



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, March 17, 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

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

2. Roll Call

Present: Commissioner Marilyn Schnell, Commissioner William Waldack, Commissioner Sean P. Durkin, Commissioner Bruce E. Beckman, Commissioner Geoff Neustadt and Mayor Ron Sandack

Absent: Commissioner Martin Tully

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 - March 3, 2009

Workshop Meeting - March 10, 2009

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

Capital Projects Update

Nan Newlon, Director, Public Works, said that there were four bid openings for CIP projects, two of which are in conjunction with the Downers Grove Park District. Work on these projects should begin in 4-5 weeks. One of the projects includes watermain replacement, and three are

for water detention facilities. In response to Commissioner Durkin, Director Newlon said that the bids were below the engineer's estimate and were within budget.

4. Public Comments and Questions

A. Comments and Questions on Active Agenda

1. Noreen Kratz, 4008 Elm Street, said that her house has flooded since she was last before the Council. She manned nine pumps with six hoses out her front window, and her backyard was flooded. There was water in the family room and utility room. She indicated that someone came with a pump for the backyard. Ms. Kratz noted that drainage ditches are still a problem, and she showed photographs to the Council members depicting conditions in the ditches. She informed the Council that when drainage ditches were on the entire street she did not have these problems. People are parking cars on the grass over the pipes. Ms. Kratz suggested that placement of wood chips be contained as they flow into the ditches. She said that because of the flooding she lost two days of work. Her neighbor's house also flooded. Ms. Kratz added that there are more teardowns in the area and suggested that the number of teardowns be controlled due to the water problems.

2. Dave Brown, 1508 Gilbert, said that his property backs up to the railroad tracks in the area near Gilbert Park. In the past they have always seen wildlife in the area. About six or seven years ago they started hearing coyotes, and it has become more frequent. On Sunday he saw a coyote about 30 feet away stalking his cat. He said he would like a discussion on this problem. Coyotes are not indigenous to Illinois, are extremely adaptable and will prey on domestic pets. They are pack animals and do attack. Mr. Brown said he did some research and presented some facts to the Council. Suburban coyotes eat better than wild ones, and their behavior is changing from being timid to not behaving that way any more. There are numerous reports of coyotes attacking children. They are more opportunistic predators with strength greater than tamed animals. Their behavior cannot be predicted. Mr. Brown noted that the population of coyotes is growing and is becoming a dangerous nuisance. He said he would like to see discussion begin about the problem.

Mayor Sandack said that this is a regional issue that needs to be addressed. He indicated that the Council has received calls about this.

Mr. Brown noted that Hines Lumber has been abandoned and that may be adding to the problem.

The Mayor asked staff to review this issue, talk to the County and pool resources with other agencies.

3. Cheryl Popielarz, 7 6th Street, said that her family selected 6th Street as their home for several reasons. About two years ago the neighborhood was informed of the Village's sidewalk plans, and residents from Cumnor to Williams, on 6th Street, signed a petition against the sidewalk. She said that there are rarely people walking on the street, and children play in their backyards. She does not understand why they will install a sidewalk given the expenses involved. It will not be utilized and will depreciate the value of their homes. Many trees will have to be removed as well, and front yards will be minimized. She indicated that the sidewalk will come in 20 feet from the street and will cut her front yard in half. She urged the Council to reconsider this decision and determine whether it still makes sense.

Mayor Sandack said that there was a Workshop meeting held on this and concerns were fully addressed. Ms. Popielarz said that the meeting where this was discussed was not advertised, and the meeting with Public Works was not effective.

4. Rich Ray, 117 8th Street, said he was told that all three trees in his area would be cut down, and that will ruin the neighborhood. He agrees with the need for safety, but there are no kids on

the street. He said kids will continue to walk adjacent to ditches. Mr. Ray commented that he is a 20-year resident, he is upset, and he pays the salaries of the Council members. He added that TCD-II was done ten years ago.

5. Shane O'Flaherty, 116 4th Street, expressed an opposing opinion regarding the sidewalks. There are no kids on the street because there are no sidewalks. He sees sidewalks as a missing element in the neighborhood, and feels that the ditch is a danger in the area. Mr. O'Flaherty said he believes the sidewalk will transform the neighborhood into the 21st Century.

6. Miles Boone, 117 2nd Street, voiced his support for the sidewalks, saying he believed it to be a safety issue.

7. Larry Morgan, 25 4th Street, told the Council that he has lived in Downers Grove for 62 years and is a bicyclist. Recently he had a serious accident on Ogden Avenue and he thinks it is pathetic. The first priority should be the main streets. He has come before the Council five times, and thought the response he received was rude the last time he came before the Council. Mr. Morgan expressed his concern about attitude, saying he attempted to respond to the Mayor and was told to stop. Council members are public servants. He said he is also concerned about the attitude of the present Council, saying that people feel left out. He hopes the Council takes a broad consensus of priorities. Mr. Morgan then asked why the Council does not respond to the needs of the people. He thinks their ideas are set in stone. He asked what they are spending \$400,000 for, noting that apparently Downers Grove is flush. Mr. Morgan advised the Council to be aware of the feelings of the people and give them an opportunity to respond. He has been proud of the government of Downers Grove. Mayor Cheever was always available to the people.

8. Valerie Vogt, 119 6th Street, said she has lived in the Village since the 1980s. Her neighborhood is a more rural community and her street dead ends. The safety issue is a concern, but she believes the Village should consider higher traffic areas like 2nd and Cumnor. Most of the east/west streets are not high traffic areas. Flooding was a problem on Cumnor. She said that some of the villages north of Downers Grove created the problems. She was glad that she had a sump pump this time since the water has been rising more than it did in the past. Since homeowners have gone off their wells, she has seen problems develop.

The Mayor said he will ask staff to study that relationship.

9. Tom Rine, 126 7th Street, said he has lived in Downers Grove for two years. They searched extensively for a home and love the area. He was a certified arborist, and said he will be losing two trees. He asked whether he would be reimbursed. Mayor Sandack responded that the trees are on Village property. Mr. Rine said that the work will destroy the root area of his shade trees. He has spent a great deal of money on trees and landscaping. His trees are older than ten years of age. He noted that the value of their house has already gone down and will now experience another hit with the loss of the trees. He said the Council should put sidewalks where the people want them.

10. Kevin Lucas, 125 8th Street, said he lives at the bottom of the street and gets flooding from all the other property. There have been countless nights of lost sleep and mental stress, and he wished the Council could experience it.

Mayor Sandack said that the Council members live in the Village and do experience what other people have experienced.

Mr. Lucas commented that his issue is with the sidewalk. The Village spent money planting trees in his parkway, and it will now be pulled out. The ground and the trees help with the flooding issue as they naturally absorb the water. This is a natural waterway and it will get worse. Mr. Lucas said that they will fix one problem and create another.

The Mayor responded that the Village is moving aggressively on the stormwater problem. He explained that there is an antiquated infrastructure that has to be replaced. He added that the decision to put sidewalks on one side of every street in the Village was a neighborhood problem and suggestion. There may be no kids in the neighborhood now, but there will be. He noted that the decision was made a while ago and reinforced by every Council. It is resoundingly safer to have sidewalks. Mayor Sandack continued that the policy affects every street and is based on objectivity. The Council does not want to pit neighbors against neighbors, and doesn't like to put up trees and take them down. This is a tree city. Staff does everything possible to avoid removing trees. He stated that the Village has an arborist on staff. The Mayor commented that decisions are made community-wide, and it has been determined that it is better to have sidewalks than not. It will be done in as respectful a way as possible. He said that the Council has listened and has been respectful. It is not good governing to do things block by block. He added that the Council is not salaried. They reside in the community and serve because they love their community. He told those present that they have been heard.

11. Mr. Ray responded to the Mayor saying that the three trees all line up, and they are all going to be removed. He finds it offensive that the Council does not look forward, and that the Council holds all the cards. The neighborhood is getting no consideration. He thought that the Village would work with him. Mr. Ray said that the Council is not fair.

12. Mike Harrison, 110 7th Street, said he appreciates both sides of the issue, and he loves the trees. He will miss those that come down. He has three children and it would have been nice to have had sidewalks when they were young. Mr. Harrison said that at a neighborhood meeting he asked about putting in curbs and was told that might be done later.

The Mayor said that the Village does not have a curb/gutter plan for that neighborhood. Village Manager Dave Fieldman added that there are no immediate plans anywhere in the Village for curb and gutters.

13. Nancy Carlson, 21 4th Street, said that the subject of curbs was raised earlier. She felt that the residents were not listened to the last time. She said the engineer told her that if everyone did not want the sidewalks, they would not be put in. She asked if it was prudent to stick with a plan that is ten years old.

The Mayor said that no disrespect was meant, and he thanked everyone for his or her comments.

Commissioner Schnell asked if staff has met with the neighbors and walked the area. She indicated that designs are being finalized and will be shared with the neighborhood. Staff will walk the area if requested.

The Mayor said they should meet with Kerstin von der Heide, the Village Forester, to walk the area and mark the trees.

The Manager told the Council that the contract award should be in May, and the final design will be in place then.

Commissioner Beckman noted that there are multiple instances where modifications have been made in areas, such as Cornell and Chicago. He said it would be useful to the public for the staff to share these examples.

B. Comments and Questions on General Matters

5. Public Hearings

6. Consent Agenda

- COR 00-03707** A. Claim Ordinance: No. 5785, Payroll, February 27, 2009
Sponsors: Accounting
A motion was made to Approve this file on the Consent Agenda.
Indexes: N/A
- BIL 00-03708** B. List of Bills Payable: No. 5762, March 17, 2009
Sponsors: Accounting
A motion was made to Approve this file on the Consent Agenda.
Indexes: N/A
- RES 00-03712** C. Resolution: Establish an Amended Village Council Policy regarding Appointments to Boards and Commissions
Sponsors: Manager's Office
Summary of Item: A RESOLUTION ESTABLISHING AN AMENDED VILLAGE COUNCIL POLICY REGARDING APPOINTMENTS TO BOARDS AND COMMISSIONS

RESOLUTION 2009-33
A motion was made to Pass this file on the Consent Agenda.
Indexes: Boards and Commissions, Village Council
- RES 00-03713** D. Resolution: Authorize an Agreement with the Downers Grove Heritage Preservation Corporation
Sponsors: Community Events and Community Events Commission
Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND DOWNERS GROVE HERITAGE PRESERVATION CORPORATION

RESOLUTION 2009-34
A motion was made to Pass this file on the Consent Agenda.
Indexes: Heritage Festival 2009
- RES 00-03714** E. Resolution: Authorize a Second Addendum to the Contract with Classic Party Rentals
Sponsors: Community Events Commission and Community Events
Summary of Item: A RESOLUTION AUTHORIZING A SECOND ADDENDUM TO THE CONTRACT BETWEEN THE VILLAGE OF DOWNERS GROVE AND CLASSIC PARTY RENTALS (F/K/A CHICAGO PARTY RENTAL)

RESOLUTION 2009-35
A motion was made to Pass this file on the Consent Agenda.
Indexes: Heritage Festival 2009
- RES 00-03715** F. Resolution: Authorize an Agreement with Verizon Inc.
Sponsors: Information Services

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND VERIZON INC.

RESOLUTION 2009-36

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

Indexes: Computers

RES 00-03716 G. Resolution: Maintenance of Streets and Highways by Municipality under the Illinois Highway Code

Sponsors: Public Works

Summary of Item: A RESOLUTION FOR MAINTENANCE OF STREETS AND HIGHWAYS BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE

RESOLUTION 2009-37

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

Indexes: Motor Fuel Tax

MOT 00-03717 H. Motion: Authorize Purchase of 4,200 Tons of Road Salt for 2009-10 Winter Season

Sponsors: Public Works

Summary of Item: This authorizes the Village Manager to request that the State of Illinois include the purchase of 4,200 tons of road salt by the Village during the 2009-10 winter season for snow and ice control via the State contract.

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

Indexes: Salt

MOT 00-03718 I. Motion: Authorize a Change Order in the Amount of \$34,435.18 to Everest Excavating, Gilberts, IL, for the Storm Sewer Replacement at Venard & Acorn (CIP Project SW-030)

Sponsors: Public Works

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

Indexes: Storm Sewers, Capital Projects

MOT 00-03719 J. Motion: Authorize a Change Order in the Amount of \$12,364.54 to Trine Construction, West Chicago, IL, for the Dunham Place Storm Sewer Improvements (CIP Project SW-032)

Sponsors: Public Works

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

Indexes: Storm Sewers

MOT 00-03720 K. Motion: Pre-Qualify Firms to Conduct Surveying Services re: Sidewalk Priority Matrix

Sponsors: Public Works

Summary of Item: This pre-qualifies three firms - Midwest Technical Consultants, Inc.; Professional Land Surveyors; and Intech Consultants, Inc. to conduct surveying services associated with the Village's Sidewalk Priority Matrix.

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

Indexes: Sidewalk Matrix

RES 00-03722 L. Resolution: Authorize Agreement with County of DuPage re: Prentiss Creek Neighborhood Resource Center

Sponsors: Counseling and Social Services

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

RESOLUTION 2009-38

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

Indexes: DuPage County Community Development Block Grant

MOT 00-03721 M. Motion: Note Receipt of Minutes of Boards and Commissions

Summary of Item: Library Board - February 25, 2009

Plan Commission - February 2, 2009

TCD3 - March 4, 2009

Transportation and Parking Commission - December 10, 2008

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

Indexes: Boards and Commissions Minutes

Passed The Consent Agenda

A motion was made by Commissioner Durkin, seconded by Commissioner Beckman, that the consent agenda be passed. The motion carried by the following vote:

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

7. Active Agenda

ORD 00-03710 A. Ordinance: Provide for the Issuance of General Obligation Refunding Bonds, Series 2009

Sponsors: Manager's Office

Summary of Item: AN ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2009, OF THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS, AUTHORIZING THE EXECUTION OF A BOND ORDER AND AN ESCROW AGREEMENT IN CONNECTION THEREWITH, PROVIDING FOR THE LEVY AND COLLECTION OF A DIRECT ANNUAL TAX FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS AND FURTHERING SECURING CERTAIN OF SAID BONDS WITH A PLEDGE OF CERTAIN INCREMENTAL TAXES

ORDINANCE NO. 5051

Commissioner Schnell noted that this Ordinance will save the Village money.

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

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

MOT 00-03711 A. Motion: Adopt the Findings of the Circulator Study Task Force and Suspend Participation in the Local Circulator Task Force

Sponsors: Public Works

Summary of Item: This adopts the findings of the Circulator Study Task Force and suspends the Village's participation in the Local Circulator Task Force.

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

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

Indexes: DuPage Mayors & Managers

8. Mayor's Report

Proclamation:

Mayor Sandack proclaimed March 28, 2009, from 8:30 p.m. to 9:30 p.m. as Earth Hour, and encouraged everyone in the Village to turn off their lights for one hour.

Materials to be Received

Materials to be Placed on File

9. Manager's Report

10. Attorney's Report

Future Active Agenda

11. Council Member Reports and New Business

Commissioner Schnell said that the Public Services Committee met and discussed the Watershed Infrastructure Improvement Plan consisting of 16 projects, seven of which are complete, and three to be completed by the end of the year. She noted that all 16 projects would be completed within three years, and discussed the phasing for the projects. Commissioner Schnell said it is important to communicate expectations, phasing, and prioritization of projects. She and Commissioner Beckman make up this Committee and believe Council needs to direct staff to work toward better communication on this issue.

Commissioner Beckman stressed the importance of developing a communications strategy. By way of example, the Village is borrowing St. Joseph's Creek in the delivery of stormwater to a certain point while a stormwater system is being installed. Once that takes place, the water being diverted to St. Joseph's Creek will be re-established into the new route.

The Manager responded that there are several components to the projects including Council reports, neighborhood meetings, web reports, announcements on Channel 6, etc. He said that residents and interested parties can obtain information through these sources.

Reports

Commissioner Beckman said he attended the Downers Grove Chamber of Commerce

multi-chamber meeting and luncheon with Bill Scherr as speaker. He discussed the potential opportunities if Chicago acquires the 2016 Olympics. He added that tomorrow the Women's Business Council of the Chamber will meet to discuss how e-networking can benefit business. The breakfast meeting is at 7:30 a.m. in the Marriott Suites Hotel.

Commissioner Durkin explained that he voted "no" on tabling the Circulator Study because he does not feel comfortable with a date uncertain as it is holding up other communities.

Commissioner Durkin said he also attended the Chamber meeting and told Mr. Scherr that the Council passed a Resolution in support of the Olympics in Chicago. We are one of the lucky communities on the Burlington-Northern/Santa Fe line with express trains. As a result they will be able to promote the Village. The Olympics will have a huge economic impact.

Commissioner Durkin then reminded everyone of Girls' Night Out on March 19, and encouraged people to come downtown.

Commissioner Schnell announced that the Downers Grove Education Foundation for District 58 will be holding a concert by the Cryin' Shames at the Tivoli Theater this Saturday. Ticket holders can dine in many of the downtown establishments and receive a 20% discount. Tickets are still available.

Commissioner Neustadt wished everyone a Happy St. Patrick's Day.

Mayor Sandack complemented Commissioner Beckman on his green tie.

The Mayor then said that meetings like this one are difficult. It is difficult to tell people you do not agree with them, and it does not bring out the best in people. He said that they can disagree; however, since the decision was made, Councils have continued the sidewalk policy. It is a poor decision to govern on a block-by-block basis, rather than on a community-wide basis. He urged people to unplug their emotions and look at this as citizens of Downers Grove, from a community point of view. The Mayor continued that with regard to stormwater, there is a citizen who comes to the Council after every storm event. The Council is empathetic, but there is nothing that can be done during this season. He said the Village is addressing the issue, which may or may not help her specifically. The Council made a decision two years ago to address the stormwater issues, and Council members have personally been involved in working during a storm event. They are committed and will work with all deliberate speed.

The Mayor then reported on the trip to Springfield by staff and others to discuss the Village's business agenda and shovel-ready projects. The Village is competing with every municipality for federal dollars. He said that Downers Grove is well positioned as it has real shovel-ready projects. Staff and Council will continue to push for federal stimulus dollars.

12. Adjournment

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

Mayor Sandack declared the Motion carried by voice vote and the meeting adjourned at 8:25 p.m.