

MINUTES OF WORKSHOP MEETING

DOWNERS GROVE, ILLINOIS

AUGUST 12, 2008

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: Mayor Ron Sandack, Commissioners Marilyn Schnell, Martin Tully, William Waldack, Sean P. Durkin, Geoff Neustadt, Bruce Beckman

Absent: None

Commissioner Tully moved to go into Executive Session pursuant to Section 2(c)(1) of the Illinois Open Meetings Act to consider personnel and pursuant to Section 2(c)(11) to consider litigation. Commissioner Durkin seconded the Motion.

VOTE: AYE – Commissioners Tully, Durkin, Schnell, Waldack, Neustadt, Beckman and Mayor Sandack

NAY - None

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

Mayor Sandack called the Workshop meeting of the Village Council of the Village of Downers Grove to order at 7:00 p.m. in the Council Chambers of the Village Hall. The Mayor led the audience in the Pledge of Allegiance to the Flag.

Present: Mayor Ron Sandack; Commissioners Marilyn Schnell, Martin Tully; William Waldack, Sean P. Durkin, Geoff Neustadt, Bruce Beckman; Acting Village Manager Dave Fieldman; Village Attorney Enza Petrarca; Deputy Village Clerk Linda Brown

Absent: Village Clerk April Holden

Visitors: **Press:** Catherine Leyden, Downers Grove Reporter

Residents: Greg Bedalov, Downers Grove Economic Development Corporation, 2001 Butterfield; Elizabeth M. Flood, Joe Lorenzini, Dan Brescia, all of Metra, 547 West Jackson, Chicago; Donald Yetter, URS, 100 South Wacker Drive, Chicago; Laura Crawford, Downers Grove Chamber of Commerce and Industry, 2001 Butterfield; Zak Dich, Carlucci Restaurant, 1801 Butterfield; Frank Falesch, 820 Prairie; Andy Clark, 1226 62nd Street; Bill Wroble, 7800 Queens Ct; all of Downers Grove Watch; Christine Fregeau, 1918 Elmore; Lisa Stach, 3736 Candlewood; Marge Earl, 4720 Florence

Staff: Mike Baker, Assistant Village Manager; Tom Dabareiner, Director, Community Development; Mike Millette, Assistant Director, Public Works; Andy Matejcak, Director, Counseling and Social Services; Judy Buttny, Finance Director; Robert Porter, Police Chief; Liangfu Wu, Director, Information Services; Mary Scalzetti, Director, Community Events; Megan Bourke, Management Analyst

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

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

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

MANAGER

1. Active Agenda and Informational Items
 - a. **Belmont Underpass Presentation by Metra.**

Acting Village Manager Dave Fieldman said representatives from Metra were present to provide a presentation on the Belmont Underpass. Joe Lorenzini, Metra's Chief Engineer, Counsel Elizabeth Flood, Dan Brescha and Don Yetter were all present.

Joe Lorenzini reviewed the elements of the project, including a summary of the events that have led to the decision to construct the underpass at Belmont Avenue. The proposed plan includes a pedestrian underpass for safe pedestrian travel. Mr. Lorenzini used overhead projections to depict the plans for the construction project, including underground water and retention system, utility relocations, new parking lots, reconfigured railroad tracks and new traffic signals on Haddow Avenue. The underpass will consist of four lanes of traffic and two seven-foot wide walkways below the bridge with handicapped accessible ramps. Architecture for the project will be similar to the terra cotta style of the Main Street Station. This will be a 4-year construction project, consisting of two contracts, the first of which is the Advance Contract that will take about a year to complete. Bids on the Advance Contract are due August 19. This contract will cover utility relocations and other infrastructure improvements needed prior to the actual construction of the underpass.

In May of 2009, the second contract will be put out for bid. It will be a 3-year project to construct the underpass. He explained the technical aspects of maintaining rail service during the construction. They anticipate opening up two lanes beneath the bridge by November of 2011, with full service restored by November of 2012. Mr. Lorenzini explained that they must keep at least two railroad tracks in service, and therefore, a great deal of the work will have to be done during off hours. He described the line items on the contracts, saying the total estimated cost for the project, including engineering, property purchases and construction is \$53 million.

Mayor Sandack thanked Mr. Lorenzini for his presentation and the cooperation of Metra's staff during the time this project has been under consideration. The Mayor acknowledged that many people have worked many years to make this project a reality and he expressed his thanks to all that contributed.

Commissioner Schnell asked about the connection of the new parking lot to the sidewalks on Warren, and Mr. Lorenzini said there would be sidewalks on Belmont as well, with corner stairways leading to the platform.

Commissioner Neustadt thanked the Metra staff for adding the architectural elements to the Belmont Station that make it distinctly Downers Grove.

Commissioner Beckman questioned tunnel security issues and what provisions are contemplated to ensure the safety of all those using the facility. Mr. Lorenzini said that the tunnel will be well lit, and security cameras will be placed at Metra's cost, but the Downers Grove Police Department will need to monitor those cameras. The pumping station will be electrically powered with natural gas generators for a backup.

Commissioner Durkin asked if there will be night work and Mr. Lorenzini said there would be. In further response, he said that there would be bikeway access via the sidewalk under the bridge.

Commissioner Waldack questioned the steps for accessibility, and asked what kind of access for the handicapped is contemplated. Mr. Lorenzini described the switchback ramp provided for wheelchairs.

Commissioner Schnell asked that the slide presentation be placed on the website and cable Channel 6 and Manager Fieldman said that would be done.

The Mayor thanked them again for coming out, saying it was good for the Village to have this much information available to them.

b. **Amendment to Planned Development #31 with a Variation for a Temporary Sign.**

Tom Dabareiner, Director, Community Development, said that Carlucci's Restaurant has requested a variation to permit a temporary sign that will consist of a 10x10 foot banner displayed on an existing tower up to six times a year and 4-6 weeks for each event. The Plan Commission found this to be a unique request as this property has a large setback, and the property is allowed 300 square feet of signage. They are presently utilizing only 240 square feet of their allowable signage.

The Mayor noted that the Downers Grove Economic Development Corporation supported this initiative, as did the Downers Grove Chamber of Commerce.

Zach Dich of Carlucci's Restaurant said that this amendment to the Planned Unit Development is necessary for them to survive. It is a very competitive business along Butterfield Road, and Carlucci's needs to be more visible. They need to bounce back.

Commissioner Schnell clarified that this is not a modification of the Sign Ordinance, but the PUD is being amended. Manager Fieldman verified that, saying that the Plan Commission had also expressed the need for flexibility for businesses on Butterfield Road.

The Mayor said that Planned Unit Developments by their nature and design have flexibility, and the Plan Commission found this warranted an exception.

Commissioner Beckman said he supported this request, but asked why a permanent signage structure of some kind was not considered, rather than using a temporary banner six times per year for six weeks at a time. Mr. Dich responded that the banner would change to serve notice for upcoming holiday events.

Commissioner Waldack agreed that 36 weeks is a long time to have a temporary banner, which are generally not pleasing to the eye. He would rather see a Carlucci sign, instead of the sample banner submitted in the request. He thinks something more permanent would be better than the temporary banner concept.

Commissioner Neustadt said he would support this, saying staff worked closely with the petitioner and the EDC to find a solution to the problem.

Commissioner Tully said this is a unique situation that amends an existing Planned Unit Development. He noted that the Butterfield Corridor has unique challenges for its businesses, and he thinks making allowances like this is the proper action. Many businesses would like a variety of specific considerations. The petitioner is allowed more signage than they are currently using, and he sees this as an appropriate way to handle this.

Commissioner Beckman asked what would happen if a banner were damaged during its six-week display period. Mr. Dich responded that a 6 a.m. phone call to his crew would have it corrected right away. Carlucci's is very image conscious.

Commissioner Schell asked for clarification that these are weather resistant banners, and not paper, to which Mr. Dich responded that they are weather resistant.

The Mayor noted that Carlucci's does not do "tacky" and tries to bring customers in rather than send them away.

Christine Fregeau, 1918 Elmore, said that besides the Butterfield Road location, Carlucci's has another restaurant in Chicago and a third restaurant at the airport. She thinks that the Butterfield Corridor presents unique challenges. Carlucci's has always been a great and generous partner to the Downers Grove schools and to the community in general.

c. Revised Community Grants Program Mission Statement and Eligibility Requirements.

Assistant Manager Mike Baker said that an approval by Ordinance is necessary. This is a recommendation from the Community Events Commission. The minutes from the Commission meeting were provided to the Council.

Commissioner Neustadt said he is the Chairperson of the Community Grants Commission ("CGC"), and last year's discussion indicated a need for modification to the program. The Commission members spent considerable time redefining their process and procedures. He said that the process of hearing grant requests takes place over a series of meetings, and he asked in the future that staff hold a second meeting with applicants to help the applicants understand the reasoning behind the decisions of the Community Grants Commission.

Commissioner Beckman applauded Commissioner Neustadt for the fine work of the CGC. His concern is whether they are narrowing the scope of those who can participate instead of widening it. He believes in the Commission and plans to support this, but he has concerns. They may be funding the same organizations year after year and unintentionally making them dependent upon the Community Grants Commission, and he would like to see this addressed by the Commission.

The Mayor said that the FY08 budget was about \$80,000 for distribution by the Community Grants group. They need a policy that makes sense, and there needs to be a clearer understanding by the Commission as to their purpose.

Commissioner Beckman said that there are questions of relevance in his opinion.

Commissioner Tully thanked Sue Brassfield and the Commission members for their leadership in this area. He said that the Hotel/Motel sales tax funds the grants, and it is not a huge amount of money, but it is critical to an important segment of the community. Over time, in attempting to define the purpose and scope of the Community Grants Commission, grey areas developed. Commissioner Tully said he thought the intention was to narrow the scope. The charge of Community Grants was to define "what is the purpose?" He agrees with the language before them at this time, returning to the original purpose to foster primarily artistic and cultural events in the community. One of the criteria was whether the organization was truly in need of the money. The organizations cannot solely depend on funding from the Community Grants program. A new crop of applicants appeared in the last few years that fell outside of the scope of the original purpose. He said that given the fact that this is a finite amount of money, some limitations are necessary.

Commissioner Schnell thanked Commissioner Neustadt and the Commission for going back to the original intent, which was to attract residents to cultural activities, and to help support community organizations. She said that one of the components was to only fund an organization for two or three years, and she recommended having a year off after three years of funding.

Commissioner Waldack expressed his appreciation to Commissioner Neustadt and the Commission for the difficult job they have undertaken. He was concerned when District 99 wanted to put on a program promoting citizenship with a civic nature. He saw the funds for civic elements disappearing with the proposed changes. However, on looking at it further, the funding came from hotel taxes to encourage cultural and artistic programs, and he does support the changes now. He expressed one concern with the wording in the last phrase saying "shall not include any unit of government or taxing bodies," yet one of the grants is going to the Mustang Boosters, he questioned whether that money goes to a District 99 function.

The Mayor explained that it is not going into the government coffers, and Attorney Petrarca clarified that the Mustang Boosters is a “not-for-profit” organization, separate from District 99.

Commissioner Neustadt said that Sue Brassfield, staff co-ordinator for the Community Grants Commission, has put together a great application, asking, “How many people will your event attract to the Village of Downers Grove?” That is one of the goals of the program.

- d. **Stormwater and Flood Plain Ordinance Amendment.** The Manager said that the County has revised their Stormwater and Flood Plain Ordinance, and the Village adopts that Ordinance by reference. The County informed the Village that their Ordinance change became effective August 1, 2008. This is just an information item for the Council.

Commissioner Waldack recommended sending this to the Environmental Concerns Committee as they might find this interesting. He noted that it seems like the Federal, State and County all want to clean up the environment, and most of the problems arise when they consider costs, fines or fees “in lieu of”, which is unfortunate.

Commissioner Tully asked about the County’s efforts regarding establishing a stormwater utility, and the Mayor said that he sits on a County committee and it appears as though that is not an initiative which is being championed by the County Board at this time. Commissioner Tully said that the Village hoped to tag onto the County’s Stormwater Utility plan, and if that is off the table at the County level, he questioned whether the Village should pursue the discussion on its own. Mayor Sandack responded that budget discussions are coming up and that topic would be fair game as either new business or as part of capital improvements.

2. Consent Agenda Items

- a. **Engineering Contracts for Selected FY09 Capital Projects.** The Manager said staff is seeking authorization for design work for FY 09 Capital Projects. They want to take advantage of a full construction season next year. He explained the process proposed. Payment will come from the proceeds from the GO Bonds that close tomorrow, and this would not increase the costs of any projects but merely accelerate their progress.

In response to Commissioner Schnell, Manager Fieldman said this would result in design work always talking place in the fall and winter in the year prior to construction. Engineering done in 2008 would be for projects completed in 2009.

- b. **Professional Services Agreement – Consultant for Comprehensive Plan and Total Community Development 3.** The Manager said this would authorize an agreement with Houseal Lavigne Associates of Naperville for consultant services for facilitation of a portion of the Total Community Development (TCD3) process in an amount not to exceed \$177,900.

Mr. Baker clarified that this was a cap with a “not to exceed” amount.

Commissioner Neustadt said he appreciated the student workshops incorporated into this.

Commissioner Schnell asked about public participation in the TCD, and how the public is involved in generating solutions. She said that Boards and Commission members have links to the concerns of the community. She was pleased to see them incorporate citizens into the process, such as by using Boards and Commissions as sounding boards to discuss problems and solutions.

The Mayor clarified that this change it will not affect the funding.

Commissioner Waldack said yesterday’s meeting was informative. He agrees with using the Internet and websites as components, but he still wants to see people sitting down together, such as a mixture of business, residents and students similar to a citizens’ summit. He hoped there would be at least one

intermediate meeting involving the public. The average cost of a workshop meeting is about \$1500 and if they go over by \$1500 to include another workshop meeting, he would not be opposed to that.

- c. **Professional Services Agreement – Resident Engineering Services for Watermain Replacement at Maple Avenue and 55th Street.** The Manager said this would authorize execution of a professional services agreement with Hampton, Lenzini and Renwick, Inc. of Elgin in an amount not to exceed \$95,807.38.
- d. **Professional Services Agreement – Resident Engineering Services for Prentiss Creek Subwatershed B and Sunridge Watermain Replacement Projects.** The Manager said this would authorize an agreement with Kudrna and Associates of Westmont in a not to exceed amount of \$158,000.

The Manager said Items c and d are similar to the Owners' Representative process used successfully by the Village during the construction of Fire Station 2. Staff recommends Hampton Lenzini and Renwick of Elgin for Item c, and Kudrna and Associates for Item d.

- e. **Bid: Parrish Court Drainage Improvements and Venard and Acorn Storm Sewer Replacement.** The Manager said this would authorize a contract with Everest Excavating and Underground of Gilberts in the amount of \$208,000.
- f. **Bid: Purchase of Asphalt Paver.** The Manager said this would authorize award of a contract to Westside Tractor of Naperville in the amount of \$64,015. This company is the lowest responsive and responsible bidder.
- g. **Amendment to the DuPage County Emergency Management Mutual Aid Agreement.** The Manager said this would make it easier for the Village to request aid from the County during emergency situations.
- h. **2009 National Ice Carving Championship.** The Manager said this would authorize an extension of the existing contract with the National Ice Carving Association in an amount not to exceed \$60,000.

The Mayor said the Ice Carving Championship was a very successful program last year, but really, really cold.

Commissioner Schnell asked that the Community Events staff find a way to measure the number of people brought in by this event, as this is a lot of money to spend.

The Mayor asked that staff and Downtown Management also try to capture information from the downtown merchants.

Commissioner Tully said the real benefit of the program is the number of people who come back in six months to visit a store they saw during the Ice Festival, and there is no way to measure that. It is difficult to measure it directly on the weekend of the event, although models available have been used to determine its affect. It is a hugely successful event and had press exposure in the Chicago Tribune. There is a demonstrable return on an investment, both tangible and intangible.

- i. **Resolution Authorizing Execution of an Agreement with Thomson West.** The Manager said this would authorize a three year agreement with Thomson West for legal research, legal publications and legal education services.

MANAGER'S AND DIRECTOR'S REPORTS

Mary Scalzetti, Director, Community Events, announced the U.S. Pro Criterium race this weekend. The Double Tree Hotel reports that it is sold out for this bike race weekend. The race will be held this weekend

from 2 p.m. on Saturday until 8:00 p.m., and continuing at 8:00 a.m. on Sunday until 5:30 p.m. The big race begins at 3:00 p.m.

Mayor Sandack said this is the ultimate cycling event of the year.

ATTORNEY'S REPORT

Village Attorney Enza Petrarca said she was presenting eight items to the Council: 1) An ordinance approving a planned development amendment to Planned Development #31 for a variation for temporary signage; 2) An ordinance amending Community Grants provisions; 3) A resolution authorizing execution of an agreement between the Village of Downers Grove and Houseal Lavigne Associates, LLC; 4) A resolution authorizing execution of an agreement between the Village of Downers Grove and Thomson West; 5) A resolution to authorize execution of an amended mutual aid agreement between the County and the Village of Downers Grove and/or public agencies within DuPage County; 6) A resolution authorizing execution of an addendum to an agreement between the Village of Downers Grove and the National Ice Carving Association; 7) A resolution authorizing execution of a professional services agreement between the Village of Downers Grove and Kundra and Associates, Ltd.; and 8) A resolution authorizing execution of a professional services agreement between the Village of Downers Grove and Hampton Lenzini and Renwick, Inc.

VISITORS

Andy Clark, 1226 62nd Street, representing Downers Grove Watch, said they are concerned about a safety issue that has been neglected. He read a letter from the Downers Grove Watch requesting that the Village consider licensing snow removal businesses. Residents have experienced problems with snow removal businesses depositing snow on streets, sidewalks or rights-of-way, and the Watch considers this a significant safety issue. He read from the Village Code regulations for snow removal. Mr. Clark then noted areas such as businesses along Ogden Avenue where snow is deposited on the sidewalks, as well as 55th Street west of Fairview where the sidewalk is adjacent to the street.

Mr. Clark then requested that a moratorium be placed on “sunshine sidewalks” which are being built around town, such as at 59th Street and Carpenter where the sidewalk is right up against the curb. He also commented on the Bradley Brookbank subdivision sidewalk plans, saying that children will have to walk right next to the streets there, which is not a good situation.

William Wroble, 7800 Queens Court, said he supported Mr. Clark’s remarks about safety factors of snow removal. Last winter there was a lot of snow, and he witnessed the City of Darien plowing the sidewalks along Plainfield Road to remove snow pushed there by the County. He attended the Public Works Exposition in May where they displayed a sidewalk plow, which was a very large piece of equipment, similar to what they use in Darien. This is definitely a safety issue. In earlier discussion, they commented on the underpass sidewalk area on Belmont and that also will present a safety issue.

Commissioner Durkin said that the City of Darien has a policy to remove sidewalk snow on main thoroughfares.

Frank Falesch, 820 Prairie, said he agreed with the comments being made about snow on the sidewalk, as well as the “sunshine sidewalks” which are dangerous. He commented on one on Main near Ogden Avenue. Mr. Falesch said what is especially bad is when school children use those sidewalks because of potential safety issues. He believes that snow plowers or property owners should be held responsible.

COUNCIL MEMBERS

Commissioner Beckman said he was looking forward to the US Pro Criterium Bike Race, which is the only recognized championship bike race in the U.S. He then commented on the authorization last week to purchase a bus for use on a standby basis. Part of the discussion included potential for alternatives to

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outright purchases such as leasing or rental of the bus. His business practice has been vetting through the process. The Village has an outstanding Finance Director who is very capable. However, he was concerned with whether another process had potential in terms of establishing a policy or practice to put a vetting process in place.

Manager Fieldman said he thought the first step would be for staff to present information to the full Council based on Commissioner Beckman's comments, and Commissioner Durkin's comments from a few months back. If it is indicated that this needs to go further, they will do so.

Commissioner Neustadt said he thought the Village's snowplow operators do a great job with snow removal, with scarce spillovers. The Commissioner then thanked the Downers Grove Noon Lions Club for hosting the new teacher luncheon today. It was a good event. As for the Pro Criterium race, Commissioner Neustadt said that it is a national event, and there are some cyclists already returned from the Olympics to participate in the championships.

Commissioner Waldack said that there was a lot of publicity recently regarding cell phone injuries, with people not paying attention to what they're doing while talking. Hospital emergency rooms are seeing increases in injuries due to cell phone use. The Downers Grove Reporter had a questionnaire about using cell phones while driving and the responses were "something ought to be done." Recently, TV and radio stations have indicated that the State is talking about taking action about using cell phones while driving. The Chicago Tribune reported there were 1557 auto crashes in Illinois with 8 fatalities and 351 injuries, 442 cases of drivers failing to reduce speed to avoid crashes while using cell phones, 142 cases of improper lane usage or failure to use turn signals, 140 cases of failure to yield right of way, etc. Some people using cell phones are not responsible in their driving and should not be doing both at the same time. He said that as bad as this sounds, it is under-reported which means the problem is actually worse. He would like to see fines doubled for drivers committing moving violations while using a cell phone, and would hope the Council agrees.

The Mayor asked about people applying lipstick, looking down, shaving, adjusting their car radio, etc. He says the State should legislate this. He also said that the City of Chicago does not prohibit cell phone use, but requires headsets. He agrees that there are absent-minded drivers and there always will be. There is also a corollary with people using I-pods, and the question is whether there is a basis where local legislation should be utilized here, and if so to what degree.

Commissioner Beckman asked whether there are laws on the books such as "reckless driving" that could be applied to this based on an officer's determination.

Commissioner Schnell suggested that staff spend an hour or two researching this topic, including how enforceable such a local law might be.

Commissioner Tully said that Jesse White, Illinois Secretary of State, has headed up a Task Force and made some recommendations on this subject last week. There is an editorial in today's Tribune speaking about the results of that task force. There appears to be work already being done at the State level. He proposes tweaking legislation regarding reckless and distracted driving statutes, knowing that you cannot legislate common sense.

Commissioner Durkin thanked the residents who attended the meetings recently held regarding Sterling North/Bending Oaks Park, Washington Park and McCollum Park proposed improvements for detention pond improvements. He met many people, and noted that staff did a great job in bringing everyone together. The drawings looked great. Among the new people who came out, there were some "historians" who have lived in the park areas for more than thirty years, and he thanked them for taking the time to come out and hoped they would stay involved.

Commissioner Tully also commented on the Downers Grove Noon Lions new teacher's luncheon today, and their commitment to the community. He then commented on the Pro Criterium Bike Race, saying the Village will have two days of national and international media exposure.

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Commissioner Tully announced that Coffee with the Council will be held on August 16 at the Downtown Downers Grove Market from 9:00 a.m. until 10:00 a.m.

The Mayor said that Commissioner Durkin spoke about the meetings with the residents in proximity to the various parks. The Park District has been great in its partnership recognizing the need for stormwater issues. Sterling North, McCollum Park, and Washington Park have been identified as potential recipients of stormwater improvements to alleviate neighborhood stormwater issues. Staff has worked with the Park District staff for many months and he applauded the cooperation of everyone in the process. He thanked Village staff members Mike Baker, Dave Fieldman, Mike Millette, Dan Grecco and Jim Tock for their work on the project.

There being no further discussion, the Workshop meeting was adjourned at 8:53 p.m.

Linda J. Brown
Deputy Village Clerk

tmh/