

Agenda
Village of Glen Ellyn
Regular Village Board Workshop
Monday, July 19, 2010
7:00 p.m.
Galligan Board Room
Glen Ellyn Civic Center

1. Call to Order
2. Public Comments?
3. Review of Agenda for July 26 Regular Village Board Meeting
4. 633 Davis Terrace Rental/Vacation Home – Planning and Development
Director Hulseberg (Pages 2 – 21)
5. New Downtown Organization Proposal – Planning and Development Director
Hulseberg (Pages 22 – 37)
6. Hill Avenue Bridge, Lombard Response – Village Manager Jones (Pages 38 –
39)
7. Manor Woods Short- and Long-Term Plan – Public Works Director Caracci
(Pages 40 – 43)
8. Other items?
9. Adjournment

INTEROFFICE MEMORANDUM

TO: Steve Jones, Village Manager
FROM: Staci Hulseberg, Director of Planning and Development
DATE: July 14, 2010
FOR: July 19 Village Board Workshop Meeting
SUBJECT: 633 Davis Terrace Rental Home Additional Information

SHW

Background: At the May 23rd Village Board meeting, the Board heard from the neighbors and property owner of a vacation rental home located at 633 Davis Terrace. A copy of the previously distributed information in advance of that meeting is attached for your edification.

Issues: As discussed at that meeting, the Village's codes and regulations do not prohibit the rental of single-family homes. The Village Board requested the planning team research how other communities handle similar issues. Please find attached a chart summarizing the results of our research. The only community we located that regulates the rental of vacation homes is Wheaton. A copy of Wheaton's ordinance is attached. Wheaton prohibits "tourist homes" as a home occupation. While "tourist homes" are not defined in the Wheaton code, we have attached the definition of "tourist home" from a number of other communities nationwide.

Mr. Harty, the owner of 633 Davis Terrace, has provided a copy of the Vacation Property Rental Agreement for 633 Davis Terrace. Since the concerns of his neighbors were brought to his attention, he added language regarding a "Code of Conduct" for occupants on Page 3 identifying parking locations and quiet hours.

Properly managed vacation homes can be a benefit to the community by providing an additional option for visitors. Mr. Harty indicates that the majority of his rentals are to former residents of the Village who come back to town to visit relatives or for special events. Rather than prohibiting vacation homes in the Village, it would be possible to adopt regulations that limit the minimum period of rentals and/or provide minimum standards such as notifying the neighbors, limiting occupancy of the home to one "family", requiring the owner to perform background checks of occupants, providing neighbors with the cellular number of a local responsible party that can immediately respond to any complaints, and registering vacation homes and contact information with the Village.

Recommendation: If the Village Board is in favor of adopting regulations for vacation rental homes, we would suggest adoption of a minimum two-week rental period and the standards stated above. The pros and cons of adopting such regulations are attached.

Action Requested: Village Board direction on whether to prepare a code amendment for vacation homes and the content of the regulations.

C: Stewart Diamond, Village Attorney
Joe Kvapil, Building and Zoning Official
Michele Stegall, Village Planner

PLANNING & DEVELOPMENT DEPARTMENT
INTEROFFICE MEMORANDUM

TO: Steve Jones, Village Manager
FROM: Staci Hulseberg, Director of Planning and Development
DATE: April 23, 2010
SUBJECT: 633 Davis Terrace Rental Home Complaint



We received the attached email from Christopher and Tammy Lifka regarding the rental of their neighboring property as a vacation home. We have researched the issue, consulted with the Village Attorney and provided the attached letters to the property owner of 633 Davis Terrace and the Lifka's. I have attached a copy of the Village Attorney's opinion on the matter for your reference.

The Village's codes and regulations do not prohibit the rental of single-family homes. If the Village Board were interested in regulating single-family rentals, it could choose to adopt regulations establishing a minimum rental period, perhaps one month. The Village Board could also decide to license rentals for periods less than, perhaps, six months. I will schedule this issue for Village Board discussion at an upcoming Village Board Workshop.

Please let me know if you have any questions.

C: Stewart Diamond, Village Attorney
Joe Kvapil, Building and Zoning Official

Attachments: Email from Lifkas
Letter from Stewart Diamond
Letter to 633 Davis Terrace Owner
Response Letter to Christopher and Tammy Lifka

Staci Hulseberg

From: tammy lifka
Sent: Saturday, April 17, 2010 7:56 PM
To: mpfeffermanvb@glenellyninfo.org; jcomerfordvb@glenellyninfo.org;
pcoopervb@glenellyninfo.org; phartwegvb@glenellyninfo.org;
chenningervb@glenellyninfo.org; pladesicvb@glenellyninfo.org;
mthorsellvb@glenellyninfo.org; Staci Hulseberg
Subject: ATTENTION PLEASE CONTACT ME URGENT!!!!

Dear Village of Glen Ellyn Board of Trustees,

I am writing you because I have been working with Brian Pohlas for the past five months and nothing has become of the historical landmark vacation rental property on 633 Davis Terrace. Our neighbor William Harty is renting his house out by the day, week or month and when the people come to the house he goes to his moms home while he has renters. When they leave he comes back to his home with his son and continues to live at this address as his primary residence.

The zoning rules of Glen Ellyn (R2) are zoned as Residential FAMILY. The rules state only one family may occupy the home zoned single family residential. Since our neighbor has not moved out of his home and has residency at this address he should not be able to rent his property like a hotel. To that end it is against Glen Ellyn Village Ordinance. Nothing has been done to rectify this situation for that past 6 months.

We are bringing this situation to your attention to make you aware that it is occurring.

633 Davis Terrace is listed for rent by the day week or month at many websites. These website include but are not limited to the following:

Always on Vacation.com
homeaway.com
vacationrentals.travel.aol.com
Trails.com

These websites also show all the future dated planned rentals.

As you can tell by the tone of my email I am extremely frustrated with this situation. More importantly I am disgusted with the urgency within which this situation has been handled by the village. I wonder if the situation were occurring next to the Village President's home if it would be handled in a similar fashion. I believe it is the responsibility of the village to prevent this situation from continuing. I hold the village responsible if anything happens to my home, children or family while these strangers continue to rent next door. I don't live along interstate I-80. I live on Davis Terrace in Glen Ellyn. I don't appreciate seeing license plates from all over the United States and Canada next door on a weekly basis. I did not move to Glen Ellyn only to live next to door to a hotel.

If this situation continues without the village responding to it, my next step will be to bring this situation to the attention of the Glen Ellyn newspapers, and inform residents that the village endorses renting landmark homes as vacation rental properties. If we don't hear back from the board in a timely manner this with further validate the situation above is acceptable.

I will give you one week to get these renters out and stop this. I also expect a phone call as to how this is going to be handled and when. I am a parent and know a lot of people in this community. I will take further action if the village has not taken some action with this situation on Monday April 19th.

Please acknowledge your receipt of this email promptly.

Regards,

The Lifka's
627 Davis Terrace



DIAMOND BUSH
DiGIANNI
& KRAFTHEFER

A Professional Corporation
140 South Dearborn Street, Suite 600
Chicago, IL 60603
www.ancelglink.com

Stewart H. Diamond
sdiamond@ancelglink.com
(P) 312.782.7606 Ext. 9109
(F) 312.782.0943

April 15, 2010

Ms. Staci Hulseberg
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, Illinois 60137

Re: Limitations on Rental Periods

Dear Staci:

You have asked me to comment on the legal implications of a single-family home in Glen Ellyn that is being rented out as a vacation home. On a website, it is clear that this 3-bedroom home, which sleeps six, is available for rental on a daily or weekly basis. The minimum period of residency, from April to May is 3 nights and from June to August, one week. I am not aware of any current Village ordinance which would prohibit or regulate this business model.

I would assume that the house is in an R-1 or R-2 District. A permitted use in both districts is a single-family dwelling. A family, under our Zoning Ordinance, is defined as "one or more persons related by blood, marriage or adoption, occupying a dwelling unit as an individual housekeeping organization... a family may include no more than two adult persons unrelated by blood, marriage, adoption or foster child arrangements... a family may also include no more than 4 unrelated persons 55 years of age and older." If the Village wished to do so, it probably could write to the owners of this home and tell them that they needed to add to their rental data an indication that these restrictions applied. I do not believe that the Village has actively enforced this provision of the ordinance and we certainly allow unrelated visitors to join existing families on visits to single-family homes. I suspect that the regulation of the individuals who stay at the home will not be much of a concern to the Village unless the number of people made the home an unsafe place.

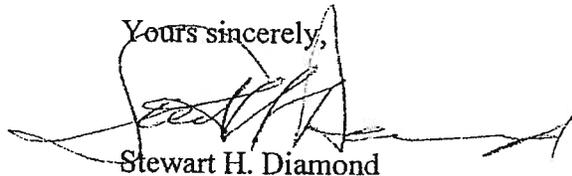
I think that the concern of the neighbors is not necessarily the number of people who are occupying the facility, but rather, the transient nature of the home rental. In a private setting, that problem is often dealt with in homeowners association or condominium documents, which require the occupancy of a unit by people other than the owners to be limited to rental periods of no less than six months or a year. The Village, if it wished to, as a home rule unit, could pass an ordinance limiting rental agreements for single-family homes to a minimum term such as one month, three months, six months or a year.

Ms. Staci Hulseberg
Glen Ellyn, Illinois 60137
April 15, 2010
Page 2

The Village needs to decide whether this is a problem worth regulating and what would be the enforcement costs. The Village could obviously only investigate situations based upon complaints. It appears that, in this situation, the neighbor is telling us that she will hold the Village "responsible for not taking care of the situation." She has concluded that "it is illegal." We might ask her exactly what the nature of the legality is and under what ordinances? It does not appear that offering a property for a vacation rental, absent some other ordinance provision, is illegal. The property is not operating as a bed and breakfast or as a rooming house. It is simply a single-family home that is being rented as such and where the residents of the home may often or always meet the definition of a family.

In summary, my review has not uncovered any current provision in our code, which is violated through the practice of vacation rental. The neighbor complains that there may be three cars with different plates in the driveway and that the people stayed overnight. This would not be unusual to find at any home within the Village. The Village could regulate this type of rental, but it would need to consider the implication of doing so on the entire community. It would also need to consider whether, in this economy, homes that are vacant and perhaps not as well maintained as one being offered for rent, would be of more concern to the community than under these circumstances. If the Village wished to do so, it could limit the period of time that a home might be available for vacation rental or require such facilities to be licensed or regulated. Among the regulations might be a requirement for a contact person in the event that there is a maintenance problem at the home and who could be contacted in the case of neighbor complaints. Obviously, any person who owns or rents such a home would be responsible for violations of Village ordinances relating to noise or other circumstances that would significantly bother neighbors. In summary, I do not find anything in our current Code which would forbid or which regulates this practice. Since State law allows home rule communities to tax rental receipts, this is also an area where the Village could impose a tax obligation.

Yours sincerely,



Stewart H. Diamond

SHD:dar

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April 22, 2010

Village President
Mark Pfefferman

Mr. William Harty
633 Davis Terrace
Glen Ellyn, IL 60137

Trustees

Jim Comerford
Peter E. Cooper
Phillip Hartweg
Carl L. Henninger
Peter F. Ladesic
Michelle Z. Thorsell

RE: Home Rental Regulations
633 Davis Terrace

Dear Mr. Harty,

This letter was generated in response to some concerns expressed to us by your neighbor about the home rental use of your property at 633 Davis Terrace. After researching our zoning regulations and a review by the Village Attorney, we would like to make you aware of the following limitations on the use of this property.

Village Clerk
Suzanne R. Connors

The home is located in an R2 residential zoning district that limits the use of properties to single-family residences. A family is defined in the zoning code as "One or more persons related by blood, marriage or adoption, occupying a dwelling unit as an individual housekeeping organization, and including foster children placed by appropriate order of the court. A family may include no more than two adult persons unrelated by blood, marriage, adoption or foster child arrangement. A family may also include no more than four unrelated persons 55 years of age and older."

Village Manager
Steve Jones

There is no provision in the Village Code that prohibits a residential property in a residential district from being occupied by renters provided the renters meet the definition of a family. If this property is rented to persons who do not meet the definition of a family, you are in violation of Zoning Code Section 10-4-8(A)1 as a multi-family or business use that is not permitted in a residential zoning district.

Civic Center
535 Duane Street
Glen Ellyn, IL 60137
630 469-5000
Fax 630 469-8849
Web: www.glenellyn.org

We understand your property is listed for rental as a vacation home on various websites. In order to make sure that potential renters would be in compliance with the Village Code, we strongly recommend that you add the rental limitations to your e-mail advertisements, website listings, and other promotions. The Village Board has been advised of this situation and may consider some actions, including amendments to the Village Code that require licensing of the owners and managers of homes that are rented for periods of less than six months per year and a minimum rental period of one month. We will attempt to notify you in advance of any meeting at which this situation is discussed in any detail.

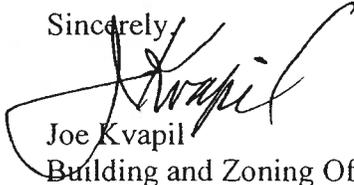
Police Department
535 Duane Street
630 469-1187
Fax 630 469-1861

Also, the use of the property by renters may potentially result in activities that are considered nuisances and would be a violation of Village Code Sections 7-2-2 and 7-2-3. We have an obligation to enforce the stated purpose of the zoning code, including "to foster a rational relationship between residential and business uses, to protect residential areas from harmful encroachment by incompatible uses, and to avoid undue concentration of population to insure proper living conditions."

Public Works Department
South Lambert Road
630 469-6756
Fax 630 469-3128

In response to the complaints we received from a neighbor, we will monitor your property for compliance with these limitations. If violations are discovered, the Village must take necessary enforcement action which may include the issuance of a citation requiring your appearance in court. I hope you are willing and able to maintain control of the use of the property to avoid any code enforcement actions. If you have any questions, please feel free to contact me at 630-547-5244.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Kvapil", written over the word "Sincerely,".

Joe Kvapil
Building and Zoning Official

CC: Staci Hulseberg, Director of Planning & Development

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April 22, 2010

Tammy and Christopher Lifka
627 Davis Terrace
Glen Ellyn, IL 60137

RE: Home Rental Use
633 Davis Terrace

Dear Mr. and Ms. Lifka,

I am aware of the concerns you have expressed about the use of your neighbor's home as a rental home and the contacts you have made with the Planning & Development Department and the Village President. We have researched the Village Code and the Zoning Code and consulted with the Village Attorney so that this response to you is complete and accurate.

The rental use of the single-family home at 633 Davis Terrace in an R2 residential zoning district is not prohibited however, there are limitations. The use of the home is limited to a single-family occupancy that meets the definition of a "family" in the Zoning Code as follows: "One or more persons related by blood, marriage or adoption, occupying a dwelling unit as an individual housekeeping organization, and including foster children placed by appropriate order of the court. A family may include no more than two adult persons unrelated by blood, marriage, adoption or foster child arrangement. A family may also include no more than four unrelated persons 55 years of age and older."

As you can see, the term "family" may have a broader meaning than assumed. As long as the rental occupancy of the home meets the definition of a "family", it is not a prohibited use and is not considered a hotel, rooming house or bed and breakfast.

Also, your concern about parking has been investigated. There is no code violation for parking multiple vehicles on the property regardless of where they are registered provided they are parked on a paved surface.

The Village Board is aware of this situation and they may consider some actions including amendments to the Village Code to require licensing of the owners and managers of homes that are rented for periods of less than 6 months per year and may require a minimum rental period of 1 month. We will attempt to notify you in advance of any meeting at which this issue is discussed in any detail.

We have contacted the owner of the property at 633 Davis Terrace and made him aware of all of the above regulations and limitations for the continued use of his property as a rental home. We intend to monitor the conditions at this home for compliance, respond to questions and complaints and take appropriate corrective actions where provisions of the Village Code are violated.

Village President
Mark Pfefferman

Trustees

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Peter E. Cooper
Phillip Hartweg
Carl L. Henninger
Peter F. Ladesic
Michelle Z. Thorsell

Village Clerk

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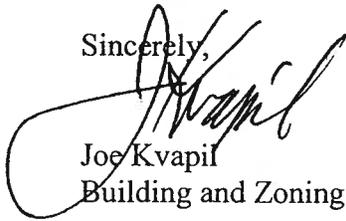
Public Works Department

South Lambert Road
630 469-6756
Fax 630 469-3128

If you should continue to feel that the property is being used in violation of Village ordinances, please be aware that the State Statutes, at 65 ILCS 5/11-13-15, allow the owner of any property within 1,200 feet of a property where violations are alleged to be taking place to file a lawsuit against the allegedly offending property owner "to prevent the occupancy of the building, structure or land." The Court is allowed to issue a restraining order, and if you are successful, your attorneys' fees may be recovered. Before you consider that action, however, be certain that such a lawsuit would not be frivolous or you could be required to pay the other party's attorney's fees. We do not believe that there are any current violations of our ordinances, and the Village has the right to exercise its discretion.

If you have any questions please feel free to contact me at 630-547-5244.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Kvapil", written over the printed name and title.

Joe Kvapil
Building and Zoning Official

CC: Stewart Diamond, Village Attorney
Staci Hulseberg, Director of Planning & Development

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Regulation of Vacation Rental Homes-Surrounding Community Survey		
Community	Regulations	Contact
Arlington Heights	No Regulations	Bill Enright (847) 368-5211
Clarendon Hills	No Regulations	Mike Brown (630) 286-5412
Downers Grove	No Regulations	Tom Dabareiner (630) 434-5514
Elmhurst	No Regulations	Sam Warner (630) 530-6019
Geneva	No Regulations	David DeGroot (630) 232-0814
Hinsdale	No Regulations	Brian Grasso (630) 789-7033
La Grange	No Regulations	Joyce Gomolinski (708) 579-2320
Naperville	No Regulations	Dick Dublinski (630) 420-4101
Western Springs	No Regulations	Martin Scott (708) 246-1800 ext. 175
Wheaton	Single family homes may not be used as "tourist homes." See attached for actual wording of regulation.	Jim Kozik (630) 260-2008

24.11 Particular Home Occupations Prohibited.

1. Nonconforming Uses.

All home occupations which do not comply with the provisions of this Ordinance (Ordinance No. F-0119, adopted March 17, 1997) shall comply with all such provisions prior to (a date one year from the date of adoption).

2. Permitted home occupations shall not in any event be deemed to include:

- a. Animal hospitals.
- b. Clinics or hospitals.
- c. Dancing schools, except as permitted above.
- d. Mortuaries.
- e. Nursery schools.
- f. Private clubs.
- g. Renting of trailers
- h. Repair shops or service establishments, except the repair of computers, cameras, locks, clocks, or other similar small items.
- i. Restaurants.
- j. Stables or kennels.
- j. Tourist homes.

ORDINANCE NO. F-0119

AN ORDINANCE AMENDING THE TEXT OF THE WHEATON ZONING ORDINANCE - ARTICLE XXIV/HOME OCCUPATION REGULATIONS

WHEREAS, the City of Wheaton, Illinois ("City"), has determined it to be in the best interests of the City and its residents to consider certain amendments to the text of the City Zoning Ordinance; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the City Zoning Ordinance, a public hearing to consider the proposed amendment was conducted by the Wheaton Board of Zoning Appeals on January 14, 1997 and continued from time to time and concluded on March 11, 1997; and the Wheaton Board of Zoning Appeals has recommended approval of the amendment.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

Section 1: The Wheaton Zoning Ordinance text is amended by deleting Article 24.8 through Article 24.11 and including the following:

"24.8 Home Occupations

It is the intent of this section to allow as home occupations only those uses that conform to the standards of this section. In general, a home occupation is an accessory use so located and conducted that the average neighbor, under normal circumstances, would not be aware of its existence.

The standards for home occupations are intended to ensure compatibility with the permitted uses and the residential character of the neighborhood and to maintain the subordinate and incidental status of the home occupation.

24.9 Standards for Home Occupations

In addition to all of the standards applicable to the district in which it is located, any home occupation shall comply with the following standards:

1. Not more than one (1) person other than members of the immediate family occupying such dwelling shall be employed or report to work on the premises.
2. No stock in trade (except articles produced by the members of the immediate family residing on the premises) shall be displayed or sold upon the premises.
3. No alteration of the principal building shall be made which changes the character thereof as a dwelling.
4. No more than twenty-five percent (25%) of the gross floor area of the residential dwelling unit shall be devoted to any home occupation except the letting of rooms to roomers or boarders, or the operation of a day care home.

5. The home occupation shall be conducted entirely within the principal building that is used as the residential dwelling. A special use permit shall be required for any home occupation conducted in an accessory building.
6. No outdoor storage shall be permitted.
7. There shall be no noise, odor, dust, vibration, smoke, glare, television and radio interference, electrical interference, fire hazard or any other hazard emanating from the dwelling relating to the home occupation. No home occupation shall involve the use or production of toxic or harmful materials. The purpose of this standard is to ensure that the home occupation has no adverse environmental impact on adjoining properties.
8. The home occupation shall not involve the receipt or delivery of merchandise, goods, or equipment other than by U.S. Mail, United Parcel Service, Federal Express, or similar carriers that typically deliver packages to residences. No deliveries by semi-tractor/trailer trucks shall be permitted.
9. The home occupation shall not result in the simultaneous presence on the zoning lot and adjoining street of more than three motor vehicles in excess of the number of vehicles attributable to the residential use of the premises.
10. The distribution of articles, products, or equipment from the dwelling by commercial contractors to independent contractors or other employees shall be prohibited.
11. No visitors, clients, patrons, pupils, etc., of the home occupation, except those in conjunction with the letting of rooms to roomers or boarders, or day care homes, shall be permitted between the hours of 10:00 p.m. and 7:00 a.m.

24.10 Particular Home Occupations Permitted

Permitted home occupations include, but are not limited to, the following list of occupations; provided, however, that each listed occupation shall be subject to the requirements of Section 24.9 hereof, as well as to any limitations specifically imposed on such occupation by this Section 24.10.

1. Day Care Homes licensed by the State of Illinois.
2. Dressmakers, seamstresses, tailors.
3. Private tutoring, provided that the instruction shall be limited to one pupil at a time except for occasional groups.
4. Artists, sculptors, photographers, authors or composers.
5. Physicians, dentists, or other licensed medical practitioners.

6. Architects, attorneys, engineers, realtors, insurance agents, brokers, and members of similar professions.
7. Ministers, rabbis, priests, or members of religious orders.
8. The letting for hire of rooms for rooming or boarding use for not more than four (4) persons unrelated to the owner of the property or lessor. Provided, however, that this provision shall not allow the occupancy of a dwelling unit by more than five (5) unrelated individuals. Prior to the letting for hire of rooms for rooming or boarding use, the operator of the home occupation shall obtain a letter approving the occupancy from the City Planner, pursuant to certifying that all codes and standards have been satisfied.
9. Offices of sales people, sales representatives, or manufacturers representatives; provided that no retail transactions shall be made on the premises except through telephone, e-mail, facsimile or mail, and that no wholesale transactions shall include the acceptance or delivery of merchandise on the premises.

24.11 Particular Home Occupations Prohibited

Permitted home occupations shall not in any event be deemed to include:

1. Animal hospitals.
2. Clinics or hospitals.
3. Dancing schools, except as permitted above.
4. Mortuaries.
5. Nursery schools.
6. Private clubs.
7. Renting of trailers
8. Repair shops or service establishments, except the repair of computers, cameras, locks, clocks, or other similar small items.
9. Restaurants.
10. Stables or kennels.
11. Tourist homes.
12. Towing companies.
13. The sale of firearms and/or ammunition.

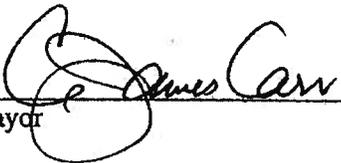
24.12 Nonconforming Uses

All home occupations which do not comply with the provisions of this Ordinance (Ordinance No. F-0119, adopted March 17, 1997) shall comply with all such provisions prior to (a date one year from the date of adoption)."

Section 2: In all other respect the Wheaton Zoning Ordinance is ratified and remains in full force and effect.

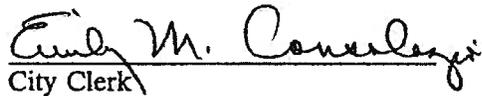
Section 3: All ordinances and parts of ordinances in conflict with these provisions are repealed.

Section 4: This ordinance shall become effective after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Mayor

ATTEST:



City Clerk

Roll Call Vote

Ayes:

Councilwoman Davenport
Councilman Eckhoff
Councilman Gerig
Mayor Carr
Councilman Gresk
Councilwoman Johnson
Councilman Mork

Nays:

None

Absent:

None

Motion Carried Unanimously

Passed: March 17, 1997

Published: March 18, 1997

■ **topographic map** A map showing all principal physical features of an area, including elevations. (*Handbook for Planning Commissioners in Missouri*)

■ **topography** (See also *natural feature*) The physical land surface relief describing the terrain elevation and slope. (*Interstate 81 Corridor Council*)

In its broadest sense, topography includes land forms, water and other drainage features, and features such as gravel pits and mine tailings. A single feature (such as a mountain or valley) is called a topographic feature. (*United States Census Bureau*)

The configuration of a surface area showing relative elevations. (*Iowa State University Extension Service*)

The existing configuration of the earth's surface including the relative relief, elevations, and position of land features. (*Cecil County, Md.*)

■ **tot lot** (See also *play lot*) An improved and equipped play area for small children. (*Lake Elsinore, Calif.*)

■ **tourism** The business of providing services for persons traveling for pleasure, tourism contributes to the vitality of the community by providing revenue to local business. Level of tourism can be measured through changes in the transient occupancy tax or restaurant sales. (*California Planning Roundtable*)

■ **tourism-oriented** Applied as an adjective to businesses and commercial establishments, [the term] means those catering primarily to transient visitors staying on the island for two weeks or less. If an establishment could equally cater to either tourists or island residents, it is included within this definition. (*Hilton Head, S.C.*)

■ **tourist court** (See *court, tourist*)

■ **tourist home** (See also *bed-and-breakfast (B&B) inn*) An establishment used for dwelling purposes in which rooms, with or without meals, are offered to transient guests for compensation, including establishments known as bed-and-breakfasts. (*Jefferson, Mo.*)

A building in which not more than five guest rooms are used to provide or offer

overnight accommodations to transient guests for compensation. (*Garrett, Ind.*)

A licensed dwelling in which overnight accommodations are provided or offered for up to a maximum of seven transient guests for compensation. A tourist house shall not be considered an accessory use or as a home occupation. (*Concord Township, Pa.*)

A building, or part thereof, other than a motel or hotel, where sleeping accommodations are provided for transient guests, with or without meals, and which also serves as the residence of the operator. (*Boca Raton, Fla.*)

■ **tourist trolley** A motorized bus-type vehicle with rubberized tires designed to give the appearance of an old-fashioned rail trolley. (*Oak Park, Ill.*)

■ **tow service** Establishment that provides for the removal and temporary storage of vehicles but does not include disposal, permanent disassembly, salvage, or accessory storage of inoperable vehicles. (*Miami, Fla.*)

The removing of a motor vehicle by towing, carrying, hauling, or pushing from public or private property when such vehicle has been ordered to be impounded to a public or private impound lot. This shall not include an automotive service use that has a tow truck and repairs vehicles on-site. (*Nashville and Davidson County, Tenn.*)

■ **tow truck** A motor vehicle that is equipped with mechanical or hydraulic lifting devices or winches capable of, and used for, the recovery and transport or both of wrecked, disabled, abandoned, used, or replacement vehicles. (*Milwaukee, Wisc.*)

■ **tow yard** An outdoor storage facility for the temporary storage of towed vehicles. (*Truckee, Calif.*)

■ **tower** (See also *telecommunications antenna; telecommunications tower*) A portion of a building that is higher than the remainder of the building, or a tall structure of small dimension separate from the building it accompanies such as the campanile of a church. (*Ocean Shores, Wash.*)

Any fabricated structure or device, including guy wires, used to support one or more antennas as defined herein and to maintain said antennas at the proper elevation. (*Lake Elsinore, Calif.*)

Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term encompasses personal wireless service facilities, radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers or personal communications services towers, alternative tower structures, and the like. (*Loveland, Colo.*)

A structure designed to support one or more reception/transmission systems. This term includes but is not limited to a radio tower, television tower, telephone exchange/microwave relay tower, or cellular telephone transmission/personal communications systems tower. (*Milwaukee, Wisc.*)

Any ground- or roof-mounted pole, spire, structure, or combination thereof taller than 15 feet, including supporting lines, cables, wires, braces, and masts, intended primarily for the purpose of mounting an antenna, meteorological device, or similar apparatus above grade. (*Cudahy, Wisc.*)

■ **tower, derrick** A structure constructed of lattice steel and which is entirely self-supporting. (*Russellville, Ark.*)

■ **tower, guy-wired** A structure constructed of lattice steel and which is supported by guy wires extending at angles from the structure to ground anchors. (*Russellville, Ark.*)

■ **town** (See also *city; jurisdiction; hamlet; village*) A center that has an urban density (over 1,000 persons per square mile) and interrelated mixed uses. This term does not necessarily refer to the form of incorporation of a municipality. (*New Jersey State Plan*)

A form of municipal government. Also, the territory lying within the boundaries of such government. (*New York Planning Federation*)



The Davis House 1892

633 Davis Terrace, Glen Ellyn Illinois 10137

Vacation Property Rental Agreement

This Vacation Property Rental Agreement (hereinafter referred to as "Agreement") is for the property located at: 633 Davis Terrace, Glen Ellyn, Il. 60137, hereinafter referred to as "Unit."

I. RESERVATION INFORMATION

Name:
Dates of reservation:
Reservation held on:

II. SECURITY/DAMAGE AGREEMENT

1. **Security Deposit.** A security deposit of **\$500.00** is due 2 weeks prior to Tenants stay and will be deposited with the Property Owner, or Property Owner's designated agent (hereinafter referred to as "Owner"), in trust, as security for the performance by the Tenants of the terms under this rental agreement set forth following, and for any damages caused by Tenants, Tenants' family, agents and visitors (hereinafter collectively called "Tenants") to the premises or furnishings during the rental period. Owner may use part or all of the security deposit to repair any damage to the Unit cause by Tenants. However, Owner is not limited to just the security deposit portion of any security deposit amount and Tenants remain liable for any balance.
2. **Key Charge.** A \$45.00 fee will be charged to Tenants for failure to return any and all Unit related keys and/or gate access cards* (*if applicable). Such charge shall be deducted from the security deposit.
3. **Cleaning.** Tenants shall be responsible for any undue and/or unreasonable cleaning of the unit immediately subsequent to the Tenants' departure. A cleaning charge of \$35.00 per hour, with a one (1) hour service minimum will be assessed.
4. **Damage charge.** Any damage charges incurred by the Tenants not covered by the security deposit listed above shall be assessed to the credit card used to hold the reservation.

Owner's initials: WJH

Vacation Property Rental Agreement 1

Tenant's initials: _____

III. CHECK-IN/CHECK -OUT PROCEDURE

1. **Check-In.** Check-in time is 4pm on the day Tenant's scheduled reservation begins. No early check-ins absent prior consent of Owners. Upon arrival, Tenants will be given their key(s) and gate access card(s) (if needed), as well as any special instructions or updates that may be applicable to the Unit.
2. **Check-Out.** Check-out time is 10am (SHARP) on the day Tenant's scheduled reservation ends. Any delay in check-out, absent prior consent of Owners shall result in Tenants being charged for another night's stay.

IV. USE AND ENJOYMENT OF UNIT AND PROPERTY

1. **Use of Premises.** Tenants shall only use the Premises as a residence. The premises shall not be used to carry on any type of business or trade, without prior written consent of Owner. Tenants will comply with all laws, rules, ordinances, statutes and orders regarding the use of the premises.
2. **Quiet Enjoyment.** Tenants shall be entitled to the quiet enjoyment of the premises, and Owner will not interfere with that right, as long as tenants do not interfere with those rights of other tenants.
3. **Smoking.** Smoking is only allowed outside
4. **Alcohol.** Alcohol is allowed anywhere on the premises.
5. **Pets.** *[check one]*
 Pets are not allowed in the unit
 Pets are allowed in the unit

If pets are allowed: pet security deposit amount \$250.00 is due 2 weeks prior to Tenants stay.

Description of animals: _____

6. **Furnishings.** The units are furnished and equipped by the Owner to owner's taste. All units are set up for light housekeeping. All paper goods, cleaning products and linens must be provided by tenants, except for the following included in the unit: **linens, we start you off with basics, including paper products.**
7. **Use of Grills.** Grilling is permitted only on concrete driveways and any grills provided with the unit.
8. **Locked Areas.** Areas that are locked, such as Owner's personal storage spaces, for which Tenants are not provided a key, are off limits to the Tenants. Any attempt to enter locked

Owner's initials: WJH

Vacation Property Rental Agreement 2

Tenant's initials: _____

areas is cause for immediate termination of this agreement, forfeiture of all monies paid, and Tenants will be liable for any damage and/or missing items.

V. CODE OF CONDUCT

Parking. Two cars are allowed on the driveway during your stay. Any guests visiting please have them park on Linden. The Davis House is on a cul-de-sac and I want to keep it from being congested. When returning home late from an outing, please respect the fact that our driveway is next to our neighbor's master bed room. I really appreciate your cooperation in regards to this.

The house is in a peaceful neighborhood setting. We ask that this is respected when enjoying the outdoor seating areas. If you are outside during the week nights keep in mind that my neighbors work, so quiet time would be 10 pm. and on weekends 11 pm.

VI. HOLD HARMLESS

Owner attempts to maintain the Units in the best of condition. Owner expresses no guarantees, express or implied, regarding suitability or fitability for any particular purpose. Owner does guarantee that appropriate repair and/or replacement will be performed as soon as possible under prevailing circumstances. It is Tenant's responsibility to immediately notify Owner of any issues that they incur during their stay so that the repair and/or replacement may be promptly taken care of. Owner is not responsible for any inconveniences for which Owner has no immediate control. These inconveniences may include, but are not limited to, the following: (i) breakdown of VCR's, hot tubs, saunas, and/or other recreational appliances or devices; (ii) power outages; (iii) adverse weather and/or road conditions; (iv) construction in the area; and (v) Units that are not decorated and/or accommodated to Tenant's individual tastes. Owner shall not be held liable, or otherwise take any responsibility, for any injuries that may occur to Tenant, and/or Tenant's invitee, that is caused or permitted to be caused by the intentional, unintentional, negligent, or careless acts of said Tenants, and/or invitees. By the written or electronic endorsement of this Agreement, Tenant agrees to forever hold-harmless and indemnify Owner from any liability and/or responsibility arising there from.

ENTIRE AGREEMENT. THIS AGREEMENT, COMBINED WITH ANY AND ALL COMMUNITY RULES AND REGULATIONS (IF APPLICABLE) SERVES AS THE ENTIRE AGREEMENT. NO ADDITIONAL PROVISIONS ARE EXPRESSED NOR IMPLIED. THIS AGREEMENT SUPERCEDES ANY AN ALL PREVIOUS ORAL AND/OR WRITTEN, EXPRESS AND/OR IMPLIED AGREEMENTS. UPON WRITTEN OR ELECTRONIC ENDORSEMENT, TENANTS AGREE THAT THEY HAVE READ AND UNDERSTOOD THIS AGREEMENT, AND ACCEPT ALL TERMS, CONDITIONS, COVENANTS AND RESTRICTIONS, WITHOUT EXCEPTION

Owner's initials: WJH

Vacation Property Rental Agreement 3

Tenant's initials: _____

VI. SIGNATURES

(Tenant's name)

William Harty
(Owner's Name)

William Harty

(Tenant's Signature)

(Owner's Signature)

(Address, City, State, Zip)

633 Davis Terrace
Glen Ellyn, IL 60137
(Address, City, State, Zip)

(Telephone number)

708 702 9431
(Telephone number)

(Date)

(Date)

Owner's initials: WJH

Vacation Property Rental Agreement 4

Tenant's initials: _____

MEMORANDUM

TO: Steve Jones, Village Manager

FROM: Staci Hulseberg, Director of Planning and Development

DATE: July 13, 2010

FOR: July 19, 2010 Village Board Workshop

SUBJECT: New Downtown Organization Proposal - Next Steps

Background. At the May 17, 2010 Village Board Workshop, we presented the TDAC's recommendation for a new Downtown Organization to the Village Board. At that meeting, the Village Board requested we solicit comments from downtown businesses and property owners and prepare a chart identifying the goals and missions of the three organizations currently involved in downtown activities (Alliance, Chamber, and EDC).

In response, we asked the EDC to email the Village's request for comments (attached). That email was sent to the 134 email addresses of downtown property and business owners contained in the EDC's database. We received 8 responses including a letter from the President of the Chamber (attached). I responded directly to those who asked specific questions.

We also prepared the attached chart specifying the mission, goals, and responsibilities of the three organizations currently involved in the downtown. We have recently shared the chart with those organizations and requested that they forward to us any suggested revisions. If we receive any proposed changes to the chart from those three groups, we will provide the Village Board with an updated chart at the workshop meeting on Monday.

Issues. In order to move forward with implementation, we are requesting Village Board direction on a number of items related to the TDAC's recommendation. A list of questions we are seeking input on from the Village Board can be found below.

1. Are you in favor of the creation of a new downtown organization? The TDAC has recommended a new organization to serve the business and property owners in downtown Glen Ellyn. After the creation of the organization, the Alliance and Go Downtown! have indicated they would no longer exist.
2. Are you in favor of the proposed structure for the new organization? It is proposed to be an independent, membership-based organization.
3. Are you in favor of the proposed Board composition? The Board is recommended to contain at least seven members including a mix of business owners, property owners and a resident.
4. Are you comfortable with the proposed primary responsibilities of the new organization? The TDAC has recommended the new organization be responsible for the coordination and planning of downtown events, marketing and

promotion for the downtown and its activities, business recruitment and business retention.

5. Are you supportive of the proposed minimum funding level and staffing proposed for the new organization? The minimum budget is recommended to be \$182,000 May 1, 2011 with a staffing level of 1.5 employees. Should this staffing be achieved at the onset of the organization or should the organization start at a lower staffing level and grow as justified? Regarding the budget, please recall that the Village Board approved \$46,200 as "start up" funds for the new organization in the current fiscal year budget which will fund the new organization through April 30, 2011.
6. Do you concur with the suggested process below regarding the selection of Board members for the new organization?

If the new organization is to be established by September 2010, it will be necessary to begin identifying and recruiting members for the new Board. The TDAC recommended the members of the initial Board be selected from the TDAC and Alliance Boards. We can send an invitation to current Board members of those two groups to inquire which members may be interested in being appointed to the new Board. We would welcome ideas from Village Board members as well. With this information, we would be able to provide a list of suggested individuals to the Village Board for consideration and final selection by the Village President.

Recommendation. That the Village move forward with the establishment of a new downtown organization as recommended by the TDAC.

Action Requested. Village Board direction on the 6 questions listed above.

Attachments: Village's request for comments on the TDAC recommendation
Comments received in response to Village solicitation for input (8)
Chart of mission/goals/responsibilities of organizations

Cc: Transitional Downtown Advisory Committee
Chamber of Commerce
Economic Development Corporation
Downtown Glen Ellyn Alliance
Go Downtown!



Dear Downtown Glen Ellyn Property Owners and Businesses:

The recently adopted Downtown Strategic Plan recommends the creation of a new organization to serve downtown businesses and property owners. Currently, responsibilities related to the downtown are shared among the EDC, the Downtown Glen Ellyn Alliance, the Chamber of Commerce, Go Downtown!, and the Village. The establishment of a new organization was recommended in order to create one organization with a central focus on the downtown. This Downtown Plan recommendation was identified by the Village Board as a priority project for implementation. To this end, in November of 2009, the Village Board extended the term of the Downtown Advisory Committee who played an integral role in the development of the Downtown Strategic Plan for the sole purpose of researching and making a recommendation on the creation of a new downtown organization. The group came to be known as the Transitional Downtown Advisory Committee (TDAC).

The TDAC worked diligently between December 2009 and April 2010 to research, discuss and develop a recommendation for the creation of a new downtown organization. The Committee examined practices used in other communities and considered the unique needs and characteristics of downtown Glen Ellyn. Throughout the course of their research, the TDAC visited six communities in the Chicago area including Batavia, Elmhurst, Geneva, Highland Park, LaGrange and Wheaton. The TDAC was dedicated to their mission and invested considerable time reading materials, conducting research and attending meetings. The group worked tirelessly to research and develop a list of goals, responsibilities, budget options, a transition plan, board structure and draft bylaws for a new organization.

At the April 20, 2010 TDAC meeting, by a vote of 10-0, the committee unanimously recommended approval of a proposal for the creation of a new downtown organization to the Village Board. A copy of their proposal is available online at www.glenellyn.org under "Latest News" at the lower left hand corner of the main page. The TDAC's recommendation was presented to the Village Board at their Monday, May 17, 2010 workshop meeting. The Village Board would like to invite all those interested to view the recommendation and to forward any comments on the proposal to the Planning and Development Department, 535 Duane Street, Glen Ellyn. Comments are requested by Monday, June 21. After the public comment period is closed, this item will be scheduled for further discussion by the Village Board at an upcoming workshop meeting. The date and time of the meeting will be published in advance on the Village's website.

Should you have any questions on the TDAC's recommendation for a new downtown organization, please feel free to contact the Planning and Development at 630-547-5241. Thank you for your interest in downtown Glen Ellyn. We value your thoughts and opinions on this topic.

Sincerely,

A handwritten signature in cursive script that reads "Staci R. Hulseberg".

Staci Hulseberg, AICP
Director of Planning and Development

Staci Hulseberg

From:
Sent: Thursday, June 10, 2010 4:32 PM
To: Staci Hulseberg; I
Cc:
Subject: VOTE

HI THIS IS JAN FROM RIVIERA JEWELERS

when you click on the web for new comers nothing shows up for them to read about the TDAC so how is anyone going to take part in this.

I have listened to and found out as much as I can and I vote NO

Staci Hulseberg

From:
Sent: Tuesday, June 15, 2010 1:36 PM
To: Staci Hulseberg
Subject: downtown organization

Hi Staci,
I can't seem to locate the survey you want us to fill out (could be in my 1,000 + emails)?
I have been out of town for a few days and am trying to play catch up now.
I am interested in being a retail rep. on this board if you are still looking?
Thanks so much.
Have a great day!
Sue

Sue Cleary
Paisley on Main
494 N. Main St.
Glen Ellyn, IL 60137
(630) 790-2735-phone
(630) 790-2761
<http://www.paisleyonmain.com>
<http://paisleyonmain.blogspot.com/>
[Facebook](#)
[Twitter](#)

Staci Hulseberg

From: Martin Lubowich
Sent: Monday, June 21, 2010 12:08 AM
To: Staci Hulseberg
Subject: Glen Ellyn

Dear Staci Shulseberg:

As owners of the Banyan Tree Mall we are proud to be part of the Glen Ellyn community for the past 35 years. We live in Skokie and are a short distance from downtown Evanston and also visit downtown Highland Park quite often. We are impressed with what Glen Ellyn is trying to do to improve the downtown area.

We would like to thank Janie Patch for all of the help she has given us for many years. She has been invaluable in getting us good tenants, and has worked with us with the various committees and organizations that are in Glen Ellyn. Janie worked hard to make Glen Ellyn a better shopping experience by trying to have a variety of new businesses come into the community, and encouraging more people to shop in Glen Ellyn.

Sincerely,
Shirley and Marty Lubowich

Staci Hulseberg

From: Erik Ford
Sent: Monday, June 21, 2010 11:46 AM
To: Staci Hulseberg
Subject: TDAC commests

Staci-

These are my comments on the TDAC report, which Janie Patch said we should direct to you. I am a downtown business owner and chamber member. My business is Ford Wealth Management at 536 Pennsylvania. I am also a commissioner on the Historic Preservation Commission.

I will keep my comments brief. I do not think we need another downtown organization, especially one that will require additional funding. What needs to be accomplished should be achievable with a more effective EDC and more pointed efforts by the chamber. In my opinion, the first priority for the downtown is filling the open spaces with businesses that are viable and that will improve the attractiveness of the business environment. Success will lead to more success. Until that is accomplished every other effort toward the downtown will be struggling into a headwind. The success of downtown events, festivals, etc. will be the result of an economically successful downtown, not the cause. We have to have a downtown that attracts consumers every day, not just for special events. Unfortunately, I see the establishment of a new organization as resulting in a delay we can not afford and expenditure of funds we do not have.

My suggestion as an alternative is to provide specific goals for the EDC to be more proactive toward downtown economic success and get specific commitments from the chamber. Further, both of these should be taken up immediately. I believe the resources are there if used to their maximum effectiveness.

Thanks for taking my two cents worth.

Erik Ford

Staci Hulseberg

From: Janie Patch
Sent: Wednesday, June 09, 2010 10:03 AM
To:
Cc: Staci Hulseberg
Subject: RE: Glen Ellyn Village requests your comments on downtown organization recommendations by June 21

Hi Linda,

Please direct your questions and comments to shulseberg@glenellyn.org
I have forwarded your current question below this time.

Thank you,
Janie
Janie Patch
Glen Ellyn Economic Development Corporation
800 Roosevelt Road D-108
Glen Ellyn, IL 60137
ph: (630) 469-0947
fax: (630) 469-0426
www.GlenEllynEDC.com

From: lindatreadway
Sent: Tuesday, June 08, 2010 9:01 PM
To: Janie Patch
Subject: Re: Glen Ellyn Village requests your comments on downtown organization recommendations by June 21

I don't understand the first three bullets on slide #19.

Linda

----- Original Message -----

From: "Janie Patch"
To: "Glen Ellyn Economic Development Corporation"
Sent: Tuesday, June 8, 2010 2:32:34 PM GMT -06:00 US/Canada Central
Subject: Glen Ellyn Village requests your comments on downtown organization recommendations by June 21

Please open the attachment for an important request from the Village for your comments on the recommendations for a new downtown organization. Please note that you are requested to respond by June 21.

Please send your comments directly to:

Planning & Development Department
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, IL 60137

Staci Hulseberg

From: Janie Patch
Sent: Wednesday, June 09, 2010 12:43 PM
To: Staci Hulseberg
Subject: FW: Glen Ellyn Village requests your comments on downtown organization recommendations by June 21

Janie Patch
Glen Ellyn Economic Development Corporation
800 Roosevelt Road D-108
Glen Ellyn, IL 60137
ph: (630) 469-0947
fax: (630) 469-0426
www.GlenEllynEDC.com

From: William E. Jegen
Sent: Wednesday, June 09, 2010 10:52 AM
To: 'Janie Patch'
Subject: RE: Glen Ellyn Village requests your comments on downtown organization recommendations by June 21

Staci,
I could not find the information on the new Downtown Organization on the website. Exactly where is it.

From: Janie Patch
Sent: Tuesday, June 08, 2010 2:36 PM
To: Glen Ellyn Economic Development Corporation
Subject: Glen Ellyn Village requests your comments on downtown organization recommendations by June 21

Please open the attachment for an important request from the Village for your comments on the recommendations for a new downtown organization. Please note that you are requested to respond by June 21.

Please send your comments directly to:

Planning & Development Department
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, IL 60137

Thank you!

Staci Hulseberg

From:
Sent: wednesday, June 09, 2010 11:19 AM
To: Staci Hulseberg
Subject: Fwd: Glen Ellyn Village requests your comments on downtown organization recommendations by June 21
Attachments: Email_Requesting_Comments.pdf

Staci,
I support the proposal!!! Let's get it done!
Thanks,
Jessica

-----Original Message-----

From: Janie Patch
To: Glen Ellyn Economic Development Corporation
Sent: Tue, Jun 8, 2010 2:32 pm
Subject: Glen Ellyn Village requests your comments on downtown organization recommendations by June 21

Please open the attachment for an important request from the Village for your comments on the recommendations for a new downtown organization. Please note that you are requested to respond by June 21.

Please send your comments directly to:

Planning & Development Department
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, IL 60137

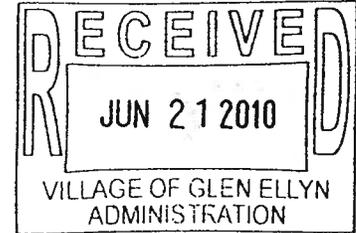
Thank you!

Glen Ellyn

Chamber of Commerce

connecting business with the greater community

June 18, 2010



Honorable Mark Pfefferman, Village President
Honorable James Comerford, Village Trustee
Honorable Peter Cooper, Village Trustee
Honorable Phil Hartweg, Village Trustee
Honorable Carl Henninger, Village Trustee
Honorable Peter Ladesic, Village Trustee
Honorable Michelle Thorsell, Village Trustee

Dear President Pfefferman and Board of Trustees:

The Glen Ellyn Chamber of Commerce wishes to thank the Village of Glen Ellyn for the opportunity to comment on the "New Downtown Organization Recommendation" document.

We have had the opportunity to review the document and wish to present some of our observations regarding conclusions stated in the Executive Summary.

We note under the goals of the organization there would appear to be some overlap since the Chamber is already engaged in 5 of the 8 goals that are identified in representing the business community. This would seem to be a duplication of effort. This must be viewed very carefully so as not to confuse the general public of what service each organization is providing.

In examining the Responsibilities statement, we find that the Chamber is already involved in many of the same areas: event planning, new business packets, ombudsman promotion and advertising, etc. Here again the potential for differing views may exist and therefore some issues may conflict with the mission statement of each entity.

This becomes more evident given the document's statement that "Existing Community events in the downtown would remain the responsibility of the groups currently responsible for them, though it is anticipated the downtown organization

would be involved.” Frankly speaking the Chamber and the Alliance appear to be the only two organizations conducting events in the downtown area.

This gives rise to the issue of who will serve on the new board. The Chamber believes strongly that in the development of any new board which would govern the activities for the downtown, the Chamber should be a voting member. We must remember the Chamber has retail members in the downtown whose interests we currently represent. We must look for continuity for the betterment of the community as a whole.

As it relates to membership in the organization, we agree there should be a commitment by those served in the downtown to be assessed some form of membership dues. However, we strongly disagree that if you are not a member you will be unable to participate in some events. This could appear to intimidate businesses that they must join or otherwise they will be prevented from participating in events. Further, we need to recognize that in the funding schemes that have been proposed, community tax dollars are being used, which all residents, business owners and property owners pay in some form. Great care must be given to prevent tax dollars being used where there may be unequal benefit to the taxpayers. This could equate to taxation without representation. This is an example of why privately funded organizations work better and can provide exclusive services to their membership.

If the Village chooses to move ahead with the creation of this organization, then the staffing and structure must be viewed from a very professional level. A search for an executive director would be critically important. This person should have some new ideas and concepts and be open to new ideas from others. Creativity is essential in the well being of the new organization, as well as the need for professional management background. Since this new organization will not be experienced in the search process, we highly recommend that the Village in conjunction with the Chamber of Commerce and a member of the new board be engaged in selection of a new director.

The Chamber read with great interest the source of funding proposals in the document.

1% Sales Tax

The first consideration was the 1% home rule sales tax. We were very pleased to see that revenue projections are way ahead of initial projections.

Let us remember that the original purpose for the sales tax increase was to assist in providing essential services that would be eliminated because of budget restraints and shortfall of revenues. Additionally, the Village promised that it would review the need to continue the sales tax annually.

Since the sales tax was conceived on the premise of budget needs, it seems highly inappropriate to utilize these funds for other than the stated purpose it was designated to support. We do not believe the sales tax should be used except for the purpose for which it was created.

The Chamber believes that it would be in the overall best interests, as expressed by some of the Village Trustees, that a reduction of one quarter or one half percent of the sales tax would help the business community as a whole. Also, we must remember that the sales tax is not generated by the downtown area alone but across the entire business community. The Chamber knows, as does the Village, that most businesses and consumers would welcome a reduction in the sales tax. The Village should also examine the public relations benefit that would accrue from the reduction of the sales tax.

Downtown SSA:

Consideration should be given to the use of Special Service Area funds. However, the Chamber opposes any increase in the current tax assessment of 13 cents per 100 EAV. Given the current economic conditions additional taxation would be an error in judgment regardless of downtown justification. Let us remember that when the SSAs were created the assessment began at 4% and over the years had been increased to 13% on the property owners.

As you are probably aware, most leases in the downtown have moved to a triple net lease approach. No longer does a new business come into town and simply pay a monthly rental. Those days have disappeared. Today under the triple net lease approach the business owner must pay a square footage rental cost, and a proportionate share of the taxes and insurance.

Increasing the tax only exacerbates the cost of rental to any potential business coming into the downtown. This along with the tough economic times could discourage new businesses. Many businesses cannot succeed with increased cost annually which may have contributed to the number of vacant stores, as well as the number of business that have closed.

Special Programs Funding

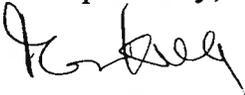
This funding resource will need to be continually reviewed. There are many worthy organizations that applied for funds but due to funding limitations received no Village support. The Village should be careful that selective funding does not hamper the services provided by other not for profit organizations.

Tax Increment Financing District:

Since this approach is in the distant future due to timing, the Chamber reserves its position until a later date.

In summary, the Chamber believes that a new downtown organization is inappropriate at this time. We see many cross purposes that will result in duplication of efforts, increased taxation, utilizing the same event sponsorships and a new layer of government that is unnecessary. The Chamber again offers its services to incorporate a committee or department that would handle the downtown needs. We encourage the Village to carefully review all of the possibilities this approach would provide, especially the consolidation of efforts and cost ramifications that has the potential to benefit everyone. However, if a new downtown organization is formed, the Village should consider the other recommendations in this letter.

Respectfully,



Rob Kelley

President,

Glen Ellyn Chamber of Commerce

Downtown Organizations

Categories	Economic Development Corporation	Downtown Glen Eilyn Alliance	Chamber of Commerce	Transitional Downtown Advisory Committee Recommendations for New Organization
Mission Statement	The Glen Eilyn Economic Development Corporation (EDC) was created in 1991 out of a partnership between the Chamber of Commerce and the Village of Glen Eilyn to facilitate local economic development for the benefit of both businesses and residents.	None established.	The purpose of the Glen Eilyn Chamber of Commerce is to foster and promote the business and professional interests of Glen Eilyn and adjoining areas, and to promote the welfare of the Glen Eilyn Community.	Not created yet.
# of FT employees	1 FTE	0.5 FTE	3 (2 FT Directors and 2 PT administrative assistants)	Proposed 1.5 FTE (minimum) 2.5 FTE (maximum)
Goals	A primary goal related to the mission is to focus on economic development activities which benefit both the business and residential communities existing as a complement to each other. A secondary goal is to promote growth in local sales tax revenues.	To increase foot traffic and sales in the central business district by planning events and heightening awareness and visibility of downtown Glen Eilyn as a destination for shoppers and diners not only for Glen Eilyn residents, but also for visitors from surrounding communities and Chicago.	The Glen Eilyn Chamber of Commerce provides networking, education, marketing, community involvement and partnership opportunities to over 360 member businesses, organizations, agencies and civic members. The GECOC receives numerous phone calls, website visits, emails, and faxes each year and provides over 6,000 referrals to member shops, businesses, restaurants, government entities and professional services.	Planning and coordinating events that involve downtown businesses, downtown organization branding, create things such as banners, e-news, a business directory, a website, and cooperative advertising, create new business welcome packets and business visits, continue efforts to develop coordinated shopping hours, serve as an ombudsman for downtown business and property owners, and conduct routine meetings with other organizations, including the Village, Chamber and EDC.
Responsibilities				
Business attraction and retention	Stay current with local business news, find useful information on operating a business in Glen Eilyn, find technical resources for business growth, find available commercial spaces for expansion, view program description and application for façade improvement grants, get links to Village codes.	Assist existing businesses through promotion of downtown events, marketing and encouraging involvement in activities planned to bring patrons into stores	Meet and greet new businesses. Assist with identifying their needs and direct them to proper resource. Assign a Chamber mentor to follow up monthly with new members.	Find available commercial spaces and properties, identify competition, view demographics and trade area profile, get links to Village codes and the comprehensive plan.

<p>Business attraction and retention</p>	<p>Stay current with local business news, view program description and application for façade improvement grants, get links to Village codes, post your available commercial spaces and properties on their website.</p>		<p>Provide Educational seminars, Networking Events, luncheons with business related speakers. Provide two "Business Leads" groups for members. Distribute bi monthly newsletters. Advocate for business issues.</p>	<p>To focus on business attraction and ensure a desirable and viable mix of businesses in the downtown.</p>
	<p>Find available commercial spaces and properties, identify competition, view demographics and trade area profile, get links to Village codes and the comprehensive plan</p>	<p>Market and promote downtown activities and events.</p>	<p>Promote upcoming events through newspaper, emails, and newsletter. Provide greeter service program to new residents on behalf of businesses.</p>	<p>To promote downtown living to support businesses and add to the vibrancy and vitality of the downtown.</p>
<p>Marketing and Promotion</p>	<p>Find dining and shopping choices in the community, stay current with local business news and upcoming special events taking place in the business districts.</p>	<p>Advertise downtown businesses in brochures of other downtown events (e.g. Jazzfest, Holiday walk, etc.).</p>	<p>Provide a ribbon cutting ceremony to a new business or existing business that includes a picture in the local paper.</p>	<p>To promote downtown as a destination for shopping, dining, and entertainment.</p>
	<p>View maps and create driving directions, find shops, restaurants, and entertainment in the community, learn about upcoming special events, locate parking in the downtown.</p>	<p>Prepare and coordinate cooperative advertising in local newspapers and advertising.</p>	<p>Highlight new business members on Chamber website. Distribute Chamber directory to all residents (10,000 copies delivered).</p>	<p>To promote downtown as a desirable location for businesses.</p>
			<p>Issue \$50,000 annually in purchased gift certificates of which 97% are redeemed in the downtown area.</p>	<p>To be a strong advocate for downtown businesses.</p>
			<p>Utilize E-Blasts to promote business opportunities, sales, and weekly activities. Participate with Village-wide promotions.</p>	<p>To build relationships and networks with downtown businesses and property owners.</p>
<p>Community Events</p>	<p>Taste of Glen Eilyn, Halloween Fest, Jazz Fest, Farmer's Market, Sidewalk sale.</p>	<p>Couples Night Out, Ladies Night Out, First Fridays, Scavenger Hunt.</p>	<p>Community Awards Breakfast, Taste of Glen Eilyn, Farmer's Market, Jazz Fest Glen Eilyn, Sidewalk Sale, Autumn Daze, Community Shredding Day, Halloween Festival, Glen Eilyn Fashion Showcase, Holiday Walk.</p>	<p>Current Community Events would remain the responsibility of the Chamber, though it is anticipated this downtown organization would be involved.</p>



To: President & Village Board

From: Steve Jones, Village Manager

Date: July 14, 2010

Re: **Hill Avenue Bridge**

A handwritten signature in blue ink, appearing to be "S. Jones", with a long horizontal line extending to the right.

Background

At the workshop of June 28, the Village Board reached a consensus to proceed with the Hill Avenue Bridge cost sharing requested by the Village of Lombard. The willingness to collaborate with Lombard was based upon the resolution of a number of issues that were communicated by President Pfefferman to President Mueller in a letter on July 2. The Village of Lombard responded to the Glen Ellyn communication via letter dated July 9. Both letters have been attached to this memo.

Issues

The issues were identified as items 1-9 in President Pfefferman's letter.

Action Requested

The Village of Lombard is in the process of drafting an intergovernmental agreement that would complete the community partnership on this issue. In addition, they are moving forward with the engineering selection process and anticipate the award of a contract on August 19.

In view of this timeframe, I have placed this item on the workshop agenda so the Village Board may discuss the Lombard response. If the Village Board is comfortable with the response, I will inform Lombard and we will move toward completion of a draft intergovernmental agreement.

Recommendation

From my perspective, the Lombard response meets most of the concerns that were brought forward by Glen Ellyn. A side-by-side comparison of the correspondence will reveal the following:

Item 1 – Lombard agrees not to close the bridge provided we are on board with funding.

Item 2 – Lombard has invited our Public Works Director to be on the selection and review team.

Item 3 – Boundary agreement matters were generally favorably addressed as we requested. However, due to community planning needs, properties involving the Tollway Authority were not agreed upon. The specifics regarding the boundary issues are explained within the Lombard response and applicable exhibits. Although not specifically mentioned in the correspondence, I have confirmed that Lombard has no objection to the transfer of the Great Western Trail property if the County concurs.

As we prepare to seek a formal change to the boundary agreement, it is strongly recommended that we carefully evaluate each parcel that is referenced to insure that we are able to potentially service and/or access the properties.

Item 4 – Lombard agrees with our requests pertaining to fire protection issues.

Item 5 - Lombard agrees to not restrict truck traffic, and has requested that Glen Ellyn also not restrict truck traffic.

Item 6 – Lombard agrees with our request to convey the lift station in order to potentially serve the properties west of the bridge.

Item 7 – Lombard has agreed to make a portion of the Hill Avenue Stormwater plant available for a Glen Ellyn salt storage facility at no lease cost. With that said, a number of concerns are expressed regarding this matter due to floodplain issues and environmental risks. The specifics would need to be worked out in a lease agreement. Lombard has also indicated that they would be willing to enlarge their proposed Garfield Road salt storage facility for our use, but this would require our cost participation.

Item 8 – Lombard has raised a number of issues pertaining to the physical expansion of the bridge to accommodate more than vehicle traffic. The specific issues and concerns are identified in the correspondence. Lombard has indicated that they would be willing to fund 50% of the cost for this type of enhancement, but state that they would want Glen Ellyn to assume ownership of the bridge and function as lead agency for the associated work. It is my strong recommendation that the Village of Glen Ellyn **not** assume ownership of the bridge.

Attachments

Exhibit A – Glen Ellyn Village President correspondence dated June 2.

Exhibit B – Lombard Village President correspondence dated June 9.

(Note: Exhibits have been provided to the Village Board but not scanned for the public packet due to size)

To: Steve Jones, Village Manager
From: Joe Caracci, Public Works Director
Date: July 12, 2010
Re: Manor Woods – Action Plan



Background

The Village owned property referred to as "Manor Woods" is, in essence, bounded by Newton Avenue, Illinois Street, Brandon Avenue, and Greenfield Avenue. The area is heavily forested and primarily consists of peat soil. Years ago, volunteers in conjunction with the Village and Park District worked together to establish walking paths through the woods. These wood-chipped paths were maintained for years by Boy Scout and Cub Scout dens and volunteer groups. Over the past five years, the maintenance stopped and the paths became overgrown to a state of disrepair. The upper canopy of the forest is unstable and thus the Woods have been shut down and post with "No Trespassing" signs.

Issues

Leaving the Woods "as is" is not a popular or appropriate solution. Unfortunately, significant time and financial resources would be necessary to restore the area and potentially make this site an attraction for residents. No funds were set aside in the current budget for work at Manor Woods; however, I have been working on trying to establish an action plan for moving forward with restoration.

I feel that the ultimate solution (Long Term) and future of Manor Woods includes a complete ecological restoration of the area. I envision creating a new recreational and educational opportunity for Glen Ellyn residents and visitors. A future project could consist of restoration of the forest to native conditions through removal of non-native species, deadwood and debris. We could develop new handicap accessible natural pathways / walking paths that could lead to a number of educational lookouts that could portray history, environmental impacts, and landscaping significance in the area. We could also further enhance usage through small picnic areas and benches. Improved protection and enhancements of the wetland areas would also be included in any future project in the area.

Earlier this summer I attempted to apply for an OSLAD (Open Space Land Acquisition and Development) Grant through the Illinois Department of Natural Resources (DNR). As part of the application process I spoke to a grant administrator about the proposed improvements. During these discussions, DNR stated that the project sounded very interesting and would qualify

under OSLAD; however felt that more input would be needed with respect to detailed studies, public hearings, and official support from the Village Board. DNR also mentioned that we should work with a consultant familiar with the grant process to try to incorporate specific additions to the application that would offer a better chance of qualifying for the grant (I would estimate that this may cost about \$2,500). In response to these comments, I plan to hold a Public Meeting for residents, Village Board and the management team to gather the collective intelligence of all involved in the potential project. The proposed project described above is my vision, but this may not be the collective vision of the community or Board. The application deadline for next year's OSLAD grant will be July 1 with notification of grants typically given in December. The OSLAD Grant is a 50/50 cost share grant.

In the meantime, I have done some research on ways to get the Woods open to the public in order to re-establish paths for use. I have walked the site with one of our preferred Tree Care Specialists and asked for a "ballpark figure" to clear a six foot area over the old paths and perform necessary operations to get the canopy safe over this area. The work would consist of removing deadwood and selective tree removals. The cost estimate to perform this work was dependent on the time of year. To perform the work now would cost about \$20,000, if we wait until winter to perform the work the estimate was reduced to \$17,000. Due to the soils in the area, a majority of the work cannot be accessed by vehicles or machines and would require specialists trained in tree climbing. Removal of debris would also need to be dragged through the woods.

Again, since no money was budgeted for any of this work, we are put in an unfortunate situation. If the Village Board desires to change priorities, we would plan to seek competitive proposals on the work.

Action Requested

Direction on how to proceed.

Recommendation

Unless there is an obvious opportunity for funding the short term plan, I recommend we put a \$25,000 place holder in next year's budget to account for path clearing and a consultant for grant assistance. We could decide to move forward with the work in the spring or hold off until we hear word from DNR in December 2011.

Attachments

- Proposal for short term work



Kramer Tree Specialists, Inc.

300 Charles Court, West Chicago, Illinois 60185
phone (630) 293-5444 fax (630) 293-7667
www.kramertree.com



ILLINOIS CERTIFIED ARBORISTS ON STAFF

PROPOSAL

Proposal For:

CLIENT: Joe Caracci

Page 1 of 2
Saturday, July 10, 2010

Date 7/10/2010

Page 1 of 2

CLIENT:
Joe Caracci
30 S. Lambert Rd
Glen Ellyn IL 60137

KTS Representative: Jeff

Bid Status: Pending

Modified Date

Bid Number:

Modified By:

224220

RFE Number

221220

Home Phone

Call First

Company Name:
Village of Glen Ellyn- Public Works

Work Phone 489-6758

Call First Reason

Fax 489-3128

Regarding Manor Woods, Glen Ellyn
Address

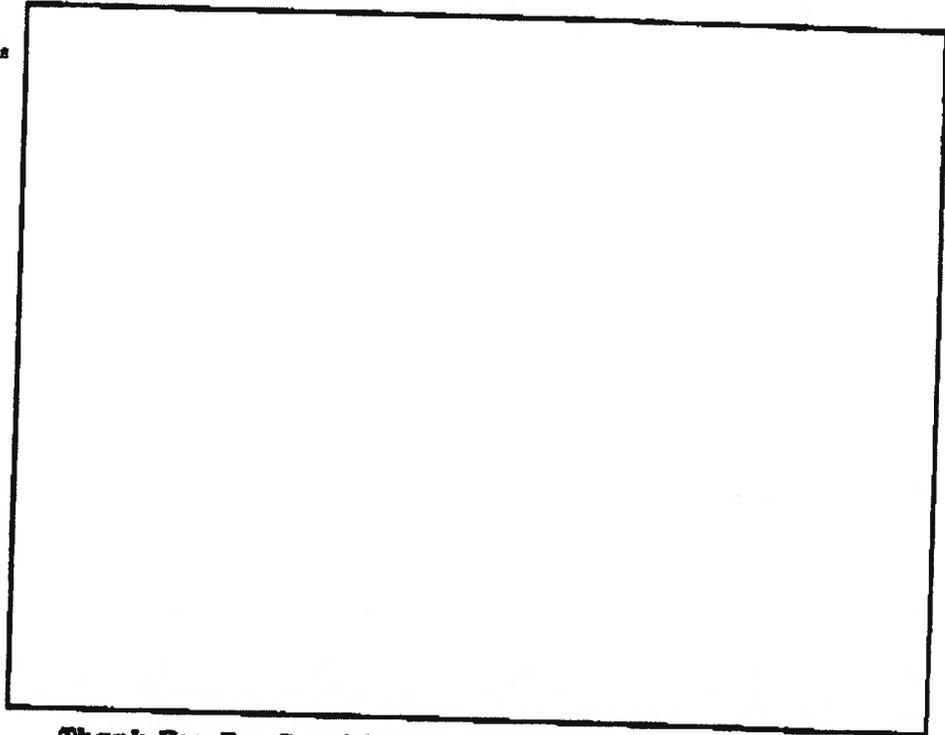
Mobile 742-3280 Joe

Pager

Sprinkler System

Special
Issues

Plant
Locations



**Thank You For Considering Kramer Tree Specialists, Inc.
Our Company WILL Exceed Your Expectations**

THIS PROPOSAL INCLUDES ONLY A VISUAL INSPECTION OF ACCESSIBLE COMPONENTS OF THE TREES TO DETERMINE THE SCOPE OF THE WORK REQUESTED, AND SHALL NOT BE CONSIDERED A TREE RISK EVALUATION. RISK EVALUATIONS ARE CONDUCTED AS A SEPARATE WORK ITEM AT AN ADDITIONAL COST.

Kramer Tree Specialists cannot be responsible for unmarked underground utilities, structures, sprinkler systems, etc. that may be damaged in the work process.

ABOVE LISTED WORK INCLUDES ALL HAULING, DISPOSAL AND RAKE CLEAN UP OF DEBRIS - UNLESS OTHERWISE NOTED.

UPON REQUEST WE WILL PROVIDE A CURRENT CERTIFICATE OF INSURANCE WITH BOTH WORKMAN'S COMPENSATION AND PERSONAL INJURY-PROPERTY DAMAGE BEING OUR PROFESSIONAL LIABILITY INSURANCE PROTECTION.

PAYMENT IN FULL DUE UPON COMPLETION OF WORK.
VISA, MASTERCARD, & DISCOVER ACCEPTED



Kramer Tree Specialists, Inc. PROPOSAL



CLIENT: Joe

Caracci

Saturday, July 10, 2010

Page 2 of 2

Plant Number
or Item #

1

of Trees

Plant Species

Trees along path

Diameter Inches Current Condition:

Plant Problem

Description of Service / Treatment

Status Pending

Prune & Remove trees along path to remove hazardous trees and limbs.
Clear path to a 6 foot width.

Remove dead trees that could fall on or near the path, cut as close to the ground as possible.

Prune trees near the path to remove deadwood 1" in diameter and larger that could fall on or near the path.

Crown raise trees near the path to provide 10-12 foot clearance above the path.

Remove or prune hazardous trees and limbs along the outside perimeter Manor Woods.

Service Recommended

Prune

Cost note:

Cost: \$19,800.00

Winter Discount Available! -> Cost if work performed between 12/1 and 3/31:

\$16,830.00