Minutes
Village of Glen Ellyn
Regular Village Board Meeting
Monday, December 11, 2023
7:00 PM
Glen Ellyn Civic Center, Galligan Board Room

A. Call to Order – 7:00 P.M.

B. Pledge of Allegiance (Brownie troop 56223 of Forest Glen Elementary School)

Troop 56223 led the pledge. The Board passed out merit badges for their assistance and participation.

C. Roll Call

Upon roll call by Deputy Clerk Cannova, President Senak and Trustees Christiansen, Kalinich, Gould, Simon, and Thompson answered "Present." Trustee Fasules was absent.

Also in attendance: Village Manager Franz, Assistant Village Manager/Community Development Director Rodman, Village Attorney Mathews, Public Works Director Buckley, Interim Finance Director Brankin, Economic Development Coordinator Hannah, Village Engineer Daubert, Director of Golf Allen, Police Chief Norton, and Fire Chief Clark.

D. Audience Participation

Kim Reed, President of the Glen Ellyn Youth and Family Services Counseling Service Board and representing the non-profit organization One Community, responded to acts of hate in the community. She read a statement from One Community defining their stand on tolerance of racism, hatred, and bigotry.

Nareed Khader, Village resident, talked about his concerns regarding leaf blowers disturbing the peace. He suggested that perhaps the Village should consider banning their use because of the noise pollution as well as emissions.

President Senak followed up to Ms. Reed's comments by addressing recent antisemitic acts that occurred in the Village. He added that the Village condemned these actions and all lives are valued. He stated that anyone should use restraint in using violence as a reaction to violence currently happening in the Middle East. He added that the Village will protect those targeted by these evil acts and use every resource available to find those who commit such acts and bring them to justice. He concluded by saying that hate has no home in the Village of Glen Ellyn.

E. Presentation

1) Presentation on East Branch River Trail (President, Friends of the East Branch River Trail, G. Wheeler)

Friends of the East Branch River Trail members, Steve Johnson, Ginger

Wheeler and Libby Ahern, presented an update on their efforts to make the trail a reality. They said there would be opportunities for public comment as the project continues.

President Senak thanked Representative Casten for his support of the Trail. He voiced his support for the project as well and believes it will benefit the Village in myriad ways.

2) Recognition of resident Joyce Wagner (Village President Senak)

President Senak introduced resident Joyce Wagner, who is 101 years old as well as a Holocaust survivor. He added that Ms. Wagner shares her experience with others and has also written a book detailing her experience. He also stated that the Village is lucky to have her as a resident. Ms. Wagner then addressed the Board and the Village presented her with a key to the Village.

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:

RESULTS:	**APPROVED [5 to 0]**
MOVER:	**Trustee Kalinich [Items 1 & 2; 4 to 8; 10; 12; 14 & 15]**
SECONDER:	**Trustee Thompson**
AYES:	**Kalinich, Thompson, Christiansen, Gould, Simon**
NAYS:	

Motion to approve the following items including Payroll and Vouchers totaling $2,245,624.04. These agenda items have been reviewed by the Management Team and Village Attorney and are consistent with the Village's purchasing policy (Trustee Kalinich).

1) Total Expenditures (Payroll and Vouchers) - $2,245,624.04

2) Village Board November 27, 2023 Meeting Minutes

3) Village Board November 20, 2023 Meeting Minutes

Trustee Kalinich pulled this item for revisions.

4) Village Board November 20, 2023 Closed Executive Session Minutes

5) Village Board September 25, 2023 Closed Executive Session Minutes

6) Motion to appoint Trustee Kalinich as President pro tem for the period of January - April 2024

7) Approval of the Recommendation of Village President Senak that Alisha Badie be appointed as a Student Commissioner to the Community Relations Commission with a term ending 7/31/24

8) Motion to Authorize the Village Manager to execute a three-year contract with Abbott Tree Care Professionals of Wayne, Illinois for tree removals and emergency tree work in a not-to-exceed amount of $177,152.91 (including a 10% contingency) to be expensed to the General Fund 143400-521095 (Public Works Director Buckley)

President Senak was pleased that this had been submitted for competitive bidding. He requested that the 2024 budget be amended to reflect the savings realized by the bidding process. Public Works Director Buckley addressed the difference between the winning bid and the budgeted amount and agreed with President

Senak's request to move the $15,000 difference into the surplus budget.

9) Motion to Approve Ordinance No. 7077, An Ordinance Approving Zoning Variations to reduce the required side yard and increase the lot coverage ratio to allow the addition of a "Three Season Room" to an existing family home located at 181 S. Milton (AVM/Community Development Director Rodman)

RESULTS:	**APPROVED [4 to 1]**
MOVER:	**Trustee Kalinich**
SECONDER:	**Trustee Simon**
AYES:	**Kalinich, Simon, Thompson, Christiansen**
NAYS:	**Gould**

Trustee Simon pulled this item for separate consideration.

Trustee Simon was concerned about the "creep" in the required percentage (20% to 23ish%). She wondered if there was a way to work toward maintaining the requirements instead of continuing to allow slippage. AVM/Community Development Director Rodman clarified the current 20% lot coverage requirement. She added that the old requirement had been 25%, which created a number of non-conforming lots. She then explained the process when working with homeowners on variation requests. AVM/Community Development Director Rodman concluded her comments by suggesting if the Board feels there are too many requests, they could be addressed with a zoning code update.

Trustee Gould asked if non-conforming property were not an unusual circumstance to have in the Village. AVM/Community Development Director Rodman replied. The discussion continued around reasons to consider granting a variance as well as reasons not to grant a variance.

AVM/Community Development Director pointed out that the Board has the option to disagree with the ZBA's findings.

Trustee Kalinich commented that the idea of 25% lot coverage was not unique because of a lot provision that allows up to 25% when a detached garage is involved. Trustee Gould added that this exception was originally made with the assumption that an architectural aesthetic would be gained by allowing this for a detached garage, and not an across-the-board approval for 25% coverage.

10) Motion to Approve Ordinance No. 7078, An Ordinance Approving the Exterior Appearance of a Building Addition for 1st Presbyterian Church located at 550 N. Main Street (AVM/Community Development Director Rodman)

11) Motion to Approve Ordinance No. 7079, An Ordinance Designating the Commercial Building at 558-560 Crescent/477 Forest as a Local Landmark (AVM/Community Development Director Rodman)

RESULTS:	**APPROVED [5 to 0]**
MOVER:	**Trustee Kalinich**
SECONDER:	**Trustee Christiansen**
AYES:	**Kalinich, Christiansen, Thompson, Gould, Simon**
NAYS:	

President Senak pulled this item for separate consideration.

Penn French, Chair of the Historic Preservation Commission, explained Landmark Status and what it does for a property. He talked about the significance of the commercial building being considered for Landmark Status via this ordinance and why the Commission approved the request.

Owners Barb Lemme, Caroline Jacobsen, and Virginia Larsen were presented a plaque for the building by Chairperson French. They thanked the Board for approving the status, adding that it has been interesting to see all the past businesses that have occupied the property throughout its history.

Chairman French gave additional thanks to Tim Loftus and Lee Marks, both former Chairs of the HPC, for their help in researching the architectural style of the building.

President Senak thanked the building owners for their efforts to gain Landmark status for their building.

12) Motion to Approve Proposed Increase in Village Links Golf User Fees for the 2024 Golf Season (General Manager Vesevick)

13) Motion to accept the low bidder and authorize the purchase of (1) Breathing Air Compressor and Containment Fill Station from Air One Equipment, Inc., South Elgin, Illinois at a cost not to exceed $52,750, to be expensed to the Fire Services Fund (Fire Chief Clark)

RESULTS:	**APPROVED [4 to 0]**
MOVER:	**Trustee Kalinich**
SECONDER:	**Trustee Simon**
AYES:	**Kalinich, Simon, Thompson, Gould**
NAYS:	

Trustee Christiansen pulled this item for separate consideration.

Trustee Christiansen recused herself from the discussion and vote due to her husband’s relationship with the Volunteer Fire Company.

14) Motion to authorize the Village Manager to execute a Supplemental Agreement with Union Pacific Railroad Company for Preliminary Engineering Services associated with the Glen Ellyn Metra Station and Multimodal Access Improvements Project in the not-to-exceed amount of $80,000, to be expensed to the Capital Projects Fund. (Professional Engineer Rich Daubert)

President Senak asked if this amount was in addition to the amount already approved for Phase 2 Engineering. Public Works Director Buckley replied yes, and explained why this additional amount is needed at this time.

President Senak asked if there would be any more funds needed for other phases of Union Pacific review. Public Works Director Buckley replied. President Senak asked if this was needed to obtain additional grant funding for the project. Public Works Director Buckley replied that it is necessary to have Phase 2 plans, which are needed for approvals, so yes.

15) Motion to Approve the Award of the 2023 Panfish Park Pipe Replacement Contract to A Jules Construction LLC of Woodstock, Illinois, in an Amount Not to Exceed $98,500, to Be Expensed to the CY2023 Capital Projects Fund (General Manager Vesevick)

G. 2S630 Arboretum Road Annexation Agreement (AVM/Community Development Director Rodman) (Trustee Kalinich)

1) Motion to open a Public Hearing for a Proposed Annexation Agreement for 2S630 Arboretum Road

RESULTS:	**APPROVED [5 to 0]**
MOVER:	**Trustee Kalinich**
SECONDER:	**Trustee Christiansen**
AYES:	**Kalinich, Christiansen, Gould, Simon, Thompson**
NAYS:	

After being sworn in, AVM/Community Development Director Rodman gave background on the Agreement. She showed a map of the property in relation to the previously annexed properties. She reviewed the requirement that the petitioner will need to meet to receive the annexation.

2) Motion to Close the Public Hearing for a Proposed Annexation Agreement for 2S630 Arboretum Road

RESULTS:	**APPROVED [5 to 0]**
MOVER:	**Trustee Kalinich**
SECONDER:	**Trustee Christiansen**
AYES:	**Kalinich, Christiansen, Gould, Simon, Thompson**
NAYS:	

3) Motion to Approve Ordinance No. 7080, An Ordinance Approving an Annexation Agreement for the Property Located at 2S630 Arboretum Road

RESULTS:	**APPROVED [5 to 0]**
MOVER:	**Trustee Kalinich**
SECONDER:	**Trustee Gould**
AYES:	**Kalinich, Gould, Christiansen, Simon, Thompson**
NAYS:	

H. Arboretum Estates East Annexation (AVM/Community Development Director Rodman) (Trustee Kalinich)

RESULTS:	**APPROVED [5 to 0]**
MOVER:	**Trustee Kalinich**
SECONDER:	**Trustee Simon**
AYES:	**Kalinich, Simon, Christiansen, Gould, Thompson**
NAYS:	

1) Motion to Approve Ordinance No. 7081, An Ordinance Annexing Eight Properties Located on the East Side of S. Park Boulevard and the North Side of Butterfield Road Commonly Known as the Arboretum Estates East Subdivision

AVM/Community Development Director Rodman gave background/timeline on the eight properties being proposed for annexation. She noted that the Board packet included details of the unique requirement for each property that need to be fulfilled for the annexation.

Trustee Thompson asked to go back to the map and what the white sliver was on it. AVM replied and Attorney Mathews added that in the past, the owner did not want to annex. Attorney Mathews talked about the original reason for annexation, which was water service.

S.J. Klein, resident who lives next to the white sliver on the map, spoke about the land and that it was never supposed to be built on. He added details about debris on the lot and his communications with the owner to clean it up. He also spoke about the Airbnb home that is on another side of his property. He does not approve of either situation.

Trustee Thompson wanted to know why the "white sliver" is not part of the annexation agreement. Village Manager Franz replied that the owner does not want to be part of the annexation.

Trustee Christiansen asked for confirmation that the County would be responsible for enforcing clean-up of the property. Village Manager Franz said yes, this was correct.

President Senak said that the Village should facilitate the communication to the County on behalf of Mr. Klein. Trustee Thompson asked how that concern would be voiced. Village Manager Franz said that staff has already been asked to work with the County to resolve the debris issue.

Ray Connelly, resident of one of the proposed annexation properties, spoke about the problems with the Airbnb property that has been a party house rental causing total disruption of the neighborhood. He gave examples of the incidents that have happened at the property, including loud music at all times of the day and unsavory behavior by the renters.

Mr. Connelly added that fines have done nothing the stop the owners from continuing to rent to disruptive groups. He asked for a zoning code change to stop the abuse of a residential neighborhood and wanted a ban on short-term rentals.

Attorney Mathews clarified which property was under scrutiny. Trustee Simon asked if the Village would have more jurisdiction over it once annexed, to which the answer was yes. Mr. Connelly added that he wants to be involved to resolve the issue.

Attorney Mathews said that staff has met to address this issue to the satisfaction of the neighborhood. He added that zoning requires it to be residential and that the initial plan is to approve the annexation to give the Village some authority to do something about the property use, which will begin with a letter to the property owners clarifying what the zoning permits. If the behavior persists, a citation will be issued and take them to court if necessary.

President Senak stated that he felt the planned actions surrounding the Airbnb property will address the problems and issues that the neighborhood has. Trustee Simon added that the Board appreciated the residents for putting up with a very distressing situation.

I. Popeyes Restaurant - 750 Roosevelt Road (AVM/Community Development Director Rodman) (Trustee Thompson)

RESULTS:	**APPROVED [6 to 0]**
MOVER:	**Trustee Thompson**
SECONDER:	**Trustee Kalinich**
AYES:	**Thompson, Kalinich, Christiansen, Gould, Simon, President Senak**
NAYS:	

1) Motion to Approve Ordinance No. 7082, An Ordinance Approving a Zoning Map Amendment, Exterior Appearance, and Special Use Permit for a Drive-Thru, for the Construction and Operation of a Popeyes Louisiana Kitchen Restaurant on Property Commonly Known as 750 Roosevelt Road, subject to the condition that the access onto Taylor Avenue be eliminated and subject to further attorney review and approval.

AVM/Community Development Director Rodman gave background and details on the zoning applications filed by the petitioner. She showed the most recent site plan that has been revised since the original application. She stated that the ZBA denied the zoning changes and she reviewed their reasons for each.

AVM/Community Development Director Rodman continued with a summary of activities that have transpired since the August Plan Commission meeting. The site plan was revised based on IDOT's comments. Staff requested that all permits be reapplied for. The petitioner declined and wanted to go straight to the Board, against staff's recommendation to follow standard procedures.

AVM/Community Development Director Rodman reviewed the four actions for consideration by the Board. She specified that in order for the special use for the drive-thru and exterior appearance to move forward, it would require a favorable vote by four Trustees. The zoning map amendment to rezone to the C3 district, as well as the four zoning variations, must pass with a favorable vote by five Trustees, due to the recent adoption of the Comprehensive Plan.

AVM/Community Development Director Rodman said the petitioner was present and requested the opportunity to speak to the Board directly.

Deputy Clerk Cannova confirmed that there was public comment submitted and these would be placed in the record. Comments were submitted by Kristen Flanagan, Jennifer Murdock, Shannon Ward, Blanca Fiore, and Ray Connelly.

Trustee Thompson asked if the property owners in the immediate area had been contacted. Village Manager Franz replied they had south of Roosevelt Road. Trustee Thompson asked whether the property owners on the north and east sides were contacted. Village Manager Franz replied. Trustee Thompson asked about a catalyst site being enacted. Village Manager Franz replied.

Trustee Simon was concerned about the road configuration that includes the drive-thru and its possible dangerous situation of stacking of vehicles. AVM/Community Development Director Rodman replied that the petitioner is compliant with the code.

Trustee Kalinich asked about rezoning from C4 to C3, that the property has always been operated as a C3 business. AVM/Community Development Director Rodman replied yes. Trustee Kalinich also was concerned about stacking in the drive-thru and if the east entrance could be eliminated. AVM/Community Development Director Rodman replied about the access discussed with the petitioner, adding that the plan commission was concerned about stacking at the left turn access to Taylor Avenue. Discussion continued.

President Senak asked if there was a traffic study. AVM/Community Development Director Rodman replied yes. President Senak asked if the study indicates an increase in danger with the requested access. AVM/Community Development Director Rodman replied that it indicated that the traffic would increase but not the danger. He asked who did the traffic study. AVM/ Community Development Director Rodman replied and that she felt they were reputable.

Trustee Simon asked if Police Chief Norton had any concerns about the requested Roosevelt Road access. Police Chief Norton replied that the Department did have concerns because Roosevelt Road has the most traffic in town and the increase in traffic would increase accidents.

Trustee Thompson asked Police Chief Norton if it is illegal to exit left in a right turn only. Police Chief Norton replied. Trustee Thompson asked about double yellow lines on the eastbound. President Senak suggested that the Village did not have control over a state road. Police Chief Norton replied there was jurisdiction over some items. Discussion ensued about the access, and its safety, to Roosevelt Road. Police Chief Norton stressed that traffic studies are only a prediction and can be inaccurate in real life.

Trustee Thompson was concerned about the IDOT plans. He wanted to know if staff was aware that IDOT was going to widen the road. Staff replied they found out through this study and there was no timing indicated or guarantee that it would happen. The IDOT comments to the petitioner were reviewed by AVM/Community Development Director Rodman regarding how the comments affected the site map. She added that the petitioner needs to submit the new plan to IDOT for review.

Trustee Gould asked if this impacts the stacking issue at all. AVM/Community Development Director Rodman replied. The conversation continued on potential stacking issues that could occur but are not anticipated. The tacking is designed to go around the building to prevent stacking.

Trustee Thompson asked what is happening with Taylor Avenue. Public Works Director Buckley replied that when the development went in, the parcel was not part of the retention pond and the Village does not maintain it and is really an entrance for the business property. Trustee Thompson followed up by asking how far Taylor goes. Public Works Director Buckley replied and referenced the map. Conversation continued about other "dead ends" in the Village.

President Senak wanted to know how this configuration is different than the one across the street for Panera. Public Works Director Buckley replied it is "right in right out" access from Roosevelt Road with access on Nicole Way as well.

There was discussion about how much of a hill is really present at the petitioned location and why it is different from Panera. The absence of a third lane was brought up as the biggest difference.

George Lattis, the petitioner's attorney, spoke to the Board about the approval being sought. Jake Moore, the civil engineer on the project; Chris Perry, the senior VP of Wilford Engineering; the current property owner as well as the franchisee/owner of 50 Popeye restaurants were also present. Mr. Lattis reviewed the approval process and steps taken with staff and commissions to date.

President Senak asked for confirmation of the truth of the statement that no less than five professionals have reviewed the traffic study and reached the same conclusion, that there was no material issue that relates to traffic. AVM/ Community Development Director Rodman replied that it was revised and that the Village had no issue with its conclusion.

Mr. Lattis stated that his team was distressed not to get approval since the findings of the traffic study were positive. He spoke of the many steps they have taken to modify the plans in order to get approval for the project, adding that this has been going on for a year and a half. He said this was the team's final attempt to make this project work for all parties, based on the final plans being submitted tonight and that they are willing to comply with all Village and staff requirements.

Trustee Kalinich asked if there was any consideration to limit the entrances to Nicoll Way and Taylor Avenue. Mr. Lattis replied it had not but would consider it to alleviate the concern. Mr. Perry then gave his perspective on the current access plan and options available.

Trustee Kalinich acknowledged the current design and asked if the left turns in and out of Taylor Avenue could be eliminated. The reply was "no," based on IDOT's control and perhaps it could be restricted at certain times of the day. The discussion turned to other left turn access on Roosevelt Road.

Attorney Mathews clarified that the engineering reports do not outright say it is a safe design, but rather that it meets requirements. He added that they do not say that it is a hazardous design either.

President Senak asked about the elevation issue at Route 53 and Roosevelt Road compared to Roosevelt and Nicoll Way, reiterating his opinion that the numbers show a difference in elevation but do not show that there is a hill. Trustee Gould responded and wanted to know what the change in elevation between the two was. President Senak replied 24 feet.

Trustee Christiansen clarified that the Board does not have a new storm water plan, landscaping plans, signage, or the final version of the easement document. Staff clarified that this was true. She added that there were some resident concerns about the type of business being proposed and that the Board had no control over this.

Trustee Thompson stated that the Board can decide about allowing the drive-thru. Attorney Mathews said that Code does not permit it and gave the reasons related to traffic flow. Discussion ensued of allowing a sit-down only restaurant being opened in this location without gaining a special use. Village Manager Franz replied that the special use was just for the drive-thru and explained the current zoning issue, with AVM/Community Development Director Rodman adding information to his response.

Mr. Lattis said that the site will be unique as a Popeyes visually.

Trustee Simon stated the everyone appreciates all that's been done and that many people would be excited to have a Popeyes here, but increasing the traffic is a concern. President Senak agreed but wanted to know what data to rely on to make this decision and that the engineers should be taken into account when deciding to approve the project.

President Senak commented that the budget discussion was next on the agenda and suggested that one way to raise revenues is to add new businesses to the Village. He added that the Popeyes will generate more revenue than Danby's Station. He asked for support of the project.

Trustee Kalinich brought up the Shell gas station and Starbucks, the exact same traffic studies were done and they are an issue. President Senak felt this was a valid concern but asked what evidence there is from someone trained to give their opinion. Discussion about the appropriateness of the site, and the risk involved with the increase in traffic volume, and not the actual type of business, continued amongst the Board.

Police Chief Norton agreed with both sides of the traffic issue but wanted to add the Starbucks, which the PD receives a lot of complaints about regarding the stacking on Roosevelt Road, does not have a high accident rate but does cause drivers to slow down and thus causes driver frustration. He explained that traffic law exists to prevent accidents and that there are a number of locations in the

Village that causes drivers to slow down. He reiterated that the Starbucks and Shell traffic situations were annoyances, not dangerous situations, nor ideal. He felt that any increase in accidents on Roosevelt Road is a hazard for the officers but that the proposal is not inherently dangerous. He suggested that perhaps there can be a condition that if it becomes a dangerous traffic situation the Village has the right to do something about it.

Trustee Christiansen understood both sides of the traffic concern but her biggest concern was the procedural issues of the five items that have not been received, as well as the denial from the Plan Commission. She was concerned about approving something that hasn't gone through the regular process and have the next petitioner who comes to the Village not be as earnest and forthright.

President Senak asked Trustee Christiansen that if the missing items get resolved, would she approve the project. Trustee Christiansen continued with her view that the proper process should be used for everyone to avoid a bad precedent. A hypothetical situation was given as the discussion continued with Mr. Lattis adding comments about the final items that are missing can be done to the level desired by the Village. Trustee Christiansen reiterated that consistency was important.

Trustee Gould stated that the order of operations is very important to her and concurred with Trustee Christiansen's statement. She was inclined to send it back to the Plan Commission with the full documents for review based on the petitioner's requests and not take into consideration the type of business it is. She also thought that three access points into the business seemed like a lot. She believed that there was a way to make this work.

Trustee Gould asked if the petitioner could buy the right of way on Taylor, Village Manager Franz replied it would be complicated, adding that the office building would probably want to keep their access.

Trustee Thompson said he likes Popeyes and that the Lisle restaurant does a great business but he felt that this Popeyes needed to find a different location in the Village that would accommodate the level of business Popeyes typically enjoy.

President Senak asked if the main concern was increased traffic due to drive-thru or the left turn access. The reply from Board members was both. He then asked about the lighting. Trustee Simon asked if the restaurant would be open until midnight. Trustee Gould said that dark sky lighting would be desired and the petitioner's lawyer agreed to this.

Concerns about the lack of need for variations was the next item discussed. Trustee Christiansen thought it was a little vague. Overall, the Board felt that there were many variations and the need exists. AVM/Community Development Director Rodman contributed some information about the sidewalk variation.

President Senak asked about community benefit. The Board agreed that the project would be a benefit to the community. Trustee Thompson added that the Village wants the business here because the food is fantastic. President Senak asked if there was another reason it would be a benefit. It was agreed that the additional tax revenue is definitely a benefit.

President Senak asked that if IDOT approves the current proposal, would that change the deliberations. It was agreed that a favorable outcome would be a positive.

Trustee Simon wanted to follow-up on Trustee Thompson's comments and asked if the zoning was updated to allow the project to move forward, would the petitioner also be willing to look at an alternate site. Trustee Kalinich asked why they would consider another site if this one is allowed to move forward.

The petitioner said that they had looked at different sites, this one was the best for a viable site. He added that they need to consider the impact study radius. It said that there has been quite a bit of time and money invested already in getting approval and their goal tonight is that if they invest more, the project has a good chance of being approved. Trustee Simon appreciated knowing that other sites had been considered.

Village Manager Franz felt that most of the comments were based on the Taylor Avenue left-in left-out access and suggested making it right only as a solution to this major concern. Trustee Kalinich said this was what she had suggested previously.

Trustee Gould asked for Attorney Mathews' input on approval/denial and the implications of each.

Trustee Thompson asked if it was felt that the site can be triaged enough to fix all the issues. The Board was hopeful this was true. It was asked what needs to be done to keep the project alive and it was agreed that it needs to go back to the Plan Commission.

The petitioner felt that the Plan Commission was very firm with their opinion of the project and this would not be helpful in moving forward. That said, the Board felt that sending it back to the Plan Commission would fix the procedural issues. They also felt that additional reports now available, as well as the IDOT comments and training that the Commission has gone through regarding things not to consider in the approval process, would give them more thorough information and better process in which to make a decision.

Trustee Kalinich asked if Chairperson Loftus should be asked if there is value in sending it back to the commission. President Senak did not think this would be useful, given he was the only one that voted for approval.

The petitioner stated that he needs to close on the property by April.

One of the owners of Danby's Station and said he realizes it is a good location with challenges and that the petitioner is smart and has a great team and know what they are doing. They have been working on the deal since 2021 and from a restaurateur's point of view, the project is a winner.

Attorney Mathews analyzed special use as one vote requirement subject to zoning amendment and text amendment, which have a different vote requirement. He said special use would require four Trustees voting approval. The special use itself doesn't require that there are no variations; it's a matter of its use as a drive-thru restaurant concept be approved by this Board. AVM/Community Development Director Rodman said that one of the variations is tied to the design of the drive-thru but the question at hand is really, does the Board support the drive-thru and the variations are looked at as related to the overall site design, variations were not specifically tied to the special use.

Attorney Mathews suggested that the Board could make one of two motions: approve the special use permit as set out in the ordinance, as a restaurant; or one that would require five votes, meaning President Senak would need to vote, to approve the zoning map and text amendment with variations and so forth because of the Comprehensive Plan being approved within the last 6 months.

Mr. Lattis asked for clarification on what these options would mean. Attorney Mathews replied and recommended that the special use and zoning map be voted on separately. AVM/Community Development Director Rodman replied that the special use is only allowed under the C3 zoning district, not the C4, so the special use cannot be granted unless the zoning is changed first.

Trustee Kalinich said she had no issue with the C3 zoning, which the business has already been operating as even though it is currently C4.

Trustee Simon wanted to clarify that the zoning would need to be approved first, and then approve the special use. AVM/Community Development Director Rodman replied that they need to go together, with the zoning being approved first. The zoning variation would need to go back to Plan Commission.

Village Manager Franz clarified that the issues were rezoning, special use, variances, and exterior appearance, and all could potentially be approved, except the variations.

Attorney Mathews suggested taking a 5-minute recess so he could verify some pertinent information. The Board agreed.

When reconvened, President Senak stated that there would be a vote on zoning map amendment, special use, and exterior appearance and that the zoning variations will be addressed at a different time. Village Manager Franz confirmed this adding a caveat that the petitioner seems willing to eliminate Taylor Avenue as an access point to the restaurant as a condition if the Board wants it. Discussion confirmed that the variances will be resubmitted and will not include this access.

Trustee Simon asked if the petitioner could come back to the Board with the revised variances or need to go back to the Planning Commission.

Trustee Kalinich asked if the exterior appearance included the site plan or what has been presented for the façade. The reply was this would be the façade so it would not need to go back to that Commission. There was further discussion about what needs to go back to a commission.

It was asked where the Taylor Avenue access condition would be attached: the map amendment, special use, or the zoning variations. The reply was it would be a condition of the special use because it affects the drive-thru.

J. Reconsideration of Fiscal Year 2024 Budget (Village Manager Franz) (Trustee Christiansen)

RESULTS: **APPROVED [4 to 1]**
MOVER: **Trustee Christiansen**
SECONDER: **Trustee Thompson**
AYES: **Christiansen, Thompson, Kalinich, Simon**
NAYS: **Gould**

1) Motion, on reconsideration, to pass Ordinance No. 7067, Adopting the Village of Glen Ellyn Fiscal Year Budget beginning January 1, 2024, and ending December 31, 2024, notwithstanding the Village President's Veto, subject to attorney review.

The discussion below pertained to both Items J. and K.

Village Manager Franz explained that this item had been approved but a veto had been submitted by the Village President.

Attorney Mathews clarified that the tax levy was not vetoed in relation to the public library, just the portion related to the Village.

President Senak clarified that the veto he submitted was not for on the entire budget but to line items to the budget and there is a letter and memo that outlines exactly what was vetoed and why.

President Senak stated that his goal is to keep taxes as low as possible while still providing the services residents expect. He explained his approach to the budget cycle and the tax levy. He suggested budget reductions in an effort to control taxes. His line-item veto was meant to be a framework for looking at ways to reduce the budget and invited Board members to give their input.

Trustee Gould brought up the line items that caught her eye, particularly staff and that Full Time Equivalent (FTE) increases of staff were too much to do in one year. She gave her suggestions on staffing reductions.

Trustee Kalinich felt it was not her role as a Board member to go line by line to approve or disapprove, and when she's not agreed with certain budget increases, but the majority had been supportive, she had moved forward. She had also spoken with Village Manager Franz and asked where there might be savings in the 2023 budget. Manager Franz replied that it would not be fully known until after the year was over but anticipated that cost savings would be about $150,000. She also asked him about one-time expense, a brine system (liquid de-icer) and how excess funds in January could abate a one-time expense. Discussion ensued and included Public Works Director Buckley.

President Senak appreciated to effort that Trustee Kalinich had put in to decrease the budget.

Finance Director Brankin presented the new tax levy with the abatement. He fielded questions about the allotment of funds within the budget. The abatements would be brought back to the Board in January for approval.

Trustee Gould asked what would happen if the $150,000 from the one-time expense was not abated. Finance Director Brankin replied. She countered by saying she is not a big fan of abatements and would rather control taxes another way.

President Senak said he was not an abatement fan either but in the spirit of compromise, he was willing to go along with this.

Trustee Kalinich wanted to hear any further comments from the Trustees. Trustee Gould supported the abatement.

Patrick Van Tiem, resident, spoke about the line-item veto list and he appreciated it. He spoke about the Popeyes and Shell location, as well as the lack of revenue being realized from the Roosevelt Road site, and wondered what the holdup was on construction. He then talked about the upcoming District 87 referendum and the need for more tax revenue. His conclusion was that the Village has a tax problem because they have a spending problem.

President Senak confirmed that the Roosevelt Road site will be decided by January 2024 and the length of time it's taken is because it involves outside entities.

Norris Ebers, resident, spoke about the budget surplus for 2023 and the rumors of how much that amount might be. He thought that the surplus was to be guided to the Fire Fund. President Senak said that is being discussed.

Trustee Gould stated that she supports what is approved but was getting a sense that some don't, so did not feel comfortable supporting this without knowing. Trustee Thompson said he would not commit until he knows the numbers and Trustee Simon added that it's on the table.

K. Reconsideration of 2023 Property Tax Levy (Village Manager Franz) (Trustee Christiansen)

RESULTS:	**APPROVED [4 to 1]**
MOVER:	**Trustee Christiansen**
SECONDER:	**Trustee Thompson**
AYES:	**Christiansen, Thompson, Kalinich, Simon**
NAYS:	**Gould**

1) Motion, on reconsideration, to pass Ordinance No. 7068, Adopting the Property Tax Levy and Assessment of taxes for the Village of Glen Ellyn Fiscal Year beginning January 1, 2024, and ending December 31, 2024, notwithstanding the Village President's Veto, subject to attorney review.

L. Other Business

M. Adjourn – 11:00 P.M.

Mover: Trustee Kalinich; Second: Trustee Christiansen. Unanimous vote to adjourn.

Adjourn for the Purpose of discussing the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, Section 2.06, ILCS 120/2 (c)(1) without returning to open session

Executive Session was tabled to a future date to be determined.