

These minutes were approved at the 4/2/18 City Council meeting with no changes.

CITY OF WEST CHICAGO – 475 Main Street
CITY COUNCIL MINUTES
Regular Meeting
March 19, 2018

1. **Call to Order.** Mayor Ruben Pineda called the meeting to order at 7:00 pm.
2. **Pledge of Allegiance to the Flag.** Alderman Garcia 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., Heather Brown, Jayme Sheahan, Michael D. Ferguson, Alton Hallett, Sandy Dimas, Melissa Birch-Ferguson, Kurt Meissner, George L. Garcia, Rebecca Stout, Bonnie A. Gagliardi, and Noreen Ligino-Kubinski present. Alderman Matthew E. Garling was absent. The Mayor announced a quorum.

City Clerk Nancy M. Smith was also present.

Also in attendance were City Attorney Keith E. Letsche, Public Works Director Rob Flatter, City Administrator Michael L. Guttman, Chief of Police Mike Uplegger, Police Commander Julio Calabrese, Detective Robbi Peterson, and Community Development Director Tom Dabareiner.

5. Public Participation.

A. Proclamation: Honoring Jesse Felix. The Mayor read his proclamation (copy attached) honoring Jesse Felix on his retirement on March 29, 2018, after 28 years of commendable and dedicated service to the community of West Chicago. Mr. Felix received a standing ovation from all in attendance. The Mayor said they have been friends for many years, and Mr. Felix is a big part of West Chicago. He has taken good care of the parks, and he will be greatly missed. Mr. Felix said he is extremely honored by this recognition. He said it has been a great run, he loves this community, and he thanks God for the blessing of skills that allowed him to work. He also thanked God for his family and his work family, citing them as his strength. His mother grew up here and his grandparents, and he has a cousin on the City Council (Alderman Sheahan). The Mayor said he was one month into being Mayor after Mayor Kwasman passed away when the big storm hit West Chicago and destroyed so many trees at Reed-Keppler Park. Jesse and others cleaned up the park and made it look great.

B. Presentation of Torch Run Plaque by Detective Robbi Peterson. Detective Peterson, as the Police Department liaison for the Torch Run for Special Olympics, said it was an honor to present the plaque recognizing our efforts for the Torch Run. It was his honor and privilege to attend the national convention in Nashville, Tennessee. He spoke of the event and said there were 45 programs throughout other countries. The message was to empower the children to take it to the next level. Illinois raised \$4.4 million and received 2nd place for the entire world. He spoke of the over 200 events held in Illinois. Eunice Kennedy Shriver started Special Olympics in July 1968 at Soldier Field, so this year is the 50th Anniversary. They will be celebrating her memory and her mission and goal to provide a place for all people of different abilities to compete. There will be a community run on July 21, 2018, that will actually run through Soldier Field. There will be an eternal flame of hope between Soldier field and the museum. This year West Chicago reached gold status so we will be on the back of the state-wide Torch Run shirt.

Since our Department got involved we raised over \$70,000. Detective Peterson then announced some of the upcoming events: May 18, 2018, police officers will be on the roof of the four West Chicago Dunkin Donuts from 5:00 am to noon; June 9, 2018, Haggerty Ford will do a sign and drive event (for everyone who test drives a car they will donate \$20.00 up to \$6,000); July 29, 2018, the softball game against the Fire Department (the following Tuesday will be National Night Out); September 22, 2018, along with the Glen Ellyn Police, they will pull a 737 at O'Hare. They raised over \$1,200.00 at the Kwasman Klassic in January. All those funds stay in our community. He also did the Polar Plunge 24 times because there was a donation for each plunge. Chief Uplegger and other members and family also took the Plunge in Yorkville in March. Chief Uplegger said none of this would be possible without Detective Peterson, and he really appreciates everything he does. Special Olympics is one of the best things the Police Department does. He spoke of the athletes and how good they are and how they have such gratitude. The Mayor also praised and thanked the Police Department and Detective Peterson.

C. Proclamation: Municipal Clerks Week. The Mayor read his Proclamation in which he recognized the week of May 6 through May 12, 2018, as Municipal Clerks Week and further extended appreciation to West Chicago's Clerk and to all Municipal Clerks for the vital services they perform and their dedication to the community they represent.

The following person spoke during Public Participation:

Jodi Otwirk, 150 Plumtree, West Chicago, requested a variance for the fence she erected since the new fence is just like the old fence. She said she had been given the option of requesting a variance. She sent out 57 certified letters to her neighbors, and paid \$900 for the variance application. The Mayor said this matter is on the consent agenda and if someone wants to pull it off, it can be discussed.

6. City Council Meeting Minutes – March 5, 2018. Alderman Hallett made a motion, seconded by Alderman Chassee, to approve the minutes of March 5, 2018. During discussion, the Clerk said there were two scrivener's errors: 1) in paragraph 4, Alderman Ferguson's name should be "Michael" (not Michel); 2) in paragraph 8G. "Sire" should be "Siren." Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Ferguson, Hallett, Dimas, Birch-Ferguson, Meissner, Garcia, Stout, Gagliardi, and Ligino-Kubinski. . Voting Nay: 0. Motion carried.

7. Corporate Disbursement Report. Alderman Dimas made a motion, seconded by Alderman Garcia, to approve the March 19, 2018, Corporate Disbursement Report in the amount of \$845,816.56. Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Ferguson, Hallett, Dimas, Birch-Ferguson, Meissner, Garcia, Stout, Gagliardi, and Ligino-Kubinski. . Voting Nay: 0. Motion carried.

8. Consent Agenda – Consideration of an Omnibus Vote.

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

A. Resolution 18-R-0021 – A Resolution Approving West Chicago's Church Street Resubdivision – 509 Church Street

B. Ordinance 18-O-0012 – An Ordinance Granting a First Amendment to a Special Use for a Public School – 130, 300, 312 E. Forest Avenue – School District #33

C. Ordinance 18-O-0013 – An Ordinance Denying Certain Fence Variances at 139 W. Pomeroy Street (removed and voted upon separately)

D. Ordinance 18-O-0014 – An Ordinance Approving a Fifth Amendment to the Anthony PUD at the Southwest Corner of Neltnor Boulevard (IL Route 59) and E. Washington Street and Approving a First amendment to the Final PUD for Lot 2 in the Anthony PUD at 550 E. Washington Street

Alderman Stout made a motion, seconded by Alderman Gagliardi, to adopt the above items except for Item 8C. Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Ferguson, Hallett, Dimas, Birch-Ferguson, Meissner, Garcia, Stout, Gagliardi, and Ligino-Kubinski. . Voting Nay: 0. Motion carried.

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

E. Resolution 18-R-0019 – A Resolution to Adopt the Legislative Action Program for the DuPage Mayors and Managers Conference for the 2018 Legislative Session

F. Resolution 18-R-0020 – A Resolution Authorizing the Mayor to Execute a Certain License Agreement with Zayo Group, LLC for Use of City Right-of-Way Along Illinois Route 59 (Neltnor Boulevard) and Joliet Street

Alderman Ligino-Kubinski made a motion, seconded by Alderman Sheahan, to approve the above items. Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Ferguson, Hallett, Dimas, Birch-Ferguson, Meissner, Garcia, Stout, Gagliardi, and Ligino-Kubinski. . Voting Nay: 0. Motion carried.

9. Reports by Committees. None

10. Unfinished Business. From Item 8C. **Ordinance 18-O-0013** – An Ordinance Denying Certain Fence Variances at 139 W. Pomeroy Street. Alderman Brown made a motion, seconded by Alderman Meissner, to adopt Ordinance 18-O-0013. During discussion, Alderman Brown said she is not sure what the fence used to look like, but the new one is the

same height. Instead of horizontal panels, they are now vertical. She felt badly that one of our community members paid for fees and sent out certified letters and then received an email the next day stating she should expect a denial. It was clarified for Alderman Dimas that the prior fence was classified legally non-conforming.

Alderman Stout said when someone updates more than 50% of a legally non-conforming structure, it must then be brought into compliance. The Development Committee also felt bad for the applicant, but the entire fence was replaced. Community Development Director Tom Dabareiner said having a non-conforming clause is very common because over time they become conforming. The petitioner was advised of the requirement to meet the code. He also said it would set a dangerous precedent to grant a variance at this point.

City Administrator Guttman said certain requirements must be met in order to grant a variance. Alderman Beifuss said the variance was requested after the fact. It went to the Plan Commission where it was denied and then to Development Committee where it was also denied. There then followed extensive discussion on the Code requirements and how to obtain a variance to the Code requirements.

The Mayor said the City Council has been discussing the fence issue for years and came to the conclusion that there should be an ordinance in place.

Aldermen Sheahan and Brown recognized the applicant, Jodi Otwirk, who said communication with the "village" was difficult and she did not feel she was treated very nicely. She also believed that some of the stuff in the paperwork was not so nice. She said she just tried to make the fence the way they wanted. She felt strongly that she should be granted a variance.

Voting Aye: Aldermen Chassee, Beifuss, Sheahan, Ferguson, Hallett, Birch-Ferguson, Garcia, Stout, and Gagliardi. . Voting Nay: Aldermen Brown, Dimas, and Ligino-Kubinski. Alderman Meissner abstained. Motion carried.

11. New Business. None

12. Correspondence and Announcements.

Upcoming Meetings

- March 20, 2018	Plan Commission/Zoning Board of Appeals (cancelled)
- March 22, 2018	Finance Committee (cancelled)
- March 26, 2018	Public Affairs Committee
- March 27, 2018	Historical Preservation Commission

Alderman Stout encouraged all Aldermen who have not taken the CERT course, to sign up for the next class that starts Wednesday, March 28, 2018, Kress Road, 6:30 – 9:30 pm one evening a week. The Mayor has one segment to complete.

The City Clerk reminded everyone again about the City Museum's and Historical Society's Tea on March 25, 2018, at the American Legion.

13. Mayor's Comments. The Mayor stressed how important it is to go out and vote tomorrow, Election Day. He has been talking with legislators, telling them if they do not support us, we will not support them. Illinois is in need of repair and that will only happen if people get out and vote.

14. Executive Session. There was no executive session.

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

16. Adjournment. At 7:55 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