

**Minutes**  
**Regular Board Meeting**  
**Glen Ellyn Village Board of Trustees**  
**Monday, January 28, 2013**

**Call to Order**

Village President Pfefferman called the meeting to order at 8:08 p.m.

**Roll Call**

Upon roll call by Deputy Village Clerk Solomon, Village President Pfefferman and Trustees Cooper, Friedberg, Hartweg, Henninger, Ladesic and McGinley answered, "Present."

**Pledge of Allegiance**

Village President Pfefferman led the Pledge of Allegiance.

**Village Recognition**

- A. A resident complimented the Public Works Utility Division crew for their efficiency in a repair to the water system.
- B. The Police Department received a thank you letter from The Marine Corps Reserve for its support and efforts in the highly successful Toys for Tots campaign.
- C. The Family Shelter Service sent a letter of appreciation to the Police Department for its generous donations of toys and homegoods for the holiday season.
- D. A note of thanks was received by Officer Rose Volpe for a recent tour of the Police Department enjoyed by Brownies Troop 42019.
- E. The Village Board and Management Team congratulates the following employees who recently celebrated an anniversary as a Village employee:

James King	Police Department	25 Years
Bradley Davis	Administration Department	5 Years
Jeanne Sanders	Finance Department	5 Years
Michelle Urbina	Finance Department	5 Years

**Audience Participation**

- A. Proclamation recognizing the accomplishment of Glenbard West High School student Matthew Udelhofen for proudly earning a perfect ACT score.
- B. Proclamation recognizing the accomplishment of Glenbard South High School student Andrew Bean for proudly earning perfect ACT and SAT scores.
- C. Proclamation recognizing the neighboring communities of Glendale Heights, Lombard and Wheaton for their partnerships with Glen Ellyn in continuing to prosper and grow. Trustee Bill Schmidt from the Glendale Heights Village Board accepted this proclamation.

- D. Paula McGowen, 1N 443 Park Boulevard, unincorporated Glen Ellyn, Illinois, voiced her concern about the lease agreement between the Village Board and the Glen Ellyn Chamber of Commerce for the 810 N. Main Street building. She disagrees with the spending of the taxpayers' money for the Chamber. She thinks it appears inappropriate that the Village is allowing Chamber Executive Director Mike Formento to act as a general contractor and disperser of the Village's funding. She thinks the Village Board should table this until the new Village Board is in place. Village Manager Franz will follow-up with Ms. McGowen on this.

### Consent Agenda

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

- A. Village Board Meeting Minutes:
1. January 14, 2013 Regular Workshop
  2. January 14, 2013 Regular Meeting
  3. January 21, 2013 Special Workshop
- B. Total Expenditures (Payroll and Vouchers) - \$1,226,101.47.
- The vouchers have been reviewed by Trustee Cooper and by Manager Franz prior to this meeting, and are consistent with the Village's purchasing policy.
- C. Motion to waive Sections 10-4-17.1(B)32 and 10-4-17.2(B)25 of the Village Code concerning promotional activities and approve the 2013 Wines and Finds event held by the Alliance of Downtown Glen Ellyn on Saturday, May 4, 2013 from 1:00 p.m. to 5:00 p.m. in the central business district.
- D. Motion to waive Sections 10-4-3 and 6-2-2.5 of the Village Code to permit the 2013 Connection of Friends Fundraiser Event to take place on Saturday, April 6, 2013 from 6:00 p.m. until 10:00 p.m. at the Lake Ellyn Boathouse.
- E. **Ordinance No. 6108-VC**, An Ordinance to Amend Section 9-5-7 (Schedule G; Parking Prohibited During Certain Hours) of the Village Code.
- F. Motion to waive competitive bidding in lieu of a Request for a Proposal (RFP) process and enter into an agreement with the Lakota Group in the amount of \$25,000 for a Downtown and Village Signage and Wayfinding Plan to be expensed to the Capital Fund and approve a budget amendment for \$25,000. This item was removed from the Consent Agenda to be considered separately later in the meeting.
- G. Motion to waive competitive bidding in lieu of a Request for a Proposal (RFP) process and approve the purchase of 68 Restaurant and Bar Equipment items at a total cost of \$186,831, from 7 vendors, to be expensed to the Recreation Fund. Trustee Cooper asked if the amount is in the expected range for this to which Recreation Director Pekarek responded it is.

Trustee Cooper moved and Trustee Henninger seconded the motion that items A through E and item G be considered routine business by the Village Board and be approved in a single vote.

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

### **Ordinance No. 6112-VC**

Police Chief Norton presented information on an ordinance amending certain provision in Title 4 of the Glen Ellyn Municipal Code, as amended to regulate the purchase by a retail establishment of certain use goods which are frequently stolen in robberies and burglaries. This ordinance will help the Police Department recover stolen property as it will prevent stolen merchandise from being melted down quickly as a store would be required to hold the merchandise for 7 days. The Police Department uses a system called Leadsonline, which is a database designed to be a clearinghouse for purchased property. The Police Department covers the cost of subscribing to the database, and there is no cost to a business from Leadsonline to enter/upload their data to this database. Many municipalities have implemented ordinances requiring a 30-day waiting period and specific licensing for secondhand stores that engage in the business of purchasing used property. The Police Department hosted a meeting on October 2, 2012 and invited the businesses that the Police Department had originally approached about the ordinance. At the meeting, there was a lot of negative feedback given around the proposed waiting period and the annual license fee (there would be a \$250 annual license fee that a secondhand-goods owner would need to pay to the Village).

There was discussion by the Village Board regarding the proposed waiver, why there needs to be a license through the Police Department, why the business owners are paying this license fee and how many types of these cases occur annually.

Wesley Barrow, owner of Larc Jewelers at 479 N. Main Street, Glen Ellyn, Illinois said the onus for this ordinance falls on the "little guy." He is more than willing to help the Police Department, but he does not understand why he should pay a licensing fee to do this. The gold market changes so quickly that waiting 7 days can be a problem as he would have already written the check to the seller. He said a bulletin from the Police Department would definitely be good as every owner would want to help the Police Department with this. He said this ordinance would hurt his business due the waiting period and the man-hours now needed to enter the information in the system. He said he would now need to wait in order to potentially recoup the revenue on the item, pay his employee additional man-hours out of his pocket to help the Police Department do what the tax dollars are already paid to do and then pay a licensing fee also. The cash flow is key for his business, and this ordinance would really hurt his business. He is very happy to help the Police Department, but would like to find a way to not hurt the "little guy" with this.

Alan Cohen, owner of A J Diamond Gallery at 632 Roosevelt Road, Glen Ellyn, Illinois said the cost is prohibitive as lack of cash flow could put him out of business. He said if he does have the goods the Police Department is looking for, who is going to absorb that cost as he has paid for the goods and then held the goods until the Police Department comes in and takes the goods so he has lost twice. He said they need to take a close look at this ordinance again, or small businesses will not survive. He said these owners are being singled out.

Gabe Sanna, owner of Gabe's Coins at 485 N. Main St., Glen Ellyn, Illinois, said there are 25 businesses that have closed in his strip mall. He is a one-man operation who gets 40% of his business

from senior citizens who are not happy when he asks them for identification and many leave. He would be the one who has to enter all the information. He said it is wrong that the Police Department is telling him how to do his business and waiting 7 days would really hurt his business.

There as a lengthy discussion about how the ordinance could be softened to help out both the Police Department and the business owners including lessening the waiting period, opening a line of credit for the business owners to operate their business while waiting for the time period, the number of residential burglaries in the Village in 2012 and how many transactions the business owners average per week.

Trustee McGinley was scheduled to call for the motion, but she declined to do so. Trustee Cooper asked that this ordinance revisited and modified in order to protect the citizens of the Village. No Trustee made a motion so no action was taken on this ordinance.

### **Item F from the Consent Agenda**

Trustee Friedberg asked for this item to be removed from the Consent Agenda as Trustee Friedberg has a conflict of interest and will abstain from voting for this item. Trustee McGinley said the sign package looks great. Trustee Ladesic said for disclosure, he had done business in the past with one of the parties which did not have anything to do with the Village so he will not recuse himself from the vote.

Trustee Cooper moved, seconded by Trustee Henninger to approve the motion to waive competitive bidding in lieu of a Request for a Proposal (RFP) process and enter into an agreement with the Lakota Group in the amount of \$25,000 for a Downtown and Village Signage and Wayfinding Plan to be expensed to the Capital Fund and approve a budget amendment for \$25,000.

Upon roll call, Trustees Cooper, Henninger, Hartweg, Ladesic and McGinley voted "Aye." Trustee Friedberg abstained from voting. Motion carried.

### **Fraternal Order of Police – Collective Bargaining Agreement**

Village Manager Franz presented information on a motion to approve a collective bargaining agreement between the Village of Glen Ellyn and the Fraternal Order of Police beginning November 1, 2012 and continuing through October 31, 2016. There is a tentative agreement on all outstanding issues, and on January 18, 2013 at 6:00 p.m., the FOP met and approved their membership vote to approve the agreement.

The following is a summary of the key issues that both sides approved, in order to reach the agreement:

1. Length of the contract will be 4 years, expiring on October 31, 2016.
2. Wages increase of:
  - a. Effective 11/01/12, 2.5%
  - b. Effective 11/01/13, 2.5%
  - c. Effective 11/01/14, 2.5%
  - d. Effective 11/01/15, 2.75%
  - Effective 11/01/12, an additional "step increase" of 1%, for those officers who have been at the top step for at least one year.
  - Effective 11/01/13, an additional 1% increase to the newly established "top 9."
3. Effective 11/01/12, Detectives will receive a stipend of \$500 every 6 months.
  - a. Effective 11/01/13, the Detectives stipend increase to \$750 every 6

- months.
4. Effective 11/01/12, the educational pay supplement adds a step of \$3,500 after 14 years of service. Currently, the top is \$3,000 after 12 years of service.
  5. Effective 11/01/12, the number of “assurance days” for each officer is reduced from 2 to 1.
  6. Effective 11/01/12, the Village agrees to notify all union members of availability of overtime via electronic message. Said overtime will be filled on a first come, first served basis.
  7. Effective 11/01/12, the Village will increase the cost to outside entities for use of off-duty police officers (extra-ordinary details) from \$40 per hour to \$50 per hour. The employee will be paid \$48 per hour, an increase from \$38 per hour.

Trustee Cooper moved, seconded by Trustee Henninger to approve the motion to approve a collective bargaining agreement between the Village of Glen Ellyn and the Fraternal Order of Police beginning November 1, 2012 and continuing through October 31, 2016.

Upon roll call, Trustees Cooper, Henninger, Friedberg, Hartweg, Ladesic and McGinley voted “Aye.” Motion carried.

### **HRST Ordinance**

Village President Pfefferman presented background on the Home Rule Sales Tax (HRST) which was instituted in March 2009 for an additional 1% sales tax which fund 3 categories: pensions, cash reserves and up to 15% on the downtown. The Village Board is to discuss HRST annually and had many discussions on it in the past several months. In December 2012, the Village Board passed an ordinance that eliminated the direction of the funds to the 3 categories. Village President Pfefferman vetoed this ordinance 2 weeks ago. Attorney Diamond said this ordinance comes back to the Village Board to act upon the Village President’s veto as there was a request from several Trustees.

Trustee Hartweg moved, seconded by Trustee Friedberg to reconsider Ordinance No. 6101-VC, an ordinance amending Section 3-32-8 of the Glen Ellyn Village Code “Home Rule Sales Tax.”

Upon roll call, Trustees Hartweg, Friedberg, Cooper, Henninger and McGinley voted “Aye.” Trustee Ladesic voted “No.” Motion carried.

Village Manager Franz said there are 3 options which are not to change the ordinance and keep the existing financial reporting, not to change the ordinance and change the financial reporting or change the ordinance.

Trustee Hartweg moved, seconded by Trustee Friedberg to approve Ordinance No. 6101-VC, an ordinance amending Section 3-32-8 of the Glen Ellyn Village Code “Home Rule Sales Tax.” Per Attorney Diamond, this ordinance is being approved in the form it was originally passed and to pass the ordinance in spite of the Village President’s veto.

Trustee Henninger presented information on why he thinks the ordinance should not contain where the HRST dollars will go. He compared the Village’s General Fund to Lake Michigan as they both have many inflows and outflows; however, the co-mingling of the inflows can prevent dedication of the outflows. He gave his thoughts on the pros and cons and also thinks the Village Board should consider the removal of the annual HRST review process (which would need to happen at another meeting).

Trustee Friedberg and Trustee McGinley echoed Trustee Henninger's thoughts. Trustee Hartweg said there needs to be flexibility with HRST. Trustee Ladesic said there were promises made to constituents and retailers, and he opposes the override of the veto.

Village President Pfefferman showed a chart of projected HRST and pension costs which will collide in 2015. He said he still wants to veto the ordinance due to the decision being based on inconsistent information, to help the Village in the future and the Village's fiscal integrity. He said the Village Board holds accountability to a high standard, and he wants the Village Board to do not pass the ordinance.

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

**Reminders:**

- The next Village Board Meeting is scheduled for Monday, February 11, 2013, with the Workshop beginning at 7:00 p.m. and the Regular Board Meeting beginning at 8:00 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.

**Other Business?**

Trustee Freidberg said a new Ronald McDonald House will be built near Central DuPage Hospital in Winfield, opening in 2015. This will be the 1<sup>st</sup> House in the suburbs which will have 12 private bedrooms. Ronald McDonald Houses provide a home away from home for families undergoing treatment at a nearby facility.

**Adjournment**

At 10:20 p.m. Trustee Henninger moved and Trustee Hartweg seconded motioned to adjourn the meeting.

Upon roll call, Trustees Henninger, Hartweg, Cooper, Friedberg, Ladesic and McGinley voted "Aye." Motion carried. Meeting adjourned.

Respectfully submitted,  
Debbie Solomon  
Deputy Village Clerk

Reviewed by,  
Patti Underhill  
Acting Village Clerk