



# Village of Downers Grove Meeting Minutes Downers Grove Village Council

Civic Center  
801 Burlington  
Downers Grove, IL 60515  
630-434-5500

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Tuesday, May 3, 2005

6:30 pm

Council Chambers

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## 1. Call to Order

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

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

*VOTE: AYE - Commissioners Tully, Urban, Sandack, McConnell, Schnell, Mayor Krajewski  
NAY - None*

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

*Mayor Krajewski reconvened the Council meeting of the Village Council of the Village of Downers Grove at 6:30 p.m. in the Council Chambers of the Village Hall.*

### **Pledge of Allegiance to the Flag**

*Mayor Krajewski led those present in the Pledge of Allegiance to the Flag.*

## 2. Roll Call

*Present: Commissioner Sue McConnell, Commissioner Ron Sandack, Commissioner Stan Urban, Commissioner Marilyn Schnell, Commissioner Martin Tully and Mayor Brian Krajewski  
Non Voting: Village Manager Riccardo Ginex, Village Attorney Enza Petrarca and Village Clerk April Holden*

*Absent: Commissioner Mark Zabloudil*

*Mayor Krajewski said he would like to remind everyone present that the Council meeting is broadcast over the local FM radio station, WDGC. In addition, a tape recording and videotape of the meeting are being made using Village owned equipment. The videotape of the meeting will be used for later rebroadcast of the Council meeting over the Village cable television Channel 6.*

*The Council will follow the rules of conduct for this meeting as provided in Sec. 2.5 of the Downers Grove Municipal Code. These offer the public the opportunity to comment at several points in the meeting. First, immediately following approval of the minutes of the past meetings, an opportunity will be given for public comments and questions on the active agenda items for this evening's meeting. Following this, an opportunity is given for public comments and questions on any subject. Finally, if a public hearing is scheduled for this meeting, an opportunity is given for public comments and questions related to the subject of the hearing.*

*The Mayor stated that at the appropriate time the presiding officers will ask if there are any comments from the public. If anyone wishes to speak, the individual should raise their hand to be recognized and, after acknowledgment from the presiding officer, approach the microphone and state their name and address. He stated that remarks be limited to five minutes, and asked that individuals refrain from making repetitive statements.*

*The Mayor said there are agendas located on either side of the Council Chambers, and he invited the audience to pick up an agenda and follow the progress of the Council meeting.*

### **3. Minutes of Workshop and Council Meetings**

*Council Meeting - April 19, 2005*

*Workshop Meeting - April 26, 2005*

*There being no additions or corrections to the minutes, Mayor Krajewski said they would be filed as submitted.*

### **4. Public Comments and Questions**

#### **A. Comments and Questions on Active Agenda**

*Tom Sisul, 3624 Saratoga, spoke on behalf of the Chamber of Commerce in regards to the Sign Ordinance. He said one issue that was raised concerned awning signs. Mr. Sisul said he spoke with John Randall of the Sign Ordinance Committee and others. He stated that the Ordinance seems to be too restrictive. It was not intended to be as restrictive as it is and would not allow descriptive words. He suggested this might need to be fine-tuned.*

*Mayor Krajewski asked Code Services staff whether they met with the Chamber this morning. Attorney Petrarca said that the Ordinance only allows for the name, address and logo, and does not allow for advertising.*

*Don Scheidler, Code Services Officer, said that was correct.*

*Mark Daniel, 300 E. Roosevelt, attorney with Rathje and Woodward, said he was present on behalf of Mr. and Mrs. Testin regarding the last three items on the agenda related to annexation and rezoning. The rezoning is of concern to the parcels west of the development site. It is felt that the proposal will change the character of the neighborhood, and the Testins will suffer significantly from this development. Mr. Daniel said that the exceptions applied for would shorten the lot depth. In regard to the overall neighborhood, they are asking that the Council consider their specific circumstances, traffic, etc.*

*Mr. Daniel responded to questions raised by Commissioner Tully at the previous Council Workshop meeting regarding unincorporated property owners. Mr. Daniel said there are cases of one municipality suing another if a decision affects another municipality. The impact beyond your borders is significant. He asked that the relief sought for the westernmost parcels be denied, and that the property not be rezoned.*

*Jane Miczek, 5714 Chase, summarized points raised at previous meetings regarding the Sievers development. The neighborhood has already determined its direction and they believe the townhomes proposed will have a negative impact on the overall neighborhood. Ms. Miczek asked that the Council deny the rezoning and the townhome development on Elinor. A solution is needed that works for all. She then asked that Council members voting in favor of this proposal state their reasons for doing so.*

*Delores Zimmerman, 5831 Elinor, said she trusts that the Council has looked at both the pros and cons of the Sievers proposal. Her major concern is the safety of the children, since there are narrow streets, no sidewalks, increased traffic, etc. She said the homeowners believe that mixing townhomes and single-family homes will negatively affect the character of the community. Ms. Zimmerman then identified some of the people who are objecting to the development including the Puffer School Principal, and a Highway Commissioner, both of who object to the traffic situation. She said 125 residents also signed a petition opposed to this proposal. She then noted recent automobile accidents and the current traffic situation as points to be considered in the Council's decision. Ms. Zimmerman asked how much profit is*

enough, and requested that there be a compromise with the developer, and requested that the Council rule in favor of the community. She said the residents would like to preserve the tradition of single-family homes in Belmont Park, and asked that the Council vote against the proposal.

Christine Fregeau, 1918 Elmore, addressed the criteria for the new sidewalk plan and asked that the Council consider some matters before voting. She submitted a copy of her prepared statement for the record, which focused on the changes that have been made since 2001 to the sidewalk plan removing criteria rather than applying it appropriately and uniformly. She then read a letter by Lorie Pilster, Coordinator of Business Services for District 58, to the Director of Public Works regarding removal of the Serious Hazard Busing Factor from the sidewalk criteria.

Ms. Fregeau then distributed a copy of the sidewalk map as shown in February 2004, stating that there are numerous streets which have been on the list that must be completed this year. She stated that the Gilbert Avenue sidewalk project needs the insistence of the Council to make it happen in 2005. She said it deserves to be constructed and not be pushed to the fall or to another year. She noted that the Gilbert Avenue project is an opportunity for three government entities to work together. She encouraged the establishment of a definitive timetable so this happens as it should this year.

The Mayor asked about the letter from Lorie Pilster, and Ms. Fregeau said it went to Director Barber, and Ms. Fregeau was copied in on the letter. The Mayor asked whether P&T took this into account, and Ms. Fregeau said it is in process now. Mayor Krajewski said he knows that the sidewalk matrix is still a free-flowing document; however, the Council intends to move forward with the list as presented in regard to Gilbert. He noted that engineering work has been awarded, and based on what comes back the design will be developed.

Mike Millette, Assistant Director, Public Works, said that they expect to have a preliminary engineering report by the end of May. The Mayor added that Gilbert is #1 on the list.

Dr. Gordon Goodman, 5834 Middaugh, spoke regarding the sidewalk plan and criteria. He supports many of the things stated by Ms. Fregeau. He said that the revised criteria should move ahead to determine how the new set of rankings work; however, the main thing to do is build sidewalks and focus on the public safety issues. He differs with regard to the significance of the Gilbert sidewalks. There are 13 other segments having unusual problems, and Gilbert should not be pushed ahead if the data shows other significant problems.

Dr. Goodman then addressed the subject of the proposed change in the Land Use Plan and zoning. He has attended Plan Commission and Council meetings on the Land Use Plan and he believes the Plan should be modified to include the currently approved Sievers development as multi-family, but not to extend to Elinor Avenue. The arguments made are clear that a suitable buffer exists for the single-family residential area. In terms of the rezoning, he understood that a petition had been prepared by the residents to object to rezoning the property, and asked whether the petition was legally sufficient to require an extraordinary vote this evening.

Attorney Petrarca said that the petition is legally binding and will require 2/3 of the Council voting in favor, or four Commissioners, excluding the Mayor.

Judy Sidrys, 5223 Lee Avenue, thanked the Council for their continued support of the sidewalk matrix. She said it seems as though more emphasis is being placed on the sidewalks not being installed rather than those being constructed. Gilbert Avenue has consistently remained at the top of the matrix, and she would like assurance from the Council that Gilbert Avenue will be constructed this summer and not delayed again. The Mayor assured that they will work

according to the placement on the list, unless something out of the control of the Village comes up.

Mayor Krajewski then said he would like Public Services to look at using the \$400,000 in contingency for the sidewalk construction.

Chuck Miczek, 5714 Chase, asked that the Council preserve the quality of their neighborhood. He said this proposal from Mr. Sievers will have a significant impact on his neighborhood. He asked that the Council base its decision on what is in the best interest of the Village. Townhomes on Elinor will take away from the neighborhood. He noted that Mr. Sievers will not compromise on this issue, and asked that the Council assist in working out a compromise.

## **B. Comments and Questions on General Matters**

Dr. Gordon Goodman, 5834 Middaugh, addressed two issues including criteria and control for residential development since the Community Dialogue in September of last year and the April 16 Coffee with the Council. He noted that in the April 19 minutes, Commissioner Schnell gave a status report. Dr. Goodman asked for another status report insofar as an opportunity for residents to meet with staff and developers in the formative stage will be encouraged.

The Mayor said he expects there will be more community dialogue before it comes to a Workshop. Staff has been in meetings with the Council members to obtain their input as well. He added that staff has received the input of architects and developers/builders. He also said that staff could meet with residents if the residents are interested in scheduling a meeting.

Dr. Goodman said he supports the Mayor's suggestion and thinks it would be very productive. He noted that they have had good experiences in other situations when there were discussions held between staff and residents. Mayor Krajewski then asked that Mr. Sbiral and Mr. Rosenthal set up dates to meet with the residents.

Manager Ginex said that there was a meeting scheduled with architects and builders, but staff was asked to cancel it until input from the Council was received.

Dr. Goodman then thanked Commissioner McConnell for attending the Showcase West performances and commenting so favorably on it. He added that this is a subscription period for the next community concert series at a cost of \$90 for a season subscription. It is held at North High School. He then distributed brochures with the season program. The website is [www.dgconcerts.org](http://www.dgconcerts.org).

Bill Wrobel, 7800 Queens Court, commented on the Workshop meeting of April 26 and comments he heard on the telecast regarding the length of the meeting. He understands the meeting went to after 1:00 a.m., and he once attended a Walgreen's meeting that went to 11:45 p.m. He said with all the resources in the Village and the intelligence of the Council and staff they should revisit running meetings that late in fairness to Council, staff and all interested parties. Mr. Wrobel said he has six hours of tape that he is watching from that meeting. He learned in business that you get less and less effective as the hours go on.

The Mayor said that they could shorten the meeting but that would require not letting people speak or limiting them to less time. They want to hear what people have to say, and don't want to cut people off. They cannot always predict how long issues will take.

Manager Ginex said that last week was the first time the Council did not discuss the consent agenda items due to the number of items on the active agenda. There are a lot of items coming up which have to be on the agenda in order to keep up with the goals established.

## 5. Consent Agenda

- COR 00-01930** Claim Ordinance: No. 5581, Payroll, April 15, 2005  
**Sponsors:** Accounting  
**A motion was made to Approve this file on the Consent Agenda.**  
**Indexes:** N/A
- BIL 00-01931** List of Bills Payable: No. 5572, May 3, 2005  
**Sponsors:** Accounting  
**A motion was made to Approve this file on the Consent Agenda.**  
**Indexes:** N/A
- BID 00-01932** Bid: Award \$65,535 to Oakfield Ford of Villa Park for One 2006 Ford E450/Utilimaster Walk-In Van  
**Sponsors:** Public Works  
**A motion was made to Approve this file on the Consent Agenda.**  
**Indexes:** Vehicle Purchases, Public Works - Equipment
- BID 00-01933** Bid: Award \$31,558 to Braun/Chicago Party Rental as Tent Vendor for 2005 Heritage Festival  
**Sponsors:** Tourism and Events Commission  
**A motion was made to Approve this file on the Consent Agenda.**  
**Indexes:** Heritage Festival 2005
- BID 00-01934** Bid: Award \$48,243.00 to Clarke Environmental Mosquito Management, Inc. for FY 2005/06 Mosquito Abatement Program  
**Sponsors:** Code Services  
**A motion was made to Approve this file on the Consent Agenda.**  
**Indexes:** Mosquito Abatement Program
- BID 00-01935** Bid: Award Contract Extension to Elevator Inspection Services for FY 2005/06  
**Sponsors:** Code Services  
**Summary of Item:** Total cost is approximately \$17,580.00.  
**A motion was made to Approve this file on the Consent Agenda.**  
**Indexes:** Elevator Inspections
- BID 00-01936** Bid: Award \$90,000 to Claude H. Hurley Co. for FY 2005/06 Geotechnical Engineering Services  
**Sponsors:** Public Works  
**A motion was made to Approve this file on the Consent Agenda.**  
**Indexes:** Geotechnical Engineering

- BID 00-01937** Bid: Award \$47,760.00 to GCG Financial for Plan Consulting and Accounting Services  
**Sponsors:** Human Resources  
**A motion was made to Approve this file on the Consent Agenda.**  
**Indexes:** Employee Benefits
- BID 00-01938** Bid: Award Contract Renewal to Delta Dental Plan of Illinois to Administer Village's Self-Funded PPO Dental Program  
**Sponsors:** Human Resources  
**Summary of Item:** This is an 18 month renewal with Deltal Dental Plan of Illinois effective May 1, 2005 at an estimated annual cost of \$11,817.00.  
**A motion was made to Approve this file on the Consent Agenda.**  
**Indexes:** Employee Benefits
- RES 00-01939** Resolution: Opt-Out of Compliance with the Provisions of the Federal and Illinois Health Insurance Portability and Accountability Acts for the Village Health Plan Year Beginning May 1, 2005  
**Sponsors:** Human Resources  
**Summary of Item:** A RESOLUTION TO OPT-OUT OF COMPLIANCE WITH THE PROVISIONS OF THE FEDERAL AND ILLINOIS HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACTS FOR THE VILLAGE HEALTH PLAN YEAR BEGINNING MAY 1, 2005  
  
RESOLUTIONS 2005-22  
**A motion was made to Pass this file on the Consent Agenda.**  
**Indexes:** HIPAA
- RES 00-01940** Resolution: Authorize Submittal of Grant Application to the Illinois Law Enforcement Alarm System (ILEAS) for the 2005 ILEAS Local Law Enforcement Homeland Security Grant Program  
**Sponsors:** Financial Services and Police Department  
**Summary of Item:** A RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO THE ILLINOIS LAW ENFORCEMENT ALARM SYSTEM (ILEAS) FOR THE 2005 ILEAS LOCAL LAW ENFORCEMENT HOMELAND SECURITY GRANT PROGRAM  
  
RESOLUTION 2005-23  
**A motion was made to Pass this file on the Consent Agenda.**  
**Indexes:** Illinois Law Enforcement Alarm System
- RES 00-01941** Resolution: Authorize Submittal of Grant Application to the Illinois Department of Transportation for the Mini-Grant Alcohol Enforcement Program (MAP)  
**Sponsors:** Financial Services and Police Department

**Summary of Item:** A RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR THE MINI-GRANT ALCOHOL ENFORCEMENT PROGRAM (MAP)

RESOLUTION 2005-24

**A motion was made to Pass this file on the Consent Agenda.**

**Indexes:** Illinois Department of Transportation

**RES 00-01942** Resolution: Authorize Agreement with the Indian Boundary YMCA for the 2005 Downers Grove Farmers' Market

**Sponsors:** Marketing & Media

**Summary of Item:** A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE INDIAN BOUNDARY YMCA TO JOINTLY CONDUCT THE 2005 DOWNERS GROVE FARMERS' MARKET

RESOLUTION 2005-25

**A motion was made to Pass this file on the Consent Agenda.**

**Indexes:** Farmers' Market

### **Passed The Consent Agenda**

**A motion was made by Commissioner Tully, seconded by Commissioner Urban, that the consent agenda be passed. The motion carried by the following vote:**

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully and Mayor Krajewski

## **6. Active Agenda**

**ORD 00-01926** Ordinance: Amend Sign Provisions

**Sponsors:** Planning and Community Development

**Summary of Item:** This will make certain amendments to the Municipal Code concerning signs.

AN ORDINANCE AMENDING SIGN PROVISIONS

ORDINANCE NO. 4668

*Commissioner Tully moved to adopt "An Ordinance Amending Sign Provisions," as presented. Commissioner McConnell seconded the motion.*

*Commissioner Tully thanked those who worked so hard on this Ordinance, as it reflects a great deal of effort by the Committee and staff over a long period of time. He said that this Ordinance is not perfect, but can be adjusted as needed. Once this is adopted, additional aspects such as education and notification can be carried through.*

*Commissioner McConnell echoed some of Commissioner Tully's comments and said they need to revisit it to assure that it captures what the Council wants. She suggested a formal review in one year, and noted that enforcement is critical.*

*Commissioner Tully then moved to amend Section 28.201, Definitions, regarding window sign such that a window sign would be an interior sign located within two feet of a window. He noted that the current definition is of a sign located within five feet of a window. Commissioner McConnell seconded the motion.*

Commissioner Schnell added her thanks, saying that this needs to be implemented fairly with the necessary personnel for enforcement and a plan for notification. She added that the Council needs to sit down with the Board that will hear the variances so they know the intent, policies, procedures and how to apply them. Guidelines need to be set.

The Mayor thanked the staff and Attorney Petrarca for their work. He did not feel he could support this Ordinance today, however. There remain a few too many issues that need to be revisited. He referenced variance procedures as one issue. He noted Fry's as an example, saying that Fry's would not meet the objective criteria. He asked Attorney Petrarca to read the criteria for the variances, and she read that section of the Code. In terms of the criteria, the Mayor said that Fry's would have to have a 6 x 6 monument sign, and others would not be able to have their monument sign fit into the objective criteria. He suggested that when there is larger frontage larger signs could be considered.

The Mayor's second issue is to allow larger lettering and signs for monuments if the frontage is bigger. Outside of Ogden Avenue there are shopping center corridors.

Lastly, the Mayor said that a number of businesses will have to conform. He said if it passes, he would prefer to have it come into effect today. He would have no problem going on a go-forward basis. He agrees that many of his concerns have been addressed by this Ordinance, and he would like to see it move forward as well.

Commissioner Urban thanked the staff and Committee that worked on this issue. It is a monumental task. Staff was asked to look at the signs on Ogden Avenue, and they looked at the entire Village. He agrees that sign reform is needed, and understands that many signs will be effected by this Ordinance. He is concerned with how many will be coming down, and no one can track how many businesses there are in the town. He is not in favor of the Ordinance because, although it is enforceable, there are no business licenses to assure that business owners are kept informed. The Village will have to contact building owners, and not business owners. He encouraged staff and Council to look at instituting a business license, not for revenue producing purposes as much as to maintain contact with the actual business owners. He said he would be voting no on this Ordinance.

Commissioner Sandack said he favors the concept behind this Ordinance, stating the Village does not really have a Sign Ordinance. There are provisions interspersed in the Zoning Ordinance. He said that business licenses make sense to him in terms of trying to determine who the businesses are. The Ordinance was put together by staff, Committee members, residents, etc. Ogden Avenue was the driving factor, but Ogden Avenue isn't aesthetically pleasing. He will vote for this Ordinance. There is a seven-year amortization period, and he feels that this is very fair. He feels that in the long run this will be business friendly.

Commissioner Tully said this has been a long time in coming, and they owe it to all involved to resolve this issue, even though there may be more issues to consider. He indicated that this came about by both the residents and the business community. He feels this will benefit the businesses. It is a good Ordinance and the Village has the flexibility to make changes.

The Mayor asked about the procedure for text amendments, and Attorney Petrarca said that they would go to the Plan Commission first, and then to the Council. They could be Village-sponsored or proposed by the petitioner.

The Mayor asked for a vote on the amendment to the Ordinance.

VOTE: YEA: Commissioner Tully, McConnell, Urban, Sandack, Schnell, Mayor Krajewski

*Mayor Krajewski declared the motion carried.*

*The Mayor then asked for a roll call on the motion for an ordinance amending the sign provisions.*

**A motion was made by Commissioner Tully, seconded by Commissioner McConnell, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:**

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Schnell and Commissioner Tully

Nay: Commissioner Urban and Mayor Krajewski

**Indexes:** Zoning Ordinance - Signs

**ORD 00-01943** Ordinance: Amend the Use of Public Property and Temporary Use Provisions

**Sponsors:** Village Attorney

**Summary of Item:** This will make certain amendments to temporary use provisions and the provisions concerning the use of public property.

AN ORDINANCE AMENDING THE USE OF PUBLIC PROPERTY AND TEMPORARY USE PROVISIONS

ORDINANCE NO. 4669

**A motion was made by Commissioner McConnell, seconded by Commissioner Schnell, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:**

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully and Mayor Krajewski

**Indexes:** Sidewalk Cafes, Temporary Use, Public Property

**RES 00-01949** Resolution: Adopt a Policy Re: Rental of Public Parking Facility

**Sponsors:** Village Attorney

**Summary of Item:** This will establish a Council Policy for the rental of the public parking facility.

A RESOLUTION ADOPTING A POLICY REGARDING THE RENTAL OF THE PUBLIC PARKING FACILITY

RESOLUTION 2005-26

*In response to Commissioner Schnell, Village Attorney Enza Petrarca clarified that Commissioner Urban could vote on this matter as it is a policy issue and not TIF related.*

**A motion was made by Commissioner Urban, seconded by Commissioner McConnell, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:**

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully and Mayor Krajewski

**Indexes:** Central Business District - Parking Deck

**ORD 00-01944** Ordinance: Amend Provisions Concerning Sidewalk Improvements

**Sponsors:** Public Works

**Summary of Item:** This will amend provisions for sidewalk construction and replacement activities.

AN ORDINANCE AMENDING PROVISIONS CONCERNING SIDEWALK IMPROVEMENTS

ORDINANCE NO. 4670

*Attorney Petrarca said this is the Ordinance that establishes the criteria used in the sidewalk matrix.*

*Commissioner Tully said he cannot support a change in the criteria. He thinks there are questions as to the criteria and points assigned for parks. People walk to parks and there should be safe walking paths. He agrees that Gilbert Avenue is a priority. He does not feel the change in criteria adequately reflect the importance of sidewalk safety for children walking to school. The long-standing policy has been to put at least one sidewalk on at least one side of every street in the Village. He appreciates the efforts placed on this issue, but feels more review is necessary.*

*Commissioner McConnell said that regarding Gilbert, there are a number of areas that may be more challenging, and she does not want it put at the bottom of the matrix just because it is hard. She has faith that the staff will figure out how to work this out.*

*The Mayor asked whether "constructability" will be part of the criteria. David Barber, Director, Public Works, said that the criteria sets out the factors to score. Attorney Petrarca said that the criteria is a guide.*

*The Mayor also agreed that parks should be considered as a whole. Mr. Barber said they looked at parks and made every one a major park. He also looked at the 1000-foot difference. It only moved the projects a little bit. Mayor Krajewski said he would be more comfortable with the parks in the matrix, and school routes in the criteria. Mr. Barber said the two segments identified by Ms. Pilster were both in the Township.*

*Commissioner Sandack said that he thinks they need to move on this issue. The criteria makes minor differentiation between projects that are necessary and they all need to be done. He would like to see progress made on this and agrees that Gilbert is #1.*

*The Mayor asked whether they can make an amendment to call all parks as major parks. Attorney Petrarca said that the criteria includes the proximity to major and minor parks.*

*Commissioner Schnell said if they are to start moving forward with this, they need to bring some stability to the matrix. Staff has to do preliminary engineering and survey work, and there is a myriad of things that need to be accomplished before construction can begin. She believes they need to have stability in order to know what streets will be top priority for several years to make it possible to begin moving forward each spring.*

*The Mayor asked staff to send him information on the matrix regarding the survey work that has been done. Mr. Barber said that only one segment has survey work done.*

**A motion was made by Commissioner Schnell, seconded by Commissioner Sandack, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:**

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell and Mayor Krajewski  
Nay: Commissioner Tully

**Indexes:** Sidewalk Matrix, Sidewalk Improvements 2005

**Sponsors:** Public Works

**Summary of Item:** This repeals the sidewalk construction and replacement policy as it is no longer needed as the provisions of this policy shall be incorporated into the Municipal Code.

A RESOLUTION REPEALING THE SIDEWALK CONSTRUCTION AND REPLACEMENT POLICY

RESOLUTION 2005-27

**A motion was made by Commissioner Sandack, seconded by Commissioner Tully, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:**

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully and Mayor Krajewski

**Indexes:** Sidewalk Replacement, Sidewalk Construction

**ORD 00-01945** Ordinance: Amend the Future Land Use Map

**Sponsors:** Plan Commission and Planning and Community Development

**Summary of Item:** At their meeting of March 7, 2005, the Plan Commission unanimously recommended adoption of an ordinance amending the Future Land Use Map.

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP FOR THE VILLAGE OF DOWNERS GROVE

ORDINANCE NO. 4671

*Commissioner Tully said that this should have come to the Council before an actual petition was before the Council in order to have finality before the petition. He cannot support this.*

*Commissioner Sandack said that he agrees that this should have come before the Council earlier and it is unfortunate to all involved. He will, however, support this.*

*The Mayor said that he raised concerns last week with regard to this, and he believed Keith Sbiral, Director, Planning & Community Development, addressed those concerns.*

**A motion was made by Commissioner Urban, seconded by Commissioner McConnell, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:**

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell and Mayor Krajewski  
Nay: Commissioner Tully

**Indexes:** Subdivision - Maple Woods, Future Land Use Plan

**ORD 00-01946** Ordinance: Annex 2407, 2409, 2411 Maple Avenue and 5635, 5637, and 5639 Elinor Avenue to the Village of Downers Grove

**Sponsors:** Planning and Community Development and Plan Commission

**Summary of Item:** This will annex the properties commonly known as 2407, 2409, 2411 Maple Avenue and 5635, 5637, and 5639 Elinor Avenue. Following annexation, these properties will be zoned R-1, Single Family Residential.

AN ORDINANCE ANNEXING 2407, 2409, 2411 MAPLE AVENUE AND 5635, 5637, AND 5639 ELINOR AVENUE TO THE VILLAGE OF DOWNERS GROVE, ILLINOIS

ORDINANCE NO. 4672

**A motion was made by Commissioner McConnell, seconded by Commissioner Schnell, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:**

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully and Mayor Krajewski

**Indexes:** Annexation, Subdivision - Maple Woods, Annexation-2407 Maple Avenue, Annexation-2409 Maple Avenue, Annexation-2411 Maple Avenue, Annexation-5635 Elinor Avenue, Annexation-5637 Elinor Avenue, Annexation-5639 Elinor Avenue

**ORD 00-01947**

**Ordinance:** Rezone Property Located at 2407, 2409, 2411 Maple Avenue and 5635, 5637, and 5639 Elinor from R-1 to R-5A

**Sponsors:** Planning and Community Development and Plan Commission

**Summary of Item:** At their meeting of March 7, 2005, the Plan Commission recommended that the properties commonly known as 2407, 2409, 2411 Maple Avenue and 5635, 5637, and 5639 Elinor Avenue be rezoned from Village R-1, Single Family Residential, to Village R-5A, Townhouse Residence.

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, CODIFIED AS CHAPTER 28 OF THE DOWNERS GROVE MUNICIPAL CODE, AS AMENDED TO REZONE PROPERTY LOCATED AT 2407, 2409, 2411 MAPLE AVENUE AND 5635, 5637, AND 5639 ELINOR AVENUE

ORDINANCE NO. 4673

*Commissioner Tully said this is a unique situation and a difficult decision. He said that they must base the decision on the criteria. He noted that this involves a quality developer who has done great work in the Village, and there was a prior development both rezoned and approved. What this concerns is an amendment or extension to the prior project. The standards have been difficult to apply. This is not something the Village has complete discretion over, and he reviewed the factors to be applied. It appears from comments that the addition would radically change Elinor in unincorporated Downers Grove. This needs to be taken into account as well. He cannot support this Ordinance to rezone the property.*

*Commissioner Sandack said that he agrees with the criteria and feels the Council is vested with discretion. He is mindful and appreciative of the residents' and neighbors' concerns. The Council is, however, guided by Statute and Ordinance. The project adjoins single-family County property as well as property the Council annexed as R-5A. Eight acres of the property have already been rezoned and will adjoin this parcel. The Future Land Use Map contemplates this use. The Land Use Map stops the continual rezoning which was addressed by the Planning Director. He said that in regard to the criterion, he has read all of the e-mail and listened to all the comments. No evidence has been presented that this project will diminish the properties, and there is no evidence that the units will cause more traffic hazards or safety hazards. Other criteria have been met by the developer and he will vote in favor of this.*

*Commissioner Schnell complimented the neighborhood for their diligence in regard to this project. They have done a tremendous job of presenting the facts in this case. She noted that she has questions about the rezoning. In order to do this in a way that prevents the spread, the logical breaking point is Elinor, and there has been discussion of some elements that will help serve as a buffer. She does not perceive it going beyond Elinor. Her decision is not based on whether the residents are part of the Village. She understands that the residents have an economic interest in this issue and should be heard. She, however, had to look to the experts, and to deny the units and rezoning after already rezoning the property to the east would not be logical and may not be defensible.*

*Mayor Krajewski said that criteria is objective to a point, and he feels that all criteria have*

been met. He did wrestle with one regarding adjoining zoning. However, there has been no evidence that the property values will diminish. He also wrestled with the criteria regarding altering the character of the neighborhood. By going all the way to Elinor it would affect the character of the neighborhood, but there are many criteria to be considered. He will vote no on this.

**A motion was made by Commissioner Schnell, seconded by Commissioner Sandack, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:**

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban and Commissioner Schnell

Nay: Commissioner Tully and Mayor Krajewski

**Indexes:** Subdivision - Maple Woods, Rezone 2407 Maple - R-1 to R-5A, Rezone 2409 Maple - R-1 to R-5A, Rezone 2411 Maple - R-1 to R-5A, Rezone 5635 Elinor - R-1 to R-5A, Rezone 5637 Elinor - R-1 to R-5A, Rezone 5639 Elinor - R-1 to R-5A

**RES 00-01948** Resolution: Final Plat of Subdivision for the Villas of Maple Woods Subdivision with Exceptions

**Sponsors:** Planning and Community Development and Plan Commission

**Summary of Item:** At their meeting of March 7, 2005, the Plan Commission recommended approval of the Final Plat of subdivision for the Villas of Maple Woods Subdivision with exceptions.

A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION FOR THE VILLAS OF MAPLE WOODS SUBDIVISION WITH EXCEPTIONS

RESOLUTION 2005-28

*Commissioner Tully said that since the rezoning has passed, there is a different set of criteria for R5-A zoning for exceptions, which effect Lots 3, 4, 11, and 15. He said he is hard pressed to say the criteria has not been met.*

*Commissioner McConnell said she appreciated the comments from the residents as they were very helpful. Based on the comments received, she thinks this may be a better plan than what was originally submitted. They addressed the turn outs for Elinor, and she doesn't see that property values will be effected. She also does not see the issue of "zoning creeping" extending beyond Elinor.*

*Commissioner Schnell said that the issues of the residents were traffic and safety of the streets, which are valid concerns given narrow streets and no sidewalks. The Village can only control that portion of Elinor that abuts Mr. Sievers' development and that area will be improved. She suggested that the residents go to Lisle Township with the same amount of energy and determination regarding the safety concerns they've raised with the Village. She said there are concerns about trees and buffers that were also made, and she spoke with Mr. Sievers about this recently. There were conflicting comments made to the Council and the Planning Commission via e-mail. Mr. Sievers' letter to the Council stated there will be a 20' buffer, and that he will do everything he can to keep the trees as part of the buffer. He has made a written commitment to do that and save as many trees as possible. The turning restrictions are such that they will not add to the traffic problems.*

*Commissioner Sandack said he agrees with Commissioner Schnell's rationale. Under Section 602 of the Code the Council must review practical difficulties, and many exceptions sought were de minimus. He said he believes the final plat should be approved.*

*The Mayor also agreed regarding the exceptions. He said last week he asked about the voting records regarding other exceptions. He said he would like to look at that.*

A motion was made by Commissioner Sandack, seconded by Commissioner Urban, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully and Mayor Krajewski

**Indexes:** Subdivision - Maple Woods

## 7. Motion to Adjourn Sine Die (Without Date)

*Commissioner Tully moved to adjourn sine die. Commissioner Urban seconded.*

*VOTE: YEA: Commissioner Tully, Urban, Sandack, McConnell, Schnell, Mayor Krajewski*

*The Mayor declared the motion carried and this portion of the meeting ended at 8:35 p.m.*

## 8. Swearing in Ceremony of Commissioners

*The Village Clerk presided over the swearing in of Commissioners Schnell, Tully and Waldack.*

## 9. Roll Call

Present: Commissioner Sue McConnell, Commissioner Ron Sandack, Commissioner Stan Urban, Commissioner Marilyn Schnell, Commissioner Martin Tully, Commissioner William Waldack and Mayor Brian Krajewski

Non Voting: Village Manager Riccardo Ginex, Village Attorney Enza Petrarca and Village Clerk April Holden

*Mayor Krajewski called the meeting to order at 8:50 p.m.*

## 10. Mayor's Report

### Materials to be Received - Minutes

*Canvassing Board - April 19, 2005*

*Library Board - April 13, 2005*

*Liquor Commission - April 7, 2005*

*Zoning Board of Appeals - March 23, 2005*

A motion was made by Commissioner Tully, seconded by Commissioner Urban, to Note Receipt Of this file. Mayor Krajewski declared the motion carried by the following vote:

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Waldack and Mayor Krajewski

### Materials to be Received - Monthly Reports

#### New Business

*The Mayor asked that the Village Attorney prepare the appointments to the Standing Committees for next week. Commissioner Schnell will chair Public Services, and Commissioner Waldack will serve on that Committee as well. Commissioner Tully will chair the Finance Committee and Commissioner Sandack will serve on that Committee. Commissioner McConnell will chair Public Safety and Commissioner Urban will work on Public Safety.*

*The Mayor then announced that on Friday, Sara Lee announced that it is relocating its corporate headquarters to Downers Grove which will bring 1000 employees into the Village. He thanked Hamilton Partners for bringing them into the Village.*

**RES 00-01951** Resolution: Appointments to Boards and Commissions

**Sponsors:** Mayor

**Summary of Item:** This is to appoint and reappoint members to the following Boards and Commissions:

#### HUMAN SERVICE COMMISSION

Reappoint Trisha Svehla as Chair for a term expiring April 30, 2007  
Appoint Cynthia Dempsey and Theresa Carlquest for terms expiring April 30, 2008  
Appoint Sharon Dunne and Geoff Neustadt for terms expiring April 30, 2007

#### BOARD OF FIRE AND POLICE COMMISSIONERS

Reappoint Keith Killacky as Chair for a term expiring April 30, 2008

#### TECHNOLOGY COMMISSION

Reappoint James McGinnis for a term expiring April 30, 2007

#### A RESOLUTION APPOINTING AND REAPPOINTING MEMBERS TO VILLAGE BOARDS AND COMMISSIONS

##### RESOLUTION 2005-29

*The Clerk read the Resolution appointing and reappointing members to the Human Service Commission, Board of Fire and Police Commissioners, Technology Commission.*

*Commissioner McConnell extended her appreciation to all of the board members who have agreed to serve on the various boards.*

*The Mayor also thanked everyone for volunteering his or her time to the community.*

**A motion was made by Commissioner Tully, seconded by Commissioner Urban, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:**

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Waldack and Mayor Krajewski

**Indexes:** Boards and Commissions

## 11. Manager's Report

*Manager Ginex announced that Dale Martin, Superintendent of District 58, lost his wife to cancer. He extended the sympathy of the Village to the family.*

## 12. Attorney's Report

### Future Active Agenda

## 13. Committee Standing Reports

*Commissioner Schnell said Public Services will meet on May 17 at 5:00 p.m.*

## 14. Council Member Reports and New Business

*Commissioner Sandack congratulated Commissioners Schnell and Tully and welcomed Commissioner Waldack to the Council.*

*Commissioner Waldack said it was inspiring to be here. He asked for the continued support of his wife and children, and thanked his friends and citizens for their support. He pledged to be an honest, independent, hardworking full-time Commissioner of the Village and will be fully*

*accountable to the residents. He asked for the support and prayers of the public.*

*Commissioner Schnell also welcomed Commissioner Waldack and congratulated Commissioner Tully. She thanked the residents who voted for her. She said she has the same enthusiasm she had 17 years ago when she first came into public office. She thanked her husband and family for their constant support over the last 17 years.*

*Commissioner McConnell welcomed Commissioners Tully and Schnell back and welcomed Commissioner Waldack to the Council. There is a lot of work to do. She then said that the Human Services Commission presented an assets survey results and made recommendations. One of the things discussed was productive ways for teens to showcase their talents. The Human Services Commission has worked with the Park District to sponsor the Grovestock made up of local bands. She encouraged teen bands to audition and send their tapes in by Friday.*

*Commissioner Urban echoed the comments made to Commissioners Schnell, Tully and Waldack, and thanked Commissioner Waldack for replacing him as the new kid on the block.*

*Commissioner Tully welcomed Commissioner Waldack and pointed out to him that this is not an easy job and takes a lot of hard work. He is looking forward to the Commissioner's ideas and input. He stated that Commissioner Schnell has showed tremendous commitment and dedication to the Village. He thanked the residents of the Village, as well as his wife and children for their support. He is looking forward to working with the Council.*

*The Mayor extended his congratulations to the three Commissioners. He noted that Commissioner Waldack has attended most of the meetings held over the last couple of years.*

*The Mayor announced that Good Samaritan will be inviting the Council members for a tour of the facility and to meet with the staff.*

## **15. Adjournment**

*Commissioner Tully moved to adjourn. Commissioner Urban seconded.*

*VOTE: YEA - Commissioners Tully, Urban, Waldack, Sandack, McConnell, Schnell, Mayor Krajewski*

*Mayor Krajewski declared the motion carried and the meeting adjourned at 9:03 p.m.*