

**Staff Responses to Council Questions**  
**April 15, 2014**

**7. CONSENT AGENDA**

**K. Resolution: Authorize an Agreement with the Indian Boundary YMCA to Jointly Conduct the 2014/2015/2016 Downtown Downers Grove Market**

*Does the YMCA support this agreement?*

Yes, Village staff has been working with the YMCA and its Downtown Market Committee and they support this new arrangement and the agreement with the Village.

*What tasks will the Village be performing under the new agreement?*

Under the new arrangement, the Village will only provide equipment to the YMCA, which YMCA volunteers will set up and take down before and after every event located in Parking Lot B. In addition, the Village will provide all necessary support (street closure, electrical set-up, signage placement) for the June 21 event which will be relocated to Main Street during the Rotary Grovesfest.

*How much will the YMCA pay for services?*

The YMCA's estimated costs for 2014 are \$5,750. This includes up to \$3,000 for the first of two installments of the electrical service installation cost share and \$1,000 for unforeseen Village expenses, which will only be charged if the expenses are actually incurred.

*When will the payments for the new electrical service be made?*

The YCMA will be billed for costs associated with the 2014 Market after the market is over. This will include the first of two installments of the electrical service costs that the YMCA has agreed to pay. The second installment will be made at the end of the 2015 Market season.

*How much did they pay last year?*

Per the agreement, the YMCA paid \$7,740 in 2013.

**Q. Resolution: Authorize an Extension to the Agreement with Western Gradall Corporation**

*On what streets will the ditching maintenance take place?*

The list of streets is attached.

**9. FIRST READING**

**A. Ordinance: Amend Chapter 5 of the Municipal Code regarding Animal and Hen Regulations**

*How did staff arrive at the 7 foot setback requirement?*

The seven-foot minimum setback is based on the existing requirement for swimming pools. Rather than establishing another new minimum setback value to learn or a moving scale dependent on property width,

staff recommends using an existing and consistent setback number to help code enforcement officers with their assessment of minimum compliance.

*What consent signatures would be required for properties adjacent to multi-family houses?*

Signatures from all owners of record and all adult tenants would be required.

*Should the word "enclosure" be changed to "animal enclosure" to keep it separate and distinct from "enclosure" as found elsewhere in Village Code or can language such as "for the purpose of this Chapter" be included?*

Section 5.101 includes the language "for purposes of this Section."

*The definition for wild animal in Section 5.101 is "Any naturally wild animals native to the State, including but not limited to ferral cats, ferral dogs, raccoons, skunk, opossum or coyote. Can the language "...native to the State..." be omitted?*

This change will be made.

*Can part B of Section 5.201 found below be changed to read "No owner shall permit any cat to enter or remain on the premises of another within the Village without the consent of the person owning, occupying or lawfully in control of such premises"?*

*5.201. Trespass.*

*A. Dogs. No owner shall permit any dog to enter upon the premises of another within the Village without the consent of the person owning, occupying or lawfully in control of such premises.*

*B. Cats. No owner shall permit any cat to remain on the premises of another within the Village upon a request by the person owning, occupying, or lawfully in control of such premises to the owner of the cat that the cat be removed. "*

This change will be made.

*Can "pickup truck bed" be removed from the following section below?*

*"The transporting of any living animal on the running board, fender, hood, pickup truck bed, or other outside part of any vehicle unless suitable harness, cage, or enclosure is provided so as to protect the animal from falling or being thrown therefrom."*

This change will be made

*Can someone be cited for nuisance under Section 5.510 when squirrels eat out of their bird feeders?*

No. Birds are excluded from this section. Pursuant to chapter 13.7(b) in order to constitute a nuisance it must be intentional feeding of a wild animal.

"Section 41. Section 5.6. is hereby renumbered to be Section 5.511.

*The following section should be eliminated in its entirety. Is there similar wording for "animals"?*

*5.6. Killing or wounding of birds prohibited; exceptions.*

*No person shall kill or wound, or attempt to kill or wound, by the use of firearms, bow and arrow, pelting with stones or otherwise any bird within the Village, or rob or destroy the nest of any bird within the Village, or enter upon any private enclosure or public grounds belonging to the Village for the purpose of doing any act prohibited in this section; provided, that this section shall not apply to English sparrows and starlings. (R.O. 1925, § 430.) "*

It is recommended that this section remain as current language with no changes.

### **Online Comments**

There were no online comments this week

### **ATTACHMENTS**

List of Streets for Roadside Ditch Maintenance

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Location	Estimated Linear Feet
Webster St. – 73 <sup>rd</sup> to 75 <sup>th</sup> – Both Sides	1500
6200 Puffer Rd.	300
6100 Janes Ave.	300
Chase Ave – 61 <sup>st</sup> to 62 <sup>nd</sup>	300
Warren Ave & Stonewall Ave	200
Chicago Ave – Belmont Rd to Puffer Rd.	750
Grant St. – West of Lee Ave.	300
4400 Woodward Ave.	150
Janet St. & Belle Aire	200
Lindley St. – Ogden to 41 <sup>st</sup> .	800
Glendenning Rd. 39 <sup>th</sup> to 40 <sup>th</sup>	1600
Carpenter St. – 59 <sup>th</sup> to Creek	600