

Minutes
Regular Meeting
Glen Ellyn Village Board of Trustees
September 13, 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 Comerford, Cooper, Hartweg, Henninger, Ladesic and Thorsell answered, "Present."

Pledge of Allegiance

Village President Pfefferman led the Pledge of Allegiance.

Village Recognition

- a. Bob Ciserella, School District 41 Assistant Superintendent called Public Works to compliment the Public Works team, Civiltech Engineering and Martam Construction for the extraordinary efforts they put forth to complete the portion of Bryant Avenue south of Hill Avenue before the first day of school at Ben Franklin.
- b. A resident called to compliment the Public Works crew that removed a tree in the Roslyn/Scott area. The crew included: Crew Leader Eric Hendrickson, Maintenance Worker Greg Garcia and Summer Seasonal staff Jeff and Joe Soderberg, Dan Harris and Calvin Studzinski.
- c. An employee of the Glen Ellyn Apartment Homes wrote to express her appreciation for the professional relationship Police Officer Joe Nemchock has developed with the apartment association.
- d. A Pleasant Avenue resident sent a note thanking the Police and Public Works Departments for responding quickly when she reported the illegal dumping of rocks and gravel on her street.
- e. The Oak Brook Chief of Police wrote to CSO Rose Volpe thanking her for her assistance at the Child Safety Seat event they held in July.
- f. Police Sergeant Jean Harvey received a note from a Glen Ellyn Police Department summer intern thanking police personnel for guidance he received during his internship.

- g. Police Officer Tom Staples received a note from the Glen Ellyn Park District thanking him for participating in their Safety Village program.
- h. Officer Staples received a note from a Senior Police Academy participant thanking him for helping her appreciate “behind the scenes” police work.
- i. Residents sent a note thanking Village Manager Steve Jones and Public Works Director Joe Caracci for meeting with them to discuss drainage problems on their property.
- j. A Taylor Avenue resident sent Deputy Police Chief Bill Holmer an email thanking him for addressing a neighborhood concern.
- k. The Village accepts the resignation of Building Board of Appeals member Todd Hanssen and thanks him for his service to the Village.
- l. The Village Board and Management Team congratulates the following employees who recently celebrated an anniversary as a Village employee:

Bradley Booton	Police Department	Five Years
Brent Pacyga	Police Department	Five Years
Jeremiah Schmidt	Police Department	Five Years
- m. Trustee Henninger complimented the Glen Ellyn Volunteer Fire Department on their 9-11 ceremony held on Saturday. The ceremony was both moving and compelling and if citizens have not attended one, he wanted everyone to know that it is a fitting tribute to those who lost their lives on 9-11. Chief Raffensparger was asked to extend the Village Board’s thanks to those involved.

Audience Participation

- a. President Pfefferman presented a proclamation to The Book Store owner, Jane Stroh, recognizing 50 years of doing business in the Village of Glen Ellyn.
- b. President Pfefferman presented a proclamation to Chamber of Commerce Executive Director Mike Formento proclaiming September 14 through September 18 as Chamber of Commerce Week in Glen Ellyn.
- c. Environmental Commission member Adam Kreuzer presented the Commercial Recycling Award to DMM Comfort, Inc.
- d. President Pfefferman introduced Jerry Dentinger, 729 Riford, who addressed the Village Board concerning the flooding on July 23 and 24. The flooding in the area of

his home occurred when Lake Ellyn overflowed its banks. Lake Ellyn overflowed its banks again in August, but did not flood his home. Mr. Dentinger showed a video of the flooding on July 24 and he asked that the Village do something to alleviate the situation. He wanted a study done that did not take years. The following residents spoke about their similar flooding experiences, offered suggestions and asked for water containment assistance to avoid flooding when it rains: Kurt Kabat, 735 Riford; P.J. Sinopoli, 725 Riford; Joe Sinopoli, 725 Riford; Mike Simon, 739 Chidester; Hans Volk, 751 Chidester; Jane Anderson, 747 Chidester; Dan Anderson, 668 Essex Road; Patty Dentinger, 729 Riford.

In response to questions, Fire Chief Raffensberger explained that the department has a scuba team and boat, but on July 24 the team was in Lombard. A member of the Fire Department, Bill Miller, was at the scene at 5 a.m.

Village Manager Jones explained that the Village is upset about the problems the residents experienced. The Fire Department, Police Department, and Public Works have met together to attempt to formulate a plan and an engineering study in cooperation with the Park District can be considered. Arranging for studies takes time. Manager Jones responded to many of the questions raised by the residents.

Police Chief Norton described how automatic public notification could work once his department has the information it needs from residents.

Public Works Director Caracci explained the Lake Ellyn channel project that will probably be done in spring 2011. Various notification items that might be used to notify the Village or Park District that the lake may overflow were discussed. Mr. Caracci noted that, in addition to Lake Ellyn overflowing its banks, Lambert Lake overflowed and flooded the Public Works yard. In addition, the Village Links golf course, which is also a water retention area, flooded beyond water holes covering fairways and the entrance road to the clubhouse. The engineering study will assist the Village in determining whether it should expand its storm water system to accommodate a 100 year storm.

At 9:37 p.m., those present were asked to leave their names, telephone numbers, and email addresses so that Public Works could be in touch with them as further information regarding their concerns become available. While the public was providing the information requested, the meeting was recessed. At 9:45 p.m. the meeting resumed with all Trustees present and President Pfefferman presiding.

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 Ladesic 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 Meetings
 August 16, 2010
 August 23, 2010
Special Meeting
 August 16, 2010
Regular Meeting
 August 23, 2010
- b. Total **Expenditures** (Payroll and Vouchers) - \$1,594,166.97.
 The vouchers were reviewed by Trustee Ladesic prior to the meeting.
- c. **Resolution No. 10-16**, a Resolution to Determine the **Status of Minutes of Certain Executive Sessions** Held in 2000, 2005, 2006, 2007, 2008, 2009 and 2010 and to Authorize the Destruction of Audio or Video Recordings of Certain Executive Sessions Held in 2007 and 2008.
- d. Waive Section 10-4-17.1(B)32 (Promotional Activities) of the Glen Ellyn Zoning Code and Sections 6-2-2.5(B)3 (Unnecessary Noises), 8-1-11 (Street Obstructions) and 8-1-12 (Merchandise on Street) of the Glen Ellyn Village Code in order to permit Bells and Whistles Smacker to host **Glenbard West High School's 80s Reunion** event on Saturday, October 2, 2010 between the hours of 6 p.m. and 11 p.m. at 405 N. Main Street.
- e. Waive Section 10-4-16(B)8 (Promotional Activities) of the Glen Ellyn Zoning Code and Section 6-2-2.5 (Unnecessary Noises) of the Glen Ellyn Village Code in order to permit **DuPage Chiropractic Centre** to host the 2010 Cruise Night event at 45 S. Park Boulevard between the hours of 4:30 p.m. and 7:30 p.m. on Wednesday, September 29, 2010.
- f. Affirm the appointment of Mr. John J. Koneke by President Pfefferman to serve as **Hearing Officer** and preside over the Village administrative adjudication hearings as authorized by Village Ordinance No. 5859-VC regarding Administrative Ordinance Hearing Department.
- g. Contract with Layne-Western of Aurora, Illinois for the **Well No. 5 Rehabilitation Project** in the amount of \$80,500 (including a 15-percent contingency), to be expensed to the FY 11 Water Fund.
- h. License Agreement with **School District 87** to allow the removal of wooden bollards and the installation of concrete parking blocks and a temporary fence along Memorial Field that would encroach into the public right-of-way along Crescent Boulevard.

Police Chief Norton explained that the Village is trying to limit parking along that portion of the roadway and this will be a security measure. As it is right now, it is unsafe. The fence will help since it should restrict access and prevent the movement of students who tend to spread out when going back and forth between the school and Memorial Field.

i. **Amendment No. 1 to the Engineering Services Agreement for the **Sunset/Turner Improvements Project**:**

1. Increase the appropriation for engineering services associated with the design of the Sunset/Turner Improvements Project provided by Kudrna & Associates in the amount of \$25,000, for a revised total appropriation of \$265,000, to be expensed to the FY 10 - 11 Water, Sanitary Sewer and Capital Project Funds.
2. Amendment No. 1 to the engineering services agreement with Kudrna & Associates for the Sunset/Turner Project for additional design engineering expenses in the amount of \$32,466 resulting in a total not-to-exceed fee of \$261,400 for the work.

Public Works Director Caracci explained funding sources for the projects that were started a number of years ago. Some are identified in the current budget. The only fund that will need to find additional funding is the Capital Fund. Some maintenance projects in the Capital Fund could be delayed to account for the shortage.

j. **Amendment No. 1 to the engineering services agreement for the **Right-Turn Lane on Lambert Road at Roosevelt Road Project**:**

1. Increase the appropriation for engineering services associated with the design of Right-Turn Lane on Lambert Road at Roosevelt Road Project provided by Hampton, Lenzini and Renwick in the amount of \$3,000, for a revised total appropriation of \$65,000, to be expensed to the FY 10 - 11 Capital Project Fund.
2. Amendment No. 1 to the engineering services agreement with Hampton, Lenzini and Renwick for the Right-Turn Lane on Lambert Road at Roosevelt Road Project for additional design engineering expenses in the amount of \$6,056 resulting in a total not-to-exceed fee of \$62,527 for the work.

k. **New engineering services agreement with RHMG, Inc., of Libertyville, Illinois for detailed design engineering services associated with the **Essex Court Drainage Improvement Project**, in a not-to-exceed amount of \$65,000 (including an 8-percent contingency), to be expensed to the FY 10-11 Water, Sanitary Sewer and Capital Projects Funds.**

l. **Resolutions regarding the 2009 and 2010 estimates of expenditure for the **Motor Fuel Tax**:**

1. **Resolution No. 10-18**, a Resolution approving the expenditure of MFT funds for the purpose of maintaining streets and highways under the applicable provisions of the Illinois Highway Code in the amount of \$756,000 for the time period between January 1, 2009 and December 31, 2009.
2. **Resolution No. 10-19**, a Resolution approving the expenditure of MFT funds for the purpose of maintaining streets and highways under the applicable provisions of the Illinois Highway Code in the amount of \$705,000 for the time period between January 1, 2010 and December 31, 2010.

Public Works Director Caracci explained it is a Federal mandate that the Village is required by statute to follow resolutions to use MFT money in two ways: for normal operations and/or invest in a capital project. Usually the Village transfers the money into the Capital Fund to pay for the maintenance of Village roadways. At the end of the year, the Village reports back to IDOT how the money was spent.

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

Ordinance No. 5884 - Baker Hill Townhome Development – Sign Code Variation

Planning and Development Director Staci Hulseberg presented information on the request of the Baker Hill Condominium Association, owner of property located at the northeast corner of Baker Hill Drive and Woodview Drive, represented by Mary Clauss of Arvin Clauss Sign Company, for approval of a sign variation to allow the petitioner to install a new permanent large-scale development sign to be placed within the minimum required setback. The Architectural Review Commission voted 6-0 to recommend approval with the condition that the piers, lettering, elevation and design be the same as an existing sign at Baker Hill Drive and Rt. 53.

Trustee Comerford moved and Trustee Hartweg seconded the motion that Ordinance No. 5884 be approved, an Ordinance Granting Approval of a Sign Code Variation for the Baker Hill Townhome Development to Allow a Sign to be Located at the Northeast Corner of Woodview Drive and Baker Hill Drive, Glen Ellyn, Illinois 60137.

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

Ordinance No. 5885 - Approving a Text Amendment to the Glen Ellyn Zoning Code – Tabled

Trustee Thorsell moved and Trustee Comerford seconded the motion to table the Ordinance for 30 days. All present voted "aye."

Ordinance No. 5886 – Approve Zoning Code Amendment – Live Entertainment

Planning and Development Director Staci Hulseberg presented information on a proposed amendment to the Zoning Code that would allow businesses in the C2, C3, C4, C5A, C5B and C6 Districts to hold live entertainment events, provided a permit has been issued by the Village. The amendment would eliminate the need for a special use permit for live entertainment, which is currently required for events in excess of two per year. This is in response to a recommendation from the new downtown organization. Currently the Zoning Code allows live entertainment two times per year in restaurants only with Village Board approval. After that a Special Use Permit, which can take up to 6 months to obtain, must be issued at a cost of \$800-\$1,000. A survey of other communities was taken resulting in the current proposal. Plan Commission recommended approval 11-0.

After discussion, the hours contained in the ordinance were adjusted to specify Sunday-Thursday closing 11 p.m. and Friday, Saturday and New Year's Eve closing at 1 a.m. There will be changes made to the ordinance regarding how close the customers can be to the stage.

Trustee Thorsell moved and Trustee Henninger seconded the motion that Ordinance No. 5886 be approved with amendments to 1b and 1g, an Ordinance Amending the Zoning Code to Allow Indoor Live Entertainment Upon the Issuance of a Permit by the Planning and Development Director.

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

Ordinance No. 5887 – Approve Zoning Code Text Amendment

Planning and Development Director Staci Hulseberg presented information regarding a proposed Zoning Code text amendment that, due to the current economic climate, would extend the length of time that zoning approvals are valid from 18 months to 24 months and give the Planning and Development Director the authority to administratively approve up to one 24-month extension. The Plan Commission recommended approval by a vote of 9-1. This change would give developers additional time to obtain financing before beginning construction. Any additional requests beyond the initial 24 month extension would require Village Board approval.

The Village Board agreed that the change should be an initial 24 months with a 12 month administrative extension.

Trustee Thorsell moved and Trustee Comerford seconded the motion that Ordinance No. 5887 be approved with amendments, an Ordinance Approving a Text Amendment to the Zoning Code to Extend the Length of Time that Zoning Approvals are Valid.

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

Other Business

Village Attorney Diamond presented information on the property at 825 N. Main. The ownership is in bankruptcy court. The Village has offered to purchase the property for \$590,000 and he believes that the court has approved the sale to the Village. Other matters will have to be settled and provisions made for the payment of back taxes. Planning and Development Director Hulseberg presented information about the property and the reasons for the Village's interest in purchasing it. Attorney Diamond concluded by saying that by purchasing the property, the Village would have more control over future use of the property's redevelopment. He anticipated that the contract for the purchase should be presented to the Village Board at an up-coming meeting.

Reminders

- The next Regular Village Board Workshop meeting of the Glen Ellyn Village Board is scheduled for Monday, September 20, 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, September 27, 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.

Adjournment

At 10:35 p.m., Trustee Thorsell moved and Trustee Comerford seconded the motion to adjourn to executive session in Room 301 to discuss the purchase or lease of real property and pending or current litigation without returning to open session. Upon roll call, all Trustees voted "Aye." Motion carried.

Respectfully Submitted,

Suzanne R. Connors
Village Clerk