

MINUTES OF WORKSHOP MEETING

DOWNERS GROVE, ILLINOIS

AUGUST 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 Sue McConnell, Martin Tully, Mark Zabloudil, Ron Sandack, Stan Urban; Village Manager Riccardo Ginex; Staff Attorney Ann Marie Perez; Village Clerk April Holden

Absent: Commissioner Marilyn Schnell; Attorney Enza Petrarca

Visitors: **Press:** Kevin Stahr, Downers Grove Reporter

Residents: Sara Davis, Benesch; Mike Busse, Community Bank of Downers Grove, 1111 Warren; Tom McCabe, Seton Engineering, 19 S. Bothwell, Palatine; Gerald J. Cropsey, and Charles J. Grund, Grund & Riesterer Architects, 20 N. Wacker Drive, Suite 2418, Chicago; William Waldack, 1409 Willard Place; Bill Wrobel, 7800 Queens Court; Jane Amorosi, 5742 Dearborn Parkway; Christine Fregeau, 1918 Elmore Avenue; Linda Kunze, 4801 Montgomery; John Jacobs, 223 East Lake Shore Drive, Oakwood Hills; Herman Stift, 221 59th Street; Ken Lerner, 4933 Whiffen Place; Roland Gartner, 217 Ogden Avenue

Staff: Mike Millette, Assistant Director, Public Works; Carol Conforti, Liaison, Liquor Commission; Jon Hall, Stormwater Administrator, Public Works; Stan Balicki, Assistant Director, Public Works; Dave Van Vooren, Deputy Village Manager; Joe Skach, Director, Planning & Community Development; Keith Sbiral, Planner

Mayor Krajewski explained that Council Workshop meetings are held the second and fourth Tuesdays at 6:30 p.m. The meetings are video taped live and for later cable-cast over cable channel 6.

The Workshop meeting is intended to provide Council and the public with an appropriate forum for informal discussion of any items intended for future Council consideration or just for general information. No formal action is taken at Workshop meetings.

The public is invited to attend and encouraged to comment or ask questions in an informal manner on any of the items being discussed or on any other subject. The agenda is created to provide a guideline for discussion.

MANAGER

1. **Parking Deck Update.** Manager Ginex asked Mike Millette to address this item.

Mike Millette, Assistant Director, Public Works, said this is update #13 and the end is near! He said the paving of the approaches began today, and the letters are up over the arches. He said Ms. Davis's contract will probably run out. They estimate a figure of \$25,000 as a high-end figure to run to completion. Mr. Millette asked Ms. Davis to update the Council on the activities of the last month.

Sara Davis, owner's representative, said the elevator installation is the key task and is moving along on schedule. She said the substantial completion date is September 30, 2004, which seems realistic. The back-up generator is still to be installed. The fire pump is almost completely installed. The paint and glass have brightened up the building and made it prettier. Paving and landscaping work is on track. Regarding the budget, approved change orders total \$350,000 or 3% of the contract amount. A few more change orders are anticipated. She said they are anticipating a change order for additional ceiling, waterproofing, and caulking, which were omitted from the plans, is expected as well as some miscellaneous items. She

said she doubted that the additional change orders would be as much as \$100,000.00. The project should be well within budget overall.

Mayor Krajewski asked if it is still anticipated that the project would come in under budget. Ms. Davis answered affirmatively.

Regarding the one additional change order for the items omitted from the plans, the Mayor asked who omitted those. Ms. Davis said that was a Desman mistake. He asked if that would be added to the list. Mr. Millette said it would be. A letter was sent out per Council request, but he has not had a response as of yet. Mr. Millette said Mr. Barber would be contacting someone at Desman this week. In response to the Mayor, Mr. Millette said it was felt that the items were significant enough to send out the letter even though there may be additional items.

The Mayor asked about the additional hours. He said these are caused by Turner's delays in the project and that Turner would be paying for this additional time. He asked if this has this been confirmed. Mr. Millette said they are currently doing \$1,000 per day liquidated damages plus expenses, which includes Ms. Davis's contract.

The Mayor asked if the additional time for Ms. Davis is being passed through to Turner for payment. Mr. Millette said that was correct.

Commissioner Urban recused himself pursuant to Section 74.4-4 of the TIF Act. He said he was recusing himself from discussing the following items on tonight's agenda: #1, #2, #5, and #6 because he holds a leasehold interest in the Central Business District TIF district.

Commissioner Tully reiterated that Ms. Davis does not anticipate additional change orders in an amount exceeding \$100,000.00. Ms. Davis said that was correct. Commissioner Tully asked what percent of the total contingency spent would be including the anticipated change orders. Ms. Davis said it would be 4% of a 5% contingency.

Commissioner Tully said it would be helpful to see a summary of the additional expenses and items for which the Village is looking to other parties for reimbursement. Mr. Millette said he would provide it. Ms. Davis said it may not be final numbers. Commissioner Tully said he would be interested in a running total at the next presentation even though it may not be final numbers.

Commissioner Sandack said a schedule was requested from Turner in June. He asked why we have not heard from them with respect to the anticipated conclusion date. Ms. Davis said she has repeatedly asked and has been told they are working on it. Mr. Millette said he received a call from the Sr. Operations Manager for the Arlington Heights office who said a critical paths schedule will be delivered on Thursday, August 26, 2004. Staff is meeting with Turner on Wednesday, September 1 to confirm in writing that September 30 is the completion date. Mr. Millette said Turner has told staff several times at the weekly progress meetings that September 30 is the substantial completion date.

2. **Bid: CBD Light Pole Banner Arm Supplies.** The Manager asked Stan Balicki, Assistant Director, Public Works, to address this item.

Stan Balicki, Assistant Director, Public Works, said staff has been working with the Downtown Management Corporation on how the holiday wreaths are installed on the light posts as well as some of the maintenance issues related to the posts. The request tonight is twofold. In 1999, the Downtown Management Corporation contracted with a company to do the wreath installations, removals and storage. Public Works has always had some involvement in this work with the contractor as it relates to electrical and other issues. The standard of care by the contractor has been less than staff would have liked and has caused repairs to have to take place as well as items that have turned up missing. As a result, staff feels it might make sense to have the Village staff do this work. The Downtown Management Corporation is willing to continue on the same agreement with the Village and the Downtown Management splitting the cost of the work 50/50 to do the installations and take down the wreaths. Staff would like to install a

banner arm on the light poles as they do the wreath installation this year. This will make maintenance as well as installation and removal of the wreaths much easier. Staff has already been doing this on a piecemeal basis as banner arms break. The banner arms cost \$250 apiece from the manufacturer. Staff approached Spannagel Tool & Die who designed and fabricated a banner arm. With the discount they are offering, the arms will cost \$60 to \$70 each. This represents a significant cost savings and would be easier for the staff to work with. He said Linda Kunze of the Downtown Management Corporation is here tonight to answer questions.

Mayor Krajewski said it was good to use a Downers Grove firm. He asked how we know the cost is competitive. Mr. Balicki said that was based on what the Village would have to pay the manufacturer. The Mayor said he was concerned that the project was not bid out and another manufacturer might have a more competitive price. Mr. Balicki acknowledged that they do not know if it is not bid out.

The Mayor said the budgeted amount is \$75,000 and this item is \$17,000. He asked if the budgeted amount includes other items. Mr. Balicki said there were other items included in the budgeted amount. The Mayor asked for the information regarding this budget. He also asked if the amount for this item was anticipated in this budget. Mr. Balicki said it was included in the budget.

Commissioner Sandack said the proposal includes exiting a contract with a third party vendor. He asked if the contract has been reviewed and if we can exit the contract without any penalty or problem.

Staff Attorney Ann Marie Perez said she has not seen the contract yet and she is not sure if the Village or the Downtown Management Corporation holds the contract.

Commissioner Sandack said we need to make sure no one is being put in harm's way.

The Mayor asked if \$17,322.35 is our half. Mr. Balicki said that is for the supply of the material only. It is not a split cost. What the Village has split 50/50 with the Downtown Management Corporation is the contract for the installation and removal of the wreaths.

Linda Kunze, 4801 Montgomery, said the Downtown Management Corporation has a yearly contract with the company. They have paid in full for this year. She has already spoken with them. She will not renew for next year. She said the Downtown Management Corporation has budgeted \$3,600 toward installation.

The Mayor asked that a copy of the contract be sent to the Village Attorney. Ms. Kunze said she would do that.

Commissioner Tully said he would like an understanding of what this would have cost and what was budgeted had this not been done vs. what it will cost if this is approved. He would also like to know if this was budgeted for. Mr. Balicki said he would provide a spreadsheet.

3. **Liquor Ordinance Amendment.** The Manager asked Carol Conforti, Liaison to the Liquor Commission, to address this matter.

Carol Conforti, Liaison to the Liquor Commission, said she was presenting a draft ordinance regarding an increase in liquor serving hours. She said there have been a few licensees over the year that have requested an extension of their liquor serving hours. Licensees are currently limited to two per year. This ordinance proposes to increase requests for extensions to eight times a year. Extensions are typically granted on holidays and special events. There are some licensees who are interested in doing a Sunday brunch. This will allow licensees to do some more special events. The ordinance proposes establishing a fee which will be charged to cover the administrative costs in processing the request.

In response to the Mayor, Ms. Conforti said there is currently no fee, but they are proposing a \$25 fee based on the time it takes staff to process the request. The information regarding licensees granted extended hours would be reported at the Police roll call.

The Mayor said the only time he grants these is when there is a holiday that falls during the week. He gives them the Saturday night hours for the night before the holiday. He asked if it might be easier to change the ordinance to extend hours for the day before a holiday rather than having to make a special request and having to report this out at a roll call. Ms. Conforti said the licensees are required to make the request. The Mayor said a number of licensees are not aware of this requirement.

Commissioner Urban asked if the licensees would also be applying for extended hours for events such as Heritage Festival and their own events, or if they were looking for extensions for the eves of holidays. Ms. Conforti said it could be for either as well as for a Sunday brunch.

Commissioner Urban asked if the fee is for each date or if a licensee could apply once for eight dates and be charged one fee. Ms. Conforti said each request for each date is a \$25.00 fee.

Concerning brunches, Commissioner Urban asked if they also have specific dates. Ms. Conforti said some licensees create a different license that would allow early service on Sunday. This portion of the ordinance is for a small business that might want to start building up a Sunday brunch business.

Commissioner McConnell asked the Mayor if, as Liquor Commissioner, he would only want to approve requests related to specific holidays.

Mayor Krajewski said the only requests he has had are for the eves of holidays. The request is to extend hours for an extra hour. He said he has had requests to begin selling earlier on holidays or eves of holidays, but he has denied those. He said special events are different in regard to brunches. He would not be opposed to that. Ms. Conforti said typical requests for brunches are Mother's Day, Easter, New Year's and Christmas eves, etc. Currently licensees are limited to two extensions of hours per year. The intent of this proposal is to increase the number of extensions a licensee could ask for. It is up to the Liquor Commissioner as to whether it would be granted.

Commissioner McConnell suggested that the language be reviewed as it pertains to the fee. She said it was a little unclear that the fee is for the individual requests and not for a set of requests.

Commissioner Sandack said this request is to change from two dates that can be currently requested by a license holder to eight. The license holder would need to submit a request to the Mayor as Liquor Commissioner. The Liquor Commissioner can apply whatever criterion he seeks to utilize in granting extensions. Commissioner Sandack said the only question is whether eight is a good number. He said he agrees that the language regarding the fees should be clarified so that it is understood that the fee is \$25.00 for each individual requested extension. He said he feels this ordinance gives the Liquor Commissioner flexibility to allow special events.

Ms. Conforti said staff proposed four dates for extensions. The Liquor Commission discussed this and came up with eight. She said licensees have not abused their requests for extensions.

Commissioner Tully asked if there is currently a fee. Ms. Conforti said there is not. Commissioner Tully said this fee would be for each day the extension is requested. Ms. Conforti said that is correct. Commissioner Tully said he does not have a problem with the number of dates as it is at the discretion of the Liquor Commissioner to grant these and to establish whatever policies he wishes. This allows licensees eight opportunities to ask for an extension. It does not mean they will be granted. He agreed the ordinance should be revised to specify that the fee is for each date for which an extension is requested.

Mayor Krajewski said a new banquet facility is going in on 75th Street. This ordinance would prohibit a business from serving champagne at a weekly Sunday brunch. Ms. Conforti said that was correct unless a license is created. She said one licensee has expressed interest in approaching the Liquor Commission to create a license for brunches, but she has not received any written requests. The Mayor said there may be other requests as well.

4. **Gambling/Liquor Ordinance.** The Manager asked Ms. Conforti to address this item as well.

Ms. Conforti presented a draft ordinance concerning gambling on liquor license premises. She said staff has recently reviewed the gambling ordinance. Currently gambling is prohibited in liquor license facilities. She said that gambling as defined in Chapter 15 prohibits gambling throughout the Village. The Liquor Code, Chapter 3, prohibits gambling at liquor license premises. There are currently three clubs, Moose Lodge, VFW, and American Legion, that do bingo in accordance with the Illinois Department of Revenue and the Bingo and Pull Tab and Jar Games Act. They do, and are required by the State of Illinois to have a license to do so. Gambling is permitted in Chapter 15 of the Municipal Code if they hold this license. The organizations with these licenses rely on this money that they receive from the gambling and pull tabs to pay for operational expenses.

Ms. Conforti said that this ordinance eliminates the reference to gambling for charitable organizations, the Class C Club licenses, and will allow organizations to continue to do bingo on their premises, which they have been doing for many years. Further, this ordinance removes the restriction of gambling on liquor license premises and allows charitable games, such as casino nights, to be conducted upon licensed premises if the licensee applies for a special event liquor license. This means that a not-for-profit organization, along with the establishment would have to apply for a special event license to conduct a casino night. The casino night would be for the benefit of the not-for-profit organization. The State would license them as a charitable organization. They would have to comply with the gambling and procedural requirements. The Village would oversee that the events are taking place properly and would ask the State for special licensure and proof from the State that they are charitable organizations.

Mayor Krajewski said that any not-for-profit organization that wants to do a casino night or bingo has to get a valid license from the State. Ms. Conforti concurred. Mayor Krajewski said that if they have a valid license indicated that the State has approved this, then we would follow the State. Ms. Conforti said the activity would only be allowed on liquor licensed premises, which would be those establishments holding annual licenses.

Mayor Krajewski asked if a church that wants to do a special events casino night and serve liquor could do this. Ms. Conforti said they could not do it on their premises. They would have to go to a licensed premise. Ms. Conforti said that charitable organizations are finding it more difficult to raise revenues. They are trying different activities. Since the Liquor Commission started work on this ordinance, Ms. Conforti said she has received three different calls from three different organizations looking to do a casino night and a charitable game.

The Mayor asked if churches are prohibited from bingo at their churches. Ms. Conforti said if alcohol is involved, they are prohibited. They would have to have a State license.

Commissioner McConnell asked, in terms of the charitable organization and the licensee, if there is a required percentage of the money brought in that has to go to the charitable organization. She asked how we would know that the liquor licensee is not taking 90% of the proceeds. Ms. Conforti said that would be up to the charitable organization and what type of deal they would strike with the liquor license holder. Regarding charitable games, Ms. Conforti said the State has very strict reporting requirements. The Illinois Department of Revenue governs many aspects of the games. She said she hopes the license holders would be reasonable considering that this would be a charitable benefit, but the Liquor Commission would have no involvement in what percentage they would potentially get.

Commissioner McConnell reiterated that the thinking is that because the State has such tight control over this the liquor establishments will not use this as an opportunity to raise money. Additionally, this has to be a special event license and only a limited number will be issued each year. Ms. Conforti said that was correct. They will be limited to three per year, based on location as well as the not-for-profit organization. A not-for-profit organization could only obtain this license three times per year and a liquor license holder could only have this event three times.

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Commissioner McConnell said it sounds as if there is no other municipality that does this. Ms. Conforti that although it is not licensed, this is happening. In contacting other communities to find out what they were doing, they found that most have the same ordinance in place as we do prohibiting gambling at liquor license establishments, but it was occurring.

Commissioner McConnell said that this ordinance makes this public and puts some controls on what currently has no controls rather than promoting this. Ms. Conforti said that was correct.

Commissioner McConnell said it is her impression that there are many people waiting to get their three events. Ms. Conforti said she has spoken with three organizations; two of them would not qualify based on the Department of Revenue regulations. She said many organizations cannot comply with the State requirements.

Commissioner McConnell asked if the Police Department has reviewed this. Ms. Conforti said the Police Department has not reviewed this, but she said does not anticipate problems due to the regulations and limitations the Village is imposing. She said the main goal was to have liquor license holders that know how to cut people off and how to recognize signs of intoxication and to have controls in the alcohol service aspect of this. She said they are hoping the charitable games will be conducted in a manner that will promote the charitable organization as opposed to being a negative element.

Mayor Krajewski said there have been a number of casino nights in a number of communities. He said the Downers Grove Rotarians were asked to help out as dealers for a Westmont casino night. He mentioned other casino nights of which he was aware. He said many towns get a valid license from the State, but the towns are not aware that their codes are being violated.

Commissioner Sandack said that with respect to the two proposals, he has no problem with the proposal regarding charitable organizations currently holding a liquor license, Class C, Clubs, having bingo or pull tabs/jar games. He feels this is entirely appropriate, as these people already know how to comply with our licensure. Furthermore, they are monitored. He said he is struggling with the casino night. He would like to hear other people's opinions about this. He said he is not comfortable with making charitable organizations go to licensed establishments. He said he can see churches having limited casino nights for the purpose of raising funds, but not with making them go to a restaurant or elsewhere. He said if the Village is going to try to not promote this but in fact regulate it and make sure licensees are behaving and are appropriate in their dispensing of alcohol in compliance with our ordinance, we ought to look at this realistically. Some of this is going on and we will find out whether people are now going to step up and do it the right way. He said he wants to make sure that this is done with our eyes wide open and that we are not hurting charitable organizations that could benefit from this. He does not want to see for profit organizations capitalize on this. The intent is limited. He asked if it was a good thing to be the first purveyor of this in the western suburbs.

Ms. Conforti said they wanted to start out slowly and do this with liquor license holders in order to see the extent to which they might be inundated with these requests. In addition, by requiring them to be on licensed premises, the Liquor Commission can go after the liquor license holder if something goes wrong or if someone is over served. The liquor license holders are here to stay and have to protect their best interests with regard to liquor sales and gambling activities and everything that's taking place in their establishment.

Commissioner Sandack said requiring appropriate dram shop insurance and other risk abatement mechanisms could ameliorate some of the risk. He said he could see many charitable organizations utilizing this appropriately. He is concerned about people coming into Downers Grove to make use of this.

Commissioner Urban said he has no problem with the first item. He said he does have many concerns with the second item. He said we have the potential to have over 240 of these events in a year. Ms. Conforti said there are 30 liquor license holders and each could hold three events for a potential of 90 events per year.

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Commissioner Urban said it is his understanding that if a church wants to hold bingo but not serve alcohol, they would not be required to go to a licensee to hold their bingo. Ms. Conforti said that was correct as long as alcohol is not involved.

Commissioner Urban said he thinks this will attract out-of-towners to make this the new Aurora. He suggested adding language to the effect that this is only for not-for-profits that are within this community. Under those circumstances, he might be able to vote for this, but at this time he cannot endorse this.

Mayor Krajewski suggested limiting it to one event. Ms. Conforti said that could be done. Three was agreed to because liquor license holders can request three special events per year. The Mayor said alcohol is going to be available at banquet and restaurant facilities no matter what the event. Liquor establishments have a number of different events that happen at their facilities and they need to be responsible no matter what event they have. Ms. Conforti said this could be limited to one to start.

The Mayor said some of the not-for-profits have these events illegally in other communities on an annual basis, but he does not see any legitimate not-for-profits doing multiple casinos. Ms. Conforti agreed. She said casino nights are very difficult to put on and the State has many reporting requirements. The Mayor added that he thought the trend is growing for not-for-profits to hold these events as they are looking for alternatives to standard events to attract more people to their fundraising efforts.

Commissioner McConnell said she thought it was a good idea to put some additional limits on the ordinance, including one event per year and limiting the events to local charities. She asked if this could be rescinded at any time. Ms. Perez said it could be. She further suggested offering two versions of the ordinance for the Council's consideration. One would be with only the first option and the other with both.

The Mayor said some of the establishments may not be conducive in terms of size to holding a casino night. Ms. Conforti said that was correct. She reiterated that the organizations will be required to obtain a special event liquor license. If they do not have a history with the Village, they will be required to appear before the Liquor Commission who will review the application and make a recommendation to the Mayor. The Mayor will have the authority to deny the licenses.

Commissioner Tully said he has no problem with the proposed amendment to Section 3.33 (a)(1). The discussion is centered on subsection 2, the casino night. The premises would be governed and controlled by the Liquor ordinance because they would have to be an established liquor licensee. The organization having the event would have to qualify by meeting all the State criteria. Ms. Conforti said the State requirement is that the licensed establishment also has to register with the State. Further, we are contemplating requiring that the organization apply for and obtain a special events license. Commissioner Tully said he feels the number of steps applicants would be required to go through to obtain licenses will probably keep out many of those about which the Council has expressed concern. However, he said limiting the licenses to one per year is probably the way to proceed. He said that, on the one hand, everyone would like to assist legitimate, charitable community-oriented service not-for-profit organizations in achieving their goals of giving back to the community. However, on the other hand, we do not want to encourage the establishments to turn this into a source of revenue. That is not the idea of this ordinance, nor is it designed to entice people to come from other areas to do a casino night here. He said he would like to think about this more.

Commissioner Urban asked if there is a clear definition of a casino night. Ms. Conforti said that is defined by the State in the gambling ordinance. It includes games, maximum bets, etc.

Mayor Krajewski said he would like to see more information as to how the casinos are run.

Ms. Perez said winnings are anything of value up to a maximum of \$250 in cash or equivalent prizes in one night. People can put in as much as they like.

Commissioner Tully said it would be helpful to see the criteria for special events licenses as well as the State criteria.

The Mayor said he does not think it should be for more than one not-for-profit per year.

In response to Ms. Perez, the Council indicated an interest in limiting organizations to Downers Grove. The Mayor said there are many charitable organizations that give money to Downers Grove in some fashion.

The Mayor suggested bringing back the first amendment and providing more information about the second amendment to the ordinance.

Commissioner McConnell said that in terms of what is meant by Downers Grove, they should have a tangible, physical "something" in Downers Grove.

Commissioner Urban said there are more good not-for-profit organizations than bad ones. He said many people have been solicited by organizations where 99% of what is collected goes to the collection company and 1% goes to the organization. He would like to prohibit that type of organization from getting a license. He asked if we are trying to solicit not-for-profit organizations such as recreational hockey organizations or if we are looking more for the service organizations, such as Rotary, Kiwanis, etc. He does not want to see Downers Grove become the next Rosemont. Because the Mayor has the final say as to whether to issue a license, Commissioner Urban asked if we are opening ourselves for lawsuits. Ms. Conforti said special event licenses have many aspects to them, are a one-time event, they are not here for the long run and have no real investment in the community. Commissioner Urban said he would rather have the opportunity to add on rather than take away provisions.

Commissioner Tully said he has the same questions as Commissioner Urban and feels it is important to see what the State statute says.

Chris Fregeau, 1918 Elmore Avenue, said that in 1993 the Village received an adjustment from the State for law enforcement. She asked if this ordinance would affect the taxes that come back to the Village for law enforcement purposes.

Ms. Conforti said it is part of the reporting required of the licensed clubs. We receive a portion of the tax revenue the State receives from the games.

The Mayor said the State is trying to allow video poker as a source of additional revenue. This would be split among the municipalities.

Herman Stift, 221 59th Street, said he is representing the Moose Lodge. He said 90% of the activities of the Moose Lodge goes back to Moose Heart, which is an orphanage. The majority of the money collected at casino nights goes to their charities. He said traditionally pull tab games and charity events have been limited to the members of the organization. They do not have an interest in people from other states because those people are not contributing to their charity. They are not seeking other parties to obtain a license to do this type of thing. He said their membership in this Lodge is 600 people. They are regulated by the State. They have to have a license for pull tab games. There is a State tax of 5%. He said they hope to continue to give back to the community. In response to the Mayor, he said Moose Heart is in Batavia.

5. **Community Bank – Floodplain Variation and Plan Commission Recommendation: Community Bank Special Use with Variations.** The Manager said the next two items concern Community Bank. He said the special use would be discussed first and then the floodplain. He asked Joe Skach, Director, Planning & Community Development, to address these items.

Joe Skach, Director, Planning & Community Development, said the petitioner is the Community Bank of Downers Grove. The petitioner is requesting a special use for the drive-up facility to operate in conjunction with a banking facility. In addition to the special use request, there are several variations requested for front yards as this is on a corner lot. There is an additional variation for a two-space parking reduction. The site is at the corner of Forest and Warren. It currently houses a medical facility that the

petitioner is operating out of. That facility will be demolished upon completion of the project. The site is approximately 8/10 acre. It is a very compact and tight site. The petitioner is proposing a facility of approximately 14,500 square feet consisting of retail banking on the ground floor and commercial office space on the second floor. There are several constraints with the site, one being infrastructure lines running across the southern portion of the site. In order for the site to operate in the proper manner, the building needs to be moved up to the corner of Forest and Warren. This will also facilitate the ingress to the site to service the drive-through facility and have the vehicles come out appropriately to the street.

Mr. Skach said the geographic constraints of the site allow some benefits as well. Mr. Skach provided a slide depicting how the façade aligns with Warren Avenue and with the Tivoli Theater. This provides a high level of sophistication in terms of urban design and architecture. The facility is a very high caliber design and gives the feeling that it has been here for some time. In addition, the landscape plan poses the prospect of being a very desirable addition to the downtown, not only visually but also in terms of offering commercial office space.

The Plan Commission considered this petition on May 17, 2004, including the request for the special use and variations. They forwarded a positive recommendation regarding the petition.

Mr. Skach said there is an addition variation requested that is the purview of the Stormwater Oversight Committee. He said Mike Millette would provide that information. Mr. Skach said the petitioner was present to answer any other questions.

Mr. Millette said the Stormwater and Flood Plain Oversight Committee heard a request from the petitioner on Thursday, August 18, 2004 to construct a parking lot within a flood prone area where the 100-year inundation will exceed one-foot in depth. The Committee vote unanimously to approve the variance.

Mayor Krajewski said some additional stormwater detention is being done underneath the building. Mr. Millette said the petitioner is installing a tank underneath the drive-through lane.

The Mayor said the parking lot is currently 100% impervious. They are doing landscaping to add greenery and, absent the tank, this will be better than what is currently there. The tank will add to improving the Stormwater management in that area.

The Mayor asked Kerstin von der Heide to review the landscaping in terms of tying it in to the rest of the downtown. He said this looks like a very good project.

Commissioner McConnell said she agrees that the building looks like it is going to be great. She concurs with the Mayor's comments regarding the landscaping in that she would like to see more detail. She asked if, due to the changes in the parking lot and sloping, the street will end up being lower than the parking lot. She said she was unclear as to what the Village needs from the County to indicate that the County is in agreement and the Village will not be in trouble in the future.

Jon Hall, Stormwater Administrator, said the street is a little bit lower than the site. The ponding would be deeper in the street than in the parking lot. Regarding the County, they will have this variance on the agenda of the Stormwater Committee. He said he believes it will be heard at the meeting of September 7, 2004. As a full waiver community, the Village Council can grant the variance. However, the County will weigh in on this case with their opinion. Mr. Hall said he has spoken with the staff at the County to get an idea of the history of variances of this nature. He said they have granted some like this where some conditions are met, such as no negative impact to off-site properties. Mr. Hall said we follow all the aspects of the ordinance to make sure there is no damage to off-site property and to make sure that the flood plain areas on the site are posted as such so that if someone parks there they know there is a slight risk of a flood. An additional item recommended by the Stormwater Committee was the indemnity agreement. This is an agreement that accompanies the ordinance and holds the Village harmless regarding damage of customers' automobiles.

Commissioner McConnell asked if the design of this is done so as to protect the street as much as possible in terms of the drainage and stormwater. Mr. Hall said there is an on-site storm sewer system that will drain the parking lot area to the existing street storm sewer. There is currently a 48" diameter pipe under the street. The addition of the underground tank, to compensate for slight amount of fill in the flood plain, will provide more volume for flood storage than what is currently there.

Commissioner McConnell said she wants to be certain that the Village is not leaving itself open in the future and would like to have a formal signoff on this from the County prior to the Council approving this or as a contingency to the Council's approval.

The Mayor asked if the staff would be asking property owners for an indemnity agreement on stormwater variances. Mr. Hall said they have not considered it as a standard policy as of yet. Mr. Hall said this variance was requested based on the Committee's suggestion and seems reasonable.

The Mayor said there have been many discussions over the last several months at the County regarding changes to stormwater as it relates to downtown. The County has been getting complaints from municipalities. The County is talking about making some changes in requirements as they relate to downtowns. The Mayor asked for an update on this matter.

Commissioner Tully said that this is a parcel that has its challenges. The information provided seems to meet the criteria set out in the ordinance for the granting of the variances. The request for a special use with respect to a drive-up facility also appears to meet the criteria as set forth in the ordinance. Regarding stormwater, he said he very much appreciates that the County has been made aware of this matter. He asked if the stormwater permit would not be granted to this petitioner until the County Stormwater committee approves what the Village's Stormwater & Flood Plain Oversight Committee has already recommended for approval. Mr. Hall said per the Municipal Code, the Village's decision does not depend on the County. It would be up to the Council to decide if they wanted to wait for the County's recommendation.

Commissioner Tully asked if materials have been submitted to the County's Stormwater Department. Mr. Hall said that was correct. They are scheduled to meet on September 7, 2004 in the morning. Technically, Mr. Hall said he could know how the County ruled on this before the next Council meeting.

Commissioner Tully asked how the County handles issues submitted to them on an advisory basis. Mr. Hall said that as part of the Code, the Village is required to notify all the Stormwater administrators in other municipalities in our watershed, which is the East Branch of the DuPage River. In addition to that, we also have to notify the DuPage County Director of Environmental Concerns. As part of the County's administrative policy they put it on an agenda and review the matter anytime they get a variance request to the County ordinance.

Commissioner Tully asked what ability the County has to take any action should they disagree with the Village's conclusions. Mr. Hall said it is his understanding that the only time the County could bring this up is during an audit.

Mr. Millette said the County also acts as the government of the unincorporated areas. There was a public hearing that was held by the Village's Stormwater & Flood Plain Oversight Committee. The County was notified of the time and date for appearance if they wanted to register any objections. He said no objections have been received to date.

Commissioner Tully asked what staff would expect as a result of the County's stormwater meeting. Mr. Hall said he expects they will vote on this in terms of a motion to agree or concur with the Village.

Commissioner Tully said he understands that the indemnification agreement is somewhat unique to this situation due to the risk in the parking lot for possible vehicular damage as a result of flooding. He said he appreciates the petitioner's willingness to enter into this agreement, but does not think it would be required in every instance because of the uniqueness of this situation of a parking lot where there will be vehicles.

Commissioner Sandack said that these petitions, on a whole, are proper requests and a good use of our variation ordinances. He said this is a well-thought out plan. Aesthetically and from an architectural perspective this is a very good-looking building and, with the Tivoli building, caps that area of our downtown quite handsomely. With respect to the variations sought, Commissioner Sandack said many are de minimis, seeking front yard variations of almost no consequence, and the parking variation is minimal as well. The drive-up special use is customary for a bank. The stormwater variance is the only issue that merits considerable discussion. He said he appreciates what staff has done and the interaction between the petitioner and staff. He said it looks as if the underground vault will tie into our stormwater sewers and is a good solution. Commissioner Sandack said the Village is a full waiver status municipality. He said he does not think the Village should wait for the County to act on this, but instead, take this petition as it comes.

Commissioner Zabloudil asked if the petitioner has to post signage regarding parking in a flood plain. Mr. Hall said there is a requirement in the Village and County stormwater ordinance that requires that areas of flood hazard in parking areas must be posted. In response to the Mayor, Mr. Hall said there is no posting there at this time. The posting is generally handled as a part of the permit process. Most of the items in the ordinance are reviewed in conjunction with the development permit and properties were grandfathered in.

Commissioner Tully said he was asking questions to determine if it would make sense to wait for a ruling by the County, but it sounds like regardless of what the County says, they could decide to audit the Village at a later date; therefore, he agrees the Council should move forward on this.

Mayor Krajewski said he read that Glendale Heights has placed a moratorium on banks. He asked for some information about this.

6. Plan Commission Recommendation: 806 Maple Lot Split. The Manager asked Mr. Skach to address this matter.

Mr. Skach said this property is 175 feet east of Belden Avenue and zoned R-4. It is approximately 7/10 acre and currently contains a structure that is of historical significance to the Village, commonly referred to as the Lyman House, built in the early 1800's. The petitioner is proposing the lot split to create two single-family residential zoning lots but to retain the Lyman House on the easterly parcel. Certain minor modifications will be made to a deck that was added at a later point in order to not have to request any variations if the lot split is approved. A new residential structure would be located on the proposed parcel 1. The parcel is located in the Maple Avenue Honorary Historic District. In addition to the lot split request, the petitioner is requesting an exception from lot width. The required lot width in the zoning district is 75 feet for a new lot. The petitioner is proposing a slight reduction to that. The parcel sizes would be at approximately 15,000 square feet and 13,500 square feet. They significantly exceed the required lot area. All other bulk requirements of the zoning code are met. The petitioner has indicated some potential architectural schemes for the homes. The approval of the homes, however, will have to go through the normal permit process for approval. The Plan Commission considered this petition at their June 19, 2004 meeting and forwarded a positive recommendation to the Council. He said the petitioner is available to answer any questions.

The Mayor referenced an earlier lot split in this area. He said he recalled that lot split resulted in two lots of approximately 68 feet, and were still two of the larger lots on the street. Mr. Skach said the lots in this area vary substantially from 50 foot to 155-foot lots. The Mayor reiterated that these lots would be 72 and 73 feet in width.

Commissioner McConnell said she appreciated all the efforts people put into keeping the Lyman House. She thanked the developer for working on this. She said she hopes the second lot will be something that fits the character of the other historic homes in the area. She referenced Commissioner Tully's recent comments that there may be a way through the Community Dialogue and other avenues to look at voluntary ways to protect some of the historic homes in the area. She agreed that it is a good idea to look at this. She added that a Community Dialogue session regarding residential redevelopment is scheduled for

September 18, 2004 from 8:00 a.m. to noon at Downers Grove South High cafetorium. It will be a facilitated event with a number of break-out groups. It is limited to 200 people who will be selected at random. She said people can sign up through the website or call the Village.

In response to Commissioner McConnell's comments regarding building to fit the character of the neighborhood, Mayor Krajewski asked if Code Services should look at all of Maple Avenue, particularly in light of development west of this area.

Commissioner Sandack said the lot split is something that fits in with the dimensions in the neighborhood and is entirely appropriate. He said Mr. Jacobs should be commended for making a decision to save the Lyman House. Commissioner Sandack thanked Mr. Jacobs and said this is a truly wonderful community gesture and a testament to good community relationships that Mr. Jacobs is going to restore the house.

Commissioner Tully said he cannot disagree with the request for the lot split. Although he does not like to see lots of less than 75 feet wide, the exceptions here are de minimis as they are two feet or less on each property. Further, this particular situation involves saving the Orange Lyman house, which was built in 1839 and is nearly as old as the Village itself. He extended his appreciation to the Jacobs family for saving the home. He said he thinks the Village and community can do more to enhance and encourage the preservation of historically significant structures. He said he felt that a voluntary system or an ordinance that contains an owner consent clause might be an appropriate measure to enhance awareness and provide a mechanism by which property owners can voluntarily submit their homes to a statutory mechanism that the Village would have the authority to enforce. In conversation with a representative of the Landmark Preservation Council of Illinois, Commissioner Tully said he learned that there are many communities that have adopted preservation ordinances. There is also the ability to achieve a status for certain structures so that there are financial incentives available for property owners that have historically significant homes who wish to renovate them and keep their historic nature. Commissioner Tully suggested that following the Community Dialogue project the Council schedule a public meeting to hear from the Landmark Preservation Council of Illinois. They have offered to make a presentation to provide information, education and options.

Mayor Krajewski said both Mr. Jacobs and Mr. Ziebel grew up in Downers Grove and are looking to move back into the community. He welcomed them back. He asked if, when they eventually decide to sell the Orange Lyman home, they would give the Village a first right of refusal.

John Jacobs, 223 East Lake Shore Drive, Oakwood Hills, thanked the Council for their kind words. He said it is great to be back to Downers Grove. He said he would be amenable to first right of refusal for the Village to look at purchasing the home at fair market value.

7. **Mission Statement & Village Goals.** The Manager said this presentation is on the proposed draft mission statement and a goal matrix. He thanked the Strategic Planning team for bringing Council and staff ideas together. He thanked Dave Van Vooren, Mike Baker, Enza Petrarca, Joe Skach and Dave Barber.

The Council and staff have had discussions on refining the Village Mission statement, developing a strategic plan, and implementing a formal annual process for developing goals and priorities on which to concentrate our resources. One of the priorities the Council focused on at their April 23 retreat was having the Finance and Administrative Standing Committee review and make recommendations regarding the present mission statement. At the June 2 retreat with staff, the discussion was focused on developing goals and priorities that collectively were thought to be the most important areas to concentrate on. At that retreat there was discussion that the Village had moved away from a foundation of a specific set of goals and priorities over the last four years and a need to get back to a clear vision and philosophy as to how to deal with important issues. In addition, there is a desire to tie the goals and priorities into the budget process.

Following the retreat it was understood that there are specific priorities that Council wants staff to focus on. There are also some priorities that staff felt should be included. It was also understood that there would be

a revision of the present mission statement, an agreement as to how the process would take place, and an agreement that if Council wanted to include a specific goal into the matrix for immediate action or due to a new priority, the existing goals would either be deferred or would be given a lesser priority.

Manager Ginex next described the process of developing the mission statement and goals. The Strategic Planning team was established to review the mission statement and make recommendations. These were then presented to the Finance and Administrative Standing Committee. The team reviewed the Council's priorities. They agreed that the mission statement would serve as a statement of priorities. They organized the goals and slotted them into the appropriate areas. The Manager said he then asked the Directors to provide input into what they felt were the important priorities they wanted to accomplish. Those were included in the matrix.

The Manager then referred to the draft matrix of goals and priorities. The matrix is made up of three pieces: The mission statement, the priorities and the goals. The mission statement encompasses our priority statements for the matrix. They are applicable to the entire organization and provide the foundation for establishing goals and objectives. By way of a slide presentation, the Manager reviewed the mission statement adopted on March 29, 1999. He read the statement. He then presented the proposed mission statement and priorities.

It is the mission of the Village of Downers Grove is to provide high-quality services to the citizens of Downers Grove in a professional and efficient manner, to be accomplished by:

- Enhancing the public health and safety of Village property and its citizens
- Ensuring proper maintenance and well-planned improvement of Village property
- Enhancing the economic vitality of businesses and individuals
- Promoting and provide for cultural and community-based activities
- Enhancing opportunities for involvement and communication between the Village and its residents and businesses
- Improving the quality, productivity and customer service of the Village's workforce through the enhancement of the Village's administrative, technology-based and support services
- Developing a balanced, long-range financial plan for operations and capital improvements and ensuring the regular evaluation of Village programs and services annually

Mr. Ginex said the new mission statement is more action oriented, more concise and more focused than the previous one. Encompassed in the mission statement priorities are the goals. The goals are strategic and more specific in nature and will allow the Village to maintain our stated mission priorities. He said this is the area the Council needs to focus on. The goals matrix will include, in addition to the stated goal, the person responsible for the completion of the goal, Council involvement, timeframes, the deliverables, and the budget or cost attached to the goal. There are 37 goals in the matrix, which is the same number as in the last five-year plan adopted. Incorporated into the goals is the "how," which are the detailed steps the staff will use in completing the goals. Upon reaching a consensus with the Council, staff will complete the specific objectives of the matrix. The Manager said this is an overview of the proposed mission and goal structure. The mission statement and priorities will be adopted by the Village Council and updated as necessary. The goals statement is developed by staff with input from and approval by the Village Council annually. Objectives are developed by and managed by a staff person responsible for each goal.

The Manager then reviewed the headings of the goals matrix. Regarding primary staff responsibility, Mr. Ginex said every Director will be responsible for something. Council involvement will detail the subcommittee or Council member that will assist in the completion of the goals. The heading "Other boards or commissions" details those boards or commissions that might be assisting in the completion of the goals. Other staff includes those assigned by the Director to help carry out the goals. Completion

timeframe: Every goal will have a specific time or date when the goals should be completed. The deliverable will detail how we know the goal was accomplished. Staff commitment refers to how much staff time will be involved. The budget cost and impact refers to the financial resources that will be needed to complete the goal. Finally, there is a comments section to outline any items not addressed by the other sections such as timing, funding, additional resources, etc.

The Manager outlined how some of the priorities from the Council's retreat might fit into the matrix. He referred to an item regarding the Village Manager focusing on organizational structure and skills and staffing to accomplish our goals. He said this would be part of priority #7 - Developing a balanced, long-range financial plan for operations and capital improvements and ensuring the regular evaluation of Village programs and services. This would be accomplished by goal C – Strategically evaluate staffing levels and positions providing for consolidation or expansion of staff where necessary, based on the mission and services of Village departments. The accounting software is another example. This would be part of priority #6 – Improving the quality, productivity and customer service of the Village's workforce through the enhancement of the Village's administrative, technology-based and support services. It would be accomplished through goal A – Evaluate and make recommendations of implementation of a new financial software system.

Mr. Ginex said staff would present items to Council for final consideration and approval, track the progress and provide quarterly updates to the Council and directors. He said staff would like to complete this process in advance of the annual budget process. The budget initiatives and recommendations will be integrated with the goal setting process. The work plans, priority areas, and goals will provide guidance for the boards and commissions. Mr. Ginex said the quarterly updates are extremely important for everyone. They provide a clear picture of the progress being made and the need for any changes to be made.

Mr. Ginex reviewed the current status. The Council committed to the mission priority areas and provided input on goals. The departments provided further input into the goals. The Strategic Planning team met, reviewed the goals and put them into the matrix, which is now being brought to the Council for review and prioritization. The Council will adopt the goals. We will then move on to the process whereby the staff develops objectives and a work plan for the goals. We will then provide Council with quarterly updates.

Mr. Ginex said there are some issues that need to be resolved before moving forward. Council input here is vital.

1. Do the mission statement and priority areas as presented provide the proper framework for developing and executing the goals of the Village? The Manager said he believes they do. He said he thinks they reflect the Village's high quality of services, professionalism, and the importance of planning financially for the delivery of services.
2. What, if anything, has been left out? The Manager said the areas staff and Council spoke about have been covered.
3. Do the goals adequately reflect the direction that the Village Council would like to see the Village heading? The Manager said he believes they do. The Village has had a history of focusing on what's important to the community. Some of the goals and objectives have been reflected in past objectives, specifically in the last five-year plan.
4. How should the goals be prioritized? Staff will work with the Finance and Administrative Standing Committee to make recommendations on priorities and forward them onto Council.
5. Is the Council comfortable with the process that is being proposed, whereby individual staff members will be responsible for goal execution with regular updates provided to the Council? The Manager said it is important for the individuals with the expertise be given leeway to develop the goals and objectives and take ownership. Regular updates will give everyone an idea of where we are going and will serve as an evaluation tool for the Council, the Manager and the staff.
6. Is the Council willing to tentatively approve the goals as presented, thereby allowing staff to complete the work plan? Mr. Ginex said he believes this process is essential to our operation. He would like to get to work on these goals as soon as a consensus is

reached. He said he would like to implement these goals and priorities starting with this budget cycle and moving on into the next fiscal year.

Mr. Ginex said staff needs further input from Council.

Mayor Krajewski thanked the staff and Finance and Administrative Standing Committee for the work they have done in capturing the Council's goals and putting them into this format. With regard to the mission statement, he suggested getting resident input into the development of the statement, similar to what was done by District 58 and the "Come Home" logo. He suggested a workshop with residents to focus on the mission statement.

Commissioner McConnell said this looks very much like an action plan. She said she was happy to see it. She said she thinks this contains most of the issues that were in the Council retreat minutes. She suggested that residential redevelopment be added as well as a specific focus on EDC and Home Rule sales tax.

The Manager said that specifics might be covered in some of the objectives.

Commissioner McConnell said she liked the idea of a routine report, but suggested that a quarterly basis may not be enough for some things. She suggested quarterly reporting on a minimum basis. She further suggested reporting on two categories a month in order to have time to discuss them at a public meeting.

Regarding the mission statement, Commissioner McConnell said the vision statement that was a partner to the original mission statement has been discontinued. She said she thought that some of the context of the vision statement that has to do with what kind of community we are trying to create needs to be incorporated into the mission statement. She agreed that resident input needs to be incorporated. She said she would like to see the mission statement be a bit broader based to include not just the things we do, but about the end result as well.

Commissioner Urban thanked staff for their work. It is workable and user friendly. He said he thought quarterly reports would be required as a minimum. He would like to see a written report monthly and he would like the staff person to be on hand to answer any questions.

Commissioner McConnell suggested adding a status section on the report.

The Manager said at one time there were 130 goals and a status report was done monthly. It was very time-consuming.

Commissioner Urban agreed that working on this on a day-to-day basis could become overwhelming. It needs to be very concise. He agreed with getting the resident input aspect. He said this is a great accomplishment.

Commissioner Zabloudil said this is a great product. Being involved in some of the information that came before the Finance and Administrative Standing Committee, Commissioner Zabloudil said the object was to bring this back to Council for feedback. He agreed with the need for resident input and updates on the status of issues. He said we are close to getting this finalized. He thanked the staff for their work.

Commissioner Sandack agreed with Commissioner Zabloudil. From an organizational standpoint, the Village Manager and the directors need the structure. He agreed with getting further input from citizen and civic groups. He thanked the staff for putting this in a workable format.

Commissioner Tully said this is a great tool. It lays things out in a nice, easy-to-read fashion. While recognizing the time that went into this, he said in many respects it is a starting point in that it is now starting a dialogue throughout the Village. The mission statement for the Village is really the mission statement for the entire community. He agreed that we need to welcome and encourage public comment in terms of the mission statement. He said there are many sources of public input, including the Community Dialogue, budget forums, town hall meetings, the community survey, etc. This is a dynamic document.

The mission statement is such that it encompasses and contemplates change whereas the matrix and the work plan will change with circumstances and developments.

Commissioner Tully offered comments on the matrix regarding C – Enhancing the economic vitality of businesses and individuals. He said the attraction concept with respect to businesses and economic opportunities needs to be more clearly stated. There is reference to retention, but he did not see anything that spoke to the concept of identifying, attracting, and marketing new economic opportunities or the overall goal and mission of decreasing our tax rate but increasing our tax base, which goes to the concept of economic development.

He said he agreed that the elimination of the home rule sales tax needs to be addressed, as it is a critical component.

With respect to E-1, restructuring the "Coffee with the Council," should include all Council members. Regarding E-6, televised interviews using information from the CRC to determine topics, he said he was happy to see this. Whether the topics come from the CRC, the Council has discussed using our cable channel to further educate and promote the services available in the Village and what various departments and boards and commissions do and how they interact with residents. He asked when this would start. He would like to start this as it is very easily done and Doug Kozlowski is ready to start. He said he thought this was to have started in May.

The Manager said it is an element of time and the amount of work and staff that Cable has. Most of the Cable staff are part-time employees. The Manager said Cable gets a lot of calls for specific tapings and events that take staff time. Editing for these takes a considerable number of hours.

The Mayor said doing the half-hour interview is the easy part. The editing can be done as there is time.

Commissioner McConnell said she thought the focus was on the directors of the departments and not on the Council.

Commissioner Tully said the concept was to have a cable program, "At Your Service." The program was to highlight various aspects of the Village including boards and commissions or departments. The plan was to be largely unscripted. Commissioner Tully said he offered to host the show in order to get it done. It has been talked about since May.

Commissioner Sandack said the question is whether there should be Council involvement. He said he thought Doug Kozlowski would make a great host. He said he thought it would be more appropriate, more content based, and more informational if it is done at the director level. He said it also depoliticizes the process.

Commissioner Tully said he never saw this as political; he saw it as offering a service to the community. He is disappointed that the program has not started as they have been talking about it for months.

Commissioner Urban said from personal experience these shows turn into a political venue. It is good to bring out what these commissions are and what they do. He agrees with Commissioners McConnell and Sandack that it should be handled by staff. Council members and the Mayor should be invited to give their views. It is a great tool to market events; however, it is very time-consuming as the Manager pointed out. There needs to be preparation and arrangements have to be made with Comcast, but he agrees with Commissioner Tully that it needs to get going right now. It is a great tool for the community and a great communication tool.

Mr. Ginex said this is a staffing issue. He said we have the equivalent of two full-time people in our cable department.

The Mayor said he would like to see this started right now. One issue is whether the Commissioners have time to do it. He said he would like to see the directors on the program, but someone needs to ask them

questions. He said he likes the question and answer format. It is a very useful tool and a number of other communities use it. It promotes our community events and businesses. It is a useful economic tool through promotion of new businesses. He said we should get started on this soon and figure out who will host the program.

Commissioner Tully said the purpose of this is to highlight and focus on chair people, directors, departments, and the boards and commissions. In talking with Doug Kozlowski and Don Wilson, a format was developed that would require as little work as possible in comparison with the high-quality programming they normally put on. It would be very informal, discussing the most frequently asked questions and focusing on the director or chairperson, board or commission or the department and not on the person asking the questions. He said he does not think concerns about this being political are justified, as the program is apolitical. However, the higher priority is getting the program started as the community is losing out on a valuable service. He said he understands there may be other obligations and time restrictions, but under those circumstances they should set up a schedule to do the taping so the programs can be edited as time permits.

Regarding the mission statement, Commissioner Tully said it is important to incorporate or parallel the Village motto: "Downers Grove preserves the balance between tradition and progress" which is part of the "Come Home" logo. He said that is a critical element and many residents have said that is very important to them. He feels it needs to be in the mission statement.

The Mayor added that marketing has been a strong goal of the Council.

Commissioner McConnell said the Council spent time in their retreat talking about Zoning Ordinance in terms of both long and short-term goals. She said it was not clear to her where this is included in the goals.

The Manager said it is included in item B-6. Commissioner McConnell said it might not be broad enough to cover the zoning ordinance. The Manager said that in completing this goal the objective would be review of the zoning code.

Christine Fregeau, 1918 Elmore, said a tremendous amount of work went into this. She said she was ill prepared to address the detail. She said what strikes her in terms of being left out is that the new statement addresses the fact that the mission will be to provide services in a professional and efficient manner whereas the very first item in the former statement was to "Provide customer service in a professional, creative, innovative, cost-efficient manner, consistent with the values that have been adopted by the employees: integrity, teamwork, stewardship, competence, enthusiasm, and respect." She said she thinks that interacting with the public and how one interacts could not be more important. Regarding Downers Grove television, she said it is important to hear from directors and others who interact on a different basis than the Council does on a weekly basis. Having this as the first thing on the last mission statement says a lot in terms of how you see yourselves and how people see you day to day to give services and keep it very community focused. She said she thinks this is a great start.

Ken Lerner, 4933 Whiffen Place, expressed appreciation to the Mayor for his remarks as well as the remarks of the other Council members who have expressed that resident input is needed on this process. The new version of the mission statement states that the mission of the Village "is to provide high-quality services to the citizens of Downers Grove in a professional and efficient manner..." There are a number of supporting subpoints. He does not have a disagreement with the subpoints. He pointed out, however, a few words contained in the current mission statement but not in the proposed new version: Heritage, progress, integrity, innovation, stewardship and respect. He said he was sure it was no one's intent to abolish those concepts from how the Village does business, but it highlights the need for a statement of guiding principles and values that should be part of the mission statement. The Village does more than just deliver services. The Village exercises leadership and sets the tone for the community. He agreed with Commissioner McConnell that the mission statement should include making the Village a place where people want to come, return, stay, and live. As far as specifics, Mr. Lerner suggested the following particular values and guiding principles that could be included: 1) Some mention of quality of life – that the Village's mission is to maintain and improve the quality of life for residents and businesses. 2)

Striking a balance between preserving our heritage and promoting progress. 3) Striking a balance between the interests of individuals, in particular, business concerns, and the needs of the community as a whole. 4) Appreciation of diversity and respect for all segments of the community. 5) Maintaining a healthy and safe environment. 6) Fiscal responsibility. He said these are examples of the sorts of things that should be included in the mission statement as statements of the Village's values and guiding principles as to how it will implement services to the residents.

The Mayor said Mr. Lerner and Ms. Fregeau have brought up some very good points. The Mayor said there are some very good goals, but the mission statement needs some work to incorporate what the Council said. He said he anticipates hearing some of the same statements from residents. He said he has received some similar e-mails from residents in regard to this.

Commissioner McConnell said that although this may not be considered to be a finished product, it would be appropriate for the staff to begin to flesh out the details of the goals matrix while the mission statement continues to be fine tuned.

The Mayor said the Council has had some of these goals for several years, but not in this format. Staff has been working on some of these and should continue to do so while engaging the public as to what the mission statement should be.

The Manager said we could look at this as a dual process. He said he would like to get a foundation on the goals to move forward to work with Commissioners Sandack and Zabloudil to set priorities, staffing, budgeted costs, etc. He would like to move forward starting with the next budget discussions. If this is what we are going to concentrate on, then this is where we should focus our initiatives.

The Mayor said most of the goals have been here for years.

Commissioner McConnell reiterated that the Manager would take the goals, prioritize them, flesh them out with the things the staff is already working on, and make sure they are in the reporting mechanism so the Council can see what is actually being worked on while fine tuning the mission statement.

Regarding the mission statement and engaging residents, the Mayor suggested a Saturday meeting or setting the criteria and talking to various civic groups and seeking feedback.

Commissioner Tully said the efforts to refine, flesh out and gather public input with respect to the mission statement can probably proceed on a different track from the goals that are listed on the matrix, prioritizing these goals and putting together the work plans. He said he does not think there is anything on the matrix that should not be worked on although there may be additional items to add to the matrix. He said he has no problem going forward and prioritizing these items as they appear and developing a plan to achieve these goals.

8. Home Rule Sales Tax Report. The Manager said Mike Baker will present information on this matter.

Mike Baker, Assistant Village Manager, said he wants to highlight information provided to the Council and initiate a process that will take place over the next three Workshops.

Mr. Baker referenced a report on the Home Rule Sales Tax pertaining to the history, background, and general information of the tax. The Home Rule Sales Tax was adopted by the Council in March 2003 and effectively raised the Village's sales tax rate from 6.75% to 7.25% on all retail items except for groceries, pharmaceuticals, medical supplies and titled items such as vehicles. This was done as a measure to help balance the budget for FY 2003/04. It significantly improved the financial performance of the Village's general fund. For FY 2004/05, the Village budgeted \$3.76 million as the amount expected to be received in Home Rule Sales Tax. Collections to date are tracking closely to the projection. When the Home Rule Sales Tax was adopted a sunset clause was attached that will eliminate the tax on July 1, 2006, reducing the sales tax rate back to 6.75% unless any additional action is taken. This was done in contemplation of a rebounding of the Village's 1% regular sales tax. Staff is monitoring this closely. Staff is also maintaining

contact with some of the larger new businesses to try to identify their projections. He said staff hopes to have an indication as to whether the regular sales tax is picking up.

Mr. Baker said this is being brought to the Council is to solicit input and direction. Whether the Council decides to maintain the existing tax, modify it to some other rate, or allow it to sunset in July 2006, staff feels it is important to begin the planning process and to align the budget process to take into account Council direction.

Staff has been working with the Finance and Administrative Standing Committee. The Committee helped outline and develop this process. This report was presented to them last week.

Mayor Krajewski said the Council's policy has not changed. When this was adopted, it was with a sunset clause. Staff should assume this will end and should work accordingly. He would like to see a focus on growing the Village's tax base. He said raising taxes is the easy way out to make the budget balance. He said he still thinks this should be sunset. Decisions need to be made as to how to continue to operate the Village. He said the Village needs to work more efficiently with what we have in delivering services to the community. The Mayor said discussions regarding growing the tax base were held throughout the budget talks. It was discussed at the retreat and mentioned again tonight. He said he hopes that as this discussion continues there are plans and objectives to attract businesses to the community.

Commissioner Sandack said the concept behind this discussion was to help staff plan. He concurs that the Home Rule Sales Tax ordinance sunsets by its language. He feels this is a good thing. Reviewing the minutes when the ordinance was enacted, it was clear that the consensus was that this was a short-term stopgap procedure based on the economic realities facing the Village at the time. Staff is now presenting other economic realities the Village will have to face when the tax goes away. It is a good idea to look at this so the Village can plan appropriately for a significant lack of revenue while still meeting our requirements for police, fire, and other vital Village services. We need to start the dialogue sooner rather than later as this revenue source will be gone in the future unless there is a significant change of policy. He said he thinks this is a great first step.

Commissioner Tully said this is something the community needs to understand from a planning perspective as it may have a potential impact on the community. When this ordinance was adopted, Commissioner Tully said he was adamant that this needed to sunset and made a motion to amend the ordinance to include the sunset clause. He said he still feels that way. He said we need to plan for that. It means replacing the revenue in some way. Either existing revenues return to the levels they were at, or we have to expand our tax base, not our tax rate, to compensate for the elimination of the Home Rule Sales Tax. It was a stopgap measure, by design. In looking at the comparison between sales tax rates among different communities, he noted that while the Village is in the middle in DuPage County and below average among comparable communities, his real concern is with respect to communities bordering Downers Grove as we are towards the top and people may decide to go to a neighboring community to do their shopping. He said this is another reason the Home Rule Sales Tax needs to go away. He said it is important to start planning and taking steps now to start shrinking the budget, not growing it. It has grown for the last few years and that cannot keep happening. The revenues cannot possibly sustain that growth in the budget. He said he appreciated this coming forward as now is the time to start talking about this. He said the Council and the community should be talking about this as it will affect everyone.

The Mayor said it should have been discussed more during last year's budget meetings and is one of the reasons he voted against the budget. He said the Village spent way too much money last year. We keep growing the Village's budget knowing that this tax will sunset. We missed a good opportunity last year and now only have two years to go before this stopgap measure sunsets.

STANDING COMMITTEE REPORTS

Public Services Standing Committee

Commissioner Tully reported that the Local Transportation Subcommittee met for the last time and dissolved.

ATTORNEY'S REPORT

Staff Attorney Ann Marie Perez said she was presenting six items to the Council: 1) An ordinance concerning liquor service extensions; 2) An ordinance amending provisions for not-for-profit clubs and gambling on liquor licensed premises; 3) An ordinance granting Stormwater variance for 1111 Warren Avenue; 4) An ordinance authorizing a special use with variations for Community Bank of Downers Grove to permit construction of a two-story retail banking facility with a drive-through; 5) An ordinance approving a lot split with exceptions for the property commonly known as 806 Maple Avenue; and 6) A resolution adopting an amended Mission Statement and to abolish the existing Vision Statement of the Village of Downers Grove.

VISITORS

Roland Gartner, 217 Ogden Avenue, spoke regarding the sign ordinance and moratorium. He said he is developing the Saab dealership on Ogden Avenue. Related to that development is an application for a sign permit which was submitted sometime ago. The wall signs were approved. The freestanding sign was held due to the moratorium on the pylon signs. Since that time, he submitted another sign application more in line with the current thinking of the sign committee and the Council. He said he intends to open the business in 30 days. He heard a lot of discussion tonight about revenue and growing the sales tax base and economic development. He said to open a business of this size without the necessary signage out front will hamper him and will be a hardship. He said the sign ordinance has been discussed since May and is not yet resolved. He would like to see the revamping of the sign ordinance move forward more quickly in order for people to get their signs up where necessary and where it conforms to the current thinking.

Mr. Gartner said his application is for a sign 10 feet high, 5 feet wide, with a setback of 27 feet. It should not violate the concern of having a free view underneath the sign. He said he does not think he is part of the problem; he thinks he is part of the solution. He said he would appreciate anything the Council can do to speed up the process.

The Mayor asked Staff Attorney Perez if she has reviewed this matter. Ms. Perez said the Legal Department became aware of this today. She said the dimensions are fine but the ordinance requires a 4-foot ground clearance. He is setting the sign back further than what is required. The Mayor said the 4-foot clearance is so the sign does not sit on the road and cause line of sight problems; however, that would not apply with the 27-foot setback. Ms. Perez said the moratorium does not indicate that one can make those provisions.

The Mayor said the Council needs to address the setback issue with regard to the need for a clear vision. He said it may have been an omission on the Council's part. The Mayor asked if the 27-foot setback with clear vision was a concern to the Council.

Commissioner Tully said it does not surprise him that the ordinance needs fine tuning. He said this is not an easy process and the Council is trying to achieve a balance. The reason for the space at the bottom of the sign was to maintain lines of sight for traffic safety purposes. He suggested that Dorin Fera recommend an appropriate setback where the lines of sight would no longer be an issue.

The Mayor suggested asking Mr. Fera to err on the conservative side until the Commission gets to look at this matter.

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Commissioner Sandack said he thought the Ogden Avenue vision statement included a range of setback for signage. Mr. Skach said the Ogden Avenue vision statement did not contemplate setbacks. It went to an overall visual feel. The staff, in anticipation of some of these issues, had discussed this particular topic. The committee tried to establish initial parameters for signs. The clear area is there to provide the vision safety clearance. There was recognition and subsequent discussion with setback variations and whether reconsideration is warranted because the intent of the language may have been satisfied by a further setback or a narrower sign.

Commissioner McConnell suggested referring this to Mr. Fera for a recommendation.

COUNCIL MEMBERS

Commissioner Sandack said he attended the dedication of the Henry Hyde Atrium at Midwestern University. He said it was an amazing event and a great building. It was suggested that this might be a site for a future Coffee with the Council. Commissioner Sandack thanked staff and particularly Mary Scalzetti with the Pro Criterion Bike Race.

Commissioner McConnell congratulated those involved in the bike and in-line skating races. She said the race was well attended and well handled. She said she believes Fox Sports announced that summaries and highlights of the race will be aired on Saturday, September 4, 2004 at 9:00 p.m. The Commissioner said that, prior to the next meeting, the Noon Day Lions Club will be holding a free diabetic eye screening event at the Downtown Management Corporation office at 1015 Curtiss Street on Friday, September 3, 2004 from 3:00 p.m. to 7:00 p.m. The intent is to provide free eye screening for people who are diabetic to prevent diabetic retinopathy, which is one of the leading causes of blindness in the US. It takes about six minutes and does not hurt to be screened. Photos are taken of the eye and are then mailed to the participants. She encouraged people with diabetes to have this test. It is free. She said if people have questions they can call Lion Bob at 968-0506 or 969-5681.

Commissioner Urban agreed with the comments regarding the bike race. He said he would like to refer to it as an economic engine. He said he had dinner with the Marriott regional manager who told him the hotels in Downers Grove were sold out over the weekend. He said his own business was up over 25% over the weekend. He said other restaurateurs in the downtown and on Ogden Avenue also noted that their businesses were up. He suggested that such economic engines be looked at to do away with taxation and increase the revenue within the community. He thanked the Tourism & Events Departments, Mary Scalzetti, and Chicago Special Events for bringing and keeping this event in Downers Grove.

Commissioner Tully said the Pro Criterion Cycling and In-line Skating event was a very nice event. He extended his congratulations to the Tourism & Events staff and to Chicago Special Events for keeping it in Downers Grove. He said he was glad to hear Commissioner Urban's positive report with respect to the impact. Commissioner Tully asked if the Council could coordinate with the Landmark Preservation Council for a presentation on an informational basis sometime following the Community Dialogue. Council members agreed.

Commissioner McConnell said they are anticipating a number of recommendations will come out of the Community Dialogue to bring back to the Council to be Workshopped. She said she was sure this issue will come up.

Commissioner Tully reminded everyone that the District 58 Education Foundation is having their Kelly Miller Circus event on September 21, 2004. There are two performances – at 4:30 p.m. and 7:30 p.m. It will be at the Fairmount Elementary/O'Neill Middle School grounds at 59th Street and Blodgett Avenue. There are still tickets available. The funds raised come back to the schools in Downers Grove. Call (630) 719-1827 or go to the Foundation's website at www.district58foundation.org.

Mayor Krajewski thanked staff and Mary Scalzetti for a tremendous job on the bike race. The Mayor said in an effort to keep the Council apprised of the Monday morning meetings with the Village Manager, Commissioner Tully and himself, information is being summarized and sent out to the Council. Last week

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he sent an e-mail back to the Manager suggesting that either Commissioner Tully or he review the summary before it is sent out. He clarified a few items. He noted that he and Commissioner Sandack have had discussions with the Weihers, not the Eckdahls; he has not had any contacts with CVS; he referenced discussions with developers regarding sites; he referenced requests for a legal opinion from Holland & Knight as to what good judgment is; he referenced an issue regarding a banner at Ballydoyle's and the need for the Legal Department to advise Code Services as to the ordinances they are enforcing. The Mayor said he thought it would be beneficial if Commissioner Tully and he looked at the e-mail before it goes out.

Commissioner McConnell said it needs to be done the day of the meeting. The Mayor said that was fine.

ADJOURNMENT

The Mayor asked for a motion to move into Executive Session.

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

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

Mayor Krajewski adjourned the Workshop meeting into Executive Session at 9:57 p.m.

April K. Holden
Village Clerk

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