

**Minutes**  
**Regular Meeting**  
**Glen Ellyn Village Board of Trustees**  
**August 23, 2010**

At 8:00 p.m., prior to the start of the meeting, President Pfefferman asked for a moment of silence honoring Lance Cpl. Kevin Oratowski, a 2005 Glenbard South High School graduate, who lost his life this past week while serving his Country in Afghanistan.

**Call to Order**

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

**Roll Call**

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

**Pledge of Allegiance**

**Village Recognition**

- a. Police Chief Norton received a note of thanks from the recipient of the Robert Madden Memorial Scholarship, stating that the scholarship was much appreciated and will be used wisely at Illinois Wesleyan University this year.
- b. A motorist developed a flat tire at Highway I-355 and Roosevelt Road a few weeks ago, and Sergeant Brian Beck offered timely assistance. The motorist sent a note of thanks to Sergeant Beck in appreciation for his help.
- c. We received a letter dated July 13 from the property manager of a nearby facility complimenting Police Officer Joe Nemchock for doing a great job every day, and for the way he interacts and serves the people in his district in a manner that improves safety and the overall quality of life.
- d. Circuit Judge Perry Thompson of the Circuit Court of the 18<sup>th</sup> Judicial Circuit in DuPage County sent a letter to Police Chief Norton informing him of his upcoming retirement, and forwarding his thanks to Chief Norton and his staff for their courtesy, cooperation and professionalism.
- e. Police Chief Robert Jones of Gurnee sent a letter of thanks to Police Officer Stephen Miko for his assistance in the apprehension of a suspect in a recent investigation, brought about as a result of collaboration between several police agencies.

- f. A resident emailed the Public Works Department complimenting a crew for responding swiftly to her call of a water main break in front of her home. The job involved both day shift and evening shift personnel working for two days to complete the mission and included the following employees: Crew Leader Eric Hendrickson; Maintenance Workers Bob DeRosa, Dave Laurinaitis, John Sparagna, and Mike Zitzka; Seasonal Employees Nick Mellinger, Zack Carlstrom, and Jeff Soderberg; and Customer Service Worker Joe Rein.
- g. A resident emailed the Public Works Department complimenting Crew Leader Eric Hendrickson and Seasonal Employee Steve Hughes for removing a parkway tree that had fallen during a recent storm.
- h. Summer Seasonals Jeff Soderberg and Nick Mellinger were complimented by a resident for the thorough job they did in mowing the right-of-way on Center Street.
- i. A resident emailed the Village complimenting Maintenance Worker Stephanie Chandler for the thorough way she sweeps the street; he appreciated the fact that she would even do a second pass if needed.
- j. A resident called to express her thanks and appreciation to Village Forester Peggy Drescher for examining her parkway tree for carpenter ants.
- k. The Public Works Department received an email message from a resident thanking them for fixing the sewer grate in front of his home and for trimming his parkway tree.

### **Audience Participation**

President Pfefferman presented a proclamation to Alan Lanning recognizing the statue he donated for placement at Midway Park. Mr. Lanning accepted the proclamation and gave a brief history of the area.

### **Consent Agenda**

Village Manager Jones presented the Consent Agenda; Village President Pfefferman called for questions and/or discussion on the items on the Consent Agenda.

Trustee Comerford moved and Trustee Thorsell seconded the motion that the following items included on the Consent Agenda be approved:

- a. **Minutes** of the following Village Board Meetings:
  - Workshop Meeting  
August 9, 2010
  - Regular Meeting  
August 9, 2010

- b. Total **Expenditures** (Payroll and Vouchers) - \$1,271,252.95.
- c. Waive Sections 10-4-14(B)17 and 10-5-5(B)4-35 (Special Use for Outdoor Sales, Storage, Tents, Promotional Activities and Events), and Section 10-5-11-N (All Business, Merchandise and Display to be Conducted Entirely within an Enclosed Building) of the Zoning Code and Sections 4-5-7 (Prohibiting Attention-Getting Devices), 3-2-12 (Carnivals), 6-3-2 (Dangerous Animals) and 6-3-8 (Prohibited Animals) of the Village Code in order to permit the **Glen Ellyn Historical Society to host the 2010 Tavern Day event**.
- d. Waive Section 6-2-2.5 (Unnecessary Noises) of the Village Code and approve the request of **St. Petronille Parish to host the 11<sup>th</sup> Annual 5K Run/Walk** event on Monday, September 6, 2010 between the hours of 8:00 a.m. and 10:00 a.m. in Glen Ellyn to benefit the Youth Ministry.
- e. Waive Section 10-4-8(B) of the Glen Ellyn Zoning Code to permit **St. Mark's Episcopal Church to conduct their annual pumpkin patch** at 393 N. Main Street between October 9 and October 31, 2010.
- f. Award of a construction contract to Lifco Construction for the **Roslyn & Scott Sanitary Sewer Extension Project** in the amount of \$21,000 (including 10-percent contingency), to be expensed to the FY 10 – 11 Sanitary Sewer Fund.
- g. **Resolution No. 10-15**, a Resolution of Support for the **Philip J. Rock Center and School** and Urging the State of Illinois to Continue to Fund the Philip J. Rock Center and School. This resolution is a result of a suggestion from Trustee Hartweg. He was thanked by the entire Village Board.

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

### **Ordinance No. 5881 – 289 Illinois Street – Side Yard Setback Variation**

Planning and Development Director Staci Hulseberg presented information on a request by Steven and Laverne Street, who requested a variation from the Glen Ellyn Zoning Code to allow a side yard setback of 5.3 feet in lieu of the minimum required side yard setback of 6.5 feet. The property is located at the corner of Kenilworth and Illinois. The Zoning Board of Appeals recommended approval 5-1.

Laverne Street, 289 Illinois, asked about the cost of obtaining the variation and mentioned a zoning variation available in Wheaton that cost \$25. She also inquired about the set back, but was informed that it has been in effect for a long time.

Trustee Ladesic moved and Trustee Henninger seconded the motion that Ordinance No. 5881 be passed, an Ordinance Approving a Variation from the Side Yard Setback

Requirements of the Zoning Code to allow an Addition to the Existing Home for Property at 289 Illinois Street.

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

### **Adoption of Two New Village Codes**

- **Property Maintenance Code**
- **Life Safety Code**

Planning and Development Director Staci Hulseberg presented information on the proposed adoption of two new codes, a property maintenance code and a life safety code as part of the Village's building code adoption policy. The property maintenance code contains provisions that govern the conditions of existing properties and the condition of existing buildings and structures such as the hazards to the safety and health of occupants from building collapse, fire, accidents and other risks. A life safety code contains provisions that govern the conditions in new and existing buildings and structures such as requirements to provide fire protection, emergency escape, and fire protective building features and systems. The ordinances will take effect October 1, 2010 so that the Village will have time to notify the public and change some procedures in the Planning and Development Department. Trustee Thorsell was thanked for her work on these codes. The Village Board asked that the code be reworded so that outside holiday decorations can be displayed for 45 days and that yard furniture be permitted. The Zoning Board of Appeals and Building and Zoning Official Kvail were thanked for their hard work.

Trustee Henninger moved and Trustee Hartweg seconded the motion that the following two ordinances adopting two new codes be approved:

- a. **Ordinance No. 5882-VC**, an Ordinance Amending Chapter 1 of Title 4 (Building Regulations) of the Village Code of the Village of Glen Ellyn, Illinois Adopting the 2009 International Property Maintenance Code with Local Amendments.
- b. **Ordinance No. 5883-VC**, an Ordinance Amending Chapter 2 of Title 5 (Fire Regulations) of the Village Code of the Village of Glen Ellyn, Illinois Adopting the 2009 Life Safety Code with Local Amendments.

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

### **Central Business District Traffic Study**

Public Works Director Joe Caracci presented a recommendation to retain the consulting firm of Kenig, Lindgren, O'Hara, Aboona, Inc. to perform a traffic study in the CBD as recommended in the recently approved Downtown Strategic Plan (DSP). The firm would assess traffic patterns and parking in the CBD to determine the impacts of changing

existing one-way streets to two-way and implementing other features recommended in the DSP.

Trustee Hartweg moved and Trustee Cooper seconded the motion to approve a professional services agreement with Kenig, Lindgren, O'Hara, Aboona, Inc. of Rosemont, Illinois to conduct a traffic study for the Central Business District of the Village of Glen Ellyn in a not-to-exceed amount of \$43,500 (including a 10-percent contingency), to be expensed to the FY 10-11 Special Programs Fund. \$40,000 is budgeted in the current Special Programs Fund for this study. Three different proposals were received, but no special considerations were given in the decision in choosing the recommended company.

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

### **Resolution No. 10-17 – Interim Settlement Agreement with College of DuPage**

Village Attorney Stewart Diamond gave the background of the Village's view of various building activities at the College of DuPage. He explained that the Village was concerned about zoning, drainage, parking and safety and that the resolution is intended as the Village's attempt to move forward. He mentioned the lawsuit filed by the College of DuPage against the Village of Glen Ellyn where the college maintained that it was not subject to Village ordinances. He presented information about the contents of the resolution indicating that the Village of Glen Ellyn and College of DuPage have agreed to negotiate in good faith and that during the next 60 days the lawsuit will be stayed. If an intergovernmental agreement is executed, the lawsuit will be dropped. The Village does not want to delay the college's efforts and this is the beginning towards a compromise. The Village is seeking a long-term solution; the resolution is a good-faith effort on the part of the Village. He gave some examples of the contents from the previous intergovernmental agreement. The Village wanted the public to know that the issues were not solely about signs although the Village is concerned about sight lines because of the size and illumination because of the brightness. Representatives from the Village and the college met for a full day with Judge Webster in an effort to work out the methodology that both organizations will attempt to follow. This hopefully will allow both parties to meet and come to a solution. A copy of the resolution will be available on the Village website.

The editor of the College of DuPage newspaper requested that he be allowed to ask questions of the Village Board, and was referred to the press conference that follows the Board meeting.

Attorney Diamond indicated that the resolution will take effect immediately unless the College of DuPage does not pass a similar resolution by September 1, 2010. This resolution would be an interim settlement agreement that outlines the procedures to try to reach an agreement. President Pfefferman thanked both the Village and College of DuPage negotiating teams for their time.

Trustee Henninger moved and Trustee Cooper seconded the motion that Resolution No. 10-17 be passed, a Resolution Approving an Interim Settlement Agreement between the College of DuPage and the Village of Glen Ellyn.

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

### **Reminder**

- The next Regular Village Board Meeting is scheduled for Monday, September 13, 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**

Public Works Director Caracci announced that DuPage County has been declared a Federal disaster area. The Public Works Department has some information, but the telephone number citizens should call for forms and with questions is 1-800-621-3362 (FEMA). Information is also available on the website: [www.disasterassistance.gov](http://www.disasterassistance.gov).

Supplies 4 Success is in 9<sup>th</sup> or 10<sup>th</sup> position for a \$5,000 grant. The public is reminded to cast their votes for the organization that provide school supplies for children in Glen Ellyn school districts who need it. You can vote to help them through the end of August.

Glenbard South and Glenbard West cross-town football game is coming up and it is a chance to see 5,000 of your closest friends.

The Festival of the Arts will be held at Lake Ellyn Park August 28 and 29. Don't miss it. All the information is on the Village's website.

### **Adjournment**

At 9:15 p.m., Trustee Ladesic moved and Trustee Henninger seconded the motion to adjourn to executive session in Room 301 to discuss the release and hold of Executive Session minutes, the purchase or lease of real property, and pending litigation without returning to open session. Upon roll call, Trustees Ladesic, Henninger, Comerford, Cooper, Hartweg and Thorsell voted "Aye." Motion carried.

Respectfully Submitted,

Suzanne R. Connors  
Village Clerk