

**Minutes
Regular Board Meeting
Glen Ellyn Village Board of Trustees
Monday, August 25, 2014**

Call to Order

Village President Demos called the meeting to order at 7:01 p.m.

Roll Call

Upon roll call by Village Clerk Galvin, Village President Demos and Trustees Burket, Clark, Elliot, McGinley and

Pledge of Allegiance

President Demos asked Village Clerk Galvin to lead the Pledge of Allegiance.

Village Recognition:

1. The Public Works Department received a thank you letter from a happy resident in recognition of the outstanding work done in the variety of beautiful plantings along the Prairie Path.
2. Childtime Learning Center sent a thank you note to the Police Department for the tour which was a great learning experience.
3. Officer Brent Pacyga received a letter from the Carol Stream Police Department for his assistance and cooperation in an inter-departmental matter.
4. The Lakemoor Police Department sent an email of appreciation for a job well done by Officer Brent Pacyga by going above and beyond when responding and assisting in an inter-department matter.
5. A grateful resident sent a letter of appreciation recognizing the excellent work of Detective Jim Monson which resulted in the recovery of his iPad Air device.
6. The Village Board and Management Team congratulate the following employees who recently celebrated an anniversary as a Village employee:

Jennifer Brown	Public Works Department	20 Years
John Sparagna	Public Works Department	20 Years
Richard Patsch	Public Works Department	15 Years
Jackie Chernesky	Administration Department	5 Years
Steven Moore	Facilities Maintenance Division	5 Years

Audience Participation

Pamela Albright, Architectural Review Commission presented this year's winners of the annual Traveling Trophy award for excellence in building design, an honorable mention for building design, and the Vivian Ball Landscape Award for excellence in achieving aesthetic landscape objectives of the Village.

Magenium Solutions, 535 Pennsylvania Avenue was awarded the traveling award for their dividing of small and large office space. President Demos thanked Tom LaMantia for investing in the community. Mr. LaMantia thanked the Village in turn, for their support.

An Honorable Mention for building design was awarded to Opus Group for the Fresh Market Center.

The Vivian Ball Landscape award was awarded to Jeff Perrigo and the Village of Glen Ellyn for the new Duane Street commuter parking lot. Trustee McGinley asked if the award was the result of the permeable pavers. Ms. Albright responded that the award was the result of the attention to detail, landscaping, permeable pavers and the significant improvement to the lot. Trustee McGinley, in response to the award being partially for the permeable pavers responded: "...because it is not looking very pretty these days".

Mr. Daniel Graiber, 300 Illinois Street addressed the Board to express his concern regarding contact from the Department of Planning & Development for excessive traffic, auto repair and endangering children. Mr. Graiber stated that he does some auto repair work for his family and friends. Regarding correspondence from the Village on August 15 and August 21, Mr. Graiber provided photos of a class he taught for a neighborhood Boy Scout Troop. Mr. Graiber pointed out the safe environment he provided for the children. President Demos requested that Manager Franz and Mr. Graiber meet in order to allow the Administration an opportunity to address Mr. Graiber's concerns.

Mr. Alan Lanning, 625 Midway, addressed the Board to express his concerns for bicyclists and pedestrians at the Taylor Street underpass. Mr. Lanning requested that the Board consider a signal button. The underpass is dangerously narrow, blind and unsafe. Bicyclists do not trigger the traffic signal sensors on the street. Since the pedestrian tunnel may take years to build, Mr. Lanning asked the Board to consider a traffic activator button as a current safety alternative.

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:

1. August 11, 2014 Regular Meeting Minutes.
2. Total Expenditures (Payroll and Vouchers) - \$891,768.10. The vouchers have been reviewed by Trustee Burket and Manager Franz prior to this meeting, and are consistent with the Village's purchasing policy.
3. Motion to designate Trustee Burket as Village President Pro Tem for the four-month period from September through December 2014.
4. Ordinance No. 6254, An Ordinance Granting Approval of a Special Use Permit and the Exterior Appearance for Hardees to be Located at 404 Roosevelt Road.

5. Ordinance No. 6255, An Ordinance Prohibiting the Use of Groundwater as a Potable Water Supply by the Installation or Use of Potable Water Supply Wells or by any Other Method in the Vicinity of 285 Roosevelt Road.

6. Motion to waive competitive bidding and approve funding of the 2014 tree planting to be purchased through the Suburban Tree Consortium, West Central Municipal Conference of River Grove, Illinois, in the not-to-exceed amount of \$60,000, to be expensed to the General Fund

7. Ordinance No. 6256-VC, An Ordinance to Amend Section 9-5-4 (Scheduled D; One-Way Streets) of the Village Code with the addition of Ellyn Avenue Southbound from North Line of Crescent Boulevard to a Point 280 Feet North Between the Hours of 7:00 AM – 3:00 PM on School Days.

8. Ordinance No. 6257-VC, An ordinance to Amend Schedule L (Left Turns Prohibited) and Schedule O (Right Turns Prohibited) to Prevent Turning Movements Near Forest Glen School and Abraham Lincoln School.

Regarding Item 5; Trustee Elliott asked if there was groundwater monitoring. Manager Franz responded that the wells are tested periodically. Engineer Minix responded that the well is tested for bacteria monthly.

Ms. Moira Dowell, 6 Ellyn Court, addressed the Board to address her concerns with Consent Agenda Item 7. Ms. Dowell stated that the signs are already in place and that the signs are already being ignored. Cars park on both sides; the cars are constantly running and there are constant emissions. Ms. Dowell stated that perhaps the greater safety issue is not being addressed: that being air quality due to the constant emissions.

Trustee Burket asked Chief Norton who is responsible for enforcement during the school day, Chief Norton responded this is the first he has heard of this problem and will keep an eye out. President Demos responded this will be communicated to the School District.

Cecil Redmond, 1 Ellyn Court addressed the Board to address his concerns with Consent Agenda Item 7. Mr. Redmond is 88 years old and a 50 year resident of Glen Ellyn. Mr. Redmond stated this is a catastrophe is waiting to happen. There are 12-15 autos with the engines running. Why are parents allowed to park in a no parking area along with the busses with their diesel engines running. Mr. Redmond stated that one way traffic is of no benefit and that the main problem is not the students, it's the parents.

Trustee Elliott asked Mr. Redmond if he has had any conversations with the school. Mr. Redmond responded that he has a good relationship with the school.

Trustee Burket asked Chief Norton if there was any signage on the hill. Chief Norton responded there is no signage yet since the Ordinance has not passed yet. Ms. Dowell responded that the signs are up already.

Trustee O'Shea asked if the timing from 7:00 a.m. to 3:00 p.m. was enough time. President Demos responded this was a compromise.

A motion was made by Trustee Burket and seconded by Trustee Clark to approve the Consent Agenda including Payroll and Vouchers totaling \$891,768.10.

Upon roll call, Trustees Burket, Clark, Elliott, McGinley and O'Shea voted "Aye." Motion carried.

Agenda Item G. Minor Subdivision and Zoning Variations for Property Commonly Known as 22 and 24 Muirwood Drive: (Presented by Planning and Development Director Hulseberg)

Jeremy Rumps, owner of the property located at 22 and 24 Muirwood Drive, is requesting approval of a Minor Subdivision and Zoning Variations to accommodate the re-subdivision of the two properties. The petitioner lives at 24 Muirwood Drive and recently purchased the property to the north at 22 Muirwood Drive. He is proposing re-subdivide the properties to provide St. Charles Road street access to the currently landlocked property at 24 Muirwood by consolidating approximately the western 30 feet of 22 Muirwood with the property at 24 Muirwood. The two properties currently share an access drive and upon re-subdividing the property, Mr. Rumps plans to provide a separate dedicated access for 22 Muirwood onto St. Charles Road. Access to St. Charles Road would continue to be provided for the remaining homes in the Muirwood subdivision during inclement weather, as required by an existing easement.

The subject properties are located on the south side of St. Charles Road between Lenox Road and Main Street, northeast of Muirwood Drive in the R2 Single Family Residential Zoning District. The surrounding zoning and land uses are R2 Single Family Residential and CR Conservation Recreation. In order to proceed with the project, the petitioner is specifically requesting approval of the following:

1. Approval of a Minor Subdivision in accordance with Section 11-3-7 of the Glen Ellyn Subdivision Regulation Code.
2. The following variations from the Glen Ellyn Zoning Code:
 - a. A variation from Section 10-4-8(D)8 to allow a lot width of 32 feet 11 inches for the property at 24 Muirwood Avenue in lieu of the minimum lot width of 66-feet required.
 - b. A variation from Section 10-4-8(D)3 to allow the house at 22 Muirwood to have a 12-foot west side yard setback in lieu of the minimum interior side yard setback of 12.435 feet (10% of the lot width) required.
 - c. A variation from Section 10-4-8(D)2 to allow a rear yard setback of 9.3 feet, in lieu of the minimum rear yard setback of 40 feet required

Trustee Elliott commented that this seems to be a good common sense solution to two unusual lot configurations.

Trustee Burket asked if this change would require either address to be changed. Director Hulseberg responded that the northern property address would most likely change.

A motion was made by Trustee McGinley and seconded by Trustee Burket to adopt Ordinance No. 6258, An Ordinance Approving Minor Subdivision and Zoning Variations for Property Commonly Known as 22 and 24 Muirwood Drive.

Upon roll call, Trustees Burket, Clark, Elliott, McGinley and O'Shea voted "Aye." Motion carried.

Agenda Item H - 292 Elm Street Permanent Stormwater Drainage Easement: (Presented by Public Works Director Hansen)

The Kenilworth Drainage basin lies in the northwest portion of the Village, draining about 100 acres of land along sections of the Kenilworth, Linden, Marion, Maple, Oak, Elm and Geneva roadways. The area is served with a storm sewer system that outlets on the north side of Geneva Road into Churchill Park and eventually reaches the headwaters of Winfield Creek, ultimately flowing to the West Branch of the DuPage River. The Kenilworth Basin storm sewer system meets most of the area drainage needs but sewer capacity is exceeded during significant storm events. When the storm sewer is full, overland runoff mode for stormwater conveyance begins to operate; however a series of man-made improvements and obstacles impedes overland flow, causing ponding and flooded properties. The impediments to overland flow include Geneva Road, Elm Street and various landscaping elements and site-specific grading issues in the Geneva/Elm/Oak area.

Village staff has a multi-step strategy in mind to improve stormwater management in the northern portion of the Kenilworth Basin. The purpose of this memorandum is to convey for Village Board one of what will be a series of beneficial elements. This first step is approval of an easement agreement brokered with the owner at 292 Elm Street, located in the Kenilworth Basin overland flow path, to take advantage of planned property improvements. In conjunction with the construction of a proposed garage, Stormwater Engineer Ray Ulreich identified a preferred overland flow path requiring modified grading and revised placement of the accessory structure. The owner was cooperative but requested compensation for revising the plan to improve overland flows. Staff recommends compensation in the amount of \$19,500 and acceptance of the stormwater drainage easement.

Trustee McGinley stated her opposition to the use of a Village engineer to identify a solution to a flooding issue and paying the landowner for making suggested changes to their property. Trustee McGinley stated there are several residents with similar issues that the Village does not pay for making suggested improvements. Engineer Minix responded this particular property could be put into play to benefit the Village. Trustee McGinley pointed out bills for concrete, tree removal, fencing and a handrail; all changes that benefit the landowner. Engineer Minix responded that these changes benefit the Village and the costs of the improvements were used as a negotiating factor in acquiring the easement. Manager Franz responded that this easement benefits the Village in dealing with a long term flooding issue.

Trustee McGinley stated that she wants to send this back to staff. Trustee Elliott asked if this resulted in a good deal for the Village. Engineer Minix responded that the work has already been done. Trustee Burket asked if the property owner thinks they will be repaid. Engineer Minix responded yes. Trustee Elliott responded that this should have come to the Board prior to the negotiation. Manager Franz responded that this was a negotiation and that negotiations have a lot of moving parts.

Trustee Elliott asked what if one of the many other parts of this project does not happen. Engineer Minix responded they are meeting with the County soon and another property owner involved. The rest of this project may take several months to complete.

Trustee Elliott asked if there was any rush to pass tonight. Trustee Burket asked how can you vote against this. Trustee McGinley asked how can you vote for it. Engineer Minix responded that we have a solution that will work and that there is a flooding problem in this area and that we have a reasonable approach and we had the opportunity we could take advantage of by perusing the easement.

Manager Franz responded that due to the April 2013 storm event the Village identified 4 or 5 problem areas. This area has a number of moving parts. Some of those moving parts the Village does not have control over. Easements are a negotiating process. We are not ignoring other homeowners with flooding issues; this is a situation with value that the Village can benefit from.

Trustee Elliott asked why this was coming before the Board since it was under the amount needed for Board approval. Manager Franz responded that this is a multi-layered project. This component is under \$20,000 but there are other components to this project.

Trustee McGinley commented that prior to the meeting, she expected to for yes. Trustee Clark responded that he is not buying that argument and that the property owner would not have removed the tree, lowered the garage if it not had been for the negotiations regarding the easement. Trustee Burket responded he had a hard time with tabling this since the Board has agents (staff) out in the field that are allowed to negotiate.

A motion was made by Trustee McGinley and seconded by Trustee Elliott to table Ordinance No. 6259, An Ordinance Accepting a Permanent Stormwater Drainage Easement on Property Commonly Known as 292 Elm Street, and Compensating the Property Owner in the Amount of \$19,500 for Overland Flow Improvements.

Upon roll call, Trustees Elliott, McGinley and O'Shea voted "Aye." Motion carried.

Trustees Burket and Clark voted "Nay". Motion carried.

Agenda Item I. – Reminders:

1. The next Village Board Meeting is scheduled for Monday, September 8, 2014 at 7:00PM in the Galligan Board Room of the Glen Ellyn Civic Center.
2. The next Village Board Workshop is scheduled for Monday, September 15, 2014 at 7:00PM in Room 301 of the Glen Ellyn Civic Center.

Agenda Item K. – Adjournment:

At 8:35 p.m. a motion was made by Trustee O'Shea and seconded by Trustee Clark to adjourn to Executive Session for the purposes of setting the price for sale or lease of property, discussing the appointment, employment, compensation, discipline, performance, or dismissal of specific employees, the purchase of real property for the use of the public body, and pending or threatened litigation, without returning to open session thereafter.

Upon roll call, Trustees Burket, Clark, Elliott, McGinley and O'Shea voted "Aye." Motion carried.

Respectfully submitted,

Catherine Galvin,
Village Clerk