



Minutes
Village of Glen Ellyn
Regular Village Board Meeting
Regular Meeting
April 11, 2022
7:00 PM
Glen Ellyn Civic Center, Galligan Board Room

Board or Commission: Village Board
Meeting: Regular
Quorum: Yes

Date: April 11, 2022
Called to Order: 7:00 p.m.
Adjourned: 9:41 p.m.

MEMBER ATTENDANCE:

Mark Senak	President	Present
Kelli Christiansen	Trustee	Absent
Gary Fasules	Trustee	Present
Anne Gould	Trustee	Present
Kelley Kalinich	Trustee	Present
Bill Payne	Trustee	Present
Steve Thompson	Trustee	Present

Also Present:

Greg Mathews	Village Attorney
Mark Franz	Village Manager
Stacey Springer	Director of Community Development
Emily Rodman	Assistant Village Manager
John Hubsby	Assistant Public Works Director
Dave Buckley	Director of Public Works
Phil Norton	Police Chief
Penni Cannova	Executive Assistant Deputy Clerk
Meredith Hannah	Economic Development Coordinator

Public:

Michael Poorman	Pastor at Parkview Community Church
Christina Morrison	791 Willis Street
Richard & SuzAnne Cholewinski	249 Kenilworth Court

A. CALL TO ORDER/ROLL CALL

The April 11, 2022 meeting of the Village Board was called to order by President Senak at 7:00 PM at the Glen Ellyn Civic Center, Galligan Board Room.

B. PLEDGE OF ALLEGIANCE

C. AUDIENCE PARTICIPATION – None

D. PRESENTATION

1. Assistant Public Works Director Hubsy provided an overview of SeeClickFix. Hubsy reported SeeClickFix is the Village's 311 system, providing the ability for people to report non-emergency requests. One can access this via the website from multiple spots or via an app from the App store on one a smartphone. He state that this is a better way for the public to report non-emergency items. APW Director Hubsy showed the Village Board how to access SeeClickFix and the nature of the system. He stated that there are a number of topics the public can choose. Notifications will go out to various departments based on what the topic is. There are currently 46 topics to choose from. This will help Public Works dispatch crews to address the topic being requested. Trustee Fasules suggested having an emergency button on the home page in order to access it. President Senak thanked APW Director Hubsy for the presentation and encouraged everyone to download the app.

E. CONSENT AGENDA – Village Manager Franz stated the following items are considered routine business by the Village Board and will be approved in a single vote in the form listed below.

Motion to approve the following Total Expenditures (Payroll and Vouchers) - These agenda items have been reviewed by the Management Team & Village Attorney and are consistent with the Village's purchasing policy. (Trustee Fasules)

- 1) Total Expenditures (Payroll and Vouchers) - \$3,785,080.90
- 2) July 12, 2021 Special Village Board Meeting Minutes
- 3) January 10, 2022 Executive Session Meeting Minutes
- 4) January 24, 2022 Village Board Meeting Minutes
- 5) March 14, 2022 Special Village Board Workshop Minutes
- 6) March 14, 2022 Village Board Meeting Minutes
- 7) Motion to Authorize the Village Manager to Execute an Agreement with the Glen Ellyn Chamber of Commerce to Provide Assistance in the Amount of \$75,000 to be expensed to the ARPA Fund (Economic Development Coordinator Hannah)
(Under the Treasury guidelines related to ARPA Funds, the Village claims the standard revenue loss deduction of up to \$10M
and this expense qualifies as an acceptable expense under that deduction.)
- 8) Motion to Approve Ord. No. 6947, An Ordinance Granting Approval of an Amendment to the Conditions of Approval of Ordinance No. 5315, Regarding the Property Located at 333 Merton Avenue, Glen Ellyn, IL 60137 (Community Development Director Springer)
- 9) Motion to Approve Ord. No. 6948, An Ordinance Granting Approval of an Amendment to the Preliminary PUD Plans Approved on June 4, 2018 by Ordinance No. 6605 to Allow Outdoor Sales and Storage at Pete's Market Grocery Store Located at 880 Roosevelt Road, Glen Ellyn, IL 60137 (Community Development Director Springer)

10) Motion to accept the low bidder and authorize the purchase of one (1) 2022 Ford Utility Police AWD from Currey Motors, Frankfort, Illinois, at a cost not to exceed \$41,305, to be expensed to the Fire Services Fund (Fire Chief Clark).

11) Ordinance No. 6950, Approving a Variation from the Sign Code to Allow for the Installation of a Backlit Wall Sign in an R2 Residential District on the Property Located at 764 St. Charles Road (Community Development Director Springer)

12) Motion to Approve a New Special Event, "The Glen Ellyn First Thursdays Summer Concert Series Downtown" presented by the Glen Ellyn Chamber of Commerce, the Glen Ellyn Park District and the Village of Glen Ellyn (Economic Coordinator Hannah)

Trustee Fasules motioned to approve consent items 1-12, removing 7 and 11 and the expense expenditures in the amount of \$3,785,080.90. Trustee Kalinich seconded the motion.

RESULT: UNANIMOUS APPROVAL (5-0) Items 1-6, 8-10 & 12

MOVER: Gary Fasules, Trustee

SECONDER: Kelley Kalinich, Trustee

AYES: Thompson, Kalinich, Fasules, Gould, Payne

President Senak stated that he requested that Item 7 be pulled from the Consent Agenda merely to make a correction. He stated as he understands the scholarship would only be available to GBS and GBW students but he understands there is willingness that it is available to all resident students of Glen Ellyn contingent upon Chamber approval. He would like to see that provision added and would like another added that the Village be able to audit any revenue that is received from the carnival above the \$75,000.

Trustee Fasules motioned to authorize the Village Manager to execute an agreement with the Glen Ellyn Chamber of Commerce to provide assistance in the amount of \$75,000 to be expensed to the ARPA Fund contingent upon the Chamber Board approving the addition of Glen Ellyn resident students to the scholarship program and an audit of all carnival proceeds as approved by the Chamber and upon attorney review. Trustee Thompson seconded the motion.

RESULT: UNANIMOUS APPROVAL (5-0) Item 7

MOVER: Gary Fasules, Trustee

SECONDER: Steve Thompson, Trustee

AYES: Thompson, Kalinich, Fasules, Gould, Payne

Item 11 - Ordinance No. 6950, Approving a Variation from the Sign Code to Allow for the

Installation of a Backlit Wall Sign in an R2 Residential District on the Property Located at 764 St. Charles Road (Community Development Director Springer). Director Springer stated that the petitioner is Michael Poorman, Operations Pastor for Parkview Community Church, located at 764 St. Charles Road. The petitioner is requesting a sign variation to install a backlit wall sign on the subject property which is located in the R2 Residential District where illuminated signs are prohibited. The subject property is located at the corner of St. Charles Road and Riford Road, with frontage along St. Charles Road. The property is improved with a church, surface parking lot, and a residential structure fronting St. Charles Road. CR Conservation/Recreation Districts are located to the west, north, and east of the subject property (Ackerman Park), with R2 Residential Districts being located directly to the south of the property (Forest Hill Cemetery). The Church also owns the residential property located at 772 St. Charles Road, which is surrounded by their site. The Parkview Community Church site has two identical freestanding signs on the property (neither of which are illuminated). One of the freestanding signs is located on the northwestern portion of the property while the other sign is located on the southeastern portion of the property (photo attached). The petitioner has stated that their existing signage doesn't stand out enough to alert drivers on St. Charles Road of their church particularly at night. For this reason, they have submitted the petition for an illuminated sign on the building.

The plan commission has approved with a few conditions (see attached). It is requested that the Village Board consider the petitioner's request, the recommendations offered by the Plan Commission, and any further evidence or testimony presented at the Village Board Meeting and grant, deny, or amend the requested Sign Variation. Staff has drafted an Ordinance to approve the requested variation for the Village Board's review at the March 28, 2022 meeting, in accordance with the Plan Commission's commendation. President Senak asked whether there are any questions from Trustees on the variances and if the Board had any thoughts on the time restrictions. Trustee Fasules stated midnight. Trustee Thompson stated that there was only one objection from a resident. It was questioned whether there are any turnoff signs in the Village. Director Springer states no. Trustee Kalinich asked if the Plan Commission made their decision and one Plan Commissioner wants to change something, it should go back to the Plan Commission and not come to the Village. President Senak stated that the Board should be able to decide this, it is either 10:30 or midnight.

Trustee Fasules moved to approve Ordinance No. 6950, Approving a Variation from the Sign Code to Allow for the Installation of a Backlit Wall Sign in an R2 Residential District on the Property Located at 764 St. Charles Road the backlit sign should be turned off at midnight. Trustee Thompson seconded the motion.

RESULT: MOTION DOES NOT PASS (2-3) Item 11

MOVER: Gary Fasules, Trustee

SECONDER: Steve Thompson, Trustee

AYES: Thompson, Fasules

NAYS: Kalinich, Gould, Payne

Pastor Michael Poorman, Operations Pastor for Parkview Community Church, stated he is grateful for opportunity to be here this evening. Parkview Church went to the Plan Commission for a recommendation of midnight and feels that the light pollution will be minimal based on their location. They were confused with the Plan Commission as it relates to the Park District because the Park District has lights on all night and they would like the same. For the Church, midnight would be better so people driving late at night people would see our church. Trustee Payne asked why they would not go back to the Plan Commission again. Pastor Poorman states he was following the lead of Josh the village intern.

Trustee Fasules motioned to reconsider the denial of Ordinance No. 6950, Approving a Variation from the Sign Code to Allow for the Installation of a Backlit Wall Sign in an R2 Residential District on the Property Located at 764 St. Charles Road the backlit sign should be turned off at midnight. Trustee Thompson seconded the motion.

RESULT: MOTION TO RECONSIDER Item 11 - DENIED (2-3)

MOVER: Gary Fasules, Trustee

SECONDER: Steve Thompson, Trustee

AYES: Thompson, Fasules

NAYS: Kalinich, Gould, Payne

Trustee Payne motioned to approve Ordinance No. 6950, Approving a Variation from the Sign Code to Allow for the Installation of a Backlit Wall Sign in an R2 Residential District on the Property Located at 764 St. Charles Road the backlit sign should be turned off at 10:30 pm as on the agenda. Trustee Kalinich seconded the motion.

RESULT: UNANIMOUS APPROVAL (5-0) Item 11

MOVER: Gary Fasules, Trustee

SECONDER: Steve Thompson, Trustee

AYES: Thompson, Fasules, Kalinich, Gould, Fasules

F. Non-Consent

1) Ordinance No. 6949, An Ordinance to Approve a Special Use Permit, Zoning Variations and the Exterior Appearance Application to Allow the Expansion of the Parking Lot at 420 Glenwood Avenue to Include the Property Located at 494 Hillside Avenue (Community Development Director Springer) See attached presentation. Springer states St. Petronille Church is proposing to expand their existing parking lot at 420 Glenwood Avenue to include the property at 494 Hillside Avenue. With the completion of the project, there would be no net increase in the number of parking stalls provided on the property; however the expansion would allow access to the parking lot

from a driveway approach to be constructed on Hillside Avenue. According to the petitioner, the main purpose of the project is to create a more efficient and safer school drop-off/pick-up by getting cars off Hillside Avenue and into the parking lot to queue. The driveway access on Hillside Avenue would help to facilitate the flow of traffic through the site. Much of the existing parking lot is considered legal non-conforming, including the parking stall dimensions, the aisle widths, lack of screening, number of driveway approaches, slope, lighting, the lack of curbing around the perimeter, and the lack of landscape islands. The existing parking lot on the property at 420 Glenwood Avenue does not have to be brought into full compliance with the requirements of the Zoning Code because the proposed parking lot addition would not increase the number of parking spaces by 10% or more, which is the threshold for triggering full compliance. However, the parking lot addition must fully comply with the requirements of the Zoning Code, or variations must be granted. Any parts of the existing parking lot that are impacted by the parking lot addition will also require variations. The main purpose of the project is to create a more efficient and safer school drop-off/pick-up by getting cars off Hillside Avenue and into the parking lot to queue. The driveway access on Hillside Avenue would help to facilitate the flow of traffic through the site. Additional information about the project and variations requested is attached.

Plan commission voted 7-0 to approve. During the discussions and approval of the Apex Project, the Village Board directed staff to work with church officials to assist with installation of gates and traffic engineering costs associated with the proposed improvements to their parking lot. The Developer agreed to pay for some improvements to the St. Pet's parking lot as well, and the Village Board was interested in working collaboratively with all parties. Therefore, staff is recommending that in lieu of the engineering costs, the Village reimburse St. Pets for the costs and installation of the bollards and gates totaling \$25,610 from the capital budget. We are asking the village board consider the Special Use Permit, Variations from the Zoning Code, and the Exterior Appearance application and also make a motion to approve the reimbursement to St. Pets for the costs and installation of the bollards and gates totaling \$25,610 from capital budget.

President Senak asked the Village Board for a motion.

Trustee Kalinich motioned to approve Ordinance No. 6949, An Ordinance to Approve a Special Use Permit, Zoning Variations and the Exterior Appearance Application to Allow the Expansion of the Parking Lot at 420 Glenwood Avenue to Include the Property Located at 494 Hillside Avenue. Trustee Payne seconded the motion.

RESULT: UNANIMOUS APPROVAL (5-0)

MOVER: Kelley Kalinich, Trustee

SECONDER: Bill Payne, Trustee

AYES: Payne Thompson, Fasules, Kalinich, Gould

President Senak asked the Village Board if anyone objects to the Village Manager exercising his authority to fund what has already been approved. Hearing none, the

motion passed.

2) Ordinance No. 6951, Approving a Variation from the Zoning Code to Allow the Construction of Two One-Story Additions in the Required Front Yard Setback for the Property Located at 791 Willis Street (Community Development Director Springer). Springer states the reason this is on the non-consent agenda is because there was a split vote from the ZBA. Petitioner Christina Morrison is requesting approval of a variation from the Glen Ellyn Zoning Code to allow the construction of two one-story additions onto their existing non-conforming home. The property is zoned R2. The property is located on the southwest corner of Willis and Riford. There was a public hearing on March 8, 2022 and the ZBA members were split as to whether or not there is a hardship or practical difficulty. One ZBA member did not find a practical difficulty or hardship since the petitioner knew about the irregular lot shape and placement of the house when they recently purchased the lot. Another ZBA member did not find a hardship with the garage addition but expressed support for the bedroom addition. The remaining ZBA members agreed that the large required front yard (47% of the lot area), lot configuration, and location of the existing house create a unique circumstance and hardship for the petitioner to build any improvements on the lot.

Public Comment: Christina Morrison stated that they were very excited to move to Glen Ellyn. Their home is a mid-century ranch and very dated. They love the mid-century look of the house but would like to bring it up to 21 century. They would like to add a 3-car garage and request the variance so they can add it to the house and make it look seamless.

Trustee Thompson motioned to approve Ordinance No. 6951, Approving a Variation from the Zoning Code to Allow the Construction of Two One-Story Additions in the Required Front Yard Setback for the Property Located at 791 Willis Street. Trustee Kalinich seconded the motion.

RESULT: UNANIMOUS APPROVAL (4-1)

MOVER: Steve Thompson, Trustee

SECONDER: Kelley Kalinich, Trustee

AYES: Payne Thompson, Kalinich, Gould

NAYES: Fasules

3) Ordinance No. 6952, An Ordinance Denying Three Construction Necessitated Zoning Variations to Maintain a Driveway Expansion, Deck, and Pond on the Subject Property, and Approving Two Construction Necessitated Zoning Variations to Maintain a Deck and Walkway on the Property Located at 249 Kenilworth Court Glen Ellyn, IL 60137 (Community Development Director Springer). Springer states the property owners, Richard and SuzAnne Cholewinski, are requesting approval of construction necessitated zoning variations from the Glen Ellyn Zoning Code to allow the existing building addition, deck, and water garden (pond) to remain in their existing locations, encroaching into the required rear yard setbacks per the attached plat of

survey exhibit. The petitioners also seek approval of variations to allow the existing walkway to encroach into the required impervious surface setback and maintain the driveway and walkway expansion of approximately 289.2 square-feet at the front of the existing residence. The property is zoned R2 Single Family Residential District and are all improved with single-family homes. The lot is located on Kenilworth Court. The property was purchased in 2006. The homeowners requested zone variations soon after they purchased the property to make improvements. Variations in the past were granted. They requested several permit extensions and passed the final building inspection in 2009. In June 2021, the Village Building Department received a complaint regarding work done on the subject property without obtaining a building permit. To validate the complaint, staff reviewed the permit files and found no permits for additions and alterations issued since permit No. 26355 in 2006. A review of the recorded drawings approved in 2006 indicated that the house, at that time, was two stories in height, with five bedrooms and 2.5 bathrooms, whereas a 2021 real estate listing of the property featured a three-story residence with five bedrooms and 5.5 bathrooms. Consequently, on June 30, 2021, the Village Building and Zoning Official notified the homeowners of the numerous building and plumbing violations and directed them to apply for a building permit for these improvements (see attached letter from June 30, 2021). On July 12, 2021, the homeowners filed a building permit application and submitted as-built drawings. On August 12 and December 14, 2021, staff sent rejection letters pertaining to zoning, building, and drainage plan requirements (see attached letters). Specifically, the zoning review found that the renovated kitchen, driveway expansion, deck, and water garden (pond) did not comply with the setback and impervious surface requirements. Furthermore, staff informed the homeowners of the need to either correct the improvements to comply with the Zoning Code provisions or file a Construction Necessitated Zoning Variation application. On December 20, 2021, the homeowners notified the Village that they prefer to pursue zoning variations to legalize the improvements in violation. In order for the improvements to remain as constructed, the abovementioned variations will need to be granted. If the variation requests are denied and the improvements are to be corrected, the petitioners have provided the following cost estimates of:

- \$68,500 to bring the non-conforming kitchen addition into compliance.
- \$10,500 to remove the nonconforming portion of the existing wooden deck and add landscaping.
- \$3,450 to remove the nonconforming impervious surfaces and restore the area with sod.
- \$2,750 to remove the water garden and refill the area with sod.
- \$1,350 to remove 75 square feet of rear brick paver sidewalk, fill in the black dirt, and grade to level surface.

On March 8, 2022, the ZBA voted to recommend approval of the requested Construction Necessitated Zoning Variations for the building addition and walkway by a roll call vote of five “yes” and two “no” votes and denial of the requested Construction Necessitated Zoning Variations for the deck, water garden, front impervious surface coverage by a roll call vote of six “yes” and one “no” votes.

Public Comment: Property owners Richard and SuzAnne Cholewinski stated they sincerely apologize for not following the proper building procedures after the completing

first phase of our home renovations in 2007. They stated that their judgement became clouded when completing home renovations on the inside. They have close relationships and support from our neighbors and worked diligently to correct the non-compliant portions of the home renovations. They hope to get the remaining 3 variations approved. Since they did most of the work ourselves, it was off our radar to get permits. Suzanne distributed photos of the work completed to the Board for review.

Trustee Thompson asks Community Development Director Springer if this lot was vacant and were a home to be constructed on it, how many variations would need to be approved? Director Springer replied a lot which is why the Village has hardships and variations for lots like this.

Public Comment: Resident and neighbor Daryl White stated that the photos do not show a good perspective of the home. The driveway is not impeding on any other house of the cul-de-sac and that it is a beautiful place.

Trustee Kalinich motioned to approve Ordinance No. 6952, to approve the Construction Necessitated Zoning Variations as endorsed by the Zoning Board of Appeals for the building addition and walkway. Trustee Gould seconded the motion.

RESULT: UNANIMOUS APPROVAL (5-0)
MOVER: Kelley Kalinich, Trustee
SECONDER: Anne Gould, Trustee
AYES: Payne, Thompson, Kalinich, Gould, Fasules

Trustee Fasules motioned to approve Ordinance No. 6952 the Construction Necessitated Zoning Variations for the driveway expansion and deck. Trustee Kalinich seconded the motion.

Trustee Thompson stated that he was more inclined to approve the deck and not so for the driveway. He added that he has suffered from the same rule when he was not allowed to expand his driveway.

Trustee Fasules stated that he was against approving these, but his main reason to approve is that I did not have wisdom of the neighborhood. He felt the Village's rules may not be just here. Residents have come forth in support of what has been done.

Trustee Kalinich stated that if we entrust our commissions, we need to support them. But this is a different situation and the first time we have received an apology for what has been done.

RESULT: Motion does not pass – needed 4 votes to overturn ZBA (3-2)
MOVER: Gary Fasules, Trustee
SECONDER: Kelley Kalinich, Trustee
AYES: Payne, Kalinich, Fasules
NAYES: Thompson, Gould

Trustee Thompson moved to approve Ordinance No. 6952 the Construction Necessitated Zoning Variations for the deck on the Property Located at 249 Kenilworth Court Glen Ellyn, IL 60137. Trustee Kalinich seconded the motion.

RESULT: UNANIMOUS APPROVAL (4-0)

MOVER: Steve Thompson, Trustee

SECONDER: Kelley Kalinich, Trustee

AYES: Payne, Kalinich, Fasules, Thompson, Gould

Trustee Fasules' moved to overturn the ZBA recommendation of the impervious surface. Trustee Kalinich seconds the motion.

RESULT: Motion does not pass – needed 4 votes to overturn ZBA (2-3)

MOVER: Gary Fasules, Trustee

SECONDER: Kelley Kalinich, Trustee

AYES: Kalinich, Fasules

NAYES: Thompson, Payne And Gould

G. Other Business - None

H. Reminders – Village Manager Franz reviews reminders with Village Board

- 1) The Village Board Workshop scheduled for April 18, 2022 has been canceled.
- 2) The Regular Village Board Meeting on April 25, 2022 at 7:00 pm.
- 3) Roosevelt Road/Taft Avenue Hotel Site Ad Hoc Work Group – May 4, 2022 at 7:00 pm (Police Department Community Room)

I. ADJOURNMENT –

Trustee Fasules motioned to adjourn the meeting and Trustee Gould seconded the motion. The meeting adjourned at 9:41 p.m.

RESULT: UNANIMOUS APPROVAL (5-0)

MOVER: Gary Fasules, Trustee

SECONDER: Anne Gould, Trustee

AYES: Thompson, Kalinich, Fasules, Gould, Payne

Submitted by Elisa Pollina, Recording Secretary

Reviewed by Penni Cannova Staff Liaison