



VILLAGE OF WINFIELD
Incorporated 1921

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AGENDA
WINFIELD VILLAGE BOARD OF TRUSTEES
THURSDAY, MAY 6, 2010
7:00 P.M. – VILLAGE HALL

1. Call to Order

2. Roll Call

>> All present except Trustees Kunesh and Mrugacz.

3. Pledge of Allegiance

4. Correspondence

A. Village Clerk Anne Mareachen will read into the record a summary of steps taken by the Village to continue full compliance with the Identity Protection Act.

>> The new policy effective May 10, 2010, and distributed to all employees and officers makes clear that the Village of Winfield will not collect, use or disclose social security information of residents unless required by state law, court order, or subpoena. Some exceptions are: when needed for safety, internal verification or administration, protection against fraud, collection a debt or finding a missing person.

5. Audience Participation

The opportunity to speak to the Village Board is provided for those who have a question or comment on an agenda item or Village of Winfield issue that will stimulate thought so as to make the Village Board deliberations more productive and meaningful. The Village Board appreciates hearing from our residents and your thoughts and questions are valued. The Village Board strives to make the best decisions for the Village and public input is very helpful.

Respect for the duties of the Village Board and for the democratic process will be adhered to – in this regard, civility and a sense of decorum will be strictly followed. All speakers must address their comments to the Board. Comments that are personally condescending will not be permitted. Therefore, speakers shall be courteous and should not make statements that are personally disrespectful to members of the Village Board.

Please use the microphone when speaking as the proceedings are being videotaped. Please announce your name and address before commenting – all comments under Audience Participation are limited to five (5) minutes and each citizen will only be permitted to speak once.

>>

A resident with a corner lot and many trees stated that ending of leaf vacuuming by Waste Management created a hardship. It was not practical for them to bag or mulch all of their leaves. She suggested dropping some regular pickup days and only vacuuming leaves in the fall as a compromise.

A resident in unincorporated area whose property backs up to Kline Creek Golf course complained about too much mower noise too early in the morning. . His home is near the first hole and second tee box. He has lived there for 12 years and this was not a problem in the past. He claims the new equipment is much louder than that used by the previous owner and they begin earlier. He would be satisfied if the mowing near his home did not begin before 7AM.

Consent Agenda

>>All of the following consent agenda items were approved unanimously.

A. Motion approving meeting minutes from the Regular Village Board Meeting and Committee of the Whole held April 15, 2010.

B. Motion approving payment of bills for May 6, 2010.

C. Motion approving the following appointments recommended by the Village President:

Roy Groesbeck to the Police Pension Board for a 2-year term

James Marino to the Communication & Technology Commission for a 1-year term

Stan Zegel to the Communication & Technology Commission for a 3-year term

Robert Borsodi to the Stormwater Management Committee for a 1-year term

David Russo to the Stormwater Management Committee for a 1-year term

Christina Traversa to the Stormwater Management Committee for a 1-year term

Non-Consent Agenda Items (7-8)

Police Chief Frank Bellisario emphasized experience thus far with red light cameras have increased compliance with the law and therefore leads to safer intersections. State law has changed so that tickets will no longer be given for a complete stop prior to the intersection when the vehicle passes the white line, unless pedestrians or bicyclists are present at the intersection.

Trustee Martschinke proposed an amendment extending the normal payment period from 14 days after violation notice to 25 days to be consistent with the payment period following an appeal.

Village attorney stated violators can view film of the violation on line to help them decide whether or not they wish to appeal.

7A. Motion to approve an ordinance creating Chapter 14 of the Village Code establishing administrative adjudication and an automated traffic law enforcement system;

>> Approved as amended 4 to 1 with trustee VadeBonCoeur opposed. . President Birutis participated in this and subsequent votes. Manager Barrett said this would be implemented in the fall of 2010.

7B. Motion to approve an agreement between Redspeed Illinois, LLC and the Village of Winfield for a traffic law enforcement system; and

>> Approved as amended 4 to 1 with trustee VadeBonCoeur opposed.

7C. Motion to approve a resolution agreeing to indemnify the State of Illinois for photo enforcement equipment attached to IDOT facilities.

> Approved as amended 4 to 1 with trustee VadeBonCoeur opposed.>

Police Chief Frank Bellisario will present information on the proposed installation of a red light camera enforcement system at the intersection of Roosevelt and Winfield Roads, similar to those found in neighboring towns. In 2009 the Village began formally studying these systems as possible means of changing traffic behavior at Village intersections with the highest number of incidents. A vendor presentation was made to the Administration & Finance Committee last July, followed by a field survey that supported use of the system at this intersection near the Village border, which experiences significant pass-through and Interstate 88 traffic.

Independent studies have confirmed red light systems reduce red light violations, and the violation process will conform to best practices now legislated by the state. The installation will address increasing limitations on providing a police presence at our busiest intersections, and as with other ticket fines will assist the municipality with public safety funding.

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8. Motion to approve an ordinance authorizing the vacation of Willard Way right-of-way To Central DuPage Hospital.

Village Manager Barrett will present information on the proposed vacation of public right-of-way originally dedicated for a street which was never built on the CDH campus, and is instead used to provide green space.

>> This old 50 foot by 100 foot right of way was established long ago when it seemed to be needed for future residential development in the area. It is now part of the CDH campus and not needed by the Village. This vacation was requested by CDH in exchange for granting of right-of-way on hospital property for the river walk.

Approved unanimously.

9. Village Trustee Reports of Boards and Commissions

- A. Communication & Technology - VadeBonCoeur

>> New and improved format of the monthly Winfield Word publication is a recent accomplishment of this commission.

- B. Riverwalk - VadeBonCoeur

>> Looking to fill one or two openings especially interested in applicants to help with fund raising activities. Will be working with the Prairie Path Association. More details on this cooperative effort will be presented at future meetings.

- C. Administration & Finance - VadeBonCoeur

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- D. Winfield Fire Protection District - VadeBonCoeur

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- E. Environmental Concerns - Bajor

>> Congratulations to Eric Spande for a very successful Prairie Path clean up on Earth Day where over 100 people were involved.

- F. Stormwater - Bajor

>> Implementing improved procedures for following up on complaints.

- G. Public Works – Bajor

>> Reviewed status of capital improvement projects, including Winfield Road resurfacing which is about to begin.

- H. Winfield Park District - Bajor
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- I. Planning - Olson
>> Plan Commission (PC) recommend approval of request for outdoor seating at Morgan's Char House. PC held Public hearings on driveway set backs and flag lots. Beginning to work on wording for an electronic signs ordinance, which will likely be added to a new sign ordinance rather than delay the new sign ordinance until wording the electronic sign portion is ready. Looking for Board direction on improved ways to approve outdoor seating, such as a permit process.
- J. Zoning - Olson
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- K. Community Consolidated School District 200 - Olson
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- L. Traffic & Public Safety - Kunesh
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- M. Winfield Public Library - Kunesh
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- N. Bikeways Planning Group - Martschinke
>> The Bike to Metra brochure has been approved and will go to press tomorrow. .
- O. Economic Development Task Force- Martschinke
>> Plan to survey local business on ways how to improve business climate in Winfield.
- P. Winfield Chamber of Commerce - Martschinke
>> Scholarship awards luncheon will be held on May 18 during which \$2,000 scholarships will be announced for 6 local students. Cruise Winfield old car show will be held every Monday evening from June 7 to August 30 plus Friday September 10 during good old days. As in the past it will be located on Jewel Road near Village Hall.

Good Old Days will be held from September 8 to September 12. If any residents wish to make suggestions to the Chamber regarding the event, the next planning meeting will be May 11 at 6 PM held in the CDH conference center above Caliendo's
- Q. Winfield School District 34 - Mrugacz
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10. Other Village Officials' Reports and Comments

- A. Village President
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- B. Village Attorney
>> New state bill passed and on the way to the governor for signature that would create new state fees that among other things would reduce Village share of traffic ticket revenue.
- C. Village Clerk
>>
- D. Village Manager
>> Next town hall meeting is scheduled for Saturday May 22 beginning 10 AM on the subject of road maintenance funding.

County will be removing large pieces of debris items from Winfield creek later this month.

Winfield Road resurfacing will be starting this month. Exact date yet to be determined Closure is not expected. Will have alternating one-way traffic with flag person control.

E. Village Treasurer

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11. Pending Future Business

- Zoning amendments on signs, bulk regulations, flag lots, and driveway setbacks

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12. Adjournment

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COMMITTEE OF THE WHOLE

1. Consider a lot coverage variation request for a pool at 26W351 Glen Eagles Drive

>> The reason for the indoor pool is that the homeowner has health issues that would be aided by water therapy. This lot in Klein Creek backs up to the golf course. The maximum lot coverage allowed in this development is 30%, with an additional 5% possible. Currently, the coverage is 37.5% coverage because since the property was developed, driveways were added in the determination of coverage. Adding the pool would increase coverage to 41.5%. No set backs are violated. The local homeowners architectural committee has approved this change.

The Board unanimously agreed to send to Zoning Board of Appeals (ZBA) for a public hearing.

2. Consider a side yard setback variation request for a sunroom at 0S505 Winfield Road

>> Petitioner wants to essentially convert an existing deck and screen porch to a sunroom. When the house was built the minimum required set back was 7 feet. However, currently with the deck the set back is only 5 feet and since the house was built the required setback has been increased to 10 feet. The petitioner explained it was not desirable to reorient the sunroom to increase the set back because doing so would block existing windows including one that could be used as an emergency exit from the basement. The petitioner pointed out that with the new sunroom as proposed the set back would be increased to 6.5 feet from the current 5 feet.

The Board unanimously agreed to send to the ZBA.

3. Review a special use request to allow an outdoor dining area at Morgan's Char House

>> This property is located in an area zoned R-4B residential. It is classified as a legal non-conforming use so any changes have to have a special use permit. The Plan Commission (PC) held a public hearing and voted 5 to 0 to approve the outdoor seating proposal with conditions that satisfied residents concerns expressed at the public hearing. Such concerns included noise level, lighting and hours of operation. State law permits smoking in this outdoor seating area. The Board, in general, supported the use but did have some safety concerns. To help prevent a car from crashing into the outdoor dining area, the Board requested that concrete wheel stops be placed around the outdoor dining area. Although, the Board had concerns that the multiple exits provided for emergency egress could also present a potential safety hazard if patrons regularly exit into the parking lot from multiple locations. However, the Board decided to accept the multiple exits as proposed.

Trustee Olson does not like the fact that smoking would be permitted.

The Board unanimously agreed to move to the next Board meeting for a vote.

4. Review a sign code variation request to permit installation of an electronic signboard at the Winfield Park District Office on County Farm Road

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The ZBA has reviewed and approved this request with conditions by 4 to 1 vote. The vote against was not in opposition to the proposal but rather was apposed to the process being used to approve it. The opposing view was that this should be addressed within the zoning ordinance as special use rather than a variance. The ZBA did not impose the following conditions but did suggest that the Village Board consider them. Conditions to be considered are: 1) the sign be shut off at night, 2) no movement, 3) only two colors, 4) low profile, 5) only park district and non-for profit, 6) no advertising and 7) review after one year. The ZBA did not address acceptable light level. Based on his study following the ZBA review, Peter Crumins recommends 0.3 foot candles above ambient conditions measured at 100 feet.

Trustee Olson views this situation as a conundrum with no code in place that addresses electronic signs. So the Board has to deal with the issue as a variance one sign at a time. He would like to move this request forward by variance while in parallel preparing new ordinance language addressing electronic signs. May need the help of an expert in the field to assist with ordinance language.

Approved for vote at next meeting with conditions including the sign be dimmed at night, there be no animation, no exotic colors that could distract motorists, size limited to existing sign frame and some content guidelines.

5. Consider Wheaton Christian Grammar School's request to permit an irrigation well

>> The well is needed as soon as possible for watering of grass seed planted on the new large athletic field on the southern portion of the school property.

Again there is no ordinance that prohibits or permits such an application so the board is forced to decide without guidance. Most surrounding communities either prohibit or seriously limit such wells. Board members prefer to have an ordinance first but there is a high degree of urgency in this case since the grass needs to be well established when school begins in August.

The Board, in general, supports this request but needs more information about the well design details and the details of other community ordinances where similar applications have been permitted. Therefore, this topic was moved to the next committee of the whole (COW) for further consideration.

6. Consider a request for the annexation of St. Innocent Church at 0N075 Woods Ave.

>> The petitioner wishes to be annexed to obtain sewer and water from the Village. The Board agrees with the request for these utilities but the property boundary with the village is only 23 feet, which is not enough to permit annexation without some surrounding property being annexed at the same time. Therefore, the utilities will either be provided under a pre-annexation agreement or the petitioner will get additional contiguous properties to join in the annexation. The petitioner requested a reduction in connection fees if they are successful in getting additional properties.

Board agreed to move forward with pre-annexation agreement while the petitioner tries to add additional properties to achieve annexation. The question of a fee reduction may be considered depending on the extent of petitioner success adding other properties. If sufficient additional properties are added, consideration of annexation will be moved to the PC for a public hearing and vote.

7. Review proposals for coffee vending services at the Winfield train station

>> The village issued a request for proposals (RFP) following the decision of the prior vendor to leave after 7 years. Based on the experience, references and lease rate, Java Connection (JC) was declared the preferred next vendor out of the three responses to the RFP. JC is the current coffee vendor at the Wheaton train station.

The Board members are impressed with the operation in Wheaton and moved this topic to a vote at the next Board meeting.

8. Review a noise ordinance request from Klein Creek Golf Course

>> This is a continuing topic of discussion. Klein Creek is seeking a variance from the Winfield sound ordinance so they can begin course maintenance such as mowing at 5AM during the high season (May 1 to September 15) and 5:30AM the rest of the year. The current Village noise ordinance limits operation start time to 7AM. Some residents also raised the topic of noise from the event tent on weekend nights.

The last time it was discussed with the Board, the golf course owner was directed to work out an acceptable agreement with the home owners associations. The golf course president stated that he has reached agreement with the townhome association and had tentative agreement with the homeowners association but they later backed away stating the association would not represent it's membership in negotiations with the golf course. The golf course president says they have had good meetings with residents and made changes in operations to accommodate residents concerns. He is disappointed that the homeowners association has backed away.

Two of the seven residents that spoke (including the one that spoke at the beginning of the Board meeting) specifically objected to granting the variance. Four spoke primarily about noise from the event tent but indicated no support for the variance either. One resident, an officer with the Townhome Association, confirmed agreement with variance request.

The golf course president says he has agreed to have a security person at large events to ensure the music from the event tent does not exceed the agreed level and that when events end at night the participants leave the parking lot quickly and without being noisy. The residents want this for all events. Residents question why a tent was ever approved because there is no way to control noise. In response to a question from President Birutis, the president of Klein Creek said they would consider a permanent structure to replace the tent some time in the future because it would be better for the golf course as well. However at the present time they are struggling to improve finances and could not afford such an investment.

A few Board members expressed disappointment that a suitable compromise had not been reached. The golf course president pointed out that this is very difficult with the homeowner's association not willing to negotiate. He does not believe there is a way to please everyone. He noted only a few were here tonight speaking against the variance. In response the residents said they were also speaking for their neighbors and if the Village Board wanted it they could overflow the village hall. With respect to the mowing noise, the residents said they were satisfied with the previous owner but things are much worse now. The golf course superintendent said they use riding mowers, whereas the prior owner used walking mowers. His view is that the noise difference between the two is small and the riders are much faster. Plus the noise of bringing the walking mowers to the greens is louder than the riding mowers. The superintendent further stated that they only operate prior to 6 AM when needed, say for special events.

Trustee Martschinke wants to move forward to a vote while Trustees Bajor, VadeBonCoeur and Olson want more compromise.

President Birutis stated that the starting time variance would be placed on the next COW agenda so the two missing trustees can participate. The Board will be expecting a compromise proposal

presented at this next meeting. The event tent issue was not part of this topic initially and will be considered at a later time.

9. Consider revisions to the Village Code regarding dog regulations
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10. Update on the DuPage Water Commission
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11. Public Comments
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12. Village Board comments
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13. Adjournment
>> President Birutis asked for and received a motion to differ the rest of the agenda to a later date in view of the time. The motion was passed unanimously and the meeting was adjourned at 10:55 PM.