

**MINUTES
VILLAGE OF LISLE
REGULAR BOARD MEETING
LISLE VILLAGE HALL BOARD ROOM
MONDAY, MAY 2, 2016**

I. REGULAR BOARD MEETING OPENING

A. Call to Order

Mayor Broda called to order a regular meeting of the Village of Lisle Board of Trustees at 7:00 p.m. on Monday, May 2, 2016 in the Lisle Village Hall Board Room, 925 Burlington Avenue, Lisle, Illinois 60532.

The following minutes constitute a summary of the events and discussions that transpired during the subject meeting, and do not purport to be a transcript of such. Where transcripts exist, they are available for inspection under the Illinois Freedom of Information Act.

B. Roll Call of Attendance

Present: Mayor Broda; Trustees Carballo, Cawiezel, Getz (arrived at 7:02 PM), Hettich (via teleconference) and Mandel

Absent: Trustees Boyle

Also

Present: Village Manager Sprecher, Chief of Police Anderson, Community and Economic Development Director Budzikowski, Finance Director Schiller, Village Planner Herman, Building Official Callahan, Assistant Village Manager Ertmoed, Economic Development Coordinator Kelly, Village Attorney Bush, Village Clerk Seeden, Deputy Village Clerk Curran and Deputy Village Clerk Arnold

C. Pledge of Allegiance

II. VILLAGE CLERK

A. Welcome Statement

Welcome: Visitors are most welcome to all meetings of the Village Board. Persons wishing to discuss an item that is on the agenda may address the Board at the time that the item is being discussed; please raise your hand when the item is announced, and wait to be recognized by the Mayor. It is requested that, if possible, one spokesperson for a group be appointed to present the views of the entire group. Anyone wishing to discuss a topic that is not on the preprinted agenda may address the Village Board during the Open Forum "QUESTIONS AND / OR STATEMENTS FROM THE PUBLIC" segment. Speakers who are recognized are requested to step up to the podium and state their name and the group they are representing prior to addressing the Village Board. There will be a 5-minute time limit per speaker.

Mayor Broda stated Trustee Hettich is away on business and asked for a motion so he may attend the meeting via teleconference.

Trustee Cawiezel moved to approve the attendance of Trustee Hettich via teleconference. Trustee Mandel seconded the motion.

AYES APPROVED THE MOTION.

MOTION CARRIED.

B. Agenda and Non-Agenda Speaker Summary

C. Meeting Minutes Approval

- 1. Village Board Workshop Session - April 11, 2016
- 2. Village Board Regular Meeting – April 18, 2016

Trustee Cawiezel moved to approve the Village Board Meeting Minutes as presented. Trustee Mandel seconded the motion.

AYES APPROVED THE MOTION.

MOTION CARRIED.

D. Raffle Licenses

E. Meeting Announcements

III. MAYOR BRODA

A. Presentations / Proclamations

1. Memorial Day Proclamation

Mayor Broda read the Memorial Day proclamation then presented it to members of the Ross Bishop VFW. The VFW thanked the Village for their continued support of their events.

B. Omnibus Vote Agenda

Trustee Cawiezel moved to place agenda items III. B. 1 through 11 inclusively as Omnibus Vote Agenda items; and further, Trustee Cawiezel moved that these items be considered together as the Omnibus Vote Agenda. Trustee Carballo seconded the motion.

ROLL CALL

Ayes: Trustees Cawiezel, Carballo, Getz, Hettich, Mandel and Mayor Broda
Nays: None
Abstain: None
Absent: Trustee Boyle

AYES APPROVED THE MOTION.

MOTION CARRIED.

OMNIBUS VOTE AGENDA ITEMS:

- Item 1.** VILLAGE OF LISLE VOUCHER LIST F/Y 2015/2016 AND F/Y 2016/2017 FOR MAY 2, 2016, APPROVAL
- Item 2.** **ORDINANCE NO. 2016-4647** “AN ORDINANCE AMENDING LISLE VILLAGE CODE SECTION 3-14 REGARDING POLITICAL COMMITTEE RAFFLES
- Item 3.** **ORDINANCE NO. 2016-4648** “AN ORDINANCE AMENDING TITLE 2, CHAPTER 12 OF THE VILLAGE CODE OF THE VILLAGE OF LISLE REGARDING THE ECONOMIC DEVELOPMENT COMMISSION”

- Item 4.** SPECIAL EVENT PERMIT, FOURTH OF JULY PARADE / ICE CREAM SOCIAL, MAIN STREET AND MUSEUMS AT LISLE STATION PARK
- Item 5.** **RESOLUTION NO. 2016-3548** “A RESOLUTION AUTHORIZING THE EXECUTION OF A PURCHASE ORDER TO PAY O’HERRON CO., INC., DOWNERS GROVE, ILLINOIS FOR UNIFORM REPLACEMENTS”
- Item 6.** **RESOLUTION NO. 2016-3549** “A RESOLUTION AUTHORIZING THE EXECUTION OF A PURCHASE ORDER TO WESTERN GRADALL, CO., NAPERVILLE, ILLINOIS FOR THE 2016 DITCHING PROGRAM”
- Item 7.** **RESOLUTION NO. 2016-3550** “A RESOLUTION AUTHORIZING THE EXECUTION OF A PURCHASE ORDER TO WATER SERVICES COMPANY, ELGIN, ILLINOIS, FOR WATER METER CHANGE-OUT AND INSTALLATION PROGRAM”
- Item 8.** **RESOLUTION NO. 2016-3551** “A RESOLUTION AUTHORIZING THE EXECUTION OF A PURCHASE ORDER TO HD SUPPLY, CAROL STREAM, ILLINOIS FOR THE PURCHASE OF WATER METERS”
- Item 9.** **RESOLUTION NO. 2016-3552** “A RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE EXECUTION OF A PURCHASE ORDER TO SUPERIOR ROAD STRIPING, INC., MELROSE PARK, ILLINOIS FOR THE 2016 PAVEMENT MARKING SERVICES”
- Item 10.** **RESOLUTION NO. 2016-3553** “A RESOLUTION AUTHORIZING THE EXECUTION OF A PURCHASE ORDER TO STRADA CONSTRUCTION CO., ADDISON, ILLINOIS FOR THE 2016 SIDEWALK AND CURB REHABILITATION PROGRAM”
- Item 11.** **RESOLUTION NO. 2016-3554** “A RESOLUTION AUTHORIZING THE EXECUTION OF A PURCHASE ORDER TO CHICAGO MATERIALS, NAPERVILLE, ILLINOIS FOR THE 2016-2017 ASPHALT MATERIAL ROAD PURCHASES”

Trustee Cawiezel moved to adopt agenda items III. B. 1 through 11 inclusively on the Omnibus Vote Agenda in a single group pursuant to the Omnibus Vote procedures specified in the Illinois Municipal Code. Trustee Carballo seconded the motion.

ROLL CALL

**Ayes: Trustees Cawiezel, Carballo, Getz, Hettich, Mandel and Mayor Broda
Nays: None
Abstain: None
Absent: Trustee Boyle**

AYES APPROVED THE MOTION.

MOTION CARRIED.

C. Final Action

D. Public Hearing

E. Presentation

1. Status of April 18, 2016 Ordinance Regarding Village of Lisle / Benedictine University Sports Complex Bond Re-Issuance

Village Attorney Bush explained that the ordinance passed at the April meeting began the bond ordinance process and there are several other steps that the Village must accomplish before it is finalized. He then reviewed important dates and the number of needed signatures for a backdoor referendum.

Attorney Bush spoke on a 2014 state statute and how it does not apply to the ordinance being considered because it only applies to enterprise revenue. Attorney Bush stated there is no enterprise that the Village is using as an alternate revenue source to pay off the bonds, therefore it does not apply.

Carolyn Bartelli, Lisle, stated she has been in the process of passing around the petition to get the needed signatures because she feels this should put to the residents of Lisle. Ms. Bartelli and Attorney Bush discussed the number of needed signatures and how the revenue from BU is not considered enterprise revenue. Ms. Bartelli remarked that when contracts were signed they were signed as BU Enterprise and how it adds to the confusion.

Gerry McNellis, Lisle, questioned why the underfunding of the bonds has not been addressed sooner and also asked that Workshop sessions be televised. Ms. McNellis spoke on importance of government transparency.

Chris Pecak, Lisle, requested that the Board voluntarily put the bond to a referendum and let the residents decide if it should be refinanced. Mr. Pecak remarked that there are other costs associated with the bond refinance.

Jeff Moore, Lisle, remarked that it is his understanding that tax revenue just barely covers interest; he suggested “tightening up our belt buckle and figure out how to get the funds somewhere else.”

Marylyn Zajdel, Lisle, remarked that discussions held by the Village Board and the ordinance passed do not match and also questioned if the approval of the ordinance complies with the State of Illinois Open Meetings Act, due to it being listed as a general topic and not specifically final action. Ms. Zajdel stated that the certification in the ordinance itself states the agenda included specific reference to the ordinance and the agenda did not include the word ordinance.

Ms. Zajdel questioned the validity of the bond ordinance, its components, and the decision made by the Board to extend out the bond and refinance it as tax exempt. Ms. Zajdel also questioned why the Village waited to so long to address the refinancing.

Ben Silver, Citizen’s Advocacy Center, remarked who the group is and what they represent. Mr. Silver stated that the Illinois Municipal League does consider municipal stadium revenue to be a source of enterprise revenue. Mr. Silver then spoke on the backdoor referendum process and how requirements make it difficult on residents. Mr. Silver stated the Board should consider the concerns of its citizens and reissue the ordinance with clear language that explains the mechanism of the alternate bond issue and petition requirements for referendum.

Trustee Hettich pointed out that although he was not part of the Board to pass the original referendum that put the complex in place, he is part of the Board that has to manage the debt that they have been burdened with. Trustee Hettich remarked that if the Village was to continue with the bond as it exists today it would put us in a position where we no longer have sufficient

funds coming in from the hotel/motel tax fund. Trustee Hettich stated that one of the alternate methods they looked at to cover the bond was to loan funds out of the general fund. He pointed out that if they did the inner-fund loan then the period would then have been even longer for the Village to be reimbursed by the hotel/motel tax fund. Trustee Hettich stated he feels that it is in the best interest of the Village to refinance the bonds at the lower interest rate, and the bond may then be serviced from the hotel motel tax fund.

Trustee Cawiezel stated that when the Village was looking at internal funding, we were looking at the capital projects fund and not the general fund. Director Schiller stated that it was going to be from that fund, adding that those funds are funded through utility taxes or general fund transfers. Trustee Cawiezel remarked that one of staff comments was that the internal financing could be done without adverse effect to anticipated projects. Trustee Cawiezel explained why she was for the internal financing and not the refunding of the bond as tax exempt. Trustee Cawiezel agreed that the wording on the petition is confusing.

Manager Sprecher stated that the authorizing bond ordinance was structured by bond council to provide flexibility once the bonds go out for sale. Manager Sprecher emphasized that the intent has always been for these to be tax exempt.

Attorney Bush remarked that even though it was provided for in the agreement, there has not been sufficient revenue generated by the facility that would go to the Village. Director Schiller agreed that is correct.

Mr. Pecak noted that at workshop meetings it was stated that there is significant amount of funding in the hotel/motel fund and his opinion was that money is being spent on something other than what it was intended to be used for.

Manager Sprecher noted that in 2004 the hotel/motel tax was increased 3% to %5 and that 2% increase has been solely and legally dedicated to paying the 2004 bonds, he explained the 3% is used for other activities, including the LCVB. Manager Sprecher pointed out that the 2% has been paying off the annual debt payments, and none have been missed, but it will not cover is the balloon payment that will be due in 2024. Adding that part of this exercise is to eliminate the balloon payment.

Trustee Hettich clarified statements that he had made earlier.

2. 1045 Burlington Avenue, Pixel Blast Arcade – Special Use for a Video Game Arcade

Paul Ojeda, Co-Owner Pixel Blast Arcade, stated he can answer any questions the Board may have.

Trustee Getz moved to approve “AN ORDINANCE FOR A SPECIAL USE PERMIT FOR THE OPERATION OF A VIDEO GAME ARCADE AT 1045 BURLINGTON AVENUE, LISLE, ILLINOIS 60532”. Trustee Mandel seconded the motion.

ROLL CALL

Ayes: Trustees Getz, Mandel, Carballo, Cawiezel, and Hettich

Nays: None

Abstain: None

Absent: Trustee Boyle

AYES APPROVED THE MOTION.

ORDINANCE NO. 2016-4649.

3. 1525 Ogden Avenue, Swim Store Services and Retail – Special Use Permit for Outdoor Storage of Commercial Vehicles

Trustee Getz moved to authorize staff to prepare the necessary documents to approve a special use permit for 1525 Ogden Avenue, Lisle, Illinois 60532. Trustee Mandel seconded the motion.

AYES APPROVED THE MOTION.

MOTION CARRIED.

4. 2222 Wellington Court and 2369, 2371, 2373, 2375 Ogden Avenue, Molex – Major Change to PUD, Departure from Standards, Rezoning, Final Plat of Subdivision and Plat of Vacation for Parking Lot Expansion

Trustee Getz moved to authorize staff to prepare the necessary documents to approve a major change to PUD, departure from standards, rezoning, final plat of subdivision and plat of vacation regarding the Molex property on Wellington Court and Ogden Avenue. Trustee Mandel seconded the motion.

AYES APPROVED THE MOTION.

MOTION CARRIED.

F. First Reading

1. **Building Code Amendments (International Residential Code, International Fuel Gas Code and International Mechanical Code)**

Mayor Broda pointed out that within the International Residential Code it outlines that all new single family homes constructed would be required to install a sprinkler system.

LWFD Deputy Chief Keith Krestan, gave facts, figures and comments in support of residential sprinkler systems and not implementing any amendments to that portion of the code. DC Krestan addressed cost of a system by stating yes, there is a cost, but focus on the added value and life safety protection provided.

Mayor Broda questioned if the code in place today would prevent a person from installing a sprinkler system. Mr. Krestan stated if someone wanted to install one, they may do so.

Mr. Krestan stated that there are 104 communities in the State of Illinois that have passed a residential sprinkler ordinance. Mayor Broda pointed out that some of those communities passed the ordinance with a square footage requirement, meaning any new home over X square footage would need to install a sprinkler. Mr. Krestan pointed out that the use of square footage is arbitrary, if it works for a 5000 square foot home, it works for an 1800 square foot home.

Trustee Carballo stated he is in favor of having a sprinkler ordinance in place for new construction, but feels that there should be a square footage requirement in place, such as 4000. He stated that there are more safety issues that need to be considered when a structure is larger. He stated that other safety measures can be put into place for a smaller home, such as smoke detectors. Mr. Krestan pointed out the fire district amended their code to eliminate the size limitation so it does not differentiate, he stated that a fire does the same damage no matter what the size. Trustee Carballo stated that it has been said that residential sprinkler systems suppress, and not extinguish fire and if installed in a larger home it gives residents more time to exit.

Mr. Krestan showed what a residential sprinkler head looks like and stated that they are designed so a person can exit their home before flashover occurs. Mr. Krestan pointed out that homes are built differently than they have been in the past, as well as furnishing now being made with more combustible materials. Mr. Krestan noted that flashover can occur in as little as 4-6 minutes.

Trustee Mandel read from a letter from Fire Chief Freeman that indicated homes today are being built with light weight construction; he stated that he would like to see more emphasis being placed on materials used to build a home, and lot lines.

Trustee Mandel also stated that he has correspondence from someone looking to build a 3800 SF duplex home and they were quoted \$20K for sprinkler installation. He added that they may not build in Lisle because of this added cost. Mr. Krestan stated that the estimate is very high and should be closer to \$8K. Mr. Krestan suggested passing the ordinance, but not putting it into effect until 2017. He added that their research shows that people who are building larger homes; it's not the added cost of a sprinkler system that is stopping them from building.

Trustee Cawiezel pointed out that information provided also stated that there are insurance discounts for homes installed with sprinkler systems. Mr. Krestan said that is correct and remarked on how that information was obtained.

Mr. Krestan remarked that amending the code would affect the Village's BCEGS score because the Village would be amending, and going against, the model building code.

Trustee Cawiezel commented on the variances and setbacks in portions of Lisle and how having a sprinkled home would be better because of the close proximity of homes to each other.

Trustee Mandel questioned if there are any ongoing cost associated with residential sprinkler systems once they are installed. Mr. Krestan stated there is a yearly backflow prevention test that would need to be performed and cost would be between \$50-\$125.

Mr. Krestan stated that fire loss in the Village is residential and not commercial, because commercial structures have sprinklers. Mr. Krestan commented that residential fire loss in past ten years was 20 million dollars and commercial fire loss in the same time frame was 1.3 million.

Trustee Getz commented that people will, and have, built under the threshold just to avoid installing sprinklers. Trustee Getz also stated that communities directly surrounding the Village do not have the ordinance in place and if the Village were to pass it, it puts us at a disadvantage if we mandated sprinkler systems. Trustee Getz stated he has looked at the information provided and acknowledged that it has very valid points, but the issue he has is mandating they be installed.

Chris Pecak, inquired what portion of the code this corresponds to. Mr. Krestan stated single family and duplex homes. Mr. Pecak inquired if any of the recent code adoptions will affect the Marquette development. Mr. Callahan stated they will be permitted under the older building code, as they applied for permits prior to the new codes be adopted. Mr. Callahan pointed out that for their development the code is nearly the same and had no impact.

Trustee Hettich asked what happens if someone does not get their backflow test completed. Mr. Krestan stated they would be in violation of Village code. Mr. Callahan added that Public

Works currently oversees the backflow prevention testing and generally they send you a notice reminding a resident that it has to be done, and if they do not comply they can be taken to court.

Trustee Hettich questioned what portion of the code applies to townhomes. Mr. Callahan stated townhomes are considered attached single family homes, so they would be covered with this code. Trustee Hettich stated he sees the practicality of having sprinklers in attached homes because no one can control what their neighbor does and can see the need for it. He stated that he is not agreeable to forcing residents to install sprinklers.

Trustee Mandel stated he would amend it to exclude the mandatory sprinkler provision. He stated that he would be amicable to a threshold.

Trustee Getz pointed out that there are three codes being discussed and that they have focused on whether to amend the sprinkler portion, contained within the international residential code. He suggested that fuel gas code and mechanical code move forward for final action and have more discussion on the residential code after staff suggests amendments that were discussed.

Trustee Getz moved to place the International Fuel Gas Code and the International Mechanical Code on a future agenda for final action. Trustee Carballo seconded the motion.

AYES APPROVED THE MOTION.

MOTION CARRIED.

Director Budzikowski pointed out that staff is trying to be timely due to the BCEGS score and a portion of it is contingent on the passing of these codes. Director Budzikowski stated staff's recommendation is to adopt the code with the sprinkler provision. He then reviewed the four options; pass the code with the sprinkler provision, pass the code without it, pass it with a building threshold and to pass it so it is only mandatory for attached single family home. Manager Sprecher stated they will have alternate motions prepared.

Trustee Cawiezel remarked that many of the Village codes that trustees are adamant about are cosmetic, pointing out this is life safety.

Trustee Carballo again stated that there are other safety devices used in homes that have been adequate for some time. He also remarked on the added costs that impact the homeowner. Trustee Carballo stated he would like to know what the communities directly surrounding the Village are doing or considering. Trustee Carballo stated that size being a factor makes sense to him from a safety standpoint because a with large structure it is more dangerous for residents and fire fighters.

Mr. Krestan remarked that a statewide adoption has already occurred in four states and with 104 communities already passing the provision in Illinois he does not think it will be too long before Illinois makes it mandatory.

Trustee Cawiezel stated that a sprinkler system also increases the market value of one's home.

Mayor Broda questioned how soon the Village needs to submit for the CRS score, Director Budzikowski remarked within 90 days. Director Budzikowski stated he will prepare separate ordinances in the interest of moving this forward and the Board may choose which one they wish to adopt.

IV. OPEN FORUM

Rodd Elges, spoke on the speeding and increased traffic on Abbeywood Drive. He asked for the Village to help and improve signage, traffic control and increase police enforcement. Mr. Elges remarked that he has contacted the Police Department and they will be increasing their presence in the area. Mayor Broda suggested obtaining a radar gun from the Police Department and trying to gather license plates so letters from the Village may be sent. Mr. Elges also thanked the board for their commitment to the Village and the work they do.

V. VILLAGE STAFF

A. Prohibiting the Use of Alternative Nicotine Products

Trustee Cawiezel moved to approve “AN ORDINANCE REGARDING ALTERNATIVE NICOTINE PRODUCTS”. Trustee Getz seconded the motion.

ROLL CALL

Ayes: Trustees Cawiezel, Getz, Carballo, Hettich, and Mandel
Nays: None
Abstain: None
Absent: Trustee Boyle

AYES APPROVED THE MOTION.

ORDINANCE NO. 2016-4650.

B. Banning Powdered Alcohol Sales

Trustee Cawiezel moved to approve “AN ORDINANCE REGARDING POWDERED ALCOHOL”. Trustee Getz seconded the motion.

ROLL CALL

Ayes: Trustees Cawiezel, Getz, Carballo, Hettich, and Mandel
Nays: None
Abstain: None
Absent: Trustee Boyle

AYES APPROVED THE MOTION.

ORDINANCE NO. 2016-4651

C. DuPage Drones Baseball Club – Request for Fireworks Displays at Village of Lisle / Benedictine University Sports Complex

Manager Sprecher pointed out that the display will be for about 5 minutes, on eight dates and will start following the conclusion of the game.

Trustee Getz moved to approve the request for fireworks displays by the DuPage Drones, per the April 27th Staff correspondence. Trustee Carballo seconded the motion.

AYES APPROVED THE MOTION.

MOTION CARRIED.

D. Use & License and Hold Harmless Agreements, Eyes to the Skies Festival, July 1 – 3, 2016

Manager Sprecher pointed out that the agreements are for the use of the commuter parking lots during the festival.

Trustee Cawiezel moved to approve a Use and License Agreement for the Eyes to the Skies Committee, as presented. Trustee Getz seconded the motion.

AYES APPROVED THE MOTION.

MOTION CARRIED.

Trustee Hettich abstained from the vote.

Manager Sprecher remarked that the language for the transitional care facility on Ogden Avenue is still being worked on and if the Board has any comments to please provide them to staff.

VI. VILLAGE ATTORNEY

VII. TRUSTEES

A. Trustee Boyle

B. Trustee Carballo

C. Trustee Cawiezel

D. Trustee Getz

E. Trustee Hettich

F. Trustee Mandel

VIII. EXECUTIVE SESSION

A. Setting the price for sale or lease of property

Trustee Getz moved to adjourn the regular meeting and enter into closed session to discuss setting the price for sale or lease of property. Trustee Mandel seconded the motion.

ROLL CALL

Ayes: Trustees Getz, Mandel, Carballo, Cawiezel, Hettich and Mayor Broda

Nays: None

Abstain: None

Absent: Trustee Boyle

AYES APPROVED THE MOTION.

MOTION CARRIED.

The Village of Lisle Village Board meeting adjourned into executive session at 8:52 PM

IX. RECONVENE OPEN SESSION

Trustee Mandel moved to reconvene the regular meeting of the Village of Lisle Village Board. Trustee Carballo seconded the motion.

ROLL CALL

**Ayes: Trustees Mandel, Carballo, Cawiezel, Getz, Hettich, and Mayor Broda
Nays: None
Abstain: None
Absent: Trustee Boyle**

AYES APPROVED THE MOTION.

MOTION CARRIED.

The Village of Lisle Village Board regular meeting reconvened at 9:38 PM.

X. POSSIBLE ACTION ON EXECUTIVE SESSION ITEMS

Trustee Getz moved to approve “AN ORDINANCE DIRECTING THE SALE OF CERTAIN SURPLUS PROPERTY”. Trustee Mandel seconded the motion.

ROLL CALL

**Ayes: Trustees Getz, Mandel, Carballo, Cawiezel, and Hettich
Nays: None
Abstain: None
Absent: Trustee Boyle**

AYES APPROVED THE MOTION.

ORDINANCE NO. 2016-4652.

Trustee Carballo moved to adjourn. Trustee Mandel seconded the motion.

AYES APPROVED THE MOTION.

MOTION CARRIED.

The May 2, 2016 Village Board Regular Meeting adjourned at 9:40 PM.

Respectfully Submitted,

Karen Arnold,
Recording Secretary

The minutes of the May 2, 2016 Village of Lisle Regular Board Meeting were passed and approved this _____ day of _____, 2016.

Mayor Broda

Trustee Boyle

Trustee Carballo

Trustee Cawiezel

Trustee Getz

Trustee Hettich

Trustee Mandel

Minutes were approved on
5-16-2016.
Please see the minutes for
confirmation.