



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, September 1, 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

Council Meeting - August 18, 2009

Long Range Financial Planning Workshop - August 18, 2009

Workshop Meeting - August 25, 2009

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

Capital Projects Update

Nan Newlon, Public Works Director, reported on the status of various capital projects for the Village. She noted she has received a number of e-mails and calls regarding the work being done on Prairie and tree removals. She indicated that there are two projects taking place, one

being a design project and the second a ComEd power line movement in conjunction with the street project. Ms. Newlon noted that because the Village received a federal grant for the work, it must follow IDOT guidelines. There have been a number of accidents at the intersection of Prairie and Main which has required requesting variances from IDOT to redesign the intersection; however, some trees were lost due to the work being done. She commented that they hoped to save some of the other trees; however, she has found out that there are a couple more trees that will need to be removed. Staff is working with the property owners on those.

Ms. Newlon then reported on the completed Rogers Street improvements, which began as a storm sewer project. The second project for underground water main improvement will be done on Friday, with the road portion beginning on Tuesday. The Sanitary District will be performing sanitary sewer replacements as the result of receiving stimulus funding. Restoration will begin on the west side of the roadway. Ms. Newlon said that the Sanitary District work would hopefully be completed by October. Staff is preparing a letter for residents, and updates can be found on the website.

Mayor Sandack said it is good for the Village to partner with other government agencies. He indicated that he appreciates the opportunity to work in concert with the others.

Commissioner Schnell asked whether there were any other utilities to be replaced, and Ms. Newlon said she was unaware of any.

Special Guests

Mayor Sandack announced that Dr. Koteswara Batchu, a pediatrician in Downers Grove, was in attendance at tonight's meeting with his guests from India including his sister-in-law and her husband. His sister-in-law is the former Mayor of her town.

The Mayor noted that Dr. Batchu's sister-in-law is the first directly elected Mayor in her town. He also referenced the Batchu Foundation. Dr. Batchu described the work of his foundation which began in 1986. He founded IMSA, International School in Peddapuram, AP India in 1996, and he personally funds \$1 million annually to the foundation from his practice.

4. Public Comments and Questions

A. Comments and Questions on Active Agenda

B. Comments and Questions on General Matters

Marge Earl, 4720 Florence, said she attended a planning conference at the Metropolitan Agency for Planning. The best information she obtained from this conference was the importance of having an up-to-date Comprehensive Plan. The Village's plan is 44 years old and should be no more than ten years old. She said an updated Comprehensive Plan is a fiscally responsible thing to do and she hopes the Council will keep their commitment to it. It is in the best interest of the Village to update it. Much of the information at the conference was just a review for her, because the Village's staff has done a wonderful job of keeping her informed. She thanked Mike Millette, Greg Bedalow, Tom Dabareiner, Stan Popovich, Damir Latinovic and Jeff O'Brien of Community Development.

The Mayor thanked Ms. Earl and said that a review and update of the Comprehensive Plan has been budgeted, and he doesn't think that the budgeted amount will change.

Laura Crawford, Downers Grove Chamber of Commerce and Industry, invited the Council to attend a health care panel on September 9. She mentioned that representatives of the Illinois Hospital Association, AARP and others would be part of the discussion panel. The panel will be at the Doubletree Hotel in Downers Grove from 11:30 a.m. to 1:15 p.m., September 9. She extended the invitation to the Council and the public.

Charlie Smart, 4804 Main Street, said that he has a good view and perspective of the intersection construction at Prairie and Main. He commented on tree protection, noting that he, Mr. Thoman and Mr. Schofield have sent e-mails to the Council about the trees. He said that he found out today that two major trees are coming down, one being a large maple. Taking trees down along Prairie promotes a commercial rather than residential feel. He then discussed Code compliance regarding tree protection. In the case of three locust trees, the vendor did not clear-cut the roots. There are roots hanging out at this time. He sent photographs of this to the Village and nothing has been done about it. Mr. Smart said that construction people continue to damage the tree. The Arborist said that the tree has been mortally damaged and will have to come down. Mr. Smart suggested that the Village has not set an environment for high expectations to meet tree protection compliance. There are two trees, including a sycamore on Forest and Prairie that is a classic landmark tree on private property, where they learned today that the limbs would be sheared back by ComEd. He asked that the tree be highly protected. The other tree is the cottonwood behind the Tivoli on Rogers. It is not adequately protected and is jeopardized. This is a blatant disregard for tree protection. He does not think the Village is doing the job it needs to do.

The Mayor said he does not know whether the trees mentioned by Mr. Smart are the ones Ms. Newlon referenced. He asked the Manager to look into this further.

Commissioner Schnell said the Village has a tree protection ordinance. She asked whether road contractors are subject to the ordinance. The Manager said they are subject to the Village's ordinances. Commissioner Schnell then asked staff for a report as to fines for not following ordinance restrictions.

Betsy Kelly, 4805 Forest, said that the sycamore tree is on her lot. The children love the tree. The town found a way to have the Federal government pay 80% of the project and now the town is suffering. Ms. Kelly said she is worried about her tree. She was told by ComEd that any growth over the sidewalk was going to be removed. It will take years for tree saplings to grow. She is not happy about them trimming her trees, and doesn't feel there is much give and take. Ms. Kelly commented that the Village should voice its opinions to save old trees. While she is for progress, she feels she should have been notified if her property was to be changed. Ms. Kelly asked to speak with someone about saving trees. It took too long for God to grow the tree just to have them knock it down.

Mayor Sandack asked staff to have the Village Forester speak with Ms. Kelly. ComEd has some rights that the Village does not control, and this is a continuing debate with the utility company. He explained that the road is being widened, and IDOT told the Village that there are lots of accidents there. In addition, the road is in terrible condition. Parkway trees are the Village's trees, and the Village doesn't like to take trees down. The Village has a professional full-time arborist on staff. He said that when they hear that two more trees are coming down, they are concerned. He agreed that progress has a price. On a macro level the Village has a duty to make the streets safe. The intersection of Main and Prairie has been identified as a corner that needs repair. He noted that the Village can always do better, and it always tries to do so.

Frank Falesch, 820 Prairie, said that the sycamore tree reminds him of the tree at the University of Illinois. He noted that there is also a problem at Washington Park with trees close to the excavated area. The area should be filled in, as the roots of the tree are exposed. The new gas mains caused excavation near the trees that was not carefully done. He suggested that the gas company be informed.

Jeremy Dhein, 1048 Prairie, commented that he shares Ms. Kelly's and Mr. Smart's concerns. He agrees that better protection of the trees would be ideal. Progress has to happen; however, better planning and/or management should take place. Communication with residents could be better. Mr. Dhein said that they live in a beautiful Village, and he urged better planning,

management and communication.

5. Public Hearings

6. Consent Agenda

COR 00-03870 A. Claim Ordinance: No. 5809, Payroll, August 14, 2009

Sponsors: Accounting

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

Indexes: N/A

BIL 00-03871 B. List of Bills Payable: No. 5784, September 1, 2009

Sponsors: Accounting

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

Indexes: N/A

BID 00-03877 C. Bid: Authorize the Purchase of Bulk Road Salt from Cargill Incorporated Salt Division, North Olmsted, Ohio, for Snow and Ice Control via State Contract at a Not to Exceed Cost of \$318,729.60

Sponsors: Public Works

Summary of Item: This is at a cost of \$36.24 per ton and a total not to exceed cost of \$318,729.60.

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

Indexes: Salt

MOT 00-03879 D. Motion: Receipt of Minutes of Boards and Commissions

Summary of Item: Community Events Commission - July 16, 2009

Community Grants Commission - May 20, 2009

Library Board - July 22, 2009

Zoning Board of Appeals - June 24, 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 00-03873 A. Resolution: Authorize a Sales Tax Rebate Agreement with Zeigler Chrysler Dodge Jeep, JD Byrider and AJZ-Downers Grove

Sponsors: Deputy Village Manager

Summary of Item: This authorizes execution of a sales tax rebate agreement between the Village of Downers Grove, Zeigler Chrysler Dodge Jeep, JD Byrider and AJZ-Downers Grove.

A RESOLUTION AUTHORIZING EXECUTION OF A SALES TAX REBATE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE, ZEIGLER CHRYSLER DODGE JEEP, JD BYRIDER AND AJZ-DOWNERS GROVE

RESOLUTION 2009-83

Commissioner Beckman said he plans to support this resolution. In today's economic times, these kinds of decisions by corporations to locate in the Village of Downers Grove will have a positive impact on the future of the Village.

A motion was made by Commissioner Schnell, seconded by Commissioner Barnett, 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: Sales Tax Rebate

ORD 00-03874 B. Ordinance: Amend Parking Restrictions on Springside Avenue

Sponsors: Public Works and Transportation and Parking Commission

Summary of Item: This amends parking provisions on a portion of Springside Avenue.

AN ORDINANCE AMENDING PARKING RESTRICTIONS ON SPRINGSIDE AVENUE

ORDINANCE NO. 5071

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: No Park - Springside - North of 63rd

ORD 00-03875 C. Ordinance: Amend Parking Spaces for Disabled Persons

Sponsors: Public Works and Transportation and Parking Commission

Summary of Item: This amends parking provisions for disabled persons on a portion of Main Street.

AN ORDINANCE AMENDING PARKING SPACES FOR DISABLED PERSONS

ORDINANCE NO. 5072

A motion was made by Commissioner Beckman, seconded by Commissioner Durkin, 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 - Main

8. Mayor's Report

Proclamation

Mayor Sandack proclaimed September 7-September 11, 2009 as National Payroll Week in the Village of Downers Grove.

Materials to be Received

Materials to be Placed on File

9. Manager's Report

Village Manager Dave Fieldman reminded everyone that a budget meeting has been scheduled for Saturday, October 3, 2009. He noted that tonight Council would be concluding the Long Range Financial Planning sessions. He provided a report regarding expense reduction efforts.

With respect to the General Fund expenses, FY07 actual expenses were \$42.7 million; FY08 actual expenses were \$42.2 million; and FY09 estimated expenses are \$39.8 million. Expenses have been reduced by \$2.9 million since 2007, including \$2.4 million of expense reductions in 2009. The FY09 expense reductions include \$1 million in personnel expenses, \$360,000 in contractual expenses, \$210,000 in Village fleet expenses, and \$770,000 in operating expenses. A hiring freeze and voluntary separation program resulted in 26 vacant positions. Reductions were also achieved through a salary freeze, furlough days, Innovation Team recommendations and operating efficiencies. Further expense reductions were one-time actions and maintaining service levels. Sustainable expense reductions are planned for FY10 which are a key element of the Long Range Financial Plan.

The Mayor thanked Mr. Fieldman for this report and said this serves as a transition to the Long Range Financial Planning session to take place following this meeting.

10. Attorney's Report

Future Active Agenda

11. Council Member Reports and New Business

Commissioner Beckman said that yesterday the Public Services Committee met to discuss the possibility of developing a storm water utility. While there is more to be discussed and vetted, this was the first time the topic was formally discussed. He sees this as a good beginning for the future.

Commissioner Barnett said that the Downers Grove Noon Lion's Club will be sponsoring a 5k run/walk on September 7 as well as a one-mile kid's event at McCollum Park. He invited everyone to participate.

Commissioner Schnell encouraged residents to visit the website regarding the \$2.4 million in reductions, and she complimented staff for putting this out for review. She encouraged residents to attend the October 3 budget meeting or to express their concerns to the Council via e-mail.

Commissioner Durkin announced that the annual Central Business District's meeting will be held September 3, 8:00 a.m. at Ballydoyle Restaurant. The purpose is to elect new members, and to receive an update on the TIF by Mr. Fieldman.

Commissioner Waldack commented on the tree situation discussed earlier. The Village has worked hard over the years to protect trees. The comments about ComEd and trees on private property concern him. When a resident is going up against a utility it seems as though you are going alone. He suggested that the Village might be able to supply contact information or assistance to the residents.

Mayor Sandack also commented on the tree protection issue, saying, as a reminder, that staff does a good job of providing construction updates on the website home page. There are unexpected things that happen in the field that require decisions to be made. People who are charged with overseeing a project do the best they can. The Village relies on people to report to

staff. The project on Prairie is to make the street safe for vehicular traffic. In this particular case, there is collateral damage to trees. He said that staff would monitor the situation. He hopes that the Council gets half the involvement from the public with respect to the budget meetings as it does with the trees. Trees are a budgeted item, and to monitor all of them is an expenditure of human capital and money. He hopes that people feel as moved to review the budget and see what the Village Council and staff are actually doing. In 2010 they are looking at a \$4 million budget gap that must be capped. He urged people to weigh in on these items.

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 7:53 p.m.