



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, October 1, 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

Executive Session Minutes for Approval Only - July 9, 2013, August 6, 2013, and September 3, 2013

Council Meeting - September 17, 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.

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

The Mayor declared the Motion carried.

Proclamations

Mayor Tully proclaimed the month of October as Down Syndrome Awareness Month in the Village of Downers Grove. He presented a copy of the Proclamation to representatives of local families. Peggy Delaney spoke on behalf of the families present with children with Down Syndrome, and she thanked the Mayor for the Proclamation.

The Mayor then proclaimed the month of October as American Pharmacist Month in the Village of Downers Grove. Representatives of Midwestern University's College of Pharmacy accepted the Proclamation from the Mayor. Anna Blenick, representing the University, thanked the Village for its recognition. She explained the importance of pharmacy, and announced that on Saturday, there will be a health fair held at the Downers Grove Recreation Center on Belmont Avenue. She encouraged everyone to know their pharmacist, saying, "when you know your pharmacist, you know your medicine."

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

5. Council Member Reports

Commissioner Barnett announced Girls Night Out in downtown Downers Grove on October 3, 2013, from 5:00 p.m. to 9:00 p.m. The Downtown Management Corporation works hard to create a diverse retail, shopping and service business environment which increases activity in the downtown area.

Commissioner Olsen spoke of the shutdown of the federal government and pension issues in Illinois. He's heard from residents who are deeply skeptical of government at all levels, and its ability to effectively and efficiently deliver services to the people government serves. He said, however, that our Village government is different. The elected officials and staff have been working to provide residents with the exceptional municipal services they have come to expect while maintaining our responsibility to manage tax dollars efficiently. We should be very proud. The Village has earned a AAA credit rating from Standard & Poor's due to our prudent budget management, strong liquidity, and moderate debt position. Operating expenditures today are less than in 2007. The Village of Downers Grove continues to provide exceptional services to residents, businesses and all stakeholders. The Village Council and staff are always seeking ways to be more efficient and more effective in delivering services, and more efficient in budgeting and cost management. Despite differences among Council members, each Council member is committed to working together with the staff, with one another, and with the residents to ensure the Village of Downers Grove continues to serve our residents. Commissioner Olsen said he wanted to emphasize these points especially today as everyone has seen the government shutdown.

Commissioner Rheintgen announced the Lester School Fun Run on Sunday October 6. She noted that the Mayor will run in this race.

Commissioner Durkin said he was pleasantly surprised and appreciated the proclamation for Down Syndrome Awareness Month.

Commissioner Neustadt said the AAA bond rating is a huge honor for Downers Grove. It is a direct reflection of hard work by the Council and staff.

Commissioner Neustadt announced that October 6-12, 2013, is Fire Prevention Week. Fire Station 5, 6701 Main Street, will host "Night at the Firehouse" on October 9, 2013, from 6:30 p.m. to 8:30 p.m. The 19th annual Silent Parade will take place on October 11, 2013, and will

pass through Downers Grove at Main and Maple at approximately 7:15 p.m.

Commissioner Neustadt said he met with municipal colleagues last week in an effort to talk about municipal partnerships and sharing.

Mayor Tully agreed with his fellow Commissioners that the increase in the Village's bond rating from Standard & Poor's (S&P) to AAA is very significant. He said this is the highest rating issued by the agency. There are only 23 municipalities in the State that have this rating. The Mayor said this rating is directly attributable to the Village's efforts to be a steward of financial sustainability. S&P noted the Village's long range planning efforts and exceptional management practices. It allows the Village to refinance bonds at a lower cost as evidenced by a recent refinancing that saved the Village over \$478,000. This is significantly more savings than expected and is due to the AAA bond rating and high demand in the marketplace for the bonds.

Mayor Tully said the first meeting of the FY 14 budget will be held on Saturday, October 5, 2013, at 7:30 a.m. at Fire Station 2, 5420 Main Street. The public is invited to attend and to participate. There will be multiple opportunities to comment.

The Mayor then said that the DuPage Stormwater Management Planning Committee met this morning. He said a representative of SCARCE (School and Community Assistance for Recycling and Composting Education) was in attendance to encourage people to recycle cooking oil into biofuel.

6. Public Hearings

Midwestern University TEFRA Bond Hearing

Mayor Tully called the public hearing to order at 7:20 p.m. to consider issuance by the Industrial Development Authority of the City of Glendale, Arizona of its Industrial Development Authority of the City of Glendale, Arizona Revenue Bonds, Midwestern University, in one or more series and in an aggregate principal amount not to exceed \$95,000,000 with respect to facilities of the University located in the Village of Downers Grove. Notice of this hearing was published in the Downers Grove Reporter on September 11, 2013.

He summarized the procedures to be followed for the public hearing.

Chris Walrath, bond counsel for Midwestern University, stated that Midwestern has a campus here and in Glendale, Arizona. He said he was before the Council in 2011 under similar circumstances. Glendale has the power to issue bonds to both campuses. The Public Hearing has to be held in Downers Grove due to federal tax laws which require that the hearing be held in the city where the funds will be spent. The bond issue is to refinance the bonds issued in 2008 and 2011, and increase new financing in the amount of \$30 million. Funds will be used for the clinical campus, the auditorium and for work in Glendale. There is no liability to the Village in this instance. These bonds are not an obligation of the Village and the Village's name will not appear on the bonds.

There being no further comments from the Council or the general public, Mayor Tully adjourned the public hearing at 7:25 p.m.

7. Consent Agenda

Mayor Tully noted that with respect to item F, Minutes of Boards and Commissions, the minutes of the Library Board meeting of September 4, 2013, have been withdrawn from the Consent Agenda.

COR 00-05344

A. Claim Ordinance: No. 6021, Payroll, September 6, 2013

Sponsors: Accounting

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

Indexes: N/A

BIL 00-05345 B. List of Bills Payable: No. 6074, October 1, 2013

Sponsors: Accounting

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

Indexes: N/A

BID 00-05346 C. Bid: Award \$118,000.00 to Heneghan Wrecking Company, Inc., Chicago, IL, for Sterling Road and Lee Avenue Residential Demolition Project

Sponsors: Public Works

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

Indexes: Demolition of Properties

BID 00-05347 D. Bid: Award a Contract for \$37,628.50 to Homer Environmental, LLC, Lockport, IL, for Hickory Court Drainage Improvement Project

Sponsors: Public Works

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

Indexes: Drainage Improvements

RES 00-05348 E. Resolution: Authorize Sixth Amendment to Grant Agreement for Eminent Domain Services for the Downers Grove Grade Separation Project Contract No. K00419

Sponsors: Village Attorney

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF A SIXTH AMENDMENT TO GRANT AGREEMENT FOR EMINENT DOMAIN SERVICES FOR THE DOWNERS GROVE GRADE SEPARATION PROJECT CONTRACT NO. K00419

RESOLUTION 2013-58

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

Indexes: Metra, Belmont Road Grade Separation Project, Belmont Road Underpass

MOT 00-05349 F. Motion: Note Receipt of Minutes of Boards and Commissions

Summary of Item: Library Board - August 28, 2013

Stormwater and Flood Plain Oversight Committee - August 15, 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 00-05341** A. Ordinance: Restrict Parking on Carpenter Street
Sponsors: Public Works and Transportation and Parking Commission
Summary of Item: This restricts parking on Carpenter Street on the west side from Grove Street to Ross Court.

AN ORDINANCE RESTRICTING PARKING ON CARPENTER STREET

ORDINANCE NO. 5335

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: No Park - Carpenter, Grove to Ross

- ORD 00-05342** B. Ordinance: Restrict Parking on Saratoga Avenue
Sponsors: Public Works and Transportation and Parking Commission
Summary of Item: This restricts parking on Saratoga Avenue on the east side, from Palmer Street to the north end.

AN ORDINANCE RESTRICTING PARKING ON SARATOGA AVENUE

ORDINANCE NO. 5336

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: No Park - Saratoga - North of Palmer

9. First Reading

Village Manager Dave Fieldman, said all of the First Reading items concern the McDonald's Restaurant at 225 Ogden Avenue. He asked Tom Dabareiner, Director, Community Development, to discuss these items.

- ORD 00-05352** B. Ordinance: Rezone a Portion of Property Located at 225 Ogden Avenue from R-4, Single Family Residence, to B-3, General Services and Highway Business

Sponsors: Community Development and Plan Commission

Tom Dabareiner, Director, Community Development, showed the location of the subject property, McDonald's at 225 Ogden Avenue. He noted that a request has been made to rezone portions of the lot to B-3 General Services and Highway Business. There is also a request to vacate a certain portion of Village right-of-way, authorize a side-by-side drive through, and authorize a final plat of subdivision. Mr. Dabareiner displayed the location with an aerial photo of the site. The property dates back to 1972 with little historical information about the site. The Plan Commission reviewed the standards regarding the rezoning and found that the request met the standards. As to the right-of-way standards, they were reviewed as well. McDonald's will pay for the vacation, and will provide an easement for utilities. Mr. Dabareiner then reviewed the lot consolidation, stating that there are four lots to be consolidated, under Sections 28-20.1103 and 1104 and 20.301 of the Municipal Code.

Mr. Dabareiner displayed the site plan for the drive through. The Plan Commission again found that all standards were met under Section 28.609 of the Municipal Code. The two ordering lanes will merge into the pick-up lane and will slightly reduce the amount of the property's impervious surface area through additional landscape. He noted that this is also consistent with the Village's Comprehensive Plan. Mr. Dabareiner said the Plan Commission considered the requests on September 9, 2013, and they recommended approval. Staff concurs with that recommendation.

Commissioner Rheintgen commented that the inconvenient parking spaces in the immediate vicinity of the drive-through will be eliminated, which is an improvement. Mr. Dabareiner agreed.

Commissioner Neustadt asked about speaker volume and whether the devices work well. Mr. Dabareiner said that it is a common requirement for a few years in Village drive-throughs. There have been no complaints.

Mayor Tully noted that this is an easy request, as the Special Use already exists.

Indexes: Rezone 225 Ogden - R-4 to B-3

ORD 00-05353 C. Ordinance: Vacate a Certain Portion of a Public Alley Right-of-Way Located at 225 Ogden Avenue

Sponsors: Community Development and Plan Commission

Indexes: Vacation - Alley

ORD 00-05354 D. Ordinance: Authorize a Special Use for 225 Ogden Avenue to Permit a Side-by-Side Drive-Through

Sponsors: Community Development and Plan Commission

Indexes: Special Use - 225 Ogden Avenue

RES 00-05355 E. Resolution: Authorize a Final Plat of Subdivision for 225 Ogden Avenue

Sponsors: Community Development and Plan Commission

Indexes: Subdivision - 225 Ogden

10. Mayor's Report

Mayor Tully reported that the Chilypics sponsored by the Park District was a terrific event. He congratulated the Park District and the participants.

Materials to be Placed on File

11. Manager's Report

12. Attorney's Report

Village Attorney Enza Petrarca said she was presenting four (4) items to the Council: 1) 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 a portion of property located at 225 Ogden Avenue; 2) An ordinance vacating a certain portion of a public alley right-of-way in the Village of Downers Grove (A portion of a public alley located at 225 Ogden); 3) An ordinance authorizing a special use for 225 Ogden Avenue to permit a side by side drive-through; and 4) A resolution approving the final plat of subdivision for 225 Ogden Avenue.

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, José, Olsen, Rheintgen, Barnett; Mayor Tully

Mayor Tully declared the motion carried and the meeting adjourned at 7:45 p.m.