

MINUTES
CITY OF ST. CHARLES, IL
PLANNING AND DEVELOPMENT COMMITTEE
MONDAY, April 11, 2016 7:00 P.M.

Members Present: Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Turner, Krieger, Gaugel, Lewis

Members Absent: Bessner

Others Present: Mayor Raymond Rogina; Mark Koenen, City Administrator; Rita Tungare, Director of Community & Economic Development; Russell Colby, Planning Division Manager; Bob Vann, Building & Code Enforcement Division Manager; Matthew O'Rourke, Economic Development Manager; Chris Bong, Development Engineering Division Manager; Ellen Johnson, City Planner; Joe Schelstreet, Fire Chief

1. CALL TO ORDER

The meeting was convened by Chairman Bancroft at 7:00 P.M.

2. ROLL CALLED

Roll was called:

Present: Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Turner, Gaugel, Krieger, Lewis

Absent: Bessner

3. COMMUNITY & ECONOMIC DEVELOPMENT

a. Presentation of a Concept Plan for 1224 E. Main St.

Johnson stated that property owner Eric Larson and Architect Dan Marshall of Marshall Architects were in attendance to solicit feedback from the Committee on zoning of the property and also potential for constructing additional residential units.

Eric Larson-4N865 Crane Rd. - stated he and his wife purchased this property 2 ½ years ago and have renovated the existing building to a 2-unit residential dwelling with current zoning as commercial. A half-acre of land located in the front of this property is zoned commercial and the back of the property is zoned residential and they are looking to change the zoning to RT-4. The first option for consideration is two smaller duplexes, each being a story-and- a-half, which is most appealing because it breaks down the scale of the buildings. Dan Marshall – 812 E. Main Street, stated that this type of diverse housing is needed in St. Charles because its smaller in scale and economical to build and if this option were selected it would require a PUD. Option two would be a three unit building, also a story-and-a-half in size and would be straight zoning. Both options consist of a single car garage with surface level parking in some places, similar to what can be found in Delnor Glen.

Aldr. Stellato stated that he liked the first option as well as what has been done with the front property - assuming all access to the rear property would come off of the little flag lot. Marshall said yes, for the most part, and that they could also have some connection with the front driveway to allow flow from the front building as an exit from the property. Aldr. Stellato confirmed that the

design would be presented later and that this meeting was just to talk about the land use and to clean up the zoning issue.

Aldr. Silkaitis stated that he could go with either option.

Aldr. Payleitner said she could also go with either option but that she was curious as to why this property was zoned commercial. Marshall replied that back in the 1960's properties along this area of Main Street were all zoned commercial and this was a split zoning situation because it extended so far back into the residential area.

Aldr. Lemke stated that either option would work for him but that next time around he would like to learn more about the designated parking for visitors and also how the traffic circulation would work with regards to the garages and the parking that could occur around them.

Aldr. Turner asked Larson if he had any commercial interest on this property. Larson stated that he had not and he has not attempted to sell it commercially, but as a two family apartment it is fairly easy to rent because there is a lot of demand for that; as office space it is limited. Larson said the Plan Commission suggested keeping the front zoning as commercial, so in the future if they decide to convert to an office, they could and it would be consistent with what is found along Main Street. Aldr. Turner asked if they are grandfathered in as a non-conforming use. Marshall said yes and that they are allowed to have a living unit on the second floor with businesses located on the first floor as an existing non-conforming use. Aldr. Turner said at this point he agrees with the Plan Commission to leave the front as BL and if the Council wants to go with option one, he would go along with it.

Aldr. Krieger said she prefers the 2, 2-unit buildings because they would fit better in this space but she would like to see primary access off of 13th Avenue with limited access to Main Street.

Aldr. Gaugel said he doesn't have a problem either way, both plans are fine, but his preference would be Option 1 for the 2, 2-unit buildings.

Aldr. Lewis said she thinks the 2, 2-unit buildings might fit better, although she does not have a problem with either one, she would like to see more detail with regard to the entering and exiting of the property. Marshall said that would be a PUD and they may consider using the 30 ft. setback of the middle rear yard to provide more room to pull around and provide space for fire trucks, garbage trucks and landscaping.

Chairman Bancroft said he agrees that either one is fine but that it would make sense to leave the front zoning as BL.

John Rabchuk -914 Ash Street-stated that the City's Comprehensive Plan contemplated having 13th Avenue come across Main Street and eventually have a traffic light there to tie in another street coming through the railroad right-of-way. He felt this development would be complimentary to that arrangement and if the city ever acquired the railroad right-of-way for a bike path, there would now be a signalized crossing point in place to extend over to the Prairie Path.

b. Presentation of a Concept Plan for Cityview, 895 Geneva Rd.

Chairman Bancroft asked Committee members to look at the questions on page 6 of the staff memo with regards to this Concept Plan.

Johnson stated Dan Venard, from David Weekley Homes, was in attendance to present the Concept Plan for a single family subdivision at the northwest corner of Geneva Road and Mosedale Street.

Dan Venard-Development Manager for David Weekley Homes-18 Highgate Course-provided an overview of David Weekley Homes (DWH) to the Committee. This organization is the largest private home builder in the United States and they have been in business for 40 years. Weekley has been recognized nationally for its design as well as for their customer service. For the past 10 years they have been recognized by Fortune Magazine as one of the top 100 companies to work for.

Venard said the 1.05 acre site is currently vacant with the eastern boundary as Rt. 31, southern as Mosedale and north is Keller Place, which may look like a driveway but it is a city dedicated road with residential contiguous to the west. This site is currently zoned RT-1 to the south and north along Rt. 31 and RT-2 to the west, but they are proposing re-zoning the RT-1 areas to RT-2 and to also establish a PUD to allow certain zoning deviations. This site offers great proximity to the downtown, Mount St. Mary's Park, the Blue Goose and shopping along 1st Street.

Venard said there are some physical constraints to this site that include a 30 ft. drop in one area down to Rt. 31 causing some back pitch and they are mindful that some water will need to be contained and water detention cannot be in Rt. 31's right-of-way. There are some soil issues that will be in need of remediation for capacity purposes and there are city buried electric lines that will need to be addressed as well as service issues resulting from trees on this site.

Venard said they are proposing a 7 lot plan where they would come in and use the existing access located off of Keller Place. The 2-story units are 28 ft. x 65 ft. in size with each lot offering a walk out, which would provide an opportunity for 3-story living, with the developer offering to finish out those basements. The 2-story living would range from roughly 1,800 sf. to 2,500 sf. with an additional 700 sf. – 900 sf. in the basement. Venard stated that while they are looking to rezone these smaller lots, take into consideration that there is some open space that is not being used in the lot configuration and that the detention that runs along Rt. 31 and some open areas could offer some additional parking.

Venard stated that from a market standpoint they feel they will draw an eclectic group of homeowners: single parent homeowners who would like to keep their child in the same school district, some folks who would like to downsize from a large single-family lot to something more manageable while still remaining in town and others who want to stay in proximity of nice regional amenities.

Venard said the 30 townhome development going up just south of Wheeler Park in Geneva, Park Place Development, offers the same price point that DWH is targeting for this development.

Venard said the architecture they are proposing will consist of stone and masonry, all Hardie plank exteriors with pleated roofs over some of the windows and garages as well as baton board and cedar shack to offer low maintenance. Price points would be in the \$500's – starting with \$515,000 to the upper \$500's but could option out in the lower \$600's.

Aldr. Lewis said this development borders her 5th Ward and she is not certain what to think about it – this type of housing is something she has not seen in St. Charles but she likes the fact that it is single family. She said she has concerns about bringing Keller Place through the site to connect with Mosedale Street and asked if there is parking on Mosedale. Venard said there is no parking on both sides of the street. Aldr. Lewis pointed out that there are several utility boxes along

Mosedale. Venard said they have taken that into consideration and have set them back and pushed them further west. Aldr. Lewis asked what the back of the houses will look like. Venard said the back of the houses would have the same look as the architecture previously described and when they come back for their application submittal for the preliminary final, they would provide more detailed information on that. Aldr. Lewis stated that she is not crazy about the product and style of the house they would be building; there are too many of them and she would like to see the number reduced, and would also like to learn more about Keller Place running through the site.

Aldr. Gaugel said it is an interesting concept that compares to a couple developments by Rt. 25 and Riverside. He said with regards to the rear elevation he was having a hard time envisioning how these homes would look at a higher elevation from Rt. 31. He noted that this would be similar to the old Mount St. Mary's property where the rear of those houses all face Rt. 31. The two properties that stick out to him are the two that front to Mosedale because they don't seem to fit the character of the rest of the houses there and it would seem like something similar in nature should be done on that unique piece of property to enhance the character of the rest of the houses. He said he does not have anything that is telling him that this is something that they shouldn't do and this is something unique and creative for this property that has been vacant for 15 years.

Venard said there will be a 4 ft. retaining wall along with a detention area in an open space that runs along the rear of the lots. Coming off of the 1st floor main living area there will be decks in place to take advantage of views looking east at the river and at Mount St. Mary's Park.

Aldr. Krieger said she does not like it and would much rather see about houses instead. She also agrees with Aldr. Gaugel, that Mosedale is almost all ranch homes and the two on Mosedale should be reduced to one home and conform more to the current design. She said the plan is too dense and she would like to see four houses along Rt. 31. Mount St. Mary's is set back a lot further than this will be and views of the river will be limited – one may be able to see some of the park though. If you are at the corner of Mosedale and Geneva Road, you're not going to see much of the river from this point either. Aldr. Krieger would like to see a definite change to the plan.

Aldr. Turner said it is very unique, almost eastern in character and he would like to see something like this in St. Charles. He said it's something different and he feels the developer has a market for it and doesn't have a problem with this plan.

Aldr. Lemke also suggested having five or six homes on this site would be a better fit. If they were to fit virtually identical lot shapes on this site to flex the shape of the lot on Mosedale with only one fronting Mosedale instead of two to create more consistency going west.

Aldr. Payleitner she liked it but was curious if there were any concerns with the neighbors. Venard stated that he has met with Mr. Anderson who is located on Mosedale and there is a retaining wall that is located on both properties that they will work together on how it will transition while being mindful of his side yard. Venard stated that they have exchanged contact information and that DWH will be cognizant of what the neighbors have to say.

Aldr. Silkaitis likes that it will be single family homes, but there are too many. He would like to see five homes total, one on Mosedale and then move or stagger some of the positions of the homes to create a unique look.

Aldr. Stellato was happy to see single family homes being proposed and stated that the developer must consider all of the challenges on this site and find a way to make everything work with less density. He noted that he would also like to hear what concerns the neighbors may have as well.

Chairman Bancroft said the challenges of the site coupled with the character of the product of what would be in place, lends itself well to having the seven homes. A thinner profile house like this is going to lend itself to the greater density and will look better as opposed to separating them out and he likes the plan and sees it as a unique and clever use of a very challenging site but that the rear elevation is going to be important. Venard agreed that will be a critical component and they are mindful as to how it will look coming down and going southbound on Rt. 31 and will have additional material to provide on this as they move forward.

Lenny Anderson-32 Mosedale- said his house was built in 1939. The wall is partially gone and appears to have been there since 1939 as well and it does provide support to one side of his house. There will be about 15 ft.-16 ft. between his home and one of the buildings. If the stone wall is on the new lot, it will probably have to be removed. If that unit remains in the plans, there will not be room to build with the wall remaining. Anderson would prefer the unit on the west side be removed. They will also encounter restricted views from various viewpoints when looking out of their home if this unit remains in the plans. Anderson said if the wall is removed, he would be concerned that one side of his house could go with a heavy rain. Anderson asked what the height is of the building that would be located to the west. A proposal that was done approximately 10 years ago stated that they would not build any higher than their house. Venard said once he has architecture completed, he will be able to provide dimensions from the top of foundation to peak of roof – he believes the ordinance states 34 ft. Anderson would like to be sure that Venard gets back with him to let him know what they are going to do to support the wall.

Andrew Lanthrom -25 Mosedale-said the proposed development is too dense with the homes being very close to one another. Lanthrom asked if Keller Place will become a city street. Venard replied that they have had this conversation with staff and it will become a city street dedicated to adding additional parking spots behind the homes fronting Mosedale. There would be no on-street parking as it is laid out currently. Lanthrom also feels that these homes do not fit the character of the surrounding homes. He also expressed concern for the Anderson's wall.

Alison Lanthrom-25 Mosedale- stated that she can appreciate the interest with this lot – great proximity to parks, retail and the overall town area. She is also happy that St. Charles has rated so highly as a city for families. With that, Lanthrom said she would like any developer to consider families when creating any kind of building here. When development plans consist of 12 ft. side yards – that doesn't seem like an awful lot of space for a family. Lanthrom encouraged the developer to consider lowering the density and conserve more green space to maintain the overall charm of the community. She asked the developer if he will incorporate more trees into the design. Venard stated that they will be submitting a landscape plan that will include additional screening with evergreens, deciduous trees and native plantings within the detention and open space areas.

John Rabchuk -914 Ash St.-likes the overall plan with the single family home element. He stated that this is the kind of housing that St. Charles needs with close proximity to downtown. Rabchuk said that he has less than 12 ft. between his home and the next - as well as many of the homes in his neighborhood do – Viewpointe is also that way. Rabchuk said the garages would not be seen from Rt. 31- which is the main viewing point - except for the two homes on Mosedale. Rabchuk suggested rotating the two lots – he said an original plan that was presented some years before, had both lots feeding to the street as well – so they were 90 degrees from where they are now. Venard

said they have been mindful of the drop in topography and trying to create good drainage on to the street – however, this may be something to consider. Rabchuk said they had the units facing Keller Place and that provided more room in the back for a patio. The units were recessed more and from Mr. Anderson’s standpoint, they would be down quite a bit - and there was a bigger wall in place. Rabchuk added that there is a lot of room for good landscaping there – currently, many of the trees that are there, are in poor shape. Rabchuk asked if there would be a Home Owners Association (HOA) and Venard said that is something that they are entertaining. They have to have an HOA to take care of the three out lots and a monthly fee would also take care of the grass and snow plowing.

Aldr. Lewis asked where the sidewalks would be and if they would continue to Rt. 31. Venard said they would be on the east side of the proposed drive and potentially sidewalks could continue to Rt. 31 however details with regards to the sidewalks have yet to be finalized. Aldr. Lewis said she is a big proponent of sidewalks. Venard said sidewalks would make sense since there is a bike path that runs along here and having a sidewalk would provide a safer means to tie into the bike trails.

- c. Plan Commission recommendation to approve a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) pertaining to establishing an Alcohol or Tobacco Sales Establishment use category.

Colby stated that the Council previously expressed an interest in limiting locations where liquor or tobacco stores could locate in predominantly residential areas. In staff’s proposed general amendment to the Zoning Ordinance, a new business category called “Alcohol or Tobacco Sales Establishments” would be in place. This would be for businesses that devote 50% or more of their retail floor area to the sale of alcohol or the sale or consumption of tobacco products. This new category would be permitted in the city’s major commercial shopping districts, however within the two zoning districts, BL and CBD-2, which are directly adjacent to residential areas, the alcohol or tobacco sales establishments would be limited to locations that front on arterial streets. As discussed in the staff report, this new definition, in terms of the city’s packaged liquor licenses, would affect the Class A-1 License. The Class A-1 License is the typical license for a stand-alone liquor store, therefore it would be more restrictive in its location. The Plan Commission recommended approval of this application 6-0, with two abstaining votes. One of the comments offered during the Public Hearing was that the locations proposed for the alcohol and tobacco establishments in the BL zoning district, are more restrictive than what is allowed for restaurants and taverns, which are special uses in that zoning district without limitation to location, but they do require special use approval. If there is interest from the Committee to have restaurants and taverns subject to similar site limitations, that is something staff could propose through a separate amendment process in the future as it is outside in the scope of this amendment.

Aldr. Turner asked if this would allow the mini-mart on 3rd Street to turn into a liquor store. Colby replied that this would prevent a business in that type of location, where it is in an isolated pocket in the BL zoning district and is not on an arterial street, they would not be able to establish the alcohol or tobacco establishment use there. Therefore, you would not be able to receive a license and operate a business at that location.

Aldr. Silkaitis made a motion to approve an “Alcohol or Tobacco Sales Establishment” category for businesses that have more than 50% of their retail floor area to the sale of alcohol and tobacco or the consumption of tobacco products. Seconded by Aldr. Stellato. Approved unanimously by voice vote. Motion carried. 8-0

d. Discussion regarding Downtown Incentive Program.

O'Rourke stated that the Downtown Incentive Program has been in place for one full fiscal year and staff wanted to provide a comprehensive update regarding the performance of this program. The main purposes for creating this program are:

- To create a business attraction tool to incentivize new businesses to choose downtown St. Charles and help existing businesses expand.
- Encourage rehabilitation and investment in the downtown – basically, look for opportunities and eligible improvements that the market was not taking care of – assist those sites and get people into the buildings to fill those vacancies.
- Compete with contemporary communities that have similar programs – to enhance the viability and vitality of the downtown

O'Rourke explained that the program boundary was set to mimic the downtown SSA-1B and at that point in time staff thought it best to come up with a known boundary that defines the downtown.

The Downtown Incentive Program contains two tiers:

Businesses in Tier-1 has a maximum award amount of \$10,000 and the business type must be one of the uses listed in the full program description. These businesses must also be:

- Located in the Downtown Retail Overlay District.
- Located on the first floor with the merchandise or services sold on the premises.
- Multiple businesses located in a multi-tenant building are eligible for individual awards.

In Tier-2 each business must meet the criteria as described in Tier-1. An additional \$15,000 will be awarded to businesses taking on a large challenge that may include:

- Updates to a building code or fire code.
- Located in a space that has been vacant for 6 months.
- Located in the retail overlay.
- Large space that is in need of demise or some other extraordinary costs.

O'Rourke said there are two approval processes in place along with the two tiers:

- Any grant that is \$10,000 or less is approved by the Community & Economic Development Director.
- Any grant over \$10,000 that fits into the Tier-2 program, would come before City Council for approval.

O'Rourke stated that based on this summary staff has found this program to be fairly successful. Initial funding for Fiscal Year 15/16 was received May 1, 2015 in the amount of \$75,000. A total of five grants have been awarded with additional interest from business owners that have yet to come forward or others where it did not work out. This program generated a lot of interest and has met its goal with a lot of people coming to the downtown. O'Rourke said some of the business owners who were considering other locations made their decision to come to St. Charles because this grant was available.

A list of grants that have been approved with their description and eligible improvements include plumbing upgrades for bathrooms, fire sprinkler modifications and demising walls for spaces that

were too large and the market was not re-occupying on its own. O'Rourke said recently they had *Two Wild Seeds Bakery*, due to the nature of their business, had to do a lot of upgrades to make room for a kitchen and associated health and building code facets that were needed. Currently, the city has committed to just over \$42,000 worth of investment in these spaces with approximately \$32,000 remaining. Not all of the grants have been paid, however O'Rourke did not see any new grants getting approved in the next 2 weeks.

In addition to staff presenting this information, O'Rourke stated that they were also seeking feedback on the following that were not clearly defined in the program parameters to date:

- Is the eligible property boundary still appropriate?
 - This particular question has not come up yet, however if someone moved into one of the new spaces on 1st Street for the first time, should they be eligible for a grant for that first build out.
- Are improvements that are not located on the first floor but are associated with the cost of a business locating into a first floor space be eligible?
 - In particular, would this cover a roof repair where the roof is leaking – a large expense and also, the first floor tenant cannot occupy this first floor space without the repair completed.
- Are the eligible business types still appropriate?
- Repayment for removal of city funded improvements?
 - the current agreement does stipulate if that happens within the first 5 years for a variety of reasons, they should pay the city back but we could always strengthen that language if the Committee so desires.

Aldr. Stellato asked if the Façade Grant is still in place and how often it is used. Colby stated that for the past few years, it has been budgeted for about \$40,000 and most years it does run out of funding early with most of the money committed in the spring. Aldr. Stellato stated that the Façade Grant budget was much larger in years past and when it was first put in place, the city attracted some retail tenants downtown – it seemed to work and then the outside of the buildings were all fixed so there wasn't as much demand. He is pleased to hear that it is still working and he believes that this (the Downtown Incentive Program) is the next phase, now that the outsides are done. He fully supports this and he believes that this is an economic development tool. In addition, Aldr. Stellato feels this demonstrates that the city is business friendly and that we want to work with businesses. With regards to the roof repair and mechanical equipment – he stated that if need be - if a tenant is on the first floor and the roof is in need of repair and if fixing a roof can help get them in place and there is money in the budget – combine that with the Façade Grant and this, that shows that we are willing to work with folks. Aldr. Stellato concluded that it is a feather in the city's cap to have attracted five businesses as a result of having programs like these in place.

Aldr. Silkaitis asked where the \$32,000 remaining will go. Tungare stated that it will roll back into the General Fund – it does not get rolled forward. Aldr. Silkaitis asked if it is in the ordinance that \$75,000 is allotted each year into the funding of this program. Tungare said \$75,000 was approved for the budget for the upcoming Fiscal Year. Aldr. Silkaitis confirmed with Tungare that you can always change the original budgeted amount. Aldr. Silkaitis suggested moving the remaining \$32,000 from the current fiscal year and add it to the \$75,000 that is already budgeted for the next fiscal year – carry it over without increasing or decreasing the budget – just moving money around.

Aldr. Payleitner stated that she is appreciative of the time O'Rourke spent to clarify some of the questions she had with regards to this program. She would like to see the language strengthened on the repayment portion of the agreement. Initially, she saw this incentive program as a way to help out the older buildings as opposed to accommodating a new business. If we are keeping ourselves business friendly, we need to be all inclusive stated Aldr. Payleitner.

Aldr. Lemke said it sounds like we may not have gotten some of these new business opportunities moving into an existing location without a program like this. Sometimes with inspections, they find things that are not anticipated. He would like to see improvements with the fire related compliance. Aldr. Lemke considers roof repair as well as mechanical and plumbing related repairs to be relevant. Regarding additional types of businesses – there is a wide range available already. If improvements are made and a business leaves in 2 years, there should be a provision for the city to recover at least a proportional amount of the funds granted.

Aldr. Turner likes the program a lot and agreed with Aldr. Payleitner that there should be stronger language for repaying if they leave before 5 years.

Aldr. Krieger supports the program and finds it beneficial to the business community and she envisions that most new businesses coming in will perhaps want some assistance. Therefore, she is in favor of Aldr. Silkaitis's idea of rolling the remaining funds from this year over to next year's budget. She sees this as being particularly helpful with 1st Street tenancies. Aldr. Krieger stated that the Façade Program was put in place to assist with rear entrances when the city was going through the Main Street reconstruction. There may some opportunity to utilize the Façade Program on 1st Street as well. O'Rourke added that façade improvements are eligible through this program if the Façade Grant program is out of funds.

Aldr. Gaugel has no question that this program works. He had a conversation with the owners of the new bakery opening and they sighted this as a reason for them moving into St. Charles. Aldr. Gaugel agrees that it would be good to shore up the language for any business that may elect to leave early and he is also in favor of rolling the funds over to the next Fiscal Year.

Aldr. Lewis said she may have been the first one who brought up some concerns with this program. Initially, she understood this program to be about enhancing the older buildings with permanent structures, and now has a clearer understanding of the purpose of this program and what is trying to be accomplished. She likes the fact that it has been small businesses – local people opening independent businesses and not chain businesses. She would also like to see the language strengthened regarding a business leaving before 5 years.

Aldr. Lewis asked if the same business can apply every year. O'Rourke said they did not define it that way; however the same improvements could not be paid for twice. If an emergency improvement should come up, staff did not want to limit assistance to a business owner if a critical situation arises. Aldr. Lewis is in favor of expanding the program – not just limiting this to the downtown. There are places in her ward that could use some assistance like this. O'Rourke said if that is the desire of the Committee, staff could look at that. There have been a couple of properties on the periphery of the downtown that have asked about this. Staff set the boundaries as such to get a good idea as to how this programs works. Aldr. Lewis said if there is someone on the peripheral with interest, we could discuss something like this with them. O'Rourke agreed and said other than the City Council approving a boundary amendment, this would be a fairly straight-forward process or they could handle this on a case-by-case basis if they would prefer. In closing, Aldr. Lewis

stated she was grateful for this presentation and discussion as it clarified portions of this program for her.

Chairman Bancroft is in favor of rolling funds forward to the next fiscal year as well as expanding the geographic region for this program. He stated that this is what we are here to encourage.

Tungare requested an official recommendation from the Committee to expand the geographic boundaries.

Aldr. Turner made a motion to approve expansion of the geographic boundaries for the main arterial or business centers of the city. Seconded by Aldr. Lemke. Approved unanimously by voice vote. Motion carried. 8-0

Aldr. Turner said when they bring this back, discussion can include what is a business area and what is not. O'Rourke agreed and added that this will have to get approved by the Council so staff will bring this back to the Committee level and look at it that way.

Aldr. Silkaitis asked if these grants go to the business or to the building owner. O'Rourke said it has been a combination of both – they have worked with whoever is paying for the improvements. Aldr. Silkaitis stated that if we are going to become more forceful with getting our money back, if a business goes bankrupt, we won't be getting our money back. However, if the owner of the building is still there, can we get the money from them instead of the business? O'Rourke said if the business owner is not the building owner, the building owner is required to sign all of the agreements, so they are both liable in this type of situation. The city would only go after them in the case if they started removing the improvements. Aldr. Silkaitis asked if this activity is tracked in some way and O'Rourke said this is tracked in the office and there will be some coordination with Building & Code if someone starts to do something without a permit being issued.

4. ADDITIONAL BUSINESS –None.

5. EXECUTIVE SESSION-None.

- Personnel 5 ILCS 120/2(c)(2), 5 ILCS 120/2(c)(5)
- Pending Litigation 5 ILCS 120/2(c)(4)
- Probable or Imminent Litigation 5 ILCS 120/2(c)(4)
- Property Acquisition 5 ILCS 120/2(c)(3)
- Collective Bargaining 5 ILCS 120/2(c)(1)
- Review of Minutes of Executive Sessions 5 ILCS 120/2(c)(14)

6. ADDITIONAL ITEMS FROM MAYOR, COUNCIL, STAFF OR CITIZENS-NONE.

7. ADJOURNMENT – Alderman Stellato made a motion to adjourn at 8:15pm. Seconded by Alderman Krieger. Approved unanimously by voice vote. Motion Carried. 8-0