



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, April 21, 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 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 - April 7, 2009

Workshop Meeting - April 14, 2009

Mayor Sandack said he had a minor correction he would provide to the Clerk. There being no further additions or corrections to the minutes, Mayor Sandack said they would be filed as corrected.

Capital Projects Update

Nan Newlon, Director, Public Works, provided an update on the Washington Park project, saying that the contract has been awarded and staff has met with the residents in the area. Construction has begun. Benefits of the project affect a very large geographic area. It includes

St. Joseph's Creek North Subwatershed east, which goes a little north of Ogden Avenue west to Lee and east into the downtown area. The work at Washington park will provide detention facilities that will allow for future conveyance improvements in the watershed. This will be the foundation. Phase I is Washington Park improvements and will include some storm sewer work on Rogers Street. Ms. Newlon noted that high priority identified areas in the WIIP will benefit from the work. Work will be done in three phases, with a cost of \$9 million for the entire project. Washington Park is the first piece of the project.

Mayor Sandack explained that this is a joint effort between the Village and the Park District, and was approved by the Park District in December 2008. The Park District held at least two meetings on this project, and the Village held several meetings, which were noticed to residents in the area. The Mayor explained that this is an important base where the water will be held during storm events, and piping will go into other areas. He said that the last improvement is scheduled for 2011.

Commissioner Beckman asked about the problem areas shown on the overhead projection. Ms. Newlon said these are local poor drainage areas. Staff is looking to reduce the negative impact of stormwater on these areas.

Commissioner Schnell said one comment she has been aware of concerns construction traffic. In the past, the Village has tried to minimize the impact of that traffic on the community, and particularly on school age children. Ms. Newlon responded that staff tried to pick routes that do not conflict with heavily traveled areas. However, this location is near the heart of the downtown area, which makes it more difficult. They are directing traffic to the east. Weekly meetings will be held with the contractor, and the Police Department will also be informed of the construction schedules. Commissioner Schnell commented that her main concern occurs with children walking to school between 8:00-8:30. In the past workers were told to suspend or minimize their work during these times. She wants the Village to be proactive. Ms. Newlon said staff will work with the contractor, and will check the route.

Commissioner Schnell then asked how to make sure that trucks are not overweight. The Manager responded that the Village discusses this in pre-construction interviews, and there is an overweight enforcement program on all projects conducted in the Village.

Commissioner Waldack echoed Commissioner Schnell's concerns regarding the school children. He asked about the 7:00 a.m. start time when schools are in session, suggesting that a later start time could be chosen.

Commissioner Durkin stated that these are professionals doing construction work. When this was bid, he was not aware that the Village imposed any time limitations on the contractor. This could cause problems in terms of the length of time of the project.

Commissioner Schnell commented that she believed there are still ways that this can be adjusted. She has faith that staff can work this out. It's been done before, and the Village should let the neighborhood know that its intention is to protect the residents and their children during this construction period.

Mayor Sandack said there is a small window for construction time in the Chicagoland area. This is a professional staff and they will monitor the contractors.

Ms. Newlon responded that on the Village's website, residents can sign up for weekly updated e-mails and receive updates on major construction projects.

Commissioner Neustadt said he signed up for the e-mail alert today, and it is simple to sign up.

Proclamation

Mayor Sandack proclaimed Friday, April 24, 2009 as Arbor Day in the Village of Downers Grove.

4. Public Comments and Questions

A. Comments and Questions on Active Agenda

B. Comments and Questions on General Matters

Bill Wrobel, 7800 Queens Court, said he is a member of the Chicago Area Theatre Organ Enthusiasts (CATOE), and attended a concert at the Tivoli Theater on Saturday, April 18. CATOE maintains the organ at North High School. A film was shown at the concert showing how the Wurlitzer organ was moved from Ohio to the high school in the 1970s. There is also an organ at the Tivoli Theater, which is played on Friday and Saturday evenings. Mr. Wrobel said he is trying to put together a program to experience both organs on the same day. He believes this could be a tremendous event. He has contacted the Community Events staff and the Economic Development Corporation asking for their support for an event that could potentially bring people from many locales to enjoy the organ concerts.

Commissioner Beckman asked if Mr. Wrobel played the organ. Mr. Wrobel responded that he has a Hammond organ in his home. He enjoys the concerts and church organ music. He plays poorly but enjoys the artistry of the musicians. CATOE meetings have open bench times for people who would like to participate. Mr. Wrobel said the meetings are open to everyone.

5. Public Hearings

6. Consent Agenda

COR 00-03741 A. Claim Ordinance: No. 5791, Payroll, April 10, 2009

Sponsors: Accounting

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

Indexes: N/A

BIL 00-03742 B. List of Bills Payable: No. 5766, April 21, 2009

Sponsors: Accounting

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

Indexes: N/A

RES 00-03743 C. Resolution: Authorize an Intergovernmental Agreement with the County of DuPage for Maple/55th Street Resurfacing

Sponsors: Public Works

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF DUPAGE AND THE VILLAGE OF DOWNERS GROVVE (MAPLE/55TH STREET RESURFACING)

RESOLUTION 2009-50

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

Indexes: DuPage County

- MOT 00-03744** D. Motion: Award a Contract to McDonough Mechanical Systems, Waukegan, IL, in an Amount Not to Exceed \$166,000 for Replacement of the HVAC System in the Police Station
Sponsors: Deputy Village Manager
A motion was made to Award this file on the Consent Agenda.
Indexes: Police Department Air Conditioning System
- BID 00-03745** E. Bid: Award a Contract to Elmhurst Chicago Stone Company, Elmhurst, IL, in an Amount Not to Exceed \$26,515.60 for Supply of Ready Mixed Concrete
Sponsors: Public Works
A motion was made to Approve this file on the Consent Agenda.
Indexes: Public Works - Cement and Concrete Materials
- BID 00-03746** F. Bid: Award \$80,000 to Western Gradall Corporation, Naperville, IL, for Roadside Ditch Reconstruction and Maintenance Services
Sponsors: Public Works
A motion was made to Approve this file on the Consent Agenda.
Indexes: Roadway Improvements
- BID 00-03747** G. Bid: Award a Contract to E. Hoffman, Inc., Lombard, IL, in an Amount Not to Exceed \$167,940 for Debris Hauling and Crushed Limestone Supply Services
Sponsors: Public Works
A motion was made to Approve this file on the Consent Agenda.
Indexes: Public Works - Crushed Limestone & Ready Mix Concrete
- BID 00-03748** H. Bid: Award \$107,934.90 to Elgin Sweeping Services, Inc., Chicago, IL, for Street Sweeping Maintenance Services
Sponsors: Public Works
A motion was made to Approve this file on the Consent Agenda.
Indexes: Street- Sweeper
- BID 00-03749** I. Bid: Award \$65,000 to Central Blacktop Co., Inc., LaGrange, IL, for Supply of Hot Mix Asphalt Materials
Sponsors: Public Works
A motion was made to Approve this file on the Consent Agenda.
Indexes: Public Works - Cement and Concrete Materials
- BID 00-03750** J. Bid: Award \$93,878.40 to H&H Electric Company, Franklin Park, IL, for Streetlight Maintenance Services
Sponsors: Public Works
A motion was made to Approve this file on the Consent Agenda.
Indexes: Street Lights - Maintenance

- BID 00-03751** K. Bid: Award \$47,130.80 to Giant Maintenance & Restoration, Mundelein, IL, for Fire Hydrant Painting
Sponsors: Public Works
A motion was made to Approve this file on the Consent Agenda.
Indexes: Fire Hydrants
- BID 00-03752** L. Bid: Award \$91,998 to Eco Parking Lights, Fishers, IN, for Purchase of 285 Induction Fluorescent Light Fixtures
Sponsors: Public Works
A motion was made to Approve this file on the Consent Agenda.
Indexes: Central Business District - Parking Deck
- BID 00-03753** M. Bid: Award \$181,001 to J. Congdon Sewer Service, Inc., Carol Stream, IL, for Rogers Street Drainage Improvements
Sponsors: Public Works
A motion was made to Approve this file on the Consent Agenda.
Indexes: Drainage Improvements
- BID 00-03754** N. Bid: Award \$2,980,773.96 to Brothers Asphalt Paving, Inc., Addison, IL, for 2009 Resurfacing Project
Sponsors: Public Works
A motion was made to Approve this file on the Consent Agenda.
Indexes: Street - Resurfacing
- BID 00-03755** O. Bid: Award \$235,730.25 to A.C. Pavement Striping Company, Elgin, IL, for 2009 Preventive Seal Project
Sponsors: Public Works
A motion was made to Approve this file on the Consent Agenda.
Indexes: Street - Slurry Seal
- MOT 00-03756** P. Motion: Renew Insurance Broker and Re-Insurance of Property, Casualty and Excess Liability Coverage
Sponsors: Human Resources

Summary of Item: Authorize for the purchase of re-insurance coverage for property, casualty and excess liability for the Village with the following insurance carriers:

Excess General Liability/Auto Liability - Recommended Low Compliant Bidder 2009-10 - Illinois National Insurance - \$15 million excess insurance (\$1 million self-insurance retention) 2009-10 Premium - \$138,766

General Liability/Auto Liability Umbrella - Recommended Low Compliant Bidder 2009-10 - Traveler's Liability \$20 million umbrella insurance policy - 2009-10 Premium - \$52,000

Excess Workers Compensaton Stop Loss of \$450,000 - Recommended Low Compliant Bidder 2009-10 - Safety National - 2009-10 Premium - \$93,888

Property Insurance - Recommended Low Compliant Bidder 2009-10 - Chubb Insurance - 2009-10 Premium - \$57,294

Total Premiums - \$341,948

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

Indexes: Insurance - Risk Management

RES 00-03759 Q. Resolution: Grant Historic Landmark Designation for 4943 Highland Avenue

Sponsors: Community Development

Summary of Item: A RESOLUTION GRANTING HISTORIC LANDMARK DESIGNATION FOR 4943 HIGHLAND AVENUE

RESOLUTION 2009-52

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

Indexes: Historical Preservation

RES 00-03764 R. Resolution: Authorize an Agreement with the County of DuPage (Prentiss Creek Area Street Lights)

Sponsors: Social and Health Services

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

RESOLUTION 2009-51

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

Indexes: DuPage County Community Development Block Grant

MOT 00-03761 S. Motion: Receipt of Minutes of Boards and Commissions

Summary of Item: Plan Commission - March 2, 2009
Transportation and Parking Commission - March 11, 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

MOT 00-03760

A. Motion: Direct Staff to Prepare Construction Plans for Traffic Calming Improvements on Claremont Drive, between Main Street and Fairview Avenue

Sponsors: Public Works

Summary of Item: This directs staff to prepare construction plans for traffic calming improvements on Claremont Drive between Main Street and Fairview Avenue.

Commissioner Schnell thanked staff for their research regarding accidents due to installation of traffic calming devices. The data shows no increase in accident rates. She will support this motion.

Commissioner Beckman asked about dispersing traffic to other streets because of the devices.

The Manager said staff studied traffic speeds and traffic flow. As a result of the installation of traffic calming devices, there is a reduction in speed and a slight shift in traffic to other streets. Staff will monitor this after installation and will keep the Transportation and Parking Commission apprised.

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

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

Indexes: Traffic Calming

ORD 00-03762

B. Ordinance: Amend Parking Provisions for Compact Cars in the Parking Deck

Sponsors: Public Works

Summary of Item: This amends parking provisions in the Parking Deck.

AN ORDINANCE AMENDING PARKING PROVISIONS FOR COMPACT CARS IN THE PARKING DECK

ORDINANCE NO. 5054

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: Central Business District - Parking Deck, Compact Cars

ORD 00-03763

C. Ordinance: Create an Entertainment/Recreational Facility Liquor License Classification for a Billiard Hall

Sponsors: Village Attorney and Liquor Commission

Summary of Item: This adopts a new liquor license classification for billiard hall facilities.

AN ORDINANCE CREATING AN ENTERTAINMENT/RECREATIONAL FACILITY LIQUOR LICENSE CLASSIFICATION FOR A BILLIARD HALL

ORDINANCE NO. 5055

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

The Manager said that DuPage is considering an amendment to its Zoning Ordinance regarding workforce-housing units. Staff has some concerns with how the ordinance is drafted, because it would allow for attached or townhome development in zoning districts that are generally single-family detached zoning districts. It also allows for septic systems that would not otherwise be permitted. Staff voiced its concerns to DuPage County and will draft a resolution for the Workshop meeting next Monday night.

The Mayor said that his reading of the Ordinance was that it was "by right" and not a "special use" zoning.

The Manager responded that it is "by right," which means there would be no notice to residents or any opportunity for municipalities to comment on or object to specific developments.

Mayor Sandack said he received a call from the County Board members, but had not yet seen the Ordinance. The Mayor said he was alarmed by the procedure in that it would be "by right." Typically, the Village would get notice and would have a voice on a County development issue. Mayor Sandack said the procedure is troublesome in his view. If the Village objects, there would normally have to be a special vote requirements at the County Board level requiring a super majority. He noted that Woodridge and Lombard have already filed formal objections. He said that staff provided information regarding potential effects on the public, and he believes that this Ordinance leaves the Village and surrounding municipalities vulnerable. He said that he is not attacking workforce housing. He is objecting because this has not been thought through and needs to be fully vetted.

10. Attorney's Report

Village Attorney Enza Petrarca said she was presenting one item: A resolution in opposition to the proposed amendments to the County Zoning Ordinance regarding workforce housing.

Future Active Agenda

11. Council Member Reports and New Business

Commissioner Beckman announced that Capri restaurant's soft opening was held yesterday. It is an upscale, northern Italian restaurant. He commented that he was impressed with the restaurant.

Commissioner Beckman said he attended the TCD3 neighborhood meeting at Herrick Junior High. He urged people to attend to help design the community for the future.

Commissioner Durkin thanked Brenda Barnes, Chairman and CEO of Sara Lee, for the opportunity to tour the new Sara Lee Kitchens facility south of the Doubletree Hotel. The hospitality was wonderful. He commented that the level of security and sanitation in the facility was amazing. He thinks it is a great benefit to the Village. They employ over 100 people.

Commissioner Durkin then thanked those residents who attended the TCD3 meeting at El Sierra School last week. He also encouraged residents to participate in this project.

Commissioner Neustadt also thanked Ms. Barnes, saying it was a great day with remarkable hospitality.

Commissioner Neustadt then extended Happy Birthday wishes to Commissioner Schnell.

Commissioner Schnell said that she concurs with the resolution read by Attorney Petrarca. She will not be in attendance at Monday's meeting. She does believe that the County's Ordinance will have a negative effect on the municipalities.

Commissioner Tully also thanked those who attended the TCD3 meetings. He thanked Sara Lee Corporation for their fantastic hospitality and the tour of the Kitchens of Sara Lee, which is a brand new 120,000 square foot innovative campus and facility. He noted that they have amazing state-of-the-art technology and he is glad to have them as a corporate citizen. He added that the dedication and grand opening key note speaker was Sara Lee herself. Her father, Charles Lubin, founded the corporation in 1949 and named it after his daughter, Sara Lee.

Commissioner Tully then thanked the Downers Grove Downtown Management Corporation for their hospitality during the Strategic Planning session yesterday. It was a very good exercise. Oftentimes challenging environments are the best environments to arrive at creative strategic planning.

Mayor Sandack commented on the two meetings held recently on TCD3, with over 200 participants. It is still evolving, and he thanked those who attended. The Mayor said he also attended the Kitchens of Sara Lee event, saying the technology is unbelievable. The company has made a huge investment in rehabbing the building and installing new equipment, firmly placing its roots in this community.

The Mayor said that there was an overwhelming crowd at Capri Restaurant's opening last night, and he said it was nice to see new companies opening at this time.

Mayor Sandack announced that Binny's Beverage Depot is scheduled to open by September 1 in the former Circuit City building. They have more than 22 locations in the Chicago area. They purchased the building, and he described their facility, which will include tasting rooms, walk-in spirits facility, humidor, etc. He met the owner who said he has been trying to find a spot in Downers Grove for years.

The Mayor then said there is a new newspaper coming to the Village. The Bugle starts on May 6 for Wednesday publications. He noted that amidst challenging economic times, the Village continues to see opportunities in the Village. The EDC, the Chamber, the Village and the Downtown Management Corporation are partnering to bring good business into town.

The Mayor noted that next week's meeting will be held on Monday, April 27.

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 7:40 p.m.