

**Minutes**  
**Regular Board Meeting**  
**Glen Ellyn Village Board of Trustees**  
**Monday, April 8, 2013**

**Call to Order**

Village President Pfefferman called the meeting to order at 8:00 p.m.

**Roll Call**

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

**Pledge of Allegiance**

Paula Haggerty from the Glen Ellyn Infant Welfare Society led the Pledge of Allegiance. The Glen Ellyn Infant Welfare Society will hold its 29<sup>th</sup> Annual Housewalk fundraiser on Friday, May 10, 2013. Tickets will go on sale Monday, April 15, 2013. This Housewalk will raise money for 22 charities that directly help the children of Glen Ellyn.

**Village Recognition**

- A. School Districts 41 and 89 sent a thank you letter to Officers Miko and Flores for their wonderful presentation to parents on bullying and reporting suspicious behavior which received many compliments.
- B. A neighboring resident wrote a letter of thanks to Officer Pacyga for the professionalism and kindness he displayed in a traffic incident.
- C. A grateful resident sent an email thanking Officer Schmidt for being helpful and kind in assisting with locked keys in the car.
- D. The Village accepts the resignation of Rollin Burket, student commissioner of the Architectural Review Commission and thanks him for his service.

**Audience Participation**

- A. Proclamation in recognition of the outstanding accomplishments of Lindy Kleivo as the founding publisher/editor of Glancer Magazine, a pre-eminent community living magazine in the area, and its coverage of the Village.
- B. Trustee McGinley said that the Village Board received letters from a 5<sup>th</sup> grade class at St. Petronille Catholic School about what possible stores or restaurants could possibly go in place of Giesche Shoes. Trustee McGinley went through these letters and thanked the school children of their interest in the Village as well as their great ideas.

**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. March 18, 2013 Special Workshop
  2. March 18, 2013 Special Meeting
- B. Total Expenditures (Payroll and Vouchers for 03/25/2013) - \$1,441,383.16. Total Expenditures (Payroll and Vouchers for 04/08/2013) - \$1,722,272.26.

The vouchers have been reviewed by Trustee Ladesic, Trustee McGinley and by Manager Franz prior to this meeting, and are consistent with the Village's purchasing policy.

- C. Motion to approve the recommendation of Village President Pfefferman that Madeline Howard be appointed as a student commissioner to the Architectural Review Commission for a term ending May 2015.
- D. Motion to designate Trustee Friedberg as Village President Pro Tem for the four-month period from May through August 2013.
- E. Resolution No. 13-07, A Resolution to Determine the Status of Minutes of Certain Executive Sessions held in 2011 and 2012.
- F. Ordinance No. 6119-VC, An Ordinance to Amend the Liquor Control Code Chapter 19 of Title 3, Section 12 (Restriction on Number of Licenses), to Increase the Number of Permitted Class B-1 Liquor Licenses.
- G. Motion to waive sections of the Village Code including 10-4-15(B)19, and 10-5-8(C) to permit GiaVia Sweets to engage in business activity beginning March 1, 2013, and expiring on October 1, 2013, and to park in the private parking lot of Advance Auto Parts at 696 Roosevelt Road on Wednesday between 3:00 p.m. and 6:00 p.m., and on Friday between 11:00 a.m. and 3:00 p.m.
- H. Motion to waive sections 4-5-4(I) and 4-5-7(N) of the Village Code to allow for a non-municipal sign to be placed on a public right-of-way to allow the Environmental Commission to conduct a volcano mulching awareness campaign. Trustee Cooper verified that this is for trees in the parkway that residents may maintain.
- I. Motion to approve License Agreements to Allow Tables and Chairs in the public right-of-way for Einstein's at 443 N. Main Street and Flour + Wine at 433 N. Main Street.
- J. Motion to approve a contract for the FY13/14 and FY14/15 Spoil Hauling and Stone Delivery Contract to Marcott Enterprises, Inc. in the not-to-exceed amount of \$100,000.
- K. Resolution No. 13-08, A Resolution to Obtain Permits from IDOT to Perform Work on State Highways from January 1, 2013 to December 31, 2014.

L. Fuel System Closeout:

1. Motion to approve a total expenditure of \$44,210 for the work performed by Integrity Environmental Services for the fuel system project.
2. Motion to approve a total expenditure of \$20,387 for the work performed by Schroeder Asphalt for the fuel system project.

M. Forestry Work:

1. Motion to approve the award of a contract with Trees R Us for all forestry work to be performed in each fiscal year for a three year period to be expensed to the general fund as described – FY13/14 \$200,000; FY14/15 \$190,000; FY15/16 \$185,000.
2. Motion to reject all other bids and bids related to stump removals with restorations, and emergency forestry work with no award of a contract granted for those two programs.

N. Ordinance 6120-VC, An Ordinance to Amend Section 9-5-14 (Schedule N; Parking Rates Zone Locations) and Section 9-2-12 (Municipal Permit Only Parking) of the Village Code Regarding Metered and Permit Parking Main and Pennsylvania Parking Lot. Police Chief Norton said this would help lessen the confusion on the customers. Village Manager Franz said they would have more discussion around what is best.

Trustee Ladesic moved and Trustee Friedberg seconded the motion that items A through N be considered routine business by the Village Board and be approved in a single vote.

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

**Ordinance No. 6121 – Exterior Appearance of 476 Forest Avenue**

Planning and Development Director Hulseberg presented information on the request of Ippolita Basile, lessee of property located at 476 Forest Avenue, for exterior appearance approval for the previously completed modifications to the south and east elevations of the existing building on the site. The Village became aware that improvements had been made to the building’s exterior in late 2012, and since then, the Planning and Development staff has worked with the petitioner on the submittal of the Exterior Appearance application. Before and after pictures were shown of the project. The Architectural Review Commission (ARC) reviewed the request at a public meeting on March 13, 2013, and by a vote of 7-0, the ARC recommended approval of the request with the following conditions: project constructed in conformance with the plans and testimony presented at the March 13, 2013 ARC meeting, installation of an awning above the picture window and repainting the front door and completion of all exterior painting. Ms. Basile sent a letter after the ARC meeting, requesting approval of the application without adding an awning.

There was discussion regarding the Village’s possible standards on size for an awning, what type of awning could be added and the reasons there needed to be exterior appearance approval. Trustee Hartweg suggested a compromise of putting a small awning over the front door to help with customer safety during rain or snow. Ms. Basille said they only painted the building with a stucco paint as the

plywood covering the door was already there, and she stopped doing improvements after the Village came out and is waiting to finish the project.

Trustee McGinley moved and Trustee Hartweg seconded to adopt amended Ordinance No. 6121, An Ordinance Granting Exterior Appearance Approval for Made In Italy Trattoria to be Located at 476 Forest Avenue with the exception of Section 1-B which will be changed to, "The petitioner shall install an awning above the doorway on the street side of the business," and the last sentence of the condition would be struck.

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

### **Ordinance No. 6122 – Amendment to Sign Variations at 430 Pennsylvania Avenue**

Planning and Development Director Hulseberg presented information about the request of DuPage Medical Group, owner of property located at 430 Pennsylvania Avenue for amendments to the sign variations previously granted by Ordinance 5461 to allow the current freestanding sign on Pennsylvania Avenue to be replaced with a wall-mounted sign. As part of the request, the petitioner is requesting a variation to allow a wall-mounted sign at a height of 40.5 feet in lieu of the maximum height of 25 feet permitted. Currently, there are 2 ground signs for the facility, one on Pennsylvania Avenue and one of Western Avenue. DuPage Medical Group was previously granted variations from the Sign Code under Ordinance 5461 to allow more than one primary sign on the property and to allow an area of 75 square feet of primary signage in lieu of the maximum area of 60 square feet allowed. The current request is being made in order to increase the visibility of the facility for motorists and pedestrians approaching from the east and south. If the variation is approved, Ordinance 5461, would be amended to add the requested variation and reference the updated sign plan.

The Architectural Review Commission (ARC) considered the petitioner's request at a public hearing on March 27, 2013. No members of the public spoke at the hearing either in favor or in opposition to the request. By a vote of 3-3, the ARC recommended denial of the request. The Commissioners voting against the request indicated that the proposed sign would not be in keeping with the overall character of the area and expressed concern that the sign would not alleviate traffic confusion as desired. The Commissioners in favor of the variation said the sign would increase the visibility of the building and is necessary as the facility is a significant building on Pennsylvania Avenue. Also, if an Immediate Care facility is added, which they are contemplating at this point, the sign would be necessary in order for patients to locate the building quickly.

There was discussion regarding limits on internal illumination, the regulated hours for sign lighting, the tree that could possibly block the sign. Village Manager Franz said due to DuPage Medical Group's prominence in the downtown and the community, he suggested approval of the sign variation. Trustee McGinley asked about the logic of the ARC on this matter to which Village Planner Stegall said the ARC did have concerns about the tree potentially obstructing the visibility at some point as well as a ground sign being blocked by a vehicle does not qualify as a hardship. Trustee Cooper said the Village Board had re-emphasized to all the Commissions that hardship criteria did need to be met.

Trustee Cooper asked if DuPage Medical Group would work with the community if the internally-illuminated sign became a burden to which Chief Operating Officer Dennis Fine said they would do that. Planning and Development Director Hulseberg said the staff is working on a revised sign code, and one of the items possibly changing is to allow an office building to have a wall sign at

the top of the building, and not at 25 feet in height.

Trustee Friedberg recused himself from the vote.

Trustee Cooper moved and Trustee Hartweg seconded to adopt amended Ordinance No. 6122, An Ordinance Approving a Request to Amend Sign Variations Previously Granted by Ordinance 5461 for the DuPage Medical Group Located at 430 Pennsylvania Avenue.

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

### **License Agreement between the Village and the Glen Ellyn Historical Society**

Assistant to the Village Manager Schrader presented information on the proposed license agreement between the Village and the Glen Ellyn Historical Society. Previous agreements did not define the formal roles and responsibilities of each party so in order to more formally recognize this partnership and History Park, the organizations began discussing the creation of a license agreement in 2010. The objectives identified with the creation of the agreement include clarifying the roles and responsibilities of each party, updating the most recent agreement between parties, creating a building and grounds committee to enhance and ensure proper communication between parties for maintenance and improvements and formally recognizing forgiveness of debt for the 810-816 N. Main Street Property based on the recommendations of the 810 N. Main Street Task Force and the informal agreement of the Village Board from the June 28, 2010 board workshop to buy back this property.

The Glen Ellyn Historical Society (GEHS) Board reviewed and approved the proposed agreement at their March 19, 2013 meeting. Village Attorney Diamond has also reviewed the proposed license agreement and is comfortable with the agreement as drafted. Assistant to the Village Manager Schrader presented highlights from the proposed license agreement.

Ruth Wright, president of the GEHS, Jan Shupert-Arick, Executive Director of the GEHS, and John Zemenak, legal representation for the GEHS were present for questions. Mr. Zemenak thanked the staff for their work on this agreement and hopes this document will help with harmony between the 2 parties.

Trustee McGinley said she supports the GEHS, but that this document is basically the wrong direction as the Village would be a landlord with GEHS as a tenant. Trustee McGinley said that the GEHS should be able to operate how they want, and the Village should not watch over them. Trustee McGinley pointed out several sections that she thinks should not be included in this document. A lengthy discussion ensued around provisions and language in the agreement, what the relationship should be between the Village and the GEHS and other license agreements.

Trustee Hartweg moved and Trustee Henninger seconded a motion to approve the license agreement between the Village and the Glen Ellyn Historical Society.

More discussion followed about the language and phrasing in different sections. The Village Board and Mr. Zemenak discussed what would benefit both parties in reference to the termination of the agreement and the time period involved.

Trustee McGinley moved and Trustee Friedberg seconded a motion to table this discussion.

Upon roll call, Trustees McGinley and Friedberg voted "Aye," and Trustees Cooper, Hartweg and Henninger voted "No." Village President Pfefferman also voted "No." Motion failed to carry.

Village President Pfefferman said if the Village Board passes this and then the GEHS wants this agreement re-opened, what actions would need to happen to which Trustee Cooper said they can amend this agreement through negotiation, but the agreement cannot be unilaterally amended.

Trustee Henninger moved and Trustee Hartweg seconded an amended motion to approve the license agreement between the Village and the Glen Ellyn Historical Society, pending changes to Section 8.2, Section 13.1 and Section 13.2, subject to Village Attorney review and GEHS Board review and approval.

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

### **Public Hearing – Public Comment on the proposed Fiscal Year 2013/2014 Budget**

At 10:28 p.m., Trustee Hartweg moved and Trustee Cooper seconded a motion to open a Public Hearing to receive comment on the proposed annual budget for the Village of Glen Ellyn in the net amount of \$48.1 million for the Fiscal Year 2013/2014, beginning May 1, 2013. All voted "Aye." Motion carried.

Finance Director Wachtel presented information on the proposed Village budget for Fiscal Year 2013/14. The proposed budget for FY 13/14 was published on February 26, 2013, and published on the Village's website on March 1, 2013. An update memo was provided on March 25, 2013 (budget memo #5). Drafts of the budget have been available on the Village's website, at the Civic Center and at the Glen Ellyn Public Library. The Village Board discussed the proposed budget on February 25, 2013 (a preview of revenues), March 11, 2013 and March 18, 2013. Notice for the public hearing was published in the Glen Ellyn News on Thursday, March 28, 2013. The Public Hearing for the FY 13/14 is scheduled for Monday, April 2, 2013, along with the first reading of the ordinance. Final adoption of the ordinance is scheduled for April 22, 2013. The new fiscal year will begin on May 1, 2013. The draft budgets have been timely provided, and the public notice has been properly published for the Village to adopt the budget on Monday, April 22, 2013, prior to the start of the fiscal year as required by law.

The budget consists of a total of 14 individual funds, each having a specific purpose, totaling \$48.1 million in aggregate expenditures. Finance Director Wachtel showed several charts on different revenues, expenses and the Governmental, Enterprise and Trust funds.

There was no public comment on this.

At 10:40 p.m., Trustee Hartweg moved and Trustee Henniger seconded the motion to close the public hearing. All voted "Aye." Motion carried.

A straw poll will be taken to get initial feedback from the Village Board.

Trustee Hartweg moved and Trustee Henninger seconded the First Reading of Ordinance No. \_\_\_\_\_, An Ordinance Adopting the Annual Village of Glen Ellyn Expenditure Budget in the Net Amount of \$48,130,873 including the Compensation Plan for the Fiscal Year 2013/14 Beginning May 1, 2013,

and Ending April 30, 2014.

Upon roll call for the straw poll, Trustees Hartweg, Henninger, Cooper, Friedberg and McGinley voted "Aye." Motion carried.

**Reminders:**

- The next Special Village Board Meeting is scheduled for Monday, April 15, 2013 at 8:00 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.
- The next Regular Village Board Meeting is scheduled for Monday, April 22, 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?**

Tomorrow is Election Day, and Village President Pfefferman encouraged the residents to go and vote.

**Adjournment**

At 10:42 p.m. Trustee Cooper moved and Trustee Henninger seconded motioned to adjourn the meeting.

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

Respectfully submitted,  
Debbie Solomon  
Deputy Village Clerk

Reviewed by,  
Patti Underhill  
Acting Village Clerk