

# CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

## MINUTES

### Development Committee

August 12, 2013

#### APPROVED WITH CHANGES AT THE NOVEMBER 11, 2013 MEETING

#### 1. Call to Order, Roll Call, and Establishment of a Quorum

Chairman Stout called the meeting to order at 7:00 p.m.

Roll call found Aldermen John Banas, James Beifuss, Laura Grodoski, Jim Smith, John C. Smith, Jr. and Rebecca Stout present.

Also in attendance were Mayor Ruben Pineda, Aldermen Sandy Dimas and Don Earley, City Administrator Michael Guttman and Director of Community Development John D. Said.

#### 2. Approval of Minutes

A. Development Committee of June 10, 2013.

**Alderman Jim Smith made a motion, seconded by Alderman Beifuss, to approve the June 10, 2013 Development Committee Minutes. Voting aye: Aldermen Jim Smith, Beifuss, Banas, Grodoski, John Smith and Stout. Voting nay: 0. Motion carried.**

#### 3. Public Participation

Chairman Stout stated that at this time if anyone has anything for the Items for Consent, the Committee will hear them now. She added that public participation for 151 W. Washington Street will be taken when that item is discussed.

No one responded.

#### 4. Items for Consent

Chairman Stout read the Items for Consent:

- A. P&V Partnership – 109 Turner Court, Façade Grant
- B. West Chicago Printing – 131 Fremont Street, Façade Grant
- C. VCNA Prairie Material – 1201 W. Washington Street, Amendment to Special Use

- D. Dave and Sarah Fecht – Text Amendment to B-2 General Business Zoning District, B-3 Regional Shopping District, Manufacturing Zoning District and ORI Office Research and Light Industrial Zoning District.
- E. West Chicago Partnership LLC – Text Amendment to B-2 General Business Zoning District
- F. S.B. Friedman - Market Feasibility Study
- G. Intergovernmental Agreement with City of St. Charles – Kautz Road Maintenance
- H. Intergovernmental Agreement with City of St. Charles – Jurisdictional Boundary

Alderman Beifuss stated that he wanted to discuss Consent Item 4E.

**Alderman John Smith made a motion, seconded by Alderman Jim Smith, to place Consent Items 4A, 4B, 4C, 4D, 4F, 4G and 4H on the August 19, 2013 City Council Agenda. Voting aye: Aldermen John Smith, Jim Smith, Banas, Beifuss, Grodoski and Stout. Voting nay: 0. Motion carried.**

## 5. Items for Discussion

4E. West Chicago Partnership LLC – Text Amendment to B-2 General Business Zoning District

Chairman Stout requested staff to provide a brief overview. Mr. Said provided an update in accordance with the Agenda Item Summary.

Alderman Beifuss commented that he wanted an explanation and/or clarification as to how this use is different than what is prohibited in the B-2 Zoning District currently, specifically the prohibition of temporary day labor agencies. Mr. Said responded that for temporary day labor agencies typically employers show up at the agency to recruit workers for the day. He added that this text amendment is not the case. He added further that as noted in the report, ~~employers~~ *employees* do not report to the agency. Mr. Said noted that his department is currently using a temporary worker from a staffing agency. He noted he met in their office to discuss and interview potential employees. Alderman Beifuss commented that he was concerned about parking and traffic issues. He noted that ~~under~~ Section 1, (J) *states*, "Employment staffing agency, with no temporary employees reporting routinely to the agency to obtain a job order or collect compensation." He asked how it would be policed, for example, if an agency opened in the B-2 Zoning District and traffic became an issue because people are reporting to the agency. Mr. Said responded that it would be treated like any other code enforcement matter. He added that the agency would be monitored and if violations were observed, the agency would be cited. He added further that they would have to correct the situation or cease operations all together.

**Alderman Beifuss made a motion, seconded by Alderman John Smith, to place Ordinance No. 13-0-0028 on the August 19, 2013 City Council Agenda. Voting aye:**

**Aldermen Beifuss, John Smith, Banas, Grodoski, Jim Smith and Stout. Voting nay: 0. Motion carried.**

**A. 151 W. Washington Street – Certificate of Appropriateness**

Chairman Stout stated that Public Participation for 151 W. Washington Street will be next. She stated there will be a few ground rules for how the meeting will be conducted this evening. She added that this is the time for the audience to speak about the topic. She added further that everyone is asked to keep their comments to three minutes or under. She noted that each ~~will~~ person will have a maximum of three minutes and the time cannot be transferred, traded or deferred to another person. She noted further that each person wishing to speak will have a maximum of three minutes but if someone else who already spoke made your point, please do not keep repeating the same thing. Chairman Stout commented that if someone already made your point, the response could be "I agree." She added that all comments should be addressed to her as the Chairman and do not address other Committee members, staff or anyone in the audience. She added further that this is not a question and answer session so do not ask a question to which you want an immediate response to. She noted that if you pose a specific question that you want a response to, City staff will get back to you at a later time.

Richard Vigsnes, 313 E. Washington Street, commented that in his extensive travels throughout the United States seeing houses from the 1700's, the Civil War period and the 1800's, most have historical value from either the government, park district or commercial entities. He added that he would like to see that same trend here in downtown West Chicago.

Sean Gallagher commented that he is the architect who was asked by the Historic Preservation Commission to help establish an architectural and structural value of the building. He added that the City needs to make preservation a priority. He added further that the City has a Historic Preservation Commission for a reason. He noted that they have done a commendable job on behalf of a rare and rather important structure that if lost could never be replaced. Mr. Gallagher asked that preservation be a priority and that the City work with the Preservation Commission. He noted that the house is a great asset to the community and a great landmark and something that needs to be preserved.

Frank Fokta requested that the members consider the following prior to the Committee's recommendation to the City Council for the Wiant House. He commented that Ordinance No. 2475 in 1991 created the Downtown Historic District and described its purpose as well as its benefits to the City as a result. He commented that after reading the ordinance and the Findings of the Commission, any reasonable individual would agree that demolition of the Wiant House would violate the intent of the ordinance. He added that the Commission should be commended for its diligence and the care taken to uphold it. He added further that there are no qualifiers or provisions in the ordinance for redevelopment projects or the path the City has taken to purchase the structure for its

demolition. Mr. Fokta stated that it ensures historic buildings in the district will be present for future generations. He commented that to overturn the Commission's decision would create a dangerous precedent in the municipal ordinances and the integrity of the historic district and our committees and commissions *and* would be deleterious to our community pride. He added that even worse, it would create if not enhance the stigma that the City of West Chicago is more concerned about the bottom line than the history it purports to care deeply about in every media campaign about the City. He added further that there needs to be equity in these decisions. He noted that the City has a process in place to safeguard its historical assets that worked. Mr. Fokta implores the Commission not to take the next step, which in this case appears to create a conflict of interest because the City is the applicant as well as the jury. He added that it would blemish the City and the good that you are trying to achieve with the redevelopment project. He noted that there is absolutely no reason to raze this building at this time. He noted further that the item could be tabled indefinitely. He stated that no final decision has been made regarding the redevelopment plan and the City only has a draft environmental assessment report. He added that there is no proof or plan in place for the remediation mitigation. Mr. Fokta commented that there is much consideration and logistics to be performed before this house can be deemed unsalvageable from a mere economic perspective. He added that now is the opportunity to turn this lose/lose situation for the City into a win/win. He suggested that they form a temporary commission to examine the options considered. He noted that the temporary commission should be comprised of representatives from this Commission, the Historic Preservation Commission, staff and public. He noted that if after this no solution is found then the Commission would determine the best timing for demolition. Chairman Stout noted that time is up.

Bev Kennedy stated that she wanted to thank the Chairman and Alderman Grodoski for meeting with her and giving her some insight. She added that she would like to see either the RFQ go back out for the whole project to companies who would be looking at this or giving it to someone for \$1 so they could rehab it. She added further that we need to save this property because there is not much in the Historic District because everything is getting knocked down. She noted that as a homeowner if she had violations she would be cited if she did not take care of the code violations so the City as the owner should be taking care of this property or at least keeping it preserved until a better situation can be put together to make this house safe for the town.

Laurel Howard, 515 Main Street, stated that she is here tonight because she is now a retired social studies teacher and she was on the Historic Preservation Commission that created the historic district. She added that as a former social studies teacher she is greatly dismayed because the Commission worked so hard to create the historic district in the first place and it is a wonderful asset. She noted that 8<sup>th</sup> grade students put together a powerful presentation on You Tube that shows the value of the house. She noted that they summed it up perfectly at the end where they said that West Chicago's motto is where history and progress is colliding if you go ahead and allow the destruction of the property. Ms. Howard noted further that the motto is "Where history and progress meet."

She commented that she is a little surprised in the documentation that she read that there was not more care taken to explore possibilities of what this house could be. She asked why this could not be a place for City Council to host meetings. She stated that it is one of the premier properties of historic value and it is right there on a major street where traffic goes by every day. She added that the property could be rented out for weddings and events to generate revenue. She added further that to destroy it without a formed plan for the property to the north is a little bit rash in her estimation.

Nathan Birch commented that he has prepared a short statement that hopefully will give a different perspective. He noted that "West Chicago, Where History and Progress Meet" is proudly displayed all over the City. He noted further that we take pride in our historical downtown section. He added that we take pride in progressive things we have done such as the water treatment plant, the new recreation center, our beloved Reed-Keppler Park, the Kruse House Museum and many other historically marked homes and buildings. He asked how we can not take pride in the Wiant House. Mr. Birch stated that this house is the last remaining of its architecture and dates back to when our town was still young fighting for an identity as a community. He added that throughout the years it has been there and it has watched us grow. He added further that we developed a sense of pride as a community and proudly stated it as our city motto, that this town is where history and progress meet. He noted that by leveling this house, demolishing it or bulldozing it, as a community we are not living up to our motto. He noted further that we are no longer a city where history and progress meet. He commented that instead we are nothing that we take pride in. Mr. Birch commented that if this house is torn down we are saying to the community, the country, the state that historical, precious landmarks like this mean nothing and should be cleared to make way for large steel buildings and that progress is the only thing that matters. He stated that his question for all of you is will you knowingly and willingly do this and run, not walk, away from what makes us West Chicago, what defines us as a City and what created our community.

Dave Sabathne, President of the West Chicago Community Center, stated that they have both the resources and the skills and that he is here with two board members, Jeff Stibal and Ray Soto. He noted that they provided staff with some information to be evaluated. He noted further that they have about \$400,000 in assets. He added that they operate the community center on less than \$12,000 a year and they have no debt. He commented that again they have the skill and ability and have reached out to the City to offer this service in the chance that you do not have a viable developer.

Janet Hale, President of the West Chicago Historic Preservation Commission, stated that along the lines of a previous speaker she brought something for the members to look at. She distributed a photo of a historic building in Washington, D.C. and the way that it is being used there. She noted that it is essentially the gateway to a court yard and a modern meeting hall. She noted further that it is a possibility that she has not heard mentioned and she thinks it is worth considering. She commented that she is open to Mr. Sabathne or Town Builders if they have a different plan. Ms. Hale stated that in response to the RFQ, she looked at the fact sheet for 151 W. Washington and she can agree that

some of it is fact and some of it seems irrelevant like the FOIA requests that are mentioned deeming these as an unnecessary component of a government business. She added that some of it is an exaggeration or is missing key information and some of it is blatantly false. She added further that she would be happy to go into it with any of the members. She noted that it disturbs her greatly that she hears, "Oh, we had the RFQ out there" so end of discussion. She noted further that there are a lot of things the members should be interested in hearing about. She stated that as far as public input, the Commission made several recommendations at the first Findings of Fact that were not included in the second one. Ms. Hale noted that in the appraisal that is mentioned repeatedly, the comps that are used look very much like storefronts in the downtown. She noted further that when asked, the City's expert witness said, "Of course. It is difficult to find sales of properties that are going to be similar in appearance to the subject property. It is unique. It is a different property than you would find in most of this area." She added that as President of the Historic Preservation Commission she is concerned that nobody has asked the Commission anything. She added further that they have not been included, we have not been asked questions about our opinions or why we may have done something. Ms. Hale stated that she does have a lot of information and she is intimately familiar with the public hearing documents. She added that she could probably answer just about anything you can come up. She added further that she has not heard anyone stand up and say, "Tear it down." Chairman Stout noted that time is up. Ms. Hale commented that she hopes they will choose to uphold the Historic Preservation Commission's decision.

Steve Hale stated that obviously everyone's comments are very relevant and that most of us in the room share the same sentiment. He added that a lot of what they have heard from the City throughout this whole process has been seemingly aimed toward some kind of presumed economic feasibility as to whether or not they should do anything with this home. He added further that as an owner of an old house and many of you either live in or probably grew up in older homes, you understand the charm and the specific and unique nature of an older building. He noted that having restored his own home, and it is an ongoing process, he can tell you that decisions that are made in the preservation of a historic structure should not be based solely on the economic value or the return on your investment. He noted further that the return on your investment in a historic building goes way, way beyond the green dollars that land in somebody's bank account. He commented that it goes into intrinsic things and a lot of intangibles. Mr. Hale stated that we are not owners of these structures per se. He added that our duty is not to make a profit off of it but to preserve it for future generations. He added further that if we tear these buildings down, what are we preserving for the future. He noted that to walk away from this is to just discard everything we have done to this point. He noted further that the famous saying is, "Those who do not learn from history are doomed to repeat it." Mr. Hale stated that we have been down this road before in this town and we have given ourselves some black eyes by tearing down some structures that were very historically significant. He added that this is an opportunity to take what is probably the most significant structure in the entire County and really do something special with it, even if not now. He added further that he does not think anybody is saying, "Let's dump

everything in it right this second and fix it today.” He noted that it is a process. He noted further that the first thing to do is to make sure the building stays there long enough to get the interest generated and it seems like we have some interest both in this room and outside the room where people have come forward with legitimate plans. He stated that we need to give it more time. He noted that the building has been sitting there for 140 years and let’s let it sit there a little while longer and think about what we are doing before we just bring in the bulldozer and knock it down.

Jeff Stibal, 424 Highland, commented that to reiterate Ms. Hale’s and Mr. Fokta’s comments, in your decision making process he would encourage the Development Committee to uphold the Historic Preservation Commission’s decision to deny the Certificate of Appropriateness. He added that to overturn the decision would set a negative precedent for all future ordinances and commissions.

Chairman Stout asked if anyone else would like to speak. No one responded. Chairman Stout closed the Public Participation portion. She stated that she would like to hear from the Aldermen at this time.

**Alderman Beifuss made a motion, seconded by Alderman Grodoski, to affirm the Historic Preservation Commission decision.** Chairman Stout asked if there was any discussion.

Alderman Beifuss stated that there was a well known director, Alfred Hitchcock, who used to say that he liked to have iconic stars in his films, not just because they were a draw but because he could dispense with the whole first act. He added that when people saw these stars, they knew that something important was about to happen and it drew them into the story right away. He added further that in our downtown we have several stars, that are called contributing structures in the Historic Preservation Commission ordinance, such as the Wiant House and the old Chicago Northwestern depot which is now called the Fox Community Center. He noted that those structures are so identifiable, so strong in character, such iconic landmarks and a part of our community for so many years that they draw you into the story of West Chicago. He noted further that it is pretty clear that those two structures are historically significant. Alderman Beifuss commented that the Wiant House is architecturally significant, it is a contributing structure in the Turner Junction Historic District, it is on two state historical surveys, it is eligible for the historic register according to the State of Illinois and it is listed as one of the top ten most endangered historically significant structures in the State of Illinois. He added that it was also home to two prominent founders of our community. He stated that it is worth preserving for all of the reasons heard here tonight. He noted that to lose this iconic landmark would decrease the whole character of the downtown. He noted further that we have an opportunity to preserve it. Alderman Beifuss commented that the City has a formal offer from the Fox Community Center, Inc. to renovate the building and put up the funds to do it, which is a great offer. He added that the City should take time and do the necessary work to follow-up on the offer. He added further that the Fox Community Center is uniquely situated to take care of this project because they have a building that

they renovated at a time when its existence was in doubt in the 80's. He noted that the Fox Community Center was slated for demolition but the community came together and saw the value of it. He noted further that Wayne Fox convinced the Chicago Northwestern to sell the building for \$1 and then the building was renovated. He added that it is the beautiful building you see today. He added further that it is the Fox Community Center who owns the building and maintains it today so they are uniquely situated to take on this project. He commented that it would be worthwhile for the City to see where this offer leads us and to take the time to complete the process. Alderman Beifuss stated that he would like to suggest that we table the discussion on what to do with the building right now to give staff the opportunity to work with the Fox Community Center to complete an agreement to renovate the building. He added that as a corollary to that it seems to be reasonable to take 60 days because we should come back to this question at the October meeting and at that time hopefully we will have a completed agreement ready for approval. He added further that at the same time direct staff to work for 60 days to put together an RFQ for the balance of the property in the downtown campus, which is the rest of the 14 acres, to see who else is out there. He noted that the City has been talking to Town Builder Studios but at this point it is probably best to see who else might be interested in the site. He noted further that if Town Builders wishes to come back into the process they are certainly welcomed.

**Alderman Beifuss made a motion, seconded by Alderman Jim Smith, to table this item to the October 14, 2013 Development Committee meeting. Chairman Stout noted that there is already a motion on the floor. She commented that we need to finish with the motion on the floor currently and then we can come to the second motion. Alderman Beifuss commented that no, it is a subsidiary motion, motion to table. Mr. Guttman explained that Alderman Beifuss can do exactly what he is suggesting. He stated that Alderman Beifuss made the motion and then tabled the original motion. He added that the motion to table supersedes Alderman Beifuss' motion to uphold the decision of the Historic Preservation Commission. Mr. Guttman commented that the reason why that has to be done is because you can only table an active motion and an active motion is either a thumbs up or a thumbs down. Voting aye: Aldermen Beifuss, Jim Smith, Grodoski, John Smith and Stout. Voting nay: Alderman Banas. Motion carried.**

Mr. Said commented that one of the witnesses, Ms. Hale, provided some information. He added that due to the number of copies, he will scan it and provide it to everyone through e-mail, if that is acceptable. He added further that we can also make hard copies and put them in your boxes. He noted that it would be provided to the entire Council.

Alderman Banas commented that the reason he voted no was because one of the things he is concerned about as he toured the building was the instability of the stairways and the fact that anybody could walk right up to the building. He added that his vote had nothing to do with what may be the eventual outcome of the building. He added further that he is concerned that some kids might get injured by the exposed rusty nails in the stairways. Alderman Banas commented that he is wondering if in the meantime some protection can

be put around the building to keep folks from approaching it without permission. He noted that he is concerned about the liability that could be incurred by delaying things. Mr. Said stated that he passed along Alderman Banas' comment already. He added that for all intent purposes anyone that does go on that property without City authorization is trespassing, which can be problematic for any party going on the property. Alderman Banas commented that he would like to do everything in the City's power without costing too much money to keep people from going onto the property.

**6. Unfinished Business – None.**

**7. New Business – None.**

**8. Reports from Staff**

Mr. Said commented that Old Time Pottery is nearing completion and is expected to open later this month. He added that he believes the Grand Opening will be Labor Day weekend. He added further that it is great to see an 80,000 square foot retail space that had been empty for a number of years being occupied. He noted that Old Time Pottery is the same group that used to have Waccamaw Pottery. He noted further that the store has housewares, linens, pet supplies and lots and lots of stuff all under one roof. Mr. Said stated that he encourages everyone to support a business like this. He noted that the store will be a great destination use for West Chicago, will bring in sales tax revenues and employs local people. He noted further that it is also great to see this company making an investment in the community.

**9. Adjournment**

**Alderman Banas made a motion, seconded by Alderman Beifuss, to adjourn.**

**Voting aye: Aldermen Banas, Beifuss, Grodoski, Jim Smith, John Smith and Stout.**

**Voting nay: 0. Motion carried. The meeting adjourned at 7:47 p.m.**

Respectfully submitted,

Linda Ericksen