



VILLAGE OF BENSENVILLE

Village Board

President

Frank Soto

Trustees

Morris Bartlett

Robert "Bob" Jarecki

Martin O'Connell III

Oronzo Peconio

JoEllen Ridder

Henry Wesseler

Village Clerk

Susan Janowiak

Village Manager

Michael Cassady

Village of Bensenville, Illinois BOARD OF TRUSTEES MEETING AGENDA

6:30 P.M. Tuesday, April 10, 2012

Bensenville Village Hall, 12 S. Center Street, Bensenville IL 60106

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. PUBLIC COMMENT (3 minutes per person with a 30 minute meeting limitation)
- V. APPROVAL OF MINUTES
March 27, 2012 Board of Trustees
- VI. WARRANT – April 10, 2012 #12/ 07 - \$846,902.50
- VII. **STATE OF THE VILLAGE ADDRESS BY PRESIDENT SOTO**
- VIII. **CONSENT AGENDA – CONSIDERATION OF AN “OMNIBUS VOTE”**
 1. *Resolution Authorizing Susan Janowiak as a Freedom of Information Act Officer in Accordance with Public Act 96-0542*
- IX. **REPORTS OF STANDING COMMITTEES**
 - A. Community and Economic Development Committee – No Report
 - B. Infrastructure and Environment Committee – No Report
 - C. Administration, Finance and Legislation Committee – No Report
 - D. Public Safety Committee – No Report
 - E. Recreation and Community Building Committee
 1. *Authorization to the Village Manager to execute an Agreement with the Chicago Hitmen LLC for Ice Rental, Locker Room, and Office Space at the Edge II Facility for the 2012/2013 Season Consistent with the Letter of Intent Dated March 28, 2012.*
 - F. Technology Committee – No Report

- X. INFORMATION ITEMS
 - A. PRESIDENT'S REMARKS
 - B. VILLAGE MANAGER'S REPORT
 - C. VILLAGE ATTORNEY'S REPORT
- XI. UNFINISHED BUSINESS
- XII. NEW BUSINESS
- XIII. EXECUTIVE SESSION
 - A. Review of Executive Session Minutes [5 ILCS 120/2 (C)(21)]
 - B. Personnel [5 ILCS 120/2(C)(1)]
 - C. Collective Bargaining [5 ILCS 120/2 (C)(2)]
 - D. Property Acquisition [5 ILCS 120/2(C)(5)]
 - E. Litigation [5 ILCS 120/2(C)(11)]
- XIV. MATTERS REFERRED FROM EXECUTIVE SESSION
- XV. ADJOURNMENT

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

March 27, 2012

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, Susan Janowiak, the following Board Members were present:

Bartlett, O'Connell, Ridder, Wesseler

Absent: Jarecki, Peconio

A quorum was present.

PUBLIC COMMENT: There was no public comment.

APPROVAL OF MINUTES:

3. The March 13, 2012 Village Board Meeting minutes were presented.

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

All were in favor. Motion carried.

WARRANT NO. 12/06:

4. President Soto presented **Warrant No. 12/06** in the amount of \$2,252,484.44.

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

ROLL CALL: AYES: Bartlett, O'Connell, Ridder, Wesseler

NAYS: None

All were in favor. Motion carried.

Motion: 5. Trustee Ridder made a motion to set the Consent Agenda as presented. Trustee Bartlett seconded the motion.

All were in favor. Motion carried.

**Resolution No.
R-28-2012:**

Resolution Authorizing Continued Engagement of the Baecore Group for Certain Services Relating to Technology Solutions for an Amount Not to Exceed \$140,005. (Consent Agenda)

**Resolution No.
R-29-2012:**

Resolution Authorizing the Execution of a Contract for Demolition Services with DMD Services, Inc. (Consent Agenda)

**Resolution No.
R-30-2012:**

Resolution Adopting the Emerald Ash Borer (EAB) Management Plan. (Consent Agenda)

**Ordinance No.
17-2012:**

An Ordinance Amending the Village Code to Establish a Comprehensive Forestry Management Plan. (Consent Agenda)

**Ordinance No.
18-2012:**

An Ordinance Amending Section of Title 8, Chapter 6, Article A "General Wastewater Pretreatment Program" as it Relates to Local Limits. (Consent Agenda)

Motion: Trustee Ridder made a motion to approve the Consent Agenda as presented. Trustee Bartlett seconded the motion.

ROLL CALL: AYES: Bartlett, O'Connell, Ridder, Wessler

NAYS: None

All were in favor. Motion carried.

**Resolution No
R-31-2012:**

6. President Soto gave the summarization of the action contemplated in **Resolution No. R-31-2012 entitled A Resolution Authorizing the Execution of a Purchase Order with Alaniz Landscape Group, Inc. for the 2012 Parkway Tree Planting Program.**

Motion: Trustee Ridder made a motion to approve the resolution as presented. Trustee Bartlett seconded the motion.

ROLL CALL: AYES: Bartlett, O'Connell, Ridder, Wesseler

NAYS: None

All were in favor. Motion carried.

**PRESIDENT'S
REMARKS:**

**Resolution No
R-32-2012:**

7. President Soto gave the summarization of the action contemplated in **Resolution No. R-32-2012** entitled **A Resolution Granting the Advice and Consent to the President's Appointment of Joe Pisano to the Community Development Commission.**

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

ROLL CALL: AYES: Bartlett, O'Connell, Ridder, Wesseler

NAYS: None

All were in favor. Motion carried.

**Resolution No
R-33-2012:**

8. President Soto gave the summarization of the action contemplated in **Resolution No. R-33-2012** entitled **A Resolution Granting the Advice and Consent to the President's Appointment of Tom Ventura to the Community Development Commission.**

Motion: Trustee Wesseler made a motion to approve the resolution as presented. Trustee Bartlett seconded the motion.

ROLL CALL: AYES: Bartlett, O'Connell, Ridder, Wesseler

NAYS: None

All were in favor. Motion carried.

**Resolution No
R-34-2012:**

9. President Soto gave the summarization of the action contemplated in **Resolution No. R-34-2012** entitled **A Resolution Granting the Advice and Consent to the President's Appointment of Ron Rowe to the Community Development Commission.**

Motion: Trustee Ridder made a motion to approve the resolution as presented. Trustee Bartlett seconded the motion.

ROLL CALL: AYES: Bartlett, O'Connell, Ridder, Wessler

NAYS: None

All were in favor. Motion carried.

President Soto thanked the three re-appointed members for their time served on the Commission and looks forward to working with them in the continued future.

President Soto announced the Village of Bensenville has been designated as a Tree City USA Community awarded by the National Arbor Day Foundation. President Soto congratulated and thanked Village Staff for their work in regards to receiving this honor.

**MANAGERS
REPORT:**

Village Manager, Michael Cassady, had no report.

**VILLAGE ATTORNEY'S
REPORT:**

Village Attorney, Keith Letsche, had no report.

**UNFINISHED
BUSINESS:**

There was no unfinished business.

NEW BUSINESS:

Trustee Bartlett announced that Thursday, March 29, 2012 is Vietnam Veteran's Day and encourages Residents to thank the Veteran's for their time served.

**EXECUTIVE
SESSION:**

Village Attorney, Keith Letsche, stated there were no items for Executive Session.

ADJOURNMENT: Trustee Ridder made a motion to adjourn the meeting. Trustee Bartlett seconded the motion

All were in favor. Motion carried.

President Soto adjourned the meeting at 6:40 p.m.

Susan Janowiak
Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this ____ day, April, 2012

TYPE: Presentation **SUBMITTED BY:** Village President **DATE:** 04/05/12

DESCRIPTION: 2012 Annual State of the Village Address

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Sound Village</i>	<input checked="" type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input checked="" type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input checked="" type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input checked="" type="checkbox"/>	<i>Vibrant Major Corridors</i>

COMMITTEE ACTION: N/A

DATE: N/A

At the start of the April 10, 2012 Village Board Meeting, Village President Soto will present the 2012 Annual State of the Village Address.

TYPE: Resolution **SUBMITTED BY:** Corey Williamsen **DATE:** April 10, 2012

DESCRIPTION: Resolution Appointing Susan Janowiak As A Freedom of Information Act Officer in Accordance with Public Act 96-0542.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Sound Village</i>	<input type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input checked="" type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

COMMITTEE ACTION: Due to timing and the ministerial nature of the action this matter was not presented to the Administration, Finance & legislation Committee for review and recommendation.

DATE: N/A

BACKGROUND:

Public Act 96-0542, which went into effect January 1, 2010, amended the Freedom of Information Act (FOIA) to require that a public body designate one or more officials or employees to act as the body's Freedom of Information officer. Also, in the same amendment it was a requirement to designate one or more officials and or employees to receive Open Meetings Act training. On April 29, 2011, then Village Clerk, JoEllen Ridder took an Oath of Office as Village Trustee vacating her position as Village Clerk along with vacating her responsibilities as Freedom of Information Officer and as a designated official required to obtain Open Meetings Act training. It was recommended by the Village Attorney to appoint a FOIA Officer to avoid any issue with having only a Deputy FOIA Officer. On February 14, 2012 the Village Board appointed Deputy Village Clerk, Corey Williamsen as the Freedom of Information Officer for the Village per the recommendation of the Village Attorney.

KEY ISSUES:

On March 13, 2012, Susan Janowiak was appointed by the Village Board as Village Clerk and administered the Oath of Office the same evening. Staff has met with the Village Attorney and it has been recommended to appoint Village Clerk, Susan Janowiak as a Freedom of Information Act Officer and designate her as an official required to obtain Open Meetings Act training. It is also the Village Attorney's recommendation to continue having Deputy Village Clerk, Corey Williamsen, serve as a Freedom of Information officer and continue having Village Employee, Mary Rivera, designated to receive Open Meetings Act training for the Village.

ALTERNATIVES:

- Approve the Resolution
- Discretion of the Board

RECOMMENDATION:

Staff recommends approval of the Resolution appointing Village Clerk Susan Janowiak as a FOIA Officer and designating her as an official to receive OMA training.

BUDGET IMPACT:

No impacts in that current officers/staff are being recommended for designation.

ACTION REQUIRED:

Board action on the resolution.

RESOLUTION NO. _____

RESOLUTION APPOINTING SUSAN JANOWIAK AS A FREEDOM OF INFORMATION ACT OFFICER IN ACCORDANCE WITH PUBLIC ACT 96-0542

WHEREAS, the Village of Bensenville (“Village”) is a body politic and corporate, organized and existing to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the Village is a “public body” pursuant to Section 1.02 of the Open Meetings Act (“OMA”), 5 ILCS 120/1.02, and Section 2 (a) of the Freedom of Information Act (“FOIA”), 5 ILCS 140/2 (a), and, accordingly, subject to the provisions of those Acts; and

WHEREAS, effective January 1, 2010, Section 5 of Public Act 96-0542 amends the OMA to require that a public body designate employees, officers or member of the body to receive training on compliance with the OMA and Section 10 of Public Act 96-0542 amends the FOIA to require that a public body designate one or more official or employees to act as the body’s Freedom of Information officer; and

WHEREAS, on March 13, 2012 Susan Janowiak was appointed as Village Clerk; and

WHEREAS, Village Clerk Susan Janowiak be designated respectively as a Freedom of Information Officer for the Village; and

WHEREAS, Village Clerk Susan Janowiak has duties requiring her regular attendance at or assisting with Village Board of Trustee meeting and therefore should be the Village Officer designated to receive OMA training,

NOW, THEREFORE, BE IT RESOVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BENSENVILLE, DUPAGE AND COOK COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION 1. The recitals set above are incorporated herein and made a part hereof.

SECTION 2. The Village Clerk is hereby designated and appointed as a Freedom of Information Officer for the Village to exercise all powers and to carry out all duties of that officer as now provided for or as may be hereafter provided for, and Village Clerk Susan Janowiak be designated the Village Officer to receive OMA training;

SECTION 3. This Resolution shall take effect immediately upon adoption.

SECTION 4. All resolutions, or parts thereof, in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, this 10th day of April 2012.

APPROVED:

Frank Soto, Village President

ATTEST

Susan Janowiak, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Motion **SUBMITTED BY:** Gary Thorsen **DATE:** Apr.10, 2012

DESCRIPTION: Authorize the Village Manager to draft and execute an Agreement with the Chicago Hitmen LLC for ice rental, locker room and office space at Edge II for the 2012/2013 season consistent with the Letter of Intent dated March 28, 2012.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	<i>Financially Sound Village</i>
<input checked="" type="checkbox"/>	<i>Quality Customer Oriented Services</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>

<input checked="" type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

COMMITTEE ACTION: Due to the time sensitive nature of this request it is being forwarded directly to the Village Board without consideration by the Recreation and Community Building Committee

DATE: N/A

BACKGROUND:

Through several attempts to contact the ownership of the Steel Hockey Organization by means of telephone and by letter sent from the Village Attorney, as of this date we have had no verbal or written communication from the Steel regarding a contract Agreement for 2012/2013. A letter was sent to ownership on February 22, 2012 requesting a return of the Agreement to be executed by March 15, if not the tender of the Agreement and all offers by the Village will be withdrawn.

The Agreement for the Steel asks for \$50,000 to be paid as two payments one in September and the other in December, consistent with the arrangement over the past two seasons.

While our requests for commitment from the Steel have been ignored, the Chicago Hitmen LLC hockey organization have executed a letter of intent and have agreed to pay the Village of Bensenville \$100,000 for the 2012/2013 season to be paid in three installments September 15th, November 15th, and December 15th 2012.

KEY ISSUES:

Deadline has passed for the Steel to sign the Agreement we need to make a decision whether to risk continuing on with the Steel without a contract, or to sever our relationship with the Steel and contract with the Chicago Hitmen LLC instead for a larger contact amount. The Hitmen have both the NAHL Tier II and NA3HL Tier III Junior Hockey teams, compared to the Tier I Steel team. Time is of the essence, Hitmen need a commitment from the village for the 2012/2013 season or they will have to commit to another facility. This time of year is when all facilities book their rinks for the fall season; waiting any longer will leave them without a place to skate.

ALTERNATIVES:

- Enter into an Agreement with the Chicago Hitmen LLC for the 2012/2013 season consistent with the letter of intent dated March 28, 2012.
- Continue with the Steel risking them leaving the facility and loss of revenue
- Discretion of the Committee.

RECOMMENDATION:

Staff recommends approval of the resolution entering into an Agreement with the Chicago Hitmen LLC for the 2012/2013 season consistent with the letter of intent dated March 28, 2012

BUDGET IMPACT:

Contracting with the Chicago Hitmen would result in a total contract of \$100,000, which is an increase to revenue of \$50,000 from our current arrangement with the Steel.

ACTION REQUIRED:

Authorize the Village Manager to contract with the Chicago Hitmen LLC for the 2012/2013 season.



March 28, 2012

The Edge Ice Arena / Village of Bensenville

Gary,

Please consider this as a formal letter of intent to enter into a contractual agreement between the Chicago Hitmen LLC and the Village of Bensenville commencing June 1, 2012 for ice rental, locker room and office space at The Edge Ice Arena on Jefferson St. This would include both the NAHL Tier II and NA3HL Tier III Junior Hockey teams. Ice Rental and facility occupancy details are listed below. Terms of the written contract to be mutually agreed upon. In addition, any contract entered into must meet with NAHL and NA3HL league approval.

The following is a detailed list of ice and facility needs for the Chicago Hitmen NAHL and NA3HL teams for the 2012-13 season. These are approximations based on this year's schedule. Both teams may require additional ice in the event either team will need to host a home playoff series.

NAHL 22 HOME GAME SLOTS (3 HR BLOCKS)

120 PRACTICE SLOTS (1 HR)

Dedicated Locker Room Space

Office Space

NA3HL 20 HOME GAME SLOTS (2.5 HR BLOCKS)

85 PRACTICE SLOTS (1 HR)

Dedicated Locker Room Space

Office Space

- Chicago Hitmen would keep 100% of all advertising revenue sold by the organization.
- Chicago Hitmen will keep 100% of all ticket sales for both teams.
- The Edge Ice Arena will keep 100% of all concessions during Chicago Hitmen events.
- Any build out for locker rooms in the facility will be at the Chicago Hitmen expense.
- Ice Times for Practices and Games to meet with League Rules and Standards.
- Chicago Hitmen will be available to assist in any youth programming at management's request at no charge. (Clinics, Camps, Special Events)

Payment Schedule

For the above listed items the Chicago Hitmen agree to pay the City of Bensenville \$100,000.

Payments will be broken into three installments.

First Installment September 15th

Second Installment November 15th

Final Installment December 15th

Sincerely,

Mark Hammersmith

Chicago Hitmen LLC Owner/GM/Gov.