

Staff Responses to Council Questions

July 14, 2015

5. Consent Agenda

D-F. Real Estate Contracts for 5317 Grand, 5634 Webster, 5638 Webster

How and why were these properties identified for purchase?

These properties were identified for purchase because they are located in floodplain, experience repetitive structural flooding and meet the requirements of the Hazard Mitigation Grant Program.

In April 2013, the Village experienced severe flooding like much of northern Illinois. A Federal Disaster was declared, allowing eligible jurisdictions to submit pre-applications to participate in the Hazard Mitigation Grant Program (HMGP), administered by the Illinois Emergency Management Agency (IEMA) and funded by the Federal Emergency Management Agency (FEMA). The properties identified for purchase had repetitive structural flooding and met the requirements for the HMGP.

Is this a voluntary purchase?

Yes, the participation of the homeowners is voluntary, and they may choose to drop out of the program at any time prior to sale of the property.

What is the planned use of these properties?

In compliance with the grant restrictions, the properties will be deed restricted to be used only for purposes compatible with open space, recreation, or wetlands management practices. The intention is to use them as open space to assist with flood control.

What is the history of these properties? Built? Occupied? Abandoned?

These houses were constructed between 1917 and 1961, and prior to the creation and publication of the flood control map of the Village of Downers Grove, in 1971. All properties are currently occupied by the same residents who lived in them during the April 2013 flood.

If for recreational use, why not let the Park District pick them up and pay?

It is not anticipated that these lots would be used for recreational use. The properties are intended to be used as open space to assist with flood control.

Why are we actually purchasing these properties? If there are no definite uses, why purchase somebody else's problem?

The Village's stormwater management program is intended to reduce the likelihood of flooding of structures including houses. To do so, the Village has constructed 58 stormwater capital improvement projects since 2008 at a cost of about \$28 million. In some cases, it is more cost

effective to purchase and demolish houses that are subject to chronic flooding than it is to construct stormwater management capital projects. The cost of relocating or reducing the size of federally mapped floodplains is generally very high. The recommended approach in these cases is to purchase the houses and demolish them.

Once properties are abandoned, why not eminent domain instead of buying the property?

These houses have been occupied for many years and staff does not expect them to be abandoned or become vacant. Use of eminent domain authority to condemn, or purchase the properties from owners that are unwilling to sell, is more time consuming and costly than the proposed purchase from willing sellers using FEMA funds. It is unlikely that FEMA funding would be available for properties purchased via condemnation.

How many properties is the Village planning to buy under the FEMA grant program?

The Village has been approved to purchase four properties in the Hazard Mitigation Grant Program.

Are there opportunities to construct stormwater management facilities on these properties in the future (rain gardens, basins?)

Yes, there are opportunities to use these properties for stormwater management.

6. Active Agenda

A. Motion: Award a Contract for \$1,729,127.73 to A Lamp Concrete Contractors, Inc., Schaumburg, IL, for Maple Avenue Roadway Reconstruction

What will happen if the Council votes to change the scope of the improvements on Florence Avenue? How would this affect the schedule for the balance of the project? How would the Florence Avenue portion of the project proceed?

If the Council directs staff to change the scope of the improvements on Florence Avenue, the improvements to Maple, Wilcox, and Burlington Avenues would proceed this year as designed and bid. The work on Florence would proceed after construction plans are completed and bid likely in 2016. A scope of work for the project would need to be determined and should address the following issues:

- Pavement width
- Grading of the parkways
- Parkway tree impact
- Utility conflicts
- Project budget

With the other capital projects planned for 2016, staff would have to determine if a consultant would be needed to design the plans for Florence Avenue.

What would the contract price be if Florence Avenue work were to be removed from the project scope?

If Florence Avenue was removed from the project scope, the new contract price would be \$1,499,127.73 (the contract amount for Florence Avenue is \$230,000).

How many similar situations might arise in, say, the next ten years for other street segments scheduled for resurfacing or reconstruction where the residents might equally demand a ribbon and what the total estimated cost would be if each such demand were met, ala Florence? In other words, what would be the long term capital cost of treating all similarly-situated residents similarly?

The Village resurfaces approximately 2-1/2 to 3 miles of streets each year that do not have curb and gutter. If the standard was to construct ribbon curb on these streets the resulting estimated cost would be an additional \$2 million/year. If the streets need to be widened or straightened, or if stormwater management components were needed as part of the work the cost would increase. The following link shows a map noting the streets with and without curb:

http://www.downers.us/public/docs/Streets_and_Parkway/Streets_and_Sidewalks/Street_Sweep.pdf

7. First Reading

B. Ordinance: Amend Certain Provisions of the Downers Grove Zoning Ordinance

Regarding item 5 on Text Amendments. Wouldn't allowing petitioners to have the power to bring text amendments increase the likelihood that text amendments would increase and likely allow the petitioner to fashion the amendment to get around current requirements? Would it not be better to have them suggest to Staff and have Staff begin the process at the Plan Commission level?

Staff does not anticipate a significant increase in the number of text amendment petitions filed. The proposed amendment would re-establish the process for text amendments that was in place with the previous version of the Zoning Ordinance. Between 2004 and 2014, staff processed eight resident initiated text amendments and 18 staff initiated text amendments. Of the eight resident initiated requests, five requests were to allow new uses in a particular zoning district while three proposed to modify code requirements (electronic message signs, fences and zoning district sizes).

Staff anticipates a similar pattern moving forward and does not anticipate an increase in the number of text amendment applications. In all cases, staff works with the applicant to achieve a solution to their challenge without requiring a text amendment. The potential solutions include minor modifications to proposed plans, variances, administrative adjustments and zoning exceptions. A text amendment is typically the last option for a resident. Additionally, staff will review all proposed amendments against the review and approval criteria for text amendments in Section 12.030.F of the Zoning Ordinance. These two criteria ensure that any changes are in conformance with the Comprehensive Plan and Zoning Ordinance.

12. Council Member New Business

A. Motion: Consider an Amendment to the Cash Management and Investment

Policy re: Quarterly Investment Reports

Does the Village already publish information about cash investments? If so, when and where?

Yes, the Village publishes information about cash investments in the monthly financial reports which can be found here:

<http://www.downers.us/govt/village-managers-office/monthly-financial-reports>.

Non-Agenda

Is the Village planning to spray for mosquitoes soon?

No, the Village is not planning on spraying for mosquitoes in the near future. The Village is monitoring conditions and may spray later in the summer.

The Village budgets for one spray per year; however, only conducts a community-wide spray when conditions warrant it. The cost of a spray for 2015 is \$10,158.

There are mainly two types of mosquitoes in our area: the Floodwater Mosquito and the House Mosquito. The House mosquito is the type that can carry the West Nile Virus.

Currently, the Village has Floodwater mosquitoes (*Aedes vexans*). These mosquitoes do not carry West Nile Virus. They can fly long distances (5 to 10 miles) from where they hatch, and are prevalent in rainy and wet conditions that create rain pools, and temporary fresh bodies of water. Therefore, spraying is only effective if neighboring municipalities and townships such as Lombard, Oak Brook, Westmont, Darien, Lisle, Woodridge and Downers Grove Township spray at the same time. To date, only Woodridge and Lisle have sprayed. Both sprays occurred on Tuesday, July 7 overnight.

House mosquitoes (*Culex pipiens*) breed in stagnant waters, and travel short distances (generally 1/2 mile) from where they hatch. Local spraying for this type of mosquito is effective. Right now the Illinois State and DuPage County Department of Public Health are monitoring for West Nile Virus. If West Nile is found in the area, the Village will be notified, and sprays will be coordinated between surrounding municipalities and townships depending on the levels found of the virus.

Since 2006, the Village has conducted sprays 6 times: 2007, 2008, 2010, 2011, 2012 and 2014. In each of these years, there was 1 spray. These sprays took place between the end of July and the first week of September. Additionally, all 6 sprays were prompted by the notification from either DuPage County or the State that West Nile was found in the area mosquito population.

Online Comments

rRemarks are attached.



rRemarks Data for July 14, 2015 Village Council Meeting

Agenda Section	Agenda Item	Comment	Commenter
Consent Agenda	Consent Agenda RES 2015-6333 A resolution authorizing a real estate contract for the property located at 5634 Webster	<p>I lived at 5639 Webster for 20 years. i would urge you to consider this property also. This is a url to see what it looks like after a heavy rain.</p> <p>https://scontent-dfw1-1.xx.fbcdn.net/hphotos-xpa1/v/t1.0-9/163577_10200953985517727_1234223900_n.jpg?oh=976d413552521d1c18933f51f8a0ca52&oe=56249778</p>	<p>Mark Thoman 1109 61st St</p>

