

These minutes were approved at the 10/3/2011 City Council meeting with no changes.

CITY OF WEST CHICAGO – 475 Main Street
CITY COUNCIL MINUTES
Regular Meeting
September 19, 2011

1. **Call to Order.** Mayor Michael B. Kwasman called the meeting to order at 7:00 pm.
2. **Pledge of Allegiance to the Flag.** Alderman Chassee led all in the pledge of allegiance.
3. **Invocation.** The City Clerk gave the invocation.
4. **Roll Call and Establishment of a Quorum.** Roll call found Aldermen Lori J. Chassee, James E. Beifuss, Jr., H. Ronald Monroe, James Smith, Russell Radkiewicz, Ruben Pineda, Sandy Dimas, Alan Murphy, John C. Smith, Kurt Meissner, Nanette B. Connelly, Rebecca Stout, Nicholas Dzierzanowski, and Matt Fuesting present. The Mayor announced a quorum.

City Clerk Nancy M. Smith and City Treasurer Donald F. Earley were also present. .

Also in attendance were City Attorney Patrick K. Bond, Chief of Police Laz Perez, Community Development Director Joanne Kalchbrenner, and Admin. Services Director Linda Martin.

5. Public Participation.

A, Public Hearing: Southwest Corner of Route 59 and Ray Avenue. At 7:01 pm Alderman Chassee made a motion, seconded by Alderman Stout, to open the public hearing. Motion was carried by voice vote. Mr. Joe Rago speaking for the owner, Mr. Richard Lupa, who had an emergency, said Mr. Lupa wants to build a house on this property and wishes to gain water and sewer. No one spoke against the proposal. The Mayor closed the public hearing at 7:03 pm. Minutes for the public hearing are filed separately.

B. Proclamation: National Public Lands Day. At the Mayor's request, the City Clerk read the Proclamation for National Public Lands Day – September 24, 2011, in which the Mayor proclaimed September 24, 2011, as "National Public Lands Day" in the City of West Chicago and called upon the people of West Chicago to recognize and participate in this special observance.

The following people spoke during Public Participation:

1) Brenda Vishanoff, 1505 Fieldcrest, West Chicago, IL, on behalf of School District 33 Board of Education, invited the members to the ground breaking ceremony for the West Chicago Middle School to be held on October 6, 2011, at 6:00 pm. She said the school district is grateful to the community for passing the referendum.

2) Donna Jarmusz, President, *We Grow Dreams Greenhouse*, 1055 West Washington Street, West Chicago, IL, said they are a local not for profit organization that provides a job training program for people with disabilities. She said they are expanding and improving their parking lot and requested that the City of West Chicago reduce or waive the permit fees for this project. They gave information to the Finance Committee, but their meeting had been cancelled so that is why they came to the Council this evening.

3) Greg Dose, 4815 Lavon Avenue, Western Springs, IL 60558, said as an officer and parent of a child at *We Grow Dreams* and a land use attorney, he has attended many municipal meetings and has seen waivers of fees for non profit organizations. He did not know if West Chicago had that precedent. He spoke to the vocational nature of the *Greenhouse*.

4) Ben Hum, *We Grow Dreams*, 1055 W. Washington, West Chicago, said he also is a parent of a participant and noted that this is a unique opportunity for people with disabilities. He hoped the City would partner with them.

The Mayor recounted the history of the request from *We Grow Dreams* and said the Finance Committee would take this matter up at their September 22, 2011, meeting, after which it would come back to the City Council.

6. Correspondence and Announcements.

The City Clerk thanked the community for its tremendous support of the "Remembering 911: A West Chicago Observance" event. The school children wrote essays on what freedom meant to them and with the Mayor's permission would be reading some of them. Mayor Kwasman said he approved the reading of the essays at City Council meetings as they

represent a huge outpouring from our schools. They are in books now, and he is looking for the right place to display them.

The City Clerk said the Municipal Clerks of Illinois was having their annual scholarship fundraiser and invited the Council to participate.

Upcoming Meetings. The Mayor announced the following meetings.

- September 20, 2011 Plan Commission/Zoning Board of Appeals
- September 22, 2011 Finance Committee
- September 26, 2011 Public Affairs Committee
- September 27, 2011 Historical Preservation Commission

7. Corporate Disbursement Report. Alderman Connelly made a motion, seconded by Alderman Radkiewicz, to approve the September 19, 2011, Corporate Disbursement Report in the amount of \$ 840,270.49. Voting Yea: Aldermen Chassee, Beifuss, Monroe, James Smith, Radkiewicz, Dimas, John Smith, Meissner, Connelly, Stout, Dzierzanowski, and Fuesting. Voting Nay: 0. Aldermen Murphy and Pineda abstained. Motion carried.

8. Consent Agenda – Consideration of an Omnibus Vote.

* **Development Committee:** Alderman Pineda read and explained the following items:

A. Ordinance No. 11-O-0043 – An Ordinance Approving a Second Amendment to the Final PUD of Mosaic Crossing (formerly Oliver Square) Shopping Center – Northeast Corner of North Avenue (Route 64) and N. Neltnor Boulevard (Route 59)

B. Ordinance No. 11-O-0052 – An Ordinance Granting a Special Use for a Martial Arts Training School – 245 W. Roosevelt Road, Building 10, Suite 71 – Gunfu Fitness International

C. Ordinance No. 11-O-0053 – An Ordinance Amending the Code of Ordinances of the City of West Chicago – Appendix A, Section 9.6-1(C)(5) of the Zoning Code

D. Ordinance No. 11-O-0054 – An Ordinance Granting Deviations for Storm Sewer Earth Cover and Design Velocity – 2525 Enterprise Circle – Rubicon Technology

E. Resolution No. 11-R-0095 – A Resolution Authorizing the Mayor to Accept a Plat of Right-of-Way Dedication for a Portion of Forest Avenue, West of Pearl Road

F. Resolution No. 11-R-0097 – A Resolution Authorizing the Mayor to Enter into a Certain Pre-Annexation Agreement – Lupa – Southwest Corner of Route 59 and Ray Avenue

G. Resolution No. 11-R-0100 – A Resolution Authorizing the Mayor to Execute an Agreement between the DuPage Airport Authority, Northern Illinois Proton Treatment and Research Center, LLC and the City of West Chicago Regarding 777 Discovery Drive

H. Resolution No. 11-R-0101 – A Resolution Authorizing the Mayor to Execute a First Amendment to an Agreement between the City of West Chicago and the Jel Sert Company to Allow Parking on Gravel

Alderman Pineda made a motion, seconded by Alderman Stout, to adopt the items on the consent agenda. Voting Yea: Aldermen Chassee, Beifuss, Monroe, James Smith, Pineda Radkiewicz, Dimas, Murphy, John Smith, Meissner, Connelly, Stout, Dzierzanowski, and Fuesting. Voting Nay: 0. Motion carried.

* **Infrastructure Committee:** No report

* **Public Affairs Committee:** No report

* **Finance Committee:** Treasurer Earley said the Committee would be meeting on September 22, 2011.

* **Items Not Sent to Committee:** The Mayor read and explained the following items:

I. Approve – City Council Meeting Minutes of September 6, 2011

J. Approve – Appointment of John Symowicz to the Environmental Commission for Term Ending December 2012

K. Ordinance No. 11-O-0055 – An Ordinance Amending the Code of Ordinances of the City of West Chicago – Appendix G – Commuter Parking Lot Fee

L. Ordinance No. 11-O-0056 – An Ordinance of the City of West Chicago, DuPage County, Illinois, Authorizing the Acquisition of a Parcel Commonly Known as “114 Chicago” for Assemblage Purposes as Part of the Downtown Redevelopment Plan and Project

M. Resolution 11-R-0080 – A Resolution Authorizing the Mayor to Enter into a Certain Amendment to the Lease Agreement for 328 ½ High Street – Orlando Cardenas

N. Resolution 11-R-0084 – A Resolution Applying for Community Development Block Grants for 2012 DuPage County Consolidated Plan Year

O. Resolution 11-R-0098 – A Resolution Approving an Agreement between the County of DuPage and the City of West Chicago for a Community Development Block Grant for the Westwood Neighborhood Resource Center, the Main Park Neighborhood Resource Center, and the Riverwoods Neighborhood Resource Center

P. Resolution 11-R-0102 – A Resolution Accepting a Lease Agreement between the City of West Chicago and Angelica Porcayo – 314 High Street, Unit A

Alderman Dimas made a motion, seconded by Alderman Fuesting, to adopt the items on the consent agenda. Voting Yea: Aldermen Chassee, Beifuss, Monroe, James Smith, Pineda Radkiewicz, Dimas, Murphy, John Smith, Meissner, Connelly, Stout, Dzierzanowski, and Fuesting. Voting Nay: 0. Motion carried.

9. Reports by Committees.

A. Ordinance No. 11-O-0049 – An Ordinance Granting a First Amendment to an Existing Special Use for a School, a Special Use to Land Bank Required Off-Street Parking, a Landscape Variance and Engineering Related Deviations – 238 E. Hazel Street – West Chicago Middle School – West Chicago Elementary School District #33

Alderman Pineda made a motion, seconded by Alderman Monroe, to approve Ordinance No. 11-O-0049. During discussion, Alderman Dzierzanowski said he voted against this at the Development Committee. He is concerned that three schools have asked to land bank parking spaces so perhaps the City's ordinances are not appropriate for the school circumstances and should be rewritten. He is concerned if the City ever asks them to provide the spaces in the future, the schools will not have the funds available. They have problems with traffic at Norton Creek. Alderman Fuesting agreed with Alderman Dzierzanowski saying they have had consistent problems in his neighborhood and to go back to District 303 to add more parking would be very difficult.

Alderman Pineda said there was a lengthy discussion at the Committee meeting. Location is a factor. Norton Creek is new, but the other schools are established with other parking areas available. The Middle School has plenty of spaces for its staff and they could use the money for other things. There are only a few instances when parking is problematic (e.g., graduation). He felt parking should be looked at case by case. Alderman Beifuss agreed with Alderman Pineda saying there used to be four access points, and now there are seven. They have also changed where the buses drop off the children to Joliet Street, and the parents drop off on Hazel Street. In this neighborhood there are many walkers, and adding more parking would reduce the green space which is appreciated. Alderman Chassee said Norton Creek was a new school and had no history, so she supported Alderman Pineda's position.

Alderman Connelly felt that with so many people picking up their children that parking is not a minor problem.

Alderman John Smith asked if there were a mechanism to force the schools to add parking in the future if needed. Community Development Director Kalchbrenner said if they do not comply, they would be cited and their special use would be rescinded. City Attorney Bond said in the past, the City Council has rescinded a special use and issued a demand to comply. For City Code violations, the City could take a party to court.

Alderman Murphy said he understood Aldermen Dzierzanowski's and Fuesting's concerns and understood the environmental impact.

Alderman Dimas said she asked Dr. Leman if they are requesting enough for their full time and part time employees, and he said yes.

Mayor Kwasman said with regard to the social economics between District 33 and District 303, it seems to be different at Norton Creek. There are more drivers there. He agreed with Alderman Dzierzanowski that the ordinance should be reviewed. He said sufficient parking does not seem to be an issue at the Middle and Grammar Schools. Even Indian Knoll has enough parking.

Voting Yea: Aldermen Chassee, Beifuss, Monroe, James Smith, Radkiewicz, Pineda, Dimas, Murphy, John Smith, Meissner, and Stout. Voting Nay: Aldermen Connelly, Dzierzanowski, and Fuesting. Motion carried.

10. Unfinished Business. None

11. New Business. None

12. Mayor's Comments. The Mayor spoke of the *Remembering 9/11: A West Chicago Observance*. He praised the Co-Chairs Don and Nancy Smith and the Committee for an unbelievable event. There was cooperation between so many different factions and taxing bodies, and it all came together. He thanked the Committee for their support. People came out to show their respect for those who perished and for the survivors, and to teach the younger generation about this history so it will never be forgotten. The Mayor said the people of West Chicago and the City Council members were out in numbers. All the taxing bodies were represented because we all believed in this observance. This was not a City event, or a Park Event, but a special event.

13. Executive Session. There was no executive session.

14. Items to be Referred for Final Action from Executive Session. Not applicable.

15. Adjournment. At 7:43 pm, Alderman Chassee made a motion, seconded by Alderman Stout, to adjourn. Motion was carried by voice vote.

Respectfully submitted,

Nancy M. Smith
City Clerk