



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, August 19, 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 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

Council Meeting - August 12, 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

Ken Lerner, 4933 Whiffen Place and a member of the Pierce Downer's Heritage Alliance, addressed the Council regarding the W.H. Edwards house located at 942 Maple Avenue, across from the Lincoln Center. He showed a picture of the property and said this is a classic historical mansion that is for sale with the adjoining property. It is bank owned by an out-of-state bank and advertised as a prime development site. The ad is "seeking development proposals." Mr. Lerner has not been able to contact the realtors, but he has been told there is a contract on the property. This is a prime property.

Mr. Lerner said the sale of this property to a developer is a legitimate concern and has attracted attention from the public and media. The house has historic connections to the Village. It was the first house in Downers Grove to feature indoor plumbing. It has been converted from residential to commercial, and has been nicely restored. Many people have taken an interest in preserving this house. Mr. Lerner said there is a Facebook page dedicated to the house, and he and others wrote a letter that has been published in the Downers Grove Suburban Life expressing hope that the house can be saved. Suburban Life also contributed its support for preserving the house.

Mr. Lerner said more information can be found at www.pdha.org or www.facebook.com/942mapledownergrove.

Mayor Tully thanked Mr. Lerner for his presentation. He thanked Mr. Lerner and others for their efforts to preserve the house. The Mayor noted there was a similar situation regarding Orange Lyman's house about ten years ago. The Lyman house is still privately owned. He hopes that will happen with the Edwards house. The situation with the Lyman house accelerated the Historic Preservation Ordinance. The Mayor noted that this Ordinance tries to balance preservation and private property rights, but historic preservation designation is driven by the owner(s). Council can facilitate awareness and information. He thanked Mr. Lerner and the Pierce Downer's Heritage Alliance for spreading awareness on this particular situation.

Commissioner Barnett asked what the Alliance would consider to be helpful in this regard. He said he suspects that the out-of-state owner is unaware of what the Village has done in the past concerning historical preservation.

Mr. Lerner said there are still unknowns such as the potential owner. It is an out-of-state bank, which might not be conducive to the sense of community. The Pierce Downer's Heritage Alliance would be willing to consult with the new owner and get the word out that there is a strong community commitment to this house. There are historically sensitive ways to develop the property, and keep the property as it is.

Commissioner Barnett said this house is in his neighborhood. He said that owners generally have a sense of community. His house is of the same vintage.

The Mayor said creation of an historic district is an option, but it has to be initiated by the neighborhood. Another option is to facilitate private action based on interest.

Commissioner Durkin asked if the property has been sold for the purpose of redevelopment.

Mr. Lerner said he only has information from the ad; he does not have additional information.

Commissioner Olsen said he is concerned about this issue. Downers Grove has a great many

historic properties and he hates to see them lost. His concern is that an out-of-state bank is marketing this property as a redevelopment opportunity. He encouraged residents to come forward with a district or other ways for the Council to get involved in maintaining the character of the Village. He would like to keep the dialogue open.

Tom Nybo, 5253 Blodgett, said he has admired buildings in Downers Grove for a long time. He feels the Village has done a good job of blending the old with the new housing. He would like to keep Maple Avenue historic and feels that this could be a marketing tool. He found that this property is marketed as a development opportunity and he started a Facebook page regarding this house. He noted that the Carlson's Paint building will also be lost to development.

5. Council Member Reports

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 Olsen said the 8th Annual St. Mary of Gostyn 5K will be held on Saturday, August 23, at 8:00 a.m. He noted there is also a one-mile youth race. He will be running and looks forward to it.

Commissioner Neustadt noted that school starts Monday for Districts 58 and 99. There are safety tips on our website. He noted that drivers must obey the instructions of adult school crossing guards. He urged people to be aware and to walk to school, if possible.

Mayor Tully said the Village's budget season begins in September. He announced a number of public meetings: A budget workshop on Saturday, October 11, 2014, at Fire Station #2; first reading at a Council meeting on October 14, 2014; Coffee with the Council on Saturday, October 18, 2014; as well as the adoption of the budget and tax levies in November and December 2014.

6. Public Hearings

7. Consent Agenda

COR 00-05668 A. Claim Ordinance: No. 6067, Payroll, July 25, 2014
Sponsors: Accounting
A motion was made to Approve this file on the Consent Agenda.
Indexes: N/A

BIL 00-05669 B. List of Bills Payable: No. 6138, August 19, 2014
Sponsors: Accounting
A motion was made to Approve this file on the Consent Agenda.
Indexes: N/A

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

Commissioner Olsen thanked staff for the answers to last week's questions. He said this work will replace 60+ year old pipes.

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

Indexes: Drainage Improvements

RES 00-05660 D. Resolution: Authorize a Highway Authority Agreement and Supplemental Agreement with Michael Helmut, Vitomir Jurasic and Helmut-Vito Service, Inc.

Sponsors: Village Attorney

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF A HIGHWAY AUTHORITY AGREEMENT AND SUPPLEMENTAL AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND MICHAEL HELMUT, VITOMIR JURASIC AND HELMUT-VITO SERVICE, INC.

RESOLUTION 2014-45

Commissioner Olsen said this agreement needs to be submitted to the Illinois Environmental Protection Agency. The company will take responsibility if clean up is needed in the Village's right-of-way.

In response to Commissioner Olsen, Village Attorney Enza Petrarca said the agreement will be recorded and runs with the land.

Commissioner Olsen asked if the potential contamination is only in this small area. Ms. Petrarca said that is correct.

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

Indexes: Highway Authority Agreement

MOT 00-05671 E. Motion: Note Receipt of Minutes of Boards and Commissions

Summary of Item: Transportation and Parking Commission - April 9, 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 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 00-05666 A. Ordinance: Amend Parking Restrictions on Franklin and Elm

Sponsors: Public Works and Transportation and Parking Commission

Summary of Item: This establishes no parking regulations on certain portions of Franklin Street and Elm Street.

AN ORDINANCE AMENDING PARKING RESTRICTIONS ON FRANKLIN AND ELM

ORDINANCE NO. 5403

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: Parking Restrictions, Parking Restrictions - Franklin & Elm

ORD 00-05658 B. 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

Summary of Item: This authorizes the issuance of Multi family Housing Revenue Bond, Series 2014

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS MULTIFAMILY HOUSING REVENUE BOND (DOWNERS GROVE SUPPORTIVE LIVING FACILITY), SERIES 2014 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$20,114,920 IN CONNECTION THEREWITH; AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS AND THE BORROWER; AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST INDENTURE SECURING SAID BOND; AUTHORIZING THE EXECUTION AND DELIVERY OF A REGULATORY AGREEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE CONTRACT; AND RELATED ITEMS

ORDINANCE 5404

Tom LeCren, 545 Chicago, asked about the Village's obligation with respect to this bond issuance.

Mayor Tully replied that the Village's only obligation is to issue the bond. There is no recourse to the Village and no other obligation on the part of the Village.

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 Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully

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

Sponsors: Village Attorney

Summary of Item: This authorizes execution of an agreement between the Village of Downers Grove, Downers Grove Supportive Living Facility, LLC and Downers Grove SLF, JV, LLC.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE, DOWNERS GROVE SUPPORTIVE LIVING FACILITY, LLC AND DOWNERS GROVE SLF, JV, LLC

RESOLUTION 2014-46

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 Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully

9. First Reading

ORD 00-05670

A. Ordinance: Authorize a Third Extension of a Final Planned Development Amendment for Planned Development #31 for Additions to the Existing Parking Garage and the Construction of a New Six-Level Parking Garage at 3500 Lacey Road

Sponsors: Community Development

Village Manager Dave Fieldman said this is a request for a one-year extension to Planned Development #31 (PD 31). He asked Planning Manager Stan Popovich to address this issue.

Stan Popovich, Planning Manager, said this is a request for a one-year extension to a previously approved planned development amendment to Planned Development #31, Esplanade at Locust Point, 3500 Lacey Road. Mr. Popovich showed the location of the property and the parking garage. The extension is to permit the construction of two five-story additions to the existing parking garage and the construction of a new six-level parking garage.

On August 16, 2011, Council approved an amendment to PD 31 for the construction of the additions to the garage and the new parking garage. Since 2011, the petitioner has been leasing space to tenants and does not need a higher parking ratio than what is currently available; however, the petitioner wants to be able to accommodate additional parking requirements if necessary. Mr. Popovich said one-year extensions were granted in 2012 and 2013. This would be the last extension that could be granted pursuant to the provisions of the new Zoning Ordinance. He noted that the petitioner is aware of this provision.

Commissioner Rheintgen said if this extension expires, the petitioner could reapply for approval and go through the public hearing process at the Plan Commission. Mr. Popovich said that is correct.

Commissioner Durkin noted Sara Lee is no longer at that location as depicted in the picture of the building and suggested that the photograph be given to the Historical Society.

Indexes: Planned Development #31 - Esplanade at Locust Point

INF 00-05592

B. Discussion: Long Range Planning (Committee Room)

Sponsors: Manager's Office

The Mayor said this discussion will convene in the Committee Room following this meeting.

Indexes: Long Range Planning

10. Mayor's Report**Materials to be Placed on File****11. Manager's Report**

Mr. Fieldman said the proposed FY 15 budget is targeted for publication at the end of September.

12. Attorney's Report

Village Attorney Enza Petrarca said she was presenting one item to the Council: An ordinance authorizing a third extension of a final planned development amendment for Planned Development #31 for additions to the existing parking garage and the construction of a new six-level parking garage at 3500 Lacey Road.

Future Active Agenda

13. Council Member New Business

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.

Mayor Tully declared the motion carried by voice vote, and the meeting adjourned into the Committee Room at 7:40 p.m.