



Minutes
Village of Glen Ellyn
Regular Village Board Meeting
Monday, August 26, 2024
7:00 PM
Glen Ellyn Civic Center, Galligan Board Room

A. Call to Order – 7:00 P.M.

B. Pledge of Allegiance

C. Roll Call

Upon roll call by Clerk Cosby, President Senak and Trustees Christiansen, Fasules, Kalinich, Gould, Simon, and Thompson answered “Present.”

Also in attendance: Village Manager Franz, Deputy Village Manager Rodman, Village Attorney Stephanides, Public Works Director Buckley, Community Development Director Henaghan, Economic Development Coordinator Hannah, Police Chief Norton, and Fire Chief Clark.

D. Audience Participation

Rick Scheck, President of the Civic Betterment Committee, joined by Civic Betterment Nominating Committee Chair Zak Wilson, and Secretary Britta Albrecht, spoke to familiarize residents with the Committee and its role in helping recruit candidates for elected positions for the Village Board and Library Board. He noted the upcoming Civic Betterment Committee town meeting on November 2, 2024, to be held at the Civic Center. He also gave flyers to the Board and meeting attendees. Mr. Scheck mentioned this year’s positions up for election and that they are excited for what is in store.

President Senak stated that he will be submitting his application for President to the Civic Betterment Committee soon. He then asked if there would be an early polling place south of Roosevelt Road for this election cycle. President Scheck replied that they were checking on locations.

President Senak thanked the Committee for their work in the election process. He also encouraged anyone interested to apply for office and get involved in local government.

E. Presentation

1) Swearing In of Jennifer Henaghan as Community Development Director

Clerk Cosby swore in Community Development Director Henaghan.

Community Development Director Henaghan gave her thanks and said that she was looking forward to being part of the Village.

F. Employee Recognition

- 1) Glendale Heights Police Department appreciation expressed to Officers Pacyga, Wilke, and Saitta.

President Senak read a letter from Glendale Heights Police Department expressing their appreciation to Officers Pacyga, Wilke, and Saitta for their assistance.

- 2) Resident thanks to Officers Horan and Booton

A Village resident gave her thanks and appreciation to Officers Horan and Booton for taking their picture with her son at the recent outdoor concert, making his day.

- 3) Note of thanks to Community Development Permit, Building Coordinator and Plan Examiner staff.

President Senak gave thanks to the Community Development Permit, Building Coordinator and Plan Examiner staff for their tireless work toward revising the permitting process.

G. 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 [6 to 0]
MOVER:	Trustee Thompson [Items 1 – 14; 16 – 17]
SECONDER:	Trustee Christiansen
AYES:	Thompson, Christiansen, Fasules, Gould, Kalinich, Simon
NAYS:	

Motion to approve the following items including Payroll and Vouchers totaling \$9,454,823.42. These agenda items have been reviewed by the Management Team and Village Attorney and are consistent with the Village's purchasing policy (Trustee Thompson).

- 1) Total Expenditures (Payroll and Vouchers) - \$9,454,823.42
- 2) Approve Village Board June 24, 2024 Meeting Minutes

Trustee Kalinich asked about amendments to the minutes and that it should be approved “as amended.”

- 3) Approve Village Board June 17, 2024 Workshop Minutes
- 4) Approve Village Board June 17, 2024 Closed Executive Session Minutes
- 5) Approve Village Board May 28, 2024 Meeting Minutes
- 6) Approve Village Board May 28, 2024 Special Workshop Minutes
- 7) Approve Village Board May 28, 2024 Closed Executive Session Minutes
- 8) Appoint Trustee Christiansen as President Pro tem for the period September - December 2024

- 9) Recognition of Service for the following Board & Commission members who are stepping down:

Capital Improvements Commission

Art Foerster

Recreation Commission

Brian Diver

- 10) Consent to the Recommendation of Village President Senak that the Following Reappointments be Made for Various Boards and Commissions, with Terms Ending July 31, 2027:

Historic Preservation Commission

John Day

Recreation Commission

Tom Slowinski

- 11) Consent to the Recommendation of Village President Senak that the Following Appointments be Made for Various Boards and Commissions with terms ending as noted:

Finance Commission

Lea Dan, Vice Chair, term ending July 31, 2027

Grant Lavery, Commissioner, term ending July 31, 2027

Environmental Commission

Margaret Frigo, Student Commissioner, term ending July 31, 2025

Plan Commission

Gianni Pesce, Commissioner, term ending July 31, 2027

Zoning Board of Appeals

Peter Kelly, Commissioner, term ending July 31, 2027

- 12) Adopt Resolution No. 24-10, A Resolution Approving a Two-Year Extension of the Audit Services Engagement with Lauterbach & Amen, LLP for the Village's Fiscal Years 2024 and 2025 Audits in a Total Not to Exceed Amount of \$87,625 and Authorizing Execution of an Audit Services Engagement Letter (Finance Director Brankin)
- 13) Adopt Ordinance No. 7121-VC, An Ordinance to Amend Title 3 ("Business Regulations"), Chapter 19 ("Liquor Control Code"), Section 3-19-12 ("Restriction on Number of Licenses") of the Glen Ellyn Municipal Code to Amend the Number of Permitted Liquor Licenses (Village Attorney Stephanides)
- 14) Adopt Resolution 24-11, A Resolution Accepting Public Improvements and a Bill of Sale Associated with the Glen Estates Subdivision Located at 982-994 Hill Avenue (Village Attorney Stephanides)
- 15) Adopt Ordinance No. 7122-VC, An Ordinance to Amend Title 4 ("Building Regulations"), Chapter 1 ("Building Code"), Section 4-1-4 ("Fee and Deposit Schedule") of the Glen Ellyn Municipal Code (Deputy Village Manager Rodman)

RESULTS:	APPROVED [6 to 0]
MOVER:	Trustee Thompson [Item 15]
SECONDER:	Trustee Kalinich
AYES:	Thompson, Kalinich, Christiansen, Fasules, Gould, Simon
NAYS:	

President Senak talked about the building permit fees, specifically Ordinance 6603-VC, and the fact that the ordinance has not been upheld. He added that this ordinance had the force of law and it should have been enforced. He was concerned about the intent of not implementing the ordinance.

President Senak said that the amount of lost revenue from the oversight was significant and that further investigation was needed to find out why the ordinance was not enforced. He reviewed items he had submitted to be reviewed and that his FOIA request to the Village revealed no documents related to his request. He added that a review was needed to see if anything ethical had been violated.

President Senak asked if anyone on the Board had any comments. No one added any comments.

Pete Ladesic, resident, asked for this item to be pulled from the consent agenda for further discussion. President Senak agreed and it was pulled for a separate vote.

Village Manager Franz expressed the urgency of passing this item so that a full assessment can be done once the software system provides more data.

Trustee Fasules asked if Village Manager Franz could give further explanation of the item at a later date. Mr. Ladesic provided comment about the verbiage of the fee structure.

Trustee Thompson stated that the verbiage was changing to reflect the software terminology and that will drive the process. He emphasized that there is a deadline to which staff must adhere for the amount of work that needs to be accomplished. Discussion between Mr. Ladesic and Trustee Thompson ensued.

Trustee Fasules asked if approval of this item could wait two weeks so that builders could attend a meeting to review the item.

Deputy Village Manager Rodman added that the software developer is already working on this based on the Board's past input. She added that the current fees will be used, and changes can be made and approved by the Board, as needed, before rolling out the new fee structure.

Trustee Christiansen didn't think that other fees require input from outside entities.

Trustee Simon stated that when the Board approved moving forward, that more consideration and input from the community would be gained once more data is gathered through the software implementation.

Trustee Gould asked Deputy Village Manager Rodman if there will be an opportunity to make changes before the fees go “live,” and asked how much time was needed for the software changes in order to meet the March deadline. Deputy Village Manager Rodman replied. Trustee Simon asked if that includes language. Deputy Village Manager Rodman replied yes.

Trustee Fasules felt that two to three builders should be beta testers so the Village can gather information in a live environment.

Mr. Ladesic gave his thoughts on flat versus variable fee structures.

Trustee Gould asked if in the workshop in which this was discussed, regional averages were used for building costs. Deputy Village Manager Rodman replied and added that the Village is trying to be stable in comparison to other communities.

- 16) Adopt Ordinance No. 7123, An Ordinance Extending the Expiration Date of Ordinance No. 6859 which granted a Special Use Permit to Allow a Height Extension of the Existing Cellular Tower Located on a Portion of the Glenbard Wastewater Treatment Facility at 945 Bemis Road to April 8, 2025 (Deputy Village Manager Rodman)
- 17) Approve a Waiver of the Duty to Install Sidewalk for the Property Owner of 111 Brandon Avenue as Part of the Current Remodeling of the Residence (Professional Engineer Daubert)

H. Purchase and Sale Contract- 1S659 Sunnybrook Road, Glen Ellyn, IL (Public Works Director Buckley) (Trustee Christiansen)

RESULTS: APPROVED [7 to 0]

MOVER: Trustee Christiansen

SECONDER: Trustee Kalinich

**AYES: Christiansen, Kalinich ,Fasules, Gould, Simon, Thompson,
President Senak**

NAYS:

- 1) Adopt Ordinance No. 7124, An Ordinance Approving a Contract of Purchase and Sale and a Post-Closing Occupancy Agreement for the Property Located at 1S659 Sunnybrook Road, Glen Ellyn, IL and Authorize their Execution

Public Works Director Buckley spoke about the purchase of this property and how the purchase price was reached. He said that the GWA cannot purchase property so the Village would hold the property.

President Senak offered background on the GWA, adding that he felt this was a smart purchase as the property is an island in the current GWA location and will

create a good buffer between the GWA facility and residents.

Public Works Director Buckley said that the purchase was part of the GWA budget.

I. Glen Oak Country Club - 21W451 Hill Avenue & 21W427 Fairway Street (Deputy Village Manager Rodman) (Trustee Thompson)

Deputy Village Manager Rodman gave a brief history of the parcel annexation and the rezoning requested. She then went into the scope of the request with the variations. She said that the Plan Commission had approved the request with lighting and landscaping conditions, with all lights in the new parking lot be turned off at 11:00 pm. The Country Club has requested an interior light be left on later due to safety concerns.

- 1) Adopt Ordinance No. 7112, An Ordinance Annexing Certain Territory to The Village of Glen Ellyn, IL (21W427 Fairway Street)

RESULTS:	APPROVED [5 to 1]
MOVER:	Trustee Thompson
SECONDER:	Trustee Kalinich
AYES:	Thompson, Kalinich, Fasules, Gould, Simon
NAYS:	Christiansen

- 2) Adopt Ordinance No. 7113, An Ordinance Granting Approval of an Amendment to the Special Use Permit Adopted on September 8, 2014, by Ordinance No. 6264, Zoning Variations, and a Plat of Consolidation to allow for an Expansion of a Parking Lot Located at 21W451 Hill Avenue, Glen Ellyn, IL 60137 and 21W417 Fairway Street, Glen Ellyn, IL 60137

RESULTS:	APPROVED [5 to 1] AS AMENDED
MOVER:	Trustee Thompson
SECONDER:	Trustee Kalinich
AYES:	Thompson, Kalinich, Fasules, Gould, Simon
NAYS:	Christiansen

Trustee Christiansen asked if there was no other parking for the staff that makes leaving the interior parking lot light requested. A representative of Glen Oak explained that this lot is meant to be the employee parking lot, and then gave a bit more detail.

Trustee Gould asked if they are on photocells. The Glen Oak representative replied.

Trustee Fasules asked if dimmers were discussed as part of the solution at the Plan Commission meeting. Glen Oak Board member Mark Christianson replied that all the lights are being changed out. The answer to dimmers question was no.

Trustee Thompson said he is the liaison for the Plan Commission, and wanted to know why both parking lot lights are not being terminated at 11:00 pm. Mr. Christianson explained the rationale from a safety and security point of view.

Trustee Thompson asked if there were certain times when there are not cars in that lot. Mr. Christianson replied with logistic challenges of turning the lights on and off without the facility's control. He added that the absence of light in the lot at night would be an issue.

President Senak asked about the lumen level that Code allows and whether Glen Oaks' request for the interior light pole to be left on past 11:00 pm would violate Village Code. Deputy Village Manager Rodman replied that it does meet Code and would not be a violation.

Trustee Thompson wanted to know who checks if the light level remains in line with the Village Code in the future. Deputy Village Manager Rodman replied that if there was a complaint, it would be investigated.

Trustee Fasules spoke about the benefits of a dimmer in allowing both lights to be left on. He felt this would give Glen Oaks what they want by putting the lights on a smart switch and take employee responsibility out of the equation. Discussion ensued.

Trustee Simon did not want to be responsible for employees going out into a dark parking lot. She suggested approving the amendment to protect the employees. She gave a personal experience of this issue.

President Senak asked Deputy Village Manager Rodman about the notice sent to the surrounding properties. Deputy Village Manager Rodman replied. He asked if any of these residents had expressed concern about the lighting. Trustee Thompson replied that several residents did express concern at the Plan Commission meeting, and that they also were concerned with the landscaping. Mr. Christianson replied with more information about the current landscaping. Discussion continued.

Trustee Thompson felt that all of the Village's parking lot lighting should be looked at to lower the levels wherever possible. He encouraged Glen Oak to keep looking at new technologies to improve the situation.

J. Text Amendments Regarding Keeping of Hens (Deputy Village Manager Rodman) (Trustee Thompson)

RESULTS:	NOT APPROVED [2 to 4]
MOVER:	Trustee Christiansen
SECONDER:	Trustee Simon
AYES:	Christiansen, Simon
NAYS:	Gould, Fasules, Kalinich, Thompson

- 1) Adopt Ordinance No. 7125-VC, An Ordinance to Amend Title 6 (“Police Regulations”), Section 3 (“Animal Control”), Section 6-3-8 (“Prohibited Animals”), Title 10 (“Zoning Code”), Chapter 2 (“Definitions”), Section 10-2-2 (“Terms Defined”) and Chapter 5 (“Supplementary Regulations”), Section 10-5-5 (“Yards”) and to Add a New Section 10-5-23 (“Keeping of Hens”) of the Glen Ellyn Municipal Code

Deputy Village Manager Rodman gave a history of the request to keep hens in Glen Ellyn. With the aid of a timeline, she reviewed past amendments and the Board’s actions. She then reviewed the current proposed regulations.

Deputy Village Manager Rodman stated that the Plan Commission did approve the request with conditions. One in particular referenced the location of the coop within the petitioner’s yard. She added that there were concerns regarding implementation and enforcement of the regulations, explaining these concerns in detail.

Deputy Village Manager Rodman said that the ordinance as proposed should be amended from the Plan Commission’s approval, changing the specifics on location of the coop on the petitioners’ property.

Trustee Gould asked which aspects of new structures would make the coop location not to Code. Deputy Village Manager Rodman replied.

Trustee Kalinich asked if the permitting was for the actual construction of the coop, and not the actual owning of the hens. Deputy Village Manager Rodman replied this was correct. Trustee Kalinich asked how the Village would ensure that the number of hens allowed in the ordinance would be followed. Deputy Village Manager Rodman replied. Trustee Kalinich also asked about pre-made coops and how that works for obtaining a building permit. Deputy Village Manager Rodman replied that the petitioner would still need a permit.

Trustee Simon shared her experience with visiting properties in Lombard where hens were kept. She said there was no odor and no noise, and observed the hens being treated as pets. She added more about her positive hen keeping experience. Her concerns centered around the lot sizes in Glen Ellyn which would not be as large and wooded as the ones she visited.

Trustee Fasules said he was concerned with the lot size as well, since many lots are 50’ and would not allow for the room that the coops would require. President Senak asked if lots of a certain size should be prohibited from having coops. Deputy Village Manager Rodman replied with the lot size restrictions. Trustee Simon objected to lot size being related to the number of hens allowed. Discussion ensued.

Trustee Gould asked what the minimum lot size would be in the current and revised regulations. Deputy Village Manager Rodman replied.

Trustee Kalinich said she has spent a lot of time researching this subject and she had some personal concerns as well as global ones. She talked about her father's property that was a farm on the outskirts of the Village, and enjoying the hens there, but never felt that the Village was a place to bring home a hen. She also spoke about finding hens on her property that had been killed by predators. She then spoke about surveying 40-50 residents about hen keeping and an overwhelming majority did not want the Village to approve hens within the Village, stating that allowing hens was not why they moved to Glen Ellyn. Trustee Kalinich suggested an alternative could be a community space to house and maintain a hen population, similar to a community garden.

President Senak said that 83 Public Comment forms had been submitted, which would be included in the meeting minutes. Of these submittals, only one was not positively in support of hen keeping.

Trustee Christiansen talked about her experience with wild animals near her home. She felt that only a handful of residents would want backyard coops and that hen keeping is a great way to teach kids and help them understand other options within the food cycle besides "big food."

Trustee Thompson asked how would the Community Development staff inspect the coops. Deputy Village Manager Rodman replied and reminded everyone that the inspection would be for the coop, not the hens. Trustee Simon added that the Department of Agriculture needs to be notified when a property has hens.

Trustee Thompson asked if the coops need electrification. Deputy Village Manager Rodman replied that the hens need to be kept at a safe temperature and the regulations allow heating to be added with the proper permitting.

Trustee Thompson asked who inspects the hens for health and safety. Deputy Village Manager Rodman replied. Trustee Thompson then asked what would happen if the hens were mistreated. Deputy Village Manager Rodman said the police would check on a complaint of this nature. More information was asked of Police Chief Norton. Chief Norton said they would respond and react appropriately. Discussion ensued.

Trustee Fasules asked if hens need to be vaccinated. Deputy Village Manager Rodman replied that she did not know.

Trustee Gould asked if there was a maximum total number of pets/animals that are allowed per property. Village Manager Franz replied there is a maximum of three pets. Deputy Village Manager Rodman reminded the Board that this ordinance only applies to the coops, not the hens to be kept in them. Discussion ensued.

Trustee Gould asked about the number of structures allowed per lot. Deputy Village Manager Rodman replied.

Jacquelyn Casazza, president of Go Green Glen Ellyn, approved of hen keeping and

gave her thoughts on this ordinance in regard to environmental stewardship and sustainability.

Barbara Kwiatkowski, resident, expressed her objection to hens in backyards in Glen Ellyn, giving examples referring the odor, disease, pests, and predators as why she does not approve of this ordinance. She added that she has experience of hens on a farm.

Karin Daly, resident, approved of hen keeping and spoke about her support of hen keeping in Glen Ellyn, even though she does not plan on keeping any herself.

Emily Henkels, resident, approved of hen keeping and spoke about animal-related concerns about hen keeping. Citing information from other communities, she stressed that the keeping of hens does not burden police with complaints. She gave statistics on dog-related issues in the same period, which were over 600 complaints. The vaccination issue came up again. Discussion continued.

Mary Eileen Gaudette, resident, said she was comfortable with the language of the revised ordinance. She then talked about the difference between the small coops desired by Hen Ellyn and an actual farm environment. She emphasized that very few people will actually keep hens and it is not as intrusive as other things like over-lighting of property and unruly dogs.

Billy Joe Mills, resident, expressed his approval of hen keeping in the Village and commended the dedication of the members of Hen Ellyn to keep asking for hen keeping being allowed in the Village. He added that members of the Plan Commission have been won over through the process of education and reworking the regulations necessary for hen keeping.

Kelly Walters, resident of Lombard who keeps hens and one of the coops that Trustee Simon visited, was there in support of Hen Ellyn. Trustee Fasules asked about vaccinating the hens. Ms. Walters replied that there were some vaccinations given to chicks and that hands should be washed after handling hens. Ms. Walters gave her husband as an example of someone who changed his mind about hen keeping.

Kathryn Osgood, resident, spoke in support of hen keeping, especially when wanting to attract young people to the Village. She emphasized that hens do not make a disturbance.

Heidi Anderson, resident, spoke in support of hen keeping in Glen Ellyn. She gave the reasons she feels this would be a benefit to the residents. She addressed specific concerns of the Board about approving the ordinance. She added her thoughts on how a community coop would not be practical, as well as how hen keeping brings people together. Per Trustee Simon's request, Ms. Anderson to talk about how her daughters interact with hens and how it benefits their well-being.

President Senak asked who enforces a violation of this ordinance. Deputy Village Manager Rodman replied. He followed up by asking if a neighbor could bring a private cause of action to be enforced for a violation. Village Attorney Stephanides said this ordinance does not include the ability for an adjacent property owner to

bring action. President Senak suggested that this would be included in the ordinance.

Trustee Gould responded to some of the statements made regarding hen keeping. She talked about the Comprehensive Plan and how hen keeping could fit within those named Village initiatives. She added that the direction for zoning code changes come from the Board and the Board is concerned with what's best for the Village. She felt that the hen keeping might not be a top priority to enhance the Village overall.

Bob Solak, resident, supported hen keeping in the Village and asked a question about the Code regarding mobile coops and whether such coops would be allowed. Deputy Village Manager Rodman replied that the intent is for the coop to be a fixed structure. Mr. Solak asked if the coop has anchoring requirements. Deputy Village Manager Rodman said there are requirements.

Trustee Thompson stated that he hoped that this would be a more modest proposal and that this was bigger than he had anticipated. He also wished there was a neighbor consent element and that it would not be fair to introduce animals that were not previously allowed when a property was purchased. He said he'd also like to see a more comprehensive review of all things happening on lots. He finished by saying he does not support this approval of the ordinance out of respect to existing residents.

Trustee Kalinich pointed out that the amendment numbers in the presentation are not consistent with those of the agenda and the correct number should be confirmed. Deputy Village Manager Rodman confirmed the correct number.

Trustee Fasules stated he has been torn about this issue since it has been introduced to the Village and gave his personal reasons as well as his reasons as a Trustee, representing everyone in the Village. He finished by saying he cannot support this ordinance because of the lot size issue and the inability of a neighbor to take action.

Trustee Kalinich wished there was a compromise that could be reached, suggesting a hen keeping co-op as a possible test and a way to gather more information.

President Senak asked if neighbor consent would satisfy Trustee Fasules. Trustee Fasules replied he would be in favor of the co-op test.

Trustee Christiansen said hen keeping is not something a person does like a garden plot. She continued with her thoughts about the efforts of Hen Ellyn and her concerns that fear of what might happen is discounting the positive things could happen through keeping hens. She pointed out that there are fewer complaints about hens than about dogs, and talked about other frustrating things that neighbors expose each other to on their properties. She asked for a little bit more forward thinking and to try hen keeping to see how it goes and revisit it in a year to see how it is working.

President Senak asked about a sunset provision to enable a trial period.

Trustee Simon said that many anticipated issues would prove to not be negative upon actual hen keeping in action.

Trustee Fasules expressed reasons why he is overprotective of neighbor's rights. The Board continued the debate.

K. Reminders

- 1) Village Board September 9, 2024 Meeting at 7 pm
- 2) Village Board September 16, 2024 Workshop at 7 pm
- 3) Village Board September 23, 2024 Meeting at 7 pm

L. Other Business

M. Adjourn – 10:07 P.M.

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

RESULTS:	APPROVED [5 to 1]
MOVER:	Trustee Thompson
SECONDER:	Trustee Fasules
AYES:	Thompson, Fasules, Gould, Kalinich, Simon
NAYS:	Christiansen