

MINUTES OF WORKSHOP MEETING

DOWNERS GROVE, ILLINOIS

OCTOBER 9, 2007

Mayor Sandack called the Workshop meeting of the Village Council of the Village of Downers Grove to order at 7:00 p.m. in the Council Chambers of the Village Hall.

Present: Mayor Ron Sandack; Commissioners Marilyn Schnell, Martin Tully, William Waldack, Sean P. Durkin, Geoff Neustadt, Bruce Beckman; Village Manager Cara Pavlicek; Village Attorney Enza Petrarca, Village Clerk April Holden

Absent: None

Visitors: **Residents:** D' Anne Burley, 450 Rogers; Bill Wrobel, 7800 Queens Ct.; John Schofield, 1125 Jefferson; Joseph Pappalardo, American Legion, 4000 Saratoga; Andy Clark, 1226 62nd; Christine Fregeau, 1918 Elmore; Mark Thoman, 1109 61st; Greg Bedalov, Economic Development Corporation, 2001 Butterfield; Laura Crawford, Chamber of Commerce, 1015 Curtiss; Steve and Erik Wendell, AW Wendell and sons, 1121 Warren; Maureen Fear, 950 Ogden; Gordon Goodman, 5834 Middaugh

Staff: Liangfu Wu, Director, Information Services; Bob Porter, Police Chief ; Doug Kozlowski, Director, Communications; Phil Ruscetti, Fire Chief; Andy Matejcak, Director, Counseling and Social Services; Jeff O'Brien, Senior Planner, Community Development; Megan Bourke, Management Analyst; Brandon Dieter, Management Analyst; Mike Millette, Assistant Director, Public Works; Mary Scalzetti, Director, Community Events; Wes Morgan, Director, Human Resources; Judy Buttny, Director, Finance

Mayor Sandack explained that Council Workshop meetings are held the second and fourth Tuesdays at 7:00 p.m. The meetings are video taped live and for later cable-cast over cable channel 6.

The Workshop meeting is intended to provide Council and the public with an appropriate forum for informal discussion of any items intended for future Council consideration or just for general information. No formal action is taken at Workshop meetings.

The public is invited to attend and encouraged to comment or ask questions in an informal manner on any of the items being discussed or on any other subject. The agenda is created to provide a guideline for discussion.

Mayor Sandack led the audience in the Pledge of Allegiance to the Flag.

Proclamation:

The Mayor proclaimed Pierce Downers School as a Blue Ribbon School of the "No Child Left Behind" program.

The Mayor proclaimed the week of October 7-13 as Fire Prevention Week in the Village of Downers Grove.

MANAGER

1. Active Agenda and Informational Items

The Manager reviewed the items on the Active Agenda and Informational Items for comments and/or discussion.

- a. **Special Use for a Drive Through at 950 Ogden Avenue.** The Manager asked Jeff O'Brien, Senior Planner, Community Development, to address this item.

Jeff O'Brien, Senior Planner, Community Development, said this item referred to the northeast corner of Ogden Avenue and Highland, and the request was for a drive-through restaurant, which would be an improvement to the site. He showed on an overhead the location of the drive-through with traffic traveling north and through the alleyway. The Plan Commission reviewed this and made a unanimous recommendation for approval of the project.

Commissioner Schnell asked about restrictions from Highland Avenue turning east onto Ogden Avenue.

Mr. O'Brien said there are none at this time.

Commissioner Schnell noted that such traffic would have to cross four lanes.

Commissioner Waldack suggested that a restriction be placed on the drive through so that operations cease at 10:00 p.m., and that the petitioner must come before the Council to extend those hours.

Commissioner Beckman asked about the hours for the Walgreens drive-up.

Mr. O'Brien said those hours were from 9:00 a.m. to 10:00 p.m.

Commissioner Tully noted that there are no variances or exceptions requested for this special use, and this fits into the Ogden Avenue Master Plan. He supports the 10:00 p.m. closing for the drive through.

Commissioner Schnell suggested a restriction on the trash pick-up similar to what was done with Walgreens in respect of the nearby residents.

- b. **Amendment to Special Use 4000 Saratoga Avenue – American Legion Post 80.**
The Manager asked Mr. O'Brien to address this item.

Mr. O'Brien said this amendment to a special use concerns the American Legion Post 80 site. They are proposing general improvements south of their main building to include two new garages, a park pavilion and a gazebo. He said that a pathway would be constructed around the

area, noting that the property is zoned as R-1. No variance has been requested and this is in compliance with all standards of the Village. The Plan Commission unanimously recommended approval.

- b. **AT&T Project Lightspeed.** The Manager said this is an informational report from staff. In two weeks the Council will see several ordinances regarding the AT&T Project Lightspeed. During the last legislative session, AT&T approached the legislature related to cable laws. She said that the State legislation passed and the Village needs to adopt an ordinance regarding rights-of-way and customer service standards. She noted that the Village will need to act in November on this. The Village's Attorney sat on the Illinois Municipal League Committee and the ordinances to be presented will reflect model ordinances of other communities.

The Mayor said that the Council and staff need to be cognizant of the dates and should establish deadlines regarding action on this.

- d. **Grant Agreement: Mini-Grant Alcohol Program (MAP).** The Manager said this grant agreement is between the Village and the Illinois Department of Transportation to support DUI checkpoints in the community. She said that staff is requesting a waiver of the one-week waiting period.

Commissioner Beckman asked what is referred to as an "event?"

Police Chief Bob Porter said that essentially there will be officers on overtime in areas that have had a significant number of alcohol related driving incidents. An event will be for a specific day and time.

- e. **2008 Heritage Festival Ordinance.** The Manager said this ordinance establishes the dates as June 27-29, 2008. Staff is requesting approval of the dates. The funding strategy will be part of the FY 08 budget.
- f. **Bid: Florence Avenue Detention (Ogden Ave. TIF).** The Manager said this is a request to execute a contract in the amount of \$545,045 as part of a redevelopment agreement with Luxury Motors for detention. The proposal includes a bid alternate, and staff is asking to waive the one-week waiting period in order to begin the work within this construction season.

John Schofield, 1125 Jefferson, said he understands there is some complex funding involving TIF funds and taxes coming back with respect to construction. He said that this work is going to require on-going maintenance and asked what the plan for funding is regarding on-going expenditures. He further asked to what extent the primary beneficiary will share in the expenses.

The Manager responded that the TIF generates the funds that go into the general tax funds to fund the operating costs. This is part of a long-term project. She noted that Luxury Motors contributes to the Village's tax base through property and sales taxes. She said that stormwater maintenance necessities are from the general fund. She said this is similar to the way new streets may be constructed with the municipal government traditionally maintaining on-going responsibilities.

Commissioner Schnell asked about a neighborhood meeting and she was told that there has not been one scheduled due to the type of project. Staff indicated that perhaps one could be arranged

before construction began, and she would highly recommend that this is done to inform the residents what is occurring. As to the contractor, Commissioner Schnell said that the Village has used this contractor in the downtown area and had concerns expressed by citizens. She asked that special measures are taken to assure that things are being done as they should be.

Commissioner Waldack clarified that the detention is more than what will cover or benefit just Luxury Motors. It will benefit the entire surrounding area. The Mayor said that was correct. It will have beneficial aspects that will serve areas other than the Luxury Motors site.

2. Consent Agenda Items

The Manager reviewed the Consent Agenda items for comments or discussion:

- a. **Brick Street Improvement Project Resident Engineering Services (Inspection) Amendment No. 1 CIP Project ST-002.** The Manager said that earlier in the year the Village entered into consulting services for the brick street program. Staff is asking for an amendment as there is an additional \$22,322 needed to complete the project.

Commissioner Schnell questioned whether there was a contingency plan if winter weather sets in early, saying should there be an early snow it would not be possible to plow the street. She thinks they need a plan in place to communicate this to the residents.

The Manager said that they have that information and will provide it in writing.

Commissioner Tully asked, with respect to additional amounts funded for this and the next item, where the funding will come from.

The Manager responded that it will be paid out of the existing 220 or capital budget fund. This is possible because several projects have been deferred such as the 39th Street and the Woodward projects.

- b. **Change Order: Brick Street Improvement Project.** Manager Pavlicek said that when improvements were started there were difficulties encountered in regard to clay storm sewers. The change order reflects the change to the storm sewers.

The Mayor said he sensed that this will happen when the Village tackles older streets for stormwater improvements. He said they will have to be cognizant of such issues. Often projects that seem to be slow going may have encountered unexpected situations.

Commissioner Waldack asked whether using a sand-packed setting bed is better than using asphalt.

Mike Millette, Assistant Director, Public Works, responded that the original bid was to be for a sand/asphalt mixture. He noted that the quantity was considered to be too small, and this is a substitution. He said staff believes this is an adequate substitute.

The Manager said that in the future they may have fewer surprises due to equipment that the Village has purchased. She further explained that while it may seem to residents that contractors are not on site, part of the work going on now includes testing.

- c. **Bid: Purchase of Road Salt from State Contract.** The Manager said in April the Village indicated to the State of Illinois the desire to purchase 4,800 tons of road salt for the 2007-08 winter season for snow and ice removal. The unit price is \$38.62 per ton. The terms of the contract allow the Village to purchase as little as 70% or as much as 130% (3,360 tons to 6,240 tons).

Commissioner Durkin asked what the price is per ton if the Village goes over 6,240 tons.

Mr. Millette said that the price is held throughout the duration of the contract.

The Manager said that the Village's limitation is based on its storage capacity. If the Village needs more than the 4,800 tons it will be at the same price of \$38.62.

- d. **Bid: Warren Avenue Storm Sewer Project (CIP SW-013).** Manager Pavlicek said this requests authorization of a contract for \$161,452.00 to Neri Brothers of Itasca for 550 linear feet of storm sewer behind the Hines Lumber area on Warren Avenue. That area has experienced numerous street closures during high rainfalls.
- e. **Change Order: 2007 New Sidewalk Program and CBD Crosswalks Upgrade (CIP Project S-004 and S-007).** The Manager said the scope of the change order is \$10,400 for the new design of the project in the neighborhood.

John Schofield, 1125 Jefferson, said he was referencing the last paragraph of the green sheets, regarding Carpenter at the 5800 block. There is a safety issue there with a gap that has to be fixed. He asked if they are waiving the customary one-week period.

The Manager said that staff did not ask for waiving the one-week waiting period. The contractor's schedule is the same regardless of whether it is approved now or within a week. Manager Pavlicek said she would provide Mr. Schofield with the exact schedule.

MANAGER'S AND DIRECTORS' REPORTS

Fire Chief Phil Ruscetti said that there is an open house on Wednesday, October 10 at Station 5 at 6701 Main Street from 6:30 p.m. to 8:30 p.m. There will be many things for children to do and enjoy and a lot of new technology for the residents to see.

Chief Ruscetti said that on October 12, at 7:15 p.m. the Fire Department will participate in the 13th annual Silent Parade at Main and Maple. He invited everyone to come out and participate in this event.

Manager Pavlicek read a letter into the record regarding the taxi staging issue at the train station. The letter recommended using the parking structure to stage the taxis.

The Manager then thanked Council for allowing her to attend a professional training program over the weekend. She will report more fully on the program in the next few weeks.

ATTORNEY'S REPORT

- a. Motion to adopt “A Resolution Authorizing Execution of an Agreement between the Village of Downers Grove and the Illinois Department of Transportation” as presented and waive the one-week waiting period.
- b. Motion to waive the one-week waiting period and authorize execution of a contract for the Florence Avenue Detention Project base bid with alternate in the amount of \$545,045 to Martan Construction, Inc. of Elgin, Illinois.
- c. Presentation of Council Material

Village Attorney Enza Petrarca she was presenting three items to the Council: 1) An ordinance regarding the 2008 Heritage Festival; 2) An ordinance authorizing a special use for 950 Ogden Avenue to permit a restaurant facility with a drive-up window; and 3) An ordinance authorizing a special use for the American Legion to permit two detached garages, a pavilion and a gazebo with a trail at 4000 Saratoga Avenue.

Attorney Petrarca asked the Council to consider waiving the traditional one-week waiting period to consider a Motion to adopt “A Resolution Authorizing Execution of an Agreement between the Village of Downers Grove and the Illinois Department of Transportation” and a Motion to authorize execution of a contract for the Florence Avenue Detention Project base bid with alternate in the amount of \$545,045 to Martan Construction, Inc. of Elgin, Illinois.

Commissioner Tully moved to waive the one-week waiting period to consider new business. Commissioner Durkin seconded the motion.

VOTE: AYES: Commissioners Tully, Durkin, Beckman, Neustadt, Waldack, Schnell; Mayor Sandack

NAYS: None

Mayor Sandack declared the Motion passed.

- 1. Motion to adopt “A Resolution Authorizing Execution of an Agreement between the Village of Downers Grove and the Illinois Department of Transportation.”

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE ILLINOIS DEPARTMENT OF TRANSPORTATION

RESOLUTION 2007-105

This authorizes an agreement between the Village of Downers Grove and the Illinois Department of Transportation to conduct eight (8) highly visible alcohol enforcement campaigns with a special emphasis on impaired driving laws.

Commissioner Tully moved to adopt “A Resolution Authorizing Execution of an Agreement between the Village of Downers Grove and the Illinois Department of Transportation,” as presented. Commissioner Schnell seconded the Motion.

VOTE: AYES: Commissioners Tully, Schnell, Beckman, Neustadt, Durkin, Waldack; Mayor Sandack

NAYS: None

Mayor Sandack declared the Motion passed.

2. Motion to authorize execution of a contract for the Florence Avenue Detention Project base bid with alternate in the amount of \$545,045 to Martam Construction, Inc. of Elgin, Illinois.

This authorizes execution of a contract for the Florence Avenue Detention Project base bid with alternate in the amount of \$545,045 to Martam Construction, Inc. of Elgin, Illinois in order to begin the project within construction season.

Commissioner Tully moved to authorize execution of a contract for the Florence Avenue Detention Project base bid with alternate in the amount of \$545,045 to Martam Construction, Inc. of Elgin, Illinois. Commissioner Durkin seconded the Motion.

VOTE: AYES: Commissioners Tully, Durkin, Beckman, Neustadt, Waldack, Schnell; Mayor Sandack

NAYS: None

Mayor Sandack declared the Motion passed.

COUNCIL MEMBERS

Commissioner Waldack announced that on October 14 the 22nd annual Crop Walk for Hunger will be held. He said 25% of the proceeds go to local groups. The walk begins at Gloria Dei Lutheran Church at 2:00 p.m. with registration at 1:30 p.m.

Commissioner Waldack then said that he attended a Transportation Conference where they discussed the J-route, rapid transit and O'Hare access. RTA was present. The discussion was to push for approval of SB572 for the RTA Transit Bill. He said that doomsday is November 4 for the transportation bills. He said it was an interesting conference with a lot of things happening in transportation that may impact our community.

Commissioner Beckman said as he reviewed budget documents, he noted the possibility of spearheading the next Total Community Development (TCD), and asked that the Council talk about this some time in the near future. Mayor Sandack responded that the Council needs to discuss this, give direction to staff and coordinate with other government bodies.

Commissioner Tully congratulated the Downers Grove South Marching Mustangs for the Music Bowl held on Saturday. He also strongly encouraged residents to attend the Fire Department Silent Parade on Friday October 12 at 7:15 p.m.

Commissioner Tully then noted that the upcoming budget workshop will be held October 20 from 8:30 a.m. to 1:30 p.m. at Public Works. He urged residents to attend. He said with wireless internet capability residents could bring their laptop computers to the meeting.

The Mayor said that the public has a variety of opportunities to be involved in the community, and the budget is arguably the most important thing the Council does.

Commissioner Durkin said there need to be hard copies of the budget available as well as seating.

The Manager said that staff will try to get residents primary seating.

Mayor Sandack said that as part of Fire Prevention Week, the Silent Parade is a moving ceremony, which will be coming into the Village from eastern communities.

VISITORS

1. **D'Anne Burley**, 450 Rogers Street, said she is a radio talk show host on a public broadcast show. She has been receiving calls from listeners, saying there is a huge issue regarding racial issues. She referenced policing services and laws that do not apply to everyone, specifically referencing civil rights. She asked that the Council bring forth a commission regarding civil rights issues and a Human Rights Commission. She stated that she is going to every township to discuss this. In addition, regarding the cost of transportation, Ms. Burly said that cabs should be opened up to more companies, and she would be present for the meeting discussing transportation.

2. **Laura Crawford** of the Downers Grove Chamber of Commerce and Industry thanked Manager Pavlicek and Deputy Manager Fieldman for presenting information about the watershed project at a recent Legislative Committee meeting. She said Village staff also attended a meeting regarding the permitting process for contractors and developers. She indicated that there were concerns regarding the elimination of the e-permitting. Ms. Crawford thanked the Council for co-sponsoring a project with the Chamber for the 175th anniversary posters. They are available for \$15 and she presented the Council members with complimentary posters. She noted the posters would be available in several locations as well as the Village website.

ADJOURNMENT

There being no further discussion, the Workshop meeting was adjourned at 7:55 p.m.

April K. Holden
Village Clerk

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