

Minutes
Regular Meeting
Glen Ellyn Village Board of Trustees
December 14, 2009
Galligan Board Room

Call to Order

Village President Pfefferman called the meeting to order at 8:01 p.m.

Roll Call

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

President Pfefferman called for a motion to allow Trustee Henninger to attend the meeting electronically due to employment purposes.

Trustee Comerford moved and Trustee Cooper seconded the motion that Trustee Henninger be allowed to attend the meeting electronically. All Trustees present voted "Aye." Motion carried.

President Pfefferman confirmed and welcomed Trustee Henninger via speaker phone.

Pledge of Allegiance

The Pledge of Allegiance was led by Maggie Berndt of the Illinois Humanities Council. Ms. Berndt said she was proud to be in attendance at tonight's meeting on behalf of the IHC to honor Village resident Dan Anderson who would be receiving the 2009 Studs Terkel Humanities Service Award.

Correspondence

- a. November 30 complimentary e-mail regarding the Village E-news, and how wonderful it is to receive the latest updates on Village happenings.
- b. A note of thanks received from a young resident to Police Chief Phil Norton expressing her appreciation for Chief Norton's participation in the recent Mentor Day event sponsored by the Glen Ellyn Rotary Club.
- c. A note of appreciation from the children of Abraham Lincoln School, thanking our Police Officers for keeping them safe. While they would like to thank all of our officers, those mentioned included Sergeant Norm Webber, Police Officers John Perkins, Tom Staples, and Ryan Wilkens, and Community Service Officer Rose Volpe.
- d. Letter from the Union Pacific Railroad Police, expressing their thanks and appreciation to Police Officer Edward Tovar for participating in a railroad enforcement blitz at our

- railroad crossing locations by citing motorists and pedestrians for violating crossing signals, demonstrating continuing efforts to promote railroad safety.
- e. November 10 letter from College of DuPage Deputy Chief of Police, forwarding his thanks to Community Service Officer Rose Volpe for her assistance during an active gas leak at the College recently, allowing college officers and fire officials to resolve safety concerns.
 - f. November 13 thank you note from DuPage County Lieutenant Szalinski to Sergeant Joe Baki for leading training exercises for the Sheriff's Deputies.
 - g. E-mail message announcing that Village Forester Peggy Drescher has been designated to serve on the first School of Agriculture Advisory Board at Western Illinois University.

Audience Participation

- a. President Pfefferman mentioned the following previous Village recipients of the Studs Terkel Humanities Service Award: Jerry Perkins, Bob Wahlgren, Doug Ward and Joe Wark. Bob Wahlgren, Doug Ward and Joe Wark were present to honor Dan Anderson as recipient of the award. President Pfefferman recognized Dan Anderson's many contributions to the humanities in Glen Ellyn, especially his work with the Glen Ellyn Historical Society and congratulated Mr. Anderson as the recipient of the 2009 Studs Terkel Humanities Service Award. Mr. Anderson thanked President Pfefferman for his kind words. Mr. Anderson stated his inspiration continues to be his wife, Midge, and he introduced and thanked her for her contributions to the humanities in Glen Ellyn.
- b. Administrative Analyst Kristen Schrader presented information on the delivery of new 65-gallon recycling carts to Village residents between December 17 and December 21 by Rehrig-Pacific. Analyst Schrader stated that residents would be able to request an additional 65-gallon recycling cart or an additional 35-gallon recycling cart if they wish by contacting the Village. She also said that residents would be able to trade-out the delivered 65-gallon cart for a smaller 35-gallon cart, again, by contacting the Village. Analyst Schrader said additional information regarding recycling, including disposal of old recycling bins, was available on the Village's website at www.glenellyn.org
- c. Finance Director Jon Batek introduced a new citizen's financial report entitled the Popular Annual Financial Report, PAFR. Director Batek said Assistant Finance Director Larry Noller created this unique document, with contributions by Finance Commission Chairman Randy Parker and Village President Pfefferman, which provides residents a high level review of the Village's financial information. Director Batek said the report was available on the Village's website at www.glenellyn.org

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 Ladesic 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 13, 2009	May 11, 2009
May 26, 2009	June 8, 2009
June 22, 2009	July 13, 2009
September 14, 2009	

Regular Meeting

July 27, 2009	August 24, 2009
September 14, 2009	September 28, 2009
October 12, 2009	October 26, 2009
November 23, 2009	

Regular Workshop

September 21, 2009

- b. Total **Expenditures** (Payroll and Vouchers) - \$2,483,526.06.
The vouchers were reviewed by Trustee Comerford prior to the meeting.
- c. Recommendation of Village President Pfefferman that Patricia O'Connor be **appointed as Village Clerk** effective January 12, 2010.
- d. Authorize the Village Manager to **designate FOIA Officers** to administer Freedom of Information requests.
- e. Recommendation of Village President Pfefferman that the following **appointments and reappointments be made for Boards and Commissions**:

Architectural Review Commission

James C. Burdett – reappoint as Chairman through December 31, 2010
Michael D. Gorz – reappoint for a term ending December 31, 2012
M. Rae Keasler – appoint for a term ending December 31, 2012

Board of Fire and Police Commissioners

James M. Meyers – reappoint as Chairman through December 31, 2010

Building Board of Appeals

James L. Ryan, Jr. – reappoint as Chairman through December 31, 2010
Thomas C. Bredfeldt – reappoint for a term ending December 31, 2012
Todd M. Hanssen – reappoint for a term ending December 31, 2012
John Lustrup – reappoint for a term ending December 31, 2012

Scott Raffensparger – reappoint for a term ending December 31, 2012

Capital Improvements Commission

James P. Piszczek – reappoint as Chairman through December 31, 2010

Michael M. Lindquist – reappoint for a term ending December 31, 2012

Alan D. Thelen – reappoint for a term ending December 31, 2012

Environmental Commission

Robert S. Marcott – reappoint as Chairman through December 31, 2010

Susan D. Bateman – reappoint for a term ending December 31, 2012

Laura Glaza – reappoint for a term ending December 31, 2012

Finance Commission

J. Randall Parker – reappoint as Chairman through December 31, 2010

Historic Preservation Commission

Leland Marks – reappoint as Chairman through December 31, 2010

Joseph M. Salamunovich – reappoint for a term ending December 31, 2012

Plan Commission

Todd A. Buckton – reappoint for a term ending December 31, 2012

Heidi J. Lannen – appoint for a term ending December 31, 2012

Raymond J. Whalen – reappoint for a term ending December 31, 2012

Recreation Commission

Bonnie S. Girsch – reappoint as Chairman through December 31, 2010

Zoning Board of Appeals

Richard E. Garrity – reappoint as Chairman through December 31, 2010

Barbara B. Fried – reappoint for a term ending December 31, 2014

Michael G. Waterman – reappoint for a term ending December 31, 2014

- f. **Ordinance No. 5829**, an Ordinance Approving and Authorizing the Execution of an Intergovernmental Agreement Establishing the **Northern Illinois Municipal Gas Franchise Consortium**.

The DuPage Mayors and Managers Conference has been working since 2008 to create a Natural Gas Franchise Consortium. The consortium provides participating municipalities with the opportunity to jointly prepare and negotiate a model franchise agreement for natural gas and other utilities. Participation in the consortium was recommended as it would provide members with greater negotiating ability with the natural gas utilities, as well as reduce costs in the drafting, negotiating and finalizing process for a new gas franchise. Approval of this ordinance ensures the Village's participation in the consortium, with access to all of its benefits.

- g. Authorize the Village President to sign a Local Agency Agreement for Federal Participation with the Illinois Department of Transportation for the **Riford Road Reconstruction Project**.

The Village is eligible to receive up to \$1,606,000 in federal Surface Transportation Program (STP) funds to reconstruct Riford Road between Crescent Boulevard and St. Charles Road, including significant upgrades to the intersection of Riford and St. Charles. Implementation of STP-funded roadway work in DuPage County by local governments is through construction projects let and administered by the Illinois Department of Transportation (IDOT). The Department requires that a Local Agency Agreement (LAA) for Federal Participation be executed to establish the terms and division of costs where federal monies are involved. The federal share of eligible expenses is 70 percent of the construction cost, with the local agency share to be split between the Village and DuPage County depending on whether the work occurs on Riford or St. Charles Roads. The final form of the LAA would be signed by the Village President and forwarded to IDOT for their approval and use. The Riford Road project is currently on target for the IDOT letting scheduled for March 5, 2010. Project construction would take place in the May through November 2010 timeframe.

- h. Engineering services agreement with Pavia-Marting & Co. of Roselle, Illinois for the design of **sidewalk and related roadway improvements on Crescent Boulevard east of Roger Road**, in a not-to-exceed amount of \$44,000 (including a 10-percent contingency), to be expensed to the FY 09-10 Capital Projects Fund.

In October 2009 the Village Board approved the jurisdictional transfer of Crescent Boulevard between Roger Road and the east Village limits from DuPage County to Glen Ellyn. A public sidewalk extension along Crescent Boulevard east of Roger has been a long-term desired improvement but required the completion of the jurisdictional transfer to implement. The next step in constructing the walk is retention of a consulting engineer to design the project. Pavia-Marting was recommended for this assignment based on proven past performance on numerous Village infrastructure projects. The firm would provide preliminary and detailed engineering to identify and address project issues including sidewalk configuration, alignment, drainage and restoration over the entire 3,500-foot corridor of Crescent between Roger Road and the East Branch of the DuPage River Bridge. A total of 400 personnel hours at a fee of \$39,700 would be required to perform the necessary engineering services. Construction of at least the initial 2,000-foot leg of the sidewalk on Crescent east of Roger Road within the current Village limits is contemplated for 2010.

- i. Actions related to the **Skip Paving and Parking Lot Patching Program**:
 - 1. Increase the appropriation for the 2009 Skip Paving and Parking Lot Patching Program performed by R.W. Dunteman Company of Addison, Illinois by \$11,600 for a revised total appropriation of \$216,600, to be expensed to the FY 09-10 Contract Street Maintenance line item in the Capital Projects Fund; and

2. **Resolution No. 09-32**, a Resolution Concerning the Determination of the Glen Ellyn Village Board that Change Order No. 1 with R.W. Dunteman Company for an Increase of \$41,366 is Required for the 2009 Skip Paving and Parking Lot Patching Program for a Revised Contract Cost of \$214,391.

Annually, the Village endeavors to make substantial improvements to roadways that are otherwise not on the Standalone Street Resurfacing and Reconstruction Program (20-year Reconstruction Program). Approximately 25 locations were identified as appropriate for the program in 2009.

An increase in funding was required for the Skip Paving portion of the 2009 Skip Paving and Parking Lot Patching Program to accommodate additional areas that were added to the program not included in the original plan, and to accommodate areas that required a thicker section of asphalt to repair the roadway correctly given the actual field conditions observed after the pavement was removed.

Public Works staff completed all aspects of the project and have come to final agreement on quantities with the contractor. On September 28, 2009, the Village Board approved a construction contract with R.W. Dunteman, of Addison, Illinois in the amount of \$173,025 with appropriations from the Parking and Contract Maintenance Funds totaling \$205,000 (including an 18-percent contingency overall). Change Order No. 1 requests an increase of \$41,366 to the contract, including the balancing of contract items. The modified contract cost of \$214,391 was 24 percent over the original bid award amount of \$173,025, and 4.5 percent above the appropriated amount of \$205,000. The net change to the already appropriated amount would be an increase of \$9,391.

- j. **Resolution No. 09-33**, a Resolution amending the existing Letter of Understanding between the Village of Glen Ellyn and Pan Fish Venture, LLC, increasing the Village payment for certain public improvements constructed with the **Water's Edge at Panfish Park Townhome Development Project** from \$79,111 to \$105,981, with additional funding of \$16,981 required from the FY 09-10 Water, Sanitary Sewer and Capital Project funds to augment the original authorization of \$89,000 for the work.

In December 2004, the Village entered into a Letter of Understanding with the developer of the Water's Edge Townhome project to reimburse Pan Fish Venture, LLC for certain public improvements that were routed through the townhome development site. The water main, sanitary sewer and storm sewer improvements that were eligible for reimbursement were associated with the then yet-to-be-built East Panfish Basin project; construction of those elements by the developer would allow completion of the townhome site work and eliminate future disruptions. Village improvements installed by the developer were substantially completed in 2005 with some changes required to accommodate additional installations performed by the developer to meet field conditions and Village needs.

- k. Action related to **Water's Edge at Panfish Park Townhome Development:**

Pan Fish Venture, LLC represented by Glen McMaster, developer of Water's Edge development located east of Panfish Park, east and west of Nicoll Way and between the vacated Pershing Avenue and Harding Avenue rights-of-way requested the Village act on these items in order to close-out the project. The Village Consulting Engineer approved the final as-built drawings and the public improvements for the development and recommended the Village proceed with the acceptance of those items.

1. **Ordinance No. 5830**, an Ordinance Approving an Easement Agreement Between Pan Fish Venture, LLC and the Village of Glen Ellyn for Two Pathways Constructed as Part of the Water's Edge Development;
2. **Resolution No. 09-34**, a Resolution Accepting a "Parkway" Tree Easement on Property Commonly Known as 97 Nicoll Way, 774 Harding Avenue and 780 Harding Avenue; and
3. **Resolution No. 09-35**, a Resolution Accepting Public Improvements and a Bill of Sale Associated with the Water's Edge Development Located East of Pan Fish Park, East and West of Nicoll Way and Between the Vacated Pershing Avenue and Harding Avenue Rights-of-Way.

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

Ordinance No. 5831 – Dominick's (880 Roosevelt Road) – Sign Code Variations

Planning and Development Director Staci Hulseberg presented information on the request of Safeway, Inc. regarding amendments to the sign variations previously granted on April 14, 1997 by Ordinance No. 4484 for the Dominick's store located at 880 Roosevelt Road. The request was made to allow changes to the height and area of incidental signage on Dominick's storefront and specifically to allow the existing "Drug", "Food" and "Fresh Store" signs to be removed and new "Starbucks Coffee", "Pharmacy" and "Signature Café" signs to be installed. The subject property is located on the north side of Roosevelt Road between Baker Hill Drive and Interstate 355 in the C6 Commercial/Multi-Use Planned Unit Development District. The Architectural Review Commission reviewed the request at a public hearing on November 18, 2009 and recommended approval of the request by a vote of 7-0.

Trustee Thorsell moved and Trustee Hartweg seconded the motion that Ordinance No. 5831 be passed, an Ordinance Amending Ordinance No. 4484 and Granting Approval of Amendments to the Sign Variations for the Dominick's Store Located at 880 Roosevelt Road in the Baker Hill Shopping Center.

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

Purchase Backhoe Loader

Public Works Director Joe Caracci presented information on the purchase of a new combination backhoe/loader machine. This machine would be used by the Operations Division year round for numerous infrastructure excavations including water main repairs, fire hydrant replacements, sewer structure replacements, street repairs, valves and service lines. The existing 11-year-old machine is fully depreciated and has reached the end of its useful life.

In the past, the Village of Glen Ellyn has approved the purchase of vehicles and equipment to allow for the cost saving benefit from the State of Illinois Joint Purchase Program and the Suburban Purchasing Cooperative (SPC) Joint Purchase program. Awarding contracts through these programs ensures procuring the vehicle/equipment at the lowest possible pricing. The State Joint Purchase Program did not have a bid available for a machine that meets the Public Works Department specifications, but it was available through a General Services Administration (GSA) contract. The GSA is a centralized federal procurement and property management agency created by Congress to improve government efficiency and effectiveness. Purchases made through GSA would benefit the Village because all competition requirements have been met. GSA has negotiated the volume purchase discounts. All applicable laws and regulations have been applied and blanket purchase agreements give the Village flexible purchasing options that save time and money.

These contracts are usually available to local municipalities for the purchase of equipment only during times of disaster recovery. The contract winner agreed to sell this backhoe/loader to the Village of Glen Ellyn at 2008 GSA contract pricing (on a 2010 piece of equipment) if it was approved prior to December 31, 2009. The Village would save approximately \$8,500 due to pre-determined annual price increases and the equipment would not be delivered to the Village or have to be paid for until after May 1, 2010.

Trustee Hartweg moved and Trustee Thorsell seconded the motion to approve the purchase of Vehicle #209, a 2010 JCB 3CX 15FT Backhoe Loader (Backhoe) from EKA, Inc., of Stone Mountain, Georgia in the amount of \$94,606, to be expensed to the FY 10-11 Capital Outlay – Vehicles Fund.

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

Purchase Vector Ramjet Flusher

Public Works Director Joe Caracci presented information on the purchase of a new sewer flushing machine. This machine would be used by the Operations Division of Public Works to clean and flush sanitary and storm sewers and for regular preventive line maintenance as well as emergency response to blockages causing back-ups. The existing 18-year-old machine is fully depreciated and has reached the end of its useful life and has since been declared surplus and sold at a recent DuPage Mayors and Managers vehicle and equipment auction.

The Equipment Services Division Team requested and received two proposals from the leading suppliers of municipal sewer cleaning equipment. These proposals included the cost of the chassis. The dealers of this equipment have protected territories and are the manufacturer's representative in the Glen Ellyn area. The preferred piece of equipment was also the lower of the two submitted proposals. Delivery and payment for the vehicle would occur after May 1, 2010.

Trustee Ladesic moved and Trustee Comerford seconded the motion to approve the purchase of Vehicle #242, a 2010 Vactor Ramjet Model F (Flusher) from Standard Equipment Company of Chicago, Illinois in the amount of \$174,985, to be expensed to the FY 10-11 Capital Outlay – Vehicles Fund.

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

Special Service Area Taxing Districts – Commercial Properties

- **Roosevelt Road Corridor**
- **Central Business District**
- **Five Corners**

Finance Director Jon Batek presented information on five Special Service Area taxing districts which apply to commercial properties along the Roosevelt Road corridor, in the downtown Central Business District, and at Five Corners. These SSAs have been utilized since 1991 to provide partial funding for the operations of the Glen Ellyn Economic Development Corporation (EDC) and were recently continued through a public notice and hearing process.

The amounts to be levied in each of the SSAs are based on a recommendation by the EDC Board to maintain a maximum tax rate of 12.5 cents per \$100 of assessed value in each of the SSAs. This remains below the maximum rate of 15.0 cents established under the current ordinances governing the SSAs.

Based on this recommendation, SSA property taxes are projected to be \$188,000 for 2009 (collected in 2010), representing an increase \$10,694 or 6.0 percent from the current year.

Trustee Hartweg moved and Trustee Ladesic seconded the motion that the following ordinances be passed in one motion:

- a. Ordinance No. 5832, an Ordinance for the Levy and Assessment of Taxes for the 2009 Tax Levy Year in the Amount of \$54,000 for the Village of Glen Ellyn Special Service Area Number Six;
- b. Ordinance No. 5833, an Ordinance for the Levy and Assessment of Taxes for the 2009 Tax Levy Year in the Amount of \$124,900 for the Village of Glen Ellyn Special Service Area Number Seven;
- c. Ordinance No. 5834, an Ordinance for the Levy and Assessment of Taxes for the 2009 Tax Levy Year in the Amount of \$5,600 for the Village of Glen Ellyn Special Service Area

Number Nine;

- d. Ordinance No. 5835, an Ordinance for the Levy and Assessment of Taxes for the 2009 Tax Levy Year in the Amount of \$2,700 for the Village of Glen Ellyn Special Service Area Number Ten; and
- e. Ordinance No. 5836, an Ordinance for the Levy and Assessment of Taxes for the 2009 Tax Levy Year in the Amount of \$800 for the Village of Glen Ellyn Special Service Area Number Eleven.

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

Special Service Area Taxing Districts – Glen Ellyn Volunteer Fire Company

Finance Director Jon Batek presented information on two Special Service Area (SSA) taxing districts which only apply to unincorporated areas to the north and south of the Village limits which are served by the Glen Ellyn Volunteer Fire Company. The purpose of the SSAs is to levy a special tax to help defray the costs related to providing fire protection and other emergency services to these areas. These SSAs were established in November, following a statutorily prescribed public notice and hearing process which formally began in August.

The amount to be levied in each of the SSAs is based upon the area's total assessed value as a percentage of the total Fire Company's service area. The maximum tax rate which can be charged in either of these SSAs is 25 cents per \$100 of assessed value as identified in the ordinances establishing the SSAs.

Based on fiscal year 2008 assessed values, the percentages of total fire service costs are allocated as follows:

Village EAV	\$1,479,870,953	87.10%
North Fire SSA EAV	117,794,307	6.93%
South Fire SSA EAV	<u>101,404,718</u>	5.97%
Total	<u>\$1,699,069,978</u>	

Based on total audited fire service costs of \$1,466,159 for fiscal year 2008-09, the initial tax levies for these SSAs are as follows:

North Fire SSA	\$101,647
South Fire SSA	87,504

Trustee Cooper moved and Trustee Thorsell seconded the motion that the following ordinances be passed in one motion:

- a. Ordinance No. 5837, an Ordinance for the Levy and Assessment of Taxes for the 2009 Tax Levy Year in the Amount of \$101,647 for the North Glen Ellyn Fire Protection

Special Service Area; and

- b. Ordinance No. 5838, an Ordinance for the Levy and Assessment of Taxes for the 2009 Tax Levy Year in the Amount of \$87,504 for the South Glen Ellyn Fire Protection Special Service Area.

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

Reminders

- The next Village Board Workshop is scheduled for Monday, January 11, 2010, 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, January 11, 2010, beginning at 8:00 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.

Adjournment

At 8:54 p.m., Trustee Comerford moved and Trustee Thorsell seconded the motion to recess to executive session in Room 301 to discuss the review of certain executive session meeting minutes; pending or threatened litigation; and the potential sale of property and adjourning thereafter without reconvening into open session.

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

Respectfully Submitted,

Andrea Draths
Village Clerk