



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, June 1, 2010

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 of a general matter. 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. Finally, an opportunity is given for public comments and questions on items appearing on the Consent Agenda, the Active Agenda and the First Reading.

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 Council Meetings

Council Meeting - May 18, 2010

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

Capital Projects Update

Public Works Director Nan Newlon provided a monthly update on the Village's capital projects, and distributed a spreadsheet to the Council members. Ms. Newlon said that the completion date for the Washington Park and McCollum Park stormwater projects is scheduled for July 1. The Fairview Avenue/Burlington Northern Santa Fe project to level the tracks has begun, and

Fairview Avenue is closed this week. She reported that the Belmont underpass is moving forward, with estimated road closing dates for the second and third weeks of July. The 2010 Phase 1 Contract A for Inverness is about 40% completed. She noted that the sidewalk project will be out to bid in June. The 8th Street and Cumnor project will be presented next week, and staff is looking at options for bidding the Lacey Creek Sub G project.

Mayor Sandack requesting putting the report on the website for resident review. He asked if the Sanitary District is still working on Rogers. Ms. Newlon said they doing patching. The Mayor said it would be nice to see the Sanitary District wrap that project up since it has been going on for a long time.

Commissioner Schnell asked as to the expected start and completion dates for the sidewalk project. Ms. Newlon expected that it would begin sometime in July and wrap up in August.

Regarding the Belmont underpass, Commissioner Beckman asked how the community will be alerted to the reroute plans for the Belmont Avenue closures. Ms. Newlon said that Metra has a public relations firm working on it and the Village will have appropriate signage. The detour is Route 53 and Ogden Avenue.

4. Public Comments - General Comments on Matters Not Appearing on Tonight's Agenda

There were none.

5. Public Hearings

6. Consent Agenda

COR 00-04167 A. Claim Ordinance: No. 5849, Payroll, May 21, 2010

Sponsors: Accounting

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

Indexes: N/A

BIL 00-04168 B. List of Bills Payable: No. 5830, June 1, 2010

Sponsors: Accounting

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

Indexes: N/A

MOT 00-04173 C. Motion: Authorize Change Order #4 for \$10,305.70 to Naperville Excavating, Inc., Naperville, IL, for the McCollum Park Stormwater Improvement Project (SW-034)

Sponsors: Public Works

Summary of Item: This approves Change Order #4 (\$10,305.70) to contract with Naperville Excavating for McCollum Park Stormwater Improvements (SW-034)

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

Indexes: Watershed Infrastructure Improvement Plan, Stormwater Improvements, McCollum Park

MOT 00-04169 D. Motion: Note Receipt of Minutes of Boards and Commissions

Summary of Item: Community Events Commission - April 15, 2010
Library Board - May 12, 2010
Transportation and Parking Commission - March 10, 2010
Zoning Board of Appeals - April 28, 2010

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

ORD 00-04154 A. Ordinance: Authorize a Special Use to Permit a Commercial School at 1037-1043 Curtiss

Sponsors: Community Development and Plan Commission

Summary of Item: This authorizes a special use to permit a commercial school at 1037-1043 Curtiss Street.

AN ORDINANCE AUTHORIZING A SPECIAL USE TO PERMIT A COMMERCIAL SCHOOL AT 1037-1043 CURTISS STREET

ORDINANCE NO. 5139

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: Special Use - 1037-1043 Curtiss

RES 00-04165 B. Resolution: Authorize a Sales Contract with Smeal Fire Apparatus Co.

Sponsors: Fire Department

Summary of Item: This authorizes execution of a sales contract between the Village and Smeal Fire Apparatus Co. for the purchase of a 2010 Smeal 100' Rear Mount Platform Fire Ladder Truck.

A RESOLUTION AUTHORIZING EXECUTION OF A SALES CONTRACT BETWEEN THE VILLAGE OF DOWNERS GROVE AND SMEAL FIRE APPARATUS CO.

Commissioner Barnett moved to table the Resolution until the July 6 Council meeting. Commissioner Schnell seconded the Motion.

Commissioner Durkin said he supports tabling this item. It is a budgeted item but this is a nearly million-dollar issue, and it is best to obtain budget information first. It may require borrowing money or financing it another way.

Commissioner Schnell commented that she has additional questions that she will forward to the Manager. She complimented the Fire Department on the report. Her concern regards the financing and deviating from the policy of using the replacement fund.

Commissioner Beckman said he would be comfortable moving forward tonight; however, he will support this. His one area of concern is that this is a long-range acquisition, a capital lease

using funds typically not used for this type of expenditure with no plans for replacement funds.

Commissioner Neustadt said that July 6 seems far away. There are some time sensitive issues here and he urged his colleagues to have all of their questions in as soon as possible in the event this could be considered on an agenda sooner than July 6. A one-month delay could incur extra expenses on the current vehicle, which is out for repair at this time. He would like to see them move forward, as this was discussed last year as well. He will support the majority to table this.

Commissioner Waldack stated that he was ready to move forward on this. He said, however, that it makes good sense to wait as financial planning discussions begin at the end of the month. He supports waiting until the questions are addressed.

The Mayor said he appreciates the need for extra time, as this needs to be fully vetted. Additional time is an indication of good dialogue. He, too, shares Commissioner Neustadt's desire to get the information out as soon as possible. It is important that everyone is fully comfortable with the purchase. The Commissioners have also talked individually with the Manager regarding their specific concerns.

A motion was made by Commissioner Barnett, seconded by Commissioner Schnell, to Table to a Date Certain 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: Fire Department

RES 00-04166 C. Resolution: Authorize the Sale of Personal Property Owned by the Village of Downers Grove

Sponsors: Fire Department

Summary of Item: This authorizes the sale of a Pierce 100' Platform Fire Ladder Truck.

A RESOLUTION AUTHORIZING THE SALE OF PERSONAL PROPERTY OWNED BY THE VILLAGE OF DOWNERS GROVE

Commissioner Beckman moved to table the Resolution until the July 6 Council meeting. Commissioner Neustadt seconded the Motion.

A motion was made by Commissioner Beckman, seconded by Commissioner Neustadt, to Table to a Date Certain 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: Fire Equipment - Sale of, Fire Department

8. First Reading

BID 00-04170 A. Bid: Award a Contract to Geneva Construction Company, Inc., Aurora, IL, for 2010 Resurfacing (B) Project in an Amount Not-to-Exceed \$1,843,543.38

Sponsors: Public Works

Public Works Director Nan Newlon explained that this is one of four components of the Village's street resurfacing project. Contract A consists of a sealing program and purchase of the asphalt. The low bidder here was Geneva, which was also the low bidder for Contract A. She noted that funds left in the budget will be used for street patching.

Commissioner Neustadt asked about the 8th Street project between Fairview to Cumnor and coordinating it with the stormwater project. Ms. Newlon said the projects will be coordinated, and work will probably not begin for at least two months.

Commissioner Waldack said he noticed a report card in the materials from IDOT, and he asked the Village Manager to follow-up on it. He likes their version for a report card and asked staff to consider combining it with the Village version. Because this is under budget, he asked if the additional money would be used for street patching or held for emergencies. Ms. Newlon responded that it would be used for emergency purposes to extend the life of streets. This was done last year and proved to be an appropriate use of funds.

Commissioner Durkin asked how the Village will handle the speed bumps on Claremont and whether they will be higher than they are now. Ms. Newlon replied that the bumps will be milled and repaired. Commissioner Durkin asked if they will look at changing them for further slowing of traffic, and Ms. Newlon said they might modify one.

Indexes: Roadway Improvements

ORD 00-04153

B. Ordinance: Authorize a Special Use Amendment for Midwestern University to Permit an Expansion and Addition to the Existing Parking Garage with a Variation

Sponsors: Community Development and Plan Commission

Tom Dabareiner, Director, Community Development, explained that an ordinance has been prepared to create an expansion and addition to the existing three-story parking garage on the Midwestern University site. Staff is seeking approval on the June 8 Council Agenda. He showed the location with aerial view of the campus and the parking garage. Mr. Dabareiner said that the addition would bring the garage from a two-story to a five-story height. The building area on the campus is limited. He provided an artist's conception of the addition, which would more than double the parking area. He noted that both the Park District and Forest Preserve District were asked to review the plan and comment on it. Shadow studies were completed, and an additional hour of shadow would exist during the summer solstice, and a half-hour during the winter solstice. The Forest Preserve asked for specific plantings that were made part of the Plan Commission's recommendation. He then discussed additional screening for vehicle lights. Mr. Dabareiner noted that the Plan Commission reviewed the amendment and recommended approval at their May 3, 2010 meeting.

Dr. Kathleen Goepfinger, President, Midwestern University, explained that the parking garage presently holds 933 cars; however, the University has 2,100 students, resulting in a parking problem on campus. The issues they face are expensive costs for gradual increases in parking, and spreading out the expansion is more costly than they can afford. They would like to do this over the next two summers. A meeting was held on the campus with neighbors, a few of whom live close to the campus. Over the years, the University has buffered the parking deck to address concerns from the neighbors. Cedar panels will serve as a buffer on the top floor. Neighbors were not pleased with the color of lights on the deck, and the color and wattage have been changed to address these concerns. Dr. Goepfinger noted that the University will continue to grow, and she asked for the Council's support of this modification to the Midwestern University site in Downers Grove.

Ken Lerner, 4933 Whiffin Place, spoke on behalf of the Pierce Downer Heritage Alliance, as they take interest in anything affecting Lyman Woods. He indicated that the University should be complimented for their work and response to the Forest Preserve and the Village staff. They will mitigate stormwater runoff, and accommodate concerns expressed regarding the plantings. He is pleased to see efforts have been made, and asked for advance notice in the future of plans for the site.

Commissioner Schnell commented that the parking study addressed a deficiency of 200 parking spaces; however, there is a huge difference between the 900 spaces planned and 200 spaces. She asked as to the use of the additional 700 spaces.

Dr. Goepfinger said that they anticipate growth in the faculty/staff and additional students in the new dental school. The University also holds a number of major events annually where community members are invited and involved, so additional parking is necessary. They do not want people parking on 31st Street or in the neighborhood.

Commissioner Schnell then addressed future plans and growth of the University, which she applauds. The discussion of "growth," however, requires a better understanding between the University, the Council and the community as to the vision of the University over the next 5-10 years. This may need to become a PUD as that would give a better understanding of future growth and expansion, and she believes they need to go through this process soon for good planning. She has never seen a 28% variation approved. The PUD would address this as well. A variation of 28% is huge in her opinion. In 2002 Midwestern wanted to have a long and short deck, and now it will be long and tall.

Dr. Goepfinger replied that the University was never opposed to having a PUD. They were told that they had to use the Special Use language. They cannot guarantee the future of medical health care. They presently have 2,100 students and still cannot meet all of their needs. Dr. Goepfinger said they only do health care, and must constantly respond to demands. Their Mission Statement is clear. She noted that they have done a considerable amount of work to accommodate parking and don't have much buildable land. They are planning to put up a five-story dental building, and the parking deck will match that. The University is trying to maximize their space, and will work closely with the Council. It is difficult to predict enrollments as they respond to needs.

Commissioner Schnell noted that there are constraints on Good Samaritan's property as well, but when they became a PUD it offered a better understanding of what the space would look like. She felt they needed a better understanding of the footprints for the University.

Dr. Goepfinger said that they would be more than happy to do so.

Commissioner Neustadt noted that Midwestern University has covered all areas and has gone out of its way to talk with the neighbors. Growth is a good thing for Downers Grove. He is pleased with how they have gone through the process and he will support this.

Commissioner Waldack expressed his pride in having the campus in the Village, and the importance of growth. They would not invest in the parking addition if they did not need it. Standards under Section 28-1902 of the Village Code regarding Special Uses are being met. With regarding to standards for Variances in Section 28-1803, he has problems with "hardships" as a result of building buildings. It seems that the circumstances all have to do with the planning process. He strongly suggested the site as a PUD to better plan the property.

Commissioner Durkin responded to Dr. Goepfinger that he would love to see the campus and he supports this request. Their efforts speak highly of their commitment. He said that the University is obviously addressing needs and is willing to put capital into the campus and find ways to address the concerns of the residents.

Commissioner Beckman expressed appreciation for the investment Midwestern University has made in Downers Grove. He said that George Williams College has a special place in his heart, and the Field House, now torn down, once housed one of the mens' great volleyball teams. He will support this, but he believes as the organization continues to grow, that the University has to focus more strategically on its long term needs in the development of the property. He also said that they might have to look at a PUD or another vehicle that may work more effectively. The question of "future uses" will need to be more closely studied.

Commissioner Barnett thanked Dr. Goepfinger for coming. He said that the process of planning is not that clean and easy, and if it were there would not have to be a variation

process. He appreciates the University's efforts. He noted that this was one of the most complete, thoughtful and proactive applications that he has seen come before the Village. The University has gone to appropriate lengths to address the concerns of the Village and their neighbors.

The Mayor said that the University has always presented a solid package to the Village. He sees the potential of utilizing another mechanism for the University's and the Village's benefit. He noted that Dr. Goepfinger and her staff has worked closely with the Village staff and the EDC. This is a good process. The Plan Commission unanimously approved this request. Mayor Sandack stated that he appreciates the efforts of Midwestern University, and he thinks this has been done correctly. The University is an untapped gem, and he is proud that they are in Downers Grove. In considering the physical property, the Mayor said there aren't a lot of options on space. The site map shows a constrained use of space. He said there is subjectivity to ordinances, and he feels there is a reason for the variance. The plan addresses all concerns from all angles as equitably as possible.

Dr. Goepfinger responded that they consider Downers Grove their home, and she invited the Council to visit the campus.

Indexes: Special Use - Midwestern University

9. Mayor's Report

Materials to be Received

Materials to be Placed on File

10. Manager's Report

Village Manager Dave Fieldman commented that the elements of the Village's Long-Range Financial Plan are on the Village's website, and he encouraged residents to review and submit their comments. The first meeting is scheduled for June 29, 2010.

11. Attorney's Report

Village Attorney Enza Petrarca said she was presenting one item to Council: An ordinance authorizing a special use amendment for Midwestern University, 555 31st Street, to permit an expansion and addition to the existing parking garage with a variation.

Future Active Agenda

12. Council Member Reports and New Business

Commissioner Neustadt reported that Hugo Dahm passed away this past weekend to cancer. As a long-time resident and friend of the Village, he will be missed and not forgotten.

Commissioner Durkin reported that he spoke at the Downers Grove Noon Lions Club about the Village budget. They were directly impacted by the change in the Heritage Festival status. He shared information with them regarding the Long Range Financial Planning and encouraged them to e-mail the Council or staff with any questions. He noted that they are getting ready for their 5K Labor of Love walk/run at McCollum Park on September 5.

Commissioner Durkin then asked about recouping the cost of water as a result of the recent fires. He asked about the apartment fire and whether there was a way to submit an approximate dollar amount to the insurance company. He noted that other communities do this successfully.

The Mayor said that he and Commissioner Neustadt walked with the Boy Scouts/Cub Scouts in the American Legion Memorial Day parade. The American Legion is comprised of first class people. The names of residents from Downers Grove who gave their lives in all wars since the

Civil War were read, in spite of the inclement weather. It was a moving ceremony.

13. 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 8:03 p.m.