



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, February 14, 2012

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 Sean P. Durkin, Commissioner Geoff Neustadt and Mayor Martin Tully

Absent: Commissioner Becky Rheintgen

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 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

Executive Session Minutes for Approval Only - December 6, 2011

Council Retreat - February 6, 2012

Council Minutes - February 7, 2012

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

Commissioner Schnell moved to approve the minutes as presented. Commissioner Durkin 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

Michael Cassa, President, Economic Development Corporation, reported that brokerage firms publish quarterly reports, and in the fourth quarter, 2011, Downers Grove had two of the top three lease transactions. JPMorgan Chase has extended its lease at Highland Landmark IV for a total of 173,000 square feet. HAVI Global Solutions has signed a lease for 140,000 square feet in the space vacated by Sara Lee. He said he was happy to report such good news.

Marge Earl, 4720 Florence, thanked the Council for the new podium and adjustable microphone. It will make a huge difference to people speaking before the Council.

D'Anne Gordon, 6237 Pershing, said she lives in unincorporated Downers Grove. She said they do not have sidewalks. She spoke regarding Walgreens and said she feels it is inappropriate zoning as it is not in line with the Comprehensive Plan or Future Land Use Plan. It is high density retail. This is not an appropriate business for this corner. She said if this goes forward, she and some of her neighbors have suggested conditions - do not issue a liquor license, do not allow a 24-hour store or drive-through now or in the future; prohibit cut-through traffic on Pershing as this is a school route with no sidewalks. She said they would email any other suggestions they may have before this comes before the Council for a vote. She reiterated that this is not an appropriate fit for this area.

The Mayor said this matter was deferred a week to allow time for staff to answer questions and for Council to consider this matter. He noted there are four elements to this petition: Annexation, rezoning, consolidation, and a special use. All conditions are appropriate to be discussed as the Municipal Code allows conditions to be placed on special uses. The conditions become part of the special use and any changes to these conditions would have to come before Council again. In response to Ms. Gordon, he said the neighbors could be notified of any changes.

Ricardo Castaneda, 6208 Woodward, said he lives in the middle of the project. When he first moved in his house, there was flooding when it rained. He talked about the work the County did to reduce the flooding. He also discussed traffic issues. Additionally, he said residents had to pay up to \$20,000 when sewers were installed. He fears that the sewer system may be damaged or that there will be hidden costs residents will eventually have to pay.

The Mayor said staff would follow-up with Mr. Castaneda. The Village is not interested in any activity that would detrimentally impact any existing utilities in the area, or that might cause the residents to incur costs as described by Mr. Castaneda.

Frank Falesch said he is disturbed by the lack of common sense with respect to salt distribution. There was a dusting of snow a few weeks ago, and the streets were salted too much. He said he complained about this a few years ago.

The Mayor said this question comes up annually. He noted that the snow removal policy is reviewed periodically and that staff tries to follow best practices.

Bill Kussman, 4504 Saratoga, said he lives by Downers Grove North High School and spoke at a previous meeting about the school's expansion. He said he and his neighbors went to a school board meeting and were frustrated with that meeting. He said their concern is with the traffic around Downers Grove North. They have not gotten direction to communicate their concerns to the Village. This is a \$13 million project and they cannot communicate their concerns with anyone. They are concerned with what is going on. They have asked for a public hearing and they have contacted a lawyer. He noted that they missed some of the meetings on this matter. He said Council voted to vacate Prince Street without doing its own traffic study, but instead accepted the district's traffic study. The traffic study is missing 2500 cars that come during rush

hour, between 4:00 p.m. and 7:00 p.m. The district has no plan as to where this traffic is going to go. The parking lot is being made smaller. They are concerned about traffic and safety. They have not seen a plan for exiting traffic. Mr. Kussman offered to meet with a Village representative at 5:00 p.m. to see the situation first-hand. The district has not presented a proper plan.

The Mayor said Council understands that traffic is a big concern. The district has said they will have to work with the Village to solve some of the issues. He asked about next steps and a time line so Council can share this information. He said the Village is doing its best to work with the district.

Roger Bauman, 4500 Prince, said his house is at Prince and Grant. The North High parking lot is being shifted into the neighborhood. There is not a plan for handling after school activities. There has been some enforcement since the last meeting and it has made a difference. They want a solution so it will not be any worse than the current situation. They would like to see a plan.

The Mayor said there may be changes after the project is completed.

Jenny Bauman, 4500 Prince, said they have seen many plans for the expansion, but they have not seen a plan for car traffic. An entire street was vacated without knowing how traffic will be handled. They want to see a plan prior to the implementation of the project. There has to be a plan as to how traffic will move around the school. They would like to be proactive. She asked Council members to ask the School District more questions as the neighbors need to know more.

The Mayor said there have always been changes around the schools as traffic flow has always been dynamic around the schools.

Tom Eagan, 4501 Saratoga, referenced correspondence he sent to the Council members. He said the main issue is that the district's traffic study is seriously flawed. The neighbors filed a neighborhood petition with the Transportation and Parking Commission and a neighborhood meeting will be scheduled. Time is of the essence as houses will be demolished in the next two weeks. If the infrastructure is installed, nothing will change. He said they are not asking that the Prince Street vacation be undone. They are concerned about traffic and safety. They feel the traffic study seriously underestimates traffic and potential problems. He requested that permits for redevelopment be delayed until there is a reassessment of the traffic study and it has been presented to Council. There is a disparity between the district's study and the Village's data.

Patty Gruber, 6216 Pershing, said she is concerned about the new Walgreens. She does not support it as she feels it does not fit the Village's future plan for the area. She said it will increase traffic congestion and Woodward is not equipped or zoned for additional traffic. It is already one of the most dangerous intersections in the Village. The residents of Woodward are not the only ones who will suffer. The left-turn lanes are dangerous and drivers will make right-hand turns to go down local streets. She said traffic signage does not work and is regularly ignored. She referenced a comment made by a Council member last week that there should be no homes on 63rd Street, but there are homes in many similar areas including 75th Street and 63rd and Main. Walgreens is asking to build at 63rd and Woodward. If it is rejected, they will find another area. She urged Council not to sacrifice the area for tax revenue. The concerns of the people in the unincorporated areas should not be ignored. They should be considered a big part of the community. She said she started an on-line petition that people could sign and also give reasons as to why they are against this development. She provided the Council with a copy of the petition to date.

The Mayor reiterated that there are four pieces to the request. He said there is a Comprehensive Plan to help guide Council. He feels this comes down to the special use. He assured everyone that no one is ignoring the concerns that have been expressed.

5. Public Hearings

6. Consent Agenda

BIL 00-04790 A. List of Bills Payable: No. 5958, February 14, 2012

Sponsors: Accounting

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

Indexes: N/A

MOT 00-04791 B. Motion: Award a Professional Services Contract for \$78,695.00 to Sam Schwartz Engineering, Hoffman Estates, Illinois, for an Update to the Village's Bicycle and Pedestrian Plan

Sponsors: Public Works

The Mayor asked that the Downers Grove Bicycle Club be notified when this work is done.

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

Indexes: Bikeway Plan

RES 00-04797 C. Resolution: Authorize Adoption of a Fourth Amendment to the Economic Development Corporation Bylaws

Sponsors: Deputy Village Manager

Summary of Item: A RESOLUTION AUTHORIZING ADOPTION OF A FOURTH AMENDMENT TO THE ECONOMIC DEVELOPMENT CORPORATION BYLAWS

RESOLUTION 2012-11

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

Indexes: Economic Development Corporation

MOT 00-04796 D. Motion: Note Receipt of Minutes of Boards and Commissions

Summary of Item: Plan Commission - January 9, 2012

Library Board - January 25, 2012

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 Durkin, that the consent agenda be passed. The motion carried by the following vote:

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

7. Active Agenda

ORD 00-04777 A. Ordinance: Regulate Non-Conforming Signs

Sponsors: Community Development and Plan Commission

Summary of Item: This extends the date for non-conforming signs to come into compliance with the sign ordinance to May 5, 2014.

AN ORDINANCE REGULATING NON-CONFORMING SIGNS

ORDINANCE NO. 5251

Commissioner Waldack said he spoke extensively about this item last week. The sign ordinance was enacted before he was elected to the Council. He asked about compliance for a couple of years, but this matter was not brought up again until the last minute. He said he discussed his concerns with the OASIS program at the December 13, 2011, meeting and the Council was told that additional OASIS information would be provided. He said there should have been discussion about the OASIS program before considering extensions to the sign ordinance. The Village has 66% compliance with the sign ordinance without much enforcement. He said he was planning not to vote in favor of this unless there were modifications to the OASIS program. The board met to review applications. They decided that grant applications for signage should be allowed beyond the original May 2012 deadline. Commissioner Waldack said he feels it is unfair to use taxpayers dollars for signs. He cannot vote in favor of the extension until the OASIS program is fixed. He said the Village is reluctant to enforce the ordinance because we are reluctant to take businesses in violation of the ordinance to court. As an alternative to the sign ordinance, Commissioner Waldack suggested repealing the sign ordinance and compiling a pattern book for signs.

The Mayor said that, although he understands Commissioner Waldack's concerns, he does not see that the OASIS program is so closely linked to the sign ordinance as to prevent this from moving forward. He is also concerned about using OASIS funds for signs. He said staff will place this matter on a future agenda. He noted that no sign only grant applications will be brought before the Council prior to the review nor will the Village Manager approve any sign only grant applications prior to the review.

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

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

Indexes: Zoning Ordinance - Signs

ORD 00-04779 B. Ordinance: Authorize a Third Extension of a Final Planned Development Amendment for Planned Development #31

Sponsors: Community Development

Summary of Item: This authorizes the third extension of a final planned development amendment for Planned Development #31 for the construction of a two-story office building at 3300 Woodcreek Drive until February 2, 2013.

AN ORDINANCE AUTHORIZING A THIRD EXTENSION OF A FINAL PLANNED DEVELOPMENT AMENDMENT FOR PLANNED DEVELOPMENT #31 FOR THE CONSTRUCTION OF A TWO-STORY OFFICE BUILDING AT 3300 WOODCREEK DRIVE

ORDINANCE NO. 5252

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

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

Indexes: Planned Development #31 - Esplanade at Locust Point

8. First Reading

ORD 00-04793 A. Ordinance: Establish Turn Restrictions at the Corner of Main & Maple

Sponsors: Public Works and Transportation and Parking Commission

Mr. Fieldman asked Public Works Director Nan Newlon to make the presentation.

Nan Newlon, Director, Public Works, said this ordinance will amend the Municipal Code with respect to turn restrictions at Main and Maple with the goal of reducing traffic congestion at this intersection during morning and evening peak hours. She provided background saying that the traffic going north in the morning has almost the same number of people turning right as those traveling straight north on Main. There were few motorists that wanted to turn left. A temporary change was made to traffic control with the installation of a no-left-turn sign; however, this caused problems because it extended throughout the entire day. In response, the Village purchased and installed a lighted sign that will illuminate in the morning and evening peak times prohibiting left turns.

Commissioner Neustadt asked what the violation would be for making a left turn. Village Attorney Enza Petrarca said that violators would be cited under the ordinance.

Commissioner Schnell asked whether the Village has contacted the church about the change, and Ms. Newlon said they have.

Commissioner Durkin asked whether the street would be re-striped when the weather changes, and Ms. Newlon responded that it would be.

Commissioner Waldack noted that this is the third try and he hopes that they get it right this time. He supports this change. He asked if the sign could be illuminated during non-peak hours for special events or circumstances and Ms. Newlon replied that it could.

Indexes: Turning Restrictions

ORD 00-04794 B. Ordinance: Authorize Membership in the Northern Illinois Police Alarm System Organization

Sponsors: Police Department

The Manager said this membership would allow the Village to participate in a multi-jurisdictional public safety effort. Staff recommends approval of the intergovernmental agreement.

Indexes: Northern Illinois Police Alarm System Organization

MOT 00-04792 C. Motion: Award a Contract Not to Exceed \$192,034.18 to Engineering Resource Associates, Inc., Warrenville, Illinois, for Phase III Resident Engineering Services for Knottingham Subdivision Road Reconstruction and Water Main Replacement

Sponsors: Public Works

Ms. Newlon commented that this contract is for resident engineering services for the Knottingham Subdivision for watermain and installation of traffic calming measures. She noted that residents would be given an opportunity to provide their concerns to the Village and contractor on a daily basis. Staff recommended award of this contract to ERA based on their approach to the traffic, scope of the work and overall staff experience. They have completed other projects for the Village.

Commissioner Neustadt noted that there are 1670 man-hours spent by this firm, and they have done this type of work before.

Commissioner Waldack said that the Village has budgeted \$200,000 and this comes in at almost that amount. This is a considerable amount of money. The Village is paying more than it pays its highest paid employee. A full-time employee would be at 1900 hours with a vacation. This causes him to question the routine. He asked why they don't hire a contract employee without benefits. It would cost less to get a contract employee. He asked if the Village has ever looked at getting a contract employee, and do they know what the actual costs involved would be.

Mr. Fieldman said he would get information to the Council as requested by Commissioner Waldack. Commissioner Waldack asked that the information be provided on future projects as well.

Indexes: Water Main Improvements, Subdivision - Knottingham

9. Mayor's Report

ComEd Reliability Report

Mayor Tully reported on efforts to press for enhanced service. ComEd is scheduled to complete tree trimming by the end of February. Two equipment upgrades are scheduled to be completed by June 2012. This includes reinforced overhead cable near 55th Street and Maple, as well as the area near 35th Street and Highland Avenue. An additional equipment upgrade project is the replacement of 4,400 feet of underground cable in the area near 63rd Street and Main Street. This project is part of the infrastructure upgrades provided under the Smart Grid Bill and is planned for the second half of 2012.

New Business

Mayor Tully reported on the status of the DuPage County draft Stormwater and Flood Plain Ordinance. He said a description of the changes to the ordinance have been posted on the County's website. Hopefully these changes will be in effect by April 2012.

Report on National League of Cities Congress of Cities Conference, November 2011, Phoenix, Arizona

Mayor Tully and Commissioner Schnell presented information regarding the National League of Cities Congress of Cities conference held in Phoenix, Arizona in November 2011.

The Mayor outlined the purpose of the National League of Cities. Every year the League holds a Congress of Cities and Exposition. The purpose of the conference is to learn, to interact and to explore. This is done through keynote speakers, educational workshops, mobile workshops, networking opportunities, and the exhibition hall.

The Mayor said there were four concurrent conferences: Economic Development, Green Cities, Infrastructure, and National Summit on Your City's Families.

Commissioner Schnell said she attended three mobile workshops. These showcased regional, collaborative and innovative programming. The mobile workshops were: Solar Showcase in Gilbert, Arizona; Tempe Can Really Move You in Tempe, Arizona; and Phoenix Farmers' Markets. Commissioner Schnell described the solar project to bring electricity to Gilbert at no cost to the town. She then discussed the smart rail program in the Tempe and the resulting economic development. Commissioner Schnell said farmers' markets are held throughout Phoenix every day of the week. She said small businesses are encouraged to be part of the markets. She said these were very productive workshops. She offered the opportunity to get to know people and their communities.

Mayor Tully said he has been asked what the Village can do to help economic development in the Village.

Commissioner Schnell said some of the Village's businesses have a presence at the Farmers' Market. The businesses in Phoenix are cottage industries.

Commissioner Durkin asked about accommodations for hot weather. Commissioner Schnell said the booths were in tents and sheltered. It was a great way to stroll and ask questions.

Mayor Tully described the Exhibition Hall. He said it provided resources for councils and staffs on state of the art technology related to emergency preparedness, traffic calming and cloud technology.

In summary, Mayor Tully said some of the concepts he took away from the conference are:

Be wary of applying national or state standards to road infrastructure in your community; use of private activity bonds that allow for public debt financing of private development on a tax exempt basis; apps for economic development to make it easy for people to find you - he referenced the website www.okcedis.com; communities are developing their own broadband and wireless networks to improve their communities, enhance services and reduce costs; movements to switch from gasoline tax to miles traveled tax that measure odometer and assess a tax based on how much people have traveled, not price or quantity of gas.

Mr. Cassa said the EDC is exploring an app similar to the one the Mayor described.

Commissioner Schnell said she attended a discussion on social media and referenced an article, "Using Online Tools to Engage - and be Engaged by - the Public." She also said she received information for the Council regarding "green" initiatives.

The Mayor said he and Commissioner Schnell visited the Glendale, Arizona campus of Midwestern University where they were given a tour. He said they toured the dental facility and noted that one is being built in Downers Grove. It is a great asset. He thanked the staff for their time. He also described a public/private partnership in which the University built an emergency response facility and the city staffs it with EMS staff and ambulances.

The 2012 conference will be held in Boston, MA on 11/27/12 to 12/1/12.

Commissioner Durkin noted that the reverse 911 technology was one of the ideas presented at the NLC conference he attended.

10. Manager's Report

Mr. Fieldman said summaries of the stormwater utility meetings and answers to questions presented at those meetings are now on the Village's website. He said the matter is scheduled for a first reading to include a staff recommendation on March 13, 2012.

11. Attorney's Report

Village Attorney Enza Petrarca said she was present two (2) items to Council: 1) An ordinance establishing turn restrictions at the corner of Main & Maple; and 2) An ordinance authorizing membership in the Northern Illinois Police Alarm System Organization.

Future Active Agenda

12. Council Member Reports and New Business

Commissioner Neustadt said the Council will hold a Coffee With The Council on Saturday, February 18 at 9:00 a.m. at the Public Library.

Commissioner Waldack referenced the traffic study discussed earlier. He suggested that,

instead of having petitioners hire their own engineers to conduct traffic studies, the Village could contract with traffic engineers for the study which the petitioner would then pay for. This might seem to be fairer. He then discussed issues that have been raised by neighbors in the Walgreens and Downers Grove North High School areas. He said people have said they are not online and do not know how to interact with governmental groups. He said a recommendation from TCD 3 was to establish neighborhood groups to better communications with neighborhoods. He suggested this be reviewed. Commissioner Waldack then said he represented the Mayor and Council at the American Cancer Society Relay for Life kickoff celebration. He said he is interested in the transportation program and noted that volunteers are always needed to transport patients to and from their appointments. He asked anyone interested in volunteering to contact him. There was also discussion about current lobbying efforts. The Downers Grove/Woodridge Relay for Life will be held on June 29, 2012. He wished his Valentine a Happy Valentine's Day.

Commissioner Durkin said he attended the Noon Lions Club meeting today. He also attended a meeting at Oak Trace where the April Coffee With The Council will be held.

Commissioner Tully encouraged residents to come to the Coffee With The Council. He said the Ice Fest was a very successful event and thanked the Downtown Management Corporation for sponsoring it. The Mayor then said there are 131 days until Grove Fest.

13. Adjournment

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

VOTE: YEA - Commissioners Schnell, Durkin, Barnett, Neustadt, Waldack, Mayor Tully

Mayor Tully declared the motion carried and the meeting adjourned at 8:58 p.m