

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
February 26, 2019

CALL TO ORDER: 1. President DeSimone called the meeting to order at 6:30 p.m.

ROLL CALL: 2. Upon roll call by Village Clerk, Nancy Quinn, the following Board Members were present:

Franz, Jaworska, Lomax, Panicola, Perez

Absent: Carmona

A quorum was present.

Staff Present: E. Summers, T. Finner, M. Patel, M. Ribando, D. Schulze, A. Thakkar, S. Viger, C. Williamsen

PUBLIC HEARING: President DeSimone opened the Public Hearing on a Proposed Annexation Agreement Between the Village of Bensenville and 4N401 Hawthorne Avenue (Parcel Number 03-23-303-001) and 4N360 Hawthorne Avenue (Parcel Number 03-23-302-012) at 6:31 p.m.

President DeSimone asked if there was any member of the Public that would like to comment on the proposed annexation agreements. There was none.

President DeSimone closed the Public Hearing at 6:32 p.m.

PUBLIC COMMENT: **Paul De Michele – 17W275 Rodeck Lane, Bensenville, Illinois**
Mr. De Michele addressed the Village Board regarding the proposed agenda items concerning the downtown streetscape – south half project. Mr. De Michele asked the Village Board to remove the items from the consent agenda and have an open discussion.

George Jeffries – 317 Wood Street, Bensenville, Illinois
Mr. Jeffries submitted a letter to the Village Board on behalf of Bensenville Fire Protection District No. 1's Attorney. The letter has been attached to the minutes as "Exhibit A".

Gina Mellenthin – 4N150 Pine Grove Ave., Bensenville, Illinois
Ms. Mellenthin asked the Village Board to reconsider the annexation items on the consent agenda.

James Cook – 4N164 Ridgewood Bensenville, Illinois

Mr. Cook addressed the Village Board regarding Unincorporated Bensenville's water system.

**APPROVAL OF
MINUTES:**

3. The February 12, 2019 Village Board Meeting minutes were presented.

Motion:

Trustee Perez made a motion to approve the minutes as presented. Trustee Franz seconded the motion.

All were in favor. Motion carried.

**WARRANT NO.
19/04:**

4. President DeSimone presented **Warrant No. 19/04** in the amount of \$475,047.75.

Motion:

Trustee Panicola made a motion to approve the warrants as presented. Trustee Franz seconded the motion.

ROLL CALL:

AYES: Franz, Jaworska, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

Motion:

5. Trustee Panicola made a motion to approve the Consent Agenda as presented. Trustee Franz seconded the motion.

All were in favor. Motion carried.

**Ordinance No.
6-2019:**

Ordinance Approving a Text Amendment to the Village Code for a White Pines Neighborhood Overlay. (Consent Agenda)

**Ordinance No.
7-2019:**

Ordinance Approving the Annexation Agreement for 4N240 Church. (Consent Agenda)

**Ordinance No.
8-2019:**

Ordinance Approving the Annexation Agreement for 4N252 Church. (Consent Agenda)

Ordinance No.
9-2019:

Ordinance Approving the Annexation Agreement for 4N323 Hawthorne. (Consent Agenda)

Ordinance No.
10-2019:

Ordinance Approving the Annexation Agreement for 4N324 Church. (Consent Agenda)

Ordinance No.
11-2019:

Ordinance Approving the Annexation Agreement for 4N385 Hawthorne. (Consent Agenda)

Ordinance No.
12-2019:

Ordinance Approving the Annexation Agreement for 4N386 Church. (Consent Agenda)

Ordinance No.
13-2019:

Ordinance Approving the Annexation Agreement for 16W603 White Pine. (Consent Agenda)

Ordinance No.
14-2019:

Ordinance Approving the Annexation Agreement for 4N401 Hawthorne. (Consent Agenda)

Ordinance No.
15-2019:

Ordinance Approving the Annexation Agreement for 4N360 Hawthorne. (Consent Agenda)

Ordinance No.
16-2019:

Ordinance Annexing 4N401 Hawthorne Avenue (Parcel number: 03-23-303-001). (Consent Agenda)

Ordinance No.
17-2019:

Ordinance Annexing 4N371 Hawthorne into the Village of Bensenville. (Consent Agenda)

Ordinance No.
18-2019:

Ordinance Approving a Special Use Permit to allow a Daycare Center at 227 W Grand Ave. (Consent Agenda)

Ordinance No.
19-2019:

Ordinance Approving the Annexation of the Vacant Homesite Located at 6N164 Spruce Ave. (Consent Agenda)

Ordinance No.
20-2019:

Ordinance Approving a Map Amendment and Lot Width Variance to Allow a Single Family Home at 6N164 Spruce Ave. (Consent Agenda)

Resolution No.
R-10-2019:

Resolution Supporting the Granting of a Cook County Class 6(b) Real Estate Tax Assessment Classification for Certain Property Commonly Known as 1011 Sesame Street, Bensenville, Illinois. (Consent Agenda)

Ordinance No.
21-2019:

Ordinance Amending Section 3-3-5 of the Bensenville Village Code Increasing the Number of Class F Liquor Licenses from Two to Three. (Consent Agenda)

Ordinance No.
22-2019:

Ordinance of the Village of Bensenville, DuPage and Cook Counties, Illinois Amending the Bensenville Village Code to Modify the Penalties for Offenses Concerning Cannabis and Drug Paraphernalia. (Consent Agenda)

Resolution No.
R-11-2019:

Resolution Approving a Retail Sale Agreement Between the Village of Bensenville and AVI Systems, Inc. for the Purchase and Installation of Cameras as Part of the Village Board Room System Upgrade in the Amount of \$24,196.00. (Consent Agenda)

Resolution No.
R-12-2019:

Resolution Authorizing the 2019 Approved Vendor List for Village Departments Utilizing Parts, Equipment, and Services. (Consent Agenda)

Ordinance No.
23-2019:

Ordinance Amending Village Code Title 8, Public Ways and Properties, Chapter 3, Public Improvements, Section 4, Bidding on Public Works or Other Public Improvements to Update Bidding Limits. (Consent Agenda)

Resolution No.
R-13-2019:

Resolution Authorizing the Execution of a Construction Engineering Services Agreement for the 2019 Water Main

Improvements Project with Hancock Engineering Company in the not to exceed amount of \$93,652.00. (Consent Agenda)

**Resolution No.
R-14-2019:**

Resolution Authorizing the Execution of an Engineering Services Agreement with Civiltech Engineering Inc. for the Downtown Streetscape Project- South Half in the Amount of \$198,427.00. (Consent Agenda)

**Resolution No.
R-15-2019:**

Resolution Authorizing the Execution of a Local Agency Agreement with the Illinois Department of Transportation (IDOT) for Grant Funding Associated with the Downtown Streetscape Project – South Half. (Consent Agenda)

**Resolution No.
R-16-2019:**

Resolution Appropriating the Required Local Match Funds Including Non-participating Costs in the Total Amount of \$1,859,131.00 for the Downtown Streetscape Project - South Half. (Consent Agenda)

**Ordinance No.
24-2019:**

Ordinance Prohibiting the Use of Groundwater as a Potable Water Supply by the Installation or Use of Potable Water Supply Wells or by Any Other Method in a Designated Area Near 491 and 591 Supreme Drive in the Village of Bensenville, Illinois. (Consent Agenda)

**Resolution No.
R-17-2019:**

Resolution Waiving Competitive Bidding and Authorizing a Purchase Order to Standard Equipment Company of Chicago, Illinois, a Sole Source Proprietor, for the Purchase of Sewer Camera Equipment for Envirosight Camera System in the Not-to-Exceed Amount of \$25,726. (Consent Agenda)

**Resolution No.
R-18-2019:**

Resolution Authorizing an Ice Arena License and Facility Use Agreement with the Amateur Hockey Association of Illinois. (Consent Agenda)

**Resolution No.
R-19-2019:**

Resolution Authorizing the Execution of a Facility Rental Use Agreement with Chris Imes Hockey. (Consent Agenda)

**Resolution No.
R-20-2019:**

Resolution Authorizing the Execution of an Ice Arena and Facility Usage License Agreement between the American

Hearing Impaired Hockey Association (AHIHA) and the Village of Bensenville. (Consent Agenda)

**Resolution No.
R-21-2019:**

Resolution Authorizing a Facility Rental Use Agreement with Planet Hockey, Inc. (Consent Agenda)

**Resolution No.
R-22-2019:**

Resolution Authorizing the Execution of a Facility Rental Use Agreement with Greg Carter's European Hockey School. (Consent Agenda)

**Resolution No.
R-23-2019:**

Resolution Authorizing a Facility Usage License Agreement with Legacy Global Sports, Inc. (Consent Agenda)

**Resolution No.
R-24-2019:**

Resolution Authorizing a Facility Usage License Agreement with 200 x 85, LLC. for the ChiTown Shuffle. (Consent Agenda)

**Resolution No.
R-25-2019:**

Resolution Authorizing a Facility Usage License Agreement with HHD Hockey. (Consent Agenda)

**Resolution No.
R-26-2019:**

Resolution to Approve an Amendment to the Standard Form of Agreement Between the Village of Bensenville and Wight Construction Services, Inc. (Consent Agenda)

Motion:

Trustee Panicola made a motion to approve the Consent Agenda as amended. Trustee Franz seconded the motion.

ROLL CALL:

AYES: Franz, Jaworska, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-27-2019:**

6. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-27-2019** entitled a **Resolution in Support of the Interim Fly Quiet Program.**

There were no questions from the Village Board.

Motion:

Trustee Jaworska made a motion to approve the resolution as

presented. Trustee Lomax seconded the motion.

ROLL CALL: AYES: Franz, Jaworska, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

2019 Capital Investment Program:

Assistant Director of Public Works, Mehul Patel, presented an overview of upcoming construction projects in Bensenville.

Trustee Carmona entered the meeting at 6:54 p.m.

Resolution No. R-28-2019:

7. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-28-2019** entitled a Resolution Authorizing the Execution of a Change Order No. 1 with The Detroit Salt Company, LLC for the Purchase of 150 Tons of Bulk Rock Salt in the Not-to-Exceed Amount of \$10,072.50 for a revised amount of \$43,647.50.

There were no questions from the Village Board.

Motion: Trustee Carmona made a motion to approve the resolution as presented. Trustee Franz seconded the motion.

ROLL CALL: AYES: Carmona, Franz, Jaworska, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

PRESIDENT'S REMARKS:

President DeSimone announced Honor Flight will take place on March 2, 2019. President DeSimone stated additional information can be found on the Village's website.

President DeSimone announced that registration is ongoing for the Senior Grass Cutting Program. President DeSimone announced space is limited and any interested Residents should contact Public Works for information.

MANAGERS REPORT:

Village Manager, Evan Summers, engages all to report potholes by using the Village's YourGov system. Mr. Summer stated information

could be found on the Village's website.

**VILLAGE ATTORNEY
REPORT:**

Village Attorney, Joseph Montana, had no report.

**EXECUTIVE
SESSION:**

Village Attorney, Joseph Montana, stated there was not a need for executive session.

ADJOURNMENT:

Trustee Perez made a motion to adjourn the meeting. Trustee Panicola seconded the motion.

All were in favor. Motion carried.

President DeSimone adjourned the meeting at 7:02 p.m.

Nancy Quinn
Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this 12th day, March 2019



BOND, DICKSON & CONWAY

400 S. Knoll Street, Unit C, Wheaton, Illinois 60187 P 630.681.1000 F 630.681.1020

Exhibit A (1 pg.)
February 26, 2019
Village Board Meeting Minutes

February 26, 2019

VIA HAND DELIVERY

Mr. Frank DeSimone
President
Village of Bensenville
12 S. Center Street
Bensenville, IL 60106

Re: The Ordinance or Resolution
Approving Annexation
Our File No.: 09-994

Dear President DeSimone:

I am writing in connection with the Public Hearing scheduled for this evening on the proposed property annexations to the municipal boundaries of the Village of Bensenville. The Bensenville Fire Protection District No. 1 has researched the properties sought to be annexed by the Village and has determined that several of the properties are not, in fact, contiguous to the Village of Bensenville. As such, the Village lacks the legal authority to annex properties which do not satisfy the legal contiguity requirements of the statute.

The Fire District is requesting that the Village defer any action on the proposed annexations until such time as all of the properties sought to be annexed can be reviewed and evaluated to determine whether they can be annexed, pursuant to law. A Representative of the Fire District will be present at the Public Hearing this evening to express the concerns of the Fire District.

Very truly yours,

BOND, DICKSON & CONWAY

Patrick K. Bond

Patrick K. Bond
Attorney for Bensenville Fire
Protection District No. 1