

MINUTES OF WORKSHOP MEETING

DOWNERS GROVE, ILLINOIS

JANUARY 8, 2002

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

Present: Mayor Brian Krajewski; Commissioners Marilyn Schnell, Thomas Sisul, Michael Gilbert, Sue McConnell, Martin Tully, Mark Zabloudil; Village Manager Riccardo Ginex; Village Attorney Daniel Blondin; Village Clerk April Holden

Absent: None

Visitors: **Press:** Susie Gura, Downers Grove Reporter, Colt Fautz, Downers Grove Sun
Residents & Others in Attendance: The Gammonley Group: Carrie Gammonley, John Conway, 322 W. Burlington, LaGrange; PPKS Architects: David Kennedy, Heather Knight, 444 N. Main St., Glen Ellyn; Marc Cella, MDC Properties, 907 N. Elm, Hinsdale; Economic Development Commission Members: Gary Vlk, Liz Chalberg, Phil Cullen; Downtown Management Board: Pat Wenthe; Peter Hultman, 1410 Gilbert; Dane Wendell, Woodridge; Mark Lopata, 5419 Grant; Andrew Clark, 1226 62nd St.; Christine Fregeau, 1918 Elmore; Andrew Dahle, 5232 Benton; David Reynolds; John Salley; Patti Crimer, 5447 Elinor; Dave Tatterson, 1240 Gilbert; Martin Sterr, 4709 Oakwood; George Nicholaou, 4845 Highland; Vincent Barrett, 4921 Highland; Shirley & Willis Johnson, 846 Rogers

Staff: Chrys Rymas, Stormwater Management; Jane Gerdes, Assistant Director, Public Works; Dave Van Vooren, Deputy Village Manager for Administration; Mary Scalzetti, Director, Community Events; Mike Baker, Assistant to the Village Manager; Mary Lyons, Director, Financial Services; Bob Schiller, Assistant Director, Public Works; Steve Rockwell, Director, Economic Development Commission; Cathy Schuster, Assistant Director, Economic Development Commission; Joseph Skach, Director of Redevelopment

Mayor Krajewski explained that Council Workshop meetings are held the second and fourth Tuesdays at 6:30 p.m. The meetings are video taped live and for later cable-cast over cable channel 6.

The Workshop meeting is intended to provide Council and the public with an appropriate forum for informal discussion of any items intended for future Council consideration or just for general information. No formal action is taken at Workshop meetings.

The public is invited to attend and encouraged to comment or ask questions in an informal manner on any of the items being discussed or on any other subject. The agenda is created to provide a guideline for discussion.

Manager Krajewski welcomed everyone back to the meeting following the Holiday break.

2001 Holiday Decorating Recognition Program Presentation

Mary Scalzetti, Director of Community Events, made presentations to the winners of the 2001 Holiday Decorating Recognition Program, which is in its 9th year. There were 30 homes nominated with five winners. Winners receive a commemorative ornament and certificate of appreciation, as well as their name on a plaque. Honorable Mentions were the Rakow Family at 4408 Washington Street and the Papineau Family at 203 Fifth Street; Third Place was Ms. Leila Portell at 661 61st Street; Second Place was the Kumeiga Family at 233 Maple Avenue and the First Place winner was the Bellavia Family at 410 Indianapolis Avenue. Ms. Scalzetti said the Downers Grove Junior Women's Club served as judges.

Mayor Krajewski also thanked the staff for the senior center bus trips of the holiday decorations, which consisted of a two-hour ride of the locations.

MANAGER

1. **Heritage Festival Budget.** Manager Ginex asked Ms. Scalzetti to make the budget presentation.

Mary Scalzetti, Director, Community Events, said that the Tourism and Events Committees approved the budget on December 17, 2001.

Ms. Scalzetti said that the budget figures include the 4th of July expenses as well. She indicated that last year's Festival was a great success.

Commissioner Gilbert asked if there was a discount for publications last year that is not there this year. Ms. Scalzetti said there was a sponsor last year. They've included the entire cost in the budget, but are looking for sponsorship.

Commissioner Tully asked for information regarding recouping the costs of Heritage Festivals over the past ten years. Ms. Scalzetti said that the budget was not compiled in the same manner as it is now. This system has only been done for the past two years. She said that the Festival pays for about 62% of the costs, and the Village picks up the rest. Last year's revenues were higher than expected, and the Village paid less.

The Mayor asked whether Westmont was sharing in the fireworks expense. Ms. Scalzetti said it is Woodridge, Darien and Downers Grove. The costs per municipality are based upon the population of the particular village.

2. **Gammonley Development Agreement.** The Manager asked Mr. Blondin to address this matter.

Village Attorney Daniel Blondin gave a brief background on the progress of the Station Crossing development, noting that the Village had entered into negotiations with another developer for the site, but those negotiations were unsuccessful. The Village is now entering into

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negotiations with the Gammonley Group. He described the land as one acre in size and presently under Village ownership. He said that a development agreement is being presented tonight and the Gammonley Group will be making its presentation. Attorney Blondin said that the Village would transfer the Station Crossing property to the Gammonley Group, and the developer would construct a 48-condominium building with 13,218 square feet of retail space. He said the Village will sell the property to Gammonley for \$86,000. A concept plan is included with the agreement. It is expected that there will be changes required under the Village's Zoning Ordinance, and some stormwater variation may have to be provided in the form of a fee in lieu of stormwater detention. He indicated that the Village is presently reviewing the stormwater situation for the downtown area. The stormwater will be better than what presently exists. Attorney Blondin said that the property will be subject to a PUD which would require approval by the Village Council.

The Mayor asked that the model be placed on the table. He asked for clarification regarding the stormwater detention. Attorney Blondin said it would be substantially greater than what presently exists.

Matt Klein, attorney for Gammonley Group ("Gammonley"), introduced the representatives in attendance including Carrie Gammonley, David Kennedy, John Conway and Marc Cella.

Carrie Gammonley said that Gammonley has been in business for 15 years. They consider this to be one of their finest projects. It will include a mixture of residential and business use.

The Mayor asked for an outline of municipalities in which they have worked. Ms. Gammonley said they worked in Oak Park, Clarendon Hills, Glen Ellyn, La Grange, and Western Springs.

David Kennedy said he has worked with Gammonley for six years. The proposed 48-unit project will fill the entire block and will include a plaza and open space. He outlined the plan and showed architectural renderings of the development proposed. They will have 41% open space. Retail will consist of approximately 13,000 square feet. Mr. Kennedy said they have taken the Tivoli Theatre into consideration in their design plan. He described the building, which will be primarily condominium with a townhome type entry to the units from the street level. He noted there would be seven units on the ground floor. The remaining units are entered from the main lobby and building elevator. Mr. Kennedy said there will be significant setbacks along the Highland Avenue side on the upper floors. Included in the design are large walk-out terraces, and materials that allow for articulation and scale. He said that all of the units have balconies, and many have terraces.

Commissioner Tully asked about the open space. Mr. Kennedy said the building is 25,000 square feet, leaving about 15,000 s.f. or 41.5% of open space. Half of the open space will be greenspace primarily surrounding the building on the northeast and west sides. The only paved space is sidewalk in front of the retail.

Commissioner Tully asked the setback from the building to Rogers. Mr. Kennedy said it was about 18' at the entry. Most of it is set 25' from the Rogers right-of-way.

Commissioner Tully then inquired as to the parking spaces. Mr. Kennedy said there will be 71 spaces in the building. The entrance is on the northwest corner of the site along Rogers with a

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two-way ramp going down to the parking. There are about 1.48 spaces per unit. Off-site parking would include seven spaces on the south side, with 24 spaces around the site.

Commissioner Tully asked about the anticipated selling price. Ms. Gammonley responded it would be between \$180,000 and \$350,000. She said there would be seven on-bedroom units, 15 one-bedroom units with dens, 19 two-bedroom units, some with dens, and 7 three-bedroom units.

Commissioner Tully asked Mr. Conley what the proximity of the project to Main Street would do to the flow of traffic. Mr. Conway said they are sensitive to the fact that Main Street has been just completed. The utilities required to serve the building are accessible without breaking pavement along Main Street. They will keep the heavy traffic off Main Street during construction. He said they do not anticipate any closure of Main Street.

Commissioner Schnell asked how far the entrance for the underground parking deck was from the intersection of Rogers and Main. Mr. Kennedy said it would be 50' from the curb. They would consider safety site lines.

Commissioner Schnell asked about paving of the terraces, and how drainage would work. Mr. Kennedy said that the pavers are set on pedestals that are self-draining into storm drains.

Commissioner Schnell asked about accessibility for Tivoli patrons during construction. Mr. Conway said that they will have a preconstruction meeting with the staff for the purpose of coaching as to the best times and locations for deliveries, utility locations, etc. The site will be fenced for both security and safety with a 6' high chain link fence.

Mr. Kennedy said they anticipate a 15-month timeframe from breaking ground to opening the retail area. Based upon the time required for plans and the permitting process, they anticipate beginning construction in the summer.

Commissioner Schnell asked about the variations they are requesting for density. Attorney Blondin said that the only text change would be density. They might also have to address height. He said that the parking provisions related to the number of spaces per unit may also have to be reviewed.

Commissioner Schnell asked how large a variation they would be seeking in terms of density. Attorney Blondin said they are looking at reducing the zoning requirement to about 820 square feet per unit. He said that the previous proposal for this development was 720 square feet.

Commissioner Zabloudil asked about the height of the building and the type of construction materials to be used. Mr. Kennedy said that the pre-cast concrete plank deck is used for the floor, which becomes the ceiling for the next unit. That saves in terms of building height. Because of the size of the retail and offset, they are looking at the possibility of steel construction in lieu of the current plans. That will increase the height. However, he pointed out that their analysis regarding the materials has not yet been completed. If they go with steel, it will be for the entire building.

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Commissioner Gilbert complimented Gammonley on their interesting design. He asked if they have spoken with any particular tenants to date.

Marc Cella, MDC Properties, said they spoke to several retailers at this point, some of whom have expressed preliminary interest. They have contacted softgoods clothing stores, restaurants, bookstores, coffeeshops, etc., to compliment and be an extension of the downtown.

Commissioner McConnell asked if part of the issue concerning a Zoning Ordinance amendment concerns the mixed use. Attorney Blondin said that was correct. The retail area has different requirements than the residential.

Vince Barrett, 4921 Highland, said he liked the proposed design. He asked where the right-of-way begins on Rogers. Mr. Kennedy said it is about 10'-15' south of the curb. Mr. Barrett then asked about the height since it was a significant issue during the preliminary committee meetings. He said he thought the parcel was zoned for 60' and the previous developer proposed a 55' building. Mr. Kennedy said that Rogers Street is about 6' lower than Warren. He said they have hip roofs located throughout the building, but they are not continuous roofs. There is only one area on Warren where the roof area rises at the centerline to about 61 or 62'. On Main Street the height drops down. The main cornice on Rogers is about 57'. He said that the height varies along the entire building.

Mr. Barrett asked if there were any plans in place to make Highland Avenue a one-way street going north. The Mayor replied there were no such plans.

George Nicholaou, 4845 Highland, said his concern is with parking. They are used to having a half-acre of parking on that site, and with the popularity of the Tivoli he asked if the Village is considering acquiring any parking to the east to provide additional parking space. The Mayor responded that the Village is looking at parking for the entire downtown area. They would like to work with METRA to locate the commuter lots in the parking decks to free up the commuter spaces for daytime shoppers. Mr. Nicholaou said that would be an excellent plan. People on the north side of the tracks would not utilize the proposed parking deck south of the tracks.

Marty Sterr, 4709 Oakwood, commended the group on their effort. He said one of his main concerns is also parking. He asked how the parking and height compare to the recommendations made by the Block 117 Task Force. The Mayor said staff would summarize that information.

Attorney Blondin said they are excited to move forward with the development of this plan. Staff is working with the developer on a few other details. This item will be on next week's Active Agenda for approval of the agreement. Following that the Council will revisit this in the final form as a Planned Development, similar to the landbank project.

Steve Rockwell, Director, Economic Development Commission, responded to the question of the Task Force recommendations. He said that Task Force made a recommendation of a 48' maximum height from Rogers to Warren, with a higher level on the Rogers side. They also recommended 30% open space, while this proposal is for 41.5% open space. Regarding parking, Mr. Rockwell said that residential parking is not required in the CBD, except when it exceeds the underlying B-2 district. The RFP requested two parking spaces per each two-bedroom unit.

The Mayor said, in response to Mr. Sterr's comments regarding the parking, that the commuter lots would be free at night for restaurant parking as well. Mr. Rockwell interjected that the RFP parking requirements as recommended by the Task Force were one space for every 500 square feet of gross floor area for office and retail uses, and 7.5 spaces per 1000 square feet for restaurants with or without a lounge. For residential uses, the requirements were 1 space for a one-bedroom unit, 1.5 spaces for a two-bedroom unit, 2 spaces for a two-bedroom unit up to 2,000 square feet, and 2 spaces for a three bedroom unit. Regarding the off-site parking, there are presently 19 spaces available, and the proposed development will increase that to 24 spaces.

The Mayor said the previous developer was looking for the land for free with approximately \$2 million in subsidies from the Village. This developer will purchase the land and is not seeking subsidies.

3. **Addendum to License Agreement with Verizon Wireless.** The Manager said that Verizon is being charged less than other providers; therefore, this addendum increases the rent to reflect the amount paid by other providers.
4. **Kupper Reimbursement Resolution.** The Manager said that in March 1999, the Council adopted a Resolution regarding the relocation assistance program regarding the downtown redevelopment project. Mr. Kupper's original request was for the maximum allowed. He said that the Manager is recommending payment in the amount of \$2,000.

Commissioner McConnell asked how they came up with the \$2,000. The Mayor said that Mr. Rockwell would provide them with that information.

5. **Local Agency Agreement for Federal Participation between IDOT and Village.** The Manager asked Jane Gerdes to explain this item.

Jane Gerdes, Assistant Director, Public Works, said this agreement requires approval by resolution that the Village will pay their share of the Fairview Avenue project. She said to maintain the schedule this would have to be approved tonight and the one-week waiting period would have to be waived.

The Mayor said there are two projects. He asked who heads up the project. Ms. Gerdes said these are from 1999 projects. She said that the Village is required to lead the STP projects and pay 100% of the engineering. In the subject project, IDOT opens the bids and enters into the construction contract.

Commissioner Gilbert asked about the schedule for the planned improvements to Maple and Fairview. Ms. Gerdes said that is IDOT's Naperville Road project anticipated to begin in two years. IDOT will also look at the entire intersection of Fairview and Maple and run the pipes to the interconnect at the intersection.

6. **Downers Grove Wetland Mitigation Bank Project.** The Manager said the County Department of Environmental Concerns is requesting a fee waiver for the project. He asked Ms. Rymas of Public Works to explain the item.

Chrys Rymas, Public Works, said the permit fee is \$18,618.63, or 3.25% of the wetland bank project cost.

Commissioner Schnell said she would prefer not to waive the fees as the project differs from other projects as this is not tax money. They are developer's dollars. She said she thinks the Village should get the fee money.

Commissioner Tully said that this is a project the Village has been involved in, which is one of the reasons for their request. It is important to discuss what the policy should be. He asked Ms. Rymas the source of the fee and what it means. He asked if it refers to the stormwater plan review. Ms. Rymas said it also includes inspection. She said the fee does not involve any stormwater site runoff. It is based on construction costs of the stormwater facilities portion of the project.

Commissioner Gilbert said he agreed they should set aside time to discuss the fee policy as a whole. He said that the money is now in the public domain.

Commissioner Zabloudil asked how much of the project is funded by developers' fees, and what are the sources of the funding.

Commissioner Schnell said it is her understanding that this is fully funded by money banked in the watershed. There are no government funds. That needs to be verified.

Commissioner McConnell asked about the process for reviewing this matter. The Mayor responded that it should be Workshopped in two weeks. Some of the fees are used for staff time involved in the project. He asked that staff see what other communities do as well. The Manager noted that this is just for stormwater.

Commissioner Schnell said they now have a consultant involved which is costing the Village money.

Commissioner Sisul said they should delineate the points they want to consider. He said he sees two issues: 1) the relationship of stormwater in this and other situations, and 2) the establishment of a cap on waivers. He asked if there were other issues for staff to review, and it was stated that staff should review what other communities have as their policies. Commissioner Sisul asked if there would be any problem with delaying action on this item. Ms. Rymas said that the contractor is going to be paying the fees now as well as the bond money.

Chris Fregeau, 1918 Elmore, asked how much is waived each year in terms of fees, and is it a concern in terms of a decline in sales tax. The Mayor said he hoped they do not see a decline in the sales tax. He said they do not know when a taxing body will be coming before the Village. In the past the fees have been relatively small amounts. Manager Ginex said the majority of requests he has seen have amounted to a few hundred dollars.

STANDING COMMITTEE REPORTS

Public Safety

Commissioner Gilbert said the Public Safety Committee reviewed the NFPA Code Section 1710. He said the National League of Cities and the International City Managers protested this change as “one size fits all.” He said that minimum staffing requirements pertain to first responding companies, not apparatus. He said “company” has a definition within the criteria. The Village meets the criteria and this will not be a significant liability for the Village. Secondly, they discussed the annexations. The Public Safety Committee wanted to review the impact on the annexations to the Village. They will be meeting again next week.

Commissioners Schnell and McConnell had no reports.

ATTORNEY'S REPORT

Attorney Blondin presented four items: A resolution authorizing execution of a redevelopment and land purchase agreement with R.T.G. Land Development Corporation (Gammonley); a resolution authorizing relocation reimbursement for Kupper Insurance; a resolution authorizing execution of an addendum to a license agreement with Chicago SMSA Limited Partnership to install, maintain and operate an antenna and accessory building on public property in conjunction with its cellular telephone services; and a resolution authorizing execution of annexation agreements for the properties located at 5615 Belmont Road, 5707 Belmont Road, 5725 Belmont Road, 5735 Belmont Road, 2340 College Road, 2508 College Road, 5720 Janes Avenue, 5601 Pershing, 5604 Pershing, 5718 Pershing, 5750 Pershing, 5770 Pershing, 5947 Pershing, 5904 Woodward Avenue, 5909 Woodward Avenue, 5910 Woodward Avenue, and 5912 Woodward Avenue.

New Business

Attorney Blondin said he was presenting two items to the Council to be acted upon this evening. He asked that the Council consider waiving their traditional one-week waiting period to consider new business.

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

AYES: Commissioners Sisul, Gilbert, Zabloudil, Tully, McConnell, Schnell, Mayor Krajewski

The Motion passed unanimously.

The Attorney said staff is requesting authorization of an agreement with the Illinois Department of Transportation for the use of funds in the amount of \$591,000.00 in relation to the interconnection of Fairview Avenue traffic signals. This will involved the stretch of Fairview Avenue from Lincoln Avenue to 59th Street and was discussed earlier tonight.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE ILLINOIS DEPARTMENT OF TRANSPORTATION

RESOLUTION 2002-1

Commissioner Sisul moved to approve a Resolution authorizing execution of an agreement between the Village and IDOT. Commissioner Gilbert seconded the Motion.

AYES: Commissioners Sisul, Gilbert, Zabloudil, Tully, McConnell, Schnell, Mayor Krajewski

The Motion passed unanimously.

Attorney Blondin noted that the Village was unsuccessful in its negotiations to acquire property for the parking deck, and filed for eminent domain for the properties at 5212 and 5214 Washington. A final Judgment Order has been reached and he requested that the Village adopt an ordinance authorizing acquisition of said properties. He indicated that this would require the Village to purchase the property, but it would remain in possession of the present owner until April 1.

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

AYES: Commissioners Sisul, Gilbert, Zabloudil, Tully, McConnell, Schnell, Mayor Krajewski

The Motion passed unanimously.

AN ORDINANCE AUTHORIZING THE ACQUISITION OF, AND PROVIDING FOR THE SETTLEMENT AND CLOSING OF, CERTAIN PROPERTY (PIN 09-08-306-025 & 09-08-306-026) FOR PUBLIC PURPOSES RELATED TO THE VILLAGE OF DOWNERS GROVE TAX INCREMENT DOWNTOWN REDEVELOPMENT PLAN AND PROJECT

ORDINANCE NO. 4358

Commissioner Sisul moved to approve an Ordinance authorizing acquisition of the properties at 5212 and 5214 Washington Street. Commissioner Gilbert seconded the Motion.

Commissioner Tully asked if the amount agreed to is pursuant to action of the Court or the parties. Attorney Blondin said it would be as agreed to by the parties for a negotiated amount.

AYES: Commissioners Sisul, Gilbert, Zabloudil, Tully, McConnell, Schnell, Mayor Krajewski

The Motion passed unanimously.

MAYOR'S REPORT

The Mayor said that the Governor has asked that the Village participate in a Task Force regarding contamination issues for unincorporated areas of the Village. He and the Manager will attend a meeting on Monday with various agencies. A citizens advisory committee will be formed as well.

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Mayor Krajewski reported on a news release noting receipt of a grant for \$22,495 for the Fire Department to purchase equipment for combating biohazardous terrorism activities. He thanked the Fire Department for their efforts in obtaining the grant.

The Mayor also reported on the Police Department's Crime Prevention activities and the events they sponsor to protect children. They have a police robot squad car for education purposes. He thanked Senator Dillard for assisting in obtaining that equipment.

Mayor Krajewski then announced that the Village has received paperwork from Senator Dillard for a fire rescue truck that should arrive at the Village in late February or early March.

The Mayor then thanked former Commissioner Greg Vogler for assisting with the Mayor's Goodwill Games. It was a successful program with a basketball tournament this weekend.

Mayor Krajewski reported that some of the Council members attended the National League of Cities conference in Atlanta. He said that the Council members will report over the next weeks. He asked Commissioner Sisul to present his report.

Commissioner Sisul said he appreciated the efforts of the Council to attend these meetings. He said it serves the Council and the people of Downers Grove, and opens the Village's eyes to methods of addressing various problems.

Commissioner Sisul then reported on the discussions regarding creative problem solving. He said that in dealing with changes in a community, leaders have an obligation to step out and step back from the situation. Management deals with the complexity of issues, while leadership guides people through and accepting changes that occur. He discussed the changes the Village has experienced such as the Main Street reconstruction, personnel changes, etc. He then reviewed the steps to create a climate of creativity in dealing with changes in the Village.

Commissioner Gilbert said he was struck by the problems mentioned by other communities and how it puts things into perspective regarding issues in Downers Grove.

ADJOURNMENT

Commissioner Sisul moved to adjourn to Executive Session pursuant to Sections 2(c)(5), and 2(c)(11) to discuss potential property acquisition and pending litigation. Commissioner Gilbert seconded the Motion.

AYES: Commissioners Sisul, Gilbert, Zabloudil, Tully, McConnell, Schnell, Mayor Krajewski

The Motion passed unanimously.

There being no further discussion, the Workshop meeting was adjourned at 8:15 p.m.

April K. Holden

Village Clerk

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