



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, August 5, 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 Bob Barnett, Commissioner Becky Rheintgen, Commissioner Geoff Neustadt, Commissioner Greg José, Commissioner David S. Olsen and Mayor Martin Tully
Absent: Commissioner Sean P. Durkin

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

Commissioner Durkin arrived at 7:45 p.m.

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 1, 2014

Council Meeting - July 15, 2014

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

Commissioner Neustadt moved to approve the minutes as presented. Commissioner Olsen

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

Laura Crawford, President & CEO, Chamber 630, 2001 Butterfield, spoke regarding the sign ordinance as it relates to Leibundguth movers. They have had a wall sign facing the railway since the 1900's. Ms. Crawford said it is the Chamber's position that the railway is a public right of way. The sign is seen by commuters daily and to remove it would have an economic impact on this company. She asked the Council to do its due diligence regarding this matter.

Bob Peterson, 6861 Camden Way, said he has owned Leibundguth's for 44 years. The business was established in 1928. His concern is economics. He get 10-15 calls from people seeing the sign from the railway, generating \$50,000 to \$60,000 in sales. He feels the sign has historical value. He submitted pictures of the sign to the Council. He said he has spoken with some of the other companies that have signs on the back of their buildings along the railway.

Greg Bedalov, 4840 Seeley, expressed his thanks for the speed indicators on Prairie Avenue. They have slowed traffic. He asked about plans to keep them with school starting in about a month. They have made a difference in the neighborhood.

Bill Wrobel, 7800 Queens Court, provided information about the Chicago Area Theatre Organ Enthusiasts concert to be held at the Tivoli on August 23, 2014, at which Frank Pellico will play. Mr. Pellico is the organist for the Chicago Blackhawks. Mr. Wrobel said we are privileged to have two Wurlitzer organs within about eight blocks of each other in Downers Grove.

5. Council Member Reports

Commissioner Hosé announced that the Downers Grove Historical Society is sponsoring an historic photo tour, "The Grove, the Rails and the Stations," beginning August 8, 2014. It is a self-guided tour and brochures to take the tour are available at the Downers Grove Museum, the Tivoli Theater and Bowling Alley and other participating businesses.

Commissioner Olsen reported on the resignation of State Senator Kirk Dillard. Chris Nybo, former State Representative, was appointed to fill his seat. He thanked Senator Dillard and recognized Senator Nybo.

Commissioner Neustadt said the Village refinanced \$9.6 million of bonds today, resulting in a savings of \$500,000. The new interest rate is 2.74%.

Mayor Tully noted that the parameters ordinance passed by Council allows staff to take advantage of cost-saving opportunities.

The Mayor said he has just returned from Ireland where he attended a "Fun in the Streets" festival held in Swinford, County Mayo. It is a five-day festival. Members of Parliament were in attendance as well as local county officials. The Mayor presented a Village flag to officials.

6. Public Hearings

Village of Downers Grove Multifamily Housing Revenue Bond, Series 2014

Mayor Tully called the public hearing to order at 7:19 p.m. This public hearing has been called by the Village Council of the Village of Downers Grove to consider issuance by the Village of Downers Grove of Multifamily Housing Revenue Bonds, Series 2014, in an

aggregate principal amount not to exceed \$20,114,920 with respect to the 120-unit supportive living multifamily housing facility located in the Village of Downers Grove. Notice of this hearing was published in the Downers Grove Suburban Life Newspaper on July 16, 2014. This public hearing will be continued to August 12, 2014, whereby members of the Village Council and the public will have an opportunity to ask questions or make comments related to such proposed issuance.

Following the adjournment of the public hearing to be held August 12, 2014, the Village Council will consider the adoption of a Bond Ordinance authorizing the issuance by the Village of Downers Grove of Multifamily Housing Revenue Bonds, Series 2014, in an aggregate principal amount not to exceed \$20,114,920.

7. Consent Agenda

COR 00-05646 A. Claim Ordinance: No. 6063, Payroll, July 11, 2014

Sponsors: Accounting

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

Indexes: N/A

BIL 00-05647 B. List of Bills Payable: No. 6134, August 5, 2014

Sponsors: Accounting

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

Indexes: N/A

MOT 00-05648 C. Motion: Award a Contract for \$18,060 to O&S Associates, Inc., Chicago, IL, for Parking Deck Maintenance Plan

Sponsors: Public Works

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

Indexes: Central Business District - Parking Deck

RES 00-05654 D. Resolution: Authorize a License Agreement with Wide Open West Illinois, LLC for Use of the Village Rights-of-Way

Sponsors: Village Attorney

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF A LICENSE AGREEMENT BETWEEN WIDE OPEN WEST ILLINOIS, LLC AND THE VILLAGE OF DOWNERS GROVE FOR USE OF THE VILLAGE RIGHTS-OF-WAY

RESOLUTION 2014-41

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

Indexes: Antenna Equipment

RES 00-05662 E. Resolution: Accept Public Improvements - Atwood Subdivision

Sponsors: Public Works

Summary of Item: A RESOLUTION AUTHORIZING ACCEPTANCE OF PUBLIC IMPROVEMENTS - ATWOOD SUBDIVISION

RESOLUTION 2014-42

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

Indexes: Subdivision - Atwood

MOT 00-05649 F. Motion: Authorize \$115,068.38 Change Order to an Existing Three-Year Contract for Specialty Winter Operations Services with Snow Systems Inc., Wheeling, IL
Sponsors: Public Works

Commissioner Olsen said this contract provides snow and ice removal for walkways in the downtown area, the three commuter rail stations, the Civic Center, and the platforms at Main Street and Fairview Avenue. He asked if there is value in contracting this work out.

Village Manager Dave Fieldman said this contract allowed staff to provide better service to other areas of the Village. The only reason there is an overage is due to the severity of the winter.

Commissioner Olsen said this is a great way to coordinate work.

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

Indexes: Snow Plan

MOT 00-05657 G. Motion: Note Receipt of Minutes of Boards and Commissions
Summary of Item: Library Board - June 25, 2014
Liquor Commission - May 1, 2014
Stormwater and Flood Plain Oversight Committee - March 13, 2014
Zoning Board of Appeals - June 25, 2014

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 Olsen, that the consent agenda be passed. The motion carried by the following vote:

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

8. Active Agenda

MOT 00-05578 A. Motion: Authorize a Labor Agreement with the Downers Grove Professional Firefighters Union, Local No. 3234 of the International Association of Firefighters, AFL-CIO, CLC
Sponsors: Village Attorney

Summary of Item: This adopts the collective bargaining agreement negotiated with the Downers Grove Professional Firefighters Union, Local No. 3234, effective May 1, 2014 - April 30, 2017.

Bill Wrobel, 7800 Queens Court, noted that, with this contract, the Village has agreed to increase wages 6% over three years. He referenced a teachers' union contract where the union was asking for 5.6% and management offered 1.7%. He asked about due diligence with respect to the negotiations of this contract.

Mayor Tully responded that with every contract it is a true arms length negotiation within the confines of the law. This is a three year contract.

Mr. Wrobel commented that there have been hardships in the private sector. Under the circumstances, those in unions are a privileged lot and they are doing better than the population as a whole. They have secure jobs. Mr. Wrobel said he wants to be sure these contracts are negotiated to the nth degree.

Mayor Tully said the Council is mindful of the obstacles, challenges and limited resources.

Mr. Wrobel said unions do not belong in the public sector. He is concerned.

Commissioner Olsen said this is a process constricted by federal and state law. He is pleased to support this contract.

Commissioner Neustadt said this contract was negotiated in good faith. It is a fair and reasonable contract.

Commissioner Barnett said he will vote "nay" on this contract. He said the Council does not spend a dollar without great consideration. He has a problem with this contract structurally. The contract is a series of negotiations.

Commissioner José said he will support the contract. All Council members take seriously spending tax dollars. He noted that it has been several years since there has been a tax increase for operations. He feels this contract is in line with other communities. He thinks this is a good contract.

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

Votes: Yea: Commissioner Rheintgen, Commissioner Neustadt, Commissioner José, Commissioner Olsen and Mayor Tully
Nay: Commissioner Barnett

Indexes: Fire Contract

ORD 00-05645 B. Ordinance: Authorize a Special Use to Permit a 24-Hour Pharmacy Drive Through at 1000 Ogden Avenue

Sponsors: Community Development and Plan Commission

Summary of Item: This authorizes a special use at 1000 Ogden Avenue to permit a 24-hour pharmacy drive through at Walgreens.

AN ORDINANCE AUTHORIZING A SPECIAL USE TO PERMIT A 24 HOUR PHARMACY DRIVE THROUGH AT 1000 OGDEN AVENUE

ORDINANCE NO. 5400

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

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

Indexes: Special Use - 1000 Ogden Avenue

9. First Reading

ORD 00-05652

A. Ordinance: Establish and Amend Stop and Yield Sign Locations at Multiple Intersections

Sponsors: Public Works and Transportation and Parking Commission

Mr. Fieldman said proposed stop and yield signs are the results and implementation of Neighborhood Traffic Study 3. He asked Nan Newlon, Director, Public Works, to make this presentation.

Nan Newlon, Director, Public Works, said staff is proposing an ordinance to establish traffic controls in Neighborhood Traffic Study 3. The study allows staff to look comprehensively at a neighborhood in terms of traffic counts, pedestrian counts, peak hour counts and school issues. Staff worked with people in the neighborhood and took comments from the neighbors.

Ms. Newlon said the study area is bounded by Ogden Avenue, 55th Street, Fairview, and the east limits of the Village. The project goal was to look at the whole neighborhood as a system of roadways and intersections in order to review and evaluate neighborhood concerns including intersection traffic control, roadway traffic volumes and speeds, and pedestrian and bicycle safety. The study was performed on a neighborhood-wide basis and follow-up studies will be performed.

In terms of neighborhood concerns, staff observed or received information from the neighbors regarding lack of intersection traffic control, speeding, cut-through traffic patterns, school awareness issues by motorists and school issues as they relate to bicycle parking and paved shoulders for parking.

Key findings were that traffic volumes were within the established standards for local streets and for collector streets. Speeds on some of the streets surveyed were higher than staff would like to see. She said 28% of the neighborhood intersections have no traffic control.

Recommendations as a result of the study are to provide traffic control at all intersections, extend the school zone signage along Fairview, install a double yellow centerline stripe along Cumnor and Roslyn to reduce speeds, consider two additional sidewalk segments at Chicago and 2nd Street, and conduct follow-up speed and volume counts.

In terms of intersection traffic control, Ms. Newlon said there are 64 intersections in the study area. Currently 18 have no traffic control but, as a result of the study, all intersections will have regulations. Ms. Newlon said this study was done on a grid basis as well as an intersection by intersection basis. Some additional changes may occur based on implementation of the recommendations.

Marge Earl, 4720 Florence, said she attended the neighborhood meetings. She spoke about three intersections: At Florence and Sheldon, staff proposes that the yield sign be changed to a stop sign. Ms. Earl requested that a pedestrian crosswalk and warning be installed if a four-way stop sign is not installed at this intersection. She asked for the same consideration at Chicago and Florence as there is no sidewalk and it is on the path to Lester School. Because Prairie does not go through the park, it is a waste of money to put a stop sign at this location.

Commissioner Rheintgen noted that this is her neighborhood. She is glad to see this study. She agrees with the crosswalk safety concerns addressed by Ms. Earl. Commissioner Rheintgen suggested staff consider no parking restrictions near Lester School. She said a stop sign may not be necessary on Cumnor between Traube and Lincoln.

Commissioner Rheintgen said staff does a good job communicating but could do better to communicate with those people who attended the first meeting. Perhaps staff could provide

more guidelines to residents.

Commissioner Neustadt said these new improvements may allow parents to drop their children off a little further down the street from Lester School than they now do. He noted that 3rd, 4th and 5th Streets are also getting stop signs. Limiting cut-through traffic and slowing traffic is beneficial. Commissioner Neustadt then asked about any changes made since the initial implementation of the first two studies.

Ms. Newlon said staff has found a modest reduction in speed, there have been some traffic calming methods, and there is more use of major streets.

Commissioner Barnett asked if mid-street signage helps. He thinks it does and it should be used as much as possible. He wants to slow traffic and encourage physical limitations.

Ms. Newlon said staff will continue to look for solutions such as changes in the pavement.

Mayor Tully said this is not a static exercise; traffic seems to have a lifecycle.

Commissioner Rheintgen said one of the goals is to improve the school zone signage. She asked about affordable approaches to make drivers aware of a school zone.

Ms. Newlon said she has seen school zone flashing lights at the start and end of the school day.

Commissioner Barnett referenced a school in Chicago where the street is striped.

Indexes: Traffic Signs

ORD 00-05653 B. Ordinance: Amend Raffle Provisions

Sponsors: Village Attorney

Mr. Fieldman introduced Village Attorney Enza Petrarca to discuss this item.

Enza Petrarca, Village Attorney, said an ordinance has been prepared amending the raffle provisions to increase the maximum number of days during which chances may be issued or sold to 12 months when the cost of a single chance is \$50.00 or more. When the cost of a single chance is less than \$50.00, the maximum duration for which tickets may be sold remains six months. All other sections of the Municipal Code remain unchanged.

Mayor Tully said this is a change that will allow non-profit organizations to raise funds throughout the year.

Indexes: Licensing Provisions

INF 00-05592 C. Discussion: Long Range Planning (Committee Room)

Sponsors: Manager's Office

The Mayor said this discussion will take place in the Committee Room following the conclusion of the Council meeting.

Indexes: Long Range Planning

10. Mayor's Report

Materials to be Placed on File

Change of Corporate Ownership - Red Lobster Restaurant

Mayor Tully said the Village has received an application for an on-premise full alcohol liquor license from Red Lobster Hospitality, LLC doing business as Red Lobster, located at 3001 Finley Road.

Pursuant to Section 3-12 of the Liquor Control Ordinance, a public hearing for a liquor license application may be waived. The application must be placed on file for a minimum of two weeks, subject to public comment prior to the issuance of a new license.

The Mayor said he was placing this application on file in the Village Clerk's office. Barring any objection, once the two-week waiting period has passed, a liquor license shall be issued to Red Lobster Hospitality, LLC doing business as Red Lobster, located at 3001 Finley Road.

11. Manager's Report

Mr. Fieldman reported on the Sign Ordinance compliance. Nearly 2,100 business (93%) are in compliance with the Sign Ordinance. He said 63 businesses are working with the Village and 88 property owners have not made an attempt to comply. Further information is available on the Village's website, www.downers.us.

12. Attorney's Report

Village Attorney Enza Petrarca said she was presenting two (2) items to the Council: 1) An ordinance establishing and amending stop and yield sign locations at multiple intersections; and 2) An ordinance amending raffle provisions.

Future Active Agenda

13. Council Member New Business

Commissioner Olsen asked, given the comment by Mr. Peterson about the Sign Ordinance, that Council consider a text amendment regarding properties with railroad frontage and signage.

Mayor Tully said this appears to be a minor change regarding railways being similar to a roadway in terms of signage. However, there may be more to this than a simple change.

Commissioner Rheintgen said she would like to see what the impact would be.

Mayor Tully said reasonable requests should be reviewed. This may be a definitional change and he would support looking into this matter.

Commissioner Durkin agree with the request to look into this matter.

Commissioner Neustadt said the challenge has to do with the effects. It is important to do an analysis of the effect.

Commissioner Hosé said an important part of the Ordinance is compliance. He thinks four or more businesses along the railway have come into compliance and he asked how many more businesses there are along the railway.

The Mayor said he views the Sign Ordinance as fluid and it should be reviewed, if warranted.

Mr. Fieldman said staff will review this matter.

14. Adjournment

Mayor Tully asked for a Motion to adjourn to the Committee Room for the Long-Range Plan meeting.

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

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

Mayor Tully declared the motion carried and the meeting adjourned into the Committee Room at 8:17 p.m.