



Village of Downers Grove Meeting Minutes Downers Grove Village Council

Civic Center
801 Burlington
Downers Grove, IL 60515
630-434-5500

Tuesday, February 19, 2008

7:00 pm

Council Chambers

1. Call to Order

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

Pledge of Allegiance to the Flag

Mayor Sandack led those present in the Pledge of Allegiance to the Flag. The Mayor called for a moment of silence in remembrance of the recent events at Northern Illinois University, as well as other tragic events across the country.

2. Roll Call

Present: Commissioner Marilyn Schnell, Commissioner Martin Tully, Commissioner William Waldack, Commissioner Sean P. Durkin, Commissioner Bruce E. Beckman, Commissioner Geoff Neustadt and Mayor Ron Sandack

Non Voting: Village Manager Cara Pavlicek, Village Attorney Enza Petrarca and Village Clerk April Holden

The Council meeting is broadcast over the local FM radio station, WDGC. In addition, a tape recording and videotape of the meeting are being made using Village owned equipment. The videotape of the meeting will be used for later rebroadcast of the Council meeting over the Village cable television Channel 6.

The Council will follow the rules of conduct for this meeting as provided in Sec. 2.5 of the Downers Grove Municipal Code. These offer the public the opportunity to comment at several points in the meeting. First, immediately following approval of the minutes of the past meetings, an opportunity will be given for public comments and questions on the active agenda items for this evening's meeting. Following this, an opportunity is given for public comments and questions on any subject. Finally, if a public hearing is scheduled for this meeting, an opportunity is given for public comments and questions related to the subject of the hearing.

The presiding officer will ask, at the appropriate time, if there are any comments from the public. If anyone wishes to speak, the individual should raise their hand to be recognized and, after acknowledgment from the presiding officer, approach the microphone and state their name and address. Remarks should be limited to five minutes, and asked that individuals refrain from making repetitive statements.

Mayor Sandack said there are agendas located on either side of the Council Chambers, and he invited the audience to pick up an agenda and follow the progress of the Council meeting.

3. Minutes of Workshop and Council Meetings

Executive Session Minutes for Approval Only - February 5, 2008

Council Meeting - February 5, 2008

Workshop Meeting - February 12, 2008

There being no additions or corrections to the minutes, Mayor Sandack said they would be filed as submitted.

Bi-weekly Update - Fire Station 2 Construction

Ed Disler, Owner's Representative, provided the Council with an update on Fire Station 2

construction. Heaters have been placed in the building to allow for pouring concrete inside. Tile work on the firefighters' quarters has continued, and drywall work is continuing as well. The Mayor noted that progress is visible. Mr. Disler said they are on schedule and expect it to be completed in Summer 2008.

Economic Development Corporation

Greg Bedalov, Director of the EDC, presented the first installment of the "In" Campaign which is a collaborative effort between the Village, Library, Schools, Park District and business community. It is a multimedia approach for use at trade shows for marketing and overall education about the Village. He then showed slides from the first segment. Mr. Bedalov said there would be subsequent segments focusing on specific areas of interest.

Commissioner Beckman said he thought it was a fabulous production, and asked where this will be applied. Mr. Bedalov responded that it would be used in trade shows, convention and visitors' bureaus, sales calls, and will be web-linked to other websites.

4. Public Comments and Questions

A. Comments and Questions on Active Agenda

There were none.

B. Comments and Questions on General Matters

There were none.

5. Public Hearings

General Obligation Bond Issuance

Pre-annexation Agreements

General Obligation Bond Issuance

The Mayor called the public hearing to order at 7:18 p.m. to consider the issuance of General Obligation bonds to fund certain watershed infrastructure improvements. Notice of this hearing was published in the Downers Grove Reporter on February 8, 2008. He then reviewed the procedures to be followed for the public hearing.

Village Manager Cara Pavlicek provided an overview of the bond issuance, stating that \$27.3 million relates to the Watershed Infrastructure Implementation Plan. The FY-08 budget includes, for the first time, a ¼ cent increase in the Home Rule Sales Tax, which will be applied to the Stormwater Improvement Fund. She indicated that the bonds could be issued as soon as March 2008.

Commissioner Tully said it would probably be more appropriate for questions and comments once the Financial Advisor is selected.

The Mayor noted that this has been a topic of discussion many times providing ample opportunity for public input.

There being no further discussion, the public hearing was adjourned at 7:22 p.m.

Pre-annexation Agreements

Mayor Sandack called the public hearing to order at 7:22 p.m. to consider proposed annexation agreements for the properties located at 4618 Cross Street, 4700 Cross Street, 611 36th Street, and 6009 Springside Avenue. Notice of this hearing was published in the Downers Grove Reporter on February 1, 2008. He then reviewed the procedures to be followed for the public

hearing.

Tom Dabareiner, Director, Community Development, said the Village has received annexation agreements from several homeowners, and the Village has authorized connection of the properties to the Village's water system. He summarized the petitions by address and date of annexation:

4618 Cross Street - Once the property becomes contiguous to the Village, or at time of request by owner, whichever comes first.

4700 Cross Street - Once the property becomes contiguous to the Village, or at time of request by owner, whichever comes first.

611 36th Street - Once the property becomes contiguous to the Village, or at time of request by owner, whichever comes first.

6009 Springside Avenue - Once the property becomes contiguous to the Village, or at time of request by owner, whichever comes first.

No rezoning or other land use approvals have been requested. As such, the properties will come into the Village under our R-1 zoning classification.

There being no further discussion, the public hearing was adjourned at 7:25 p.m.

6. Consent Agenda

Commissioner Tully moved to remove item K., RES 00-03204, a resolution authorizing an agreement for legal services with Smith, Rickert & Smith; and item L., RES 00-03205, a resolution authorizing an agreement for prosecution services with Dolci & McMahon, from the Consent Agenda for separate consideration. Commissioner Durkin seconded the Motion.

Vote: YEA - Commissioner Tully, Durkin, Beckman, Neustadt, Waldack, Schnell; Mayor Sandack

The Mayor declared the Motion carried.

COR 00-03186 A. Claim Ordinance: No. 5729, Payroll, February 1, 2008

Sponsors: Accounting

A motion was made to Approve this file on the Consent Agenda.

Indexes: N/A

BIL 00-03187 B. List of Bills Payable: No. 5710, February 19, 2008

Sponsors: Accounting

A motion was made to Approve this file on the Consent Agenda.

Indexes: N/A

MOT 00-03188 C. Motion: Approve Scope of FY08 Capital Projects

Sponsors: Public Works

Summary of Item: This is to approve the scopes of eight capital projects scheduled to be designed in 2008:

Ogden Avenue Sidewalks and Curb Cut Reduction
Sidewalk Replacement Program
Reconstruction of Inverness Avenue, from Ashbrook to Belmont
Rogers Street Resurfacing (Main to Fairview)
Bikeway Plan Phase 1
Bikeway Plan Phase 2
Watermain Replacement at Maple & 55th
Watermain Replacement at Gierz & Wilson and Austin

A motion was made to Award this file on the Consent Agenda.

Indexes: Capital Projects

RES 00-03190 D. Resolution: Authorize a Rental/Lease Agreement with RJ Recording

Sponsors: Community Events Commission and Community Events

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF A RENTAL/LEASE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND RJ RECORDING

RESOLUTION 2008-10

A motion was made to Pass this file on the Consent Agenda.

Indexes: Heritage Festival 2008

MOT 00-03191 E. Motion: Authorize a Change Order for \$35,332.53 for the Lane Place Water Main Improvements Project

Sponsors: Public Works

A motion was made to Award this file on the Consent Agenda.

Indexes: Water Main Improvements

MOT 00-03192 F. Motion: Authorize the Village Manager to Negotiate a Professional Services Agreement for Financial Advisor Services with Northern Trust Corporation, Chicago, IL

Sponsors: Manager's Office

A motion was made to Award this file on the Consent Agenda.

Indexes: Financial Advisor

RES 00-03193 G. Resolution: Declaring Official Intent Regarding Certain Capital Expenditures to be Reimbursed from Proceeds of an Obligation (Watershed Infrastructure Improvement Plan Funding)

Sponsors: Deputy Village Manager

Summary of Item: A RESOLUTION DECLARING OFFICIAL INTENT REGARDING CERTAIN CAPITAL EXPENDITURES TO BE REIMBURSED FROM PROCEEDS OF AN OBLIGATION

RESOLUTION 2008-11

A motion was made to Pass this file on the Consent Agenda.

Indexes: Watershed Infrastructure Improvement Plan

MOT 00-03194 H. Motion: Authorize \$151,200 with M.E. Simpson Co., Inc., Valparaiso, IN, for Water Distribution Valve Assessment Services

Sponsors: Public Works

A motion was made to Award this file on the Consent Agenda.

Indexes: Water Valves

RES 00-03195 I. Resolution: Authorize Amendment One to the Intergovernmental Grant Agreement with the City of Chicago re: CNG Fueling Station

Sponsors: Public Works

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT ONE TO THE INTERGOVERNMENTAL GRANT AGREEMENT BY AND BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE CITY OF CHICAGO, BY AND THROUGH ITS DEPARTMENT OF ENVIRONMENT

RESOLUTION 2008-12

A motion was made to Pass this file on the Consent Agenda.

Indexes: CNG Fueling Facility

RES 00-03196 J. Resolution: Authorize Submittal of Application to the Home Depot Foundation for the 2008 Awards of Excellence for Community Trees

Sponsors: Public Works

Summary of Item: A RESOLUTION AUTHORIZING SUBMITTAL OF APPLICATION TO THE HOME DEPOT FOUNDATION FOR THE 2008 AWARDS OF EXCELLENCE FOR COMMUNITY TREES

RESOLUTION 2008-13

A motion was made to Pass this file on the Consent Agenda.

Indexes: Trees and Shrubs

MOT 00-03203 M. Motion: Note Receipt of Minutes of Boards and Commissions

Summary of Item: Plan Commission - January 7, 2008

A motion was made to Award this file on the Consent Agenda.

Indexes: Boards and Commissions Minutes

Passed The Consent Agenda

The Consent Agenda was passed as amended.

A motion was made by Commissioner Tully, seconded by Commissioner Durkin, that the consent agenda be passed. The motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Tully, Commissioner Waldack, Commissioner Durkin, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

7. Active Agenda

RES 00-03204 K. Resolution: Authorize an Agreement for Legal Services with Smith, Rickert & Smith

Sponsors: Village Attorney

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT FOR LEGAL SERVICES WITH SMITH, RICKERT & SMITH

RESOLUTION 2008-14

Commissioner Tully said that on October 7, the Village adopted a Resolution of Ethical Standards requiring elected officials to disclose the receipt of campaign contributions. He said neither of these items fall within that category; however, he said that with respect to #00-03205, Dolci & McMahon made a \$100 campaign contribution to him in August 2004. With regard to Item #00-03204, for legal services with Smith, Rickert and Smith, a campaign contribution in the amount of \$250 was made to Commissioner Tully's campaign fund in January 2005.

A motion was made by Commissioner Durkin, seconded by Commissioner Beckman, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Tully, Commissioner Waldack, Commissioner Durkin, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

Indexes: Village Prosecutor

RES 00-03205 L. Resolution: Authorize an Agreement for Prosecution Services with Dolci & McMahon

Sponsors: Village Attorney

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT FOR PROSECUTION SERVICES WITH DOLCI & MCMAHON

RESOLUTION 2008-15

A motion was made by Commissioner Durkin, seconded by Commissioner Beckman, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Tully, Commissioner Waldack, Commissioner Durkin, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

Indexes: DUI Prosecutions

RES 00-03206 A. Resolution: Authorize Annexation Agreements for 4618 Cross Street, 4700 Cross Street, 611 36th Street and 6009 Springside Avenue

Sponsors: Community Development

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF ANNEXATION AGREEMENTS FOR THE PROPERTIES LOCATED AT 4618 CROSS STREET, 4700 CROSS STREET, 611 36TH STREET AND 6009 SPRINGSIDE AVENUE

RESOLUTION 2008-16

A motion was made by Commissioner Durkin, seconded by Commissioner Beckman, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Tully, Commissioner Waldack, Commissioner Durkin, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

Indexes: Annexation/Water Service - 611 36th Street, Annexation/Water Service - 4618 Cross Street, Annexation/Water Service - 4700 Cross Street, Annexation/Water Service - 6009 Springside Avenue

RES 00-03189 B. Resolution: Amend Village Council Cash Management and Investment Policy

Sponsors: Finance

Summary of Item: A RESOLUTION AMENDING VILLAGE COUNCIL CASH MANAGEMENT AND INVESTMENT POLICY

RESOLUTION 2008-17

A motion was made by Commissioner Beckman, seconded by Commissioner Schnell, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Tully, Commissioner Waldack, Commissioner Durkin, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

Indexes: Cash Policy

RES 00-03199 C. Resolution: Authorize an Addendum to an Agreement with ARC Disposal & Recycling, Inc. dated November 20, 2007

Sponsors: Manager's Office

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AN ADDENDUM TO AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND ARC DISPOSAL & RECYCLING, INC. DATED NOVEMBER 20, 2007

RESOLUTION 2008-18

A motion was made by Commissioner Schnell, seconded by Commissioner Waldack, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Tully, Commissioner Waldack, Commissioner Durkin, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

Indexes: Scavenger-Recycling Program, Scavenger-Garbage Collection

RES 00-03178 D. Resolution: Accept the Preferred Alternative in Phase 3 of the DuPage Mayors and Managers Conference Local Circulator Study

Sponsors: Public Works

Summary of Item: A RESOLUTION ACCEPTING THE PREFERRED ALTERNATIVE IN PHASE 3 OF THE DUPAGE MAYORS AND MANAGERS CONFERENCE LOCAL CIRCULATOR STUDY

RESOLUTION 2008-19

Commissioner Durkin said he believes that the majority of the residents have spoken about the transportation system and about the declining ridership. He cannot support this Resolution.

Commissioner Neustadt said he favors this as it allows for more information regarding the Circulator Study at little cost.

Commissioner Schnell said she has reservations about the system, but is willing to vote for this to obtain more information. She said this allows the Council to obtain more information to make more informed decisions.

Commissioner Tully said that Commissioner Durkin's comments can be understood. This has been an ongoing debate for some time. Commissioner Tully said that he supports this because he agrees that conducting the study will provide more information without the Village expending any funds for the study. He added that the Council has tried to keep their minds open, and this study may be worth exploring. The Village already has its own transportation system. He sees no harm in looking into this to determine what outside funding sources are available. He sees it as an information gathering opportunity.

Commissioner Beckman commented that he is sensitive to the comments made by Commissioner Durkin; however, this is to authorize a study and he concurs with doing that and will support

this study.

Commissioner Waldack said he has been a long-time proponent of transportation, and he believes they need to take things one step at a time. That is exactly what this Council is doing. He believes they need to look at transportation as a whole.

Mayor Sandack stated that his colleagues have stated their pros and cons well. He noted that this will invest about 6-10 hours per month in human resources, and he believes that continuing to the next phase of this study makes sense.

A motion was made by Commissioner Waldack, seconded by Commissioner Neustadt, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Tully, Commissioner Waldack, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack
Nay: Commissioner Durkin

Indexes: DuPage Mayors & Managers

8. Mayor's Report

Mayor Sandack asked Finance Director Judy Buttny to come forward and accept the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada on behalf of the Finance Department. He noted that although his name is on the award, he knows the credit goes to the staff.

Materials to be Received

Materials to be Placed on File

9. Manager's and Directors' Reports

Assistant Village Manager Mike Baker provided an update on the Illinois Streamlined Sales Tax Project, saying this is an interstate effort to capture internet sales taxes. There have been amendments to this project that would benefit the Village. He noted that the bill is expected to be considered later in the year, stating that staff will continue to monitor the status of the bill.

Mayor Sandack noted that how the Village fares with regard to this project depends upon how the legislation is worded, and it is important that they keep on eye on this legislation to assure that the original intent is followed. He suggested that this be placed on the Village's website in order to allow residents to follow this legislation as well.

10. Attorney's Report

Future Active Agenda

11. Council Member Reports and New Business

Commissioner Schnell said that a joint meeting of Public Services and Public Safety Standing Committees was held to discuss the proposed changes in traffic calming initiative proposed by staff. She said that the proposed process is well defined, and staff was directed to schedule another meeting for follow-up. In addition the Legal Department was asked to investigate liability issues with regard to this issue. Commissioner Schnell noted that Public Works Interim Director Robin Weaver also provided requested information regarding the temporary speed bumps in the parking deck and in neighborhoods. She said that there were four residents in attendance at the meeting. In addition, she received an unsigned letter from residents regarding the Sara Lee sign, and she asked the Manager to work with the EDC to determine if the sign could be turned off in the middle of the night.

Commissioner Tully clarified that the discussion regarding the local Circulator System is not the

Grove Commuter Shuttle system.

Mayor Sandack said that a second fundraiser is scheduled on February 23 at 8:00 p.m. at the Orchard Brook Clubhouse for Jeff Ake. He was in Iraq and his whereabouts are unknown. He has family and children here, and the fundraiser is to assist them.

The Mayor said that he was made a District 3 Municipal member of the DuPage County Stormwater Committee. They discussed best management practices at today's meeting.

Mayor Sandack then asked his colleagues to e-mail residents, organizations, etc., information regarding the changeover in garbage haulers, which will take place in the next few weeks. A mailing has gone out with the water bills as well.

The Mayor thanked the Ad Hoc Committee on Affordable Housing for meeting to discuss this issue. He appreciates the time and efforts given by them.

12. Adjournment

Commissioner Tully moved to adjourn. Commissioner Durkin seconded.

VOTE: YEA - Commissioners Tully, Durkin, Beckman, Neustadt, Waldack, Schnell, Mayor Sandack

Mayor Sandack declared the motion carried and the meeting adjourned at 7:50 p.m.