



# Village of Downers Grove Meeting Minutes Downers Grove Village Council

Civic Center  
801 Burlington  
Downers Grove, IL 60515  
630-434-5500

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Tuesday, May 20, 2008

6:00 PM

Council Chambers

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## 1. Call to Order

*Mayor Ron Sandack called the regular meeting of the Village Council of the Village of Downers Grove to order at 6:00 p.m. in the Council Chambers of the Downers Grove Village Hall.*

### Pledge of Allegiance to the Flag

*Mayor Sandack led those present in the Pledge of Allegiance to the Flag.*

## 2. Roll Call

Present: Commissioner Marilyn Schnell, Commissioner Martin Tully, Commissioner William Waldack, Commissioner Bruce E. Beckman, Commissioner Geoff Neustadt and Mayor Ron Sandack

Absent: Commissioner Sean P. Durkin, Village Manager Cara Pavlicek and Village Clerk April Holden

Non Voting: Village Attorney Enza Petrarca and Deputy Village Clerk Linda Brown

*Commissioner Waldack participated by phone.*

*The Council meeting is broadcast over the local FM radio station, WDGC. In addition, a tape recording and videotape of the meeting are being made using Village owned equipment. The videotape of the meeting will be used for later rebroadcast of the Council meeting over the Village cable television Channel 6.*

*The Council will follow the rules of conduct for this meeting as provided in Sec. 2.5 of the Downers Grove Municipal Code. These offer the public the opportunity to comment at several points in the meeting. First, immediately following approval of the minutes of the past meetings, an opportunity will be given for public comments and questions on the active agenda items for this evening's meeting. Following this, an opportunity is given for public comments and questions on any subject. Finally, if a public hearing is scheduled for this meeting, an opportunity is given for public comments and questions related to the subject of the hearing.*

*The presiding officer will ask, at the appropriate time, if there are any comments from the public. If anyone wishes to speak, the individual should raise their hand to be recognized and, after acknowledgment from the presiding officer, approach the microphone and state their name and address. Remarks should be limited to five minutes, and asked that individuals refrain from making repetitive statements.*

*Mayor Sandack said there are agendas located on either side of the Council Chambers, and he invited the audience to pick up an agenda and follow the progress of the Council meeting.*

## 3. Minutes of Workshop and Council Meetings

*Special Workshop Meeting - May 6, 2008*

*Council Meeting - May 6, 2008*

*Workshop Meeting - May 13, 2008*

*There being no additions or corrections to the minutes, Mayor Sandack said they would be filed as submitted.*

### Bi-weekly Update - Fire Station 2

*Ed Disler, Owner's Representative, reported on the progress of Fire Station 2 construction, stating that they are on target and expect to be finished by the end of the month. The phone turnover should take place on May 28 with move-in on May 29. The generator has been tested, and they are working on odds and ends and finishing the project. He gave a slide presentation of the building to date. He said that next week the site will be green.*

*The Mayor said that the Station looks fantastic, and asked whether it is still under budget. Mr. Disler responded that it was under budget, and expressed his thanks to the Village staff for their assistance in keeping the project moving and under budget.*

*Mayor Sandack acknowledged guests from the Chinese government who were associated with a program through Northern Illinois University.*

#### **4. Public Comments and Questions**

##### **A. Comments and Questions on Active Agenda**

*1. John Schofield, 1125 Jefferson, commented on the transfer of the bond cap funds to the Illinois Housing Development Authority. He said that this is a modest investment in economic development that may possibly bring in \$10 million to the Village. He referenced an e-mail from Tim Meaney that this transfer be free from the proposed fee. Mr. Schofield said it made sense to include the fee when the bond cap was transferred to a commercial entity and when transferred to a quasi-governmental entity there was no fee. He recommended the Village trust IHDA for a year and if they do not perform, they should not be considered for the bond cap in the future. A small matter of trust to make this work is warranted.*

*2. Leslie Wiercioch, 4030 Highland Avenue, said she also owns the property at 3 Jacqueline Drive and was commenting on the communications tower. She said her comments were also being directed to the Park District Board. Ms. Wiercioch referred to the Park District's catalog which points out in a letter all of the good points of the parks, including reserving a pavilion with green space and other activities. She said the Park District brochure recommends reading the book "Last Child in the Woods," regarding implementing a worldwide initiative to educate parents to create outdoor recreational experiences for their children to enhance their learning experience. Ms. Wiercioch commented on the brochure's statements, saying that the intent seems to be to encourage parents to direct their children away from technological choices, such as high definition TV, video games, etc. She said she would include cell phones in that list, and appealed to the Park Board to reverse their decision. It makes no sense to put this tower and building into a park space. She then read the Mission Statement of the Park District which states it is there to provide a wide variety of recreational activities and open space for the residents. Ms. Wiercioch stated that residents do not desire towers in parks, and she has not heard any T-Mobile customers state that the tower is needed. She encouraged the Village Council to deny the petition by the Park District, and to remind the Park District of what their responsibility to the Village should be.*

##### **B. Comments and Questions on General Matters**

*There were none.*

#### **5. Public Hearings**

#### **6. Consent Agenda**

**COR 00-03313** A. Claim Ordinance: No. 5743, Payroll, May 9, 2008

**Sponsors:** Accounting

**A motion was made to Approve this file on the Consent Agenda.**

**Indexes:** N/A

- BIL 00-03314** B. List of Bills Payable: No. 5722, May 20, 2008  
**Sponsors:** Accounting  
**A motion was made to Approve this file on the Consent Agenda.**  
**Indexes:** N/A
- MOT 00-03315** C. Motion: Approve the FY08-09 Budget for the Downers Grove Downtown Management Corporation  
**Sponsors:** Manager's Office  
**Summary of Item:** This authorizes approval of the FY 08-09 Downtown Management Corporation budget.  
**A motion was made to Authorize this file on the Consent Agenda.**  
**Indexes:** Downtown Management Corporation
- RES 00-03316** D. Resolution: Authorize an Agreement with Paradise Artists, Inc.  
**Sponsors:** Community Events Commission and Community Events  
**Summary of Item:** This authorizes an agreement with WAR to perform at Heritage Festival in an amount not to exceed \$20,000.  
  
A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND PARADISE ARTISTS, INC.  
  
RESOLUTION 2008-48  
**A motion was made to Pass this file on the Consent Agenda.**  
**Indexes:** Heritage Festival 2008
- MOT 00-03317** E. Motion: Renew Membership Dues for DuPage Mayors and Managers Conference for FY08-09  
**Sponsors:** Village Attorney  
**Summary of Item:** This authorizes renewal of the FY 08-09 DuPage Mayors and Managers Conference membership and submitting dues in the amount of \$36,776.40.  
**A motion was made to Authorize this file on the Consent Agenda.**  
**Indexes:** DuPage Mayors & Managers
- RES 00-03318** F. Resolution: Authorize an Intergovernmental Agreement with the Illinois Department of Transportation for the Resurfacing and Reconstruction of Prairie Avenue  
**Sponsors:** Public Works  
**Summary of Item:** A RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING AND RECONSTRUCTION OF PRAIRIE AVENUE  
  
RESOLUTION 2008-49  
**A motion was made to Pass this file on the Consent Agenda.**  
**Indexes:** Illinois Department of Transportation, Prairie Avenue Reconstruction

- MOT 00-03319** G. Motion: Authorize \$98,192.00 for the Purchase of 27 Laptop Computers for Fire Station #2 from CDS Office Technologies  
**Sponsors:** Information Services  
**Summary of Item:** This is for 27 ruggedized laptop computers (Panasonic Toughbooks Model Number CF-30 and CF 19)  
**A motion was made to Authorize this file on the Consent Agenda.**  
**Indexes:** Computers, Fire Station #2, Planned Development #43-Fire Station No. 2
- BID 00-03320** H. Bid: Award \$69,155.00 to Marking Specialists Corporation for the 2008 Pavement Marking - Preformed Plastic  
**Sponsors:** Public Works  
**A motion was made to Approve this file on the Consent Agenda.**  
**Indexes:** Pavement Marking
- BID 00-03321** I. Bid: Award a Contract to Superior Road Striping, Inc. for 2008 Pavement Marking - Thermoplastic  
**Sponsors:** Public Works  
**Summary of Item:** This is on a per unit cost basis for a total and not to exceed the budgeted amount of \$23,000.  
**A motion was made to Approve this file on the Consent Agenda.**  
**Indexes:** Pavement Marking
- MOT 00-03322** J. Motion: Authorize Issuance of 2008 Class A Scavenger License to ARC Disposal & Recycling, Inc.  
**Sponsors:** Manager's Office  
**Summary of Item:** Application has been made by ARC Disposal and Recycling, Inc. for a Class "A" Scavenger License. Finding that ARC complies with the applicable requirements of the Municipal Code, this motion approves and authorizes issuance of a Class "A" Scavenger License to ARC Disposal and Recycling, Inc. for 2008. This license allows ARC to serve all premises within the Village. ARC is currently under contract with the Village to provide single-family scavenger, recycling and yard waste services through March 31, 2011.  
**A motion was made to Authorize this file on the Consent Agenda.**  
**Indexes:** Scavenger-Recycling Program, Scavenger-Garbage Collection, ARC Disposal
- MOT 00-03330** K. Motion: Note Receipt of Minutes of Boards and Commissions  
**A motion was made to Note Receipt Of this file on the Consent Agenda.**  
**Indexes:** Boards and Commissions Minutes
- Passed The Consent Agenda**  
**A motion was made by Commissioner Tully, seconded by Commissioner Beckman, that the consent agenda be passed. The motion carried by the following vote:**  
**Votes:** Yea: Commissioner Schnell, Commissioner Tully, Commissioner Waldack, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

## 7. Active Agenda

**ORD 00-03323**

A. Ordinance: Authorize a Special Use to Permit an Accessory Structure at 1230 Gregory Place

**Sponsors:** Community Development and Plan Commission

**Summary of Item:** At their meeting of April 7, 2008, the Plan Commission recommended that a Special Use be granted on property located at 1230 Gregory Place to permit an accessory structure.

AN ORDINANCE AUTHORIZING A SPECIAL USE TO PERMIT AN ACCESSORY STRUCTURE AT 1230 GREGORY PLACE

ORDINANCE NO. 4971

**A motion was made by Commissioner Tully, seconded by Commissioner Beckman, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:**

**Votes:** Yea: Commissioner Schnell, Commissioner Tully, Commissioner Waldack, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

**Indexes:** Special Use - 1230 Gregory Place

**MOT 00-03331**

B. Motion: Remand to the Plan Commission Petition PC-02-08, 1500 Gilbert Avenue, and Petition PC-03-08, 4833 Fairview Avenue

*Commissioner Tully commented that he understood the motivation behind the Motion to remand this to the Plan Commission. The question is whether there is new evidence stating that there are other more appropriate locations for the cell tower installation. If there is new evidence, he would be willing to table this to a date certain, but does not know that referring this back to the Plan Commission is the answer, since it would eventually come back to the Village Council for final decision. Commissioner Tully said he was somewhat tenuous on remanding this to the Commission. He does not want to see this vote delayed simply for the sake of delaying a decision. The petitioner is requesting action on this and there has been no request to withdraw the petition. The decision as to whether to place a cell tower in a public park is not the corporate authority of the Village Council. The Council applies the Village's zoning regulations to a decision that has already been made, and to determine whether the petition meets the zoning criteria. He noted that there have been comments from residents who would like the cell tower on their property, as well as additional information from T-Mobile. However, the setback requirements required for this petition cannot be met by some of the proposed alternative sites and would be even closer to residential homes. Using open space may be the answer to taking the tower farther away from residences.*

*Commissioner Beckman said in deliberating this issue it became apparent to him that there is sufficient information to move forward on this tonight. Although he suggested remanding this to the Plan Commission, based on the information at hand, he would support moving forward on this.*

*Commissioner Neustadt said that some of the alternative sites proposed last night were investigated by the petitioner and found to be unfavorable.*

*Commissioner Schnell said she was also ready to vote on this item tonight.*

*Commissioner Waldack said that he supports remanding this to the Plan Commission. This is a controversial issue and he believes it to be incumbent upon the Village to give the Plan Commission another view of the petition and provide the residents with an opportunity to come up with additional information. He said that he also has additional questions.*

*Mayor Sandack said he doesn't support remanding this and he believes they have all the information they need to make the decision, in the scope of their authority. The question of*

*whether cell towers belong in public parks is not the Village Council's decision to make. The Village Council and the Park District are legally distinct bodies with separate charters. The Park Board decided to put these towers in the requested location. The Village is responsible for making a determination as to whether this meets the Village's zoning. He will not vote in favor of remanding this.*

**A motion was made by Commissioner Tully, seconded by Commissioner Neustadt, to Authorize this file. Mayor Sandack declared the motion failed by the following vote:**

**Votes:** Yea: Commissioner Waldack  
Nay: Commissioner Schnell, Commissioner Tully, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

**Indexes:** Annexation, Rezone 1500 Gilbert - R-1 to R-3, Special Use - 1500 Gilbert Avenue, Special Use - 4833 Fairview Avenue - Hummer Park

**ORD 00-03324** C. Ordinance: Annex 1500 Gilbert Avenue to the Village of Downers Grove, Illinois

**Sponsors:** Community Development and Plan Commission

**Summary of Item:** At their meeting of March 3, 2008, the Plan Commission recommended 7:0 denial of the annexation petition for 1500 Gilbert Avenue. This authorizes the annexation of the property located at 1500 Gilbert Avenue.

AN ORDINANCE ANNEXING 1500 GILBERT AVENUE TO THE VILLAGE OF DOWNERS GROVE, ILLINOIS

ORDINANCE NO. 4972

*Commissioner Schnell says she has no problem with the next two items, and will comment on the other items later.*

*Commissioner Tully said this is only an issue of annexing a parcel adjacent to Gilbert Park.*

**A motion was made by Commissioner Neustadt, seconded by Commissioner Tully, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:**

**Votes:** Yea: Commissioner Schnell, Commissioner Tully, Commissioner Waldack, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

**Indexes:** Annexation, Park District, Gilbert Park

**ORD 00-03325** D. Ordinance: Rezone Property Located at 1500 Gilbert Avenue from R-1, Single Family District, to R-3, Single Family District

**Sponsors:** Community Development and Plan Commission

**Summary of Item:** At their meeting of March 3, 2008, the Plan Commission recommended 7:0 denial of the rezoning petition for 1500 Gilbert Avenue. This rezones 1500 Gilbert Avenue from Village R-1, Single Family Residential, to Village R-3, Single Family Residential.

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, CODIFIED AS CHAPTER 28 OF THE DOWNERS GROVE MUNICIPAL CODE, AS AMENDED TO REZONE PROPERTY LOCATED AT 1500 GILBERT AVENUE

ORDINANCE NO. 4973

*Commissioner Tully explained that when annexed, the property is automatically zoned as R-1. This Ordinance now rezoned the property to a more appropriate zoning of R-3 residential.*

**A motion was made by Commissioner Tully, seconded by Commissioner Beckman, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:**

**Votes:** Yea: Commissioner Schnell, Commissioner Tully, Commissioner Waldack, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

**Indexes:** Park District, Rezone 1500 Gilbert - R-1 to R-3, Gilbert Park

**ORD 00-03326** E. Ordinance: Authorize a Special Use to Permit Telecommunication Tower Facilities at 1500 Gilbert Avenue

**Sponsors:** Community Development and Plan Commission

**Summary of Item:** At their meeting of March 3, 2008, the Plan Commission recommended 7:0 denial that a Special Use be granted to permit a telecommunication tower within a residential zoning district in Gilbert Park. This authorizes a Special Use to permit telecommunication tower facilities at 1500 Gilbert Avenue.

AN ORDINANCE AUTHORIZING A SPECIAL USE TO PERMIT TELECOMMUNICATION TOWER FACILITIES AT 1500 GILBERT AVENUE

ORDINANCE NO. 4974

*Commissioner Schnell clarified that the only jurisdiction the Council has is regarding the zoning. She read the portion of the Ordinance regarding the goals of this Ordinance. The two parks are Hummer and Gilbert. The area that has given her the most thought is to encourage the location of towers in non-residential areas. She read the requirements for placing telecommunications towers in non-residential districts. Commissioner Schnell said that T-Mobile communicated that they had issues with other sites recommended. She believes that their response is a mixed message, and she understands that there are issues with placing the towers along the railroad tracks. She believes the area in question should be protected and should not have a commercial use placed on it. Last week a certified appraiser said that this could affect property values. She doesn't know if that is true, but she will be voting no on this based on Section 28-1307 of the Zoning Ordinance.*

*Commissioner Neustadt said that he spoke on this last week, and would speak on both items. He believes the petitioner made an effort to look at other sites on the outskirts of their "wing" of service, and they also made some concessions based on the neighborhood comments. The petitioner has exhibited a need for other sites to provide service to their customers. He said the Park Board has looked at these issues at many meetings and he will vote "yea" on both petitions.*

*Commissioner Beckman said that he believed the petitioner had passed the litmus test, and looked at alternative sites. He thinks raising an 11th hour suggestion that there may be other sites available is simply too late. He will support both Motions.*

*Commissioner Tully said that the additional information provided has made the decision clearer and he will vote positively on this. It bears repeating that whether towers belong in parks is a Park District decision. He said that at the Park District meeting last Thursday, he expected to find a packed room of residents requesting that the petition be withdrawn. He was surprised to find no one there. Commissioner Tully said that one of the Park District Commissioners provided a history of the issue that was revealing, noting that often people don't express their objections until the last minute, even though the subject has been discussed at several meetings. As an example, Commissioner Tully said he attended a Public Works open house last evening regarding sidewalks, which has been an issue for years; yet, there were people present who, once they saw the plans for their streets, came forward to enter last minute objections. This is a common occurrence with issues of this nature. The issue of whether towers belong is not the Council's call. The Council has an obligation to consider requests placed before it in terms of applying it to zoning regulations. He then referenced the criteria for special uses under Section 28-1307 for telecommunications towers. He said he doesn't recall that criteria having ever been applied before. The language is clear that locations of telecommunications towers in residential districts is to be discouraged. One of the conditions is that "no sites are available which*

*accomplish the same coverage." Commissioner Tully said that the petitioner has done its homework, submitted two detailed reports showing that these are a necessity and will cause no undue harm to surrounding residents. As to the existence of other sites, there are some nonresidentially zoned. For example, the M-1 parcel north of the tracks could be considered; however, he knows that the neighbors from there would be present since the tower would be substantially closer to their homes than the one before the Council now. He is struggling with the problem of location, but it is necessary to determine whether the petition meets the criteria. If the Village were to change the ordinance, it would not be fair to residents who would be negatively impacted by the proximity of the tower to their homes. This kind of open space allows maintaining a separation from residential areas. He is not convinced that there are no other locations; however, in this case there appears to be no significant adverse impact based on a petitioner-commissioned study from an appraiser. He cannot disregard the appraisal as no contrary evidence has been put forth. This is a tough call, however the evidence weighs in favor of the petitioner.*

*Mayor Sandack agreed that this is a tough call and someone is going to be upset by whatever decision is made. He said the Council's role has been only with respect to the zoning component and the Council has done its job based on a long meeting with testimony, and on a review of the information provided to the Council. The Council cannot substitute its judgment for the policy decisions made by the Park District's Board at open meetings. This comes to the Village Council as strictly an issue under the Village's Zoning Ordinance. The petitioner has met the criteria, and has indicated that there were no other appropriate sites for their needs. The Park Board has exclusive jurisdiction over the parks. The Village Council is working under tight confines, and has no reason to say that the petitioner has not met the Zoning Ordinance because they have. There are no suitable substitutes without obstacles. A cell tower is considered a utility, and the Council has no legal basis to deny the request.*

**A motion was made by Commissioner Beckman, seconded by Commissioner Neustadt, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:**

**Votes:** Yea: Commissioner Tully, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

Nay: Commissioner Schnell and Commissioner Waldack

**Indexes:** Park District, Gilbert Park, Special Use - 1500 Gilbert Avenue

**ORD 00-03327**

F. Ordinance: Authorize a Special Use to Permit a Telecommunication Tower at 4833 Fairview Avenue

**Sponsors:** Community Development and Plan Commission

**Summary of Item:** At their meeting of March 3, 2008, the Plan Commission recommended 7:0 denial that a Special Use be granted to permit a telecommunication tower within a residential zoning district in Hummer Park. This authorizes a Special Use to permit telecommunication tower facilities at 4833 Fairview Avenue.

AN ORDINANCE AUTHORIZING A SPECIAL USE TO PERMIT A TELECOMMUNICATION TOWER AT 4833 FAIRVIEW AVENUE

ORDINANCE NO. 4975

*Commissioner Tully said that the criteria used in the previous petition applies equally here. Due to the setback requirements, alternative sites elsewhere do not work. Comprehensive, persuasive evidence has been put forth by the petitioner showing that they have met the criteria.*

**A motion was made by Commissioner Neustadt, seconded by Commissioner Tully, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:**

**Votes:** Yea: Commissioner Tully, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

Nay: Commissioner Schnell and Commissioner Waldack



**Indexes:** Park District, Special Use - 4833 Fairview Avenue - Hummer Park, Hummer Park

**ORD 00-03328** G. Ordinance: Transfer Volume Cap in Connection with Private Activity Bond Issues

**Sponsors:** Deputy Village Manager

**Summary of Item:** This approves the transfer of the remainder of the Village's 2008 volume cap. As a condition of the partial transfer of the volume cap, the Illinois Housing Development Authority agrees to pay an administrative fee of \$13,076.05.

AN ORDINANCE APPROVING THE TRANSFER OF VOLUME CAP IN CONNECTION WITH PRIVATE ACTIVITY BOND ISSUES, AND RELATED MATTERS

ORDINANCE NO. 4976

*Commissioner Schnell moved to adopt an ordinance approving the transfer of volume cap in connection with private activity bond issues, and related matters, without fee. Commissioner Neustadt seconded the motion.*

*Commissioner Schnell commented that this gives the Village an opportunity to look closely at the IHDA program, and whether the Village should continue this in the future. She thinks the fee would be a deal breaker with IHDA.*

*Commissioner Neustadt commented that this has been before the Council a number of times, and he is more comfortable with the amount of this cap. He will be interested to get reports from IHDA. He would rather see the program in place, but doesn't want to stall this due to the timelines.*

*Commissioner Beckman said he has no problem with removing the \$13,000 fee and would support this sans fee.*

*Commissioner Tully said he supports ceding of the unclaimed excess bond cap, and thinks the Village can obtain some useful data from the program. As to the fee, the Village's policy that states if an outside entity requests ceding of the bond cap an administrative fee should be charged. The issue is not whether this is fair. It is difficult to give a waiver to a project sight-unseen, and this is speculation right now. He said he would favor the option of retaining the opportunity to obtain the fee in the future, as he is reluctant to waive the amount.*

*Commissioner Waldack said that he has been a proponent of the use of the bond cap for over a year. This is a form of economic development for the Village. He referenced comments made by Mr. Merrionette that each transaction generates about \$20,000 and other transactions. The Village will have data available to it. He noted that this is no cost to the Village and the bulk of the work will be done by IHDA. He looks forward to seeing this program move forward.*

*Mayor Sandack said he feels the fee can be waived. The unclaimed funds would have reverted to the State if left undirected. IHDA has the experience to implement this program for a variety of needs. He thinks the Village has reacted appropriately to bond cap requests. This is the last portion that could be claimed, and there is no financial detriment or harm to the Village.*

**A motion was made by Commissioner Schnell, seconded by Commissioner Neustadt, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:**

**Votes:** Yea: Commissioner Schnell, Commissioner Tully, Commissioner Waldack, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

**Indexes:** Bond Allocation

## 8. Mayor's Report

**Materials to be Received****Materials to be Placed on File****9. Manager's and Directors' Reports****10. Council Member Reports and New Business**

*Commissioner Waldack thanked staff for making arrangements for him to attend by phone, and he thanked the staff at Good Samaritan Hospital for their cooperation as well. He said he received many kudos from the hospital staff regarding the Village's paramedics.*

*Commissioner Beckman said he attended the Public Works open house and found it to be an extraordinarily enjoyable event. His 7-year old grandson enjoyed climbing on all the equipment and appearing on Cable TV. He considers Public Works employees the unsung heroes of the Village.*

*Commissioner Beckman then commented that he spent Saturday morning with his wife at a multi-family garage sale on Pershing Avenue. Some of the residents of the area expressed concerns with the infrastructure development program as it applies to them. It became apparent that residents have to be periodically reminded about what is being done in the Village in their particular areas, and also remind them that they can access that information by contacting the Village staff.*

*Commissioner Neustadt said he also attended the Open House and found it very informative. He congratulated the Public Works' Department on the event. On Saturday there was a Board and Commissions Workshop held and he extended his thanks to the members of the Boards and Commissions who gave their time to attend the workshop. He thanked Midwestern University for opening up their campus to the Village for use.*

*Commissioner Schnell complimented staff on the signs and paving on 39th Street. The contractor completed the project very quickly and did a beautiful job.*

*Commissioner Tully wished speedy recovery to Commissioner Waldack and commended him for his dedication to the community by participating in the meeting from a hospital bed. Commissioner Tully also thanked staff, Barb Wysocki and everyone at Midwestern University for the excellent program this past Saturday. It was well attended and organized, with staff giving excellent presentations. He heard comments that this type of Workshop should not go by the wayside. He then wished all of the Village residents a safe and reflective Memorial Day. It is almost 100 years since Memorial Day was made a National holiday. It originated as a way of remembering the soldiers who gave their lives in the Civil War. He commented on the American Legion program to be held at Fishel Park on Memorial Day and encouraged residents to attend.*

*Mayor Sandack said the American Legion puts on an impressive annual Memorial Day ceremony. He said it will begin at Noon at Fishel Park. He also commented on recent staff activities including organizing and participating in the Boards and Commissions meeting, working closely on the building of Fire Station #2, and hosting the Public Works Open House. It is important to recognize the services that staff gives to the community and he thanked them for their dedication.*

**11. Attorney's Report****Adjourn to Executive Session**

*Commissioner Tully moved to adjourn to Executive Session pursuant to Section 2(c)(1) of the Open Meetings Act to consider personnel. Commissioner Beckman seconded.*

*VOTE: YEA - Commissioners Tully, Beckman, Neustadt, Waldack, Schnell, Mayor Sandack*

*Mayor Sandack declared the motion carried and the Council convened into Executive Session at 7:22 p.m.*

### **Return to Open Session**

*Council returned to Open Session at 9:40 p.m.*

**MOT 00-03312** Motion: Contract Status - Village Manager

**Sponsors:** Mayor

*The Mayor said, "On May 6 the Village Council initiated the process to terminate the Village Manager's employment contract for cause. Tonight the Village Council met in closed session with the Village Manager and her attorney. The Village Manager was given an opportunity to respond to the grounds for cause previously provided to her and her attorney. The Village Manager was given an opportunity to present her side of the story. Thereafter the Village Council reviewed what was presented and deliberated further. Upon due consideration I ask for a motion to terminate the Village Manager's employment contract for cause."*

*Commissioner Tully moved to terminate, effective immediately, the Village Manager's employment pursuant to her employment agreement for cause. Commissioner Beckman seconded the motion.*

*VOTE: YEA: Commissioners Tully, Beckman, Neustadt, Durkin, Waldack, Schnell; Mayor Sandack*

*NAY: None*

*Mayor Sandack declared the motion carried.*

**Indexes:** Village Manager

## **12. Adjournment**

*Commissioner Tully moved to adjourn. Commissioner Durkin seconded.*

*VOTE: YEA - Commissioners Tully, Durkin, Beckman, Neustadt, Waldack, Schnell, Mayor Sandack*

*Mayor Sandack declared the motion carried and the meeting adjourned at 9:43 p.m.*