



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, March 6, 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 invited the Girl Scouts and Boy Scouts in attendance to help lead those present in the Pledge of Allegiance to the Flag.

Scouts represented Lemont Troop 149, Jr. Girl Scout Troop 57, Girl Scout Troop 527, Girl Scout Troop 50806, Jr. Troop 51394 and Brownie Troop 50171.

2. Roll Call

Present: Commissioner Marilyn Schnell, Commissioner Bob Barnett, Commissioner William Waldack, Commissioner Sean P. Durkin, Commissioner Becky Rheintgen, Commissioner Geoff Neustadt and Mayor Martin Tully

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

Council Minutes - February 21, 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.

Proclamation

Mayor Tully proclaimed Monday, March 12 at the 100th anniversary of the Girl Scouts of USA. Sheryl Vlk accepted the proclamation on behalf of the Girl Scouts. Mayor Tully said he appreciates all the community service the scouts perform for the Village.

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

Michael Cassa, President, Downers Grove Economic Development Corporation, noted that in 2011 State Farm announced the consolidation of their offices into their Chicago West operation in Downers Grove at 1400 Opus Place. This is the second largest facility State Farm has in Illinois. He said an additional 25 jobs will be added this month. The Operations Center will have more than 600 employees.

Mayor Tully announced that the items on the First Reading of tonight's agenda related to Walgreens have been postponed to April 3, 2012 at the request of the petitioner. Those items were on the agenda for continued discussion, not to be voted upon tonight. He said people may still comment on these items, if they wish to do so.

Laura Crawford, President & CEO, Downers Grove Area Chamber of Commerce, reported on the trip to Springfield sponsored by the Chamber. She said she was pleased that Commissioner Barnett, Mr. Fieldman and Mr. Cassa were able to attend. The Chamber's theme was educate, enlighten and elect. She said the State faces \$85 billion in unfunded liability to the pension system. She spoke of reforms to the teachers' pension. She also spoke of the cost of medicaid. She said both parties were verbal about expressing their disappointment and frustration at the lack of a financial plan for the State of Illinois.

Mayor Tully thanked Ms. Crawford for her report and thanked Commissioner Barnett and Mr. Fieldman for making the trip to Springfield with the Chamber.

Mr. Fieldman said the Village believes in fiscal responsibility and sustainability. He said he shared stories of our successes.

Commissioner Barnett thanked the members of the Chamber who went to Springfield. Officials in Springfield want to hear from local people. He urged the public to contact their legislators. He warned that people need to be wary of the problems and the effort to put costs on local municipalities. People need to be reminded that we will be forced to accept costs.

The Mayor said he is planning a trip to Springfield and will continue to relay our message to State legislators.

David Olson, 5601 Dunham, said he spoke recently about a traffic light at Woodward and Prentiss. He thanked the Council and staff for a quick response. A contractor looked at the light and there was a problem with the sensor. He said the Village is serving its residents and he appreciates it.

Liz Chaplin, 5623 Pershing, said she previously attended meetings regarding concerns about the proposed Walgreens at 63rd and Woodward. She asked that the Council consider the comments of neighbors in light of the Village's Comprehensive Plan (the "Plan"). She said that the corner of 63rd and Woodward is designated low intensity office use in the Plan and Walgreens is not appropriate and does not fit this use. Some time ago 63rd and Leonard was the site for a proposed Starbucks. They are similar corners. The residents in 2007-08 showed the same concerns then regarding the Starbucks as they have today about Walgreens. Ms. Chaplin said

that the Plan Commission unanimously denied the Starbuck's petition then, and has recommended denial of the Walgreen's petition now. Ms. Chaplin then referenced comments made by then Mayor Sandack regarding the Plan and then Commissioner Tully. She encouraged the Council to look at the Plan, which shows the corner of 63rd and Woodward as low intensity office use. She hopes this will be denied, whenever it comes before the Council.

Ricardo Castaneda, 6208 Woodward, said he was there to speak about the Walgreens issue. He is more affected by this as he lives in the middle of the street. Mr. Castaneda said that the traffic on Woodward continues to grow since drivers are looking for shortcuts to and from the Belmont train station. The residents of the area agree that Walgreens doesn't fit that location. There are problems now. When he was last before the Council he spoke of necessities. He said if the Council and staff were involved in bringing about the recreation center on Belmont, or in the Belmont Underpass, he congratulated and thanked all of them. Mr. Castaneda asked the Council not to let this project for Walgreens go through. It is an invasion of their privacy, and the residents are protesting because it is the only thing legally they can do.

Patti Gruber, 6216 Pershing, said she presented 470 signatures on a petition to the Council, and noted that 193 names were submitted online. She said that the petition against Walgreens is not unique. They are threatening other neighborhoods under the guise of necessity and progress. She said this is neither progress nor necessity. This would be the 12th Walgreens within four miles of this area and that is not progress. Ms. Gruber said if Walgreens does not build here, the community will not suffer. She referenced the state of the economy of the Village and wants to believe that this is not about money. She said that she heard you cannot tell a business where to build, but you can tell them where not to build. She asked that the Council follow the advice of the Plan Commission to reject the proposal and listen to the sentiments of the people by denying Walgreens' request to build at 63rd and Woodward.

The Mayor responded that economic development is a very high priority in Downers Grove and the Village wants to create an environment that encourages businesses as this lowers property taxes. This is not something the Village is building. It is something that the petitioner is building. The Council is struggling with whether or not this is appropriate for the area and fits within the framework established by the Village. He commented that if this were being pushed through it would not have been continued several times. The Village is obviously studying this closely.

Michelle Schelli, 6215 Pershing, said she sent the Council a stormwater report earlier in the day. She referenced the runoff at the site, which will be increased by the removal of the buildings and vegetation on the site. She read from the report stating that the area has unfavorable soil and low soil strength. The report describes a small commercial building as a three-story building with no basement. Residents would like to maintain the wooded character of their area. Ms Schelli said that the site is not suited for the proposed use unless certain issues are addressed regarding the soil and water table. She requested that the petition be denied.

Don Weiss, 7050 Newport Drive, Woodridge, said he is the son of Helen Weiss who is the owner of one of the properties in question for the Walgreens development. He requested that the matter be taken off the Village's agenda indefinitely until his litigation in the Circuit Court of DuPage County regarding the ownership of the property and the competency of his mother is resolved. There are several State agencies involved in the litigation that are investigating the situation regarding ownership of the property. The court case is scheduled for May 14.

Mayor Tully repeated that the Council is responding to a request by the petitioner. The Village is not a court of law. He said that the Village has an obligation to the petitioner. If the Court directs those in dispute, the Village would respect the direction of the Court as it relates to this matter. The Mayor said the Village would operate within its own framework. If a petitioner makes a request of the Village, the Council must respect its own process and operate within its own framework. He said the petitioner has requested that this matter be continued until April 3.

Mr. Weiss replied that he was told the Village Attorney has been made aware of the matter and has agreed that this is legal. There are certain facts the Village Attorney cannot access. Mr. Weiss said he sees this as a push-through matter. He will attempt to get an earlier court date. If the Council pushes this through it is guilty of financial exploitation of seniors.

The Mayor encouraged Mr. Weiss to take this issue up with the Court involved in the matter.

Commissioner Schnell asked where the photos of the flooding were taken. Ms. Schelli said they were taken from 6215 Pershing Avenue facing northeast and north.

Guy "Red" Brownson, 5904 Downers Drive, introduced himself as the elected precinct committeeman of Precinct 54 which is along the east side of Woodward and the south side of 63rd Street. He is present representing his constituents, the majority of whom do not want the Walgreens at 63rd and Woodward.

Dr. Gordon Goodman, 5834 Middaugh, commented on the appointment process for Boards and Commissions. He speaks from some experience as he's been appearing before the various Boards or Commissions of the Village since the 1970s. He respects the people he has appeared before and their decisions, although he didn't always agree with the decisions. Dr. Goodman said he served on the Environmental Concerns Commission (ECC) some time ago. They were fortunate then to have sophisticated technical people as well as generalists on the ECC. That is a valuable component to the ECC, as it needs views from across the community. He was pleased to see Mark Thoman's name forwarded on the agenda for appointment to the ECC; however, he was disappointed when the vote was not called. He thinks that Mr. Thoman and other commissioners who are outspoken in the Village can play a very important role in advisory commissions. He feels that those with strong views can serve the Village well, and he said he hoped the Village would continue that practice.

John Schofield, 1125 Jefferson, expressed his profound disappointment by the Village Council's behavior a few weeks ago. The nominee has proven himself to be energetic, effective, knowledgeable and always well prepared. His environmental credentials are solid and his activities on behalf of the environment have already been well established in the Village. Mr. Schofield noted, however, that his comments were not about the nominee, but rather directed to the behavior of the Council. He said that, shamefully, considerations of personal and political power appear to have dominated over the best interests of the community. Rather than serving the community at least one Commissioner injected personal animus into the process and said so publicly in internet postings disparaging the nominee. At least two Commissioners blamed undisclosed and unsubstantiated rumors from unnamed individuals. The Commissioners show a shameless lack of accountability and transparency. Mr. Schofield said that this is like Salem, Massachusetts in the 1690s and like Washington DC in the 1950s -- good people harmed by malicious rumor and anonymity. Two weeks ago these Commissioners embarrassed their fellow Commissioner who screened the nominees, embarrassed the Mayor who proposed the nomination, and embarrassed the nominee himself who was sitting here ready to serve. Mr. Schofield said he thought the reason was that there was

“. . . a nasty political primary going on [in Downers Grove], and the contest and its nastiness has somehow invaded this Village Council's behavior. It shouldn't matter whether the nominee is or is not the friend of one or the other candidates, but it appears that it did matter. I'm very disappointed to say the Council's behavior discourages other fine residents from volunteering their time. This narrows the pool of talent available to do Village business. I am further disappointed to say the Council's behavior undermines my confidence in your ability and your willingness to make good decisions for the community without machinations for personal and political power, and shame on you.”

Ken Lerner, 4933 Whiffen Place, was disappointed to see the headlines in the newspaper regarding the nomination of Mr. Thoman to the ECC. The article alluded to Mr. Thoman's activity in the campaign of a particular local candidate. Mr. Lerner said he received an e-mail from the campaign of that candidate and he took an opportunity to review their position.

Mayor Tully interjected at this time that Mr. Lerner keep his comments directed to the Council and matters concerning the Council and the Village, and not to individuals.

Mr. Lerner continued saying that he disagreed with the positions expressed in the e-mail and that is something he could look beyond. He knows Mr. Thoman's qualifications and approach as well as his dedication to environmental issues. Mr. Lerner urged the Council to appreciate good people like this who are willing to donate their time to the Village and keep them coming by treating them respectfully and keeping politics out of it.

Tim Meaney, 420 Franklin, said he is also disappointed and disillusioned by the Council's non-decision regarding the appointment of Mr. Thoman to the ECC. He spoke to Mr. Thoman's qualifications to offer a knowledgeable perspective on environmental matters. Mr. Meaney said for vague reasons or unstated reasons some Council members decided not to let this nomination be brought to a vote. He read in the paper that two Council members would not state their opinion or were not available for comments. Another Council member seemed to be in a tizzy of indecision because some people he had spoken to wanting Mr. Thoman on the Commission while some did not. Mr. Meaney said that Council members must make decisions on a weekly basis. Another Council member said in a newspaper report that her "big thing is that Mr. Thoman might actually be an advocate for environmental concerns and make it difficult for us to reach consensus." Mr. Meaney asked if this type of advocacy is the type of thing this Council would rather not deal with. Mr. Meaney said that the same Council member said "a Commission is a representative of the Council." Mr. Meaney said that Commissions do not represent the Council, are not intended to be a mouthpiece for the Council or for any particular Council member. They independently advise the Council with opinions arrived at through considerable research, discussion and debate, and that is how consensus is arrived at. The longer this goes on the longer it appears that this is an effort to exclude a talented individual for reasons that Council members would just rather not discuss. It opens the whole process of appointing Commission members to the suspicion that some criterion other than talent, ability and independent thinking is at work here. Mr. Meaney said he would like to see four things occur: 1) he would like Mayor Tully to nominate Mr. Thoman; 2) he would like Commissioner Waldack to make the Motion; 3) he would like to see someone on this Council have the courage to second the nomination; and 4) he would like the Council to take a vote. Mr. Meaney said he wanted the Council members to step out of the shadows, stand up like adults and state their case publicly to the voters. He said the Council owed that much to the candidate as well as to the voters. Mr. Meaney noted that he came to the Council meeting two weeks ago to compliment the Council on what he thought at the time was a splendid opportunity for both the Council and the Village. Tonight he is disillusioned and finds the behavior of some of the Council members simply evasive and cowardly.

Mayor Tully responded that lack of comments from the dais should not be construed as not listening. He said he is willing to speak to people individually after the meeting if desired. He doesn't want lack of a comment to be taken the wrong way.

Marge Earl, 4720 Florence, said that when there are campaigns going on there are usually a different set of rules. In a public forum, a private citizen is offering to help the Village. Mr. Thoman put himself out there. She was mortified and embarrassed by the exchange on Facebook dragging Mr. Thoman through the mud. This should not have been public and she is embarrassed for the Council, for the Village and for Mr. Thoman.

Dan Stanger, 7229 Binder Road, at the southwest corner of the Village, spoke about 75th Street and asked the Council's help on the proposed widening of 75th Street. Mr. Stanger spoke to the

current configuration of 75th Street and Devereux Road, which has various turns. The residents have learned that 75th Street will be widened by removing the shoulders. Mr. Stanger showed the type of traffic flow that occurs from the residential area onto 75th Street. He said that there was a meeting regarding this widening, and information was reported on the DG Patch website. He was not informed about the meeting. Not everyone was notified of the meeting, but only those who reside on Borman Place. He spoke with Mr. Kent Kuper who said that there were no plans to improve safety of 75th Street, no plans to change the intersection or to have another meeting with the residents. Mr. Stanger said he hopes that the Council and staff can contact DuPage County and ask them to reconsider their plans before construction is in full force.

The Mayor responded that this is a County road and a County project. He encouraged Mr. Stanger to reach out to the County Board representatives, noting that there was an election coming up. He said that the Village would pass along the concerns expressed by residents to the County. He also indicated that the Village did inform residents that the meeting was scheduled.

Mike Slusarz, 7445 Webster, said he also found out about the 75th Street expansion three weeks ago. His house looks out onto 75th Street, but he has maintained 13 trees and 66 bushes to block the effects of the four-lane roadway from his home. He learned at the County meeting that all of the trees and bushes will be torn out, and there are no plans to replace any of them. He asked for the Council's help, saying that his property will be unsellable as a result of this construction. He then presented photographs of his property to the Council.

Mr. Fieldman said that staff has reached out to the County and they will look at this property again.

The Mayor again encouraged residents to contact their County representatives personally with their concerns.

Tom LeCren, 545 Chicago Avenue, asked why the Village does not have more information about the electrical aggregation on its website. He said that the Village is asking people to give them power to do something, but is not informing the residents about what is going on. It should say on the website that the Village is negotiating with a group in Will County.

The Mayor responded that there are two parts to this. There is the referendum, and if the referendum is successful then more information will be made available. The referendum gives the Village the authority to move forward and obtain more information.

Mr. LeCren said that he thinks there should be more information on the website now so residents know what they are voting for.

Mayor Tully explained that residents can vote against the referendum. If it passes, residents can still opt out of all programs.

Mr. Fieldman added that staff is also sending a mailing regarding the referendum to all households.

The Mayor suggested that a presentation be made within the Village's legal limitations as to what aggregation is and what people will be voting on. There are some limits as to what the Village can do when it comes to referendums.

Mr. LeCren referenced the Long Range Financial Plan mentioned earlier this evening, saying that the Village does not currently have an approved LRF. Mr. Fieldman responded that this does not have to be voted on; this is a matter of giving direction to staff, which has been done. Mr. LeCren believes it should be voted on.

Frank Falesch, 820 Prairie, said he is disappointed in the Council because they are making a

political comment about a non-political job. He also said he thought that the limit of 250' for notifying people of important things and issues is much too small.

5. Public Hearings

6. Consent Agenda

Item C, RES 00-04810, a resolution approving the final plat of subdivision for 1525 Thornwood Drive was removed from the Consent Agenda for separate consideration.

COR 00-04805 A. Claim Ordinance: No. 5939, Payroll, February 10, 2012

Sponsors: Accounting

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

Indexes: N/A

BIL 00-04806 B. List of Bills Payable: No. 5962, March 6, 2012

Sponsors: Accounting

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

Indexes: N/A

MOT 00-04813 D. Motion: Award \$31,689 to Hey and Associates, Inc., Volo, IL, for Watershed Improvements - Wisconsin and Janes

Sponsors: Public Works

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

Indexes: Stormwater Sewer Watershed Improvement Plans

RES 00-04808 E. Resolution: Authorize an Agreement with the Indian Boundary YMCA to Jointly Conduct the 2012 Downtown Downers Grove Market

Sponsors: Community Development

Summary of Item: A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE INDIAN BOUNDARY YMCA TO JOINTLY CONDUCT THE 2012 DOWNTOWN DOWNERS GROVE MARKET

RESOLUTION 2012-13

Commissioner Waldack said the YMCA has been before the Council in the past to ask that the fees associated with this be waived. He said he would prefer to waive the fees.

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

Indexes: Farmers' Market, Downtown Downers Grove Market

MOT 00-04807 F. Motion: Note Receipt of Minutes of Boards and Commissions

Summary of Item: Library Board - February 8, 2012

Liquor Commission - October 6, 2011

Zoning Board of Appeals - 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

The Consent Agenda as amended was approved.

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 Rheintgen, Commissioner Neustadt and Mayor Tully

7. Active Agenda

RES 00-04810 C. Resolution: Approve the Final Plat of Subdivision for 1525 Thornwood Drive
Sponsors: Community Development and Plan Commission
Summary of Item: A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION FOR 1525 THORNWOOD DRIVE

RESOLUTION 2012-12

Commissioner Waldack said this was originally on the Consent Agenda. He believes that land use and other items before the Plan Commission do not belong on the Consent Agenda, but for the sake of transparency should be on the Active Agenda. He said he supports this request.

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 Waldack, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt and Mayor Tully

Indexes: Subdivision, Subdivision - 1525 Thornwood Drive

ORD 00-04803 A. Ordinance: Amendment to Ordinance No. 5166 and the Village of Downers Grove Budget for Fiscal Year 2011

Sponsors: Finance

Summary of Item: This adopts certain amendments to the 2011 budget.

AN ORDINANCE PROVIDING FOR AN AMENDMENT TO ORDINANCE #5166 AND THE VILLAGE OF DOWNERS GROVE BUDGET FOR FISCAL YEAR 2011

ORDINANCE NO. 5255

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 Waldack, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt and Mayor Tully

Indexes: Budget Amendment - 2011

8. First Reading

Mayor Tully said Active Agenda items A-D, ORD 00-04785, ORD 00-04786, RES 00-04787 and ORD 00-04788 regarding annexation, rezoning, final plat of subdivision and special use for 2134, 2136, 2138 & 2140 63rd Street and 6298 Woodward Avenue have been withdrawn at the request of the petitioner. He expects them to be on the First Reading portion of the April 3, 2012 agenda.

Village Manager Dave Fieldman said First Reading item E, RES 00-04809, a resolution authorizing an intergovernmental jurisdictional boundary agreement with the Village of Lisle, is also being removed from the agenda as staff would like the opportunity to further discuss this matter with Lisle.

- ORD 00-04785** A. Ordinance: Annex 2134, 2136, 2138 & 2140 63rd Street and 6298 Woodward Avenue to the Village of Downers Grove, Illinois
Sponsors: Community Development and Plan Commission
Summary of Item: This annexes 2134, 2136, 2138 & 2140 63rd Street & 6298 Woodward Avenue to the Village of Downers Grove, Illinois.

AN ORDINANCE ANNEXING 2134, 2136, 2138 & 2140 63rd STREET & 6298 WOODWARD AVENUE TO THE VILLAGE OF DOWNERS GROVE, ILLINOIS
- Indexes:** Annexation, Subdivision - 63rd & W Consolidation, Annexation-2134, 2136, 2138 & 2140 63rd Street, Annexation-6298 Woodward Avenue
- ORD 00-04786** B. Ordinance: Rezone Property Located at 2134, 2136, 2138 & 2140 63rd Street and 6298 Woodward Avenue from R-1, Single Family Residence, to B-2, General Retail Business
Sponsors: Community Development and Plan Commission
Summary of Item: This rezones the property located at 2134, 2136, 2138 & 2140 63rd Street & 6298 Woodward Avenue from R-1, Single-Family Residence to B-2, General Retail 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 2134, 2136, 2138 & 2140 63rd STREET & 6298 WOODWARD AVENUE
- Indexes:** Subdivision - 63rd & W Consolidation, Rezone 2134, 2136, 2138 & 2140 63rd Street & 6298 Woodward Avenue - R-1 to B-2
- RES 00-04787** C. Resolution: Approve the Final Plat of Subdivision for the 63rd & W Consolidation
Sponsors: Community Development and Plan Commission
Summary of Item: This approves the final plat of subdivision for the property located at 2134, 2136, 2138 & 2140 63rd Street & 6298 Woodward Avenue.

A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION FOR THE 63rd & W CONSOLIDATION
- Indexes:** Subdivision - 63rd & W Consolidation
- ORD 00-04788** D. Ordinance: Authorize a Special Use for 2134, 2136, 2138 & 2140 63rd Street & 6298 Woodward Avenue to Permit a Drive-Through Facility
Sponsors: Community Development and Plan Commission
Summary of Item: This authorizes a special use to permit a drive-through facility at 2134, 2136, 2138 & 2140 63rd Street & 6298 Woodward Avenue.

AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 2134, 2136, 2138 & 2140 63rd STREET & 6298 WOODWARD AVENUE TO PERMIT A DRIVE-THROUGH FACILITY
- Indexes:** Subdivision - 63rd & W Consolidation, Special Use - 2134, 2136, 2138 & 2140 63rd Street & 6298 Woodward Avenue
- RES 00-04809** E. Resolution: Authorize an Intergovernmental Jurisdictional Boundary Agreement with the Village of Lisle

Sponsors: Community Development

Indexes: Boundary Line Agreement

RES 00-04776 F. Resolution: Authorize an Agreement for the Purchase of Services for the Provision of Bus Service

Sponsors: Public Works

The Manager said this is an agreement with Pace whereby Pace and the fare box revenue would cover all costs. This agreement, when authorized, will bring long-term financial stability to the bus system.

Commissioner Neustadt said this is a good news item. This was part of the Long Range Financial Plan, and is the end of the Village's financial burden. Having a local bus system is a great way to transport residents to and from the train. He expressed thanks to all Village departments in executing this. A need and problem was identified, and has now been solved. It is a great testament to this and previous Councils and staff.

Commissioner Schnell commented that this brings closure to the question of continuing the Village bus service. It allows the Village to continue to operate the bus system at no cost to the Village. It is a win/win for everyone, and she thinks it is a great thing.

Commissioner Rheintgen echoed her fellow Commissioners' comments. She asked how long this has been in the works. Mr. Fieldman said the discussion of financial sustainability of the bus system has been in the works for 20 or 30 years in terms of budget, and three years since Ms. Newlon arrived in terms of the agreement.

Commissioner Durkin said he has been critical of the buses in the past; he complimented staff for bringing this to closure. Payments from Pace and the fare box revenue will cover all costs. Pace covers all the costs, including personnel costs, bringing long-term financial sustainability to the system. The only cost the Village has is the deficit in the account. The Long Range Financial Plan calls for the retirement of accumulated fund deficit by pledging incremental General Fund interest income. Interest income will be used to offset the deficit. It is a huge win and he is extremely happy about this.

Mayor Tully added his appreciation to staff and others involved. He recalled the formation of the Local Transportation Subcommittee several years ago to try to solve two challenges: 1) What to do about obsolete, failing, bus equipment with no money to replace them; and 2) How to deal with the issue of a growing deficit, increasing operating costs, and revenue that didn't keep up with the costs. It seemed like a lost cause and one doomed to fail. With perseverance, innovation, hard work, and creativity, the equipment challenge, operating costs and deficit challenges have now been solved. He congratulated everyone involved in this.

Mr. Fieldman thanked the Pace staff and their leadership.

Commissioner Neustadt thanked the dedicated riders and bus drivers as well; however, he noted that the Village still wants more ridership.

Commissioner Schnell noted that the agreement doesn't preclude advertising.

Mr. Fieldman said that the Village is encouraged to promote the buses through marketing.

Commissioner Schnell commented that the Village lost ridership due to the uncertainty of the system. With this agreement, the buses are here to stay.

Jeff Waxman, a 13-year Village employee, thanked the Council for their support and Ms.

Newlon for her work. He is happy that the Village will have a sustainable bus system. He looks forward to many more years of serving the people of Downers Grove.

Commissioner Waldack commented that he is very happy to see this. It has been a decade and a half in the works. He thanked staff and Pace for their work. He will make additional comments next week.

Indexes: Pace

ORD 00-04814 G. Ordinance: Amend Certain Parking Provisions

Sponsors: Public Works

Ms. Newlon noted that on January 3, 2012 the Council accepted the downtown parking study. The recommendations will be implemented over time and in phases. The items under consideration tonight are the first recommendations. Ms. Newlon said that this ordinance would change the time free parking in the downtown commuter lots would begin from noon to 11:00 a.m. This action would free up open spaces earlier in the day for mid-day travelers and shoppers in the downtown area, but still provide time for permit enforcement by the Police Department.

In addition, there will be a change in the number of handicapped accessible parking spaces with an increase of 11 spaces as required to meet ADA requirements. These items were reviewed by TAP and unanimously recommended for approval.

Dr. Gordon Goodman, 5834 Middaugh, congratulated the Village on taking these steps. He looks forward to the future phases of the study.

Commissioner Rheintgen asked if there was any flexibility with the ADA requirements. Ms. Newlon replied that the requirements are the minimums. The Village cannot cite a study to allow fewer spaces.

MOT 00-04811 H. Motion: Authorize \$503,996.95 for the Purchase of 11 Vehicles and Equipment

Sponsors: Public Works

Ms. Newlon said this is for the purchase of 11 vehicles and pieces of equipment in the amount of \$503,996.95. The natural gas powered vehicle is eligible for a \$4,000 rebate. Each year the fleet team evaluates the equipment and vehicles in detail in addition to the replacement schedule. The plan for this year was for 15 vehicles, but staff is recommending replacement of 11. She indicated that these would be made through existing cooperative purchasing contracts. The snowplow truck was part of a call for bids.

Indexes: Vehicle Purchases

9. Mayor's Report

ComEd Reliability Report

In reaction to dissatisfaction with customer service and communication during the summer of 2011, ComEd has created an outage alert system through which customers can use their cell phones to receive outage restoration information and to report outages to ComEd. The Village website will have additional information and a link to the ComEd's website so that residents can sign up for this program if they desire.

In addition, ComEd has notified the Village that it will begin the first of the two remaining equipment upgrade projects that were identified at the Village's Town Hall meeting with ComEd in September 2011. The project consists of the installation of tree-resistant overhead cable in the area south and west of 55th St and Middaugh. Work on this project will begin this month.

Finally, the Village is asking residents whose properties were affected by enhanced tree trimming for feedback on the customer service provided by ComEd. If your property is adjacent to the areas where trees were pruned or removed, please check your mailbox in the coming week for directions to participate in an online survey.

New Business

DuPage County Stormwater Management Planning Committee

The Mayor said the DuPage County Stormwater Management Planning Committee met this morning. The status of the new County Stormwater ordinance was discussed. The ordinance was before the Committee today for a First Reading. All the comments were positive. It will be before the Committee for a Second Reading on April 3 and for a vote on April 10, after which it will go before the County Board and is expected to be adopted and put into effect by the end of April 2012. He said District 99 was concerned about the progress of the ordinance because of their project expanding the Downers Grove North High campus. He understands they will not be hindered, as the ordinance is expected to go forward. There appears to be support not to unduly impact District 99 or the taxpayers.

10. Manager's Report

The Manager said that the final stormwater utility report and recommendations from our consultant has been posted to the Village's website. It will be discussed at next week's Council meeting, along with staff recommendations.

11. Attorney's Report

Village Attorney Enza Petrarca said she was presenting one item to the Council: An ordinance amending certain parking provisions.

Future Active Agenda

12. Council Member Reports and New Business

Commissioner Rheintgen spoke regarding the appointment to the Environmental Concerns Commission. Each of the seven Council members had different viewpoints, opinions and perspectives. Council members are elected by the citizens to make decisions that are in their best interests. All seven are entitled to their vote and should vote their conscience. Just like any issue before Council, there are residents that feel strongly on both sides of an issue. She said that she will not apologize for her vote or for expressing her opinion, but if she had a do over, she thinks most of the Council members would have done things differently. She's hopeful that everyone has learned from this and will work to prevent this type of situation in the future. With respect to the Grove Foundation fundraiser held on March 1, Commissioner Rheintgen said over 190 people attended the event. She then extended an invitation to a pancake breakfast hosted by Cub Scout Pack 86 on St. Patrick's Day, March 17, at the Moose Lodge, 1030 Warren Avenue, from 8:00 a.m. to 11:30 a.m. Advance tickets are \$4.00 or \$5.00 at the door.

Commissioner Waldack said his introduction into Village government was his appointment to the Ad Hoc Transportation Committee and he chaired the Alternative Transportation Committee, where he met John Kikta. Mr. Kikta recently passed away. He was a true resident/citizen and Commissioner Waldack extended his condolences to Mr. Kikta's family.

Commissioner Barnett spoke regarding the issue with the Environmental Concerns Commission. He said comments made regarding local political issues are baseless and without merit. Assumptions about modifications made without basis are not fair. He said deliberations go into every decision.

Mayor Tully noted that the business portion of tonight's meeting was 40 minutes long; the public comment portion lasted 120 minutes. He then said there are 106 days until the Rotary Grove

Fest.

13. Adjournment

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

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

Mayor Tully declared the motion carried and the meeting adjourned at 9:01 p.m