



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, November 11, 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.

Veterans Day

Mayor Tully expressed appreciation for all veterans. He read the names of current Village employees who are either serving in the military or are veterans: Kelly Chriss from the Planning Department; Bill Rogers from Building Services; Mike Eddy, Rich Johnson, Tom Powers, Jim Edwards, Rick Giancarlo and Jim Minett from the Police Department; and Lt. John Stoeber, Sigmond Markowski, Quinn Triplett and Mike Baldwin from the Fire Department. He then read a proclamation in honor of veterans. The Mayor then invited Sergeant 1st Class John Herndon from the Downers Grove Army recruiting office to be recognized.

Sgt. 1st Class Herndon said it is important to remember those who serve, those who served, and those who will serve. He thanked the Council for their recognition.

Mayor Tully quoted Illinois State Representative Patti Bellock thanking our nation's veterans for their service and inspiration.

3. Minutes of Council Meetings

Council Meeting - November 4, 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

Gordon Goodman, 5834 Middaugh, read a statement. He noted that last week he told the Council that the Village is not well served by doing away with the position of Director of Community Development. The last director left at about the same time the Council accepted the Village's Architectural and Historical Survey report on December 3, 2013. He is not aware of any subsequent progress in implement the policies and recommendations contained in the Village's Comprehensive Plan adopted on October 5, 2011.

The Village Zoning Map does now label as "Historic" properties that are listed in the Historical Survey report including several in the Village's Downtown area. Nevertheless, he knows of no efforts to analyze and update the zoning district boundaries in the downtown area in light of historic preservation policy recommendations in the Comprehensive Plan and the new data of the recent Historical Survey report. He said he thought the Downtown Business and Downtown Transition District boundaries, established in June 2005, are now considerably out of date and substantially inconsistent with the policies and recommendations of the Comprehensive Plan with respect to historic preservation.

Dr. Goodman presented a figure entitled "Properties Proposed for Zoning Change from Downtown Business DB to Downtown Transition DT." This figure shows how a border of downtown transition zoning containing thirteen properties around the downtown business zoning would permit six properties identified as historic to continue to be used in a manner consistent with their preservation as historic resources of the Village.

Dr. Goodman said that this subject will take on more importance over the nest several weeks as Council considers a proposed Special Use for a five story, fifty-five unit condominium building in the 900 block of Maple Avenue.

5. Council Member Reports

Commissioner Neustadt said the Village's website includes many ways to stay connected to the Village. He encouraged people to review our website.

6. Public Hearings

7. Consent Agenda

BIL 00-05744 A. List of Bills Payable: No. 6154, November 11, 2014

Sponsors: Accounting

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

Indexes: N/A

- RES 00-05740** B. Resolution: Authorize an Incentive Agreement with American Access Casualty Company
Sponsors: Manager's Office
Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AN INCENTIVE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND AMERICAN ACCESS CASUALTY COMPANY

RESOLUTION 2014-65
A motion was made to Pass this file on the Consent Agenda.

Indexes: Economic Incentive - American Access Casualty

- MOT 00-05764** C. Motion: Authorize \$34,975 to Air One Equipment, Inc., Elgin, IL, for Five Thermal Imaging Cameras
Sponsors: Fire Department
A motion was made to Authorize this file on the Consent Agenda.

Indexes: Fire Department - Camera

- MOT 00-05773** D. Motion: Note Receipt of Minutes of Boards and Commissions
Summary of Item: Plan Commission - October 6, 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 00-05716** A. Ordinance: Adopt the Fiscal Year 2015 Budget in Lieu of Passage of an Appropriation Ordinance
Sponsors: Finance and Manager's Office
Summary of Item: This adopts the fiscal year 2015 budget in lieu of an appropriation ordinance.

As provided by law, proper notice has been given, the budget has been available for inspection for at least ten days, and a public hearing was held on November 4, 2014.

AN ORDINANCE ADOPTING THE FISCAL YEAR 2015 BUDGET IN LIEU OF PASSAGE OF AN APPROPRIATION ORDINANCE

ORDINANCE NO. 5412

Commissioner Neustadt said the fact that there are so few comments shows that our budgeting process is not only award-winning but allows Council to communicate with one another and the residents. All the planning done during the year results in the budget. He expressed his thanks to staff and those who came to the budget meetings.

Commissioner Olsen said he appreciates all the hard work by staff. He has significant concerns about Village facilities. He will not support the budget ordinance as it contains funds for Village facilities. He also does not support using TIF monies for this purpose as they should only be used for economic development. He said he appreciates the work and the dialogue.

Commissioner José said he will support the budget ordinance. It reflects a good deal of hard work. It is balanced, has a small tax decrease and provides for continuing excellent service to the residents.

Mayor Tully said he will support the budget ordinance. It is the product of a great deal of work and planning. It is balanced and it maintains reserves. The budget has to select some scenario regarding facilities.

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 José and Mayor Tully
Nay: Commissioner Olsen

Indexes: Budget - 2015

MOT 00-05736

B. Motion: Estimate 2014 Aggregate Tax Levy for the Village of Downers Grove

Sponsors: Finance

Summary of Item: This finds and determines that the aggregate levy for the Village of Downers Grove, as defined in the Illinois Truth and Taxation Law, estimated to be necessary to be raised by taxation for 2014 upon the taxable property in Downers Grove is \$24,283,850. This amount is based upon an estimated levy of \$3,968,669 for corporate and police; \$2,850,000 for fire; \$2,261,516 for police pension; \$2,330,108 for fire pension; \$4,662,087 for library operating; \$626,316 for Library 2013 Series debt service; and \$443,100 for Fire Station #2 2007 Series debt service; and \$1,018,500 for Stormwater 2008A Series debt service; \$108,000 for Central Business District 2008B Series debt service; \$1,049,050 for Central Business District and Fairview Avenue 2009 Series debt service; \$387,950 for Central Business District 2010 Series debt service; \$420,400 for Central Business District 2010B Series debt service; \$1,937,118.76 for Capital Projects 2012 Series debt service; \$1,551,650 for Central Business District 2013A Series debt service; and \$347,925 for Refunding Bonds 2014 Series debt service.

The estimated levy for Special Service Area #2, CBD Special Service Area, is \$247,000. The estimated levy for Special Service Area #4, Green Acres Special Service Area, is \$0. The estimated levy for Special Service Area #5, Attwood Special Service Area, is \$0. The estimated levy for Special Service Area #6, Fairview Fire Protection District Special Service Area, is \$74,460. The estimated levy Special Service Area, #7, Dunham Subdivision is \$0. A public hearing will be held on these proposed levies on December 2, 2014 at 7:00 p.m. in the Village Council Chambers. The adoption of the proposed levies will be held on December 9, 2014 at 7:00 p.m. in the Village Council Chambers. Staff is also directed to prepare ordinances to abate certain 2014 tax levies.

Mayor Tully said this is the fourth consecutive time, but for fire and police pensions, that the tax levy has remained flat or decreased. This is \$180,000 less than last year's tax levy. It is not easy to do this and it is the result of hard work.

A motion was made by Commissioner Olsen, seconded by Commissioner Neustadt, to Authorize 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: Tax Levy - 2014

ORD 00-05713 C. Ordinance: Amend the Liquor Code Provisions

Sponsors: Liquor Commission and Village Attorney

Summary of Item: This amends certain liquor code provisions.

AN ORDINANCE AMENDING LIQUOR CODE PROVISIONS

ORDINANCE NO. 5413

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

Indexes: Liquor Ordinance Amendments

ORD 00-05766 D. Ordinance: Exempt Certain Property from Stormwater Utility Fees

Sponsors: Manager's Office

Summary of Item: This exempts certain property from stormwater utility fees, effective January 1, 2015.

AN ORDINANCE EXEMPTING CERTAIN PROPERTY FROM STORMWATER UTILITY FEES

ORDINANCE NO. 5414

Mayor Tully called for a motion to amend this ordinance to narrow the exemption to limit it to churches and houses of worship only. Hearing none, he asked for a Motion to adopt the ordinance as presented.

Commissioner Barnett moved to adopt an ordinance exempting certain property from stormwater utility fees. Commissioner Neustadt seconded the motion.

Gordon Goodman, 5834 Middaugh, reviewed the staff's explanation of the plan for the stormwater system with a reduced amount of funding. There are rather severe restrictions and delays in projects. Dr. Goodman said he is very unhappy to see this so widely accepted and supported by the Village's elected officials. He referenced the cost-sharing proposals and ways that churches can participate with the Village to address stormwater. He said he hopes those programs do not die as he thought they were very positive steps.

The Mayor said Dr. Goodman is addressing the Stormwater Grant Program. He noted that there is one successful applicant in the program. What becomes of the program is a question.

Village Manager Dave Fieldman said the current policy requires applicants to be actively participating in the stormwater utility program; therefore, it would be negated.

Bill Waldack, 1409 Willard Place, said comments were made last week that the Council has not heard from non-religious, non-profit organizations. Mr. Waldack said he has heard from them and he also spoke on this. He and the Mayor have been on opposite sides of this issue. The Mayor has referred to Council members changing their positions on this matter. Mr. Waldack suggested three reasons why this may have happened: 1) The utility could be interpreted as a tax; 2) Community and precedent; and 3) Churches were persistent and wore down the Council. He read from Luke's gospel a parable about giving in by being worn out.

Jo Potts, 216 Lincoln, said church members are asked to donate money for plants at holidays. If they can ask for money for flowers, they can surely ask their members for money for the utility and alleviate flooding that is partially caused by their buildings.

Dave Humphreys, said religious and not-for-profit groups provide significant services and are impacted by this fee. It is right to exempt them from this fee.

Alice Dornan said she is the property administrator for the First Christian Church. Her church looked into the grant program and cannot afford to do the work that would qualify for a grant.

Neil Summers, 4935 Highland, asked about TIF financing for Fresh Thyme.

The Mayor said there are two different TIFs in the Village.

Commissioner Barnett said the expenditure of funds from the TIFs is severely restricted.

Mr. Summers commented that we give money to stores, but go after the churches. Not-for-profit churches help a lot of people, but we give money to stores. He doesn't understand this.

Commissioner Olsen said the TIF districts are funded by the increment in the district.

Chris James, 636 Crescent, said he is double taxed because he is a resident and a member of a congregation. As a pastor at Immanuel Lutheran, he knows these changes affect families profoundly. He appreciates the Council's consideration.

Commissioner José said he will oppose this. It represents an 8% drop in the utility. If Council does not act to replace this funding, we will see a drop in maintenance activities and stormwater projects.

Commissioner Olsen said the stormwater utility needs to be eliminated. This is not the best way to fund stormwater projects. He is concerned about continuing with this model and hopes Council will consider moving back to the property tax model.

Mayor Tully said he could support exempting the 22 houses of worship in Downers Grove, but this ordinance goes too far in exempting all tax exempt properties such as the Illinois Tollway Authority, Post Office, and other such agencies. It may have an impact on the stormwater management program. This should not be done without the understanding of the broader community of single-family property owners. This will raise property taxes. The Mayor said because no motion was made to narrow the exclusion to the 22 churches but not the other tax exempt properties, he cannot support this. He would have made a motion to exempt the houses of worship, but as Mayor, he cannot make a motion or second a motion. He cannot in good conscience support the overbroad exclusion of tax-exempt parcels.

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

Votes: Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt and Commissioner Olsen

Nay: Commissioner José and Mayor Tully

Indexes: Stormwater Utility

9. First Reading

RES 00-05735

A. Resolution: Authorize a Subdivision Improvement Agreement with Downers Grove TPM Real Estate, LLC

Sponsors: Village Attorney

Mr. Fieldman said the first two First Reading items concern Nelson Meadow subdivision. He introduced Stan Popovich, Planning Manager, to discuss these items.

Stan Popovich, Planning Manager, said this subdivision is at the northeast corner of Jefferson and Brookbank. He showed the location on an aerial photo. Mr. Popovich then reviewed the history of the subdivision. It was approved in 2006 as an 11-lot subdivision with a subdivision improvement agreement (SIA). In 2010, an addendum to the subdivision improvement agreement was approved but was never executed by the developer. In 2013, a new developer, Downers Grove TPM Real Estate, LLC, purchased the subdivision. A new subdivision improvement agreement is needed to construct all public improvements. The developer is proposing to construct 10 homes on 11 lots.

Mr. Popovich then reviewed the changes to the 2006 subdivision improvement agreement. The proposed agreement clarifies the tree preservation and protection requirements; it clarifies the conditions for issuing building permits; and it identifies the creation of a Special Service Area (SSA) for maintenance of the detention basin and stormwater system.

In terms of changes to the public and private improvements, Mr. Popovich said the lots remain the same with no changes to the lot lines. The biggest change is to Lot 8. Stormwater detention will be located on Lot 8 and the entire lot will be a wet bottom basin. The home originally planned to be constructed on Lot 8 has been eliminated. The location of the water main will be relocated from the initial plan to help protect the walnut trees. The construction entrance will be located on Carpenter Street. Mr. Popovich reviewed the tree protection plans. He said there are 34 trees to be planted with spacing to be determined. A letter of credit in the amount of 120% of the engineer's opinion of probable cost of the new public improvements will be required. A roadway bond will also be required and Village truck weight limits will be enforced. The homeowners association will be responsible for maintenance of the basin. Should it fail to act, the SSA will be enacted.

John Schofield, 1125 Jefferson Avenue, said he is a 20-year resident of the Village. He maintains the web site nelsonmeadow.com and has ten years of documents on it.

Mr. Schofield complimented the developer and attorney for being accessible and responsive. He then spoke regarding the situation of the six neighbors on the 1100 block of Jefferson Avenue. Jefferson Avenue is currently a 15-foot-wide street that is landlocked and will soon be fenced in. St. Joseph's creek is to the south of the block. He and his neighbors are downhill from the project and possible flooding issues concern them. Resident access during construction could be problematic. Further, the most severe impact is the 104 days of infrastructure build-out.

Mr. Schofield requested additions to the subdivision improvement agreement for his personal health and safety. These concern access of emergency vehicles, idling prohibitions, pollution measurements, minimum utility outages, access to his garage and parking when the garage access is blocked. In terms of neighborhood welfare, Mr. Schofield requested that the subdivision improvement agreement include extending the language regarding 1117 Jefferson to all six neighbors, plowing, final pavement of the street, clarification of parking along the north side of Jefferson Avenue, restoration of the north-south pedestrian access as soon as possible as well as restoration of the east-west pedestrian access as soon as possible.

Mark Cronin, 1117 Jefferson, asked that a two to three foot path be left open behind his

property for kids to use as a walkway. He asked that the tree donation of \$18,000 be spent solely on trees in this development. He referenced section 17(b) of the subdivision improvement agreement asked for more descriptive language regarding plantings, sod, maintenance, restoration, driveway reconstruction and parking during construction of his driveway and apron. Further he asked that the lighting plan be amended to move the streetlight from his driveway. He then asked if his assessment will change due to his lot being perceived as bigger. The Mayor said if the size of his parcel is not changing he will not be assessed for a larger parcel.

John Spriet, 1209 Jefferson, said he has sent three e-mails to the Council. His main concern is the sanitary sewers and tying the new houses into the existing sewers. He is concerned about blockages. Regarding stormwater issues, Mr. Spriet said properties on Jefferson have flooded at the back of the properties. There is Village-owned property that has not been maintained. He would like to see the Village address that and clean up the swamp.

David Sosin, attorney for the developer, introduced himself, Patrick Franz, and Bill Cusson of Robertson Engineering.

Mr. Sosin said that the first major issue in an in-fill site is stormwater. The developer's budget will earmark \$600,000 for stormwater. They have to remove a great amount of dirt, resulting in a performing detention area. Currently it is undetained, and they feel confident that they will meet all standards. With regard to the storm sewer, Mr. Sosin said it is older, but the Sanitary District has examined it and said that it is performing. They think the development will help it. In terms of water, the new main will be a substitute for people on Jefferson at the developer's cost. Mr. Sosin commented that the agreement has been reviewed. He noted that many of the comments made are implementation-related and Village staff will work with the contractors and subcontractors. Sod and watering is the developer's responsibility, as is curing the concrete. Regarding the street, and parking, it is a sequencing issue. The sequencing will provide for parking. Mr. Sosin said that they think this is a good agreement. It is important that the work be done properly and smoothly.

Commissioner Olsen thanked the neighbors and the developer for working together. His main concern is the long-term effects, and he thinks those have been addressed, such as trees and stormwater detention. He said that concerns raised tonight by the public should be addressed. He wished them success with the development.

Commissioner Neustadt noted that it is a good step to have an SIA in place. A lot of concerns will be covered in the implementation. The Village has had other large projects and he is confident that staff can address these concerns. This development going forward is good for the community and for Jefferson. He looks forward to it.

Commissioner Rheintgen complimented the developer for listening to their neighbors. It is a better experience than they had in the past. The SSA is also a good thing to do. She understands the concerns expressed, but the SIA is not part of every development, and the developer in this case is providing it. She is confident that staff will work with the developer and the neighbors.

Commissioner Durkin also complimented the developer for his willingness to work with the neighbors. Removing the dirt and looking at ways to make sure that construction trucks are not idling if at all possible is important to air quality. He asked that this be looked at to see if it is warranted. He also asked that they communicate utility shut-offs with the neighbors. Regarding the west side path to school, he asked what the schedule is regarding the sidewalk and north/south access on Brookbank. Mr. Sosin replied it would be done early in the process.

Commissioner Olsen asked about the trees on the west side and whether any will be preserved. Mr. Sosin responded that those will be gone.

Commissioner Olsen agreed that money received for the trees should be used on this site.

Mr. Fieldman replied that all money will be reinvested in the right-of-way on this neighborhood site.

Mayor Tully commented that the Village has to enforce the Code and the agreement. Any of the issues raised are in the Village Code. We have a lot of experience with many of these issues. He said that parking is an implementation issue. The Mayor questioned why they are giving notice to just one person, and asked that they extend it to everyone on the block. Water shut-off is given notice as best as possible. With regard to the walking path, it is not good to have people near the construction site. You want them to walk away from the project and not towards it. Regarding truck idling and air quality, the Village has a nuisance ordinance, but does not measure air quality. To take measures could be difficult, and the Village does not do it elsewhere. The enforcement obligation falls upon the Village. He is confident that things will be well managed. He appreciates the interaction between the developer, neighbors and staff on this project.

Mr. Sosin responded that they have spent a lot of time with staff and will continue working with the neighbors. They have an SIA and 24 pages of private covenants that will regulate the future of the development.

Indexes: Subdivision - Nelson Meadow

ORD 00-05734 B. Ordinance: Proposing Establishment of Special Service Area Number 8 - Nelson Meadow Subdivision

Sponsors: Community Development

Indexes: Subdivision - Nelson Meadow

ORD 00-05733 C. Ordinance: Approve a Planned Development Amendment to Planned Development #44, Butterfield Square Shopping Center, to Permit a 990 Square Foot Sign Package at 1021 Butterfield Drive

Sponsors: Community Development and Plan Commission

Mr. Popovich said this and the next item concern the Art Van Furniture store at 1021 Butterfield Road. Ordinances have been prepared to amend Planned Development #44 to permit 990 square feet of signage and to approve a first amendment to an economic incentive agreement with Art Van Furniture.

Mr. Popovich showed the location of the store. He said the petitioner is proposing an expansion of the retail floor area and significant remodeling of the interior and exterior of the store. This will be the flagship store in the Chicago area.

Three variations from the sign regulations are requested: To increase the maximum total sign area from 300 square feet to 990 square feet; to permit a sign on the east facade without frontage where no sign is allowed; and to allow two signs on the north, south and west facades where only one is permitted. They prefer to have all their signage on the building. Mr. Popovich showed the elevations and proposed signage. He said staff believes the variations requested to be important for the store's success. Mr. Popovich said this is a complex building and location. The request is based on three factors: 1) As a flagship location, two secondary businesses will be co-located within the proposed furniture store and require adequate

identification; 2) There is no access off of Butterfield Road; 3) The petitioner is not requesting a monument sign; all signage is to be on the building.

Mr. Popovich said the proposed expansion complies with the Zoning Ordinance and the Comprehensive Plan. The sign is of a good size to overcome the site accessibility challenges.

Regarding Item D, the amendment to the incentive agreement, Mr. Popovich said the petitioner no longer requests the creation of a business district. The amended agreement also reflects a new project completion date of December 31, 2015.

Neil Summers, 4935 Highland, asked as to the total dollar amount of the economic incentive agreement. He said it was interesting to see incentives for businesses as well as taxes on churches discussed at the same meeting.

Commissioner Barnett clarified that most of the economic incentives agreements are based on future business. To a taxpayer, this means that when an empty business is converted to a taxable property, it generates additional revenue beyond what might not have been received.

Mr. Fieldman said this agreement is to rebate 50% of the sales tax generated for 15 years. It is based on how the store performs.

Mayor Tully noted that the site was vacant and non-performing for many years. The site was generating no sales taxes. The agreement benefits tax payers. Economic development staff work to get people to come to the Village and fill empty properties.

Mr. Summers said he is upset because the Village is choosing winners and losers. He is not in favor of special deals for a big company and he asked who else gets agreements like this. He asked as to the annual sales of a store like this.

Mr. Fieldman said that based on the agreement, it is a \$150,000 incentive based on \$300,000 sales per year.

Marge Earl, 4720 Florence, thanked Art Van and Michael Cassa for bringing this to Downers Grove. She knows how difficult this is to achieve.

Commissioner Neustadt asked if it was always contemplated to have the front door on Frontage Road.

Mr. Popovich said it was.

Commissioner Neustadt said this is fantastic and is a great win for the Village. The Council believes in this project.

Commissioner José said the Planned Unit Development requirements have been met. The site has a number of challenges and additional signage is needed.

Commissioner Durkin said he will support this. This will spur economic development and redevelopment in the whole area.

Mayor Tully said the request to remove the condition of creation of a business district is beneficial to the Village. The agreement also shifts a date. The economic incentive agreement had been previously analyzed. This improves the aesthetics of the building. It also returns a property to a tax-generating property. These requests are reasonable. The Council is looking forward to this project. He believes this will be a destination site.

John Wyatt, Art Van Furniture, thanked staff and Mr. Cassa for their support. The goal is to open the store before Memorial Day next year. They want to attract other retailers to the area.

Indexes: Planned Development #44-Butterfield Square

ORD 00-05774 D. Ordinance: Approve a First Amendment to an Economic Incentive Agreement with Art Van Furniture-Midwest, LLC

Sponsors: Community Development

Indexes: Planned Development #44-Butterfield Square, Economic Incentive - Art Van Furniture Midwest

ORD 00-05742 E. Ordinance: Establish Special Service Area #7 in the Village of Downers Grove

Sponsors: Community Development

Mr. Fieldman said this follows the same process as has been used for other developments.

Mr. Popovich said is the last step in the process to establish Special Service Area (SSA) #7 for Dunham Subdivision. The ordinance proposing establishment of SSA #7 was approved on July 8, 2014, and a public hearing was held on September 9, 2014. The SSA serves as a safeguard in the event that the homeowners association cannot or does not maintain the subdivision's detention areas.

Commissioner Durkin asked for an update on the construction.

Mr. Fieldman said the developer, Anthony Pecoraro, is at the meeting.

Anthony Pecoraro, said the project was delayed due to permitting from the Army Corps of Engineers. He hopes to begin demolition in the next week or two.

Indexes: Special Service Area 7 - Dunham Subdivision

ORD 00-05767 F. Ordinance: Authorize an Addendum to Mutual Aid Box Alarm System Agreement

Sponsors: Fire Department

Mr. Fieldman said the Village has had mutual aid agreements in place for many years. The ordinance authorizes an amendment to the Mutual Aid Box Alarm System agreement and the resolutions update the Fire Department automatic aid agreements with neighboring communities. There are no substantive changes.

Indexes: Fire Department, Mutual Aid

RES 00-05768 G. Resolution: Authorize an Agreement Providing for Automatic Aid with the Darien-Woodridge Fire District

Sponsors: Fire Department

Indexes: Fire Department, Mutual Aid

RES 00-05769 H. Resolution: Authorize an Agreement Providing for Automatic Aid with the Lisle-Woodridge Fire District

Sponsors: Fire Department

Indexes: Fire Department, Mutual Aid

- RES 00-05770** I. Resolution: Authorize an Agreement Providing for Automatic Aid with the Village of Lombard
Sponsors: Fire Department
Indexes: Fire Department, Mutual Aid
- RES 00-05771** J. Resolution: Authorize an Agreement Providing for Automatic Aid with the Village of Oak Brook
Sponsors: Fire Department
Indexes: Fire Department, Mutual Aid
- RES 00-05772** K. Resolution: Authorize an Agreement Providing for Automatic Aid with the Village of Westmont
Sponsors: Fire Department
Indexes: Fire Department, Mutual Aid

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 five (5) items to Council: 1) An ordinance approving a planned development amendment to Planned Development #44, Butterfield Square Shopping Center, to permit a 990 square foot sign package at 1021 Butterfield Road; 2) An ordinance approving a first amendment to an economic incentive agreement between the Village of Downers Grove and Art Van Furniture-Midwest, LLC; 3) An ordinance authorizing an addendum to Mutual Aid Box Alarm System agreement; 4) An ordinance establishing Special Service Area Number 7 in the Village of Downers Grove, Illinois; and 5) An ordinance proposing the establishment of Special Service Area Number 8 in the Village of Downers Grove, Illinois and providing for a public hearing and other procedures in connection therewith.

Future Active Agenda

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.

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

Mayor Tully declared the motion carried and the meeting adjourned at 9:33 p.m.