Minutes
Village of Glen Ellyn
Special Village Board Workshop
Monday August 16, 2021
7:00 PM
Glen Ellyn Police Department, Community Room

A. Call to Order:
Special Village Board Workshop was called to order at 7:01 p.m.

Roll Call
Roll Call by:
Present: President Senak
Trustees Christiansen, Fasules, Gould, Kalinich, Payne, Thompson answered "Aye"
Absent:

Also in attendance:
Village Attorney Mathews, Village Manager Franz, Asst. Village Manager Rodman, Economic Development Coordinator Hannah, Community Development Director Springer, Fire Chief Clark, Administrative Asst. for the Village of Glen Ellyn Fire Dept. Shanley, Operations Manager Beskow of Metro Paramedics, Heidi Hermes, Metro Paramedics, Tom Deegan, Metro Paramedics

B. Audience Participation

Eleanor Salimonas, 626 Newton Avenue
Would like to discuss problem with tree removal in Glen Ellyn. Feels that trees (and re-planting) has been neglected; Has concerns with tree removal by developers even though the trees may not interfere with construction. Commented about noticeable loss of tree canopy in the Village. Trustee Christiansen urged Mrs. Salimonas to participate in the Environmental Commission meeting being held on Tuesday, August 17, 2021 to discuss her concerns.

C. Emergency Medical Services (EMS) Funding (Presented by Assistant Village Manager Rodman) (Discussion Only)

The Village of Glen Ellyn provides EMS services through a contract with Metro Paramedic Services; the most current contract was approved in 2018 (2019 start date) and runs through 2024. Metro provides Village of Glen Ellyn with 12 dual trained paramedic/firefighters with 2 ambulances, 24 hours a day, 365 days a year. Challenges have been noted with Metro being able to fully staff the Village of Glen Ellyn, with instances of only 7 paramedics available, and those that are available, are working extremely long shifts. Metro has stepped in to provide salary increases, however, the contract may be more competitive if Village of Glen Ellyn were to assist in supplementing as well. Also, the DuPage Medical Director has identified a need that the paramedic team have increased supervision during shifts, which also allows for enhanced training and patient care. Staff is proposing an amendment to the existing contract with Metro:

1. Creation of three shift supervisors, each working an 8 hour shift, staffing a rapid response vehicle and providing supervision for paramedic staff, onsite training, overseeing of patient care and assistance with daily operations; The addition of the rapid response vehicle allows for the reduction of two ambulances per EMS call, and reduces the reliance of mutual aid.

2. Increased salary for paramedics. Providing competitive salary may increase the desirability to join the Metro/Village of Glen Ellyn contract. Cost is approximately $700,000 - $850,000 annually.

To offset costs, Director Coyle offers a recommendation of the following:

1. Raising ambulance rates. Village of Glen Ellyn currently has a low average for ambulance and paramedic services. Balanced billing was explained (full billing is submitted to insurance, Village would review the balance due, and then make the decision whether to bill the remainder to the resident or write it off);

2. Participation in the Federal Program, GEMT, which assists with the Medicaid gap for paramedic services. Combined, the above would generate approximately $300,000 per annum.

3. Make adjustments to the Fire Services Capital Fees (which currently generates $825,000 annually). When the fee was created, it was to be directed toward facility improvements and to address long term station needs, especially Station One. Given the current fund balance and additional time before a long-term solution is identified, a portion (50%) of the fees can be directed to offset the EMS increases.

4. Special Service Areas: Unincorporated areas serviced by the Volunteer Fire Company. A cost allocation is prepared annually, as well as a special tax levy billed to these residents to help offset "their fair share" of the EMS and fire services provided by the Village of Glen Ellyn. The future calculation would likely generate more revenue. (Approximately $80,000 annually).

Next steps would include approval of a Metro contract amendment as well as creation of any necessary Ordinances to allow for changes and funding. The Federal GEMT program would need to be approved, as well as an intergovernmental agreement that the Board would need to accept. Deadline for GEMT is 10/1/2021, which is ambitious and may not go into effect until 2023, so a short term solution may be necessary.

Trustee Payne inquired about the cost of the increase for the paramedics. Operations Manager Beskow responded that the Paramedic staff are currently receiving approx. $15/hr. However, trends show rates of $20/hr. Rates were increased to $16/hr. however, under the revised contract, rates would be at $21.70/hr. to recruit and retain the best paramedics available in order to support the Volunteer Fire Department. Trustee Kalinich inquired about when the $16/hr., increase was implemented. Operations Manager Beskow replied, March 2021. The paramedic wage increase was well received. Trustee Kalinich also inquired if there were any other municipalities that were supporting a $21.70 wage for paramedics. Operations Manager Beskow, replied yes, and spoke in depth about various examples. He also provided information about paramedic contract transfers and policies.

Trustee Kalinich inquired about the costs of mutual aid for paramedic services, to which Director Coyle responded that there is no charge for mutual aid. The responding municipality receives the revenue for the services rendered. A question was posed about supplemental insurance coverage being billable; Yes, it is billable. It was noted that GEMT is a supplemental program for Medicaid.

A question was posed as to whether there would be any increase in fees for regular residents (not special service area residents). No. Incorporated areas would only pay for general fund revenues and fire services fees. At present, EMS calls are not paid through the fire services fees, however, with the new contract, a reallocation of funds would assist in offsetting the EMS fees.

A question was posed if balanced billing is implemented in a community, are there more or less calls? Operations Manager Beskow replied that he has not seen an increase or decrease unless the EMS calls are significantly higher than standard.

Trustee Christiansen requested a pros and cons list with costs submitted for review from Director Coyle. Trustee Thompson inquired about the EMTs and Central DuPage metric report. Operations Manager Beskow commented that due to Glen Ellyn's unique situation, the metrics reporting may not be comparable to other municipalities who have larger teams available for calls. Trustee Thompson stressed the importance of bringing any deficiencies to the Board posthaste so they could be addressed. He also addressed oversight of Metro, what level of oversight we are providing, what level of oversight the Volunteer Fire Dept. is providing, communications between the Village and the Volunteer Fire Department, reporting between the three, and a clear development of the needs and expectations of same. It was also clarified that the Village Manager/Asst. Village Manager receive reports directly from CDH about EMT performance. President Senak also requested that any reports of an unexpected nature be brought to the Village Boards' attention.

Trustee Thompson requested that a reserve study be completed for the Fire Station as soon as possible. Director Coyle requested a facilities study for the determination of the costs to maintain and rehabilitate Station One versus the cost of a new facility for the purpose of appropriate allocation of funds. Chief Clark clarified that a reserve study and a facilities study should be completed for both Station One and Two, with an update on the status within 90 days.

It was confirmed that 4% of the PBS billing and the current flat fee rate in the amendment for Metro will stay the same; however, there is an allowance for an annual increase in the flat fee in the contract.

Asst. Village Manager Rodman commented about the correspondence from CDH, as well as meeting with the Fire Department Staff and CDH with regard to the downward progression of service and why the Village had not been notified sooner. Communication directives were made clear, and going forward the Village, as well as the Village Board, will be notified in a much timelier fashion. CDH will be communicating monthly performance reports to the Village directly on a monthly basis. She also commented about the hourly rate for the paramedics; conversations were directed to Metro about concerns that any additional funding would be directed to the contracted paramedic staff, and Metro confirmed that all monies would be passed through directly to the paramedic teams. Additional conversation was directed toward performance standards for the paramedics.

Director Coyle went on to answer questions, and clarify if and when the Ordinance was structured, that the fees billed to the residents would include a Fire Services Fee, Capital Fire Service Fee and an EMS fee. Trustee Fasules inquired as to whether it would be more advantageous to have a tax levy, to which Director Coyle responded that a property tax levy could be considered, but how it would be assessed would need to be investigated.

Trustee Thompson summarized that he was in agreement for raising the EMS payroll fees and would like it raised above the average; would take balanced billing under consideration, would like to move forward with the GEMT program. He is in agreement for the special service costs for the fire service program, and would like to see the EMS fee reallocated and raised in the future as necessary.

Trustee Gould summarized that she is in agreement with the EMS fees as well as the GEMT.

Attorney Mathews commented that the fees for services provided reflect the actual cost of the service, and that the fees are not arbitrarily inflated or exceed the actual costs involved.

Trustee Gould also commented that she would prefer a wait-and-see approach to the balanced billing, and approves the EMS fee.

Trustee Christiansen waived the opportunity to comment.

Trustee Kalinich supports the increase in EMT service fees as presented, as well as the GEMT funding; she would like to wait on the balance billing proposition to see how the other services impact the overall program, and is in support of the transfer of fire service fees. She is also supportive of increasing the special service levies for unincorporated Glen Ellyn.

Trustee Payne summarily commented that he is in agreement with the increase of EMS pay rates, he too would like to wait on balance billing, he is in favor of the GEMT program, and agrees with the Capital Service fee, but is concerned and would like to see a reserve study conducted for evaluation.

Director Coyle reiterated that the Fire Service Fund would be discussed in greater detail at a forthcoming budget hearing meeting.

President Senak directed comment to Metro Paramedic Services that he was not happy with the current situation; we have been working with Metro for several years and are now requested to revisit contract negotiations at our cost. He noted that the Village secured a contract so that these discussions would not be necessary. President Senak commented that he is in favor with everything proposed, with the exception of balanced billing.

D. Central Business District Grocery Marketing Study (Presented by Economic Development Coordinator Hannah) (Discussion Only)

1. Economic Development Coordinator Hannah will lead a discussion regarding the Central Business District grocery marketing study.

   Director Hannah reported that an initial study was conducted with a consultant; overall the downtown trade area has a strong demographic for an upscale grocery store which would likely perform well, in proximity of 10,000 sq. ft. which is not currently available in the downtown area. They will be reviewing some additional small format stores and submitting their findings for evaluation. As space comes available, discussions can be initiated. Conversation ensued with Village Board members comparing stores such as Fresh Market, Trader Joes, etc. and the square footage needed for successful fruition. Director Hannah elaborated on storefront space (7500 sq. ft.) versus storage/loading areas, parking, and other considerations and logistics. Trustee Thompson inquired as to why no specialty grocers/boutique grocers were shown in the report. Director Hannah responded that those are listed as quality service stores. Trustee Thompson suggested a mall area near Green Branch Florists for potential grocers. Trustee Fasules inquired whether there is square footage in the Banyan Tree Mall to accommodate the necessary 10,000 sq. ft. Director Hannah answered "No", and that the developers are looking for more extensive parking than what is available. Trustee Thompson inquired as to whether the US Bank development would consider a first floor grocery and having the bank on an upper level. Trustee Kalinich also inquired about the Apex first floor. Director Hannah replied that there is 8000 sq. ft. available and countered that it might work for a convenience style store. Trustee Kalinich spoke briefly about the interest in

McChesney and the meat market, and what the key components are that attract their customer base. President Senak referred back to the resident questionnaire findings, with the most sought after item for the village by residents is a downtown grocery store. Trustee consensus agreed that whomever is placed should be open after 6:00 p.m. Ending comments request that Director Hannah continue the analysis and report back to the Village Board with findings. The board can then pursue investigations into site availability (US Bank, Forest Avenue, Apex).

E. Architectural Review Process (Presented by Community Development Director Springer) (Discussion Only)

1. Community Development Director Springer will lead a discussion regarding the appearance and architectural review process.

Director Springer spoke about the Architectural Review Commission, founded in 1975, whose purpose was to review the exterior appearance from 1975-2017. Sign code variation responsibilities was added to their management in 1998. The ARCs responsibility is to review exterior appearance of a structure of posed elevation and compare it to the guidelines. Since the guidelines are not standards or regulations, variations were not necessary, it was at the commission's discretion. One: is it acceptable and two: is it in conformance with most of the guidelines?

Two past Village Presidents requested that the department to undertake a process improvement program to streamline processes and evaluate stopgaps. The group formed resulted in incremental changes over a 5-6 year period. One issue that continually surfaced was a general dissatisfaction with a variety of elements related to the Architectural Review Commission. One issue was that Plan Commission would not comment on or handle issues related to exterior appearances. Similarly, the ARC would not address issues with zoning, bulk regulations, subdivisions, etc. Confusion arose due to two different meetings, on two different nights addressing specific issues. Difficulties also arose due to the meetings being performed at the end of the staff review process. Another issue was that there was no formal expertise or professional on the commission (with small exceptions). For other commissions, specific qualifications are required to apply for the commission. Some of the recommendations were personal preference versus valued, professional feedback from the committee. It was also noted that small business owners wishing to pursue the façade improvement grant, upon hearing that they needed to present to the ARC and the Village Board, would drop the proceedings. In July 2017, the Village adopted an Ordinance that allocated the responsibilities of the ARC to the Plan Commission and staff.

Staff had been providing the exterior appearance reviews but were unable to offer suggestions of a significant architectural nature. Concern was expressed by the Village Board after the Apex development for the need of individuals with an architectural background.

One of the suggestions was to recruit area volunteer architects. The staff then worked with the volunteers to incorporate suggestions to provide to petitioners, adopting 75-90% of the suggestions provided. There were still concerns that the group was not transparent, and it was discontinued after the McChesney development. Various suggested designs were shown as examples.

The ARC Commission is being recommended for reinstatement. Suggested goals include:
- Transparency
- Being open to the public
- Initial meetings should be conducted right after the first plan submission
- An initial meeting should be scheduled with the group and the developer for first round suggestions, they can then sit down for a secondary round to see revisions

- Design or architectural expertise would be essential for committee members
- When the plans are approaching final review (after staff review) a single commission should provide the review for the petitioner
- Community Development would like to continue to provide the same services to business owners who are looking to improve their façade without any additional variations.

Option 1:
• Replace four of the existing plan commissioners with members who have architectural design expertise. The remaining five members will have historical knowledge, have experience in dealing with the public, etc.
• The Plan Commission would conduct the exterior design review after the initial submittal.
• The Plan Commission would hold a public open forum meeting, one additional meeting after revised plans and one final meeting for final reviews.
• The Plan Commission reviews the project in its entirety at the end.

Option 2:
• Four architectural specialists will replace four of the existing plan commissioners;
• The four architectural expertise members would serve as a sub-committee of the Plan Commission, who conducts the meetings.
• Five members would not be needed to attend the first two meetings, just the sub-committee, and when the final review comes to the Plan Commission at the end of the review process
• The sub-committee can share their findings with the Commission.

Option 2B:
• Another option would be to have the additional four specialists be a sub-committee, not replacing the existing plan commission members.

The pros of option one include:
• It eliminates meeting confusion as to which meeting to attend, plans are reviewed early in the process; and commission members have architectural expertise.

Cons include:
• We lose the historical expertise, institutional memory and the understanding of processes by the loss of existing plan commissioners.

Option 3:
• A new group is created, (i.e., Architectural Appearance Committee/AAC)
• Five to seven member committee, some with expertise, reviews are done after initial submittal, then make recommendations to the Plan Commission.
• The Plan Commission then takes the recommendations, along with their review, for presentation at one single review meeting.
• The existing membership of the Plan Commission remains; however, a review is provided by parties with expertise, one single group reviews everything, Plan Commission meeting numbers are the same, and the Plan Commission membership still remains varied.

Option 4:
• Similar to Option 3, with the exception of being a Committee it is a Commission who makes recommendations directly to the Village Board.
• This is very similar to the Commission that was eliminated in 2017.

Pros and Cons:

• The Plan Commission remains the same with members having a varied background, the same number meetings are scheduled.
• The AAC has members with expertise, and the project review is done with one group.

Option 4 Cons include:
• A return back to the same format as the previous ARC
• Issues from the previous ARC may return
• The public would attend two separate meetings to receive feedback
• The possibility of the public initially voicing concerns at a Village Board Meeting due to missing Commission meetings, in turn having the possibility of a staff re-review and extending the overall process and time frame.

Trustee Christiansen commented that she prefers Option 3; she has previously attended Architectural Review Commission meetings, as well as Plan Meetings, and noted confusion from community member participation as to which topics were being discussed through no fault of the Commission. She prefers Option 3 since it allows for community input. The final decision making is not taking place at two different meetings, it is done at the Plan Commission meeting. One suggestion would be to have a member of the AAC be a member of the Plan Commission to facilitate communications between the two commissions.

President Senak asked if at one point there was a common member on the ARC and the Plan Commission? Director Springer replied that prior to 2017, Tim Loftus, Chair of the Plan Commission, was also in the Historic Preservation Commission, but there was not a common Plan/ARC member.

Trustee Payne commented that 2B is similar to Option 3, but not a separate committee. Similar to a sub-committee, it can be added incrementally. He feels uncomfortable removing established Plan Commission members. Director Springer clarified that Trustee Payne wants to add 4 additional people to the existing 9 member Plan Commission? Trustee Payne clarified that they would form a sub-committee, and not part of the Plan Commission.

Trustee Fasules voiced concern that there is no legal authority for the AAC. If the ACC is made into a subcommittee, it fulfills the need of the Plan Commission, and provides an initial phase of input.

Trustee Gould inquired if the subcommittee was formed, would it be behind the scenes? Director Springer replied, no, it would still be a public forum. The additional Plan members would not be in attendance. Trustee Gould inquired as to whether the subcommittee would be in attendance to listen and present at the Pre-Ap meeting with the Plan Commission, and Director Springer agreed that it would be a good idea since everything would be early on in the process. The subcommittee members would be there to provide input and feedback and listen in at the Pre-Ap meeting with Plan Commission. The AAC would serve in an advisory capacity, would be involved in the Pre-Ap meetings and possibly in any architectural appearance meetings. Finally, they make recommendations to the Plan Commission, but would NOT attend the Plan Commission meeting unless we implement the suggestion where one of the members be on both the AAC and Plan Commission to serve dually.

Trustee Christiansen first thanked Director Springer for her efforts and work done so far. She would like to see a specific mission and process outlined. She also feels the commission should have some "teeth". She would like to see them make recommendations to the Board, similar to Plan or Zoning, so there is "real impact" on the plans reviewed for various developments. She is in *agreement with facilitating experts to assist, but perhaps involve some residents as well. They might be able to provide a different perspective and she feels that the Board should include as many voices as possible. She would like the Plan Commission and Historic Preservation Commission delineated in terms of their mission from the ARC; she feels it is important to include their feedback. She recommends utilizing experts, as well as some residents, but include one member from Plan Commission and Historic Preservation Commission to provide insight. She is leaning toward Option 3 or 4 but would like the Commission to have impact and not serve only in an advisory capacity.*

Director Springer clarified that recommendations could still be made to the Plan Commission and that the recommendations be included to the Village Board in their packet. Trustee Christiansen agreed that this could be an option but wanted to stress that the ARC should meet as early on in the process as possible to avoid last minute change orders for the developer, as well as allowing for resident feedback.

Trustee Thompson commented that he liked the results of what the AAG has provided for the last three years, and that they made developments better and provided feedback in a more professional context. He would like to see the process made public, possibly in a general format. He posed a question: Is it possible to still utilize a Commission structure while gaining insight from volunteer experts? He also stressed the need to eliminate confusion for the residents on meeting attendance and processes. He agrees that one way is to go back to the ARC which had the most "teeth", but also sees a value in blending the Plan Commission structure. He would love to hear some public input.

Public Comment by Pam Albrecht:
She attempted to research how long the ARC had been in existence and feels that the 42 years speaks very loudly for the Village. She is very pleased that there is a consideration to return the ARC. She feels the Review Commission is part of the fabric of the Village, the blending of the Historic, Plan, and ARC commissions are a great recipe and have worked well for a number of years. She feels the ARC worked very well in the past and should not have been eliminated. She noted it provided a unique balance of checks and balances within the Village. The ARC impacted building materials, appearance, ratios to height, variances and swept the minutiae of architectural details, building materials, lighting, landscaping, signage while serving the Village well in the process. Most importantly, it allowed residents to voice their opinion. The review commission offers insight and guidance to both the Plan commission and the Village Board. They provide a translation of guidelines and provide solutions to the petitioner while holding them accountable to the standards. She didn't feel the reasons for the ARC elimination were true and thanks you for considering its return.

Public Comment by Heather Mees:
Has a master's degree in architecture from UIC and has worked with various residential architectural firms in the Chicago area. She states that she grew up in New England and chose Glen Ellyn due its historic homes. She has met other neighboring area architects and feels that Glen Ellyn is a designers' destination. She feels that the Village has a lot of design potential, and without an Architectural Review Committee it will go untapped. The 32 other communities that foster an architectural review committee include Elmhurst, Winnetka, LaGrange, Hinsdale, Highland Park. She stated that we should not consider the number of towns, but the caliber of town. She feels that developers will go extra lengths to build here and that an architectural review commission will maintain a high bar of standards and design and be a tool to help the developers reach their full potential.

Public Comment:

A resident stated that she thinks the public needs to be involved from the beginning; and thinks the Village needs to set the vision of what all development should look like. She references Hinsdale's policies. She feels we need a vision in order to direct the Commission to its destination. She commented that the current development looks like boxes. She feels that the preservation of Glen Ellyn is quality and things that fit into good design, which she feels can also be contemporary. She comments on Glen Ellyn's green space, trees and setbacks, and about being over the edge with global warming and how everyone needs to do their part. She feels the commissions need to be working together to form a larger picture. She feels that a clearer message should be shared with developers so that they know what is expected. She feels the ARC was good because it gave residents additional opportunity to provide comments. She mentions that the Village has a great talent pool and can offer good ideas and feels we should be more selective of the developers coming in.

President Senak posed the question: how long was the process for ARC from start to finish on a project? Director Springer was unable to answer. President Senak commented that there is no way of knowing if eliminating the ARC streamlined the process. Director Springer replied, true. President Senak feels that eliminating the ARC was possibly the singular worst decision that he made as a Trustee and is glad that everyone is in agreement that a committee or commission is needed to ensure the architectural integrity of the Village. He feels that this is smart development and part of the Village's brand. Having sat in on ARC, he saw an improvement in the design and quality of the construction in Glen Ellyn. President Senak commented that all of the options, properly implemented, would serve the purpose intended, which is to make sure the Village continues to be what it is today for generations to come. He would like to see the ARC reformed and provide meaningful impact for the Village. He feels it should have a mix of design professionals as well as residents. It can be part of the Plan Commission as long as it is independent and that current Plan members are not replaced (i.e., a new commission or sub-committee can be formed).

Comments from the Trustees:

Trustee Thompson commented that he did not want to leave the Commission unformed, due to size constraints, and wholeheartedly agreed with President Senak's comments. Prefers Option 2B, with a subcommittee formed of the Plan Commission, but with the ability to have "teeth".

Trustee Christiansen prefers Option 4 as a first choice, with 3 coming in second.

Trustee Gould prefers Option 4, with 2 as a second choice, but she has concerns that Option 2 may not have enough impact.

Trustee Payne feels that the Committee should be closely linked with the Plan Commission; and would prefer Option 2B or 3 as a self-contained committee.

President Senak voiced a concern about the Committee being an even number for voting reasons and feels that an odd number would present better.

Director Springer asked if 5 members would be acceptable. President Senak also commented that it would be a desirable qualification to be a design or architectural professional to be a member of the ARC/AAC committee, but not a prerequisite.

Trustee Kalinich prefers Option 3, with the recommendation that one of the members of the committee be a member of the Plan Commission. The same could apply to the Historic Preservation Commission. She also wanted to comment on the increase of numbers: That too large of group may *prove detrimental to the Committee and burden the decision making. She also noted that every member of the Building Board of Appeals has a background in Building; the Committee is purposeful with good reason and would like to see the same value applied to the ARC/AAC.*

Trustee Fasules prefers 2B, with a subcommittee, in order to move projects forward quickly. He would also like the head of the subcommittee to be a voting member of the Plan Commission. The subcommittee can have a member from Historical Preservation, other committees, with members consisting of design and architectural professionals; it is a public meeting, and its sole purpose is to discuss architecture. He feels that a subcommittee may have more input and influence on the Plan Commission, since it is part of the same commission versus a standalone commission.

Trustee Thompson commented that he would like to see where testimony is given, and that multiple meetings are not necessary for the residents. The process needs to be more efficient, in place as early as possible to ensure ease of facilitation. Attorney Mathews commented that one public hearing must take place for zoning purposes, and can take place over multiple meetings. Trustee Thompson inquired if a resident can speak about zoning or architecture at a public hearing. Attorney Mathews clarified that the public hearing is held on a Plan Commission level. The Plan Commission has certain items for review under existing zoning and Village code. Commentary can be given as high up as the Village Board level, with the Village Board providing the final decision.

Consensus of the Board is that there is four in favor of a committee versus a commission; so forming a committee is preferred. There was full agreement with no replacement of the Plan Commission members. A subcommittee will be formed called the Architectural Review subcommittee, consisting of five individuals: one member of the Historical Preservation Commission, Three Architects/Engineers/Landscape Architects, and a resident.

Discussion ensued about whether the subcommittee chair should be a member of the Plan Commission; the Architectural Review committee would be open to the public, make public recommendations and recommendations would be included in the packet for the Plan Commission and the Village Board review.

Trustee Christiansen voiced concern over the lack of independence of the committee. She has concerns with the committee being a subcommittee of the Plan Commission and the overall process. Discussion ensued about the overall processes and board involvement.

President Senak summarized Trustee Fasules' objectives toward the committee, stating that the "teeth" of the committee is that one of the members sits on the Plan Commission, and the discussion of the project occurs early, however, comments go to the Plan Commission not directly to the Village Board.

Trustee Christiansen voiced concerns, stating that someone from the Plan Commission needs to be a member of the ARC , and also voiced issues with the committee being a sub-committee of the Plan Commission in that it lacks independence, and doesn't have "teeth". She feels that a 5-member subcommittee is a committee in its own right, and if it was a true subcommittee, the subcommittee would consist entirely of members of the parent committee.

Trustees Christiansen and Fasules voiced a wish to have the committee become an independent committee, with the Chair being a member of the Plan Commission. Trustee Kalinich suggested that the Chair could be an existing Plan Commissioner. Trustee Christiansen feels that this still gives the Plan Commission too much power. She feels that the ARC Chair should not be part of the Plan Commission, since it gives the Plan Commission an edge in the proceedings. She feels that the *residents have voiced that the Plan Commission has to much power already. She would like to see some independent review before items are brought before the Plan Commission.*

Attorney Mathews brought up the point that the Plan Commission and the issues it reviews do not have anything to do with what the ARC will be reviewing. Plan Commission does not (and should not) render options on what the material should be. (i.e., What should the cornice look like? How many different in and out features should there be?) Plan Commission discusses items such as height of a building, what is the bulk/mass, etc.?

Trustee Payne interjected that they are related, and would have discussions between the two. Attorney Mathews stated that there could be cross discussion, President Senak interjected that if you look at deviation or variance process, the elements that would entitle an applicant a deviation or a variance would not include the architectural style of the building. When the Plan Commission is going through the criteria to establish if there is a deviation or variance warranted, one of the elements is not architectural appeal.

Attorney Mathews added that for Pre-App conferences a developer comes in with a "box/building" without any architectural features established. He is not sure how the Board wants to address building concepts or get some kind of presentation that demonstrates architectural elements early on so that the exterior design can be evaluated.

President Senak summarized the overview as an independent committee of five. He posed the question whether anyone from the Plan Commission should be on the committee? Trustee Kalinich voiced that she feels that she recommends it, but feels that they do not need to be the committee chairperson. Trustee Christiansen is in agreement that they should not be the chairperson. Trustee Thompson voiced that he was persuaded by Trustee Gould and Trustee Kalinich's testimony, and agrees with a separate independent commission. He would like to see the idea re-reviewed since the arguments were persuasive. He does not like the terminology of subcommittee, and feels that it needs to be its own commission, it needs to have "teeth", needs its own nomenclature, and process.

Trustee Fasules countered that the issues need to be presented to staff as soon as possible, and it cannot come to the Village Board until after the Plan Commission review. After the Plan Commission, if comes to the Village Board, it becomes meaningless and has no impact.

President Senak suggested that it become a commission (since there are 4 in favor), comprised of 5 members or more. Trustee Kalinich questioned the number in favor (which was re-counted to 3). She feels that the Board is selling the committee short in saying that it doesn't have "teeth". She reiterates that this is a public meeting in which there is public record, and the Board will ensure the overlap between the Plan Commission and the committee. She questions how does it not have influence?

Trustee Christiansen addresses that we have Commissions and Boards who review various items, who have voiced that they have no influence. Trustee Kalinich asked if they were currently existing committees?

Trustee Christiansen commented about grievances that they make recommendations to the Board and feel as if they are not heard. Trustee Kalinich questioned if they are the only Board? Trustee Christiansen replied that no, there is a Building Board and a Zoning Board. Trustee Kalinich replied that if she understands correctly, in her observation of the Zoning Board of Appeals is that recommendations are made and are overturned at the Village Board level. She feels that this is a *whole different issue. She doesn't feel that their recommendations do not have impact, she thinks that the Board members are concerned that if they were in the shoes of the petitioner, how would they feel?*

President Senak commented that the Plan Commission and Zoning Board of Appeals have completely different functionality than Architectural Review or Historic Preservation. They can make a recommendation, and the conclusion of the commission level dictates what the outcome is at the Board level.

Trustee Fasules interjected that when the discussion began, the objection was that the AAG had no legal authority, was not transparent and had no legal record. It was not that the AAG was not working, it was to address those issues. He feels that this is the objective to accomplish tonight, and not create a larger bureaucracy. He feels that it should be the decision of the staff if it is a committee or commission.

President Senak agreed that whether it is a committee or commission is a semantic issue, what is important that it is put into a process that does not create additional bureaucracy, and hopefully will streamline processes. The commission will function in some regard like the committee. He tallied 4 votes in favor of a commission, (including himself as a tie breaker), and then allows staff the opportunity to fit that commission into the Planning and Development process in the most efficient way possible. They can then return to the Board with a progression, and avail the Board as to where Architectural Review will fit in the development process in a way that would make it efficient, yet functional, and move forward from there.

The recommendation is that the Board will re-form the Architectural Review Commission.

Director Springer has one question: It sounds like everyone is interested in eliminating the confusion of which meeting to go to. But if we make it a commission that makes a recommendation directly to the Village Board, and the Plan makes their recommendation to the Board, and they are dealing with their own two separate issues, there are still multiple meetings for petitioners: one to address architecture and another to address zoning entitlements.

President Senak replied that you will always have those two meetings. It will either come before the committee or before the commission. Director Springer replied that if it goes before the Plan Commission, which then goes to the Village Board with the Plan Commission's recommendation, then there is only a single meeting that the petitioner can attend.

Trustee Fasules replied that Director Springer needs to work out the flow so that Community Development is getting the input that they need, so when it gets to Plan Commission, it is solid and the Village Board doesn't get opposing recommendations.

President Senak asked Director Springer to create a flow chart on what steps a petitioner would take, sequentially, for a project to be presented at a future meeting.

F. **Other Business**

Question by Dist. 41: How will the Village respond to a mandatory masking policy for District 41 students, staff and guests? In addition, how will the police department respond to confrontation at meetings, events, etc.?

President Senak is consulting with Attorney Mathews and Chief Norton on how to approach the issue. Discussions are ongoing, and what policies the Village will adopt will be determined by the Village Board.

Chief Norton elaborated stating that during public meetings, if a party becomes unruly or breaks a law, an officer can take action (including disorderly conduct) and remove the person from the meeting. Chief Norton states that the Village Attorney does not support police action if the underlying issue being broken is not a law (i.e., a mask is not being worn, so police action is not warranted and is unenforceable by law.) If a person refuses to wear a mask at a school board meeting, police can ask them to leave. If they refuse, it does not rise to the level of trespassing or disorderly conduct; because the underlying violation of not wearing a mask is not a violation of the law.

The school is focused on what the police department can do to assist them, however no discussion was given on how the school district can change the way they conduct their meetings that might avoid the issue. (Such as non-mandated masks, spread people out to enforce the 6-ft social distancing, hold meetings in a larger venue, hold meetings via teleconference/zoom, overflow rooms, masked and non-masked areas, etc.)

Chief Norton conveyed the following to the school district: They would respond to any 911 call, if the school requested an office to be in attendance at a meeting, one would be provided; however, police officers would not remove anyone from the premises for not wearing a mask.

Trustee Payne asked if the school board moved away from mandated masking and then changed their policy? Trustee Kalinich responded that it was due to the CDC recommendation for schools and school districts, as well as the Governor's mandate. It was determined that the schools are following CDC guidelines, and the Governor's most recent order. Debate ensued about whether the Governors' most recent executive order was enforceable by law. Chief Norton explained that a police officer, in their capacity by law, has discretion due to the number of variables that can apply. He also suggested to the school that private security could be hired for events in order to alleviate the Police department of legal jeopardy. Discussion about Section 21-5.5 ensued, and interpretation of school board meetings being held several hours after public school sessions are over are affected and whether they are considered a school "activity" or not.

Discussions ensued about mask policy and potential Village Board agenda proposing policy for future meetings.

G. Motion to Adjourn

Result:	**APPROVED [6 TO 0]**
Mover:	Trustee Thompson
Seconder:	Trustee Payne
AYES:	Trustee: Christiansen, Thompson, Fasules, Gould, Kalinich, Payne
NAYS:	
ABSENT:	

Respectfully Submitted, Maureen Draganowski, Executive Assistant
Reviewed and Approved by Emily Rodman, Assistant Village Manager/Deputy Clerk