



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, May 7, 2013

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.

Mayor Tully welcomed everyone to the meeting, noting that this meeting will include the changing of the guard, with two Commissioners leaving office and two new Commissioners joining the Council. He said there will be an opportunity on the Agenda for comments from the public to express their support and appreciation to the outgoing members, Commissioners Waldack and Schnell.

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 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 Meeting - April 16, 2013

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 May 2013 as "Exercise is Medicine" Month in the Village of Downers Grove. He presented the proclamation to Laura Taylor, Director of Community Health and Laura Tarry, a Level 3 Trainer, both with the Good Samaritan Health and Wellness Center.

Ms. Taylor encouraged everyone to take advantage of physical activity. She invited the audience to come to the Wellness Center for a tour and workout session.

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

Jim Smalley, 246 56th Street, Deercreek Subdivision, said April 18 was one of many flood events with a significant amount of rain and warning. The water caused a great deal of damage. He said he is aware that this area is near the Westmont boundary. This is a matter of when this will happen again. Residents are willing to work with the Village, but will not accept another flooding event.

Mayor Tully said this storm affected the Village and beyond. He thanked all the residents who provided information regarding flooding. The information will be used as the Village goes forward. He said many people were affected by this storm.

Laurel Bowen, 829 Clyde Drive, asked as to the use of the stormwater utility fee. She spoke of the April 18 storm and conditions in a number of areas. She said there were no barriers on Village streets. She asked where the first responders were. She then spoke of the development on Brookbank. With respect to this development, the County put the Village on probation for a year regarding stormwater issues. The developer is filing a lawsuit; Ms. Bowen asked if the utility fee would be used to pay legal fees. She then spoke of other flooding episodes. Ms. Bowen noted that the Mayor sits on the DuPage County Stormwater Committee. That Committee supports HB 1522 which affects DuPage and Peoria counties. She said it is a revenue stream.

Mayor Tully said the April rain event was an exceptional one, affecting the entire area. He referenced the Watershed Improvement Plan and the Clean Air Act. Funds have been used to work through projects related to the Plan and the Act. The new stormwater utility fee will be used for maintenance and construction, and to fulfill the requirements of the Clean Air Act. The stormwater utility dollars replace property tax dollars. He said recent events will help guide priorities and funding.

Bob Mueller, 44 W. 59th Street, Westmont, spoke regarding the Equal Marriage rally held last Saturday. The police video-taped the crowd. He said this is done to intimidate people as there is no history of violence at these events. He said this must end. Council needs to ask questions including why cameras were used and where the tape is. Mr. Mueller said the tape needs to be destroyed.

Jim Elgass, 5333 Grand, asked about permits for repair work as a result of flood damage. He said he understands and appreciates the Municipal Code; however, the cost of the permits is a significant additional expense. He encouraged the Village Council to consider waiving or significantly reducing the fees. He noted that people are repairing, not remodeling their homes.

The Mayor said Council will take this under advisement. The Mayor noted that FEMA representatives were in Downers Grove regarding disaster relief funds in terms of both public

and private assistance. Further information should be available within five weeks.

5. Public Hearings

6. Consent Agenda

COR 00-05210 A. Claim Ordinance: No. 5999, Payroll, April 5, 2013

Sponsors: Accounting

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

Indexes: N/A

BIL 00-05211 B. List of Bills Payable: No. 6044, May 7, 2013

Sponsors: Accounting

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

Indexes: N/A

MOT 00-05212 C. Motion: Award a Contract for \$24,992 to Civiltech Engineering, Inc., Itasca, IL, for a Traffic Study at Maple Avenue and Fairview Avenue

Sponsors: Public Works

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

Indexes: Traffic Study - Maple/Fairview

MOT 00-05220 D. Motion: Note Receipt of Minutes of Boards and Commissions

Summary of Item: Library Board of Trustees - 3/27/13

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

8. Motion to Adjourn Sine Die (Without Date)

Mayor Tully asked for a motion to adjourn sine die.

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

Council Acknowledgment of Service - Commissioner William Waldack

Mayor Tully commented to both Commissioner Schnell and Waldack, saying it is appropriate to celebrate public service and those who choose to serve. The Mayor then made a presentation of gifts to Commissioner William Waldack and read a Proclamation acknowledging Commissioner Waldack's service to the Village of Downers Grove.

Commissioner Neustadt commented that this is a fun night, and the Village will miss

Commissioner Waldack and his service to Downers Grove. He said he appreciated Commissioner Waldack's service and his passion for his constituents. The residents were served well by Commissioner Waldack. Commissioner Neustadt said that he takes to heart the lesson "to listen and hear" what others have to say, whether we agree on issues or not. He said that Commissioner Waldack's viewpoints often led to lively discussions, which made the Village more interesting. He wished him good luck and thanked him for his dedicated service to the community.

Commissioner Rheintgen thanked Commissioner Waldack for his service. He is never afraid to speak his mind, and often offered many unique viewpoints and perspectives. She said that Commissioner Waldack will be missed.

Commissioner Barnett said this is a special night for everyone, and a celebration. The most important thing that he thinks needs to be said is that there is no one who cared more for their community than Commissioner Waldack. There have been challenges and disagreements, to be sure, but no one expressed their care for the community more than Commissioner Waldack. He thanked him for his service.

Commissioner Durkin said Commissioner Waldack will definitely be missed. He has learned a lot, how to look at things differently. They were able to put their differences aside over the years and were able to break bread. Commissioner Durkin said he will miss Commissioner Waldack's dedication, and his willingness to take a risk. He wished Commissioner Waldack the very best.

Commissioner Schnell commented that Commissioner Waldack's legacy is his integrity. He is a man of principle. He was always a voice for his constituency and was adamant that those less fortunate than others had to be recognized. She wished him well.

Mayor Tully said that Commissioner Waldack is passionate, relentless and fearless. He was a champion for issues he felt strongly about. A passionate volunteer outside of the Council, Commissioner Waldack is an exceptional public servant, diligent and persistent. The Mayor said that Commissioner Waldack's fearlessness was evidenced by his refusal to back away from being contrary. He has expressed his concerns about transportation, the underprivileged, senior citizens, etc. The Village is better for his fearlessness. Mayor Tully thanked Judy and the Waldack family for lending Commissioner Waldack to the Village. He is now moving on to advocate for other issues.

Public Comments

Linda Kunze of the Downtown Management Corporation wished Commissioner Waldack the best and thanked him for his service. She presented him with a gift on behalf of the Downtown Management Corporation.

Laura Crawford, President and CEO of the Downers Grove Chamber of Commerce expressed her heartfelt gratitude on behalf of the Chamber for the commitment of Commissioner Waldack to the Village. She presented him with a plaque.

Violet Radwill, 5410 Grand, said she has been going to Springfield, and saw a photograph in the paper of Commissioner Waldack. She came tonight to express her heartfelt thanks to him for his service to the Village, and for the advice he gave to help her when she was in need of assistance. She was in the process of forming a not-for-profit and he assisted her in how to move forward. Ms. Radwill said that Commissioner Waldack is a very good person and public servant. She expressed her full respect for Commissioner Waldack.

Bill Wrobel came to give homage to Commissioner Waldack who became a friend of his as they worked together in community affairs. They do not always agree with each other, but they do have respect for one another. Commissioner Waldack will continue to be a benefit to Downers Grove.

Dr. Gordon Goodman said he has worked well with Commissioner Waldack in the past. He hopes he will keep active in the community, and he thanked the Commissioner for his efforts.

Commissioner Waldack thanked everyone who came to say farewell to him, and to welcome Greg and David to the Council. He appreciates the heartfelt words that have been spoken. The years have been very fulfilling, and the accomplishments attest to the work of the Manager and staff. Commissioner Waldack said that he feels that his accomplishments are actually his to-do list. It's not about the accomplishments in office. It is about doing the right thing. He thanked Commissioner Schnell for her service, and thanked the staff. He noted that Chief Porter has an excellent reputation. The Fire Department, led by Chief Jackson, is doing a terrific job. The Village has the first and fastest responders. Commissioner Waldack thanked Nan Newlon in Public Works for her efforts and that of her department. Tom Dabareiner has brought professionalism to the Planning and Code Services department. He also thanked Dr. Wu and his staff for their work and help, as well as Doug Kozlowski and the Cable staff. He believes that people should attend meetings. He further thanked Judy Buttny, the Clerk's Office, the Legal Department, Deputy Village Manager Baker and Manager Fieldman. Dave Fieldman has a tough job. He also thanked the business community and residents. Finally he thanked his wife of 39 years for supporting him. He said it's been an honor to serve the residents and he has done his best. He hopes the new Council members have the quality of empathy-and put themselves in someone else's shoes.

Commissioner Waldack quoted Aristotle: "The City is a partnership for living well. The City comes into existence out of the bare necessities of life, but continues in existence for the sake of the good life."

Commissioner Waldack wished those present, those watching the meetings and all the residents of Downers Grove a good life.

Council Acknowledgment of Service - Commissioner Marilyn J. Schnell

Mayor Tully the recognized a person whose name is synonymous with public service in Downers Grove, Marilyn Schnell. He then quoted Woodrow Wilson: "There is no higher religion than human service. To work for the common good is the greatest creed."

The Mayor then added that if religion and human service are equal in the eyes of Woodrow Wilson, then Marilyn Schnell is the Pope. He read a Proclamation in her honor. He said that her legacy will be with the Village forever. When he first came to the Council, Commissioner Schnell was a mentor and a guide, and taught him a great deal. He thanked her for everything she has done for this community in giving 32 years of service to the Village of Downers Grove, 25 of which were as a member of the Village Council. He mentioned the numerous committees and projects she participated in throughout her service to the Village. He then presented her with the Proclamation and gifts.

Commissioner Barnett thanked Commissioner Schnell, saying she has given of herself and her time to this community. He referenced his first meeting with Commissioner Schnell and her sincere interest and dedication to her residents.

Commissioner Durkin said it was a pleasure to serve with Commissioner Schnell. He commented on her dedication and ability to listen to everyone with professionalism. He wished her the very best.

Commissioner Neustadt said he was honored to have the opportunity to serve with both Commissioners Schnell and Waldack. Commissioner Schnell was always professional, and she has always given 110%. He thanked her for her service and for allowing him to watch and grow. He also thanked her for making this a place he wanted to live in and raise his family.

Commissioner Rheintgen expressed her appreciation to Commissioner Schnell for her many years of service. She was always respectful and will be missed. She said that Commissioner Schnell is leaving the Village a better place.

Commissioner Waldack told Commissioner Schnell that it has been a pleasure to serve with her. She has always been a great sounding board, and he wished her the very best.

Mayor Tully said that "thank you" doesn't begin to say it. Commissioner Schnell is the epitome of public service, and has touched many organizations locally, regionally and nationally. She has become an icon of this community. Mayor Tully said that Commissioner Schnell has been passionate, deliberate, patient and analytical. She taught him what it means to agree and disagree, engaged in discussions gracefully, and led many changes. No town in the western hemisphere has had as staunch an advocate for informing and educating its residents of the programs and issues taking place within its boundaries. Many people have had the opportunity to work with her. He noted that she has many talents, and has volunteered extensively outside of this organization, including cooking, photography and entertaining. The Mayor thanked Phil and their children as well for sharing Marilyn with the Village. The Village and the Council are better off for knowing Marilyn. He then quoted Margaret Chase Smith: "My creed is that public service must be more than doing a job efficiently and honestly. It must be a complete dedication to the people and to the nation with full recognition that every human being is entitled to courtesy and consideration, that constructive criticism is not only to be expected but sought, that smears are not only to be expected but fought, that honor is to be earned, not bought."

He thanked her for her service, and then showed a video presentation of thanks to Marilyn Schnell.

Public Comments

Stan Urban, 131 39th Street, said he came to say "thank you" to Marilyn. He read the many e-mails he has received regarding Marilyn's service. The State of Illinois declared May 7th as Marilyn Schnell Day in the State of Illinois. Mr. Urban said that this Council is losing the history of this community, and he asked the new Council to make history. He then presented Marilyn Schnell with a lifetime coupon to Everyday's a Sundae for her and her grandchildren.

Linda Kunze extended her thanks to Commissioner Schnell on behalf of the Downtown Management Corporation. She has always encouraged people to express what they wanted to see in the downtown area. She has given her heart and soul to the community. Ms. Kunze presented her with a gift.

Laura Crawford expressed heartfelt gratitude to Commissioner Schnell for her responsible fiscal policies, service leadership and personal approach. She will be sorely missed. She presented a plaque to Marilyn on behalf of the Chamber.

Ken Rathje said that he was at the very first meeting Marilyn Schnell attended at the Plan Commission 32 years ago. He said that there are hundreds of thousands of pages of staff reports, meeting minutes that Marilyn was part of. He said Downers Grove is a far better town because of her.

Chris Fregeau, 1918 Elmore, said that she moved here in 1990. Commissioner Schnell introduced her to the process, and has always been the first to go out to the community and listen to its needs. She said that Commissioner Schnell has always been open and nonjudgmental.

Dr. Gordon Goodman joined everyone in their praise of Commissioner Schnell's accomplishments. She always tried to understand the perspective of the community and the character of the community. She was a strong spokeswoman for the community and he hoped she would continue to be one. He thanked her for her service.

Commissioner Schnell said she took her first oath of office as a Commissioner 25 years ago. Mayor Cheever told her five-year-old son that his Mom would be very busy. Being a Commissioner has been one of the most rewarding jobs she's had. It can be frustrating, but then a resident will come forward and the reason you serve becomes crystal clear. She is honored and humbled by the outpouring of support, and she thanked the residents. Commissioner Schnell said that she loves this town. She expressed thanks to the residents for voting her into office six times. Their trust was never taken for granted. She loved meeting with residents throughout the town. She has memories that will last a lifetime. She thanked Mayor Cheever, and the Mayors and Commissioners with whom she has served. She wished the present Council well with the many challenges they have yet to face. As for the staff, they have been second to none. This town works well, and has had some of the most talented Managers in the country. The Village is a national leader for innovation at every level because the Village employees truly care so much. Commissioner Schnell thanked her family for being there for her throughout all of her years of service. It was difficult having a Mom always in the public eye; however, they learned unusual life skills. She expressed special thanks to Mary Ellen Young, Jan Farrington and Joslyn Kierkegaard for their help to her throughout the years. Giving back to the community is a civic duty and has always been the creed in her household. She thanked her husband, Phillip, for believing in her, for being her rock and her sounding board and friend.

The Mayor asked for a vote on the Motion to Adjourn Sine Die.

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

The Mayor declared the Motion carried and this portion of the meeting adjourned at 8:50 p.m. The Mayor then called for a five-minute break before the swearing-in ceremony of the new Council.

9. Swearing-in Ceremony of Commissioners - Judge Durkin

Mayor Tully introduced Judge Thomas Durkin to conduct the swearing-in ceremony of Commissioners Barnett, Olsen and Hosé. Judge Durkin is a United States District Judge on the United States District Court for the Northern District of Illinois. Judge Durkin graduated with a Bachelor of Science from the University of Illinois at Urbana-Champaign and received his Juris Doctorate from the DePaul College of Law.

Judge Durkin thanked the Mayor for inviting him to conduct this ceremony. He then presided over the swearing in of Commissioners Barnett, Olsen and Hosé.

10. Roll Call

Present: Commissioner Sean P. Durkin, Commissioner Geoff Neustadt, Commissioner Bob Barnett, Commissioner Becky Rheintgen, Commissioner David S. Olsen, Commissioner Greg Hosé, and Mayor Martin Tully

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

Mayor Tully called the meeting to order at 9:04 p.m.

11. First Reading

12. Mayor's Report

RES 00-05219 Resolution: Appoint Members to Village Boards and Commissions
Sponsors: Mayor

Summary of Item: This confirms the following appointments:

MAYOR PRO TEM

Appoint Commissioner Neustadt as Mayor Pro Tem

DEPUTY LIQUOR COMMISSIONER

Appoint Commissioner Neustadt as Deputy Local Liquor Commissioner

PUBLIC SAFETY COMMITTEE

Appoint Commissioner Rheintgen to the Public Safety Committee as Chair

Appoint Commissioner Neustadt to the Public Safety Committee

FINANCE AND ADMINISTRATIVE COMMITTEE

Appoint Commissioner Durkin to the Finance and Administrative Committee as Chair

Appoint Commissioner Olsen to the Finance and Administrative Committee

PUBLIC SERVICES COMMITTEE

Appoint Commissioner Barnett to the Public Services Committee as Chair

Appoint Commissioner Hosé to the Public Services Committee

ECONOMIC DEVELOPMENT CORPORATION

Appoint Commissioner Durkin as Ex-Officio Council Representative to the Economic Development Corporation

DOWNTOWN MANAGEMENT CORPORATION

Appoint Commissioner Barnett as Ex-Officio Council Representative to the Downtown Management Corporation

A RESOLUTION APPOINTMENT MEMBERS TO VILLAGE BOARDS

RESOLUTION 2013-23

The Mayor asked the Village Clerk to read the Resolution.

Commissioner Neustadt moved to adopt "A Resolution Appointing Members to Boards," as presented. Commissioner Durkin seconded the Motion.

VOTE: YEA: Commissioner Neustadt, Durkin, Hosé, Olsen, Rheintgen, Barnett, Mayor Tully

The Mayor declared the motion carried.

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

Indexes: Boards and Commissions

13. Manager's Report**14. Attorney's Report****15. Council Member Reports and New Business**

Commissioner Durkin welcomed his new colleagues. He said they have big shoes to fill and he has faith that the new Commissioners will fill them. He looks forward to working with them.

Commissioner Neustadt welcomed his new colleagues and welcomed back Commissioner Barnett. He urged everyone to keep the lines of communication open.

Commissioner Neustadt announced that Downers Grove's Baked Apple Restaurant was named one of WGN/CLTV's "Chicago's Best." The Commissioner said it is a great addition to Ogden Avenue.

Commissioner Barnett spoke of his re-election and thanked residents for their support. He also thanked his family. He said there are many ways to serve and public service is one way. He spoke of responsibilities as a Council and opportunities to make Downers Grove a better place. He said it is a privilege to be part of this team.

Commissioner Olsen thanked Commissioners Waldack and Schnell for their years of service. He said he is looking forward to their continued contributions. He invited residents to attend Council meetings as well as communicating via email and phone calls. He said he is honored to serve and is looking forward to working with the Council. He aims to serve people and make history. He wants to learn from everyone.

Commissioner José thanked the residents for the trust they have placed in him. He also thanked his wife for her support. He spoke of challenges as opportunities and said he looks forward to them. He is eager to work with the Council and residents.

Commissioner Durkin said Shop & Save Market at 75th & Lemont will have its grand opening on Friday, May 10 at 10:00 a.m.

Mayor Tully congratulated Commissioners Barnett, Olsen and José. He thanked their families for lending them to serve the community. He welcomed Commissioners Olsen and José to the Council. He said the Council is looking forward to their energy and ideas.

The Mayor that the annual "Groovin' in the Grove 5K" run will be held at Midwestern University on Saturday, May 11 at 9:00 a.m. He invited the public to attend.

16. Adjournment with Reception to Follow

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

VOTE: AYE - Commissioners Neustadt, Durkin, José, Olsen, Rheintgen, Barnett; Mayor Tully

The Mayor declared the Motion carried and the meeting adjourned at 9:18 p.m.