

**MINUTES
CITY OF ST. CHARLES, IL
PLANNING AND DEVELOPMENT COMMITTEE
MONDAY, MAY 14, 2012 7:00 P.M.**

Members Present: Chairman Carrignan, Ald. Stellato, Monken, Payleitner
Turner, Martin, Krieger, Lewis, Bessner

Members Absent: Rogina

Others Present: Mayor Donald P. DeWitte; Brian Townsend, City Administrator; Rita Tungare,
Director of Community Development; Matthew O'Rourke, Planner; Russell
Colby, Planning Division Manager; Chris Aiston, Director of Economic
Development; Chris Tiedt, Development Engineering Manager; Tom Good, City
Attorney

1. CALL TO ORDER

The meeting was convened by Chairman Carrignan at 7:00 pm.

2. ROLL CALLED

Roll was called:

Present: Stellato, Monken, Payleitner, Turner, Carrignan, Martin, Krieger, Bessner, Lewis

Absent: Rogina

3. COMMUNITY DEVELOPMENT

- a. Recommend approval of a Façade Improvement Grant for 100 S. 3rd Street (Moss-Norris Funeral Home).

Mr. Colby gave a brief summary for the scope of improvements being requested.

Aldr. Krieger made a motion to approve the Façade Improvement Grant for 100 S. 3rd Street (Moss-Norris Funeral Home). Motion was seconded by Aldr. Martin and passed by unanimous vote.

- b. Recommend approval of a Façade Improvement Grant for 108 S. 2nd Street (LTC Group).

Mr. Colby gave a brief summary for the scope of improvements being requested.

Aldr. Stellato made a motion to approve the Façade Improvement Grant for 108 S. 2nd Street (LTC Group). Motion was seconded by Aldr. Monken and passed by unanimous vote.

- c. Recommend approval of a Façade Improvement Grant for 201-203 W. Main Street (Grossklag).

Mr. Colby gave a brief summary for the scope of improvements being requested.

Aldr. Stellato made a motion to approve the Façade Improvement Grant for 201-203 W. Main Street (Grossklag). Motion was seconded by Aldr. Monken and passed by unanimous vote.

- d. Recommendation to approve Map Amendment, Special Use for Planned Unit Development, and PUD Preliminary Plan (Lexington Club PUD).

Henry Stillwell-Attorney for the applicant-300 E. Roosevelt Rd.-Wheaton, IL-showed a PowerPoint presentation of the revised site plan which showed the overall density had been reduced from 142 units to 130 and all other aspects of the site plan have remained unchanged. He said that the commitment to improve certain off-site streets would be incorporated in the plan to include 9th St. to the intersection at State St., the extension/filling the gaps for the public off-site sidewalk on 7th Street, and the construction at the developer's expense of a sidewalk between 9th St. and 7th St. along State St., with requirements for sufficient right of way and topographical considerations working with the Engineering Dept.

Mr. Stillwell said in regard to the off-site traffic improvements and comments and concerns made by the Committee relative to intersections of 7th/Main St. and State St./Route 31 that both the City's and the developer's traffic consultants concur that the improvements are sufficient for the project, but that there are still concerns amongst the Council and the neighborhood that there will be more problems than what the reports indicate. He said as a result of that the developer has added the commitment to the proposal that upon the issuance of occupancy permits for 50% of the units, which would be the 65th occupancy permit, the developer would pay a sum of \$200,000 to be utilized at the City's discretion as it deems appropriate to determine in the future what traffic improvements are required or appropriate at those locations. He said there is also an additional adjustment necessitated that is TIF related. He said they have been working with staff in regard to that and the appropriate documentation has been submitted to identify how that type of change will impact the revenue and cost components of the plan to return economic equilibrium to the project that was originally proposed with 142 units. He said the reason they feel this is appropriate and are comfortable with it is that they were sure to stay within the boundaries of the three line items identified by the school district as acceptable for this project, should the City accept and approve a TIF component.

Chairman Carrigan stated that the expectation at this point is to discuss the TIF at the June 11th meeting. Mr. Stillwell said that in conjunction with the adjustment of the TIF it would need to go back to the JRB and there would be another public hearing also.

Mr. Stillwell pointed out that all four suggestions and recommendations of the staff have been met by the developer.

Chairman Carrigan asked if the site would be cleaned up in a reasonable time frame. Mr. Stillwell said the intention is that part of the redevelopment agreement, along with approval of the TIF, there will then be a specific timetable with a construction schedule to establish performance standards as part of the TIF

component that then will recognize the need to get the financing in place to get things done. Chairman Carrignan noted that he feels the property clean up should be a priority right now.

Chairman Carrignan said in regard to the \$200,000 and when it comes to the City, that it needs to be specifically used for any traffic developed by the development and not put into the City's general fund. Mr. Townsend said it's a typical process; an escrow account is set up and labeled for the purposes identified by the Council and would be reserved for that purpose.

Aldr. Lewis asked if all the lot sizes for the single-family homes are the same. Mr. Stillwell said a document has been submitted that identifies zoning compliance standards and what is actually provided but that he thinks they are all similar but he cannot say whether they are all exactly the same.

Aldr. Lewis asked which units would be built first. Mr. Stillwell said per Mr. Cukierman, that the only way to effectively market would be to get the site improvements installed and then to establish and construct a townhome model location and a single-family model location.

Aldr. Lewis noted that she also feels that clean up should move along as quickly as possible.

Aldr. Krieger said she still has concerns regarding 7th and Main St. and how the traffic backups will be accommodated. She said she appreciates the funding for additional improvements but in the short term is concerned about once clean up starts how all the truck traffic will be handled within the neighborhood. Mr. Stillwell said according to the updated traffic reports that across the board the traffic volumes have decreased and he thought that was due to the rerouting of buses. He also noted that a discussion took place on whether or not it would be prudent to spread the traffic to not just 7th but also 5th St. He said traffic has a tendency to have more of a behavioral pattern and that the traffic network for the development, which has been directed by staff and is according to the existing Comprehensive Plan, has the vast majority of traffic moving along Mark St., which is an efficient methodology and will then send fair activity to all the existing streets.

Aldr. Bessner asked if the proposed park will be private or owned by the Park Dist. Mr. Stillwell said he believes it will be private and owned by the HOA.

Brian Lavalpe- 1219 Dean St.-said he feels that what the neighborhood is asking for is being overlooked. He said the change in the plans does not reflect what was asked for and that although getting rid of the row homes was nice the request was to reduce the number of townhomes. He said the biggest problem with the area is the railroad tracks on Dean St. all the way up until 9th St. and how the development will add to the congestion on Dean St. He asked if there are any thoughts on an alternate route for people from the development to head west so they are not racing down his street. Chairman Carrignan said he does not believe there is, that the plan is as it is right now. Mr. Lavalpe asked why it took 90 days to only remove the row homes and asked if this was a stall tactic. He said \$200,000 for the sidewalks doesn't seem like a good thing for the neighborhood when the developer will be the one benefiting from it anyway. He said hopes the request for a lot less townhomes gets taken into consideration.

Carla Debruyne- 42 N. 12th St. - said she is concerned about the traffic between State St. and Dean St. coming out onto Route 64, and kids playing on 12th St. She also said she is concerned about a huge

mountain of smashed fluorescent light bulbs which is uphill from the creek that sometimes fills up and she feels it needs to be cleaned up immediately. She suggested for the developer to mix in the single family homes more with the townhomes and to centralize the park.

David Amundson-500 Cedar St.-said he thanked the committee for their time and service. He said respect is vital to this process and that the developer needs to say what they mean and mean what they say. He said this was left at the last meeting for the developer to come up with a plan B. Mr. Amundson commented that the new plan looks almost exactly like plan A and in doing so the developer has deeply disrespected the Committees' direction. He said the 2007 comprehensive plan amendment set very specific design criteria for anything to be redeveloped on this land and that the clear direction of that has been completely ignored. He said with the latest revision the developer continues to ignore the comprehensive plan amendment and has disrespected the Council, the Community and the process. He said the developer has had over four years, and has said that he means what he says in regard to the partnership with the City as part of the TIF, and that partners look out for the best interest of each other, not just themselves, and that time after time the developer does not mean what he says and his actions have spoken far louder than words. He said the developer must be held to the standards that were endorsed by the Council and that the citizens were led to believe would be the standards for any development placed on the property. He said he urges the Committee to vote no on behalf of the citizens of the Community.

Ronald Rudnick-620 State St.-asked if there would be a designated haul road or construction entrance used for extracting the material from the site. Mr. Tiedt said it's been discussed that 9th St. to State St. out to Dean St. and then to Main St., would most likely be the main construction route.

Craig Bobowiec-508 Cedar St.-said in regard to the \$200,000 that it's senseless to wait until half of the development is built and that it should be given to the City up front in case the development goes belly up. He said he is concerned with 100 more cars being added to the area and closing down 7th St., which is the only stop light to get out of the neighborhood, and he wants to know how the traffic will function because it would be a catastrophe without even adding 100 cars. He said he met with some neighbors from the St. Pats area, and in trying to be open minded they came up with three livable scenarios: 1) Split the development, one side being single-family, removing the four buildings on 7th St., and the other side all townhomes and removing all the row homes; 2) Bring the single-family homes forward putting the townhomes against the railroad tracks; or 3) Go back to the 2009 proposal which started at 125 total units and still eliminated the row homes bringing it to about 113 units. He said he feels 105-115 units is fair and reasonable.

David Chiet-1017 Dean St.-said his concerns are traffic, kids cannot play out front, construction trucks, and the main route will be 9th to Dean St. He said \$300,000-\$400,000 homes is a pipe dream with the prices of homes in that area right now. He said he wished he could say he was behind it, but he doesn't see how the negatives could even come close to any positives the developer is trying to sell.

Kim Malay-526 S. 16th St.-said she wanted to touch base on the density and the impact of new development in existing neighborhoods. She said attention needs to be drawn to design guidelines and she really hopes and encourages that the developer follows them in order to blend with the neighborhood. She said this type of development is fantastic for the outskirts area of the town but that it needs to blend better with older neighborhoods. She made reference to the Prairie St. area transition and

how well it evolved. She said with townhomes being the first thing you will see in the development that it is not a good transition to the neighborhood.

John Peloso-606 Cedar St.-said the only words of encouragement by the developer on the traffic situation was a passable west road leaving the complex, he asked what progress has been made. Mr. Stillwell said they are providing for the right-of-way to make the connection and it will depend on the whether the industrial site to the west at some time in the future redevelops, and if it does, the City will implement the plan for the road extension. Mr. Peloso noted that the developer is not doing very well in decreasing the number of units to 100.

Vanessa Bell-Lasota-1610 Howard St.-asked how the density is driving the TIF in the project. Mr. Aiston said they have received another resubmittal of the pro forma on the project as well as the gap analysis and it is being evaluated. He said the number of units has a bearing on revenue source which is part of the pro forma against cost.

Ms. Bell-Lasota commented that density is not just a number but quality of life in the area driven by the traffic and the considerations and how long it will take to sell 50% of the project in order for the City to acquire the \$200,000. She commented on the construction and the remediation on Dean St. and how long it would take.

Joe Masiokas-23 N. 7th St.-said the percentage of townhomes versus single-family is 3 to 1 in favor of townhomes and that the existing neighborhood has no townhomes therefore it does not blend. He said his main focus is the traffic and that it keeps being said that the traffic including the busses is down on 7th St. and he disagrees and he feels that if the project is approved that some traffic calming needs to happen on 7th St. by adding speed bumps.

Paul Ramont-1014 Dean St-said he cannot see how \$200,000 would buy much of anything in the way of improvements especially if it extends out over 5-6 years.

Jason Warden-517 Cedar St.-said the residents in the area are not against a development but more against this development with the traffic and density and that he would like to hear the Council's feedback toward the development.

Aldr. Turner asked what is the exact number of homes for a breakeven point for the TIF. Mr. Aiston said it's not that simple, there is a revenue stream anticipated by the sales of the homes and it's an understanding based on the market value and predictability of what the sales will be. He said there is also known costs associated with the project, and in regard to the TIF it is the environmental, the demolition and the site clearing. He said in the reduction of the number of homes it changes the gap. He said there is a third party professional reviewing the latest submittal and should have a review back in 7-10 days.

Aldr. Turner asked if we are looking for a value of the construction versus the cost of remediation. Mr. Aiston said that is part of it, but it is also how you achieve financing and the profitability within a reasonable anticipated return on an investment. The fewer the homes, the fewer the revenue and the cost does not generally go down proportionally. Aldr. Turner said he would like to know those numbers when they come in.

Aldr. Stellato said relative to the TIF, he wanted to be clear on the process that whatever is discussed tonight would just be a recommendation to the City Council but it will all be contingent on a redevelopment agreement and what is discussed tonight can be integrated into the agreement and the negotiation process will continue on. He asked how far along the redevelopment agreement is at this point. Mr. Aiston said the terms have been discussed generally, but there is not even an agreement yet shared in draft form. He said the terms discussed are fairly straight forward and simple because the eligibility cost is limited. He said the project will not occur without a TIF. Mr. Stellato asked what is the eligible cost allowed for the project. Mr. Aiston said there is site preparation, remediation, demolition and leveling the site. He said this site is unusual and has extraordinary cost, and would make it eligible for TIF consideration. Aldr. Stellato mentioned the other taxing bodies involved in a normal TIF: School Dist., Park Dist., and Library, and asked if there has been a board of review meeting and if the TIF was approved as it stands today. Mr. Aiston said it is, but as it was originally proposed. He said it will need to go back to the review board because the budget in the TIF will change significantly. He said it doesn't go before another public hearing, but because the budget is changing, the redevelopment plan changes, and because of that the Joint Review Board will be reconvened and there will not be a redevelopment agreement in place until this happens. He said the school and the park district have not objected to anything as of yet.

Aldr. Payleitner asked if as a Committee was there ever a request for a flip of the townhomes and single-family. Chairman Carrigan said the minutes would need to be referred to.

Chairman Carrigan explained the process going forward; tonight will be a vote on the PUD; the next event will be on the TIF on June 11 to discuss the update on the terms.

Ms. Tungare said if the project were approved tonight, and the TIF put aside that a PUD Ordinance would be brought before Council and could be approved within 30 days and would not include the redevelopment agreement. She said if the TIF process and the PUD were to run concurrently it would definitely take longer than 30 days. Mr. Aiston said possibly 90-120 days. He said the PUD itself becomes an exhibit to the redevelopment agreement and the PUD is a critical part of the project but if it cannot come to terms with the redevelopment agreement, the PUD may not go forward the way it is written now. Mr. Stillwell said he was under the understanding that all of these matters would come before City Council on the same evening with all Ordinances and components for the project. He said the design was to be sure that whatever is done on the zoning standpoint is connected to the TIF and vice versa and that it would not come back for a final vote on the PUD for another 90-120 days. Mr. Stillwell said the developer does not want to commit to a zoning approval that binds the property not knowing if the other component that makes the plan viable is approved. Chairman Carrigan that should parallel as close as possible.

Aldr. Turner asked if the PUD needs to be approved tonight in order to move forward. Mr. Stillwell said tonight it needs to be identified that we are finally at the point where there is an acceptable plan, then the TIF will wait until the resolution of the TIF comes back from the JRB meeting and dependent on how that comes out it, would move forward with the Ordinances that would adopt the TIF plan, the redevelopment agreement, the Planned Unit Development and all constituent components. He said there is a lot of drafting that needs to be done.

Aldr. Turner asked for clarification for the public that just because the PUD is approved tonight that there is not ample opportunity down the road to reject the project. Mr. Stillwell said the project will not be voted on until everything comes before the Committee on the Ordinances; it is a recommendation as usual done by the P&D Committee and is subject to the final vote by City Council.

Aldr. Stellato said he wanted to make sure everyone knew his motion was being made subject to a redevelopment agreement which will encompass all discussions into a document. He noted that the JRB is the Joint Review Board which is the group of taxing bodies within a district. He said we need to keep things moving but are long from being done with the process. He said that no matter what happens mutually exclusive from the \$200,000 that sidewalk installation on State St. from 7th to 9th St. and on 7th St. north of State St. has to happen independently of the \$200,000 and at the time of the permit for the project. He also said full improvement of 9th St. north of State St. must be incorporated in the redevelopment agreement so it's determined as a designated haul road. He said he still has an issue with the \$200,000 and that it should be at the trigger point off 50% of the units built and he would like to see further discussion on the issue as to whether there could be an escrow on part of it. He made the motion to approve as it is but he would like the redevelopment agreement to come back and he would like to see a designated date for the initial clean-up of the site being by the fall of 2012 which should be defined in the redevelopment agreement.

Mr. Warden wanted to know why the site cannot be cleaned up right now since it is their property. Aldr. Stellato explained that until there is a redevelopment agreement in place that there would not be anything going on at the site.

Aldr. Lewis asked about rearranging the townhomes and single-family homes. Mr. Stillwell said the current plan is the best set up due to the topographical characteristic and the street network that they are accommodating and that there really is not an opportunity to switch locations without literally starting over again.

Aldr. Stellato made a motion to move forward with the project provided the following 9 Conditions are met;

- 1. For building materials, fiber cement shall be used instead of vinyl siding.**
- 2. For affordable housing, the developer shall document availability of funding sources to make required units affordable and commit to pursuing funding during the project build-out. (The specific obligations of the developer will be drafted in the PUD Ordinance.)**
- 3. Resolution of all staff plan review comments prior to City Council action, including submitting complete sets of revised engineering and preliminary subdivision plans. The plans shall reflect all off-site improvements, including the complete reconstruction of 9th Street.**
- 4. The developer has previously agreed to remove the entrance monument sign on 7th Street, which was recommended by the Plan Commission.**
- 5. \$200,000 for future offsite street/intersection improvements.**
- 6. Sidewalk installation on State St. from 7th to 9th St. and on 7th St. north of State St.**
- 7. Full improvement of 9th St. north of State St.**
- 8. Lot cleaned up by fall of 2012.**
- 9. Designated haul road determined. Motion was seconded by Aldr. Monken.**

Voice Vote:

Ayes: Stellato, Monken, Payleitner, Turner, Martin, Bessner

Nays: Krieger, Lewis

Absent: Rogina

Motion Carried.

Aldr. Stellato strongly suggested that further discussion regarding the clean-up of the site happen very soon.

- e. Recommendation to consider granting flexibility for temporary signs during the East Main Street/Route 64 construction project.

Ms. Tungare said that recently businesses have approached the City in regard to granting some flexibility with temporary signage during the construction. She said the Zoning Ordinance regulates temporary signage in terms of size, the number of signs and the duration. She noted there is a 14 day limitation for each temporary sign. Ms. Tungare said she has initiated discussion with legal counsel and on the process for granting legal flexibility and that based on the direction of the Committee the City can move forward with an amendment to the zoning ordinance to work in language granting flexibility either through moratorium or amending the language itself.

Chairman Carrigan asked if something could be put in the Amendment so this process does not have to be gone through every time because at some point other roads will also be reconstructed and that there should be a smooth process for this.

Tom Good-City Attorney-said yes but anytime the City wants to alter the provisions from what the Zoning Ordinance currently says, which was the subject of a public hearing, another public hearing is required equal dignity in an ordinance to amend that provision. He said it could be specific regulation or more general with less of a detailed procedure in the code, but different directions could make it easy as possible for the businesses subject to maintaining control. He said by Staff working with legal counsel this could be figured out.

Aldr. Turner made a motion to direct staff to present a proposal to the City Council to grant flexibility for temporary signs during the East Main Street/Route 64 construction project. Motion was seconded by Aldr. Stellato and passed by unanimous vote.

4. ECONOMIC DEVELOPMENT

- a. Recommendation to approve economic development incentive for former Richards Chrysler location at 1845 E. Main Street - St. Charles Toyota.

Mr. Aiston said this item was brought in front of Committee last month and the terms were set forth associated with the reimbursement agreement. He said a draft agreement has been done according to the terms from Committee. He noted that one modest change has been made; sales tax reimbursement monies when used on private property are considered public funds and as a consequence work done must be paid under prevailing wage. He said it is now just a matter of taking it to Council and having it executed by both parties.

Gene Kalley-510 Long Meadow Circle-said if this deal does not go through it will allow St. Charles Toyota sales taxes to increase substantially over the next 15 years, but if the deal does go through their sales taxes will hardly increase at all. He said this will end up being a hardship to how the City is run and that lack of funds will be made up from somewhere else, possibly property taxes. Mr. Aiston said there was a value placed on the amount of taxes that are first to be paid before the reimbursement starts and those are according to the 2011 value of Toyota's sales. He said the taxes that will be divvied up by the City and the owner are the municipal taxes, not the homeowner taxes. He said the City retains all the sales tax and it's the incremental difference that will be shared and that it is significant early on and reduces over time, but it commits this business to this location. He said Staff felt strongly that instead of worrying about the City's existing car businesses going elsewhere in the market to retain the existing business where it is and let it grow for some time before realizing the amount of tax incremental value. He said in the meantime we maintain a good business in town, sales will increase and improvements will be made to property that is vacant and not generating much money at all.

Mr. Kalley asked if there is a financial analysis showing this information because he did his own analysis and it shows that the City would be losing 1million dollars over the 15 year period and that will need to be made up from somewhere. He asked if the City has determined which taxes will be raise in lieu of this. Mr. Aiston stated that an analysis has been done and that over 15 years it approximately 1million dollars that will be returned to Mr. Alf but that in considering the existing tax base and the incremental change over time the City will match that.

Mr. Kalley asked if the main site for St. Charles Toyota was at risk for loss. Mr. Aiston said the expansion was significantly risky but that he is not sure if Mr. Alf was going to leave, but that he was just very interested in making this work. Chariman Carrignan said the fact that the City is keeping one business in town and adding a new position down the street and filling the empty building was strong incentive for himself to keep this going forward and he feels this is a growth based incentive.

Aldr. Stellato said the City has a base of \$300,000.00 annually, so for those 15 years the first \$300,000.00 comes to the City. He asked if this would lock up the existing location for 5 years guaranteed, meaning that if they leave early they must pay the City back. Mr. Aiston said that is correct.

Aldr. Stellato made a motion to recommend approval of an economic development incentive for former Richards Chrysler location at 1845 E. Main Street - St. Charles Toyota. Motion was seconded and passed by unanimous vote.

- b. Recommendation to consider economic development incentive for former St. Charles Chrysler, Dodge, Jeep. 1611 East Main St.

Mr. Aiston showed a PowerPoint presentation for the sales tax reimbursement for the St. Charles Chrysler building. He said the allied piece to this initiative is the City purchasing a property across the street and this is a multipurpose approach for an economic development incentive and there will be both economic benefits for the City as well as derived by the property owner and also public benefit correlative with the land swap. He said this is another case where the City is expanding and retaining an existing business that will also create employment for the existing business at Tyler/Route 64 as well as expanding the business to the location south east at Tyler/Production, which is now a vacant and underutilized site. He said the City's plan is to purchase the southerly 1acre of the subject property and

that any environmental concerns would be cleaned up as well, and that lot 1 and 2 will be set aside for the expansion of the business, and outlot B will serve as stormwater retention for the developed property and outlot A would become a drainage canal. He said Mr. Piemonte's plan is to store and conduct automobiles and trucks for leasing and sales under fleet sale arrangements which would consist of contracts with eligible customers that buy in volume and that in order for this to happen two relationships need to be established; the manufacturer has to allow various dealership points to conduct fleet sales and leases and also a former agreement between the perspective customer and the dealership itself.

Aldr. Stellato asked in regard to the physical aspects of the property, will it be designed as a parking lot or will a building be located on site and will it be landscaped so it will be screened, and also will the channel be calculated engineering wise to help with the flooding on both 7th and 9th Ave. and how much will it help. Mr. Aiston said the property will be code compliant but he doesn't believe the channel has been final engineered. Mr. Aiston asked for input from Mr. Tiedt. Mr. Tiedt said there has been preliminary engineering plans and calculation submitted to the Army Corp. and to the IDNR for permitting due to the floodplain and wetlands. He said at this point preliminary approval has been received from IDNR and are working through the permitting process. He said the plan is to pull the floodplain back off of the property that currently exists into the channel and the larger culverts it's designed that in a 100 year rain event Tyler Rd. will overtop anymore in a 10-15 year rain event. Aldr. Stellato said so it will retain water longer in order to take pressure off of the creek. Mr. Tiedt said yes for the most part its pulling the floodplain off of the property so it can be developed but that 2/3 of it is in the floodplain/flood way so the channel is being designed to pull it back and there will be net benefit to the watershed overall. Mr. Colby said the parking lot would be constructed to the current parking lot design standards which require internal landscaping and also screening along the perimeter. Mr. Aiston said there is not planned building at this point.

Chairman Carrigan asked if it would make sense to make it a permeable parking lot versus a sealed parking lot and if it would help the situation with the rain. Mr. Tiedt said while going through the subdivision plat process that paving lot B to the maximum extent possible per code to accommodate any stormwater runoff and they are trying to keep the stormwater detention for the private development separate from the channel in the floodway design so it does not comeingle private, public development and maintenance of the detention would be their responsibility and the channel the City's. Chairman Carrigan asked what other impact a permeable parking lot would have. Mr. Tiedt said it would reduce runoff from the site which would reduce runoff into the detention pond which slows the release of stormwater over a longer period of time.

Aldr. Krieger said that in regard to the creek that is could be a dry sunny day and that once the creek crosses 13th Ave. within an hour it can go up a mere 4 inches and asked if there is any explanation for it. Mr. Tiedt said he is not familiar with anything upstream but that maybe there is some unexpected release but that those streams tributary to it, it flashes quickly. Aldr. Krieger said the creek was dry the current morning but there will be water tonight. Mr. Tiedt said that it's possible with the Route 64 construction with excavation for watermain they are doing dewatering. Aldr. Krieger said this happens with or without the construction.

Mr. Kalley asked if there was an appraisal done for lot A. Mr. Aiston said there was an appraisal done for the entire site and was divided up and he would cover the cost the City would be paying for the lot in his next presentation.

Mr. Kalley asked what the provisions are going to cost. Mr. Aiston said there is not a final engineering estimate yet.

Aldr. Turner made a motion to recommend City Council direct Staff and legal counsel to draft sales tax reimbursement agreement with St. Charles Chrysler, Dodge, Jeep. Motion was seconded by Aldr. Stellato and passed by unanimous vote.

- c. Recommendation to Purchase One Acre (+/-) Parcel and associated Easement from Tyler/Production LLC, for regional stormwater management facility.

Mr. Aiston showed a PowerPoint presentation of the aerial view of the old Redimix property and stated this item is related to item 4b. He said the condition of the property is vacant and there are some environmental concerns, and the property in question is subject to flooding and does not adequately drain. He said by doing this it will accomplish an area wide stormwater benefit in terms of both improvement for both capacity and conveyance. He said the purchase agreement is the City pays \$130,000.00 for the Tyler/Production and also \$30,000.00 for an easement that will allow the City to construct the channel from access through their property and also long term maintenance. He said an appraisal was conducted and it was less than what the City is paying, but that the appraisal is based on fair market value and that because it is in the floodplain no one would be interested in the property.

Aldr. Payleitner asked what the appraised price was. Mr. Aiston said it was blended and appraised at approximately \$2.50 per square ft. across the 6 acres, so it was not divided up into 1 acre parcels but the City is paying more than what it was appraised for.

Chairman Carrigan asked what impact the stream has from the property down to 7th Ave. Mr. Tiedt said there have been many areas of flooding downstream. He said in regard to direct impacts or benefits by the drainage channel that he is not sure it's been fully evaluated but that a big benefit would be to prevent Tyler Rd. from flooding because it does flood quite frequently.

Aldr. Stellato asked if the appraisal was done based on the fact that the property is fairly dirty with environmental issues and are buying it subject to them cleaning it up. Mr. Aiston said correct, they have to give the City an NFR (no further remediation letter).

Aldr. Lewis said since this is not budgeted for, how will it be paid for. Mr. Aiston said he believes it's in the general fund. Mr. Townsend said it would be a budget amendment brought before City Council.

Mr. Kalley said he feels that in overpaying for the property it is not a good use of the taxpayer's money. He said he thinks lot A should be appraised and pay no more than the appraised value. Mr. Aiston said he appreciates the point, but that the problem is that the property is related to another project and has a significant mortgage and in order to clear it there has to be a certain amount of money that goes to Tyler/Production to make the economic incentive work as well as the public benefit with the drainage

channel. He said this is a property that is undevelopable and in the floodplain but the City can use it and is only slightly overpaying for it.

Aldr. Stellato made a motion to recommend that the City Council direct staff and legal counsel to draft Land Purchase Agreement, including purchase of Easement. Motion was seconded by Aldr. Monken and passed by unanimous vote.

5. ADDITIONAL BUSINESS

- a. Update on the Comprehensive Plan Project-Information only.

Mr. Colby gave a brief update on the Comprehensive Plan Project.

6. ADJOURNMENT-8:45PM