

**Minutes
Regular Meeting
Glen Ellyn Village Board of Trustees
Galligan Board Room
July 13, 2009**

Call to Order

Village President Pfefferman called the meeting to order at 8:02 p.m.

Roll Call

Upon roll call by Village Clerk Draths, Village President Pfefferman and Trustees Comerford, Cooper, Henninger, Ladesic and Thorsell answered, "Present." Trustee Hartweg was excused.

Pledge of Allegiance

The Pledge of Allegiance was led by Karen Evans, a representative of Supplies 4 Success. Ms. Evans offered a few comments about the organization, whose purpose is to provide school supplies for Glen Ellyn's children in need.

Correspondence

- a. May 27 phone call message from a resident sending her thanks to Public Works Secretary Kathryn Horn for tracking down a business owner who needed to mow their vacant lot.
- b. June 12 letter of thanks from a resident to Police Officers Brad Booton and Ryan Cusack who responded to her call of a medical emergency.
- c. June 22 letter from a resident forwarding his thanks to Planning and Development staff for the quick follow-up to his requests. Staff included Building and Zoning Official Joe Kvapil, Building Inspector Mike Morange, Consultant Marilyn Sucoe, and Permit Clerk Kathy Petrine.
- d. June 24 email message from Sherry Yarema of the Wheaton-Glen Ellyn AAUW (American Association of University Women), forwarding her thanks to Custodial Supervisor Harold Kolze and his staff for their assistance with the annual book sale.
- e. Thank-you note from a resident to Police Officer Daniel Rossiter for all that he did to assist them in an extreme crisis situation.

- f. Email message from a Main Street resident complimenting Public Works staff for the “great” work completed on his parkway. Staff included Program Coordinator Bob Greenberg, Maintenance Workers Jeff Agner and Dave Laurinaitis, along with seasonal employees Zach Carlstrom and Calvin Studzinski.
- g. June 30 letter from Mary Defiglia, Assistant Superintendent of the Glen Ellyn Park District, forwarding her thanks to Police Officer Kyle Duffie for his assistance with the annual Cardboard Boat Regatta.
- h. July 1 letter from the Director of Management Training for the Center for Public Safety advising Police Chief Norton that Sergeant Jean Harvey had been elected to a class officer position in the School of Police Staff and Command at Northwestern University, hosted by the DuPage County Sheriff’s office.

Audience Participation

- a. Janie Patch, Executive Director of the Economic Development Corporation (EDC), made a presentation on the EDC initiative 3/50 project to support local shopping. The 3/50 project encourages residents to spend \$50 per month among three local Glen Ellyn businesses.
- b. Jim Bourke, 705 Hill Avenue, thanked the many volunteers who made the 2009 4th of July festivities a success on behalf of the 4th of July Committee, including the Volunteer Fire Company, the Park District, the Police Department, Public Works Department and the Village Board.
- c. Carl Cepuran, 629 Hillside Avenue, voiced the following concerns regarding a project at 625 Hillside Avenue: escrow account monies owed the Village and Village issued building permits; perceived inability to obtain information from the Village; and certain meeting minutes. Mr. Cepuran mentioned that he is currently involved in litigation with the Village on this project. Mr. Cepuran suggested hazardous waste materials were found on the project site.

Chief of Police Phil Norton responded that a recent investigation had been initiated regarding a potential case of harassment toward the owners of 625 Hillside Avenue due to a number of incidents, including possible hazardous waste, reported to the Police Department, on the project site.

Director of Planning and Development Staci Hulseberg responded stating that verbatim transcripts were made available for Plan Commission meetings prior to the Village Board’s decision to approve the project at 625 Hillside and that all escrow accounts are treated equally and that the Village’s escrow policy is currently under review.

Village Attorney Stewart Diamond reminded the Village Board that Mr. Cepuran has filed over 80 Freedom of Information Act requests regarding the project at 625

Hillside Avenue and that Village staff has spent a great deal of time responding to Mr. Cepuran's numerous FOIA requests. Attorney Diamond stated that this project is in litigation, that Mr. Cepuran, et al, attempted to obtain a temporary restraining order for the project, which was denied by the trial court judge.

Consent Agenda

Village Manager Jones presented the Consent Agenda; Village President Pfefferman called for questions and/or discussion on the items on the Consent Agenda.

Trustee Henninger moved and Trustee Thorsell seconded the motion that the following items included on the Consent Agenda be approved:

- a. **Minutes** of the following Village Board Meetings:
Regular Meeting
April 27, 2009
May 11, 2009
- b. Total **Expenditures** (Payroll and Vouchers) - \$2,847,614.40. The vouchers were reviewed by Trustee Henninger prior to the meeting.
- c. Waive Section 8-1-11 (Street Obstructions) and 8-1-12 (Merchandise on Street) of the Village Code and applicable outdoor tent sale sections of the Zoning Code and approve the Glen Ellyn Chamber of Commerce's request to hold the annual **Sidewalk Sale** event on Thursday, July 23; Friday, July 24; and Saturday, July 25, 2009 in downtown Glen Ellyn and along Roosevelt Road.
- d. Waive Section 4-5-7(G) (Portable Signs) of the Village Code and approve the Glen Ellyn Lion's Club request to host the 40th annual **Festival of the Arts** event on Saturday, August 22, 2009 and Sunday, August 23, 2009 at the Lake Ellyn Boathouse.

The Glen Ellyn Lions Club is sponsoring the Festival of the Arts event at the Lake Ellyn Boathouse on Saturday, August 22 and Sunday, August 23, 2009. The event includes artwork displays of various artists and food and drink concessions.
- e. The **2009 Pavement Marking Program** includes the removal and replacement of pavement markings on asphalt streets with an emphasis on the Central Business District and the areas surrounding schools. Approximately 30,000 linear feet (5.7 miles) of lines as well as nearly 1,400 square feet of letters and symbols would be placed as a part of this project. Pricing has been procured through the Suburban Purchasing Cooperative at a substantial discount using their vendor, Superior Road Striping.
 1. Reject the two bids received on July 8, 2009 for the 2009 Pavement Marking Program; and

2. Approve award of a contract to Superior Road Striping of Melrose Park, Illinois for the 2009 Pavement Marking Program in an amount of \$37,000 (including a 10-percent contingency), to be expensed to the FY09-10 Operations General Fund.
- f. **Ordinance No. 5774-VC**, an Ordinance to Amend the **Liquor Control Code** of the Village Code of Glen Ellyn, Illinois Chapter 19 of Title 3, Section 12 (Restriction on Number of Licenses) to Decrease the Number of Permitted Class D-1 and Class K Liquor Licenses.

This action decreases from three to two the number of permitted Class D-1 liquor licenses, which license allows the retail sale of beer, ale or wine in its original package as an adjunct to another principal retail business, to reflect the non-renewal of said license by Shannon's Irish Pub at 428 N. Main; and decreases by one the number of permitted Class K liquor licenses, which license authorizes the retail sale of beer and wine on a specific premises owned by a park district, to reflect the non-renewal of said license by Holes & Knolls Miniature Golf Course, Glen Ellyn Park District, 845 Pershing Avenue.

Upon roll call on the Consent Agenda, Trustees Henninger, Thorsell, Comerford, Cooper, and Ladesic voted "Aye". Motion carried.

Ordinance No. 5775 – 413 Hill Avenue – Approve Detached Garage Area Variation

Planning and Development Director Staci Hulseberg presented information on a request by Michael and Marissa Gettle for a variation from the Glen Ellyn Zoning Code, Section 10-5-5(B)4-14, regarding the construction of a 220-square foot addition to an existing detached garage resulting in a detached garage area of 720 square feet in lieu of the maximum permitted detached garage area of 660 square feet. The subject property is located in the R2 Zoning District and is defined as an interior lot on the south side of Hill Avenue between Prospect Avenue on the east and Newton Avenue on the west. The Zoning Board of Appeals considered the request at a public hearing on June 9, 2009, voting on a motion to recommend approval of the variation request that did not carry by a vote of three (3) "yes" votes and three (3) "no" votes.

Trustee Comerford moved and Trustee Henninger seconded the motion that Ordinance No. 5775 be passed, an Ordinance Approving a Variation from the Detached Garage Area Requirements of the Zoning Code to Allow an Addition to the Existing Detached Garage for Property at 413 Hill Avenue.

Trustee Cooper stated he would be abstaining from voting on this item due to the fact the petitioner's are his neighbors and personal friends. Trustee Thorsell said she would be voting against the project because she felt a hardship had not been proven.

Upon roll call, Trustees Comerford, Henninger and Ladesic voted "Aye." Trustee Cooper abstained and Trustee Thorsell voted "Nay". Motion carried.

Town Builder Studios – Allow to Work with Private Developer in Village – Table Motion

President Pfefferman stated that at the earlier July 13, 2009 workshop meeting, just prior to this meeting, it was the consensus of the Village Board to table this item to a future Village Board meeting, but that the Village Board would still accept public comment.

Mike Formento, 65 N. Exmoor Avenue, requested the Village Board reject consideration of this offer as Town Builders Studio has been privy to confidential information and should not be allowed to work with future developers regarding the downtown strategic plan. Mr. Formento said that TBS working with a developer had an inappropriate appearance and could be perceived as a conflict of interest.

Trustee Ladesic moved and Trustee Henninger seconded the motion to table the motion until the July 27, 2009 Village Board Meeting that would allow Town Builder Studios to work with a private developer on a project in the Village after the conclusion of their contract to complete the Village's downtown strategic plan. All Trustees present voted "Aye." Motion carried.

Ordinance No. 5776-VC – Create Finance Commission

Village President Mark Pfefferman presented information on the creation of a Finance Commission to provide advisory recommendations to the Village Board regarding long-term financial decisions of the Village of Glen Ellyn. President Pfefferman complimented Finance Director Jon Batek as the best Finance Director from a municipal perspective. President Pfefferman said he looked forward to Director Batek and the Finance Commission members working together on such topics as establishing fiscal policy; studying revenue and expense trends and bringing creativity and business focus and ideas into Village government regarding revenue generation and cost containment and exploring uses of alternative funding including return on investment in all areas, including economic development. President Pfefferman said the Finance Commission would not be an audit function nor would they be involved in the day-to-day operations of the Finance Department team.

Trustee Henninger reminded the Village Board that upon approval, the Village Board had previously agreed to review the viability of the Finance Commission in one year, and again periodically thereafter.

Trustee Ladesic moved and Trustee Henninger seconded the motion that Ordinance No. 5776-VC be passed, an Ordinance of the Village of Glen Ellyn to Create a Finance Commission.

John Mulherin, 569 Dorset Avenue, commended President Pfefferman on recommending the creation of a Finance Commission and he also commented that Jon Batek is an excellent Finance Director.

Trustee Comerford said that although he appreciated the spirit behind the idea of a Finance Commission he did not share the enthusiasm of President Pfefferman in making the commission meaningful. He stated that 30% of the budget is allotted for capital projects, which are already addressed by the Capital Improvements Commission. He said that the majority of the remainder of the budget is allotted to payroll and benefits. Trustee Comerford said that little flexibility remained for what the Finance Commission could review, and he believed those issues were for Village Board review and action. He also stated that he felt a new commission would add additional workload to the Finance Department team to prepare for and respond to interactions between the Finance Commission and the Village Board. Trustee Comerford stated he wished for a better understanding of what the responsibilities of the Finance Commission would be before a commission was created.

President Pfefferman said that capital and payroll and benefits are the largest budget items for many organizations and that he hoped that the creativity of ideas the Finance Commission could generate would be as beneficial for the Village of Glen Ellyn as they have been successful in other towns, states and the private sector.

Trustee Thorsell asked if it were possible to track Finance Department hours spent on Finance Commission projects. Village Manager Steve Jones said the Finance Department would attempt to do so.

Upon roll call, Trustees Ladesic, Henninger, Cooper and Thorsell voted "Aye." Trustee Comerford voted "Nay." Motion carried.

President Pfefferman said residents interested in applying to serve on the Finance Commission could via the Village website, www.glenellyn.org or obtain an application at the Village Clerk's office on the second floor of the Civic Center.

Authorize Employment Agreement with Village Manager Steve Jones

Manager Jones' Employment Agreement with the Village terminated in May 2009. Negotiations have resulted in the production of a new agreement, which runs until the end of President Pfefferman's term, with an additional optional term of one additional year. This agreement is otherwise very similar to the previous agreement. Manager Jones has agreed to take no salary increase in FY09-10 and his current base salary is \$140,000.

Trustee Cooper moved and Trustee Comerford seconded the motion to authorize the execution of an Employment Agreement with Village Manager Steve Jones, to run until the end of President Pfefferman's term, with an option for an additional year.

President Pfefferman read a statement, at the request of excused Trustee Hartweg, offering Trustee Hartweg's support of the contract renewal of Manager Jones.

Trustee Ladesic stated he would not be voting in favor of the contract renewal of Manager Jones. He said that the Village Board had spent an inordinate amount of time creating

expectations and goals for the Village Manager which Trustee Ladesic felt should be understood for anyone in this position. He added that if it were the consensus of the Village Board that the creation of expectations and goals were necessary, that those expectations and goals should become a condition of the Village Manager's contract, and they were not. Trustee Ladesic stated that that being said, he wished Manager Jones well and that Trustee Ladesic had confidence in President Pfefferman to keep the Village on track, regardless of the contract vote.

Trustee Cooper stated that the Village Board met in executive session for many hours and read many pages of documents on this topic and that he felt the Village Board came to a consensus that the Village requires a unified team moving forward and that Manager Jones was the appropriate person to lead us in that direction.

Trustee Henninger stated that the Village Board spent a good amount of time discussing the Village Manager contract by design due to the importance of the decision and its impact on the Village. Trustee Comerford stated he was impressed by the tone at the executive sessions during these discussions. Trustees Henninger, Comerford and Thorsell stated they were very much in support of Manager Jones' new contract and with the Village moving forward.

Upon roll call, Trustees Cooper, Comerford, Henninger and Thorsell voted "Aye." Trustee Ladesic voted "Nay." Motion carried.

President Pfefferman congratulated Village Manager Jones and read the press release that would be sent to the media regarding his renewed contract. President Pfefferman thanked the Village Board for their deliberations regarding this contract.

Manager Jones thanked the Village Board for their kind words and their confidence in him and said that he looks forward to working on Glen Ellyn's future.

Reminders

- The Downtown Planning Study Final Presentation *in lieu of* the Regular Village Board Workshop is scheduled for Monday, July 20, beginning at 6:30 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.
- The next Pre-Board meeting of the Glen Ellyn Village Board is scheduled for Monday, July 27, beginning at 7:00 p.m. in Room 301 of the Glen Ellyn Civic Center.
- The next Regular Village Board Meeting is scheduled for Monday, July 27, beginning at 8:00 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.

Other Business

- a. Trustee Cooper mentioned the annual Ed Posh Scholarship event scheduled for Friday, July 17, 2009 at the Village Links. Recreation Director Matt Pekarek said anyone interested could still sign up for the event at the Links.
- b. Village Trustee Michelle Thorsell offered comments pertaining to a recent IML (Illinois Municipal League) Annual Conference Road Show she attended. Trustee Thorsell said that the meeting on Red Flag Rules confirmed that our Finance Department not only does what is necessary, they go above and beyond what is required.

Adjournment

At 9:23 p.m., Trustee Thorsell moved and Trustee Henninger seconded the motion to recess to Executive Session to discuss pending or threatened litigation and the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, and to adjourn thereafter without reconvening into open session.

Upon roll call, Trustees Thorsell, Henninger, Comerford, Cooper and Ladesic voted "Aye." Motion carried.

Respectfully Submitted,

Andrea Draths
Village Clerk