

**Minutes  
Regular Meeting  
Glen Ellyn Village Board of Trustees  
April 26, 2010**

**Call to Order**

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

**Roll Call**

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

**Pledge of Allegiance**

The Pledge of Allegiance was led by Co-Presidents of the One Voice Choir who shared information regarding their interfaith teen outreach choral group.

**Village Recognition**

- a. Letter from a representative of the Glen Ellyn P.E.O. (Philanthropic Educational Organization), forwarding their thanks to Planning and Development Director Staci Hulseberg for her presentation on future plans for Glen Ellyn.
- b. Letter of thanks from a grateful resident to Police Officers Paul Baird and Kyle Duffie.
- c. The Village Board accepted resignations from the following Commissioners and thanked them for their years of service to the Village:

Michael Harrington	Police Pension Board
Erik Nielsen	Building Board of Appeals

**Audience Participation**

- a. Union Pacific Railroad representatives, Director of Public Affairs Tom Zapler and Chicago General Superintendent David Giandinoto gave a presentation and answered questions from residents in the audience. The following residents spoke against Union Pacific allowing trains to idle/park for hours behind the houses located between Lombard and Park Boulevard: Sue Connors, 435 N. Park; Mary Ozog, 485 Montclair; Mr. and Mrs. Akamatsu, 443 Carleton; Gina Meyers, 477 Montclair; Terry Baum, 741 Forest; Jeff Clampett, 813 Ellynwood; Tom Takowski, 774 Willis; and Boy Scout Grant Colliander. Questions included environmental concerns from diesel fumes;

debris; addition of a 4<sup>th</sup> track; fuel changes; and sound barrier installation. Mr. Zapler gave his e-mail address for the public to contact him with questions or concerns. It is tomzapler@up.com.

- b. President Pfefferman presented a proclamation to Village Forester Peggy Drescher declaring Friday, April 30 as Arbor Day in Glen Ellyn. It was celebrated with the Boy Scouts who helped plant a tree at the Summerdale Roundabout.
- c. President Pfefferman also presented a proclamation to members of the Three Fires Council of the Boy Scouts of America recognizing their 100 years of value-based commitment to the youth of our country.
- d. President Pfefferman presented a proclamation to Mr. Johansen, 62 Highview, designating Thursday, May 13, as RED Day in Glen Ellyn, a community service day to Renew, Energize and Donate.

### 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 Hartweg moved and Trustee Cooper seconded the motion that the following items included on the Consent Agenda be approved:

- a. **Minutes** of the following Village Board Meetings:
  - Workshop Meeting  
January 18, 2010  
April 12, 2010
  
  - Special Board Meeting  
January 18, 2010
  
  - Regular Meeting  
April 12, 2010
- b. Total **Expenditures** (Payroll and Vouchers) - \$1,039,881.92.  
The vouchers were reviewed by Trustee Hartweg prior to the meeting.
- c. **Executive Session Minutes** which are not ready to be released:

02-14-00	08-22-05	04-30-07	04-28-08	11-10-08
03-13-00	10-10-05 <sub>(Sec 2)</sub>	05-07-07	07-28-08	11-24-08
07-24-00	10-24-05	06-25-07 <sub>(Sec 1,4,5)</sub>	08-11-08	12-15-08
02-28-05	04-10-06	11-05-07	08-18-08	02-23-09
03-28-05	09-18-06	12-20-07	09-22-08	04-27-09
08-15-05	10-23-06	03-24-08	10-27-08	05-11-09
05-18-09	07-27-09	10-26-09	02-12-07	02-15-10

05-26-09(2)	08-10-09	11-09-09	12-07-09	02-22-10
06-08-09	08-17-09	11-16-09	12-14-09	03-08-10
06-15-09	08-24-09	11-23-09(1)	01-11-10	03-22-10
06-22-09	09-14-09	11-23-09(2)	01-25-10	
07-13-09	10-19-09	03-26-07	02-08-10	

- d. Recommendation of Village President Pfefferman that William Housey be **appointed to the Police Pension Board** for a term ending April 30, 2012.
- e. Waive Sections 8-1-12 (Merchandise on Public Ways) and 4-5-9 (Special Event Signs) and Chapter 3-23 (Peddlers) of the Village Code for the Glen Ellyn Chamber of Commerce seasonal **Farmers' Market**. The Farmers' Market will be held on the south end of the Main Street parking lot from 8:00 a.m. to 1:00 p.m. each Friday from May 28 through October 29, 2010.
- f. Waive Chapter 3-23 (Peddlers), Section 8-1-11 (Street Obstructions), and Section 8-1-12 (Merchandise on Public Ways) of the Village Code and approve the issuance of a temporary, Class E liquor license for the service of beer and wine in the Village's Main Street parking lot for the annual Chamber of Commerce **Taste of Glen Ellyn** event scheduled for Thursday, May 20 through Saturday, May 22, 2010.
- g. Waive Section 6-3-2 (Dangerous Animals), Section 6-3-8 (Prohibited Animals), and Section 8-1-11 (Street Obstructions) of the Village Code in order to allow the **Glenbard West Boosters Club** to host the event, Cow Chip Bingo, on Sunday, May 23, 2010 between the hours of 12:00 p.m. and 3:00 p.m. at Glenbard West Memorial Field.
- h. Waive Section 10-4-17.1.B.32 (Promotional Events) of the Glen Ellyn Zoning Code in order to allow entertainment in the form of live musicians at 476 N. Main Street, 530 Duane Street, and 560 Crescent Boulevard on Friday, April 30, 2010 between 6:00 p.m. and 10:00 p.m. for the Downtown Glen Ellyn Alliance's **Couples Night Out** event.
- i. Waive competitive bidding and approve the **purchase of two OMEGA vent security shrouds** from ARC Corporation of Billings, Montana in the not-to-exceed amount of \$12,000, to be expensed to the FY 09-10 Water Fund.
- j. Award of a contract with Steve Piper & Sons of Naperville, Illinois for the **annual tree removal program** for a three-year span of 2010-2013, to be expensed to the corresponding fiscal year General Fund at the following yearly costs: FY10-11, \$85,000; FY11-12, \$87,000; and FY12-13, \$89,000, for a total three-year cost of \$261,000.
- k. Award of a contract with Steve Piper & Sons of Naperville, Illinois for the **annual tree pruning program** for a three-year span of 2010-2013, to be expensed to the

corresponding fiscal year General Fund at the following yearly costs: FY10-11, \$34,500; FY11-12, \$64,500; and FY12-13, \$75,000, for a total three-year cost of \$174,000.

- l. Award of a contract for **2010-2011 Forestry Consulting Services** to Osage Consulting of Oak Park, Illinois in the not-to-exceed amount of \$15,000, to be expensed to the FY 10-11 Public Works – Operations (General Fund).
- m. Second year of a three-year contract with Earthcare, Inc. of West Chicago, Illinois for the **2010 Landscape Maintenance contract** in the not-to-exceed amount of \$71,000 (including a 10-percent contingency), to be expensed to the FY 10-11 General, Water, Special Programs, Parking, and Fire Company Funds.
- n. Waive competitive bidding and approve award of a contract for the **2010-2011 Concrete Saw-Cutting Program** to Elite Concrete of Sugar Grove, Illinois in the not-to-exceed amount of \$20,000, to be expensed to the FY 10-11 Water and Sanitary Sewer Fund.
- o. Waive competitive bidding and approve award of a contract for the **2010-2011 Material Hauling/Gravel Delivery Contract** to Marcott Enterprises, Inc., of Addison, Illinois in the not-to-exceed amount of \$42,500 (including a 10-percent contingency), to be expensed to the FY 10-11 Water and Sanitary Sewer Fund.
- p. Waive competitive bidding and award a contract to Superior Road Striping of Melrose Park, Illinois (through the Suburban Purchasing Cooperative) in the not-to-exceed amount of \$45,000 for the contemplated **pavement marking** work for FY 10-11 Maintenance/Street Painting.
- q. Expenses involved in moving forward with the mediation process for the **Park/Glen Ellyn Place/Prairie Improvement Project** in the not-to-exceed amount of \$15,000, to be expensed to the FY 10-11 Capital Fund, Water and Sewer Funds, accordingly.
- r. Amend certain sections of Chapters 2 and 3 of Title 9 of the Village Code of the Village of Glen Ellyn regarding **parking violation fee structure and penalty**.
- s. Waive Chapter 3-23 (Peddlers), Section 8-1-11 (Street Obstructions), and Section 8-1-12 (Merchandise on Street) of the Village Code to allow the Glen Ellyn Jaycees to set up and operate their annual **Village Fair** in the Village's Crescent Boulevard parking lot located west of Main Street from Wednesday, May 19, 2010 through Sunday, May 23, 2010 in concert with the Glen Ellyn Chamber of Commerce Taste of Glen Ellyn event.
- t. Waive Section 10-4-17.1(B)32 (Promotional Events) of the Glen Ellyn Zoning Code and Section 3-19-29 (Location Restrictions) of the Glen Ellyn Village Code

to allow Bells and Whistles Snackery to host the **2010 Madonnari Off Main** event in the Central Business District on Saturday, June 5, 2010.

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

**Ordinance No. 5857 – Adoption of Village Budget for 2010-11 Annual Budget for the Village of Glen Ellyn**

Finance Director Jon Batek presented information on the proposed Village budget for Fiscal Year 2010-11. The expenditure budget consists of a total of 14 individual funds, each having a specific purpose, totaling \$42.2 million in aggregate. In comparison to last year's Fiscal Year 2009-10 net budget of \$43.9 million, this represents a decrease of \$1.6 million or 3.6%. A public hearing on the proposed 2010-11 Village budget was held on Monday, April 12, 2010. Final copies of the adopted budget will be available for public review at the Civic Center, Glen Ellyn Public Library, and soon to be online at [www.glenellyn.org](http://www.glenellyn.org).

Trustee Henninger moved and Trustee Thorsell seconded the motion that Ordinance No. 5857 be passed, an Ordinance Adopting the Annual Village of Glen Ellyn Expenditure Budget in the Net Amount of \$42.2 Million for Fiscal Year 2010-11 Beginning May 1, 2010 and Ending April 30, 2011.

Upon roll call, Trustees Henninger, Thorsell, Cooper, and Hartweg voted "Aye." Trustee Ladesic voted "No." Motion carried.

**Ordinance No. 5858 – 734 Main Street – Zoning Code Variation**

Planning and Development Director Staci Hulseberg presented information on a request by John and Martha Schoenfeld for a variation from the Glen Ellyn Zoning Code to allow the construction of a one-story screened porch addition to the rear of the existing two-story house that exceeds the maximum permitted lot coverage ratio.

Trustee Ladesic moved and Trustee Hartweg seconded the motion that Ordinance No. 5858 be passed, an Ordinance Approving a Variation of the Zoning Code to Allow a Screened Porch Addition to the Residence at 734 Main Street.

Upon roll call, Trustees Ladesic, Hartweg, Cooper, and Henninger voted "Aye." Trustee Thorsell voted "No." Motion carried.

**Ordinance No. 5859-VC – Establishes Code Hearing Department**

Police Chief Phil Norton presented information on an ordinance that establishes a code hearing department and a system of local adjudication for specified violations of Village Code.

Trustee Ladesic moved and Trustee Cooper seconded the motion that Ordinance No. 5859-VC be passed, an Ordinance to Add to Title 1, "Administrative," a New Chapter 12 of the Village Code Regarding an Administrative Ordinance Hearing Department.

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

### **Ordinance No. 5860-VC – Establishes Traffic Code – Vehicle Seizure and Impoundment**

Police Chief Phil Norton presented information on an ordinance that establishes the acts that subject a motor vehicle to seizure and impoundment, the procedures for seizure and impoundment, and the release of motor vehicles.

Trustee Ladesic moved and Trustee Henninger seconded the motion that Ordinance No. 5860-VC be passed, an Ordinance to Add Title 9, "Traffic Code," a New Chapter 6 of the Village Code Regarding Vehicle Seizure and Impoundment.

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

### **2009 Street Improvements Project – Final Change Order**

Professional Engineer Bob Minix presented information on the first and final change order for the 2009 Street Improvements Project. The project involved roadway work on 11 different street segments in two distinct areas of the Village, with a total of nearly two miles of roadway rehabilitation undertaken in the project.

All aspects of the project have been completed and the Village has come to final agreement on quantities with the contractor. On April 27, 2009, the Village Board approved a construction contract with John Neri Construction Company in the amount of \$2,379,280 with appropriations from the Water, Sanitary Sewer, and Capital Project Funds totaling \$2,500,000 (including a 5-percent contingency). Change Order No. 1 requests an increase of \$478,054 to the contract, and would serve as a final change order that includes items associated with all outstanding force account (time and material) items, additional unit price items deemed necessary during construction, and balancing of contract items. The modified contract cost of \$2,857,334 is 20 percent over the original bid award amount of \$2,379,280.

On April 27, 2009, the Village Board approved an engineering services agreement with Civiltech Engineering in the amount of \$265,000 with appropriations from the Water, Sanitary Sewer, and Capital Project Funds totaling \$280,000 (including a 5-percent contingency). Amendment No. 1 requests an increase of \$51,147 to the agreement, and would permit contract closeout. The modified contract cost of \$316,147 is 19 percent over the original bid award amount of \$265,000.

Trustee Thorsell moved and Trustee Hartweg seconded the motion that the following actions be approved:

- a. Increase the appropriation for construction of the 2009 Street Improvements Project by John Neri Construction Company in the amount of \$357,334, for a revised total appropriation of \$2,857,334, to be expensed to the FY 09-10 Water, Sanitary and Capital Project Funds;
- b. **Resolution No. 10-07**, a Resolution Concerning the Determination of the Village Board that Change Order No. 1 (FINAL) with John Neri Construction Company, for an Increase in the Contract Price of \$478,054 is Required for the 2009 Street Improvements Project, for a Revised Contract Cost of \$2,857,334;
- c. Increase the appropriation for construction engineering services associated with the 2009 Street Improvements Project provided by Civiltech Engineering, Inc. by \$36,147, for a revised total appropriation of \$316,147, to be expensed to the FY 09-10 Capital Projects, Sanitary Sewer and Water Funds; and
- d. Approve Amendment No. 1 to the construction engineering services agreement with Civiltech Engineering, Inc. for additional construction engineering services for the 2009 Street Improvements Project, in the amount of \$51,147, for a final contract amount of \$316,147.

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

### **Reminders**

- The next Regular Village Board Meeting is scheduled for Monday, May 10, 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.

### **Other Business**

None

### **Adjournment**

At 10:10 p.m., Trustee Cooper moved and Trustee Henninger seconded the motion to recess to executive session in Room 301 to discuss threatened or pending litigation and the review and approval of Executive Session minutes without returning to regular session. All Trustees present voted "Aye." Motion carried.

Respectfully Submitted,

Suzanne R. Connors  
Village Clerk