



Village of Downers Grove Meeting Minutes Downers Grove Village Council

Civic Center
801 Burlington
Downers Grove, IL 60515
630-434-5500

Mayor: Brian Krajewski
Commissioners: Michael Gilbert, Sue McConnell, Marilyn Schnell, Thomas Sisul
Village Manager: Michael McCurdy
Village Attorney: Daniel Blondin
Village Clerk: April Holden

Tuesday, March 6, 2001

6:30 pm

Council Chambers

1. Call to Order

Mayor Brian Krajewski called the regular meeting of the Village Council of the Village of Downers Grove to order at 6:30 p.m. in the Council Chambers of the Downers Grove Village Hall.

Pledge of Allegiance to the Flag

Mayor Krajewski led those present in the Pledge of Allegiance to the Flag.

2. Roll Call

Present: Commissioner Sue McConnell, Commissioner Michael Gilbert, Commissioner Thomas Sisul, Commissioner Marilyn Schnell and Mayor Brian Krajewski
Non Voting: Village Manager Michael McCurdy, Village Attorney Daniel Blondin and Village Clerk April Holden

3. Minutes of Workshop and Council Meetings

Council Meeting - February 20, 2001

Workshop Meeting - February 27, 2001

Commissioner Gilbert asked that a change be made to the first sentence of his comments about Midwestern University on page 5. He requested that the sentence read "Commissioner Gilbert said the Village is privileged and pleased to have the University here." There being no further additions or corrections to the minutes, Mayor Krajewski said they would be filed as submitted.

4. Public Comments and Questions

A. Comments and Questions on Active Agenda

1. Rita Martin, 4942 Montgomery, asked why the Village needs to sell \$4.5 million of General Obligation Bonds. She also had questions regarding cost of service and what the bonds cover.

Mayor Krajewski said the Village is acquiring the Johnson Printing property and is selling the bonds for the purchase of the property. Ms. Martin asked what the service would be on the bonds on an annual basis. The Mayor said it would be 5.85% or approximately \$232,000 for the year. He said it is short-term financing as the Village does not intend to hold the property for a long period of time. The Village intends to redevelop the property.

Ms. Martin said she thought the Village decided it would not be involved in purchasing real estate and redevelopment of property anymore. The Mayor responded that in 1997 the Council adopted the Lakota Plan for the downtown infrastructure and redevelopment. Ms. Martin said that she thought the TIF revenue takes care of itself; however, she said the general public will be paying for this financing. The Mayor said it would come out of the TIF revenue, and will not cause the levy to increase.

Ms. Martin asked whether the Village is allowed to do this because it is a home rule community. Village Attorney Blondin said both home rule and non-home rule communities would be allowed to do this under the TIF. The Village qualifies to enact the TIF pursuant to state statutes.

B. Comments and Questions on General Matters

1. Dave Brown, 1508 Gilbert, said he asked a question a few weeks ago related to Ms. Martin's earlier question and was referred at that time to the Lakota Plan. He said that he looked at the Lakota Plan, and said he believed the actions taken by the Council regarding downtown seem to be happening behind closed doors and that is disturbing to him. He said he knows that the Village is purchasing the Johnson property for \$4.5 million, and there are apparently some other properties in the works for purchase such as 944 Curtiss, 939 Curtiss and 945 Curtiss. He has been told that the Fannie May and Muriel Mundy buildings are also close to being closed on, and there are many vacant store fronts on Main Street. His understanding is that this is an attempt to assemble a large parcel of land for development. If that is the fact he has several questions. He sees the Fannie May building and Muriel Mundy as buildings on which the character of the downtown area should be built, and they should not be destroyed. In Hinsdale, they would be nicely restored to be in keeping with the original character of that village. He would be upset if those buildings were leveled as they could not be replaced.

In the Lakota Plan, Mr. Brown said it was also stated that if the Post Office were willing to abandon its site it could also be considered for development. He also looks at the Post Office as one of the authentic landmarks of Downers Grove. It is a WPA building with architectural integrity. He said the potential acquisition of these parcels appears to bring in a debt level of perhaps between \$8-12 million. He has qualms with this action, although he understands the purpose. He sees this as a curious way to run the TIF, because as he understands it, the intention of the TIF and Lakota Plan was to revitalize the downtown retail area. Instead it appears as if the intent now is to abandon revitalization for development. If these parcels are all handed over to one developer, then about 33% of the Village's downtown area will be under the ownership of one developer who would control the destiny of downtown. If that property or land is vacated, the developer could ask whatever it wants, and could leave the downtown as a vacant shell. Assuming all of this is correct, Mr. Brown said they are looking at another 3-5 years of construction for the downtown area, which would further limit the parking and limit the business potential of whatever businesses remain.

Mr. Brown said he recently came across Senate Bill 0459, a Quick Take Amendment for Downers Grove being sponsored by State Senator Dillard. He said Quick Take Amendments have come under criticism in many communities because they seize private property. He asked when this was requested and by whom, and for what reason. He said that he has been before the Village many times discussing historic preservation issues and has heard often that there is no historic preservation district because the Village wants to maintain the integrity of property rights. He said there could be little to trample property rights more than thirty-day seizures. Another concern of his is that this is targeted in a zone where the parking deck is, which is not a subject of blight. It would not be condemnation of a blighted property caused by negligent land-owners. They would basically be condemning legitimate small businesses for whose benefit? He does not think that is a healthy course to pursue.

Mr. Brown said that in the Block 117 Station Crossing RFP, one of the tenets held by the Task Force was that it should not be developed as rental property. The RFP does not prohibit rentals which seems to him to violate the basic tenet upon which this study was approached. The idea was to bring in a high profile empty-nester demographic to the downtown into condominium units which would be vested in the community, not rental units. He repeated his concern about assembling a large parcel which appears to be a rapid-fire single-trick process

to solve all of the necessary requirements of the TIF funding and the revitalization of downtown. While he is sure the Village is talking with competent developers, he feels that one development of such scale would dominate the character of the community so that it no longer has the inherent characteristic of many individual units from many individual developers or property owners. It would, in a sense, turn authenticity into contrivance.

Mr. Brown said he does not intend to impugn the work the Council is doing, or to say that the Council is intentionally trying to lead them down a wrong path. He is merely trying to participate in a process that he is not exposed to, and virtually no residents are exposed to. It is a concern of the residents. It is as much the residents' downtown as it is the downtown of the businessmen or the Chamber. He would like to see this issue opened up.

The Mayor said he is sure there are many property owners being contacted by others to purchase their property, as occurred with Grove Premium. He said the Village is not interested in the Muriel Mundy property and does not know whether it is for sale or not. He said that the Council has mentioned that once the Village owns the Johnson property, together with its ownership of the Curtiss lot, there will be many residential meetings to discuss what should be put there before any development begins. They would be moving a printing company that does not belong in the downtown area into an industrial park and redevelop that area. There will be participation from the residents. Regarding the Curtiss properties mentioned, the Mayor said the Village is putting up a parking deck and that has not been a secret. The deck is planned to be constructed between Curtiss, Washington, Maple and Main Street and will be an 800 car garage. Desman has been hired to do the design and engineering. In late 1999 Grove Premium owners chose to put their property up for sale. The parking garage took a portion of their back parking lot and the Village submitted an offer of \$1.1 million to purchase the entire parcel from Grove Premium. That offer was ignored and the owners sold to someone else for the same price. The Village is now talking with the new owners regarding its previous offer as well.

Concerning Senate Bill 0459, the Mayor said that the Village spoke to a State Senators about the ability to acquire parcels of land for the parking deck. Staff has been speaking to the owners of some of those parcels of land, and some parcels are tied into extremely long leases. The Quick Take authority may provide the Village the opportunity to acquire those parcels prior to the expiration of the leases. With or without the passage of S.B. 0459, the Village is working toward developing the parking deck and Desman is designing it at this time.

2. Tim Hart of 945 Curtiss said he owns the body shop at 939 Curtiss, and he is a member of the Downtown Management Board. He stated that everything discussed at this meeting has been open conversation for a long time as part of the Lakota Plan. He said his house and his property may be relocated as part of the Plan. The body shop he owns is 70 years old. He rewired the building and put \$70,000 in upgrading it. As far as any historic value, costs to rehab the building would be astronomical. Regarding new tenants for the downtown area, he said that the Downtown Management Board has actively been pursuing that, however, the stores are not big enough to draw bigger businesses. Rehab of the Fannie Mae building probably would also be cost prohibitive. He noted that sprinkler systems are needed in the buildings. These issues have been discussed at the Downtown Management Board and Mr. Hart said it has not been a secret. He has been attending meeting for five or six years and believes these issues have not been secretive, and are for the benefit of the downtown.

The Mayor noted that the Village looked at the idea for a parking deck about five years ago.

3. John LeDonne, 1221 Parkway, asked if the Quick Take legislation were passed whether it would only apply to the property described in the legal description in the Bill. The Mayor said that was correct. If other property were also to be considered, they would have to go back to

the State Legislature. He stated that the Quick Take bills usually come up only every few years or so.

4. Vincent Barrett, 4921 Highland Avenue, asked about the Quick Take Bill being specific to Downers Grove. The Mayor responded that it is an amendment to an existing bill. Village Attorney Blondin responded that the existing Quick Take provision has thirty or more amendments, and it is not always tied into a TIF district. The Mayor said they might see one in the future concerning an underpass for Belmont Avenue, which is not a TIF district. Mr. Barrett then asked what the role of the Zoning Board of Appeals is in the petition including Downers Grove in the Quick Take provision. He said it seems that the purpose behind this is to limit the amount of time it takes to condemn property. The Mayor said that the Quick Take involves the same process as condemnation, but the property can be acquired sooner. Mr. Barrett asked what the advantage or disadvantage is for the property owner. The Mayor responded that the property owner would get the same price under either method. There is a situation in this case where one of the parcels of property needed for the parking deck has a 49-year lease left on it.

Commissioner Sisul said that the price is determined at the filing date, and the court determines the value of the property. This method is used often for various road projects.

The Mayor said that the real advantage for the Village is that surface parking will be replaced with a parking deck.

Mr. Barrett asked what other land they plan to apply this method to, and the Mayor said this is strictly for the off-street parking facility.

Mr. Barrett said the TIF was put in place for a specific footprinted area; however, he suspects that if the Quick Take is successful, it will serve as a template for other parcels that the Village would want to pursue in other areas. Mayor Krajewski responded that the Village is moving forward with the parking deck. It has been discussed since 1973, and the Village is far behind on this issue.

Mr. Barrett asked what other parcels are being discussed. The Mayor said they are not looking at the Quick Take for other parcels.

Commissioner Gilbert said that the Quick Take is a tool that could be used in other situations, but there are no plans to do so.

Mr. Barrett asked what the footprint is for the TIF District. Manager McCurdy said it was Maple to Washington to the north side of the tracks, Forest on the West including going down Gilbert back to Maple. From Forest it moves across Main Street on Franklin on the east side. Commissioner Gilbert said they would provide Mr. Barrett with a map. Mr. Barrett says he lives in proximity of the TIF district, and he might be in the footprint of that district. This is extremely important to him and he sees this approach that the Village is taking as a catalyst to possibly seize his property at some future time.

Commissioner Gilbert said the TIF District does not encompass Mr. Barrett's property, although it comes near it. He said that the Quick Take is a legal maneuver used for a specific purpose only. No one likes the tool of eminent domain. He added that there are a number of pieces to this puzzle that remain confidential and must remain so for a while longer. When possible, they will involve the public in the total process.

Mr. Barrett said that he will be diligent about following this process and how the Village approaches this issue.

Commissioner Schnell asked whether the Council could get copies of the legislation so the legal descriptions are available if questions are asked. The Manager said he would provide that information to the Council members.

5. Rita Martin, 4942 Montgomery, said she has a copy of the original Lakota Plan, noting that many changes have been made to the original plan. She said that the Village has departed considerably from the original plan. She does not think the Plan was very realistic in some areas. She thought the original plan was very interesting, and very heavily marketed to the public. Regarding the result to date, she is not pleased with it. Concerning the Quick Take, Ms. Martin said she considers this a very conservative community. When something like Quick Take comes forward as being a good way to do things, she believes it offends every person who has regards for private property and for a citizen's rights to keep their property. As far as the public good is concerned, Ms. Martin said that perhaps there should be a referendum as to whether or not the 50,000 residents of Downers Grove agree that this is a good idea.

The Mayor asked Ms. Martin if she felt that taking a few parking spots and building an 800-car parking deck is not a good idea. Ms. Martin responded that taking anything from a citizen without due process is not a good thing. If they willingly sell it, that's a different story. She asked why the Village will need an 800-car parking lot since there are fewer and fewer reasons to go downtown with businesses leaving.

6. Dave Brown, 1508 Gilbert, said he was surprised that the Lakota Plan was never adopted by the public, and there was no referendum. He said it appears now that it is far afield of the original plan and still has no concrete public approval. Mr. Brown said that it seems the Village has taken such drastic and expensive courses that accumulate a tremendous debt with no concrete feel about how much of the community is behind this. He always thought there had been a public vote involved with this, but he moved to the Village after the Plan was adopted. The fact that it was never tested is wrong.

Commissioner Gilbert said it has met the test of the public. It was out many times including Heritage Festival, and a number of other places. There were a number of public sessions to review the plan and the process took about 1-1/2 years of meetings before it was adopted. There were numerous meetings at the Library, Village Hall, Founders Hills, etc. There was a great deal of public approval. It was overwhelmingly approved by the people. Commissioner Gilbert said everyone he saw that went through the Plan, took the time to understand it and went to the meetings was very much behind the plan. It had public approval and a great deal of it.

The Mayor said that he was not on the Council when the Lakota Plan was approved. Residents of the community vote on who the Council members will be. Not all items that the Council takes action on will be voted upon by the general public.

Mr. Brown said that the document is a growing document, and is not benign, it is not stable, and it is not what it was six years ago. There is nothing in the Plan to predict turning over such a vast tract of land to a developer.

The Mayor said six years ago the Village discussed the parking deck and is now moving forward with it. He said that Mr. Brown might not agree that Johnson Printing Company should be moved out of the downtown to an industrial park. The TIF is a financial mechanism allowing them to move the printing company out of the downtown area. There is a financial risk for every year the Village holds the property and so they must move forward.

5. Public Hearings

6. Consent Agenda

COR 00-00379 Claim Ordinance: No. 5370, Payroll, February 23, 2001

Sponsors:Accounting

A motion was made to Approve this file on the Consent Agenda.

Indexes: N/A

BIL 00-00380 List of Bills Payable: No. 5371, March 6, 2001

Sponsors:Accounting

The Mayor said he gave his questions to the Village Manager yesterday.

A motion was made to Approve this file on the Consent Agenda.

Indexes: N/A

BID 00-00381 Bid: \$30,000 to Kenny Industrial Services for Sewer Jetting

Sponsors:Public Works

A motion was made to Approve this file on the Consent Agenda.

Indexes: Sewer Jetting

BID 00-00391 Bid: Vehicles:

Eight Ford Taurus sedans from Terry's Ford for \$112,338.00

One Ford Ranger pickup from Terry's Ford for \$12,280.00

Sponsors:Deputy Village Manager

Summary of Item:Eight Ford Taurus sedans from Terry's Ford for \$112,338.00

One Ford Ranger pickup from Terry's Ford for \$12,280.00

A motion was made to Approve this file on the Consent Agenda.

Indexes: Vehicle Purchases

Passed The Consent Agenda

A motion was made by Commissioner Schnell, seconded by Commissioner Sisul, that the consent agenda be passed. The motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Sisul, Commissioner McConnell, Commissioner Gilbert and Mayor Krajewski

7. Active Agenda

ORD 00-00356 Ordinance: Rezone 3850 Venard from R-1 to R-3

Sponsors:Zoning Board of Appeals

Summary of Item:At their meeting of December 6, 2000 the Zoning Board of Appeals recommended that the property commonly known as 3850 Venard Road be rezoned from R-1 Single Family Residence District to R-3 Single Family Residence District.

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, PASSED AND APPROVED APRIL 19, 1965, AS AMENDED, TO REZONE 3850 VENARD ROAD

ORDINANCE NO. 4254

A motion was made by Commissioner Schnell, seconded by Commissioner Sisul, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Sisul, Commissioner McConnell, Commissioner Gilbert and Mayor Krajewski

Indexes: Rezone 3850 Venard - R-1 to R-3, Venard, 3850 Rezone from R-1 to R-3

ORD 00-00357 Ordinance: Authorize Expansion of Special Use for Automobile Repair and Service Shop - 721 Ogden Avenue

Sponsors:Zoning Board of Appeals

Summary of Item:At their meeting of December 6, 2000 the Zoning Board of Appeals unanimously recommended that the existing Special Use for 721 Ogden Avenue be amended to permit construction of an addition to an existing auto repair facility of approximately 1,712 square feet.

AN ORDINANCE AMENDING A SPECIAL USE FOR 721 OGDEN AVENUE TO AMEND AN EXISTING SPECIAL USE TO PERMIT EXPANSION OF AN EXISTING AUTOMOBILE REPAIR AND FACILITY

ORDINANCE NO. 4255

A motion was made by Commissioner Sisul, seconded by Commissioner Gilbert, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Sisul, Commissioner Gilbert, Commissioner McConnell, Commissioner Schnell and Mayor Krajewski

Indexes: Special Use - 721 Ogden Avenue

ORD 00-00358 Ordinance: Adopt 2001 Foreign Fire Insurance Tax Board Budget

Sponsors:Fire Department

Summary of Item:Adoption of this ordinance will approve the FY 2001/02 budget as recommended by the Downers Grove Foreign Fire Insurance TaxBoard.

AN ORDINANCE ADOPTING THE DOWNERS GROVE FOREIGN FIRE INSURANCE TAX BOARD BUDGET

ORDINANCE NO. 4256

A motion was made by Commissioner Gilbert, seconded by Commissioner McConnell, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Gilbert, Commissioner McConnell, Commissioner Sisul, Commissioner Schnell and Mayor Krajewski

Indexes: Foreign Fire Insurance

ORD 00-00359 Ordinance: Amend Certain Provisions of the Fire Prevention Code

Sponsors:Fire Department

Summary of Item:Adoption of this ordinance will clarify certain provisions of the Municipal Code pertaining to the requirements for automatic sprinkler systems.

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE FIRE PREVENTION CODE

ORDINANCE NO. 4257

A motion was made by Commissioner McConnell, seconded by Commissioner Schnell, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Schnell, Commissioner Gilbert, Commissioner Sisul and Mayor Krajewski

Indexes: Building Code

ORD 00-00367 Ordinance: Rights and Responsibilities Related to Locally Imposed and Administered Taxes of the Village of Downers Grove

Sponsors:Financial Services

Summary of Item:Adoption of this ordinance will establish certain procedures for the administration and enforcement of Village of Downers Grove tax ordinances.

AN ORDINANCE IN CONNECTION WITH RIGHTS AND RESPONSIBILITIES RELATED TO LOCALLY IMPOSED AND ADMINISTERED TAXES OF THE VILLAGE OF DOWNERS GROVE

ORDINANCE NO. 4258

A motion was made by Commissioner Schnell, seconded by Commissioner Sisul, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Sisul, Commissioner McConnell, Commissioner Gilbert and Mayor Krajewski

Indexes: Tax Ordinance

ORD 00-00368 Ordinance: Amend Stormwater Management Permit Fees

Sponsors:Stormwater & Flood Plain Commission

Summary of Item:At their meeting of November 16, 2000, the Stormwater and Flood Plain Oversight Committee recommended revisions to the fees charged by the Village for stormwater management permits.

AN ORDINANCE AMENDING STORMWATER MANAGEMENT PERMIT FEES

ORDINANCE NO. 4259

A motion was made by Commissioner Sisul, seconded by Commissioner Gilbert, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Sisul, Commissioner Gilbert, Commissioner McConnell, Commissioner Schnell and Mayor Krajewski

Indexes: Stormwater Management Permit Fees

RES 00-00382 Resolution: Authorize Submittal of Grant Application to the National Fish and Wildlife Foundation re: Lacey Creek

Sponsors:Deputy Village Manager

Summary of Item:This will authorize submittal of Five Star Restoration Challenge Grant application by the Village to the National Fish and Wildlife Foundation in the amount of \$20,000 to support a wetland restoration project.

A RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO THE NATIONAL FISH AND WILDLIFE FOUNDATION

RESOLUTION NO. 2001-22

A motion was made by Commissioner Gilbert, seconded by Commissioner McConnell, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Gilbert, Commissioner McConnell, Commissioner Sisul, Commissioner Schnell and Mayor Krajewski

Indexes: Lacey Creek, National Fish and Wildlife Foundation

RES 00-00383 Resolution: Authorize Submittal of Grant Application to the U.S. Department of Justice for the COPS MORE 2001 Program

Sponsors:Financial Services and Police Department

Summary of Item:This will authorize submittal of a Cops More 2001 grant application by the Village to the US Department of Justice in the amount of \$235,142.00 for the purchase of thirty (30) laptop computers and related software programs for its police vehicles. Note, the Village must also contribute funding in the amount of \$82,618.00 as a condition of receiving the grant.

A RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE FOR THE COPS MORE 2001 PROGRAM

RESOLUTION NO. 2001-23

Commissioner Gilbert said this grant application brings in \$235,142 for the purchase of the computers.

The Mayor asked whether staff is confident in getting this amount. The Manager said that while he did not want to speak on behalf of the grantors, staff is fairly comfortable and optimistic about the grant application. The final decision will not be made until early fall 2001. The purchasing timetable would be within a couple of months of approval of the application.

Commissioner Schnell asked about the software decisions. Manager McCurdy said that this is a fairly standardized type of software product and the investigation process has started. He said that there are not many vendors who provide the software for the public safety systems. These are programs which have been used in other areas of the country already. Ultimately, it will be integrated into the CAD system.

A motion was made by Commissioner McConnell, seconded by Commissioner Schnell, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Schnell, Commissioner Gilbert, Commissioner Sisul and Mayor Krajewski

Indexes: Computers, Police Equipment

RES 00-00384 Resolution: Authorize Submittal of Grant Application to the Illinois Department of Transportation for the Child Safety Seat Program

Sponsors:Financial Services and Police Department

Summary of Item:This will authorize submittal of a Child Safety Seat Program grant application by the Village to the Illinois Department of Transportation in the amount of \$51,473.00 for the purchase of child safety car seats.

A RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR THE CHILD SAFETY SEAT PROGRAM

RESOLUTION 2001-24

A motion was made by Commissioner Schnell, seconded by Commissioner Sisul, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Sisul, Commissioner McConnell, Commissioner Gilbert and Mayor Krajewski

Indexes: Child Safety Seats

RES 00-00392 Resolution: Authorize Grant to DuPage Senior Citizens Council

Sponsors:Social and Health Services

Summary of Item:This will authorize funding for two programs administered by the DuPage Senior Citizens Council for Fiscal Year 2001/02. The Nutrition and Home Maintenance Services will be funded in the amount of \$18,276.63.

A RESOLUTION AUTHORIZING GRANTS TO THE DUPAGE SENIOR CITIZENS COUNCIL

RESOLUTION 2001-25

A motion was made by Commissioner Sisul, seconded by Commissioner Gilbert, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Sisul, Commissioner Gilbert, Commissioner McConnell, Commissioner Schnell and Mayor Krajewski

Indexes: DuPage Senior Citizens Council

ORD 00-00394 Ordinance: Authorize Amendment to Special Use to Indian Boundary YMCA

Sponsors:Zoning Board of Appeals

Summary of Item:At their meeting of January 26, 2001 the Zoning Board of Appeals unanimously recommended that the existing Special Use for 711 59th Street be amended to amend the existing Special Use to expand the existing parking facility and construct a pavilion.

AN ORDINANCE AMENDING A SPECIAL USE FOR 711 59TH STREET TO AMEND AN EXISTING SPECIAL USE TO PERMIT EXPANSION OF AN EXISTING PARKING FACILITY AND A PAVILION

ORDINANCE NO. 4260

A motion was made by Commissioner Gilbert, seconded by Commissioner McConnell, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Gilbert, Commissioner McConnell, Commissioner Sisul, Commissioner Schnell and Mayor Krajewski

Indexes: Special Use - YMCA

ORD 00-00378 Ordinance: Provide for the Issuance of \$4,500,000 Taxable General Obligation Variable Rate Bonds, Series 2001

Sponsors:Village Attorney

Summary of Item: This will authorize \$4,500,000.00 in taxable short term bonds. Proceeds will be used to pay acquisition costs for the Johnson parcels.

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$4,500,000.00 TAXABLE GENERAL OBLIGATION VARIABLE RATE BONDS, SERIES 2001, OF THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS, AND PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID BONDS

ORDINANCE NO. 4261

A motion was made by Commissioner McConnell, seconded by Commissioner Schnell, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Schnell, Commissioner Gilbert, Commissioner Sisul and Mayor Krajewski

8. Mayor's Report

1. *Proclamation: The Mayor declared the week of March 11-17, 2001 as Girl Scout Week in the Village of Downers Grove.*

2. *Lieutenant Governor's Award: The Mayor said that he nominated Liz Chalberg for the Illinois Woman of Achievement Award, and she will be receiving that award on March 19th at the Union League Club in Chicago.*

Materials to be Received - Minutes

Community Events Commission - 2/12/01

Liquor Commission - 2/1/01

Parking & Traffic Commission - 1/16/01

Zoning Board of Appeals - 1/24/01 (with 2/8/01 letter from Park District)

Mayor Krajewski said the Liquor Commission was unable to meet this month and was therefore unable to approve the minutes.

A motion was made by Commissioner Schnell, seconded by Commissioner Sisul, to Note Receipt Of this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Sisul, Commissioner McConnell, Commissioner Gilbert and Mayor Krajewski

Concerning the letter from the Park District, Mayor Krajewski asked for a motion remanding the petition back to the Zoning Board of Appeals.

MOT 00-00416

Motion: Remand Petition C-2-01 Back to Zoning Board of Appeals

Sponsors: Mayor

Summary of Item: Motion to remand petition C-2-01 back to the Zoning Board of Appeals for further proceedings pursuant to Section 28-1901 of the Zoning Ordinance to identify the specific conditions cited in the Board's motion of January 24 and to determine whether these have been addressed. In addition, the Board shall consider such additional materials and evidence as they deem relevant to the standards necessary for approval of this matter.

A motion was made by Commissioner Schnell, seconded by Commissioner Sisul, to Refer this file to the Zoning Board of Appeals. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Sisul, Commissioner McConnell, Commissioner Gilbert and Mayor Krajewski

Indexes: Park District, Zoning Board of Appeals - Minutes 1/24/01

Materials to be Received - Monthly Reports

Materials to be Placed on File

9. Manager's Report

Manager McCurdy said the Police Department has started issuing progressive tickets in the CBD, and reminded the public that if they receive three tickets in a 60-day period, the third ticket will result in a fine of \$100. He said that adjustments in the parking lots will also be made for the consolidation of employee parking in the CBD. The Mayor asked whether there is a statement printed on the first or second tickets warning that the third ticket will result in a \$100 fine. The Manager said he would check.

10. Attorney's Report

Future Active Agenda

Village Attorney Blondin said he was presenting an Ordinance amending the Emergency Medical Services and Transportation fee, and an Ordinance amending the telephone communications tax rate to be considered on the March 20 Active Agenda. In addition there were six items previously presented which will be on the March 20 Active Agenda.

ORD 00-00385 Ordinance: Amend the Permit Provisions of the Stormwater and Flood Plain Ordinance

Sponsors:Stormwater & Flood Plain Commission

Indexes: Stormwater and Flood Plain Permit Provisions

ORD 00-00393 Ordinance: Extend Special Use for Phase II Midwestern University to March 7, 2003

Sponsors:Planning Services

Indexes: Special Use - Midwestern University

ORD 00-00386 Ordinance: Amend the Downers Grove Municipal Code re: Zoning Map

Sponsors:Planning Services

Indexes: Zoning Map

ORD 00-00387 Ordinance: Establish Fines for Open Burning

Sponsors:Fire Department and Police Department

Indexes: Open Burning - Fines

ORD 00-00388 Ordinance: Amend Taxicab Driver Licensing Requirements

Sponsors:Village Attorney

Indexes: Taxi Program

ORD 00-00390 Ordinance: Parking Restrictions on Whiffen Place

Indexes: Parking Restrictions - Whiffen Place

ORD 00-00389 Ordinance: Parking Restrictions on Brookbank Road

Indexes: Parking Restrictions - Brookbank Road

ORD 00-00400 Ordinance: Amend Downers Grove Municipal Code re: Ambulance Fee

Sponsors: Village Attorney

Indexes: Ambulance Fee

ORD 00-00401 Ordinance: Amend Downers Grove Municipal Code re: Telecommunications Tax

Sponsors: Village Attorney

Indexes: Telecommunications Tax

New Business

The Attorney said he was presenting a series of Ordinances under an Omnibus Motion related to the acquisition of properties for public purposes of a parking deck. He requested waiving the one-week period and adoption of these ordinances immediately.

Commissioner Schnell moved to waive the one-week waiting period to consider new business. Commissioner Sisul seconded.

AYE: Commissioners Schnell, Sisul, McConnell, Gilbert, Mayor Krajewski

NAY: None

The Motion passed unanimously.

MOT 00-00417 Motion: Omnibus Motion re: Acquisition of Property

Sponsors: Village Attorney

Summary of Item: Approval of this Ordinance will authorized acquisition of property at 1003-1009 Curtiss Street, 1001 Curtiss Street, 945 Curtiss Street, 933-939 Curtiss, 921,923, 927 Curtiss Street, 5202 Washington Street, 5212, 5214 Washington Street, 5207 Main Street, 5151 Main Street for the CBD parking deck and redevelopment project. The properties wholly or partially encompass the following Property Index Numbers 09-08-306-004, 09-08-306-005, 09-08-306-006, 09-08-306-007, 09-08-306-008, 09-06-306-024, 09-08-306-025 & 09-08-306-026, 09-08-306-039, 09-08-306-037.

Motion to adopt the Ordinances 4262, 4263, 4264, 4265, 4266, 4267, 4268, 4269, and 4270 as presented to the meeting by the Village Attorney, authorizing the acquisition of properties for public purposes of a parking deck and/or related to the Village of Downers Grove Tax Increment Downtown Redevelopment Plan and Project, as presented.

Commissioner Schnell asked if the properties in the Ordinance are for parking deck or access only. The Attorney said that was correct. The Mayor added that staff has talked to the owners of all of the properties involved in this Ordinance. Attorney Blondin said no further action will be filed or initiation taken without Council approval.

A motion was made by Commissioner Sisul, seconded by Commissioner Gilbert, to Authorize this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Sisul, Commissioner Gilbert, Commissioner McConnell, Commissioner Schnell and Mayor Krajewski

Indexes: Village Property - Acquisition

11. Council Member Reports and New Business

1. *Commissioner Gilbert commented on last week's discussion about portable fireplaces, and questioned whether staff will be investigating this further. Attorney Blondin said they are investigating how other communities are dealing with this topic.*
2. *Commissioner Schnell said she attended a seminar entitled Engaging Illinois Citizens which discussed how to get people involved in various aspects of civic activities. It covered how to teach them the process of getting involved, and the barriers to involvement. She said they had table discussions on how to address these barriers, and noted a book that was used in this discussion. The book can be viewed on civic.uis.edu on the Internet and she reviewed some of the topics in the book. She recommended discussing some of these issues further at another meeting. The book provides information on how to empower citizens in becoming active in their communities.*

The Mayor said that the more people who get involved, the better the community becomes. He said there have been great examples of involvement with the increase in membership in the Rotary Club, Lions Club, Junior Women's Club and the Chamber of Commerce. Commissioner Schnell said the discussion noted that as people understand the process, they look forward to getting involved and respond positively as growth results.

Commissioner Sisul said he would like to see discussions concerning participation in community activities on a future Workshop Agenda.

The Mayor said that on March 20 the Council will be voting on the telecommunications tax ordinance, as well as the implementation of the residence ambulance fee. He noted that the ambulance fees would be repaid by Medicare and the insurance companies. These two issues will result in a \$1 million revenue which will allow a rebate of property taxes in that amount as well.

The Mayor noted that he spoke to the 4th graders at Hillcrest School on State government. He said it was an excellent group.

12. Adjournment

Commissioner Schnell moved to adjourn to Executive Session pursuant to Sections 2(c)(3) (personnel), 2(c)(5) (real estate), and 2(c)(11) (litigation) of the Open Meetings Act. Commissioner Sisul seconded.

*VOTE: YEA - Commissioners Schnell, Sisul, McConnell, Gilbert, Mayor Krajewski
NAY - None*

Mayor Krajewski declared the motion carried and the Council convened into Executive Session at 7:49 p.m.