

**VILLAGE OF VILLA PARK**  
**Village Hall, Board Chambers**  
**20 South Ardmore Avenue**  
**Villa Park, IL 60181**

**Village Board of Trustees Minutes**

**January 13, 2020**

**7:00 PM**

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Village President Albert Bulthuis  
Village Clerk Hosanna Korynecky  
Village Trustees:

David Cilella, Nick Cuzzone, Christine Murphy, Kevin Patrick, Cheryl Tucker, and Robert Wagner

**MINUTES OF THE FORMAL MEETING HELD IN VILLAGE HALL BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF VILLA PARK ON JANUARY 13, 2020**

**PRESENT:** Trustees Cilella, Cuzzone, Murphy, Patrick, Tucker, Wagner and President Bulthuis.  
**ALSO PRESENT:** Attorney Orr, Manager Keehner and Clerk Korynecky.

**1. Call to Order – Roll Call.**

President Bulthuis called the meeting to order and Clerk Korynecky called the roll.

**2. Pledge of Allegiance.**

President Bulthuis led the Pledge of Allegiance and Trustee Wagner said the prayer.

**3. Public Comments on Agenda Items.**

There were no participants.

**4. Amendments to the Agenda.**

**5. Discussion.**

**5.a.** School District 45 Presentation by Superintendent Dr. Anthony Palmisano.

*At its December 16, 2019 Board of Education meeting, the School District Board of Education discussed their resolution to "provide for and require the submission of a proposition issuing school building bonds to the voters of the district at the March 17, 2020 general primary election." As a courtesy to the Village Board, Dr. Palmisano will update the Village on the District's plans.*

Dr. Palmisano gave a PowerPoint presentation and said District 45 has scheduled town hall meetings to address questions from residents. Information on town hall meetings can be found at [www.d45.org/referendum](http://www.d45.org/referendum).

**6. Consent Agenda.**

**6.a.** Bill Listing for the Weeks of December 16, 23 and 30, 2019 and January 6, 2020 in the Total Amount of \$1,830,704.12.

**6.b.** Minutes from the Board Meeting Held on December 16, 2019.

Motion to approve Consent Agenda was made by Trustee Cuzzone and seconded by Trustee Cilella. There were no questions, comments or discussion. Roll call vote tallied seven (7) ayes made by Trustees Patrick, Wagner, Tucker, Murphy, Cuzzone, Cilella and President Bulthuis. There were no nays. Motion carried.

**7. First Reading on Ordinances to be Codified.**

**7.a.** First Reading of an ordinance of the Village of Villa Park, DuPage County, Illinois, Increasing the Number of Class AA, Tavern Unrestricted Liquor Licenses.

*Standard Meadery, located at 11-A West Park Boulevard, intends to manufacture, sell and distribute mead, wine and cider for on-site consumption and packaged to go. This ordinance will create a Class AA, Tavern Unrestricted license for consumption on the premises and sale of alcoholic liquor at retail in original packages. This will bring the total number of Class AA licenses to 8. This ordinance also restates the total number of liquor licenses for each class, including the addition of DeVine and 302 On Tap, which replaced Selective Liquors.*

Discussion only. Item moved to the formal.

**7.b.** First Reading on an Ordinance of the Village of Villa Park, DuPage County, Illinois, Amending the Fee Structure for Parking Violations in the Villa Park Municipal Code.

*The Police Department has identified several vehicle owners with multiple unpaid parking tickets. All attempts to collect fines owed to the Village have been ignored. Since January of 2019, seventeen (17) vehicles have received tickets with current fine amounts totaling over \$2,000. Five (5) of those owe more than \$5,000. The Village is experiencing difficulty in collecting overdue fines relating to unpaid parking tickets. Village Code currently contains a section to provide for the immobilization of motor vehicles for outstanding unpaid violations. It is recommended that the ordinance be updated to allow for fewer number of violations to qualify for immobilization and a revised fee structure.*

Discussion only. Attorney Orr provided clarification. Item moved to the formal.

**8. Second Reading on Ordinances to be Codified.**

**8.a.** Second and Final Reading of an Ordinance of the Village of Villa Park, DuPage County, Illinois, Amending the Villa Park Municipal Code by Increasing the Number of Class AAA Liquor Licenses.

*In November 2017 and, again, in June of 2019, the Village Board awarded a Class B liquor license to the owner of 302 E. St. Charles Road for the establishment of The Beverage Hub. The owners have changed their business plan, the name of the proposed establishment to 302 On Tap (Selective Liquors) and have appealed to the Board for a new liquor license. At the Board Meeting held on December 2, 2019, the Board voted to proceed with the necessary steps to issue a new class of liquor license to the new owner, Mr. James Anthony. This ordinance would approve an increase in the number of class AAA licenses. With approval of this license, along with the approval of agenda item 8.b, there would be a total of two AAA liquor licenses.*

Motion to approve the ordinance was made by Trustee Wagner and seconded by Trustee Cilella. Trustee Wagner said he visited the business and was in favor of the ordinance. Trustee Murphy asked for clarification of the license. President Bulthuis provided the information and said the vote is to increase the number of licenses. Roll call vote tallied five (5) ayes made by Trustees Cuzzone, Murphy, Cilella, Wagner and President Bulthuis and two (2) nays made by Trustees Patrick and Tucker. Motion carried.

**8.b.** Second and Final Reading of an Ordinance of the Village of Villa Park, DuPage County, Illinois, Amending the Villa Park Municipal Code by Increasing the Number of Class AAA Liquor Licenses.

*The owner of 339 E. Kenilworth (Debbie DeMito) has requested a class AAA, Tavern, Beer and Wine Only liquor license which would be used to open a new business called DeVine. DeVine will be a wine tasting bar with the option to purchase packaged liquor; no food would be served. With approval of this license, along with the approval of agenda item 8.a, there would be a total of two AAA liquor licenses.*

Motion to approve the ordinance was made by Trustee Cuzzone and seconded by Trustee Cilella. Trustee Murphy expressed concern about serving liquor without food and asked for clarification on the license. Attorney Orr said the license was restricted to serving wine and beer. Roll call vote tallied seven (7) ayes made by Trustees Murphy, Tucker, Patrick, Cilella, Cuzzone, Wagner and President Bulthuis. There were no nays. Motion carried.

**8.c.** Second and Final Reading of an Ordinance of the Village of Villa Park, DuPage County, Illinois, Amending the Villa Park Municipal Code Relating to Liquor Licenses and Adding a Class EEEE - Restaurant, Unrestricted License Classification.

*This ordinance creates a new class of liquor license that allows the consumption of alcohol on the premises of a business but specifies that no gaming will be permitted. No licenses will be assigned at this time.*

Motion to approve the ordinance was made by Trustee Wagner and seconded by Trustee Cilella. There were no questions, comments or discussion. Roll call vote tallied seven (7) ayes made by Trustees Cuzzone, Tucker, Patrick, Murphy, Cilella, Wagner and President Bulthuis. There were no nays. Motion carried.

**8.d.** Second and Final Reading of an Ordinance of the Village of Villa Park, DuPage County, Illinois, Amending Village Code Revising the Established Meeting Dates of Various Commissions.

*Village Code currently requires that the Traffic and Safety Commission meet on the second Tuesday of each month. This standing date has been difficult for the commission to establish a quorum to hold their meetings. Membership of the commission has requested that Village Code be revised to state that the commission shall meet at least monthly on a certain day and time as determined by the chairperson. The Traffic and Safety Commission intends to meet the first Tuesday of every month beginning in January 2020.*

Motion to approve the ordinance was made by Trustee Wagner and seconded by Trustee Murphy. Trustee Tucker asked for clarification. President Bulthuis provided the information and said the scheduled meetings would have to comply with the Open Meetings Act. Roll call vote tallied seven (7) ayes made by Trustees Cuzzone, Patrick, Cilella, Murphy, Wagner, Tucker and President Bulthuis. There were no nays. Motion carried.

## **9. Ordinances.**

**9.a.** Ordinances of the Village of Villa Park, DuPage County, Illinois, Deleting Certain Uses, Adding Cannabis Dispensing Facility and Medical Cannabis Dispensing Facility as Special Uses in the C-3 Service Business District and Adding New Section 6.4.18 to Article 6 Referencing Cannabis Businesses Including Definitions, Prohibitions and Restrictions.

*At its meeting on December 12, 2019, the Zoning & Planning Commission recommend approval of a text amendment to Appendix C of the Villa Park Municipal Code (the Zoning Ordinance) placing additional regulations and restrictions to recreational and medical cannabis dispensing facilities in Villa Park. Such changes to the Zoning Ordinance include, but are not limited to: adding both medical and recreational cannabis dispensaries as special uses in the C-3 zoning district; deleting and updating certain definitions relating to the new cannabis law in Illinois; and, placing more specific restrictions on cannabis dispensaries, such as hours of operation and proximity to other dispensaries. The Zoning & Planning Commission recommended approval of these text amendments.*

Motion to approve the ordinance was made by Trustee Cuzzone and seconded by Trustee Cilella. Trustee Cuzzone referred to a discrepancy on page 3. Attorney Orr said it was a typographical error and would be corrected. Trustee Murphy asked about the potential number of dispensing facilities in the Village and their hours of business. President Bulthuis said the Village recommends up to 3 dispensaries and the hours of operation would be up to the board.

Motion by Trustee Murphy to remove number C2 of limiting the number of dispensing facility locations and seconded by Trustee Wagner. Trustee Tucker asked for clarification on the number of possible dispensary locations. Attorney Orr said state law requires dispensaries to be at least 1500 feet apart. Economic Development Director Burke displayed a map of North Avenue and Roosevelt Road and reviewed the possible locations in the Village. Trustee Wagner agreed that the Village should not limit the number of dispensaries to 3 locations.

Roll call vote to remove number C2 tallied four (4) ayes made by Trustees Tucker, Patrick, Murphy and Wagner and three (3) nays made by Trustees Cilella, Cuzzone and President Bulthuis. Motion carried. Trustee Murphy asked about hours of operation for dispensing facilities in neighboring communities. Director Burke said staff has spoken to several potential operators but hours of operation were not discussed. Attorney Orr said dispensary hours in the ordinance are 8 a.m. to 10 p.m.

Roll call vote on the ordinance as amended tallied seven (7) ayes made by Trustees Wagner, Patrick, Cilella, Murphy, Cuzzone, Tucker and President Bulthuis. There were no nays. Motion carried.

**9.b.** Ordinance of the Village of Villa Park, DuPage County, Illinois, Adding Planned Unit Developments as Special Uses, Deleting Sections 5-1 PUD District from the Zoning Ordinance and Adding PUDs as Special Uses to Table 6-1. *The proposed ordinance modifies Appendix C, commonly referred to as the Zoning Ordinance, of the Villa Park Municipal Code by revising how Planned Unit Developments (PUDs) are processed. The current process requires that PUDs are processed in two steps; this amendment requires only a single step to attain a special use. The Zoning & Planning Commission unanimously recommended approval of this text amendment at their meeting on December 12, 2019.*

Motion to approve the ordinance was made by Trustee Murphy and seconded by Trustee Wagner. Trustee Tucker thanked the Planning & Zoning Commission for their work on the ordinance. Roll call vote tallied seven (7) ayes made by Trustees Patrick, Cuzzone, Tucker, Cilella, Murphy, Wagner and President Bulthuis. There were no nays. Motion carried.

**10. Resolutions.**

**10.a.** Resolution of the Village of Villa Park, DuPage County, Illinois, Approving Partial Change Order No. 1 to the Contract with A Lamp Concrete Contractors, Inc. of Schaumburg, Illinois, for the 2019 Pavement Patching Program for a Net Increase in the Amount of \$96,900.

*In September of 2019, the Board approved a contract with A Lamp Concrete Contractors, Inc. of Schaumburg, Illinois, for the project commonly known as the 2019 Pavement Patching Program. The 2019 program has been expanded to accommodate some of the 2020 work, thereby increasing contract quantities with Proposed Partial Change Order No. 1. The amount of this proposed Partial Change Order No. 1 is a net increase of \$96,900, for an adjusted final contract amount of \$294,400.*

Motion to approve the resolution was made by Trustee Cuzzone and seconded by Trustee Cilella. Trustee Tucker asked what was added for the increase. Manager Keehner explained that the 2019 project was not completed so that and a partial list for 2020 were included in the project. Trustee Tucker asked about the locations to be completed. President Bulthuis said a list would be sent to her. Roll call vote tallied seven (7) ayes made by Trustees Murphy, Patrick, Wagner, Cilella, Cuzzone, Tucker and President Bulthuis. There were no nays. Motion carried.

**10.b.** Resolution of the Village of Villa Park, DuPage County, Illinois, Approving the Lease Termination and General Release with Clear Wireless for their Lease of Space on the Water Tower at 11 W. Home Avenue.

*Mobile carriers commonly lease space on the Village's water towers to provide stronger services and signals to their customers. Clear Wireless, also known as Clearwire and doing business as Sprint, has an established agreement with the Village for equipment on the water tower located at 11 W. Home Avenue. Clearwire has notified the Village of their intent to terminate their existing lease. The agreement being considered requires Clearwire to restore the Village's property to its condition prior to the existing agreement and leave their concrete pad for future use.*

Motion to approve the resolution was made by Trustee Wagner and seconded by Trustee Murphy. President Bulthuis asked for some clarification which was provided by Attorney Orr. Trustee Cilella asked about other vendors interested in leasing space. Manager Keehner said staff will reach out to the other carriers to see if they want to expand. Roll call vote tallied seven (7) ayes made by Trustees Cuzzone, Patrick, Tucker, Cilella, Wagner, Murphy and President Bulthuis. There were no nays. Motion carried.

**10.c.** Resolution of the Village of Villa Park, DuPage County, Illinois, Adopting a Capital Assets Policy for the Village of Villa Park.

*The Village's existing Capital Assets Policy was adopted in 1989 and requires updating. Since the policy's adoption there have been several changes to accounting rules, such as intangible assets like software and easement rights. These changes have been incorporated into the revised policy for consideration. Primary policies have not changed (i.e., useful lives of major asset classes), but the policy has been updated to be more user-friendly. Auditors have reviewed the policy for compliance to the latest Governmental Accounting Standards Board (GASB) rules. If adopted, this policy will be effective for the 2019 audit.*

Motion to approve the resolution was made by Trustee Wagner and seconded by Trustee Tucker. There were no questions, comments or discussion. Roll call vote tallied seven (7) ayes made by Trustees Patrick, Cuzzone, Cilella, Murphy, Wagner, Tucker and President Bulthuis. There were no nays. Motion carried.

**10.d.** Resolution of the Village of Villa Park, DuPage County, Illinois, Approving an Agreement with Xpress Solutions, Inc. for Online Bill Presentment, Payment and Credit Card Processing Services in the Total Amount of \$60,000.

*The Village has been using the services of Payment Service Network (PSN) to provide online utility bill viewing and payments since 2013. When a customer pays with a credit card through PSN, they are charged a 2.75% fee which discourages residents and customers from using credit cards. Many customers opt to pay with cash or check in person or through mail to avoid the fee; customers often vocalize their preference for affordable online payment options and that PSN is difficult to navigate.*

*In the fall of 2019, staff issued a request for proposals for online bill payment and processing services. Of the two proposals received, Xpress Solutions, Inc. offers the most comprehensive services that meet the needs of Village residents and staff. If the Village chooses to absorb the resident surcharge, an agreement with Xpress Solutions could cost a total of approximately \$60,000 annually. It is recommended that the Village enter into an agreement with Xpress Solutions for online merchant processing and that the cost associated be absorbed by increasing the Administration Fee from \$1.50 to \$2.00 per month.*

Motion to approve the resolution was made by Trustee Cilella and seconded by Trustee Wagner. Trustee Tucker asked about the process. Director of Finance Wachtel explained that funds are wired to the Village on a daily basis. Trustee Cuzzone asked about processing fees. Director Wachtel explained about the fees and said, at this time, the processing system would be used for utility payments. Trustee Wagner asked if there will be additional steps for residents in the new process. Director Wachtel said there will be additional steps but staff will reach out to existing

customers over the 90 day transition period. Trustee Tucker asked if the processing service can be used for Parks and Recreation fees. Director Wachtel said no, the software is not compatible. Roll call vote tallied seven (7) ayes made by Trustees Murphy, Cuzzone, Patrick, Wagner, Cilella, Tucker and President Bulthuis. There were no nays. Motion carried.

**11. Public Comments on Non-Agenda Items.**

Fuel and Crème business owner Jack Kozar spoke on behalf of his business and justified erecting a tent without a permit.

Residents Teresa McBride, Patrick Dillon, Sam Bousim, John Cuthbertson, Wendee Grove and Kevin Meeker spoke in favor of the Fuel and Crème businesses and asked that the tent be allowed. Kevin Meeker also presented signed petitions requesting board approval for the tent.

Tracy Gabriel said she lives in close proximity to Fuel and asked that the tent not be allowed. She cited several examples of current code violations at the business.

Planning & Zoning Commissioner Mike Orlovski said Jack Kozar originally presented his businesses as seasonal and required no parking requirements. If things have changed, Jack Kozar should have come before Planning & Zoning before putting up a tent and get a permit to comply with Village codes as all other businesses.

**12. Village Clerk's Report.**

Clerk Korynecky had no report or recommendations.

**13. Village Trustees' Report.**

Trustee Murphy referred to the tree donations to Willowbrook Wildlife Center and thanked Trustee Patrick and staff for working on the project. She also reminded residents about electronic recycling on January 18.

Trustee Tucker said the Parks and Recreation Advisory Commission will meet on January 14 at 7 p.m. at the Iowa Community Center.

Trustee Wagner announced Great Decisions 2020 at the Library on January 20. He also said the Kiwanis Club of Villa Park will host a Bowl-a-thon fundraiser on February 1 at Stardust Bowl in Addison.

Trustee Patrick thanked the Fire Department for providing a recent tour of the facility for Cub Scout Troop 422. He also thanked the Chamber and Village staff for donating 30 prairie path trees from Joyful Tradition to the Willowbrook Wildlife Center in Glen Ellyn.

Trustee Cilella had no report or recommendations.

Trustee Cuzzone said the Economic Development Commission will meet on January 15 at 5:30 p.m. at Village Hall and the Community Pride Commission will meet on January 21 at 6 p.m. at Village Hall.

**14. Village President's Report.**

President Bulthuis thanked commission members for their service to the Village and Village trustees who serve as liaisons to the commissions. He also asked Attorney Orr to provide some clarification of the Open Meetings Act.

Attorney Orr clarified issues regarding commission liaisons where more than 2 trustees are in attendance at a commission or subcommittee meeting. President Bulthuis also informed residents that there may not be a need for a Village board meeting on January 27. The meeting information will be posted on the Village website

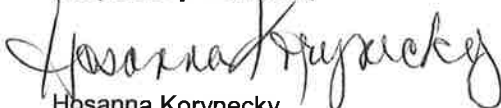
**15. Village Manager's Report.**

Manager Keehner had no report or recommendations.

**16. Adjournment.**

Motion to adjourn was made by Trustee Cuzzone and seconded by Trustee Wagner. Voice vote passed with all ayes. Motion carried. Meeting adjourned at 9:21 p.m.

Respectfully submitted,



Hsanna Korynecky  
Village Clerk

