

**Minutes  
Regular Meeting  
Glen Ellyn Village Board of Trustees  
Galligan Board Room  
July 27, 2009**

**Call to Order**

Village President Pfefferman called the meeting to order at 8:03 p.m.

**Roll Call**

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

**Pledge of Allegiance**

The Pledge of Allegiance was led by Geoff Bevington representing the Glen Ellyn Lions Club. Mr. Bevington offered comments regarding the annual Festival of the Arts event planned for August 22 and 23 at Lake Ellyn Park.

**Correspondence**

July 11 note from a Park Place Condominium board member thanking Police Officer Tom Staples for creating a Residential Security Survey for the 92-unit condo building.

**Audience Participation**

- a. President Pfefferman presented a proclamation to Chief of Police Phil Norton, Fourth of July Committee member, thanking the Committee for their efforts coordinating the weekend celebration.
- b. ComEd representatives John O'Halloran, Jose Andrade and Dave Cook presented information regarding electrical service to Glen Ellyn and electrical interruptions due to storms. Mr. O'Halloran stated that when restoring electricity, ComEd's highest priority is the safety of their employees and customers. Discussion ensued and ComEd committed to the Village Board that they would actively work toward better on-going communication between ComEd and the Village and our residents and specifically during and after storm events.

**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 Comerford 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  
May 26, 2009  
June 8, 2009
- b. Total **Expenditures** (Payroll and Vouchers) - \$891,526.97. The vouchers were reviewed by Trustee Comerford prior to the meeting.
- c. Authorize payment to Kramer Tree Service in the amount of \$16,450 for **special brush pickup associated with the storm of June 19, 2009**, to be expensed to the FY 09-10 Residential Solid Waste Fund.

After a storm came through Glen Ellyn on June 19, 2009 it became evident that a supplemental Village-wide brush pickup would be necessary. Our Brush Pickup Program contract with Kramer Tree Service contains provisions for this type of emergency. Over 700 cubic yards of material was collected over a four-day period. As the brush pickup was considered routine for Kramer and did not include any special overtime or weekend work, Kramer chose to discount the total cost to the Village by 50 percent. As this expense was not budgeted and exceeds \$10,000, Village Board approval is necessary.

- d. **Ordinance No. 5777**, an Ordinance Approving a Plat of Consolidation, Abrogation and Easement on Property Commonly Known as **656 Highview Avenue**.

Paul and Beth Murphy of 656 Highview Avenue own the adjacent lot at 650 Highview and desired to expand their residence onto that property. The Village owns and maintains a storm sewer that runs through 656 Highview that impeded those expansion plans. As part of their 2008 project, the Murphy's relocated the storm sewer to the west side of the 650 lot. A plat has been prepared that consolidates the two lots into a single parcel, abrogates the previous storm sewer easement to unencumber the land where the building expansion took place, and establishes a new storm sewer easement along the alignment of the relocated pipe.

- e. Waive competitive bidding and accept the proposal of Dixie Electric, Inc., of Crete, Illinois to install radio antennas associated with the upgrade of the Village **SCADA system**, in the amount of \$18,800 (including a 15-percent contingency), to be expensed to the FY 09-10 Water Fund.

In April 2009, the Village Board approved a proposal from Gasvoda and Associates and allocated \$125,000 in funds to provide hardware and software upgrades to the Glen Ellyn Supervisory Control and Data Acquisition (SCADA) system. The SCADA

system provides for automatic operation of the water distribution network. One of the key improvements with the SCADA upgrade project is to improve intra-system communications by changing from the current leased phone lines to radio. To implement the radio system, external antennas need to be placed at five locations, including at the Public Works Service Center/West Pressure Adjusting (PA) station, Cottage tank, Newton tank, Civic Center and the North PA station on Stacy Court. While a 50-foot tall tower installation is required at the home base site at the West PA station, antenna mounts at the other locations would be attached to existing structures. Gasvoda would supply the required antenna materials, but does not have the capabilities to install the antennas and the tower, as that work is rather specialized. Based on a recommendation from the SCADA vendor team, staff approached an experienced installer – Dixie Electric – and received an acceptable quote for the required work. The antenna installations would parallel the SCADA upgrade field work scheduled for this fall.

- f. **Ordinance No. 5778-VC**, an Ordinance Approving Text Amendments to the Village Sign Code to **Allow Common Program Signs** in the C5A and C5B Zoning Districts and **Motor Vehicle Dealer Light Pole Banners**.

This action approves amendments to the Sign Code to allow common program signs in the C5A and C5B downtown zoning districts and to allow car dealerships in the Village to install banners on their private light poles.

- g. **Ordinance No. 5779**, An Ordinance Amending Ordinance No. 5732 which Granted Approval of a Preliminary and Final Plat of Subdivision, Subdivision Variations, Zoning Variations and Special Use Permits for the **Sunnybrook Estates Subdivision** Located on the Property Commonly Known as 1S501 Sunnybrook Road.

Mike Cozzi, owner of the subdivision, sought to amend Ordinance No. 5732, which approved, among other things, a preliminary and final plat of subdivision, subdivision variations, zoning variations and special use permits for the Sunnybrook Estates Subdivision. That ordinance required the owner to pay any outstanding charges due to the Township prior to the Village executing the approved ordinance. The owner has entered into a payment plan with Milton Township. Approval of this ordinance would allow the Village President and Village Clerk to sign the plat since we now have a signed written agreement in place to repay all money owed to the Township.

- h. **Ordinance No. 5780**, an Ordinance Authorizing the Acceptance of Grant of Permanent Non-Exclusive Easement within an Area of Property Commonly Known as **Memorial Park**, 671 Crescent Boulevard Located within the Village of Glen Ellyn.

The Village recently helped to facilitate the purchase and transfer of Memorial Park between the Park District and Glenbard School District 87. As a part of this

transfer, the Village would be granted a permanent easement to the subject property for purposes of accessing and maintaining a storm sewer located on the site.

- i. Recommendation of Village President Pfefferman that Alexander Cooper be appointed as a **Youth Member on the Historic Preservation Commission.**
- j. Waive Section 6-2-2.5(B)3 (Unnecessary Noises) of the Village Code and Section 10-4-17.1(B)32 (Promotional Activities) of the Zoning Code in order to allow the event, “**Slow and Steady: A Walk for 22q11 Awareness,**” to occur on Saturday, August 22, 2009 in the Central Business District.

This first-time event is scheduled to be held on Saturday, August 22, 2009 between the hours of 7:00 a.m. and 10:00 a.m. in downtown Glen Ellyn. The purpose of the event is to raise awareness for the disease 22q11. The event includes live entertainment in the form of several musicians, in addition to a 2.2 mile walk through Glen Ellyn.

- k. **Ordinance No. 5781-VC**, an Ordinance to Amend the **Liquor Control Code** Chapter 19 of Title 3, Section 12 (Restriction on Number of Licenses) of the Village Code of Glen Ellyn, Illinois to Increase the Number of Permitted Class A-1 Liquor Licenses.

This action increases from four to five the number of permitted Class A-1 liquor licenses, which authorizes the retail sale of beer, ale or wine, at the request of Ding Tai Buffet at 579 Roosevelt Road in the Market Plaza Shopping Center.

Upon roll call on the Consent Agenda, Trustees Comerford, Thorsell, Hartweg, Henninger and Ladesic voted “Aye”. Motion carried.

**Resolution No. 09-14 – Parkside-Summerdale Road Reconstruction – Change Order No. 1 (FINAL)**

Public Works Director Joe Caracci presented information on the first and final change order for the Parkside-Summerdale Road Reconstruction Project. The work features a combination of street reconstruction and resurfacing using hot mix asphalt in the area of the Village bound by Fairview, Main, Roosevelt and Park. This project also included the construction of the Village’s first and only roundabout and the reconstruction of the alley just north of Roosevelt. Underground improvements included various water system changes including main reconfigurations, new main and services; sanitary sewer rehabilitation consisting of replacement and lining; and assorted storm sewer replacements and extensions. A total of just under 1.5 miles of roadway were improved in the project.

The Village has completed all aspects of the project and come to final agreement on quantities with the contractor. On March 24, 2008, the Village Board approved a

construction contract with John Neri Construction Company, of Addison, Illinois in the amount of \$3,865,814 with appropriations from the Water, Sanitary Sewer, and Capital Project Funds totaling \$4,060,000 (including a 5-percent contingency). Change Order No. 1 reflects a decrease of \$49,160 to the contract, and serves as a final change order that includes items associated with all outstanding force account (time and material) items, additional unit price items deemed necessary during construction, and balancing of contract items. The modified contract cost of \$3,816,654 is 1.3 percent under the original bid award amount of \$3,865,814.

Trustee Ladesic moved and Trustee Hartweg seconded the motion that Resolution No. 09-14 be passed, a Resolution Concerning the Determination of the Village Board that Change Order No. 1 (FINAL) with John Neri Construction Company, for a Decrease in the Contract Price of \$49,160 is Required for the Parkside-Summerdale Road Reconstruction Project, for a Revised Contract Cost of \$3,816,654.

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

#### **Resolution No. 09-15 - 2008 Street Improvements Project – Change Order No. 1 (FINAL)**

Public Works Director Joe Caracci presented information on the first and final change order for the 2008 Street Improvements Project. The work features a combination of street reconstruction and resurfacing using hot mix asphalt in the central and northerly sections of the Village including the following streets: Pennsylvania, Newton, Melrose, Glenwood, Phillips and Forest. Concrete rehabilitation occurred on Sheffield Lane and Kenilworth Court. Underground improvements included various water system changes including main reconfigurations, new main and services; sanitary sewer rehabilitation consisting of replacement and lining; and assorted storm sewer replacements and extensions. A total of just under 2 miles of roadway were improved in the project.

The Village has completed all aspects of the project and has come to final agreement on quantities with the contractor. On April 14, 2008, the Village Board approved a construction contract with John Neri Construction Company, of Addison, Illinois in the amount of \$1,970,632 with appropriations from the Water, Sanitary Sewer, and Capital Project Funds totaling \$2,075,000 (including a 5-percent contingency). Change Order No. 1 reflects a decrease of \$49,099 to the contract, and serves as a final change order that includes items associated with all outstanding force account (time and material) items, additional unit price items deemed necessary during construction, and balancing of contract items. The modified contract cost of \$1,921,533 is 2.5 percent under the original bid award amount of \$1,970,632.

Trustee Thorsell moved and Trustee Henninger seconded the motion that Resolution No. 09-15 be passed, a Resolution Concerning the Determination of the Village Board that Change Order No. 1 (FINAL) with John Neri Construction Company, for a Decrease in the Contract Price of \$49,099 is Required for the 2008 Street Improvements Project, for a Revised Contract Cost of \$1,921,533.

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

#### **Ordinance No. 5782 – 574 Hillside Avenue – Side Yard Setback Variation**

Planning and Development Director Staci Hulseberg presented information on a request by Paul and Maria Metz regarding a variation from the Glen Ellyn Zoning Code to allow a side yard setback of 2.21 feet in lieu of the minimum required side yard setback of 6.5 feet. The subject property is an interior lot located on the north side of Hillside Avenue between Park Boulevard and Forest Avenue in the R2 Residential District. The Zoning Board of Appeals considered the request at a public hearing on June 23, 2009, voting on a motion to recommend approval of the variation request by a vote of five (5) "yes" votes and one (1) "no" vote.

Trustee Hartweg moved and Trustee Henninger seconded the motion that Ordinance No. 5782 be passed, an Ordinance Approving a Variation from the Side Yard Setback Requirements of the Zoning Code to Allow the Construction of a One- and Two-Story Residential Addition for Property at 574 Hillside Avenue.

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

#### **Ordinance No. 5783-VC – Patio Seating – Establish Time Restrictions**

Planning and Development Director Staci Hulseberg presented information on amendments to the Village Code to establish restrictions on the times of day that private outdoor seating areas that are adjacent to residential uses be used.

Keith Letsche of Bond Dickson & Associates, attorney representing Tap House Grill, 411 N. Main Street, stated an agreement has been arrived at that satisfies all parties regarding outdoor hours on the patio.

Mark Daniel of Rathje, Woodward, attorney representing the Wharton family, thanked the Village for their help in facilitating the agreement regarding outdoor hours on the patio.

Attorney Diamond stated that the terms of this ordinance shall be in full force and effect immediately upon its passage and approval.

Trustee Henninger moved and Trustee Comerford seconded the motion that Ordinance No. 5783-VC be passed, an Ordinance Approving an Amendment to the Village Code to Establish Time Restrictions on the Use of Private Outdoor Seating Areas (Patio) for Restaurants Located Adjacent to Residential Areas.

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

## **Reminders**

- The next Pre-Board Meeting of the Glen Ellyn Village Board is scheduled for Monday, August 10, beginning at 7:00 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.
- The next Regular Village Board Meeting is scheduled for Monday, August 10, beginning at 8:00 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.

## **Other Business**

Village Manager Jones stated that the Montessori pre-school project at 625 Hillside Avenue was erroneously red-tagged for asbestos and upon discovery of the error, work was allowed to resume.

Attorney Diamond stated that a second temporary restraining order filed regarding this project was recently denied and he reminded the Village Board that K-12 is a permitted use at 625 Hillside Avenue and the special use was required by the Village because Diamante Montessori is a pre-school.

## **Adjournment**

At 9:47 p.m., Trustee Comerford moved and Trustee Thorsell seconded the motion to recess to the close of the Liquor Commission meeting, which immediately follows this meeting, and go into Executive Session thereafter 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 Comerford, Thorsell, Hartweg, Henninger and Ladesic voted "Aye." Motion carried.

Respectfully Submitted,

Andrea Draths  
Village Clerk