



# Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

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Tuesday, April 1, 2008

7:00 pm

Council Chambers

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## 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.*

## 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

*Council Meeting - March 18, 2008*

*Workshop Meeting - March 25, 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, presented an overview of the construction status for Fire Station 2, saying that they are proceeding well. In the Apparatus Bay, the drywall ceiling is being completed and will be painted next week, with final coats applied to the walls and floors.*

*Entrances are being installed and expected to be completed by the end of the week. He noted that the lobby is near completion, and within the next two to three weeks the elevator will be installed. They expect delivery of furniture May 1.*

*Mayor Sandack explained that Mr. Disler provides an update on the construction every two weeks. This is a huge project for the Village and the updates have been beneficial in keeping the Council informed as to the progress of the building.*

#### 4. Public Comments and Questions

##### A. Comments and Questions on Active Agenda

*There were none.*

##### B. Comments and Questions on General Matters

*H.D. Mitchell stated that he represented the Curtiss Condominium 1 Association. He had other people present representing the Rogers Condo Association and the Grove Condo Association introduce themselves. Mr. Mitchell congratulated the Council and staff on the new solid waste contract with ARC, saying that these Associations requested to be included in the contract, but have been disenfranchised and are forced to pay commercial rates which are double what other residents are paying. Mr. Mitchell said that advantages to including these condominium homeowners in the contract include requiring fewer trucks for pickup, the free pickup of recyclables for homeowners, and the elimination to the homeowners of surcharges paid to commercial companies. He asked that the Mayor, Council and staff review the situation in a timely manner and inform these homeowners of their decision.*

*The Mayor said he appreciated Mr. Mitchell's e-mail and has forwarded it on to Assistant Manager Mike Baker for further follow-up. As soon as any information is received, Mr. Mitchell will be contacted.*

*George Bucic asked whether the Fire Station is proceeding according to budget. Mayor Sandack responded that, in fact, it is under budget.*

*Bill Wrobel, 7800 Queens Court, commented on the report from the Ad Hoc Committee on Housing presented to the Village Council, saying that he spoke with members of the Coalition on Managed Development and they are all in agreement with the presentations made by the Committee members. They felt that the Commission's work came to an abrupt end, and Mr. Wrobel asked that the Council keep this matter open and look at other communities who are studying this issue. He referenced an article about St. Charles and affordable housing, saying that this is an active issue. He also referred to an article from the Downers Grove Sun on March 22, 2007, which reported on a meeting held at the First United Methodist Church where 300 residents were asked about their ability to afford to purchase their own homes today. About half of the residents indicated they could not. He noted that the article quoted many of the Council members on the issue, and he asked that the matter be kept open for further review.*

#### 5. Public Hearings

#### 6. Consent Agenda

**COR 00-03249** A. Claim Ordinance: No. 5735, Payroll, March 14, 2008

**Sponsors:** Accounting

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

**Indexes:** N/A

- BIL 00-03250** B. List of Bills Payable: No. 5716, April 1, 2008  
**Sponsors:** Accounting  
**A motion was made to Approve this file on the Consent Agenda.**  
**Indexes:** N/A
- RES 00-03255** C. Resolution: Authorize an Agreement with United Radio Communications, Inc.  
**Sponsors:** Deputy Village Manager  
**Summary of Item:** A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND UNITED RADIO COMMUNICATIONS, INC.  
  
RESOLUTION 2008-30  
**A motion was made to Pass this file on the Consent Agenda.**  
**Indexes:** Fire Station #2, Planned Development #43-Fire Station No. 2
- RES 00-03256** D. Resolution: Maintenance of Streets and Highways by Municipality under the Illinois Highway Code  
**Sponsors:** Public Works  
**Summary of Item:** A RESOLUTION FOR MAINTENANCE OF STREETS AND HIGHWAYS BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE  
  
RESOLUTION 2008-31  
**A motion was made to Pass this file on the Consent Agenda.**  
**Indexes:** Motor Fuel Tax
- RES 00-03257** E. Resolution: Authorize an Agreement with Burns & McDonnell Engineering Co., Inc. of Downers Grove  
**Sponsors:** Public Works  
**Summary of Item:** This is for a contract for Phase I & II design work related to water main improvements for Gierz, Wilson, and Austin Streets (Linden Place - Fairview Avenue).  
  
A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND BURNS & MCDONNELL ENGINEERING CO., INC. OF DOWNERS GROVE  
  
RESOLUTION 2008-32  
**A motion was made to Pass this file on the Consent Agenda.**  
**Indexes:** Water Main Improvements
- RES 00-03258** F. Resolution: Authorize an Agreement with GC Engineering, Inc. of Downers Grove, Illinois  
**Sponsors:** Public Works

**Summary of Item:** This is a contract for the design of roadway improvements for the projects Inverness Avenue (Janes Avenue - Belmont Road) and Rogers Street (Main Street - Fairview Avenue) to GC Engineering, Inc. of Downers Grove, Illinois, in the amount of \$38,393.60 and \$44,732.80 respectively.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND GC ENGINEERING, INC. OF DOWNERS GROVE, ILLINOIS

RESOLUTION 2008-33

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

**Indexes:** Street - Resurfacing , Streets

**RES 00-03259** G. Resolution: Authorize Amendment Four to an Agreement re: Alternative Fuel Infrastructure Grant Program

**Sponsors:** Public Works

**Summary of Item:** A RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT FOUR TO AN AGREEMENT BETWEEN THIRD PARTY BENEFICIARIES, GAS TECHNOLOGY INSTITUTE AND THE CITY OF CHICAGO DEPARTMENT OF ENVIRONMENT FOR THE REGIONAL ALTERNATIVE FUEL INFRASTRUCTURE GRANT PROGRAM

RESOLUTION 2008-34

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

**Indexes:** CNG Fueling Facility

**RES 00-03260** H. Resolution: Intent to Continue Participation in the Suburban Tree Consortium and to Authorize Certain Purchases for FY 2008

**Sponsors:** Public Works

**Summary of Item:** A RESOLUTION EXPRESSING INTENT TO CONTINUE PARTICIPATION IN THE SUBURBAN TREE CONSORTIUM AND TO AUTHORIZE CERTAIN PURCHASES FOR FY 2008

RESOLUTION 2008-35

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

**Indexes:** Tree Consortium

**MOT 00-03261** I. Motion: Approve the Purchase of Computers from Dell Marketing, L.P., Round Rock, Texas

**Sponsors:** Information Services

**Summary of Item:** This is in an amount not to exceed \$108,368.00.

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

**Indexes:** Computers

**MOT 00-03262** J. Bid: Award \$225,097.19 for the Purchase of 11 Vehicles

**Sponsors:** Public Works

**Summary of Item:** This is for the purchase of 11 vehicles scheduled for replacement in 2008 as follows:

One (1) 2008 Dodge Grand Caravan SE minivan from Wright Automotive of Hillsboro, Illinois, in the amount of \$18,682 using the State of Illinois Joint Purchasing Contract PSD 221924.

Three (3) 2008 Chevrolet Impala sedans from Bill Jacobs Joliet LLC of Joliet, Illinois, in the amount of \$59,430.19 using the State of Illinois Joint Purchasing Contract PSD 401904.

Five (5) 2008 Ford Crown Victoria Police Interceptor sedans from Packey Webb Ford of Downers Grove, Illinois, in the amount of \$122,025 using the local vendor preference.

Two (2) 2008 Ford Ranger Supercab pickup trucks from Packey Webb Ford of Downers Grove, Illinois, in the amount of \$24,960 using the local vendor preference.

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

**Indexes:** Vehicle Purchases

**MOT 00-03263** K. Motion: Authorize Transfer of Credit for Years of Service into the Illinois Municipal Retirement Fund

**Sponsors:** Human Resources

**Summary of Item:** This is to authorize the transfer to credit for years of service from an out-of-state public sector employer into the Illinois Municipal Retirement Fund (IMRF) in accordance with IMRF plan documents. This motion is in response to a request from a qualifying Village employee.

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

**Indexes:** IMRF

**MOT 00-03264** L. Motion: Authorize the Village Manager to Request that the State of Illinois Include Purchase of 6,000 Tons of Road Salt by the Village during 2008-09 Winter Season

**Sponsors:** Public Works

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

**Indexes:** Salt

**RES 00-03265** M. Resolution: Authorize an Intergovernmental Agreement with the County of DuPage for the Southern DuPage County Regional Trail - 59th Street Bikeway

**Sponsors:** Public Works

**Summary of Item:** A RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE COUNTY OF DUPAGE FOR THE SOUTHERN DUPAGE COUNTY REGIONAL TRAIL-59TH STREET BIKEWAY

RESOLUTION 2008-36

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

**Indexes:** Bikeway Plan

**MOT 00-03266** N. Note Receipt of Minutes of Boards and Commissions

**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 00-03252** A. Ordinance: Amend Liquor Sales Provisions for On-Premise Consumption

**Sponsors:** Liquor Commission and Village Attorney

**Summary of Item:** This amends provisions for the sale of alcoholic liquor for on-premise consumption.

AN ORDINANCE AMENDING LIQUOR SALES PROVISIONS FOR ON-PREMISE CONSUMPTION

ORDINANCE NO. 4964

*Commissioner Tully said that he was not present for the discussion on this ordinance last week, but he supports it. He explained that the State has changed the law which allows bottle service in establishments, and unless the Council takes action under its Home Rule authority, bottle service will be allowed in the Village. He noted that this might be reviewed at a later time, should a petitioner come before the Commission and request bottle service. With passage of this ordinance, the Village law is more restrictive than the State.*

**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:** Liquor Ordinance Amendments

## 8. Mayor's Report

### Materials to be Received

### Materials to be Placed on File

*Mayor Sandack reported on the hearings and findings of the Liquor Commission meeting of March 6, 2008 :*

*On Thursday, March 6, 2008, a public hearing was held by the Liquor Commission to determine whether the Class "P-1" liquor license issued to SVT, LLC d/b/a Ultra Foods, located at 1212 75th Street, should be fined, revoked or suspended by reason of the alleged sale of alcoholic liquor to a person under the age of 21 years.*

*The Commission recommended a suspension of 1-3 days, a fine of \$2,000 and a fee of \$1,000 to cover the administrative costs of the hearing. The Mayor said he has made his Findings and Order, and the liquor license of Ultra Foods, located at 1212 75th Street, shall be suspended for two days beginning at 12:01 a.m. on April 21, 2008 until 11:59 p.m. on April 22, 2008. During these dates of suspension, no liquor may be sold from the premises. Ultra Foods shall also be fined \$2,000 and pay administrative costs of the hearing in the amount of \$1,000.*

*Also on Thursday, March 6, 2008, the Downers Grove Liquor Commission found Omega Downers Grove, Inc. d/b/a Omega Pancake House, located at 1300 Ogden Avenue, qualified for a Class "R-2" liquor license. Upon receipt of a certificate of occupancy, the annual fee and satisfactory background checks, the Mayor said he intends to issue a Class "R-2" liquor license*

to Omega Pancake House.

The Downers Grove Liquor Commission also found Jia & Yue, Inc. d/b/a Kyoto Japanese Restaurant, located at 1408 Butterfield Road, qualified for a Class "R-2" liquor license. Upon receipt of a certificate of occupancy, satisfactory background checks, annual fee, and finalized lease, the Mayor said he intends to issue a Class "R-2" liquor license to Kyoto Japanese Restaurant.

## Proclamation

Mayor Sandack proclaimed the week of April 12-18, 2008 as Good Samaritan Volunteer Recognition Week in the Village of Downers Grove. He said that he will present the Proclamation at Good Samaritan's event on April 12.

## 9. Manager's and Directors' Reports

Manager Pavlicek said that next week's Workshop meeting will be held on Monday evening, April 7 at 6:00 p.m. to allow for a trip to Springfield by the Council on Tuesday.

### INF 00-03267 Sidewalk Cafe Applications

**Sponsors:** Manager's Office

The Manager announced that an Outdoor Sidewalk Café license will be issued to Emmett's 72 hours after the Council meeting is held, unless the Village Council directs otherwise.

Commissioner Schnell asked if this is the first request this season. The Manager said is it the only one so far.

**Indexes:** Sidewalk Cafes

## 10. Attorney's Report

### Future Active Agenda

## 11. Council Member Reports and New Business

Commissioner Durkin said that District 99's Educational Foundation is having their annual fundraiser on April 9 at 7:00 p.m. at Stillwater's Grill. There will be a raffle as well. He further noted that the tree service was in his area last week trimming the trees, and they did an outstanding job of cleaning up their work. He passed on his appreciation for their customer service.

Commissioner Neustadt thanked the staff and Al Ambrose from Northern Trust for their work regarding the bonding issue.

Commissioner Schnell expressed appreciation to Mike Baker and the staff for the smooth transition to ARC. She asked whether the garbage is being picked up if the customer has an Allied sticker, and was informed by Mr. Baker that after next week they will no longer recognize the Allied stickers.

Commissioner Tully noted that while he was on vacation last week, he had the opportunity to reflect on several of the issues facing the Village. He said he prepared ten items to discuss this evening under New Business, together with written reports for the Council to review and discuss. After a brief moment of silent consideration, the Mayor responded that it was a good April Fool's joke by Commissioner Tully.

Mayor Sandack then expressed his appreciation to the staff and Al Ambrose for the meeting last night with regard to using bonding opportunities to pay for the Village's watershed improvement

projects. He said that it was a good dialogue and the Village came out a winner.

The Mayor said he had lunch last week with Clayton Harris, Chief of Staff, at the Illinois Department of Transportation, and they discussed the Belmont Underpass Project. Mr. Harris expressed interest in a capital bill, saying there hasn't been a capital bill for a long time. The Mayor said that most of the Council will be in Springfield with the DuPage Mayors and Managers next week to support some regional issues; however, the Council members will also take the opportunity to discuss the importance of the Belmont Underpass Project for the Village, and begin an awareness campaign.

Mayor Sandack announced that Downers Grove was again designated as a Tree City. He thanked staff for their efforts in this regard.

## 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 7:31 p.m.