

CITY OF
WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

CITY COUNCIL MEETING
MONDAY, JANUARY 5, 2015 - 7:00 P.M.
475 MAIN STREET, WEST CHICAGO, ILLINOIS

AGENDA

1. Call to Order
2. Pledge of Allegiance to the Flag
3. Invocation
4. Roll Call and Establishment of a Quorum
5. Public Participation

Public Hearing: Fourth Amendment to the Annexation Agreement with the DuPage Airport Authority

6. City Council Meeting Minutes of December 15, 2014
7. Corporate Disbursement Report
- January 5, 2015 (\$836,642.28)
8. Consent Agenda

Development Committee

- (A) **Ordinance No. 14-O-0032** – An Ordinance Amending the Code of Ordinances of the City of West Chicago – Appendix A – Article 10.5 of the Zoning Code.
- (B) **Resolution No. 14-R-0083** – A Resolution Approving and Authorizing the Execution of the Fourth Amendment to an Intergovernmental Agreement Between the DuPage Airport Authority and the City of West Chicago, DuPage County, Illinois, Providing for Amendments to Ordinance No. 1603, Resolution No. 01-R-0093, Resolution No. 05-R-0092 and Resolution No. 11-R-0099.
- (C) **Ordinance No. 14-O-0033** – An Ordinance Granting Certain Site Usage Variances – 2500 Enterprise Circle.
- (D) **Resolution No. 14-R-0084** – A Resolution Approving a Final Development Plan – 2500 Enterprise Circle – DuPage Business Center.

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Items Not Sent to Committee

(E) Resolution No. 14-R-0080 – A Resolution Authorizing the Execution of a Retirement Agreement – Lazaro Perez.

9. Reports by Committees
10. Unfinished Business
11. New Business
12. Correspondence and Announcements

Upcoming Meetings

January 13, 2014 Development Committee

13. Executive Session
 - A. Land Acquisition – 5 ILCS 120/2 (C) (5) (6)
 - B. Litigation – 5 ILCS 120/2 (C) (11)
 - C. Personnel Matters – 5 ILCS 120/2 (C) (1)
 - D. Review of Official Record – 5 ILCS 120/2 (C) (21)
14. Items to be Referred for Final Action from Executive Session.
15. Adjournment



CITY OF WEST CHICAGO – 475 Main Street
CITY COUNCIL MINUTES
Regular Meeting
December 15, 2014

1. **Call to Order.** Mayor Ruben Pineda called the meeting to order at 7:00 pm.
2. **Pledge of Allegiance to the Flag.** Alderman Grodoski led all in the pledge of allegiance.
3. **Swearing in of Melissa Birch – Ward 4 Alderman.** Mayor Pineda introduced Ms. Birch as an active member of the community. She has been involved with the West Chicago Sister Cities Organization, and has been on the Plan Commission/Zoning Board of Appeals and the Civil Service Commission as well as other community committees. City Clerk Smith administered the Oath of Office to Ms. Birch. Alderman Birch then took her place at the Council.
4. **Invocation.** The City Clerk gave the invocation.
5. **Roll Call and Establishment of a Quorum.**

Roll Call found Aldermen Lori J. Chassee, James E. Beifuss, Jr., Donald F. Earley, James Smith, Laura Grodoski, Alton Hallett, Sandy Dimas, Melissa Birch, John C. Smith, Kurt Meissner, Mark Edwalds, Rebecca Stout, John F. Banas, and Matt Fuesting present. The Mayor announced a quorum.

City Clerk Nancy M. Smith was also present.

Also in attendance were City Attorney Sean Conway, Public Works Director Rob Flatter, City Administrator Michael L. Guttman, Acting Chief of Police Mike Uplegger, Community Development Director John D. Said, and Administrative Services Director Linda Martin.

6. **Public Participation.** No one spoke during regular Public Participation.

A. Proclamation: Drunk and Drugged Driving (3D) Prevention Month. At the Mayor's request, the City Clerk read the proclamation in which Governor Pat Quinn proclaimed December 2014 as Drunk and Drugged Driving Prevention Month in Illinois, and called upon all to support programs and policies to reduce the incidence of impaired drinking, and to promote safer and healthier behaviors regarding the use of alcohol and other drugs this December holiday season and throughout the year.

B. Public Hearing: 2015 Proposed Budget. The Mayor opened the public hearing at 7:07 pm. No one on the City Council spoke for or against the proposed budget. No one from the audience spoke for or against the proposed budget. The Mayor closed the public hearing at 7:08 pm.

Minutes for the public hearing are filed separately.

7. **City Council Meeting Minutes – December 1, 2014.** Alderman Banas made a motion, seconded by Alderman Edwalds, to approve the minutes of December 1, 2014, with no changes. Voting Aye: Aldermen Chassee, Beifuss, Earley, James Smith, Grodoski, Hallett, Dimas, John Smith, Meissner, Edwalds, Stout, Banas, and Fuesting. Voting Nay: 0. Alderman Birch abstained. Motion carried.

8. Corporate Disbursement Report. Alderman John Smith made a motion, seconded by Alderman Meissner, to approve the December 15, 2014, Corporate Disbursement Report in the amount of \$ 464,378.37. Voting Aye: Aldermen Chassee, Beifuss, Earley, James Smith, Grodoski, Hallett, Dimas, Birch, John Smith, Meissner, Edwalds, Stout, Banas, and Fuesting. Voting Nay: 0. Motion carried.

9. **Consent Agenda – Consideration of an Omnibus Vote.**

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

A. Resolution 14-R-0081 – A Resolution to Accept Planning Staff Assistance Services Delivered by the Regional Transportation Authority

B. Ordinance 14-O-0025 – An Ordinance Granting Special Use Permits for a Meeting Space and Place of Worship – West Chicago Community Center, Inc. – 306 Main Street

Alderman Stout made a motion, seconded by Alderman Grodoski, to adopt the above items. Voting Aye: Aldermen Chassee, Beifuss, Earley, James Smith, Grodoski, Hallett, Dimas, Birch, John Smith, Meissner, Edwalds, Stout, Banas, and Fuesting. Voting Nay: 0. Motion carried.

* **Infrastructure Committee:** Alderman Beifuss read and explained the following items:

C. Approve – Change Order No. 1 and Final to the Contract with Landmark Contractors, Inc. for an amount of \$2,442.42 for Services Related to the 2014 Metra Station Stair Reconstruction Project

D. Resolution 14-R-0076 – A Resolution Authorizing the Mayor to Execute a Contract with Alaniz Landscape Group, Inc. of Elgin, Illinois, as Lowest Responsible Bidder, to Provide Services Related to the 2015 Parkway Tree Planting Program, for an Amount Not to Exceed \$44,730.00

E. Resolution 14-R-0077 – A Resolution Authorizing the Mayor to Execute a Contract with Steve Piper & Sons of Naperville, Illinois, as Lowest Responsible Bidder, to Provide Services for the 2015 Forestry Maintenance Program, in an Amount Not to Exceed \$66,395.45

F. Resolution 14-R-0078 – A Resolution Authorizing the Mayor to Execute a Plat of Easement for Installation and Maintenance of a Fence on a Portion of the Property of 2541 Meadowlark Drive

G. Resolution 14-R-0079 – A Resolution Authorizing the Mayor to Execute an Intergovernmental Agreement between the Winfield Township Road District and the City of West Chicago for Snow Removal Operations

H. Resolution 14-R-0085 – A Resolution Authorizing the City Administrator to Execute an Agreement between DuPage County and the City of West Chicago for Participation in CDBG Funding for the Wood Street Rehabilitation Project

Alderman Beifuss made a motion, seconded by Alderman Earley, to adopt the above items. Voting Aye: Aldermen Chassee, Beifuss, Earley, James Smith, Grodoski, Hallett, Dimas, Birch, John Smith, Meissner, Edwalds, Stout, Banas, and Fuesting. Voting Nay: 0. Motion carried.

* **Finance Committee:** Alderman Dimas read and explained the following items:

I. Resolution 14-R-0082 – A Resolution Authorizing the Mayor to Execute a Contract Agreement with GovHR USA for Executive Recruitment Services for an Amount not to Exceed \$25,000.00

J. Ordinance 14-O-0029 – An Ordinance Amending the Annual Budget for the City of West Chicago, DuPage County, Illinois, for the Fiscal Year Commencing January 1, 2014, and Ending December 31, 2014, Passed and Adopted by Ordinance No. 13-O-0042

K. Ordinance 14-O-0034 – An Ordinance Levying Taxes on Property Within the Corporate Limits of the City of West Chicago as that Property is Assessed and Equalized for State and County Purposes for the Fiscal Year Beginning January 1, 2015, and Ending December 31, 2015, DuPage County, Illinois,

L. Ordinance 14-O-0035 – An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning January 1, 2015, and Ending December 31, 2015, in and for the City of West Chicago Special Service Area No. 2

M. Ordinance 14-O-0036 – An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning January 1, 2015, and Ending December 31, 2015, in and for the City of West Chicago Special Service Area No. 27

N. Ordinance 14-O-0030 – An Ordinance Adopting the Annual Budget for the City of West Chicago, DuPage County, Illinois, for the Fiscal Year Commencing January 1, 2015, and Ending December 31, 2015

Alderman Dimas made a motion, seconded by Alderman Banas, to adopt the above items. Voting Aye: Aldermen Chassee, Beifuss, Earley, James Smith, Grodoski, Hallett, Dimas, Birch, John Smith, Meissner, Edwalds, Stout, Banas, and Fuesting. Voting Nay: 0. Motion carried.

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

O. Approve - The Appointment of Michael Schafer to the Plan Commission/Zoning Board of Appeals for an Unexpired Term Ending April 2015

P. Approve – The Appointment of Sarah Schafer to the Civil Service Commission for an Unexpired Term Ending April 2015

Alderman Chassee made a motion, seconded by Alderman Beifuss, to adopt the above items. Voting Aye: Aldermen Chassee, Beifuss, Earley, James Smith, Grodoski, Hallett, Dimas, Birch, John Smith, Meissner, Edwalds, Stout, Banas, and Fuesting. Voting Nay: 0. Motion carried.

10. Reports by Committees. None

11. Unfinished Business. None

12. New Business. None

13. Correspondence and Announcements.

The City Clerk announced that today was the first day to file for the Consolidated Election of April 7, 2015. There will be no lottery for the people in line this morning as they were all for different offices and no petitions came in the first mail. There may still be a lottery if there are two or more filers in the last hour of filing on December 22, 2014.

The City Clerk announced that the VFW would be sponsoring a Trivia Night on January 9, 2015, at 7:00 pm. Cost is \$10.00 a person or \$50.00 for a table of six. The public is welcome.

14. Mayor's Comments. The Mayor said Frosty Fest, one of his favorite events, was very successful. The three essay winners read their essays. He thanked the many volunteers including Santa and Mrs. Claus. He also thanked all those who came out.

The Mayor said the budget was approved this evening. He is very proud of how fiscally responsible and healthy the City is. The budget is down 6.6%, but we are still able to run a great community. The General Fund went up a little because of the amount of salt needed last winter, and for the police pension. The Mayor thanked the staff for all their hard work.

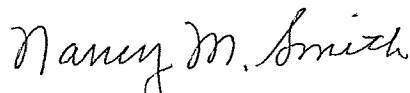
The Mayor said Christmas is coming and people will be traveling. He hopes everyone stays safe and makes it safely into the New Year.

15. Executive Session. There was no executive session.

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

15. Adjournment. At 7:20 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

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DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Fourth Amendment to the IGA with the DAA and Text Amendments to Section 10.5 of the Zoning Regulations

*Resolution No. 14-R-0083
Ordinance No. 14-O-0032*

AGENDA ITEM NUMBER:8A + 8B**FILE NUMBER:**

COMMITTEE AGENDA DATE: Dec. 8, 2014**COUNCIL AGENDA DATE:** Jan. 5, 2015**STAFF REVIEW:** John D. Said**SIGNATURE** _____**APPROVED BY CITY ADMINISTRATOR:** Michael Guttman**SIGNATURE** _____**ITEM SUMMARY:**

Please note that a public hearing is required to be held at the City Council level for any amendments to the Intergovernmental Agreement between the City and the DuPage Airport Authority. That public hearing has been properly published in the Daily Herald, as required, and the public hearing has been scheduled for commencement at the January 5th, 2015 City Council meeting.

The City and the DuPage Airport Authority (DAA) entered into an Intergovernmental Agreement (IGA) on March 22, 2001, which outlined the terms of development of land owned by the DAA and established the Airport Zoning District regulations. The IGA has been amended three times since its adoption. The DAA now desires to amend the IGA a fourth time to address a few zoning related issues that have arisen in conjunction with a proposed development in the DuPage Business Center (DBC). Specifically, the DAA is requesting text amendments to Section 10.5 of the City's Zoning Code, which are the Airport Zoning District regulations, to add the definition of building height, increase the maximum building height for light industrial buildings, modify the landbank parking regulations, and add three site usage variations to the list of permissible variances allowed exclusively in the Airport Zoning District. The text amendments to the Airport Zoning District regulations are what is necessitating the fourth amendment to the IGA. Lastly, a public hearing conducted at the City Council level is required in order to amend the IGA, which is tentatively scheduled for the January 5, 2015 City Council meeting

At its December 2, 2014 meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) unanimously recommended approval of the requested Airport Zoning District text amendments by a (6-0) vote. Their recommendation is included as Exhibit A to the attached ordinance. The Plan Commission did not consider the amendment to the IGA because it is not part of the Commission's established purview.

ACTION PROPOSED:

Consideration of a fourth amendment to the IGA between the City and the DAA and consideration of text amendments to Section 10.5 (the Airport Zoning District) of the City's Zoning Code.

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COMMITTEE RECOMMENDATION:

At its December 8, 2014 meeting, the Development Committee recommended approval of the fourth amendment to the IGA between the City and the DAA as presented. The Development Committee also recommended approval of the text amendments to Section 10.5 (the Airport Zoning District) of the City's Zoning Code, as amended, to include deleting all of the ash tree species from the approved shade tree planting list in Section 10.5-5(B)(2)(a). This additional amendment is reflected in Section 3 of the attached ordinance.

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DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Final Development Plan Approval & Site Usage Variances for 2500 Enterprise Circle

*Resolution No. 14-R-0084
Ordinance No. 14-O-0033*

AGENDA ITEM NUMBER:8C + 8D**FILE NUMBER:**

COMMITTEE AGENDA DATE: Dec. 8, 2014**COUNCIL AGENDA DATE:** Jan. 5, 2015**STAFF REVIEW:** John D. Said**SIGNATURE** _____**APPROVED BY CITY ADMINISTRATOR:** Michael Guttman**SIGNATURE** _____**ITEM SUMMARY:**

CenterPoint Properties, the contract developer of the DuPage Business Center (DBC), is proposing three site usage variances for a proposed industrial development located on the east half of the inner circle of Enterprise Drive in the South Park area of the DBC. Specifically, the proposed variances are as follows:

1. To permit loading or servicing on the subject property to be conducted between the building and Enterprise Circle.
2. To permit loading spaces on the subject property to be located closer to the Enterprise Circle right-of-way than the façade of the building facing said right-of-way.
3. To permit the storage of vehicles within the exterior side yard of the subject property.

The subject property is located on the east half of the inner circle of Enterprise Circle and has right-of-way frontage on three sides (north, south, and east). This means that the subject property not only has a front yard (east), but also has two exterior side yards (north and south), which are for all intent and purpose regulated the same as a front yard with respect to setbacks and use restrictions. The City's Airport Zoning District regulations limits the types of site uses, such as truck loading and storage that may be conducted within a front yard or exterior side yard. The intent of these regulations is to aesthetically enhance and maintain the street appearance of a site by requiring the more intensive site uses to be located in the rear and interior side yards of a site where they are typically visually screened from the right-of-way. The subject property is proposed to have twenty (20) loading docks and twenty-seven (27) semi-trailer parking (storage) spaces on the south side of the building, thus necessitating the three identified variances.

The subject property could be developed in conformance with the established regulations by placing the loading docks and semi-truck parking spaces on the west (rear) side of the building. However, that would necessitate using additional land to the west and render the balance of the vacant land inside Enterprise Circle undevelopable due to its small area. This option would also render any future expansion of the proposed building to the west too costly. City staff, Dupage Airport Authority (DAA) staff, and CenterPoint Properties staff all feel the most appropriate location of the loading docks and semi-trailer parking spaces is on the south side of the subject property as proposed. To help mitigate

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these site design aspects CenterPoint Properties will be providing a larger landscape buffer along the south property line where a berm and additional landscaping will be installed to act as a buffer for the parking and dock areas.

In accordance with the Intergovernmental Agreement (IGA) with the DAA both the DAA and City shall approve any development proposal within the DBC. The DAA has approved the proposed final development plan and Centerpoint is now requesting City approval. The attached Resolution includes specific plans and elevations of the proposed development. The terms of the IGA require the City Council to approve the final development plan if it is in conformance with all of the controlling documents (the City's Airport Zoning District regulations and the DAA's Minimum Design Standards). City staff acknowledges that the proposed plans do comply, subject to approval of the aforementioned three site usage variances.

At its December 2, 2014 meeting, the Plan Commission/Zoning Board of Appeals (PC/ZBA) unanimously recommended approval of the three requested site usage variances by a (6-0) vote. Their recommendation is included as Exhibit B to the attached ordinance. The Plan Commission did not consider the final development plan for the overall site because it is not part of the Commission's established purview.

ACTION PROPOSED:

Consideration of a final development plan and three site usage variances for 2500 Enterprise Circle.

COMMITTEE RECOMMENDATION:

At its December 8, 2014 meeting, the Development Committee recommended approval of the final development plan and three site usage variances for 2500 Enterprise Circle.

RESOLUTION NO. 14-R-0080

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT
BETWEEN THE CITY OF WEST CHICAGO AND LAZARO PEREZ FOR
HIS RESIGNATION AS CHIEF OF POLICE AND RETIREMENT FROM
POLICE SERVICE WITH THE CITY OF WEST CHICAGO**

WHEREAS, the City of West Chicago (hereinafter "City") is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*, and Article VII, Section 6, of the Constitution of the State of Illinois; and

WHEREAS, Chief of Police Lazaro Perez (hereinafter "Perez") has notified the City of his desire to resign as the City's Chief of Police and retire from service with the City's Police Department; and

WHEREAS, for reasons of transition in the administration of the Police Department, the City is willing to allow Perez to resign and retire without the thirty (30)-day advance written notice thereof to the City as required by his Employment Agreement with the City dated May 6, 2013; and

WHEREAS, because Perez will be resigning from his position without the thirty (30)-day's advance written notice required by his Employment Agreement, the City and Perez desire to address the terms and conditions of his resignation and retirement through the Resignation and Retirement Agreement attached hereto and incorporated herein as Exhibit "A" (hereinafter "Agreement"),

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST CHICAGO, DUPAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1. The recitals set forth above are incorporated herein and made a part hereof.

SECTION 2. The City hereby accepts and approves the Agreement attached hereto and incorporated herein as Exhibit "A."

SECTION 3. The City Administrator of the City was previously authorized and directed to execute said Agreement on behalf of the City.

SECTION 4. The City Administrator, Director of Administrative Services, other staff, and the City Attorney for the City of West Chicago are hereby authorized to take such action as may be necessary to carry out the terms of said Agreement.

SECTION 5. The Clerk is hereby directed to transmit a certified copy of this Resolution and one copy of the executed Settlement Agreement to Ann Marie Lampariello-Perez, 300 East Roosevelt Road, Suite 300, Wheaton, Illinois 60187.

SECTION 6. This Resolution shall take effect immediately upon its passage and approval as provided by law.

PASSED this 5th day of January 2015.

Alderman L. Chassee	_____	Alderman J. Beifuss	_____
Alderman A. Hallett	_____	Alderman J. Banas	_____
Alderman J. C. Smith, Jr.	_____	Alderman S. Dimas	_____
Alderman K. Meissner	_____	Alderman R. Stout	_____
Alderman L. Grodoski	_____	Alderman D. F. Earley	_____
Alderman M. Fuesting	_____	Alderman M. Edwalds	_____
Alderman J. Smith	_____	Alderman M. Birch	_____

APPROVED as to form: _____
City Attorney

APPROVED this 5th day of January 2015.

Ruben Pineda, Mayor

ATTEST:

Nancy M. Smith, City Clerk

PUBLISHED: _____