



Village of Downers Grove

Meeting Minutes

Downers Grove Village Council

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

Tuesday, June 17, 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.

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 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 - June 3, 2008

Workshop Meeting - June 10, 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

The Mayor said this will be the final bi-weekly report on Fire Station 2.

Ed Disler, Owner's Representative, said he was at Fire Station 2 at 6:00 a.m. this morning and the landscapers were working. He showed pictures of the property taken yesterday. He said

Fire Station 2 is a beautiful building. He thanked the contractor and the architect and said it has been a pleasure working with the Village of Downers Grove.

Commissioner Beckman noted that Fire Station 2 is a beautiful building.

Commissioner Tully thanked Mr. Disler for his services and noted that the project was done on time and under budget.

Mayor Sandack thanked the architect, Williams Architects, the contractor, Nicholas & Associates, and the owner's representative, Owners Services Group for their work in finishing this on time and under budget.

Capital Projects Update

Interim Public Works Director Robin Weaver said that there are 48 projects in the Community Enhancement Program, and a total budget of \$23 million. Projects include streets, drainage, water distribution, sidewalks, traffic, sanitary sewers, water pumping, bikeways, streetlights, and parking. She noted that the Lee and Ogden project is on hold pending private development. Seven other projects are currently delayed due to either IDOT permitting/bidding issues, County bidding issues, property acquisition, or intergovernmental agreements with the Sanitary District.

Ms. Weaver said that this year staff focused on integrating the projects with other departments and other government agencies. She noted that resident meetings were held, and plans were modified based upon the input from those meetings. Four of the stormwater projects were modified, as was part of the sidewalk project as a result of those meetings. Ms. Weaver stated that the 39th Street project has been completed. The acquisition of property in the 2nd and Cumnor area for stormwater detention has been rejected. Design changes for the Maple and Carpenter project enabled staff to meet the budget rather than exceed it. She noted that to date there is an estimated savings of \$772,000 for the Woodward, Dunham, Prentiss Creek and the sidewalk replacement programs, and estimated additional costs of \$268,000, resulting in a potential savings at this time of slightly over \$500,000.

Ms. Weaver stated that staff is spending considerable time with the residents to inform them about various aspects of the stormwater projects. The primary needs and demands of the community right now are stormwater related. This is envisioned to be a thirty-year project. There will be a request for \$50,000 to increase cost-sharing programs. She also informed the Council and residents that there will be updates on the website on the status of all programs.

The Mayor thanked Ms. Weaver, saying this is a daunting task made up of many projects. He said it might be helpful to zone in on specific areas, as well as providing an overview from time to time.

Commissioner Schnell suggested placing an emphasis in savings trees as part of the sidewalk program. Ms. Weaver responded that trees are valuable to individual homes as well as to the neighborhood. She said staff will continue to emphasize tree preservation. In further response to Commissioner Schnell regarding Woodward, Ms. Weaver said it is expected to be a seven or eight month project. Commissioner Schnell said that there are two left hand turn lanes going north on Woodward and turning onto 63rd Street. It is a nightmare to maneuver. She said it needs to be signed so people turn into the correct lane. Ms. Weaver said staff will take a serious look at the situation.

ARC Disposal and Recycling Presentation

Mr. Richard Bulthuis, ARC Disposal, made a presentation on ARC's Solid Waste Program, which has been under scrutiny. He said the most important issue is responsiveness, particularly

since ARC is a new vendor. Mr. Bulthuis said issues that have come up include wind-related issues pertaining to recycling materials. While the recycled material is being emptied into the trucks, the wind sends papers blowing out of the apparatus. They are taking steps to educate the drivers and have retrofitted the trucks to try to prevent this. He indicated that ARC has added staff in the customer service department. They have had many calls regarding the carts, and the volume was very high. One additional staff member was added simply for calls from Downers Grove residents requesting the carts. Call volume is now at an acceptable level.

He indicated that there were some "misses" in the first few weeks of their program as the drivers familiarized themselves with the area. He did note some program highlights, which included the cart usage which increased 60%. The decrease in the cart price and the increase in the sticker price affected that, as well as the awareness of the cart program. The carts provide for a cleaner and neater neighborhood with fewer scavenger animals getting in the trash. He added that recycling volumes have also increased by 8%. Mr. Bulthuis said that in April and May, yard waste and recyclables made up 53% of the materials picked up. He stated that ARC is a major sponsor for the upcoming Heritage Festival and ARC will supply the dumpsters for that event. They have also donated to the Blodgett House project.

The Mayor said that an endeavor such as this is a big one, and they knew it would be challenging. He said that Mr. Bulthuis' presence is a demonstration of ARC's desire to cooperate with the Village. He appreciates Mr. Bulthuis efforts to inform the Council and public as to the status of the program.

Commissioner Beckman said he noticed a significant change from the previous vendor, and as time has gone on, the pick up is more systematic now. He complimented ARC on this quick transition. He further observed the courtesy of the ARC driver who helped him when he neglected to place his yard waste out in time for the pick up.

Commissioner Durkin stated that he has concerns with the toters, as they are being left in the middle of the driveways. He asked that they be left on the side of the driveway and that the lids be closed to avoid filling with water during the rain. Regarding retrofitting the equipment, he said the biggest concern is the trucks are moving when garbage is dumped into the truck. Commissioner Durkin further requested that the garbage be picked up in a more timely manner, with everything picked up before 5:00 p.m.

Commissioner Schnell said that the recyclables are picked up early, but the garbage is often not removed until 5:00 or 5:30 p.m.. As it gets hotter, the garbage will begin to smell, while the recyclables won't, so she asked if the garbage could be picked up first, and then the recyclables. The smell and/or leakage will draw animals.

Commissioner Waldack stated that the yard waste was not picked up last Friday at all. He said that yard waste bags are not sturdy, get wet and smell. He said that the residents were upset that the yard waste was not picked up and asked what should be done in that case. The bags and stickers were rendered useless, due to the damage to the bags caused by rains.

Mr. Bulthuis responded that he was aware of the issue on Monday. They are working with the staff. Residents would not be expected to re-sticker the bags. He will work with the staff to address this issue. Commissioner Waldack asked at what point residents should make a phone call. Mr. Bulthuis said that because the routes are stabilizing, people generally know when pick-ups occur. He said they should just call if it is not picked up on the regular schedule. Mr. Waldack suggested that there should be a set time by which the residents can call with pick up problems.

Commissioner Durkin asked about the traveling supervisor and how this situation was missed. Mr. Bulthuis said that there is a supervisor in town every day, but he doesn't ride every street. He drives a pick up truck to take the missed bags.

Commissioner Neustadt noted that there were a couple of areas with pick-ups on one day for one side of the street, and another day for the other side of the street. Assistant Manager Mike Baker said that this has been addressed and will change in July.

Mayor Sandack thanked Mr. Bulhuis for coming and providing an update on the program's progress.

4. Public Comments and Questions

A. Comments and Questions on Active Agenda

1. Bill Wrobel, 7800 Queens Court, commented on Item 03369, Traffic Calming Policy, saying he watched last week's meeting regarding that topic. Mr. Wrobel said he wants to go on record recommending that the Council approve this. He also asked about the Workshop procedures for the Transportation and Parking Commission amendments. The Mayor responded it is procedural. The Commission already exists. Commissioner Waldack is interviewing candidates at this time and the Council expects a recommendation in the next two weeks. Mr. Wrobel encouraged the Council to move forward on both of these items. He said that the traffic cushions on Claremont are working effectively in his opinion. He added that people have become creative in avoiding the cushions, though most residents respect the cushions. He said he hoped that there will be a way to be more creative with the installation of the speed pillows.

Mayor Sandack said that drivers are violating the law if they cross the double yellow line. Mr. Wrobel noted that they are making progress and the residents on Claremont are most appreciative.

Commissioner Tully noted that the Transportation and Parking Commission was officially formed on December 18, 2007.

B. Comments and Questions on General Matters

1. Diane Meyer, 6035 Dunham Road, said she believes the waste haulers are doing a great job. She said her property flooded and the staff was very helpful. She asked the permission of the Village to plug up the tubes that are illegally on her property. Residents are complaining about the water issues. She said the tubes have been unplugged by someone, and she has plugged them up again. She said it is a water issue as well as a safety issue for her and her family. Residents are expressing frustration at the situation, and she is concerned about her family's safety. Mayor Sandack responded that the neighborhood tension is unfortunate. The Police are aware of the situation. He said it is distressing to hear of the issues and hopes cooler heads will prevail and that people will behave in a more neighborly manner to each other. He said they cannot address all problems at the same time.

2. Barbara Anaman, 930 Curtiss, Acadia on the Green Building 2, said she is here on behalf of the residents in the building who feel that the noise levels coming from the Post Office between 9:00 p.m. and 7:00 a.m. are intolerable and may be breaking the Noise and Vibration regulations, affecting our health and property values.

She has not slept more than 2 hours uninterrupted, excluding Sunday mornings between 1:00 a.m. and 6:00 a.m. since moving into the building.

Semi trucks pull in and out of the Post Office parking lot to unload mail 24 hours a day at 1½-2 hour intervals. The semi truck noise is not the factor. A metal ramp free falls onto the concrete between 1 and 4 times per visit and they roll mail carts on this metal surface. Acting Postmaster Mike Easter explained to her that the Downers Grove Post Office has never been equipped with a hydraulic system like most other facilities.

According to guidelines established by the EPA, noise levels should not exceed 45 decibels inside a private residence as that is the level that typically wakes most people from sleep. Decibel levels reach 66 inside my unit with the windows closed startling me throughout the night. To put that in perspective, my vacuum cleaner measures in the 60 decibel range.

She referenced medical findings regarding health issues related to poor sleep and noted that one homeowners' ears are bleeding from wearing industrial ear plugs for extended periods of time.

Ms. Anaman said Building 2 is approx 1/3 full at this time. Some homeowners have responded in writing to a survey that they feel their property values may be compromised by this situation.

She referenced an e-mail from Dave Fieldman, Acting Manager, indicating that the Downers Grove Post Office functions as a distribution center and operates twenty-four hours. The developer, the Village Council, the Plan Commission and Village staff were aware of this fact when Acadia on the Green was designed, reviewed and approved in 2005. All parties understood that any new residential development occurring in the downtown would be surrounded by commercial and other non-residential uses in a unique mixed-used, urban environment.

Ms. Anaman asked three questions:

With all of the people mentioned aware of this situation, at any time was the builder required to add additional soundproofing?

Is there a building code that protects homeowners from this type of noise?

Is the Post Office violating the Noise, Vibration or Nuisance Ordinances?

Mayor Sandack said there is a nuisance ordinance on the books, and he would defer to the Village Attorney regarding the noise level. As to whether the developer has soundproofed the building, he does not know since it is a private development. He is happy to try and begin some dialogue with the Post Office staff to see that they can co-exist. The Post Office building is in a downtown area and has been there for more than twenty years as a 24-hour operation. He asked that staff conduct conversations with the Post Office and Acadia residents and report back to the Council.

Ms. Adaman asked when the building was approved whether building information was properly disclosed. She questions whether the builder might have misrepresented the development to the residents. The Mayor said this is private issue between the seller and the buyer. They may need to consult with a private attorney in that regard. There was a commercial element in the zoning for the development. They will have to look into whether or not it exceeds noise levels. Ms. Adaman said they are not asking for mail delivery to cease, but they are asking that operations cease during the sleeping hours. She referenced the City of Chicago code with respect to their noise ordinance in a mixed use environment.

3. Kumar Pavan, 4104 Sterling Road, commented on a problem with gunshots being fired in his neighborhood. He has requested that more streetlights be placed in the area. He has asked for three lights, and asked what is preventing them from putting in more. The Mayor said he asked staff to look into this. This is not budgeted for. The resident said he doesn't want gunshots being fired in his neighborhood, and they need to have the street lit up. He pays high taxes and they need lights on the street.

4. Keith Riha, 6111 Dunham, said he resides at the top of the hill on Dunham, and when he bought his property no one disclosed anything about this being a low drainage area. He said that in sometime during the ten years he has lived there it was declared a wetland. The situation has worsened. He discussed the flow of water in his area. If the tubes mentioned earlier in the

meeting are plugged, the water floods his neighbor's property. He said his understanding was that the tubes were placed properly. He is afraid that closing the tubes will cause more problems for him and his neighbors. He had to call the police because someone has been on his property tampering with his drain because of the water issue. There is water there right now. He said the Police did a great job getting to the bottom of the situation. He said there have always been rumors that the Village would do something to relieve the water problem, but now the water is far enough on to his property that it is not even draining down the tube. He is concerned that the problem will be exacerbated by plugging of the tubes. Mayor Sandack asked that the gentleman give staff his address. He said that there are many neighborhoods in the Village negatively affected by stormwater, and the Village is trying to alleviate the problems and address the issues. The resident responded that he doesn't want the problems to become worse for himself or any of the neighbors.

5. Public Hearings

6. Consent Agenda

Commissioner Tully moved to remove from the Consent Agenda, for separate consideration, item C., a change order authorizing \$5,715.00 to Sound, Inc., Naperville, Illinois, for the telephone system at Fire Station 2. Commissioner Durkin seconded the Motion.

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

The Mayor declared the Motion carried.

COR 00-03363 A. Claim Ordinance: No. 5747, Payroll, June 6, 2008
Sponsors: Accounting
A motion was made to Approve this file on the Consent Agenda.

Indexes: N/A

BIL 00-03364 B. List of Bills Payable: No. 5726, June 17, 2008
Sponsors: Accounting
A motion was made to Approve this file on the Consent Agenda.

Indexes: N/A

MOT 00-03374 D. Change Order: Authorize \$5,715.00 to Sound, Inc., Naperville, IL for Telephone System at Fire Station 2
Sponsors: Deputy Village Manager
A motion was made to Authorize this file on the Consent Agenda.

Indexes: Telephone System, Fire Station #2, Planned Development #43-Fire Station No. 2

RES 00-03375 E. Resolution: Authorize a Special Commercial Event License with the Downers Grove Downtown Management Corporation for the 2008 Hospitality Sunday and Holiday Parade
Sponsors: Communications

Summary of Item: This authorizes a special commercial event license agreement between the Village of Downers Grove and the Downers Grove Downtown Management Corporation for the 2008 Hospitality Sunday and Holiday Parade.

A RESOLUTION AUTHORIZING A SPECIAL COMMERCIAL EVENT LICENSE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE DOWNERS GROVE DOWNTOWN MANAGEMENT CORPORATION FOR THE HOSPITALITY SUNDAY AND HOLIDAY PARADE

RESOLUTION 2008-65

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

Indexes: Downtown Management Corporation

RES 00-03376 F. Resolution: Authorize a Special Commercial Event License with Downers Grove Downtown Management Corporation for the Fine Arts Festival

Sponsors: Community Events

Summary of Item: This authorizes a Special Commercial Event License for the Downtown Management Corporation Fine Arts Festival.

A RESOLUTION AUTHORIZING A SPECIAL COMMERCIAL EVENT LICENSE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE DOWNERS GROVE DOWNTOWN MANAGEMENT CORPORATION (FINE ARTS FESTIVAL)

RESOLUTION 2008-66

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

Indexes: Downtown Management Corporation

MOT 00-03377 G. Motion: Accept the Comprehensive Annual Financial Report (CAFR) dated December 31, 2007

Sponsors: Finance

Summary of Item: This accepts the Comprehensive Annual Financial Report (CAFR) dated December 31, 2007 which was presented to the Village Council at their workshop meeting of June 10, 2008.

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

Indexes: Financial Report

BID 00-03390 H. Bid: Award \$17,896.35 for the Supply of Public Works Uniforms and Outerwear for FY 08

Sponsors: Public Works

Summary of Item: This is for three contracts:

Michael's Uniform Co., Elmwood Park, IL in the amount of \$7,641.80

North Shore Uniform Service, Skokie, IL in the amount of \$8,447.65

Kale Uniforms, Chicago, IL in the amount of \$1,776.90

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

Indexes: Public Works

RES 00-03378 I. Resolution: Authorize a Consortium Agreement with the County of DuPage

Sponsors: Deputy Village Manager

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF A CONSORTIUM AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE COUNTY OF DUPAGE

RESOLUTION 2008-67

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

Indexes: DuPage County Community Development Block Grant

RES 00-03380 J. Resolution: Authorize a License Agreement with Denali Spectrum Operations, LLC to Install, Maintain and Operate an Antenna on Village Property (71st Street and Camden Road)

Sponsors: Community Development

Summary of Item: A RESOLUTION AUTHORIZING A LICENSE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND DENALI SPECTRUM OPERATIONS, LLC TO INSTALL, MAINTAIN AND OPERATE AN ANTENNA ON VILLAGE PROPERTY (71ST STREET AND CAMDEN ROAD)

RESOLUTION 2008-68

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

Indexes: Antenna Equipment, Water Tank-71st Street

RES 00-03381 K. Resolution: Authorize a License Agreement with Denali Spectrum Operations, LLC to Install, Maintain and Operate an Antenna on Village Property (801 Burlington)

Sponsors: Community Development

Summary of Item: A RESOLUTION AUTHORIZING A LICENSE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND DENALI SPECTRUM OPERATIONS, LLC TO INSTALL, MAINTAIN AND OPERATE AN ANTENNA ON VILLAGE PROPERTY (801 BURLINGTON)

RESOLUTION 2008-69

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

Indexes: Antenna Equipment, Village Hall Lattice Tower

RES 00-03382 L. Resolution: Authorize a License Agreement with Denali Spectrum Operations, LLC to Install, Maintain and Operate an Antenna on Village Property (4318 Downers Drive)

Sponsors: Community Development

Summary of Item: A RESOLUTION AUTHORIZING A LICENSE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND DENALI SPECTRUM OPERATIONS, LLC TO INSTALL, MAINTAIN AND OPERATE AN ANTENNA ON VILLAGE PROPERTY (4318 DOWNERS DRIVE)

RESOLUTION 2008-70

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

Indexes: Antenna Equipment, Water Tank-Downers Drive

RES 00-03383 M. Resolution: Authorize a Maintenance Agreement with Sungard Public Sector, Inc. (Naviline)

Sponsors: Police Department

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF A MAINTAINANCE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND SUNGARD PUBLIC SECTOR, INC. (NAVILINE)

RESOLUTION 2008-71

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

Indexes: Police Equipment, CAD

MOT 00-03384 N. Motion: Authorize \$18,151 for the Purchase of a New Live Scan Digital Fingerprint Identification System

Sponsors: Police Department

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

Indexes: Police Equipment, Fingerprint System

MOT 00-03387 O. Motion: Police Department Emergency Air Conditioning Repair

Sponsors: Deputy Village Manager and Police Department

Summary of Item: This authorizes payment in an amount not to exceed \$18,719 to McDonough Mechanical Services, Inc. for repairs to the Police Department air conditioning system.

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

Indexes: Police Department Air Conditioning System

MOT 00-03386 P. Motion: Note Receipt of Minutes of Boards and Commissions

Summary of Item: Foreign Fire Insurance Fund - May 14, 2008

Human Service Commission - April 2, 2008

Library Board - May 28, 2008

Plan Commission - May 5, 2008

A motion was made to Note Receipt Of 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

MOT 00-03373 C. Change Order: Authorize an Amendment to Professional Services Agreement with Geocon, Oak Forest, IL, for Construction Materials Testing for Fire Station 2

Sponsors: Deputy Village Manager

Summary of Item: This authorizes execution of an amendment to a professional services agreement with Geocon of Oak Forest, Illinois, for construction materials testing. The revised contract shall be increased from \$50,000 to an amount not-to-exceed \$64,000.

A motion was made by Commissioner Tully, seconded by Commissioner Durkin, to Authorize 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: Fire Station #2, Planned Development #43-Fire Station No. 2

RES 00-03385

A. Resolution: Authorize a Professional Services Agreement with Lyle Sumek Associates, Inc. for Strategic Planning

Sponsors: Deputy Village Manager

Summary of Item: This authorizes an agreement for professional service between the Village of Downers Grove and Lyle Sumek Associates, Inc.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND LYLE SUMEK ASSOCIATES, INC.

RESOLUTION 2008-72

Commissioner Tully said this Motion authorizes an agreement with respect to the Strategic Planning facilitation.

Commissioner Schnell asked if they are voting on removing certain elements of the Agreement.

Acting Manager Fieldman said this will direct Lyle Sumek not to address the governance issue due to the Village Manager situation.

Commissioner Waldack said he requested that this be moved from the Consent Agenda to the Active Agenda. He said the situation has changed and he feels that it is more appropriate to wait until a new Village Manager is appointed. He has concerns with the governance model and other issues. However, he can agree to this provided discussions address removing some of the items.

Commissioner Tully said that this contract is an hourly rate agreement, and the Village can use Mr. Sumek as much or as little as it wishes.

Mayor Sandack said he understands Commissioner Waldack's concerns. The Council is committed to strategic planning regardless of who the next Village Manager will be. This will be the third year of planning and the second year of the Citizen Summit. The Mayor said that this is consistent with vendor relationships and it makes sense to seek a new consultant.

A motion was made by Commissioner Tully, seconded by Commissioner Durkin, to Authorize 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: Lyle Sumek Associates, Inc.

ORD 00-03388

B. Ordinance: Annex 4708 Cross Street to the Village of Downers Grove, Illinois

Sponsors: Community Development and Plan Commission

Summary of Item: This authorizes the annexation of the property located at 4708 Cross Street.

AN ORDINANCE ANNEXING 4708 CROSS STREET TO THE VILLAGE OF DOWNERS GROVE, ILLINOIS

ORDINANCE NO. 4981

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

ORD 00-03158 C. Ordinance: Annex 4412 Cross Street to the Village of Downers Grove, Illinois

Sponsors: Community Development

Summary of Item: This authorizes the annexation of the property located at 4412 Cross Street.

AN ORDINANCE ANNEXING 4412 CROSS STREET TO THE VILLAGE OF DOWNERS GROVE, ILLINOIS

ORDINANCE NO. 4982

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: Annexation

ORD 00-03159 D. Ordinance: Rezone 4412 Cross Street from R-1, Single Family Residence District (Unincorporated DuPage County), to B-3, General Services and Highway Business

Sponsors: Community Development

Summary of Item: This rezones 4412 Cross Street from Village R-1, Single Family Residential, to Village B-3, General Services and Highway Business District.

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, CODIFIED AS CHAPTER 28 OF THE DOWNERS GROVE MUNICIPAL CODE, AS AMENDED, TO REZONE PROPERTY LOCATED AT 4412 CROSS STREET

ORDINANCE NO. 4983

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: Rezone 4412 Cross - R-1 to B-3

ORD 00-03365 E. Rezone 2525 Ogden Avenue from R-1, Single Family District, to B-3, General Services and Highway Business

Sponsors: Community Development and Plan Commission

Summary of Item: This rezones 2525 Ogden Avenue from Village R-1 Single Family Residential to Village B-3 General Services and Highway Business District.

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, CODIFIED AS CHAPTER 28 OF THE DOWNERS GROVE MUNICIPAL CODE, AS AMENDED TO REZONE PROPERTY LOCATED AT 2525 OGDEN AVENUE

ORDINANCE NO. 4984

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 Durkin, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

Indexes: Rezone 2525 Ogden - R-1 to B-3

ORD 00-03366 F. Ordinance: Amend Sign Provisions

Sponsors: Community Development and Plan Commission

Summary of Item: This amends sign provisions to allow electronic message center signs as special uses.

AN ORDINANCE AMENDING SIGN PROVISIONS

Commissioner Tully said that he appreciated Dr. Eblen's letter and the School District's position, however, he will not support this.

Commissioner Beckman said he shared Commissioner Tully's view on this. He also appreciates Dr. Eblen's view; however, this is a policy issue. If this passes, the Council needs to focus on what this addresses, as many types of applications could arise as a result of this. He supports the position of staff to deny this request.

Commissioner Waldack said he has problems with the amount of acreage. If electronic messaging is approved for schools, the Village may find other entities or the Village itself may want to use it. He will oppose the request.

Commissioner Schnell said she concurs with the staff and Commission that this is inappropriate. She also concurs with comments that the Village continues to monitor this as the technology may change.

The Mayor said he also appreciates Dr. Eblen's letters, however, he concurs with his colleagues in this regard. He thinks the Ordinance is working and he will not support this request.

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

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

Indexes: Zoning Ordinance - Signs

ORD 00-03368 G. Ordinance: Amend Transportation and Parking Commission Procedures

Sponsors: Deputy Village Manager

Summary of Item: This amends certain Transportation and Parking Commission procedures.

AN ORDINANCE AMENDING TRANSPORTATION AND PARKING COMMISSION PROCEDURES

ORDINANCE NO. 4985

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: Boards and Commissions

ORD 00-03369 H. Ordinance: Amend Traffic Calming Policy

Sponsors: Deputy Village Manager

Summary of Item: This amends the Village Council policy with respect to Traffic Calming.

AN ORDINANCE AMENDING THE POLICY OF THE VILLAGE COUNCIL WITH RESPECT TO TRAFFIC CALMING

ORDINANCE NO. 4986

Commissioner Neustadt asked for an update as to the number of petitions that are coming in on a monthly basis.

Commissioner Schnell complimented the staff for their work and the residents for keeping this in front of the staff and Council.

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: Boards and Commissions, Traffic Calming

MOT 00-03370

I. Motion: Select Underwriters for General Obligation Bond Issuance

Sponsors: Deputy Village Manager

Summary of Item: This accepts Robert W. Baird, Morgan Keegan and Mesirow Financial as underwriters for the General Obligation bond issue.

Commissioner Durkin said he raised concerns with the recommendations from the financial adviser. He would like to see an additional co-manager from Loop Capital added on. He pointed out that they are a large organization ranked thirteenth in the country specializing in stormwater. He specified that he has no connection with them whatsoever. He would like to see them added because by adding them they will bring additional opportunities to sell bonds. They have worked with the three largest U.S. cities, and their expertise would be a win/win situation for the Village. He said he spoke with Acting Manager Fieldman and Allan Ambrose of Northern Trust. He doesn't know why the Village would not accept them, and has been given no information in that regard. He said he is surprised that Northern Trust is not present. He asked whether he can make a Motion to amend.

The Mayor said a Motion to amend will be entertained if that is what the Council chooses. He noted that the Council did receive a copy of Commissioner Durkin's e-mail to Northern Trust. He said Mr. Ambrose responded that with a negotiated sale, there is a finite number of participants that won't dilute the field, and in the municipal bond world \$45 million is not that big of a deal. Parsing it out may dilute the participation.

Acting Manager Fieldman said that Northern Trust is concerned about diminishing returns and talks about three underwriters being sufficient.

Commissioner Neustadt asked if Loop Capital responded to the RFP, and Manager Fieldman said they did respond and were fully considered.

Commissioner Beckman asked about the impact this change would have with the relationship with Northern Trust. Manager Fieldman said they are an advisor and will work with staff as an adviser.

Commissioner Schnell said she has trouble with the timing of this. The Village has hired Northern Trust to provide the Village with good advice. She is hesitant to deviate from their advice, and feels the timing on this is bad.

Commissioner Tully said he respects Commissioner Durkin's expertise and experience in this area. The issue is that the Village has hired a financial advisor. Their recommendation is that expanding the number of underwriters from three to four would be in contrast to the advice of the financial advisor. He is hesitant to go against Northern Trust's recommendation.

Commissioner Durkin said that questions were brought to staff's attention last Tuesday morning. He said he has yet to receive any answers to certain questions he raised to the financial advisor. He did not hear from Northern Trust until Friday at 5:00 p.m. He said this didn't just occur but started some time ago. He challenged Loop Capital on the timing of their response. They told him that they have no proof but they did not know about the RFP. They learned of it through Commissioner Durkin. He is upset that he didn't hear back from Northern Trust until so late. He finds it puzzling that this was not better handled. He cannot support this as it is being presented.

Commissioner Durkin moved to amend the Motion to add Loop Capital as an underwriter for the General Obligation Bond Issuance. There was no second to the Motion.

The Mayor declared the Motion failed for lack of a second.

A motion was made by Commissioner Beckman, seconded by Commissioner Schnell, to Accept 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: General Obligation Bond Issue - Watershed Infrastructure Improvement Plan, General Obligation Bond Issue - Series 2008

ORD 00-03371 J. Ordinance: Provide for the Issuance of General Obligation Bonds, Series 2008

Sponsors: Deputy Village Manager

Summary of Item: This authorizes the sale of \$27,500,000.00 in taxable general obligation bonds for Watershed Improvements.

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2008, OF THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS, AUTHORIZING THE EXECUTION OF A BOND ORDER AND AN ESCROW AGREEMENT IN CONNECTION THEREWITH AND PROVIDING FOR THE LEVY AND COLLECTION OF A DIRECT ANNUAL TAX FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS

ORDINANCE NO. 4987

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 Beckman, Commissioner Neustadt and Mayor Sandack
Nay: Commissioner Durkin

Indexes: General Obligation Bond Issue - Watershed Infrastructure Improvement Plan, General Obligation Bond Issue - Series 2008

8. Mayor's Report

Materials to be Received

Materials to be Placed on File

The Mayor commented that he has been working with Acting Manager Fieldman regarding red-light cameras. Many municipalities are considering putting cameras on traffic signals for safety purposes. He said that the Police Chief and his staff have also looked at this and reviewed some of the vendors. He is seeking direction from the Council to either direct this to a Standing Committee, add it to a Workshop Agenda, or other ideas.

Neither Commissioner Beckman nor Commissioner Durkin had any thoughts on this subject at this time.

Commissioner Tully said he would appreciate staff's assessment as to whether this would belong in community development, what the issues are, the options, etc. He would like a recommendation as to which commission would hear this, and suggested that this is a policy issue that should probably go to one of the Standing Committees.

The Mayor said that staff is looking for direction on this as it is a controversial issue.

Acting Manager Fieldman suggested presenting it as an informational item for a future Workshop meeting.

Commissioner Schnell said she received a report in a non-agenda packet and she thought it was a fairly comprehensive report that provided information for discussing possible alternatives. She said that this is done in California and it stops people from going through red lights. She said they have to consider this from a safety point of view, and feels it is a policy decision.

Commissioner Waldack said his initial reaction was that it is an invasion of privacy, but the time has come to consider this as a safety procedure, because it can be dangerous out there with people ignoring the traffic laws. He suggested Workshopping the item and then referring it to the Public Safety Committee for further consideration. Commissioner Waldack said he doesn't know what happened with this issue in Naperville.

Commissioner Neustadt said he agreed that the report was well written and well done. He said it is important to get any questions from the Council to staff in preparation for the Workshop presentation.

The Mayor summarized that the Council is asking staff to make a presentation and then a decision will be made on the next step.

9. Manager's and Directors' Reports

Acting Manager Fieldman reported on the severe thunderstorm of Sunday morning that lasted only about 15 minutes; however, it damaged many private and publicly owned trees. About 4200 households lost power, and within a matter of minutes the Public Works crews were on the streets picking up debris caused by the storm. Staff responded to several emergencies. ComEd said that the majority of the 4200 households had power restored by 3:30 p.m. Manager Fieldman said that clean up crews will continue their work tomorrow. He did note that on the Village website, there is information as to licensed tree removal companies for those residents who experienced damage to trees on their private property.

10. Attorney's Report

Future Active Agenda

11. Council Member Reports and New Business

Commissioner Durkin said that the "Dine In" flyers will be in the mail shortly. He further noted that Saturday was the grand opening of the Downers Grove Downtown Market. He thanked those who made it possible and those who came to the Market. Commissioner Durkin then

commented on the number of foreclosures in the Village and asked staff for a report on the foreclosures. He asked specifically that loanholders are notified that it is their responsibility to cut the grass on the foreclosed property.

Commissioner Neustadt also suggested that residents try the restaurants listed in the "Dine In" brochure. He thanked the Public Works, Police Department and Fire Department for their response to Sunday's storm. As to the Downtown Market, the opening was great. He encouraged people to attend the Fire Station 2 Open House this coming Saturday. He announced that today is his older brother, Christopher's, birthday, and if he is still awake, he wished him a Happy Birthday.

Commissioner Beckman concurred that "Dine In" is a great piece of work. He also commented on the amount of damage caused by the Sunday morning storm, saying that staff responded very quickly. The Commissioner further commented, with respect to fees, that he has spoken with some residents and with Manager Fieldman as to what policy or practice the Village has for its fee structure, versus taxation. He asked staff to provide the Council with further information explaining how fees are determined. The Mayor said this might be a topic for Strategic Planning, and Commissioner Beckman said he wasn't sure where it would fall, but he believed it should be supported by the committees. Manager Fieldman said staff has started working on this and plans to bring it forward as part of the FY 09 budget.

Commissioner Beckman then referred to an article in the Wall Street Journal regarding the success of towns with respect to public transportation. He recommended that anyone who can access the article should read it. The article referenced Pasadena California, which is 25 miles east of Los Angeles. He said he feels that the Village is ahead of the curve on this issue.

Commissioner Waldack asked for the article to be shared with the Council. As for the Transportation Committee, he said the names of potential appointees will be made available shortly. With regard to the storm damage and water, he asked the Council and the public to take a moment and consider those areas hit with loss of life and flooding. He mentioned the loss of the Boy Scouts in Iowa, noting how fortunate we have been in Downers Grove. At this time, the Council held a moment of silence.

Commissioner Schnell said she saw one of the new buses last night and it looks great. She appreciates the work to publicize this. She noted that the Public Service Committee met yesterday to discuss the facility use study and came up with several questions for staff. She suggested that this be an item at the Citizens' Summit.

Commissioner Tully complimented the Police Department and Public Works for their work after the storm, and particularly the removal of a tree by North High school. He agreed that the Downtown Downers Grove Market was a huge success, and announced that there are ten days left until Heritage Festival.

The Mayor said that the Public is welcome to attend the Open House of Fire Station 2. It is a tremendous public asset and is also the nerve center of the Fire Department Administration. He said it is appropriate to discuss the potential for facility needs in the Village, and he agrees that it makes sense to include discussions in the Citizens Summit.

Mayor Sandack said that he, Attorney Petrarca, Manager Fieldman and the Village's lobbyist, John Nicolay, met yesterday with IDOT, the County, State Legislators and representatives of Metra to discuss the funding gap for the Belmont underpass. They asked IDOT to fund it all. And IDOT responded they will fully fund the \$8.3 million gap. He thanked all those who made this happen, including former Mayor Brian Krajewski, Illinois State Representatives Patti Bellock and Sandra Pihos. He thanked Illinois State Senators Dan Cronin, Kirk Dillard and Christine Radogno. He also mentioned Illinois State Representatives Jim Durkin and Bob Biggins. He thanked DuPage County Board Chairman Robert Schillerstrom and DuPage

County Board members Kyle Gilgis, Thomas Bennington, Michael McMahon, Brien Sheahan, Patrick O'Shea and Jeff Redick. He thanked Christine Reed, Director of Highways for IDOT and IDOT Secretary Milton Sees for their contributions to this endeavor. He thanked the DuPage Mayors and Managers Conference, as well as Donne Trotter, Kwame Rauol and Barbara Flynn Currie.

He remains convinced that the Village's strategic decision to hire a lobbyist made sense and paid off by providing the Village with the opportunity to speak with leaders in Springfield they might otherwise not have met, including State Senator Mike Madigan's chief of staff and Senator Frank Watson of Greenville, Illinois. He also expressed his appreciation to the Village staff and his colleagues on the Village Council for their efforts in this regard. The Mayor said this is a proud, shining moment in the Village's history and, although it will be disruptive during the construction phase, when the project is completed it will make the Village much better.

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 8:59 p.m.