

Minutes
Regular Meeting
Glen Ellyn Village Board of Trustees
September 14, 2009

Call to Order

Village President Pfefferman called the meeting to order at 8:00 p.m.

Roll Call

Upon roll call by Deputy Village Clerk Denney, Village President Pfefferman and Trustees Comerford, Cooper, Hartweg, Henninger, Ladesic and Thorsell answered, "Present."

Pledge of Allegiance

The Pledge of Allegiance was led by Betty Cvengros, Constitution Chairman for the Anan Harmon Chapter of the Daughters of the American Revolution, who spoke about Constitution Week, occurring September 17-23.

Correspondence

- a. September 1 letter from Hannah Loftus submitting her resignation as a youth member of the Architectural Review Commission, effective September 10, 2009
- b. September 2 email message stating that a resident who lives on North Lenox stopped in to thank the Police Department for the increased patrols in their area of the Village.

Audience Participation

- a. President Pfefferman presented a proclamation to Betty Cvengros, Constitution Chairman for the Anan Harmon Chapter of the Daughters of the American Revolution, recognizing Constitution Week, September 17-23.
- b. President Pfefferman also presented a proclamation to Mike Formento, Co-Executive Director of the Glen Ellyn Chamber of Commerce, recognizing Chamber of Commerce Week, September 14-18.
- c. Ray Campbell, 460 Raintree Court and President of the Glen Ellyn Lions Club, thanked the Village for its cooperation and assistance with the 2009 Festival of the Arts event.

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 Cooper 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:
Pre-Board Workshop
April 27, 2009

Regular Meeting
July 13, 2009
- b. Total **Expenditures** (Payroll and Vouchers) - \$2,969,205.33. The vouchers were reviewed by Trustee Cooper prior to the meeting.
- c. Waive Section 10-4-17.2(B)25 for the C5B Central Business District of the Village Code concerning a special use for outdoor sales, storage, tents, promotional activities and events and Section 6-2-2.5(B)3 of the Village Code concerning unnecessary noises for **Bridge Communities' Sleep Out Rally** to occur on Saturday, November 7, 2009 from 6:30 p.m. to 9:00 p.m. in the Crescent Boulevard parking lot in downtown Glen Ellyn.

The Sleep Out Rally's primary objective is to raise awareness about homelessness in DuPage County and to raise money to support homeless families. It is held in conjunction with the annual Sleep Out Saturday Event. The Rally has an anticipated attendance of 1000 people and will include the service of hot beverages, a singing group and 101.9FM The MIX.

- d. Waive Section 10-4-17.1(B)32 for the C5A Central Business District concerning a special use for outdoor sales, storage, tents, promotional activities and events, Section 6-2-2.5(B)3 concerning unnecessary noises and Section 8-1-11 for street obstructions of the Village Code to allow the **Glenbard West Booster Club to host the 2009 Dinner Dance** event on Saturday, November 21, 2009.

The Glenbard West Booster Club has requested permission to host their 2009 Dinner Dance at Bells and Whistles Snackery in the Central Business District. The event would occur between the hours of 5:00 p.m. and 11:00 p.m. on Saturday, November 21 and would include the service of food and alcoholic beverages and an outdoor heated tent on Hillside Avenue.

- e. Execution of Corporate Authorization Resolutions and related bank documents to open a **lockbox account with Suburban Bank & Trust** in Elmhurst, Illinois.

This action authorizes the opening of a lockbox account and executing various account agreements at Suburban Bank & Trust to receive collections from

ambulance billings initiated by the Village's contract vendor Paramedic Billing Services, Inc. (PBS). The account would be maintained and controlled by the Village with all applicable account fees paid by PBS.

- f. **Resolution No. 09-19**, a Resolution Expressing Intent to Participate in the Suburban Tree Consortium Five-Year Contractual Program.

The Village of Glen Ellyn has been a member of the **Suburban Tree Consortium** (STC) since 1999. By participating in the STC, the Village commits to a five-year purchase of trees. This ensures a specific number and quality of trees will be grown for Glen Ellyn. Annual participation is \$500 and is budgeted in the FY09-10 General Fund Budget.

- g. Engineering services agreement with Burns & McDonnell of Downers Grove, Illinois for the design of the **Lake Ellyn Channel Rehabilitation Project** in the not-to-exceed amount of \$12,500 (including a 15-percent contingency), to be expensed to the FY 09-10 Capital Projects Fund.

The Lake Ellyn Outlet Channel conveys stormwater from the Village storm sewer network into Perry's Pond. Located on the east side of Riford Road near the Joseph Sam Perry Nature Preserve triangle, the channel is in deteriorated condition and requires substantial maintenance. A naturalized streambank rehabilitation project is proposed at an estimated cost of \$110,000 for engineering, constructing and short-term monitoring and management of the project, with 20-percent project funding now secured through the DuPage County Water Quality Improvements Program. Burns and McDonnell, the Riford Road project consultant, is recommended for design of the channel work due to their familiarity with the area and in-house expertise for this type of assignment. Project tasks include design, preparation of bidding documents, cost estimate, stormwater permit application and development of easement documents, to be completed for the lump sum amount of \$11,000.

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

Ordinance No. 5795 – 486 Phillips Avenue – Fence Variation

Planning and Development Director Staci Hulseberg presented information on a request by Mark and Wendi Pasterik for a variation from the Glen Ellyn Zoning Code to allow the construction of a fence with a solid wood board surface area in a corner side yard in lieu of the minimum required 50-percent open surface area. The subject property is located in the R2 Zoning District and is defined as a corner lot on the northeast corner of Phillips Avenue and Glenwood Avenue. The zoning and land use on all sides of the subject property is R2 single-family residential. The Zoning Board of Appeals considered the request at a public hearing on August 11, 2009, voting on a motion to recommend denial of the variation request by a vote of four (4) "yes" votes and two (2) "no" votes.

The Village Board discussed the variation request and determined it would like to approve the request in lieu of denying it. Discussion on adjusting the respective

ordinance occurred and several reasons for approval were added into the updated ordinance. Added into the ordinance was: proximity of the sidewalk to the home as a hardship, unique situation is presented due to privacy concerns, granting of the variation will not set a precedent or change the character of the neighborhood and the landscaping proposed in lieu of a solid fence is not appropriate for the size of the lot.

Following this discussion, Trustee Ladesic moved and Trustee Henninger seconded the motion that Ordinance No. 5795 be passed, an Ordinance Approving a Variation from the Fence Requirements of the Zoning Code to Allow the Construction of a Solid Fence for Property at 486 Phillips Avenue. Upon roll call, Trustees Ladesic, Henninger, Comerford, Cooper, and Thorsell voted "Aye." Trustee Hartweg voted "Nay." Motion carried.

Purchase Replacement Vehicles - Public Works

Public Works Director Joe Caracci presented information on the purchase of two replacement vehicles proposed in the FY09-10 Equipment Services Budget at an approximate cost of \$331,000. The Village is able to participate in joint purchasing opportunities through the State of Illinois Joint Purchasing Agreement and the Suburban Purchasing Cooperative, which offers a window of opportunity to order vehicles at reduced pricing based on State low bids. Both of these vehicles would be available through the State. Decommissioned vehicles would be sold in a DuPage Mayors and Managers Conference vehicle auction, which is held in June and September each year.

Trustee Henninger moved and Trustee Cooper seconded the motion to purchase one 2010 International 7400 4x2 dump/plow truck and one 2010 International 7400 6x4 dump/plow truck through the State of Illinois Joint Purchasing Program from Prairie Archway International of Springfield, Illinois. These vehicles would replace one 1999 International 4900 4x2 and one 2000 International 4900 6x4 at a cost of \$330,592, to be expensed to the FY09-10 Equipment Services Fund.

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

Glen Ellyn Volunteer Fire Company SSA – North and South of Village Limits

Public Hearing – Continued from August 24, 2009 Village Board Meeting

Trustee Comerford moved and Trustee Thorsell seconded the motion that the continuation of the public hearing convened on August 24, 2009 to receive comment on the proposed establishment of the North and South Glen Ellyn Fire Protection Special Service Area be opened. All Trustees present voted "Aye." Motion carried.

Finance Director Jon Batek presented information related to the proposed establishment of two Special Service Area (SSA) taxing districts in the unincorporated areas to the north and south of the Village limits that are currently served by the Glen Ellyn Volunteer Fire Company.

These SSAs, if established, would result in an additional property tax levied on the properties contained within the boundaries of the SSAs, to pay for the cost of providing fire services which have historically been delivered without any financial contributions from property owners. The proposed maximum tax rate for the SSAs is 25 cents per \$100 of assessed property value (about \$250 per year for a \$300,000 home), which is well below that of surrounding fire service districts, which could service the areas if the proposed SSAs were to fail due to resident opposition.

The public hearings are continued from the Village Board meeting of August 24, 2009. Upon completion of the public hearings, a 60-day period begins, during which time registered voters and property owners within the proposed SSAs may object to their creation. If a petition signed by at least 51 percent of the electors residing within the SSA and by at least 51 percent of the owners of record of the land included within the boundaries of the SSA is filed with the municipal clerk prior to the expiration of the 60-day filing period, the SSAs would not be created.

If the SSAs are not established, the Fire Company has expressed its intent to discontinue service to these areas. The residents of these areas would then be responsible for obtaining fire protection services from a neighboring jurisdiction.

Trustee Comerford moved and Trustee Henninger seconded the motion that the public hearing be closed. All Trustees present voted "Aye." Motion carried.

Discussion ensued on the proposed Special Service Areas. Greg Hill, 21W355 Hoyle Road, Lombard, IL, inquired if the Village provides funding to the Volunteer Fire Company, and if so, would the SSA funds supplement the funds already provided to the Fire Company. Finance Director Batek responded in the affirmative. Mr. Hill then reviewed costs, assessed value and several other items, indicating what he thought should be the actual tax rate for unincorporated residents. Following discussion on Mr. Hill's statements, Village Manager Jones stated that the proposed SSAs provide the most equitable method for management of the issue, and DuPage County has agreed with this format.

Annette Rice, 1N510 Grove Lane, Lombard, IL, stated that she contacted Fire Chief Seagraves from the Village of Lombard and per their discussion, I-355 is the defining boundary between the two Villages regarding fire protection. Ms. Rice asked why Glen Ellyn would choose to service the properties within the southern SSA as Lombard has provided service to them for the past 13 years as a result of accessibility issues for Glen Ellyn. Ms. Rice finally stated that she is concerned for the safety of residents within the south SSA. Gail Jo Kelly, 500 W. Grove Lane, Lombard, IL, provided a letter to the Village Board stating her opposition to being served by the Village of Glen Ellyn Volunteer Fire Company. This letter was entered into the public record.

Trustee Comerford moved and Trustee Hartweg seconded the motion that the following resolutions be passed:

- a. **Resolution No. 09-20**, a Resolution of the Village Board of the Village of Glen Ellyn Removing Properties from the North and South Glen Ellyn Fire Protection Special Service Areas; and
- b. **Resolution No. 09-21**, a Resolution of the Village Board of the Village of Glen Ellyn regarding North and South Glen Ellyn Fire Protection Special Service Areas.

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

Establish Special Service Areas

- **Central Business District**
- **Roosevelt Road Business District**
- **Stacy's Corners Business District**

Trustee Hartweg moved and Trustee Comerford seconded the motion that the public hearing to receive comment on the proposed establishment of five Special Service Area (SSA) taxing districts located in Glen Ellyn's commercial districts be opened.

Finance Director Jon Batek presented information related to the proposed establishment of five Special Service Area (SSA) taxing districts located in Glen Ellyn's commercial districts.

SSAs have been used since 1991 to promote the revitalization of the Village's commercial districts and to support economic development activities and programs. Proceeds of annual SSA property tax levies have historically provided primary operational funding of the Glen Ellyn Economic Development Corporation. Traditionally, the SSA tax has made up less than 2 percent of a commercial property owner's annual property tax bill.

Presently, there are six commercial district SSAs, numbered 6 through 11. Funding for these SSAs has expired effective with the 2008 tax levies which support economic development operations for the current 2009/10 fiscal year. If a dedicated funding source for these activities is to continue, the SSAs must be extended through a public notice and hearing process.

The public hearings continue the process of reestablishing these SSAs and follow approval of ordinances on August 24, 2009 which proposed the formation of new districts. Changes from the current SSAs include some minor modifications to SSA boundaries which were last updated 10 years ago, consolidation of SSA 8 into SSA 9, reestablishing a maximum tax rate ceiling of 15 cents per \$100 of assessed value (no change from current SSAs except for SSA 9 which is proposed to increase from 5 to 15 cents for uniformity among all districts), and extension of term to provide an on-going source of annual funding.

Upon conclusion of the public hearings, a 60-day period begins, during which time registered voters and property owners within the proposed SSAs may object to their creation. If a petition signed by at least 51-percent of the electors residing within the special service area and by at least 51-percent of the owners of record of the land included within the boundaries of the special service area is filed with the municipal clerk prior to the expiration of the 60-day filing period, the SSAs will not be created. The petition process applies to each individual SSA.

If the SSAs are not reestablished and no new source of alternate revenue is established, economic development activities which have been in place since 1991 will likely no longer be provided.

Trustee Hartweg moved and Trustee Comerford seconded the motion that the public hearings be closed. All Trustees present voted "Aye." Motion carried.

Resolution No. 09-22 – Economic Development Corporation Special Service Areas

A Trustee inquired as to what benefits are provided by the SSAs to professional businesses and individuals that live within a multi-family building in the Central Business District. Batek responded that benefits include the attraction of new businesses, promoting business retention, marketing and promotion, beautification and maintenance of the downtown. Resident comments then ensued.

Tom Manak, 586 Crescent Boulevard, stated that he supports the concept of the SSAs, but does not believe that he personally benefits from the SSAs. Mr. Manak would like his property removed from the SSA. Gerri Bentel, 570 Crescent Boulevard #505, noted she is in agreement with Mr. Manak's comments and questioned why multi-family homes are included in the SSAs while single-family homes are not. Alison Caldwell, 501 Forest Avenue #602 and President of the Glen Astor Condo Association, stated that residents of Glen Astor do not receive benefits from the SSAs. Ms. Caldwell also noted that the residents already pay their fair share of taxes within the Village, and asked for information on how to file a petition in objection to the SSAs. Attorney Keller responded to Ms. Caldwell's inquiry, and the discussion then moved to comments from resident Betsy Sentowski.

Ms. Sentowski, 501 Forest Avenue, inquired how an objection petition would work for her property as it is owned by two trusts. Attorney Keller again provided a response to the resident's question. Bob Cochrane, 468 G Pennsylvania Avenue, stated his disappointment in the Village Board for choosing to tax residents of the Mews for economic vitality. Bill Jegen, 536 Crescent Boulevard, discussed reasons for the high number of vacancies in the downtown and stated that he is opposed to the manner in which the SSA tax funds are spent. Joe Maude, 475 Duane Street, noted his concern with the manner in which the SSA funds are spent and that the Downtown Strategic Plan will not help to improve the financially depressed Central Business District. Jessica Boone, 570 Crescent Boulevard, stated that these SSAs would require taxing many senior citizens that are already on fixed incomes.

Following additional discussion on the proposed SSAs, the timeline for the SSAs approval was noted and the Village Board discussed the manner in which residential properties within the SSAs could be removed. It was determined that members of the Village team would provide the Village Board with information in regards to the removal of residential properties from the SSAs for the next Village Board Meeting.

Trustee Hartweg then moved and Trustee Comerford seconded the motion that Resolution No. 09-22 be passed, a Resolution of the Village Board of the Village of Glen Ellyn Regarding Proposed Economic Development Corporation Special Service Areas. Upon roll call, Trustees Hartweg, Comerford, Cooper, Henninger, Ladesic and Thorsell voted "Aye." Motion carried.

Reminders

- The next regular Village Board Workshop is scheduled for Monday, September 21, beginning at 7:00 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, September 28, beginning at 7:30 p.m. in Room 301 of the Glen Ellyn Civic Center.
- The next Regular Village Board Meeting is scheduled for Monday, September 28, beginning at 8:00 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.

Other Business

September is National Preparedness Month – review your home's preparedness for any type of disaster.

Adjournment

At 10:59 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. All Trustees present voted "Aye." Motion carried.

Respectfully Submitted,

Kristen Schrader
Deputy Village Clerk