



Village of Downers Grove

Meeting Minutes

Downers Grove Village Council

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

Tuesday, September 20, 2011

7:00 pm

Council Chambers

1. Call to Order

Mayor Martin Tully 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 Tully 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 Becky Rheintgen, Commissioner Geoff Neustadt and Mayor Martin Tully

Absent: Commissioner Sean P. Durkin

Non Voting: Village Manager David Fieldman, Village Attorney Enza Petrarca and Village Clerk April Holden

Commissioner Durkin arrived at 7:38 p.m.

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 Tully 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 Minutes - September 13, 2011

Mayor Tully asked for a Motion to approve the minutes as submitted.

Commissioner Schnell moved to approve the minutes as presented. Commissioner Barnett seconded the motion.

The Mayor declared the Motion carried by voice vote.

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

There were none.

Proclamation

Mayor Tully proclaimed the week of September 17-September 23, 2011 as Constitution Week in the Village of Downers Grove. He presented the Proclamation to Jane Rice representing the Daughters of the American Revolution.

5. Public Hearings

6. Consent Agenda

COR 00-04647 A. Claim Ordinance: No. 5915, Payroll, August 26, 2011

Sponsors: Accounting

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

Indexes: N/A

BIL 00-04648 B. List of Bills Payable: No. 5920, September 20, 2011

Sponsors: Accounting

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

Indexes: N/A

BID 00-04640 C. Bid: Award \$175,000 to James D. Fiala Paving for 2011 Fall Roadway Patching Project

Sponsors: Public Works

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

Indexes: Roadway Improvements

MOT 00-04641 D. Motion: Award \$169,000 to Robinson Engineering, Ltd. for Professional Services for Knottingham Roadway Reconstruction and Water Main Replacement Improvements

Sponsors: Public Works

Summary of Item: This authorizes execution of a professional services contract with Robinson Engineering, Ltd. in the amount of \$168,432 for Knottingham Road reconstruction and water main replacement design services. The contract is in the amount of \$153,120 plus 10% contingency in the amount of \$15,312 for a total of \$168,432.00.

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

Indexes: Water Main Improvements, Roadway Improvements

MOT 00-04639 E. Motion: Authorize the Purchase of Bulk Road Salt from Cargill Incorporated Salt Division, North Olmsted, Ohio, via the State Contract

Sponsors: Public Works

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

Indexes: Salt

MOT 00-04645 F. Motion: Award \$168,594.00 to Knickerbocker Roofing and Paving Company, Harvey, IL, for Fleet Services Building Roof Replacement

Sponsors: Deputy Village Manager

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

Indexes: Fleet Maintenance

RES 00-04649 G. Resolution: Accept Community Planning Program Grant Funds for the Chicago Metropolitan Agency for Planning

Sponsors: Finance

Summary of Item: A RESOLUTION TO ACCEPT COMMUNITY PLANNING PROGRAM GRANT FUNDS FROM THE CHICAGO METROPOLITAN AGENCY FOR PLANNING

RESOLUTION 2011-72

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

Indexes: Bikeway Plan

MOT 00-04654 H. Motion: Award a Contract Not to Exceed \$54,542 to Sam Schwartz Engineering, PLLC, Hoffman Estates, IL, for Professional Design Services for Traffic Signal Design Contract Plans - Main at Grant and Lacey at Woodcreek

Sponsors: Public Works

Summary of Item: This contract is for a not-to-exceed amount of \$54,542.87. This is based on a cost proposal of \$49,584.33 plus 10% contingency in the amount of \$4,958.44 for the design and preparation of construction drawings for the replacement of certain traffic signals.

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

Indexes: Traffic Signals

MOT 00-04652 I. Motion: Note Receipt of Minutes of Boards and Commissions

Summary of Item: Library Board - August 24, 2011

Liquor Commission - July 28, 2011

Plan Commission - August 1, 2011

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 Rheintgen, Commissioner Neustadt and Mayor Tully

7. Active Agenda

ORD 00-04454 A. Ordinance: Rezone Property Located at 1035 Grove Street from DT Downtown Transition District to DB Downtown Business District

Sponsors: Community Development and Plan Commission

Summary of Item: This rezones 1035 Grove Street from DT "Downtown Transition District" to DB "Downtown Business District."

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, CODIFIED AS CHAPTER 28 OF THE DOWNERS GROVE MUNICIPAL CODE, AS AMENDED TO REZONE PROPERTY LOCATED AT 1035 GROVE STREET

ORDINANCE NO. 5226

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

Votes: Yea: Commissioner Barnett, Commissioner Waldack, Commissioner Rheintgen, Commissioner Neustadt and Mayor Tully
Nay: Commissioner Schnell

Indexes: Rezone 1035 Grove - DT Downtown Transition District to DB Downtown Business District

8. First Reading

Village Manager Dave Fieldman explained that the first two items are OASIS grants, and asked Tom Dabareiner, Community Development Director, to discuss these items.

RES 00-04650

A. Resolution: Authorize a Grant Agreement with Gordhan Janjrukia

Sponsors: Community Development

Mr. Dabareiner said he would combine the two presentations into one. Resolutions have been prepared for Prestige Liquors at 739 Ogden Avenue, and Mr. Submarine at 1322 Ogden Avenue. In September 2010 the Village Council adopted the OASIS matching grant program to enhance the Ogden Avenue corridor. This program was the result of collaboration among the Ogden Avenue Business community, the EDC, the Chamber of Commerce, and the Village staff. Goals of the program are to provide more attractive sites, improve traffic circulation, improve building appearance and signage, and lessen clutter. He explained that the area involved corresponds with the Ogden Avenue TIF area.

Mr. Dabareiner said that there were four submittal deadlines, and 11 new projects were reviewed in August. Seven applications were recommended for funding by the group in August, and two of those applications are before the Village Council, with the remaining five under review by the Village Manager.

Mr. Dabareiner showed the location of Prestige Liquors at 739 Ogden Avenue which will update its façade, add landscaping, reduce the curb cuts and install new signage. The second parcel, Mr. Submarine at 1322 Ogden Avenue, is a vacant parcel at this time, and the new business will improve the façade landscaping and signage. Both projects include a 25% bonus due to the comprehensive nature of the improvements. The amount for Prestige Liquors is \$29,234.35, and Mr. Submarine is \$48,621.88.

The total amount to be awarded in the program is \$376,422, with a private portion invested of \$1.7 million. There were four projects receiving the 25% bonus.

Commissioner Rheintgen asked whether another date will be added since there are still funds available. Mr. Fieldman responded that the next date would be October 30. In further response to Commissioner Rheintgen, Mr. Dabareiner said that the EDC has gone door-to-door to get the word out throughout the community about the program.

Michael Cassa, President, EDC, said that a letter will go out to all of the Ogden Avenue

businesses in the TIF about the meetings hosted by the EDC, Village and the Chamber.

Commissioner Rheintgen then asked how payments are made and whether there would be a budget amendment. Mr. Dabareiner responded that payment is made based on actual invoices with a 50% matching grant. Mr. Fieldman said he would get additional information from the Finance Director.

Commissioner Neustadt commented that he was pleased to see that these businesses are eligible for bonuses and he will be in support of this.

Commissioner Schnell said she believes this to be a great program, and complimented Prestige Liquors on their presentation. She agrees that if they have not used all of the money, businesses should be encouraged to take advantage of the program, particularly for signage and sidewalks.

Commissioner Barnett commented that he would like to see the Village consider rooftop screening design components, and utility and outbuilding enclosures. He feels they should require more substantial screening and enclosures. The Village looks at this closely when considering new developments, and he would like to see this given greater consideration, particularly providing more substantial enclosures and screening. Mr. Fieldman responded that staff will work with the petitioners to address those issues.

Mayor Tully said that for the downtown area, there has been a pattern to encourage preferences of materials. Mr. Fieldman said that there are similar policy guidelines for Ogden Avenue, and staff will make those available to the Council. Mayor Tully added that the purpose of the program is the continuation of the Ogden Avenue Master Plan goals to improve the functionality, productivity and aesthetics of Ogden Avenue. He said he is happy to see this coming forward.

Indexes: Ogden Avenue TIF

RES 00-04651 B. Resolution: Authorize a Grant Agreement with GDT Properties

Sponsors: Community Development

Indexes: Ogden Avenue TIF

ORD 00-04653 C. Ordinance: Adopt the Comprehensive Plan

Sponsors: Community Development

Mr. Fieldman said that the Village and staff have been working on the Comprehensive Plan ("the Plan") for three years. He asked Mr. Dabareiner to provide the information regarding the Plan as submitted to the Council.

Mr. Dabareiner said that an ordinance adopting the Comprehensive Plan has been prepared for Council's consideration on October 4, 2011. The Comprehensive Plan is the official adopted guide for future development, redevelopment and conservation of land within the Village of Downers Grove. The Plan sets forth goals and policy recommendations based on the community's desires and its analysis of existing conditions and trends. He noted that this effort began in 2009 with the hiring of a consultant. The Plan as submitted was first reviewed by the Comprehensive Plan Ad Hoc Committee, and then referred to the Plan Commission, who considered it for an extended period over several months. He indicated that more than 20 public meetings were held in the process. The Village Council met twice in a workshop format that resulted in the reformatted document before the Council at this time. The draft will be available online and at the Public Library.

Commissioner Neustadt said that they would not be here with a draft without TCD3 and the Ad Hoc Committee involvement and hard work. He thanked the participants for the time they

dedicated to creating this document. He noted that one of the goals was to improve the flow of the document. He said that the residential recommendations include many new ideas such as including registries for vacant homes and property maintenance, as well as continuing existing programs. He emphasized that there are new tools for the EDC to use as well. Commissioner Neustadt added that the cooperative language is indicative of the Village's determination to cooperate with other agencies. He thanked everyone who worked on this document.

Commissioner Schnell expressed her appreciation to the residents and staff for the hard work performed by many people. The Council worked together as a team to bring this document forward. She said that the process showed that everyone was willing to work together as a team to get the best product they could for the residents. She believes it is a good document.

Commissioner Barnett asked about the codification of the review period to reaffirm the document. Mr. Fieldman responded that some states mandate a specific review period. He will provide an answer to the Council as to specific requirements.

Mayor Tully commented that this was long overdue. The last Plan was created in 1965. The Village would do well to review it more frequently. He also added his appreciation to everyone who made this document possible. The final product is due to the diligent work of many volunteers, staff, consultants, etc.

Commissioner Waldack commented on the document expressing his thanks to everyone who participated. He read a prepared statement, which he provided to the Village Clerk. He thanked the over 1000 participants in TCD 3, the members of the Comprehensive Plan Ad Hoc Committee, the consultants, staff, and the Plan Commission for their work in preparing the Comprehensive Plan.

The first Plan that was presented to Council had many duplicative run on sentences and paragraphs, duplicative ideas, misspellings, and other grammatic challenges. However, it was truly comprehensive and represented good process.

Commissioner Waldack said that what is before the Council now is the Village Council version which, while grammatically improved and easier to read, is not so comprehensive. There are many good observations and recommendations in this document that he said he would be happy to approve. There are probably recommendations in here that he might be the only one to support. However, he said he has very serious concerns with this document as revised by the Village Council. The Village Council document certainly makes the plan easier to read, but it's major revisions are by subtraction not additions.

Commissioner Waldack said a legal Comprehensive Plan needs to reference public input, and the Council plan does reference TCD 3 in a minimal way. TCD stood for Total Community Development which included the Village government, the school boards, the park board, and even the Sanitary District. Over 1000 people participated and gave their views and aspirations. It was suggested in a Council discussion that the park board would have their own surveys. TCD 3 was a voluntary participation in such a survey, which does not always provide the desired results. The Council version of the Comprehensive Plan has taken every opportunity to remove as many references to TCD 3 as possible and referencing it elsewhere or on another shelf at the library. This is truly an attempt to minimize the public input provided by TCD 3.

Commissioner Waldack said that one of the most troublesome aspects of the Village Council's version lies in the very purpose of the Comprehensive Plan. The Plan, as originally presented to the Council, states in the purpose, "the Comprehensive Plan illustrates a vision for the physical, social, and economic characteristics of the Village for the next 15 to 20 years." After TCD 3, a document prepared by the Comprehensive Plan Ad Hoc Committee and reviewed by the Plan Commission, the majority of Council has specifically requested the removal of the word "social" from the document which now reads, "a vision for the physical and economic characteristics of

the Village."

Commissioner Waldack said that to specifically remove the word "social," speaks volumes as to the continuation of what he considers a misguided ideology.

This Plan, which calls itself "comprehensive," is limited to a vision for the physical and economic characteristics and totally disregards any social considerations. Oddly, some of the recommendations of this plan are rather social in character. Commissioner Waldack said it seems that the purpose of the Comprehensive Plan is business, the gaining of revenue, and spending that revenue and to limit consideration to purely physical uses with disregard for any "social" aspects. He said it seems to him that we are only concerned with money and business. This cold limitation to cash and the physical is destructive to the sense of community. We seem to have forgotten that the foundation of many of our democratic institutions in the United States are based on a concept called "the social contract."

This Comprehensive Plan was part of a process that was clearly meant to be "of the people, by the people, and for the people." This plan is no longer comprehensive, but rather a Core Services Plan. This version is less "of the people," has downgraded or limited the "by the people aspects," and by taking out the word social, has eliminated the social or the "for the people aspects" of the plan. Commissioner Waldack said this is no longer a Comprehensive Plan, but a Core Services Plan.

Commissioner Waldack said he would gladly support and approve the original Plan with all its grammatical problems. He cannot vote favorably for what he considers a Core Services Plan, even though he is likely to be highly in favor of most of the recommendations made in the plan.

Mayor Tully commented that he respects Commissioner Waldack's views, saying you hear what you want to hear, and you read what you want to read. He feels, however, that the substance has not changed one bit. He did take issue that there was a deliberate attempt to minimize or eliminate the efforts of TCD 3. He disagrees with that suggestion. It was referenced as a freestanding document. TCD 3 stands by itself, and it is a foundation of the document. With regard to the elimination of the word "social," the word social is not in the Constitution either, but that does not minimize the importance of those values in our society. There was no attempt to do that here unless one chooses to read it that way. He does not.

Commissioner Durkin expressed his appreciation to everyone for the work they put into the Comprehensive Plan document.

Indexes: Comprehensive Plan

9. Mayor's Report

ComEd Reliability

Mayor Tully reported that a Town Hall meeting was held last Thursday regarding the ComEd Reliability issue. He was pleased with the process. Approximately 75 residents were present, as well as nine representatives of ComEd, which demonstrated the seriousness with which ComEd took this matter. He thanked Commissioners Schnell, Waldack, Rheintgen, Neustadt, and Senator Sandack, Representatives Bellock and Pihos, as well as Congressman Roskam's office. He believes it was a constructive meeting that focused on the facts and how to work with ComEd. A lot of commitments were made by ComEd to get appreciative improvements for the community. He said that ComEd collected the names and phone numbers of those present with specific issues, and staff will follow-up to be sure ComEd acts on their commitments.

Commissioner Waldack commented that the residents had an opportunity to speak. There was a push for Smart Grid legislation on the part of ComEd. He is proud of the way Downers Grove has acted on the delivery of services such as the Water Fund. It would be nice if ComEd had the

equivalent of a Water Fund so people could track the money to make sure that it is being used as intended, and to be transparent.

Commissioner Schnell asked whether staff kept a copy of the names and addresses of residents who spoke at the meeting. Mr. Fieldman said that a copy was kept. ComEd also committed to working with the Village staff within the next two weeks. Commissioner Schnell said that staff should follow-up so that residents do not feel disappointed.

Mayor Tully said he is hopeful that there will be something to report to the residents at the next meeting. Mr. Fieldman said staff would provide an update at that time. Mayor Tully asked that residents who have not heard back from ComEd by October, let Village staff know.

Commissioner Neustadt said that the reliability report put ComEd on the spot for specific areas of the Village, specific circuits and dates and times. This went back five years, and it was not just about storms. ComEd representatives heard the full gamut regarding outages that occurred on clear sunny afternoons as well. He also wants staff to follow through and make sure ComEd does what they said they would do.

Mayor Tully said he was pleased and impressed with the reliability report the staff prepared, and pointed out that the Village does want to continue to work cooperatively with Com Ed.

Parking Deck

Mayor Tully commented that in 2004, before the Village completed construction of its parking deck, part of the budgeting included a grant from the State of \$500,000. He said he was thrilled to report that seven years later, the Village has received the grant money of \$500,000 from the State of Illinois that will be put toward the debt for the parking deck. Former Mayors Sandack and Krajewski were relentless in pursuing this, as were Council members and many others.

10. Manager's Report

Mr. Fieldman noted that the FY12 proposed budget will be published on the website on Friday, with a copy available at the Library. He said the public input meetings will begin on Saturday, October 1, at 8:00 a.m. at Fire Station 2, 5420 Main Street. The process will provide multiple opportunities for public input.

11. Attorney's Report

Village Attorney Enza Petrarca said she was presenting one item to the Council: An ordinance amending the Comprehensive Plan.

Future Active Agenda

12. Council Member Reports and New Business

Commissioner Durkin said he attended the Illinois Municipal League Conference in Chicago and was unable to attend the ComEd meeting. He said at the IML sessions he learned about innovative revenue enhancement, social media, and budgeting. He said there was discussion of the consolidation of services and the merging of dispatch services in Downers Grove with the Village of Westmont. All of the presentations were made available on a CD-ROM. He looks forward to reporting out on the sessions he attended.

Commissioner Durkin then reminded everyone that this is leaf season, and it is important to rake the leaves in the streets by the inlets. When they get blocked there is a backup of water.

Commissioner Durkin reported on the Black & White Ball hosted by the Chamber of Commerce, noting that Senator Sandack received the Enterprise Award.

Mayor Tully encouraged Commissioner Durkin to make a presentation to the Council and the public about the IML conference and asked that this be placed on a future agenda.

Commissioner Waldack commented on the check for \$500,000 from the State. Although he was critical of the Village obtaining the services of a lobbyist, he added his thanks to their lobbyist, John Nicolay, for his work in getting this done for the Village. Commissioner Waldack then reminded the residents that budget season begins on October 1, and he asked the public to attend the meetings. The Council needs and appreciates the input from the public.

Commissioner Rheintgen announced that the Lester Clothing Sale will be held on September 24 and 25. Also, the 5K run will be held on October 16 at 9:00 a.m. She invited the Mayor and others to attend.

Commissioner Neustadt announced Girls Night Out to be held on Thursday, September 29 from 5:00-9:00 p.m. More information is available at www.downtowndg.org.

Mayor Tully thanked Commissioner Durkin for attending the Illinois Municipal League Conference held in Chicago last week. He congratulated the Chamber of Commerce on the Black & White Ball, and Ron Sandack for receiving the Enterprise Award. He asked everyone to come to the October 1 budget meeting.

The Mayor then announced that Downers Grove North, and Downers Grove South face each other in their annual clash on the gridiron, Friday, September 23 at 7:00 p.m. This has always been a challenge for him personally and as a politician. He is a graduate of Downers Grove North. But he has to be fair, since in his family both North and South are represented. However, he has a solution thanks to Louie's for Men on Ogden Avenue. He then modeled a special school jacket that is half Downers Grove North, and half Downers Grove South. He thanked Louie's for letting him borrow the jacket for the meeting and the game.

13. Adjournment

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

Mayor Tully declared the motion carried by voice vote and the meeting adjourned at 8:02 p.m.