Minutes
Village Regular Board Meeting
Glen Ellyn Village Board of Trustees
Monday, September 12, 2016

Call to Order

President Demos called the meeting to order at 7:03 p.m.

Roll Call:
Upon roll call by Village Clerk Galvin, President Demos and Trustees Clark, Elliott, Ladesic, O'Shea and Senak answered "Present."

A motion was made by Trustee Elliott and seconded by Trustee Clark to allow Trustee Kenwood to participate in the meeting via phone.

Upon roll call, Trustees Clark, Elliott, Ladesic, O'Shea and Senak answered "aye."

In Attendance: Village Manager Franz, Assistant Village Manager Stonitsch, Director of Planning and Development Hulseberg, Public Works Director Hansen, Police Chief Norton, Professional Engineer Minix and Senior Engineer Daubert.

Pledge of Allegiance:

President Demos Trustee Elliott to lead the Pledge of Allegiance.

Audience Participation

1. President Demos stated the Proclamation in memory of Vincent A. Persico would be read at a future meeting when Mr. Persico's family could be present.

2. Village Clerk Galvin read a Proclamation in recognition of Chamber of Commerce week. Dawn Smith, the new Executive Director of the Glen Ellyn Chamber of Commerce, stated she had a great first month in role and is very excited about upcoming events.

Agenda Item E - Consent Agenda:

The following items are considered routine business by the Village Board and were presented for a single approval in the form listed below:

1. August 15, 2016 Special Village Board Workshop Minutes.

2. August 15, 2016 Special Village Board Meeting Minutes.

3. Total Expenditures (Payroll and Vouchers) - $2,973,901.90.
The vouchers have been reviewed by Trustee O'Shea and Manager Franz prior to this meeting, and are consistent with the Village's purchasing policy.

4. Designate Trustee Senak as Village President Pro Tem for the four-month period from September through December, 2016.
5. Approve a Downtown Retail Interior Improvement Award in the amount of $8,750, for The Beer Cellar, a business located at 488 Crescent Boulevard.

6. Approve waiver of Section 10-4-3(B3) of the Village Code to allow the Village Links/Reserve 22 to host the Glenbard West Boosters Fall Fundraiser, Oktoberfest, on Saturday, October 15, 2016, from 7:00 PM - 11:00 PM, and allow for a band to play live amplified music outside, under a tent, during the event.

7. Resolution No. 16-11, A Resolution Approving and Adopting the 2016 Village Personnel Manual.

8. Approve award of a construction contract to Denler, Inc., of Mokena, Illinois, for the 2016 Asphalt Street Crack Sealing Program, in the amount of $30,660, to be expensed to the Capital Projects Fund.

9. Approve an award of a multi-year contract for parkway tree pruning for 2016 to 2018, to Nels J. Johnson Tree Experts, of Evanston, Illinois, to perform the annual pruning contract from the time of award on September 12, 2016, until the end of the contract on April 30, 2019, in an amount not to exceed $162,177.50, to be expensed to the General Fund.

10. Ordinance No. 6438, An Ordinance Extending the Expiration Date of Ordinance No. 5567 Which Granted Approval of a Final Planned Unit Development, Final Plat of Subdivision and Subdivision Variations for Georgetown by the River Located on Property Commonly Known as 440 and 450 Swift Road.

11. Ordinance No. 6439, An Ordinance Approving a Variation from the Maximum Lot Coverage Ratio Requirements of the Zoning Code to Allow the Installation of a Box Bay Window and the Construction of a Front Porch to an Existing 2-Story Residence for the Property Located at 263 Sheffield Lane.

12. Ordinance No. 6440, An Ordinance Approving Variations from the Front and Corner Side Yard, Height and Alteration Class Requirements of the Zoning Code to Allow the Expansion of the First Floor Level, the Construction of a Second Floor Addition, and the Installation of a Bay Window to an Existing 1-Story Residence for the Property Located at 401 Phillips Avenue.

Regarding Item #6, Trustee Kenwood asked about having a band outside to which Village Manager Franz stated the Board did approve a pilot program last fall for six outdoor band events, and this event would be considered a seventh event. Village Manager Franz stated this is a one-time event.

Regarding Item #8, Trustee Senak asked about the different methods that Public Works uses to assess pavement to which Public Works Director Hansen stated for crack sealing, a company is brought in to see if the pavement is worthy of crack-sealing. Public Works Director Hansen stated if there are too many cracks in the pavement, the pavement is deemed that it is beyond crack-fill. Trustee Senak asked about the annual windshield survey to which Public Works Director Hansen stated the Public Works Department will look at every street every year to see how the pavements are faring. There was a discussion about how streets are inspected annually and photographing that will be done every four years. President Demos stated he was very impressed with this program package that was put together as this is a very important investment and should be brought to the Board every year.

Regarding Item #9, Trustee O'Shea stated ComEd does prune trees around their power lines and asked how the Forestry Department helps. Public Works Director Hansen stated there are 14,000 trees in the Village divided into five areas which would take a lot of time if this would done completely in-house; however, the in-house arborist does trim the smaller trees. Public Works Director Hansen stated they are continually looking at and inspecting and pruning trees. Trustee O'Shea asked about when the contractor does this tree care to which Public Works Director Hansen stated this work is done in the winter, starting around November 1st. Trustee Senak asked about the previous contractor to which Public Works Director Hansen stated the Village is looking at another contractor as the previous contractor had slow production and was not responsive to the Village's needs as well as there were issues with incorrect invoicing.

Regarding Item # 5, Trustee Ladesic would like to ensure there is a signed document at the Village with the correct lease date as he sees two different dates. Trustee Ladesic stated there are two different property owner names on the different documents, and an audience member stated the second name is for the attorney who has power of attorney. Trustee O'Shea asked to be clear on maintenance versus enhancement for a Retail Interior Improvement Award as he thought HVAC was not eligible. Village Manager Franz stated this might have been listed in the grant application, but this was not included in the award. There was a discussion on what can be included in this Award and how maintenance will be looked at for future Awards.

Regarding Item #10, Catherine Buck, owner of a unit at 1038 Swift Road and President of the Condominium Homeowner's Association of Georgetown by the River, stated they appreciate having the city's services available to them. Ms. Buck stated the Association does have concerns about the extending of the expiration date as there has not been many condos sold in the past few years and the condos that have sold have sold for much less than the original pricing. She stated the ordinance is expired, but the developer wants to reactivate this date, but for 24 months this time. Ms. Buck stated she met with the purchaser, and the new plans were not correct so the purchaser said they would build the new condos according to plan. She stated the Association is concerned about the development not being done correctly and in conformance and that there is financial backing to take this project to completion. She stated they do want to work with the Village and purchaser on this. President Demos thanked her for her comments and stated most of the questions can be answered on an administrative level with Village Manager Franz and Planning and Development Director Hulseberg. Trustee Ladesic asked if this is the same thing that happened with the developer on Pennsylvania Avenue to which Planning and Development Director Hulseberg stated the Village does ask for a standard letter of credit in case there is any damage done to existing common areas. Planning and Development Director Hulseberg stated the purchaser has committed to exactly following the plans, and the Village has told the purchaser this needs to be done exactly to plan. Planning and Development Director Hulseberg stated a few years ago, the Village changed the timing for completion of projects to 24 months instead of 18 months as projects were taking longer to get completed.

A motion was made by Trustee O'Shea and seconded by Trustee Senak to approve Consent Agenda Items 1-12.

Upon roll call, Trustees Clark, Elliott, Kenwood, Ladesic, O'Shea and Senak voted "aye."

Agenda Item F – 390 Elm Zoning Variation

Planning and Development Director Hulseberg presented information on this variation for the installation of a basketball hoop that did not meet the required yard setback requirements and stated that at the August 15, 2016 Village Board meeting, this issue was discussed with all parties expressing comments and concerns. Planning and Development Director Hulseberg stated the Board voted against denying this variation so the parties could possibly come up with an agreed-upon solution. Trustee Elliott asked if the Board needed to move to reconsider this issue due to procedure, and there was a discussion on the proper procedure for reconsidering this issue.

Tara Sheeley, property owner of 390 Elm Street stated the parties discussed this issue and decided a hedge would be the best option. Ms. Sheeley stated she got quotes for hedges and showed pictures of the possible hedges to be installed. Ms. Sheeley stated a net was discussed as well, but the parties agreed to try the hedge for now and then put the net up later if needed. George Dailey, property owner of 798 Western Avenue, stated the best compromise is the hedges that would be around four to six feet and would not block his garden. President Demos thanked both parties for coming up with this compromise.

Trustee Kenwood asked if the variation request could be withdrawn to which Planning and Development Director Hulseberg stated the variation request cannot be withdrawn as the installed basketball hoop is still not compliant to code so the best thing would be to grant the variation with certain conditions. Planning and Development Director Hulseberg stated the staff will redraft the ordinance and have the Village Attorney review it.

Trustee Ladesic stated he was the Trustee Liaison at the Zoning Board of Appeals (ZBA) meeting where this issue was discussed. Trustee Ladesic stated he feels if this issue went back before the ZBA with this compromise then the ZBA would support this decision.

A motion to reconsider the action of the Village Board from the August 15, 2016 Village Board Meeting to deny passage of Ordinance #6432 was made by Trustee Clark and seconded by Trustee O'Shea.

Upon roll call, Trustees Clark, Elliott, Kenwood, Ladesic, O'Shea and Senak voted "aye."

A motion to approve a variation to the required yard setback requirements of the zoning code to allow the installation at 390 Elm Street of a basketball hoop with the conditions of a four to six-foot hedge installed and contingent upon a review by the Village Attorney was made by Trustee Clark and seconded by Trustee O'Shea.

Upon roll call, Trustees Clark, Elliott, Kenwood, Ladesic, O'Shea and Senak voted "aye."

Agenda Item G – 196 Brandon Avenue License Agreement

Planning and Development Director Hulseberg presented information on a request for a license agreement at 196 Brandon Avenue to maintain a fence on the Greensfield Avenue right-of-way. Planning and Development Director Hulseberg stated in May 2010, property owners Joseph and Jennifer Iarrobino came before the Village Board to request a license agreement to build a fence in the right-of-way on Greensfield Avenue. Planning and Development Director Hulseberg stated the property line at 196 Brandon is unusual and is five feet short of the sidewalk. She stated the Board granted this license agreement allowing the fence to remain in the right-of-way for 10 years or until the property is sold or rented, at which point the fence is to be removed.

Planning and Development Director Hulseberg stated the property is currently in the process of being purchased by John and Jennifer Enders who are interested in keeping the fence in the right-of-way and are requesting a new license agreement for this fence.

Trustee O'Shea asked why the license agreement needs to have an expiration date to which Planning and Development Director Hulseberg stated at the time of the original agreement, there were concerns from a few Board members about starting to allow structures in the right-of-way as a regular occurrence. President Demos stated it is good to re-affirm a new license agreement with the new owners.

Planning and Development Director Hulseberg stated if the Village did vacate the right-of-way, this would create a jog in the right-of-way, and the Village may need this right-of-way in the future. Professional Engineer Minix stated the staff was opposed to cutting up the right-of-way so the license agreement is the right formal process and a good way to handle this issue.

A motion to approve the petitioner's request for a license agreement at 196 Brandon Avenue to maintain a fence in the Greensfield Avenue right-of-way was made by Trustee O'Shea and seconded by Trustee Clark.

Upon roll call, Trustees Clark, Elliott, Kenwood, Ladesic, O'Shea and Senak voted "aye."

Agenda Item H – Glenwood-Arbor-Ridgewood Improvements Project Closeout

President Demos stated the memorandum on this topic was presented extremely well and did not feel further explanation was needed. The Board agreed with this as well, and there were no questions on this from the Board or the public.

A motion to increase the original appropriation from the Water Fund by $63,465, and to credit the Sanitary Sewer Fund in the amount of $51,752, to rectify funding with actual expenditure categories associated with the Glenwood-Arbor-Ridgewood Improvements Project and approve Resolution No. 16-12, A Resolution concerning the determination of the Glen Ellyn Village Board that Change Order Number One - Final with Swallow Construction Corporation for an increase $22,718 is required for the Glenwood-Arbor-Ridgewood Improvements Project, for a revised and final contract cost of $3,171,283 was made by Trustee Elliott and seconded by Trustee O'Shea.

Upon roll call, Trustees Clark, Elliott, Kenwood, Ladesic, O'Shea and Senak voted "aye."

Agenda Item I – Chidester-Elm-Lenox-Linden (CELL) Improvements Project Closeout

Professional Engineer Minix presented information on this project that was completed in 2014 and consisted of various improvements on the four different streets around Lake Ellyn Park. Professional Engineer Minix stated the final project cost was under the original bid price; however, due to the issues relating to the contractor and the timely completion of the project, the oversight engineer did incur additional expenses based on various protracted discussions with the contractor. Professional Engineer Minix stated the Board tonight would take action on approving the Change Order and consideration of adjusting the fee amount for the engineer that did the construction oversight.

Trustee Ladesic asked if the staff looked at the pavement to which Professional Engineer Minix stated the pavement is satisfactory. Trustee O'Shea asked about a possible sidewalk installation to which Professional Engineer Minix stated in 2017, the Village would install a regular concrete sidewalk in the selected alignment on the east side of Lennox Road in Lake Ellyn Park, and the Glen Ellyn Park District has agreed to this.

Trustee Elliott made the following motions, and Trustee O'Shea seconded:

1. Resolution No. 16-13, A Resolution concerning the determination of the Glen Ellyn Village Board that Change Order Number One - Final with R. W. Dunteman Company for an decrease of $104,051 (including a $12,000 deduct for extra engineering expenses) is required for the Chidester-Elm-Lenox-Linden (CELL) Improvements Project for a revised and final contract cost of $3,318,902.
2. A motion to increase the appropriation for construction phase engineering services associated with the CELL Improvements Project provided by Civiltech Engineering, Inc. in the amount of $24,000 for a revised total appropriation of $263,000 to be expensed to the Capital Projects Fund.

3. A motion to approve Amendment No. 1 to the services agreement with Civiltech Engineering, Inc. for the CELL Improvements Project for additional construction engineering expenses in the amount of $24,000 resulting in a total not-to-exceed fee of $263,000 for the work.

Upon roll call, Trustees Clark, Elliott, Kenwood, Ladesic, O'Shea and Senak voted "aye."

Agenda Item J – Central Business District LED Street Lights

Public Works Director Hansen presented information on this topic and stated the existing street lights in Central Business District (CBD) were installed in 1985 and are nearing the end of the lights useful lights. Public Works Director Hansen stated the implementation of LED lights is an environmentally friendly initiative since reducing energy consumption reduces air pollution. He stated this topic was discussed at the August 15, 2016 Special Workshop Meeting, and the Board liked two options: the Holophane or the Sternberg. He stated the Public Works Department made replicas of each and referred the Board to these lights.

Public Works Director Hansen stated the Holophane fixture is the one chosen by the Capital Improvements Commission and has adjustable wattage and etched glass panel to reduce the glare of light. Public Works Director Hansen stated the Sternberg is a custom-made convertible LED replica of the existing CBD street lights and has the added up-lighting feature.

A resident stated they are very torn because she has a personal preference on the fixture, but knows there is a historical-preference as well. This resident asked the Board to go easy on the up-lighting of buildings, and it would be good to choose a convertible one if the Board does not choose a dark-sky compliant fixture.

Trustee Clark stated it comes down to cost as both fixtures are attractive. He stated he is concerned about the substantial difference in cost to purchase the higher-price fixtures without seeing a substantial different in the cost to operate the fixtures. He stated he does prefer the Holophane.

Trustee Elliott asked if the Commissions were divided on the fixtures to which Public Works Director Hansen stated the Environmental Commission would like a dark-sky compliant fixture, and the Capital Improvements Commission does want the Holophane fixture. Trustee Elliott stated from an aesthetic standpoint, he prefers the Holophane which is also dark-sky compliant. Trustee Elliott stated he understand the possible historical significance of the fixtures, but the cost difference is too great.

Trustee Senak stated he does not fully support either option and would prefer a historically-consistent fixture which is fully dark-sky compliant and installed by Public Works. Trustee Senak commended the Public Works Department for doing the vetting process on these fixtures. Trustee Senak stated the Village should adopt a historically-consistent fixture.

Trustee O'Shea stated he likes the Sternberg fixture as it is a great design. He stated he likes the lantern style and knows it is more expensive but worth it.

Trustee Kenwood stated he prefers the look of the Sternberg, and that it is dark-sky compliant. He stated he is not sure if the legacy of the Village's founders are tied to a light.
Trustee Ladesic stated he prefers the Sternberg fixture.

A motion was made to waive competitive bidding for the purchase of 295 LED luminaires, in the amount of $424,505, for the custom-made convertible Sternberg luminaires; and the installation of the luminaires by Utility Dynamics, of Oswego, Illinois, in the amount of $100,300, and $35,000 in electrical materials, for a total project amount of $559,805, to be expensed in FY2016 and FY2017 to the Parking and Capital Funds by Trustee Senak and seconded by Trustee Ladesic.

Upon roll call, Trustees Kenwood, Ladesic, O'Shea and Senak voted "aye." Trustees Clark and Elliott voted "nay." Motion carried.

Agenda Item K – Reminders

1. A Special Village Board Workshop is scheduled for Monday, September 19, 2016 at 6:00 p.m. in Room 301 of the Glen Ellyn Civic Center.

2. A Village Board Meeting is scheduled for Monday, September 26, 2016 at 7:00 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.

Agenda Item K - Other Business

Trustee Ladesic referred back to Item #11 on the Consent Agenda and asked if the Board would be talking about Lot Coverage ratio at a future workshop. President Demos stated the staff is working on this.

Adjournment

At 8:40 p.m., a motion was made by Trustee Elliott and seconded by Trustee O'Shea to adjourn. Motion carried.

Upon roll call, Trustees Clark, Elliott, Kenwood, Ladesic, O'Shea and Senak voted "aye."

Respectfully submitted,

Debbie Solomon
Recording Secretary