalation on each anniversary date. Mr. Cassady stated Staff recommends Village Board approval of this Ordinance so that SprintCom can begin generating revenue for the Village and improve signal quality in Bensenville.

There were no questions from the Board.

Motion: Trustee O'Connell made a motion to approve the resolution as presented. Trustee Wesseler seconded the motion.

ROLL CALL: AYES: DeSimone, Jaworska, Carmona, Wesseler, O'Connell

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-67-2015:**

Village Manager, Michael Cassady, gave the summarization of the action contemplated in **Resolution No. R-67-2015** entitled **A Resolution Authorizing the Execution of an Emergency Purchase Order with Stewart Spreading for Sludge Processing and Disposal in the Not-to-Exceed Amount of \$29,000.**

Mr. Cassady stated as part of the Village's \$30 million WWTP Upgrade project, the Village needs to empty one of its digesters in order for the contractor to make a direct tap into our new preliminary treatment building. Mr. Cassady stated the Village has about two weeks to perform this work. Mr. Cassady stated performing the work in-house was not an option due to overtime costs, inability to perform other work, and faulty equipment. Mr. Cassady stated instead, staff had to execute an emergency contract with Stewart Spreading to begin the work, which began on June 2. Stewart's proposal is \$0.04/gallon, and is expected to cost up to \$29,000. Mr. Cassady stated the work will take 6-8 days to complete using 18-24 hour operations. Mr. Cassady stated under the Village Code, this Resolution is required to memorialize the emergency purchase. Mr. Cassady stated Staff recommends approval.

Trustee DeSimone questioned why the cost of the work was not budgeted in the original cost of the project.

Mr. Cassady stated the situation escalated quickly and Staff believed it was faster and cheaper for a private sector to complete the sludge removal.

President Soto asked Staff to prepare a cost analyst of cost for in house work compared to the private sector for a future confidential memo.

Trustee Wessler encouraged Trustees DeSimone, Carmona and Jaworska to contact the Village Manager prior to meetings with their concerns so Staff can have sufficient answers for the Board.

Motion: Trustee Wessler made a motion to approve the resolution as presented. Trustee O'Connell seconded the motion.

ROLL CALL: AYES: Wessler, O'Connell, President Soto

NAYS: DeSimone, Jaworska

ABSTAINED: Carmona

Motion carried.

VILLAGE ATTORNEY REPORT:

Village Attorney, Pat Bond, has no report.

**UNFINISHED
BUSINESS:**

There was no unfinished business.

NEW BUSINESS:

There was no new business.

**EXECUTIVE
SESSION:**

Village Attorney, Pat Bond, called for an Executive Session for the purpose of discussing pending, probable, or imminent litigation, acquisition of real estate property, personnel, and collective negotiating matters. Actions will take place as a result of the discussions.

Motion:

Trustee Wessler made a motion to recess the meeting and go into Executive Session. Trustee O'Connell seconded the motion.

All were in favor. Motion carried.

President Soto recessed the meeting at 7:23 p.m.

President Soto called the meeting back to order at 8:00 p.m.

ROLL CALL:

Upon roll call by Village Clerk, Ilsa Rivera-Trujillo, the following Board Members were present:

DeSimone, Jaworska, Carmona, Wessler, O'Connell

Absent: Janowiak

A quorum was present.

**Resolution No.
R-68-2015:**

Trustee Wessler gave the summarization of the action contemplated in **Resolution No. R-68-2015** entitled **A Resolution Authorizing Execution of a Labor-Management Union Contract Agreement Between the Village of Bensenville and Teamsters Local #700 – Law Enforcement Division for May 1, 2015 – December 31, 2015.**

There were no questions from the Board.

Motion:

Trustee Wessler made a motion to approve the resolution as presented. Trustee Jaworska seconded the motion.

ROLL CALL: AYES: DeSimone, Jaworska, Carmona, Wesseler, O'Connell

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-69-2015:**

Trustee Wesseler gave the summarization of the action contemplated in **Resolution No. R-69-2015** entitled **A Resolution Authorizing a Contract with the American Federation of State, County and Municipal Employee (AFSCME) Local 1167.**

There were no questions from the Board.

Motion: Trustee Wesseler made a motion to approve the resolution as presented. Trustee O'Connell seconded the motion.

ROLL CALL: AYES: DeSimone, Jaworska, Carmona, Wesseler, O'Connell

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-70-2015:**

Trustee O'Connell gave the summarization of the action contemplated in **Resolution No. R-70-2015** entitled **A Resolution Authorizing Execution of a Labor-Management Union Contract Agreement Between the Village of Bensenville and Metropolitan Alliance of Police – Bensenville Police Chapter #165 for May 1, 2015 – December 31, 2015.**

There were no questions from the Board.

Motion: Trustee O'Connell made a motion to approve the resolution as presented. Trustee Jaworska seconded the motion.

ROLL CALL: AYES: DeSimone, Jaworska, Carmona, Wesseler, O'Connell

NAYS: None

All were in favor. Motion carried.

ADJOURNMENT: Trustee O'Connell made a motion to adjourn the meeting and go into executive session. Trustee DeSimone seconded the motion.

All were in favor. Motion carried.

President Soto adjourned the meeting at 8:02 p.m.

Ilsa Rivera-Trujillo
Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this 23rd day, June 2015