

MINUTES OF WORKSHOP MEETING

DOWNERS GROVE, ILLINOIS

MAY 13, 2003

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 Sue McConnell, Martin Tully, Mark Zabloudil, Ron Sandack, Stan Urban; Village Manager Riccardo Ginex; Village Attorney Enza Petrarca; Village Clerk April Holden

Absent: Commissioner Marilyn Schnell

Visitors: **Press:** Kevin Stahr, Downers Grove Reporter; Kris Owens, The Sun
Residents & Others in Attendance: Kathleen Panek, Connectech Solutions, 5121 Main; Gordon Goodman, 5834 Middaugh; Laurel Bowen, 829 Clyde; Andrew J. Clark, 1226 62nd St.; Andrew T. Flowers, 5905 Fairview; Christine Fregeau, 1918 Elmore; Ross A. Johnson, 1311 Gilbert; Mike Kubes, 5538 Lyman; Marilyn Gerloff, 4241 Highland

Staff: Dorin Fera, Traffic Manager, Public Works; Mike Millette, Assistant Director, Public Works; Dave Van Vooren, Deputy Village Manager, Administration; Jack Bajor, Director, Public Works; Trisha Steele, Assistant Director, Financial Services; Carol Conforti, Liquor Liaison; Mike Baker, Assistant to the Village Manager; Joe Skach, Director, Redevelopment; Ken Rathje, Director, Planning Services; Doug Kozlowski, Public Information Officer

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.

Special Guests

Mayor Krajewski introduced Den #6 of Troop 86 from the third grade at Lester School and asked the Scouts to introduce themselves. He welcomed them to the Village Workshop meeting.

MANAGER

1. **Bid: Supply of Ready Mix Concrete.** The Manager said staff recommends awarding a contract to Harry Kuhn Company and Meyer Materials, the two bidders on the project. He explained that the Village usually uses two vendors for this material.

Commissioner Tully said he had asked staff why there were only two responses to the call for a bid and was told that the geographic location plays a part since it has to be within a certain distance so it can be poured before it is no longer usable. He also said that within in the geographical area, there are some suppliers with whom the Village has not done business previously.

2. **Zoning Board of Appeals Petitions:**

- a. **MC-2-03, Rezoning upon annexation of 6320 Fairview Avenue from County R-4, Single Family Residence to Village R-5A, Townhouse Residence.**

Ken Rathje, Director Planning, said this pre-annexation zoning petition is for R-5A zoning. The property had been previously reviewed for B-2 zoning, however, the Council voted to deny that petition for rezoning and annexation. The Zoning Board of Appeals has made a unanimous recommendation in favor of the rezoning to R-5A upon annexation.

The Mayor said that in 2001 and 2002 the Village annexed several properties near 63rd and Fairview, and the State required municipalities upon annexation to pay, over a five-year period, the Fire Protection District from which they had disconnected. He said the Council should consider in the future the fees the Village has to pay to the Fire Protection District when properties are annexed.

Commissioner McConnell thanked the petitioner for continuing to work with the Village on this piece of property. She said that the Council should look at the Fire Protection District issue on a future basis, and not in regard to the petitions before the Council tonight.

Commissioner Tully also appreciated the petitioner's efforts to work with the neighbors in the area. He has no issue for the five townhomes for this parcel. He asked for clarification that these will be five townhomes, and Mr. Rathje said that was correct. Mr. Rathje said if it were a perfect piece of property in relation to depth and width, it would permit a maximum of 8-9 dwelling units per acre. In further response to Commissioner Tully, Mr. Rathje said that the R-4 zoning district allows 5.8 dwelling units to acre.

Commissioner Tully said that on the Village's Future Land Use Map, the area bears a zoning restriction of 0-6 dwelling units per acre; however, he would like to have a zoning restriction that is commensurate with the area. On the Future Land Use Plan 0-6 units is coded in yellow. He understands that R-5A is between 6-11 dwelling units per acre, and that this development would serve as good transitional zoning between the business and residential uses. He asked if there was any way that the parcel can be zoned to stay within the 0-6 dwelling units per acre so as not

to set a precedent for other building in the future to go to 6-11 dwelling units per acre. Mr. Rathje responded that with a property of this smaller size it would be difficult, and might take consideration as a planned development with exceptions. He is not sure they would be able to meet all of the criteria due to the land use requirements. He said that as far as the Future Land Use Plan, the Village knew that Fairview Avenue would be the boundary between Downers Grove and Westmont. He said he thought 0-6 dwelling units per acre would have been the Village's preference. However, Westmont moved forward by creating commercial zoning on their side of the road which created a transitional situation on the Village's side of the boundary agreement line.

Commissioner Tully said he is not suggesting that the proposed development is not appropriate for that spot. But he would like to more closely tailor the zoning to meet the project, making it more consistent with the area and the Future Land Use Plan. Mr. Rathje said that they would have to have a lower townhome density district created. He said there is not a use variance available in the Zoning Ordinance.

The Mayor said that one of the Council's goals is to review the Zoning Map.

b. MC-3-03, Rezoning upon annexation of 6420 Fairview Avenue from County R-4, Single Family Residence to Village R-3, Single Family Residential.

Mr. Rathje reviewed the petition submitted by Oakwood Development requesting an R-3 zoning designation. The Zoning Board of Appeals submitted a unanimous positive recommendation to approve the requested rezoning.

The Mayor asked how much property is left in that area to come into the Village. Mr. Rathje said that there are about 5 acres to the south, and 3-4 similar to the MC-3-03 lot, and two larger ones making up about 4-5 acres. That would incorporate about everything north of 66th Street into the Village boundary line.

c. MC-4-03, Rezoning of 5920 Fairview Avenue from R-1, Single Family Residence to R-3, Single Family Residence.

Mr. Rathje said the property is currently zoned R-1, and the petitioner is seeking R-3 zoning. The Zoning Board made a unanimous positive recommendation to the Council to approve the zoning designation requested.

Commissioner Tully said in the minutes there are some comments made with respect to the actual project; however, that is not under consideration this evening. This concerns the zoning of the property.

Andrew Flowers, 5905 Fairview, lives directly across from the property proposed for preannexation. He asked how many other places in the Village would allow a cul de sac to be built to serve five homes.

The Mayor said that there are a number of cul de sacs and staff can look into that for him. Mr. Flowers said he would like to know those currently existing.

Commissioner Tully said he thought Mr. Flowers was asking if this was something unique or are there other developers who would ask for something of this nature. The Commissioner said it depends upon the parcel and how the developer wants to make the parcel work better.

Mr. Flowers asked which Commissioner oversees this particular area, and the Mayor said it was the whole Council, and not just one Commissioner.

Kathleen Panek said she wanted to discuss the destruction of trees in the Village and the Mayor said that would have to wait until later in the evening.

3. Parking & Traffic Commission:

- a. **File #02-02 Parking Restrictions on Prairie Avenue between Highland Avenue and Bryan Place.**

Manager Ginex said staff studied this area four times last year, and the P&T Commission is recommending parking restrictions on the south side of Prairie Avenue from Highland Avenue to Bryan Place at all times.

- b. **File #24-02 Regulatory Control at the Intersection of Prairie Avenue and Douglas Avenue.**

Manager Ginex said that this P&T recommendation is to upgrade the current temporary 4-way stop to a permanent 4-way stop.

4. **Liquor Ordinance/Outdoor License.** The Manager asked Carol Conforti, Staff Liaison to the Liquor Commission to discuss this matter.

Carol Conforti, Staff Liaison, said that one recommendation is to create an outdoor liquor license classification for easier recognition of those establishments that have the outdoor licenses. It would create a Class O license, which would be in addition to the existing liquor license and will enable staff to better monitor the areas and check floor plans yearly.

Commissioner Tully asked whether the establishment already has to have a liquor license and Ms. Conforti said that was correct.

Commissioner Urban asked if this will be limited to use on public or private property or both. Ms. Conforti said it would concern private property. The Council has to approve use on public property.

Ms. Conforti then explained the next Ordinance regarding packaged beer and wine. The recommendation is to separate out the classification of the B-2 liquor licenses into three categories: beer and wine packaged stores, drugs or grocery stores, and convenience stores. She said the Ordinance adds a convenience store definition to require that at least 75% of the business be devoted to the sale of food, non-alcoholic beverages, household products, cosmetic items and reading materials.

5. **Intergovernmental Agreement with DuPage County.** The Manager said this concerns installation of the storm sewer at North Belmont Park subdivision.

Commissioner McConnell said if the cost exceeds \$501,050 the Village would be responsible for that and asked if staff and Council are comfortable with that. Attorney Petrarca said that Mr. Millette said they are comfortable with it.

The Mayor asked if there is an overrun, can they add that on to the cost of the water.

Jack Bajor, Director, Public Works, said that might be an opportunity for that.

STANDING COMMITTEE REPORTS

Commissioner Tully said the Public Services Committee did not meet; however, they may change the date of the Local Transportation Task Force meeting to May 19.

Commissioner Zabloudil said that the Financial Services Committee will meet May 20.

ATTORNEY'S REPORT

Attorney Petrarca presented ten items to the Council: 1) An ordinance annexing 6320 Fairview Avenue to the Village of Downers Grove; 2) An ordinance amending the Comprehensive Zoning Ordinance of the Village of Downers Grove, Illinois, passed and approved April 19, 1965, as amended, to rezone 6320 Fairview Avenue (Village R-1 to Village R-5A); 3) An ordinance annexing 6420 Fairview Avenue to the Village of Downers Grove; 4) An ordinance amending the Comprehensive Zoning Ordinance of the Village of Downers Grove, Illinois, passed and approved April 19, 1965, as amended, to rezone 6420 Fairview Avenue (Village R-1 to Village R-3); 5) An ordinance amending the Comprehensive Zoning Ordinance of the Village of Downers Grove, Illinois, passed and approved April 19, 1965, as amended, to rezone 5920 Fairview Avenue (Village R-1 to Village R-3); 6) An ordinance amending the parking restrictions on Prairie Avenue; 7) An ordinance amending traffic regulations on Prairie Avenue; 8) An Ordinance amending outdoor liquor sales; 9) An ordinance amending packaged beer and wine licenses; and 10) A resolution authorizing execution of an intergovernmental agreement between the Village of Downers Grove and the County of DuPage for the construction of the Lomond Avenue Drainage Improvement Project.

PROCLAMATION

The Mayor proclaimed the month of May 2003 as Motorcycle Awareness Month.

VISITORS

Kathleen Panek, owner of Sweet Tooth at 5121 Main Street, commented on the destruction of trees between the Johnson Printers and M&M Monogram building. Ms. Panek said she e-mailed the Council and submitted an article for Thursday's edition of the Sun paper. She thanked the Mayor for his assistance noting that the Public Works Department told her that the trees are bug

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infested. Ms. Panek said she consulted with arborists who indicated there is no infestation in the trees or the soil. She wants to know why the Village is not interested in saving eight of the ten trees. Ms. Panek said she cannot take the trees from the area to save them, and asked that the Council review the policy of destroying the trees. She said that last year no trees were planted in the Village due to the budget. She said a good solution would be to transplant existing trees elsewhere rather than destroy them.

The Mayor said that there has been an infestation of Chinese cockroaches in those trees. However, he will ask staff to follow up and look into this. Ms. Panek said time is of the essence since they have a week from Thursday to move them before they are destroyed. She has people who are ready to accept the trees. The Mayor asked her to give the Village Forester the names of the arborists who said there was no infestation.

Dr. Gordon Goodman, 5834 Middaugh, congratulated the Mayor and Commissioner McConnell, as well as the two newly elected Commissioners. He then commented on efforts to preserve trees on Village property and use them again in other areas of the community, particularly in light of the budget situation. He said he has spoken with some people who would be interested in taking the trees that were scheduled for destruction. The crux of the matter is to find out what the facts are as to whether there truly is infestation. He noted that there is a signed contract stipulating that the trees would be removed before the concrete is disturbed. Dr. Goodman said there might be a need for a Change Order if the trees are salvageable.

The Mayor said he and the Manager are discussing putting monies paid for the replacement of trees due to accidents or development construction into a tree fund. Currently those monies are put into the general fund. Dr. Goodman said that in his neighborhood about one half to one dozen trees were removed on private property in conjunction with redevelopment. He said the Village might want to impose a fee for removal of trees and put that money in a fund for new trees in connection with teardown permits. He said that it is important to recognize the value of the existing amenities and impose fees associated with their removal or replacement.

Commissioner Zabloudil asked the Village Attorney to look at the language of the contract for removal of the trees and the concrete.

Laurel Bowen, 829 Clyde, thanked Ms. Panek and Dr. Goodman for their comments, and said she would like to encourage the Village Council to consider enacting a Village policy to preserve trees on the parkway of Village property. The Mayor responded that the Council can look into this, noting that the size of the tree has to be considered in tree transplantation.

Ms. Bowen asked the status of the State and federal grants for subsidizing the parking deck. The Mayor said it is a long shot that they will get the federal grants. The State grant funds have not yet been released.

Ms. Bowen then asked about the proposal of the property at Fairview and 59th Street, saying that the subject lot is full of trees and is saturated with water. She suggested that the Village carefully consider stormwater issues before moving ahead with the development. The Mayor said that staff would review those plans.

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Ms. Bowen then asked for clarification about the agreement with DuPage County. Manager Ginex said that it had to do with storm sewer installation along with the watermains in the North Belmont Park. The work will be done concurrently.

Angela Flowers, 5905 Fairview, said she was present because of concerns about the overdevelopment of the property at 5920 Fairview. They understand there will be a cul de sac with five homes on property that had only one home previously. The neighborhood agrees that three homes would be appropriate. The concern is that the land will be stripped to make room for the houses and stormwater will be a problem for the area. Ms. Flowers then asked for more information on the process that is to occur regarding the development proposed.

The Mayor responded to Ms. Flowers that right now they are looking only at rezoning the property. No plans have yet been submitted for that property, and when those plans are received they will be set before the appropriate Commission.

Attorney Petrarca said that there will be information in the *Village Corner* of the Downers Grove Reporter when that property is scheduled to be reviewed. Ms Flowers said that if the cul de sac goes in it will add to the flooding on her side of the street in the unincorporated area.

COUNCIL MEMBERS

Commissioner Urban said he was bringing back a traditional that was started some years ago by Commissioner Jan Kopis and carried on by Commissioner Gilbert. There are only 46 days left to Heritage Festival.

Mayor Krajewski said that a resident asked him about property on Fairmount in which a house was burned and is still vacant. The neighbors would like to know the status.

ADJOURNMENT

Commissioner Tully moved to go into Executive Session pursuant to Section 2(c)(1) of the Illinois Open Meetings Act and pursuant to 2(c)(3) of the Illinois Open Meetings Act to discuss personnel matters. Commissioner Urban seconded the Motion.

VOTE: AYES: Commissioner Tully, Urban, Sandack, Zabloudil, McConnell,
Mayor Krajewski

The Mayor declared the motion carried.

Mayor Krajewski adjourned the Workshop meeting into Executive Session at 7:28 p.m.

April K. Holden
Village Clerk

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