



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, February 18, 2014

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

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 - February 11, 2014

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

There were no public comments.

5. Council Member Reports

Commissioner Neustadt thanked the third grade teachers at Fairmount School, Mrs. Swallows and Mrs. Pope, for inviting him to attend their civics class. He spoke about Downers Grove Village government and answered questions.

Mayor Tully thanked Pierce Downer Elementary School for the invitation to participate in opening the School's time capsule from 1994. He, Commissioner Neustadt and the Village Manager attended the event. The contents were displayed by Mr. Sisul, the principal of the school. It was a good educational experience for the students.

Commissioner Durkin said he saw information about this on Facebook. He asked about the contents of the time capsule. The Mayor said it included handprints of the students, favorite sport stars and movies, essays written by the children, and VHS tapes. There was discussion of the history of Pierce Downer School and Downers Grove.

6. Public Hearings

7. Consent Agenda

Village Manager Dave Fieldman said Item E, BID 00-05486, authorizing \$204,661.78 for the purchase of seven (7) replacement vehicles has been removed from the Consent Agenda for separate consideration.

COR 00-05481 A. Claim Ordinance: No. 6041, Payroll, January 31, 2014

Sponsors: Accounting

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

Indexes: N/A

BIL 00-05485 B. List of Bills Payable: No. 6102, February 18, 2014

Sponsors: Accounting

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

Indexes: N/A

MOT 00-05483 C. Motion: Award \$77,922 to Stryker Corporation for Purchase of Three Power Load Lifting Systems

Sponsors: Fire Department

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

Indexes: Fire Equipment, Miscellaneous

RES 00-05484 D. Resolution: Authorize Addendum A to Extended Warranty Contract with Zoll Medical Corporation

Sponsors: Fire Department

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF ADDENDUM A TO EXTENDED WARRANTY CONTRACT BETWEEN ZOLL MEDICAL CORPORATION AND THE VILLAGE OF DOWNERS GROVE

RESOLUTION 2014-08

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

Indexes: Fire Department - Cardiac Monitors

MOT 00-05487 F. Note Receipt of Minutes of Boards and Commissions
Summary of Item: Transportaton and Parking Commission - December 11, 2013

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 Neustadt, seconded by Commissioner Durkin, that the consent agenda be passed. The motion carried by the following vote:

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

8. Active Agenda

BID 00-05486 E. Bid: Authorize \$204,661.78 for the Purchase of Seven (7) Replacement Vehicles

Sponsors: Public Works

This item was tabled until the next Council meeting, March 4, 2014.

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

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

Indexes: Vehicle Purchases

9. First Reading

ORD 00-05468 A. Ordinance: Amend Chapter 14 of the Downers Grove Municipal Code to Establish Reverse Commuter Parking and Amend Parking Lot Provisions

Sponsors: Public Works

The Manager said this is a request to amend Chapter 14 of the Municipal Code. He asked Allison Deitch, Performance Manager, to address this item.

Allison Deitch, Performance Manager, said there are two significant issues with respect to this matter. Staff recommends creating a reverse commuter parking permit for parking users that use Metra to arrive at the Main Street station from Chicago. This would become effective the third quarter, 2014 and would be valid on the second floor of the parking deck. The peak usage will be overnight, permits would be valid from 3:00 p.m. to 9:00 a.m., it would be priced at the same price as non-resident commuter permits, and would be initially limited to 20 permits.

The second matter concerns one-day permits. Currently, the sale of one-day permits begins at

8:15 a.m. Staff is concerned that the permits are used in small lots such as Lot B, which displaces permit holders. Also staff has observed that buyers of one-day permits are rushing to catch the 8:17 a.m. express train, which is a safety concern. Staff proposes removing the time restriction to allow the Manager to determine the appropriate time at which to sell the permits.

Ms. Deitch said the proposed ordinance also includes some housekeeping items clarifying rate classes, removing provisions for cash keys, and clarifying language regarding Lot L.

Commissioner José asked if staff has an expected number of reverse parking permits that will be sold. Ms. Deitch said we know of 13 reverse commuters at this time.

Commissioner Durkin asked about the fee being based on non-resident rates. Ms. Deitch said staff anticipates the users are from outside Downers Grove. The Manager said if the users are residents, they are probably in Lot R.

Indexes: Parking Permits

ORD 00-05453

B. Ordinance: Amend the Zoning Ordinance, Chapter 28, of the Downers Grove Municipal Code

The Manager asked Tom Dabareiner, Director, Community Development, to discuss the proposed Zoning Ordinance.

Tom Dabareiner, Director, Community Development, reviewed the presentations to date. On January 14, staff presented information on administration and process. On January 21, the discussion was on districts and uses. This presentation concerns regulations and nonconformities and will entail Articles 7, 8, 10, 11, 14 and 15.

With respect to Article 7, Parking, the proposed ordinance contemplates a new maximum parking ratio, a few reduced ratios, and shared parking. These concepts come out of best practices. Reduced ratios will result in reducing development costs, affecting runoff impacts, and providing for more landscaping. This is in response to the Comprehensive Plan, which calls for preventing excess unused pavement parking in the community. He referenced a book, "Parking Generation" which provides studies on different uses, parking uses, etc. Shared parking is recognized nationwide and could be used in a shopping center with several businesses. Additionally, the proposed ordinance addresses motorcycles, car-share and fleet services, bicycle parking, and enhanced on-site to off-pedestrian connections. The Comprehensive Plan discusses alternative modes of transportation. Additionally, this modernizes the ordinance, reduces pavement and addresses sustainability. Mr. Dabareiner said the explicit purpose of these changes is to ensure provision of off-street parking responsive to land uses and to allow for safe and convenient options, while avoiding too much pavement.

Commissioner Rheintgen referenced the requirement of five parking spaces per acre for parks. She noted that some parks are very small and asked if they would have to meet this requirement.

Mr. Dabareiner said staff would work with the land owner. He said it depends on the nature of the park. The parking ratios are a starting point for discussions.

Commissioner Rheintgen then asked about the requirement of new businesses to provide bike racks. She would like to see this be optional as new businesses have many start-up expenses.

Commissioner Olsen raised a similar concern regarding bike parking. He would like to encourage the use of bicycles, but it is important to be mindful of the pressures on a new

business.

Mayor Tully said he would like to look at this as he thinks this can be accomplished without undue burden on the businesses.

Mr. Dabareiner then turned to Article 8 - Landscaping and Screening.

The proposed ordinance calls for an enhanced landscape buffer on nonresidential parcels that face residential parcels. It is further proposed that parking lot landscaped islands be 25% larger than is currently required. These requirements are in line with the Comprehensive Plan, they mitigate impacts, enhance appearance, and provide for better trees and shade.

Article 8 also clarifies when and where screening is required and provides for increased installation size for trees and shrubs as discussed in the Comprehensive Plan. Larger trees and shrubs will be hardier, will improve the appearance of the area and will provide better headlight blocking. Mr. Dabareiner said there is flexibility in this chapter, and a new ten-point purpose statement will help guide decision-making on landscaping and screening proposals.

Article 10 - General Development Regulations

Mr. Dabareiner said lighting regulations have been simplified, in line with best practices, making them easier to understand and to enforce. The impact assessment for noise, smoke and other impacts has been simplified in line with the Comprehensive Plan and best practices. Mr. Dabareiner said one of the tools that can be used is a Ringelmann chart. Anything at 20% or above on the chart would not be allowed. It will be much easier to enforce than the current systems.

Commissioner Rheintgen asked about lights and the hours of illumination. Specifically she asked if this refers to the lights on the outer edge of the parcel or all of the lights in the parking lot.

Mr. Dabareiner said businesses are allowed security lights. They would be looking at the lights glaring off the property. In most situations, this would be all of the lights. Mr. Dabareiner said security lighting is lower level lighting, but is determined on a case-by-case basis. The goal is to make the interface between conflicting uses more tolerable.

Article 11 - Nonconformities

Mr. Dabareiner said this is a complex topic with many legal subtleties. He explained that nonconformities are commonly thought of as "grandfathered in." That is not exactly right. Nonconformities are buildings or uses no longer allowed as new in the location or size that they now exist. Nonconformities are the inevitable consequence of updates or amending almost any ordinance.

Mr. Dabareiner said that when the Zoning Ordinance was adopted in 1965 Downers Grove was a "green field" community versus a "built-out" community in 2014. As a "green field" community trying to develop, you do not want old buildings to survive. This is true of communities across the country. The intent was to make room for new buildings and the rules were made to encourage demolition and use changes. The unintended consequence of this is a reinforced lack of maintenance and the relocation of successful businesses. The intent of the proposed ordinance is to provide more opportunity and to emphasize local value, re-investment, and sustainability. It is to distinguish an illegal business or structure from one that is legal and nonconforming. It is to place reasonable limits on uses or structures no longer suitable for their district. The intent of nonconformities today recognizes the interests

of landowners in continuing lawfully established uses, and it promotes re-investment in existing structures and encourages their maintenance. Examples of nonconformities are rooted in the Comprehensive Plan. The goals are to provide standards to allow for the expansion of nonconforming uses where no external change or impact is apparent. It also provides standards for the reasonable expansion of structures along existing nonconforming building lines which reduces ZBA cases, and makes it easier to rebuild on existing footprints in the case of disasters such as fires or tornadoes.

Article 14 -- Measurements

Mr. Dabareiner said this deals with measurements, and contains a few key changes. The proposed ordinance addresses contextual setbacks on infill sites in line with the Comprehensive Plan. It also clarifies setbacks/encroachments for generators, solar, geothermal, and other equipment. The Comprehensive Plan, staff clarification and modernization are the reasons for these proposed changes.

Commissioner Rheintgen asked as to the proposed change regarding building coverage as it relates to a lot width of 60 feet or less. Mr. Dabareiner said staff will provide information regarding the change.

Article 15 - Definitions

Mr. Dabareiner explained that definitions have been placed at the back of the document instead of the front. Further, this section reflects comprehensive editing, clean-up and revisions. In some cases, the definitions have been made either broader or narrower, based on experience over the years.

The proposed Zoning Ordinance will be placed on the March 4 agenda as a First Reading item.

Mayor Tully commented that he liked the hypertext links in the definitions section. He thanked Mr. Dabareiner for his presentation.

Indexes: Zoning Ordinance

10. Mayor's Report

Materials to be Placed on File

11. Manager's Report

12. Attorney's Report

Village Attorney Enza Petrarca said she was presenting one item to the Council: An ordinance amending Chapter 14 of the Downers Grove Municipal Code to establish reverse commuter parking and amending parking lot provisions.

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.

Mayor Tully declared the motion carried by voice vote, and the meeting adjourned at 7:47 p.m.