

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

**Village Board of Trustees Minutes**

**May 20, 2019**

**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 MAY 20, 2019**

**PRESENT:** Trustees Cilella, Cuzzone, Murphy, Patrick, Tucker, Wagner and President Bulthuis.  
**ALSO PRESENT:** Attorney Binninger, 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 the Agenda.**

Resident Jack Kozak spoke in support of Item 8.a. and thanked the Village for their progressive thinking.

**4. Amendments to the Agenda.**

President Bulthuis asked for a motion to removed Item 9.a. from the Agenda. Motion to remove Item 9.a. from the Agenda was made by Trustee Cilella and seconded by Trustee Cuzzone. Roll call vote tallied seven (7) ayes made by Trustees Tucker, Cilella, Patrick, Cuzzone, Wagner, Murphy and President Bulthuis. There were no nays. Motion carried.

**5. Proclamations and Presentations.**

**5.a.** National Safe Boating Week Proclamation by President Bulthuis.

**5.b.** National Public Works Week Proclamation by President Bulthuis.

**5.c.** Presentation of two Scholarship Awards by the Junior Women's Club.

**5.d.** Review of the Illinois Governmental Ethics Act and Best Practices.

The Village attorney will present on the Illinois Governmental Ethics Act and its implications on Village operations. President Bulthuis said Item 5.d. will be moved to the end of the Agenda after Public Comments.

**6. Consent Agenda.**

**6.a.** Bill Listing for the Weeks of May 6 and May 20, 2019 in the Total Amount of \$2,271,117.89.

**6.b.** Minutes from the Board Meeting Held on May 6, 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 Wagner, Tucker, Patrick, 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 Age for the Sale and Possession of Tobacco and Alternative Nicotine Products.

*Effective July 1, 2019, Public Act 101-0002 amends the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act (720 ILCS 675/0.01 et seq.) by amending the age requirement from 18 years of age to 21 years of age to buy or sell any tobacco product, electronic cigarette or alternative nicotine product. In order to be compliant with state law, it is recommended that the Village Municipal Code be amended to reflect the new age requirement in Section 16-112-Restrictions and Regulations Regarding Tobacco and Drug Paraphernalia effective July 1, 2019.*

For discussion only. Attorney Binninger provided clarification.

**7.b.** First Reading of an Ordinance Amending Article 6 of the Villa Park Zoning Ordinance List of Uses Adding Personal Vehicle Sales and Rentals as Permitted Uses in the M-1 & M-2 Zoning Districts and Wine Making as a Permitted Uses in the C-2, C-3, MX-1, MX-2, MX-3 & MX-T Zoning Districts and Adding a Definition for Wine Making.

*The text amendment for personal vehicle sales and rentals in the M-1 and M-2 districts is to maintain symmetry with the zoning ordinance approved in July 2018. The amendment for Wine Making is at the request of a business owner wishing to start a business in Villa Park that will sell mead. At their meeting on April 11<sup>th</sup>, the Zoning & Planning Commission unanimously recommended approval of these two text amendments to the Zoning Ordinance.*

For discussion only. Community Development Director Grill provided clarification.

**7.c.** First Reading of an Ordinance of the Village of Villa Park, DuPage County, Illinois, Amending Water Rates.

*The City of Chicago and the DuPage Water Commission have increased water rates, effective May 1, 2019. As we have done in the past, this ordinance will increase the water rate that the Village charges its customers by 4 cents per 1,000 gallons to cover the increase. If approved, this new rate will be implemented on bills mailed out at the end of June, due on or about July 20, 2019.*

For discussion only.

**7.d.** First Reading of an Ordinance of the Village of Villa Park, DuPage County, Illinois, Increasing the Number of Class EEE, Restaurant Unrestricted Liquor Licenses.

*The business at 117 W. St. Charles Road is changing from Jimmy's Street Tacos to Rosie's. The owner of K3 Wine Bar Inc., which will do business as Rosie's, has successfully completed the background check. This ordinance will replace a Class EEE, Restaurant Unrestricted liquor license that will be eliminated upon the closing or sale of Jimmy's Street Tacos. There will continue to be 61 liquor licenses.*

For discussion only.

**8. Ordinances.**

**8.a.** Ordinance of the Village of Villa Park, DuPage County, Illinois, Establishing a Two-Year Pilot Program Allowing the Keeping of Chickens within the Village.

*At the direction of the Village Board, the Zoning & Planning Commission and staff discussed and created a two-year pilot program that would allow residents to keep chickens on their property provided they follow a specific set of regulations. The Zoning & Planning Commission unanimously recommended approval of a two-year pilot program for the keeping of chickens within the Village of Villa Park.*

Motion to approve the ordinance was made by Trustee Wagner and seconded by Trustee Patrick. Trustee Cuzzone asked about the minimum of two chickens. Director Grill explained the reason for the minimum. Trustee Cuzzone asked if the Village can address problems associated with the keeping of chickens. Director Grill said the Village could adjudicate problems if the resident is not in compliance with the rules of the pilot program. Trustee Wagner spoke in support of the pilot program. Trustee Tucker asked about the program becoming permanent. President Bulthuis said the board can decide to keep it a pilot program or make it permanent with additional regulations. Trustee Murphy asked about negative feedback and increase in coyotes. Trustee Wagner said he did not believe additional chickens would attract more coyotes. Roll call vote tallied seven (7) ayes made by Trustees Cilella, Cuzzone, Tucker, Wagner, Patrick, Murphy and President Bulthuis. There were no nays. Motion carried.

**8.b.** An Ordinance of the Village of Villa Park, DuPage County, Illinois, approving a Special Use for a Fueling Station, a Development Plan for a Planned Unit Development and a Final Plat of Resubdivision for the Development of the Property Located at the Southeast Corner of Ardmore Avenue and North Avenue, 5-55 East North Avenue.

*This is a redevelopment of the former junkyard at the southeast corner of North Avenue and Ardmore Avenue. The junkyard has been demolished and the Midas is to be demolished soon. The project includes a 10-pump Bucky's*

gas station, convenience store and car wash. At the public hearing on April 11, 2019 at which no objectors appeared, the Zoning & Planning Commission unanimously recommended approval of this project.

Motion to approve the ordinance was made by Trustee Cuzzone and seconded by Trustee Cilella. Trustee Patrick asked if this would be a truck stop. President Bulthuis said this will not be a truck stop. Trustee Tucker asked if all issues have been resolved with Planning & Zoning. President Bulthuis said they have been resolved. Roll call vote tallied seven (7) ayes made by Trustees Cilella, Patrick, Cuzzone, Wagner, Tucker, Murphy and President Bulthuis. There were no nays. Motion carried.

**8.c.** An Ordinance of the Village of Villa Park, DuPage County, Illinois, Approving Russell's Plat of Consolidation for the Property Commonly Known as 160 North Villa Avenue.

*The owner of 160 N. Villa is seeking expansion of his existing residence onto an adjacent property. A Plat of Consolidation is necessary so that the proposed structure does not straddle onto two separate parcels.*

Motion to approve the ordinance was made by Trustee Wagner and seconded by Trustee Cuzzone. Trustee Murphy asked about input from the neighbor. Director Grill said the owner of the residence owns the adjacent property. Trustee Cuzzone asked if this was only an addition to the residence. Director Grill said it was. Trustee Tucker asked for clarification on lot sizes. Director Grill said there are only minimums. Roll call vote tallied seven (7) ayes made by Trustees Cilella, Tucker, Cuzzone, Wagner, Murphy, Patrick and President Bulthuis. There were no nays. Motion carried.

## **9. Resolutions.**

**9.a.** Resolution of the Village of Villa Park, DuPage County, Illinois, Approving an Agreement between the Village and the State of Illinois Department of Transportation for the Improvement of the St. Charles Road Bridge over Salt Creek and the Authorization and Appropriation for Funds for Project Costs in the Total Amount of \$46,200.

*The St. Charles Road Bridge Improvement Project is proposed in the Village of Villa Park's Capital Improvement Plan. The project consists of the replacement of the bridge superstructure. Design is complete and the project is out to bid. The total estimated cost of the project, including construction and construction engineering, is \$2,985,000. The Village expects to receive 80% federal funding for this project through the Illinois Special Bridge Program (ISBP), with a maximum federal share of \$2,388,000, and also expects to receive state funding in the amount of \$550,800. This would result in a local share of construction and construction engineering costs of \$46,200 which is budgeted in Street Improvement Fund account numbers 60.502.10.292 and 60.502.10.299. A Local Public Agency Agreement with IDOT to provide this funding is required in order to proceed with the contract award and construction of the project. A resolution approving the funding agreement and appropriating the Village's share of project costs is needed.*

**9.b.** Resolution of the Village of Villa Park, DuPage County, Illinois, Accepting a Proposal to Purchase a 2019 Ford F-250 Regular Cab Truck from Landmark Ford, Inc. in an Amount Not to Exceed \$33,899.

*Existing vehicle #252, a 2002 Ford F-150, is scheduled for replacement in the Village's CY 2019 budget. Staff is requesting authorization to purchase one (1) 2019 Ford F-250 Regular Cab 4WD truck through the State of Illinois Central Management Services Joint Purchasing Program from Landmark Ford of Springfield, Illinois, in an amount not to exceed \$33,899. Funding would be taken from Equipment Replacement Fund account number 65.502.02.401. Existing vehicle #252 would be sold at auction.*

Motion to approve the resolution was made by Trustee Wagner and seconded by Trustee Cuzzone. Trustee Tucker asked for clarification about vehicle #252. Parks and Recreation Director Gola reviewed the repairs needed for the vehicle. Trustee Cilella asked about the plow attachment for the new truck. Director Gola said there will be a plow attachment that will be interchangeable with other similar trucks. Trustee Tucker asked for additional information on the purchase package. Director Gola said he will provide that information to the board. Roll call vote tallied seven (7) ayes made by Trustees Cilella, Patrick, Wagner, Cuzzone, Murphy, Tucker and President Bulthuis. There were no nays. Motion carried.

**9.c.** Resolution Expressing Official Intent Regarding Certain Capital Expenditures for the Purchase of Equipment, Including Cable System Transmission and Related Equipment, Police Evidence Storage System and Related Equipment, to be Reimbursed from Proceeds of an Obligation to be Issued by the Village of Villa Park, DuPage County, Illinois.

*In order to use rollover (sometimes called DSEB) bond proceeds to pay for cable equipment and evidence room shelving and related equipment, it is necessary to adopt this resolution. We will secure rollover bond proceeds in late fall. Our 2019 budget calls for using rollover bond proceeds to pay for various vehicles and equipment as well, which was covered by a similar resolution adopted in March, 2019.*

Motion to approve the resolution was made by Trustee Wagner and seconded by Trustee Cuzzone. Trustee Patrick asked for additional details on the expenditures. President Bulthuis said that will be presented to the board. Roll call vote tallied seven (7) ayes made by Trustees Cilella, Cuzzone, Tucker, Patrick, Wagner, Murphy and President Bulthuis. There were no nays. Motion carried.

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

Deborah Naguib, owner of business at 302 E. St. Charles Road Unit E, asked that her liquor license be reinstated. She responded to questions from the board and explained her current situation with plans to open in November. The board agreed to consider issuing a new liquor license with the understanding that the new business will open in November.

Justin Shlensky, Environmental Concerns Commission Chair, asked about the proposed fuel station at Rt. 83 and St. Charles Road in Elmhurst. Manager Keehner said the petition has been withdrawn. Justin Shlensky also provided an update on the recent Spring Sweep and thanked Village staff for their cooperation.

**5.d. Review of the Illinois Governmental Ethics Act and Best Practices.**

Village Attorney Jim Binninger presented information on the Illinois Governmental Ethics Act and its implications on Village operations. Attorney Binninger provided additional clarification and responded to questions from the board.

**11. Village Clerk's Report.**

Clerk Korynecky had no report or recommendations.

**12. Village Trustees' Report.**

Trustee Patrick said he attended the recent DuPage Rail Safety Committee Meeting. He also said the recent Cop on a Roof fundraiser was very successful.

Trustee Cilella had no report or recommendations.

Trustee Cuzzone thanked Theresa Bauer and the Community Pride Commission for their work on the Spring Sweep.

Trustee Murphy thanked staff and the commissions involved with the Spring Sweep and thanked residents for their support and cooperation.

Trustee Tucker congratulated the 2019 graduates. She asked that residents stay safe during the Memorial Day weekend and said the VFW will hold a Memorial Day celebration at Cortesi Veterans Park. She also wished Economic Development Director Jan Fiola a happy retirement.

Trustee Wagner said the Environmental Concerns Commission will meet on May 23 at 7 p.m. at Village Hall. He announced Love Your Neighbor Day scheduled for September 28. He said Spring Sweep was very successful and thanked Village staff for their planning and participation. He also thanked Director Fiola for her work with the Village.

**12. Village President's Report.**

President Bulthuis announced Attorney Jim Binninger's retirement and said this was his last meeting with the Village. He also thanked Director Jan Fiola for her time with the Village and wished her well.

**13. Village Manager's Report.**

Manager Keehner referred to the Spring Sweep recycling event and said there were over 500 vehicles in four hours. He also thanked Director Fiola for her work with the Village and said she will be missed.

**15. Executive Session.**

**15.a.** Pursuant to the General Provisions of the Open Meetings Act:

a. 5ILCS 120/2 (c)(1) Personnel Matters

b. 5ILCS 120/2 (c)(2) Collective Bargaining Matters

c. 5ILCS 120/2 (c)(5) Purchase or Lease of Property

d. 5ILCS 120/2 (c)(6) Sale or Lease of Property

e. 5ILCS 120/2 (c)(11) Pending Litigation

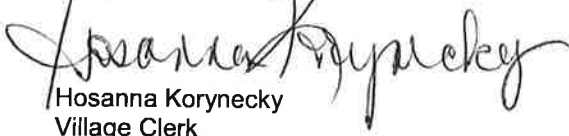
f. 5ILCS 120/2 (c)(21) Discussion of Closed Session Minutes

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

**16. Adjournment.**

Motion to adjourn was made by Trustee Cuzzone and seconded by Trustee Cilella. Voice vote passed with all ayes. Motion carried. Meeting adjourned at 9:58 p.m.

Respectfully submitted,



Hosanna Korynecky  
Village Clerk

**Next Meeting will be June 10, 2019.**

