

MINUTES OF THE SPECIAL MEETING  
OF THE VILLAGE OF WESTERN SPRINGS  
PRESIDENT AND BOARD OF TRUSTEES  
Monday, May 18, 2020

President Alice F. Gallagher, Presiding  
Call to Order, 7:00 p.m.  
James Horvath, Acting Village Clerk

Board Members Present

Nicole Chen\*  
Alan Fink\*  
James John\*  
Trustee Appointee Scott Lewis\*  
Heidi Rudolph\*  
James Tyrrell\*

\*Electronic Attendance - Due to the Stay-at-Home Order Through May 30, 2020

Others Present

Ingrid Velkme, Village Manager  
Aleks Breidis, Director of Recreation\*  
Grace Turi, Director of Finance\*  
Pat Schramm, Director of IT  
Matt Supert, Director of Mun Svcs.\*  
Casey Biernacki, Asst. Dir. Mun Svcs.\*  
Brian Budds, Director of LES\*  
Aleks Briedis, Director of Rec\*  
Pat Kenney, Director of Fire & EMS\*  
Marty Scott, Director of CD\*  
Ellen Baer, Director of Admin\*  
John Mastandona, Asst. Dir. Finance\*  
Elaine Haeske, Deputy Clerk  
Michael Jurusik, Village Attorney

**CALL TO ORDER**

The meeting opened at 7:12 p.m. due to technical difficulties.

President Gallagher said that in response to Covid-19, Governor Pritzker issued Executive Order 2020-07, which suspends Open Meeting Act provisions requiring in-person attendance of the public body and expands conditions when remote participation is permitted. In accordance with this Executive Order, we are conducting this meeting, and all public meetings of the Village Board for the duration of the Governor's stay-at-home order, via teleconference. A conference ID number has been posted on the Village's website and we invite members of the public to remotely attend the meeting. We are making a concerted effort to conduct these special meetings as similar to our regular board meeting format as possible. In further compliance of Gov. Pritzker's stay-at-home order and public health guidance, the Board's normal schedule of two meetings per month will be consolidated into one meeting (absent extraordinary circumstances

requiring an emergency meeting) for the duration of the stay-at-home order. The public may participate during the citizen comments portion of the meeting. Any members of the public who wish to make comments are asked to respect the Village's public comment participation guidelines. The audio will be open for public participants and then muted when public comment is concluded.

## **PLEDGE OF ALLEGIANCE**

President Gallagher led the audience in the Pledge of Allegiance.

## **ROLL CALL (Acting Clerk Horvath)**

As noted above.

## **READING OF AGENDA - ADDITIONS – DELETIONS**

There were no changes.

## **PUBLIC HEALTH CONCERNS RELATED TO THE PANDEMIC**

President Gallagher updated the Board of Trustees and viewers on Governor Pritzker's May 5, 2020 Five Phase Plan to re-open the State of Illinois. The guidelines require the cancellation or postponement of many of the Village's summer events and activities. Please check the Village's website calendar for the latest information on events. The Village-wide household clean-up day remains on schedule for June 20, 2020 subject to change. Lakeshore also plans to resume the collection of bulk items on June 1, 2020, again, subject to change. President Gallagher thanked everyone for their support of local businesses and restaurants. President Gallagher also thanked Village Manager Velkme and her staff for ongoing efforts to continue to provide services to our residents despite the pandemic's many challenges.

## **CITIZEN COMMENTS**

There were no citizen comments. The Board received no public comments by e-mail or in the drop box at Village Hall.

## **DISCUSSION ITEMS - SPECIAL MEETING AGENDA**

### **1) PROPERTIES AND RECREATION – TRUSTEE CHEN**

#### **A) Tenant Contract Extensions for Recreation Center and Grand Avenue Community Center**

Trustee Chen reported that the Properties and Recreation Committee met on May 14, 2020 and reviewed the tenant contract extensions for the Recreation Center and Grand Avenue Community Center. The current contracts expire on June 30, 2020. The tenants, or contractors, are as follows, at the Recreation Center, Jo's Footwork

Studio, Kensington School of Western Springs and the Montessori School of Western Springs. At the Grand Avenue Community Center, tenants are Grand Avenue Preschool and Day Care, Inc. and the Western Springs Historical Society. The five-year contracts that were signed between the Village and these contractors expire June 30, 2020. Usual course of action would be reviewing and considering updating current rent amounts and extending the contracts for an additional five-year term. However, given the current COVID crisis situation, staff is recommending to instead sign a one-year contract extension with rents amount staying the same. In addition, staff and counsel have included a new provision in the contract, a force majeure provision. The previous contract did not include a force majeure clause, this is new. As noted in Director Briedis' memo to the Board, this clause would allow the contractors, i.e., tenants, or the Village to claim a force majeure event and be excused for up to two-months from the obligations under the contract including rent. Force majeure language reads "circumstances beyond the non-performing parties control including but not limited to fire, flood, strikes, acts of God." There are specific steps for a party to take to claim force majeure and the time limit on the excused period is two-months. It notes the Village, in its sole discretion, may excuse performance for a longer term. Economic hardship of either party will not constitute force majeure. Trustee Chen said the committee as well as the Recreation Commission discussed this clause and the recommendation for extension for one-year at some length. It was relayed to the committee and commission by Director Briedis that the current COVID situation and if it continues has impacts on the tenants, or contractors as they are referred to in the contract. According to Director Briedis, two-months' rent from all of the tenants is approximately \$87,000. The Recreation Commissioners had a few comments including a request to consider tightening the force majeure clause to be more specific to the current situation and considerations if the crisis continued more than two-months. After discussion, the Properties and Recreation Committee recommended approving the one-year contract extension and adding a force majeure clause. Trustee Chen added that we value our long-standing tenants who are so important to our community and we want to try and work through the current COVID situation.

Attorney Jurusik commented that we brought the force majeure provision forward in response to at least one of the contractors requesting relief from the personal guarantee component of the contract and a recognition that these contractors run the Village educational and recreational programs. If they are not able to run those programs due to causes beyond their control, they can't charge fees that help them earn a living or pay for the occupancy fees, the rent. This is really a compromise and accommodation given the situation that we are faced with. The one-year extension is really a recognition of assessing how this situation goes moving forward. Force majeure are common in a number of contracts. These were independent contractors and it is probably time to revisit including this in future contracts. Attorney Jurusik explained more about typical force majeure provisions. With no objection from the Board, approval of the contract extensions were added to the omnibus vote list for consideration of approval this evening.

B) Recreation Registration Software: Proposal and Recommendation

Staff recommended a switch to RecDesk for various reasons including cost. This would be a web-based program. The annual cost of RecDesk is \$4,600 and there will also be a set-up cost of \$3,600. The total cost will be \$8,200 which is below the \$10,000 budgeted for 2020. Approval was added to the omnibus vote list for consideration of approval later this evening.

C) Village Fuel Management System: Proposal and Recommendation

Staff recommended replacement of the OPW/Petro vend fuel management system. The Village operates a fuel distribution system designed to fuel all Village vehicles with gas or diesel fuel. The tanks and associated equipment are located at the Public Works yard. Currently distribution is managed by software in a system that the Village has been using for over 15-years and it is no longer supported, and the operating system is no longer supported by Microsoft. Staff undertook an investigation and process and strongly feels an upgrade has to happen as soon as possible and they recommend the purchase of the FuelMaster 3500 Fuel Management System for a cost of \$16,183. Director Supert said this item was budgeted for 2020. Approval was added to the omnibus vote list for consideration of approval later this evening.

D) Illinois Tollway Intergovernmental Agreement: First Addendum

The Properties and Recreation Committee recommended the Board of Trustees approve this addendum to the intergovernmental agreement between the Village of Western Springs and the Illinois Tollway which was approved on May 24, 2019. This addendum will rectify something that has come up. If the transmission main from Well #4 is damaged by Tollway work, the Village's proposed modification outlines procedures for the Village to immediately conduct the repair as necessary to minimize service disruption. We were going to rely on the Tollway and some of their contractors do this work should this occur, but sometimes it is timelier for the Village to do it. There is an exception to the modification if work on the well was required which requires a specialized contractor. The amended language also outlines the reimbursement procedure from the Illinois Tollway should the Village need to utilize its resources to conduct the repair. With no objection from the Board, this addendum was added to the omnibus vote list for consideration later this evening.

E) Capital Project Summary Report

Trustee Chen provided an update to the Board on several ongoing capital projects. Regarding the East Train Platform project, the dead shrubs are to be replaced in the next week or so. With regard to the Wolf Road Bike Path project, we are awaiting a Phase II engineering proposal. We are disappointed that we still do not have it and staff will inquire about the delay. Trustee John asked Trustee Chen about the Phase I

engineering costs vs. budget associated with this project. Director Supert explained that the design plan for the bike path was modified and the cost change for Phase I engineering was due to coordination effort with the Forest Preserve District. Because this is a federally funded project, the Village has to work with the Federal Highway Authority as well as the Forest Preserve on the project. We are back to the original project scope, but we lost a significant amount of time and some engineering funds which were spent due to the expanded request which we investigated and eventually discarded.

Regarding the West Pedestrian Underpass project, one thing needs to be signed by BNSF and the current Stay-at-Home order has complicated the process of obtaining signature and the ICC process that needs to be completed.

F) Other

Trustee Chen reported that the trees that are dead on Lawn Avenue near the Village hardware store and the BMO bank will be replaced and put in on Friday, May 22. Staff took some time and care picking trees that they hope will be successful in those important locations in our community.

**2) PUBLIC WORKS AND WATER – TRUSTEE FINK**

A) IEPA and Well #4 Update

Trustee Fink reported that the planned maintenance on Well #4 was completed. As of May 11, 2020, Well #4 was hooked up to the reverse osmosis plant and everything is good to go. The Village received a bill for the Well #4 overhaul in the amount of \$128,037 for the work on the well from Suez.

Village staff also received a proposal from Suez for a Baker Hughes E6 Downhole Sensor/Monitoring Assembly package. The Village has a Baker Hughes pump which is on Well #4 which is a new technology smart pump. The pump will monitor in-take pressures and vibration and send that information back. Staff requested permission to waive the bidding process and purchase this equipment from Suez (Water Well Solutions Division LLC) of Elburn, Illinois at a cost of \$30,393. The approval was placed on the omnibus vote list scheduled later this evening.

Staff recommended approval of a proposal from Concentric Integration of Crystal Lake, Illinois for the Well #5 SCADA integration. The SCADA is a computer system utilized to control and monitor the water plant and subsequent equipment in the absence of a water operator. The cost of the equipment and labor for this proposal is \$41,810. The committee recommended waiver of the bid process and an award of contract to Concentric. With no objection from the Board, this approval was added to the omnibus vote list scheduled later this evening.

Trustee Chen asked about the repair bills for the Well #4 repairs. Director Supert

said there are two separate components to the repairs which were approved by the Board of Trustees last fall. There was scheduled maintenance work which is the bill for \$128,000. The initial estimate for this work was approximately \$140,000. The Village Board authorized the purchase of the additional motor and pump as precautionary measures. Those costs in the draft invoices are basically right on what was approved by the Village Board previously. Director Supert said there is not an additional cost related to the electrical issue because that expense was covered under warranty and went back to the manufacturer. He added that overall the project is right in line with what the Board approved based on cost estimates last fall. Staff anticipates having final invoices for the Village Board to approve in June, but we do not anticipate any drastic changes from the invoices presented to the Board this evening.

Trustee Chen noted that the maintenance was out of service for a little longer than anticipated. She asked if we ever had to use the shallow well, Well #1. Director Supert said we did not have to use Well #1 during the maintenance period. Staff was able to use Well #3 exclusively throughout the duration. We did do some staffing modifications at the Water Plant with Director Supert, Assistant Director Biernacki and a couple other members of staff performing some overnight shifts to monitor the plant because we did have to run the plant in manual as opposed to automatic mode through that maintenance process but overall, except for the electrical issue which was identified, the rest of the process went pretty smooth.

#### B) 2020 Roadway Project Bid Tabs and Recommendation

##### 1. 2020 Motor Fuel Tax (MFT) Resurfacing Project

The Public Works and Water Committee recommended an award of contract to lowest qualified bidder M&J Asphalt Paving in the amount of \$375,956.81, which is 8.9% lower than the engineering estimate. Approval was added to the omnibus vote list.

##### 2. 2020 Prospect Avenue Roadway Improvements Project

Trustee Fink reported that the committee recommended an award of contract to lowest qualified bidder G&M Cement in the amount of \$1,039,407.99 which is 29.3% below the engineering estimate. The one modification which is different than the original bids is that instead of reinforced concrete pipe, they will use high-density polyethylene (HDPE), which will provide savings to the Village. This change is acceptable to Village staff. Approval of award of contract was added to the omnibus vote list.

##### 3. 2020 Clausen Avenue Water Main and Roadway Improvements Project

The committee recommended an award of contract to DiNatale Construction Inc.

for a total contract cost of \$1,091,724.42 which is 22% lower than the engineering estimate of the project. Approval of award of contract was added to the omnibus vote list.

Trustee Chen asked about the status of the roadway referendum funds. Assistant Director Biernacki said the Village has only used about \$2.4 million since the referendum bond was issued in 2017. The Village did not start using those funds until 2018. The 2018 and 2019 roadway projects both included referendum money and 2020 will as well. Trustee Chen asked if a map, or visual, was available that shows which roads have been completed including the MFT and the referendum tranches. Assistant Director said we do not have one master map, but we have several separate maps (2018, 2019 and planned 2020). Director Supert said staff was working with the Infrastructure Commission last fall reviewing the current and previous road referendum, the impact and the costs, and road conditions. Trustee Chen said she would like to see what roads were improved with the roadway referendum funds which the voters approved. Director Supert said he would be able to get that data for her.

Trustee Tyrrell asked for the two (2) \$1 million projects, if Director Supert could apportion how much of that cost if coming from the Motor Fuel Tax (MFT) and how much is from referendum funds, as well as what, if anything, will the Village be responsible for on these projects. Trustee Tyrrell also requested a quick overview of how much of Clausen and Prospect Avenues are being repaired with these projects. Assistant Director Biernacki said the MFT project is strictly MFT funds and that includes just asphalt resurfacing. That \$375,956 project is only MFT funding and is not using any referendum funding for that project which is for portions of Johnson Avenue and Willow Street on the west side of town. The Prospect Avenue project will be from Chestnut down to Hillgrove Avenue, a concrete reconstruction, that includes relief storm sewer insulation. It will actually be fully separated storm sewer insulation once the Tollway completes its work for us down on Hillgrove. There is also going to be some grid infrastructure improvements on Prospect as well, so it is as pretty big reconstruction project. The Clausen Avenue project is another road referendum project and it is coupled with an IEPA loan as well. That \$1 million for the Clausen Avenue project is actually split between the water main IEPA loan and the roadway referendum. The estimates showed the split to be roughly 50/50 but Assistant Director Biernacki said he would have to look at the numbers now that we just received such low bids to see what the actual split will be. Mr. Biernacki said he would report back to the Board on that. That project is for water main project with an 8" water main and a full concrete reconstruction on Clausen Avenue from 41<sup>st</sup> down to Hillgrove.

#### 4. Springdale Drainage Study Update

Trustee Fink said that last fall there was a lot of flooding in Springdale. Christopher B. Burke Engineering LLC has been working on this study on behalf

of the Village. This project is timely. Surveys are being sent to LaGrange, LaGrange Highlands, Countryside and Western Springs. On March 6, 2020, 173 surveys were sent out and to date sixteen (16) responses have been received. After this past weekend's storm event, the Village will likely receive a lot more responses. An open house resident meeting was scheduled on March 31, 2020, which had to be cancelled because of the pandemic. Village staff is looking to reach out to individual people for one-to-one meetings while maintaining social distancing. Staff is also meeting with residents who have already complained of problems, modeling certain storm events and observing the area during any significant storm events. Unfortunately, we had this significant storm event and so there is more flooding in Springdale but hopefully we can get to the bottom of the problem.

5. Ridgewood Oaks – Ordinance Proposing Creation of Special Service Area (SSA) #8

The Public Works and Water Committee recommended approval of this ordinance which proposes creation of a Special Service Area (SSA) #8 for construction of a detention basin project in the Ridgewood Oaks Subdivision. After the Shelter-in-Place is over, there will be a public hearing held.

6. Capital Project Summary Report

Trustee Fink reported on the status of several projects. The Well #5 transmission main and drilling are complete. The Village had been waiting on the order to proceed on the Well #5 electrical and pumping equipment which was delayed. Parts have been ordered and staff is hopeful that the equipment will arrive in order to proceed with work in July with a target completion date of September.

The West Suburban Mass Transit District electrical charging station, which is right by Starbuck's on Burlington and Grand Avenue, has pavers in place. The bike shelter is being installed this week and the final piece of the project, which is the installation of the meter by ComEd, will occur after that.

**3) PLANNING AND ZONING – TRUSTEE JOHN**

No report.

**4) FINANCE – TRUSTEE RUDOLPH**

A) 2020 Budget Considerations

Trustee Rudolph said she would like to touch on budget considerations and there have already been some good questions about projects, roadway and referendum funding. This update will take that a little further given the current COVID situation. As was cautioned during the April Board meeting, the onset of COVID-19 presents the

Village with many challenges including our revenue flow. Many of you have seen reported on the impacts of some of our neighboring communities including Oak Brook, a community immediately impacted by sales tax losses due to the closing of Oak Brook Center, etc. While we do not rely as heavily on sales tax revenue source, it is just one example of how local governments, our own and our neighboring communities, are being impacted. We are projecting our revenue flow to be negatively impacted for at least the next several months, if not through the year end. At this point, it is too early to tell, but also potentially into 2021 as well. Looking ahead, it is important to understand and keep revisiting a little bit about our revenue sources and where specific projects and services are funded and the projected impacts. The previous questions from the Board about project funding and the roadway referendum and motor fuel tax funds are good examples of the different sources of funding. First, the Village's operations, which include public safety, public works and administration, are funded from several different sources and we are projecting reductions in revenue due to COVID as follows. Sales tax revenue is generated locally, and as we know, our downtown is effectively closed. It's so unfortunate for all of our local businesses and our restaurants. We are fortunate in the continued operations of Casey's Market, Mariano's, Walgreen's, Village True Value Hardware, and we really applaud our local restaurants for working hard to provide carryout and to do the best they can during this situation. Nevertheless, there will be a significant sales tax revenue impact to us.

The next area will be the income tax revenue which the Village receives as one of our revenue sources. That is generated on a state-wide basis and there is a funding formula that determines what the Village then receives. While we may not think of it this way, statewide unemployment directly impacts the Village as one of our sources of revenue. Another example is building permits and while we do not have any hard data yet, this is likely another source of reduced revenue.

In anticipation of these reductions, Village Manager Velkme has directed her staff to re-evaluate the entire fiscal year 2020 budget and to make adjustments or deferrals where possible. Trustee Rudolph said the previously mentioned revenue reductions could result in a shortfall of several hundred thousand of dollars but, at this point, these are projections and, of course, each month we are monitoring this very carefully.

Capital projects are funded differently, as previously discussed, and will proceed as planned for fiscal year 2020. The annual roadway construction projects are funded by the roadway referendum bonds, which was just mentioned, and those are segregated and may only be used for the roadway construction projects. The same is true for the water and the sewer projects that the Board discussed. The user charges residents pay for the water and sewer utility are designated for resident water and the associated capital projects. Similarly, those charges cannot be used to support the Village operations as previously noted. Trustee Rudolph said she hopes this overview explains the Village's three major "buckets" of expense and funding. The Village operates on a fund basis and we do not co-mingle those revenue sources.

Village Manager Velkme, Director of Finance Turi and all of the staff are doing what they can to ensure uninterrupted service levels, but this is an evolving process. We are all going to continue to monitor the situation carefully and will apprise the Board and the public of any changes.

B) Budget Amendment

Trustee Rudolph presented a budget amendment in the amount of \$2,593,014.16 which is for the Water Fund and is for the debt service which accommodates the IEPA loan. There is a timing difference than what was originally anticipated so the budget amendment is to move that up. Other than the timing difference, this expense is as expected. Trustee Chen asked when staff was anticipating this. Director Turi said the debt service portion was expected to start in 2021 related to two (2) projects. The debt service is about \$100,000 and the total loan is approximately \$2.5 million, and the Village received the bill for debt service about six (6) months earlier than anticipated. Director Turi said the projects are completed and now the Village has to pay for them. A resolution authorizing and approving the budget amendment was added to the omnibus vote list for consideration of approval.

C) Monthly Report - Due to timing, the April Monthly Report will be presented at the June meeting.

Trustee Rudolph said the April results will be reported at the next meeting in June. Director Turi reiterated that the COVID-19 situation is an evolving process and staff will continue to monitor the situation and will update the Board on a monthly basis through the Board meetings.

**5) PUBLIC HEALTH AND SAFETY**

A) Red Light Photo Enforcement Contract Renewal

Trustee Lewis reported that the Public Health and Safety Committee had a very timely and informative meeting on May 7, 2020. The committee recommended the Village enter into a new agreement with our red-light photo enforcement contractor, RedSpeed Illinois. It is the organization the Village has been with since 2009. The Village has gone through all the contract extensions allowed on the previous agreement with RedSpeed and so it is time to enter into a new agreement, the term of which is somewhat limited. The contract will end next April as it needs to coincide with the Village President's term of office. From all indications from Chief Budds and from everyone involved, we have been very pleased with the services they provide. They operate with us and a total of approximately forty-six (46) communities in our area that use them, and we have been happy with the program overall. Crashes have been down in the area where we used the cameras. The Village has cameras at Wolf and Ogden and also at Wolf and 55<sup>th</sup>. RedSpeed has been a good partner to the Village and we would like to continue using them.

Trustee Chen asked a question on one item in the RedSpeed Power Point Presentation regarding fees the Village receives and the amount which RedSpeed collects. Trustee Lewis said the safety benefit of this program is very beneficial to the Village according to Chief Budds. Village Manager Velkme added that this program has assisted the Village with several major crimes in the area. Chief Budds shared his thoughts and his recommendation, as well as the Public Health & Safety's Committee, to approve this program. Of note:

- Overall intersection-related crashes have historically decreased at both locations and continue to do so.
- The program relieves police officers of having to monitor and patrol these intersections for red light-related moving violations allowing them to focus on other law enforcement services in the community.
- The cameras have been invaluable for investigating and solving serious crimes and vehicle crashes both within Western Springs and also crimes that occurred in neighboring communities which included but were not limited to homicide investigations.
- Approved violations are handled as a local ordinance non-moving violation that will not adversely affect a motorist's driving record along with avoidance of significant court fines and fees that would likely result from a State citation.

Attorney Jurusik said the Village has been working with this company for the last decade and negotiations were favorable to the Village. This contract will need to be revisited after the 2021 local municipal election which includes the office of Village President. Discussion about accounts which are sent to collections and the funds received by the Village followed. The violation penalty is \$100. With no objection from the Board, approval of this contract was added to the omnibus vote list.

#### B) CALEA Re-accreditation Virtual On-Site

The Commission for Accreditation for Law Enforcement Agencies (CALEA) will be virtually visiting Western Springs in June to conduct its review of all of the department policy and procedures as part of their effort to review how we do things. We anticipate being accredited again by that organization this year. This is our fifth certification going through CALEA. Due to the pandemic, they are unable to be here in person but will be conducting and doing their research virtually. The process begins June 1, 2020 and will involve interacting with our department and other people in the community. Accreditation is something we are very proud of and we very much want to continue that certification. Chief Budds said we are one of the few communities in Illinois that are CALEA certified and we have been so since 2004, which is a long time. Chief Budds said we are looking forward to the process and the department is in a great position to be re-accredited. Chief Budds also wished to point out the great work that is being done by his staff building up to the CALEA process. He added that Accreditation Manager Daisy Chavez is doing a wonderful job as our part-time Accreditation Manager leading up to this. Chief Budds said we

are in good shape and the public notice went out last week. The public is welcome to participate in the call-in session and participate virtually.

C) National Police Week Proclamation – May 10 to May 16

Trustee Lewis read the following proclamation into the record.

**P R O C L A M A T I O N**  
**National Police Week – 2020**

To recognize National Police Week - 2020 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

**WHEREAS**, there are more than 800,000 sworn law enforcement officers serving in communities across the United States, including the dedicated members of the Western Springs Police Department;

**WHEREAS**, there have been 58,866 assaults against law enforcement officers in 2018, resulting in 18,005 injuries;

**WHEREAS**, since the first recorded death in 1786, more than 22,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty;

**WHEREAS**, the names of 22,217 dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.;

**WHEREAS**, 135 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial to include the 135 officers killed in 2019;

**WHEREAS**, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's Annual virtual Candlelight Vigil in Washington, D.C. on the evening of May 13, 2020;

**WHEREAS**, the virtual Candlelight Vigil is part of National Police Week, which takes place this year on May 10th through May 16th;

**WHEREAS**, May 15th is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half staff;

**THEREFORE, BE IT RESOLVED** that the Village of Western Springs formally designates May 10th-16th, 2020, as: **“POLICE WEEK IN WESTERN SPRINGS,”** and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

This proclamation will be signed by President Gallagher and Acting Clerk Horvath.

D) EMS Week Proclamation – May 17 to May 23

Trustee Lewis read the following proclamation into the record.

**PROCLAMATION  
EMERGENCY MEDICAL SERVICES WEEK**

**WHEREAS**, emergency medical services is a vital public service; and

**WHEREAS**, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

**WHEREAS**, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

**WHEREAS**, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

**WHEREAS**, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

**WHEREAS**, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week;

**NOW, THEREFORE BE IT RESOLVED** that the Village of Western Springs proclaims the week of May 17-23 2020 as:

**“EMERGENCY MEDICAL SERVICES WEEK”**

We encourage the community to observe this week and commend the devotion, contributions, and services of members of emergency medical services teams.

This proclamation will be signed by President Gallagher and Acting Clerk Horvath.

E) Electrical Vehicle Charging Station – Municipal Code Changes

Trustee Lewis provided an update on this project which includes installation of two (2) electrical vehicle charging stations using a grant for \$175,000 from the West Suburban Mass Transit District (WSMTD) for bicycle and pedestrian improvements projects adjacent to the BNSF railway. The stations are near the bike racks on the

northwest corner of Grand and Burlington across from the Starbuck's coffee shop. Assistant Director Biernacki reported that the station should be up and running before too long. Staff recommended a pilot program for six (6) months following installation of those chargers to include each of the parking stalls to allow for a three (3) hour parking period and no parking or charging fees during that time. Those spaces are intended only for electrical vehicles as they are re-charging. Staff will review the program in six (6) months to see if that is the right amount of time to allow parking there, whether we should continue with the zero charging fees and just take a look at how the situation is running. In connection with the installation of the charging stations, the committee also recommended adoption of an ordinance that monitors, establishes regulations concerning where commercial stations could be placed, and the permits needed to install those kinds of things. Hearing no objections from the Board, the ordinance before the Board was added to the omnibus vote list for consideration of approval later this evening.

**6) GENERAL GOVERNMENT – TRUSTEE TYRRELL**

**A) Raffle License Request from the Western Springs Business Association (WSBA) for their Homegrown Lottery Event**

Trustee Tyrrell reported on a request which came to the General Government Committee from WSBA to provide for issuance of a raffle license for WSBA's Homegrown Lottery to benefit local businesses. Residents have also expressed a desire to come up with ways to aid local businesses in our town. The raffle is modeled after a similar promotion operated by a group in the Beverly area. Approximately thirty (30) local businesses will band together and they will donate \$300 in gift cards in \$50 denominations. The promotion raises money by selling raffle tickets to win gift card packages, i.e., first prize is \$3,000, second prize is \$1,000 and 3<sup>rd</sup> prize would be \$500 in gift cards to various businesses. WSBA staff and Board members would administer the raffle with the assistance of Eventbright, an outside firm specializing in raffles and similar events. The businesses donate \$300 and they, hopefully, will receive a large amount of money raised through the raffle ticket sales. WSBA is seeking a waiver on the \$25 raffle license fee as well as the requirement for a bond. This is a wonderful idea to help the local businesses with three (3) lucky winners receiving very nice prizes of gift cards to these local establishments.

Director Scott noted that WSBA President Craig Mawdsley is also participating in the meeting this evening by audio and shared WSBA excitement about this idea. Mr. Mawdsley said from a business community standpoint, this COVID-19 situation has decimated a lot of WSBA's retail operations, and it has forced a lot of our local businesses to change the way that they practice and required them to do everything that they can to try and sustain operations in this time. WSBA has been looking for creative ways in which to infuse both revenue streams to our retail operations and also to bring awareness to community members of the need, in some cases dire need, of some of our business owners. WSBA has raised awareness on social media through the curbside challenge to let residents know they can support businesses and awareness of changes

businesses have made to keep their practices safer for patrons to visit in the capacities that they are allowed to. WSBA has also waived any dues related to memberships for 2020 in hopes that this will not discourage but encourage businesses that are members to keep their memberships but also to encourage those that are looking to get involved but didn't want the financial burden to weigh them down. WSBA is trying to create community as best they can, and the Hometown Lottery idea is something that will do both of those things. The take-home message here is that 100% of the proceeds that are gained from the challenge go back to the businesses equally.

Mr. Mawdsley said WSBA is excited about this and the opportunity to get everyone in the community rallied around our local operations and hopefully to infuse the businesses with a little bit of cash to pay those bills that are maybe one month past due and just help out in any way we can. The pricing is one (1) ticket for \$10, three (3) for \$25, six (6) for \$50, or fifteen (15) for \$100.

Trustee Rudolph said this is a great idea and asked when it would start and how do residents get the raffle tickets. Mr. Mawdsley said that if the Board approves the request this evening, WSBA hopes to officially launch the program on Friday, May 22, 2020 by advertising the program on social media. There will be a link to Eventbrite, which is an on-line distributor, where everyone can purchase the tickets and WSBA hopes to close the raffle on June 30, 2020 with a raffle selection winner on July 1, 2020.

With no objection from the Board, approval was added to the omnibus vote list scheduled next in the meeting.

## **ACTION ITEMS – SPECIAL MEETING AGENDA**

### **CONSIDERATION OF AND ACTION ON AGENDA ITEMS**

President Gallagher asked to remove agenda item 11 regarding a First Addendum to the intergovernmental agreement between the Village of Western Springs and the Illinois Toll Highway Authority from the omnibus vote list as she is on the Illinois State Toll Highway Board of Directors and, as such, feels it is prudent that she abstain from voting on this matter. Agenda item 11 will be considered after the omnibus voting procedure.\*\*

### **EXPLANATION OF OMNIBUS VOTING PROCEDURE**

President Gallagher said that the Illinois State Statutes allow a municipality to collectively vote on a group of ordinances, resolutions, and other motions, such as awards of contract, appointments, etc. This is known as an omnibus vote. All the items contained on the omnibus vote list have been previously discussed by the President and Board of Trustees on at least one occasion, and often on several occasions. By placing them on the omnibus vote list, a single vote may be taken to approve them. A Trustee may remove any item from the list and have it discussed and voted on separately, prior to the omnibus vote. She asked if there was such request.

## CONSIDERATION OF AN OMNIBUS VOTE (\*)

Trustee Tyrrell moved that the following ordinances, resolutions and motions as contained on the meeting agenda for May 18, 2020, be adopted and/or approved under an omnibus vote:

- 7) \*APPROVAL OF MINUTES OF THE MEETING OF APRIL 27 AND MAY 4, 2020 AS READ
- 8) \*ORDINANCE 20-3004      AMENDING TITLE 7 (MOTOR VEHICLES AND TRAFFIC), CHAPTER 3 (PARKING REGULATIONS) TO ADD A NEW ARTICLE D (ELECTRIC VEHICLE CHARGING STATIONS) TO ESTABLISH REGULATIONS CONCERNING ELECTRIC VEHICLE CHARGING STATIONS AND ELECTRIC VEHICLE PARKING SPACES
- 9) \*ORDINANCE 20-3005      PROPOSING TO ESTABLISH SPECIAL SERVICE AREA NUMBER 8 (RIDGEWOOD OAKS) IN THE VILLAGE OF WESTERN SPRINGS AND PROVIDING FOR A PUBLIC HEARING AND OTHER PROCEDURES IN CONNECTION WITH THE CONSTRUCTION AND FUNDING OF THE RIDGEWOOD OAKS SUBDIVISION DETENTION BASIN PROJECT AND FORMATION OF A DORMANT MAINTENANCE, REPAIR AND REPLACEMENT SPECIAL SERVICE AREA FOR THE RIDGEWOOD OAKS SUBDIVISION DETENTION BASIN
- 10) \*RESOLUTION 20-2549      APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN REDSPEED ILLINOIS, LLC AND THE VILLAGE OF WESTERN SPRINGS RELATIVE TO AN AUTOMATED TRAFFIC LAW ENFORCEMENT SYSTEM
- 12) \*RESOLUTION 20-2551      APPROVING AND AUTHORIZING THE EXECUTION OF FIRST ADDENDA TO THE INDEPENDENT CONTRACTOR AGREEMENTS BETWEEN THE VILLAGE OF WESTERN SPRINGS AND GRAND AVENUE PRESCHOOL AND DAY CARE, INC., KENSINGTON SCHOOL OF WESTERN SPRINGS, INC., JO'S FOOTWORK STUDIO, MONTESSORI SCHOOL OF WESTERN SPRINGS, AND WESTERN SPRINGS HISTORICAL SOCIETY
- 13) \*RESOLUTION 20-2552      APPROVING AND AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE UNDER TITLE

3 (BUSINESS REGULATIONS), CHAPTER 12 (CHARITABLE GAMES, RAFFLES, BINGO AND OTHER GAMES OF CHANCE REGULATIONS) SECTION 3-12-3 (RAFFLES) OF THE WESTERN SPRINGS MUNICIPAL CODE OF 1997, AS AMENDED, FOR APPLICANT WESTERN SPRINGS BUSINESS ASSOCIATION (WSBA) FOR THEIR 2020 HOMEGROWN LOTTERY EVENT ON JULY 1, 2020 WITH A LICENSE FEE WAIVER AND BOND WAIVER

- 14) \*RESOLUTION 20-2553 APPROVING BUDGET AMENDMENTS AND A TRANSFER OVER \$10,000.00 TO THE FISCAL YEAR 2020 OPERATING BUDGET IN THE WATER FUND
- 15) \*MOTION TO AWARD A BID TO LOWEST QUALIFIED RESPONSIBLE BIDDER, M&J ASPHALT OF CICERO, IL FOR THE 2020 MOTOR FUEL TAX (MFT) RESURFACING PROGRAM IN THE AMOUNT OF \$375,956.81
- 16) \*MOTION TO AWARD A BID TO LOWEST QUALIFIED RESPONSIBLE BIDDER, G&M CEMENT OF ADDISON, IL FOR THE 2020 PROSPECT AVENUE ROADWAY IMPROVEMENTS PROGRAM IN THE AMOUNT OF \$1,039,407.99 [ALTERNATE BID #1]
- 17) \*MOTION TO AWARD A BID TO LOWEST QUALIFIED RESPONSIBLE BIDDER, DINATALE CONSTRUCTION INC. OF ADDISON, IL FOR THE 2020 CLAUSEN AVENUE WATER MAIN AND ROADWAY IMPROVEMENTS PROJECT IN THE AMOUNT OF \$1,091,724.42
- 18) \*MOTION TO AUTHORIZE AND APPROVE AN AGREEMENT WITH RECDESK OF MIDDLETOWN, CT FOR RECREATION REGISTRATION SOFTWARE IN THE AMOUNT OF \$4,600 WITH A NOT-TO-EXCEED SET-UP COST OF \$3,600.00
- 19) \*MOTION TO WAIVE THE COMPETITIVE BIDDING PROCESS AND AWARD A CONTRACT TO SUEZ (WATER WELL SOLUTIONS DIVISION LLC) OF ELBURN, ILLINOIS IN THE AMOUNT OF \$30,393.00 FOR THE PURCHASE OF BAKER HUGHES E6 DOWNHOLE SENSOR/MONITORING ASSEMBLY PACKAGE FOR VILLAGE WATER WELL NO. 5 (SOLE SOURCE PROVIDER; MANUFACTURER OF PUMP)
- 20) \*MOTION TO WAIVE THE COMPETITIVE BIDDING PROCESS AND AWARD A CONTRACT TO CONCENTRIC, LLC OF CRYSTAL LAKE, ILLINOIS IN THE AMOUNT OF \$41,810.00 FOR A NEW SCADA CONTROL SYSTEM PANEL, PROGRAMMING, TESTING, INSTALLATION AND RELATED SERVICES FOR VILLAGE WATER WELL NO. 5 (CURRENT SCADA PROVIDER)

- 21) \*MOTION TO WAIVE THE COMPETITIVE BIDDING PROCESS AND AWARD A CONTRACT TO STENSTROM OF ROCKFORD, ILLINOIS IN THE AMOUNT OF \$16,183.00 FOR A NEW OPW/PETRO VEND FUEL MANAGEMENT SYSTEM, TESTING, INSTALLATION AND RELATED SERVICES FOR VILLAGE'S PUBLIC WORKS SITE (CURRENT FUEL MANAGEMENT SYSTEM PROVIDER)
- 22) \*NATIONAL POLICE WEEK – 2020 PROCLAMATION – MAY 10 TO MAY 16, 2020
- 23) \*EMERGENCY MEDICAL SERVICES WEEK PROCLAMATION – MAY 17 TO 23, 2020

Trustee John seconded the motion.

The motion passed on a roll call vote.

Voting aye: Trustees Tyrrell, Chen, Fink, John, Lewis, Rudolph and President Gallagher.

Voting nay: None.

#### **OTHER BUSINESS**

- 11) RESOLUTION 20-2550\*\* APPROVING AND AUTHORIZING THE EXECUTION OF THE FIRST INTERGOVERNMENTAL AGREEMENT ADDENDUM BETWEEN THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY AND THE VILLAGE OF WESTERN SPRINGS REGARDING CERTAIN PROPOSED CONSTRUCTION IMPROVEMENTS TO THE TRI-STATE TOLLWAY (I-294) AND THE BURLINGTON NORTHERN SANTA FE RAILWAY (BNSF RR) BRIDGE (M.P. 26.6, BRIDGE NUMBER 261) AND OTHER PROPOSED VILLAGE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE ADJACENT TO OR WITHIN THE VILLAGE CORPORATE LIMITS\*\*

#### MOTION:

Trustee Chen moved, seconded by Tyrrell, to approve Resolution 20-2550.

President Gallagher asked to remove agenda item 11 regarding a First Addendum to the intergovernmental agreement between the Village of Western Springs and the Illinois Toll Highway Authority from the omnibus vote list as she is on the Illinois State Toll Highway Board of Directors and, as such, feels it is prudent that she abstain from voting on this matter.

The motion passed on a roll call vote.

Voting aye: Trustees Chen, Tyrrell, Rudolph, Lewis, John and Fink.

Voting nay: None.

Abstain: President Gallagher.

## **OTHER BUSINESS**

There was none.

## **REPORTS**

### 12) MONTHLY FINANCIAL REPORT – (Rudolph)

The April Monthly Report will be presented in June due to timing of this meeting.

### 13) VILLAGE PRESIDENT GALLAGHER

President Gallagher reported that the State legislature will convene a special session for three (3) days this week, Wednesday through Friday, but the pandemic and the State budget are the primary focus of this session. President Gallagher added that as many have already heard, the VFW's annual Memorial Day parade will not take place next Monday, but she asked everyone to please take some time to honor those men and women who have perished protecting our freedoms and way of life. President Gallagher also wished everyone a happy Memorial Day.

Trustee Tyrrell shared information about a car parade which was planned to honor a pair of Western Springs World War II veterans, Seedy Ulrich and Walt Bergenthal, who served in World War II more than seventy (70) years ago. Trustee Tyrrell heard about this on WBBM radio and thought this might be a nice way for residents to honor veterans.

### 14) VILLAGE MANAGER VELKME

Village Manager Velkme reported that in late April Director Supert advised her that there was improper utilization of Burlington Avenue by Walsh Construction for the Tollway construction project. They were utilizing the emergency gate as access to Burlington. Public Works staff halted the use of the emergency gate. The Tollway intergovernmental agreement did not include the use of Burlington Avenue for construction and closures in that area.

The Tollway acknowledged that this was an oversight in the intergovernmental agreement. After a number of meetings with Tollway officials, it was clear that this access was essential to their project. We understood the Tollway's need for this access, but we also want to be made whole because the pavement on Burlington between Central Avenue and Waldo Erickson Drive is in poor condition.

The long and short of this is that the Village is allowing access to Burlington for Walsh with the understanding that the Tollway will be reconstructing the pavement at the conclusion of the project. According to the intergovernmental agreement, Village Manager Velkme is allowed to grant their request. Village Manager Velkme added that Village staff is also reinforcing the Village's construction hours which are Monday through Friday, 7:30 a.m. until 8:00 p.m., Saturday, 9 a.m. to 5 p.m., and Sunday, noon to 4:00 p.m.

Village Manager Velkme asked Director of Municipal Services Supert, Director of Community Development Scott and Director of Fire and EMS Kenny to provide a report to the Board for their respective areas on the rain event in the Village which occurred on Sunday, May 17, 2020.

Director Supert shared some rainfall data charts with the Board. The Village encountered a significant rain event on Sunday, May 17. It had really been raining over the past week with about 11" of rain that showed up over the past week. The ground has been pretty saturated. Through the weekend, in the past 48 hours, the Village received about 6.27" of rain. Last night, at around 6:30 p.m., we had a significant event that hit a large portion of town. Weather data from the Village weather station reflects a large spike in the rain at around 6:30 p.m. last evening. Portions of Springdale that the Village is looking at in terms of the drainage study experienced some significant water events, specifically Franklin Avenue. Also, some of the areas that we know about in Ridgewood, along Longmeadow Lane, the area by the South Fire Station, had some significant rain events. Public Works was out monitoring the area. In most cases, it was not a situation of inlets being covered with debris, this was actually a pretty clean event in that regard. What happened is Flagg Creek rose so significantly and quickly, most of the storm sewer outfalls that drain our separated sewer system, which is all south of 47<sup>th</sup> Street, were all under water. The Village's entire storm sewer system is a gravity-based system, which means the water basically has to run downhill towards the creek. When those outfalls are under water, the water basically doesn't have anyway to discharge out to the creek and those sewer systems fill up with the water and, in some cases, they actually do what we call surcharging where the water will bubble up in some areas through the inlets and that created a number of issues throughout town. Director Supert said our crews were out, closing streets in a number of locations, trying to monitor areas where we could, trying to make sure that the inlets did remain clear, although most of them did remain clear. Water began to recede around 9:30 p.m. once the creek had a chance to clear its way out, move downstream and lower, and the outfalls were able to catch up. Once that did occur, the water did drain rather quickly once the creek was able to drain out. Discussion about capital projects the Village has planned to help in these extreme weather situations followed.

Trustee Rudolph asked about picking up items which need to be disposed of due to the storm damage. Director Baer said Lakeshore will be picking up storm damaged items. They will make an exception if its storm related refuse. If it's carpet it needs to be cut-up, bundled and stickered. Residents should call Lakeshore for anything larger than that

in order to set-up the pick-ups and to let the drivers know if there is going to be furniture out for pick-up. Lakeshore Recycling Systems' phone number is 773-685-8811 and that information is on the website as well. Lakeshore did extend the ability to do the bulk collection to just the storm related damage. Trustee Rudolph asked if that information was on the Village website and social media. Director Baer said she did let Communications Manager Selmin Cicek know about it and she is monitoring the social media. The Village did not put out a big blast about it because we were worried that people might start putting other bulk items out. Lakeshore asked the Village just to let people know who call the Village and Lakeshore is doing the same if people call about pick-up of storm damaged items.

Director Scott said when calls come in regarding flooding to Community Development, staff is sent out after the fact to look at it and can involve our building inspector, our property maintenance inspector, and often times it ends up being our Village engineering consultant. They will visit the site, investigate what is happening there, check their files for historical information, if they have been there before or if there has been construction activity nearby and they have a plat of survey that has topographical information. They gather all of that and, in the end, they will provide a report to the average resident and in some cases that winds up being a meeting with the neighbor or neighbors with some solutions that can be done on the private side. As Director Supert noted, this is an example of chipping away at it. Director Scott continued saying obviously last night's storm was historical as many of them have been so some of those solutions are going to help make it better and some are going to help move that water maybe a little faster towards the creek. Since April 29, 2020, we have been tracking complaints that come in since a lot of storms happened well before last night and the ground was saturated. Director Scott's office has received 30-35 calls total since that time and his office is working on them and in various stages of visiting them. There were a variety of complaints including street flooding, front or backyard flooding and also some basement flooding. Those are in different stages of review and response, but we are getting back to them. A number of the engineers were out last night as well as some of our staff observing it and seeing Public Works out there doing that good work that they do. If there are any residents that have questions or follow-up complaints or haven't submitted anything yet, the easiest way in these times is to just email Director Scott at [msscott@wsprings.com](mailto:msscott@wsprings.com). He will route it to the correct staff member of the Village Engineer's office.

Director Kenny complimented Public Works because they were very proactive about making sure that the debris was removed from ~~any of the situations that you could predict~~ was going to happen. Nobody could predict the amount of water that inundated us. From the emergency management side, from his own personal experience with having his basement flooded a number of times, it is incredibly frustrating for people. What happens when you seek to get help from the police department or the fire department, if it's a resident you believe what you see if an emergency, life endangerment, danger of your family or your home or whatever, you need to call 911. There were a number of residents that dialed 7-digit numbers, either to the fire department or to our consolidated dispatch center, LTACC. If you try the fire department during that kind of an event, we

are not even in the station. If we do happen to be in the station, the protocol is to transfer the call to LTACC so that they can begin to dispatch and a record runs for those numbers of calls. There was some frustration expressed, none to Chief Kenny directly, a lot of rumor mills, that unfortunately happen when people get aggravated, that are not true in terms of the fire department not responding to emergencies. When those calls get routed to LTACC from our 7-digit number, they then will process the call. If you have an emergency, you should be dialing 911. There should not be a 7-digit number entering into your mind because that is going to cause a delay and it is easier for there to be a disconnect or a loss on that call. Chief Kenny did double-check and spoke with LTACC Executive Director O'Connor because that concerned him with some of the rumors which he spoke to. Chief Kenny also spoke to our duty shift that was on yesterday and we only had one (1) storm related call that entire period starting from the morning until about 9:30 p.m. That was because someone's sump pump was not functioning. The Duty Officer went and found out that the breaker had actually been thrown. They went back and reset the breaker and they were back working. Chief Kenny said we did not get any other calls for it. There were no complaints that came directly to Chief Kenny that usually would have been the result if something true had occurred. When Chief Kenny spoke to Executive Director O'Connor, he asked what the call volume was like for LTACC, who, remember handles not only Western Springs, but also LaGrange and LaGrange Park, for both police and fire. During the two-hour period that Director Supert talked about, LTACC received three hundred forty-four (344) calls. They processed three hundred forty-four 344 calls in two-hours, which is one (1) call every twenty-one (21) seconds. When people are upset and angry and wonder why something isn't being done, it is going to get prioritized as to what really is an emergency as to what is something that is very frustrating. Having your basement flooded, having your car sitting in the middle of the street and having the water rise that you are worried about going into a vehicle, is absolutely a situation that is very difficult to handle. Chief Kenny said that is not an emergency, so LTACC has to prioritize those calls that come in. Chief Kenny reiterated that if people think they have an emergency, dial 911, don't hesitate, don't diminish it, don't think you are bothering someone, because the other result is if you delay and try to get us on other venues than 911, it's liable that you are going to be even more frustrated and we won't make the connection to be able to evaluate the nature of the emergency. Both police and fire want to do nothing but help, same thing with Public Works. It's just that when the call volume hits, we only have so many people and we have to literally stack calls which, by the way, we did when he had our own dispatch center. We evaluated the level of emergency and responded to the ones that were in the most trouble first and then went back to the other ones that we could. Sometimes we have to tell people that there really isn't anything that we can do based on the services that we provide. Director Kenny continued saying he gets the frustration and feels bad about it, but he just wants to reiterate to people that if you think you have an emergency, please dial 911. That is your best way to get in contact in an immediate fashion.

Village Manager Velkme thanked Chief Kenny, Director Scott and Director Supert and their staff for their efforts last night. She noted that some staff went out and helped other people when their own basements were being flooded and we are very thankful for that.

President Gallagher thanked everyone on behalf of the Board for their efforts last night during that extraordinary event, another extraordinary event. She said she really appreciated the efforts of the directors and their staff.

15) VILLAGE ATTORNEY JURUSIK

Village Attorney Jurusik provided a brief update on the West Underpass project. As the Board knows, over the course of the last month we have been in the process of pursuing a petition that was filed with the Illinois Commerce Commission (ICC) to obtain Commerce Commission approval of the underpass. The ICC has jurisdiction over the Burlington Northern's railroad right-of-way and, therefore, they have jurisdiction over the underpass and the pedestrian crossing areas and the circuitry and the warning lights. Attorney Jurusik said there is positive news today. Director Supert and Attorney Jurusik conducted a public hearing to get final input from the community and that happened at 10:00 today. There was only one (1) participant on the Zoom call. Attorney Jurusik said we did not get any input from that person; they were just an observer. Attorney Jurusik and Director Supert spent about fifteen (15) minutes explaining the project and the next steps including the budget and the bid-letting so we have taken care of that procedural step. Later this afternoon, after about three (3) weeks of work by Attorney Jurusik and Director Supert, we reached an agreement with the Illinois Department of Transportation (IDOT), Commission staff and the BNSF Attorney staff to move forward with an agreed upon order to approve the project. That order should be ordered later this week by the Administrative Law Judge. Attorney Jurusik executed the stipulation on behalf of the Village today. BNSF, IDOT and ICC staff also executed stipulations and filed them late this afternoon so it looks like we are moving forward with the project and that we should have the final order issued by the Administrative Law Judge with final approval by the commission later this week. That will allow us adequate time to allow the bid-letting that will happen by IDOT in the middle of June, so this project appears to be on track, and we are moving forward.

President Gallagher said that is truly wonderful news. This project has been a challenge from start to finish so she is glad to hear that we are on track for the June letting.

**RECESS TO CLOSED MEETING FOR THE PURPOSE OF DISCUSSION OF:**

President Gallagher said the Board has two (2) topics for discussion in closed session and she asked for a motion to adjourn.

- A) The purchase or lease of real property for use by the Village (5 ILCS 120/2(c)(5)); and
- B) The setting of a price for sale or lease of property owned by the Village (5 ILCS 120/2(c)(6)).

MOTION:

Trustee Tyrrell moved, seconded by Chen, to adjourn the May 18, 2020 special meeting and recess to a closed meeting at 9:14 p.m. for the purpose of discussing:

- A) The purchase or lease of real property for use by the Village (5 ILCS 120/2(c)(5)); and
- B) The setting of a price for sale or lease of property owned by the Village (5 ILCS 120/2(c)(6)).

The motion passed on a roll call vote.

Voting aye: Trustees Tyrrell, Rudolph, Lewis, John, Fink and Chen.

Voting nay: None.

President Gallagher reported that when the Board reconvenes from the closed meeting, the Board will immediately adjourn. No other business will be discussed.

### **RECONVENE AND ADJOURN**

The Board reconvened to adjourn at 9:55 p.m.

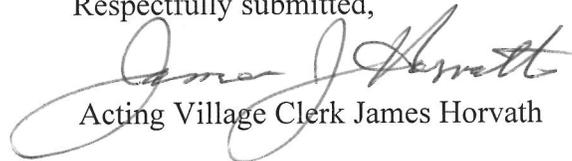
### **ADJOURN**

With no further business to address, President Gallagher asked for a motion to adjourn the meeting.

#### MOTION:

Trustee Rudolph moved, seconded by Chen, to adjourn the meeting at 9:55 p.m.  
The motion passed on a unanimous voice vote.

Respectfully submitted,



Acting Village Clerk James Horvath