



Minutes
Village of Glen Ellyn
Glen Ellyn Village Board
Special Workshop Meeting
Monday, December 7, 2020
7:00 PM

Glen Ellyn Civic Center, Galligan Board Room

A. Call to Order

B. Pledge of Allegiance

C. Roll Call

Upon roll call by Village Clerk Chereskin, President McGinley and Trustees Christiansen, Enright, Fasules, Pryde, Senak and Thompson answered "present".

Also in attendance were Village Manager Franz, Village Attorney Mathews, Finance Director Coyle, Public Works Director Hansen, Community Development Director Springer, Police Chief Norton and Professional Engineer Topor.

D. Audience Participation

None.

E. Central Business District Streetscape Review (Presented by Senior Civil Engineer Topor) (Discussion Only)

1. Senior Civil Engineer Tom Topor will provide an update to the Village Board on the Central Business District Street and Streetscape project.

Senior Civil Engineer Topor and Professional Engineer Daubert presented an update on the Central Business District Streetscape including a project update, construction schedule and budget update.

Trustee Thompson asked if there was opportunity for the budget on this project to be decreased. Senior Civil Engineer Topor confirmed there are opportunities to decrease the budget.

Trustee Senak asked when the Frida Exhibit is scheduled for. Village Manager Franz stated it is scheduled for the summer of 2021.

Trustee Senak asked if there is any talk of moving the Frida Exhibit to 2022. Village Manager Franz stated he is unsure.

Trustee Senak asked why this project has to happen now. Senior Civil Engineer Topor and Professional Engineer Daubert stated the project addresses ADA upgrades and safety concerns.

Trustee Senak asked why utilities need to be replaced. Senior Civil Engineer Topor stated an underground utility study was completed which showed where current defects are in the underground infrastructure. Senior Civil Engineer Topor stated he can share that report with the Village Board.

Trustee Senak asked how staff received feedback from businesses regarding the start date of this project. Senior Civil Engineer Topor stated staff had meetings with businesses including downtown design workshop meetings. Senior Civil Engineer Topor stated most businesses preferred the project to be complete in one year.

Trustee Senak asked if any of the businesses expressed a preference on when to start project construction. Senior Civil Engineer Topor stated when staff discussed this previously with businesses they supported at 2020 start date, which was pushed back due to COVID-19. Senior Civil Engineer Topor noted staff can reach out to businesses again regarding the construction schedule.

Village Manager Franz stated staff has spoken with businesses regarding the Apex construction and the Main Street closure. Village Manager Franz stated businesses indicated they would prefer the streetscape project to occur at the same time as Apex.

Trustee Senak asked when the Apex construction will be finished. Professional Engineer stated site improvements are expected to be completed by fall 2021 with a final completion date of February 2022.

Trustee Senak asked if the Glenwood Station development will be complete in 2023. Professional Engineer Daubert stated that is the current plan; staff would work on the construction schedule with the developer. Professional Engineer Daubert noted many businesses in the downtown need utility and sewer upgrades.

Trustee Senak asked if the utility upgrades allow for fiber optics to be installed. Professional Engineer Daubert noted staff is looking at this possibility.

Trustee Senak asked if the utility upgrades are in conjunction with 5G upgrades. Professional Engineer Daubert confirmed they are not.

Trustee Senak stated he supports A Toda Madre updates to occur in 2021 and the rest of the streetscape project to be deferred to 2022.

Trustee Fasules stated restaurants are already hurting from COVID-19, and the Village needs to help keep them viable and surviving. Trustee Fasules stated he would like to defer this project as now is not the right time to complete it due to COVID-19.

Trustee Pryde noted this is a difficult decision. Trustee Pryde stated the Village needs to meet with restaurant/business owners regarding the construction schedule again. Trustee Pryde stated he is in favor of completing the project in 2021. Trustee Pryde stated it will not be beneficial to rip up the downtown again in a few years. Trustee Pryde stated the utilities that serve the downtown core are too old and restrict new businesses coming to town.

Trustee Fasules asked if the Main Street portion of the project can be completed in the winter. Professional Engineer Daubert stated staff still need to finalize and bid for the project. Professional Engineer Daubert also noted construction takes longer in the winter. Professional Engineer Daubert stated staff would like to wait until the Civic Center Parking Garage is complete to allow for additional parking. Professional Engineer Daubert also noted if the project was moved up, the underground utility work could create a conflict with other road construction. Professional Engineer Daubert noted the current proposed construction schedule is currently in line with the Apex construction.

Trustee Christiansen stated she would like to lock in the cost savings on value engineering. Trustee Christiansen asked what the cost is if the project is delayed. Professional Engineer Daubert stated staff expects a 5% increase every year.

Trustee Christiansen stated she is concerned about ripping up the street two times and the possibility of damaging work that is already complete.

Trustee Christiansen stated there is no good time for construction like this, and noted she is concerned the longer the Village waits to start this project, the more money it will cost. Trustee Christiansen stated she is in support of the construction schedule presented by staff.

Trustee Enright stated he believes the Village should move forward with the construction schedule presented by Village staff. Trustee Enright asked if there were still potential cost savings for the project. President McGinley noted there are cost savings that can be obtained.

Trustee Thompson asked if the project is delayed if the work completed at Apex will need to be redone. Professional Engineer Daubert stated some work completed at Apex will need to be touched if the streetscape project is delayed. Professional Engineer Daubert stated the work in that area would be redundant if the streetscape project is delayed.

Trustee Thompson asked if there was any way to get the streetscape project started now. Professional Engineer Daubert stated there would be additional parking concerns if the streetscape project started now.

Trustee Thompson stated he would like to hear from businesses on when they would like the streetscape construction to start. Professional Engineer Daubert stated staff will begin reaching out to businesses.

Trustee Senak stated it is not a good time to start the project with the Frida Exhibit upcoming.

Village Manager Franz stated staff will speak to businesses and will bring additional information to the Village Board.

Public Comment

- 1. Patrick Neary of A Toda Madre stated the businesses in Glen Ellyn will all have different responses regarding the construction timing. Mr. Neary stated he is in support of moving the project forward now. Mr. Neary stated he is concerned if the project is not complete, many residents and visitors of Glen Ellyn will chose to go to Wheaton, where the streetscape project is already complete.*
- 2. Pete Ladesic, Glen Ellyn Resident, stated he is in favor of moving forward with the project now. Mr. Ladesic noted there is less traffic now, due to COVID-19, which makes it a better time to start construction. Mr. Ladesic stated the project will cost more money if it is delayed.*

RESULT:	DISCUSSION ONLY
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F. Holladay Properties Redevelopment Agreement (Presented by Village Manager Franz) (Discussion Only)

1. Village Manager Franz will update the Village Board on the Holladay Properties Redevelopment Agreement

Village Manager Franz and Bob Rychlicki of Kane McKenna and Associates presented the proposed Redevelopment Agreement with Holladay Properties.

Trustee Christiansen stated she has concerns regarding the force majeure language. Trustee Christiansen stated she would like to create a new standard language for force majeure. Village Attorney Mathews stated he will look into this request.

Trustee Enright stated he is comfortable with the proposed Redevelopment Agreement language.

Trustee Pryde stated the Redevelopment Agreement is consistent to what he is seeing in the marketplace, and that he has no issues.

Trustee Senak stated he is hopeful the Village and developer can reach an agreement to offer additional retail on the first floor. Trustee Senak also stated he would like to see a 3D model of the project. Community Development Director Springer noted the 3D model will be presented at the December 14, 2020 Village Board meeting.

Drew Mitchell of Holladay Properties noted the option of having retail on Crescent Boulevard was looked at very closely. Mike O'Connor of Holladay Properties stated Village staff has supported the proposed retail plan. Mr. O'Connor stated retail on Crescent Boulevard would not work well due to parking.

Trustee Fasules asked if staff has considered an economic incentive to get affordable housing added to this development.

Public Comment

1. *Zak Wilson – Written public comment is attached to the end of the meeting minutes.*

RESULT:	DISCUSSION ONLY
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G. Recreational Cannabis (Presented by Community Development Director Springer) (Discussion Only)

1. Community Development Director Springer will lead a discussion with the Village Board regarding potential text amendments for cannabis businesses.

President McGinley stated the House passed both the decriminalization of cannabis as well as a Fair Banking Act. President McGinley noted both items are expected to be voted on by the Senate. President McGinley also stated he has reached out to the Mayors of communities who allow recreational cannabis sales, and they noted there has been no issues to report.

Public Comment

1. *Amy Crowley, Glen Ellyn Resident, thanked the Village Board for having the cannabis referendum question on the November 2020 election. Ms. Crowley stated she is not in favor of approving recreational cannabis stores in Glen Ellyn at this time. Ms. Crowley stated the current moratorium should be extended.*
2. *Pete Ladesic, Glen Ellyn Resident, stated he is against recreational cannabis stores in Glen Ellyn. Mr. Ladesic stated the cons outweigh the pros and the potential revenues are not worth the risk.*
3. *Dirk Andringa - Written public comment is attached to the end of the meeting minutes.*
4. *Julie Schauer - Written public comment is attached to the end of the meeting minutes.*
5. *Jason Fues - Written public comment is attached to the end of the meeting minutes.*

Trustee Christiansen stated 1 in 3 Americans live in a state where cannabis is legal. Trustee Christiansen stated 15 states have legalized recreation cannabis while 36 states have legalized recreation or medical cannabis. Trustee Christiansen stated more and more states continue to legalize recreation cannabis. Trustee Christiansen stated the Village Board should move forward with a vote regarding recreation cannabis. Trustee Christiansen stated she is in support of the Plan Commission's approved regulations.

Trustee Fasules stated Cannabis is a Federal issue and is in favor of extending the Village moratorium until the Senate votes on the issue. Trustee Fasules also noted the State does not have any business licenses to issue.

Trustee Pryde stated he does not have a strong opinion regarding this topic. Trustee Pryde stated he is in favor of extending the moratorium to see what the Senate does. Trustee Pryde noted he is not in favor of restricting a federally approved businesses. Trustee Pryde stated prior to the referendum, the Village Board heard how most resident in Glen Ellyn do not want to allow the sale of recreation cannabis; the referendum did not show that.

Trustee Enright stated the Village Board agreed that it would follow the results of the referendum question. Trustee Enright stated he is in favor of moving forward with a vote.

Trustee Thompson stated the referendum questions did have a clear majority, even though it was not a large majority. Trustee Thompson stated he would be in favor of allowing one license and is in favor of a 1,500 foot buffer from schools. Trustee Thompson stated he is in support of extending the moratorium until a new Village Board is elected.

Trustee Senak asked if new revenue projects have been completed. Finance Director Coyle stated it is hard to revise the predictions and there are still a lot of unknowns.

Finance Director Coyle stated the Village is still receiving money from the State for cannabis sales, but the Village is not getting the home rule or sales tax if it is not sold within Village limits.

Trustee Senak stated cannabis is legal in Illinois, and the referendum did pass. Trustee Senak stated revenue is still increasing more than what was projected. Trustee Senak also stated the crimes

related to cannabis can still occur in Glen Ellyn even if it is not sold here. Trustee Senak stated he is in favor of extending the moratorium and would not vote to approve the sale of recreation cannabis in Village limits.

President McGinley stated the majority of the Board is in support of extending the moratorium.

Trustee Christiansen stated she would like to see this Village Board vote on this topic. Trustee Christiansen stated as Trustees, it is our job to make a decision.

Trustee Fasules stated there is not enough information to make an informed decision and would like to wait until there is more information.

Trustee Thompson stated he is in favor of waiting until there is more information.

President McGinley stated she is in favor of approving the sale of recreation cannabis in Glen Ellyn.

President McGinley stated the referendum question shows the majority of resident want to have recreational cannabis sold in Glen Ellyn.

Trustee Pryde stated the Village Board can vote on this next week, and would like to take a vote on the issue. Trustee Pryde stated he is leaning towards approving the sale of recreational cannabis in Glen Ellyn due to the referendum.

RESULT:	DISCUSSION ONLY
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H. Other Items

- I. Motion to adjourn to Executive Session for the discussion regarding the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body pursuant to 5 ILCS 120/2 (C)(1) and discussion concerning pending litigation matters pursuant to 5 ILCS 120/2 (C)(11) without returning to open session thereafter.**

MOVER:	Craig Pryde, Village Trustee
SECONDER:	Bill Enright, Village Trustee
AYES:	Enright, Fasules, Pryde, Christiansen, Thompson, Senak
PRESENT:	McGinley

RESULT:
APPROVED [6 TO 0]

Respectfully Submitted, Lindsey Kaminsky Executive Assistant

Reviewed and Approved, Village Manager Franz



Pulic Comment - Village Board

Village of Glen Ellyn

Submitted On:

December 7, 2020 4:36pm
America/Chicago

Name Zak
Wilson

Organization

Email zakmacwilson@gmail.com

Address 716 Crescent Blvd
Glen Ellyn
IL
60137

Meeting Date December 07, 2020

Meeting Name Special Village Board Meeting

Is your comment related to an agenda item? Yes

Agenda Item or Subject F. Holladay Properties Redevelopment Agreement

Comment

I just wanted to make you aware of potential environmental concerns with the McChesney site.

The article below was from the Chicago Tribune on June 16th, 1989. This Gas Station was on the South-West corner Of Pennsylvania and Prospect at 443 Pennsylvania Ave. It is currently a Park now owned by the Village.

There is also a former Gas Station on the South East Corner of Pennsylvania and Prospect, currently an auto repair shop at 453 Pennsylvania. Who knows what could be in the soil, due to these sites? Both these sites drain down hill towards McChesney.

Are there going to be environmental studies done on the McChesney Site? Is the soil going to be tested? Has the EPA been notified? Just thought I would make you aware of this.

The article from the Chicago Tribune reads as follows:

Mike Nichols
CHICAGO TRIBUNE

A Glen Ellyn businessman convicted of illegally dumping stored gasoline into the village sewer system near an abandoned gas station he was renovating was sentenced Thursday to 2 years` probation and 200 hours of community service and ordered to pay a fine of \$7,500.

Peter Letsos, the owner of the Glen Oak restaurant in Glen Ellyn, was arrested after witnesses called Glen Ellyn police and reported gasoline was being dumped into the storm sewer on the afternoon of Sept. 30, 1988.

The Illinois attorney general's office charged that Letsos failed to obtain a permit before disposing of the gasoline to save money.

"I believe what Mr. Letsos did was to cut corners and save costs," said Rick Schwind, an assistant Illinois attorney general. "The evidence showed there were 3,000 gallons pumped into

the sewer system in order to save \$1,500."

The attorney general's office claimed the dumping risked an explosion and endangered the lives of village residents. The sewer runs through a residential area before emptying into a small lake. The lake empties into a creek that is a tributary of the Du Page River.

Letsos argued that he thought he was only dumping water into the sewer, and stopped as soon he realized it was gasoline.

"It just happened," he said. "It was an honest mistake." His attorney, Joseph Laraia, said the gas ran into the sewer for no more than five or six minutes. Prosecuting attorneys, however, said the gas was pumped for 45 minutes.



Pulic Comment - Village Board

Village of Glen Ellyn

Submitted On:

December 7, 2020 1:44pm
America/Chicago

Name

Dirk
Andringa

Organization

Email

Address

Glen Ellyn
IL
60137

Meeting Date

December 07, 2020

Meeting Name

12/7/2020 Special Village Board Workshop

**Is your comment related to an
agenda item?**

Yes

Agenda Item or Subject

G. Recreation Cannabis

Comment

The advisory referendum showed that Glen Ellyn voters are almost evenly divided on this issue, with a very slight majority favoring the allowing of recreational sales (by 413 votes out of 16,501 votes cast). We think that the current Board should extend the moratorium until the new Board is elected in March, as those Board members will be dealing with the ramifications of allowing or prohibiting recreational marijuana stores in Glen Ellyn and any associated zoning requirements.

Youth protection remains a key concern. One-third of the Village's residents are under the age of 21. These kids and teens are the residents who will suffer the consequences of bringing pot stores into town most acutely. Data is still being collected on the impact of recreational marijuana stores in the western suburbs. The few stores that exist have only been operating a few months, and the data is still sparse.

If this Board does decide to lift the moratorium on recreational cannabis sales in Glen Ellyn, we request that the Zoning Text Amendments impose a 1,500 foot buffer (out of line of sight) between any recreational marijuana store and any PRE-EXISTING schools, parks, playgrounds, recreation centers (including the B.R. Ryall YMCA, which has before and after school programs, child care and numerous youth programs, as well as Healthtrack and Ackerman, both of which also have child care and multiple youth programs), day care/child care centers, libraries and other youth-use sensitive locations.

The Proposed Text Amendments that the Village Staff supports in their November 21, 2020 Memorandum only has 1,500 foot buffer from schools. It ignores the other youth sensitive use locations stated above, including parks, playgrounds and recreation centers.

Thank you.

Dirk & Michelle Andringa



Pulic Comment - Village Board

Village of Glen Ellyn

Submitted On:

December 7, 2020 2:42pm
America/Chicago

Name Julie
Schauer

Organization Parents Opposed to Pot

Email editor@poppot.org

Address 9356 Sibelius Drive
Vienna
VA
22182-1631

Meeting Date December 07, 2020

Meeting Name Special Village Board Workshop

Is your comment related to an agenda item? Yes

Agenda Item or Subject Marijuana, i.e., Cannabis

Comment

My Statement to Village Board of Glen Ellyn

I am former resident of Glen Ellyn who is moving back to the village early next year, closing at the end of January. I have been working against the marijuana problem with a national organization near the nation's capital for the last 6 years. Most of the people I work with are from Colorado and California; the problems from letting marijuana into the states are worse than the Press reports and worse than any one can imagine.

You do not want to invite this culture into the village as it will be hard to change later. Legalization of any kind provides a refuge for black market growers and dealers who hide behind the legal market. I encourage to understand the illegal markets -- and why they thrive in the states with legalized marijuana -- before you try to regulate a product that is impervious to regulation. In California, three quarters of the sales are on the illegal or black market, so the state is not getting the taxes promised.

Last month, on November 15, a bicyclist named Troy Young was killed on Roosevelt Road at Stewart Avenue in Lombard by a driver impaired by marijuana and amphetamine.

<https://chicago.suntimes.com/2020/11/18/21573719/norris-watt-dui-hit-run-lombard-crash-troy-young> It's a bad decision for the social costs of legalization: youth use, mental illness, need for addiction treatments and car crashes.

But it is also a very foolish economic decision.

It is already proving to be Pritzker's Folly with his program plagued by lawsuits holding up the process. His cannabis regulatory commission is putting out press releases bragging of the amount sold, but it turned out to be less in November than October. Also notice that half the sales in Illinois go to either medical marijuana, which doesn't have to pay taxes, or out of state customers. Good businesses move out of towns when marijuana businesses come in, including grocery stores. It is unwise to think that taxes gained make the problems gained worth it.

From: noreply@civicplus.com
Sent: Monday, December 7, 2020 6:33 PM
To: Lindsey Kaminsky
Subject: Online Form Submittal: Recreational Cannabis Comments

Recreational Cannabis Comments

Date 12/7/2020

Comments

In the recent advisory referendum, Glen Ellyn voters appear to be almost evenly divided on this issue, with a very slight majority favoring the allowing of recreational sales 8,457 vs. 8,044. Adding to that the additional amount of people who did not answer the question on the ballot, I believe you have a community who has not decided. If 70-80% of the residents had voted in one direction or another, I would not be writing this. Seeing it is almost split down the middle, you have to reach a compromise that is appropriate to the vote.

As a concerned citizen and resident, I would first ask the current Board should extend the moratorium until the new Board is elected in March, as those Board members will be dealing with the ramifications of allowing or prohibiting recreational marijuana stores in Glen Ellyn and any associated zoning requirements.

If the Board does decide to lift the moratorium on recreational cannabis sales in Glen Ellyn, I firmly request that the Zoning Text Amendments impose a 1,500 foot buffer (out of line of sight) between any recreational marijuana store and any PRE-EXISTING schools, parks, playgrounds, recreation centers. This should include B.R. Ryall YMCA, which has before and after school programs, child care and numerous youth programs, Healthtrack, Ackerman, and any other location with child care and multiple youth programs), day care/child care centers, libraries and other youth-use sensitive locations.

The Proposed Text Amendments that the Village Staff currently supports in their November 21, 2020 Memorandum only has 1,500 foot buffer from schools. In previous board meetings, the 1,500 foot buffer was categorized as "too restrictive because it didn't really allow for store locations" and therefore lower buffers were proposed. That is not a legitimate reason to therefore eliminate the inclusion of youth sensitive use

locations stated above, including daycares, parks, playgrounds and recreation centers. Lowering the buffer to draw the map the way you want it is a self-serving political reason that avoids the responsibility of the board to the safety and security of all residents.

I therefore ask you to please extend the moratorium until more data and more thorough discussion is had on this significant issue. And if you are going ahead anyway and going to move forward with the allowance of a store, implement a 1,500 foot buffer for the 49% of the village residents that voted against this. I feel that is your responsibility seeing the result of the vote. Any buffer less than 1,500 feet is telling 8,000 of your village residents that their concerns were neither heard nor accommodated in some manner.

(function (name){

OPTIONAL

Name	Jason Fues
Email Address	jpfues@yahoo.com
Address	620 Prairie Ave
City	Glen Ellyn
State	IL
Zip Code	60137
Phone Number	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)