



Minutes
Village of Glen Ellyn
Regular Meeting
Monday, September 25, 2017
7:00 PM

Glen Ellyn Civic Center, Galligan Board Room

A. Call to Order

B. Pledge of Allegiance

President McGinley asked Glen Ellyn Public Library Director Dawn Bussey to lead the Pledge of Allegiance.

C. Roll Call

Attendee Name	Title	Status	Arrived
Diane McGinley	Village President	Present	
Bill Enright	Village Trustee	Present	
Gary Fasules	Village Trustee	Present	
John Kenwood	Village Trustee	Excused	
Craig R. Pryde	Village Trustee	Remote	
Mark Senak	Village Trustee	Present	
Pete Ladesic	Village Trustee	Present	
John Chereskin	Village Clerk	Present	
Mark Franz	Village Manager	Present	
Greg Mathews	Attorney	Present	
Staci Hulseberg	Director	Present	
Christina Coyle	Finance Director	Present	
Julius Hansen	Director	Present	
Meredith Hannah	Economic Development Coordinator	Present	
Brian Baltudis	Facilities Manager	Present	
Rich Daubert	Senior Civil Engineer	Present	
Steve Warner	Civil Engineer	Present	

A motion was made by Trustee Ladesic and seconded by Trustee Senak to allow Trustee Pryde to participate in the meeting via phone.

Upon roll call, Trustees Enright, Fasules, Ladesic, and Senak answered “aye.”

D. Village Recognition: (Village Clerk)

1. Proclamation 2017 Fourth of July Committee

Village Clerk Chereskin read a Proclamation for the 2017 Fourth of July Committee. Dawn Smith accepted the Proclamation.

2. Proclamation Chamber of Commerce Week 2017 (Presented to Dawn Smith, Executive Director)

Village Clerk Chereskin read a Proclamation for Chamber of Commerce Week 2017. Chamber of Commerce Executive Director Dawn Smith accepted the Proclamation.

E. Audience Participation

1. Open:

Members of the public are welcome to speak to any item *not* specifically listed on tonight's agenda for up to three minutes. For those items which are on tonight's agenda, the public will have the opportunity to comment at the time the item is discussed. In either case, please complete the Audience Participation form and turn it in to the Village Clerk. It is requested that, if possible, one spokesman for a group be appointed to present the views of the entire group. Speakers who are recognized are requested to step to a microphone and state their name, address and the group they are representing prior to addressing the Village Board.

2. Jungle Book Ball presented by Eileen Mullin-Gasteier and Dawn Bussey of the Glen Ellyn Public Library.

Glen Ellyn Public Library Director Dawn Bussey presented information on the Jungle Book Ball which will be Saturday, November 4th. Ms. Bussey stated this ball is helping to raise funds for the third phase of the library's interior renovation. Jungle Book Ball Director Eileen Mullin-Gasteier stated there will be food and drinks available with an auction as well and encouraged everyone to purchase tickets to support the library.

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:

Motion made to accept Trustee Pryde calling in remotely for meeting. Mover Trustee Ladesic and Seconder Trustee Senak. Unanimous approval granted.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Pete Ladesic, Village Trustee
SECONDER:	Bill Enright, Village Trustee
AYES:	Enright, Fasules, Senak, Ladesic
ABSENT:	Kenwood, Pryde

Motion to approve the following items including Payroll and Vouchers totaling \$2,525,538.77: (Trustee Kenwood)

1. September 11, 2017 Village Regular Board Minutes
2. September 18, 2017 Special Village Workshop Minutes
3. Vouchers 9-25-2017 for Total Expenditures in the amount of \$2,525,538.77
4. Resolution No. 17-13 Releasing 2016 & 2017 Executive Session Minutes
5. Ordinance No. 6534-VC, An Ordinance to Amend the Liquor Control Code Chapter 19 of Title 3, Section 11 (Classification of Licenses) and Section 12 (Restriction on Number of Licenses) of the Village Code, to Increase the Number of Permitted Class N Liquor Licenses. (Economic Development Coordinator Hannah)

Trustee Senak stated he thought the special class was appropriate and wanted to ensure the applicant approved of the restrictions on this. Economic Development Coordinator Hannah

stated the applicant is fine with the conditions. Economic Development Coordinator Hannah stated this liquor class already existed, and they modified the existing class and specifically did a fit for what was needed for Cabernet & Company.

Alixé Lischett, owner of Cabernet & Company, thanked the Board for the approval on this and stated this wine-by-the-glass should start in the next couple of weeks. Trustee Senak asked if there would be outdoor seating to which Ms. Lischett stated there would not be.

6. Approve an annual maintenance fee, a single source purchase which is an authorized exception in the purchasing policy, with Tyler Technologies, Inc. of Plano, Texas, for MUNIS software support and licensing in the amount of \$79,911.67, to be expensed to the General and Water & Sewer Funds. (Finance Director Coyle)
7. Motion pursuant to Section 1-10-7 of the Glen Ellyn Village Code to adopt the competitive bidding procedures of the U.S. Communities Purchasing Cooperative in lieu of the provisions of Chapter 10 on Village Contracts and authorize the purchase of Liquid Applied Roof Restoration materials for Fire Station 1 in the amount of \$9,756.45, and an additional not to exceed \$1,000 for the delivery of said roofing materials; and to award a contract to install said Liquid Applied Roof Restoration material

G. Special Use Permit for a Drive-Thru, and Variations from the Sign Code for CVS Pharmacy (Presented by Planning & Development Director Hulseberg)(Trustee Pryde)

1. Ordinance No. 6535, An Ordinance Approving A Final Planned Unit Development Plan for Lot 1 of Roosevelt Glen Corporate Center, a Special Use Permit for a Drive-Thru, and Variations from the Sign Code for CVS Pharmacy Proposed on Property Commonly Known as 739 Roosevelt Road (Planning and Development Director Hulseberg)

Planning and Development Director Hulseberg presented information on this request and stated TMC Illinois 2, LLC is the regional developer for CVS Pharmacy, future tenant of 739 Roosevelt Road, and they are requesting approval of a Final Planned Unit Development for Lot 1 of the Roosevelt Glen Corporate Center, a Special Use Permit and variations from the Sign Code to construct and operate a CVS Pharmacy with a drive-thru. Planning and Development Director Hulseberg stated the property is located at the southeast corner of Roosevelt Road and Nicoll Way, and the petitioner is proposing to construct a new 13,111 square-foot 24-hour full service CVS Pharmacy with a drive-thru. Planning and Development Director Hulseberg stated the hours of operation for the drive-thru are proposed to be 8:00 a.m. to 10:00 p.m.

Planning and Development Director Hulseberg stated the Plan Commission held a public hearing on September 14, 2017 and voted unanimously to recommend approval of the Final Planned Unit Development for Lot 1, the Special Use Permit and the variations from the sign code. Planning and Development Director Hulseberg stated staff did review the exterior appearance request for the renovated building and found the proposed construction to be in substantial conformance with the Appearance Review Guidelines and recommends approval of the Exterior Appearance for this project.

Trustee Enright asked if the drive-thru was for just picking up pharmaceuticals. Planning and Development Director Hulseberg stated there would be pick-up of pharmaceuticals, dropping off of prescriptions and possible other uses.

A motion was made by Trustee Senak and seconded by Trustee Fasules to approve Ordinance No. 6535, an Ordinance approving a Final Planned Unit Development Plan for Lot 1 of Roosevelt Glen Corporate Center, a Special Use Permit for a drive-thru, and variations from the Sign Code for CVS Pharmacy proposed on the property commonly known as 739 Roosevelt Road.

Upon roll call, Trustees Enright, Fasules, Ladesic, Pryde and Senak voted “aye.”

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mark Senak, Village Trustee
SECONDER:	Gary Fasules, Village Trustee
AYES:	Enright, Fasules, Pryde, Senak, Ladesic
ABSENT:	Kenwood

H. Redevelopment and Sales Tax Rebate Incentive Agreement for Baker Hill Shopping Center (Presented by Economic Development Coordinator Hannah) (Trustee Ladesic)

1. Resolution No. 17-14, A Resolution Authorizing the Village to enter into a Redevelopment and Sales Tax Rebate Incentive Agreement by and between the Village of Glen Ellyn, Illinois and Baker Hill Station, LLC, for the Baker Hill Shopping Center

Economic Development Coordinator Hannah presented information on this request and stated in December 2013, Dominick's closed their store across Chicagoland area, and the vacant stores were picked up by other expanding grocers. Economic Development Coordinator Hannah stated the Village staff worked with the property owner to backfill the space, and in the meantime, the remaining Dominick's leases were picked up by Albertson's. Economic Development Coordinator Hannah stated as of July 2017, Phillips Edison & Company was able to reclaim and access the vacant Dominick's space and begin evaluation on necessary improvements to bring a new grocer, Pete's Fresh Market, to the Baker Hill Shopping Center.

Economic Development Coordinator Hannah stated Phillips Edison & Company is requesting a partnership with the Village to update the shopping center and the grocery space to accommodate a new grocer to the site. Economic Development Coordinator Hannah stated the Village Board discussed the proposed improvements to the Baker Hill Shopping Center and the developer's financial incentive request at the July 17, 2017 and August 21, 2017 Village Board Workshop meetings. Economic Development Coordinator Hannah reviewed the various grocery store and center upgrades.

Economic Development Coordinator Hannah stated since the August 21, 2017, Village Board Workshop, staff has been working with Phillips Edison to put together a sales tax rebate incentive agreement to address many of the concerns noted by the Village Board at this workshop meeting.

Economic Development Coordinator Hannah stated the sales tax rebate agreement provides for the following conditions and protections:

1. A not to exceed performance based sales tax rebate of \$1.25 million from new grocery anchor business (including home rule sales tax) with \$75,000 base sales tax to stay with the Village, a 50/50 split above base and the agreement terminates after the \$1.25 million is reached or 10 years, whichever is first.

2. The Village will continue to work with authorities having jurisdiction over Roosevelt Road (State Route 38), including the Illinois Department of Transportation (IDOT), to reconstruct an entrance way to the property which will add an access point for eastbound traffic to enter the property directly from Roosevelt Road and contribute up to \$500,000 to the reconstruction of the intersection if authorized by the State of Illinois and IDOT.
3. The developer will include in its lease with Pete's Fresh Market a provision that in the event of a vacation or abandonment of the Anchor Space leased by Pete's Fresh Market, which is not due to a sale, merger, acquisition or assignment involving Tenant, no exclusion related to a grocery store use for the premises will survive the vacation or abandonment of the premises.
4. If Phillips Edison & Company take action which causes Pete's Fresh Market to abandon the site within the first five years of the execution of this agreement, the Developer will reimburse the Village 50% of all incentive payments paid by the Village up to the date of the assignment. If this occurs within the last five years of the term of this agreement, which causes Pete's Fresh Market to abandon the site for any reason, the Developer will reimburse the Village 25% of all incentive payments paid by the Village up to the date of the assignment.
5. If the project costs invested by the Developer are less than total estimates projected, then the \$1.25 million maximum incentive and periodic payments provided for in this Agreement shall be reduced by the amount dollar for dollar. The Developer shall provide certified, actual costs incurred by the Developer for the project before the Village is obliged to make any incentive payment under this Agreement.

Trustee Enright asked if this is just a reduction in sales tax revenue. Economic Development Coordinator Hannah stated the Village pays back this amount, but there will be no upfront payment until one year in.

Trustee Senak commended the Village staff for their work on this agreement.

Randy Horn, owner of the Learning Express Toy Store at 900 Roosevelt Road, stated he has been in business for 18 years, and in the past four years, many businesses have failed or moved out of the Baker Hill Shopping Center since there was no main grocery store to attract traffic or sales. Mr. Horn stated the vacant site looks terrible and does need a lot of attention. Mr. Horn stated with Pete's Fresh Market coming, this will be a great opportunity to have hope that the businesses will survive and thrive as well as bring sales tax monies for the Village. Mr. Horn asked the Board to approve this and the permits and licenses needed quickly.

Cindy Degen, owner/operator of Chicks 'n Salsa at 874 Roosevelt Road, stated she has been the owner/operator since 2004 and has seen a loss of sales and traffic in the past several years. Ms. Degen stated the east end of town seems to be an eyesore on the Village and not the attraction it should be. Ms. Degen stated the Mariano's in Wheaton and Lombard are taking sales tax dollars from Glen Ellyn. Ms. Degen asked the Board to approve this.

Trustee Ladesic thanked the business owners and residents who are there to support the Baker Hill Shopping Center.

A motion was made by Trustee Ladesic and seconded by Trustee Enright to approve Resolution No. 17-14, A Resolution Authorizing the Village to enter into a Redevelopment

and Sales Tax Rebate Incentive Agreement by and between the Village of Glen Ellyn, Illinois, and Baker Hill Station, LLC, for the Baker Hill Shopping Center.

Upon roll call, Trustees Enright, Fasules, Ladesic, Pryde and Senak voted “aye.”

Scott Adair, Vice President of Economic Development for Phillips Edison & Company, thanked the Village staff for their work on this agreement and stated they will be starting work right away on the grocery store space and the center.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Pete Ladesic, Village Trustee
SECONDER:	Bill Enright, Village Trustee
AYES:	Enright, Fasules, Pryde, Senak, Ladesic
ABSENT:	Kenwood

I. Continuation of a Public Hearing for the Annexation Agreement for 21W135 Roosevelt Road, 751 West Roosevelt Road, and 1209 South Lawler. (Presented by Planning and Development Director Hulseberg) (Trustee Pryde)

1. Motion to open a public hearing to consider an Annexation Agreement for the Property Located at 21W135 Roosevelt Road, 751 West Roosevelt Road, and 1209 South Lawler Avenue.

A motion was made by Trustee Enright and seconded by Trustee Ladesic to reopen the continuation of a public hearing, from the September 11, 2017 Village Board meeting, at 7:37 p.m. for an Annexation Agreement for the Property Located at 21W135 Roosevelt Road, 751 West Roosevelt Road and 1209 South Lawler Avenue.

Upon roll call, Trustees Enright, Fasules, Ladesic, Pryde and Senak voted “aye.”

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Enright, Village Trustee
SECONDER:	Pete Ladesic, Village Trustee
AYES:	Enright, Fasules, Pryde, Senak, Ladesic
ABSENT:	Kenwood

2. Motion to close a public hearing to consider an Annexation Agreement for the Property Located at 21W135 Roosevelt Road, 751 West Roosevelt Road, and 1209 South Lawler Avenue

A motion was made by Trustee Fasules and seconded by Trustee Ladesic to close a public hearing at 9:16 p.m. to consider an Annexation Agreement for the Property Located at 21W135 Roosevelt Road, 751 West Roosevelt Road and 1209 South Lawler Avenue.

Upon roll call, Trustees Enright, Fasules, Ladesic, Pryde and Senak voted “aye.”

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gary Fasules, Village Trustee
SECONDER:	Pete Ladesic, Village Trustee
AYES:	Enright, Fasules, Pryde, Senak, Ladesic
ABSENT:	Kenwood

3. Ordinance No. 6536, An Ordinance Approving an Annexation Agreement For the Properties Commonly Known as 21W135 Roosevelt Road, 751 West Roosevelt Road, and 1209 South Lawler Avenue (Planning and Development Director Hulseberg)

Planning and Development Director Hulseberg presented information on this request and stated the subject properties are east of Interstate 355 at the southeast corner of Roosevelt Road and Lawler Avenue. Planning and Development Director Hulseberg stated Bucks, Inc., is the contract purchaser of the properties commonly known as 21W135 Roosevelt Road, 751 West Roosevelt Road and 1209 South Lawler Avenue, and Buck's Inc. is requesting approval for an Annexation Agreement for the future annexation and development of these properties to allow the construction of a gas station, automotive car wash and convenience store with outdoor storage and sales of merchandise. Planning and Development Director Hulseberg stated to accommodate the development of the property, Buck's Inc., has requested a Zoning Map Amendment, Special Use Permits, variations from the Zoning Code, variations from the Subdivision Regulations Code, variations to the sign code and Exterior Appearance.

Planning and Development Director Hulseberg stated the Village Board opened a public hearing for the Annexation Agreement at the September 11, 2017 regular Village Board meeting. Planning and Development Director Hulseberg stated the matter was continued to the September 25, 2017 meeting because additional information was requested by the Village Board including the minutes from the Plan Commission hearings and additional engineering plans. Planning and Development Director Hulseberg stated several issues were raised during the meeting, and the Village Board requested additional information prior to taking action on the Annexation Agreement on the following items: car wash noise/sound attenuation, stormwater runoff, the proposed illuminated blue band on the gas pump canopy, a liquor license being issued in close proximity to a place of worship and the vehicular traffic impact on a residential neighborhood.

Planning and Development Director Hulseberg stated if the Annexation Agreement is approved, the petitioner will pursue closing on the purchase of the property, and once the property has been purchased, a petition for annexation of the properties will be submitted by the petitioner. Planning and Development Director Hulseberg stated after the annexation has been received, the annexation and the zoning entitlements will be scheduled for the next available Village Board meeting.

Trustee Enright asked about the Lawler avenue exit change with a possible no left turn sign. Planning and Development Director Hulseberg stated this would prevent turning movements in and out of the religious institution that is on the west side of Lawler Avenue. Trustee Enright asked about the liquor selling hours. Village Manager Franz stated the liquor selling hour requirements are similar with other classes. Trustee Enright asked if most of the gas that might fall onto the concrete would evaporate to which Planning and Development Director Hulseberg stated all the excess gas will go into drains and then go into the vortex separator.

Richard McMahon, from 2500 Brickvale Drive in Elk Grove Village, represents Bucks, Inc.,
Village of Glen Ellyn

was sworn in and gave a presentation on this request. Mr. McMahon review the background of Bucks, Inc., and stated they have had these properties under contract since the beginning of 2016, and the Villages of Glen Ellyn and Lombard modified the boundary agreements so Glen Ellyn could annex these properties. Mr. McMahon showed renderings of the proposed gas station, car wash and convenience store and stated the pond will be a detention pond and not a retention pond. Mr. McMahon stated they have done some updates to the plans in order to accommodate the business and the Village, including removing two gas dispensers under the canopy, adding more trees than a property of this size is required to have per the Village's guidelines, crosshatching of the pavement on Lawler among other things. Mr. McMahon stated the stormwater runoff will be collected, run through the downstream defender where the hydrocarbons will be removed and then go to the detention pond. Mr. McMahon stated this downstream defender is cleaned two times a year.

Mr. McMahon stated if there is an issue with the residents' water wells, Buck's Inc., would have to fix these issues under the law. Mr. McMahon stated they are asking for the car wash hours to be from 6:00 a.m. to 10:00 p.m., and they are proposing to do a noise study on the car wash where if the noise level does not pass, they will change the hours for the car wash or do more sound attenuation. Trustee Enright if the car wash could start at 8:00 a.m. and then Buck's Inc., could do the study on the noise level. Mr. McMahon stated they are required to start the hours at 6:00 a.m.; however, they will not run the car wash until they see if the noise level is acceptable.

Trustee Enright asked about the how deep the tank will be to which Mr. McMahon stated it is about 20 feet deep. Trustee Enright asked about the soil in this area to which Mr. McMahon stated the borings show clay soil at that depth. Trustee Enright asked if they found anything in the borings from the previous gas station that was there. Mr. McMahon stated there was some gas locked in near the tank, but the gas did not get into the well system.

Trustee Enright asked about a possible no left turn sign onto Lawler to which Mr. McMahon stated they are fine with this. Mr. McMahon stated they have worked with the members of the religious institution on Lawler Avenue as they were modifying the liquor license, and the religious institution had no objections to this.

Trustee Senak asked about the sound levels at Buck's Inc., Wheaton gas station. Mr. McMahon stated per their sound consultant, the sound levels at the Wheaton location would comply with Glen Ellyn's code. Trustee Senak asked for a baseline reading of the soil at the site so it could be understood what is in the soil now, and Trustee Fasules agreed. Mr. McMahon stated the Illinois Environmental Protection Agency (EPA) will look at the site and give Buck's Inc., a specific set of expectations that has to do with the distance of the wells. Mr. McMahon stated the EPA will tell Buck's Inc., what standards they will need to do to protect the public health, and Buck's Inc., will be assuming all the responsibility under the law. Planning and Development Director Hulseberg stated the Village does not regulate the wells as this is done by the state and county. There was a discussion regarding a baseline soil reading. Trustee Fasules stated he is more concerned about the non-residents' concerns as they have no "vote" on this.

Trustee Ladesic stated he does not think a baseline reading is needed because it seems over-reaching on something that is controllable by the state, and Trustee Pryde agreed with this. President McGinley stated the Board could put a condition on the agreement with Buck's Inc., agreeing to that Buck's Inc., will test any well if a resident specifically asks them to. President McGinley asked if Buck's Inc., would know if it is their gas if a well is tested to which Mr. McMahon stated they would.

Village Clerk Chereskin swore in all the residents who wished to speak.

Raymond Mick, who resides at 1230 S. Lawler Avenue in Lombard, Illinois, stated he has lived in the neighborhood since 1946. Mr. Mick stated their neighborhood has lost several ways of getting in and out over the past years and now Lawler would be messed up which will be a problem. Mr. Mick stated there needs to be a safe way to get in and out of the neighborhood. Mr. Mick stated Glen Ellyn will own the intersection of Roosevelt and Lawler, but wonders how the Village can legally say no left turn onto Lawler.

Elaine Berquist, who resides at 1299 Lloyd Avenue in Lombard, Illinois, referenced an article from the "New York Times" and stated the residents are being forced to accept an unwelcome plan. Ms. Berquist stated she has lived in the neighborhood for 53 years and wonders how much consideration was given to the neighborhood. Ms. Berquist stated theirs is a true neighborhood made up of diverse and caring people. Ms. Berquist stated the neighborhood is small in area with approximately 100 homes, 500 neighbors and 50 children, and she is very apprehensive of this proposal.

Rashad Mujeebuddin, who resides at 1506 S. Lawler Avenue in Lombard, Illinois, reviewed facts about the neighborhood and stated he would like to see economic development managed appropriately. Mr. Mujeebuddin stated he has concerns over the health and safety concerns as well as noise pollution. Mr. Mujeebuddin stated the traffic study shows a level of service at an F which is a total breakdown. Mr. Mujeebuddin stated he would like to see the exit and entry from Lawler removed, a reduction in the number of pumps, no delivery trucks or trash haulers on Lawler and the installation of a traffic light at Roosevelt Road and Lawler.

Vicki Liszewski, who resides at 1289 S. Lawler Avenue in Lombard, Illinois, stated she has lived in the neighborhood for 27 years, and she is concerned about water contamination. Ms. Liszewski stated she knew neighborhood resident Robert Blair submitted a letter about points on the water contamination as well. Ms. Liszewski stated how the neighborhood would know if something were to happen. Ms. Liszewski stated she is not confident the water overflow will flow to the west.

Alex Westa, who resides at 1310 S. Lloyd Avenue in Lombard, Illinois, stated his grandmother was one of the first residents to buy into this neighborhood in the 1920s. Mr. Westa stated the Board needs to apply the hours of the Five Corners gas station to the Bucky's gas station, car wash, liquor sales and deliveries. Mr. Westa stated there should be street lighting added, sidewalks on Lawler and work on the power lines on the west side of Lawler. Mr. Westa asked what is the big picture or master plan for this neighborhood as there are three jurisdictions in this neighborhood which gets confusing.

Matt Johnson, who resides at 1273 S. Lloyd Avenue in Lombard, Illinois, stated he is concerned about light pollution and noise pollution. Mr. Johnson stated there is not a business need for the car wash to open at 6:00 a.m., and it should open at 8:00 a.m. Mr. Johnson stated the neighborhood deserves more protection as none of the residents want or need this gas station as there are other gas stations very close.

Astria Rudaitis, who resides at 21W065 Pershing Avenue in Lombard, Illinois, stated she is reading a letter on behalf of a resident who has resided at 1285 S. Lawler in Lombard, Illinois, for 40 years. Ms. Rudaitis read that this gas station does not seem like a good business deal for Glen Ellyn, and there are nine gas stations within two miles of Roosevelt Road and Lawler Avenue. Ms. Rudaitis read that this gas station will probably not generate much new business, and the traffic report gave this intersection an F for the worst operating condition. Ms. Rudaitis read that there will be increased chances for more accidents and wonders what Glen Ellyn has to gain in this deal.

Carson Christel, who resides at 1225 S. Lawler Avenue in Lombard, Illinois, stated the only people who want gas stations to be put in are the ones who want to make money. Mr. Christel stated the current traffic studies do not show the traffic from the mosque and the additional traffic from the proposed gas station across Roosevelt Road. Mr. Christel stated there should be no entrance to the gas station from Lawler. Mr. Christel stated this gas station will be one block off Interstate 355, and vehicles will be speeding coming off the interstate. Mr. Christel stated the groundwater will not flow west as water now flows southwest as his yard and driveway are flooded often. Mr. Christel is concerned about the liquor sales and asked if they would want something that sold liquor right next to St. Petronille's. Mr. Christel asked why Lombard gets money from this deal but takes no liability as Glen Ellyn is getting all the liability in this.

Dwan Johnson, who resides at 1273 S. Lloyd Avenue in Lombard, Illinois, stated she has lived in the neighborhood for four years. Ms. Johnson stated they should restrict the gas station's hours as this encourages risk and possible issues in a dark/unlit neighborhood. Ms. Johnson stated the DuPage County police will need to respond to any issues in the neighborhood, and this is a slower response time. Ms. Johnson stated there should be no entrance on Lawler. Ms. Johnson stated she does not think Buck's Inc., will be able to control all the chemical run-off. Ms. Johnson stated she does not want the gas station to go in, but she definitely does not want the car wash.

A motion was made by Trustee Fasules and seconded by Trustee Ladesic to close a public hearing at 9:16 p.m. to consider an Annexation Agreement for the Property Located at 21W135 Roosevelt Road, 751 West Roosevelt Road and 1209 South Lawler Avenue.

Upon roll call, Trustees Enright, Fasules, Ladesic, Pryde and Senak voted "aye."

President McGinley stated the possible conditions of the car wash hours, the no left turn onto Lawler from the gas station and the testing of the tank have been discussed, and she would like to hear from the Trustees on this.

Trustee Ladesic asked about street lighting to which Public Works Director Hansen stated this would be IDOT's responsibility because the lighting would be in the Roosevelt Road right-of-way. Trustee Ladesic asked if the residents of this neighborhood could petition Glen Ellyn to annex into the Village. Planning and Development Director Hulseberg stated they cannot as they are located on the Lombard side of the boundary line, and Lombard has not indicated that they are willing or interested to change the boundary line location. Trustee Ladesic asked if water would be run to this neighborhood eventually. Planning and Development Director Hulseberg stated the Village never takes utilities on the other side of boundary line agreements, and there is a joint jurisdiction territory for anything that fronts Roosevelt Road. Planning and Development Director Hulseberg stated the residents would need to petition Lombard as this neighborhood is in there planning district if these residents would like Glen Ellyn water.

Trustee Enright asked about the insurance program if something happens. Mr. McMahon stated 4/10 of every cent on every gallon of gas goes to fund this insurance program. Trustee Enright asked if the gas station would sell diesel to which Mr. McMahon stated diesel would be sold for cars only as well as panel trucks or equipment used by landscaping companies. Trustee Enright asked about delivery times. Mr. McMahon stated fuel trucks come as needed 24 hours a day, but any other deliveries are done during business hours. Trustee Enright asked about the car wash run-off to which Mr. McMahon stated there is no run-off as the excess goes into tanks. Trustee Enright asked what DuPage would do with this proposed gas station if Glen Ellyn does not annex the property. Planning and

Development Director Hulseberg stated it would be up to DuPage County, but she cannot guess what the County Board would do on this proposed project.

President McGinley asked the Trustees thoughts on the no left turn sign onto Lawler to which the majority agreed with putting the sign in since the residents of the neighborhood do support this.

Trustee Fasules stated he is not feeling good about doing conditions with an annexation agreement and feels the way the Board is handling this annexation agreement seems unusual. Trustee Fasules stated there are stricter hours on the Five Corners gas station than there would be on this.

President McGinley stated they can add the condition for the car wash hours that would say the 6:00 a.m. start time could be retained, and Buck's Inc., would hire a noise consultant to monitor the car wash once it is open to see if the noise level complies with the ordinance. President McGinley stated if the noise level does not comply, Buck's Inc., will change the start time of the car wash. Trustee Enright stated he feels it is reasonable to ask for an 8:00 a.m. start time for the car wash. The other Trustees were fine with the 6:00 a.m. start time and hiring the noise consultant. Mr. McMahon stated they could go with a conditional permit to open the store, but not open the car wash until the sound consultant does the sound testing. Attorney Mathews stated if the car wash violates the noise ordinance, the whole gas station would be fined and shut down. Trustee Enright asked for a 7:00 a.m. start time to which Mr. McMahon agreed to this.

President McGinley stated for the baseline testing of the wells, this was not done for the Five Corners gas station. Trustee Senak stated he accepts the petitioner's representation that Buck's Inc., will test the wells prior to the gas station opening if one of the residents ask for this.

A motion was made by Trustee Senak and seconded by Trustee Ladesic to approve Ordinance No. 6536, an Ordinance approving an Annexation Agreement for the properties commonly known as 21W135 Roosevelt Road, 751 West Roosevelt Road, and 1209 South Lawler Avenue subject to the following conditions as there being a no left turn sign place on Lawler Avenue, the car wash operation hours will be 7:00 a.m. to 10:00 p.m. and the agreement being subject to attorney review.

Upon roll call, President McGinley and Trustees Enright, Ladesic, Pryde and Senak voted "aye." Trustee Fasules voted "nay." Motion carried.

A motion was made by Trustee Senak and seconded by Trustee Ladesic to approve Ordinance No. 6532-VC, an Ordinance to amend the Liquor Control Code Chapter 19 of Title 3, Section 12 (Restriction on Number of Licenses) of the Village Code, to Increase the Number of Permitted Class D-3 Liquor Licenses.

Upon roll call, Trustees Enright, Ladesic, Pryde and Senak voted "aye." Trustee Fasules voted "nay." Motion carried.

RESULT:	APPROVED AS AMENDED [4 TO 1]
MOVER:	Mark Senak, Village Trustee
SECONDER:	Pete Ladesic, Village Trustee
AYES:	Enright, Pryde, Senak, Ladesic
NAYS:	Fasules
ABSENT:	Kenwood

4. Ordinance No. 6532-VC, An Ordinance to Amend the Liquor Control Code Chapter 19 of Title 3, Section 12 (Restriction on Number of Licenses) of the Village Code, to Increase the Number of Permitted Class D-3 Liquor Licenses.

A motion was made by Trustee Senak and seconded by Trustee Ladesic to approve Ordinance No. 6532-VC, an Ordinance to amend the Liquor Control Code Chapter 19 of Title 3, Section 12 (Restriction on Number of Licenses) of the Village Code, to Increase the Number of Permitted Class D-3 Liquor Licenses.

Upon roll call, Trustees Enright, Ladesic, Pryde and Senak voted “aye.” Trustee Fasules voted “nay.” Motion carried.

RESULT:	APPROVED [4 TO 1]
MOVER:	Mark Senak, Village Trustee
SECONDER:	Pete Ladesic, Village Trustee
AYES:	Enright, Pryde, Senak, Ladesic
NAYS:	Fasules
ABSENT:	Kenwood

J. Execution of Contract with Chicagoland Paving Contractors, Inc in the amount of \$255,000. (Presented by Village Engineer Rich Daubert) (Trustee Kenwood)

1. Motion to authorize the Village Manager to execute a contract with Chicagoland Paving Contractors, Inc., of Lake Zurich, Illinois, in the amount of \$255,000 for the 2017 Parking Lot Resurfacing and Roadway Patching Program to be expensed to the Capital Project and Parking Funds.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mark Senak, Village Trustee
SECONDER:	Bill Enright, Village Trustee
AYES:	Enright, Fasules, Pryde, Senak, Ladesic
ABSENT:	Kenwood

K. Discussion
None.

L. Reminders

1. A Village Board Workshop is scheduled for Monday, October 16, 2017 at 7:00PM in Room 301 of the Glen Ellyn Civic Center.

2. A Village Board Meeting is scheduled for Monday, October 23, 2017 at 7:00PM in the Galligan Board Room of the Glen Ellyn Civic Center.

M. Other Business

None.

N. Adjournment

At 10:02 p.m., a motion was made by Trustee Enright and seconded by Trustee Pryde to adjourn. Motion carried.

Upon roll call, Trustees Enright, Fasules, Ladesic, Pryde and Senak voted “aye.”

Respectfully submitted,

Debbie Solomon
Recording Secretary

Reviewed and approved,

John A. Chereskin
Village Clerk