

**Regular Meeting-Plan Commission/Zoning Board of Appeals**  
Gregory J. Bielawski Municipal Center, Carol Stream, DuPage County, Illinois

October 13, 2008

**ALL MATTERS ON THE AGENDA MAY BE DISCUSSED, AMENDED AND ACTED UPON**

Timothy McNally was sworn in as a Commissioner by Deputy Village Clerk Wynne Progar.

Chairman David Michaelson called the Regular Meeting of the Combined Plan Commission/ Zoning Board of Appeals to order at 7:30 p.m. and directed Recording Secretary Wynne Progar to call the roll.

- Present: Commissioners Timothy McNally, Anthony Manzzullo, Angelo Christopher Ralph Smoot, Dee Spink and David Michaelson
- Absent: Assistant Community Development Director Don Bastian
- Also Present: Community Development Director Bob Glees and Reporting Secretary Wynne Progar

**MINUTES:**

Commissioner Manzzullo moved and Commissioner Spink made the second to approve the Minutes of the Meeting of September 22, 2008 as presented. The results of the roll call vote Were:

- Ayes: 5 Commissioners Manzzullo, Christopher, Smoot, Spink and Michaelson
- Nays: 0
- Abstain: 1 Commissioner McNally

**PUBLIC HEARING:**

Commissioner Spink moved and Commissioner Christopher made the second to open the public hearing. The motion passed by unanimous voice vote.

**# 07073 TONY DUVENECK/CONAGRA FOODS – 155-185 Alexandra Way**  
*Plat of Consolidation*

Mark Diener, 10102 Pacific Avenue, Franklin Park, IL was sworn in as a witness in this matter. Mr. Diener explained that in order to conform to the Subdivision Code, the request is to rezone two separate lots into one lot in I Industrial Zone.

Mr. Glees reported that Mark Diener of Classic Construction on behalf of ConAgra Packaged Foods Company is requesting approval of a Final Plat of Consolidation for two properties, currently known as Lots 9 and 11 in the Carol Stream Business Park, located at the south end of Alexandra Way. ConAgra Foods contacted the Village in 2007 regarding their desire to interconnect the two buildings in order to improve the efficiency of their operations. The Zoning Code does not allow buildings to extend across zoning lot lines, and the plat of consolidation would eliminate the lot line that the building interconnections currently cross. As stated, although the building interconnections have been constructed, the Community Development Department has advised ConAgra that the Village will not issue the Certificate of Occupancy until the Plat of Consolidation has been approved by the Village and recorded by DuPage County. Staff finds the plat to be in conformance with the requirements of the I Industrial District, which is the zoning classification for the property. The Engineering Services Department has reviewed the plat and recommends approval.

There were no questions or comments by the Commissioners. Commissioner Manzullo moved and Commissioner Spink made the second to recommend approval of the request for a final plat of Consolidation. The results of the roll call vote were:

Ayes: 6 Commissioners McNally, Manzullo, Christopher, Smoot, Spink & Michaelson  
Nays: 0

The petitioner was reminded that this matter will be heard by the Village Board at their meeting on October 20, 2008 and was reminded to attend that meeting.

**#07121: C & N Development LLC – 344 St. Paul Boulevard  
Special Use – Outdoor Activities and Operations**

Robert McNees, 105 Hiawatha Drive, representing C&N Development, LLC and Chris Chung, 2455 W. Branch Ct., Naperville, IL were sworn in as witnesses in this matter. Mr. McNees said that Chris Chung is the owner of record of 344 St. Paul Blvd. He explained that the Intermodal Container Corporation is asking for a special use permit for outdoor activities and operations so that they can use the back portion of the property for overnight storage for semi-tractors. The trucks are leased to owner-operators that take the intermodal trailers back and forth to the railroad hubs and sometimes there is not enough time to make a complete circuit so the drivers park the trucks until the next day. The parking lot has been striped and the yard has to be screened with netting material. There is a seven foot chain link fence on St. Paul Blvd. but there is no need for screening on the south part of the lot. The owner agrees with the conditions in the staff report, and noted that the property has not changed since it was used as a Post Office. There were no comments or questions from those in attendance at the call for public hearing. Mr. Glees stated that Robert McNees, on behalf of his client Chris Chung of C&N Development, has submitted an application for a Special Use Permit to allow outdoor activities and operations in the form of outdoor truck and trailer parking at 344 St. Paul Boulevard. Mr. Chung is the Principal of C&N Development. Intermodal Container Carrier (ICC), for which Mr. Chung is also the Principal, leases property from C&N Development. ICC wishes to park up to five tractor-trailers, or up to eight tractors only (without trailers), at the rear of C&N Development's property. Special Use approval is required to allow for the outdoor truck and trailer parking. From an operational standpoint, the parking analysis indicates that 25 motor vehicle parking spaces are required based on the 70% office/30% warehouse use of the 7,200 square foot building. The parking requirement can be completely satisfied with the parking spaces contained in the parking lot in front of the building and the spaces immediately against the east side of the building. From an aesthetic standpoint, the Village's primary concern with outdoor activities typically involves the need to screen the outdoor activity from view from public streets. The applicant has agreed to screen the entire rear parking area, but is proposing to use a mesh fabric material as shown in the attached photos as opposed to slats. Staff does not object to the use of the mesh fabric, and supports the entire fenced area being screened. Staff recommends approval of the Special Use Permit to allow for the outdoor tractor and tractor-trailer parking in the parking lot behind the building at 344 St. Paul Boulevard, subject to the following conditions:

1. That no more than five tractor-trailers, or eight tractors only, shall be parked on the property, and that all such parking shall only take place behind the building;
2. That mesh fabric screening shall be installed on the existing fence on all four sides of the property (including the north, south, east and west-facing sections); and

The business and property shall be operated and maintained in accordance with all applicable state, county and village codes and requirements.

Commissioner Manzullo said that he does not have a problem with the request, but he has concerns about the screening fabric and asked if there a life span for this material. Mr. McNees said that he was not aware of any stated life expectancy for the product. Commissioner Manzullo then suggested that a condition should be added in regard to proper maintenance for the material and replacement as necessary.

Commissioner Spink suggested that installing lights at the back of the property should be looked into and that dependence on lighting should not come from the neighboring property. In regard to the question of whether dangerous materials could be in the containers, Mr. Chung said that every container is cleared by the broker before it can be loaded and moved. Commissioner Spink asked what would happen if there were more than eight trailers and she was told that after eight are parked that fence is locked and any others would have to find someplace else. There was discussion regarding scheduling and additional warehousing.

Chairman Michaelson said that he was not in favor of mesh fabric and commented that slats would have more longevity. In regard to having warehousing and container storage as well as truck parking there was discussion on the scheduling for containers go to and from the railroad. Chairman Michaelson said that he was aware of the truck traffic problems at the Post Office and asked if any other types of trucks would be parked and Mr. Chung said that would do what he could to make money.

Commissioner Smoot asked if the containers could hold flammable materials or explosives and was told that those items cannot enter the country.

Chairman Michaelson said that there was room for 8 tractors of 5 trailers and asked if they would be parked there for periods up to 5 days straight and it was noted that all equipment would move every day. He said that he would not like to see the property leased to other trucking companies.

Commissioner Manzullo moved and Commissioner Christopher made the second to recommend approval of a special use permit for outdoor activities and operations with the maintenance of the mesh fabric added to the conditions of approval. The results of the roll call vote were:

Ayes:	6	Commissioners McNally, Manzullo, Christopher, Smoot, Spink and Michaelson
Nays:	0	

The petitioner was reminded that this matter will be heard by the Village Board at their meeting on October 20, 2008 and was advised to attend that meeting.

#08207

**SPECIALTY ROLLED METALS, LLC 423 St. Paul Blvd.**

***Special Use – Outdoor Operations and Activities***

Dasan Prabhakaran was sworn in as a witness in this matter. He explained that the business is working with stainless steel, slitting, shearing and polishing for different applications.

There were no comments or questions from those in attendance at the call for public hearing.

Mr. Glees said that Specialty Rolled Metals Project Manager Dasan Prabhakaran made the application as noted. In review, we note that there are several unusual aspects as compared to the applications the Village typically receives, as outlined below.

- The request is for the outdoor storage of equipment that will ultimately be used in a building located on a property other than the property for which the Special Use is being requested;
- The request is for the outdoor storage of equipment that is fully intended to be installed and used inside a building;

- The request should be considered as a temporary request, since the applicant has stated that the equipment will be installed in the building at 457 St. Paul Boulevard once a building addition is constructed.

We point out these unusual aspects of the application for purpose of information for the Plan Commission. While we do not view these aspects, individually or collectively, as being a fatal flaw in the application, they do contribute to some unique recommended conditions, as set forth later in this report.

As stated, the applicant is seeking approval to store used sheet metal rolling mill equipment outdoors on the west side of the building. The attached site plan proposes a seven foot tall chain link fence enclosure that would measure 36 feet in width by 72 feet in length. The chain link fence would have slats to screen the view of the equipment that would be stored within the enclosure. The proposed enclosure is shown to extend into the first north-south drive aisle immediately west of the building. The site plan indicates that the parking spaces immediately to the west of the proposed enclosure to be deleted, and staff recommends that the existing parking space striping in this area actually be physically removed, so that there is no confusion as to where vehicles may park. Staff also recommends that four additional parking spaces be removed immediately to the south of the spaces that are already shown to be deleted, so that a proper 24-foot wide drive aisle can be established around the proposed fence enclosure. This will allow a conventional traffic circulation pattern to be maintained on the property.

From an operational standpoint, provided that the parking lot striping recommendations are implemented, proper traffic circulation will be maintained on the property. Also from an operational standpoint, as noted earlier in this report, it would seem that the need for the outdoor storage area is temporary in nature, in that once the building addition at 457 St. Paul Boulevard is complete and the equipment is installed in the building, the outdoor storage area will no longer be needed. As such, staff recommends that the approval for the outdoor storage area be temporary in nature, for a maximum period of four years, as the applicant has stated that they expect to construct the addition to the building at 457 St. Paul Boulevard next year. After four years, the fenced enclosure would be required to be removed, and the parking lot striping would need to be reestablished. In this way, an outdoor storage area will not be permanently created where it is not needed. If the applicant wishes for the approval to be permanent in nature, then they should elaborate as to why an outdoor storage area would be necessary once the equipment is installed in the building at 457 St. Paul Boulevard.

From an aesthetic standpoint, we note that the equipment has already been brought to the property. The Plan Commission should be advised that this property is currently involved in code enforcement action through the Community Development Department. Enforcement action has been placed on hold pending the Village Board's decision regarding the Special Use application.

Staff has noted the somewhat unusual aspects of the current application. However, the nature of the request is consistent with other requests that the Village has approved in the Industrial District. As such, staff can support the request provided that the storage area is properly screened and that the Special Use approval be temporary in nature.

Staff recommends approval of the Special Use to allow a fenced outdoor storage area, subject to the following conditions:

1. That the existing parking space striping shall actually be removed (painted over) from the parking lot so that there be no confusion as to where vehicles may park;
2. That four additional parking spaces shall be removed immediately to the south of the spaces that are shown to be deleted on the site plan, so that a proper 24-foot wide drive

aisle can be established around the south and west sides of the proposed fence enclosure;

3. That the Special Use to allow the fenced outdoor storage shall be valid for a period of four years from the date of Village Board approval of the Special Use ordinance, and that the fenced storage shall be removed, and the parking lot re-stripped after the four year temporary approval has lapsed;
4. That the screening slats on the fenced enclosure shall be installed on the north, south and west sides of the enclosure;
5. That the existing dead trees in the greenspace area on the west side of the building shall be removed and replaced with six Colorado spruce evergreen trees that are a minimum of six feet in height at the time of installation; and
6. That the business and property shall be operated and maintained in accordance with all state, county and village codes and requirements.

Commissioner Christopher asked if the parking lot was seal-coated and it was stated that it was all new asphalt and re-stripped.

Commissioner Smoot said that it appeared that there was a problem with cleaning up the area and asked how long it would take. It was stated that it would be within the four years.

Commissioner Spink asked how they could use all of the rusty material and Mr. Charles Patel was sworn in as a witness in this matter at this point and said that all the machinery would be dismantled, refurbished and rebuilt and then put into the other facilities. All steel can be redone. Commissioner Spink commented that this whole plan seems to be temporary and asked when they would start and end, and Mr. Patel said that could start when the Village ok's their request.

Commissioner Manzzullo asked if they have had their enforcement issues cleared up and was told they had. He asked how much longer this machinery would be sitting out and was told one more year.

Chairman Michaelsen said that the last case was at 457 in regard to a dust collector. He said that it still does not have a fence around it. It was stated that there was a delay with the insurance in regard to the replacement and when that is complete, the replacement will be surrounded. Chairman Michaelsen commented on the non-compliance in several areas and said that he has a hard time believing that there will be anything done until pressure is exerted. Mr. Patel commented that this is a bad time for this industry.

Commissioner McNally moved to recommend approval of the request.

The motion failed for a lack of second.

Commissioner Manzzullo moved and Commission Smoot made the second to deny the petitioner's request for a special use permit for outdoor operations and activities. The results of the roll call vote were:

Ayes:	5	Commissioners Manzzullo, Christopher, Smoot, Spink and Michaelsen
Nays:	1	Commissioner McNally

**#08246:                   RAM MECHANICAL SERVICES, INC. 258 S. Westgate Drive**  
**Special Use- Contractor's Office and Shops**  
**Variation – Number of Parking Spaces**

George Webster 226 S. Westgate, Carol Stream, IL was sworn in as a witness in this matter.

He said that he is requesting a special use for a contractor's office and shops and a variance to the number of parking spaces for the building at 226 Westgate so that he can expand his business.

There were no comments or questions from those in attendance at the call for public hearing. RAM Mechanical Services Inc., which currently occupies 7,500 square feet in the 15,000 square foot building at 226 Westgate Drive, is a metal fabrication business for metal products used in heating, ventilation and air conditioning installations in the Chicago area. RAM wishes to expand their operations to include pipe prefabrication, which will require a larger building. RAM Mechanical Services President George Webster has entered into a contract to purchase the building and property at 258 Westgate Drive. Staff has evaluated the request from both operational and aesthetic standpoints. Aside from a parking shortfall, which will be discussed in more detail in the 'Variation' section of this report, the building and property are well suited to the proposed *Contractor's office and shops* use. With respect to aesthetic considerations, the applicant has stated that they are committed to improving the building, including performing badly needed maintenance, and has also agreed that there will be no outdoor storage of equipment or material. As such, there should be no negative aesthetic impacts associated with the business relocating to this building. Staff has evaluated the request from both operational and aesthetic standpoints. Aside from a parking shortfall, which will be discussed in more detail in the 'Variation' section of this report, the building and property are well suited to the proposed *Contractor's office and shops* use. With respect to aesthetic considerations, the applicant has stated that they are committed to improving the building, including performing badly needed maintenance, and has also agreed that there will be no outdoor storage of equipment or material. As such, there should be no negative aesthetic impacts associated with the business relocating to this building. Staff recommends approval of the Special Use for *Contractor's Office and Shops* in accordance with §16-10-2(B)(6) of the Carol Stream Zoning Code, and also recommends approval of the Variation to reduce the required number of parking spaces for RAM Mechanical Services Inc. from 36 spaces to 28 spaces, subject to the following conditions:

1. That there shall be no outdoor storage of materials or equipment;
2. That the trash enclosure shall be screened on all four sides and the gates shall remain closed at all times, except when the trash is being emptied;
3. That the variation to reduce the required number of parking spaces from 36 to 28 shall be specifically granted to RAM Mechanical Services Inc. (the business) and not to the property; and
4. The business and property shall be operated and maintained in accordance with all applicable state, county and village codes and requirements.

Commissioner Spink asked how many total employees are there and was told there will be 18 at one time.

Chairman Michaelsen asked how many trucks there are nightly and was told there would be 22 box trucks. There are racking systems and acetylene and oxygen systems in the first building but not at the new facility. In response to vehicles permanently parked in the lot, the response was 4 company trucks, 1 car and 1 boat (which belongs to the tenant), and there are 9 full time employees.

Commissioner Smoot moved and Commissioner Spink made the second to recommend approval of the request for a Special Use Permit for a Contractor's Office and a Variation for the Number of Parking Spaces. The results of the roll call vote were:

Ayes: 6 Commissioners McNally, Manzzullo, Christopher, Smoot, Spink,  
& Michaelson

Nays: 0

The petitioner was reminded that this matter will be heard by the Village Board at their meeting on October 20, 2008 and was advised to attend that meeting.

**#07201: VILLAGE OF CAROL STREAM – 500 N. Gary Avenue**  
***Text Amendment – Temporary Building, Structures & Land Use***

Mr. Glees reported the following; recently, the issue of clothing collection bins being used at church properties has caused Village staff to examine the Village's regulations with respect to such use. The Zoning Code does not specifically include this sort of use, nor is there any similar use listed therein. As a consequence, the current code disallows clothing collection bins unless they meet the requirements for accessory structures and are ancillary to the principal use of the property. Thus, the placement of clothing collection bins at not-for-profit properties, such as churches, is disallowed. At the direction of the Village Manager, staff has suspended enforcement of such violations in order to examine the issue and recommend a solution.

Village staff has developed what we believe is a workable solution, one which is has been employed in the City of Naperville for many years – that is, to enable the approval of temporary buildings, structures and uses under certain specified criteria. There several advantages to this approach:

- Allows for administrative approval of harmless uses.
- Applies to any sort of temporary use, not just collection bins.
- Enables the Village Board to be involved in requests for uses that have the potential for undesirable impacts.
- Does not affect the prevailing regulations for permanent buildings, structures or uses on a property.

In the course of developing the text amendment for temporary uses, staff had occasion to consider the duties of the Community Development Director, as listed in §16-15-1. In doing so, it seemed advantageous to enable the Community Development Director to make the determination as to whether a proposed use is synonymous or nearly synonymous with a permitted or special use allowed within a particular zoning district. The current process requires such interpretation only to be made by the Village Board after a recommendation from the Plan Commission, and we believe this process is unnecessarily time-consuming and cumbersome. With the proposed change, Village staff would be able to be more responsive to businesses inquiring as to the zoning requirements for locating in Carol Stream.

Staff encourages PC/ZBA discussion and questions during the review of the proposed text amendments.

There were no comments or questions from those in attendance at the call for public hearing.

Commissioner Manzzullo commented that the donation box at the former Value City is sometimes overloaded and asked how that is controlled. Mr. Glees responded that generally it is a Code Enforcement matter but at this time, the Village Manager has suspended enforcement with respect to collection bins for six months in order to give staff time to develop standards.

Commissioner Manzzullo asked if this type of container for an independent from the business and it just remains on the property. Mr. Glees said that Staff is proposing that containers might be temporary structures, or permanent structures. A permanent structure would have to meet the requirements of the Zoning Code with respect to accessory structures. If they are temporary then they would have a specific term of six months at one location. In the case of Value City, if the bins have been out there for more than six months, then the property owner would be contacted and told that they have to be removed. If they meet the requirements of a permanent accessory structure, then they would be no different than the principal building. Both the accessory structure and the principal building would be required to be maintained by the

property owner in accordance with the Village's Property Maintenance Code.

Commissioner McNally asked if staff has the authority to permit a permanent structure without going to public hearing. Mr. Glees said that Staff already has the authority to approve a building permit for a permanent structure that meets the Village's Building and Zoning Codes. Commissioner McNally asked if the Collection sites be limited, Mr. Glees responded that 16-15-5(b) and said that such cases may be a judgment call by the staff and cited " Request for temporary uses determined as having a potential adverse impacts shall require Village Board's approval. He said that is someone were to come in for administrative approval of some sort of temporary structure to store some volatile or hazardous material, Staff would not approve that administratively.

Commissioner Spink moved and Commissioner Christopher made the second to recommend approval of the text amendment for Temporary Buildings, Structures and Use of Land. The results of the roll call vote were:

Ayes:	6	Commissioners McNally, Manzzullo, Christopher, Smoot, Spink, & Michaelson
Nays:	0	

This matter will be heard by the Village Board at their meeting on October 20, 2008.

**#08037:**

**VILLAGE OF CAROL STREAM – 500 N. GARY AVENUE**  
***Text Amendment – Smoking Shelters***

Mr. Glees reported On January 1, 2008, the *Smoke-Free Illinois Act* went into effect, prohibiting smoking in virtually all public places and workplaces. In response to the new legislation, many Illinois businesses erected permanent or temporary smoking shelters for their employees and patrons, thus prompting municipalities to consider local standards for such structures. The Village of Carol Stream prepared an informational handout which explained how the Village's existing codes applied to smoking shelters, and then began to study the matter.

Many communities adopted their own bans on smoking in public places in advance of the state law. For example, the City of Wheaton passed the *Wheaton Smoke-Free Air Ordinance*, effective Jan. 2, 2007, which instituted a citywide ban on smoking in public places and workplaces. The ordinance prohibits smoking in all enclosed public places and places of employment, within 25 feet of public entrances to buildings, in open air public dining areas and within 25 feet of these areas, and within certain unenclosed public places. Wheaton has no special standards for smoking shelters nor is there any intention of developing such standards. Such structures simply must meet the requirements of the City's building and zoning codes.

The standards developed in other Chicago area communities have varied widely. The approach of the Village of Schaumburg is to require that all smoking shelters must be reviewed through the Village's site plan review process. Detailed plans must be submitted, which are reviewed by staff and presented to the Village Board for approval. The Village of Orland Park developed a simple set of performance standards by which smoking shelters could be reviewed by staff, and approved or denied administratively, with the restriction that smoking shelters are only allowed on a temporary basis, from November 1<sup>st</sup> to April 30<sup>th</sup>, and an annual fee is required. The Village of Mount Prospect developed a more comprehensive set of performance standards by which smoking shelters could be reviewed by staff, and approved or denied administratively, with no distinction between temporary or permanent structures.

During the past winter, temporary smoking shelters were placed at two Carol Stream restaurants – Playoff's and Flip-Flop's. Staff has also spoken to other business owners, and found that there is a desire to erect permanent smoking shelters at other business properties. Staff believes the best approach is the development of performance standards so as to enable an administrative review process. The proposed standards are contained in new §16-12-1(E), and a definition of "smoking shelter" is proposed in §16-18-1. In addition, staff would like to use



this opportunity to make other minor text revisions, as proposed in §16-12-1 and §16-12-2. Attached is a newspaper article that appeared earlier this year, as well as pictures of local area businesses which erected temporary smoking shelters. The proposed zoning regulations for smoking shelters are being brought to the Plan Commission at this time in order to initiate discussion regarding community standards and to allow the public a chance to comment. Please be advised these regulations are currently being reviewed for compliance with Building Code and Fire Code requirements. Staff does not expect the Plan Commission to vote this matter out this evening, but rather it is their desire to initiate the discussion and obtain comments and direction for the finalization of the text amendments. Mr. Glees noted that whenever a text amendment is in process, it has been the practice to clean up any items that are no longer applicable or outdated and that are what has been done in this section.

In response to the call for public hearing, Bob Sabalasky owner of Flip Flops Bar and Tiki Grill was sworn in as a witness in this matter. He said that the staff report had a picture of his business and asked is that structure ok going forward with the text amendment since it is referred to as an accessory building. Mr. Glees said that the structure would certainly be an accessory structure. Among the standards that need to be finalized and are seeking input from the business community as well as the Plan Commission is the nature of the standards for these structures. The structure that was used at Flip Flops, is considered a temporary structure and among the things that are being considered is the standards for such a temporary structure, the quality of the materials, one of the things that is being discussed with the Village Attorney is the standards for materials for a temporary smoking shelter be very specific rather than general. The structure used at Flip Flops is a pre-fabricated shelter, and Mr. Glees said that it probably met some kind of flammability standard, on the other hand there is nothing in the Code now that would allow someone to have a ramshackle put together structure that may not be safe and may not meet any kind of flammability standard. He said that they are trying to establish minimum standards for materials. Mr. Sabalasky said that he would like to see a Code that takes into consideration the small business owner that cannot compete with the larger, more established businesses that just want to provide for their smoking customers to be out of the elements. Mr. Sabalasky said that he would like size to be considered and said that he had 150 sq/ft and that he could have had another tent the same size if it were necessary. He also noted that some of the old requirements said "the service and/or consumption of drinks or food in the smoking shelter is strictly prohibited" and added that he hoped it would be considered that just because he had a tent to shelter smokers there that they could not take their drinks out there.

John Bestler, Spectator's Bar and Grill, was sworn in as a witness. He said that there is a small concrete area and asked if can put a temporary shelter there. Mr. Glees said that due to the location of the business to the street, he would have to have a special use permit.

Constantine Theros, Playoff's was sworn in as a witness. He is concerned about the prohibition of drinking on the patio (smoke shelter) and noted that even with a smoking shelter his business is half of what it was last year.

Commissioner McNally commented that there are several issues that need a lot of research, using the testimony here tonight, what other municipalities are doing, what changes/compromises the State of Illinois might adopt. He also noted that as the economy worsens; drinking increases and staff will consider the small businesses in the Village and what impact the ordinances will have.

Commissioner Manzzullo said that he believes that staff will try to compromise to help the small businesses while still keeping within the law.

Chairman Michaelsen commented that the smoking shelter is really only for winter use and tables and umbrellas will be fine for spring and summer.

Commissioner Smoot moved and Commissioner Christopher made the second to continue this matter to the next meeting on November 10, 2008. . The results of the roll call vote were:

Ayes:	6	Commissioners McNally, Manzzullo, Christopher, Smoot, Spink, & Michaelsen
Nays:	0	

Commissioner Christopher moved and Commissioner Spink made the second to cancel the meeting of October 27, 2008 since there are no cases ready to be heard. . The results of the roll call vote were:

Ayes:	6	Commissioners McNally, Manzullo, Christopher, Smoot, Spink, & Michaelson
Nays:	0	

At 9:22 p.m. Commissioner Spink moved and Commissioner Manzullo made the second to adjourn. The motion passed by unanimous voice vote.

FOR THE COMBINED BOARD