

**CITY OF DARIEN
MUNICIPAL SERVICES COMMITTEE
August 24, 2015**

PRESENT: Joseph Marchese - Chairperson, Alderman Tom Belczak (6:38 p.m.), Tom Chlystek, Bryon Vana- City Administrator, Dan Gombac – Director, Michael Griffith - Senior Planner, Elizabeth Lahey - Secretary

ABSENT: None

ESTABLISH QUORUM

Chairperson Marchese called the meeting of the Municipal Services Committee to order at 6:30 p.m. at the City Hall – City Council Chambers, Darien, Illinois and declared a quorum present. He announced that the agenda was moved around due to holding a Special Meeting for the City Council at 7:00 pm.

NEW BUSINESS

F. Resolution – To authorize additional funding in the amount of \$30,000.00 for the purpose of sharing costs for construction items associated with the street lighting project within limited locations of the 75th Street Corridor and the Cass Avenue Corridor.

Mr. Dan Gombac, Director reported that the City approved an Intergovernmental Agreement with the County for the Street Lighting project within the 75th Street Corridor and Cass Avenue Corridor. He reported that IDOT opened bids for the project and that the lowest bid was \$709,215.40 and the City's fair share was \$20,000 over the engineers estimate. Mr. Gombac stated that staff requested copies of the bid tally and that IDOT would not release the bid tally until the project is awarded but that they indicated that the Decorative Luminaires and the Underground Conduit were over the estimate. Staff requested funding in the amount of \$20,000 to cover the City's fair share and an additional contingency for construction in the amount \$10,000 for a total of \$30,000.

Mr. Gombac reported that there is an opportunity for cost share funding through a CMAQ grant. He stated that he provided the Committee with a proposal detailing the funding schedule through the presented attachment. He further stated that the total shortfall for the project is \$67,547.00.

City Administrator Bryon Vana stated that approval is needed so that the project will not be delayed.

Alderman Belczak made a motion, and it was seconded by Alderman Chlystek to approve a Resolution authorizing additional funding in the amount of \$30,000.00 for the purpose of sharing costs for construction items associated with the street lighting project within limited locations of the 75th Street Corridor and the Cass Avenue Corridor.

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

- A. 709 Plainfield Road, Our Lady of Peace: Seeks approval of variations from the Sign Code: (1) to increase the permitted sign area for a religious institution from 32 to 40 square feet, sign Code Section 4-3-8(D) and (2) to permit an electronic message board sign, sign code Section 4-3-10 (A).**

Mr. Michael Griffith, Senior Planner reported that Our Lady of Peace is reconstructing their parking lot, driveway entrances, installing landscape islands and new lighting. He reported that as part of the improvements, the church is proposing to install a new sign along Plainfield Road.

Mr. Griffith reported that the Sign Code exempts ground signs for religious institutions from a permit as long as the sign complies with the Sign Code and such signs limited to 32 square feet in area. He reported that the square footage is 40 square feet with an electronic message board which is not permitted.

Mr. Griffith reported that the agenda memo lists the conditions.

Chairperson Marchese questioned the other businesses who have electronic boards.

Mr. Griffith reported that Chucks, Republic Bank, and First American Bank have electronic sign boards.

There was no one in the audience wishing to present public comment.

Alderman Belczak made a motion, and it was seconded by Alderman Chlystek to approve 709 A. 709 Plainfield Road, Our Lady of Peace: Approval of variations from the Sign Code: (1) to increase the permitted sign area for a religious institution from 32 to 40 square feet, sign Code Section 4-3-8(D) and (2) to permit an electronic message board sign, sign code Section 4-3-10 (A).

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

- C. Resolution – To enter into a contract agreement with Concrete Floor Finish for the Public works Facility Garage in the amount of \$38,500.00.**

Mr. Dan Gombac, Director reported that this resolution allows the City of Darien to enter into an agreement to refurbish the garage floor at the Public works facility. He reported that the floor is requiring maintenance due to years of wear and tear from salt, water, and traffic.

Mr. Gombac reported that one bid was received from Concrete Solutions in the amount of \$40,155 and because the bid was over the allocated budget of \$38,500, staff reached out to the vendor to negotiate and accept the pricing at a not to exceed the \$38,500.

There was no one in the audience wishing to present public comment.

Alderman Belczak made a motion, and it was seconded by Alderman Chlystek approval of a Resolution to enter into a contract agreement with Concrete Floor Finish for the Public works Facility Garage in the amount of \$38,500.00.

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

- D. Resolution – To have the Mayor execute a contract with Alliance Contractors Inc. in an amount not to exceed \$120,545.00 which includes \$10,000.00 contingency for unforeseen conditions requiring attention, for the reconstruction of Carlisle Court Storm water Drainage Infrastructure Reconstruction Project located within the 8700 block of Carlisle Court.**

Mr. Dan Gombac, Director reported that staff identified that the existing Carlisle Court Bridge was in need of repair. He reported that staff report identified the deficiencies. He reported that the proposed contract includes the removal and replacement of the concrete box culverts under Carlisle court along with embankment improvements on both sides of the roadway. Mr. Gombac reported that staff recommends approval in an amount not to exceed \$120,545.00 which includes a \$10,000 contingency for unforeseen conditions requiring attention. Mr. Gombac reported that the project is approximately \$65,000 below budget and will be used toward the street lighting pending City Council approval.

There was no one in the audience wishing to present public comment.

Alderman Chylstek made a motion, and it was seconded by Alderman Belczak to approve a Resolution –executing a contract with Alliance Contractors Inc. in an amount not to exceed \$120,545.00 which includes \$10,000.00 contingency for unforeseen conditions requiring attention, for the reconstruction of Carlisle Court Storm water Drainage Infrastructure Reconstruction Project located within the 8700 block of Carlisle Court.

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

- E. Resolution – Approval of Illinois Department of Transportation Resolutions authorizing expenditure adjustments to balance with the Illinois Department of Transportation Motor Fuel Tax (MFT) Audit Reviews.**

Mr. Dan Gombac, Director reported that the City received correspondence from the Illinois Department of Transportation regarding a Motor Fuel Tax (MFT) audit that was conducted earlier in the year. The audit dated back to 2009-2014. He reported that per the audit, staff was required to provide additional Bureau of Local Road forms and supplemental resolutions to be in compliance with Illinois Department of Transportation protocols.

There was no one in the audience wishing to present public comment.

Alderman Belczak made a motion, and it was seconded by Alderman Chylstek to approve a Resolution authorizing expenditure adjustments to balance with the Illinois Department of Transportation Motor Fuel Tax (MFT) Audit Reviews.

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

- G. Minutes – Approval of the May 26, 2015 Municipal Services Committee and the June 22, 2015 Municipal Services Committee.**

Alderman Belczak made a motion, and it was seconded by Alderman Chylstek to approve the May 26, 2015 Municipal Services Committee Meeting Minutes and the June 22, 2015 Municipal Services Committee Meeting Minutes.

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

DIRECTOR'S REPORT

None.

At 6:50 p.m. Alderman Belczak made a motion, and it was seconded by Alderman Chylstek to recess the Municipal Services Meeting.

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

At 7:09 p.m. Alderman Belczak made a motion, and it was seconded by Alderman Chylstek to reconvene the Municipal Services Meeting.

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

B. 1033-35 S. Frontage Road, Central Avenue Ventures, LLC: Petitioner seeks approval of a text amendment, special uses and variations from the Zoning Ordinance and Sign Code related to repairing, servicing of trucks, trailers including, but not limited to transport refrigeration, standby vehicle generators, cellular communications, maintenance, body shop and engine rebuilding.

Mr. Michael Griffith, Senior Planner reviewed the staff agenda memo. He summarized the proposed uses and variations requested and noted that the majority of the variations are related to the existing conditions. Mr. Griffith reported that the proposed development plan is similar to the current layout of the property.

Mr. Dan Gombac, Director reported that the PZC held a public hearing and that the variations were reviewed and that all the comments were provided in the packet.

Alderman Chylstek questioned if the previous business was the same and if they had a body shop.

Mr. Gombac reported that the business was a truck sales facility and he was not sure about the body shop.

Chairperson Marchese stated that he looked at the number of variations and that 15 variations was a lot. He stated that he was concerned with the height of the sign and asked staff if they have ever explored other uses.

Mr. Gombac reported that staff has reached out to other uses specifically hotels and that the area is not the best use. He stated that Public Works is there and it is somewhat industrial and a 24 hour operation. He further stated that there were proposals but they never passed approval.

Chairperson Marchese questioned if the City is responsible for the road damage and if a cost analysis has been done.

Mr. Gombac stated that doing the simple math to resurface the roadway would be approximately a three year return to the City and that sales tax is derived from sales of parts over the counter.

Mr. Doug Calay, Director of Facilities reported that their annual retail sales are approximately \$21,761.00 or \$2 million at a 1% rate. He stated that not all sales are taxed.

Chairperson Marchese questioned the cost benefit when it costs \$300,000 -\$400,000 to repair a road.

Mr. Gombac reported that in 1999 the road was rebuilt and improvements were made to sustain truck traffic. He stated that the road is scheduled for minor resurfacing and estimated at \$150,000.

Alderman Chylstek questioned how many people would be employed.

Mr. Calay stated that there are three shifts with the first shift 7:30 a.m. - 3:30 p.m. and approximately 28 employees. He stated that the majority works during those hours.

Chairperson Marchese stated that he did not care for the cyclone fence and had concerns regarding the environmental issues.

Mr. Paul Cohen, Principle Construction Corp. stated that the fencing along the front and exit have sliding gates and that the chain linked fence is 8 feet high. He further stated that the lights will also be shielded.

Chairperson Marchese questioned why staff did not ask for a different fence.

Mr. Gombac stated that staff did but that it was reconsidered because there are no neighbors.

Alderman Belczak stated that it would be nice to have the view blocked from I-55 or slats or fabric.

Alderman Chylstek questioned if the petitioner considered additional landscaping.

Mr. Gombac reported that they are proposing an 8 foot high fence and clearly will be seen from the highway. He stated that they are proposing native plantings on the east side and will be in compliance.

There was some discussion regarding traffic and trucks leaving.

Mr. Calay reported that the traffic study indicated 225 trucks or 47% and 53% tractor/trailer.

Alderman Belczak questioned if staff had any idea of the truck traffic with the previous business to get a comparison.

Mr. Gombac reported that there was a report done 4-8 years ago and the numbers are comparable. He stated that they had a wide range of different times and the 24 hour work varied.

Alderman Belczak questioned if the previous business was granted variations.

Mr. Gombac reported that they were pre-existing conditions but that staff felt to bring them all to the table.

Chairperson Marchese stated that the petitioners are usually asked to conform. He questioned why there was a difference with this proposal.

Mr. Gombac reported that there is no difference. He stated that Chuck's had a similar scenario.

Mr. Griffith reported that Chuck's, Chase Bank, and Darien Pointe also kept the existing conditions.

Mr. Gombac stated that the Comprehensive Plan calls for Industrial.

There was more discussion regarding the traffic.

Mr. Calay stated that on August 10, 2015 and that there were 225 vehicles reported at their current location off I-55 and Central Avenue.

Mr. Bill Fritz, IAE President and CEO reported that they rely on mobile service during the later hours when the technicians go out on the road and throughout the day. He stated that the location was ideal for easy on and easy off at I-55.

Chairperson Marchese opened the meeting to anyone in the audience wishing to present public comment.

Mr. Joe Cantore, President, DuPage County Forest Preserve stated that the Committee needs to step back and think about the potential environmental impact. He stated that he is a real estate developer by trade and he is against a use that unfairly impacts Waterfall Glen. Mr. Cantore stated that this is a big deal to residents and DuPage County and that the City needs to step back and ensure that this use doesn't affect the Forest Preserve ecological gem.

Mr. Steve Dolergia stated that he looked at the Thermal King site. He stated that residents and schools are affected and that this is not the best use for the site and unkind to the neighbors. Mr. Dolergia stated that sound is an issue and a fence higher and more solid will help keep the light and noise from the residents. He stated that he looked at their other locations and they are isolated and he has statistics to back up the safety issues from the Burr Ridge Police Department.

Mr. Art Donner, former Treasurer City of Darien stated that this proposal is an economic failure. He stated that there are 59,000 trucks there per year and that the previous business had police and fire calls. Mr. Donner stated that a police call averages \$1,000 per call and fire is \$3,000 and the costs will be astronomical. He questioned who is going to bear the costs versus the \$24,000 year in taxes.

Mr. Mike Webster, President Cass School District 63 stated that he was shocked and appalled. He stated that there are children on those corners and that the school district should have been informed. Mr. Webster stated that the Federal Government will reimburse for the highest and best use of the property on Waterfall Glen. He further stated that they would like to be a partner

with the City and that this item should not be placed on the City Council Consent Agenda because there are issues and concerns with the school district.

Ms. Kathy Conley submitted her written statement regarding safety issues, lighting and aesthetics.

Mr. Richard Rons stated that he was concerned with noise and sound walls on I-55. He stated that he also had issues with the height of the sign.

Mr. Gombac stated that the sound barriers need to be addressed by IDOT. He stated that the City Council has looked into sound barriers but it was too costly.

Chairperson Marchese stated that if the City provided sound walls it would be \$2 million per mile.

Mr. Gombac questioned how many jobs will be created.

Mr. Fritz stated that their workforce is a specialized group and part of a union. He stated that they will recruit and Darien residents will be considered.

Mr. Saad Hussain stated that he lives on Carriage Green Drive and is a grandparent of children who get on the bus in that location. He stated that he is also on the Board at the Horizon Academy opening down the street and also concerned for child safety.

Mr. Chuck Fisher stated that he is concerned with noise and human and animal well-being. He stated that one truck can generate 90 decibels of sound and that the entire community is affected.

Ms. Linda Painter, President - Timberlake Civic Association/Board Member DuPage County Forest Preserve stated that there are too many variances. She stated that the petitioner's current facility is in an industrial park and that they are proposing to move into a beautiful pristine area.

Ms. Painter stated that Waterfall Glen has over 250,000 visitors and a solid fence is essential so that trucks are not visible. She stated that she is concerned with fuel leaks and that the elevation needs to be raised so runoff can be disposed of safely.

Ms. Painter questioned the amount of traffic and if there were 225 round trip or one way.

Mr. Calay reported that the information was provided on page three of the traffic report and that there were 225 total round trips.

Ms. Painter stated that she has FOIA'ed the traffic accidents.

Mr. Gombac reported that in 2012 there 9 accidents, 6 at the interchange, 2 west of the interchange and 1 east of the interchange. He reported that they were all single vehicles and no trucks. He further reported that there were 7 accidents reported north of Frontage Road.

Ms. Painter stated that she believed there was a fatality approximately 6 months ago.

Ms. Painter stated that she spoke with the Township Assessor and more real estate brings more people helping the home rule and more frequent shopping in Darien.

Ms. Painter stated that she was concerned with the 15,000 diesel fuel underground tank and the potential hazards.

Mr. Gombac reported that they will have to be in compliance with the State Fire Marshall and that all water is captured within the detention facility as it is today. He stated that there is minor sheet grading to the east and south and currently most is captured already. Mr. Gombac stated that the petitioner will provide grading and incorporate it to meet the BMPs

Ms. Painter stated that she did not want the water to drain the Forest Preserve. She stated that they do not want sealants used for asphalt because it is environmentally hazardous.

Ms. Charlotte Kruger, Realtor questioned if this was a purchase or lease.

Mr. Fritz stated that they have not purchased the property yet.

There was no one else wishing to present public comment.

Chairperson Marchese stated that he does not think there is much give and take regarding the variations.

Alderman Belczak stated that he wants to be a good neighbor and allow the people who own to sell the business but the variations are a deal breaker and there needs to be more negotiation.

Chairperson Marchese stated that the second PZC meeting was rushed and that staff went right through the questions. He stated that he has a lot of concern and that he is an environmentalist and that he cannot support this. He suggested working with the petitioner to come up with a better plan.

Mr. Gombac stated that the Committee can continue based on the recommendations and work with the developer.

Alderman Chylstek stated that homes are not an option in the area because no one wants to live near a highway. He stated that he is not in favor of the sign.

Alderman Belczak stated that if there were no variances this would be a done deal. He stated that there should be more talking to make more people happy.

Alderman Marchese made a motion, and it was seconded by Alderman Chylstek to table 1033-35 S. Frontage Road, Central Avenue Ventures, LLC and address variances as noted in the agenda memo for items 4, 5, 6 10, 11, 12, 13, 14, 15 .

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

NEXT SCHEDULED MEETING

Chairperson Marchese announced that the next regular meeting is scheduled for Monday, September 28, 2015 at 6:30 p.m.

ADJOURNMENT

With no further business before the Committee, Alderman Belczak made a motion and it was seconded by Alderman Chlystek to adjourn. Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 8:49 p.m.

RESPECTFULLY SUBMITTED:

Joseph Marchese
Chairman

Tom Chlystek
Alderman

Tom Belczak
Alderman