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1 message

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COD trustees vote to cut ties to Glen Ellyn
Board unanimously endorses deannexing
By Christopher Placek Daily Herald
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[PHOTO] The College of DuPage board of trustees Wednesday unanimously endorsed a resolution to seek deannexation of the college's 273-acre campus from the village of Glen Ellyn. Scott Sanders | Staff Photographer

For 39 years, the College of DuPage has been a part of the village of Glen Ellyn.

But on Wednesday, COD's board of trustees formally endorsed a resolution seeking to disconnect the 273-acre campus from the municipality.

In a unanimous vote, the seven-member board agreed to authorize college President Robert Breuder "to take all action necessary" to deannex.

"We all know divorces happen in life," Breuder said. "In our mind we have a marriage that is broken. Let's just move ahead and agree this partnership doesn't work anymore."

COD Board Chairman Dave Carlin said trustees didn't take the decision lightly, but acknowledged "it was a long time coming."

The decision came hours before a village deadline of Dec. 1 went into effect, in which officials have said they plan to issue citations and stop work orders on ongoing construction at COD if the projects don't comply with local codes.

The two sides have battled in and out of court since 2007, when the college began a major construction program. COD officials maintained that the college wasn't subject to local review or inspection of the buildings. Earlier this month, DuPage County circuit Judge Terence Sheen ruled that the college may be subject to local building codes — a decision that spurred village officials to issue the Dec. 1 deadline.

The college's resolution passed Wednesday says the village placed "unnecessary demands for regulatory compliance" upon the college that has led to "an unnecessary financial and operational strain."

Disconnection was seen as a "drastic, albeit necessary, last step,"

according to the resolution.

In a Nov. 23 letter to Breuder, Village Manager Mark Franz requested that the college obtain building permits for all current construction projects, including the east portion of the Berg Instructional Center, outdoor amphitheater, tennis courts, new road extension of College Avenue and all parking lot projects. Stormwater permits had been issued for some of the projects — but not building permits, Franz said.

In a response sent to the village Wednesday, Tom Glaser, COD's senior vice president of administration, wrote that most of the projects are 95 percent complete, and are scheduled to be done by Dec. 15 — before winter weather begins. He said the college has provided the village with plans for all the projects and those have been reviewed. The college would allow the village's inspectors to come to campus for any ongoing project with 24 hours notice, but only for "logistical and security purposes," Glaser said.

"Further threats of litigation and enforcement actions are not consistent with Judge Sheen's direction to work cooperatively together," he wrote.

Breuder said after the COD board meeting that the college would agree to have village inspections on the east portion of the BIC building.

The village also requested that the college pay \$35,960.59 in plan review and inspection fees for the college's four newest buildings. COD officials said they sent a check for \$25,062.59 Wednesday afternoon. The difference reflects "direct costs incurred by the college in addressing (a) backflow preventer issue" at the BIC East, Glaser said.

College officials have said the village approved use of a similar system in 2009, with the opening of the Health Sciences Center. For the cost of about \$10,000, the college hired its own fire safety consultant "to demonstrate the capability of the current backflow prevention system," according to a recent COD news release.

COD officials also say they have given the village \$1,800 — per Franz's request — to receive final certificates of occupancy for the college's four newest buildings.

Breuder said the payments were made Wednesday "as a way to help rethink this and not come in tomorrow with SWAT teams."

Prior to the COD board meeting — and before receiving Glaser's letter — Franz said during a meeting with the Daily Herald editorial board that any decision on deannexation wouldn't stop the village from potentially issuing citations and stop work orders Thursday.

Staci Hulseberg, the village's director of planning and development, said fines could be as high as \$750 per day, per offense. If the college objects, the matter could be taken to court, she said.

Last summer, the village issued stop work orders and citations when the college began installing 3,900 square feet of signage around campus.

If the village does the same thing Thursday, Breuder said he told the college's contractors to keep working.

COD attorney Ken Florey said the next step in the disconnection process is to get a surveyor to put together a deannexation map. The college can then either petition the village for deannexation, or file suit in circuit court.

The process could take as little as three months, he said.

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