

**MINUTES OF WORKSHOP MEETING**

**DOWNERS GROVE, ILLINOIS**

**MAY 28, 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; Acting Village Attorney Enza Petrarca; Village Clerk April Holden

Absent: None

Visitors: **Press:** Susie Gura, Downers Grove Reporter

**Residents:** Thomas Burke, Lara Safran and Kay Whitlock, Christopher B. Burke Engineering, Ltd., 9575 W. Higgins, Rosemont; Marilyn Gerloff, 4241 Highland Avenue; Jeffrey and Joseph A. Kowalkowski, 5333 Main Street; David Sleeter, 5416 Maplewood Place; Jim Russ, 4915 Main Street; Larry Ganz, 4727 Cornell; Matt Klein, John Conway, and Marc Ceus, Gammonley, 322 W. Burlington, La Grange; David Kennedy, PPKS Architects, 404 N. Main Street, Glen Ellyn; Andrew Clark, 1226 62<sup>nd</sup> Street; Lisa Rasin, 4608 Prince Street; Kathy and Tom Bonner, 1240 Palmer; Dave Humphreys, Community Grants Commission

**Staff:** Ken Rathje, Director, Planning Services; Bob Schiller, Assistant Director, Public Works; Dave Van Vooren, Deputy Village Manager; Steve Rockwell, Director, Economic Development Commission; Jack Bajor, Director, Public Works; Amanda Browne, Planner; Marty Lyons, Director, Financial Services; Don Scheidler, Code Enforcement; Joe Skach, Director, 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**

1. **Relay for Life Presentation.** Manager Ginex introduced Lisa Rasin.

**Lisa Rasin**, 4608 Prince Street, said the Relay for Life is a cancer walk funding raising event to be held on June 21, 2002 at Downers Grove North High School. The purpose tonight is to make the community aware of this event. It will take place all night from Friday, June 21, 2002 until Saturday morning, June 22. One person from each team will be on the track at all times. The funds raised are for the American Cancer Society. She said Downers Grove has been an active

participant in this event. Ms. Rasin encouraged people to participate and to let their friends and neighbors know. Her goal is to get the word out about this. There are posters available for businesses. Ms. Rasin thanked Mayor Krajewski for his support.

**Tom Bonner**, 1240 Palmer, said this is a strong community event as well as a family event. Their children join in the Committee meetings for the Relay for Life. He encouraged everyone to participate in the festivities. He asked that those with businesses display posters in their windows.

The Mayor said that this is his fourth year. He said that many of the Commissioners have participated in this event as well. He said that last year's relay was dedicated to Mayor Burke of Westmont who died of cancer. The Mayor said there were still openings on his team is anyone was interested.

Ms. Rosin said they would leave brochures in Village Hall. She also said if anyone wished to contact her they can call 789-4711. Additional information is available on [www.cancer.org](http://www.cancer.org).

2. **Bid: Cornell Storm Sewer Improvement, Project #09-02.** The Manager said this project includes the installation of 705 linear feet of 18", 21", and 12" storm sewers as well as drainage structures, culverts, etc. It will be on Cornell, from Prairie to Warren, and from Grand from 61<sup>st</sup> to 63<sup>rd</sup> St. The low bid was received from Lifco Construction for \$129,985.53, and staff recommends awarding the contract to them with a 5% contingency.

**Commissioner Zabloudil** said there were wide variations between some of the engineer's estimates and the bid, such as the sanitary storms reconnection. He asked for some review and detail of those items.

**Dave Van Vooren**, Deputy Village Manger, said that staff has discussed the water connection and sewer connection prices. Those are the maximum amount of units they would use on the project and are on an as-needed basis. Much of this is drilled auger work and is under the pavement. He said that their other unit prices were substantially lower.

**Commissioner McConnell** asked about safety precautions, asking that the standard copy be changed to read "will be" rather than "should be."

3. **Update on CBD Water Shed Study – Christopher B. Burke Engineering.** The Manager said representatives from Burke engineering were present to discuss this topic.

**Thomas Burke**, Burke Engineering, 9515 W. Higgins Road in Rosemont, said their company has been working with staff to develop the CBD Water Shed Plan. This is a study of the geographic area identified for redevelopment including Franklin to Maple, and Carpenter to the Village Hall. The point of the study is to develop a watershed plan and to go to the County showing the result of the study, with the intent of showing that less detention is necessary than is required by County ordinance. He said the watershed benefit is defined as a decrease in flood elevations or flood stages. The Village would then request a variance from the County to allow for a lesser detention area. He said it will be necessary to show in the watershed plan that we have provided enough detention so that there are no upstream or downstream impacts and there is a benefit to adjacent property owners and downstream residents. Mr. Burke said the plan is to have all of the area approved at one time. He said that as each development comes in they provide the planned detention or pay a fee in lieu thereof. Those funds will be spent on stream bank stabilization further downstream.

Mr. Burke said the watershed area is about 390 acres, and the redevelopment area is about 125 acres. He said their concentration has been on the area south of the tracks, which is about 19.5 acres and would require 9 acre feet of detention per ordinance requirements. He showed on overhead displays how the stormwater detention would be provided under the parking structure, which is critical. They anticipate having to provide 4.5 acre feet when the watershed plan is approved. Mr. Burke said his company is working with the County and their staff on an overall St. Joseph Creek watershed plan as well. He said the two new Downers Grove developments, Parker's Place and Station Crossing, are each providing enough detention to meet present ordinance requirements and will be taken into account and measured as part of the overall watershed plan.

**Commissioner Tully** asked if his understanding was correct that through the mechanism of a larger watershed plan, they could achieve in the aggregate a net watershed benefit. Mr. Burke said that was correct. Commissioner Tully said that there would then be the result of a net benefit to the surrounding area from the overall comprehensive plan. Commissioner Tully asked if this is a better detention/stormwater plan in the aggregate than by doing it piecemeal. Mr. Burke said if it were done on a site-by-site basis, you would have more detention than this plan provides, but this is a better detention and stormwater plan in the aggregate.

The Mayor said that anything done there with regard to stormwater is a benefit, but may not meet the County's requirement. The benefit of the watershed plan allows for a comparison of what was to what is being proposed. This cannot be done on a site-by-site basis.

**Commissioner Schnell** asked the timetable for the plan, and Mr. Burke responded that they are working with staff to complete it as quickly as possible based upon identification of where detention will take place.

Commissioner Schnell said that Kay Whitlock had meetings to identify problem spots in the area and asked when they will get back to those individuals and businesses to answer some of their concerns.

**Kay Whitlock**, Burke Engineering, said they have communicated the questions to Burke and to the County staff as well. The residents understood that the primary goal was to get their concerns addressed in the plan. Some residents came with very specific questions and staff is continuing to dialogue with them.

The Mayor asked if the final step is the County signing off on this. Mr. Burke said that was correct.

Commissioner Tully asked about the use of this plan with respect to the Village's compliance with Phase II of the Clean Water Act. Mr. Burke said it will not address all six elements, but could be used for some of them.

Commissioner Tully then asked for elaboration on stream bank stabilization. Mr. Burke responded that the County realizes that in redevelopment, you do not need to provide 100% detention. He said that some locations will not have strict detention underneath their buildings or thereabouts. They will be paying a fee in lieu of the detention, and those funds will be used to make the watershed improvements. In this case, there are a number of locations downstream which contain a lot of erosion on St. Joseph's Creek. Stream bank stabilization means to go in and work to stabilize the banks so they do not erode.

The Mayor asked how long the County has had a fee in lieu of, and Mr. Burke said since the ordinance was adopted in 1992.

Commissioner Zabloudil asked if they identify ditches to fill in, would it be good to account for them now. Mr. Burke said it would be a good idea to identify locations now. The County has a different view on filling in ditches, and is not in favor of enclosing ditches.

The Mayor asked Mr. Lyons about the use of in-lieu-of funds in Downers Grove.

**Marty Lyons**, Director, Financial Services, said there are three creeks in Downers Grove -- Lacey Creek, Prentiss Creek and St. Joseph Creek. Mr. Lyons said that some of those funds were used for purchase of the property in the Linden Heights area, which is an allowable expense.

4. **Change Order for Desman Professional Services Agreement.**
5. **Change Order for C. M. Lavoie Professional Services Agreement.**

**Joseph Skach**, Director of Redevelopment, said these two items are directly related. Staff is requesting authorization for change orders for Desman and Associates, the architect engineer, and for Lavoie Associates, civil engineer for the downtown parking deck. The basis for the requests relate to the stormwater detention study for the site. He said it would be better to provide detention under the deck during the construction phase. Lavoie's analysis is that the capacity under the deck could be 6-9 acre-feet, depending upon the geometries of the deck. They determined that the west side of the deck would be the side for the maximized detention. That has been done on a conceptual basis. He said that in order to make that happen, and considering the difficult soil conditions on site, there will need to be additional volume below the west side of the deck, resulting in a basement beneath the areas previously filled by soil. That results in a need for modified foundation structures. He said that it is a challenging site. Mr. Skach said the fees will also address the stormwater retaining wall, the security system, proper coordination of the architectural structural aspects of the project, a snowmelter area to be bid, and a mock bid requested by Desman. Regarding the mock bid, Mr. Skach said they would like to give the construction document packet to a professional cost-estimating firm who would prepare a bid from a construction contractor's standpoint, in an effort to maintain cost control.

**Commissioner Gilbert** asked whether they can expect a cost savings by using the mock bid, and Mr. Skach said the two issues that concern the staff are the snowmelter design, and the issue of stormwater detention, because the methods needed to retain the soil and construct the work introduce variables that staff would like to be aware of in advance. Staff believes the cost of the mock bid would be beneficial.

Commissioner McConnell asked if there is an environmental benefit to having the snowmelter.

**Bob Schiller**, Assistant Director, Public Works, said that the net benefit is in salt reduction. It will also allow removal of snow from the top level of the deck using less people and doing it more safely. The snowmelter is placed in an unused corner of the deck and the snow will be pushed directly into it to melt the snow and run it down the stormsewer. It eliminates the need for salt and less personnel as well.

Commissioner Tully said he was not familiar with a mock bid and said he would like to know the tangible benefits of the mock bid, if that information could be provided by next week.

6. **Plan Commission Recommendations:**

- a. **File #1077 Station Crossing.** The Manager said the Plan Commission made a positive recommendation on the proposed Station Crossing development consisting of 12,757 square feet of commercial space, and 48 dwelling units. It will include a 70-car below-grade parking garage, as well as 100% stormwater detention below grade on the north side of the property. He said there is only one waiver regarding no dedication of additional rights-of-way on Rogers, Warren and Main.

Commissioner Schnell asked about soil remediation and how the bad soil will be contained.

**John Conway**, Vice President of Gammonley, said they will work with Versar who is responsible for obtaining the NFR letter. Mr. Conway said Gammonley will pay for and physically remove materials from the site under the supervision of Versar. He said that they feel that the heaviest concentration of contaminants is at the level of the footings, which is where they will place their engineered barrier. He said that the total soil amount will be less than was first anticipated. This is not going to be an airborne or dusty excavation. Soil will be scooped into the trucks.

Commissioner Schnell complimented staff for fencing the property. She said there are six or eight of the Village's expensive lights inside the site and asked whether they will come out. Mr. Schiller said they are not compatible with the new system, and there is no salvage value.

Commissioner McConnell thanked staff for the photographs they received and she encouraged that these be placed on the website. She then asked about a comment in the minutes about the undertaking of off-site work, which was not quite finalized. Mr. Ken Rathje said that they had not issued a permit as yet. A permit will not be issued until all loose ends are taken care of.

Commissioner Zabloudil asked whether the model is in scale in terms of height.

**David Kennedy**, PPKS Architects, said that the model is a scale model accurately depicting the number of levels. The height of the building is based upon the structural roof deck which varies from street to street. Commissioner Zabloudil asked if the lowest parts of the roofs match what will be, and Mr. Kennedy said that they are pretty accurate.

- b. **File #1078 Proposed Lot Split with a Lot Width Exception for Property Located at 4727 Cornell.** Mr. Rathje said the Plan Commission reviewed the lot split. He described the property which is proposed to be divided into two 60'x300' lots. The Commission found that the lots would be supportive of the typical lots sizes, and forwarded an unanimous recommendation.

7. **ZBA Recommendation: Case MC-5-02, 5333 and 5337 Main Street.** Mr. Rathje said that the Board heard the petitions to rezone the properties. He said a petition was filed for this zoning in 1987 which resulted in litigation and a Judgment Order permitting professional office use on the site. He said that the Board forwarded a positive recommendation to the Council for the requested rezoning.

The Mayor asked if the petitioners were present, since he was unclear as to what they want. He reviewed the background of the property, and noted that the property owners were opposed to the B-2 Morningside Development, and did not want B-2 zoning, yet now they are requesting the rezoning. He asked for clarification.

**Jeffrey Kowalkowski**, attorney for the petitioners, said that the petitioners were opposed to the Morningside Development adjacent to the subject property due to lack of setback allotted. He said that about a year ago the Village filed a petition in court to have the petitioners' property zoned B-2. The Mayor said that the petitioners put signs on their property at that time saying they did not want B-2 zoning. Mr. Kowalkowski said that now that the litigation is over, they have decided that they do want it to be zoned B-2 consistent with the Village's Future Land Use Plan. At the time of the initial application in 1987, the zoning ordinances did not allow for the types of professional office use they wanted. He said that both properties have gone through a long line of changes over the years with what they wanted and the Village wanted. He said staff indicated that the Village wants B-2 zoning there. The Mayor said that the petitioners argued before a judge that they wanted it to remain residential. Mr. Kowalkowski said that both properties have had the same professional offices on the sites for the past fifteen years.

Commissioner Tully said that the Village's Future Land Use Plan shows the property as B-2. He asked why they are coming before the Village now since they are able to do what they are doing under a Court Order. Mr. Kowalkowski said that when they have wanted to make minor changes, such as to their front porch, they have to go to court and have the Court Order changed by amendment to the Agreed Order. By changing now it would eliminate the Court Order.

Commissioner Tully asked if there were any plans currently regarding the uses of the property that would require the broader B-2 zoning. Mr. Kowalkowski said there were not. He said that while the litigation was going on he had a conversation with then Village Attorney Blondin regarding the B-2 zoning, and after the litigation was concluded, he discussed this with Mr. Blondin and Mr. Rathje again.

Commissioner Gilbert asked whether this change of zoning will create any legal nonconformities. Mr. Rathje responded it would not as the building was constructed under residential zoning. He said the setbacks appear to be 25', and there is more than 10% green space. He said that B-2 zoning would give them the freedom to lease to retail use.

Commissioner Gilbert asked whether the staircase design would be a conformity. Mr. Rathje said he believes it is treated as a commercial use for building code purposes. Commissioner Gilbert asked if the Agreed Order controlled whether this was fell under the residential or commercial building code. Mr. Rathje said the Agreed Order had no jurisdiction over building codes, only zoning. Commissioner Gilbert asked that staff check whether the building codes used were for residential or commercial for B-2 zoning. Mr. Rathje said that Mr. Scheidler of Code Enforcement was present tonight and has heard the question being asked.

**Commissioner Sisul** said that the real question is whether or not this is the proper use of the land. He said they have to move beyond the actions of the past and attempt to mend fences. He said they need to review the Future Land Use Plan and determine whether this is the proper use of the land.

Commissioner Schnell said that these two properties are the last two B-2 properties on that block, and the next property is residential. Mr. Rathje said that was correct, and this would be the edge. Commissioner Schnell asked whether the property is assessed as residential property or as business property. Mr. Rathje said it should be assessed by use, and not by zoning. Commissioner Schnell then said that Morningside's development has stabilized the block, and this rezoning makes sense on the basis of the Future Land Use Plan and the existence of Morningside.

Commissioner Zabloudil asked what type of use could there be if the properties were joined together. Mr. Rathje said it would be basically anything that exists in the downtown area. The maximum height would be 35' with a maximum floor area ratio of .6 or .75.

Commissioner Zabloudil asked about the Court Order and whether the petitioner also has to seek approval from the Village for changes to the property when they seek Court approval.

**Acting Village Attorney Enza Petrarca** said that the Village would be able to state their objections to any modifications it felt were inappropriate.

The Mayor then asked about the possibility of a Court Order for the next house if it wanted to go to commercial zoning.

Attorney Petrarca said existing zoning would definitely be taken into consideration.

**Joseph Kowalkowski**, owner of the property, said that the petitioners have been accused of inconsistency of purpose. He gave a brief history of the building and the zoning. He said he bought the property in 1986 with the assumption that the property would be zoned B-2. He said that the building dictates the use. He accepted the restrictions of the residential zoning as directed by the Court Order. He objected to the Morningside development for additional setback area and litigated. He also litigated when the Village chose to change the zoning to B-2. He is still interested in B-2, and the reason he is doing it now is that a tenant moved out and the space has been vacant since February. He has a potential tenant who would like to put in a beauty salon on the second level, however, they cannot get a permit because they are not properly zoned. Mr. Kowalkowski said again that the building dictates the use. He and his neighbor have both put a large amount of money into remodeling the properties. He and his neighbor are keeping their buildings and have no intent to sell them.

The Mayor reiterated that Mr. Kowalkowski has some type of use in mind. Mr. Kowalkowski said that they have a potential tenant, however, they are currently limited in the types of tenants they can have.

Commissioner Gilbert said that Mr. Kowalkowski provided a clear explanation, however he is concerned that the attorney didn't disclose that information when the question was asked of him.

The Mayor noted that the Council in 1987 didn't approve it; however, this is a new Council that is trying to work on things that happened many years ago. The Future Land Use Plan shows it as B-2 zoning.

8. **Annexation Petition for 4929 Cross Street at the northeast corner of Cross and Burlington.** The Manager said this petition is for a water connection, and they do not have a pre-annexation agreement. They will be zoned R-1 single-family residential upon annexation.
9. **Traffic Signal Master Agreement with IDOT.** The Manager said IDOT and the Municipal League have reached an Intergovernmental Agreement for the maintenance of traffic control devices. It is a ten-year agreement retroactive to July 1, 2001. IDOT will reimburse the Village for 50% of IDOT's proportionate share of energy charges incurred between July 1, 2001 and June 30 of this year, and will reimburse the Village for 100% of IDOT's proportionate share of the energy charges beginning July 1 of this year.

Commissioner McConnell asked if they knew what the amount of money was, and Mr. Schiller said that it is nominal; however, this allows for the potential for any future signals that may be installed. He said the Village doesn't have anything it can apply retroactively.

**10. Amend Downers Grove Municipal Code to Adopt 2002 National Electric Code.** The Manager said staff and the Electrical Commission have met to review the Code and made recommendations for changes.

The Mayor asked if this is the first update, and Mr. Scheidler said that the national update is every three years. Until the reorganization of the department, the Village did not make changes every three years.

Commissioner Tully noted a correction to be made on page 2, Sec. 10-3, b3, to change "remolded" to "remodeled."

Commissioner Sisul asked whether this has been sent to the Chamber of Commerce for their review, as the Village has done this in the past for any comments they may have. Mr. Scheidler said he can do that as there is no hurry on the adoption of the Ordinance.

**11. Approve Funding of Community Grants Program Applications Recommended by Community Grants Commission.** The Manager asked Dave Humphreys to make the presentation.

**Dave Humphreys**, Chair of the Community Grants Commission said this is the 12<sup>th</sup> year of the Community Grants Program, and the first year for the Commission. He reviewed the history of the Commission and read its Mission Statement. He said that funds traditionally come from the Hotel Use Tax, and \$52,500 is budgeted for 2002-2003, which is a reduction of \$5,000 from the past two years' programs. Mr. Humphreys said that the Commission adopts the guidelines for requests for funding for community-wide events, with the hope that the projects will work toward self-sufficiency. When applications were received, the staff Grants Coordinator reviewed them to be sure that all requirements were complete. On May 8, the Commission made its recommendation on the applications accepted for consideration, and has forwarded that recommendation to the Village Council for approval.

The Mayor said that there was a question as to whether some application amounts were reduced. Mr. Humphreys said that upon review by the Grants Coordinator some applications were determined as not meeting the criteria of the program. Nineteen of the applicants went to the Commission, and one of those did not meet the criteria for a positive recommendation. He said that none of the groups received an increase in their request, and a number of them received less funding than the Commission would have preferred, due to the reduction in funding.

Commissioner Gilbert congratulated Mr. Humphreys for his work on this project for so many years. He asked for a review of the three new grants.

Mr. Humphreys said that the Downers Grove South High School Mustang Boosters are developing a program for a marching band festival to be held in the fall. They will invite marching bands from around the Midwest to participate in a festival and competition. Another group called the Squires of Downers Grove is a senior golfing organization, and they requested funding to help teach young golfers golfing skills and course etiquette. This would be done in conjunction with the Park District as well. The third group is Our Town Productions who

requested funding to assist in the annual production of “A Christmas Carol” at the Tivoli Theater. They are a professional group.

Commissioner Schnell asked if there is a limit as to how many years an organization can be funded. Mr. Humphreys responded that there was no limit as they felt that each organization needs to be studied individually. Some organizations have the capability of achieving self-sufficiency, while others do not. Some are recognized as being major contributors to the community, but cannot make enough money to cover all of their expenses. He gave the example of how the Chicago Symphony Orchestra is considered a major icon, but they receive less than half of their revenue from ticket sales. Many cultural organizations experience that problem.

Commissioner Schnell said that there were not as many requests for grants for floats this year. Mr. Humphreys said they received many requests a few years ago, but it has dropped off.

Commissioner Sisul said that it must be difficult to decide how to allocate the funds. He asked if the South High School Boosters will be able to do their program if they are only given part of what they requested. Mr. Humphreys said that the Commission asks the applicants that question. He said they have not personally followed these up, however. He also noted that the Mustang Band Boosters are separate from the school. Commissioner Sisul said this might be of interest to the Visitors Bureau, since it could involve inviting marching bands from outside the area that might need rooms to stay, etc. He said perhaps some funding could be made available through them, and he recommended that they be made aware of it.

Commissioner McConnell asked about the fund raising strategies and coordinating efforts in seeking funding. Mr. Humphreys responded that this Commission was only recently appointed, but has discussed this aspect with Sue Brassfield, the Grants Coordinator. The Commission asked her to meet with other Village Departments that go into the community seeking funding. They want to coordinate with other fund-raising activities within the Village.

**12. Grant Application: Illinois Tomorrow – Corridor Planning Grant Program from the Illinois Department of Transportation.**

**Steve Rockwell**, Director of the Economic Development Commission, said this was the second time he was coming to the Council with a grant for the Ogden Avenue Corridor. He commended Sue Brassfield for her efforts with the Commission. Mr. Rockwell said that the Illinois Tomorrow program is expected to go forward, and it is a project to create an integrated corridor management tool for the Ogden Avenue 3.7 mile stretch of businesses, such as uniform signage, etc. He said that they have already received calls from Naperville and Westmont to discuss what the program is for Ogden Avenue. Mr. Rockwell said that the Commission will work with John LaMotte of the Lakota Group, and they will have a comprehensive plan on the signage. They have started implementing some programs at the minimal level. Staff also intends to review zoning barriers for Ogden Avenue; however, new zoning will not be developed in a three-month time period.

**13. Grant Agreement: Heavy Rescue Squad.** The Manager said this is for financial support of the heavy rescue squad apparatus. He said the Village received its fifth and final grant from the Illinois Department of Commerce and Community Affairs sponsored by Senator Tom Walsh in the amount of \$90,000.

The Mayor asked about the budget chart and whether the Village received the \$82,000.

**Sue Brassfield**, Grants Coordinator, said they have received it.

The Mayor asked whether the Fire Department has the vehicle in use.

**Fire Chief Ruscetti** said there was a wiring problem that is being corrected, and training should begin next week. He said that a number of people from surrounding communities have come to see the vehicle. He said it would be used regionally. Downers Grove Fire Department personnel worked with Pierce to develop the vehicle. Commissioner Sisul said that perhaps they could arrange to have the unit at the Village Hall prior to a workshop meeting.

14. **Grant Amendment: NIGAS Bikeway Illinois Department of Natural Resources.** The Manager said that in October 2000, the Village received a grant in the amount of \$100,000 to develop a 4.2 mile intercommunity bikeway system. The plan consisted of utilizing an underdeveloped parcel of NIGAS property that would service Woodridge and Downers Grove. There were some concerns brought up and the Village decided not to utilize the NIGAS property and established its own on-street bikeway in the Village. Since then Woodridge has also decided to abandon the project. The Manager said he, Stan Balicki and Sue Brassfield met with Representative Patti Bellock on April 8 to seek permission to reappropriate the Village's portion of the funding for new projects, including the traffic signals at Main and Franklin, and the stream bank stabilization of Linden Heights. Representative Bellock was amicable and wants to work toward reappropriation of the funding. The current agreement ends June 30, 2002, and the staff is seeking approval to extend the agreement for purposes of reappropriation.

The Mayor said he received a call from DCCA saying they cannot act on the grant for the parking deck until they receive the survey. He asked whether the survey was completed.

Ms. Brassfield said she is still completing it and it should be ready to forward within a day or two.

15. **Ordinance Enacting Elevator Inspection Fees.** The Manager said this Ordinance would raise fees to cover administrative costs for elevator inspections. The recommendation is to raise the fees from \$28 per elevator to \$50 per inspection. He reviewed the administrative costs involved to justify the increase in fees. For freight elevators the recommendation is to increase those fees to \$50 as well. For new elevators the recommendation is to increase the fee from \$70 to \$125 to cover costs.

Commissioner Zabloudil asked when the last adjustment was made to these fees. The Manager said there never has been an adjustment to his knowledge.

Mr. Lyons said that it was not adjusted as part of the Code, but was handled on an administrative basis. He said this would be the first ordinance on an elevator inspection fee.

16. **Ordinance Classifying Certain Fire Investigators as Peace Officers.** The Manager said that in the year 2000, two fire investigators were classified as Peace Officers in the Village. Three additional firefighters have since completed training and it is recommended to add them as Peace Officers.

Commissioner Zabloudil asked whether they are authorized to carry weapons. The Manager said the Act says they may carry weapons, however, the Village does not have them carry weapons.

**STANDING COMMITTEE REPORTS**

There were none.

**MANAGER'S REPORT**

Manager Ginex said that tomorrow is the second spraying of the gypsy moths sprays. The Mayor said that the yellow signs do not show the dates very clearly.

**ATTORNEY'S REPORT**

Attorney Petrarca said she was presenting 11 items to the Council: 1) An ordinance amending the Comprehensive Zoning Ordinance of the Village of Downers Grove, Illinois to designate Station Crossing CBD Redevelopment Project as Planned Development No. 36; 2) An ordinance approving a lot split with an exception as regards lot width for the property commonly known as 4727 Cornell Avenue; 3) An ordinance amending the Comprehensive Zoning Ordinance of the Village of Downers Grove, Illinois, codified as Chapter 28 of the Downers Grove Municipal Code, as amended to rezone 5333 & 5337 Main Street; 4) An ordinance annexing certain territory commonly known as 4929 Cross Street to the Village of Downers Grove, Illinois; 5) A resolution authorizing execution of an agreement between the Village of Downers Grove and the Illinois Department of Transportation (Traffic Signal Master Agreement); 6) An ordinance adopting the 2002 National Electric Code; 7) A resolution authorizing submittal of grant application to the Illinois Department of Transportation (Illinois Tomorrow); 8) A resolution authorizing submittal of a grant agreement application to the Illinois Department of Commerce and Community Affairs (Heavy Rescue Squad); 9) A resolution authorizing an amendment to the grant agreement between the Village of Downers Grove and the Department of Natural Resources (NIGAS Bikeway); 10) An ordinance amending elevator maintenance inspection fees; and 11) An ordinance classifying certain fire investigators as peace officers by the Village of Downers Grove.

**COUNCIL MEMBERS**

Commissioner Sisul complimented the American Legion on the parade and ceremony for Memorial Day.

Commissioner Tully concurred with Commissioner Sisul's compliments

Commissioner Sisul moved to adjourn to Executive Session pursuant to Sections 2(c)(5), 2(c)(11) of the Illinois Open Meetings Act to discuss the purchase of property and litigation. Commissioner Gilbert seconded the Motion.

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

The Motion passed.

Mayor Krajewski adjourned the Workshop into Executive Session at 8:40 p.m.

April K. Holden  
Village Clerk

tmh/