

# Meeting Minutes

Village of Downers Grove - Council Meeting

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**Council Chambers**

**2/10/2015**

**7:00 PM**

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In order to give as many visitors as possible an opportunity to speak and in the interest of adjourning the meeting by 9:00 p.m., please limit your comments to 5 minutes in length, unless further time is granted by Council. Thank you.

## 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

**Council Attendance:** Commissioner Barnett, Commissioner Durkin, Commissioner Hosé, Commissioner Neustadt, Commissioner Olsen, Commissioner Rheintgen, Mayor Tully

**Staff Attendance:** Village Manager David Fieldman, Village Attorney Enza Petrarca, 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 past meetings, an opportunity will be given for public comments and questions of a general nature. 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 Mayor stated that at the appropriate time the presiding officers will ask if there are any comments from the public. Individuals wishing to speak, should raise their hand to be recognized and, after acknowledgment from the presiding officer, approach the microphone and state their name. Remarks should be limited to five minutes, and individuals are asked to 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

**MIN 2015-6067**            A. Minutes: Council Minutes - February 3, 2015

**Summary:**                    Council Minutes - February 3, 2015

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

**Motion:**                      Commissioner Neustadt moved to approve the minutes as presented.  
Commissioner Durkin seconded the Motion.

**Vote:**

**Yea:** Commissioner Neustadt, Commissioner Durkin, Commissioner Hosé, Commissioner Olsen, Commissioner Rheintgen, Commissioner Barnett; Mayor Tully

Mayor Tully declared the motion carried.

#### **4. Presentations**

##### **Proclamation**

Mayor Tully read a Proclamation into the record concerning the sinking of the ship, Dorchester, which took the lives of four Chaplains whose bravery saved others on the ship. The Mayor then retroactively proclaimed Sunday, February 1, 2015 to be observed as Four Chaplains Sunday, noting that the Proclamation would be made available to the American Legion for inclusion in their historic files.

##### **REP 2015-6041**

##### **A. Report: 2014 Annual Report**

Mayor Tully presented the Village's annual report, also known as the State of the Village report (the "Report") into the record, saying that the State of the Village is exceptional. Highlights of the last year focused on the five Strategic Plan Goals including providing exceptional municipal services, sustainability, building a top quality infrastructure, creating a strong diverse local economy, and providing innovative programs to the Village's citizens.

**Infrastructure:** The Mayor said that specifics of the Report can be obtained on the Village's website. Over the past year the Village invested \$20.8 million in capital improvements including streets, street maintenance, stormwater projects, water projects and sidewalk programs. The Village will continue to make these types of investments. The Village's stormwater program has been amended to be more restrictive than DuPage County's requirements to reduce negative impacts on the Village, reduce the number of projects, and reduce the number of complaints. The program earned the Village an improved flood rating from FEMA, which moved from a "7" to a "6" which also reduced flood insurance rates.

**Snow and Ice:** The Village was in an excellent position to respond to the most recent snowstorm in the Village because of changes made in 2014 that resulted in snow route improvements, staffing improvements, vehicle improvements, and increased salt supplies. Every snowstorm teaches staff about necessary changes and staff will continue to make adjustments to the Village's snow plan as the needs arise.

**Services:** The Mayor reviewed some of the services introduced in 2014. The VOC is now capable of receiving alarms via a wireless fire alarm system, and participation in this program by businesses is on a voluntary basis. Also, in 2014 the Village's Fire Department effectiveness rating improved from a Class 3 to a Class 2 making it part of the top 1.5% of all fire departments in the nation. This means a reduced premium for businesses in Downers Grove. In addition, the Village continued its ongoing project of Sign Ordinance implementation. The Village's intent was to achieve a more esthetically pleasing look in the Village, and there is a 96% compliance level with the Sign Ordinance. In addition, the Village launched a new prescription disposal drop off program allowing for the drop-off of unused medications at the Police Department. To date 242 residents have used this program. The Police Department partnered with the Downers Grove Fire Department last summer in an active shooter training exercise to assure preparedness in the case of an actual emergency in the Village. Numerous other communities and organizations participated in this program as well.

**Tax Dollars:** Mayor Tully stated that the Village continues to have a balanced budget, with \$300,000 added to the General Fund in 2014, which is the Village's main operating fund. He noted that the Village's portion of property taxes has remained flat or decreased in the last four years, with the exception of Police and Fire pensions. During the past year the Village eliminated the Transportation Fund deficit of \$1.9 million due to the commuter shuttle service, which was transferred to PACE. Opportunities to refinance General Obligation Bonds resulted in a reduction of bond payments by \$500,000. In addition, the Village received \$2.5 million in grant funds. The Mayor said that today it is critical to control costs, and during the past year the Village has partnered with other taxing bodies such as District 58, the Downers Grove Park District, the Downtown Downers Grove Market, and the DuPage Mayors and

Mangers Conference in a variety of programs, including lot paving, gas fuel for CMG vehicles, and the restructuring of loans. The Mayor said that the Village would continue to pursue these types of partnerships.

Economic Environment: Mayor Tully showed a slide displaying the logos of a number of new businesses that came to the Village or expanded within the Village in 2014. The Mayor said that robustly supporting economic development efforts is critical to the Village's business success. He reviewed the numerous businesses that have relocated their corporate headquarters to the Village. This is important because these businesses fill the Village's Class 1 office space, bring jobs and employees to the Village.

Tourism: Mayor Tully noted that this last year bicycle racing returned to the Village of Downers Grove. Many who participated in previous races commented on how much they missed racing in the Village, and as a result Prairie State Cycling had its first race in the Village. It is hoped this will once again become an annual summer event in the Village.

Awards: The Village received numerous awards in 2014 including: 2014 Green Fleet Winner ranked as #2; Best Cities for Kids ranked #2; GFOA Finance Award; Pro Patriot Award for the Police Department. The Mayor said that none of this could have been possible without the Village Manager, Village Attorney, Village staff and their work to bring these awards to the Village. He also noted that the residents of the Village also make all of this possible. The Council and staff are acutely aware of the importance of engaging the public. He noted some examples including programs such as Nextdoor.com, live streaming meetings on YouTube, virtual meetings regarding proposed facilities, enhancements to the Village's website, and improved financial reporting to make financial reports easier to read.

Mayor Tully noted that it is the Council's job to listen and then reflect upon what they hear from Village residents. The Village is well positioned to face the future. Mayor Tully concluded by stating that everyone should be proud of our community, and proud of themselves for their part in making the Village programs successful.

## **5. Public Comments**

This is the opportunity for the public to comment on non-agenda items.

1. John Tillotson, 5232 Benton Avenue and owner of the property at 743 Maple Avenue, said that he addressed the Council on January 20 to express his interest in helping to save the Edwards House and become the recipient of the home. He provided an update on the activities to date and read a letter he received from Village Manager Fieldman. Mr. Tillotson said that he has received two consent forms from owners with regard to the private trees. Two people were in favor, two not in favor, and one owner who was interested in supporting the project but had questions requiring further follow-up. Mr. Tillotson said that he participated in a street walk with the proposed home-mover, and an outside certified arborist with Homer Tree Service. Commissioners Durkin and Rheintgen accompanied him on that walk. Mr. Tillotson said he really likes trees. His intent is to live in the home, but they do not want to be responsible for upsetting the neighborhood. After the walk, he feels that this can be done with minimal tree impact based on the arborist's and mover's beliefs. The original assumption was to move further down Maple Avenue; however, by turning the corner, the mover said they would miss the trees at 802 Maple. It turns out that a turn at the corner versus going straight minimizes the impact. The largest Maple just north of the Historic Museum is a healthy tree that was slated to be knocked down. The mover and arborist reviewed this and by looking at the south side where the Historic Museum is, they could dig in the parkway area and that would allow them to miss the tree altogether, as well as the tree at 826 Maple. This is the opinion of the arborist who feels that this move can be done.

Mr. Tillotson said they then interviewed Douglas Gilbert, architect and specialist in preservation. There are people who have said they do not see the value of the home. Mr. Gilbert's comments are on the Facebook page Help Save 942 Maple, Downers Grove. His opinion is that this is one of the most significant historic buildings in the Village, and is a valuable asset to the Village. However, without being moved, it is scheduled to be flattened.

Mr. Tillotson then said he spoke with David Sossin, attorney for the developer. He said that they are aggressively pursuing their plans for the development project. He also spoke with Mike Behm who is the in-house expert on how to go about saving the home and moving it. Time is of the essence, and a decision to postpone this is a decision to flatten the house. He asked the Council to provide approval to them to work with Village staff to have a fully vetted proposal over the next week. They would like to come back on Tuesday, February 17 on the Agenda for a vote. He believes that this will provide the necessary time to save the home.

Mayor Tully thanked Mr. Tillotson for his update. He asked for clarification that Mr. Tillotson is asking to have the Village Forester look at the new plan that will avoid non-consenting property owners. Mr. Tillotson said that is correct. Mr. Fieldman said that the staff would always review the plan. He understands the request is to direct the Village Manager to assist in the preparation of the plan. Mayor Tully clarified that the plan would then be brought forward next week.

Mr. Fieldman said that the three-party agreement has not been completed. It is highly unlikely that a development agreement would be completed, but if directed by the Council, staff could check in on the plan.

Mr. Tillotson said that they are looking for direction to proceed to the next step in preparing the three-way agreement.

Mayor Tully then asked about an update on the funding. Mr. Tillotson said that they are actively seeking alternative funding. Currently they have one application completed for a donation from an organization that is well known in DuPage County and has lots of funds to pass around which could cover the full amount of \$140,000. They will pursue other opportunities as well. Mr. Tillotson further responded to Mayor Tully asking that the Council give them an opportunity to work with the Village staff and they will address tree impact and funding issues next week. Mayor Tully said he would like to see a solution to this challenge. If concerns can be addressed sufficiently, it is worth a week of staff's time, and makes sense to him.

Commissioner Durkin commented that their request is very reasonable. His overall concern is the allocation of the \$140,000. He is looking for a reason that the money is a good investment. He supports Mr. Tillotson's request, and asked whether one week is enough time.

Mr. Fieldman said it is not enough time to bring this to a full resolution, but it is enough time to get this to a further decision point.

Commissioner Neustadt said that the Council would need a copy of any formal application that is on file, and Mr. Tillotson said that would be submitted next week. Commissioner Neustadt then asked whether he expects an answer next week regarding the funding. They would not want to authorize moving the house if they have not raised enough money. He would like to know that the money is available, and thinks the tree impact is still important.

Mr. Tillotson replied that they have taken the steps regarding the funding. They would like an opportunity to present the funding issues in further detail next week.

Commissioner Neustadt said that there hasn't been any effort to get private sector funding. Staff time is extremely valuable. He thinks the funding structure needs to come first and asked again what they are looking to the Village staff to accomplish.

Mayor Tully stated that trying to accomplish a well-recognized goal for the community is not a waste of time.

Commissioner Olsen said that he thinks they need to allocate some staff time and resources. This has been a very long journey, and he appreciates Mr. Tillotson's time and efforts to accomplish this goal. Many people care about the Edwards House. A concrete plan would allow for a decision. He thanked Mr. Tillotson for his proactive plans. Commissioner Olsen said that his full support is with this effort.

Commissioner Barnett commented that if the Council wants to proceed he is fine with it, but he places a higher value on the trees than on the house. He said not to get people's hopes up. Mr. Tillotson said that he thinks there will be some tree impact. What he heard was that this project has minimal tree impact. This is different than what he has heard from staff and he's uncomfortable with that until he can meet with Village staff. Commissioner Barnett replied that he is happy to hear that the plan may be different.

Commissioner Rheintgen said that there has been a lot of discussion about this, and the majority of the Council has issues with the money. She feels the Village cannot support this with dollars.

Mr. Tillotson said he is willing to take that risk. He asked as to the Council views if he gets a percentage of the required funds. Commissioner Rheintgen said she would not like to move forward without a plan regarding funding. She is open to more time to present this as she doesn't feel it is appropriate to just shut this down.

Commissioner José asked how much staff involvement they are looking for, and Mr. Tillotson replied that the key piece is the Village Forester's participation in another street walk. It is collaboration and they would like to have a consensus of the experts. He has the ability to produce the report.

Mr. Fieldman said he understands that staff is being asked to facilitate at the same level as previously. Previously staff prepared the plan with input from the mover, the owner, the Village's Forester, and a GIS specialist. He interprets it as a request for staff to prepare the plan. If the proposal is simply to submit information to them, the staff doesn't need approval. Mr. Tillotson said that they have already done a fair amount of work, but it has not been vetted by the Village staff.

Commissioner José said they are not starting from zero. They have staff information and information from the private arborist. If they are talking about one week, without a commitment one way or another, he thinks it is worth it to find out and move forward with the additional week.

Commissioner Durkin said there appears to be three issues. The arborist from Homer Tree pointed out public trees that need to be pruned. There are utilities to be considered, and there are ash trees to be removed.

Mr. Fieldman said that staff will continue to facilitate and will work with the applicant and his team of experts. He is concerned about the timeline. It will be a challenge to produce the documents by Friday for publication, but staff will try to get it on by February 17. It may track more like March 3.

2. Mike Salazar, 843 59<sup>th</sup> Street, delivered a petition to the Mayor from the homeowners of Clyde Estates requesting that the Council vote to defund construction of the new sidewalks in Clyde Estates. The residents view them as a waste of money and damage to the trees. He said that Clyde Estates does not have stormsewers and sidewalks will affect stormwater in the area. The residents believe the proposed sidewalks will adversely affect curb appeal of their homes and decrease the property values. The petition was signed by 55 of the 65 homeowners in Clyde estates, or 85% of the residents. Those who did not sign are not necessarily in favor of the sidewalks. Some were ill, away on business, or are not scheduled to have a sidewalk on their side of the street. The proposed budget for sidewalks as part of the Clyde Estates project is \$300,000 for the sidewalk element. Their streets are in poor shape and they do have stormwater issues. He said that people who moved into Clyde Estates knew then that there were no sidewalks. Clyde Estates should be preserved, just as Denburn Woods should be. The petition was signed by young families, senior citizens, single owners and empty nesters. Some are second-generation homeowners who have purchased a family home and they are there by choice. Sometimes houses sell by word of mouth. He and his neighbors would like to meet with the Mayor and interested Council members. They do not want to lose greenspace and simply want to maintain the unique character of their sidewalk-free neighborhood.

3. Denise Lazar, 808 Maple Avenue, commented that it is not appropriate to spend public dollars regarding the Edwards House. This is not an emergency, and they need to make a thoughtful decision on behalf of the public. Regarding bonding, some type of escrow funds for unforeseen situations should be made available. She also said that with regard to the Open Meetings Act, it is not appropriate that this is on the public comments section of the meeting. She learned on social media that this would be discussed tonight. The residents deserve more time.

Mayor Tully replied that this is unusual, and nothing has been voted on. It is a unique situation.

4. James Clipper, 821 Clyde Avenue, said he supports Mr. Salazar's comments. Their neighborhood is unique, and most houses were built in the 1950s. They have no problems with traffic.

He said they do not have that much of a flooding problem due to the root system. He complimented the Council on the improvements already made.

5. Mike Behm, 4629 Linscott, said he was one of the original people talking about moving the Edwards House. He is helping Mr. Tillotson and is very confused. The effort to move the Edwards House was always a public/private partnership and the object was to waive permit fees for this purpose. Everyone was excited about this project. From the very first day, the mechanism presented was waiving the permit fees. In October when he came and spoke with Tom Nybo and Mr. Fieldman the idea was to save the home by waiving the permit fees. He would never have gotten involved because waiving the fees was the mechanism. It truly is people putting money together in a public/private partnership. Tonight he is hearing that this is private development. This misses the point and he is confused as to what has taken place over the last four months.

6. John Povlivka, 6016 Washington of Clyde Estates said he came to speak about the loss of trees. He heard something however this evening that certain Council members are concerned about staff time. A resident needs help from the Village. He doesn't know how much time the Village staff gave to an outside developer. The developer said he met with the entire staff on his first meeting in Downers Grove. Perhaps they should keep better track of staff's time. They need to play fair.

7. Elizabeth Davis, 944 Clyde said that there are a number of Clyde Estate residents present and they all feel very strongly against the sidewalks. During the tornado in 2011 a lot of trees were lost, and now with the proposed construction more trees will be lost.

8. Doug Harland, 818 61<sup>st</sup> Street, which borders Clyde Estates said there is a significant stormwater issue in the area on 61<sup>st</sup> Street. He said that the portion on the southeast section should be addressed. Instead of placing drainage ditches in Clyde Estates, he thinks the Council should address the problem on the southeastern end. They've had a problem trying to divert the water.

9. Laurel Bowen, 829 Clyde, said that the sidewalk put on Webster in 2005 cost \$300,000 and tree removal for the sidewalks was \$18,500. Ms. Bowen said that TCD II was held in 1992 and she was part of that. There were ten committees made up of about 100 people. One of the committees suggested that sidewalks on one side of the street would be a good idea. It was a policy and not an ordinance. The Sign Ordinance in the Village has been re-examined and changed three times. There have been no less than 50 variances granted to people over the past five years. However, the sidewalk policy has not been revisited. There was a different Council and different Village management when this policy was put into effect. The residents of Clyde want their neighborhood to stay the same. Many residents have lived there for 45 years.

Ms. Bowen then referenced actions taken by the Village in the past in other neighborhoods. She asked if this project has been presented to DuPage County's Stormwater Commission, the Village's Stormwater Committee, or other agencies. There has been no hydrology report, no traffic study done. She asked the Council when they determine they will listen to the neighbors. She feels that she is being bullied and the residents are being bullied by having their tax dollars used for a project that they do not want.

Mayor Tully said that some of the disparities are due to the nature of the project. Why this project did not go to DuPage County's Stormwater Commission, the Floodplain Oversight Committee, or have a hydrology or traffic study is based on the nature of the project. He said he takes issue with the bullying comment. There has been an effort to discuss this plan. Not everyone is in favor of all elements of the plan. The Council has tried to continue the conversation. It is their neighborhood and reflects what they want, within reason given the overall parameters. It is a long project and there will be more discussion.

10. Hilary Denk, 433 Wilson, thanked the Council and staff for considering the process for Edwards House. She noted that the local League of Women Voters is part of the Elmhurst League event. There will be a meeting on Sunday, February 15 from 4:00 p.m. to 5:00 p.m. at Elmhurst Village Hall. College of DuPage Trustees will be available, and, at a later date, there will be a local candidates' forum.

11. Dr. Gordon Goodman, 5834 Middaugh, said that in light of the comments about Clyde Estates sidewalks and the opposition to the sidewalks, it doesn't seem to be the desire of the neighborhood. He wondered if the archives contain planning documents from the 1970's-80's about Clyde Estates' Neighborhood Plan. He suggested perhaps modifying the plans to accommodate the neighbors adjoining Clyde Estates. He was part of the TCD-II project, and hoped that records from that time would be available. Dr. Goodman said that the sidewalk is the least important element of the Clyde Estates project. They want to move ahead with the streets, and the drainage is a mixed bag. He recommended moving ahead with the street reconstruction and holding off on the overall sidewalk policy from 2007 as it relates to Denburn Woods and Clyde Estates. They can look at this as a completed sidewalk component and plan to do some fine-tuning.

12. John Hebert, 802 Maple, said he would like to have an opportunity to go on the walk through with the Village arborist. That might ease his concerns about the whole project. The Mayor replied that they can let him know when it will take place.

## 6. Council Member Reports

Commissioner Rheintgen said that the Grove Foundation is sponsoring a "Passport to Dine" to be held on February 26. Tickets are \$25.00, and funds raised will be given back to organizations in the Village. More information can be found at [thegrovefoundation.org](http://thegrovefoundation.org).

Mayor Tully announced that the Education Foundation of School District 58 is having their Harlem Wizards fundraiser on February 15. Additional information can be obtained at [www.dg58.org](http://www.dg58.org). Tickets sold out very quickly last year.

## 7. Consent Agenda

**BIL 2015-6065** A. Bills Payable: No. 6172, February 10, 2015

**Summary:** No. 6172, February 10, 2015

**RES 2015-6056** B. Resolution: Authorize a Contract Amendment with Hampton Lenzini & Renwick, Inc.

**Summary:** This amends an existing contract for Native Landscaping and Natural Areas Maintenance & Monitoring with Hampton Lenzini & Renwick, Inc. (HLR), of Elgin, Illinois in an amount not to exceed \$30,000.00, bringing the total contract amount to \$69,324.00.

A RESOLUTION AUTHORIZING EXECUTION OF AN EXTENSION AND AMENDMENT TO THE AGREEMENT BETWEEN HAMPTON, LENZINI AND RENWICK, INC. AND THE VILLAGE OF DOWNERS GROVE

RESOLUTION 2015-07

**RES 2015-6069** C. Resolution: Authorize a License Agreement with Lighttower Fiber Networks II,

LLC for Use of Village Rights-of-Way

**Summary:** This authorizes execution of a license agreement with Lighttower Fiber Networks for the use of the Village's rights-of-way for the installation, operation and maintenance of an underground fiber optic telecommunications cable system.

A RESOLUTION AUTHORIZING EXECUTION OF A LICENSE AGREEMENT BETWEEN LIGHTTOWER FIBER NETWORKS II, LLC AND THE VILLAGE OF DOWNERS GROVE FOR USE OF VILLAGE RIGHTS-OF-WAY

RESOLUTION 2015-08

**MIN 2015-6066** D. Minutes: Note Receipt of Minutes of Boards and Commissions

**Summary:** Library Board - December 17, 2014

The Mayor asked for a Motion to adopt the Consent Agenda.

**Motion:** Commissioner Neustadt moved to adopt the Consent Agenda. Commissioner Durkin seconded the Motion.

**Vote:** **Yea:** Commissioner Neustadt, Commissioner Durkin, Commissioner Hosé, Commissioner Olsen, Commissioner Rheintgen, Commissioner Barnett; Mayor Tully

Mayor Tully declared the motion carried.

## 8. Active Agenda

**MOT 2015-6058** A. Motion: Direct Staff to Draft a Text Amendment to the Zoning Ordinance re: Electronic Message Board Signs

**Summary:** This directs staff to draft a text amendment to the Zoning Ordinance permitting electronic message board signs in the INP-2, Campus-scale Institutional and Public Zoning District.

Dr. Mark McDonald, Superintendent of District 99, said that he listened to last week's discussion by the Council and wanted to offer additional comments. District 99 has worked with Village staff to rezone the two high school campuses to INP-2 zoning. He understood that only two facilities, Midwestern University and Good Samaritan Hospital would be eligible for INP-2 zoning status. Since then he has learned that the inclusion of District 58 schools and the Park District are also under consideration for INP-2 designation. He asked for clarification of that zoning. Dr. McDonald referenced examples shown last week of digital signage at other high schools in other communities. He clarified that those examples were not intended to be an example of specific signage for approval. Their request is simply for a text amendment. Dr. McDonald said that their core business is education, and not digital signs, but they are a part of the community, and the community wants this type of signage. The act of pursuing the text amendment process will allow them to improve their communication process with the community.

Terry Pavesich, 6912 Grant, said she was speaking for Nancy Kopka who was unable to be present. Ms. Pavesich said the Board is very supportive of this effort. They want a method to better inform the community. This is also a part of public safety and public notification. This signage could be used to direct people regarding fire and safety drills. She noted that South High is a national stockpile location in case of national emergencies. The signage would be helpful in directing people. She said that this is an easy way to let people know what is going on. There are many people who do not use the Internet or Facebook, and driving by this type of signage is an improved method of communicating.



Dr. Gordon Goodman, 5834 Middaugh, commented that he was disappointed when the Village display signs were removed from the two fire stations. There is a need for that kind of communication, and these signs can be useful to make facilities and events more accessible to the community. The possibility of considering a text amendment requiring a special use would take away a lot of the concerns. The Council may want to continue to hold the reins in this matter.

Jenny Bauman, 4500 Prince, said she is opposed to the text amendment but not to the signs. She asked that they pursue this as a special use. The signs at Downers Grove North are set up to be directly across from her home. She can mow her lawn at night just by all of the light reflecting into her yard. Digital signs would be inappropriate in other residential areas as well. Ms. Bauman requested that they make digital signs the exception to the rule. This is an attempt to allow what would not otherwise be allowed in residential areas.

Commissioner Olsen asked if there are other ways that District 99 could go about this, and Mr. Fieldman said he was unaware of any other options. Digital signs are expressly prohibited and they are considered a land use, so there is no variance or exception available. Commissioner Olsen asked if the text amendment could move this into another district. Mr. Fieldman replied that the INP-2 district was created with four properties in mind—District 99, Good Samaritan Hospital and Midwestern University. The zoning designation would be available to any institutional owner with property over four acres in size. Regarding a text amendment, it could be written in any fashion. At this time only Good Samaritan Hospital is zoned INP-2.

Mayor Tully asked for clarification that if it was a text amendment they would have to pursue a rezoning and special use. The Manager said that was correct and would require public meetings.

Commissioner José said this hasn't changed his take on this issue. He has talked about having a comprehensive review of the Zoning Ordinance in long-range planning. He would like to include this at that time. He is not in favor of one-off changes to the Ordinance and will vote against this at this time.

Commissioner Olsen commented that he discussed this process in the past. The Council has to direct staff to go through the Plan Commission process and then come back to the Council. He said that tonight they are having a Public Hearing without having a Public Hearing. There are no specifics. There is a lot of fear in the community and he shares that fear. He supports moving forward to a Public Hearing to talk about specifics. They could be proposing a new garish sign such as appears on I-295 in the Rosemont commercial area. He thinks it is important that they go through an actual Public Hearing process to talk about the specifics involved here including brightness, timing restrictions, etc. This should be done through a public process before the Plan Commission and then before the Council for further consideration and public input. He thinks this is a reasonable question. There may be a way to structure this Ordinance in a way that works for everyone. He urged his colleagues to support this path as well.

Mayor Tully commented regarding the process, saying this is to direct staff to draft a text amendment. The Council is not voting on an Ordinance. It is voting on a process. He is troubled by some Council members knowing what people want, and he is not troubled by one-offs. Mayor Tully asked if they really know what the community wants. They will find out through the public process what the public really wants. He noted that just because the Village can do something doesn't mean it should do it. However, he does not believe they should stop the process at this point. He supports going forward and allowing the process to play itself out. If the public is opposed to it, the Council is sure to hear about it.

Commissioner Rheintgen asked if the text amendment goes forward whether District 58 will have to come before the Council as a whole. Mr. Fieldman replied that institutional land use requires four acres of property or more. It would be up to the institutional owners, but each property would have to meet the standards. The text amendment only deals with the property zoned in INP-2, which currently includes only Good Samaritan Hospital. If approved, any property zoned INP-2 now, or in the future, would be subjected to any Ordinance potentially or currently in place.

Commissioner Barnett said they are being asked to dedicate staff time to create an Ordinance. District 99 came and made its presentation. No one has come forward to say they really like this. The Village is

being asked to give staff time to writing this Ordinance. He sees this as reason to review the Sign Ordinance. Commissioner Barnett said it's not a question of whether the Ordinance could be crafted, but would it reflect what is available or what technology might be in the future. With this information, he doesn't want to spend additional staff time unless there is an end they can really achieve. He said changeable copy is valuable, however, he doesn't think staff time should be dedicated right now. He would like to encourage District 99 to continue to look for options that are different. Currently, the only option is a sign in opposition to the Sign Ordinance.

Commissioner Olsen said that they are in a dilemma where District 99 is looking for parameters from the Council and we are saying come up with additional ideas. This is the classic chicken and egg dilemma. District 99 is asking what the Village will consider as acceptable. He thinks they are in a situation where they should pursue this as a resolution to this matter.

Commissioner Neustadt said that the new process is outlined in the Sign Ordinance. We cannot live in the "maybe" world. The Council voted on the Zoning Ordinance, which contains the new process. He thinks in this case they are trying to set forth an action plan for staff and for another taxing body. He said in this case, the text amendment has been brought to the public, and residents have commented to the Council. The public has said that they do not support electronic signs for residential uses. He will not support this.

Mayor Tully commented that the creation of the INP District greatly diminishes this type of signage spreading throughout the Village.

The Mayor asked for a Motion to direct staff to draft a text amendment to the Zoning Ordinance permitting electronic message board signs in the INP-2, Campus-scale Institutional and Public District.

**Motion:** Commissioner Durkin moved to direct staff to draft a text amendment to the Zoning Ordinance permitting electronic message board signs in the INP-2, Campus-scale Institutional and Public District. Commissioner Olsen seconded the Motion.

**Vote:** **Yea:** Commissioner Durkin, Commissioner Olsen; Mayor Tully  
**Nay:** Commissioner Hosé, Commissioner Rheintgen, Commissioner Barnett; Commissioner Neustadt

Mayor Tully declared the motion failed.

## **9. First Reading**

## **10. Mayor's Report**

## **11. Manager's Report**

**REP 2015-6077** A. Report: New Sidewalk Construction Plan

**Summary:** Discussion of the new sidewalk construction plan. The objective of this action item is to create a plan to guide the construction of new sidewalk segments for 2017 to 2021 (5-year capital plan) and beyond.

Public Works Director Nan Newlon said the purpose of the report is to introduce the topic and provide the Council with a brief summary of where the sidewalk program will be as of 2017. No direction is being sought. The existing sidewalk plan will essentially be completed in 2016. The plan is to present this topic in three Council meetings: February 10, introduction; March 3 strategies for prioritizing sidewalk construction; and March 17, discussion of the draft sidewalk construction plan. Ms. Newlon said that the key questions are where sidewalks will exist at the end of the current plan, and where should be they

constructed and why. She presented a slide presentation showing the sidewalk construction as of 2017, which will leave 3.5 miles of Village streets that will be without sidewalks by the end of 2016. She showed a Village map with the sidewalks highlighted. The strategies and purposes of the program will be discussed at the March 3 Council discussion.

Mr. Fieldman commented that staff and Council would be looking for dialogue beginning March 3. He said if the Council has any particular questions or information they want presented at the March 3 meeting to inform him ahead of time.

Commissioner Barnett said he would like some kind of commentary as to what the affects would be, as they relate to Clyde Estates, of doing nothing there until this is sorted out.

Dr. Gordon Goodman, 5834 Middaugh, said he would not be present on March 3 and that he is supportive of sidewalks. He noted that certain streets have needed sidewalks. When he came to Downers Grove and Middaugh, there were some properties without sidewalks. Even 59<sup>th</sup> Street had no curbs, gutters or sidewalks, even though it was near Hillcrest School. Dr. Goodman said he supports public expenditures for sidewalks. In the past he tried to talk-up sidewalks however not everyone wanted them. He said the situation is a little more extreme in Clyde Estates and he hopes the Council will back off until after the sidewalk discussions. He supports the need, but is not sure it is an absolute need everywhere. He said that they have come to a point where we can decide if we really need sidewalks where there are none. Areas such as Denburn Woods and Clyde Estates that do not have linear streets may not be appropriate for sidewalks. It may be that they want to get back to the days of the Neighborhood Plans and the needs of those areas based on plans actually made by the residents of those neighborhoods.

Chris Fregeau, 1918 Elmore Avenue, said she would be unable to attend the March 3 meeting. She reviewed the history of sidewalks in the Village going back to the 1800s. She hoped the Council would view the infrastructure for the future and for the community.

## **12. Council Member New Business**

Commissioner Olsen noted that Commissioner Barnett asked for information about Clyde Estates, and he asked that they receive that information sooner rather than later. Mr. Fieldman said that staff would provide that information to all Council members.

Commissioner Olsen commented that the Village has a meeting scheduled for April 7, which is Election Day, saying that a meeting may not be productive on that day. He suggested cancelling that meeting and postponing it until April 14.

Mayor Tully replied that the Council's main objective is to do the people's business. His preference is to meet if staff has business for the Council to do.

Mr. Fieldman replied that staff has an overwhelming amount of work. Staff will keep the agenda to the essentials for election night. This year is more challenging than most.

Commissioners Durkin, Neustadt and Rheintgen all agreed with the Mayor.

Commissioner José said it behooves them to have a meeting on that day.

Commissioner Olsen responded that he is not opposed to a meeting. He is concerned with the additional distraction.

## **13. Adjournment**

Mayor Tully asked for a Motion to adjourn.

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

**Vote:** **Yea:** Commissioner Neustadt, Commissioner Durkin, Commissioner José, Commissioner Olsen, Commissioner Rheintgen, Commissioner Barnett; Mayor Tully

Mayor Tully declared the motion carried and the meeting adjourned at 9:52 p.m.

Respectfully submitted,

April Holden  
Village Clerk