

MINUTES OF WORKSHOP MEETING

DOWNERS GROVE, ILLINOIS

OCTOBER 28, 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 Marilyn Schnell, Sue McConnell, Martin Tully, Mark Zabloudil, Ron Sandack, Stan Urban; Village Manager Riccardo Ginex; Village Attorney Enza Petrarca; Village Clerk April Holden

Absent: None

Visitors: **Press:** Kevin Stahr, Downers Grove Reporter; Kris Owens, The Sun
Residents: Gordon Goodman, 5834 Middaugh; Bonnie Flock, Gewalt Hamilton Associates, 850 Forest Edge Drive, Vernon Hills; Brent Lewis, Lannert Group, Two Wheaton Center, 908, Wheaton; Bob Gudmundson, Cowhey Gudmundson Leder Ltd., 300 Park Boulevard, Itasca; Dan White, Phillip Swauer Associates, 40 Shuman Boulevard, Naperville; Joe Skutas, 215 2nd Street; John Miller, 231 2nd Street; Christine Fregeau, 1918 Elmore Avenue; Judy Sidrys, 5223 Lee Avenue; Bob Bearlund, Advocate Health Care, 2025 Windsor Drive, Oak Brook; David Fox, Good Samaritan Hospital, 3815 Highland Avenue; Greg Boltz, 1912 Brighton Street; Bruce Beckman, 4629 Middaugh; Jim Slinkman, Advocate Health Care, 2025 Windsor Drive, Oak Brook; Tom Sisul, DG Chamber of Commerce, 3624 Saratoga; Jim Russ, DG Chamber of Commerce, 4915 Main Street; Barb Wysocki, DG Chamber of Commerce, 1015 Curtiss Street; Jeff Dominge, T-Mobile, 8550 Bryn Mawr, Chicago; Karen Shannon, Downers Grove Park District, 2455 Warrenville Road; Elizabeth Pinter, Coldwell Banker, 5207 Main Street; Kathy Hakn, Coldwell Banker, 5207 Main Street; Nina Fotopoulos, Coldwell Banker, 5207 Main Street; Sara Davis, Alfred Benesch & Co.; Pat Donovan, Turner Construction; Tracy Kasson, Attorney for Advocate Health; George Nicholaou, 4845 Highland
Staff: Jon Hall, Stormwater Administrator; Amanda Browne, Planner; Keith Sbiral, Planner; Dave Van Vooren, Deputy Village Manager; Steve Rockwell, Director, Economic Development Commission; Mike Millette, Assistant Director, Public Works; Joseph Skach, Director, Planning & Community Development; Mary Scalzetti, Director, Tourism & Events; Mike Baker, Assistant to the Village Manager; Kerstin von der Heide, Forester, Public Works; Dorin Fera, Traffic Manager, Public Works

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

Manager Ginex noted that Item #13 has been removed from the Agenda.

1. **Parking Deck Update.** Manager Ginex asked Mike Millette, Assistant Director, Public Works, to make this presentation.

Mike Millette, Assistant Director, Public Works, introduced Sara Davis and Pat Donovan.

Sara Davis, Alfred Benesch & Co. said the parking deck project continues to be on schedule and on budget. During the past month the deep foundation work has been completed, and all piles tested and found to be good. Concrete is being placed and some walls are actually being poured. She said they could set up a tour with the Council before the temperatures get too cold. The projected completion date is June 23, 2004.

Commissioner Urban asked whether the previous Council has thought of or discussed a time capsule to put into the facility.

Commissioner Schnell asked whether the entire hole would be concreted. Ms. Davis said it would, for storm water storage. It is 12 feet deep.

2. **Bids:**

- a. **2003 Watermain Projects.** The Manager said the work would be on Grand Avenue, Pershing from Grant to Ogden, and Dunham from Jefferson to Maple. Staff recommends awarding the bid to Trine Construction in an amount not to exceed \$684,623.45 plus a 10% contingency.
- b. **Parking Deck Generator.** The Manager said this is a natural gas generator for the parking deck. Only one bid was received in the amount of \$54,000 to Kovilic Construction.

Commissioner Zabloudil asked where the generator would be located. Mr. Millette said it would be in the southwest corner of the building in a cage, and it will be screened in as well on the south side. It can be seen from the inside. In terms of wattage, Mr. Millette said it would run everything including the security system. It runs on kilowatts, and it has a standard one-year warranty.

Commissioner Urban asked about the running time if it is activated. Mr. Millette said it runs off a natural gas line so it is indefinite in terms of time.

3. **Hickory Court Ditch.** The Manager said staff has a presentation as requested by Council.

Mr. Millette said that staff has studied the original estimate given by Burke for Hickory Court Ditch. He then asked Jon Hall to explain the revised cost estimates.

Jon Hall, Stormwater Administrator, said staff views this as a logical extension of the Lacey Creek Stabilization Project, which is located in the Innisbrook Subdivision. Using a slide presentation, Mr. Hall explained how one section of the wall is gone and another section is falling apart.

Mr. Hall said the previous cost estimate has been modified. The cost of the retaining wall was increased, and the stabilator erosion prevention system has been eliminated. That item saved \$32,000. The engineering, permitting and inspection costs were also decreased from \$45,000 to \$8,000 by bringing those items in-house. Mr. Hall said the total project estimated cost of \$149,000 has been reduced to \$73,000. They proposed a contribution by the Innisbrook Homeowner's Association of 20%, which would be approximately \$14,600. The Village cost then changes from \$119,000 to \$58,000. He said there have been preliminary discussions with the Association; however, there is a question as to whether that figure is acceptable to the Association.

Commissioner Tully thanked staff for working to cut the project costs almost in half. Regarding the proposed 3' high retaining wall at \$31,000, and the computer generated photograph, he asked if that was a rendering of what the wall would look like. Mr. Hall said that the picture shows a segmental block wall rather than a proposed concrete foundation with block wall. The staff prefers the concrete foundation, which is the \$31,000 item.

Commissioner Tully asked about the rock toe protection. Mr. Hall referred to a slide that shows rocks on the bank and shoreline on both sides of the Creek. They would extend that to the pipe at Hickory Court. It would be rock with a filter fabric below. It is the same as the proposed stone riprap.

Regarding tree removal, Commissioner Tully asked which trees would come out, and Mr. Hall said there are 1 or 2 trees on the west bank, as well as 3 or 4 on the east bank that may or may not have to come out. The estimate includes all of them coming out. He said this was discussed with the Association as well, as to what they can do with some of the grounds work.

Commissioner Tully asked about the durability of the retaining wall. Mr. Hall estimated that, with proper maintenance, it would last for many decades, subject to a variety of factors. The concrete would be expected to last much longer than a timber retaining wall. Commissioner Tully asked how long a timber retaining wall would last, and Mr. Hull said it would depend upon how it was designed. Another wood wall was installed in another area of the Village about four years ago that is already failing, while others have lasted 20-30 years. He reiterated that it all depends upon the design.

Commissioner McConnell asked about the next steps with the Association. Mr. Hall said that a timetable has not been established. He does not think the Association as a whole has had an opportunity to discuss the latest proposal. Commissioner McConnell asked for the cost of what the Council would be voting upon. Commissioner Tully said the Council is not ready for a vote on this as yet.

Commissioner Urban asked for an idea as to how long this would take from start to completion. Mr. Millette said it would probably not start until next year due to the permitting, and that it would take 2-3 weeks to complete. Commissioner Urban asked how they arrived at the Association cost, and Mr. Hall said they based it on the Lacey Creek Stabilization Project.

Commissioner Urban asked how many homes are in the Homeowner's Association to arrive at a cost per household. Mr. Hall said he believe that came to \$200 per house.

The Mayor asked the cost for the Lacey Creek area and Mr. Tully said it was about \$330 per house.

Commissioner Sandack said he didn't think this should be voted on as yet. He said he would like to know the Homeowner's Association's level of participation, as this is private property. He noted that one of the items on this almost doubled in cost. He said he thought this was still rather expensive using the reinforced concrete retaining wall.

Commissioner Schnell asked whether staff has looked at walls that look like brick, which is aesthetically pleasing, and might be less expensive. Mr. Millette said that they could bid both as alternates to see which is more cost effective.

Dr. Gordon Goodman, 5834 Middaugh, asked what has been taken out of the project to reduce the cost to almost half. Commissioner Tully said many things that are not necessary. He then presented the background on this project. This portion was originally included in the Lacey Creek Restoration Project but not completed. The Council has stated that it should have been done as part of that project. The Village normally would not be involved in such a project on private property, but because it was not done as originally anticipated with the Lacey Creek project, it is a unique exception. Because the timber retaining wall has disintegrated and become potentially dangerous, the Village wants to be sure this project is done correctly. The Homeowner's Association is not looking for a "Cadillac" but just wants the project done correctly and safely.

The Mayor said there was also \$33,000 of consulting fees. Staff is doing some of the work internally, which brings that outside professional fee down as well.

4. **Planned Development Amendment of Good Samaritan Hospital.** The Manager asked Joe Skach, Director, Planning & Community Development, to address this item.

Joseph Skach, Director, Planning & Community Development, said that staff has no additional information to present; however, the petitioner is present to make a brief presentation.

Attorney Tracy Kasson, representing Advocate Health, said they are seeking to rezone a portion of the property, which was privately held and is approximately 2 acres in size. It will be rezoned to the R-4 designation, as is the remainder of the Hospital property. There will be a portion dedicated to Highland Avenue, which results in about 1.7 acres remaining. They are looking for a PUD Amendment to include a 44-bed Intensive Care Unit. He then introduced David Fox of Good Samaritan Hospital.

David Fox introduced himself as the new Chief Executive at Good Samaritan Hospital. He said that the Illinois Health Facilities Planning Board recommended approval of this project in August. There are currently 36 ICU and Surgical Heart Unit beds in facilities which are about 25 years old. Although they feel they provide outstanding care in these facilities, the rooms are noisy, difficult to access with medical equipment, and do not provide much privacy. The new facility will be all private rooms to include space for family, physicians, nurses, pharmaceutical facility, etc. With the increase of beds, they will relieve a serious problem of bed flow management at the

Hospital. There are many days when they have only one or no ICU beds available, and this will provide the increased bed capacity they need by eight beds.

Dan White, architect for the design of the ICU, brought a model of the plans showing the relationship of the ICU to the existing hospital, and how it fits into the context of the PUD as approved. Mr. White said the project would extend to the west from the front of the hospital. It provides direct access to the emergency and surgical departments. There is also separation between the public and patient traffic. He noted that all zoning requirements have been met with no variances being sought. They have also attempted to improve circulation and traffic congestion as it pertains to Highland Avenue. It will be built using the same materials as used on the existing hospital.

Commissioner McConnell said she appreciates what they are attempting to do, and asked for the hospital's cooperation in supporting the Lyman Woods area and saving trees where possible. She said that the traffic flow and parking looks like it works for now. She said whatever can be done to eliminate the frequent bottleneck of traffic would also be appreciated.

Commissioner Tully complimented the hospital and Mr. Fox for continuing to improve the facility, and take into consideration the surrounding community. Commissioner Tully then asked Planning staff to explain the greenspace portion of staff's report, and whether the recommendation has since been complied with or if it is a recommendation for this part of the project as it is moving forward. Mr. Skach said it was the latter.

Commissioner Tully then asked about the buildings and design area on page 3, and whether that recommendation for consideration of architectural detailing has been met with or is for future consideration. Mr. Skach said as they move forward, staff wants to be sure that the petitioner pays attention to these details as their plans develop.

Commissioner Schnell questioned the stormwater, saying they show placement of two additional dry bottom storm basins. She said that she lives very close, and has noticed that the basin at Highland and 39th recently seems to be filling up more often than it did over the years. She does not know why this occurs, but is interested in how the new basins will connect with the 39th and Highland basins. She also asked if they have looked at the siltation in the existing basins.

Bob Gudmundson, consulting civil engineer for the project, said there has been some siltation in that basin, as well as the basin off the parking lot which was filled with water most of the summer. He said they found that the restrictor had been plugged. The new basins are in line along Highland Avenue adjoining the two existing ones. They will have marsh bottom basins which will be planted with hydro plant materials.

Commissioner Schnell said she agreed that the parking issue should be reviewed once this is in place. She was there recently and there was not one space in the parking deck available. The new unit may put more pressure on the parking than it shows on paper. She said the hospital owes it to neighbors on the south to keep an eye on the intersection of traffic turning in to the hospital at 39th and Washington. She also encouraged them to provide a landscaping buffer between the building and the residents to the west.

Commissioner Sandack said the hospital has been a great corporate neighbor and is an integral part of the community. He said this is a well thought-out plan. The stormwater and parking requirements appear to have been met or exceeded. He looks forward to this being part of the hospital and of the community.

Commissioner Urban clarified that they are not adding 44 beds. Mr. Kasson said that they anticipate 26 net new beds. The 36 existing beds will be converted to 18 singles. Commissioner Urban said he also lives on the north side of town and the hospital has been a gracious neighbor. He recently spent seven days in the facility and appreciates their efforts to reinvest in the community.

The Mayor said that the staff report was put together very well. He asked about the issue raised about water mains and whether 4" mains will be installed. Mr. Gudmundson said there are no 4" mains going in. The new facility will be looped with 12" mains. Six-inch mains will go into the building.

Mayor Krajewski thanked Mr. Fox and the hospital for working with the neighbors, and also for their work with Lyman Woods. He said the Forest Preserve has made its suggestions for changes to the plans. He suggested that some of the trees that are removed be replaced on the campus. He suggested further that they create a policy to replace trees that are removed on the site. He said this is a needed addition.

Dr. Gordon Goodman, 5834 Middaugh, said he was Chairman of the Pierce Downer Heritage Alliance, and has worked on other hospital projects. He said he was pleased with Mr. Fox's initiatives in meeting with community representatives. Dr. Goodman said the development is needed and important. He showed an aerial photograph of the tree cover before the Wellness Center was built, and identified the area known as 3801 Highland, which is presently heavily wooded. He noted that there are about 16 trees that are between 75-100 years old, and he hoped that if the hospital removed any of those trees they would develop a policy of tree replacement for future generations. Dr. Goodman recommended that the Council also review the landscape plan dated 1998, which was presented to the Village.

Tom Sisul, 3824 Saratoga, spoke on behalf of the Chamber of Commerce saying they were impressed with the presentation and unanimously support this application.

5. **FY 05 Surface Transportation Program Grant Applications to DuPage Mayors & Managers Conference.** The Manager said there are two applications. The first is for the Prairie Avenue road reconstruction between Belmont and Fairview. It is a heavily trafficked roadway and needs to be repaired. Staff recommends a grant request equaling \$2,625,000 which is 70% of the total estimated construction cost of \$3,750,000.

The second request is for Ogden Avenue sidewalks, which have been designated as a Council priority. The staff recommends a grant request in the amount of \$682,250 which is 75% of the total of \$915,000.

Commissioner Tully asked Mr. Millette about the current work on Prairie Avenue, west of Main Street, and how that contrasts with the proposal. Mr. Millette said what is being done is part of the annual resurfacing program. Asphalt, unlike concrete, is not intended to be put down and left alone. Asphalt is more flexible and cracks. The work being done is routine maintenance. The remainder of Prairie has several sections that are beyond resurfacing. The intention of this application is to completely gut and reconstruct Prairie. In the long term, if it is newly built the design life is 30-40 years with asphalt, and 40-50 with concrete. Asphalt is dependent upon being well supported. He noted that currently, Prairie is not shown as a route eligible for federal funding, while Chicago Avenue is. Prairie does not have logical termini at either end. They will ask that Chicago be switched for Prairie.

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Commissioner Tully asked if the work would be done in fiscal years of 2005-6. Mr. Millette said it would. He said it will have a long-term budget savings effect. Staff will still have to do crack sealings as preventive maintenance. He said that the resurfacing has been on an as-needed/emergency basis. He said it would be wise to do a full resurfacing of Prairie ten years down the road.

Regarding the Ogden Avenue sidewalks, Commissioner Tully said he thinks it is a good idea and is reflected in the Ogden Avenue Master Plan. He would be interested in hearing more about how this would interact with the plans for Ogden Avenue in the Master Plan. Mr. Millette said staff discussed that earlier in the day regarding the aesthetics issue.

Mayor Krajewski asked if the maintenance work now being done on Prairie is so necessary that it could not wait, and Mr. Millette said it was.

Regarding the sidewalks on Ogden, the Mayor asked if the Village would have to take responsibility for the sidewalks even though Ogden is a State road.

Attorney Petrarca said that the Village will need to assume responsibility for the sidewalks.

Commissioner Tully said he was in favor of sidewalks on Ogden Avenue, but asked about the risk to the Village if the Village takes the responsibility for the sidewalks. Attorney Petrarca said that it basically involves trip and fall cases. If the Village assumes responsibility and maintenance, they would be the Village's responsibility.

Commissioner Tully said he would like quantification regarding the estimated exposure.

Commissioner Schnell said that in watching people try to walk on Ogden Avenue right now, she believes the liability would be much less with sidewalks. She noted that Lisle and Naperville have been very successful in receiving funding, and she asked if there was some way to view their grant applications as to why they were so successful. Mr. Millette said that Susan Brassfield, Grants Coordinator, has done that.

Commissioner Schnell noted that the Village does not have all the right-of-way for sidewalks along Ogden, and she would like to have an idea of the costs associated with getting the right-of-way. Mr. Millette said staff will do that.

Christine Fregeau, 1918 Elmore Avenue, said that she addressed the STP funds last summer for Ogden Avenue. Her understanding was the Gilbert Avenue grant was a CMAQ grant. She asked if the Council could submit an application for residential sidewalks, as the deadline is November 7 for an STP grant. The Mayor responded that there are many STP grant applications submitted, and they would have to know if STP funds are given for residential sidewalks. He questioned how the applications would be organized and prioritized if many applications were submitted.

Mr. Millette said it is the same as the CMAQ process in that you are weighted against the other grants that come in. The Committee rates them on their own merits. He thinks that given that Gilbert goes to a park, it is reasonable to submit to STP. He is unaware of any inherent downside to including it.

Ms. Fregeau said that the surface transportation program sets aside 10% of the money allocated to States for enhancements. Mr. Millette added that the Village is only competing with the rest of

DuPage County. The Mayor asked about the TEA21 funding and Mr. Millette said he would check into it to see whether more will be allocated to Illinois.

6. **Sale of Surplus Fire Equipment.** The Manager said staff would like to enter into an agreement with B&P Apparatus as broker for the sale of a 1996 Chevy Tahoe. B&P has inspected the vehicle and said the Village should not accept less than \$9,000 for it.
7. **5207 Main Street Parking Agreement.** The Manager said the Village entered into a lease agreement in 1999 to use the 5207 Main Street parcel for parking. Part of the agreement grants the Village access to the property to perform the work necessary on the lot. When the agreement is completed, the parking spaces will go back to the 5207 Main Street lot.

The Mayor said that someone contacted him to say that flyers were being distributed to the public that the Village is taking away parking spots. Attorney Petrarca said she has not heard about this, nor has the Manager.

8. **Ordinance for Approval of 2004 Heritage Festival.** The Manager said this Ordinance establishes the Heritage Festival for June 25, 26, and 27, 2004, with preview night on June 24.

Commissioner Tully said Heritage Festival is a wonderful community celebration. Its roots go back to the 1982 decision to celebrate the Village's 150th birthday. He wonders whether any thought has been given to a 175th anniversary party in 2007 Heritage Festival.

Mary Scalzetti, Director, Tourism & Events, said that would be fine if the Council wants to budget the money for it. Ideas have already been discussed.

Mayor Krajewski said that there are two changes that will impact next year's Heritage Festival. The potential date of opening the parking deck would be the day before the opening of Heritage Festival. And he noted that the potential of the Curtiss Block as it is out for RFQ.

9. **Grant Application: Hinsdale Center for the Arts.** The Manager said staff recommends submission of this application for \$800 from the Hinsdale Center for the Arts to support the performance by the Midwest Ballet Theatre during Heritage Festival.
10. **T-Mobile (Voice Stream GSM) Antenna Agreement.** The Manager said VoiceStream GSMI has asked to install an antenna on the 5705 Main Street water tower for a period of five years, beginning in December or when they acquire a building permit. The agreement is for \$2,350 per month for the first year with a 4% increase each year thereafter.

Commission Schnell asked how many antennae are on this tower. Attorney Petrarca said this is the first one on that particular tower.

11. **Ordinance Establishing Environmental Concerns Commission.** The Manager said this abolishes the Community Maintenance Board and establishes the Environmental Concerns Commission. The purpose of the new Commission is to conserve energy materials and natural resources and eliminate environmental pollution in the Village.

Dr. Gordon Goodman, 5834 Middaugh, said this is a good step forward. He said that Westmont also has an environmental commission that is quite active. They studied the Village's Open Burning Ordinance. He said that he serves on the DuPage County Environmental Committee of

the DuPage County Board. Dr. Goodman noted that he did not see a direct reporting to the Mayor or the Council or the Manager, and thought they might want to refine this.

The Mayor said he hopes that Dr. Goodman will submit his resume.

Commissioner Tully said the Village is actively meeting with all Boards and Commissions so they know that they have dual roles in terms of making their recommendations, and acting as "antennae" bringing certain issues before the Council.

Commissioner McConnell said that there are some powers and duties in this Ordinance that are different, and she suggested adding that the Commission provide an annual report to the Council.

12. **Highway Authority – Amendment to R.T.G. Land Development Corporation (Station Crossing).** The Manager said this amendment is to take corrective action regarding remedial action recommended by Versar regarding delineating contaminated soil in the ground water. He said they have revised their attachment to the April 2 agreement and request it be included in the site map.

Dr. Goodman said there appears to be a typo which mentioned the First United Methodist Church. Attorney Petrarca said it is a typo.

13. **Ordinance Amending the Vacation of Streets, Alleys and Public Rights -of-Way.** The Manager said this has been removed from the agenda.

STANDING COMMITTEE REPORTS

Public Safety

Commissioner McConnell said the Public Safety Committee will tour the firehouses on Saturday.

Public Services

Commissioner Tully said the Storm Water Utility Exploratory Committee meeting will be rescheduled. The Local Transportation Committee tentatively is scheduled to meet on November 6.

MANAGER'S REPORT

Manager Ginex said that tomorrow, Wednesday, October 29 from 9:30-2:30, the Office of Community Affairs from the Secretary of State's office will be present to renew licenses, photo IDs, etc. They will not be able to conduct road tests. He said that buses will go to the senior centers to pick up those who are interested. They can renew licenses up to a year in advance, and they can get an ID if they do not drive.

ATTORNEY'S REPORT

Village Attorney Enza Petrarca said she was presenting 11 items to the Council: 1) An ordinance approving amendments to Planned Development #19 re: Boundary, Rezoning, and Construction of an Addition to the Existing Intensive Care Unit – Good Samaritan Hospital; 2) A resolution

authorizing submittal of grant application to the DuPage Mayors and Managers Conference for FY 2005 Surface Transportation Program for Prairie Avenue; 3) A resolution authorizing submittal of grant application to the DuPage Mayors and Managers Conference for FY 2005 Surface Transportation Program for Ogden Avenue; 4) A resolution authorizing execution of a fire apparatus listing agreement with B&P Apparatus, Inc.; 5) A resolution authorizing an amendment to an agreement with Elm Creek Property Management and Bank One Trust Corporation for the lease of a Portion of 5207 Main Street Parking Lot; 6) An ordinance establishing the 2004 Heritage Festival; 7) A resolution authorizing submittal of grant application to the Hinsdale Center for the Arts for FY 2004 Community Arts Access Regranting Program; 8) A resolution authorizing execution of a license agreement with Voicestream re: An antenna on Village Property; 9) An ordinance abolishing the Community Maintenance Board and Creating an Environmental Concerns Commission; 10) A resolution authorizing an amendment to the Tiered Approach to Corrective-Action Objective Agreement with R.T.G. – Station Crossing, LLC; and 11) An ordinance vacating a certain portion of the Middaugh Avenue Public Right-of-Way in the Village of Downers Grove.

VISITORS

George Nicholaou, 4845 Highland, said he was a member of the Plan Commission. He said their direction is to look forward for the Village. He recommended that the Village look into creating some type of business plan to be submitted by businesses. It is disconcerting as a member of the Plan Commission and as a citizen to spend time discussing Fairview and Ogden Avenue as a gateway to the Village, and then having something like the present used car lot occur.

The Mayor asked staff to look into requiring a special use.

Mr. Nicholaou said he is a professional realtor and he discussed this with the Mayor recently. Current teardowns are just the tip of the iceberg. He said this is an economic engine. The Village needs to take control of what builders can do to the lots, and to protect parkways. The parkway belongs to the public and not to the builders. He said rules and regulations should be put into effect by the first of the year regarding what a builder can do on the parkways or block off sidewalks. He urged the Council to make this a top priority project.

The Mayor said staff is moving along on this. Mr. Nicholaou said he wants to help move this along faster. Mayor Krajewski said they wouldn't be reinventing any wheels as many other communities are doing this.

John Miller, 231 2nd Street, asked that the Council keep Pepperidge Farm on the front burner as well. He received an e-mail from the Manager and knows that staff is working on it. He referred to the letter from Pepperidge Farm and said that they are part of Campbell Soup Company. He then provided figures regarding sales of \$6.7 billion in sales for Campbell Soup. Mr. Miller said that the problem did not exist when he moved into the neighborhood seven years ago, and the warmer it gets, the louder the problem gets. The Mayor said that the staff is working on this. Mr. Miller said that the creation of an Environmental Concerns Commission includes noise issues. Good Samaritan Hospital has been a good corporate citizen, and Pepperidge Farm is not.

The Mayor said staff is preparing a response to Mr. Miller.

Joe Skutas, 215 2nd Street, said he lives right across from the Pepperidge Farm bakery. He agrees that the noise level is intolerable, and the visual sight is horrendous. He indicated that the

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noise has increased. Pepperidge Farm is trying to get an increase in the amount of allowable noise over the legal limit. That is absurd because the residents don't get any peace and quiet. He indicated that this is a 24-hour a day problem.

The Mayor said that the new refrigeration units create the noise and they will be doing something to modify it. The Village is encouraging them to comply and be a good neighbor.

Mr. Skutas said that their piping goes up over the roof. It is a blighted area. There is minimum landscaping and no noise abatement. He said he hoped the Council would look into this. He said the noise needs to be toned down at night.

The Mayor said the Village is looking to make them comply with the legal limits, and is not sure the Village can force them to reduce the noise level to less than that required by the Code.

Dr. Gordon Goodman, 5834 Middaugh, also encouraged the Council to get in front of new development and establishing a Code that would preserve the parkway, trees, fencing, sidewalks, etc. He also said that the Village needs to have a compensation agreement regarding the removal of trees on not only public property, but also on private property. It is the developer's responsibility to restore landscaping that is an integral part of the neighborhood.

Dr. Goodman noted that Item 13 was withdrawn from the Agenda regarding the vacation of streets. He said that he believes this is an implementation of the Village's home rule powers. The Village needs to be clear as to when it will exercise home rule powers and follow a policy. He said it is important to flag these actions representing home rule authorizations and treat them with respect.

Dr. Goodman said he is also interested in the Attorney's report regarding vacating a portion of Middaugh Avenue, and asked when it was Workshopped. Attorney Petrarca said it was Workshopped on July 24, 2001 and was never taken to a formal vote. Dr. Goodman asked if he could have a copy of the proposed petition. Attorney Petrarca said she would get him a copy of the petition.

Dr. Goodman then asked about the shelters along Main Street train station, and the timetable for implementing the permanent commuter shelters. The Mayor said that the Village Manager provided some information saying there were four options. The work will be done in the spring. The Council is close to deciding which options to choose. Dr. Goodman asked that the staff look into whether or not the current shelter situation is adequate for another winter.

COUNCIL MEMBERS

Commissioner Tully congratulated Downers Grove North on their 75th anniversary on Main Street. They celebrated with a beautiful ceremony in the Clarence Johnson Auditorium. There were eight inductees in the Downers Grove North Alumni Hall of Fame, with extraordinary and inspiring accomplishments. He thanked the principal for leading such a wonderful presentation.

Commissioner Schnell thanked everyone for the support of the Character Counts Pancake Breakfast. She said it was a great success.

The Mayor said that Cheeseburger in Paradise will open next week, and is having a fundraiser featuring Jimmy Buffet. The proceeds will go to the Good Samaritan Neonatal Unit.

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There being no further discussion, the Workshop meeting was adjourned at 8:41 p.m.

April K. Holden
Village Clerk

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