



# Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

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Tuesday, April 7, 2009

7:00 pm

Council Chambers

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## 1. Call to Order

*Mayor Ron Sandack called the regular meeting of the Village Council of the Village of Downers Grove to order at 7:00 p.m. in the Council Chambers of the Downers Grove Village Hall.*

### Pledge of Allegiance to the Flag

*Mayor Sandack asked children present from the Little People Learning Center to help lead the audience 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 - March 17, 2009*

*Workshop Meeting - March 24, 2009*

*Mayor Sandack read a proclamation proclaiming the week of April 19 through April 25, 2009 as the Week of the Young Child. He introduced Jan Peterson, owner and director of the Little People Learning Center.*

*Ms. Peterson said she brought to tonight's meeting an art project made by the five-year old children in attendance at tonight's meeting. She said Downers Grove National Bank, the Downers Grove Public Library, Toys on Main and Anderson's Book Shop will display the children's artwork. She recognized the children and teachers for all their hard work.*

## Capital Projects Update

*Public Works Director Nan Newlon presented an update on the pothole-patching program. This has been a bad year with temperature fluctuation and a good deal of moisture. She said that Public Works crews are on their fourth round of patching. They are currently working on Snow Route four. They've purchased a new hot box allowing crews to be more efficient. More permanent pavement treatments will begin in May. In response to Mayor Sandack, Ms. Newlon said that residents could either e-mail her, or call 630-434-5460 to report new potholes.*

## 4. Public Comments and Questions

### A. Comments and Questions on Active Agenda

*1. John Schofield, 1125 Jefferson, commented on the Civic Center facilities improvement project. He said he read the materials and noted that there is an argument made that this work needs to be done. He is troubled by the siting of the Police facility, which is a secure facility. He does not believe the land proposed is the highest and best use. This could be placed anywhere in the Village. He said that he would like some assurance that the Motion made tonight doesn't firmly endorse the site decision, but only the study of future placement. He does not believe they need to take prime real estate currently owned by the Village.*

*Mayor Sandack said that tonight's vote is not a siting approval vote.*

*2. Frank Falesch, 820 Prairie, asked if there has been a study of expanding the current facilities. He walked the site and it looks like it could be expanded 50%. The Mayor responded that this is not a siting decision. This is adoption of a 3-5 year plan for the Police Department and longer for other buildings. Many discussions will still take place. The Council is not deciding where it will be placed tonight.*

### B. Comments and Questions on General Matters

*1. Frank Falesch, 820 Prairie, said that he has seen the garbage pick-up take the garbage and dump it into the recycling materials. It has happened a couple of times. Mayor Sandack asked Mr. Falesch to provide the information to Deputy Village Manager Mike Baker.*

*2. Bill Wrobel, 7800 Queens Ct., asked if the Village Manager would be doing a follow-up report on the budget report made on March 10. He said he has experience in his family of furloughs, cutbacks and salary cuts. The Mayor said there would be a follow-up report provided.*

*3. Ken Steichmann, 315 Otis Avenue, said that there has been a flooding and sewage problem on his block. He brought photographs of his house and yard taken on March 8. The picture showed the sewer cap off the sewer line and dumping sewage onto the street. Water is flowing from new construction of a house on Lincoln. The house has not hooked up to the stormwater lines. It is so large it is causing a river. The water is not just from the rain. This is coming from the new house construction on Lincoln. He asked how this can be solved. Mayor Sandack asked that Ms. Newlon discuss this with Mr. Steichmann.*

## 5. Public Hearings

## 6. Consent Agenda

*Commissioner Tully moved to remove from the Consent Agenda, for separate consideration, item C, MOT 00-03734, a motion making recommendations re: Civic Center Facility Improvement Project. Commissioner Durkin seconded the Motion.*

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

*The Mayor declared the Motion carried.*

**COR 00-03723** A. Claim Ordinance: No. 5787, Payroll, March 13, 2009; Claim Ordinance: No. 5789, Payroll, March 27, 2009

**Sponsors:** Accounting

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

**Indexes:** N/A

**BIL 00-03724** B. List of Bills Payable: No. 5764, April 7, 2009

**Sponsors:** Accounting

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

**Indexes:** N/A

**RES 00-03735** D. Resolution: Authorize an Agreement with the Indian Boundary YMCA to Jointly Conduct the 2009 Downtown Downers Grove Market

**Sponsors:** Community Development

**Summary of Item:** A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE INDIAN BOUNDARY YMCA TO JOINTLY CONDUCT THE 2009 DOWNTOWN DOWNERS GROVE MARKET

RESOLUTION 2009-39

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

**Indexes:** Downtown Downers Grove Market

**RES 00-03736** E. Resolution: Adopt an Historic Preservation Plan

**Sponsors:** Community Development

**Summary of Item:** A RESOLUTION ADOPTING AN HISTORIC PRESERVATION PLAN

RESOLUTION 2009-40

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

**Indexes:** Historical Preservation

**RES 00-03737** F. Resolution: Final Plat of Resubdivision for 4736 Linscott Avenue

**Sponsors:** Community Development and Plan Commission

**Summary of Item:** A RESOLUTION APPROVING THE FINAL PLAT OF RESUBDIVISION FOR 4736 LINSOTT AVENUE

RESOLUTION 2009-41

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

**Indexes:** Subdivision, Subdivision - Linscott, 4736

**RES 00-03725** G. Resolution: Authorize an Agreement with Copenhaver Construction, Inc.

**Sponsors:** Public Works

**Summary of Item:** This is to award \$2,872,663 to Copenhaver Construction, Inc., Gilberts, IL, for Washington Park stormwater improvements.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND COPENHAVER CONSTRUCTION, INC.

RESOLUTION 2009-42

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

**Indexes:** Park District, Stormwater Sewer Watershed Improvement Plans, Watershed Infrastructure Improvement Plan, Stormwater Improvements, Washington Park

**RES 00-03726** H. Resolution: Authorize an Agreement with Naperville Excavating Co.

**Sponsors:** Public Works

**Summary of Item:** Award \$1,175,303.28 to Naperville Excavating Co., Naperville, IL, for McCollum Park Stormwater Improvements

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND NAPERVILLE EXCAVATING CO.

RESOLUTION 2009-43

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

**Indexes:** Park District, Stormwater Sewer Watershed Improvement Plans, Watershed Infrastructure Improvement Plan, Stormwater Improvements, McCollum Park

**RES 00-03727** I. Resolution: Authorize an Agreement with City Construction Company, Inc.

**Sponsors:** Public Works

**Summary of Item:** This is to award \$977,375.01 to City Construction Company, Inc., Chicago, IL, for Gierz, Wilson and Austin water main replacement project.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND CITY CONSTRUCTION COMPANY, INC.

RESOLUTION 2009-44

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

**Indexes:** Water Main Improvements

**BID 00-03728** J. Bid: Award \$48,500 to HD Supply Waterworks, Ltd., Carol Stream, IL, for Supply of Fire Hydrants

**Sponsors:** Public Works

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

**Indexes:** Fire Hydrants

**RES 00-03729** K. Resolution: Authorize an Agreement with M.E. Simpson Co., Inc. for Water Leak Detection

**Sponsors:** Public Works

**Summary of Item:** A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND M.E. SIMPSON CO., INC. (Water Leak Detection)

RESOLUTION 2009-45

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

**Indexes:** Surveying Services, Water System

**RES 00-03730** L. Resolution: Authorize an Agreement with M.E. Simpson Co., Inc. for Hydrant Flow Testing

**Sponsors:** Public Works

**Summary of Item:** A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND M.E. SIMPSON CO., INC. (Hydrant Flow Testing)

RESOLUTION 2009-46

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

**Indexes:** Fire Hydrants

**RES 00-03731** M. Resolution: Authorize an Agreement with M.E. Simpson Co., Inc. for Water Valve Assessment

**Sponsors:** Public Works

**Summary of Item:** A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND M.E. SIMPSON CO., INC. (Water Valve Assessment)

RESOLUTION 2009-47

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

**Indexes:** Water Service, Water System

**RES 00-03732** N. Resolution: Authorize a Contract with Gen Power, Inc.

**Sponsors:** Community Events Commission and Community Events

**Summary of Item:** A RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT BETWEEN THE VILLAGE OF DOWNERS GROVE AND GEN POWER, INCORPORATED

RESOLUTION 2009-48

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

**Indexes:** Heritage Festival 2009

**RES 00-03733** O. Resolution: Authorize a Professional Services Agreement with Nicolay & Dart, LLC

**Sponsors:** Manager's Office

**Summary of Item:** A RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND NICOLAY & DART, LLC

RESOLUTION 2009-49

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

**Indexes:** Stimulus Funding, Lobbyist

**MOT 00-03740** P. Receipt of Minutes of Boards and Commissions

**Summary of Item:** Liquor Commission - February 5, 2009

**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 00-03734** C. Motion: Recommendations re: Civic Center Facility Improvement Project

**Sponsors:** Deputy Village Manager

**Summary of Item:** This directs staff to incorporate the following recommendations regarding Civic Center facility improvements as part of the Strategic Plan/Long Range Financial Planning discussions scheduled to commence in summer 2009:

1. Police Station: Within the next 3-5 years as the Village's financial position allows, design and construct a new Police Station on the west portion of the existing Village-owned Civic Center site (currently used for commuter parking). The size of the facility will be approximately 70,000 square feet with a total price currently estimated at \$33.5 million.
2. Village Hall: Maintain the existing Village Hall facility for a period of at least 10 years. Major system maintenance and repair is estimated not to exceed \$500,000 over the 10-year period.
3. Counseling and Social Services: Evaluate future use of the facility at the time of the design phase for the Police Station, as the current site may be required for Police Station construction. If this is the case, consider relocation of departmental service to another Village facility or alternate location.
4. Fleet Services Garage: Maintain the existing facility for a period of at least 10 years. Major system maintenance is estimated not to exceed \$100,000 over the 10-year period.

*Commissioner Waldack requested that this item be removed from the Consent Agenda because two weeks ago it was on the Active Agenda. The Consent Agenda is mainly for non-controversial items. As was heard tonight and in e-mails, there is some concern over this item.*

*This motion incorporates staff recommendations. The staff is recommending that we approach the construction of a new police station in five years and the Village Hall in ten years if the economy allows. The motion also allows staff to proceed with financial planning for future*

construction. He is concerned about the recommendation of the site and incorporating that into the motion. He acknowledged that this is not a definite site recommendation, but feels there is enough concern about using the Village Hall complex for the Police Station. He commented that the Ellsworth area might be considered, especially with the underpass to be completed in three years. He would prefer that the site comments be deferred until after the strategic planning sessions. He will not vote in favor of this at this time.

Commissioner Tully said he is glad that the Council is still discussing this matter as opposed to doing nothing. Regarding the stated concerns, he said he does not see anything wrong with incorporating the staff recommendations in future discussions. He referenced a principle in logic called Loki's Wager where one can never solve a problem because of failure to define it. His criticism has been the failure to define the problem. He is in support of this motion because there is a tentative proposal, including a site recommendation. He noted that the concept of the Village purchasing land is an anathema. The recommendations represent a huge compromise given the economy.

Mayor Sandack said meaningful questions have been brought forward, but this Council and other Councils have struggled with the idea of getting involved in the real estate business. He said he does not think government does a good job of purchasing and selling property, nor is it in our core services. Council is not ruling out looking at anything at this time. This motion puts reasonable time parameters around good decision making that has been prolonged for many years. Village Hall was to have been jettisoned in the 1980s because it was a temporary use of a former ball bearing factory. It is highly inefficient as is the Police Station. We have had professionals look at these buildings and render professional opinions. Staff has responded to economic conditions. This motion demonstrates being fiscally sound and conservative.

**A motion was made by Commissioner Tully, seconded by Commissioner Durkin, to Accept this file. Mayor Sandack declared the motion carried by the following vote:**

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

**Indexes:** Village Hall - Space Needs

## **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.

Commissioner Waldack asked what it really means to adopt the findings of the Circulator Study Task Force. He said he believes people who want to look into a transit system will look at this study and at the numbers and will assume that there is some authority behind it. Two weeks ago Commissioner Waldack said he gave a presentation and the two sets of numbers he used were the 2010 budget and the Circulator Task Force numbers. The only numbers not pulled from these two sources had to do with the reverse commute. The Task Force worked hard and was diligent, but they were limited on two items: Time and scope. They wanted to talk about reverse commuting, the current shuttle and senior services but were thwarted on these topics. If they had the time and were allowed to discuss these other matters, Commissioner Waldack said he believes they would have had much better findings. He recommended that the Task Force be asked to continue their work. Secondly, with respect to the staff's recommendation to suspend participation in the Local Circulator Task Force, this means the Village will not participate in the Circulator year one system. It also means that it is likely we will not participate in year two. By the time this is discussed, we will probably miss out on participation in year three as well. He said the presentation he made was 70 percent financial and 30 percent transportation. We are in an economic climate where we are looking to save tens of thousands of dollars. He

cannot understand why we are not pursuing this when there is a possibility to reduce expenses by hundreds of thousands of dollars. If this were his company, Commissioner Waldack said he would assign two people, give them access to the Task Force and the consultants of the DuPage Mayors and Managers Conference, and establish a two-week deadline to write a grant proposal. The bulk of the work is already done. To wait for strategic shelving is a big mistake. We need to jump on opportunities as they exist; therefore, he is not in favor of supporting this motion.

Commissioner Tully said he appreciated the time and effort Commissioner Waldack has committed to this. Commissioner Tully said he is in support of suspending participation at this time for two reasons: This is not the time to make a commitment to a new service. Once we agree to this we are committed and could potentially incur additional costs. Further, this would not be a commitment to an existing service, this would be a commitment to an expanded service with expanded costs. The motion is to suspend which means to defer to a later time on specified conditions. It would be prudent to look at this at a later time.

Commissioner Durkin said he supports this motion. He said it is time to send a direct message to the DuPage Mayors and Managers Conference to pass on to the other communities looking to participate in the Circulator Study that we are suspending participation. We are the municipality providing equipment for this and we need to notify them of our decision. He said his concern is how this would be funded after the start-up money expires.

Commissioner Beckman said he will support this motion. He said he felt strongly about the presentation Commissioner Waldack made regarding the possibility of integrating multiple applications into one service. It makes sense to him and could lead to greater success. It behooves us to step back and think about what we are doing. This is not a time to move hastily. For many years we have had a shuttle, and we would now be looking at a separate application for a circulator system. To restructure and have an effective strategy in two weeks does not make sense to him.

Commissioner Schnell said she supports the motion as presented. She is a supporter of the commuter shuttle program. She is concerned about expanding the program in this economy. She noted that staff has been asked to cut back and at this time there are too many uncertainties. She feels the Village cannot commit to this at this time as there are no guarantees with respect to funding and participation may result in additional shuttle deficits.

Mayor Sandack said he agrees with the comments made, including those of Commissioner Waldack. He said Commissioner Waldack's presentation was thoughtful and the ideas made sense. He said he asked Commissioner Waldack to differentiate between the circulator study as presented vs. an integrated system proposed by Commissioner Waldack. To establish an integrated system in a few months is unrealistic. The matter is worthy of discussion, research and due diligence. The DuPage Mayors and Managers circulator program is a new program that would cost new dollars. It would represent new expenditures at a time the Village is cutting back. All departments are being asked to do more with less and to add on a new program is an anathema and would be imprudent to do at this time. The theories and concepts presented by Commissioner Waldack are worthy of discussion, but to jump ahead at this time is too speculative. Mayor Sandack said he will support the motion as presented.

**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 Durkin, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack  
Nay: Commissioner Waldack

**Indexes:** DuPage Mayors & Managers



**Sponsors:** Community Development

**Summary of Item:** This will amend fees charged for certain building permits.

AN ORDINANCE AMENDING FEES CHARGED FOR PERMITS

ORDINANCE NO. 5052

**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:** Permits, Fee Schedule

**ORD 00-03739** C. Ordinance: Amend Ordinance #5020 and the Village of Downers Grove Budget for Fiscal Year 2008

**Sponsors:** Finance

**Summary of Item:** This adopts certain amendments to the 2008 budget.

AN ORDINANCE PROVIDING FOR AN AMENDMENT TO ORDINANCE #5020 AND THE VILLAGE OF DOWNERS GROVE BUDGET FOR FISCAL YEAR 2008

ORDINANCE NO. 5053

*Commissioner Tully noted that this has to do with minor changes to a few funds.*

*Manager Fieldman said this is an amendment to the FY2008 budget regarding health funds as expenses against this fund came forth in 2009.*

**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:** Budget Amendment - 2008

## 8. Mayor's Report

### Materials to be Received

### Materials to be Placed on File

## 9. Manager's Report

*Village Manager Dave Fieldman presented an update on the 2009 budget implementation plan. He reported identification of \$1.5 million in savings from the General Fund. The personnel expense reductions amounted to \$600,000 in salaries. This included widespread participation from staff in furlough days, as well as job freezes, salary freezes, etc. He is proud of the participation by staff. He expects this will get the Village through FY 09.*

*The Mayor said that the Village's budget is a calendar year budget. The Village departments have recognized the economic situation and they have stepped up. The Mayor commented that Mr. Fieldman has shown great leadership. The Village's budget team has recognized this is a fluid situation and the Village must spend less.*

## 10. Attorney's Report

### Future Active Agenda

## 11. Council Member Reports and New Business

*Commissioner Durkin, as Chair of the Kiwanis Easter Egg Hunt, thanked Doug Kozlowski for assistance with the project by donating items. He said that there was about 250 pounds of candy spread in Fishel Park.*

*Commissioner Beckman commented on receiving a copy of the Hometown Times, which he thinks is worthwhile and rewarding. The home fire safety checklist was published, and the Commissioner reminded the public that the Downers Grove Fire Department offers a free home safety survey. He urged people to take advantage of that survey.*

*Commissioner Tully said that today was Election Day and the turnout was low. He noted that local elections will affect people more closely than state and federal elections in terms of day-to-day operations. He extended his appreciation and best wishes to all of the candidates, saying it takes a thick skin, skull and courage to run for public office.*

*Commissioner Neustadt said that there will be a paper-shredding event on April 18 from 9:00 until noon in the Police Department parking lot.*

*Commissioner Waldack said he agreed with Commissioner Tully's comments.*

*The Mayor echoed Commissioner Tully's thoughts as well. He extended best wishes to the candidates. With regard to the Civic Center, the Mayor invited people to attend the long-range planning session, which is very important to the future of the Village.*

## 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 7:56 p.m.*