



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, March 3, 2009

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

Boy Scout Pack 85 assisted Mayor Sandack in leading 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 David Fieldman, 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 - February 17, 2009

Workshop Meeting - February 24, 2009

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

Capital Projects Update

Public Works Director Nan Newlon reported on the flood event that occurred Thursday, stating that the rainfall was 2.45" in localized areas, based on Sanitary District figures. Between 7:15 and 8:15 p.m., over 1" of water fell. The frozen ground and accumulated leaves created many

blocked inlets. Ms. Newlon discussed staff efforts to address the problems and respond to 270 calls between 8:00-10:00 p.m. She noted that some people were unable to get through the phone lines. St. Joe's Creek was hit the hardest, resulting in Belmont Avenue becoming flooded at Curtiss, which has not occurred in other similar rainfalls. There were also some obstructions in the culvert beneath the I-355 Tollway and staff is waiting for County maintenance to take place at that location. Ms. Newlon said engineering and operations staff have met to review all of the calls and have contacted many of the callers. All issues will be reviewed. She said that there were several areas where work had already been done prior to the storm and no calls were received from those areas.

Ms. Newlon noted that bids would be opened on March 13 on the Washington and McCollum Parks projects.

The Mayor said that anyone who has had flooding problems is encouraged to provide information at Flood_Response @downers.us. This will help staff continue to evaluate matters and look for solutions.

Commissioner Beckman said he attended a workshop last week that dealt with communication technologies available for citizens to be able communicate with their municipalities in times of emergency or non-emergency. He asked if staff has reviewed how the community has been able to communicate to the Village flood related problems.

Ms. Newlon responded that the majority of the calls came through VOC. The phones at Public Works were not covered consistently as staff was on the streets addressing issues. She said the number of e-mails received surprised her.

Commissioner Beckman suggested that Council study the viability of providing one access point such as a 3-1-1 number for citizen calls at the next strategic planning session.

Commissioner Schnell said that the number of leaves caused some of the problems in her neighborhood. She asked if there is some way to monitor the gutters so they do not have a backlog of leaves. Ms. Newlon said that some leaves did not get picked up because of the early start of winter this year. They are looking at alternate grate types for some locations and ditch areas that might not clog as easily.

Grove Commuter Shuttle

Ms. Newlon provided a report of the Grove Commuter Shuttle service for January. She said the ridership for January 2009 was up 10%. Revenues for January 2009 were \$25,472.54. She then detailed the expenditures, including fleet maintenance costs. Maintenance expenses are \$17,500 per month, however that figure refers to the old buses. Since the new buses are in place, staff has tracked maintenance costs, which average \$6,400 per month.

The Manager said that the monthly operating deficit is currently about \$4,000 per month, or \$48,400 annually which is consistent with the budget, and is down substantially from the \$168,000 projected deficit. The new buses are working and are dramatically reducing the operating costs. Ridership has also increased.

Commissioner Beckman asked about the repair work done on one of the new buses and how that will impact the current operating costs. Ms. Newlon said they do not expect any impact as the buses are under warranty. There is some issue with the motor and emissions control. The expenses are for gasoline and preventive maintenance.

Commissioner Durkin noted that Pace has a grant to help the Village pay for operating expenses. This is on tonight's Consent Agenda. He is happy to see an increase in ridership.

Commissioner Schnell said that the application in the grant agreement shows a \$300,000 deficit. This is not in line with what is in the budget. The Manager said that Pace has their own way of looking at the information. The Village staff has tracked the costs.

4. Public Comments and Questions

A. Comments and Questions on Active Agenda

B. Comments and Questions on General Matters

1. Noreen Kratz, 4008 Elm Street, said that this is the third time in the last five months she has appeared before the Council to discuss flooding in her area. She had nine pumps and six hoses working last Thursday just for her home. Drainage ditches filling up concerned her because of flooding to her house. She pulled out the twigs and leaves. The ditch across the street was flooded. She pumped out her house and did not lose electricity. She indicated that she cannot continue to live like this. No one else is living like this and no one should have to live under these conditions. No one else around her has to plug in nine pumps to get the water out, and no one else has to turn off their water heater. Extensions cords run all through her house, through the front and back doors and some are plugged into her neighbor's homes to keep the water at a manageable level. Ms. Kratz said that the water came up from the drain tiles. She said that she does not know what the Council expects of her. Elected officials are not dealing with the problem that has existed for years. Her neighbors have not been experiencing these problems. She and her neighbor both called the Village, did not get a call back, and no one came to visit her to determine her need. She does not have the patience to deal with this. Ms. Kratz said that she knows the Council is tired of seeing her come into the building, and she is tired of having to come before them. She pointed out that they are predicting two inches of rain this weekend, and she will be unable to be home due to her job, so there will be no one to address any problems in her home. She would like the Council to take action and would like some sort of resolution.

Mayor Sandack responded that the Council is empathetic with her problem, noting that this is a highly unusual situation. He said he thinks her house is at the lowest point in the neighborhood. He noted that her problems have existed since the 1980s. As best it can staff is monitoring the streets and alleviating stormwater problems. Her street and area are on the list for design work this year. The Village has \$25 million of work that will start in the spring. They are looking at Village-wide issues.

Ms. Kratz said that "best" is not good enough. It is unrealistic to ask her to expect to wait until next year. The Mayor said that the Village cannot do stormwater work now until the weather allows it in the spring. He doesn't know that the work will solve her situation. Ms. Kratz said that is not acceptable any more.

2. Bill Chalberg, 728 Randall Street, said he is the chair of the Advocacy Committee of the Downers Grove Bicycle Club. A few years ago members came before the Council announcing the establishment of the Club. The Club appreciates the Village's support to move the bike plan forward and is sponsoring bicycle parking in the downtown shopping areas. They are exploring the possibility of operating a bike valet parking service at Heritage Festival. To further the Club's role in promoting bicycling and walking, the Club is sponsoring his participation in the National Bicycle Summit. The Conference trains attendees to return to their home and disseminate the information learned. He said he has spoken with Ms. Newlon and the County Engineer. He said if the Council has anything specific they would like him to learn while at the Conference he asked that they contact him.

The Mayor said it would be very much appreciated if he can find a way to get federal stimulus funds for the Village.

3. Tim Caldwell of 5 4th Street said that the neighborhood in which he lives is slated for sidewalks. They do not have curbs, they have ditches for water flow. The sidewalk project will

devastate the neighborhood and sidewalks will have to be installed in the easements. He noted that many people have shown up to express their disappointment. They understand the attempt to have every street have a sidewalk. He said they asked staff how many mature trees would be cut down, but they weren't given exact answers. According to their survey there are many mature trees that will be removed. The sidewalks will cause more maintenance, topography is up and down, and in a number of streets the sidewalks will be very close to people's homes. Economically it will hurt the curb appeal to his home, because the easement makes his yard look bigger. It will also probably raise his taxes. If there is needed maintenance, staff has told them that there is no guarantee that the neighbors will not be assessed for the sidewalk repair. Mr. Caldwell noted that staff has been very professional. He gave the Council a copy of a letter he attempted to send by e-mail. He said he wished that the Council would reconsider this.

4. Larry Morgan, 25 4th Street, said that he has been a resident for over 60 years. He commented that he needed an education on the difference between democracy and totalitarianism, saying that the \$400,000 budgeted is a waste of money. Only one person who attended the meeting spoke in favor of the sidewalk installation. The bulk of the community does not want sidewalks in their neighborhood. He asked for an explanation as to why the people in that community have no authority as to whether sidewalks are installed.

5. Miles Boone, 117 2nd Street, said he is in full support of the sidewalks, and feels they will help kids. He sees this as a safety issue and he fully supports it. People drive by too fast on 2nd Street. Regarding the flooding at 2nd and Cumnor, leaves were a huge problem in the area. Many people do not rake their leaves, and he believes an initiative to rake their leaves may be helpful.

6. Rich Ray, 117 8th Street, commented that it is crazy to put sidewalks in their area. They have flooding issues already and he does not understand how sidewalks will help. In fact, he thinks it will make it worse. Trees will be cut down and that will be devastating to the area. He supports the idea of safety for kids, however, this is a terrible thing for the neighborhood. The Village has many tree city awards. He asked that the Council reconsider this idea, and invited the Council to visit his home to see how beautifully the area is kept. He said he had asked staff whether this could be changed and was told that there was no way the Council would agree to cancel the sidewalk program for that area. He also asked about the liability regarding shoveling sidewalks. The Mayor responded that the owner is not liable. Mr. Ray said that the sidewalks won't be completely shoveled.

7. Nancy Carlson, 21 4th Street, said that sidewalks will be almost in the front yards, and the residents will lose their privacy. With the water problems, she questions the wisdom of spending money on this. She added that with the current economy, she also questions the wisdom of spending money on this issue, since there are probably other issues that need to be addressed.

Mayor Sandack said that the Village has made a commitment to the community as a whole with respect to sidewalks. It has been decided for many years by other Councils that the Village policy is to put sidewalks on at least one side of the street on every street in the Village. It is a safety issue. The placement of the sidewalks is a fair discussion point. It will be placed on public property. The Village is cognizant of existing trees and goes around them wherever possible. He indicated that the Village is proud of being Tree City, and is also cognizant of costs and bundles projects whenever possible. They are trying to do what is in the best interest of the community as a whole. As for losing curb appeal, that is in the eye of the beholder. Children should not be walking in the streets. The staff has been encouraged to work with the neighborhoods and to be cognizant of people's homes and values, and of connectivity. Staff is charged with communicating as best as they can and being respectful to the neighborhood interests.

Commissioner Tully said that this item stems from TCD-II in about 1993, which was a collective gathering of residents who recommended sidewalks on one side of every street in the Village.

The Council is implementing what the residents recommended, pointing out that there is no way to make 50,000 happy and agree on everything. He noted that the street matrix is prioritized, based on objective factors including schools in the neighborhood, traffic speeds, etc. The factors are then ranked. He said at least every year there are people who come to ask why a sidewalk is being placed on their street, while others complain that they are too far down on the list. This has been a Village issue for more than 15 years. He indicated that Public Works holds an informational meeting for the neighbors prior to beginning the work, presenting them with a design drawing for discussion. There are and will be adjustments made. As for the concern about removing trees, he said that the trees are the Village's trees and the Village will do whatever they must do to save trees. They do not want to see neighborhood disputes take place because of this. With regard to curb and gutter, he would like to see this on every street to alleviate some of the flooding; however, it is very expensive. Sidewalks are a resident-driven directive.

Commissioner Schnell said that neighborhood meetings were instituted about ten years ago. Staff listens to the concerns of the public and walks the area. They try to make the sidewalks non-intrusive and they work around existing trees. She indicated that staff will, and does, bend over backwards. She urged the residents to continue to work with staff. They will address the needs and will work to protect trees. Large trees are expensive and the Village is not going to destroy them. The Village staff needs to be proactive, and the public needs to reach out to the staff.

5. Public Hearings

6. Consent Agenda

COR 00-03692 A. Claim Ordinance: No. 5783, Payroll, February 13, 2009

Sponsors: Accounting

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

Indexes: N/A

BIL 00-03693 B. List of Bills Payable: No. 5760, March 3, 2009

Sponsors: Accounting

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

Indexes: N/A

MOT 00-03694 C. Motion: Authorize Staff to Proceed with 2009 General Obligation Bond Refund

Sponsors: Finance

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

Indexes: Bond Issue, General Obligation Bond - Refund, General Obligation Bond Issue - Series 2009

RES 00-03695 D. Resolution: Authorize an Agreement with Suburban Bus Division of the Regional Transportation Authority (Pace)

Sponsors: Finance

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND SUBURBAN BUS DIVISION OF THE REGIONAL TRANSPORTATION AUTHORITY (PACE)

RESOLUTION 2009-31

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

Indexes: Pace

- RES 00-03696** E. Resolution: Continue Participation in Suburban Tree Consortium and Authorize Certain Purchases for FY 2009
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 2009

RESOLUTION 2009-32

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

Indexes: Tree Consortium

- BID 00-03697** F. Bid: Award a Contract to Superior Road Striping, Inc. for 2009 Thermo Pavement Marking in an Amount Not to Exceed \$30,000
Sponsors: Public Works

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

Indexes: Pavement Marking

- BID 00-03698** G. Bid: Award a Contract to US Standard Sign in an Amount Not to Exceed \$18,000
Sponsors: Public Works

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

Indexes: Traffic Signs

- BID 00-03699** H. Bid: Award a Contract to Newman Signs in an Amount Not to Exceed \$18,096.
Sponsors: Public Works

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

Indexes: Traffic Signs

- MOT 00-03706** I. Motion: Note Receipt of Minutes of Boards and Commissions
Summary of Item: Environmental Concerns Commission - November 13, 2008
Zoning Board of Appeals - January 28, 2009

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 00-03700** A. Ordinance: Approve a Planned Development Amendment to Planned Development #9 for the Construction of a Service Station with Convenience Store and Car Wash
Sponsors: Community Development and Plan Commission
Summary of Item: At their meeting of February 2, 2009, the Plan Commission recommended approving a planned development amendment to Planned Development #9 for the construction of a service station with convenience store and car wash.

AN ORDINANCE APPROVING A PLANNED DEVELOPMENT AMENDMENT TO PLANNED DEVELOPMENT #9 FOR THE CONSTRUCTION OF A SERVICE STATION WITH CONVENIENCE STORE AND CAR WASH

ORDINANCE NO. 5047
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: Planned Development #9-Grove Shopping Center, Special Use - 1200 75th Street
- ORD 00-03701** B. Ordinance: Authorize Special Uses for 1200 75th Street to Permit a Service Station with Convenience Store and Car Wash
Sponsors: Community Development and Plan Commission
Summary of Item: At their meeting of February 2, 2009, the Plan Commission recommended that a Special Use be granted to permit a service station with convenience store and car wash.

AN ORDINANCE AUTHORIZING SPECIAL USES FOR 1200 75TH STREET TO PERMIT A SERVICE STATION WITH CONVENIENCE STORE AND CAR WASH

ORDINANCE NO. 5048
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: Planned Development #9-Grove Shopping Center, Special Use - 1200 75th Street
- ORD 00-03702** C. Ordinance: Establish Valet Parking Provisions
Sponsors: Manager's Office
Summary of Item: This establishes provisions for valet parking in the Downtown Business District.

AN ORDINANCE ESTABLISHING VALET PARKING PROVISIONS

ORDINANCE NO. 5049
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: Valet Parking
- ORD 00-03703** D. Ordinance: Amend Provisions of the Class "E-1" Theater Liquor License Classification

Sponsors: Liquor Commission

Summary of Item: At their meeting of February 5, 2009, the Downers Grove Liquor Commission recommended adoption of an ordinance amending the Class "E-1" Theater liquor license classification.

AN ORDINANCE AMENDING PROVISIONS OF THE CLASS "E-1" THEATER LIQUOR LICENSE CLASSIFICATION

ORDINANCE NO. 5050

Commissioner Neustadt said this is a good example of a petitioner and Village working together. In times of economic trouble, this helps to bring business to the Village.

Commissioner Beckman said he plans to support this. He agrees with Commissioner Neustadt's comments regarding the unique value of the Tivoli Theater, and the fact that this will enhance their ability to provide venues of a special nature. This will encourage people to come to Downers Grove to the Tivoli for special events.

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

9. Manager's Report

Village Manager Dave Fieldman said that when the FY09 budget was created, it was with the understanding that staff would continue to monitor it and act accordingly. They are experiencing some budget challenges in terms of revenue shortfalls. The Village wants to preserve its reserves. Staff is apprised of the issues on the table and how they will be addressed. They are calling on staff members for their supportive efforts to cut costs. He will provide a more detailed report next week.

In regard to federal stimulus funding, the Manager said 23 projects were sent off to Representatives Biggert and Roskam's offices. The Village will continue to work to get the Village's share of federal funding.

The Mayor said that staff has done a wonderful job of being on top of the current economic crisis and how it is affecting the Village. He noted that the economy freefall may continue into 2010. The FY09 budget has been approved, and the effort to look for cost savings will continue.

Regarding the federal stimulus package, 23 applications is a great thing. He noted that follow-up is even more important. He will be highly involved in communicating with State representatives, and will be in Springfield to continue efforts to obtain funding for the Village.

10. Attorney's Report

Future Active Agenda

11. Council Member Reports and New Business

Commissioner Tully commented on the valet parking ordinance, saying that it should be closely

monitored. If there are any issues with it, it should be referred to the Transportation and Parking Commission (TAP) for further evaluation and discussion.

The Mayor suggested that this be done within 2-3 months.

Commissioner Durkin said that Downtown Management Corporation would be interested in receiving this information.

Commissioner Schnell suggested that the report not be done until the Car Show has been in full swing.

Commissioner Beckman asked about child car safety seats, saying that some seats are safer than others. He asked how the Village addresses and monitors this.

Police Chief Bob Porter responded that the National Highway Transportation Safety Administration has a list of recalls on their website. He said that staff checks this list before every installation.

Commissioner Beckman then commented on the Passport to Dining event last week sponsored by the Downers Grove Park District Foundation. He said that this Sunday the Downers Grove Library Foundation is holding an indoor mini-golf tournament at the Public Library from 11:00 until 5:00 p.m. He encouraged residents to attend. There are many sponsors from the Downers Grove area including he and his wife.

Commissioner Neustadt reminded everyone that the TCD-3 initial meeting will take place tomorrow evening at 7:00 p.m. at Downers Grove South.

Commissioner Schnell congratulated Burke Sims of Downers Grove North for becoming North's first state champion in boys swimming. He won the 500-yard freestyle doing what his father did some years back, but he did it in a state-record time.

Commissioner Durkin commented that the Police Department requires the resident to bring in the owner's manual when a safety seat is installed. They record the number from the manual.

Commissioner Tully commented that it is critical that staff identify the capital projects with funds from dedicated revenue streams, versus funds from other sources.

Mayor Sandack said that operating expenses versus capital infrastructure expenses can be confusing, and it is good to identify the differences. The Mayor noted that it is always difficult when residents ask for something to be done or not be done. He referenced a sidewalk issue when he was first Mayor and people wanted sidewalks on opposite sides of the street. They understood the connectivity and safety issues, but wanted it on the opposite side of the road of their homes. There have also been situations when people wanted their street or neighborhood to be moved up on the sidewalk matrix. The policy is objective and related to specified criteria. Mayor Sandack said the Council is making and implementing tough decisions, some of which were delegated by the community as a whole some time ago. This is a community issue, and staff does a good job of implementing the policy. He said it is difficult when people don't see the issue the same as the Council. The Council is not unsympathetic to the problems. He noted that sidewalks were discussed in TCD-II. TCD-I resulted in a hospital in the Village. The kickoff meeting for TCD3 is tomorrow night, and there will be other opportunities to participate. He invited residents to attend the initial meeting at Downers Grove South at 7:00 p.m.

The Mayor also noted that the Library Foundation's mini-golf event is a way for them to raise funds. It will be a fun event and he encouraged residents to come.

12. Adjournment

Commissioner Tully moved to adjourn. Commissioner Durkin seconded the Motion.

Mayor Sandack declared the Motion carried by voice vote and the meeting adjourned at 8:18 p.m.