



Village of Downers Grove

Meeting Minutes

Downers Grove Village Council

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

Tuesday, August 13, 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.

Pledge of Allegiance to the Flag

Mayor Tully led those present in the Pledge of Allegiance to the Flag.

2. Roll Call

Present: Commissioner Bob Barnett, Commissioner Sean P. Durkin, Commissioner Becky Rheintgen, Commissioner Geoff Neustadt, Commissioner Greg Hosé, Commissioner David S. Olsen 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 - August 6, 2013

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

Commissioner Neustadt 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

Frank Kozar said he is a Deacon at St. Joseph's Church and he is representing various community churches regarding the stormwater utility issue. He said that although a utility has been created for stormwater, this is still seen as a tax. The Village has crossed the boundary between church and State. The Village is the owner of the utility. There is not a utility commission that would regulate the rates and services, and prices could be increased at any time. This fee places a significant financial burden on the faith community. It results in churches having less money to help those that need the services the most. He then addressed credits, noting that this fee does not apply to the Park District. Further, the committee feels that the fee for applying for credits is exorbitant.

Mayor Tully thanked Mr. Kozar for his comments. With respect to the issue of church and State, the stormwater utility is not new; the matter has been reviewed in the courts and the path the Village followed had that in mind. With respect to a potential price increase, there is accountability by the Council. There would be open discussions with an opportunity for the public to speak before any decisions would be made. The Mayor said the Village is required to manage our stormwater at certain standards, but was given no funding to do this. We will not increase the fees if we do not need to. Council appreciates that this is a burden on some people, but the cost is spread out among more people. The program does have a number of credits. Mayor Tully noted that the Park District has partnered with the Village to address a number of stormwater issues to improve the overall public stormwater system. With respect to the impact of the fee on social services, the Mayor said he understands that this causes friction. The application fee for a credit will be reviewed. There may be some adjustments in the future.

William Waldack, 1409 Willard, said it is apparent that the Village Council is more concerned with chickens than with our senior residents.

5. Council Member Reports

Commissioner Olsen reported the good news that four lanes of traffic were open on Belmont Road today.

Commissioner Hosé reported that the Downers Grove Downtown Photo Tour and History quiz is taking place through August 29, 2013. People can find out more by visiting the Downers Grove Historical Society or the website at www.downersgrovehistory.org.

Commissioner Rheintgen said the Grove Foundation's annual golf outing will be held at the Park District Golf Course on September 7, 2013. Information can be found at their website: www.thegrovefoundation.org.

Commissioner Durkin said the Main Street, south of 63rd is one lane during construction. Commissioner Durkin then reported that the 5th Annual Labor of Love 5K race sponsored by the Downers Grove Lions Club will take place on September 2, 2013, at 8:00 a.m. at McCollum Park. More information is available at their website: www.5klaboroflove.org.

Mayor Tully said the race is a CARA certified event and the finish line is steps away from the paramedics at Fire Station 5.

Commissioner Neustadt noted that the Village's website has a "Stay Connected" link where residents can access various publications and sign up for the community wide notification.

Mayor Tully congratulated the Downers Grove Noon Lions Club on their 82nd new teachers' luncheon, saying that it was well attended. He thanked Tony Tumea and the rest of the Noon Lions Club for a successful event. The Mayor then announced that the next Coffee with the

Council will be held on Saturday, August 17, 2013, at Doerhoefer Park at Saratoga and 41st Street.

6. Public Hearings

7. Consent Agenda

BIL 00-05313 A. List of Bills Payable: No. 6064, August 13, 2013
Sponsors: Accounting
A motion was made to Approve this file on the Consent Agenda.

Indexes: N/A

RES 00-05300 B. Resolution: Authorize a Contract and Addendum with Environmental Systems Research Institute, Inc.
Sponsors: Information Services
Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT AND ADDENDUM BETWEEN THE VILLAGE OF DOWNERS GROVE AND ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC.

RESOLUTION 2013-51

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

Indexes: Computers, Computer Licensing

RES 00-05317 C. Resolution: Authorize a Settlement Agreement and Release with David Rosa
Sponsors: Village Attorney
Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF A SETTLEMENT AGREEMENT AND RELEASE BETWEEN THE VILLAGE OF DOWNERS GROVE AND DAVID ROSA

RESOLUTION 2013-52

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

Indexes: Settlement Agreement

MOT 00-05314 D. Motion: Note Receipt of Minutes of Boards and Commissions
Summary of Item: Plan Commission - July 1, 2013
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 Neustadt, seconded by Commissioner Durkin, that the consent agenda be passed. The motion carried by the following vote:

Votes: Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully

8. Active Agenda

ORD 00-05308 A. Ordinance: Proposing the Establishment of Special Service Area Number 6

Sponsors: Community Development

Summary of Item: This proposes the establishment of SSA #6 for the Fairview Fire Protection District.

AN ORDINANCE PROPOSING THE ESTABLISHMENT OF SPECIAL SERVICE AREA NUMBER 6 IN THE VILLAGE OF DOWNERS GROVE, ILLINOIS AND PROVIDING FOR A PUBLIC HEARING AND OTHER PROCEDURES IN CONNECTION THEREWITH

ORDINANCE NO. 5325

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

Votes: Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully

Indexes: Special Service Area 6 - Fairview Fire Protection District

MOT 00-05235 B. Motion: Accept Update to Bicycle & Pedestrian Plan

Sponsors: Public Works

Summary of Item: This accepts the updates to the Downers Grove Bicycle and Pedestrian Plan dated March 2013, prepared by Sam Schwartz Engineering.

Commissioner Olsen said that, while this is not a perfect plan, it is a strong vision. He recognized the efforts of staff and residents in developing this plan. He said he has some concerns about removing car lanes on 55th Street, Main Street and Fairview Avenue. He does not want to inconvenience any one transportation group. He thinks that overall this is an excellent plan. He thanked staff for the changes that were made since last week's discussion. He plans to support this and will vote to accept the plan. It is a good policy and planning document.

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

Votes: Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully

Indexes: Bikeway Plan

RES 00-05301 C. Resolution: Approve Final Plat of Subdivision with Exceptions for 4101 Lindley Street and 913 40th Street

Sponsors: Plan Commission and Community Development

Summary of Item: This approves the final plat of subdivision for the Maughan Resubdivision located at 4101 Lindley Street and 913 40th Street.

A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION WITH EXCEPTIONS FOR 4101 LINDLEY STREET AND 913 40TH STREET

RESOLUTION 2013-53

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

Votes: Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully

Indexes: Subdivision, Subdivision - Maughan Resubdivision (40th & Lindley)

ORD 00-05299 D. Ordinance: Rezone Property Located at 2525 Indianapolis Avenue from R-1. Single Family Residence, to R-4, Single Family Residence

Sponsors: Community Development

Summary of Item: This rezones the property located at 2525 Indianapolis Avenue from R-1, "Single-Family Residence" district to R-4, "Single-Family Residence" 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 THE PROPERTY LOCATED AT 2525 INDIANAPOLIS AVENUE

ORDINANCE NO. 5326

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

Votes: Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully

Indexes: Rezone 2525 Indianapolis - R-1 to R-4

ORD 00-05303 E. Ordinance: Designate a Crosswalk at Brook Drive

Sponsors: Parking & Traffic Commission and Public Works

Summary of Item: This designates a crosswalk at Brook Drive.

AN ORDINANCE DESIGNATING A CROSS WALK AT BROOK DRIVE

ORDINANCE NO. 5327

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

Votes: Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully

Indexes: Crosswalks

ORD 00-05304 F. Ordinance: Establish a Fifteen Minute Parking Zone on Burlington Avenue

Sponsors: Transportation and Parking Commission and Public Works

Summary of Item: This establishes a fifteen minute parking zone on Burlington Avenue.

AN ORDINANCE ESTABLISHING A FIFTEEN MINUTE PARKING ZONE ON BURLINGTON AVENUE

ORDINANCE NO. 5328

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

Votes: Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully

Indexes: Parking Zones

ORD 00-05305 G. Ordinance: Restrict Turns on Warrenville Road

Sponsors: Transportation and Parking Commission and Public Works

Summary of Item: This restricts certain turns on Warrenville Road.

AN ORDINANCE RESTRICTING TURNS ON WARRENVILLE ROAD

ORDINANCE NO. 5329

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

Votes: Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully

Indexes: Turning Restrictions

9. First Reading

ORD 00-05315 A. Ordinance: Amend Stormwater and Flood Plain Provisions

Sponsors: Public Works

Village Manager Dave Fieldman said this amends sections of the stormwater and flood plain ordinance, Chapter 26 of the Municipal Code. He asked Nan Newlon, Director, Public Works, to address this matter.

Nan Newlon, Director, Public Works, said this is a minor revision to the Countywide Stormwater and Flood Plain Ordinance. In 2012, DuPage County adopted a major update and rewrite of the ordinance. The Village subsequently approved that ordinance on May 8, 2012. The Village is a full waiver community and enforces this ordinance throughout the Village to address local stormwater management, drainage and water quality issues. The Village's Stormwater Administrator, Karen Daulton Lange, is chair of the municipal engineers group which has been working, since the ordinance's rewrite, with the County on technical issues and language to clarify the ordinance. These are text amendments that provide more flexibility to make for better projects.

In addition to the Countywide text amendments, staff is recommending clarifying language to two sections of the ordinance that specify submittal requirements to better provide information to developers and their engineers. It also includes language that addresses the building protection requirements for properties in the localized poor drainage area (LPDA).

Commissioner Neustadt asked for more information about Ms. Dalton Lange's involvement in review of the Countywide ordinance.

Ms. Newlon said any community who chooses to do so can have a representative on the group. It is typically the stormwater engineer. It is a way to keep the County in touch with all of the communities who work with the ordinance.

The Mayor noted that these changes were called for by the municipalities.

Indexes: Stormwater and Flood Plain Ordinance

ORD 00-05316 B. Ordinance: Repeal the Ogden Avenue Site Improvement Strategy Program (OASIS)

Sponsors: Community Development

Mr. Fieldman said this represents an evolution to committing to further redevelopment and investing in Ogden Avenue. He said Michael Cassa, President, Economic Development Corporation (EDC), would address this matter.

Michael Cassa, President, EDC, spoke to the importance of Ogden Avenue to the EDC. The

EDC Executive Committee meeting held in August 2012, was devoted to the subject of Ogden Avenue. During that discussion, the EDC Executive Committee unanimously recommended that the Village use the Ogden Avenue TIF funds primarily for redevelopment opportunities. In 2013, the Council considered potential changes to the OASIS program to consider using the funds for redevelopment opportunities.

In the past year EDC has been contacting property owners on Ogden Avenue whose properties have redevelopment potential and trying to identify appropriate tenants. Additionally, the EDC has been looking for opportunities for unified development, making for larger sites. They have also identified changes to the properties at signalized intersections.

Mr. Cassa said that regardless of the changes to the OASIS program, Ogden Avenue remains a very important priority to the EDC. A great number of the inquiries that come to the EDC concern Ogden Avenue. The EDC has been heavily promoting that there are TIF funds available for redevelopment. Mr. Cassa said the best way to make Ogden Avenue more attractive as well as more prosperous is through the use of redevelopment.

The Manager said the OASIS program has been very successful, leveraging over \$1.3 million in private investment with matching grants of \$500,000. Proposals could still be funded, but through a redevelopment agreement instead of the OASIS program.

Commissioner Rheintgen asked if existing businesses would be eligible for funding if they wanted to change their appearance.

Mr. Fieldman said they would be.

Commissioner Durkin asked if the EDC reached out to the businesses that were instrumental in the development of the OASIS program regarding its repeal.

Mr. Cassa said they did not. He is speaking on behalf of the EDC.

Commissioner Durkin said it is important to let them know we are revising this. He asked that they be contacted since so much effort and time went into establishing this.

Mr. Fieldman noted that this program has served the Village well and has funded 17 projects. This ordinance is a return to the strategy first used with the TIF. It reflects a return to big projects that spark reinvestment around them, such as public infrastructure and redevelopment projects.

Commissioner Durkin responded that he would appreciate staff reaching out to the OASIS group and keeping communication open. He had the opportunity to drive along Ogden Avenue yesterday from the city. The Village's challenges along Ogden Avenue are no different than those of communities to the east.

Commissioner Neustadt said that the OASIS program has served the Village well, and this change may open the door to other opportunities. The Commissioner asked for an update and an identification of opportunities along Ogden Avenue. Some of the grants awarded were not actually used. He looks forward to further improvement taking place along Ogden Avenue.

Commissioner Barnett stated that he supports this ordinance. OASIS was well intended; however, there was not enough public improvement versus private improvement from his perspective. He emphasized that the community is still interested in spurring development along Ogden Avenue.

Mayor Tully noted that OASIS was innovative at the time. A number of business owners contributed to the program, and they should be invited to the conversation. OASIS has evolved

to a larger, more comprehensive program, and the Village should encourage projects. This takes a restriction off of the EDC and will be part of a broader mix of opportunities along Ogden Avenue. He referenced the language of the ordinance and asked that it be reviewed. The Village has the guidance and experience of the OASIS program and he hopes they can point to earlier projects as people/businesses ask for guidance and information. There are opportunities today that were not available four or five years ago.

Mr. Fieldman said that staff will reach out to those who helped create the program.

Commissioner Durkin asked whether this type of program exists in the downtown area. Mr. Fieldman responded that it does. Redevelopment agreements are available in both TIF districts.

Indexes: Ogden Avenue TIF

10. Mayor's Report

Materials to be Placed on File

11. Manager's Report

Mr. Fieldman said the draft Long Range Planning report has been published. Council will meet following the regular meeting on Tuesday, August 20, 2013, to discuss it. He encouraged residents to attend the meeting and to participate in the discussions.

12. Attorney's Report

Village Attorney Enza Petrarca said she was presenting two (2) items to the Council: 1) An ordinance amending stormwater and flood plain provisions; and 2) An ordinance repealing the Ogden Avenue Site Improvement Strategy Program (OASIS).

The Mayor asked the Council if they wanted the ordinance repealing the OASIS program on next week's agenda. There is no urgency and he wants to be sure all issues are considered.

The Manager said it does not have to be on next week's agenda even though the Village Attorney reported it out. Staff will reach out to businesses.

Commissioner Barnett said it can be placed on the agenda and tabled, if necessary.

Future Active Agenda

13. Council Member New Business

14. Adjournment

Mayor Tully asked for a Motion to adjourn.

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

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

Mayor Tully declared the motion carried and the meeting adjourned at 7:58 p.m.