



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, August 4, 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 Bob Barnett, 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

Executive Session Minutes for Approval Only - July 14, 2009

Council Meeting - July 21, 2009

Long Range Financial Planning Workshop - July 21, 2009

Workshop Meeting - July 28, 2009

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

Capital Projects Update

John Nicolay, of Nicolay and Dart, said he attended the signing of Senate Bill 1221 with Mayor Sandack. Governor Quinn signed the Bill in Chicago. Mr. Nicolay said Downers Grove did

very well as a result of this Bill. The specific projects included for Downers Grove total about \$1.4 million: \$500,000 for new sidewalks along Ogden Avenue, \$500,000 for reimbursement of the parking deck construction. He thanked Senators Cronin and Dillard for asking for those two major projects. In addition, \$130,000 is specified for downtown sidewalk repair, \$120,000 for replacement of the roof of the Civic Center, \$75,000 for Maple and the BNSF intersection improvement, and \$35,000 for downtown pedestrian crossing system signals. He also noted the hard work of Representatives Bellock and Pihos.

Mr. Nicolay added that they were able to meet with the IDOT officials regarding further discretionary funds that may be awarded to Downers Grove. As for timing, it is still in flux. He noted that the Bill has specific project funding mechanisms. All of the Village projects are included in the Illinois Bond Fund, and may be funded as soon as this fall. A two to six month timeframe is expected. Mr. Nicolay commented that credit is due to the Village, as several comments were made by legislators about the proactive and aggressive attitude of the Village. He complimented the Village's team for their work.

Mayor Sandack thanked Mr. Nicolay on behalf of the Council and the staff. He said that after the Belmont Underpass funding process, the Council and staff learned the lesson that they have to be prepared. For the past two years the Council, staff and Mr. Nicolay have used this approach, and the stewardship of Mr. Nicolay was appreciated.

Commissioner Durkin also thanked Mr. Nicolay for his services, noting that this was a step taken by the Council a few years ago that has brought a great return on the Village's investment.

Mr. Nicolay thanked the Commissioner and Council for their comments. Downers Grove is well represented in the General Assembly. He said that his job is to coordinate efforts and to keep the Village's projects front and center.

Commissioner Beckman commented that Mr. Nicolay was able to open up doors, and this has benefitted the Village. He asked how much money of the Stimulus Package is for Illinois and DuPage County. Mr. Nicolay responded that the funds are very fluid with billions going to Illinois, although he does not have specific figures available now. He said that a good amount of money has been earmarked for major road projects and airports.

Mayor Sandack thanked Mr. Nicolay for coming to the meeting and presenting the report.

4. Public Comments and Questions

A. Comments and Questions on Active Agenda

B. Comments and Questions on General Matters

Frank Falesch, 820 Prairie, noted that construction has started on Prairie. There are protective barriers around the trees, but they are not to construction manual standards. They are plastic webbing rather than chain link fencing. The Mayor said he thought that complies with the Code. Village Attorney Enza Petrarca said staff will look into it.

Mr. Falesch then commented with respect to the three trees on Washington, saying the same manual spells out what should be done. One of the trees is an Oak tree, and the pamphlet says that they should take extra care to cut the roots neatly. A major root has been fractured on the Oak tree. Mr. Falesch said that in the future more care should be taken. Today, concrete was poured for the retaining wall, and later the crew began stripping forms. He tried to get in touch with Public Works. He has never seen anything done like that. It is especially bad in this weather as the wall loses structural value. Mr. Falesch spoke with the workers and they did not strip any more forms. Mayor Sandack asked that he speak with Public Works about what he saw. He asked Public Works Director Nan Newlon to speak with Mr. Falesch.

5. Public Hearings**6. Consent Agenda**

COR 00-03844 A. Claim Ordinance: No. 5805, Payroll, July 17, 2009

Sponsors: Accounting

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

Indexes: N/A

BIL 00-03845 B. List of Bills Payable: No. 5780, August 4, 2009

Sponsors: Accounting

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

Indexes: N/A

MOT 00-03846 C. Motion: Award \$275,571.96 to Bollinger, Lach & Associates, Inc., Itasca, IL, for the Prentiss Creek Watershed Stormwater Improvements Design Services

Sponsors: Public Works

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

Indexes: Watershed Infrastructure Improvement Plan

MOT 00-03847 D. Motion: Award \$198,460 to V3 Companies, Woodridge, IL, for Lacey Creek Watershed Stormwater Improvement Design Services

Sponsors: Public Works

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

Indexes: Lacey Creek, Stormwater Sewer Watershed Improvement Plans

RES 00-03848 E. Resolution: Intent to Continue Participation in the Suburban Tree Consortium and to 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 2009-74

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

Indexes: Tree Consortium

MOT 00-03855 F. Motion: Receipt of Minutes of Boards and Commissions

Summary of Item: Architectural Design Review Board - April 23, 2009

Library Board - July 8, 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 Schnell, seconded by Commissioner Barnett, that the consent agenda be passed. The motion carried by the following vote:

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

7. Active Agenda

RES 00-03841 A. Resolution: Authorize an Agreement with Grasshopper Shuttle, LLC for the Sale of CNG Fuel

Sponsors: Finance

Summary of Item: This authorizes execution of an agreement with Grasshopper Shuttle, LLC to allow Grasshopper Shuttle to purchase compressed natural gas (CNG) fuel from the Village CNG filling station.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND GRASSHOPPER SHUTTLE, LLC FOR THE SALE OF CNG FUEL

Commissioner Waldack asked whether the petitioner agrees with tabling this, and the Manager said they were aware of it and agreed.

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

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

Indexes: CNG Fueling Facility

BID 00-03837 B. Bid: Authorize \$93,016.75 to Lorusso Cement Contractors, Inc., West Chicago, IL, for Claremont Drive Traffic Calming Project (TR-015)

Commissioner Durkin said last week this was discussed and his concern was that this contract would be awarded when they do the final work. He is caught off guard by this.

The Manager said that staff looked at the opportunity to combine this with the resurfacing next year. It is not possible to combine these into one contract. Staff is also unable to guarantee a minimized construction impact to the neighborhood. There will be no rework required of the resurfacing or traffic calming work.

Commissioner Durkin asked whether it is all concrete work. The Manager responded that there are three major components: medians, curb extensions and permanent asphalt speed humps. Since there is no rework required, they decided to move forward. Commissioner Durkin said he wished that he would have received a call on this and was disappointed at not being informed.

Commissioner Barnett thanked Commissioner Durkin for doing his job to save the Village money. The Council is working hard to make improvements as needed, and be frugal as well.

A motion was made by Commissioner Schnell, seconded by Commissioner Barnett, to Approve this file. Mayor Sandack declared the motion carried by the following vote:

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

Indexes: Traffic Calming

RES 00-03849 C. Resolution: Approve Final Plat of Consolidation for 4220 Highland Avenue

Sponsors: Community Development and Plan Commission

Summary of Item: At their meeting of July 6, 2009, the Plan Commission recommended approval of the Final Plat of Consolidation for 4220 Highland Avenue.

A RESOLUTION APPROVING THE FINAL PLAT OF CONSOLIDATION FOR 4220 HIGHLAND AVENUE

RESOLUTION 2009-75

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

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

Indexes: Subdivision, Consolidation Plat, Subdivision - 4220 Highland

ORD 00-03850 D. Ordinance: Extend Special Use for 2501 Ogden Avenue to September 15, 2010

Sponsors: Community Development and Plan Commission

Summary of Item: This authorizes an extension of the special use for 2501 Ogden Avenue to September 15, 2010.

AN ORDINANCE AUTHORIZING THE EXTENSION OF A SPECIAL USE FOR 2501 OGDEN AVENUE TO SEPTEMBER 15, 2010

ORDINANCE NO. 5066

Commissioner Neustadt said that this is a small piece in a much bigger puzzle in economic development for the Village. He thanked staff for their work.

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

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

Indexes: Special Use - 2501 Ogden Avenue

ORD 00-03851 E. Ordinance: Extend Special Use for 5100 Forest Avenue to September 1, 2011

Sponsors: Community Development

Summary of Item: This authorizes an extension of the special use for 5100 Forest Avenue to September 1, 2011.

AN ORDINANCE AUTHORIZING THE EXTENSION OF A SPECIAL USE FOR 5100 FOREST AVENUE TO SEPTEMBER 1, 2011

ORDINANCE NO. 5067

Commissioner Schnell said she spoke with staff about including maintenance of the property as part of the ordinance.

The Manager said staff met with the developer regarding a property maintenance plan.

Commissioner Waldack said he supports inclusion of the language in the agreement.

Commissioner Beckman said he is pleased to see an agreement reached with the developer.

Commissioner Schnell moved to amend the motion to adopt an ordinance extending the special use for 5100 Forest Avenue to September 1, 2011 to include, "the developer shall comply with

the property maintenance plan as drafted by staff." Commissioner Beckman seconded the Motion.

Mayor Sandack asked for a roll call on the amendment.

VOTE: YEA: Commissioners Schnell, Beckman, Barnett, Neustadt, Durkin, Waldack; Mayor Sandack

Mayor Sandack declared the Motion passed.

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

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

Indexes: Special Use - 5100 Forest Avenue

ORD 00-03852 F. Ordinance: Amend Temporary Use and Public Gathering Provisions

Sponsors: Village Attorney

Summary of Item: This makes amendments to Temporary Use and public gathering provisions.

AN ORDINANCE AMENDING TEMPORARY USE AND PUBLIC GATHERING PROVISIONS

ORDINANCE NO. 5068

Commissioner Beckman noted that the number of participants need to require an open air permit remains at 50.

Commissioner Waldack said he hopes this will be addressed again in the first quarter of 2010.

The Mayor said Council can direct staff in that regard.

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

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

Indexes: Temporary Use, Public Gathering

ORD 00-03853 G. Ordinance: Amend 30 Minute Loading Zones

Sponsors: Public Works

Summary of Item: This makes amendments to 30-minute loading zones.

AN ORDINANCE AMENDING 30 MINUTE LOADING ZONES

ORDINANCE NO. 5069

Commissioner Beckman said he will support this but reiterated his concern about the alleyway between the Library and the back of the retail areas facing Main Street as this could delay those who use the alleyway for traversing through that area. He asked that staff look at striping the area or at the use of private parking areas.

A motion was made by Commissioner Neustadt, seconded by Commissioner Schnell, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:

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

Indexes: Parking Restrictions - CBD

8. Mayor's Report

Mayor Sandack invited people to the Committee Room after the meeting for the Long Range Financial Planning meeting.

Materials to be Received

Materials to be Placed on File

9. Manager's Report

The Manager commented on the change order for the retaining walls at Washington Park. The change order is approximately \$60,000, and staff has directed the contractor to make the proper changes. The Village obtained cost participation from the Park District.

Doug Kozlowski, Director, Communications, provided an update on the BNSF railroad line. The BNSF advised that from August 3 through September 11 they will be replacing railroad ties on tracks 2 and 3, and this is part of a larger project underway to replace ties between Aurora and Halsted Street in Chicago. Overall 6,500 ties will be replaced from Belmont to Fairview in Downers Grove. He showed a picture of the machine used to replace the ties. The work will be conducted Sunday through Thursday before and after the rush hour periods. Sunday work will take place from 7:00 a.m. to 7:00 p.m. Fencing will be taken down and not replaced until the project is completed. Mr. Kozlowski reminded everyone that the Village is in a quiet zone; however, when people are working on the tracks, horns will be sounded and flagmen will be on duty.

Commissioner Schnell asked that staff notify people surrounding the area of this.

Commissioner Beckman asked about the timeframe for Downers Grove. Mr. Kozlowski said it will take place in Downers Grove from August 3 to September 11. They have already advised a slight delay due to mechanical failures. BNSF will provide a revised schedule.

Commissioner Waldack asked if the fencing is down, whether people will have access to crossing the tracks, and Mr. Kozlowski said there will be access. Commissioner Waldack is concerned that people, including children, might take advantage of this. He asked that word be spread to parents and others. Mr. Kozlowski said staff can do this.

10. Attorney's Report

Future Active Agenda

11. Council Member Reports and New Business

Commissioner Durkin distributed a report to the Council on the Downtown Management Corporation Strategic Plan. He highlighted the accomplishments noted in the report, saying that some Village staff members participated in this project. Commissioner Durkin noted that an electronic version of the report will be available shortly for public review. He said if anyone has questions, they can be addressed to Linda Kunze.

Commissioner Waldack commented on the final TCD3 meeting, which he thought was interesting. He said that the Village is a very developed community. There was a recommendation with respect to getting neighborhoods together, and he looks forward to the next step. There was a great turnout and it was a good process

Commissioner Schnell commented that Carlucci's restaurant was noted on the Channel 9 news, but they did not spell Downers Grove correctly. They used an apostrophe.

Commissioner Beckman noted that on page two of the Wall Street Journal today there was an

article concerning the Cash for Clunkers program. It included a picture of a person shopping for a car on Ogden Avenue in Downers Grove.

The Mayor thanked everyone for their continued participation in the TCD3 process. There were more people at more meetings, and more on-line surveys received than expected. The final compilation is being put together with more information to come. Mayor Sandack said that the Council heard things they already knew about, as well as learning many new things about the community. The neighborhood specific information is something to look at more closely.

With regard to the Downtown Management Corporation Strategic Plan, Mayor Sandack said that the Council partners with local organizations including the DMC, Economic Development Corporation and the Chamber of Commerce. They all participate in strategic planning as does the Village. The goal is to continue to bring new businesses into town, and continue to build the economic tax base.

12. Adjournment

Commissioner Schnell moved to adjourn. Commissioner Barnett seconded the Motion. Mayor Sandack declared the Motion carried by voice vote and the meeting adjourned at 7:48 p.m.