



# Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

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Tuesday, August 12, 2014

7:00 pm

Council Chambers

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## 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 Hosé, 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

*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 5, 2014*

*Long Range Planning Meeting - August 5, 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**

*James Joseph, Director, Homeland Security and Emergency Management, DuPage County, said that government thrives on partnerships and he could not do his job without them. He has experienced a great partnership with the Village. He referenced his work with Fire Chief Jackson and Police Chief Porter. Chief Jackson is well known and respected as President of the DuPage County Fire Chief's Association, as well as for his excellent work with the Village's Fire Department. Mr. Joseph first met the Chief after the tragedy at Sandy Hook. They worked together with other law enforcement officials to establish standards for our schools. Chief Porter has also established an excellent partnership with Homeland Security, through its incident management-training program. He said Mary Pratt has an excellent reputation state-wide and he also acknowledged the work of Police Lt. Shanon Gillette. Mr. Joseph said he came to the Council meeting to speak about the full-scale exercise that took place at Midwestern University in July. He thanked everyone, on behalf of his department and DuPage County Chairman Cronin for their work and support.*

*Mayor Tully thanked Mr. Joseph for his kind words. It is good to know we have strong partnerships and cooperation. The Village is glad to get this recognition. He asked that Mr. Joseph extend our thanks to Mr. Cronin.*

#### **5. Council Member Reports**

*Commissioner Olsen said that before he was on the Village Council he served as president of the student body at the University of Illinois. He announced that a former president recently passed away as a result of driving when drunk. Commissioner Olsen urged people not to drive when drunk. This was a one-car, one-person incident. It was a terrible tragedy. He asked people not to get immune to the message and asked for prayers for all families who are victims of drunk driving.*

*Commissioner Rheintgen said the Downtown Downers Grove Art Festival will be held on September 6 & 7, 2014, from 10:00 a.m. to 5:00 p.m. The annual Grove Foundation golf outing will be held on September 6, from 2:00 p.m. to 6:00 p.m. at the Downers Grove Park District Golf Course.*

*Commissioner Neustadt said he attended the 83rd Noon Lions Club new teachers' luncheon today. It is the longest continuously running event in Downers Grove. It is great to welcome the teachers to Downers Grove. He wished everyone a great school year.*

#### **6. Public Hearings**

*Village of Downers Grove Multifamily Housing Revenue Bond, Series 2014 (Continued from August 5, 2014)*

*Mayor Tully called the public hearing to order at 7:11 p.m. as a continuation from August 5, 2014. The public hearing is to consider issuance by the Village of Downers Grove Multifamily Housing Revenue Bond, 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.*

*Mayor Tully reviewed the procedures for the hearing. He then asked Jim Snyder, bond counsel for the Village of Downers Grove, to present information related to the bond issuance.*

*Jim Snyder, bond counsel, said this is a private activity bond. The borrower is Downers Grove*

*Supportive Living, LLC. A commitment letter has been provided by Heartland Bank and Trust Company with no obligation to this bond by the Village of Downers Grove and the Village will be indemnified by the borrower. Federal law requires this hearing. Tonight is the first reading in order to enable the financing to go forward. He introduced Chuck Freeburg and Jim Martell who were also in attendance representing Downers Grove Supportive Living, LLC.*

*Commissioner Olsen asked if this is a different entity from the previous public hearing.*

*Mr. Snyder said the borrower has changed and the amount of the bond has changed.*

*Mayor Tully said there is no obligation by the Village of Downers Grove, no guarantees made by the Village and no financial responsibility on the part of the Village. The Village is acting as a conduit.*

*Mr. Snyder said that was correct.*

*Commissioner Olsen asked if these bonds appear in the budget. Mr. Fieldman said they do not.*

*There being no further questions or discussion, Mayor Tully adjourned the public hearing at 7:16 p.m.*

## 7. Consent Agenda

*Commissioner Olsen said he will abstain from voting on Item 7C, RES 00-05659, a resolution authorizing a license agreement for temporary use of public property with the Educational Foundation of Downers Grove District 58 Oktoberfest, as he serves on the board of the Educational Foundation. Mayor Tully said Item 7C would be removed from the Consent Agenda.*

**BIL 00-05663** A. List of Bills Payable: No. 6136, August 12, 2014

**Sponsors:** Accounting

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

**Indexes:** N/A

**RES 00-05656** B. Resolution: Authorize an Agreement with Computerized Fleet Analysis, Inc.

**Sponsors:** Information Services

*Commissioner Olsen asked if there is an estimate of the lifecycle of this software, and whether it should be included in the budget.*

*Dave Fieldman, Village Manager, said the lifecycle is five or more years. This item was contemplated in the replacement fund. This will be clarified in future budgets.*

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

**Indexes:** Computers

**MOT 00-05664** D. Motion: Award a Contract for \$17,898 to Allied Door Inc. for Replacement of Three Overhead Doors at Fire Station #3, 3900 Highland Avenue

**Sponsors:** Deputy Village Manager

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

**Indexes:** Fire Station # 3

**MOT 00-05667** E. Motion: Note Receipt of Minutes of Boards and Commissions

**Summary of Item:** Plan Commission - July 7, 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 Hosé, 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**

**RES 00-05659** C. Resolution: Authorize a License Agreement for Temporary Use of Public Property with the Educational Foundation of Downers Grove District 58 Oktoberfest

**Sponsors:** Community Development

*Commissioner Neustadt extended a special thank you to the Community Events Commission for their work on this item.*

*Mayor Tully said everyone is looking forward to the event.*

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

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

**Indexes:** School District 58, Temporary Use

**ORD 00-05652** A. Ordinance: Establish and Amend Stop and Yield Sign Locations at Multiple Intersections

**Sponsors:** Public Works and Transportation and Parking Commission

**Summary of Item:** This establishes and amends stop and yield sign locations at multiple intersections.

AN ORDINANCE ESTABLISHING AND AMENDING STOP AND YIELD SIGN LOCATIONS AT MULTIPLE INTERSECTIONS

ORDINANCE NO. 5401

*Commissioner Rheintgen said many of her neighbors are pleased with this ordinance. She said she appreciates the changes that were made. She understands from Mr. Fieldman that the school zone areas will be highlighted.*

*Commissioner Olsen talked about increased traffic on arterial roadways and discussion by staff about long-term improvements. He asked if staff has a sense as to what will be explored.*

*Nan Newlon, Director, Public Works, said staff has discussed a number of initiatives including potential underpasses, grade crossings, new technology and work with the DuPage County.*

*Commissioner Olsen asked as to the status of the County project on 55th Street.*

*Ms. Newlon said there was a meeting today. She anticipates a public meeting in September.*

*The County will then update their plan and submit it to IDOT. Construction is scheduled to begin in 2016/early 2017.*

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

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

**Indexes:** Traffic Signs

**ORD 00-05653** B. Ordinance: Amend Raffle Provisions

**Sponsors:** Village Attorney

**Summary of Item:** This amends certain raffle provisions.

AN ORDINANCE AMENDING RAFFLE PROVISIONS

ORDINANCE NO. 5402

**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 Hosé, Commissioner Olsen and Mayor Tully

**Indexes:** Licensing Provisions

## 9. First Reading

**MOT 00-05665** A. Motion: Award a Contract for \$594,877.95 to Swallow Construction Corporation, Downers Grove, for Forest Avenue Drainage Improvements

**Sponsors:** Public Works

*Mr. Fieldman introduced Nan Newlon, Director, Public Works, to discuss this item.*

*Nan Newlon, Director, Public Works, said a motion has been prepared to award a contract to Swallow Construction in the amount of \$594,877.95 for Forest Avenue drainage improvements. She showed a map of the area. This project would replace the storm sewer on Forest Avenue from 41st Street to Herbert. It also includes the installation of permeable pavement and native plantings, as well as roadway resurfacing on Forest Avenue from 41st Street to 39th Street. This project will also have traffic calming effects. Three bids were received and Swallow Construction was the low bidder. They have done other work for the Village, as well as Northfield and Aurora.*

*Commissioner Olsen noted that the stormwater system is in poor condition. Given last week's discussion on stormwater, he asked if this was a construction or maintenance issue or both.*

*Ms. Newlon said staff will provide more information.*

*Commissioner Olsen asked as to the cost increase of the permeable pavers.*

*Ms. Newlon said it adds \$15,000 for each of the two locations. The pavers have two benefits - to assist with drainage and traffic calming.*

*Commissioner Barnett reminded everyone that this conversation was held last Tuesday evening regarding the necessity for stormwater maintenance. He said decisions are being made now and encourages everyone to reflect and consider how the Village got to various problematic areas.*

*Commissioner José asked if this is the first time the Village has used permeable pavers for the intent of traffic calming.*

*Ms. Newlon said the first application was on Grove and Carpenter. This application will be on a straight street. She thinks there may be more opportunities in the future for the pavers to function both for water quality filtration and traffic calming. Each situation will be evaluated individually.*

*Commissioner Hose said he also wondered as to the additional cost, but the topography of the area makes sense. He was surprised that a primary benefit of the pavers is for a traffic calming effect.*

*Commissioner Neustadt said this is a three-bundle project: Storm sewer replacement, resurfacing and traffic calming. It is the best bang for our buck.*

*Commissioner Olsen asked if Forest Avenue is one-way at this location.*

*Ms. Newlon said it is and because of that, people think they can go faster than they should.*

*Mayor Tully said the capital project sheet says the sewer is at the end of its useful life, but it would be helpful to know why. This is a great example of bundling in that staff is doing three different things at one time. It is smart to take advantage of the opportunity.*

**Indexes:** Drainage Improvements

**ORD 00-05666**

**B. Ordinance: Amend Parking Restrictions on Franklin and Elm**

**Sponsors:** Public Works and Transportation and Parking Commission

*Ms. Newlon said an ordinance has been prepared amending the Municipal Code concerning "No Parking Any Time, April 1st to November 1st" along the east side of Elm Street between Prairie Avenue and Franklin Street, and on the south side of Franklin Street between Washington Street and Prospect Avenue.*

*This is in response to requests from residents to congestion caused by parking around the ball field at the southeast corner of Washington Park. Cars are parked on both sides of the street, constricting traffic, reducing visibility and making vehicular movement difficult. It results in difficult navigation particularly for emergency vehicles.*

*This item was heard by the Transportation and Parking Commission on July 9, 2014. The Commission voted 4-1 to approve this action. Ms. Newlon noted that staff will continue to monitor this area.*

*Commissioner José suggested reaching out to the Park District to encourage use of the parking lot.*

*Commissioner Olsen asked about restrictions on Prairie Avenue. Ms. Newlon said she would get that information.*

*Commissioner Olsen said he agrees with Commissioner José, and he would like to know the current Prairie Avenue and Washington Street restrictions.*

*Commissioner Rheintgen said she looks forward to seeing how this change will help the situation.*

**Indexes:** Parking Restrictions, Parking Restrictions - Franklin & Elm

**ORD 00-05658** C. Ordinance: Authorize Issuance of Village of Downers Grove, DuPage County, IL Multifamily Housing Revenue Bond (Downers Grove Supportive Living Facility), Series 2014 in the Aggregate Principal Amount of Not to Exceed \$20,114,920 & Related Matters

**Sponsors:** Community Development

*Mr. Fieldman said this and the next item concern the supportive living facility (SLF), which was the subject of the public hearing held earlier this evening. Item C is the ordinance authorizing issuance of bonds, and Item D is a resolution authorizing an agreement. Mr. Fieldman said this is the same development, but new developers. He introduced two of the petitioners, Chuck Freeburg and Jim Martell.*

*Chuck Freeburg said he is one of the new owners. His experience with SLFs goes back to the early 2000s.*

*Jim Martell, president of Ridge Development Corporation, said he has been in development for 40 years on a nationwide basis with a variety of developments. He is excited to start this project and to work with staff.*

*Anthony Cheng, 5507 Aubrey Terrace, asked as to a statement in the staff report regarding an issue that would have made the sale of public bonds difficult.*

*Mr. Martell said the project is very complex in terms of financing, which is why he and Mr. Freibert have teamed up. It is also a complicated site.*

*Mayor Tully said it is a difficult and challenging landscape to navigate. He thanked Mr. Martell for the information.*

*Commissioner Olsen asked if any property has changed hands to date.*

*Enza Petrarca, Village Attorney, said it has not.*

*Commissioner Olsen noted that this is not Section 8 housing. It is senior living for people in our community. Mr. Fieldman said that is correct.*

**RES 00-05661** D. Resolution: Authorize an Agreement with Downers Grove Supportive Living Facility, LLC and Downers Grove SLF, JV, LLC

**Sponsors:** Village Attorney

## **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 two (2) items to the Council: 1) An ordinance amending parking restrictions on Franklin and Elm; and 2) An ordinance authorizing issuance of Village of Downers Grove, DuPage County, IL Multifamily Housing Bond (Downers Grove Support Living Facility), Series 2014 in the aggregate principal amount of not to exceed \$20,114,920 and related matters.*

**Future Active Agenda****13. Council Member New Business****14. Adjournment**

*Commissioner Neustadt moved to go into Executive Session pursuant to Section 2(c)(5) of the Illinois Open Meetings Act to consider the purchase or lease of real property for the use of the public body; and pursuant to Section 2(c)(6) of the Illinois Open Meetings Act setting a price for sale or lease of property owned by the public body. Commissioner Olsen seconded the motion.*

*VOTE: AYE: Commissioners Neustadt, Olsen, José, Rheintgen, Barnett; Mayor Tully*

*Mayor Tully declared the Motion carried and the Council convened into Executive Session at 7:50 p.m.*