

**GENEVA CITY COUNCIL MEETING**  
**FEBRUARY 21, 2017**

**CALL TO ORDER**

The February 21, 2017 meeting of the Geneva City Council was called to order at 7:00 p.m. in the Council Chambers of City Hall by Mayor Kevin Burns. Aldermen present: Mike Bruno, Tara Burghart, Don Cummings, Dean Kilburg, Craig Maladra, Richard Marks, Jim Radecki, Mary Seno (arr. 7:09), Tom Simonian, Ron Singer. Aldermen absent: None. Also attending: City Atty. Charles Radovich, City Administrator Stephanie Dawkins, Public Works Director Richard Babica, Economic Development Director Cathleen Tymoszenko, Community Development Director David DeGroot.

**Recognition of Former City Employee's Passing**

Prior to beginning the meeting, Mayor Burns called attention to the recent passing of Kenneth Sandquist, retired city employee. The Mayor pointed out that Mr. Sandquist served 40 years in the water department, making him the City's longest serving employee. He extended condolences to Mr. Sandquist's family.

**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARINGS, SPECIAL ITEMS AND PRESENTATIONS**

**Presentation by IN2@IMSA**

Mayor Burns introduced Britta McKenna, chief innovations coordinator for the Illinois Mathematics and Science Academy (IMSA). Ms. McKenna acquainted the Council with the new innovation center (IN2) at IMSA, which will fully open at the end of March. She explained that IN2 is designed to link communities such as Geneva with Fox Valley, Chicago and international innovators and entrepreneurs through IMSA's nearly 3,000 alumni. She detailed existing IN2 programs, some of which involved GHS students. Also, she issued an invitation to tour IMSA facilities. Question and comments were then taken from the Council.

**Proclamation Celebrating 50th Anniversary of Fermilab**

Mayor Burns introduced Katie Yurkewicz, Fermilab communications director, and Hema Ramamoorthi, Fermilab directorate chief of staff. Ms. Yurkewicz said that Fermilab will be celebrating its fiftieth anniversary throughout 2017, culminating on Sept. 23 with a large public open house. As a member of Fermilab's community advisory board, Ald. Kilburg spoke of Fermilab as a resource to the surrounding area. He encouraged everyone to take advantage of the opportunities that Fermilab presents. Ald. Bruno stressed Fermilab's economic benefits to the area.

Moved by Ald. Marks, seconded by Ald. Bruno to proclaim celebrating the fiftieth anniversary of Fermilab. Carried unanimously by voice vote. MOTION CARRIED

Mayor Burns presented a copy of the proclamation to Ms. Yurkewicz and Ms. Ramamoorthi.

**Chamber of Commerce Annual Report Presentation**

Jean Gaines, Chamber president, introduced Chamber staff, board members and Chamber members present. Several board members then presented aspects of the advertising and promotional efforts made possible with funds from the city's hotel tax. Susan Huang, Fox Valley eValues and Deals, began the audio/visual presentation by discussing the impact of tourism dollars on Illinois communities, citing statewide statistics. She then applied the extended impact to Geneva. Continuing, she discussed the Chamber's advertising efforts and how it brands Geneva as a tourism destination.

Jesse Mercado, The Herrington Inn & Spa, addressed the Chamber's promotional efforts as it applies to local restaurants and hotels. He detailed The Herrington's participation in Restaurant Week, saying the event boosts Atwater's sales by 25 to 30 percent. He also said that the various Chamber events and festivals increase hotel occupancy.

The Little Traveler's Mike Simon covered Geneva's festivals, saying he finds in his travels that awareness of these festivals is growing thanks to advertising. Finally, he cited the cooperation between the City and Chamber in staging successful festivals.

Lisa Nelson, Carlson's Flooring, addressed co-op advertising with other community members of the Fox River Co-Op. She mentioned some of the larger advertising and promotional efforts made possible by combining advertising dollars with other tourism groups.

Jean Gaines summed up by noting the lack of State funding, forcing advertising cutbacks. She also said neighboring chambers receive more hotel tax funds than does the Geneva Chamber and mentioned ways the Geneva Chamber has had to adjust. She then took questions and comments.

### **AMENDMENTS TO AGENDA**

None

### **OMNIBUS AGENDA**

All items listed on the Omnibus Agenda are considered to be routine by the Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council member or citizen so requests in which event the item will be removed from the Omnibus (Consent) Agenda and considered in its normal sequence on the Agenda. Ald. Simonian requested that item 11j (Ord. 2017-03) be removed. Moved by Ald. Bruno, seconded by Ald. Marks to approve the Omnibus Agenda as amended. Roll call:

AYES: 10 (Ald. Bruno, Burghart, Cummings, Kilburg, Maladra, Marks, Radecki, Seno, Simonian, Singer)

NAYS: 0 MOTION CARRIED

### **APPROVE MINUTES OF THE LAST REGULAR MEETING HELD FEBRUARY 6, 2017**

Moved by Ald. Bruno, seconded by Ald. Marks to approve motion as presented. Approved by unanimous roll call vote. (Omnibus Agenda). MOTION CARRIED

### **APPROVE REPORTS**

Moved by Ald. Bruno, seconded by Ald. Marks to approve motion as presented. Approved by unanimous roll call vote. (Omnibus Agenda). MOTION CARRIED

### **COUNCIL COMMITTEES**

Committee of the Whole February 27, 2017 at 7 p.m.

### **OTHER ITEMS AND CORRESPONDENCE**

Approve Acceptance of FY2017 3rd Quarter Goals Status Report

Moved by Ald. Marks, seconded by Ald. Seno to approve acceptance of FY2017 3<sup>rd</sup> Quarter Goals Status Report. Carried unanimously by voice vote MOTION CARRIED

### **MUNICIPAL BILLS FOR PAYMENT**

The following bills were presented for payment:

General Fund	\$175,624.53
Cultural Arts Fund	247.12
SPAC Fund	106.95
Tourism Fund	3,000.00
Restricted Police Fines	113.02
Tri-Com Fund	61,633.50
SSA #1	1,383.81
Debt Service Fund	922,000.00
Infrastructure Capital Projects	16,458.00
Capital Equipment	305.36
Electric	2,593,232.62
Water/Wastewater	172,071.38
Refuse	72.50
Cemetery	4,595.50
Commuter Parking	1,514.52
Group Dental	6,298.60
Workers Compensation	900.00
Utility Refunds	131.12
Total Funds	<u>\$3,959,688.53</u>

Moved by Ald. Bruno, seconded by Ald. Seno that the bills be approved and vouchers prepared. Roll call:

AYES: 10 (Ald. Bruno, Burghart, Cummings, Kilburg, Maladra, Marks, Radecki, Seno, Simonian, Singer)

NAYS: 0 MOTION CARRIED

**COMMITTEE OF THE WHOLE ITEMS OF BUSINESS**

Approve Ordinance 2017-04 Authorizing Sixteenth Restatement of Ordinance 2003-33 for Construction of a 22,471 Sq. Ft. Family Residency Clinic Located at 298 S. Randall Road. (The Delnor – Community Planned Unit Development)

Ald. Seno wished to recuse herself from discussion or voting on this item. She then left the Council Chambers as required.

Moved by Ald. Singer, seconded by Ald. Marks to approve Ord. 2017-04 authorizing the sixteenth restatement of Ord. 2003-33 for the construction of a 22,471 sq. ft. family residency clinic located at 298 S. Randall Rd. in the Delnor – Community Planned Unit Development. Roll call:

AYES: 9 (Ald. Bruno, Burghart, Cummings, Kilburg, Maladra, Marks, Radecki, Simonian, Singer)

NAYS: 0

RECUSE: 1 (Ald. Seno) MOTION CARRIED

Following the vote, Ald. Seno returned to her seat on the Council.

Approve Resolution 2017-09 Approving Cash Contributions to the Geneva Park District and Geneva School District in Lieu of Land – Fargo Enterprises, LLC

Moved by Ald. Marks, seconded by Ald. Seno to approve Res. 2017-09 approving cash contributions to the Geneva Park Dist. and Geneva School Dist. in lieu of land for Fargo Enterprises, LLC.

Atty. Radovich stated per Sec. 12-4-5-5 of the City Code (Subdivision Regulations: Criteria for requiring cash contributions in lieu of land) that this item requires a two-

thirds vote of the aldermen holding office (seven affirmative votes) for approval. Roll call:

AYES: 9 (Ald. Bruno, Burghart, Cummings, Kilburg, Maladra, Marks, Radecki, Seno, Singer)

NAYS: 0

ABSTAIN: 1 (Ald. Simonian) MOTION CARRIED

Approve Resolution 2017-10 Approving a Preliminary/Final Plat of Subdivision for Stanton Subdivision – Fargo Enterprises, LLC

Moved by Ald. Singer, seconded by Ald. Marks to approve Res. 2017-10 approving a preliminary/final Plat of Subdivision for Stanton Subdivision for Fargo Enterprises, LLC.

Ald. Simonian read a statement referencing the Feb. 13 COW meeting where he voted “present” once and abstained twice on items concerning the Stanton Subdivision. At the time, Mayor Burns stated that the votes would be counted with the majority. Subsequently, a newspaper article referenced Mayor Burns as saying Ald. Simonian committed an ethical breach by not recusing himself on the three items because of his business relationship with the developer.

Ald. Simonian took exception to the Mayor’s comments and read an opinion from his attorney stating that he did not commit an ethics violation by not recusing himself and that his votes should not count with the majority or minority. Ald. Simonian requested that his comments, his attorney’s opinion, and the newspaper article be entered into the record (Exhibit A).

Ald. Simonian also said he would abstain tonight on the two items pertaining to the Stanton Subdivision and requested that his COW votes be removed as votes with the majority and registered as a “present” vote and abstention votes. Further, he requested that his abstention votes this evening be listed as such and not with the majority. He also hoped that the Mayor would apologize and that the reporter would write a follow-up article stating that the Mayor’s allegations of an ethics violation was a mistake.

Ald. Bruno asked if it is accurate that the City has always required sidewalks in a subdivision. Dir. DeGroot was not sure if that was always the case but said that the current requirement is for sidewalks in all subdivision unless waived by the City Council.

Saying that a number of citizens have challenged his positive vote on this item at last week’s COW meeting, Ald. Singer read a statement defending his vote and requested that it be entered into the record (Exhibit B).

Daniel Bowring, 312 N. Fifth St., favored sidewalks as a matter of consistency in future subdivisions. Ald. Maladra said that his decision to not require sidewalks was based on the number of gaps in sidewalks already in that area and the unlikelihood that those gaps will ever be filled due to cost and logistics. Ald. Bruno supported having sidewalks and suggested looking into a creative way, such as a sidewalk bank, to fund filling in the gaps.

Jeanne McGowan, 227 N. Cambridge Dr., called for sidewalks along Kaneville and Burgess Rds. She also had questions concerning the placement of marked crosswalks along Kaneville Rd. She requested that a vote on this item be postponed pending further study.

Ald. Cummings, while recognizing the benefits of installing sidewalks, saw little benefit in installing “sidewalks to nowhere” and cited safety hazards. He supported a sidewalk bank, saying sidewalks raise the quality of life in the entire city and would allow the installation of sidewalks based on the priorities of safety and necessity. He said a sidewalk stub at the Stanton Subdivision site would be useless and called for a review of the current ordinance.

Mike Lencioni, currently living in Wheaton but soon to live in Geneva, noted that a sidewalk would benefit those confined to a wheelchair. Jill Johnson, 1607 Fairway Ct., asked why sidewalks were required at the Havlicek and Roth developments but are being waived in this case. Dr. DeGroot answered in both cases the developer did not request relief. Ms. Johnson called for a postponement to allow further consideration.

Ald. Burghart proffered that developers who sought relief from the sidewalk requirement contribute to a fund that could later be used to fill in between sidewalk sections. Dir. DeGroot said that while he or Staff are not necessarily opposed to a sidewalk bank, prioritizing the work, resident acceptance, cost and other issues arise. Admin. Dawkins said this could be a topic at a future policy discussion session. Ald. Marks also liked the idea of a sidewalk bank.

Addressing Ald. Simonian's previous statement concerning his votes, Atty. Radovich cited a 1982 Illinois Supreme Court ruling that stated that every Council vote needs to be accounted for (Prosser Rule); thus, a present vote, an abstention or an alderman present but not voting in a situation where that vote is required for a concurrence of the Council will be counted with the majority of those voting. Further, he said that in the case where a two-thirds vote is required for passage, that vote will be counted with the negative side. Ald. Cummings cited a possible conflict with the 1982 court ruling and the Illinois State Officials and Employees Ethics Act as amended in 2014.

There being no further discussion, roll call on Res. 2017-10:

AYES: 8 (Ald. Bruno, Cummings, Kilburg, Maladra, Marks, Radecki, Seno, Singer)

NAYS: 1 (Ald. Burghart)

ABSTAIN: 1 (Ald. Simonian) MOTION CARRIED

d. Approve Resolution 2017-11 Authorizing a Payment in Lieu of Required Parking Graham's 318 – 318 S. Third Street

Moved by Ald. Marks, seconded by Ald. Cummings to approve Res. 2017-11 authorizing a Payment in lieu of required parking Graham's 318 at 318 S. Third St. Roll call:

AYES: 9 (Ald. Bruno, Burghart, Cummings, Kilburg, Maladra, Marks, Radecki, Seno, Singer)

NAYS: 1 (Ald. Simonian) MOTION CARRIED

Approve Resolution 2017-12 Authorizing Purchase of a 2017 Ford F-150 Through the State of Illinois Purchase Program/Wright Automotive in the Budgeted Amount of \$23,615.00

Moved by Ald. Bruno, seconded by Ald. Marks to approve motion as presented. Approved by unanimous roll call vote. (Omnibus Agenda). MOTION CARRIED

Approve Resolution 2017-13 Authorizing Purchase of Ford F450 Cab and Chassis from Landmark Ford in the Budgeted Amount of \$33,047.00

Moved by Ald. Bruno, seconded by Ald. Marks to approve motion as presented. Approved by unanimous roll call vote. (Omnibus Agenda). MOTION CARRIED

Approve Resolution 2017-14 Authorizing a Waiver of Bidding Process and Award of Contract to Sauber Manufacturing in the Amount of \$25,650.00 to Refurbish and Remount Existing Utility Body and Apparatus on New Chassis Purchased Under Separate Contract

Moved by Ald. Bruno, seconded by Ald. Marks to approve motion as presented. Approved by unanimous roll call vote. (Omnibus Agenda). MOTION CARRIED

Approve Resolution 2017-15 Authorizing a One (1)-Year Contract Extension with Hoving Clean Sweep for Calendar Year 2017

Moved by Ald. Bruno, seconded by Ald. Marks to approve motion as presented.  
Approved by unanimous roll call vote. (Omnibus Agenda). MOTION CARRIED

Approve Resolution 2017-16 Authorizing IDOT Right-of-Way Maintenance Agreement

Moved by Ald. Bruno, seconded by Ald. Marks to approve motion as presented.  
Approved by unanimous roll call vote. (Omnibus Agenda). MOTION CARRIED

Approve Ordinance 2017-03 Authorizing the Issuance of Waterworks and Sewerage Revenue Bonds IEPA Series 2017 in an Aggregate Amount Not to Exceed \$12,500,000.00

Having requested removal of this item from the Omnibus Agenda, Ald. Simonian asked if the mandate requiring this action by the City changes, does the contract allow the City to cancel the project if it is no longer required. Dir. Babica said that it is his understanding that Illinois is one of the last states to adopt this federal EPA mandate and that surrounding states have more stringent standards than does Illinois; therefore, he does not see this mandate being lightened or rescinded in Illinois. He seriously doubted that the City could back out from the contract once the work starts, but warned that if the City does not meet the mandated time schedule it can be sanctioned by the IEPA for non-compliance. Roll call:

AYES: 10 (Ald. Bruno, Burghart, Cummings, Kilburg, Maladra, Marks, Radecki, Seno, Simonian, Singer)

NAYS: 0 MOTION CARRIED

Approve Resolution 2017-17 Authorizing Execution of a Contract with Chapman and Cutler for Bond Counsel Services Regarding Waterworks and Sewerage System Revenue Bonds, IEPA Series 2017

Moved by Ald. Bruno, seconded by Ald. Marks to approve motion as presented.  
Approved by unanimous roll call vote. (Omnibus Agenda). MOTION CARRIED

Approve Resolution 2017-18 Granting Conditional Sit Plan Approval or Graham's 318 Within the B3 Business District (Robert Untiedt)

Moved by Ald. Bruno, seconded by Ald. Marks to approve motion as presented.  
Approved by unanimous roll call vote. (Omnibus Agenda). MOTION CARRIED

Approve Resolution 2017-19 Authorizing Execution of an Economic Incentive Agreement Between the City of Geneva and MyNosh, LLC

Moved by Ald. Bruno, seconded by Ald. Marks to approve motion as presented.  
Approved by unanimous roll call vote. (Omnibus Agenda). MOTION CARRIED

**PRESENTATION OF ORDINANCES, PETITIONS, RESOLUTIONS, AND BID AWARDS**

None

**NEW BUSINESS**

Leaf Pickup Rescheduled for March 13

Dir. Babica noted that the leaf pickup has been rescheduled to begin March 13 in zones A and C. Zone B was completed last fall before the program was suspended. He said the new dates will be publicized.

Birthday Wishes from Ald. Radecki

Ald. Radecki wished his deceased father a happy birthday, who would have turned 100 today.

**ADJOURNMENT**

There being no further business, moved by Ald. Simonian, seconded by Ald. Seno to adjourn the Geneva City Council meeting. Carried unanimously by voice vote.

The meeting adjourned at 9:11 p.m.

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Lynn P. Landberg, City Clerk

## EXHIBIT A

During last week's Committee of the Whole meeting I thought the mayor was not correct by directing Chairman Radecki and the Secretary to count my present and abstention votes as a vote for the majority. Instead of questioning whether the mayor was incorrect, I decided to get my facts straight and address it tonight. Unfortunately, after last week's meeting at about 10:16 pm I received a text from a reporter stating "Call me. Burns accused you of being unethical". According to the mayor and I quote "Ethics laws require an elected official to disclose any and all business relationships he or she has with a petitioner seeking approval before the city. Tonight, was a flagrant violation of ethics rules, and what we witnessed was disheartening on multiple levels. Simonian should have recused himself both from the discussion and the vote."

I don't take lightly when anyone accuses me of being unethical, so I had my attorneys look into the mayor's allegations and they provided the following opinion:

[Attorney's Opinion]

I would like my comments as well as the Kane County Chronicle article and my attorney's opinion entered into the records. I also will be abstaining from both of the votes this evening as well as I am requesting that the City's legal counsel direct the mayor to remove my votes from the COW majority vote and register my votes as neither majority or minority votes. The votes should be registered as a present vote and an abstention vote. I would also ask that my abstention votes this evening not be registered as neither a majority nor minority vote but as an abstention vote. Lastly, I mentioned in the alleged ethics violation article if I was wrong I would be willing to apologize. Per my attorneys opinion the allegations against me were obviously false. I hope that the mayor is honorable enough to apologize for his false allegations and the reporter does a follow-up article that the mayor's allegations were false and that calling out Simonian on ethics violations was a mistake.



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February 17, 2017

**Via E-Mail**

Thomas Simonian  
921 S. Batavia Avenue  
Geneva, IL 60134

**Re: Question Regarding Alleged Conflict of Interest**

Dear Mr. Simonian:

You have inquired whether you have a legal conflict of interest arising under your capacity as a duly elected Alderman and a mayoral candidate in the City of Geneva (the "City") in relation to the proposed three-lot subdivision (the "Development") of Fargo Enterprises, Inc. ("Fargo") on Kaneville Road, Geneva, Illinois. The request stems from the fact that your campaign committee (Simonian for Geneva, Inc.) has engaged Fagans Inc. ("Fagans"), to assist with your mayoral campaign. Joseph Stanton is the sole owner of Fargo Enterprises, Inc. and Fagans.

As an initial matter, it is my understanding that neither you nor Simonian for Geneva, Inc. possesses any ownership interest in the Development, Fargo, Fagans or any other entity in which Joseph Stanton conducts business. Rather, Simonian for Geneva, Inc. has engaged Fagans to assist in campaign work. It is my understanding that Fagans regularly assists local campaigns in its capacity as a marketing, graphics and public relations firm.

At the February 13, 2017 Committee of the Whole meeting of the City of Geneva City Council, one agenda item included the request of Fargo for approval of: (1) a three-lot subdivision; and (2) a sidewalk variance. During the meeting, you voted "present" during the vote for approval of the three-lot subdivision, and you voted "abstain" during the vote on the issue of the sidewalk variance. The current mayor has indicated that you were required to recuse yourself from the agenda meeting and vacate the council chambers during deliberations. We disagree.

As further background concerning this issue, I understand that the current mayor himself previously engaged Fagans to assist him with his three previous mayoral campaigns, a congressional campaign and a Kane County Chairman campaign prior to his current campaign against you. I further understand that the current mayor never recused himself or abstained from any discussions before the Geneva City Council on the numerous occasions over the past twelve years when Mr. Stanton appeared before the City Council.

Illinois law provides guidance concerning when an elected official has a prohibited conflict of interest. For instance, the Illinois Governmental Ethics Act (5 ILCS 420/1, which applies to members of the General Assembly) states that when a legislator has a conflict of interest, he or she should abstain from taking official action. The State Officials and Employees Ethics Act (5 ILCS 430/1-1 *et seq.*, which applies only to State officials and employees) requires units of local government, such as the City of Geneva (the "City"), to adopt an ethics ordinance no less restrictive than the State Officials and Employees Act.

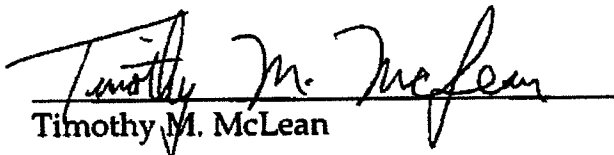
Following this lead, the City adopted by Ordinance 2004-41 on May 17, 2004 an ordinance entitled "Regulations of Ethical Conduct, Political Activities and the Solicitation and Acceptance of Gifts by Officers and Employees of the City of Geneva" (the "Ordinance"). The Ordinance does not prohibit you from voting on the Development had you chosen to do so nor does it provide any legal requirements above and beyond the steps you voluntarily took not to participate in the vote.

Robert's Rules of Order, which has been adopted by the City, states: "It is a general rule that no [elected official] can vote on a question in which he has a direct personal or pecuniary interest." (RONR 4th ed., Art. IX, 46). You have no pecuniary interest in the Development, Fargo, or Fagans, and you would not have had a conflict of interest had you voted (which you did not). Rather, out of an abundance of caution, you voted "present" or "abstain" when the matters were called for a vote. Under Robert's Rules of Order, your vote of "present" or "abstain" is considered to do nothing. It simply is not a vote as stated by the current mayor.

Further, we find no other requirement under applicable state law, the Code of Ordinances of the City, or Robert's Rules of order that an elected official must recuse himself in the situation described.

Very truly yours,

Clingen Callow & McLean, LLC

By:   
Timothy M. McLean

TMM/cf



# Burns calls out Simonian on ethics violation in Geneva

Published: Tuesday, Feb. 14, 2017 10:32 a.m. CST

GENEVA – Mayor Kevin Burns called out 5th Ward Alderman Tom Simonian on an alleged ethics violation when the alderman did not recuse himself from discussion and voting Feb. 13 on a petition from local developer Joe Stanton, with whom Simonian has a business relationship.

Simonian is running against Burns for mayor in the April 4 consolidated election.

“Ethics laws require an elected official to disclose any and all business relationships he or she has with a petitioner seeking approval before the city,” Burns said after the meeting. “Tonight was a flagrant violation of ethics rules, and what we witnessed was disheartening on multiple levels.”

Simonian should have recused himself both from the discussion and the vote, Burns said.

The same night, 3rd Ward Alderman Mary Seno recused herself by leaving the room for both the discussion and vote on a petition from Northwestern Medicine Delnor Hospital, where she is employed as a nurse.

Stanton is aiding Simonian’s campaign by doing printing jobs and by serving as an advisor, Simonian said.

Stanton’s petition is to build three houses on an 1.13-acre development at the southwest corner of Kaneville and Burgess roads. He sought a waiver from having to put in sidewalks along the south side of Kaneville Road and along the west side of Burgess Road because they would not connect to an existing sidewalk.

During two votes on the issue at the Committee of the Whole meeting Feb. 13, Simonian voted present and to abstain. Burns said his responses count toward the majority vote, which in both cases recommended that Stanton get the waiver on the sidewalks.

Simonian said he voted present and to abstain because he thought he was supposed to do it that way.

“I was trying to be transparent,” Simonian said. “I was trying to make sure I did not – in any way, shape or form – vote on the issue.”

Simonian said he did not know if Burns was right or wrong about the recusal requirement, but that he would speak with his attorney about it.

“If he’s right, I’ll apologize,” Simonian said. “And if not, I’ll entertain all the options I have available to me to address it.”

Simonian said Burns’ comments about his votes and not recusing himself were “nothing other than spite because Joe decided not to support him in this term.”

Final action on Stanton's sidewalk waiver request is scheduled to be taken by the City Council on Feb. 21.

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**Sidewalks on Kaneville Road****EXHIBIT B**

Singer, Ron

**Sent:** Thursday, February 16, 2017 4:57 PM**To:** shkutovs@gmail.com; jamie\_tate@me.com; hoffsuemmer@gmail.com; elh77@live.com; htwoodhouse@gmail.com; anaismiodek@gmail.com**Cc:** tsimonian@arrayenterprises.com; Marks, Richard; Radecki, Jim [aldjr56@yahoo.com]; Cummings, Jr., Donald B.; Kilburg, Dean; Seno, Mary; Seno, Mary; Singer, Ron

In regards to your emails,

The Geneva resident that owns the property and who plans to build his families home on the corner lot, asked the Planning Commission that no sidewalks be required on Kaneville or Burgess. His argument was the property would have sidewalks that lead to no where. He further argued that there was no reasonable expectation that additional sidewalks would ever be installed on Kaneville or Burgess. The Planning Commission agreed with him on Kaneville but argued that Burgess was a shorter and less traveled street, therefore required him to build the sidewalks.

The property owner had the right to appeal this decision but did not. So my vote at the Committee of the Whole was not on a request from the property owner, but solely on whether I supported the Planning Commissions decision.

I agreed with the Planning Commissions decision because I felt it would be dangerous to encourage the use of a sidewalk on Kaneville that would go 200 feet and stop. Both adults and children would be more apt to cross a busy street in the middle of the block than go back and use the cross walk. I wasn't sure how I felt about the sidewalk on Burgess, but since the property owner was not contesting the decision, I voted to support the Planning Commissions demand to add the Burgess sidewalk.

My decision was based on what I felt was the safest for the residents of Geneva. In my opinion a sidewalk on Kaneville would not be a safe route. Just the opposite. I have suggested sidewalks be installed in another area of town where I believe they would be a safe route to a bus stop. In both cases my position is based on what I feel is best for the residents of Geneva.

With the best of your interests,

Ald.4th Ward Ron Singer