

These minutes were approved at the November 3, 2008, City Council meeting with no changes.

CITY OF WEST CHICAGO – 475 Main Street

CITY COUNCIL MINUTES

Regular Meeting

October 20, 2008

1. **Call to Order.** Mayor Michael B. Kwasman called the meeting to order at 7:04 pm.
2. **Pledge of Allegiance to the Flag.** Alderman Connelly 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, Sandy Dimas, Alan Murphy, Gregory D. Bunch, Joey Gianforte, Nanette B. Connelly, Rebecca Stout, Nicholas Dzierzanowski, and Matt Fuesting present. Alderman Ruben Pineda was 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, Special Counsel Barbara Magel, Public Works Director Rob Flatter, City Administrator Michael L. Guttman, and Community Development Director Joanne Kalchbrenner.

5. Public Participation. (The order of the agenda was changed slightly.)

The following persons spoke during public participation:

1) Brandi Ramundo, 30W115 Whitney Road, West Chicago, spoke about the St. Andrews rezoning. She was concerned about the potential of a decrease in her property values if additional houses are added and the resultant additional traffic on Route 59. She requested that any lots developed around their property be comparable in size. She did not want to see town homes or apartments.

C. Update: On Residual Thorium Clean-up. Special Counsel Magel said there was not much new from the last update. All 23 soil samples are back and there are only five very isolated areas showing in excess of the 7.2 range. The first data package has been transmitted to Tronox by the EPA and will be addressed in the next construction session. The other nine properties the EPA does not have access to will now be a priority. They should be tested and surveyed by this year. Alderman Beifuss asked what kind of readings were on the five properties. Counsel Magel said they were from as low as 7.5 and the highest one was under 15.

D. Update: On CN Acquisition of EJ&E. The Mayor provided the update since Alderman Pineda was absent. The Mayor had also attended the meetings. The STB comment process is complete. There were 4,000 additional comments sent in on the draft environmental report. The TRAC website has all updates. There should be a ruling this year. CN has issued a mandamus action, and this should have a ruling by mid-November. Legislative action was taken in Congress to try to stop the CN, but it failed. Opponents are still using the positive talking point that is the STAR Line. Congressman Roskam has been very active. It is believed that the talking points are now left up to the people. People need to write to the newspapers with their concerns and to the STB. There are 18 communities involved (15 municipalities, one township, and two counties). A lobbying group is developing strategy to get our voices heard. It is a wait and see situation. This is a David and Goliath situation and will not be easy. It not only affects life safety, but a way of life. The Mayor thanked Alderman Murphy for gathering all the resolutions from local governments and giving them to Congressman Roskam. The Mayor asked City Attorney Bond to explain what a mandamus motion is, which he did.

B. Public Hearing: Annexation at Atlantic Drive and North Avenue. At 7:16 pm the Mayor took a motion from Alderman Stout, seconded by Alderman Murphy to open the public hearing. Voting Yea: Aldermen Chassee, Beifuss, Monroe, Smith, Radkiewicz, Dimas, Murphy, Bunch, Gianforte, Connelly, Stout, Dzierzanowski, and Fuesting. Voting Nay: 0. Motion carried. Community Development Director Kalchbrenner explained the action to annex. There were no comments for or against the annexation from the City Council or from anyone in the audience. At 7:18 pm, the Mayor took a motion from Alderman Chassee, seconded by Alderman Radkiewicz, to close the public hearing. Voting Yea: Aldermen Chassee, Beifuss, Monroe, Smith, Radkiewicz, Dimas, Murphy, Bunch, Gianforte, Connelly, Stout, Dzierzanowski, and Fuesting. Voting Nay: 0. Motion carried. Minutes for the public hearing are filed separately.

A. Public Hearing: St. Andrews Golf Course Annexation Agreement. At 7:19 pm, Mayor Kwasman took a motion from Alderman Murphy, seconded by Alderman Dimas, to open the public hearing. Voting Yea: Aldermen Chassee, Beifuss, Monroe, Smith, Radkiewicz, Dimas, Murphy, Bunch, Gianforte, Connelly, Stout, Dzierzanowski, and Fuesting. Voting Nay: 0. Motion carried. Community Development Director Kalchbrenner explained the action to annex the remaining 214 acres on the east side of Route 59. There were no comments from the City Council. Two gentlemen from the audience were sworn in and spoke of their fears of possible future development near their homes. At 7:25 pm, the Mayor took a motion from Alderman Connelly, seconded by Alderman Stout, to close the public hearing. Voting Yea: Aldermen Chassee, Beifuss, Monroe, Smith, Radkiewicz, Dimas, Murphy, Bunch, Gianforte, Connelly, Stout, Dzierzanowski, and Fuesting. Voting Nay: 0. Motion carried. Minutes for the public hearing are filed separately.

6. Correspondence and Announcements.

Alderman Chassee announced that on Sunday, November 2, 2008, the West Chicago Lion's Club would have their Fall Pancake Breakfast from 7:00 am – 12:00 noon, at the West Chicago Middle School. She invited all to attend. Proceeds go to support benevolent programs in West Chicago such as the food pantries and support for families during holidays.

Alderman Dzierzanowski said this Saturday, the group, *Simply-A-Mom*, would be having a pick up at 1:00 pm. They will accept any type of household goods and clothing. Collected items will be distributed at a school in Elgin. Those who wish to donate or help can contact him. Also, *Simply-A-Mom* has a website.

Upcoming Meetings. The Mayor announced the following meetings.

- October 23, 2008 Finance Committee
- October 27 2008 Public Safety Committee

7. Corporate Disbursement Report. Alderman Chassee made a motion, seconded by Alderman Radkiewicz, to approve the October 20, 2008, Corporate Disbursement Report in the amount of \$ 794,265.31. Voting Yea: Aldermen Chassee, Beifuss, Monroe, Smith, Radkiewicz, Dimas, Bunch, Gianforte, Connelly, Stout, Dzierzanowski, and Fuesting. Voting Nay: 0. Alderman Murphy abstained. Motion carried.

8. Consent Agenda – Consideration of an Omnibus Vote.

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

A. Ordinance 08-O-0078 – An Ordinance of the City of West Chicago, Illinois, Providing for Annexation of Certain Territory Located at the Corner of Atlantic Drive and North Avenue

B. Resolution 08-R-0106 – A Resolution Authorizing the Mayor to Enter into a Certain Second Amendment to the Annexation Agreement – St. Andrews Golf Course and Country Club

C. Ordinance 08-O-0073 – An Ordinance Annexing Property to the City of West Chicago – St. Andrews Golf Course and Country Club

D. Ordinance 08-O-0074 – An Ordinance Rezoning Land from the ER-1 Estate Residential and R-2 Single Family Residence Districts to the B-3 Regional Shopping and R-3 Single Family Residence Districts – St. Andrews Golf Course and Country Club

E. Ordinance 08-O-0075 – An Ordinance Amending the Code of Ordinances of the City of West Chicago – Appendix A, Section 10.4-5 of the Zoning Code

F. Ordinance 08-O-0076 – An Ordinance Granting an Amendment to the Special Use for a Golf Course – St. Andrews Golf Course and Country Club

G. Ordinance 08-O-0077 – An Ordinance Adopting a Certain Amendment to the Comprehensive Plan of the City of West Chicago – St. Andrews Golf Course and Country Club

H. Resolution 08-R-0112 – A Resolution Authorizing the Mayor to Accept a Plat of Vacation for a Portion of the Unimproved Highland Avenue Right-of-Way

I. Resolution 08-R-0113 – A Resolution Authorizing the Mayor to Accept a Grant of Easement for Watermain in an Unimproved Portion of the Highland Avenue Right-of-Way

J. Resolution 08-R-0116 – A Resolution Approving a Plat of Consolidation – 500 Fenton Lane

Alderman Smith made a motion, seconded by Alderman Connelly, to adopt those items on the consent agenda. During discussion, Alderman Smith said he would like to welcome St. Andrews to the City and to shed a little light for the City Council and those present. He has been a seasonal employee at St. Andrews since 1962. He said a lot of people do not realize what a jewel the City is about to annex. The St. Andrews owners are second generation. There are second and third generation employees. The Mayor requested that staff explain the difference between an annexation agreement and a PUD, and through a question and answer session clarified a number of points. Community Development Director Kalchbrenner provided the information on the difference between an annexation agreement and a PUD, need for a traffic study for a PUD, input from the community through public hearings, differences between an R-2 and R-3 zoning, and storm water management. Alderman Beifuss also said under a PUD, the City has the ability to determine what lot sizes would be adjacent to preexisting homes, and thus could make them larger than allowed by the zoning. Alderman Dzierzanowski confirmed this by citing the section in the pre-annexation agreement that provides for lot sizes. The Mayor said there are no plans now or for the near future to build lots. Voting Yea: Aldermen Chassee, Beifuss, Monroe, Smith, Radkiewicz, Dimas, Murphy, Bunch, Gianforte, Connelly, Stout, Dzierzanowski, and Fuesting. Voting Nay: 0. Motion carried.

* **Infrastructure Committee:** Alderman Dzierzanowski reported that the Hawthorne Lane reconstruction is just about over. His former ward included Willow Creek and the Arbors. He thanked everyone for their patience, and said the end result is well worth the wait.

* **Public Safety Committee:** Alderman Chassee read and explained the following item:

K. Ordinance 08-O-0068 – An Ordinance Amending the Code of Ordinances of the City of West Chicago – Chapter 7, Article II of the Housing Code

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

* **Community Affairs Committee:** No report.

* **Finance Committee:** No report.

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

L. Approve – City Council Meeting Minutes of October 6, 2008

M. Ordinance 08-O-0084 – An Ordinance Amending the Code of Ordinances of the City of West Chicago to Increase the Number of Class B-4 Liquor Licenses – St. Andrews Golf Course and Country Club

N. Resolution 08-R-0114 – A Resolution Authorizing the Mayor to Accept a Grant of Easement for Watermain and for Stormwater Drainage – 1171 Commerce Drive

O. Resolution 08-R-0115 – A Resolution Authorizing the Mayor to Accept a Grant of Easement for Stormwater Drainage and Wetland Conservation – 1860 Western Drive

P. Resolution 08-R-0117 – A Resolution Authorizing the Mayor to Enter into a Temporary Construction Easement Agreement with Louis Pacini – Kresswood Trails

Q. Approve – The Route, Use of City Right-of-Way, and the Provision of Labor Services for the Jingle Bell Jaunt on December 6, 2008

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

9. Reports by Committees. None

10. Unfinished Business. None

11. New Business. None

12. Mayor's Comments. The Mayor said he would like to thank the City of West Chicago and the neighbors that sit on the Plan Commission and boards and on the City Council. He said the City has gone through two annexation agreements with St. Andrews. During the last two months there has been a lot of miscommunication. He said the City Council is open and he is available every month on a Saturday morning for discussion with residents. He said he has heard stories that St. Andrews would be turned into less desirable housing. However, the annexation has been planned for years and provided for City water service to the area. St. Andrews has been a good neighbor and welcome. He looks forward to having St. Andrews in the City. The Mayor is proud of West Chicago. He said the Council consists of people proud of being part of West Chicago. Every year West Chicago gets better. Each decade there is a change in the town. The Mayor thanked the City Council and board members for working for the common good. They sat quietly while enduring uncalled for abuse regarding the annexation. He reminded everyone that West Chicago officials are stewards of one of the finest prairies in Illinois, and they are neighbors, just like everyone. The Mayor welcomed St. Andrews and looked forward to building a strong relationship in the future.

13. Executive Session. There was no executive session.

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

15. Adjournment. At 7:45 pm, Alderman Chassee made a motion, seconded by Alderman Connelly, to adjourn. Voting Yea: Aldermen Chassee, Beifuss, Monroe, Smith, Radkiewicz, Dimas, Murphy, Bunch, Gianforte, Connelly, Stout, Dzierzanowski, and Fuesting. Voting Nay: 0. Motion carried. Minutes for the executive session are filed separately.

Respectfully submitted,

Nancy M. Smith
City Clerk