



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, June 8, 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 William Waldack, Commissioner Sean P. Durkin, Commissioner Bruce E. Beckman, Commissioner Geoff Neustadt and Mayor Ron Sandack

Absent: Commissioner Bob Barnett

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

June 1, 2010

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

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

Keith Hoffman, 1410 Golden Bell Court, provided the Council with an update on the Rotary Club GroveFest. He asked for volunteers, saying information will be posted on the website once

band contracts are signed. He noted that a cross-section of restaurants have signed up to participate in the event. There are also 2-3 spots left for not-for-profit agencies. Mr. Hoffman indicated that a wide range of sponsorships are also being taken to help support the event. He indicated that they need the names of volunteers by Friday to forward to the Village. Interested individuals can register on site to serve as volunteers, or to request yard signs, which will be delivered and picked up by the Rotary Club. The website is www.rotarygrovefest.com

Mayor Sandack thanked Mr. Hoffman for his update, saying that those who were disappointed with the Village's decision concerning Heritage Festival can be heartened by this event, which will be held from July 15-18. He is on the volunteer list and encouraged people to participate.

Commissioner Beckman asked for information about the yard signs. Mr. Hoffman said they have not yet been printed, but should be available within a week. They can be displayed 30 days prior to the event.

Commissioner Neustadt commented about reaching out to youth groups, and Mr. Hoffman responded that information was sent out to 6,300 students.

Bill Wrobel, 7800 Queens Court, commented that the Council is aware of his feelings regarding Change Order #4 for the McCollum stormwater project. He said it was a substantial amount of money.

Mr. Wrobel noted that he is a member of the Chicago Theatre Organ Enthusiasts group, which owns and maintains organs at Downers Grove North and the Tivoli Theater. He reported that Freddy Arnish, the organist at the Tivoli, recently passed away. He contributed greatly to the aura of Downers Grove.

5. Public Hearings

6. Consent Agenda

BIL 00-04174 A. List of Bills Payable: No. 5832, June 8, 2010

Sponsors: Accounting

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

Indexes: N/A

BID 00-04170 B. 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

A motion was made to Approve this file. Mayor Sandack declared the motion carried.

Indexes: Roadway Improvements

Passed The Consent Agenda

A motion was made by Commissioner Schnell, seconded by Commissioner Beckman, that the consent agenda be passed. The motion carried by the following vote:

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

7. Active Agenda

ORD 00-04153

A. 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

Summary of Item: This authorizes a special use amendment to permit an expansion and addition to the existing parking garage with a variation at Midwestern University.

AN ORDINANCE AUTHORIZING A SPECIAL USE AMENDMENT FOR MIDWESTERN UNIVERSITY, 555 3 1ST STREET, TO PERMIT AN EXPANSION AND ADDITION TO THE EXISTING PARKING GARAGE WITH A VARIATION

ORDINANCE NO. 5 140

Dr. Goepfinger, President of Midwestern University for the past 15 years, said that they have taken the campus from a run down site to one that is absolutely beautiful. There is a nationally known university with only high-level doctorate programs. The University is a huge economic engine for Downers Grove, with 2100 full time students. She noted that they met with neighbors, and only had two concerns expressed which were minor. They also have the support of the Park District, Pierce Downers Heritage Alliance, the Village staff and the Plan Commission. Dr. Goepfinger noted that the University has been told to come to the Village one project at a time rather than as a PUD. They need the Council's support regarding their request to provide additional parking spaces. They sponsor many special events on campus and experienced a shortage of spaces for their last event. They are happy to accommodate the Village's request for a PUD application. She invited the Council to visit the campus and asked them for their support.

Mayor Sandack responded to Dr. Goepfinger saying that the University is a good corporate citizen of the Village.

Commissioner Schnell commented that Midwestern University is a gem in Downers Grove and the Village is proud to have them as community members. She views her job as providing guidelines and a road to the future in Downers Grove. She expressed concern about a 28% variation, and that being used against the Village later. In addition, the size and bulk of the structure seems excessive for the space. She acknowledged special events, but she has to go by the traffic study and will not vote for this. She repeated that Midwestern University is a good neighbor.

Commissioner Waldack agreed that Midwestern University is a great corporate neighbor, but stated that is not how the Village applies special uses. He recognized that if there was a way to avoid the additional parking need, they would. He has no problem with the special use, and the lighting issue has been addressed. The problem with which he struggled concerns the R-1 zoning, and the setback requirement with the additional height. Commissioner Waldack said he will vote in favor of this, but he wanted to deny that an applicant can create their own unique problem and then obtain a variation. The site's uniqueness should not be created by the owner. He wished them luck.

Commissioner Neustadt said he appreciated Dr. Goepfinger's attendance last week and this evening. He agreed that building this one time and finding economics of scale is a good idea. He noted that their auditorium was used by the Village for a citizens' summit meeting. He also noted that when you walk along the eastern boundary of Lyman Woods you can see the campus from a totally different perspective.

Commissioner Beckman said that last week he was prepared to support this. He has listened to the comments from others, drove through the campus focusing on the parking garage and the size and impact of the addition. He thinks the parking garage will overwhelm the facility, with no vision as to why they will need 700 additional parking slots other than occasional events. He

would feel more comfortable with a clearer understanding of the plans for the facility. At this point he cannot support this.

Commissioner Durkin commented that the applicant has gone above and beyond what the Village expects of any corporate neighborhood. The lighting and berming issues were addressed. There is overall support of this organization in the community. The issues noted are not enough to vote against this.

Mayor Sandack stated that he appreciated the comments of his colleagues and the relationship the Village has with Midwestern University. This is the kind of relationship the Village wants to see. The University campus is enclosed and they go out of their way to work with the neighbors. There has been no opposition to the petition and no one appeared to speak against the request. The Plan Commission voted for it. It complies with the Village's Future Land Use Map. He described Midwestern University as a proactive organization with a vision. This site is not in the form of a PUD, but is the type of development the Village ought to encourage and cherish and seek out in this environment.

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

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

Indexes: Special Use - Midwestern University

8. First Reading

MOT 00-04171 A. Motion: Renew Membership Dues for the DuPage Mayors and Managers Conference (DMMC) for FY10-11

Village Manager Dave Fieldman said this is a request to renew the Villager's membership dues for the DuPage Mayors and Managers Conference (DMMC). He stated that the \$37,000 dues provide many benefits for the Village including opportunities for professional networking, information access, and legislation status and updates. The Village has been a member since 1977. Mark Beloga, Executive Director of the DMMC, is present at the meeting.

Mark Beloga, Executive Director, DMMC, commented that dues are important for budgetary reasons, but it is just as important for DMMC to have Downers Grove on its letterhead. Based on an analysis done about ten years ago, if the Village were not part of DMMC it would have cost \$187,000 (or about \$200,000 now) to replace the services provided by DMMC. The DMMC administers the Federal STP funds for road projects, and Downers Grove has been awarded about \$11 million dollars over the period of its membership. Other benefits include preparation of a tax rate revenue survey; involvement in setting policies and working on various committees; serving as a primary link for municipalities to regional and state-wide links; legislative analysis and monitoring. Downers Grove has its own lobbyist, but the DMMC analyzes all legislation, which numbered over 13,000 pieces of legislation last year.

Commissioner Beckman inquired as to the size of communities the DMMC represents and how they balance the needs of varying sized communities. Mr. Beloga responded that there is more complex support to larger communities. They try to focus on issues of universal concern such as pensions.

Commissioner Schnell noted that all municipalities are looking at their membership dues, and \$37,000 is a lot of money in the Village's budget. The Village has received value over the years. However, she has heard from some of her colleagues concerns about the DMMC process and the direction the organization is taking. She suggested that Mr. Beloga meet with Mayor Sandack and the Village Manager to discuss the Council's concerns so that they can obtain the

answers they need. She suggested this take place within two weeks, as it would allow for a better dialogue. Mr. Beloga said DMMC would make themselves available.

Commissioner Neustadt agreed with Commissioner Schnell comments and suggestion. He asked how DMMC is reducing its expenses in terms of salaries, etc. Items such as frozen staff salaries, and the reduction of subscriptions and memberships in other organizations are noted in Mr. Beloga's report. This is also what the Village is facing. He said he appreciates Mr. Beloga's availability and hopes to obtain answers to his own particular concerns.

Commissioner Durkin noted that he serves on the Budget and Operations Committee that reviews expenses. He indicated that this is a great accomplishment with a very small staff, and he has always been a big supporter of DMMC. He expressed a concern, however, about how decisions regarding Senate Bill 580, DuPage Water Commission, were made. He doesn't recall a poll in this instance and thinks that was a mistake. He doesn't want to vote to disband the Village's membership, but he feels that the Village, as a member, should have at least received a call with regard to that decision, and should get calls in the future about particular bills.

Mayor Sandack expressed his appreciation to Mr. Beloga for attending the meeting, and the Mayor said he supported Commissioner Schnell's suggestion. The Village has to find the value in everything it does and he would be happy to sit down and meet with Mr. Beloga and the Village Manager. He respects the organization and that the DMMC wants the Village as part of its membership. He said he looks forward to the discussion.

Indexes: DuPage Mayors & Managers

ORD 00-04177 B. Ordinance: Amend Certain Fees Related to Liquor Licensing

Sponsors: Village Attorney and Liquor Commission

Mr. Fieldman said that staff has been involved in a year long effort to review fees and cover Village costs. The liquor fees set in 2009 covered all costs. He highlighted that one of the fines for sale to underage persons is set to discourage behavior.

Mayor Sandack said he and Commissioner Barnett both feel strongly about the need for uniformity and making the process user-friendly.

Indexes: Liquor Ordinance Amendments

BID 00-04180 C. Bid: Award \$466,552 to Earth Werks Land Improvement & Development Corporation, Batavia, IL, for 8th and Cumnor Stormwater Improvements

Sponsors: Public Works

Mr. Fieldman asked Public Works Director Nan Newlon to provide the background information on this project.

Nan Newlon, Public Works Director, said that this is one of the Village's high priority Watershed Infrastructure Improvement Projects. She said this project concerns St. Joseph Creek Subwatershed I, which is about 50 acres, bounded by 55th Street, Florence Avenue, Williams Street, and Fifth Street. The general direction of flow is from north to south. The area to the east of Cumnor and north of 55th Street contains a depressional area with a history of flooding. Staff has conducted two public meetings on the project. She noted on an overhead the flooding locations along Cumnor between 6th to 8th Streets. She said the Village has regularly been pumping water from properties in that general area. She reviewed the improvements, saying the Village acquired four properties and will create a dry-bottom basin and construct pipe along Cumnor. Earth Werks was the low bidder, and has provided positive references.

The Mayor asked when the basin is to be done and Ms. Newlon responded on October 1, 2010.

Mayor Sandack said this is an area where the Village has historically heard complaints regarding significant flooding. The Village is responding appropriately in his opinion, and he is pleased to see that they received nine bids on this project. He is pleased also that this is happening for that neighborhood.

Bill Wrobel, 7800 Queens Court, said that this is a comparable project to the McCollum Park project. He asked that Public Works recognize the fact that there is concern about change orders, and he wants Public Works to assure that they stay within the budget.

The Mayor commented that the Village is well aware of the concerns. He noted, however, that there are unknown field conditions that occur which cannot always be foreseen or controlled. He told Mr. Wrobel that the Village will stay on it.

Commissioner Durkin asked if the Village has considered giving this to the Park District after it is completed. Mr. Fieldman said that staff has had on-going dialogue with the Park District. Commissioner Durkin asked for more information.

Commissioner Waldack referenced the list of projects of Earth Werks, and the 118 pages of detail provided by staff. He said that pinching pennies is difficult to do ahead of time. He appreciates the detail provided.

Commissioner Beckman said he developed RFPs in his career. With nine respondents and close bids, he feels comfortable with this bid.

Indexes: Watershed Infrastructure Improvement Plan, Stormwater Improvements

BID 00-04178 D. Bid: Award \$1,013,093.21 to J. Congdon Sewer Service, Inc., Carol Stream, IL, for the 2010 Water Main Improvements

Sponsors: Public Works

Ms. Newlon said this is a grouping of four CIP watermain replacement projects, which were bid as one. This is for 3100 feet of 8" water main replacement, 80 residential water main replacements and approximately 10,000 square yards of pavement reconstruction and resurfacing. She reviewed the area to be worked on, noting that the Village received 11 bids and the low bidder, J. Congdon Sewer, has excellent references.

Commissioner Beckman said he saw a wider swing in the bids, but it was skewed toward the higher end.

Indexes: Water Main Improvements

9. Mayor's Report

Materials to be Received

Materials to be Placed on File

10. Manager's Report

11. Attorney's Report

Village Attorney Enza Petrarca said she was presenting one item to the Council: An ordinance amending certain fees related to liquor licensing.

Future Active Agenda

12. Council Member Reports and New Business

Commissioner Neustadt said that there will be a Model T and A car night this Friday at the car event. He also noted that today was his brother Matt's birthday.

Commissioner Durkin said that Commissioner Neustadt will be replacing him on the Downtown Management Board. He wished him the best, adding that it was a pleasure to serve on the Board.

Commissioner Beckman said that the Rotary Club has released a new website at www.rotarygrovefest.com. He said they can always use more volunteers and this is a way for residents to participate.

The Mayor announced the Woodgrove Relay for Life at Downers Grove North to raise money for cancer on Friday at 5:00 p.m.

13. Adjournment

Commissioner Schnell moved to adjourn. Commissioner Beckman seconded the Motion.

Mayor Sandack declared the motion carried by voice vote and the meeting adjourned at 7:59 p.m.