



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, March 18, 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 6:15 p.m. in the Council Chambers of the Downers Grove Village Hall.

Roll Call: Present: Commissioners Beckman, Neustadt, Durkin, Waldack, Tully, Schnell, Mayor Sandack

Absent: None

Commissioner Tully moved to go into Executive Session pursuant to Section 2(c)(11) of the Illinois Open Meetings Act to consider litigation and pursuant to Section 2(c)(5) of the Illinois Open Meetings Act to consider real estate matters. Commissioner Durkin seconded the Motion.

*VOTE: AYE - Commissioners Tully, Durkin, Beckman, Neustadt, Waldack, Schnell, Mayor Sandack,
NAY - None*

The Mayor declared the Motion carried and the Council convened into Executive Session at 6:15 p.m.

Mayor Sandack reconvened the Council meeting of the Village Council of the Village of Downers Grove at 7:00 p.m. in the Council Chambers of the Village Hall.

Pledge of Allegiance to the Flag

Mayor Sandack led those present in the Pledge of Allegiance to the Flag.

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

Absent: Village Manager Cara Pavlicek

Non Voting: Village Attorney Enza Petrarca, Village Clerk April Holden and Deputy Village Manager David Fieldman

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

Council Meeting - March 4, 2008

Workshop Meeting - March 11, 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, reported that Fire Station 2 is still on schedule and running slightly under the projected budget. He delivered a PowerPoint slide presentation of the progress to date, noting that the generator has been installed in the mezzanine. Flashing at the main entrance is finished as well as in the other areas, and the good weather has enabled them to proceed with the exterior stone and brick cleaning. An open house is scheduled for June 2008.

Fireman's Fund Insurance Company Presentation

Fire Chief Phil Ruscetti said that a number of representatives were present from the Fireman's Fund.

Vince Reh of the Fireman's Fund Insurance Company said that they have purchased AED's for the Village through a grant in the amount of \$7,912 to be used for defibrillators. Ms. Heide Peterson of the Auto and Home Insurance Agency explained the Heritage Program saying that supporting fire departments is an important goal for them.

4. Public Comments and Questions

A. Comments and Questions on Active Agenda

Mark Thoman commented on the flag lot provisions. As Director of the Pierce Downer Heritage Alliance, Mr. Thoman said he wrote a letter supporting the ordinance, noting that the original reasons for allowing flag lots no longer exist. By eliminating flag lots trees can be preserved, property values will be enhanced, the safety of homes and neighborhoods will no longer be compromised, and stormwater problems will not be aggravated. He urged the Council to approve the ordinance.

B. Comments and Questions on General Matters

There were none.

5. Public Hearings

6. Consent Agenda

COR 00-03224 A. Claim Ordinance: No. 5733, Payroll, February 29, 2008

Sponsors: Accounting

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

Indexes: N/A

- BIL 00-03225** B. List of Bills Payable: No. 5714, March 18, 2008
Sponsors: Accounting
A motion was made to Approve this file on the Consent Agenda.
Indexes: N/A
- BID 00-03233** C. Bid: Award \$179,762.50 to Marcott Enterprises, Inc., Addison, IL, for Debris Hauling and Crushed Limestone Supply Services
Sponsors: Public Works
A motion was made to Approve this file on the Consent Agenda.
Indexes: Public Works - Crushed Limestone & Ready Mix Concrete
- BID 00-03234** D. Bid: Award \$71,297.50 to Western Gradall Corporation, Naperville, IL, for Roadside Ditch Reconstruction and Maintenance Services
Sponsors: Public Works
A motion was made to Approve this file on the Consent Agenda.
Indexes: Roadway Improvements
- BID 00-03235** E. Bid: Award \$105,230 to Waste Management of Illinois, Inc., Cicero, IL, for Street Sweeping Maintenance Services
Sponsors: Public Works
A motion was made to Approve this file on the Consent Agenda.
Indexes: Street- Sweeper
- BID 00-03236** F. Bid: Award \$127,000 to R&W Clark Construction, Mokena, IL, for Water Utility Repair Restoration Services
Sponsors: Public Works
A motion was made to Approve this file on the Consent Agenda.
Indexes: Water Service
- BID 00-03237** G. Bid: Award \$22,400.10 to Ozinga Illinois RMC, Inc., Mokena, IL, for Ready Mixed Concrete
Sponsors: Public Works
A motion was made to Approve this file on the Consent Agenda.
Indexes: Public Works - Cement and Concrete Materials
- BID 00-03238** H. Bid: Award \$69,000 to Chicago Materials Corporation, Lemont, IL, for Hot Mix Asphalt Materials
Sponsors: Public Works
A motion was made to Approve this file on the Consent Agenda.
Indexes: Street - Resurfacing , Public Works - Standard Supplies & Services

- MOT 00-03239** I. Motion: Authorize a Contract with Claude H. Hurley Co., Elmhurst, IL, for Geotechnical Engineering and Materials Testing Services for FY08
Sponsors: Public Works
Summary of Item: This is for a not-to-exceed amount of \$161,000.
A motion was made to Note Receipt Of this file on the Consent Agenda.
Indexes: Geotechnical Engineering
- MOT 00-03240** J. Motion: Authorize a Professional Services Agreement with Houseal Lavigne Associates, Naperville, IL, for Consultant Services re: Pattern Book
Sponsors: Community Development
Summary of Item: This is for the creation of a "Pattern Book" for the downtown central business district in an amount not to exceed \$50,000.
A motion was made to Note Receipt Of this file on the Consent Agenda.
Indexes: Central Business District, Pattern Book
- RES 00-03241** K. Resolution: Authorize Submittal of Grant Application to the Illinois Department of Transportation for the Speed Enforcement Program
Sponsors: Police Department
Summary of Item: A RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR THE SPEED ENFORCEMENT PROGRAM (SEP)

RESOLUTION 2008-24
A motion was made to Pass this file on the Consent Agenda.
Indexes: Illinois Department of Transportation
- RES 00-03242** L. Resolution: Authorize an Extension to the Contract with Gen Power, Incorporated
Sponsors: Community Events and Community Events Commission
Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AN EXTENSION TO THE CONTRACT BETWEEN THE VILLAGE OF DOWNERS GROVE AND GEN POWER, INCORPORATED

RESOLUTION 2008-25
A motion was made to Pass this file on the Consent Agenda.
Indexes: Heritage Festival 2008
- RES 00-03243** M. Resolution: Authorize Extension of the Contract with North Park Rental Services, Inc.
Sponsors: Community Events and Community Events Commission
Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AN EXTENSION TO THE CONTRACT BETWEEN THE VILLAGE OF DOWNERS GROVE AND NORTH PARK RENTAL SERVICES, INC.

RESOLUTION 2008-26
A motion was made to Pass this file on the Consent Agenda.

Indexes: Heritage Festival 2008

MOT 00-03244 N. Motion: Approve Proposal from Word Systems, Inc., Indianapolis, IN, for Purchase and Installation of an Audio/Video Digital Recording System

Sponsors: Police Department

Summary of Item: This is for an amount not to exceed \$25,994.00 for the Police Department

A motion was made to Note Receipt Of this file on the Consent Agenda.

Indexes: Police Equipment

MOT 00-03248 O. Note Receipt of Minutes of Boards and Commissions

Summary of Item: Human Service Commission - December 5, 2007

Library Board - February 13, 2008

Plan Commission - February 11, 2008

A motion was made to Note Receipt Of this file on the Consent Agenda.

Indexes: Boards and Commissions Minutes

Passed The Consent Agenda

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

ORD 00-03226 A. Ordinance: Adopt and Approve Publication of the Village of Downers Grove 2008 Zoning Map

Sponsors: Community Development

Summary of Item: This approves and authorizes publication of the 2008 Village of Downers Grove, IL, Zoning Map, corrected to 03-18-08. Pursuant to state law, the Village is required to approve and publish its Zoning Map on an annual basis.

AN ORDINANCE ADOPTING AND APPROVING PUBLICATION OF THE VILLAGE OF
DOWNERS GROVE 2008 ZONING MAP

ORDINANCE NO. 4958

A motion was made by Commissioner Tully, seconded by Commissioner Durkin, 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: Zoning Map

ORD 00-03227 B. Ordinance: Amend Rates to be Charged for Service for the Village of Downers Grove Bus System

Sponsors: Public Works

Summary of Item: This amends rates charged for service on the Downers Grove bus system.

AN ORDINANCE AMENDING RATES TO BE CHARGED FOR SERVICE FOR THE VILLAGE OF DOWNERS GROVE BUS SYSTEM

ORDINANCE NO. 4959

Commissioner Waldack said that this item and the next item involves the Grove Shuttle service buses and agreements for new buses with PACE and the FTA. He is concerned about signing an agreement as it includes providing free rides for seniors. He was unsure as to how the fare structure applies with a fixed route service and a service agreement. He said that upon acquiring the new buses, the FTA requires a different fare structure for seniors and those with disabilities. He can accept providing different fares, but is concerned about the Village putting itself under State law and would like some feedback regarding tabling this item.

Commissioner Waldack moved to table item ORD 00-03227, an ordinance amending rates to be charged for service for the Village of Downers Grove bus system; and item RES 00-03228, a resolution authorizing the federal fiscal year 2008 FTA certification and assurances to a date uncertain. Commissioner Tully seconded the motion.

Commissioner Tully said good questions have been raised. As he understands it, the buses will not be arriving for some time he asked if these items could be enacted once the buses are ready to be operated. He asked if these items have to be in place prior to the delivery of the buses.

In response to the Mayor, Village Attorney Enza Petrarca said that signing the contract is a condition of the grant agreement and not signing it would make the contract null and void.

Commissioner Schnell commented that some of the same concerns exist with regard to the circulator study, but she is not as concerned about the Commuter Shuttle because they do not have that many seniors riding the shuttle. She feels this raises potential concerns if the Village goes to the Circulator program because it would not be able to charge seniors.

Robin Weaver, Interim Public Works Director, said that assembly of the buses began March 17, and they should be completed and ready for delivery by the end of May. PACE expects the Village to comply with the requirements. Neither PACE nor the Village had any input in this requirements. She noted that it is too soon to know what effect this will have on the Circulator Study.

Commissioner Schnell reiterated that without signing this contract the Village will not get the buses, and basically has no choice.

Commissioner Waldack commented that the concern is whether the Village has to be in compliance with the state bill as there is some question as to whether this is a service contract. He has a call into the RTA for clarification. He knows that the Village has to sign the FTA assurances.

Ms. Weaver said that the buses won't be on the street immediately, adding that staff is unaware of seniors currently using the buses as part of the shuttle program.

Commissioner Durkin said he would hate to see something hurt the Village and he would vote against tabling this.

Commissioner Beckman agreed with Commissioner Durkin saying he has trouble seeing an onslaught of seniors suddenly riding the shuttle bus at 6:00 a.m. The Circulator Study might be a different situation, however.

Commissioner Tully said he did not want the Village to find itself in a difficult position. He feels it is okay to proceed at this time.

The Mayor said that the Circulator Study is a concept. What is before the Village now is in compliance with the law mandated by the State. The buses the Village is receiving are smaller than the current ones, and he feels there is nothing to table at this time. The issue before the Council is the shuttle.

Commissioner Schnell asked whether this is something that needs to be signed now in order for them to get the buses.

Attorney Petrarca said that if it is not signed they will not receive the buses.

The Mayor asked for a vote on the motion to table.

VOTE: YEA: Commissioner Waldack

NAY: Commissioners Tully, Beckman, Neustadt, Durkin, Schnell, Mayor Sandack

Mayor Sandack declared the Motion failed by a vote 6:1.

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 Durkin, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack
Nay: Commissioner Waldack

Indexes: Buses

RES 00-03228 C. Resolution: Authorize the Federal Fiscal Year 2008 FTA Certification and Assurances

Sponsors: Public Works

Summary of Item: This authorizes the execution of the Federal Transit Administration (FTA) mandated Certifications and Assurances for 2008.

A RESOLUTION AUTHORIZING EXECUTION OF THE FEDERAL FISCAL YEAR 2008 FTA CERTIFICATION AND ASSURANCES

RESOLUTION 2008-27

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: Buses

ORD 00-03229 D. Ordinance: Amend Flag Lot Provisions

Sponsors: Community Development

Summary of Item: This amends certain Flag Lot provisions.

AN ORDINANCE AMENDING FLAG LOT PROVISIONS

ORDINANCE NO. 4960

Commissioner Tully said he is happy to see this coming before the Council after seven years, and he wholeheartedly supports this. He asked about existing flag lots that will now become

legal nonconforming lots, that are improved, and provisions for public safety.

Deputy Village Manager Dave Fieldman said there are two existing flag lots that are unimproved. Staff believes there are existing provisions in the building and zoning codes that will allow the Director of Community Development to require compliance with these provisions if buildings are built on those lots.

Mr Fieldman said that when staff comes across legal nonconforming lots, they pull the code under which they were constructed and look for compliance with those codes.

The Mayor said if there is a void or a vacuum, they can enact such language as is necessary. The Mayor asked staff to check the code for existing safety provision language once the flag lot section of the code is deleted.

Commissioner Beckman asked whether it is possible to rebuild on the existing flag lots. Mr. Fieldman said that only the lot would be nonconforming. An existing house on an existing flag lot cannot be added to or reconstructed. If it were destroyed by fire, the owner could rebuild it as long as it conformed to existing bulk and building codes.

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: Flag Lots

ORD 00-03113

E. Ordinance: Prohibit Liquor Licensees from Contributing to Certain Local Political Campaigns

Sponsors: Village Attorney

Summary of Item: This adopts ethics provisions concerning liquor license holders.

AN ORDINANCE PROHIBITING LIQUOR LICENSEES FROM CONTRIBUTING TO CERTAIN LOCAL POLITICAL CAMPAIGNS

ORDINANCE NO. 4961

Commissioner Waldack said he asked for accommodations to present information regarding this item, but they were not provided. This ordinance does not speak softly, and it has unintended consequences. He noted there is a process for obtaining a liquor license and there is a process if there is a violation. Other than the Mayor, who is the Liquor Commissioner, the Council and future Council candidates have no input into this matter whatsoever. Council participates in liquor classifications, but this ordinance does not deal with classifications.

Commissioner Waldack said he examined campaign contributions from the last election. Of about \$184,000 involved in the last campaign, there was about \$133,000 that was itemized and about \$50,500 that was non itemized. There could be contributions by license holders that would not be traceable making it hard to enforce this ordinance. Individuals account for 21.6% of the itemized contributions; business in general account for 31.5% of the contributions, other politicians account for 2.7% and other boards and commission members account for .7%. The total liquor contribution amounted to 3.7% and if the contributions of one of the candidates for the liquor commissioner were eliminated, it would represent only .1% of the entire contributions. Builders and realtors contributed double the amount contributed by the Liquor Commission.

Commissioner Waldack said he feels it is overkill to pursue this, it is hard to enforce, and it would be enforced against those who have no say in granting licenses or issuing fines. The proper way to do this is to make the Liquor Commissioner and the members of Liquor

Commission report any contributions and to recuse themselves of matters that come up where a contribution has been made. Commissioner Waldack said he will vote against this. He has nothing against ethics, but he thinks this penalizes potential donors/residents who can vote and have a business in town but are not treated as full citizens because they have a liquor license. He asked if this applies to campaign signs.

Commissioner Neustadt said the Village Council, upon the recommendation of the Mayor, appoints people to the Liquor Commission. This ordinance will help Council members better police themselves. It provides a better ethical stance. It is up to the candidate to be certain there is no impropriety when receiving a contribution. Potential candidates need to adhere to this as well. He noted that business owners are very generous, but there are other ways to contribute to a campaign besides contributing money. He does not think this makes anyone a second class citizen. He will support this ordinance. This, with the earlier ethics ordinance, puts Downers Grove in a better position than other communities with stronger and more important rules when it comes to campaign financing.

Commissioner Schnell asked if this applies only to financial contributions or if it includes signs and other types of participation.

Village Attorney Enza Petrarca, said it applies to something of value -- food, use of a room, etc. A candidate would have to pay for food and a room held for a fundraiser.

Commissioner Schnell said she has no problem with having high ethical standards. She said this is something new and they are trying to work through issues. The intent is honest and good.

Commissioner Tully said this was discussed in December 2007 and again last week. It is well intentioned. The Liquor Commission, staff, and Village Council have spent time on this matter. He said he has no issue with ethics. This ordinance, however, is unnecessary and overreaching. The Council has a sweeping ethics ordinance, and this is merely trying to anticipate additional situations which he sees as unnecessary. The Council and the Mayor are covered by the Ethics and Campaign Finance Ordinance which prohibits contributions. The Council is also subject to the terms of the gift ban. Should a conflict arise, the Council member involved is prohibited from voting on the related matter. The Liquor Commission members are also covered by the Gift Ban Act as are all Board and Commission members.

Commissioner Tully said he thinks this creates too many layers, is unnecessary, and is overreaching. It goes beyond the Council and the Liquor Commission and addresses people running for office. Existing ordinances are very comprehensive; therefore, this is unnecessary. However, he suggested that if the Council chooses to move forward with this the last clause of the first sentence in Section 3.22(b) should end after "officials of the Village of Downers Grove." He asked why this is not being applied to all the Boards and Commissions.

Commissioner Tully moved to strike the last clause of the first sentence of 3.22SEC (b) of the proposed ordinance, "members of the Downers Grove Liquor Commission or any other persons seeking election to a municipal office in the Village of Downers Grove." He noted that other portions of the ordinance have already been discussed. He suggested language that a liquor licensee or someone seeking a liquor license be penalized for violating the existing gift ban through the disciplinary steps available in the Municipal Code. Commissioner Beckman seconded the Motion.

Commissioner Waldack clarified that this would be voting for the language change only.

The Mayor called for a vote to amend the language of the ordinance.

VOTE: YEA: Commissioners Tully, Beckman, Durkin, Waldack

NAY: Commissioners Neustadt, Schnell, Mayor Sandack

The Mayor declared the motion passed 4:3 in favor of amending the ordinance.

Commissioner Beckman said he finds the ordinance to be troubling as it is overreaching. Commissioner Beckman moved to table this to a date to be determined to find a "saner" application and perhaps broaden it to include other Boards and Commissions. He recommended that an Ad Hoc group work to reformulate the wording of this. Commissioner Tully seconded the motion.

Commissioner Schnell asked as to the difference between this proposed ordinance and the Ethics Ordinance.

The Village Attorney responded that this ordinance allows the Village to penalize the licensee. She noted that the amendment would have to be in the Liquor Ordinance to enforce it with liquor licensees.

Commissioner Tully clarified that if someone violated the Gift Ban Act they would be subject to prosecution as handled by the State's Attorney. This prohibits a liquor licensee holder or anyone listed on the application from ever donating to a campaign.

The Mayor called for a roll call on the motion to table this item.

VOTE: YEA: Commissioners Beckman, Tully, Waldack

NAY: Commissioners Neustadt, Durkin, Schnell, Mayor Sandack

The Mayor declared the motion to table this matter failed (3:4).

With respect to the pending amended motion, the Mayor said he takes no offense to the statements that the Village is doing more and raising the bar by way of this ordinance. We are classifying a set of licensees and license holders who are privileged. Dispensing alcohol in the Village of Downers Grove is not a right, it is a privilege. This is an effort to separate that privilege from cash in local campaigns. This is not mean spirited or an attempt to disenfranchise groups. This is an attempt to separate money and politics from those who are license holders of alcohol liquor. One can still vote and have yard signs. This deals with political contributions during a discreet period of time. To say that someone will try to go around this is not a compelling argument to vote against this. The Mayor said he feels it was a mistake to strike the Liquor Commission from the language of this ordinance. Liquor is unique and those licensee holders have to abide by higher, stricter set of rules. The Mayor said he has no intention of taking campaign money knowingly from anyone that has a license. This is not onerous. We are trying to divorce money and politics. The Mayor said he feels the licensees will be happy with this ordinance. He further noted that it is great if our ethics ordinance is at the highest level in the country.

The Mayor called for a roll call vote on the ordinance as amended.

VOTE: YEA: Commissioners Neustadt, Durkin, Schnell, Mayor Sandack

NAY: Commissioners Beckman, Waldack, Tully

The Mayor declared the motion carried 4:3.

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

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

Indexes: Liquor Ordinance Amendments

ORD 00-03231 F. Ordinance: Amend License Classifications

Sponsors: Village Attorney and Liquor Commission

Summary of Item: This adopts a new liquor license classification for entertainment/restaurant facilities.

AN ORDINANCE AMENDING LICENSE CLASSIFICATIONS

ORDINANCE NO. 4962

A motion was made by Commissioner Neustadt, seconded by Commissioner Durkin, 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: Liquor Ordinance Amendments

ORD 00-03232 G. Ordinance: Amend Telecommunication Tax Provisions

Sponsors: Village Attorney

Summary of Item: This amends provisions of the telecommunications tax provisions to comply with State of Illinois requirements.

AN ORDINANCE AMENDING TELECOMMUNICATION TAX PROVISIONS

ORDINANCE NO. 4963

A motion was made by Commissioner Tully, seconded by Commissioner Durkin, 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: Telecommunications Tax

RES 00-03245 H. Resolution: Authorize Agreement with County of DuPage re: Prentiss Creek Neighborhood Resource Center

Sponsors: Counseling and Social Services

Summary of Item: This authorizes execution of an agreement between the Village and the County of DuPage for the 2008 Community Development Block Grant Program. This will support activities for the Prentiss Creek Neighborhood Resource Center.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY OF DUPAGE AND THE VILLAGE OF DOWNERS GROVE (PRENTISS CREEK RESOURCE CENTER)

RESOLUTION 2008-28

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: DuPage County Community Development Block Grant

8. Mayor's Report

REP 00-03246 State of the Village Report

The Mayor said he is required to annually report on the State of the Village. He remains committed to delivering this message in a consistent and timely manner each year.

Good local government is open and honest. The Village's Mission Statement clearly indicates the high level of commitment to these ideals as shared by the entire Council.

A key element in the Strategic Plan is to engage our citizens and partner with others to make Downers Grove a great community in which to live and do business. One way the Village strives to achieve this element is by increasing access to news and information about the Village government through technology. Council meetings are now more accessible to residents via streaming video from DGTv, as well as pod casts and MP3 downloads on our home page. The monthly statistical report, available on our website, highlights the volume of services delivered. Fully interactive GIS maps are another addition to the local information on the Village website. Residents can also input a concern or request for service into the Community Response Center using the new on-line CRC Inquiry Form. The Mayor encouraged people to visit www.downers.us and take advantage of the Village news and information available.

Ensuring quality services for both residents and the business community is a priority. The Village's financial position is strong and good financial stewardship remains a hallmark of Village Council policy. Sound fiscal policies, carefully monitored revenue and expense projections and strong reserve levels were cited by Standard & Poors Ratings Services as Downers Grove maintains an underlying bond rating of AA+.

The financial position of the Village is built on a strong property and sales tax base that remains one of the lowest municipal property and sales tax rates in DuPage County.

The Council has appropriated funds to begin to address the capital needs of the Village, especially in the areas of roads and stormwater. When winter ends and the construction season begins, the Village will be under reconstruction. Improvements to the aging watershed infrastructure will receive considerable attention in the coming years. A Stormwater Improvement Fund has been established in the FY08 budget and Council has appropriated over \$7 million for stormwater infrastructure projects that will begin in 2008. Council will soon consider issuance of approximately \$25 million in general obligation bonds. The Stormwater Improvement Fund is a positive step for the Village to address stormwater maintenance and infrastructure needs and enhancing storage capacity and transmission of stormwater to the Village's watersheds.

Other infrastructure needs in the Village include maintenance of streets and sidewalks. Over \$2 million has been dedicated to the 2008 Roadway Maintenance Program. Major road reconstruction projects are planned for Prairie Avenue from Belmont to Fairview, Woodward Avenue from 63rd Street to Oxnard, and 39th Street, from Highland to Fairview. A summary of the major capital projects is available in the FY 2008-2012 Community Investment Program on the Village's website.

The Mayor said the Village is cognizant of public safety needs. Efforts continue to secure the final portion of funding needed for the Belmont Road Underpass Project. The grade separation will provide innumerable benefits to commuters, pedestrians, motorists and emergency services providers. The new Fire Station 2 at 5420 Main Street is on schedule and on budget. Investments in our public infrastructure will benefit generations to come.

The Mayor noted noteworthy development projects: Acadia on the Green, Charles Place,

Rocca's Mexican Grill, Gatto's Italian Restaurant, Capri Italian Restaurant, Healthy Heaven, Boagies, Borrowed Earth Cafe, Downers Grove Town Homes, Residences at the Grove, Good Samaritan Hospital, Sara Lee Corporation, Highland Landmark V, and Pugi Mazda.

The Mayor recognized the departments of the Village and the strength of our citizenry and their willingness to participate in local government and non-profit organizations in Downers Grove. Residents should be proud of the Village's first 175 years.

Indexes: State of the Village

Materials to be Received

Materials to be Placed on File

9. Manager's Report

INF 00-03247 Lease for Tenant Space - Main Street Train Station

Sponsors: Deputy Village Manager

Mr. Fieldman said the Village owns and operates the facility at the Main Street Train Station. Joyful's Cafe's lease expires this month. Staff put out an RFP and received one proposal from Upper Crust Bakery. The Manager expects to execute the lease. Mr. Fieldman extended a welcome to Upper Crust Bakery and thanked Joyful's Cafe for their business at the train station.

Indexes: Main Street Train Station-Lease Upper Crust Bakery

Solid Waste Contract

Mike Baker, Assistant Village Manager, said Arc has been providing door hangers for those who will experience a change in their collection day.

10. Attorney's Report

Future Active Agenda

11. Council Member Reports and New Business

Commissioner Waldack said he attended a Transportation Committee meeting at the County. The County expects to get about \$20 million this year and \$47 million next year as part of the mass transit bill. The County has asked for \$1.8 million in transportation projects. He said that public safety may be looking for additional funds as well, noting that transportation funds may be getting smaller.

Commissioner Neustadt thanked the Public Works staff for filling in the potholes.

Commissioner Beckman expressed his appreciation to Joyful's Café for their work at the train station. He said that he has had the opportunity to go to Upper Crust Bakery and they will be a welcome addition to the Village.

Commissioner Durkin complimented and thanked Public Works and the Arborist. He received a letter regarding tree trimming which was very thorough. He also wished the residents and staff a Happy Easter.

Commissioner Schnell reminded everyone that they only need to buy one sticker now for both garbage and yard waste.

Commissioner Tully congratulated the Mayor on the State of the Village address. He also thanked Joyful's Café for being a staple at the Main Street Train Station, and welcomed Upper Crust Bakery. The Commissioner thanked and congratulated Marriott Suites in Downers Grove for their food and their hospitality in hosting Saturday's Coffee With The Council, saying it was an excellent meeting.

The Mayor said that General Manager, Tommy Van, of Marriott Suites showed them two new rooms in the facility, saying there was a genuine effort to connect with the Village. The Mayor then reported that it was the 34th anniversary of the murder of Officer Richard Barth while he was undertaking his duties as a Village Police Officer. The Village and the Police Department honors Officer Barth, and on May 12 there will be a ceremony in his honor. Mayor Sandack then recognized Doug Kozlowski for his assistance with presenting the State of the Village address, saying it will also be available on the Village's cable station. He then noted that the Chamber of Commerce had a legislative meeting yesterday where they talked about the Belmont underpass. Mr. Schillerstrom, the County Board Chairman, attended the meeting and pledged open communication. The Mayor said he is convinced that this is the year the Village has to act for the efforts toward the underpass to continue.

12. Adjournment

Commissioner Tully moved to adjourn to Executive Session pursuant to Section 2(c)(3) of the Open Meetings Act to consider personnel. Commissioner Durkin seconded.

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

Mayor Sandack declared the motion carried and the Council convened into Executive Session at 8:44 p.m.