

**Village of Bensenville**  
Board Room  
12 South Center Street  
Bensenville, Illinois 60106  
Counties of DuPage and Cook

**MINUTES OF THE VILLAGE BOARD OF TRUSTEES MEETING**  
**June 16, 2020**

**CALL TO ORDER:** 1. President DeSimone called the meeting to order at 6:30 p.m.

**ROLL CALL:** 2. Upon roll call by Deputy Village Clerk, Corey Williamsen, the following Board Members were present:

Carmona\*, Franz\*, Frey\*, Lomax\*, Panicola\*, Perez\*

Absent: None

A quorum was present.

Staff Present: E. Summers, T. Finner\*, M. Patel\*, A. Sumner, S. Viger\*, C. Williamsen

*\*Village Clerk, Nancy Quinn, Trustee Carmona, Trustee Franz, Trustee Frey, Trustee Lomax, Trustee Panicola, Trustee Perez, Todd Finner, Mehul Patel and Scott Viger attended the meeting via electronic means.*

**PUBLIC COMMENT:** Roy Dominguez – 114 Parkside Lane, Bensenville, Illinois 60106  
Mr. Dominguez addressed the Village Board regarding his objection to a proposed carwash on Irving Park Road. Mr. Dominguez submitted a petition to the Deputy Village Clerk of Residents signatures opposing the carwash as well. The petition has been attached to the minutes as "Exhibit A". President DeSimone asked Mr. Dominguez to meet with him after the meeting.

Marshall J. Subach – 1035 South York Road, Bensenville, Illinois 60106  
Mr. Subach submitted a letter via electronic means to be read by the Deputy Village Clerk regarding a variance request at 249 South Church Road. A copy of the letter has been attached to the minutes as "Exhibit B".

**APPROVAL OF**

**MINUTES:**

3. The May 26, 2020 Village Board Meeting minutes were presented.

**Motion:**

Trustee Carmona made a motion to approve the minutes as presented. Trustee Franz seconded the motion.

**ROLL CALL:**

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**WARRANT NO.**

**20/1:**

4. President DeSimone presented **Warrant No. 20/11** in the amount of \$2,688,895.68.

**Motion:**

Trustee Carmona made a motion to approve the warrants as presented. Trustee Lomax the motion.

*Trustee Franz and Trustee Perez announced they are recusing themselves from the vote on the proposed warrant.*

**ROLL CALL:**

AYES: Carmona, Frey, Lomax, Panicola

NAYS: None

ABSTAINED: Franz, Perez

Motion carried.

*Trustee Perez was disconnected from the meeting at 6:39 p.m.*

**Ordinance No.  
25-2020:**

5. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 25-2020** entitled an **Ordinance of the Village of Bensenville, DuPage and Cook Counties, Illinois Approving and Supporting a State of Emergency to Protect the Public Health, Safety and Welfare and Provide Relief to the Residents and Business Community.**

There were no questions from the Village Board.

**Motion:**

Trustee Carmona made a motion to adopt the ordinance as presented. Trustee Franz seconded the motion.

**ROLL CALL:** AYES: Carmona, Franz, Frey, Lomax, Panicola

NAYS: None

All were in favor. Motion carried.

*Trustee Perez reconnected to the meeting at 6:40 p.m.*

**Ordinance No.  
26-2020:**

6. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 26-2020** entitled an **Ordinance of the Village of Bensenville, DuPage and Cook Counties, Illinois Amending Section 4-4-3 of the Bensenville Village Code as to Firearms License Procedures.**

There were no questions from the Village Board.

**Motion:** Trustee Carmona made a motion to adopt the ordinance as presented. Trustee Lomax seconded the motion.

**ROLL CALL:** AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Ordinance No.  
27-2020:**

7. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 27-2020** entitled an **Ordinance of the Village of Bensenville, DuPage and Cook Counties, Illinois Naming a Dedicated Right-of-Way Commerce Court within the Village of Bensenville, Illinois.**

There were no questions from the Village Board.

**Motion:** Trustee Carmona made a motion to adopt the ordinance as presented. Trustee Perez seconded the motion.

**ROLL CALL:** AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Ordinance No.**

**28-2020:**

8. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 28-2020** entitled an **Ordinance Approving Text Amendments to Title 10 (Zoning Ordinance), Chapter 10 (Signs)**.

There were no questions from the Village Board.

Motion:

Trustee Carmona made a motion to adopt the ordinance as presented. Trustee Perez seconded the motion.

**ROLL CALL:**

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**904-910 W. Irving**

**Park Road:**

9. **Motion to Remand to the Community Development Commission an Ordinance Requesting Variations Pertaining to the Construction of a Car Wash at 904-910 W. Irving Park Road, Bensenville, Illinois.**

Motion:

Trustee Carmona made a motion to remand to the Community Development Commission an Ordinance Requesting Variations Pertaining to the Construction of a Car Wash at 904-910 W. Irving Park Road, Bensenville, Illinois. Trustee Perez seconded the motion.

**ROLL CALL:**

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**249 S. Church  
Road Variation:**

10. **Motion to Take a Request for a Variation at 249 S. Church Road from the Table.**

Motion:

Trustee Carmona made a motion to remove a request for a Variation at 249 S. Church Road from the table. Trustee Perez seconded the motion.

**ROLL CALL:**

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Ordinance No.**

**29-2020:**

11. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 29-2020** entitled an **Ordinance Denying a Variation to Allow Recreational Vehicle Parking in the Front Yard at 249 S. Church Road, Bensenville, Illinois**.

There were no questions from the Village Board.

Motion:

Trustee Carmona made a motion to adopt the ordinance as presented. Trustee Perez seconded the motion.

**ROLL CALL:**

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Ordinance No.**

**30-2020:**

12. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 30-2020** entitled an **Ordinance Amending Section 3-3-5 of the Bensenville Village Code – Liquor Regulations – to Increase the Number of Class E-2 Liquor Licenses from 2 to 3. (Asti Italian Deli)**.

There were no questions from the Village Board.

Motion:

Trustee Carmona made a motion to adopt the ordinance as presented. Trustee Perez seconded the motion.

**ROLL CALL:**

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.**

**R-48-2020:**

13. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-48-2020** entitled a **Resolution Authorizing a Purchase Order to A-Special Electric Supply for the Village Facility Lighting Replacement Project (ComEd Incentive) for a Not-to-Exceed Amount of \$17,336.**

There were no questions from the Village Board.

Motion:

Trustee Carmona made a motion approve the resolution as presented. Trustee Perez seconded the motion.

**ROLL CALL:** AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.**

**R-49-2020:**

14. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-49-2020** entitled a **Resolution Authorizing the Execution of an Engineering Service Agreement with James J. Benes and Associates, Inc. (JJB) for 2021 CDBG Annual Residential Streetlight Project in the Not-to-Exceed Amount of \$73,412.00.**

There were no questions from the Village Board.

Motion:

Trustee Carmona made a motion approve the resolution as presented. Trustee Perez seconded the motion.

**ROLL CALL:**

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.**

**R-50-2020:**

15. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-50-2020** entitled a **Resolution Authorizing the Execution of a Purchase Order to the DuPage River / Salt Creek Workgroup (DRSCW) for the 2020/2021 Annual Dues in the Not-to-Exceed Amount of \$14,503.**

There were no questions from the Village Board.

Motion:

Trustee Carmona made a motion approve the resolution as presented. Trustee Perez seconded the motion.

**ROLL CALL:**

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.**

**R-51-2020:**

16. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-51-2020** entitled a **Resolution Authorizing the Execution of an Ice Arena and Facility Usage Agreement with the Fenwick High School Hockey Club.**

There were no questions from the Village Board.

**Motion:**

Trustee Carmona made a motion approve the resolution as presented. Trustee Perez seconded the motion.

**ROLL CALL:**

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.**

**R-52-2020:**

17. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-52-2020** entitled a **Resolution Authorizing an Amendment to the Agreement with the Amateur Hockey Association of Illinois.**

There were no questions from the Village Board.

**Motion:**

Trustee Carmona made a motion approve the resolution as presented. Trustee Perez seconded the motion.

**ROLL CALL:**

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**PRESIDENT'S**

**REMARKS:**

President DeSimone announced the Village will be hosting a Father's Day Car Cruise on June 21<sup>st</sup>. President DeSimone announced all information can be found on the Village's Website.

President DeSimone announced the Village plans to open Water's Edge on June 22<sup>nd</sup>. President DeSimone announced all information can be found on the Village's Website.

President DeSimone announced the Bensenville Theater Ice Cream Shop is open with modified hours. President DeSimone announced all information can be found on the Village's Website.

**MANAGERS**

**REPORT:**

Village Manager, Evan Summers, announced the Village is anticipating the State of Illinois to move into Phase 4 of Restore Illinois on June 26<sup>th</sup> and thanked all Staff for their efforts and preparation.

Mr. Summers thanked all that participated in a peaceful protest held in Bensenville and Wood Dale. Mr. Summers also thanked the following Police Departments for their participation: Addison, Bloomingdale, Glendale Heights, Itasca, Westmont and Wood Dale.

**VILLAGE ATTORNEY**

**REPORT:**

Village Attorney, Joseph Montana, had no report.

**UNFINISHED  
BUSINESS:**

There was no unfinished business.

**NEW BUSINESS:**

There was no new business.

**EXECUTIVE  
SESSION:**

Village Attorney, Joseph Montana, stated there was not a need for Executive Session.

**ADJOURNMENT:**

Trustee Carmona made a motion to adjourn the meeting. Trustee Perez seconded the motion.

**ROLL CALL:**

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

President DeSimone adjourned the meeting at 7:04 p.m.

Nancy Quinn  
Village Clerk

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Bensenville this 14th day, July 2020

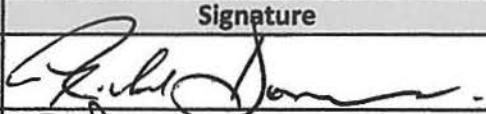
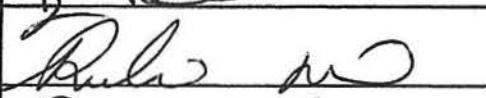
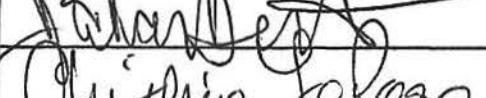
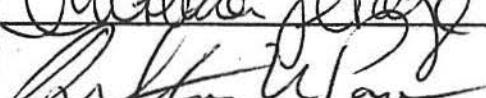
# Gem CAR wash petition

June 16, 2020 Village  
Board Meeting Minutes  
Exhibit A (3 Pages)

## Petition to Block Gem Car Wash in having an exit apron onto Eastview Avenue

**Petition summary and background:** The purpose of this petition is to block Gem Car Wash from having an exit apron onto Eastview Avenue. We understand that part of their proposal is having an exit apron on the SE corner of the property, but this is only to be utilized in case of emergency and not for traffic overflow. The residences, that live on Eastview Avenue, Main Street, and Parkside Lane have a number of concerns. 1) Increased traffic congestion though our residential neighborhood as Gem Car Wash customers will try to bypass the long wait times by exiting onto Eastview Avenue, then onto Main St, and then onto Parkside Lane to exit back onto Irving Park Road. 2) Traffic entering onto Eastview Avenue from the Gem Car Wash will interfere with school busses trying to pick up and drop off school children which also coincides with the hours proposed by the Gem Car Wash. 3) The residences of this neighborhood already have issues with people who accidentally drive onto Eastview Avenue when they are trying to enter the Cascade Banquet Hall which would be next door to the Gem Car Wash. Due to the amount of traffic this business will generate, this establishment should have a turning lane and/or a stop light on Irving Park Road and not a side exit apron onto Eastview Avenue which will greatly impact this residential neighborhood.

**Action petitioned for:** We, the undersigned, are concerned citizens who urge our leaders to act now to not allow any type of exit apron on the NE corner of Eastview Avenue and Irving Park Road for the proposed site for the GEM Car Wash.

Date	Signature	Printed Name	Address	Town, State
6/5/20		Richard Dominguez	113 EASTVIEW Ave	Bensenville, IL
6-7-20		Roy Dominguez	114 Parkside Lane	Bensenville, IL
6/7/20		Ruben Alonso	110 Parkside Ln	Bensenville, IL
6/7/20		Benjamin Talavera	720 Parkside Ln.	Bensenville, IL
6-7-20		Ushairia Diaz Talavera	710 Parkside Ln	Bensenville, IL
6-7-20		Christina LePage	731 W Main St	Bensenville, IL
6/7/20		Anthony LePage	731 W Main St	Bensenville, IL

Action petitioned for: We, the undersigned, are concerned citizens who urge our leaders to act now to not allow any type of exit apron on the NE corner of Eastview Avenue and Irving Park Road for the proposed site for the GEM Car Wash.

Date	Signature	Printed Name	Address	Town, State
6/7/20	M. Bunn	MARIUSZ BORON	809 W. Main	Bensenville, IL
6/7/20	J. Casas	Jorge CASAS	801 W MAIN	Bensenville, IL
6/7/20	Catalino Clavero	Catalino Clavero	105 EASTVIEW	Bensenville, IL
6/7/20	Robert M. Turville	Robert M. Turville	107 EASTVIEW	Bensenville, IL
6/7/20	Lisa Turville	Lisa TURVILLE	107 EASTVIEW	Bensenville, IL
6/1/20	Sabina Halloran	SABINA HALLORAN	107 EASTVIEW	Bensenville, IL
6-7-20	Mariion Turville	MARIION C. TURVILLE	107 EASTVIEW AVE	Bensenville, IL
6-7-20	Juan Otero	Juan Otero	106 Parkside LN	Bensenville, IL
6-7-20	Alfredo Gonzalez	Alfredo Gonzalez	709 W main st	Bensenville, IL
6-7-20	Wendy C. Vials	Wendy C Vials	711 W main st.	Bensenville, IL
6-7-20	Gloria Jasso	Gloria Jasso	707 W. main st	Bensenville, IL
6-7-20	Kim Maziarka	Kim Maziarka	736 W. Main st	Bensenville, IL
6-7-20	Bob Maziarka	BOB MAZIARKA	736 W. MAIN	Bensenville, IL
6-7-20	Adrian Guerrero	ADRIAN GUERRERO	802. W. Main st.	Bensenville, IL
6-8-20	C. Sanchez	Carlos Sanchez	708 Parkside ln.	Bensenville, IL

Action petitioned for: We, the undersigned, are concerned citizens who urge our leaders to act now to not allow any type of exit apron on the NE corner of Eastview Avenue and Irving Park Road for the proposed site for the GEM Car Wash.

Date	Signature	Printed Name	Address	Town, State
6/8/20	Irene Acevedo	Irene Acevedo	716 Parkside	Bensenville, IL
6/8/20	Martín Zarate	Martín Zarate	708 W Main	Bensenville, IL
6/8/20	Edgar Gutiérrez	Edgar Gutiérrez	712 W Main	Bensenville, IL
6/8/20	Miguel Avila	Miguel Avila	720 Main st	Bensenville, IL
6/8/2020	Maria M. Edwards	Maria M. Edwards	732 main st.	Bensenville, IL
6-8-20	Kimberly Wokurka	Kimberly Wokurka	114 Parkside Ln	Bensenville, IL
				Bensenville, IL

# Hunt, Aranda Subach, Ltd.

ATTORNEYS AT LAW

THOMAS CASEY HUNT  
LOUIS B. ARANDA  
MARSHALL J. SUBACH  
STEPHEN SPIEGEL

Of Counsel

Daniel J. Kaiser  
Mariam L. Hafezi Qualman  
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Philip D. Blomberg

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Bensenville, IL 60106  
Phone 630-860-7800  
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[www.7800Law.com](http://www.7800Law.com)

June 16, 2020

Frank DeSimone  
Village President  
Village of Bensenville  
12 S. Center Street  
Bensenville, IL 60106

**RE: Variance Request: 249 S. Church Road, Bensenville, IL 60106**  
**Agenda Item: No. 5, Community and Economic Development Committee**  
**Our Client: Ryan Lee**

President DeSimone:

Please be advised that my office represents Ryan Lee with respect to his pending request for a variance to allow a recreational vehicle to be parked in his front yard of his home located at 249 S. Church Road, Bensenville, IL 60106. Due to the ongoing coronavirus pandemic, I have advised my client not to attend the board meeting this evening. I am hereby submitting this correspondence on his behalf and in support of his variance request.

My client, Ryan Lee, and his family are avid campers and enjoy camping several times a year. Although my client's post office mailing address is 249 S. Church Road, Bensenville, IL 60106, his property actually faces Timber Lane. The front of my client's home faces Timber Lane and he has a front load driveway. The driveway widens to the west as it approaches Timber Lane. My client seeks this variance to allow the parking of his camper on the driveway in an attempt to have it located in a location which it would be most concealed from his neighbors.

Prior to filing, the Petitioner met with staff, who were very accommodating to come out to my client's property and view the proposed location. Staff recommended approval of the variance as the proposed location seemed to be the best fit for my client as well as the surrounding properties.

At the CDC hearing, there was a mix of people that spoke – some in favor of the variance, and others objecting. It is not my client's intention to create any neighborhood issues over this issue.

My client is simply looking to be allowed to park his camper on his property as allowed by Bensenville Code.

Although there was a suggestion to park the camper off-site, my client does not believe that is a viable long-term option as he would be required to pay lease fees, and it is not clear whether or not any surrounding properties are permitted to lease out their parking lots for camper storage under the Bensenville Code.

My client is in the process of having some mature landscaping installed (specifically arborvitae bushes) along his property line to help further screen the camper from his neighbors.

My client is respectfully requesting the board to approve the variance to allow for parking of the camper in his driveway.

If this board does not approve the variance, my client has, as an alternative remedy, applied for a building permit to construct a concrete pad on his interior side yard, which will comply with Bensenville Code.

I thank you for your consideration in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Marshall J. Subach".

Marshall J. Subach