

**MINUTES OF THE BOARD MEETING
OF THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF WESTCHESTER
Tuesday, 26 April 2016**

CALL TO ORDER:

The meeting was called to order at 7:07 PM and present / responding to roll call were Trustees Calcagno, Celestino, Perry, Reda, Steker, Yurkovich and President Pulia. Also present were Village Clerk Miller, Village Manager Matthys, and Attorney Durkin.

Note: Court Reporter Jennie Siolidis was also present and recording on behalf of Attorney Michael Vogt/Dolan Realty – Cell Tower Proposal.

4. PUBLIC HEARINGS:

A. Annual Budget for the Fiscal Year Beginning May 1, 2016 and Ending April 30, 2017. Attorney Durkin noted that public notice was provided via the Suburban Life Newspaper on 4/06/16. The Village Clerk has not received any written notice regarding the Annual Budget. No public comment was provided. Trustee Yurkovich motioned to adjourn the hearing, seconded by Trustee Perry.

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B. Petitioner's Appeal of the Village Zoning Board of Appeals' Denial of a Special Use Permit for the Construction of a Cell Tower at Mayfair Park.

Petition filed by Dolan Realty LLC - Attorney Michael Vogt spoke on behalf of the petitioner. Noted were previous meetings that were held with the Planning Commission and Zoning Board and well as meetings with the Board. He cited previous letter drafted by Communications Director Greg Hribal to Verizon, denoting coverage issues experienced around Westchester by first responders, concern for public safety with dropped calls and the areas affected. In response, Verizon sought to find a viable solution and willing landlord for a cell tower. Several locations were considered prior to selecting Mayfair, e.g. forest preserve. (No current leasing opportunities exist), shopping center at Wolf & 31st, owner not interested. Existing towers, at the Community center, was looked at. It has the same landlord, Park District, as the proposed tower. At the joint meeting held March 21st, both the Plan Commission and the Zoning Board of Appeals voted to deny the request, subsequently tonight's Public Hearing prior to a vote by the Village Board. He cited the previous Boards reasoning's for denial but noted they are bound by the Cell Tower Ordinance. Generalized opinions are not substantial evidence in regards to the Ordinance. Additional generalized/.Staff opinions were noted of the Plan Commission, e.g. esthetics. If a variation is required for the fence height they are requesting that. He request that all the Board members completely review what is in the written record and decisions be based on that, as per law.

President Pulia asked Business Director/Ms Headley to reviewed standards required for the Ordinance. She noted the application met the requirements. At the time of the report she did not have any information on impractical difficulty or hardship.

President Pulia has been doing research of the Pros vs. Cons of the tower. Coverage maps were also reviewed. President Pulia noted research he has conducted regarding Wi-Fi in the Cloud. Also, an Overland, KS study references a tool/appliance on top of a telephone pole that would enhance signals ...It would have RF booster. The appliance is currently being put up in the Franklin Park area. He suggests shifting gears...and Verizon look at small cell technology in the affected areas. There is a better way that is amenable to all parties. More investigation will be done with engineers. No vote was taken.

Public Comment and Questions

Numerous residents were in attendance overflowing into the foyer. Questions were posed by Board members Comments were made by (10) residents, overwhelmingly objecting to the tower proposal.

5. Presentations – President Pulia cited the following Proclamation:

- A. Arbor Day Proclamation
- B. Bike Month Proclamation

6. Consent Agenda

Consent items were reviewed by President Pulia for the Open Meetings Act:

Pulled - B till May 10th Approval of Minutes

- i. Minutes of the April 12, 2016 Village Board Meeting(Handout)
- ii. Minutes of the April 12, 2016 Committee of the Whole Meeting (Handout)
- iii. Minutes of the April 12, 2016 Executive Session

Trustee Steker made a motion seconded by Trustee Reda to approve items 6.C,

Pulled - C. (An Ordinance Approving and Adopting the Annual Budget for the Fiscal Year Beginning May 1, 2016 and Ending April 30, 2017 in the Village of Westchester). On the roll call vote, the motion for item 6.C passed. (AYE 5), (NAY 2).

Trustee Yurkovich made a motion seconded by Trustee Celestino to approve items 6.D.

Pulled - D. (An Ordinance Authorizing the Sale of Surplus Property of the Village of Westchester). On the roll call vote, the motion for item 6.D passed. (AYE 7).

Trustee Steker made a motion seconded by Trustee Perry to approve items 6.A, E, F, G.

6. A. (Approval of the Record of Bills ending 04-21-16 in the amount not to exceed \$447,409.70)

6.E. (A Resolution Approving a Collective Bargaining Agreement Between the Village of Westchester and the Westchester Professional Fire Fighters Local 4851, International Association of Fire Fighters, AFL-CIO-CLC, Associated Fire Fighters of Illinois (p. 111)

6.F. (A Resolution Endorsing the Metropolitan Mayors Caucus' Greenest Region Compact 2)

6.G. (A Resolution Authorizing the Execution of a Professional Engineering Services Agreement with Engineering Solutions Team for Design and Construction Observation Services Related to the Replacement of the Roof at 10240 Roosevelt Road in the Amount of \$35,000). On the roll call vote, the motion for item 6.A, E, F, G, passed. (AYE 7).

ACTIVE AGENDA

Trustee Steker made a motion seconded by Trustee Reda to table Items 7.A, 7.B, 7.C.

7.A. (An Ordinance Authorizing a Special Use to Allow for the Installation and Construction of a Wireless Telecommunications Tower and Antenna in the R1 Family Residence District for the Property Located at 2700 Mayfair Avenue, Westchester, Illinois ("Mayfair Park")).

7.B. (An Ordinance Authorizing a Variation to Allow for the Installation and Construction of a Security Fence of Eight (8') Feet in Height in the R1 Family Residence District, for the Property Located at 2700 Mayfair Avenue, Westchester, Illinois ("Mayfair Park")).

7.C. (A Motion to Overturn the Zoning Board of Appeals' Denial of a Special Use Permit for the Construction of a Cell Tower at Mayfair Park and to Grant the Special Use Permit *or, in the alternative*, Motion to Affirm the Zoning Board of Appeals' Denial of a Special Use Permit for the Construction of a Cell Tower at Mayfair Park). The motion was passed by acclamation, Aye 7.

Trustee Steker made a motion seconded by Trustee Calcagno for approval of Item 7.D.

7.D (A Motion to Receive and File the Board of Fire and Police Commissioners' Annual Report). The motion was passed by acclamation, Aye 7.

MANGER'S REPORT:

None.

ATTORNEY'S REPORT:

None.

BOARD MEMBER REPORTS AND NEW BUSINESS:

Trustee Perry

Trustee Reda – None

Trustee Celestino – The first Recycling event will be held Saturday,

Trustee Calcagno – Noted the cut-off the recycling event. He encouraged residents to come out early.

Trustee Yurkovich – The "Get Out and Play" event will be held 6/4th 10AM – 2:00PM.

Chief Stelzer/PD – The Open House of the Police Department is scheduled for May 21st. A team staff meeting is also for 5/21.

Chief Adams – The Chief attended the "Fire Service Legislative Day" and met with Representatives to discuss current fire legislation.

Maureen Potempa/Finance Director – Noted vehicle stickers are on sale and should be purchased by 4/30th to be on time. Village Hall will also be open on Saturday, 8:30AM-noon. Fees double after 4/30.

Greg Hribal- IT Director – Noted that 4/30 is the DEA drug take back day. A vote will need to be taken by the Board to dissolve the existing ETSB and vote on the new collaboration between the villages. Attorney Durkin will draw up an Intergovernmental Agreement. Filing with the State is due 7/01/16. The debt recovery program has collected \$351,403 to date.

Robert Lewis/PW Director –. Phase II will commence 5/2. New magnetic meters have been put in at Crestwood and in now working.

Melissa Headley/Business Development Director – None

Clerk Miller – None.

President Pulia – None

ADJOURN

With no further business to discuss, Trustee Reda motioned to adjourn. The motion was seconded by Trustee Calcagno. The meeting was adjourned at 9:28PM. The motion was passed by acclamation, (AYE 7).

A handwritten signature in cursive script, appearing to read "Sherby J. Miller".

Sherby J. Miller, Village Clerk