

**MINUTES OF WORKSHOP MEETING**

**DOWNERS GROVE, ILLINOIS**

**OCTOBER 26, 2004**

Mayor Krajewski called the Workshop meeting of the Village Council of the Village of Downers Grove to order at 5:30 p.m. in the Council Chambers of the Village Hall.

Present: Mayor Brian Krajewski; Commissioners Marilyn Schnell, Martin Tully, Mark Zabloudil, Ron Sandack; Village Manager Riccardo Ginex; Village Clerk April Holden

Absent: Commissioners Stan Urban and Sue McConnell

Mayor Krajewski asked for a Motion to move into Executive Session. Commissioner Tully moved to go into Executive Session pursuant to Section 2(c)(6) of the Illinois Open Meetings Act to consider setting of a price for Village property. Commissioner Schnell seconded the Motion.

VOTE: AYE – Commissioners Tully, Schnell, Sandack, Zabloudil, Mayor Krajewski  
NAY – None

Mayor Krajewski declared the Motion carried and the Council convened into Executive Session at 5:35 p.m.

Mayor Krajewski reconvened the Workshop meeting of the Village Council of the Village of Downers Grove at 6:35 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

**Residents:** Jim Russ, Attorney, 4915 Main Street; Mark Hosky, Architect, 1411 Opus Place, #220; Barbara and Dale Rehus, 711 39<sup>th</sup> Street; Christine Fregeau, 1911 Elmore Avenue; LeRoy Steves, 3850 Sterling Road; Debi and Martin Patrick, 607 39<sup>th</sup> Street; Alok Gaur, 325 39<sup>th</sup> Street; Tim Smerz, 4001 Washington; Mike Izewski, 3908 Elm; Jane Amorosi, 5742 Dearborn Parkway; Jean and Bill Hennessy, 608 39<sup>th</sup> Street; Lynn Chambers, 3923 Sterling Road; Kristen Teague, 501 39<sup>th</sup> Street; Kay and Joe Nasvik, 3934 Earlston Road; Joanne Curcio, 3903 Sterling Road; Brian Pabst, 1614 Hall; Mike Gilbert, 4625 Highland; Barry Peckhart, 1028 61<sup>st</sup> Street; Terry Madden, 920 60<sup>th</sup> Place; Phyllis M. Cozzola, 1033 61<sup>st</sup> Street; Marilyn Laya, 1041 61<sup>st</sup> Street; Peter D'Angelo, Partner, Green Knolls Center; Nino and Georgeanne Pellettieri, 3910 Glendenning; Gale Karnis-Zikis, Ofab! Spa & Fitness, 6244 & 6246 Main Street; Joyce Semenek, 950 Blanchard; Marilynn Gerloff, 4241 Highland Avenue; Karen and Brian Johnson, 3905 Elm; Larry Grubart, 3863 Sterling Road; Tim Hopkins, 829 62<sup>nd</sup> Street; Lars and Felicitas Klieve, Hürth, Germany; Dr. Gordon Goodman, 5834 Middaugh; Michael Werthmann, KLOA, 9575 W. Higgins Road, Rosemont; Laura Deppert, 6208 Main; Chris Derby, 5560 Main Street; Tom Sisul, 3624 Saratoga; Tim Hague, Taxman Corporation

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**Staff:** Mary Scalzetti, Director, Tourism & Events; Don Rosenthal, Director, Code Services; Don Scheidler, Code Services; Amanda Riordan, Sr. Planner; Mike Millette, Assistant Director, Public Works; Dave Barber, Director, Public Works; Mike Baker, Assistant Village Manager; Dave Van Vooren; Deputy Village Manager; Douglas Kozlowski, Director, Marketing and Media Relations; Marty Berkery, Police Department

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.

### **PROCLAMATION**

Mayor Krajewski extended welcoming greetings to Lars Klieve and his wife, Felicitas, visiting the Village as part of an exchange program. Mr. Klieve thanked the Mayor and transmitted greetings from his hometown of Hürth. He and his wife are honored to be here and thanked Mike Baker for being a good host. He said that he loved this country because the United States brought Germany democracy and freedom.

The Mayor reminded residents that Tuesday is Election Day and encouraged them to vote. He said that absentee balloting is being done at the Village Hall. He noted that the District High School 99 referendum will be on the ballot.

### **MANAGER**

Manager Ginex said that there will be a change to the Agenda with Item #8, Community Dialogue, being discussed before the Walgreens discussion.

1. **Good Samaritan Agreement.** Manager Ginex said this is the second part of the Village health insurance allowing utilization of Good Samaritan Hospital as part of this program.
2. **Annual Report: Heritage Festival.** The Manager asked Mary Scalzetti, Director, Tourism & Events to discuss this item.

**Mary Scalzetti**, Director, Tourism & Events, presented the report for the 23<sup>rd</sup> Annual Heritage Festival which originally began as a one-day celebration for the Village's 150<sup>th</sup> anniversary. She reported that revenues covered 97.9% of the Festival and the 4<sup>th</sup> of July. She noted that the major source of revenue is the amusement rides. The Beer Garden generated \$85,000. She said that this was the first time they offered entertainment at the Tivoli Theater requiring a special ticket purchase, and it was well received. Ms. Scalzetti said that costs were higher than budgeted due to rental costs and the entertainment costs for the Rat Pack show at the Tivoli. She said rental costs are a big expense. Staffing is typically the highest cost, but this year they asked local organizations to provide volunteers, and, in turn, paid some of these organizations. Staff was given comp time for its services. She said the report separates out the Heritage Festival and the

4<sup>th</sup> of July. The total Heritage Festival revenue was \$20,591 while the total costs of the 4<sup>th</sup> of July was \$31,610 resulting in a new deficit of \$8,900.00. With the planned Curtiss Block Redevelopment they are looking for ways to put the event on as safely as possible next year. Capital expenditures will need to be considered next year as well. She thanked her staff and other Village Departments for their work during the Heritage Festival and 4<sup>th</sup> of July events.

The Mayor said that they did a great job for another successful event. He said they saved \$900,000 by implementing budgetary changes. He asked whether the Village allocates funds to Heritage Festival and staff responded it did not. He also noted that this is one of the largest revenue generators for not-for-profit organizations in the community. He said Council would like to see what additional revenues are the result of the Heritage Festival, such as sales tax, hotels, etc. The Mayor then asked about the cost on the bands for the 4<sup>th</sup> of July parade, and said maybe they can look at this in the future.

**Commissioner Schnell** asked whether the percentage levels for the Village changed for the amusement rides, and Ms. Scalzetti said they did not, but the ticket price went to \$1.00. They also lowered the number of tickets needed for a ride.

Commissioner Schnell asked what the expenses are for the Beer Garden. Ms. Scalzetti said those expenses include the tents, tables, chairs, the beer garden license. She said that the Village contracts with the Rotary Club for a percentage of the sales.

Commissioner Schnell asked for clarification that prior to 2002 the Village used Hotel Tax funds to pay for personnel, minimizing the Village's expenses, and Ms. Scalzetti said that was correct.

**Commissioner McConnell** asked whether the teardown of the event is included in the report, and Ms. Scalzetti said it was.

Commissioner McConnell said she spoke with Manager Ginex earlier in the week regarding the goals of the individual events.

**Commissioner Tully** expressed appreciation and congratulations on another fantastic Heritage Festival event to the staff and volunteers. He noted that the cost of Heritage Festival, including the 4<sup>th</sup> of July, is close to breaking even. The intangible benefits of celebrating the community, community pride are immeasurable. He said that the Heritage Festival is coming up to the 175<sup>th</sup> anniversary of the Village, and the 25<sup>th</sup> anniversary of Heritage Festival itself.

3. **Heritage Festival Ordinance.** The Manager said this is to establish the 2005 Heritage Festival to be held on June 24, 25 & 26, 2005, with a ride preview night of June 23, 2005.

Commissioner Tully said that Tourism and Events is looking at the issue of the configuration of Heritage Festival with the Curtiss Block development. He asked where they are in the process.

Ms. Scalzetti responded that they are preparing a letter for the North side residents and CBD stating they are looking at taking the rides to the north side of the tracks. They were able to use the Station Crossing site in the past. They will have an open meeting to discuss the configuration including utilizing the north side of the tracks more effectively.

Commissioner Tully said that there are about 281 days to Heritage Festival.

Ms. Scalzetti noted that Section 3 of the Ordinance was changed to include the words "and all Village" in regard to the Ordinances, in case there are other Ordinances enacted after this that effect the Ordinance.

4. **Building Code Upgrade.** The Manager asked Don Rosenthal, Director, Code Services, to address this item.

**Don Rosenthal**, Director, Code Services, said that the Village currently works under the 1996 BOCA Code. He said that staff has worked with local architects on an informal basis and has examined various 2000 Building Codes. He said staff has spoken with Mike Davenport and John Heye over the service counter, although nothing was submitted in writing from these discussions. One of the biggest changes in the Building Code is the combining of the three major Code-making groups in the United States. The International Code Council was formed to develop the International Building Codes. He said that most of the information comes from the BOCA Code, which means that the Village's changes will be relatively minimal in nature. Mr. Rosenthal said that more tables and drawings are used to increase understanding of the Code, which results in a large change in the numbering system. The most noteworthy change in the 2000 Building Code is the addition of the energy code for commercial buildings.

Mr. Rosenthal said that under Section 108.6, section a) was mistakenly left out. He then reviewed some of the municipalities that have adopted this code.

The Mayor asked what has been adopted already and Mr. Rosenthal said the International Residential Code. What is before the Council now is the International Commercial Code. The Mayor asked for some letters from the local architects before next Tuesday regarding these Codes. He noted that in regards to the upcoming International Fire Code only one town is listed in DuPage County. Mayor Krajewski also asked that architects provide some information about towns that provide more flexibility and leeway in their details. Mr. Rosenthal said that is not in the Village's Code. Other towns do that by making amendments to the Code providing discretion to the Director that do not go below minimal standards.

Commissioner McConnell referred to Section 108.6, page 4, Section A and whether 25% is correct, and Mr. Rosenthal said it was. The Commissioner then asked about page 2 of the Fire Code concerning the storage of LP gas cylinders and the type of devices. Mr. Rosenthal said he did not know. Manager Ginex said that is the next item on the Agenda.

Commissioner Tully said that staff recommends adoption of the commercial portion of the Code with some amendments and asked about those modifications. Mr. Rosenthal responded that they always modify some aspects of the Code but those modifications never go below the Code requirements.

Mayor Krajewski said he has received calls regarding the calculation of building fees. When a new building is being built, the cost of the permits in Downers Grove is less than in Oak Brook and Naperville. Mr. Rosenthal said issues are generally on the tenant interior build outs because the forms are completed incorrectly. The Mayor said he is curious as to how other communities handle this. The permit cost is a small percentage of the total construction costs, and the Village uses square footage on its calculations. He asked that staff look at the issues. He said that he was told that the Village was the highest on permit costs for garage construction.

Mr. Rosenthal responded that about a year ago staff asked for square footage to be submitted. They check the square footage on inspection. The Mayor said he just wants to know how other communities are doing this.

5. **Fire Code Upgrade.** The Manager asked Fire Chief Phil Ruscetti to discuss this item.

**Fire Chief Phil Ruscetti** said the Fire Code is similar to the building code. He stated that the Department is looking for the latest data and experience, and is looking to move to the 2000 Code.

The Mayor asked whether they spoke to architects and builders as to the benefit this will have. He is concerned about communities that adopted this Code, and why no surrounding communities have adopted this Code. Chief Ruscetti said that Naperville has adopted it. Westmont still uses the 1996 Code. The Mayor asked that they check with the Fire Protection Districts to see what Codes they're using. He said a current Code is a better Code, but asked how this works when it concerns modifications to older buildings, such as for sprinkling requirements. Chief Ruscetti said he would look into it and get back to the Council before they vote on this upgrade.

Commissioner Schnell asked about the LP cylinders on balconies, and Chief Ruscetti said they will not be allowed. In terms of enforcement, Commissioner Schnell asked how people will be notified. Chief Ruscetti said that the Department goes to all of the condo townhome associations and speaks to them. This refers to everything except single-family homes.

**Mike Gilbert**, 4625 Highland, asked why there is a one-week notice instead of two weeks. He said he would like to see what has changed between the Code they are working under now, and the proposed Code. He indicated that the last time they upgraded to a new version several things had to be changed after the fact.

**Tom Sisul**, 3624 Saratoga, said that the Chamber of Commerce has worked with a group of architects and developers, and asked whether the Council would like the Chamber to present the proposed Code to them for feedback. The Mayor said he would like to see that done.

**Terry Madden**, 920 60<sup>th</sup> Place, said he has been in the Fire service for 20 years, and thinks adopting the new Code is the right thing to do. This is toward prevention and life safety. He said that being on the State Board, he knows there are many communities going through the process of making these changes. He asked that the Village keep in mind that the safety of the residents is the primary concern. He said that Westmont is looking at this now. Lisle/Woodridge is looking to upgrade Codes as well, but they are Fire Protection.

The Mayor said that both the building Code and the Fire Code reports say that builders and architects support this upgrade, and he would like to see written evidence of that.

Chief Ruscetti said that recently there was a fire on the north side with several businesses in one building. One sprinkler was set off which put out a fire that could have been devastating. They preserve businesses as well as saving lives.

6. **Surface Transportation Program Grant Application to the DuPage Mayors & Managers Conference.** The Manager said staff recommends approval of this grant application for federal funding in the amount of \$898,625 for 39<sup>th</sup> Street reconstruction. The total is \$1,283,750 for the entire project, which includes a 30% match from the Village. It

includes full reconstruction, curbs, gutters, and widening of the road. Staff recommends this be done in fiscal 2005-06.

The Mayor said that the minutes of the Parking and Traffic Commission were not included. He noted that residents on 39<sup>th</sup> Street came forward regarding speeding issues, and reconstruction of the entrance at Good Samaritan Hospital. From there it appears to have gone to widening the roadway. He also referred to the traffic count information provided which appears to be inconsistent. He asked for the actual traffic count.

**Mike Millette**, Assistant Director, Public Works, said that 8,000 is a rounded out figure, with 7,282 being an actual count. They generally use the most recent figure. The highest count is the segment toward Highland.

Mayor Krajewski said he recalls studies showing that 70% of the cars coming out of the hospital turn right to Highland. There was also discussion about Sterling and Glendenning having stop signs. He asked whether exceptions can be made to the installation of stop sign regulations prohibiting installation for speed control. Attorney Petrarca said she would find out and bring that information back.

The Mayor said at another meeting the minutes refer to Williams Street speeding. He said that the Chairman said that Good Samaritan Hospital should be involved in these matters. The Mayor believes the Hospital should be contacted to determine their future use, and he would like to see this done before they begin a road-widening program. He said perhaps they will be able to negotiate with the Hospital. The Parking and Traffic vote was 4:2 to refer this to the Council. The Mayor said he does not know what information has to be included, and is concerned that this has to be submitted by November 5, next week. He asked if there are other projects for which the Village could submit applications as well.

**Commissioner Zabloudil** said he was surprised that this appeared from a budget perspective. He asked if there are any other projects that can be submitted. Mr. Millette said that nothing is in as bad a shape with the same amount of traffic statistics. He then reviewed the STP criteria. Commissioner Zabloudil asked for a definition of bad shape. Mr. Millette said they are resurfacing the part in front of the Hospital now. The west portion had some cuts, due to the water project. There are large cracks indicative of base failure, and there has been an older chip and seal resurfacing from what they can tell. It does not have a strong base.

Commissioner Zabloudil then referred to accident history, and said there was no spreadsheet available. It appears that this is a relatively safe roadway, and Mr. Millette said that was correct. Commissioner Zabloudil asked how many accidents are attributed to the traffic volume, and Mr. Millette said they can do a detailed analysis of accidents later in the grant process.

Commissioner Zabloudil asked how wide the roadway is today, and Mr. Millette said that at 39<sup>th</sup> and Highland it is 33' wide, and the remainder averages 26' wide. They would like to have two lanes of 11' each, with a 3<sup>rd</sup> lane for center turns. It would be even on both sides, and would also necessitate filling in the ditch.

Commissioner Zabloudil asked for an explanation of the term "logical termini" Mr. Millette said that the Federal Aid Urban System (FAUS) criteria would be an urban road or street that ties to another urban road or street, which means collector or minor arterial type of streets. The logical termini here are 39<sup>th</sup> Street running from Fairview to Highland. The grant would actually start at Washington and end at Fairview. He noted that Prairie Avenue is 26' to over 33'. Mr. Millette

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said there will be public hearings on this as it goes forward. There are stopping points as well if there is sufficient negative information. He explained that Phase 1 is the study phase, Phase 2 is the design stage, and Phase 3 is construction. If they get to Phase 1 and the data doesn't support some of the initial assumptions, they can change those assumptions.

Commissioner Zabloudil said that there are about 19 residents here from 39<sup>th</sup> Street tonight. He then asked how widening of the road is going to improve traffic congestion and improve the overall air quality. Mr. Millette responded that the rationale behind it and rating factors in the formula look at reducing congestion, thereby lowering the number of cars waiting to do something. If many people wanted to turn westbound or southbound on Glendenning, and there are few eastbound traffic gaps, that area would get a reduction benefit.

Commissioner Zabloudil asked whether the route has been designated as an emergency vehicle route. Mr. Millette said it is the most convenient way, but he does not know whether there is a plan in place to designate it as such.

Commissioner Zabloudil said he would like to see traffic counts going back to 1998-99, as well as the accident records. In addition, he would like copies of the Parking and Traffic minutes. One of the issues brought up was widening the roadway, and the next item on the agenda was a speeding issue. Mr. Millette said that the only thing that reduces speed is enforcement. Narrowing a drive lane can also slow speeds on shorter straight stretches or curved sections. The street is presently designated as a collector street. The widening would not change that designation. Fairview Avenue is also a collector street. Main Street, south of 55<sup>th</sup> Street is a County road and is close to being a collector or minor arterial. He said that the Council classifies the roads based on suggested standards from State highway officials based on the function of the road as well as physical layout. Designation of minor or major arterials is a function of the traffic level or the vicinity to other streets of a different type.

Commissioner Zabloudil asked if there is any logical math applied in terms of width. Mr. Millette said that the standard language for an urban setting should be 11' with 13' for expressways. Local streets can be as small as 10', such as in Glen Ellyn. He said 2,000 cars an hour can go through an 11' lane.

Commissioner Zabloudil said based on his calculations the roadway needs improvement but appears to be adequate size for the traffic level, and Mr. Millette said that was correct. Commissioner Zabloudil said he doesn't see a safety issue or other reason to act on this suggested road widening. He then asked whether accident summaries categorize causes, and Mr. Millette said they do. Based on what he sees, Commissioner Zabloudil said he sees no reason to act on this, but they should put together a priority list of capital projects.

Commissioner Zabloudil then asked how the estimates of the costs are determined. Mr. Millette said that they have a rule of thumb per lineal foot estimate, and they look at other projects, such as the Dunham project. Historically, full reconstruction of a street runs in the neighborhood of \$3.15-\$3.25 per lineal foot. They look at the averages and assume higher costs. As for moving utilities, Mr. Millette said that was included, however, not the replacement. It does not include utility poles, and ComEd is supposed to move the poles.

The Mayor asked if they want to put more traffic on 39<sup>th</sup> Street. He asked how many fire trucks ride on 39<sup>th</sup> Street. Mr. Millette said that streets with curbs and gutters are generally built thicker. The Mayor said it is important to meet with Good Samaritan Hospital for their long-range plan.

**Commissioner Sandack** said that timing is problematic in trying to get this reviewed and approved within a week. Repairs maybe needed, but he thinks they should look at the widening more cautiously. He is uncomfortable voting on this next week. Good Samaritan and their long-range plans should be included in this discussion.

Commissioner Schnell said in looking at the proposal to widen the street to 33', would mean moving 3.5' toward the sidewalk, placing that sidewalk very close to the road. It's the primary walking way for children to school. In addition, between Sterling and Fairview, the drop off is large, and they would have to construct major walls in front of front yards at some points, which would change the character of the homes. She believes they need to think this through more carefully.

Mr. Millette said these are questions that would not be answered at this point in the project. Commissioner Schnell said that they need to make a decision on this quickly. To be a priority, these questions have to be answered. She reviewed the accident history at Washington and 39<sup>th</sup> saying there is a sight distance problem due to bushes. She believes they need to get better sight distance, and by clearing up some other matters they may be able to solve problems without widening the roadway. She agreed that they need to get the Hospital involved in addressing this matter. There are many concerns. Washington and 39<sup>th</sup> Street is not the primary entrance for the Hospital, and these issues need to be addressed with the Hospital.

Commissioner Schnell then asked how they got to this point. This began with the residents' concerns about too much traffic. They went from that and speeding to widening the road. She feels that the residents were blindsided by the great leap that was taken. They felt this was a long-range process and now there is a grant application. She said they need to find out what the problems actually are and work through the process. She considers this to be too much too soon, and if this is a priority, it can be done next year. The Village needs to take a step back and get public input before they decide what action to take. She addressed the concerns about the sidewalks to be sure that they are not causing more problems than they are solving.

Mr. Millette said that DuPage Managers and Mayors Conference always asked for applications in early November. The Village's capital planning process begins after that. He looked at the candidates that would be likely to be funded. He said 39<sup>th</sup> Street is a collector street that P&T recommended. He does not know whether that is the right designation. He noted that the best thing from an engineering perspective is to have two or three lanes of traffic with a turn lane.

Commissioner Schnell said that they need to take a step back and look at the capital plan. Residents will be welcome to come to the public meetings for dialogue that is necessary for this type of project. This is not a matter of road reconstruction, but creates a much larger project that changes the feel of the road and community in that location. She said they have not gone through the process and the people there do not feel comfortable. She understands why the decision was made to attempt to obtain the funds, but thinks there has to be more study.

The Mayor said that he believes Mr. Millette gave them the best engineering solution for the roadway problem. However, the Council has to look at this and listen to the residents. He noted that usually the Council has copies of the minutes, but did not get those this time. They need to get the resident input and listen to that, and then compromise where possible.

Commissioner McConnell asked if there is any harm in skipping this for a year, and Mr. Millette said there was not. Commissioner McConnell then recommended pulling this item and looking at the project as part of the budget planning process.

**Commissioner Urban** asked for the width of 39<sup>th</sup> Street east of Fairview to Williams. He agrees that one of the most important things is to obtain input from the residents, and then the Hospital as well. He does not believe there is enough information to vote on this next week, and strongly urges that this be pulled from consideration at this time.

Commissioner Tully agreed with what has been said. What they are talking about is a request for funds to reconstruct the road, install sidewalks, curbs, gutters, and widen the road. Mr. Millette said that 39<sup>th</sup> Street is not on the sidewalk matrix as they have sidewalk on one side.

Commissioner Tully said it is necessary to maintain the roads, but he agrees that widening the road needs more time and attention. He asked if it is possible to submit a grant application for reconstruction without curbs, gutters and the widening of the road, and Mr. Millette said it was possible.

Commissioner Tully then asked whether the Council would want to consider retailoring this proposal. Commissioner Millette said that they can ask for reconstruction without the center lane, however is not sure about reconstructing without curbs and gutters.

The Mayor asked if they lose points when they give up the center lane and Mr. Millette said yes.

Commissioner McConnell asked if the Village submitted the request to resurface what is there, is the Village then committing to not go back and look at it for a certain period of time if needed. Mr. Millette said they can resurface what's there through a LAPP program and then explore widening as a congestion reduction and/or safety measure as part of an STP program later. This would not exclude them from applying later.

Commissioner McConnell asked if the Village has an ability to modify the resurfacing request, and Mr. Millette said they cannot since they have specific restrictions.

Commissioner McConnell said if they submitted the application to resurface the road and then changed their mind, what would happen. Mr. Millette said that the funds would simply be returned.

In response to the Mayor, Mr. Millette said that the cost of resurfacing is \$30 per square yard for a total of \$600,000 with a 30% match.

Commissioner Tully said that this is simply a request for a grant. If the Village were to ask for the most funds and were approved to do it, can they then take parts of the request out. Mr. Millette said it might have to be re-evaluated due to the point system.

Commissioner McConnell asked when the LAPP application is due, and Mr. Millette said it would be due November 5 as well.

Mr. Millette responded to Commissioner Schnell that this street is next in line for resurfacing.

The Mayor said he would have no problem going for the LAPP program as the street needs to be resurfaced. Mr. Millette said he would investigate the option.

Commissioner Zabloudil said it seems appropriate to him, but they would have to waive the one-week waiting period.

The Mayor asked if there were any comments from the residents.

**Dale Rehus**, 711 39<sup>th</sup> Street, said he would like to clarify that they are submitting the request for resurfacing, but not for the total project. The Mayor said the suggestion has been made to only apply through the LAPP program for resurfacing.

**Deb Patrick**, 607 39<sup>th</sup> Street, said she was unhappy about potential widening of the road. She asked whether it would be possible to put up a stop sign. The Mayor said the Attorney will look into it. Ms. Patrick said that there is a bus stop on the road. She added that Luxury Motors is a problem on that roadway as they use 39<sup>th</sup> Street as a test lane and speed down the road. She asked for a clarification as to the meaning of collector street. She then asked if the residents could be notified by mail if 39<sup>th</sup> Street is on the agenda. They would like to be involved prior to negotiations. The Mayor asked if residents were notified of the P&T meeting, and Mr. Millette said the residents on Glendenning were notified. He said they don't normally speak to residents before applying for a grant.

**Georgianne Pellettieri**, 3910 Glendenning, said she is a pedestrian and not an engineer. They must look at the safety of the people who are walking as well as the people who are driving. The sidewalk is too close to the street.

**Joanne Curcio**, 3903 Sterling, is very new to the neighborhood, and said that the road has a park-like atmosphere. Widening the road would be a problem because all the kids who wait for buses in the morning would have to be on the sidewalk because of the loss of parkway. She agrees that there should be a stop sign there. Cars are already driving 35-40 miles an hour on the road, and widening it will only increase the speeding problem.

7. **Community Dialogue Trend Summary.** The Manager asked Doug Kozlowski, Director, Marketing and Media Relations to address this item.

**Doug Kozlowski**, Director, Marketing and Media Relations, presented the Council with a report on the Community Dialogue. Approximately 160 people participated in the four-hour event and discussed what are the 5-8 most desirable aspects of their neighborhood, the 5-8 most undesirable aspects, and how they define their neighborhood. In all there were 23 group reports. He then presented the data obtained. In the "desirable" category were greenspace/trees, architectural diversity, and schools. Convenience, sense of community and safety were the next three mentioned. Under undesirable were lack of enforcement of regulations, incompatible redevelopment, traffic and pedestrian safety. In addition they listed the need for sidewalks and loss of affordable housing. As to defining the neighborhood, residents felt that the increase of redevelopment has created increase in traffic and loss of pedestrian safety. He said there have been corrective actions taken by the Village to address some of these problems.

Manager Ginex said that Code Enforcement has worked with builders since changes have been put forward this year by the Village, as a result of complaints from the community. Staff has developed pamphlets for builders to be distributed to the neighbors.

The Mayor said that the Council has been bringing forth many of these same issues as has the Community Response Center. The next thing is to figure out how to address the problems, either all at once or in parts. Construction site maintenance was brought forward due to the number of complaints. One of the biggest issues concerns architectural design, and having houses fit into the neighborhood. He referenced a letter from an architect concerning multiple rooflines on a building and floor area ratios. The architect's letter said that some of the recommendations might

be served with simple changes such as establishing a maximum building height of 35', minimum side yard requirements of 6' or 10%, maximum lot coverage of 33%. The Mayor said that builders have said that slight changes in the Code would enable builders to better fit buildings on the lots.

Commissioner Schnell said that architectural diversity is a concern. She said that an Architectural Review Board can be established to address this and can be done now. As for stormwater, there is a problem with smaller homes next to larger houses, and they need to work through this. As for historic preservation and other issues, those will take more time. It's a matter of having checks and balances. She said a positive step is to charge fines for those who don't take proper care of the trees during construction. Commissioner Schnell said regarding the height of elevation, people need to understand the reasoning for the Village going to 3' on the foundation height issue. She said that staff did a great job in putting this summary together.

Commissioner Sandack said he concurs that they should take two or three topics and try to address them. As for height restrictions, easy-to-follow rules should be established. He agrees that floor area ration (FAR) is a problem, and they need to progress to detached garages and wrap-around porches. As for stormwater, there have been unintended consequences of the 3' foundation height. He wants to be sure they are emphasizing what is built and whether it is consistent with the tenor or the neighborhood. Obviously the design committee that the Mayor will put together will help in that regard.

Commissioner McConnell said it was helpful to look at this summary. The high priorities seem to be architectural design, height issues, FAR, stormwater and greenspace and tree protection. They must find a way to address it more robustly to see that trees are protected and not cut down. She said affordable diversity in housing was also mentioned at the Community Dialogue. She said there should be some pain related to non-compliance. She noted that the Council has requested the Village Manager have an action plan for the priorities within 30 days of this meeting. Commissioner Schnell will serve as liaison.

The Mayor said they need to look at what "greenspace" should be in developments.

Commissioner Urban said he also saw some priorities as well, including housing, architectural diversity, incompatible redevelopment and loss of affordable housing, lack of enforcement, Ogden Avenue redevelopment, and greenspace and trees issues. He said that many people moved to the Village because of the community aspect of Downers Grove and he does not want that to be lost.

Mayor Krajewski agreed that it is important to look at Ogden Avenue.

Commissioner Tully said that this is an on-going process, and the Community Dialogue confirmed what was already known. He suggested that the Village look at what other communities have done and adapt them to fit the needs of this Village. Commissioner Tully agreed with the importance of Ogden Avenue redevelopment as well. He said that the Village needs to keep up communication with the public, and keep people aware of issues being brought forward and made part of the budget process.

Mayor Krajewski said regarding zoning and variances, some Commissioners have expressed concerns about the amount allowed.

Manager Ginex then reviewed that the priorities are building height, FAR, stormwater issues, foundation height, greenspace, trees, sidewalks, and Ogden Avenue. Commissioner Schnell said five of the items can be done through Code, and some through budget.

**Dr. Gordon Goodman**, 5834 Middaugh, said he enjoyed participating in the Community Dialogue and was pleased to have the summary information. He reviewed the list and suggested the Park District should be ranked higher. As to undesirable characteristics, high taxes were not the most important thing on people's minds. He expressed concern about the last paragraph of the summary, but was pleased with how the Council has responded to that paragraph. People are concerned more with the trees in the community as a whole, and not just the parkway property. Dr. Goodman said that they need a community sounding board for some of these issues. He reminded the Council of the 1,885 names he submitted to the Council concerning protection and preservation of the Orange Lyman House, tightening controls over the demolition permits, and creating a community-based task force regarding preservation options. He said the Environmental Concerns Commission will meet tomorrow and it might be appropriate for them to review the Tree Preservation Ordinance.

8. **Walgreens.** The Manager said Walgreens has requested a lot reconfiguration, special uses and variances.

**Amanda Riordan**, Senior Village Planner, said the petitioner is proposing concept J-6B as an amendment to its previously submitted plans. In this concept, the driveway is proposed to the north and has been redesigned to accommodate a wider turning radius and additional stacking, per Council request. The size of 14,500 square feet and the southwest entry remain the same. They have shifted the building to the east, closer to the Main Street property line. This provides additional screening of the loading area, and eliminates all but three parking spaces on the Walgreen parcel adjacent to Main Street. She showed the changes on an overhead projector. Ms. Riordan said that the driveway adjacent to the rear of the Center is proposed to be removed, but the variations requested for both parcels regarding greenspace and the parking setback remain. She said that the petitioner has requested the opportunity to address the Council with respect to their revised plan.

The Mayor said he had asked that this item be removed from tonight's agenda since there were a number of issues already under consideration. He asked what plan went before the Plan Commission and Ms. Riordan responded that it was plan J. The Mayor said he is concerned about when this should go back to the Plan Commission, as the Council is now taking on the role of the Plan Commission

The Mayor reviewed some of the previous concerns including parking, orientation and the size of the building. He said meetings were held with the Walgreens representatives and those issues were raised. He was told by their representative that Walgreens would not consider changing their orientation, nor the size of the building.

Mayor Krajewski then referred to the traffic studies going back to December 2003. He said the original study mentioned five access drives and considered that the traffic would be evenly distributed among the five access areas. In the present configuration they are planning to close the back access on 62<sup>nd</sup> Place. He said there was an inconsistency in reporting the type or amount of traffic generated by the 62<sup>nd</sup> Place access drive.

**Dave Barber**, Director, Public Works, said that the back driveway is not used equally with the other four and probably would not impact traffic much. Their opinion is that the traffic will come

in primarily on 63<sup>rd</sup> Street and on Main Street. He believes that the second study is more accurate than the first.

The Mayor then asked whether the Council had seen Plan J6A. Ms. Riordan said the petitioner did not submit that for Council consideration because the variations required for that proposal would exceed what was allowable under the current Code.

**Jim Russ**, Attorney for the petitioner, said there was a difference in the number of parking spaces. The Mayor asked if closing the entrance eliminated some of the variances, and Ms. Riordan said that was correct. Mr. Russ added that by shifting the building to the east, they lost all except three parking spaces from the Main Street entrance south. That resulted in a shortage of parking which would require a parking variation which was not originally requested. He said closing the back entrance solved that problem, as well as concerns about traffic cutting through their neighborhood.

Mayor Krajewski asked staff about the five variances. Ms. Riordan said that the variations requested are two variations for each parcel pertaining to greenspace and parking setback. The variation from Ch. 28 is a greenspace variation. Ms. Riordan said there are five variations.

The Mayor said, from a planning standpoint, the orientation of the building should have been facing the other strip shops. Ms. Riordan said that from a planning perspective, she agrees that the front entrance would be aesthetic and more functional with the front entrance fronting the main portion of the Green Knolls shopping center façade.

The Mayor then asked about traffic, saying if a resident goes to Ace Hardware and then wants to go to Walgreens, will they walk or drive around from Ace to the Walgreens site. He said he believed the size of the building is too big for the site, and the orientation is not appropriate for the area. He said the Plan Commission forwarded a 6-1 vote for recommendation in July. He read a letter from a Commissioner who voted for the "J" plan, indicating that in Naperville, a Walgreens store was configured the way their Council wanted. He said if he had known this he would have voted against this petition. The Commissioner said the Village needs to work on having construction that is aesthetic and makes sense.

The Mayor then referred to Commissioner Griesbaum's statement in his dissenting vote that "we need to have more companies start doing it our way." The Mayor said the other Commissioner who sent the letter stated: "had I been aware of what I have learned recently, I, too, would have dissented. Walgreens in Naperville on Ogden Avenue laid out a structure as . . . asked, yet they stated in the 'J' meeting that this is not something they do." Mayor Krajewski said that there has been a concern among the Plan Commission members about the orientation of the building. He said 1,300-1,500 residents have signed a petition against the orientation and size of the building. He cannot support this, as the residents' concern comes first. He will vote no next week and will continue to do so until the building is turned and the sheer size of it is addressed.

Commissioner Zablouidil said he doesn't disagree with anything that's been said. He has serious concerns about this request. He said that Walgreens has completed the retrofitting of its store at 22<sup>nd</sup> Street and 17<sup>th</sup> Avenue, and the orientation is toward the mall, not 22<sup>nd</sup> street. He will not support this as it is not the best benefit for the community or the site.

Commissioner McConnell addressed the drive-thru and the fact that the one lane splits to two lanes, and asked how clear that is from a traffic perspective. Mr. Barber responded that it can be made clear by signage. It is actually a bypass way around for someone who might get stuck in

the drive-thru. He said they are showing eight cars in each lane, with four stacked. Regarding the loading zone, he further responded that he did not think there would be a conflict because there are usually very few cars in the drive thru backup area.

Commissioner McConnell then questioned the greenspace, asking where the new greenspace is located. Ms. Riordan showed the location for the new greenspace area, stating that a revised landscape plan has not been submitted to the Village.

Commissioner Urban asked whether five variances are an abnormal amount. Ms. Riordan said that Community Bank had six variations. Luxury Motors had one variance for fences, and Saab had a front setback variation.

Commissioner Tully reminded everyone that there are two aspects to this request: 1) a lot reconfiguration and 2) requests for variances and a special use. He noted that this is a challenging parcel and he would like to see it return to productive use, but not at all costs. He is concerned with issues regarding size, orientation, traffic issues, and severity of variations. There is an apparent conflict of stacking with the main entrance. He is not convinced that the criteria for variances have been met. He appreciates the business has a model but it is the Council's right to disagree with it. He also appreciates their efforts to make changes but believes they can still do better.

Mayor Krajewski apologized to members of the public who were leaving the meeting, noting the lateness of the hour. He reiterated that he did not want this on the Agenda this evening.

Michael Werthmann, KLOA, 9575 W. Higgins Road, Rosemont, said he was a traffic engineer, and has done a number of surveys on Walgreens stores. His firm has found at the most Walgreens has about two vehicles waiting at any one time. They do not see a problem with the drive thru and access proposed. Regarding the loading dock, he said that loading activity is low at Walgreens and are at non-peak times. He indicated that this type of design is common for many Walgreens stores. In regard to the location of the door, the majority of people will walk, but some may find it easier to drive. They will be providing sidewalks and pedestrian amenities. In terms of the traffic studies, the five variances, if granted, will provide excellent flexibility for the site.

The Mayor asked if they do not see an issue with people walking from the south end through the parking area to the mall area. Mr. Werthmann said this is how shopping centers are designed.

Mayor Krajewski said that cars enter on the 63<sup>rd</sup> Street side and exit on Main Street to avoid the stop light. Mr. Werthmann said that there are ways to mitigate this.

The Mayor then asked whether they surveyed the Ogden Avenue/Main Street Walgreens for drive-thru stacking, and Mr. Werthmann said they did not. They have worked with the staff for the past year, and this is the concept with which he believes staff is most comfortable.

Commissioner Sandack said that this issue has been discussed for a long time. The process began almost three years ago, and Ordinance changes were made by this Council for this as a unique parcel. He said that this parcel is challenging. It has a grade problem, and the geometrical scope is challenging. They are talking about retrofitting a shopping center. The size of the building has not changed since the Plan Commission's approval, nor has the orientation changed. What has changed has been four or five plans for the building with different parking and drive-thru configurations. He said that the size and orientation are not variations. The number of parking

spaces meet Code. The current greenspace is non-existent so what they plan to include is an improvement. There are several buildings that have been retrofitted and/or are outlots in other commercial areas. He can think of three that are oriented other than toward the center of the facility. As to the number of variances, he agrees with the variances given to the Community Bank of Downers Grove, which is actually a larger building on a smaller space. Commissioner Sandack said that he appreciates the e-mail he has received in this matter, but is concerned that some of it has become personalized.

Commissioner Schnell said that an Ordinance was changed in 2003 specifically with regard to this parcel. The Mayor said that Ogden Avenue primarily spurred those changes.

Commissioner Schnell asked about J-6B compared to J, as it appears that J had about five spaces in what was the second line of parking in the Center, and in J-6B there are about 14, just north of the greenspace. One comment heard throughout the dialogue was that a line of parking spaces was virtually eliminated in J. J-6B has more parking spaces. Ms. Riordan pointed out the differences in the parking spaces.

Commissioner Schnell asked how large the Main and Ogden Walgreens is. Manager Ginex said it is 13,900 square feet.

Mayor Krajewski said he thought they asked the Community Bank to post signs, and asked whether they refused to do anything the Village asked. Ms. Riordan said they did not. The Mayor also asked how many residents came out and signed a petition against the Community Bank of Downers Grove, and Ms. Riordan said she was unaware of any. As to Luxury Motors or the Saab dealership, Ms. Riordan said there were no signed petitions but there were some objections. Saab agreed to the signage. The Mayor said in this case he has 2,000 residents that are against this project, and asked how you discount that.

Mr. Russ responded regarding the landscaping, and showed a design depicting the landscape and how it breaks up the north wall. He said that Walgreens never said they never orient a building away from a shopping center. They did say on this particular parcel they would not orient it toward the center because of the topography of this location, and the unique circumstances of this location. He reminded the Council that he does not represent Walgreens. He represents the owner of the property. Regarding Community Bank, Mr. Russ said the petition before the Council is two variations on each of the parcels. The Community Bank was a petition for a special use with five variations. He reviewed those variations for the building which was 14,000 square feet with a FAR of .42. The Walgreens proposal has an FAR of .36. They have a larger parcel of property with the same size building as the Community Bank petition that the Council approved a few weeks ago. The Mayor said he thought it was 14,000 square feet for the two floors of the bank. Mr. Russ noted that the Panera bread store on Ogden Avenue is oriented away from the shopping center, as is Portillo's on Butterfield Road, and several on 75<sup>th</sup> Street orient toward 75<sup>th</sup> Street and not the shopping center. He said that the Walgreens in Westmont on 63<sup>rd</sup> and Cass also orients away from the shopping center. There are examples of that type of orientation in this community.

The Mayor asked how many of those properties have the corner that close to the building. They have a long distance to walk. It is the small size of this site that makes this a problem.

Mr. Russ said that any characterization that the petitioner has not worked with the Village is wrong. They are happy to do what can be done to work between what the Village wants and Walgreens. He does not think they will get anything better out of this.

The Mayor asked who is negotiating on behalf of 2,000 residents that are against this.

Mr. Russ said that he lives in a town of 50,000, and there are people with opinions on both sides. Generally people who are in favor don't step up.

Mr. Werthmann of KLOA said that by orienting the building to the south parking on the southern half of the site that is not being utilized will be.

**Terry Madden**, 926 60<sup>th</sup> Place, said he is against Walgreens. There is no community support for this, and Walgreens has taken an unfriendly stance. In regard to orientation, he asked why it was changed from facing the existing buildings. Mr. Madden said that the EDC said they were against this. He said that access for existing tenants will be cut off, and doesn't know which tenants/residents supported that. Mr. Madden said if Walgreens is so concerned about getting that parcel, why did they announce closing of another store without approval of this store. He does not want a structure sitting there if Walgreens moves out. Mr. Madden said it was ridiculous that this got this far with the Plan Commission. Walgreens does not want to work with the Village. He said this is a project that is not needed and is too big for the area. Commissioner Sandack never mentioned the residents in his comments. Mr. Madden further said that the owner has done a lot of work in that plaza and not having the store there is not hurting their business. He wants the Council to take into account what the residents want.

**Marilyn Laya**, 1041 61<sup>st</sup> Street, a 31 year resident of the Village, said that in the recent community survey she highlighted three points that were important: 1) compatible redevelopment, 2) pedestrian friendly, and 3) concern for flood areas and safety. She said that the lot is too small and there are too many cars in the lot that speed. She said that the building is too big and the Village does not need this monstrosity. She said there have been flooding problems in the area as well. Ms. Laya said she would want the Council to show concern for the residents of Green Knolls they are representing.

**Peter D'Angelo**, a partner of Green Knolls and a manager of the property, said he loves when emotion runs high and people put reality aside. Four years and six months ago at 3:00 a.m. he received a call from the Downers Grove Fire Department saying Lonestar Steakhouse is burning. He thought the building would be replaced, but it has been vacant in the hottest real estate market. He appreciates how the shopping center is full, and he leased those spaces. It's full because he did whatever it took to get those people in there, including free rent, etc. He doesn't want to build the Walgreens to negatively impact the rest of the shopping center. He wants to build it for other reasons, such as his tenants would love the extra traffic. For four years they have been staring at a dirt pile which produces no revenue. He said he is also there for a woman named Bozi Akan who opened a cell phone store about a year ago. She works a second job at WalMart to keep her business alive. Mr. D'Angelo said he'd like to know what the reason is for not wanting this, because he saw the petition and it basically said "say no to Walgreens."

The Mayor responded that the petition said "size and orientation." No one is against Walgreens. We just want a smaller building and different orientation. Mr. D'Angelo said the petition is to say no to Walgreens, and that's what they were basically saying when they were outside of the Jewel Osco. He said in looking at the site they spoke about other buildings facing the shopping centers. No one in the room can tell him they can actually see that building from their house, especially if they live behind the center. He thinks this is all emotion not based on reality. The reality is that Walgreens is a good tenant. Everyone he has spoken to in the center, with the exception of one or two people, has said they want to see this happen.

**Laura Deppert**, 6208 Main, said she has the unique experience of being a tenant in Green Knolls and a resident within one mile of the proposed Walgreens. She sees that businesses in Green Knolls would be better off with traffic. She likes one-stop shopping and sees this as aiding the businesses in the center. She has listened about the petition with 2,000 signatures, and what the Council does not see are the people who don't sign the petition. People in the center do not understand why they cannot come to an agreement. She said that Walgreens is a good clean business, and there should be a way to work this out. She is sick of looking at a dirt pile.

The Mayor said that no one is offering to take that location because the cost is too high. The majority of the people are against this due to the orientation of the building and its size.

**Gale Zikis**, 5217 Belmont, has a business at Green Knolls. She said that people with small businesses in Green Knolls are looking for increased traffic that could be brought by Walgreens. Those who have their life savings in the businesses should have a say in whether this will go through or not, as opposed to someone who thinks there will be more traffic in the neighborhood. She would hope that people would realize there are small people out there who would benefit from this.

The Mayor said that unfortunately he puts more weight in his residents and citizens than he does in some of the businesses and what they want. He answers to the residents first. Ms. Zikis responded that she is a resident, and thinks the Mayor forgets that.

**Chris Derby**, 5560 Main Street, said he thinks Walgreens would be a great addition to the Green Knolls Center. He has his State Farm business in that center. There is no traffic issue at Green Knolls, and that is why he is at the meeting tonight. He wants to see more traffic, and not in a negative way. Parking problems in his opinion are Oakbrook Mall or Yorktown. The Green Knolls center is not an issue and the parking lot is generally 30% full on the weekend. In regard to the survey, there was a sheet of paper taped in the Ace Hardware that said "say no to Walgreens," with no option for those who were in favor of Walgreens. Mr. Derby said he does not see the negative aspects of this and asked how they can make exceptions for some businesses but not others. He said he has never seen cars stacked up at Walgreens. He doesn't understand the amount of adversity to one building on one piece of land. He believes concessions can be made because they have been all around Downers Grove.

The Mayor said in the summer the center is very crowded at night from the people from McCollum Park.

**Dr. Gordon Goodman**, 5834 Middaugh, said he enjoys using the center and this parcel is probably the last and best opportunity to upgrade the parking and greenspace for the center and bring in a good tenant. However, he feels that this building is inappropriate for the site. A building of this size will make it impossible to bring the greenspace up to proper standards. With regard to the proposed closing of the entrance from the north, it looks as though it can work, but he asked that they allow for walking access from the north as well. His main concern is the parking. One of the things that would be achieved by Plan J-6B would be shifting three more spaces behind the existing shopping center. It's hard to believe that these parking spaces serve the customers of the center as they are not convenient for customers. This now proposes 60 spaces behind the center. A total of 25.2% of the spaces would be in an inconvenient location. He said when Lonestar was at that site there were 336 spaces overall. The requirements have dropped by 8 spaces due to the change from restaurant to retail, and there would now be 287 spaces, or a reduction of 49 spaces, in front of the business.

## DRAFT

**Barry Peckhart**, 1028 61<sup>st</sup> Street, brought another 140 signatures opposed to this plan. It does not say "vote no for Walgreens." As for people who didn't sign the petition they were friends of Jim Russ or worked or had a relative that works for Walgreens. The majority of the people are against this. He then addressed the question of sales tax, saying Saab will generate a lot of sales tax money, but Walgreens will be closing one store and replacing it with another. This does not meet the greenspace requirements. He said that 25% of the parking spaces are behind the building. He understands this is a hard lot to develop, but he gave examples of other buildings that exist below grade. He said that the site may be sitting vacant because the price is too high. It is not the Council's responsibility to make this work. He noted that a letter of support from Roundheads was suspect.

**Marilynn Gerloff**, 4241 Highland, said she lives behind a Walgreens. She asked about loading of trucks, and said that a dairy truck comes twice a week. She mentioned that this could be a problem with stacking. There are peak times when cars are stacked past the corner of the building for the drive thru. She has seen from six to eight cars backed up in the winter months. Mr. Werthmann showed the location of the site and said you can get a semi through there with a car in the stacking area.

**Mike Gilbert**, 4625 Highland, said that the Ordinances were not changed for this project. That was a tool to enable a potentially better fit for buildings aesthetically and operationally in tight spaces. He indicated that this particular issue is a situation where the building is too big and has an orientation that people do not want. The changes in the Ordinances were used effectively on Ogden Avenue and in the downtown area. But this request has nothing to do with the changes that were made.

**Tom Sisul**, 3624 Saratoga, said he is pleased with the direction the Council has taken when it comes to the study of aesthetics in the community. He is encouraged by the movement to get a Committee in place. For too long the Village has been the victim of petitions coming before the Council. He said that the Community Dialogue meeting reinforced people's concerns about the look of the community. That is consistent with what he heard here today regarding finding a better way to fit this into the site that would be more pleasing to the area. He feels that the Council has an obligation to study this and determine how we want the community to look.

The Mayor said that he received phone calls from another attorney, Ed Vrdolyak from Chicago, and asked if he was working with Mr. Russ. Mr. Russ said that Mr. Hague was present.

**Tim Hague**, Taxman Corporation, said he has acted as real estate broker in this transaction representing Walgreens to the ownership. He has no knowledge of Mr. Vrdolyak contacting Mr. Taxman.

### STANDING COMMITTEE REPORTS

Commissioner McConnell said that Public Safety Committee met this morning and discussed the video enforcement issue at the railroads. She said the Village does not feel they can go forward with the proposal as submitted. She said they also discussed the Police Department capital budget and long-term plans.

**MANAGER'S REPORT**

Manager Ginex said that VOC has installed an emergency management network system from DuPage County Office of Emergency Management which will provide real time information during an emergency for DuPage County OEM, State of Illinois IEMA, and US Homeland Security Office. It also provides severe weather emergency information from the National Weather Services to be sent to public works employees in the field and other critical facilities within the Village.

The Manager said all police officers have been trained on how to use the Statewide Terrorism Intelligence Center.

The Crime Prevention unit reminds everyone that Halloween is Sunday October 31, and they recommend trick or treating during the day light hours.

The Patrol Division has made more than 335 DUI arrests, which is their most successful year. He said that DUI arrests are up countywide.

The Ice Sculpture Festival will be held January 28-30, 2005 and has been selected as one of six carving competitions to be an Olympic sanctioned event. They will compete for one of four to represent the United State at the Cultural Winter Olympics in Italy which coincide with the 2006 Winter Olympics in Italy.

The Public Works Department held a function last Saturday with IEPA to turn in hazardous waste, with about 1,500 cars coming through.

**ATTORNEY'S REPORT**

**Village Attorney Enza Petrarca** said she was presenting five items to the Council: 1) A resolution authorizing execution of an agreement between the Village of Downers Grove and Advocate Health Partners for and on behalf of Advocate Good Samaritan Hospital, a hospital operating division of Advocate Health and Hospitals Corporation; 2) An ordinance regarding the 2005 Heritage Festival; 3) An ordinance adopting the 2000 International Building Code; 4) An ordinance adopting the 2000 International Energy Conservation, the 2000 International Fuel Gas and the 2000 International Mechanical Codes; and 5) An ordinance adopting the 2000 ICC International Fire Code. She presented two items for adoption on November 16, 2004: 1) An ordinance authorizing a lot reconfiguration for the properties located at 6202-6248 Main Street and 6250 Main Street, Downers Grove, Illinois; and 2) An ordinance authorizing a special use at Walgreens, 63<sup>rd</sup> & Main Streets, to permit a drive-thru (pharmacy) window operated in conjunction with a 14,500 square foot retail sales facility.

**COUNCIL MEMBERS**

Commissioner Schnell said that Character Counts is having their pancake breakfast on October 30 from 8-11 a.m. at Ballydoyles. She thanked the residents for coming to the meeting and staying, and also thanked the Cable staff who volunteer their time.

## DRAFT

Commissioner McConnell said that Downers Grove was mentioned in the Metro section of Sunday's Chicago Tribune in regard to the Goodness Counts program.

Commissioner Tully encouraged everyone to vote on November 2. He also wished everyone a safe and happy Halloween. He asked that the Village post on the website that the vote on Walgreens is on November 16 and not next week.

Commissioner McConnell said that on Sunday, the Lions Club Children's Parade will meet at 12:30 at the Northwest corner of Burlington and Main. The parade will begin at 1:00 p.m. and go to Fishel Park.

The Mayor also said that the Rotary will have the window painting on Saturday morning as well.

The Mayor asked staff to let the residents who had to leave early tonight know that they would be given the opportunity to speak on the Walgreens issue early in the November 9 Workshop meeting.

There being no further discussion, the Workshop meeting was adjourned at 11:37 p.m.

April K. Holden  
Village Clerk

tmh/