

These minutes were approved at the 10/17/11 City Council meeting with no changes.

CITY OF WEST CHICAGO – 475 Main Street

CITY COUNCIL MINUTES

Regular Meeting

October 3, 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 Beifuss 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, Ruben Pineda, Sandy Dimas, Alan Murphy, John C. Smith, Kurt Meissner, Nanette B. Connelly, Rebecca Stout, Nicholas Dzierzanowski, and Matt Fuesting present. Aldermen James Smith and Russell Radkiewicz were absent. 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, Public Works Director Rob Flatter, City Administrator Michael L. Guttman, Community Development Director Joanne Kalchbrenner, Marketing and Communications Coordinator Rosemary Mackey, and Chief of Police Laz Perez,

**5. Public Participation.**

**A. Proclamation: Arts Month.** At the Mayor's request, the City Clerk read Proclamation No. 11-P-0016, **Illinois Arts and Humanities Month**, in which the Mayor proclaimed October 2011 as West Chicago Arts and Humanities Month and called upon all citizens to celebrate and promote the arts and culture in West Chicago.

The following people spoke during Public Participation:

- 1) Jeff Stibal, 424 Highland, West Chicago, spoke in favor of the City's purchase of 151 Washington Street, but said he was not in favor of its demolition. He provided a history of the house and its owner, Joel Wiant, a pioneer in Turner. The architecture of the house is 2<sup>nd</sup> Empire, and is listed as a contributing structure in West Chicago's Historic District. It is also cited by the State of Illinois and DuPage County as being an historic structure. From the Development Committee's Washington Street Redevelopment Project Plan of August 8, 2011, the Committee chose Plan D to move forward with. Plan D designates the house as a "Development Opportunity." Further, the house fits in with the City's own motto of "Where History and Progress Meet."
- 2) Richard Ham, 419 E. Washington Street, West Chicago, spoke about the water billing situation in which landlords are held responsible for their tenants' unpaid water bills. He was unaware of the changes made and requested that landlords be notified when new ordinances come out that affect them. He would like to meet in the middle with the City. City Administrator Guttman said he has had some discussions with Mr. Ham. He said the requirement to hold landlords responsible has been in place for a long time. He will call Mr. Ham after the meeting. Mayor Kwasman asked Mr. Guttman to report back to the City Council at the next meeting so this could come to some resolution. Mr. Ham also spoke about the historic Wiant House. He said it is an historical building and recognized by the State of Illinois. He would like to see some consideration beside demolition.
- 3) Paul Olsen, 323 E. Washington Street, West Chicago, in construction all his life, was also in favor of restoration of the Wiant House. He said the structure is good, but the outside looks terrible. He would appreciate it if the City could find someone to bring the building up to Code.
- 4) Don Earley, City Treasurer, said he would like to see a traffic study done on Joliet Street for the two new driveways planned because of the Middle School expansion. The Mayor asked City Administrator Guttman if there was a traffic study done in that area and Mr. Guttman said no. He also indicated that a traffic study at this time would not do much. The Mayor suggested a traffic study be done later.

**6. Correspondence and Announcements.**

- 1) City Clerk Smith announced the 22<sup>nd</sup> Annual Tales Tombstones Tell event to be held on Friday, October 7, 2011, starting at 6:30 pm.

2) Alderman Chassee announced the Lion's Club's primary annual fundraiser of selling firewood. Wood can be picked up, delivered, or delivered and stacked. The price ranges from \$100 to \$130. Call 630-653-8132 to place orders.

3) Alderman Chassee announced that the Lion's Club would be holding its "Candy Day" during the Columbus Day week-end. Lions will be at Sonny Acres and other locations. Funds raised will help people primarily from West Chicago.

**Upcoming Meetings.** The Mayor announced the following meetings.

- October 4, 2011                      Plan Commission/Zoning Board of Appeals (cancelled)
- October 6, 2011                      Infrastructure Committee
- October 10, 2011                    Development Committee

**7. Corporate Disbursement Report.** Alderman Connelly made a motion, seconded by Alderman Dimas, to approve the October 3, 2011, Corporate Disbursement Report in the amount of \$ 598,052.93. Voting Yea: Aldermen Chassee, Beifuss, Monroe, Dimas, John Smith, Gianforte, Connelly, Stout, Dzierzanowski, and Fuesting. Voting Nay: 0. Aldermen Pineda and Murphy 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-0050** – An Ordinance Approving a First Amendment to the Crematorium Special Use for 951 W. Washington Street – DuPage Cremations

**B. Resolution 11-R-0096** – A Resolution Approving the Westgo Properties 2, Resubdivision of Lots 1 and 2.

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

\* **Infrastructure Committee:** Alderman Dzierzanowski read and explained the following items:

**C. Resolution 11-R-0104** – A Resolution Adopting a Policy Regarding the Installation of New Water Meters and Appurtenances Associated with the City-Wide Water Meter Replacement Program.

**D. Ordinance 11-O-0059** – An Ordinance of the City of West Chicago, DuPage County, Illinois, Amending Section 18-30 of the Code of Ordinances to Provide for the Termination of Water Service for Failure to Cooperate with the City's Water Meter Replacement Program.

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

\* **Public Affairs Committee:** Alderman Chassee read and explained the following items:

**E. Approve** – The Closure of Main Street, Turner Court and Washington Street and Providing City Staff Support to the Annual Halloween Parade on October 22, 2011

**F. Approve** – Frosty Fest Hours of Operation; Closure of City Streets; In-Kind Services and Parade Route – Scheduled for Saturday, December 3, 2011

**G. Ordinance 11-O-0047** – An Ordinance Modifying Chapter 4, Article I, and Chapter 7, Article II of the Code of Ordinances of the City of West Chicago – Adopting 2009 International Residential Code and 2009 International Property Maintenance Code (removed and voted upon separately)

**H. Ordinance 11-O-0057** – An Ordinance Modifying Chapter 9, Article XI, Licensing of Residential Rental Properties of the Code of Ordinances of the City of West Chicago

**I. Ordinance 11-O-0058** – An Ordinance Amending the Code of Ordinances of the City of West Chicago – Chapter 17 – Traffic, Article XVII, Schedules of Designated Streets

**J. Resolution 11-R-0086** – A Resolution Authorizing the Mayor to Enter into a Certain Memorandum of Understanding with the American Red Cross of Greater Chicago.

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

\* **Finance Committee:** City Treasurer Earley explained the following item:

**Approve** – Job Description – Commander.

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

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

**K. Approve** – City Council Meeting Minutes of September 19, 2011

**L. Resolution 11-R-0105** – A Resolution Authorizing the Mayor and City Clerk to Execute a Certain Downtown Rehabilitation Façade Program Agreement West Chicago Fire Protection District – 200 Fremont Street

**M. Approve** – Appointment of Chris Grodoski to the Cultural Arts Commission for an Unexpired Term Ending April 2014

**N. Approve** – Appointment of Gene Plumlee to the Cultural Arts Commission for an Unexpired Term Ending April 2014.

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

## **9. Reports by Committees.**

**A. Ordinance 11-O-0061** – An Ordinance Approving a Second Amendment to the Crematorium Special Use for 951 W. Washington Street - DuPage Cremations.

Alderman Pineda made a motion, seconded by Alderman Connelly, to adopt Ordinance 11-O-0061. During discussion, Alderman Beifuss said he has no problem with cremation, but he was concerned about the expansion of the building. He has become aware that crematoriums emit heavy metal (mercury from amalgam fillings) which can affect people, especially children and pregnant mothers. He cited several source for his data. He would like this matter to go to the Environmental Commission for further study. Alderman Pineda said he also has articles that state there is no harm from mercury vaporizing. He said the expansion is of the rooms for family and friends, not to be able to cremate more bodies. Alderman Chassee said the cited sciences is contradictory and beyond the Council's expertise. She said Congress is working on a Safe Chemicals Act, which will provide information on toxic chemicals. She said the application is for parking and user viewing. Alderman Murphy made a motion, seconded by Alderman Meissner, to postpone this matter. Voting Yea: Aldermen Beifuss, Murphy, and Meissner. Voting Nay: Aldermen Chassee, Monroe, Pineda, Dimas, John Smith, Connelly, Stout, Dzierzanowski, and Fuesting. Motion failed. Voting Yea on the original motion: Aldermen Chassee, Monroe, Pineda, Dimas, John Smith, Connelly, Stout, Dzierzanowski, and Fuesting. Voting Nay: Aldermen Beifuss, Murphy, and Meissner. Motion carried. The Mayor said the matter would also be sent to the Environmental Commission for information on any regulations and analysis for future knowledge.

**From Item 8.G: Ordinance 11-O-0047** – An Ordinance Modifying Chapter 4, Article I, and Chapter 7, Article II of the Code of Ordinances of the City of West Chicago – Adopting 2009 International Residential Code and 2009 International Property Maintenance Code. Alderman Chassee made a motion, seconded by Alderman Connelly, to adopt Ordinance 11-O-0047. During discussion, Alderman Chassee said she did not think sprinklers should be required in town homes. She would require fire suppression sprinklers in new construction in apartment

residences. Her concern was that government was intruding on private residences. Alderman Pineda said while sprinklers increase the costs, they save lives. He said when a structure is multi-family, lives are in the hands of the neighbors. Alderman Murphy said he gave a lot of thought and weight to both sides. If sprinklers are required for multi-family structures, he thought they should be required for new town homes also although he understood Alderman Chassee's concern regarding governmental intrusion. Alderman Stout was also in favor of requiring sprinklers for town homes as they have to look at the safety of all the people in the building. The Mayor asked if there was a maximum length of town homes in West Chicago, and Community Development Director Kalchbrenner said there is no maximum length. She explained the differences between zoning and building codes. The Mayor said he is concerned with the length of town homes. If there are 10 town homes then have a multi family situation and chances are greater for a fire. He thought a sprinkler would be a necessity, especially in town homes today. Voting Yea: Aldermen Beifuss, Pineda, Dimas, Murphy, John Smith, Meissner, Connelly, Stout, and Dzierzanowski. Voting Nay: Aldermen Chassee, Monroe, and Fuesting. Motion carried.

**A. Ordinance 11-O-0060** – An Ordinance of the City of West Chicago, DuPage County, Illinois, Authorizing the Acquisition of a Parcel Commonly Known as "151 W. Washington Street" Alderman Monroe made a motion, seconded by Alderman Dzierzanowski, to adopt Ordinance 11-O-0060. During discussion, Alderman Beifuss praised the building known as the "Wiant House." He summarized the history and said it is structurally sound, and it would be a shame to knock it down. He cited Plan D and said the house is slated for commercial purposes. He would prefer that the City do something with the building. The City has a precedent of purchasing a building and letting a developer restore it (the building next to the City Museum). He asked if it is common to have a TIF District use their expense to purchase property and have it fixed up. Mr. Guttman said sometimes that is successful and sometimes not. Alderman Beifuss discussed various sources of funding that could be used for the restoration. If no developer is interested, then the matter can be revisited. The Mayor asked about a time element and Alderman Beifuss said between six months and year. Alderman Beifuss made a motion, seconded by Alderman Stout, to amend the ordinance to delete any reference to demolition. During discussion, Aldermen Dzierzanowski and Monroe were not in favor of buying this house and giving it way. Alderman Dzierzanowski suggested it be moved and Alderman Monroe said it should be demolished. Alderman Pineda said a lot of money is involved. If it goes to a developer, there should be a time limit to fix it. Alderman Beifuss took strong issue with idea that as a City, we are not interested with preservation. He said there is a lot of public support for the idea of preservation. Alderman Pineda thought there should be a limited time to restore the house. City Attorney Bond said reference to the demolition would be removed from the agreement under the amendment. Alderman Dzierzanowski withdrew his second. Alderman Monroe agreed to the amendment. Alderman Dimas seconded the motion to amend the motion. Voting Yea: Alderman Chassee, Beifuss, Monroe, Pineda, Dimas, Murphy, John Smith, Meissner, Connelly, Stout, and Fuesting. Voting Nay: Alderman Dzierzanowski. Motion carried. Alderman Monroe made a motion, seconded by Alderman Stout, to adopt Ordinance 11-O-0060, without any contingency for demolition. Voting Yea: Alderman Chassee, Beifuss, Monroe, Pineda, Dimas, Murphy, John Smith, Meissner, Connelly, Stout, and Fuesting. Voting Nay: Alderman Dzierzanowski. Motion carried. City Administrator Guttman asked if a motion were needed to direct staff to find a developer within six months for a nominal sum of \$1 to \$10. The Mayor called for a show of hands. All were in favor of the staff searching for a developer within six months.

**10. Unfinished Business.** None

**11. New Business.** None

**12. Mayor's Comments.** The Mayor said all his comments earlier.

**13. Executive Session.** There was no executive session.

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

**15. Adjournment.** At 8:50 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