

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

4/21/2015

7:00 PM

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 Hosé, Commissioner Olsen, Commissioner Rheintgen, Commissioner Barnett, Commissioner Neustadt, Mayor Tully

Absent:

Commissioner Durkin

Staff Attendance:

Village Manager Dave 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.

The Mayor stated that at the appropriate time the presiding officer 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.

The Mayor 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 2015-6197 — A. Minutes: Council Minutes - April 14, 2015

Motion: Commissioner Neustadt, seconded by Commissioner Olsen, moved to approve the minutes as presented.

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

The Mayor said the minutes were approved as presented.

4. Proclamations

Mayor Tully proclaimed Friday, April 24, 2015, as Arbor Day in the Village of Downers Grove urging residents to plant and care for their trees.

Mayor Tully then proclaimed Saturday and Sunday, May 2 and 3, as Founders' Days in the Village of Downers Grove, commemorating the settling of Downers Grove. He presented the Proclamation to Tom Casey, President of the Downers Grove Historical Society.

Mr. Casey thanked the Mayor and Council for honoring Founders' Day, and explained that many events are planned for the celebration that include partnerships with the Park District, Windy City Walkers, Downers Grove Bike Club and Pierce Downer Heritage Alliance. He noted that there will be special recognition honoring Sam Curtiss and John Green for their work in creating the Village. Mr. Pierce Downer, first settler in Downers Grove, also thanked the Council and Mayor for their recognition, commenting that many people worked hard to make this Village prosper.

5. Council Member Reports

6. Consent Agenda

COR 2015-6195 — A. Claims Ordinance: No. 6101, Payroll, March 20, 2015; No. 6103, Payroll, April 3, 2015

BIL 2015-6209 — B. Bills Payable: No. 6186, April 21, 2015

MOT 2015-6198 — C. Motion: Authorize \$9,891.62 Change Order to an Existing Three-Year Contract for Specialty Winter Operations Services with Snow Systems Inc., Wheeling, IL

Summary: This authorizes a change order to an existing three-year contract for Specialty Winter Operations Services with Snow Systems Inc. of Wheeling, Illinois in the amount of \$9,891.62.

Motion: Commissioner Neustadt, seconded by Commissioner Olsen, moved to approve the Consent Agenda.

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

The Mayor declared the motion carried.

7. Active Agenda

ORD 2015-6177 — A. Ordinance: Adopt the State of Illinois Plumbing Code and Amendments Thereto

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Summary: This adopts the Illinois State Plumbing Code and amendments thereto.

Mayor Tully commented that there has been recent discussion about these changes among the members of the DuPage Mayors and Managers Conference. He said he would provide that information to the Council.

**AN ORDINANCE ADOPTING THE STATE OF ILLINOIS PLUMBING CODE
AND AMENDMENTS THERETO**

ORDINANCE NO. 5456

Motion: Commissioner Neustadt, seconded by Commissioner Olsen, moved that this item be adopted.

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

The Mayor declared the motion carried.

8. First Reading

ORD 2015-6192 — A. Ordinance: Authorize a Special Use to Permit an Extended Family Accessory Housing Unit at 4215 Venard Road

Planning Manager Stan Popovich explained that this is a special use request for an extended family accessory housing unit. He described the location south of Doerhoefer Park at 4215 Venard Drive. This is a secondary dwelling unit and will have a separate kitchen. The owners plan to convert the existing attached garage into a housing unit. This is allowable as a special use and is generally for residents 62 years of age or older. Mr. Popovich said that the ordinance requires a de-conversion plan to turn this into a recreation room and wet bar when the Special Use terminates. He explained that the ordinance will allow seniors to remain in the Village and allows the family to care for an elderly parent. The exterior of the house will remain as a single-family home. The request meets the standards of Special Use approval.

Commissioner Barnett commented that it appears as though the applicant lives in Villa Park. He asked what the relationship is between the petitioner and the extended family.

Mr. Popovich replied that there are no residents in the house now. The petitioner has purchased the property and the petitioner will live in the house and his mother will live in the accessory unit.

Commissioner Barnett said he is glad that the Village's ordinances allow for this.

Mayor Tully asked whether there is a terminus date related to this.

Mr. Popovich responded that there is no anticipated terminus date, other than if the petitioner or extended family resident vacates the premises. An affidavit is sent annually to the owners confirming that the living situation remains the same.

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9. Mayor's Report

Mayor Tully said that he serves as the District 3 representative on the DuPage County Stormwater Management Planning Committee. He shared information from today's meeting and said that the County's Flood Plain maps are still under FEMA review at this time. Preliminary maps are expected sometime this spring.

Commissioner Rheintgen asked whether owners would be notified if their home's status is changing as a result of these maps. The Mayor said he would find out how notification will be made.

Mayor Tully also commented that wetland maps have been updated and draft maps have been approved to be posted for review.

New Business

Materials to be Received

Materials to be Placed on File

10. Manager's Report

Village Manager Dave Fieldman said a first quarter 2015 report has been prepared. Judy Buttny, Finance Director presented the report.

Judy Buttny, Finance Director, stated that revenues for the first quarter were anticipated to be \$8.92 million, with an actual of \$9.05 million received. The increase is due largely to building permit revenues from large commercial projects. She reported that the telecommunications tax revenues were under budget. Other revenues were at or near budget. Expenses were budgeted for \$8.90 million, with an actual expense of \$8.70 million. The difference in expenses was due to savings of \$200,000 attributed to cost containment measures implemented in anticipation of reduced State revenues.

11. Attorney's Report

Future Active Agenda

Pursuant to Section 2.5 of the Downers Grove Municipal Code, the following are presented for Village Council consideration:

1. An ordinance authorizing a special use to permit an extended family accessory housing unit at 4215 Venard Road

12. Public Comments

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

1. Connie Butler, 5925 Washington, made an observation about Downers Grove as an arbor town, and spoke to concerns expressed by residents about taking away trees in Clyde Estates. She also noted that there is a speeding problem coming into Clyde Estates from 59th Street, and asked whether it is possible to put a Stop sign at Washington and Clyde Circle.

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2. Kathy Hebert commented about sidewalks. She said last June she fell as she was crossing the tracks on Maple due to a broken sidewalk. She was cut on her face, hands and knees. She went to the Public Works Department on the Monday after the incident. The Supervisor called her and went to the field, notifying her afterwards that the sidewalk would be fixed by August. It was not fixed late into the fall, so she mentioned this to Commissioner Rheintgen. It was fixed a short time later. She said she had spoken to the supervisor a second time prior to commenting to the Commissioner. The only person who got that patched for her was Commissioner Rheintgen. She thanked her for that. The sidewalk in that section is in horrible condition and needs to be looked at. She asked that someone talk with the owners there about the disrepair at the Maple crossing. There is also a sidewalk at the corner of Saratoga and Prairie on the southeast corner with loose gravel and a large hole. It has been in disrepair since early fall. Ms. Hebert also mentioned a Stop sign at Fishel Park and Emmett's that has been removed and needs to be replaced.

3. Ms. Butler returned asking about reviewing what Clyde Estates would look like with the proposed ditching. Mr. Fieldman replied that a similar situation would be in the Downer Grove Estates area. There will be a neighborhood meeting on Monday, April 27 for the Clyde Estates neighborhood. At that meeting they will have some information regarding the ditching system. He explained that Downers Grove Estates is west of Main Street, south of 63rd Street.

4. Bea Bennett requested that a video and audio of the meeting on April 27 be made, saying it would be a wonderful idea for the Council members to attend.

5. Dr. Gordon Goodman of 5834 Middaugh commented on two topics. On May 2 there will be a walk in Lyman Woods as part of the Founders' Day activities. He encouraged people to participate in the events, and showed a poster of the Wildflower Walk.

Dr. Goodman then said that there was some discussion about historic preservation at last week's Council meeting by Commissioners Barnett and Hosé. Dr. Goodman asked whether it is likely that the new Council will have decisions regarding the Edwards House. He said he heard that there is some discussion that the house is not going to be considered for preservation.

Mayor Tully said that on approximately April 7, the private citizens at 743 Maple accepted the path of the loan earlier approved by the Council. The developer's timeline is that this move must happen by May 15. The owners at 743 Maple do not believe it can physically happen by that date unless the deadline date is moved.

Dr. Goodman noted that many communities have waiting periods for demolition permits for certain classifications of structures. He believed that Council members taking office on May 5 should have a role in the preservation of the Edwards House. To do so, the current Council would have to immediately adopt an emergency action of a waiting period for demolition permit for buildings that are over 100 years old. He asked that the Council consider holding a special emergency meeting on April 28 to consider and approve an ordinance that would amend Article III of Chapter 7 of the Municipal Code regarding demolition permits.

Mayor Tully said there are a lot of questions they may not be resolved tonight.

Dr. Goodman said he is looking for direction to the staff by the Council that this is worth looking at.

13. Council Member New Business

Commissioner Barnett said that he received notice today that the people intending to move the house do not think they have enough time to do so. He said that a lot of work has gone into this by residents, staff and Council, and the Council was told as of December 9, 2014, that details had been worked out. He then asked how they got to the point where a deal was accepted, and now there is not enough time. This is very disappointing to him. He would like some insight as to how this happened. Everyone he knew was hoping to find a way to save this house. Commissioner Barnett said this is not a particular action

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item, but he would simply like to see them learn from this. It is a shame to see the house demolished, and not for lack of effort on anyone's part.

Mayor Tully said he refuses to call this over yet.

Commissioner Rheintgen commented to Dr. Goodman that she doesn't know if there are any other solutions.

Mayor Tully suggested that they learn from what has happened, and he doesn't think they can discuss what is going on since the parties involved are not present at the meeting.

Dr. Goodman recommended that Commissioner Rheintgen put the question to the Manager. He is probably the closest to this situation than anyone else in the room, and may have been in touch with Mr. Tillotson.

Jenny Murphy, 5643 Hillcrest, noted that while some parties may not be present, the whole community is working toward understanding this matter. She wrote an email to the Council, the Village Attorney and the Village Manager recently. Only two people responded to her questions. She lives in an old home built in 1926 and she loves the community. She asked as to the exact cost of the loan and how taxpayers' money is being used. She also asked where they could go to get updated information.

Mayor Tully noted that this is not a Village project. He said \$123,000 was unanimously approved by the Council, and was a set amount to mitigate the cost to move the home.

Ms. Murphy said her understanding is that they are using taxpayers' money for private use.

Mayor Tully reiterated that this is not a Village project. The owner of the property is the developer. There are individuals in the community who want to save the house and move it using their own funds. The actual agreement that would have to be approved has not been submitted to the Village as of this date. The Council approved a loan as part of an agreement. The interest-free loan of \$123,000 was put forth and approved by the Council; however, that agreement has not been accepted or come back to the Council. The loan put forth would come from the permit fees from the Marquis on Maple project. Some estimates have been submitted.

Ms. Murphy said she appreciates the clarification. The Mayor added that information came to the Council only this afternoon and they have had only 4-5 hours to process this. There is no other information that's been given to the Council. Mayor Tully said the loan was a way to facilitate the project in terms of moving the building. The loan was to be a ten-year interest free loan as part of an agreement, which has never been submitted back to the Council.

Ms. Murphy then asked for any information regarding the \$123,000 that is on public record. Mayor Tully referred her to staff for that information.

Commissioner Barnett explained that this involved private parties. He recommended preparing and providing a timeline of activities that have transpired over the course of this project so there is greater clarification as to what has occurred. He would appreciate that, and is sure that there are others who would like a greater understanding of what has taken place to date that did not occur at Council meetings.

Mayor Tully said he doesn't want to see this evolve into who is to blame for what has occurred. He would like them to continue to seek a solution.

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14. Adjournment

Mayor Tully asked for a Motion to adjourn.

Commissioner Neustadt moved to adjourn. Commissioner Olsen seconded the motion.

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

Mayor Tully declared the motion carried and the meeting adjourned at 7:59 p.m.

Respectfully submitted,

April Holden

Village Clerk