



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, September 4, 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 Boy Scouts from Scout Troop 67 to help lead 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 Becky Rheintgen, Commissioner Geoff Neustadt and Mayor Martin Tully

Absent: Village Manager David Fieldman

Non Voting: Village Attorney Enza Petrarca, Village Clerk April Holden and Assistant Village Manager Michael Baker

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 Meeting - August 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.

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

Elaine Zanus, Village Trustee of Oak Brook residing at 147 Briar Wood North said she is a DuPage County District 2 candidate and is a trustee in Oak Brook. She has met with the municipalities in the area and County departments to understand the needs of each group. She encouraged people to contact her with any questions.

5. Public Hearings

6. Consent Agenda

COR 00-04989 A. Claim Ordinance: No. 5965, Payroll, August 10, 2012

Sponsors: Accounting

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

Indexes: N/A

BIL 00-04990 B. List of Bills Payable: No. 5998, September 4, 2012

Sponsors: Accounting

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

Indexes: N/A

RES 00-04982 C. Resolution: Authorize a First Amendment to the Redevelopment/Sales Tax Rebate Agreement with Packey Webb Ford, LP

Sponsors: Manager's Office

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO THE REDEVELOPMENT/SALES TAX REBATE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND PACKEY WEBB FORD, LP

RESOLUTION 2012-65

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

Indexes: Sales Tax Rebate

MOT 00-04993 D. Motion: Note Receipt of Minutes of Boards and Commissions

Summary of Item: Library Board - August 8, 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 Rheintgen, Commissioner Neustadt and Mayor Tully

7. Active Agenda

ORD 00-04986 A. Ordinance: Adopt Four-Hour Parking Provisions on Elm Street from Prairie to Chicago

Sponsors: Public Works and Transportation and Parking Commission

Summary of Item: This adopts four-hour parking provisions on Elm Street from Prairie to Chicago.

AN ORDINANCE ADOPTING FOUR-HOUR PARKING PROVISIONS ON ELM STREET FROM PRAIRIE TO CHICAGO

ORDINANCE NO. 5278

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: Parking Provisions, Parking Restrictions - Elm Street

8. First Reading

Deputy Manager Mike Baker said that Tom Dabareiner, Director, Community Development, would present the first two items.

ORD 00-04991 A. Ordinance: Approve a Planned Development Amendment to Planned Development #18 to Allow a Second Driveway Access to 980 75th Street

Sponsors: Community Development and Plan Commission

Tom Dabareiner, Director, Community Development, explained that this ordinance would allow a second driveway access to the Bohemian Gardens restaurant. The property is zoned B-2 General Retail business and is improved with a one-story 7,840 square foot restaurant. They are proposing a 15' concrete driveway on the north side of property to be used for trash collection only. He showed views of the drive and the trash enclosure. Signs would indicate that it is strictly a service drive. The property currently has one driveway and they can only exit southbound from that driveway. The proposed second driveway would allow trucks to move in and out quickly. The Comprehensive Plan designates the property as commercial, and the proposed amendment is consistent with the Comprehensive Plan. The Plan Commission required that the amendment to the restrictive covenant include a condition that restricts left-turns for outbound movements, and include a physical barrier to be installed west of the existing dumpster enclosure to restrict access to the customers and public. The Plan Commission unanimously recommended approval.

Tom LeCren, 545 Chicago, commented on the access, saying it would seem that trucks would either have to back in, or back out. Mr. Dabareiner said they would back in.

Bill Wrobel, 7800 Queens Court, said that they must do everything possible to encourage easy access to motorists that use 75th Street. There is also a car wash at that location that is struggling because there is only access from 75th Street. They need to encourage these businesses that only have access from one side of 75th Street. He is amazed that Bohemian Gardens has not requested better driveway access from Old Main Street.

Commissioner Durkin asked how far the trucks would need to back up. He thinks a loaded truck would sink our sidewalks. Mr. Dabareiner said that the sidewalk is constructed to carry the weight; however, he will look into this further.

Commissioner Durkin further commented that he has a concern with a commercial vehicle backing up on a busy street, and asked why it is that there is such limited access on Old Main Street. Mr. Dabareiner responded that those conditions were placed on the original PUD.

Commissioner Schnell suggested that this was probably built to limit traffic. There is a residential area to the east of Old Main Street. She wanted to know whether the trucks are backing in or out in any other situations, and what is the norm.

Commissioner Barnett asked what is known about the rest of the traffic including delivery trucks to the restaurant. Mr. Dabareiner responded that this would not change the amount of traffic. Commissioner Barnett said he understands the desire to get trucks out of the parking lot; however, he does not understand the limited access element, and the prohibition of west bound traffic. He would think they'd want to get all of the trucks out of the parking lot. He asked if it would make it easier if they allowed westbound traffic in the back of the building.

Commissioner Rheintgen said the documents state that deliveries are only allowed from the car wash facility. She was wondering if they should allow deliveries to pull into that same area.

Commissioner Neustadt commented that the documents state that beer trucks are too big to get into that access, so they deliver from the street. It also says that they would need a thicker concrete to reinforce the sidewalk. He asked that staff find out what time garbage is picked up. He agrees that backing up garbage trucks is not a good idea. He noted that the documents do address the additional weight of concrete for the sidewalk.

Commissioner Barnett said he thought it would be better if the trucks could drive straight through. He asked if there were two lots that comprise the PUD, and Mr. Dabareiner said that was correct. There is cross-access between the two lots.

Commissioner Neustadt said the north property line is used for parking which could be part of the issue.

Mr. Dabareiner commented they might have to amend the PUD restrictions if further changes are to be considered.

Mr. Baker said that staff could speak further with the petitioner to determine what considerations can be made.

Joseph Wojdyla, 7437 Main Street, said he was the property owner's son. He explained that the garbage truck comes on the property between 6:00-7:00 a.m. It is a front-loading truck that pulls forward and backs out onto Main Street. Depending on the size of the truck, deliveries are accepted in the car wash property due to low-lying power lines that prevent trucks from using the parking lot. Old Main Street is sufficiently wide that it does not prohibit any traffic from using the street while the delivery truck is temporarily parked on the side of the street.

Commissioner Durkin asked about cable height restrictions. Mr. Baker said that staff would look into this.

Indexes: Planned Development #18-Venture

ORD 00-04992

B. Ordinance: Rezone 4634 Roslyn Road from R-1, Single Family Residence, to R-4, Single Family Residence

Sponsors: Community Development and Plan Commission

Mr. Dabareiner explained that the property owner is requesting a rezoning in order to construct an addition to their existing garage. The R-4 zoning district is less restrictive and is the predominant zoning district. He showed the R-1 and R-4 zoning properties in the area. The request is consistent with the Comprehensive Plan and with the surrounding neighborhood. The Plan Commission considered this request and unanimously recommended approval.

Mayor Tully asked if the property was primarily R-1 or R-4, and Mr. Dabareiner replied that the property came into the Village as R-1 and was never rezoned.

Indexes: Rezone 4634 Roslyn - R-1 to R-4

ORD 00-04912 C. Ordinance: Amend Liquor License Classifications

Sponsors: Liquor Commission

Village Attorney Enza Petrarca explained that this ordinance amendment is an attempt to clarify the liquor license classifications and definitions. The Liquor Commission reviewed this and recommended approval.

Indexes: Liquor Ordinance Amendments

9. Mayor's Report

ComEd Reliability Report

Mayor Tully commented that there will be a Town Hall meeting on September 20, 2012, with executives of ComEd. It will be held at the Park District Recreation Center, 4500 Belmont Road, at 7:00 p.m. The Village will release an updated reliability report, and will also reach out to the business community to attend this meeting. The Mayor asked that anyone who experienced an issue last year attend the meeting and comment on the resolution of their issue.

New Business

RES 00-04995 Resolution: Appoint and Reappoint Members to Village Boards and Commissions

Sponsors: Mayor

Summary of Item: Mayor Tully announced the following appointments and reappointments to Village Boards and Commissions:

ENVIRONMENTAL CONCERNS COMMISSION

Appoint Justine Hung to a one-year term expiring August 31, 2013

PLAN COMMISSION

Appoint Gregory Hose as Chair for a two-year term expiring August 31, 2014

Reappoint Philip Matejczyk and Brett Webster to three-year terms expiring August 31, 2015

Appoint Anastasia Urban to a three-year term expiring August 31, 2015

TRANSPORTATION AND PARKING COMMISSION

Appoint Crystal Loehman to a one-year term expiring August 31, 2013

A RESOLUTION APPOINTING AND REAPPOINTING MEMBERS TO VILLAGE BOARDS AND COMMISSIONS

RESOLUTION 2012-64

Mayor Tully recommended appointments to the Village Boards and Commissions of a number of engaged, active and dedicated citizens to serve the community. He has always appreciated the efforts and input of the members of the Boards and Commissions. This resolution reappoints two members to the Plan Commission, and appoints one new member. He expressed appreciation to Alan Jirik who served as Chair of the Plan Commission for many years. In addition, two members are being appointed from North High School and South High School to serve on Commissions as part of the Youth in Government program.

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: Boards and Commissions

10. Manager's Report

Mr. Baker announced that Coffee with the Council will be held on September 15 at McCollum Park.

Mr. Baker also announced a budget workshop to be held on October 6, 2012, at Fire Station 2.

11. Attorney's Report

Village Attorney Enza Petrarca said she was presenting three (3) items to the Council: 1) An ordinance approving a planned development amendment to Planned Development #18 to allow a second driveway access to 980 75th Street; 2) 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 4634 Roslyn Road; and 3) An ordinance amending liquor license classifications.

Future Active Agenda

12. Council Member Reports and New Business

Commissioner Neustadt announced that the Fine Arts Festival will take place on Saturday and Sunday from 10:00 a.m. to 5:00 p.m. Further information can be found at www.downtowndg.org.

Commissioner Waldack announced that on Thursday, September 6 from 7:00-9:00 p.m. the Citizens Advocacy Center will host a moderated forum on the expanding role of money in politics. Further information on this nonpartisan discussion can be obtained at 630-833-4080.

Commissioner Barnett complimented Commissioner Durkin on his purple North tie.

Commissioner Durkin asked about the location at McCollum Park for Coffee with the Council. He said that there will be a ribbon cutting ceremony at McCollum Park on September 19. Mr. Baker said that the location would be made available.

Commissioner Durkin then commented on the Labor of Love 5k. He thanked the Public Works crew for their work on the water main break on Bonnie Brae and Lyman.

The Commissioner also noted that there is an article on Downers Grove on page 84 of this month's West Suburban Living.

Commissioner Schnell said that she received an e-mail from a resident regarding speeding in construction zones. She asked if they could look at doubling the fines in that situation. Village Attorney Petrarca said they could, if the vehicles are on Village streets.

Commissioner Schnell then announced the passing of Marge Mochel on August 21. She noted that the Mochel family name is synonymous with Downers Grove.

6. Mayor Tully noted that Mr. Swimmer complimented the Village and Public Works staff on the safe running path created for the 5k Labor of Love. Mr. Swimmer walked the entire course before the race to assure that there were no problems on the road for the racers.

The Mayor also reminded everyone that on Friday, September 28 the Downers Grove Chamber

of Commerce will hold their annual gala entitled "Diamonds and Denim" at the Doubletree Hotel in Downers Grove. Further information can be found at the Chamber website link, www.downersgrove.org/.

The Mayor then offered condolences on behalf of the Council and staff to Village Manager Dave Fieldman and his family on their loss.

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 7:48 p.m.