Minutes
Village of Glen Ellyn
Regular Meeting
Monday, February 11, 2019
7:00 PM
Glen Ellyn Civic Center, Galligan Board Room

A. Call to Order

B. Pledge of Allegiance

C. Roll Call

Attendee Name	Title	Status	Arrived
Diane McGinley	Village President	Present	
Bill Enright	Village Trustee	Present	
Gary Fasules	Village Trustee	Excused	
John Kenwood	Village Trustee	Present	
Pete Ladesic	Village Trustee	Present	
Craig R. Pryde	Village Trustee	Excused	
Mark Senak	Village Trustee	Present	
John Chereskin	Village Clerk	Present	
Mark Franz	Village Manager	Present	
Greg Mathews	Village Attorney	Present	
William Holmer	Assistant Village Manager	Present	
Christina Coyle	Finance Director	Present	
Julius Hansen	Public Works Director	Present	
Staci Springer	Director	Present	
Rich Daubert	Senior Civil Engineer	Present	

Statement from the President

President McGinley thanked Trustee Ladesic for being at the meeting tonight as he is ill.

President McGinley read a statement she had prepared. President McGinley stated at the last formal Board meeting, she was disappointed in the disrespect that was shown for the meeting as well as the Board members, President McGinley stated in the years that she has been a part of the Board, things have always been a little loose, inviting for exchange of ideas and building a consensus. President McGinley stated for some reason, the Village seems to have lost its way as the Village is no longer working together, but rather with the thought that one opinion is greater than six others. President McGinley stated she is taking the time to remind the Board, staff and public about expectations for when she runs a meeting. President McGinley stated everything she outlines is backed up by code or rules. President McGinley stated it saddens her that she needs to pull in the reins to make it more formal, she will do so in order to preserve the process and allow no one individual to think they are above the others.

President McGinley stated she is reminding the Board, staff and public that President McGinley is the presiding officer of the meetings. President McGinley stated by Code, President McGinley keeps the preservation by order, which states the presiding officer shall preserve order and decorum and may speak to the points of order in preference to other members. President McGinley stated the points of order that the presiding officer (President McGinley) decides all questions of order.

President McGinley stated each agenda item is introduced by President McGinley and she then gives the floor first to a staff member for presentation. President McGinley stated she then recognizes Trustees as they ask or indicate that they have questions, and she grants them the floor. President McGinley stated unless she grants the floor to a Trustee, the Trustee is actually not allowed to speak. President McGinley stated a Trustee may add or clarify, but it must be asked for and granted. President McGinley stated after the Trustees' questions, she will open the floor for the public's input. President McGinley stated each commenter will be granted three minutes, and after public comment, President McGinley will ask for a motion. President McGinley stated once a motion is made, she will ask for a second and then formally give the floor to any Trustee who wishes to make comments for deliberation.
President McGinley stated by Robert's Rules of Order, no Trustee shall speak longer than 10 minutes, no Trustee shall interrupt another Trustee and no Trustee shall speak unless President McGinley gives them the floor. President McGinley stated by rule, President McGinley must give Trustees the floor if they wish to speak, but she does control when a Trustee is allowed to speak. President McGinley stated by Robert's Rules of Order, no Trustee is allowed to speak more than two times during deliberation. President McGinley stated after deliberation, she will call the question to a vote and repeat the motion. President McGinley stated at this point, only a "yes" or an "aye" or a "no" or a "nay" may be said, and anything else said outside of this is not recognized. President McGinley stated she has full authority to cut off microphones, have comments stricken from the records and if necessary, request anyone, including Village Board members, to be escorted out if they are disrespecting this order.

President McGinley stated she also has the authority to further formalize this process as she has not gone all the way, but she is hoping this one step will put the Village Board back on track. President McGinley stated if not, then the next rule is that all questions, comments and debates are all addressed to President McGinley, and she then will decide who then next has the floor, or she decides to address it. President McGinley stated right now, the Board tends to address their comments to the public and to the staff which she thinks is beneficial. President McGinley stated she hopes she does not have to go further with this process.

President McGinley stated it saddens her that they need to go through this very formal process with strict guidelines, but she will do what is necessary. President McGinley stated it is her job to preserve order in these meetings, and her chair will be respected during this time. President McGinley stated this in no way diminishes the opinions or the votes of any Trustee, but rather will strengthen the voting process and respect for the roles the Board plays. President McGinley stated she has not pulled out her gavel, but she does have one and is hoping not to use it. President McGinley stated she fully recognizes that the Board will support her on this.

President McGinley thanked Trustee Senak who will address the Board at the end of the agenda so the Board can formally vote on all agenda items with four (4) Trustees present.

Trustee Enright stated you can also vote abstain. President McGinley stated this is correct.

D. Village Recognition: (Village Clerk)

1. Village Planner Purvis and the Zoning Board of Appeals received a thank you letter from a resident for their diligence while assisting with a public hearing regarding their home.

2. The Public Works Department received several compliments for their dedication to making roads safe during the recent winter storms.

E. Audience Participation

1. *Chris Wilson, who resides at 537 Phillips Avenue, stated the Village Board voted on January 28, 2019 to approve the Apex 400 development with a height of roughly 60 feet. Ms. Wilson stated this project is situated in the first full block south of the railroad. Ms. Wilson stated this is simply a mistake as this building is simply too tall, too massive and too demanding on the public ways while offering no true parking benefit to Glen Ellyn's visitors and residents. Ms. Wilson stated they are asking one of the individuals voting to support this project immediately move to reconsider the approval, that a Trustee second the motion and that the Village Board determine to reconsider the substantive decision to approve this project. Ms. Wilson stated reconsideration of this project is right and proper. Ms. Wilson stated the developer threatened to drop the plans and is merely shopping a project that is not appropriate. Ms. Wilson stated the failure to do so is utter disappointment to me and hundreds of other residents.*

2. *Kim Eichenauer, who resides at 599 Hillside Avenue, stated this building will simply be out of place in this location, and most of the downtown core is limited in height. Ms. Eichenauer referenced the heights of other buildings around town and stated the south of the tracks is much different. Ms. Eichenauer stated Apex 400's project sits at a much higher grade, and this project is too tall and massive. Ms. Eichenauer stated this development is not consistent with the Comprehensive Plan and the Zoning Code.*

3. *Mike Church, who resides at 626 Newton Avenue, referenced the report with the Village's parking analysis of the Apex 400 development. Mr. Church stated there are 1.3 spaces per unit which falls short of what is necessary. Mr. Church stated there should be at least 1.5 spaces per unit. Mr. Church stated this analysis is basic and assumes no medical or dental offices or health club in the retail locations. President McGinley stated there are two separate floors of parking, one for residential with 139 spaces, and one for the public with 137 spaces. Mr. Church stated he did not understand this from the report.*

4. *Eleanor Saliamonas, who resides at 626 Newton Avenue, stated throughout the process, the Village and developer have said that the 139 spaces are supposed to be a bonus because no parking is required for development in this zoning district. Ms. Saliamonas stated when the development is fully capable to provide parking, it is considered malfeasance to waive parking or require less than that which is required for the development. Ms. Saliamonas stated only a few towns in DuPage County have truly held to the values of solid planning based on relative scale of development and location. Ms. Saliamonas stated the downtowns of Glen Ellyn and Hinsdale immediately come to mind, and the buildings in Hinsdale that are larger than those that prevail in their downtown areas are governmental and institutional buildings and churches.*

5. *Mike Formento, who resides at 23W029 Hackberry Drive, thanked the Village Board for all they do. Mr. Formento stated he has actively been involved in Glen Ellyn for most of his adult life. Mr. Formento stated the community has character and standing, and the Village center is a prime draw which sets Glen Ellyn apart from other communities. Mr. Formento stated he and all in Glen Ellyn rely on the Village Board to make a right decision for Glen Ellyn. Mr. Formento stated this developer has shopped similar projects to Park Ridge and Lombard - Park Ridge rejected this, and Lombard is considering this matter. Mr. Formento stated the Village Board needs to please listen to all presentations for the well-being of Glen Ellyn. Mr. Formento stated Apex 400 is simply a bad project for the downtown, and he asks the Village Board to immediately reconsider this project.*

6. *Anne Gould, who resides at 609 Newton Avenue, stated a building of Apex's height and mass will change the character of the Village. Ms. Gould stated these changes will affect all Glen Ellyn's residents who are concerned about the future of the community. Ms. Gould stated she feels a vote on Apex was premature. Ms. Gould stated she found no plan that recommends a 60-foot high building when other buildings are only 40 feet tall. Ms. Gould stated there seems to be a sense of the fear of missing out, and the Giesche/Village lot site should be the last resort for such a tall building. Ms. Gould stated she has found many other towns that have built 3-story mixed use buildings, and it is not too late for the Village Board to right the wrong decision.*

7. *Julie Spiller, who resides at 925 Newton Avenue, stated she has owned a business on Main Street for the past eight years. Ms. Spiller stated she is concerned about the current and future parking situations and asked how much parking there is between the Village's lot, St. Petronille's lot, the Civic Center lot and the proposed parking garage behind the Civic Center. Ms. Spiller asked how much parking will be lost from the street and how long this project will take. Ms. Spiller stated as a shop owner, she is worried about the parking and the traffic on the streets. Ms. Spiller stated they are not looking out for the businesses currently in the downtown, and other shop owners feel the same way. President McGinley stated Ms. Spiller is free to contact Village Manager Franz or Economic Development Coordinator Hannah for this information. Ms. Spiller stated she had a hard time finding this information.*

   Trustee Kenwood asked if any motion to reconsider would require four (4) Trustee votes to which Attorney Mathews stated it would require four (4) votes.

F. Consent Agenda - The following items are considered routine business by the Village Board and will be approved in a single vote in the form listed below:

RESULT:	**APPROVED [4 TO 0]**
MOVER:	Pete Ladesic, Village Trustee
SECONDER:	John Kenwood, Village Trustee
AYES:	Enright, Kenwood, Ladesic, Senak
EXCUSED:	Fasules, Pryde
PRESENT:	McGinley

Motion to approve the following items including Payroll and Vouchers totaling $1,361,002.42 (Trustee Ladesic):

1. Total Expenditures (Payroll and Vouchers) - $1,361,002.42. The vouchers have been reviewed by Manager Franz prior to this meeting, and are consistent with the Village's purchasing policy.

2. Glen Ellyn Village Board - Regular Workshop Meeting - Jan 22, 2019 7:00 PM

3. Glen Ellyn Village Board - Regular Meeting - Jan 28, 2019 7:00 PM

4. Waive competitive bidding and approve the purchase of a fixed LPR camera system from Minuteman Security Technologies in the amount of $47,958.68 to be expensed to the Forfeiture Fund and waive competitive bidding and approve the purchase of a LPR parking enforcement camera system from Minuteman Security Technologies in the amount of $46,783.00 to be expensed to the Parking Fund (Police Chief Norton)

Trustee Senak stated all contracts greater than $20,000 should go through competitive bidding and asked what basis is being used to waive the bidding.

Police Chief Norton stated this camera system is a part of a much broader piece that he touched on during the Village Board Workshop regarding this. Police Chief Norton stated this has to do with integration into the current system they have. Village Manager Franz stated they did get quotes and competitively shopped this. Police Chief Norton stated they received quotes for different types of technology, but it is hard to get an apples-to-apples comparison.

5. Waive competitive bidding and approve the purchase of two electronic kiosks from Total Parking Solutions in the amount of $23,100 to be expensed to the Parking Fund (Police Chief Norton)

Trustee Senak stated all contracts greater than $20,000 should go through competitive bidding and asked what basis is being used to waive the bidding.

Police Chief Norton stated this camera system is a part of a much broader piece that he touched on during the Village Board Workshop regarding this. Police Chief Norton stated this has to do with integration into the current system they have. Village Manager Franz stated they did get quotes and competitively shopped this. Police Chief Norton stated they received quotes for different types of technology, but it is hard to get an apples-to-apples comparison.

6. Motion pursuant to Section 1-10-7 of the Glen Ellyn Village Code to adopt the competitive bidding procedures of the U.S. Communities Program in lieu of the provisions of Chapter 10 on Village Contracts and approve Purchase of 65 LED Street Light Fixtures for Residential Streets in the amount of $24,938, to be expensed to the General Fund (Public Works Director Hansen)

7. Waive competitive bidding and approve emergency repair service by John Neri Company, in an amount not-to-exceed $24,000 and approve future repair service by John Neri Company, in an amount not-to-exceed $21,000, to be expensed to the Water & Sanitary Sewer Fund (Public Works Director Hansen)

Trustee Senak stated all contracts greater than $20,000 should go through competitive bidding and asked what basis is being used to waive the bidding.

Public Works Director Hansen stated this is for water main repairs on Roosevelt Road that needed to be done in a timely manner, and by state statute, they do not need to get bids for emergency work. Public Works Director Hansen stated Neri has great response time so that is why they used Neri.

9. NO. 19-03 : Adoption of Complete Streets Policy

Items pulled from Consent Agenda to be Voted on Separately

8. 3803 : Horse Trough Replica

Trustee Senak stated all contracts greater than $20,000 should go through competitive bidding and asked what basis is being used to waive the bidding.

Public Works Director Hansen stated he feels it is a good idea to get an artist to make a bronze replica of the horse trough as the original horse trough is structurally compromised. Public Works

Director Hansen stated it is great to find an artist who can do this work for under $40,000. Public Works Director Hansen stated he met with the Historic Preservation Commission (HPC), and the HPC fully supports this. Public Works Director Hansen stated they want to do a bronze replica as bronze is used in water fountains, and this replica will then be historically correct as a water feature. Public Works Director Hansen they move the original horse trough twice a year when the Christmas tree goes up and down, and the trough is structurally compromised now. Public Works Director Hansen stated the original trough needs to be put somewhere safe.

Trustee Ladesic asked for Item #8 to be pulled from the Consent Agenda to be voted on separately.

Trustee Ladesic stated he supports the initiative to have the horse trough redone, but would like to understand the details of what is being made and where the original trough will go. Trustee Ladesic stated it is not the time to do this with the streetscape project coming. Village Manager Franz stated keeping the horse trough in the street is having a negative impact on the structure of the trough itself. Village Manager Franz stated they will put the replica at the Civic Center for now and then decide where to put the replica after the streetscape project is done.

Lee Marks, former Chairman of the Historic Preservation Commission, stated as far as they know, the current trough is the original horse trough from 1907 when Newton donated it to the Village. Mr. Marks stated the Glen Ellyn Historical Society is going to vote about possibly putting the original trough on display at Ward Park. Mr. Marks stated the original trough is becoming fragile, and cracks have developed in the trough.

Public Works Director Hansen stated something should have been done with the original trough a long time ago because if the original trough is hit by a vehicle, they will not be able to restore the trough. Public Works Director Hansen stated he saw the work of this artist who will make a mold piece by piece in bronze from the original.

Trustee Ladesic asked if more research could be done as there are pictures of other horse troughs at Barone's, and he wants to sure they have the original.

President McGinley stated they will pull Consent Agenda Item #8 from this agenda to be voted on at the February 25, 2019 Village Board Meeting when all the Trustees are present.

Trustee Kenwood asked if they would pull the original trough now so it can be saved. Public Works Director Hansen stated he will do this. Trustee Kenwood asked if the replica would change size to which President McGinley stated they cannot change the size of it. Public Works Director Hansen stated they did not determine where to put it, but only to get the replica done.

President McGinley asked how long it would take to make the replica. Public Works Director Hansen stated the work should take about four months, and there is a window of opportunity now. Public Works Director Hansen stated the artist could be commissioned at any time to do another big project. Public Works Director Hansen stated the Public Works team will probably move the trough to the Public Works shop this week.

RESULT:	**TABLED [4 TO 0]**	**Next: 2/25/2019 7:00 PM**
MOVER:	Pete Ladesic, Village Trustee	
SECONDER:	John Kenwood, Village Trustee	
AYES:	Enright, Kenwood, Ladesic, Senak	
EXCUSED:	Fasules, Pryde	
PRESENT:	McGinley	

G. Raising Cane (Presented by Planning and Development Director Springer) (Trustee Ladesic)

1. Ordinance No. 6673, An Ordinance Approving a Special Use Permit, Variations from the Zoning Code, and Variations from the Sign Code for the Construction and Operation of a Raising Cane's Chicken Fingers Restaurant with a Drive-thru Proposed on Property Commonly Known as 495-499 Roosevelt Road

Planning and Development Director Springer presented background on the proposed Raising Cane and stated Raising Cane's Restaurant, LLC, lessee of the property located at 495-499 Roosevelt Road, is requesting approval of a Special Use Permit, Variations from the Zoning Code and Variations from the Sign Code to construct and operate a Raising Cane's Chicken Fingers restaurant with a drive-thru at the subject property located at the southwest corner of Roosevelt Road and Main Street. Planning and Development Director Springer showed an overview picture of the site and stated the petitioner plans to consolidate the two subject parcels and demolish two existing vacant buildings (former Arby's building and former Caribou Coffee building). Planning and Development Director Springer stated the proposed restaurant will have approximately 101 indoor seats and 33 parking spaces.

Planning and Development Director Springer stated the proposed drive-thru lane will accommodate a total of 10 stacked vehicles. Planning and Development Director Springer stated as a part of the development of the entire site, a right-in/right-out access on Roosevelt Road has been approved by IDOT in concept.

Planning and Development Director Springer stated the Plan Commission held a public hearing on January 24, 2019. Planning and Development Director Springer stated no members spoke at the hearing either in favor or in opposition to the requests, and the Plan Commission voted unanimously to recommend approval of the Special Use Permit, the Variations from the Zoning Code and the Variations from the Sign Code with four conditions.

Trustee Enright asked about an exit to the left of the site. Planning and Development Director Springer stated the petitioner worked with the adjoining property owner to have exit access.

Trustee Kenwood asked if you can make a left onto Roosevelt Road from the site to which Planning and Development Director Springer stated you cannot make a left, but only a right. Trustee Kenwood asked what Raising Cain's current queue is. Jason Cooper, Professional Engineer with Kimley-Horn Engineering in Lisle, Illinois, stated Raising Cain's has different restaurant prototype, and this is a prototype #2. Mr. Cooper stated this is a single-lane drive-thru, and a 10-car stacking is more than adequate. Trustee Kenwood asked approximately how much time a vehicle spends at the drive-thru to which Mr. Cooper stated he did not know this. Trustee Ladesic stated he was the Trustee Liaison at this Plan Commission meeting, and a Plan Commissioner did express the same concern. Trustee Ladesic stated the representative from Raising Cain's did cite a number of *minutes, and this alleviated the Plan Commissioner's concern. Trustee Kenwood asked if they would ever change to a double-lane drive-thru. Mr. Cooper stated they cannot do that with this site.*

Trustee Senak asked if the applicant submitted applications from the various requests to which Planning and Development Director Springer stated they did. Trustee Ladesic stated this is no different than any other development in the Village, and the developer went through the process of petitioning the Village to request the variances. Trustee Ladesic stated these variation requests did go through a public hearing at the Plan Commission as well.

Mr. Cooper thanked the staff for their help on this project. President McGinley asked when Raising Cain's would open. Mr. Cooper stated they are hoping to have Raising Cain's open later this summer.

RESULT:	**APPROVED [4 TO 0]**
MOVER:	Pete Ladesic, Village Trustee
SECONDER:	John Kenwood, Village Trustee
AYES:	Enright, Kenwood, Ladesic, Senak
EXCUSED:	Fasules, Pryde
PRESENT:	McGinley

H. Reminders

1. A Village Board Workshop is scheduled for Tuesday, February 19, 2019 at 7:00PM in Room 301 of the Glen Ellyn Civic Center.

2. A Village Board Meeting is scheduled for Monday, February 25, 2019 at 7:00PM in the Galligan Board Room of the Glen Ellyn Civic Center.

I. Other Business

Trustee Senak thanked the people who reached out to him in the past couple weeks, and he wants each one of them to know how much he respects their opinion. Trustee Senak stated these people, some of who are sitting in the room today, have earned his respect due to their service to the Village as current, former or future Trustees, members of the various Village Commissions and Village Staff. Trustee Senak stated in his opinion, it would be disrespectful for him not to consider their views in deciding how best to proceed. Trustee Senak stated he does not follow social media as he feels if you have something to say, you should look the person in the eye and say it. Trustee Senak stated he has been told there have been some very uncomplimentary things said about some of his fellow Trustees on social media, and he would like everyone to know that regardless if he agrees or disagrees with any one of them, it has been his honor and privilege to serve with each of them over the last four years. Trustee Senak stated the Trustees' commitment to the Village is without question, and their integrity is beyond reproach. Trustee Senak stated he may disagree with certain issues, he respects each of them as Trustees, as neighbors and as friends.

Trustee Senak stated some of his comments may have been rightly viewed as critical of the Village Staff, but the Village should know how fortunate it is to have such a professional and dedicated group of people working on their behalf. Trustee Senak stated the Trustees debate the impact of this development on the charm and character of the Village on economic development while much of the charm and character and economic prosperity that the Village has enjoyed is because of the efforts of the Village Staff. Trustee Senak stated nothing that has occurred can detract from the debt of gratitude that the Village owes the Village Staff for the efforts that they have made on behalf of the

Village.

Trustee Senak stated he holds in his hand a signed and notarized letter of resignation which he handed to Village Clerk Chereskin and asked to confirm this letter. Village Clerk Chereskin verified this resignation letter was signed and notarized. Trustee Senak stated in deciding whether to tender this letter to President McGinley, he is guided by one basic principle - what is in the best interest of the Village and its residents. Trustee Senak stated his personal preferences are of little concern in this analysis. Trustee Senak stated if his presence on the Village Board is an impediment to its effective operation such that it cannot serve the community to the best of its ability then it is his duty to resign. Trustee Senak stated some have suggested that the can make a constructive contribution to the operation of the Board while providing prospective and balance to the process. Trustee Senak stated if this is true, it is likewise his duty to honor the decision of those who elected him and serve out his term.

Trustee Senak stated the decision of which of these two alternatives is correct is not for him to make, but it is ultimately a decision of the Village residents, and they will have this opportunity come this April. Trustee Senak stated this still does not answer the immediate question of what should be done now and who should make that decision. Trustee Senak stated he could make that decision, but it is not about him. Trustee Senak stated this decision is about the current Trustees as they are the ones that the residents have elected, and they are the ones who will be most impacted if any decision is made. Trustee Senak stated if he does not have the Trustees' confidence then he does not have their trust, and he has lost the moral authority to be a part of this Board. Trustee Senak stated because of this, it is his belief that the Trustees should make the decision on whether he should resign or not. Trustee Senak stated if the Trustees believe that Trustee Senak can work effectively with them for the betterment of the community, he will then remain a Board member, and if they do not, he will not impose himself on them, will honor their decision and will tender his resignation for the remainder of his term. Trustee Senak stated he looks to the voters in April.

Trustee Senak asked Trustee Enright how he would vote on this. Trustee Enright stated Trustee Senak was elected by the people of Glen Ellyn so Trustee Senak should serve out his term, and Trustee Enright sees no reason not to serve out the term.

Trustee Senak asked Trustee Kenwood his thoughts. Trustee Kenwood stated Trustee Senak was elected by the residents of Glen Ellyn, and Trustee Kenwood is not sitting on this Village Board to decide which Trustee serves and does not serve. Trustee Kenwood stated this is up to the Trustee if they want to run or not run and if they do, whether they stay or not stay. Trustee Kenwood stated he feels this is Trustee Senak's decision to make, and whatever decision Trustee Senak makes, the Village Board will live by. Trustee Kenwood stated he does feel this is a decision that he should make for Trustee Senak. Trustee Senak stated he will take this as an abstain.

Trustee Senak asked Trustee Ladesic his view. Trustee Ladesic stated he echoes Trustee Kenwood's points, and Trustee Ladesic did send an email of his thoughts to Trustee Senak. Trustee Ladesic stated this is a discussion that would be best to have off-line and take this discussion off of social media. Trustee Ladesic did not think it was particularly becoming of an elected official to not get their way and walk out. Trustee Ladesic stated he is not going to weigh in on whether Trustee Senak should stay or go, but this is about Trustee Senak making this decision. Trustee Senak stated he will take this as an abstain.

Trustee Senak stated Trustees Fasules and Pryde are not at tonight's meeting, but he did speak to them before this meeting. Trustee Senak stated both Trustees suggested to Trustee Senak that it *would be their preference for Trustee Senak to remain as a Trustee.*

Trustee Senak stated with three votes to remain and two votes to abstain, he will respectfully choose not to resign. Trustee Senak took back his resignation letter from Village Clerk Chereksin, and Trustee Senak ripped the resignation letter in two.

President McGinley stated this has been decided, and she has spoken with Trustee Senak. President McGinley stated she and Trustee Senak agree what matters most is moving forward, and the behavior of the Board will not continue in this matter, but they can serve collectively as a Board.

Trustee Senak stated there are some people who have suggested the solution to this is litigation, and he asks that these people please stand down and let President McGinley, the Village Board and the Village Staff work on this.

President McGinley stated the project did pass with four (4) yes votes and three (3) no votes, and the ordinances have been signed. President McGinley stated the next step is that the developer will come back for final approval on the comparison of the final submittal to what was submitted, and only the submitted plans will be up for a vote at that time, and not the height nor the mass nor anything else.

Trustee Enright stated the democratic process did work as a vote was taken, and it was final. Trustee Enright stated the Village needs to move on, and a lawsuit against the Village would be unusual.

President McGinley asked Trustee Enright how he would vote if the Board revoted. Trustee Enright stated after reviewing the update plans, he would vote to approve. President McGinley stated it would then be five (5) yes votes and two (2) no votes. President McGinley stated when this project comes back to the Village Board, only the final submitted plans will be up for approval.

J. Adjournment

RESULT:	**APPROVED [4 TO 0]**
MOVER:	John Kenwood, Village Trustee
SECONDER:	Mark Senak, Village Trustee
AYES:	Enright, Kenwood, Ladesic, Senak
EXCUSED:	Fasules, Pryde
PRESENT:	McGinley

Respectfully submitted Debbie Solomon, Recording Secretary

Reviewed and approved John A. Chereskin, Village Clerk