

MINUTES OF WORKSHOP MEETING

DOWNERS GROVE, ILLINOIS

FEBRUARY 24, 2004

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 Owen, The Sun
Residents & Other Attendees: Ross Johnson, Parking & Traffic Commission, 1311 Gilbert; R.A. Kollmar, 1420 Concord Drive; Liz Chalberg, EDC/Chamber, 5207 Main St.; Dan McInerney, Liquor Commission, 4834 Lee; Tessa McGuire, Tourism & Events Commission; 4910 Cornell Ave.; Robert Barnett, Liquor Commission, 730 Maple Ave.; Mike Kubes, Liquor Commission, 5538 Lyman; Tom Julian, Chamber of Commerce, 2215 Curtiss; G. L. Goodman, 5834 Middaugh; William Waldack, 1409 Willard

Staff: David Barber, Director, Public Works; Dorin Fera, Traffic Engineer Manager; Tim Sembach, Police Department; Pam Church, Deputy Police Chief; Carol Conforti, Liaison, Liquor Commission; Trisha Steele, Assistant Director, Finance; Rita Trainor, Director, Finance; Mike Baker, Assistant to the Village Manager; Joe Skach, Director, Planning & Community Development; Mike Millette, Assistant Director, Public Works; Mary Scalzetti, Director, Tourism & Events Commission; Phil Ruscetti, Fire Chief; Steve Rockwell, Director, Economic Development Commission; Dave Van Vooren, Deputy Village Manager

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.

The Mayor noted that there is an Active Agenda for this evening's meeting as the Council will be voting on the 2003 tax levy abatements.

MANAGER

Village Manager Rick Ginex introduced the new Finance Director, Rita Trainor, who was with the Elmhurst Park District for ten years, and has a master's degree in Accounting from Illinois State University.

1. **Parking Deck Update.** The Manager asked Mike Millette, Assistant Director, Public Works, to address this item.

Mike Millette, Assistant Director, Public Works, said he would show photographs taken of the precast plant that is making the panels for the outside of the parking deck after Ms. Davis's presentation.

Sara Davis, owners' representative, reported that the main progress in the last month has been that a considerable amount of concrete has been poured and half of the second level deck is in place. The remaining half will be poured this coming Monday. She said last month there was concern about one of the slabs being frozen after placement. An analysis done showed the concrete to be fine and undamaged, and the 28-day results of the compressive strength showed that the concrete is well above the requirement. Ms. Davis said that currently they are five weeks behind schedule, though Turner has submitted a recovery schedule. She has worked with staff on this and resubmitted it for further revision. The labor dispute between the testing agency and the operators' local has been put to rest, with the Courts ruling that an election should be held. It was held, the employees voted for union representation, and they are back to work.

Regarding change orders, Ms. Davis said one was approved this month for \$2,500, and a couple of others have been submitted totaling about \$24,000. Negotiations are still going on for other requests. She does not foresee anything above and beyond contingency planning.

An unexpected issue arose during excavation for storm sewers on the west side of the site. The subcontractor encountered soil that smelled of fuel oil, which the dump refused. Turner stopped work in that area until the issue was resolved. It has been tested out, and is not dangerous but needs to be removed and disposed of in a separate dump.

The Mayor asked about the time schedule, noting that he understood there were some rain days. He asked if there is a discrepancy between the number of days that are or are not weather related. Ms. Davis said that the discussion is not so much how many days they did not work. What is being negotiated is whether Turner deserves compensation for those days. She said the contract is written so that the Village is only liable to give them time extensions for abnormal weather conditions or unforeseeable weather conditions. Bad weather in the middle of winter in Illinois is foreseeable and part of the contract.

The Mayor asked why the days off were not discussed at the time they were taken. Ms. Davis said the requests from Turner have to be reviewed. There is no dispute about the ironworkers having gone home. The dispute is whether the Village should grant them extra time.

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The Mayor then asked about the change orders, saying there is a potential for a \$300,000 change order for soil that needed to be removed. Ms. Davis said there is total disagreement on that amount. She said there are a number of things on which there are disagreements. The Mayor said he has a problem dealing with something that happened in the fall. Ms. Davis said it was caused by a rock obstruction that occurred in the fall. The Mayor asked if they were just notified of this. Ms. Davis said that they were notified of this in December.

Commissioner Sandack said that the contract has to provide for some protocol regarding change orders and notification. He asked where they are at this point. Ms. Davis said the work has been done. It is a matter of determining the worth.

Mr. Millette said the price is agreed to per cubic yard. The matter being negotiated is the number of cubic yards. The Village had no indication it would be for such a large amount. They have not been paid.

Commissioner Tully said he understands that the decision was made to remove the soil before it came to the Village's attention. Ms. Davis said it came to her attention, and she knew that it had to be removed to proceed with the foundation. Commissioner Tully said there is no question that the work had to be done, and Ms. Davis agreed.

Mr. Millette then described the process for the contractors regarding making changes in the project.

Commissioner Tully said while not all of these items are foreseeable, those that the staff are aware of, regardless of whether they are resolved, should be brought to the Council's attention.

The Mayor said that once it was encountered it seems as though it would have been resolved. Mr. Millette agreed, saying they thought it was resolved as well and were shocked by the dollar request.

Commissioner Schnell asked whether the 5-weeks behind schedule is attributable to the weather. Ms. Davis said that five days were due to the labor dispute.

The Mayor asked if those were 20 weather days and 5 labor dispute days. Ms. Davis said those were working days. The contract adds up to calendar days.

Mr. Millette then showed the slides of the architectural panels.

2. Bids:

- a. **Heritage Festival – Tents, Tables & Chairs.** The Manager said the Tourism and Events Commission unanimously recommended Chicago Party Rental for this event. They will donate \$3,400 in-kind for the beer garden. The estimated total cost will be \$25,542 for the rentals, and they hope to recover about \$5,000 from vendors for their booth space.

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- b. **Precast Manholes & Inlets.** The Manager said staff recommends a contract extension to Kieft Brothers who has agreed to hold their prices at less than a 2% increase.

The Mayor said in the future, if the Village is going to stay with the same company, he would like to see the record of prior years and whether there were other bids.

Commissioner Tully said the Council appreciates that there are contract extensions thus eliminating the need to go through the bid process. However, having background information is useful, and helps the Council to determine whether the extensions are as good as they seem.

- c. **Roadside Ditching.** The Manager said staff recommends awarding a contract extension to Westin-Gradall. They are estimating \$109/hour @ 200 hours which is a 2% increase over last year.
- d. **Sewer Jetting.** The Manager said staff recommends a contract renewal for Massie Jet Vac Services also with a 2% increase.

The Mayor asked what the difference is between "provided" equipment and "alternate" equipment.

Dave Barber, Director, Public Works, said alternate equipment would be for bigger equipment. The bid is based on standard equipment.

Commissioner Sandack asked whether the contract extensions were for one year, and Attorney Petrarca said they were.

Mayor Krajewski asked if the vendors know that the Village will approve 2%. Ms. Petrarca said they may know the Village's policy. She said that sometimes it is included in the first year contract.

Commissioner Tully said it is important to know that the Village is getting a reasonable and fair value either through the bid process or through an extension. He said the Village needs to satisfy itself that it is getting a reasonable and fair value for the Village. The Council needs to know the reasoning for the recommendation.

- e. **Corrugated Metal Pipe.** The Manager said staff recommends awarding the contract to Kieft Brothers for the amount of \$7,338.25, which was the lowest bid of four vendors.
- f. **Vehicle Purchase for the Police Department.** The Manager said that the fleet plan proposes the purchase of ten vehicles for the Police Department, seven of which are squad cars. He said that the condition of the existing police fleet has been discussed in the past, and the vehicles are increasing in maintenance costs from \$.30 per mile to \$.40 per mile. He said they would like to order these now to assure receiving the cars in a timely manner. He also said they would like to auction off the replaced vehicles at the DuPage Mayors and Managers auction, which they hope will bring in \$21,000.

Commissioner Zabloudil asked if they know they will receive more money through an auction rather than trading them in. The Manager said they think they will. He will check the trade amounts.

The Mayor asked what Naperville spends on their fleet in maintenance costs.

3. **Liquor Ordinance.** The Manager asked Carol Conforti, Liaison, Liquor Commission, to discuss this item.

Carol Conforti, Liaison, Liquor Commission, said the Ordinance before the Council was recommended by the Liquor Commission to eliminate a 60/40% food versus alcohol requirement, as well as other minor changes. They propose that licensees provide a full menu during specified hours, with a limited menu after those hours. The Ordinance continues to maintain the 20% for bar seating. In addition it includes fines to servers serving to minors, raising the fines to \$200. The Licensee will be responsible for fines up to \$1,000 and be subject to suspension as well.

She said the Commission also discussed allowing licensed liquor premises to allow their customers to bring in their own alcohol. This would be on a case-to-case basis. The Licensee would have to maintain control over the bottle once it has been opened. In addition, the customer would not be allowed to leave with an open container. She noted that the draft Ordinance was recommended by the Liquor Commission, with the support of the Downers Grove Chamber of Commerce.

Commissioner McConnell thanked the members of the Liquor Commission, saying it is difficult to find the right balance. She said that the \$200 fine to the servers will probably get the attention of the employees. She asked what the plan is to evaluate these changes.

Ms. Conforti said controlled buys will monitor this. There has been an increase in violators in the past few months, which prompted the fee increase and making the servers responsible for their actions. Licensees were in full support with having the servers pay the increased fee.

Commissioner McConnell asked if establishments will need to inform the Village if their intent is to allow the Bring Your Own Booze. Ms. Conforti said she included information in the liquor newsletter to licensees explaining this proposal. Some Licensees have called saying they do not want to do this. She explained that they can simply put a sign at the register saying no outside liquor can be brought into the establishment.

Commissioner Sandack said that the Council received extensive minutes regarding the meetings, which showed some intense discussion. The proposed Ordinance is a balanced Ordinance, and has teeth in it. He thanked the Commission for their outstanding work.

Commissioner Schnell said the minutes reflect the Village's desire to protect the integrity of the Liquor Ordinance, and that the Village does not want bars. She agrees that the Commission did an excellent job at balancing the Ordinance, and maintaining the Village's restaurant mentality. In

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terms of the fines, she believes charging the servers will make them more cognizant of inspecting the licenses and be responsible. She is concerned with the BYOB program. She understands not removing an open bottle from the premises. Her feeling is that the customer will then consume an expensive bottle of wine, rather than leaving the remainder of the wine on the premises. She thinks all the establishments offer a wide selection of wines. She does not think this would be worth the risk for a minority of people asking for the BYOB. She asked the Attorney to split this out of the Ordinance so she can vote for the 60/40, but not the BYOB.

Ms. Conforti said that with the provisions that the Licensee maintain control of the alcohol, it is assumed that they will do that. They are trained and expected not to serve if they recognize signs of intoxication. She does not think this will happen all that often, and when it does the Licensee must explain it thoroughly to the customer.

Commissioner Schnell said if the Licensees were responsible, then the Village would never have a DUI. She cannot support it, and believes they are opening themselves up to creating problems the community does not need.

Commissioner Sandack said that they are talking about licensed establishments that already have to dispense alcohol according to the Village's rules. He thinks it is a realistic adjustment. He doesn't think this presents any heightened level of worry or concern. He agrees that they don't want people carting half bottles of wine home, so he thinks the Ordinance reasonably covers that concern.

Commissioner Tully said he thinks that changing the 60/40 rule and replacing it with a full menu and limited menu rules actually heightens restrictions on the restaurants. It is not a relaxing of the Ordinance. He thinks they need to focus on what they want to accomplish, and they want to thoroughly and vigorously enforce the Ordinance so the Village does not experience increased problems related to alcohol consumption. The changes put an emphasis on the type of establishment the Village wishes to have, and he welcomes the 60/40 change. Regarding the reduced menu, he asked what Naperville's experience has been with that language, since the language describing the reduced menu was borrowed from Naperville's Ordinance. Ms. Conforti said she did not believe it was a problem. The reduced menu will still require at least one cook on duty. The Licensees are currently supposed to be having a full menu all the way through to an hour before closing. Licensees say that patrons don't often order food after 10:00 or 11:00 p.m. She has not been informed of any problems with the definition by Naperville. When Licensees apply for the license, they are required to provide both a full and reduced menu to the Village.

Commissioner Tully then said it would be good to assess the effectiveness of the increase in fines in six to eight months. Ms. Conforti said that when the fines to the servers was first instituted at the \$75 level, there was a dramatic drop in failed control buys.

With respect to the signage, Commissioner Tully said he has no problem with the language although he wants to make sure the sign indicates it is for employees so they are aware of it. Regarding the proposed amendment to allow BYOB, he said this is not new. Many establishments have had this policy for many years. Many restaurants commonly do it. He said there is no way to allow this at non-licensed establishments. There are provisions in the Ordinance for special events licenses. Regarding the control of the bottle, he would like to see it limited to wine rather than alcoholic beverages. Currently there are laws that do not allow

transportation of open alcohol containers. He said that with respect to consuming the bottle on the premises, he sees no distinction between buying a bottle from the establishment and finishing it or bringing their own bottle and finishing it. He has no problem with the BYOB provision whatsoever. He then thanked the Commission for the time and thoughtfulness they gave to this.

Commissioner Urban extended his thanks as well. He sees the Ordinance as a tool for the economic development. He was never a proponent of the 60/40 split since he saw it as unenforceable. As for the BYOB, he asked whether it affects the dram shop insurance coverage. Ms. Conforti said that is based on sales of alcohol. In this case, the corkage fee would be the only "sale" involved. She does not believe the dram shop will increase. Commissioner Urban asked if there is a DUI, wouldn't it relate back to the last place a person was served, and Ms. Conforti said that was correct. It would relate to the last place they had been drinking, and although the alcohol was not purchased there, the Licensee is technically still in control of the alcohol.

Commissioner Urban asked if the Licensees requested the BYOB. Ms. Conforti said it was two-fold, one for licensed establishments, and one for non-licensed establishments. She said that she thought the Liquor Commission felt there was more control by the licensed establishments. She said that if there is a non-licensed establishment, they would have to go through the procedures of getting a special event liquor license and cannot have BYOB provisions.

Commissioner Urban then asked whether Naperville has a BASSETT training course. Ms. Conforti said she believes their training course is similar to the Village's. She does not believe Naperville's training is mandatory however. She said that typically she has seen that Ordinance violators do more training. She said they were looking to propose discussion with the Commission to require mandatory training for those that have violated the law. Commissioner Urban said that a food establishment is required to have training by the Health Department.

The Mayor asked if the Village asks the server if they were trained in the event of a violation. Ms. Conforti said that typically the person does not come in to the hearing. The Mayor then asked if any other establishments, besides Carlucci's, asked about the BYOB. Ms. Conforti said Let's Go Bistro inquired.

Attorney Petrarca said she will prepare two Ordinances.

4. **Use of Parking Deck.** The Manager asked David Barber to lead the discussion on the Parking Deck.

Dave Barber, Director, Public Works, said many departments, including Building Services, the Police Department and the Manager's Office contributed to the memo submitted to the Council. He then summarized some of the issues and recommendations made.

Mr. Barber said the facility has 762 spaces inside and 20 surface outdoor spaces. There were previously 224 spaces on the lot, which is a net increase of 538 spaces. The facility is to be used for shoppers, downtown employees and commuters. The allocation of space, enforcement, revenues and an estimate of operations tasks and costs were discussed.

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Mr. Barber said the spaces were proposed to be used with the bottom two floors for the short-term users, with 16 handicapped spaces on the lower level. The third floor up would accommodate the daily fee parkers and commuter parkers. They anticipate 250 proposed spaces for the daily fee parkers at a cost of \$3.00 per day from early morning to 3:00 p.m. in the afternoon. After that time and on weekends those spaces would open up for short-term parkers. The regulations and control of payment has been reviewed. The facility is not designed to accommodate parking meters. They looked at customers paying at the site using an automated pay system. Mr. Barber said the proposal is to provide three units on the first floor which would take cash or credit card payment for your space number. He said it is used in Naperville and appears to be an effective system that works well. The important thing is to remember the parking space number. Parking meters would cost about \$100,000-\$125,000, while the three automated pay unit systems would cost about \$50,000. This would also be a flexible program and can be programmed to meet holiday changes, etc.

Mr. Barber then discussed commuter permits which would have hangtags or bumper stickers for enforcement. The lower floors for transient parkers would be at a four-hour limit to encourage turnover. Regarding the revenue, Mr. Barber said it is based on the daily fee rate of \$3.00 per day, and on a \$90.00 per quarter for resident commuters, and \$120.00 per quarter for non-residents. The monthly rate for downtown employees would be \$25.00 per quarter. Based upon a July opening, revenue would be about \$150,000 for FY 04/05, with about \$244,000 after this fiscal year. He estimated that 71% of the revenue would be by daily fee parkers.

Concerning operation of the facility, Mr. Barber said that he has been involved in operating other parking garages. There is a need to be in the garage on a regular basis for maintenance. They estimate about 1,800 labor hours on an annual basis by the Public Works and Building Services Department part-time staff. There will have to be a service contract for elevator maintenance and licensing, which would run about \$3,000 per year. Window cleaning for the elevators would also be needed at an estimated cost of \$1,000. Mr. Barber said the security system is covered for the first four years under warranty, but will eventually cost about \$15,000-\$20,000 in maintenance fees.

With respect to the garage itself, there are long-term capital needs of the facility that need to be periodically examined, such as floor surfacing, post-tensioning cables, etc. That is anticipated to be about \$50,000-\$75,000 per year, as needed. Mr. Barber said that there are items staff would like direction on from the Council, part of which is the regulation of the daily fee spaces.

The Mayor asked if there will be permanent numbers for the commuters on the top floors. Mr. Barber said it would not be his suggestion, because they can maximize revenues by overselling.

The Mayor then asked whether they are allocating \$75,000 of the parking revenues to the TIF to cover the bonds.

Deputy Village Manger Van Vooren said that they don't allocate money to the TIF fund, but it is allocated to cover the debt service fund. A certain percentage is toward the TIF, and the second year about \$190,000 will go to the debt service. He noted that the estimates on usage may have to be revisited on an annualized basis to address changes in usage demand.

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The Mayor complimented staff on the comparison sheet they provided. He then asked about the daily rates. He said that they are putting in 250 dailies because Metra was supposed to provide those funds, but is not moving very quickly. He said that the Village can provide its own dailies in an outer lot somewhere. He asked when the next quarter fees are sent out. He would like Metra's decision before the next fees go out, noting that Metra may not come through with the funding.

Manager Ginex said he met with Metra yesterday and expected to hear from them today but did not. The Mayor said in case Metra does not come through, he would not be inclined to put daily parkers in the deck.

Commissioner McConnell said the report was helpful. She said they need to have Metra information to determine the numbers. She asked if the numbers are based on what they thought the Metra funding would be.

Mr. Barber said that the 250 number was talked about. The waiting list for parking spaces is 900 on all three lists. Those lists have not been updated.

Deputy Manager Van Vooren reiterated that more revenue is generated on a daily fee basis, than with a 90-day pass.

Commissioner McConnell asked the cost of administering daily rates. Mr. Van Vooren said the new technology for payment would reduce the costs by about half.

Commissioner McConnell said she wants to make sure they are looking at both costs and revenues. She said that one goal was to increase the number of spots available for merchants downtown. She asked what the estimated number of spaces are for shoppers, if those are free spaces, and if there is any way of estimating increases in sales tax. Mr. Van Vooren said that staff would try to find those answers.

The Mayor said that the Village may need to negotiate with the Burlington Northern for spaces in Lot A near Starbucks and make those 80 spots available for shoppers. Manager Ginex said Burlington Northern may ask for an extended period of leasing the spaces in the deck.

Commissioner McConnell said she does not want to short change the shopping component. She is fine with the allocation of spaces in the deck, and is also fine with the hours that have been assigned. She said that they need to look at how they allocate the permits and give preference to the residents. She said that the cost differential between residents and nonresidents might need to be more than it currently is. She also questioned whether the fees meet the market value. She asked whether the employee overlay program and pricing is working.

Mr. Van Vooren said the employee overlay parking program is a permit offered at a minimum fee to cover administrative costs. Applicants must show proof of working downtown. There is a need to police the employee lots as there have been some people who are not working in the downtown area purchasing employee permits. The intent was to close the outer employee lots and move those spaces into the deck in order to use the outer lots for shoppers.

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The Mayor said that they should look at establishing fines or revocation of the permits. He said the first express is at 5:55 a.m. The question was raised as to whether the deck should be opened at 5:30 to make that train. Mr. Barber said that the current ordinance regulation is 6:00 a.m.

Commissioner Urban asked how many employee overlay parking permits have been sold. Mr. Van Vooren said he would provide those figures.

Mr. Van Vooren said that one of the change orders seen for the deck is the deck doors. The deck will be closed to eliminate entry into the deck from either point at a certain time every evening. There will be an exit loop. The deck will not be open 24-hours a day.

Commissioner Urban asked whether a validation system could be used for shoppers. Mr. Barber said he is not sure there is a need to do that or a way to do it with the downtown merchants, without having an attendant at the garage to monitor it.

Commissioner Zabloudil asked about space allocation, and surface parking. He asked whether the surface parking would be near the entrance or exit. Mr. Barber said there are 20 spaces on the north side of the driveway along the Washington Street side. Commissioner Zabloudil asked whether that could be designated as the handicapped area. Mr. Barber said the idea is to keep the disabled inside the facility as it is under cover. There are 16 spaces all on the first floor allowing the disabled to get out of the weather.

Commissioner Zabloudil then addressed maintenance issues and potential resurfacing of the deck. He said perhaps they should go back to Turner to request a warranty for a period of time on the area where one of the slabs froze.

Commissioner Schnell said they need to look at increasing rates for non-residents. Any differential not covered by permit fee will be covered by resident taxes, so she would like to see non-resident fees increased. She then asked whether the first two floors would be enough for shoppers.

Mr. Barber said he thought it would, other than the period of Thanksgiving to Christmas. He said his experience in Naperville is that parking garages are full from 4:30 p.m. to 8:30 p.m. The largest problem is employees and those in the food service industry looking for free spaces. He said they want to investigate on a regular basis to determine who is using the lots and how they are being used. That background information will provide a basis for making future decisions regarding the parking situation. There will be signage throughout the facility to let customers know if they are parking on the correct level.

The Mayor commented on the parking for residents and non-residents, saying that Metra gets upset if there is too much of a discrepancy between the fees, and they indicated they would not allow resident parking in their lots if the fees differed too much. That is an issue, but he agrees with Commissioners Schnell and McConnell that there should be a difference in the fees.

Commissioner Tully said that the deck is designed so there is no parking along the new street, and asked why. Mr. Barber said it is due to congestion of people coming in and out of the facilities. Trains run on 20-minute increments. It becomes very hazardous and congested, so no parking

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limits the safety problem. Commissioner Tully then asked for clarification that there would be no overnight parking in the deck, and Mr. Barber said that is what they are suggesting. Commissioner Tully asked about enforcement and whether there would be drive-throughs at night and tickets given. Mr. Barber said that is correct.

Commissioner Tully said that as a parking facility, this is treated as an enterprise fund, meaning it has to be self-sustaining. As far as anticipated expenses, Commissioner Tully said some will increase after the warranties expire. He asked if staff could get an overall best estimate as to the expenses initially and after warranty expiration. Mr. Barber said he would develop a spreadsheet with that information.

Commissioner Tully said with respect to the four-hour parking spaces for shoppers at no cost, enforcement will require someone chalking the tires. He said rather than having someone chalk the tires, many facilities have automatic gates with a card to swipe. With the free spaces, they could take a ticket, go in and park and if they left after four hours, they would be required to pay, while if they left before the four hours, they would not have to pay. He asked if this was considered as it might result in a savings of another part-time position.

Mr. Barber said they did not look into that. The .4 FTE is for chalking, and doing permit and daily parking as well. The Police Department is absorbing this expense. They did not look into the gates, although it is a possibility to charge for someone exceeding the four hours. The difficulty with gates has to do with malfunctions if no one is there. Also during rush hour, a gate slows cars down exiting the facility while the drivers swipe their cards. He indicated that the Police Department will probably be in only once a day or so.

Commissioner Tully asked if they will need a snow melter. Mr. Barber said they would not. His experience has been that it is used infrequently, is difficult to maintain, takes up space, and costs a lot initially. Mr. Millette said it was budgeted for \$300,000.

Commissioner Zabloudil asked whether the overnight parking Ordinance would have to be amended. Attorney Enza Petrarca said the Ordinance covers street parking and there will have to be an amendment. Provisions for vehicles that need to be left overnight are made with the Police Department.

Commissioner McConnell said as a frequent traveler, she thought people might want to have a place where they could leave their car.

The Mayor asked whether the parking fines go into the parking fund. Mr. Barber said they go into the general fund.

Bob Kollmar, 1400 Concord Drive, said there are still many questions that are unanswered. After hearing all of the estimated costs and potential revenue, he said he hopes that the Manager would share with Council the total cost of the facility. He said that the cost per parking space based on the 782 spaces tonight might provide the Village with one of the most expensive parking facilities in the United States. The range could be anywhere from \$22,000-\$26,000 per parking space, and based upon the income and the \$75,000 for the TIF, it appears that the facility can never pay for itself. He said there was discussion some time ago about security systems.

The Mayor said there will be 51 security cameras. He indicated that the Council and staff have been talking about this project for three years. Tonight's discussion is directed toward the use of the deck.

Mr. Kollmar said that there are still many questions.

Mayor Krajewski said that the parking facility is not being built to put commuters in there to go to Chicago. It is part of the entire downtown development which is being paid for by the TIF. The Station Crossing development is a former commuter lot turned into a \$12 million building generating TIF dollars toward the deck. He reviewed other changes in the CBD that will be beneficial to the Village and to the deck expenses. The Curtiss block will also add to the businesses in the CBD and will generate the need for more parking spaces.

William Waldack, 1409 Willard Place, asked about the suggestions for the 16 handicapped spaces, and how they arrived at the number and size of the spaces. He also asked whether it will increase the number of handicapped spaces near the train station. He also questioned the cost of the deck per space. Mr. Waldack then discussed the concerns of the commuter bus system, saying the commuter bus system would cost a family of four \$24 per year, while the deck subsidy would cost a family of four \$2,000 per year. He said the numbers do not add up. He advocates that a fair and impartial commuter transportation committee be appointed with adequate representation of the commuters to examine the issues and fairly price parking. He said the Village is over-subsidizing parking and driving and is not subsidizing the commuter buses properly. The Village needs a Commission to address these issues fairly.

The Mayor said that unfortunately, a number of people who advocate the commuter bus system keep trying to tie it to a parking deck. Absent the parking deck, road improvements and other improvements downtown, developments such as Station Crossing, Georgian Courts, Morningside, would never have come to the Village. He said that the commuter bus system cannot be tied to the deck. The deck is part of the downtown plan that was put in over a number of years. He said the next step in the plan is the RFQ for the Curtiss Block, which is another part of the downtown plan.

Commissioner Tully said that the Local Transportation Subcommittee recommended it might be beneficial to consider a Transportation Oversight Commission, with or without a commuter bus service. They deal with a number of commuter-related issues. There are many issues that they could review.

Mr. Barber responded to Mr. Waldack's question that the number of handicapped spaces follows the State requirements in the Disability Code.

5. Grant Application: 2003-05 Artstour Presenters Application to Illinois Arts Council.

The Manager said staff recommends submitting this application for grant funding to the Illinois Arts Council for performing artists representing traditional ethnic and folk arts forms. The grant is in the amount of \$2,275 for a performance by Mojo and the Bayou Gypsies at the Heritage Festival. The contracted cost for this performance is \$6,500. The grants requires 65% matching funds.

- 6. Parking & Traffic Commission: File #18-02 Traffic Calming Program.** The Manager asked Dorin Fera, Traffic Engineer Manager, to discuss this item.

Dorin Fera, Traffic Engineer Manager, Public Works, said he was presenting the Traffic Calming Program. He noted that Chairman Johnson is present from the Parking & Traffic Commission to answer any questions. Mr. Fera said the basic program was developed in response to an assortment of traffic problems throughout the community such as speeding, congestion and neighborhood safety complaints. After attempting to approach each issue individually, it was determined that a Traffic Calming program, which looks at the whole neighborhood, would be the best direction. Staff will act as liaison to neighbors and applications will be prepared by the residents to meet the needs of their specific area. A petition for traffic calming intervention would require interest of at least 55% of the affected area residents. He said that the City of Naperville has recently started such a program, and the program has been implemented throughout the U.S. It is not a new concept. Staff is requesting Council's review and approval of the program in the form of a Resolution. Mr. Fera showed slides of the major complaints which have been made to staff, and techniques to solve the issues raised. He said there are both low level and high-level devices used to reduce speed and address problem areas. High-level designs are engineering designs to improve an area that is experiencing traffic problems. He explained the criteria that would be used for staff evaluation to determine which areas could employ the Traffic Calming Program. Mr. Fera said the program has been coordinated with the Village's Police and Fire Departments.

Commissioner McConnell said that one of the issue raised was potential cost sharing with residents, and she said she thought the recommendation is not to do this. She asked what was the rationale. Mr. Fera said that the Village would prefer to have ownership of the installment or device. If residents have ownership there may be no resolution to control of the situation.

Commissioner McConnell said that there is cost sharing for sidewalks, and she thought this might be worth considering. She asked how residents will be informed of this program, and suggested that the website and newsletter be utilized for that purpose.

Commissioner Schnell asked what the definition of "neighborhood" is. Mr. Fera said they are looking at the boundary of access of a development that fronts or leads to a major arterial street. It would include more than one street. Commissioner Schnell said she believes it needs a large geographic area to make it work as a "neighborhood" and suggested some type of definition be included.

Commissioner Zabloudil said that many of the techniques appear to require major construction. He asked if they envision residents requesting one type of device. Mr. Fera said that the first projects would be the low level type of improvements and tested for a period of time. If there is a need for a higher-level intervention, that will be discussed further with options presented and review by the P&T Commission.

Commissioner Zabloudil said that the speed table option would impact Public Works and snow plows. Mr. Dorin said that they would look at other choices as well. They expect the Traffic Calming devices to be used as another tool in the toolbox.

Commissioner Zabloudil said they need to prudently consider these options.

Commissioner Tully thanked the P&T Commission and Public Works staff for working on this. He said it has been well thought out, and the concerns expressed are long, chronic concerns. He noted that some of the devices can affect long stretches of highway, and they will need to flush out some of the specifics in regards to the area covered. Mr. Fera said that they need to look at it on a case-by-case basis. They may go to boundaries based on footage as well as lots.

In regard to budgeting, Commissioner Tully said he understand that petitions will be submitted by residents requesting some type of traffic calming device, which will eventually be reviewed by P&T and then decided upon based upon the funds available. He asked if there is something proposed in regard to funding. Mr. Fera said there is something in mind but it is not yet been reviewed. He said staff will look at low level devices first, which might not need funding to start. He would expect more serious involvement in the second year.

Ross Johnson, Chairman of the Parking and Traffic (P&T) Commission, said it is important that this move slowly at first. The number one issue in the community is speeding and traffic volume in the community. Invariably, issues brought before the P&T Commission always involve a speeding problem, and usually the neighbors themselves within the residential areas are doing the speeding. The Commission feels this is another tool to use to remedy the problem. The Village needs to do testing, select certain streets, and obtain more Village input. There are many things to take into consideration. It is an excellent idea to try but they must move ahead slowly, as this could grow into something bigger than expected.

Dr. Gordon Goodman, 5834 Middaugh, said he is pleased to hear that the Village is planning to implement this program. He supports the program as it is clearly intended for residential streets. He hopes the Village will also pay attention to Traffic Calming around 63rd Street near the High School and shopping areas. That would require working with the County who maintains that street. He noted that the bike path consultant identified many areas requiring traffic calming. Dr. Goodman noted that Boulder, Colorado has been successful at introducing traffic claming devices in their community. He supports the idea but there must be widespread support. He suggested it may be desirable to entertain a neighborhood concern even if it does not meet the 55% level. He thinks the residents should be permitted to initiate requests for investigation of a problem with a lower percentage required. He is pleased to see this moving ahead.

Mr. Fera said that they will work with neighbors at any stage of their interest before it becomes a formal petition.

7. **Adoption of NFPA 101 Life Safety Code 2003 Edition.** The Manager said this is the 2003 Edition. The Village is currently using the 1997 Edition of the Safety Code.

The Mayor asked if there is a common complaint on the part of architects with the 2003 edition.

Howard Hoffman, Fire Prevention Chief, responded that this is basically clarification of definitions, which makes it easier to use.

ACTIVE AGENDA

1. AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE FAIRVIEW AVENUE DEBT SERVICE

Mayor Krajewski said this will abate the 2003 tax levy for the Fairview Avenue debt service in the amount of \$267,230.00.

AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE FAIRVIEW AVENUE DEBT SERVICE

ORDINANCE NO. 4568

Commissioner Tully moved to adopt " **AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE FAIRVIEW AVENUE DEBT SERVICE**" as presented. Commissioner Urban seconded.

Commissioner Tully pointed out that the Council is considering seven different ordinances pertaining to different abatements. An abatement would mean the Village would not collect a designated portion of a levy. He asked if these should be discussed as a group or one at a time. Council decided to discuss each abatement separately.

Mayor Krajewski said this abatement is not legally required.

VOTE: YEA – Commissioners Tully, Urban, Sandack, Zabloudil, McConnell, Schnell, Mayor Krajewski

NAY - None

Mayor Krajewski declared the motion carried.

2. AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE GENERAL OBLIGATION BONDS, SERIES 1999

Mayor Krajewski said this will abate the 2003 tax levy for the General Obligation Bond Series 1999 in the amount of \$396,315.00.

AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE GENERAL OBLIGATION BONDS, SERIES 1999

ORDINANCE NO. 4569

Commissioner Urban moved to adopt " **AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE GENERAL OBLIGATION BONDS, SERIES 1999**" as presented. Commissioner McConnell seconded.

DRAFT

Commissioner Tully pointed out that the Village is legally required to abate this. The Mayor said it is one of the bonds for the downtown infrastructure and enough funds have been generated through TIF funds to cover this.

VOTE: YEA – Commissioners Urban, McConnell, Sandack, Zabloudil, Tully, Schnell, Mayor Krajewski

NAY - None

Mayor Krajewski declared the motion carried.

3. AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE GENERAL OBLIGATION BONDS, SERIES 2000

Mayor Krajewski said this will abate the 2003 tax levy for the General Obligation Bond Series 2000 in the amount of \$398,318.76.

AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE GENERAL OBLIGATION BONDS, SERIES 2000

ORDINANCE NO. 4570

Commissioner McConnell moved to adopt " **AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE GENERAL OBLIGATION BONDS, SERIES 2000**" as presented. Commissioner Schnell seconded.

VOTE: YEA – Commissioners McConnell, Schnell, Urban, Sandack, Zabloudil, Tully, Mayor Krajewski

NAY - None

Mayor Krajewski declared the motion carried.

4. AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE GENERAL OBLIGATION BONDS, SERIES 2001

Mayor Krajewski said this will abate the 2003 tax levy for the General Obligation Bond Series 2001 in the amount of \$300,762.50.

AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE GENERAL OBLIGATION BONDS, SERIES 2001

ORDINANCE NO. 4571

Commissioner Schnell moved to adopt " **AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE GENERAL OBLIGATION BONDS, SERIES 2001**" because presented. Commissioner Sandack seconded.

Commissioner McConnell asked for clarification that this does not have to be abated. Mr. Van Vooren said the last two bond issues, #6 and #7, do not have to be abated. This one has to be abated.

VOTE: YEA – Commissioners Schnell, Sandack, Urban, Zabloudil, Tully, McConnell, Mayor Krajewski

NAY - None

Mayor Krajewski declared the motion carried.

5. AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE GENERAL OBLIGATION WATER BONDS, SERIES 2001A

Mayor Krajewski said this will abate the 2003 tax levy for the General Obligation Water Bond Series 2001A in the amount of \$517,052.50.

AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE GENERAL OBLIGATION WATER BONDS, SERIES 2001A

ORDINANCE NO. 4572

Commissioner Sandack moved to adopt " **AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE GENERAL OBLIGATION WATER BONDS, SERIES 2001A**" as presented. Commissioner Zabloudil seconded.

Commissioner Tully said they are required to abate this as long as there are adequate funds in the water fund, and there are.

VOTE: YEA – Commissioners Sandack, Zabloudil, Urban, Tully, McConnell, Schnell, Mayor Krajewski

NAY - None

Mayor Krajewski declared the motion carried.

6. AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE GENERAL OBLIGATION BONDS, SERIES 2002

Mayor Krajewski said this will abate the 2003 tax levy for the General Obligation Bond Series 2002 in the amount of \$264,732.50.

AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE GENERAL OBLIGATION BONDS, SERIES 2002

DRAFT

Commissioner Tully moved to adopt " **AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE GENERAL OBLIGATION BONDS, SERIES 2002**" as presented.

Mayor Krajewski declared the motion failed due to lack of the motion being seconded.

7. AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE GENERAL OBLIGATION BONDS, SERIES 2003A

Mayor Krajewski said this will abate the 2003 tax levy for the General Obligation Bond Series 2003A in the amount of \$589,942.50.

AN ORDINANCE ABATING A PORTION OF THE 2003 TAX LEVY RELATED TO THE GENERAL OBLIGATION BONDS, SERIES 2003A

Mayor Krajewski asked if there was a motion for this item. No motion was made and it therefore failed.

The Mayor said the last two ordinances, the GO bond series 2002 for \$264,732.50 and the GO bond series 2003A for \$589,942.50 will not be abated. He said approximately \$1.9 million of the tax levy was abated tonight.

RFQ's and RFP's for Curtiss Block Redevelopment

The Mayor said the Council has reviewed the RFQ's for the Curtiss Block and has to make a decision regarding how many and which developers should be asked to submit proposals in response to the Village's RFP. He would like to go with three RFP's.

Commissioner Zabloudil said he would prefer to go with three. It is a more manageable process. If they are not happy with one of the bidders, they can always invite another participate to come back.

Commissioner Sandack said he would rather be more inclusive. He said there were good presentations by talented teams. He does not think any of the developers would be offended competing amongst four, giving the Village quality and a range of opportunities for meaningful participants in the process.

Commissioner Schnell said would recommend four.

Commissioner McConnell said the Village would not be hurt by going with four there could be advantages.

Commissioner Urban said they should go with three.

Commissioner Tully said he has no preferences but would commit to four.

The Mayor said that all eight presenters were very well qualified. The four developers being recommended for RFPs are Centrum, New England, Norwood and Opus.

STANDING COMMITTEE REPORTS

Commissioner Tully said that the Stormwater Utility Exploratory Subcommittee has prepared an outline and a draft report will be reviewed by the Subcommittee toward finalization.

ATTORNEY'S REPORT

Village Attorney Enza Petrarca said she was presenting three items to the Council: 1) An ordinance amending certain alcoholic liquor provisions and license requirements; 2) An ordinance amending Section 3-29 of the Downers Grove Municipal Code regarding consumption of alcohol on premises; 3) A resolution authorizing submittal of grant application to the Illinois Arts Council for 2003-2005 Artstour Presenters; and 4) An ordinance adopting the 2003 National Fire Protection Association's Life Safety Code.

COUNCIL MEMBERS

Commissioner Zabloudil thanked the Downers Grove Junior Woman's Club for the Taste of Town event. He also commented on a conversation regarding roof heights, and one specific building. He said he saw another home this weekend and asked the Manager and Code Services to arrange for a discussion on roof heights.

Commissioner Sandack said the Taste of Town event was a great event. He also addressed the roof height issue, saying some builders in town came to the Village with a polite petition regarding roof heights. Their comments and all community input would be welcomed. He said he agreed they need to start looking at all aspects of the Code.

Commissioner Schnell agreed that they should start looking at teardowns in this way.

Commissioner McConnell said it is a bigger issue than roof heights, and she does not want to look at them in isolation. It is about redeveloping neighborhoods to maintain the character of the Village.

Commissioner Urban agreed that this has to be looked as a whole and as neighborhoods.

Commissioner Tully said there have been requests to look at the redevelopment in particular areas. There are many other issues involved as well as roof heights.

Regarding the abatements, Commissioner Tully said that the Council did not abate two of the ordinances. He said moved to further abate one of the General Obligation bonds because he believes the Village can cut more money from the budget. He said that the Council has tried to abate whenever possible those items where they have discretion. The other abatement ordinance which was not moved on he did not support because he believes there is a need to put some additional money into the capital and reserve funds. He would like to see the funds go toward capital improvement projects such as sidewalks, stormwater, tree replacement and pruning.

DRAFT

Commissioner Tully then added that he had a wonderful time at the 5th Annual Taste of the Town put on by the Downers Grove Junior Woman's Club.

The Mayor said that he cannot make a motion or second it. He would have seconded it and believes it should have been abated. He feels there will be a surplus this year. As to the second abatement, he would also like to see this go into capital projects.

The Mayor agreed that the Taste of the Town was a terrific event. He also congratulated Cub Scout Pack 57 on their Blue and Gold dinner. In addition the YMCA had their Scholarship Kick-off Campaign program last night, and he wished them well. The Mayor said he spoke with the Mayor of Westmont and they discussed fence heights for outdoor cafes. Finally, the Mayor thanked Belle Aire School and the 3rd grade class for inviting him to speak to them about local government, the election process, and casting deciding votes in a Council meeting. He said that since he has been Mayor, he has cast two deciding votes.

There being no further discussion, the Workshop meeting was adjourned at 9:48 p.m.

April K. Holden
Village Clerk

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