Minutes
Regular Board Meeting
Glen Ellyn Village Board of Trustees
Monday, January 13, 2014

Call to Order

Village President Demos called the meeting to order at 7:00 p.m.

Roll Call

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

Pledge of Allegiance

President Demos asked Mark Pfefferman to lead the Pledge of Allegiance.

Trustee Appointment

President Demos thanked Trustee Friedberg for his service and congratulated him on his job opportunity in New York. President Demos also stated that he wanted the Trustee appointed to fill the Friedberg vacancy to have similar strengths of character and to be financially diligent. President Demos recommended James R. Burket. Mr. Burket has coached President Demo's son in Lacrosse for 5 years and President Demos has found Mr. Burket to be knowledgeable and well informed.

A motion was made by Trustee Ladesic to approve the appointment of Mr. James Burket to complete the remainder of former Trustee Friedberg's term on the Village Board, which ends in May 2015. The motion was seconded by Trustee Elliott.

Upon roll call, Trustees Clark, Elliott, Ladesic, McGinley and O'Shea voted "Aye." Motion carried.

Village Clerk Galvin administered the Oath of Office to Trustee Burket.

Village Recognition

A. Several residents have sent along their compliments to the Public Works Department for doing a great job in its snow removal efforts during the recent snow storms.

B. DuPage County Toys for Tots sent a certificate of appreciation to the Village for its outstanding support of the United States Marine Corps Reserve Annual Toy Drive.

C. The Rotary Club of Glen Ellyn has expressed its sincerest appreciation to Chris Pekarek and all of the staff at the Village Links for their assistance in the annual citrus sale fundraising project.

D. Sergeant Norm Webber received an email from a thankful intern for the wonderful learning opportunity he experienced during his internship.

E. A thankful resident called to commend Officer Carrie Nemchock for her professionalism in the handling of his call for service.

F. A couple of new residents sent an email of thanks to Chief Philip Norton for taking the time to meet with them and explain all that is being done in the community with regard to caring for the homeless.

G. The Glenbard West Girls Cross Country Team sent a thank you to the Police Department for all of the support they provided during their exciting season.

H. A grateful resident sent a thank you note to Officer Brent Pacyga for the kindness and caring he showed during a difficult personal experience.

I. The Village accepts the resignation of Patrick Brugh of the Capital Improvements Commission and Xristina Rahn of the Environmental Commission and thanks them for their service.

Audience Participation

Village Clerk Galvin read a Proclamation recognizing the Golden Anniversary of the Glen Ellyn Golden Eagles youth football and cheer program. Mr. Kevin Cooke, Chairman of the Golden Eagles accepted the Proclamation and thanked the coaches and volunteers, past, present and future for their support and selfless dedication. Mr. Cooke mentioned that the Glen Ellyn Golden Eagles may be the third smallest organization in the Bill George League, but they are number one in community support. Mr. Cooke thanked the Village for their support.

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 to approve the following items including Payroll and Vouchers totaling $5,864,327.07:

A. December 2, 2013 Board Workshop

B. December 9, 2014 Board Meeting

C. Total Expenditures (Payroll and Vouchers) - $5,864,327,07.

D. Motion to designate Trustee McGinley as Village President Pro Tem for the four-month period from January through April 2014.

E. Motion to approve the recommendations of Village President Demos that Yadav N. Nathwani be appointed to the Finance Commission for a term ending May 2014.

F. Motion to approve a first amendment to license agreement between the Village of Glen Ellyn and Verizon Wireless to maintain cellular transmission equipment at the Cottage Avenue Water Tower for an annual rent of $14,000 and increasing 3% each year thereafter.

G. Ordinance No. 6206-VC, An Ordinance to Amend (Liquor Control Code) Chapter 19 of Title 3, Section 12 (Restriction on Number of Licenses) of the Village Code of Glen Ellyn, Increasing the Number of Class C-1 Liquor Licenses.

H. Ordinance No. 6207-VC, An Ordinance Approving Zoning Code Text Amendments to Create a New 11 Light Industrial Zoning District.

I. Ordinance No. 6208-VC, An Ordinance Approving Text Amendments to the Glen Ellyn Code.

J. Ordinance No. 6209, An Ordinance Approving Variations from the Side Yard Setback and Lot Coverage Ratio Requirements of the Zoning Code to Allow a Two-Story Attached Garage Addition for Property at 475 Hillside Avenue.

K. Ordinance No. 6210, An Ordinance Directing the Application of Funds From Specified Sources to the Payment of Principal and Interest Upon General Obligation Bonds, Series 2012, For the Fiscal Year 2014 in the Amount of $310,527.20.

L. Ordinance No. 6211, An Ordinance Directing the Application of Funds From Specified Sources to the Payment of Principal and Interest Upon General Obligation Bonds, Series 2010 For the Fiscal Year 2014 in the Amount of $332,417.50.

M. Ordinance No. 6211, An Ordinance partially abating the tax hereto levied for the year 2013 to pay the principal and interest on the General Obligation Bonds, Taxable Series 2010 (Build America Bonds-Direct Payment), of the Village of Glen Ellyn, DuPage County, Illinois.

N. Motion to approve the purchase of additional rock salt from Chicago Salt in a total not to exceed amount of $123,000, to be expensed to the Motor Fuel Tax Fund.

Trustee Clark requested that Clerk Galvin correct an error in the December 2, 2013 Village Workshop Meeting Minutes.

A motion was made by Trustee O'Shea and seconded by Trustee McGinley to approve the Consent Agenda.

Upon roll call, Trustees Burket, Clark, Elliott, Ladesic, McGinley and O'Shea voted "Aye." Motion carried.

Agenda Item 8 – Façade Improvement Grant for Peanut Butter Planet:

Director of Planning and Development presented background on the Façade Improvement Grant. The Commercial Façade and Downtown Commercial Interior Improvement Programs were created to facilitate the private sector in making exterior and interior improvements that benefit the overall appearance, quality and vitality of the Village's commercial districts. Approved projects are eligible to receive a matching grant of fifty (50) percent of the actual improvement costs up to a maximum of $15,000 for interior improvements. As indicated on the Village Grant Summary Chart, $51,664.86 in grant funding has been approved thus far in fiscal year 2013-2014 ending April 30. With $100,000 budgeted for the grant program this year, there is approximately $48,355.14 of available funds remaining.

On November 21, 2013 Mr. Frank Pecora, owner of Peanut Butter Planet Restaurant to be opened at 546 Crescent Boulevard, applied for both a Façade and Interior Improvement Grant for renovations of the building located at the aforementioned property. This restaurant is located in the CSA Central Business District Central Retail Core Sub-district on the north side of Crescent Boulevard east of Main Street and west of Forest Avenue. Some preliminary work has been completed and other improvements are planned over the next several months including the final exterior façade work. Mr. Pecora is scheduled to open Peanut Butter Planet at the end of January.

Mr. Frank Pecora addressed the Board. Mr. Pecora stated that the average American consumes 1500 peanut butter sandwiches before they reach High School. He hopes to make Glen Ellyn a destination for peanut butter sandwiches and has plans to franchise.

Mr. Pecora thanked fellow Mr. Jeff Huffman from The Maude Group for assisting Peanut Butter Planet in branding, marketing, their logo and identity.

Mr. Pecora stated that their peanut butter is locally sourced from Traverse City, Michigan and their coffee is Intelligentsia. They will also serve soy nut butter sandwiches for those with peanut allergies.

Trustee O'Shea asked for clarification on the location of the door. Trustee Burket inquired about the lighting.

Trustee O'Shea asked Director Hulseberg asked in general, about defaults on grants. Director Hulseberg responded that, if a grants recipient goes out of business prior to three years, they are required to pay back the grant money. Manager Franz also commented that the grants are for permanent improvements that the next business in that location would benefit from. Manager Franz also replied that the Village would pursue repayment from the business that vacated a property after receiving a grant.

Trustee Ladesic inquired about the windows. Mr. Pecora responded that originally the windows were not going to be replaced. However, during the construction process one of the windows shattered and he considered them a potential safety hazard. Furthermore, the windows were not energy efficient.

Trustee McGinley made a motion to approve a Façade Improvement Grant request in the amount of $10,462.50 pending ARC approval, or $6,637.50 without ARC approval, and an Interior Improvement Grant in the amount of $9,373.50 to Peanut Butter Planet opening at 546 Crescent Boulevard. The motion was seconded by Trustee O'Shea.

Upon roll call, Trustees Burket, Clark, Elliott, Ladesic, McGinley and O'Shea voted "Aye." Motion carried.

Agenda Item 9-A – An Annexation Agreement between the Village and the Glen Oak Country Club (Discussion Only):

Planning and Development Director Hulseberg led a discussion regarding an Annexation Agreement between the Village and the Glen Oak Country Club:

Since 2004, the Village and Glen Oak Country Club have been in discussions regarding the Club's interest in connection to the Village's Lake Michigan water system to improve the water quality and the fire sprinkler system and pressure on Club property. It is a long-standing Village policy that connection to Village utilities only be permitted in conjunction with annexation to the Village, if the property is contiguous to Village limits. If the property is not contiguous, utility connection is only allowed following the execution of an acceptable annexation agreement (sometimes called a pre-annexation agreement) that serves as the property owner's promise to annex the property once it becomes contiguous to the Village limits. This is a common policy with other municipalities.

The Country Club was, and is, not interested in annexing the entire property to the Village of Glen Ellyn. Therefore, discussion began about the possibility of annexing a portion of the Country Club property which would still bring the Village limits adjacent to the industrial properties to the east on Hill Avenue. The Village Board in place at that time was only willing to consider this unusual partial annexation request provided the Village had authority over future land use and that revenues were collected as if the entire Country Club were annexed into the Village. In response a draft annexation agreement and operating agreement were prepared incorporating these terms and others important to the parties.

The Country Club is proposing the Village create a special new water rate, no greater than 105% of resident rates that would only apply to them. Currently, the Village Code requires areas outside the Village limits to be charged 150% of resident rates. If the Village were to adopt such as special water rate, it would save the Country Club approximately $25,000 annually.

The Country Club's rationale for Village approval of the special water rate is that:

1. The property lies partially within Village boundaries,
2. The points of service connection are within Village boundaries,
3. They will pay all taxes as if the property were fully within Village boundaries
4. They will be bound by Village Fire Codes, and
5. They will be served by and pay for the annual contribution to the Fire Company.

Village staff are not in favor of crafting a special water rate for a single entity for a number of reasons. Once we begin to do so, others could ask for this special treatment. Others may refuse to annex unless they receive similar treatment. The Village relies upon water revenue to maintain and expand the utility system.

Director Hulseberg stated that approximately 300 properties currently have the non-resident rate. The Country Club has the option to annex and receive resident rates.

Trustee Elliott asked about the existing pre-annexation agreement east of the Country Club and the proposed looping of a currently dead end water main. Director Hulseberg responded that this would improve the water quality and pressure. That plan can be completed at any time funds are available but approval would be needed with DuPage County and Milton Township as their Right of Ways would need to be accessed.

Randy Bus, Pan Committee, Glen Oak Country Club addressed the Board. Mr. Bus introduced Bill Muckiam, President; Gerard Buccino, First Vice President and Paul Murphy, Long Range Planning Committee.

Glen Oak Country Club is looking to totally replace the pool, expand the parking lots; main and auxiliary and perform a water system retrofit. The well would continue to be used for the irrigation system and for non-potable water. The Club has been serviced by the Village sewer system for over 50 years.

Mr. Bus also stated that annexation would allow the Village to receive control over zoning and land use. The Village Fire Code would also be in effect for any future development.

Trustee McGinley expressed concerns over offering a special water rate as this may open the door for similar discussions with other. Trustee McGinley suggested offering a rebate since the Village would be reaping a lot of benefit from what the Country Club was proposing. Trustee O'Shea offered support for a rebate.

Trustee McGinley also remarked that she would not like to see the entire property annexed. Trustee O'Shea commented that someday he would like to see the entire Country Club property annexed. Trustee Ladesic also offered his support for a rebate.

Director Hulseberg stated that there are only three other commercial venues utilizing Village water that exceed Glen Oak Country Club's usage.

Trustee Clark expressed concerns with a rebate. He is willing to offer a special rate, even if it does open the door for others. He expressed concern with the rebate in that it would be a blank check.

Trustee Elliott agreed that this would be a great benefit to the Village and is not troubled by precedent. This is a unique situation and not recurring. While not on board with the resident rate, he would prefer a higher rate than the 105% proposed.

President Demos commented on the proposed rate for the College of DuPage (COD) in the course of the mediation. Director Hulseberg replied that the rate proposed for COD was 112.5% in the course of their litigation.

Agenda Item 9-B – FY13/14 Second Quarter Budget Report (Discussion Only):

Finance Director Wachtel presented the FY13/14 Second Quarter Budget Report. Overall the Village saw a positive change in net position for its governmental activities of $5.4 million. This is due to positive operating results as well as the timing of payments and other capital projects.

Operationally, the Village had a strong start to its fiscal year 201/2014. The General Fund, the main operating fund of the Village, finished the second quarter with a positive change in fund balance of $1.86 million. This is ahead of the second quarter FY12/13 change in fund balance of $1.65 million. This year, capital projects include a planned use cash reserves of $77,000 as part of our long term capital plan. Currently the Capital Fund has a positive change in net position of $2.8 million as payments lag behind the actual construction work. Fiscal 2014 capital projects are anticipated to be on budget as of the need of the second quarter.

Enterprise activities saw a decrease in the net position for the first quarter of FY 2014 of approximately $1.5 million. Without the $3.0 million in payments for the Village Links clubhouse and driving range renovations, enterprise funds are performing better this year ($1.5 million surplus) than last ($1.4 million).

Director Wachtel also summarized that building permits and income tax revenues have increased. The sales tax revenue increased 1%. Water and sewer rates decreased 5% due to the weather.

Trustee O'Shea asked if the State has altered income tax disbursements. Director Wachtel responded that it has not.

Trustee O'Shea asked if the Finance Department can point out changes to the Solid Waste Fund; Director Wachtel agreed to do so.

Trustee McGinley inquired about the Pension Fund. Director Wachtel responded that at this time there is no status to report; although the Pension Fund Meeting is later this week.

Reminders:

- The next Village Board Workshop is scheduled for Monday, January 20, 2014 at 7:00p.m. in Room 301 of the Glen Ellyn Civic Center.

- The next Village Board Meeting is scheduled for Monday, January 27, 2014 at 7:00 p.m. in the Galligan Board Room of the Glen Ellyn Civic Center.

Other Business:

Newly appointed Trustee Burket thanked President Demos and the Board of Trustees for appointing him as a Trustee.

Adjournment:

At 8:36 p.m. Trustee Elliott moved and Trustee Ladesic seconded the motion to adjourn the meeting.

Respectfully submitted,

Catherine Galvin,
Village Clerk