

Draft
7/07/10

Agenda
Glen Ellyn Village Board of Trustees
Monday, July 12, 2010
8:00 p.m. – Galligan Board Room

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Village Recognition:
 - A. Recent letter from Glen Ellyn Volunteer Fire Company paramedic Kyle Marcussen, complimenting Police Officers Dan Rossiter, Luke Elmore, Ryan Cusack and Sergeant Kurt Vavra for exhibiting exceptional diligence and compassion during a medical emergency involving the Fire Company and Police Department.
 - B. June 23 letter from the Glen Ellyn Parks Foundation thanking Police Chief Norton for the contribution of a Police Department basket that was auctioned during the Putts for Kids silent auction.
 - C. June 25 email from a resident living in the vicinity of the Bryant Avenue/Thain's Addition Project thanking Public Works for the much-needed improvements to the area. She also complimented the road construction crew for being helpful and cautious as there are a number of children living in the area.
 - D. July 2 email from Maryknoll residents thanking the Village for assistance they received following the recent rain/windstorms. They also complimented the Kramer Tree Service crew who helped clear the tree debris.
 - E. The Village Board and Management Team congratulates the following employees who recently celebrated an anniversary as a Village employee:

Carol Allen	Administration	Ten Years
John Norton	Administration	Five Years
Norvelle Barrow	Cashier's Office	Five Years
5. Audience Participation

6. Consent Agenda (Pages 4 – 28)

The following items are considered routine business by the Village Board and will be approved in a single vote in the form listed below: *(Trustee Cooper)*

A. Village Board Meeting Minutes:

- June 21, 2010 Regular Workshop

B. Total Expenditures (Payroll and Vouchers) - \$1,851,529.38.

The vouchers have been reviewed by Trustee Cooper prior to this meeting.

C. Motion to designate Trustee Hartweg as Village President Pro Tem for the four-month period from September through December 2010.

D. Ordinance No. 5877-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 Decrease the Number of Permitted Class A-1 Liquor Licenses and to Decrease the Number of Permitted Class L Liquor Licenses.

E. Motion to waive Chapter 3-23 (Peddlers), Section 8-1-11 (Street Obstructions) and Section 8-1-12 (Merchandise on Street) of the Village Code and applicable outdoor tent sale sections of the Zoning Code for the Glen Ellyn Chamber of Commerce annual Sidewalk Sale event beginning at 9:00 a.m., Thursday, July 29, 2010 and ending at 5:00 p.m., Saturday, July 31, 2010 in downtown Glen Ellyn, Stacy's Corners and along Roosevelt Road. *(Administrative Analyst Schrader)*

F. Motion to waive Section 10-4-17.2(B)25 of the Glen Ellyn Zoning Code for DuPage Medical Group's Treasures in the Trunk event scheduled to occur on Sunday, August 29, 2010 between 10:00 a.m. and 3:00 p.m. in the Medical Group's parking lot in downtown Glen Ellyn. *(Administrative Analyst Schrader)*

G. Ordinance No. 5878-VC, an Ordinance to Amend Section 9-2-12 (Municipal Permit Only Parking Lots) of the Village Code of the Village of Glen Ellyn, Illinois Regarding Permit Parking for Motorcycles and Motor Driven Cycles in Train Station Lots B and D. *(Police Chief Norton)*

7. Planning and Development Director Staci Hulseberg will present information on a request to amend Ordinance No. 5733, which approved an annexation and development agreement authorizing the future annexation of property and a recapture agreement for the Sunnybrook Estates Subdivision. That ordinance required the owner to pay any outstanding charges due to Milton Township prior to the Village executing the annexation agreement. Rather than paying the balance in full, the owner entered into a payment plan with Milton Township. Since the original ordinance required payment in full, an amendment to the ordinance is required to allow the Village President and Village Clerk to sign the agreement. *(Trustee Thorsell) (Pages 29 – 39)*

- A. Public hearing on a proposed annexation and development agreement for the property commonly known as 1S501 Sunnybrook Road.
 - B. Ordinance No. 5879, an Ordinance Amending Ordinance No. 5733, which Granted Approval of an Annexation and Development Agreement which Authorizes the Future Annexation of Property and a Recapture Agreement for the Sunnybrook Estates Subdivision to be Located on Property Commonly Known as 1S501 Sunnybrook Road.
8. Reminders:
- The next Regular Village Board Workshop meeting of the Glen Ellyn Village Board is scheduled for Monday, July 19, 2010 beginning at 7 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.
 - The next Regular Village Board Meeting is scheduled for Monday, July 26, 2010 with a Workshop beginning at 7 p.m. and the Regular Board Meeting beginning at 8 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.
9. Other Business?
10. Adjournment
11. Press Conference

A-6A

**Minutes
Regular Village Board Workshop
Glen Ellyn Village Board of Trustees
June 21, 2010**

Time of Meeting: 7:00 P.M.

Present: President Pfefferman; Trustees Comerford, Cooper, Hartweg, Ladesic, Thorsell, Henninger; Village Clerk Connors.
Staff present: Village Manager Jones, Batek, Hulseberg, Norton, Caracci, Drescher.

1. Call to Order

President Pfefferman called the Board Workshop to order at 7:00 P.M. with a roll call. Trustees Comerford, Cooper, Hartweg, Ladesic, Thorsell, and Henninger responded "Here."

2. Storm Update

Village Manager Jones began by recalling that at approximately 4 p.m. on Friday, June 18, 2010, 70 m.p.h. winds accompanied a thunderstorm in Glen Ellyn that left about 1,200 residents without power. Approximately 100-200 residents were near the Taylor underpass. The ComEd map of outages report to the Village was delayed. There were numerous street closures from fallen trees that could not be removed until ComEd cut the power to those trees. ComEd concentrated first on restoring power to hospitals, water distribution, and other public safety areas.

Police Chief Norton commented that the Emergency Operation Center was set in motion to patrol dangerous and closed areas. It was also a very busy time for the department with other duties. He gave a few examples. For his department, this was the worst communication situation from ComEd they have ever experienced. Public Works and the Fire and Police Departments seemed to be able to keep up with what they had to do - ComEd seemed to be the only entity that was overwhelmed and unable to keep up. There were hours without communication from ComEd to the Village. This was not a disaster from the Village's point of view.

Public Works Director Joe Caracci explained the department's procedure for clearing roads. They barricaded and set up detours until ComEd shut off power to wires entangled in downed branches/trees. If brush is near a ComEd line, Public Works does not touch it. There were two Public Works crews working north and south from Hill Avenue. Public Works contacts ComEd if they see a line down.

At the Village's meeting with ComEd today, the Village was told that ComEd attempted to respond within 6-8 hours in a situation such as Friday. This did not happen and ComEd was informed of the Village's displeasure.

The Village Board acknowledged the assistance of Building Inspector Mike Morange in getting the Taylor Street underpass powered up during the outage there. In addition, the Village Board recognized the efforts of the members of the Police Department, Fire Department and Public Works Department.

3. Public Comments?

None

4. June 28, 2010 Village Board Meeting Agenda Review

6D. Due to the collapse of the recycling market, the cost to residents for solid waste collection will increase 5% as of August 1, 2010. In the past, income from recycling had been used to subsidize/ off-set some of the cost of solid waste. This is no longer the case.

6E. The ordinance concerning the change of the name of 22nd Street to Fawell Boulevard will be removed from the Consent Agenda and placed as a regular item on the June 28, 2010 meeting agenda. This formal process is necessary because DuPage County does not recognize 22nd Street as Fawell Boulevard.

6F. The Village Board will consider a time extension of the expiration date for lot coverage ratio, setbacks, and project class variations for the property at 450 Phillips. These extensions are not yet approved administratively, but still brought before the Village Board.

6G. There was no discussion regarding Amending the Budget to provide funds for various additional expenditures for the balancing of funds.

6H. There was no discussion regarding Amending the Budget to provide funds for prior year encumbrances and capital improvements.

7. Planning and Development Director Hulseberg presented information regarding a request by Advanced Cosmetics Spa at 557 Pennsylvania to erect a wall sign on the building they occupy just west of Park. The wall sign would be about the same size as the other two signs for businesses in the building. Usually only one sign would be allowed, but three different businesses occupy the building.

5. Potential Tree Replacement Cost Share Program

Public Works Director Joe Caracci presented information on various proposed Village tree cost programs. Since the tree replacement program is underfunded, about 250 trees have been removed and not replaced. The fall 2009 and spring 2010 plantings have been bypassed. He outlined four possible solutions: a Village funded replacement program; a 50/50 cost share replacement program; a resident fund replacement program; and a conservancy/donation program. The Village funded program requires 100% of the cost paid by the Village (current program); the 50/50 cost share program would ease the Village's budget burden, but residents may not want to participate; the resident funded program would only save the actual cost of the tree, but the Village would incur the cost to purchase, bill, and plant the tree, but once again residents may not want to participate. The downfall of a total conservancy program is that the program lacks resident participation. A number of options were presented, but the recommendation would be a combination of a 50/50 resident funded program and a new donation program. One time donations or on-going donations billed on the water bill was the first option. The 50/50 program would allow a resident to partially pay for a requested tree in front of their house as long as space was available. A downfall to the recommendation would be that if someone does not participate in the 50/50 portion, they may have to wait longer to have a tree planted in their parkway. To replace the 250 trees originally mentioned at the beginning of the presentation would cost about \$75,000. An amount to replace trees, to fill in all gaps due to existing space and removals in the future, would be about \$84,000 per year.

Village Forester Peggy Drescher explained that if residents purchase and plant trees themselves, they usually pay more for the tree; it was difficult to determine what is the right location for that particular tree; and whether there was enough room for the tree the resident chose. In addition, for proper planting time, there are only a few weeks in March to accomplish all that needs to be done. In response to questions, Director Caracci explained how fines for forestry violations were spent. There are about 15,500 parkway trees in Glen Ellyn.

If the Village Board approves the recommendation, Public Works would generate a list and begin to prepare for a fall 2010 planting depending on resident participation. The final plan will be brought to the Village Board for approval.

6. Other Items?

Trustee Comerford announced that the Bookstore celebrated its 50th anniversary by sponsoring a read-a-thon where teams were assembled and pledged to read at least 50 hours during the week to raise funds for the Glen Ellyn Children's Resource Center. The Village Board assembled a team including Polly Cooper and is still doing a final audit. It appears that they raised \$520 pledges. He thanked his fellow Board members for their participation.

7. Adjournment

At 8:34 p.m. Trustee Henninger moved and Trustee Cooper seconded a motion to adjourn to Executive Session for the purpose of discussing threatened or pending litigation, adjourning thereafter without returning to open session. All voted "Aye." Meeting adjourned.

Submitted by:

Suzanne R. Connors,
Village Clerk

A-6D



To: Steve Jones, Village Manager

From: Patti Underhill, Admin. Svcs. Coord. *Pall*

Date: June 23, 2010

Re: Liquor Control Ordinance

Background

The Village held their annual Local Liquor Control Commission meeting on June 21, 2010. During the renewal process, it was determined that two businesses chose not to renew their liquor license. (Brickhouse Café & Danby's) Based on the renewal process and the results of this meeting, it is necessary to update the Village Liquor Control Code Ordinance to reflect the appropriate licenses issued in the Village.

Pros

Maintain accurate inventory of liquor licenses issued by the Village

Cons

None

Action Requested

Approve Ordinance to amend the Liquor Control Code

Recommendation

Approve Ordinance

Attachments

Ordinance to Amend the Village of Glen Ellyn Liquor Control Code

Village of Glen Ellyn

Ordinance No. _____ - 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 Decrease the Number of Permitted Class A-1 Liquor Licenses and
to Decrease the Number of Permitted Class L Liquor Licenses**

**Adopted by the
President and the Board of Trustees
of the Village of Glen Ellyn
DuPage County, Illinois
this _____ day of _____**

Published in pamphlet form by the authority
of the President and Board of Trustees of the
Village of Glen Ellyn, DuPage County,
Illinois, this _____ day of _____

Ordinance No. _____ - 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 Decrease the Number of Permitted Class A-1 Liquor Licenses and
to Decrease the Number of Permitted Class L Liquor Licenses**

Whereas, pursuant to Section 5/4-1 of Chapter 235 of the Illinois Compiled Statutes 2002, *et seq.*, the Village of Glen Ellyn has the statutory authority by general ordinance to determine the kinds and classifications of liquor licenses to be issued for the sale of alcoholic liquor at retail in the Village as well as the number of permitted licenses within each classification; and

Whereas, the President and Board of Trustees of the Village of Glen Ellyn deem it to be in the best interest of the Village to periodically review and update the liquor control ordinance of the Village as well as to, when appropriate, change the number of permitted liquor licenses in various classifications; and

Whereas, the President and Board of Trustees have determined that it is in the best interest of the Village to decrease by one the number of permitted Class A-1 liquor licenses, which license allows the sale of beer and wine alcoholic beverages in a restaurant; to reflect the non-renewal of said license by Brickhouse Bakery & Café at 654 Roosevelt Road; and decrease by one the number of permitted Class L liquor licenses, which license allows a legally operating restaurant the sale of beer and wine for after hour meetings only; to reflect the non-renewal of said license by Danby's Station Café at 750 Roosevelt Road; and

Now, therefore, be it ordained by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in the exercise of its home rule powers, as follows:

Section One: The findings of fact and conclusions set forth hereinabove are hereby adopted by the President and Board of Trustees as the findings of fact and conclusions of the corporate authorities of the Village of Glen Ellyn.

Section Two: Chapter 19 of Title 3 Section 12 of the Glen Ellyn Village Code (Liquor Control Code) is hereby amended so that reference to Class A-1 and Class L within this Section shall henceforth read as follows:

Class A-1	No more than 4
Class L	None currently permitted

Section Three: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form.

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____.

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this _____ day of _____.

Village President of the Village
of Glen Ellyn, Illinois

Attest:

Village Clerk of the Village
of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the _____ day of _____)

DRAFT

A-6E



July 13, 2010

Mike Formento, Executive Director
Georgia Koch, Executive Director
Glen Ellyn Chamber of Commerce
800 Roosevelt Road, Building D, Suite 108
Glen Ellyn, IL 60137

Re: 2010 Sidewalk Sale

Dear Mike and Georgia:

This letter is to confirm action taken at the Village Board Meeting on Monday, July 12, 2010 regarding the Sidewalk Sale event scheduled to occur along Roosevelt Road, Stacy's Corners and in the downtown, Thursday, July 29, Friday, July 30 and Saturday, July 31, 2010 as described in the Chamber's letter of July 1, 2010. The Village Board approved your requests and temporarily waived the pertinent sections of the Village Code.

The Village Board waived Chapter 3-23 (Peddlers), Section 8-1-11 (Street Obstructions) and 8-1-12 (Merchandise on Streets) of the Glen Ellyn Village Code, and applicable outdoor sale sections of the Zoning Code. The Village Board further approved the requests of the Chamber as listed below:

1. By waiver of the above-mentioned sections of the Village Code, merchants will be allowed to display merchandise on sidewalks for the period of the event on Thursday, July 29, Friday, July 30 and Saturday, July 31, 2010. Sale hours are to be as follows:

Thursday, July 29	9:00 a.m. - 9:00 p.m.
Friday, July 30	9:00 a.m. - 9:00 p.m.
Saturday, July 31	9:00 a.m. - 5:00 p.m.

2. Main Street, between Pennsylvania and Crescent, will be closed to traffic on Thursday, July 29 and Friday, July 30, 2010 from 7:00 a.m. - 10:00 p.m. The street must be cleared for overnight traffic and street sweeping. Merchandise will be permitted on Main Street those days only after the barricades are in place in that location. In order to provide access for emergency vehicles, a designated traffic lane, 15 feet in width, will be left on the west side of Main Street.
3. The Village will place barricades to close off the right turning and parking lane on Crescent Boulevard between Creative Hair Design and Main Street; and Main Street directly along the curb in front of Two Toots Grill (this will be done to prevent shoppers from stepping into the street in that location); and in front of the Glen Ellyn Building (with the exception of the

handicapped spaces) west to the alley from 8:00 a.m. to closing time on all sale days. Please work with the Police Department and the Public Works Department to coordinate the details of the street closures and blocking of parking spaces.

4. As in the past, the only entities allowed to participate in this event are those businesses or organizations that are licensed, registered, or otherwise legitimately conduct their business or activity from within the boundaries of the Village of Glen Ellyn or are members of the Glen Ellyn Chamber of Commerce. This is not intended to restrict resident service, civic, educational, or not-for-profit organizations with offices in or serving Glen Ellyn, who will be allowed to exhibit, display or sell items on the east side of Main Street adjacent to parking areas on Thursday, July 29 from 9:00 a.m. to 9:00 p.m. Businesses or organizations that do not satisfy these requirements will not be permitted to participate as vendors in the Sidewalk Sale event and shall be deemed not to be exempted from the aforementioned Code waivers and shall be deemed to be engaging in peddling without the proper license.
5. The use of freestanding tents or canopies will be allowed on Main Street, Stacy's Corners and along Roosevelt Road provided they are placed completely off the public right-of-way and positioned to allow emergency vehicle access. Tents, canopies or any other item that requires the use of stakes, nails or the like will not be permitted.
6. The Village is interested in working with your organization to determine the best way to provide electrical power for your event. The Village has different options for power with varying capabilities depending on the location of your event and the amount of power needed. Please contact Rob Kadera and/or Mike Zitzka of Public Works at 630-469-6756 to work out these details.
7. Food vendors utilizing pushcarts will be allowed to operate on the three days of the sale during sale hours on sidewalks in the Central Business District. The vendors shall be properly licensed including current DuPage County health permits. Restaurants will be allowed to cook and serve outside of their buildings all menu items with the exception of alcoholic beverages, and subject to DuPage County Health Department approval. In addition, the Chamber will be required to ensure that if Tap House Grill, 411 N. Main Street, is cooking/grilling outside of their building, that the farthest location from Riviera Jewelers be used for placement of the cooking/grilling equipment.
8. The Village will perform street sweeping after 10:00 p.m. on Thursday, July 29 and as needed thereafter.
9. The Chamber must monitor and be responsible for disposal of garbage and recycling accumulation in the Village street containers. Plastic bags should be used to line the containers, and the Chamber should empty the containers as necessary. The Village will also place additional portable street containers throughout the downtown *for use for both refuse and recycling. Please designate the containers as either for refuse or recycling*

collection. The Chamber should contact Allied Waste at 469-1036 to request an additional pick-up on Saturday, July 31; and the Chamber will bear any expense for the extra pick-up. All additionally placed trash/recycling receptacles must be turned upside down once the event has ended so that the containers are not used prior to pickup by the Public Works Department.

10. The Police Department may be available to provide assistance with foot patrol and traffic control if necessary during the event.
11. The Police Department will bag all three-hour meters in the Central Business District for the duration of the event to provide free parking. The three-hour metered areas will become free, three-hour parking zones that will be enforced by the Police Department.
12. The Village expects the Chamber of Commerce to monitor the event to the best of its abilities to ensure that all conditions contained in this letter are observed. Violations that cannot be resolved on the scene may be reported to the Police Department.
13. As in the past, the Village requires the Chamber to obtain an insurance policy providing coverage in the amount of \$2 million, naming the Village as additionally insured. All insurance requirements should be submitted to Personnel Analyst Danamarie Izzo by Friday, July 23, 2010.

By copy of this letter, Village staff is being notified of the requests of the Chamber of Commerce and are requested to cooperate with the Chamber in providing the necessary Village services.

Sincerely,

Steve Jones
Village Manager

cc: Staci Hulseberg, Planning & Development Director
Philip Norton, Police Chief
Dave Buckley, Assistant Public Works Director
Danamarie Izzo, Personnel Analyst
Patti Underhill, Administrative Services Coordinator

X:\Admin\CHAMBER\Sidewalk Sale\2010sidewalk sale.doc

Glen Ellyn

Chamber of Commerce

connecting business with the greater community

July 1, 2010

Mr. Steve Jones, Village Manager
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, IL 60137

Dear Steve:

The Glen Ellyn Chamber of Commerce respectfully requests permission to hold its annual Sidewalk Sale, Thursday, Friday and Saturday July 29, 30 and 31, 2010 in Glen Ellyn's Central Business District and on Roosevelt Road.

The Chamber also requests permission for the following waivers of certain sections of the Village Code:

1. Merchandise on Streets and Street Obstructions

The Chamber requests that merchants be allowed to display merchandise on the sidewalks for the period of the event.

Thursday, July 29	9 a.m. to 9 p.m.
Friday, July 30	9 a.m. to 9 p.m.
Saturday, July 31	9 a.m. to 5 p.m.

2. Closure of Main Street, Pennsylvania to Crescent.

We request that Main Street be closed on Thursday and Friday from 7 a.m. to 10 p.m.

3. Placement of Barricades for Public Safety

Public Works assistance is requested to provide/place barricades for the street closure. Merchandise will be displayed after the barricades are in place. To provide access for emergency vehicles, a 15 foot wide traffic lane will be designated through the center of Main Street.

4. Permission to Allow Push Cart Food Vendors, Musical Groups & Restaurant Service.

The Chamber requests that outside food vendors and musical groups be allowed to operate the three days during the sale in the Central Business District and restaurants be allowed to serve menu items outside their buildings, excluding alcoholic beverages.

5. Use of canopy tents on Main Street:

Tents will be positioned to provide emergency vehicle access.

6. Police Services:

We request police assistance in traffic control and pedestrian safety, as well as routine foot patrols. We understand that the security of merchandise displayed at the sale is the responsibility of individual merchants.

7. Permission for Service Group Participation.

We request permission to allow service groups to exhibit, display or sell items on the closed portions of Main Street and adjacent to the floral clock. The only entities that will be contacted and allowed to participate are those resident services, civic, education and not for profit organizations with offices in or serving Glen Ellyn or are members of the Chamber of Commerce.

8. Use of Additional trash Receptacles.

We request the Public Works Department drop additional trash receptacles in the Central Business District for the event.

9. Insurance.

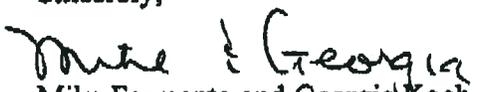
The Chamber will provide a certificate of insurance, naming the Village of Glen Ellyn as an additional insured and will forward it to the village's Management Services Director prior to the event.

10. Wavier of Fees

We ask that all Village permit fees be waived for the three days of the sale,

The Chamber appreciates your consideration of the above requests and thanks you in advance for your assistance and cooperation.

Sincerely,


Mike Formento and Georgia Koch
Executive Directors
Glen Ellyn Chamber of Commerce

DRAFT

A-6F

July 13, 2010



Sharon Tazelaar, Site Administrative Coordinator
DuPage Medical Group
430 Pennsylvania Avenue
Glen Ellyn, IL 60137

RE: Treasures from the Trunk

Dear Ms. Tazelaar:

This letter is to confirm action taken at the Village Board Meeting on Monday, July 12, 2010, regarding the DuPage Medical Group's Treasures from the Trunk event scheduled to occur on Sunday, August 29, 2010 as described in the attached letter of June 23, 2010. The Village Board approved your requests and also temporarily waived all of the applicable sections of the Zoning Code in order to allow the event as described below. The formal approval by the Village Board provides for the following:

1. Approval for the event to begin at 10:00 a.m. and to continue to 3:00 p.m. on Sunday, August 29, 2010 as requested in your letter. Should the event be rained out, the requested alternative date of Sunday, September 12, 2010, between the hours of 10:00 a.m. and 3:00 p.m., is approved.
2. Section 10-4-17.2(B)25 of the Glen Ellyn Zoning Code regarding special uses for outdoor sales, storage, promotional activities or tents has been waived for the length of the event.
3. DuPage Medical Group must notify the surrounding businesses located on Pennsylvania Avenue in the Central Business District of the event to take place. Notification must occur prior to Tuesday, August 10, 2010.
4. DuPage Medical Group is reminded that if signs are utilized to advertise the event, they must be in accordance with Section 4-5-8(B) of the Sign Code. Please contact the Planning and Development Department at 630-547-5250 with your plans for signage, including banners, to determine any permit requirements or prohibitions.

Copies of your letter, together with this reply, are being furnished to appropriate staff members so that necessary arrangements can be made to carry out the requests of your organization. If you have any questions, please contact the appropriate Village personnel.

Sincerely,

Steve Jones
Village Manager

cc: Staci Hulseberg, Planning and Development Director
Phil Norton, Chief of Police
Dave Buckley, Assistant Public Works Director
Danamarie Izzo, Personnel Analyst
Patti Underhill, Administrative Services Coordinator

X:\Admin\LETTERS\TreasuresfromtheTrunk.doc

June 23, 2010

Village of Glen Ellyn
535 Duane Street
Glen Ellyn, IL 60137
ATTN: Kristen Schrader
Administrative Analyst

Dear Kristen,

Each year, DuPage Medical Group supports the American Heart Association with various fund raisers held throughout the year.

This year we would like to hold a "Treasures from the Trunk" sale in our parking lot at our Glen Ellyn location. This event would be promoted internally as a means to put gently used items to good use by selling them and donating 100% of the proceeds to the AHA. Only DMG staff would have items for sale.

The event would be held on Sunday, August 29th from 10–3. A rain date of Sunday, September 12 is proposed.

We would publicize this to our employees by posting it on our internal web site. We would also ask local merchants in Glen Ellyn for permission to place flyers in their places of business. This would not be publicized outside of this area.

As a "yard or trunk sale" there would not be any tents, music, entertainment, food, etc.

Participation (staff) will be limited to the far eastern parking area. Staff will park their vehicles in this area prior to the start of the event. Some may have folding tables next to their vehicles. This area (see site plan) then be blocked off from through traffic to ensure the safety of the participants and public. Ingress and egress to the building will not be impeded for police or fire as the Western exit and Pennsylvania exit adjoining the building will be open. Ample parking is available for visitors/buyers on the north side of the lot.

Please contact me with any questions you may have. We appreciate your assistance in our support of the American Heart Association.

Sincerely,



Sharon Tazelaar
Site Administrative Coordinator
Ofc 30-545-7807
sharon.tazelaar@dupagemd.com
Fx 630-545-7837

↑ N

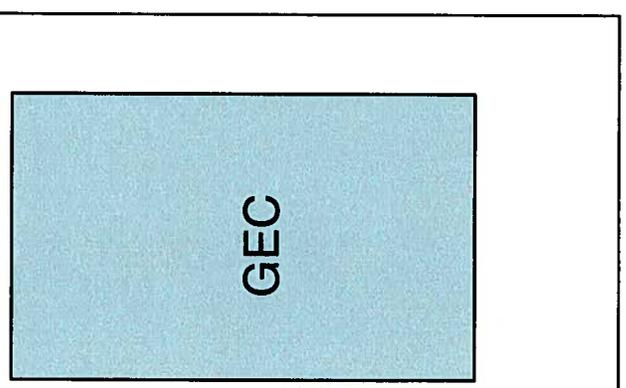
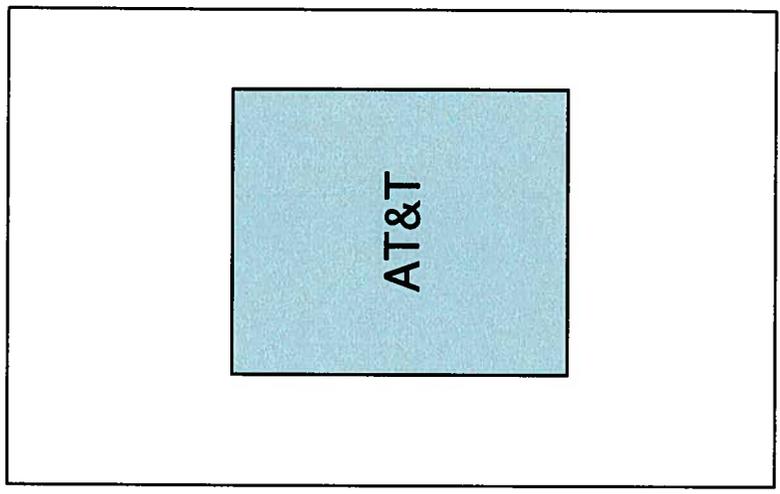
Staff & Patient Parking

“Treasures in the Trunk” Parking

Drive - Closed

Drive - Closed

“Staff “Treasures” Set ups



Drive - Open Access

Drive - Open Access

Western

Pennsylvania

A-6G

MEMO

TO: Phil Norton, Chief of Police

FROM: Bill Holmer, Deputy Chief of Police *Wh*

DATE: May 25, 2010

SUBJECT: **RECOMMENDATION – ESTABLISHMENT OF COMMUTER PARKING AREA FOR SCOOTERS/MOTORCYCLES**

BACKGROUND

The Police Department has identified a parking issue in the central business district that presents a concern for pedestrian safety around the train platform. Several commuters are choosing to ride motor scooters to and from the train station – perhaps for economical and/or environmental reasons. However, these riders drive along the sidewalks and pathways leading up to the train station to park their scooters at the bicycle racks. See exhibit A.

ISSUES

This is not an appropriate place to park these vehicles, and it is unsafe (and illegal) for them to be operated on the sidewalks and pathways around the train station. It is also not aesthetically pleasing to have these vehicles parked along the paths. A couple of weeks ago, we gave notice to the owners of these vehicles and asked them to cease parking these vehicles at the bicycle racks. However, we recognize and value the effort of these individuals to be more economical about their travel. We began to research how we could provide an area for these vehicles to legally park without taking valuable parking spaces away. We have found space in the Stewart Avenue parking lot that can be used for scooters and motorcycles. See exhibits B and C.

RECOMMENDATION

We have identified space in the Stewart Avenue parking lots (both east and west) that will provide parking for scooters and/or motorcycles. I have attached a sketch of these lots depicting where these spaces would be located. The spaces would be located in front of the raised curb areas where the light poles are located. Currently, this space is unused “dead” space.

While it is an option to allow this parking without charging a fee, it seems unfair to the commuters who drive cars and pay a permit fee. Therefore, it is recommended that we establish a permit fee of \$100 per year for these users. Scooters and motorcycles are typically only used during a six month period due to the weather. Of course, a user that already has a permit for a car would not be required to purchase another permit. Should the Village Board find it appropriate to approve this fee, we will make arrangements for the appropriate lot

striping, signage and the purchase of permits to affix to the license plate of the cycle. Exhibit D is a draft of an amendment to the ordinance to establish the permit fee.

ATTACHMENTS

Exhibit A - photographs of scooters parked on train paths

Exhibit B - sketch of proposed parking area

Exhibit C - photograph of one of the proposed locations

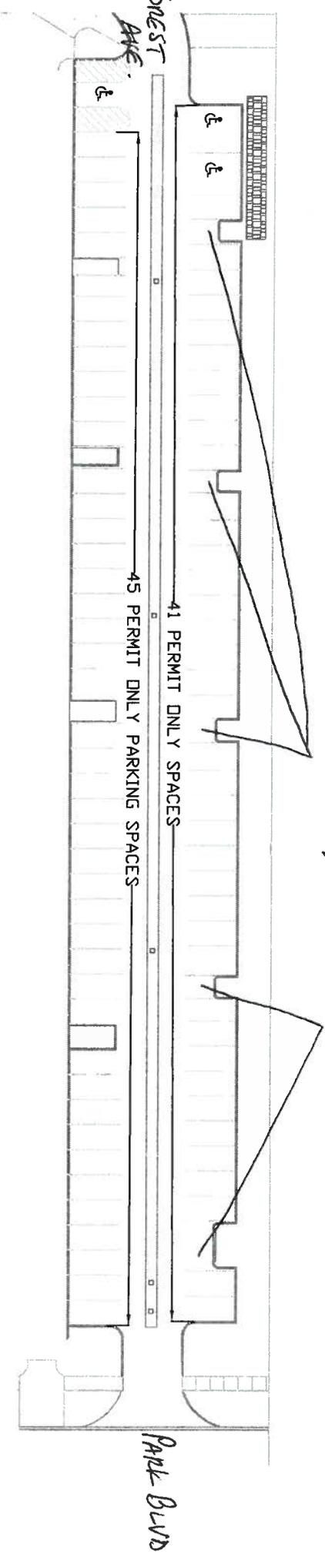
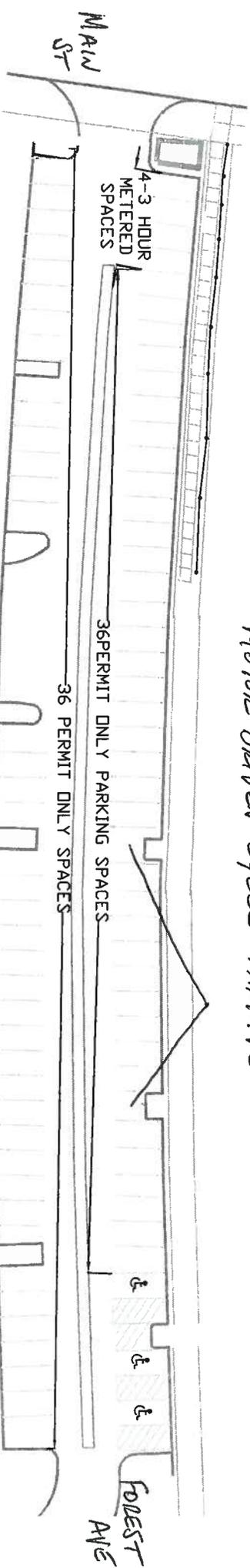
Exhibit D - amendment to section 9-2-12 establishing a permit fee for cycles

I am available to discuss this at your convenience.

✓ AGREE WITH RECOMMENDATION.
DPM 6/1/10

EXHIBIT A







VILLAGE OF GLEN ELLYN

ORDINANCE NO. _____ -VC

AN ORDINANCE TO AMEND SECTION 9-2-12
(MUNICIPAL PERMIT ONLY PARKING LOTS)
OF THE VILLAGE CODE OF THE
VILLAGE OF GLEN ELLYN, ILLINOIS
REGARDING PERMIT PARKING FOR MOTORCYCLES AND MOTOR DRIVEN
CYCLES IN TRAIN STATION LOTS B AND D

ADOPTED BY THE
PRESIDENT AND THE BOARD OF TRUSTEES
OF THE
VILLAGE OF GLEN ELLYN
DUPAGE COUNTY, ILLINOIS

THIS _____ DAY OF _____, 20____.

Published in pamphlet form by the authority
of the President and Board of Trustees of the
Village of Glen Ellyn, DuPage County,
Illinois, this _____ day of
_____, 20____.

ORDINANCE NO. _____ - VC

AN ORDINANCE TO AMEND SECTION 9-2-12
(MUNICIPAL PERMIT ONLY PARKING LOTS)
OF THE VILLAGE CODE OF THE
VILLAGE OF GLEN ELLYN, ILLINOIS
REGARDING PERMIT PARKING FOR MOTORCYCLES AND MOTOR DRIVEN
CYCLES IN TRAIN STATION LOTS B AND D

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GLEN ELLYN, DUPAGE COUNTY, ILLINOIS, in the exercise of its home rule powers, as follows:

SECTION ONE: Section 9-2-12 (MUNICIPAL PERMIT ONLY PARKING LOTS) of the Glen Ellyn Village Code is hereby amended by the addition of the following:

(E) Fees: The fee for the issuance of a parking permit shall be as follows:

4. For motorcycles and motor driven cycles: Train station lot sections B and D in designated motorcycle or motor driven cycles spaces only: One hundred dollars (\$100.00) per year.

SECTION TWO: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION THREE: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form.

PASSED by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20____.

AYES:

NAYS:

ABSENT:

APPROVED by the Village President of the Village of Glen Ellyn, Illinois, this
_____ day of _____, 20____.

Village President of the Village
of Glen Ellyn, Illinois

ATTEST:

Village Clerk of the Village
of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the _____ day of _____,
20____.)

MEMORANDUM

TO: Steve Jones, Village Manager

FROM: Staci Hulseberg, Planning and Development Director
Michele Stegall, Village Planner *MJS*
Andrew Letson, Planning Intern *AL*

DATE: July 6, 2010

FOR: July 12, 2010 Village Board Meeting

SUBJECT: Sunnybrook Estates Subdivision

SHW

A-7

Background

On February 9, 2009, the Village Board passed an Ordinance approving an Annexation Agreement for the Sunnybrook Estates Subdivision located at 1S501 Sunnybrook Road. In the Ordinance there is a provision which states the Village President and Village Clerk can only execute the agreement once the petitioner has paid all charges assessed by Milton Township for property maintenance. In addition, the Ordinance only authorizes the Village President to execute the Annexation and Development Agreement within 90 days after the passage of the Ordinance.

Mark Cozzi, owner of the subdivision, entered into a payment plan with Milton Township on May 22, 2009 to repay the outstanding tax lien placed on the property. According to the agreement, Mr. Cozzi must repay Milton Township \$1,800 and has agreed to pay the Township in installments of \$100 a month until the entire outstanding balance has been paid. With this agreement in place (attached), the intent of the original provision has been met. However, the language in the Ordinance prohibits the Village President and Village Clerk from executing the agreement until the full \$1,800 is paid.

This same condition was also included in the Ordinance that approved the subdivision. The Village Board passed Ordinance 5779 on July 27, 2009 which amended the Ordinance approving the subdivision and allowed the Village President and Village Clerk to sign the Final Plat of Subdivision based on the signed written agreement. However, it has recently come to our attention that we failed to amend Ordinance 5733 which approved the Annexation and Development Agreement at this same time. Ordinance 5733 must also be amended to allow the agreement to be executed and recorded.

The approval of an Annexation Agreement requires a public hearing. The Village Attorney has advised the planning team that a public hearing is also required to amend the approving Ordinance.

Action Requested

The Village Board is being asked to consider an Ordinance amending Ordinance 5733 to allow the Village President and Village Clerk to sign the Annexation and Development Agreement.

Attachments

- Amending Ordinance
- Map-Cozzi's Sunnybrook Road Subdivision
- Public Hearing Notice
- Settlement agreement

CC: Mark Cozzi, Property Owner

X:\PlanDev\PLANNING\SUBDIV\Sunnybrook (Cozzi)\Sunnybrook 060810 Memo.docx

Village of Glen Ellyn

Ordinance No. _____

**An Ordinance Amending Ordinance 5733
Which Granted Approval of an Annexation and Development Agreement
which Authorizes the Future Annexation of Property and a Recapture Agreement
for the Sunnybrook Estates Subdivision to be Located on Property
Commonly Known as 1S501 Sunnybrook Road
Glen Ellyn, IL 60137**

**Adopted by the
President and the Board of Trustees
of the Village of Glen Ellyn
DuPage County, Illinois 60137
this ____ day of _____, 20 ____.**

Published in pamphlet form by the authority of the
President and Board of Trustees of the Village of
Glen Ellyn, DuPage County, Illinois, 60137 this _____
day of _____, 20 ____.

Ordinance No. _____

**An Ordinance Amending Ordinance 5733
Which Granted Approval of an Annexation and Development Agreement
which Authorizes the Future Annexation of Property and a Recapture Agreement
for the Sunnybrook Estates Subdivision to be Located on Property
Commonly Known as 1S501 Sunnybrook Road
Glen Ellyn, IL 60137**

Whereas, on February 9, 2009, the President and Board of Trustees of the Village of Glen Ellyn passed Ordinance 5733 which approved an Annexation and Development Agreement which also authorizes approval of a Recapture Agreement for the property located at 1S501 Sunnybrook Road; and

Whereas, the property is located on the east side of Sunnybrook Road between Sheehan Road and Bemis Road; and

Whereas, the subject property is legally described as follows:

THAT PART OF LOTS 3 AND 4 IN KOMADA'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 4, 1961 AS DOCUMENT NO. R61-32426, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 4 AFORESAID THENCE BEARING NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE WEST LINE OF LOT 4, SAID LINE ALSO BEING THE EAST RIGHT-OF-WAY LINE OF SUNNYBROOK ROAD 100.00 FEET; THENCE NORTH 85 DEGREES 42 MINUTES 40 SECONDS EAST 145.00 FEET; THENCE NORTH 76 DEGREES 30 MINUTES 20 SECONDS EAST 71.00 FEET; THENCE NORTH 56 DEGREES 46 MINUTES 20 SECONDS EAST 102.00 FEET; THENCE NORTH 78 DEGREES 18 MINUTES 00 SECONDS EAST 70.00 FEET; THENCE NORTH 65 DEGREES 15 MINUTES 40 SECONDS EAST 35.00 FEET; THENCE NORTH 86 DEGREES 57 MINUTES 40 SECONDS EAST 71.00 FEET; THENCE NORTH 57 DEGREES 46 MINUTES 20 SECONDS EAST 39.12 FEET; THENCE NORTH 10 DEGREES 17 MINUTES 40 SECONDS EAST 53.73 FEET; THENCE NORTH 24 DEGREES 59 MINUTES 20 SECONDS WEST 110.14 FEET TO THE SOUTHEAST CORNER OF LOT 1 IN KOMADA'S SUBDIVISION AFORESAID; THENCE NORTH 40 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID EAST LINE OF LOT 1 A DISTANCE OF 100.00 FEET TO THE NORTHEAST CORNER OF LOT 1; AND THE NORTH LINE OF KOMADA'S SUBDIVISION, THENCE NORTH 89 DEGREES 12 MINUTES 00 SECONDS EAST ALONG THE NORTH LINE OF KOMADA'S SUBDIVISION 363.82 FEET TO THE NORTHEAST CORNER OF KOMADA'S SUBDIVISION; THENCE SOUTH 04 DEGREES 16 MINUTES 05 SECONDS EAST ALONG THE EAST LINE OF KOMADA'S SUBDIVISION 465.43 FEET; THENCE SOUTH 27

DEGREES 41 MINUTES 45 SECONDS WEST 69.15 FEET TO THE SOUTHEAST CORNER OF KOMADA'S SUBDIVISION; THENCE SOUTH 89 DEGREES 14 MINUTES 14 SECONDS WEST ALONG THE SOUTH LINE OF KOMADA'S SUBDIVISION 202.82 FEET; THENCE NORTH 00 DEGREES 54 MINUTES 00 SECONDS EAST 30.28 FEET; THENCE SOUTH 89 DEGREES 12 MINUTES 00 SECONDS WEST ALONG THE PREVIOUSLY DESCRIBED SOUTHERLY LINE 632.57 FEET TO THE POINT OF BEGINNING IN DUPAGE COUNTY, ILLINOIS.

P.I.N.s: 05-24-302-005 and 05-24-302-026; and

Whereas, the Village Board approved entering into an Annexation and Development Agreement with the property owners and original petitioners, Mark and Jennifer Cozzi, with the approval of Ordinance 5733 which included a provision that stated the Village President and Village Clerk cannot execute the Annexation and Development Agreement until the petitioner has paid all reasonable charges assessed by Milton Township for property maintenance; and

Whereas, the petitioners have since entered into a settlement agreement with Milton Township which allows the petitioners to pay the Township monthly installments of \$100 until the entire \$1,800 balance has been paid; and

Whereas, the petitioners are therefore requesting an amendment to remove the payment condition in Ordinance 5733 to allow the Village President and Village Clerk to execute the Annexation and Development Agreement; and

Whereas, the Village Board believes that the intent of the original provision has been met and that it is in the best interest of the Village to amend Ordinance 5733 to allow the Village President and Village Clerk to execute the Annexation and Development Agreement; and

Whereas, the Village has published all statutorily required notices regarding the consideration of the proposed Ordinance amendment approving an Annexation and Development Agreement; and

Whereas, in accordance with all statutorily required notices, on July 12, 2010, the Village Board conducted a public hearing on the proposed amendment to the Ordinance approving the Annexation and Development Agreement.

Now, Therefore, be it Ordained by the President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, in the exercise of its home rule powers, as follows:

Section One: Section Two of Ordinance 5733 is hereby amended to read as follows (removals shown with a ~~strikethrough~~):

The Village President and Village Clerk are hereby authorized and directed to execute and attest the Annexation and Development Agreement for the Sunnybrook Estates Subdivision, attached hereto as Exhibit "A," on behalf of the Village of Glen Ellyn. ~~However, the Village President shall not execute this Annexation and Development Agreement until evidence has been submitted to the Village Manager that the petitioner has paid all reasonable charges assessed to date by the Township for property maintenance. The authority of the Village President to execute the Annexation and Development Agreement shall only be in force for 90 days after the passage of this Ordinance.~~

Section Two: The Village Clerk is hereby authorized to cause this Ordinance and the Annexation and Development Agreement to be recorded with the DuPage County Recorder of Deeds.

Section Three: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form.

Passed by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20____.

Ayes:

Nays:

Absent:

Approved by the Village President of the Village of Glen Ellyn, Illinois, this _____ day of

_____, 20 _____.

Village President of the
Village of Glen Ellyn, Illinois

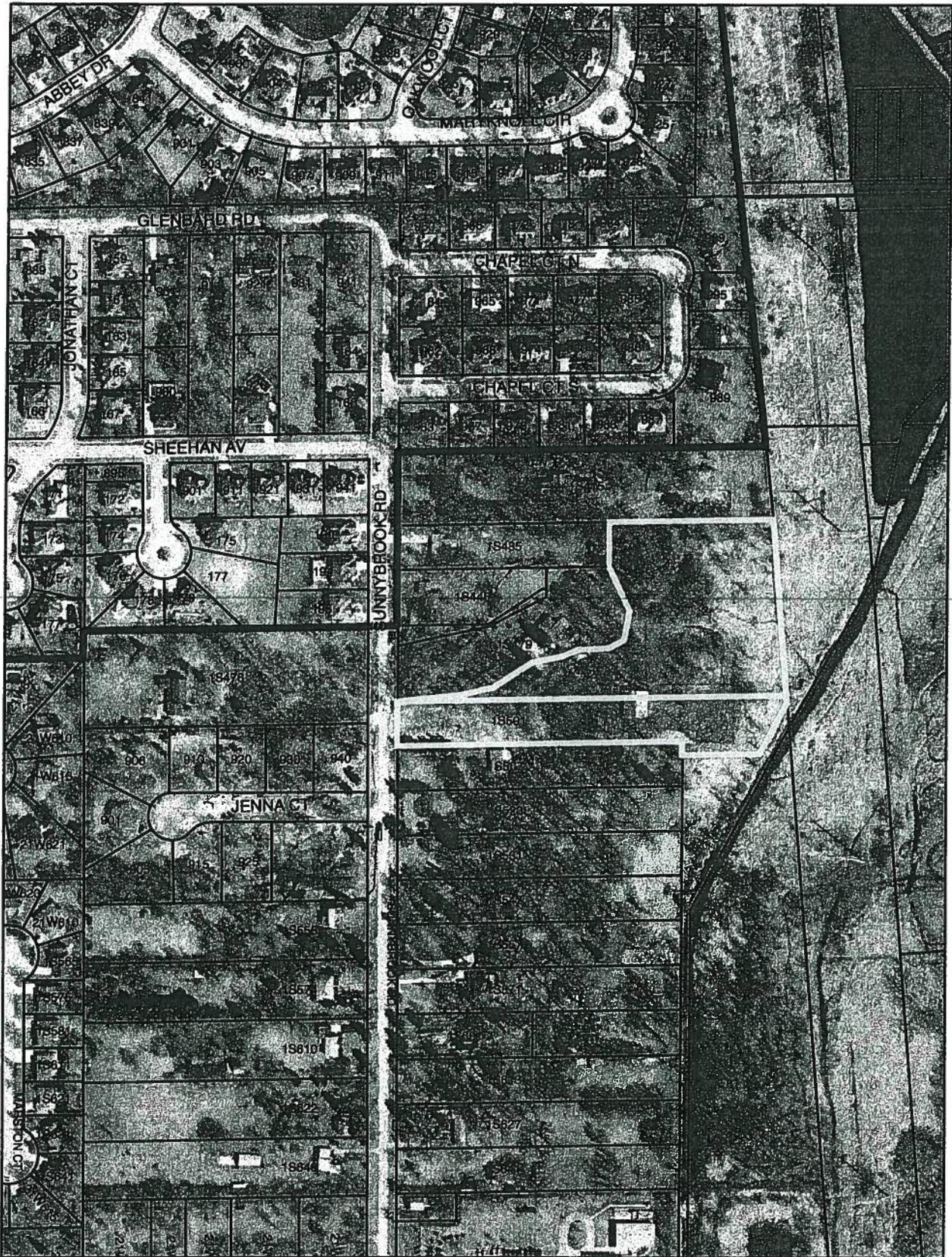
Attest:

Village Clerk of the
Village of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the _____ day of _____.)

X:\Plandev\PLANNING\ANNEXATIONS\Sunnybrook Rd 1S501 (Sunnybrook Estates) Voluntary\Ordinance Amending Approv AA & Recapt Agreements.doc

Cozzi's Sunnybrook Road Subdivision



Prepared By: Michele Stegall
Aerial Photo Circa 2002
Date Printed: June 8, 2007



**NOTICE OF PUBLIC HEARING
REGARDING AN ANNEXATION AGREEMENT**

In accordance with the Illinois State Statutes 65 ICLS Section 5/11-15.1-3, on **Monday, July 12, 2010 at 8:00 p.m.**, the Glen Ellyn Village Board will conduct a public hearing to consider an amendment to an annexation agreement for approximately 6 acres of land commonly known as 1S501 Sunnybrook Road which is located on the east side of Sunnybrook Road between Sheehan Road and Bemis Road. The subject property is located in unincorporated DuPage County and is not currently contiguous to the Village of Glen Ellyn. An annexation agreement for this property was approved by the Village Board on February 9, 2009. The proposed action will amend the original Ordinance to allow the substitution of a payment agreement with Milton Township for outstanding fees due in lieu of payment in full. This amendment will allow the execution of the previously approved agreement.

The property that the Village of Glen Ellyn will be considering an annexation agreement amendment for is legally described as follows:

THAT PART OF LOTS 3 AND 4 IN KOMADA'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 4, 1961 AS DOCUMENT NO. R61-32426, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 4 AFORESAID THENCE BEARING NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE WEST LINE OF LOT 4, SAID LINE ALSO BEING THE EAST RIGHT-OF-WAY LINE OF SUNNYBROOK ROAD 100.00 FEET; THENCE NORTH 85 DEGREES 42 MINUTES 40 SECONDS EAST 145.00 FEET; THENCE NORTH 76 DEGREES 30 MINUTES 20 SECONDS EAST 71.00 FEET; THENCE NORTH 56 DEGREES 46 MINUTES 20 SECONDS EAST 102.00 FEET; THENCE NORTH 78 DEGREES 18 MINUTES 00 SECONDS EAST 70.00 FEET; THENCE NORTH 65 DEGREES 15 MINUTES 40 SECONDS EAST 35.00 FEET; THENCE NORTH 86 DEGREES 57 MINUTES 40 SECONDS EAST 71.00 FEET; THENCE NORTH 57 DEGREES 46 MINUTES 20 SECONDS EAST 39.12 FEET; THENCE NORTH 10 DEGREES 17 MINUTES 40 SECONDS EAST 53.73 FEET; THENCE NORTH 24 DEGREES 59 MINUTES 20 SECONDS WEST 110.14 FEET TO THE SOUTHEAST CORNER OF LOT 1 IN KOMADA'S SUBDIVISION AFORESAID; THENCE NORTH 40 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID EAST LINE OF LOT 1 A DISTANCE OF 100.00 FEET TO THE NORTHEAST CORNER OF LOT 1; AND THE NORTH LINE OF KOMADA'S SUBDIVISION, THENCE NORTH 89 DEGREES 12 MINUTES 00 SECONDS EAST ALONG THE NORTH LINE OF KOMADA'S SUBDIVISION 363.82 FEET TO THE NORTHEAST CORNER OF KOMADA'S SUBDIVISION; THENCE SOUTH 04 DEGREES 16 MINUTES 05 SECONDS EAST ALONG THE EAST LINE OF KOMADA'S SUBDIVISION 465.43 FEET; THENCE SOUTH 27 DEGREES 41 MINUTES 45 SECONDS WEST 69.15 FEET TO THE SOUTHEAST CORNER OF KOMADA'S SUBDIVISION; THENCE SOUTH 89 DEGREES 14 MINUTES 14 SECONDS WEST ALONG THE SOUTH LINE OF KOMADA'S SUBDIVISION 202.82 FEET; THENCE NORTH 00 DEGREES 54 MINUTES 00 SECONDS EAST 30.28 FEET; THENCE SOUTH 89 DEGREES 12 MINUTES 00 SECONDS WEST ALONG THE PREVIOUSLY DESCRIBED SOUTHERLY LINE 632.57 FEET TO THE POINT OF BEGINNING IN DUPAGE COUNTY, ILLINOIS.

P.I.N.s: 05-24-302-005 and 05-24-302-026

All persons in the Village of Glen Ellyn who are interested are invited to attend the public hearing to listen and be heard. A copy of the annexation agreement is available for public review in the Planning and Development Department of the Civic Center, 535 Duane Street, Glen Ellyn, Illinois. Questions related to the proposed annexation agreement should be directed to Andrew Letson, Planning Intern, 630-547-5246. The Village Board may enter into the proposed annexation agreement this same night following the public hearing.

Individuals with disabilities who plan to attend the hearing and who require certain accommodations in order to allow them to observe and participate, or who have questions regarding the accessibility of the meeting or facilities, are requested to contact the Village at least 24 hours in advance of the meeting.

Andrew Letson, Planning Intern
Village of Glen Ellyn

Publication Date: June 24, 2010

X:\Plandev\PLANNING\ANNEXATIONS\Sunnybrook Rd 1S501 (Sunnybrook Estates) Voluntary\Public Hearing Notice AA.doc

SETTLEMENT AGREEMENT

This SETTLEMENT AGREEMENT ("Agreement") is made and entered into by and between MILTON TOWNSHIP and MARK COZZI.

WHEREAS, Milton Township has filed certain claims for lien against the property known as 1 S 501 Sunnybrook, Glen Ellyn, Illinois, for payment of expenses relative to weed cutting performed by the Township pursuant to Milton Township Ordinance No. O-98-3; and

WHEREAS, Mark Cozzi is the owner of record of said premises; and

WHEREAS, there is due and owing to Milton Township the sum of One Thousand Nine Hundred Seventy Five and 00/100 Dollars (\$1,975.00) for the expense of weed cutting pursuant to Milton Township Ordinance No. O-98-3; and

WHEREAS, it is in the interest of both parties to resolve this matter without incurring the expense of litigation and the parties have agreed that those claims should be resolved by entering into this Agreement; and

WHEREAS, this Agreement is the result of a good faith settlement and compromise of the Township's claims.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. Milton Township agrees to accept the sum of One Thousand Eight Hundred and 00/100 Dollars (\$1,800.00) in full and final settlement of its claim against the premises, said funds to be paid in monthly installments of \$100.00, commencing June 1, 2009 and continuing thereafter until fully paid;
2. Cozzi shall keep the subject premises in such condition so as not to constitute a further violation of said ordinance;
3. In the event Cozzi fails to keep the weeds cut on the premises, Milton Township shall notify Cozzi, through his agent Tim Wilson, and allow Cozzi seven (7) days thereafter to bring the premises into compliance;
4. Upon full payment of the settlement amount, Milton Township shall deliver to Cozzi a recordable release all liens against the subject premises.
5. In the event Cozzi fails to fulfill the terms of this agreement, Milton Township shall be entitled to enforce its terms by legal action as it sees fit and shall be entitled to its reasonable attorneys' fees and costs incurred therein.

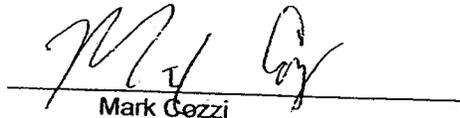
IN WITNESS WHEREOF, the parties have each signed this Agreement on this 22nd day of May, 2009.

Milton Township, DuPage County

By:



O. Chris Heidorn, Supervisor



Mark Cozzi