

# Meeting Minutes

Village of Downers Grove - Council Meeting

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Council Chambers

8/4/2015

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 (Present):** Commissioner Olsen, Commissioner Vattimo, Commissioner Hosé, Commissioner Barnett, Commissioner White, Commissioner Waldack, Mayor Tully

**Non-Voting:** 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 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 2015-6365** — A. Minutes: Council Minutes - July 21, 2015

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

**Votes:** Yea: Commissioners Olsen, White, Waldack, Vattimo, Hosé, Barnett; Mayor Tully

Nay: None

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Mayor Tully declared the motion carried.

#### 4. Public Comments

This is the opportunity for public comments.

Bea Bennett, Clyde Drive, said she is concerned about the trees on the triangles in front of her home. Village rules require trees be fenced during construction. She said neither Code Enforcement nor the Forester has visited the site. She asked staff to put up fences. Large vehicles are parking under the trees. It should not be up to her to protect the trees. The plastic fence blew down over the weekend; a chain link fence is required. No one is protecting the trees; she expects them to be protected.

Mayor Tully said everyone understands that construction is disruptive. With respect to the trees, we will make sure the proper steps are being taken.

Laurel Bowen, 829 Clyde Drive, asked Council members to please use their microphones. Regarding the Clyde Estates redevelopment project, she said the final meeting was held in June. Residents were assured that the trees would be protected up to the drip line and that Mr. Topor would be communicating with them. This has not happened. She takes issue with what was promised. Public Works staff needs to talk to the contractors. She further stated that a contractor told her on Saturday morning that work needed to be done in her yard. She was given no notice. She said there is no communication with the residents. The project has just begun and there are already problems.

Mayor Tully asked if it was a Nicor contractor.

Ms. Bowen said Nicor projects are organized out of state. Her yard is being treated the worst.

The Mayor said he wants to be clear as to who is doing the work.

Ms. Bowen said she made a suggestion a few months ago regarding fire hydrant painting. At that time the Mayor asked the Manager to look into this, but she has not heard any more about it. Regarding vehicular signs, she said signs are obstructed by trees. She also said she encountered trucks blocking her lane on a blind hill. For safety and protection, she asked that the Village prohibit parking on both sides of a street. She asked that the Village address these issues.

Doug Schoeck, 1457 Virginia, said the pavement project in Burlington Highlands went very well. He said he addressed the Council on July 7 regarding the Seeley drainage project. Since that time, he has talked with his neighbors and they asked if an engineer could come out and meet with them.

Mayor Tully said this area is part of a watershed improvement project so it has been studied. Once the project is closer to being considered, neighborhood meetings are held. The project would come to the Council for approval. He invited Mr. Schoeck to attend the Long Range Planning meeting tonight regarding infrastructure matters and projects. The stormwater fund will be discussed during the budget process as well.

Dave Fieldman, Village Manager, said this is project #2. He said he will ask a staff member to contact Mr. Schoeck.

Anthony Rosario, 4600 block of Prospect, said he likes to see a full Council in attendance on Tuesday nights. He referenced a newspaper article regarding painted wall signs and asked the Council about their vote to disapprove the painted wall signs.

Mayor Tully said there already was an ordinance that made that sign illegal. There was an amendment made to the sign ordinance making it more liberal by allowing certain signage facing a railway right-of-way. The exact sign addressed in the article has not been there for 40 years.

Ms. Bennett spoke on behalf of Bob Peterson regarding the development at Gilbert and Forest. Mr. Peterson has offered to park a moving van at this location in order to get a sense of the space as it relates to vehicles.

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The Mayor extended his thanks for the offer.

James Garvey, 5607 Fairview, said there are six or seven cars in the driveway at 5623 Fairview. He asked as to the policy on rentals to students. He said he does not know how many people live at this address.

Mayor Tully thanked Mr. Garvey for bringing this matter forward. He asked staff to look into this issue.

Ms. Bowen said she thinks Mr. Garvey is referring to single family zoning. The neighbor is using a single family home for multiple family zoning.

Ms. Bowen then addressed Village Boards and Commissions as asked how they are being utilized. She said Clyde Estates was not studied by them.

Mayor Tully noted that each Board or Commission has a charter on the Village's website and invited Ms. Bowen to visit the Village's webpage.

Mayor Tully noted that the Long Range Planning session will follow the regular Council meeting and will focus on capital issues.

## 5. Consent Agenda

**COR 2015-6366** — A. Claims Ordinance: No. 6117, Payroll, July 10, 2015

**BIL 2015-6367** — B. Bills Payable: No. 6206, August 4, 2015

**RES 2015-6345** — C. Resolution: Authorize an Agreement with Redwing Shoes

**Summary:** This authorizes an agreement with Redwing Shoes for firefighter footwear.

**A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND REDWING SHOES**

**RESOLUTION 2015-52**

**RES 2015-6372** — D. Resolution: Authorize an Extension to an Agreement with Advocate Occupational Health

**Summary:** This awards a one-year contract extension to Advocate Healthcare for Fire Department required annual fit-for-duty exams.

**A RESOLUTION EXTENDING AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND ADVOCATE OCCUPATIONAL HEALTH**

**RESOLUTION 2015-53**

**MIN 2015-6368** — E. Minutes: Note Receipt of Minutes of Boards and Commissions

**Summary:** Library Board - June 24, 2015 Zoning Board of Appeals - June 24, 2015

**Motion:** Commissioner Olsen moved to approve the Consent Agenda as presented. Commissioner White seconded the motion.

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**Votes:** Yea: Commissioners Olsen, White, Waldack, Vattimo, Hosé, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

## 6. Active Agenda

**RES 2015-6358** — A. Resolution: Amend Village Council Cash Management and Investment Policy

**Summary:** This amends the Village Council Cash Management and Investment Policy.

### **A RESOLUTION AMENDING VILLAGE COUNCIL CASH MANAGEMENT AND INVESTMENT POLICY**

#### **RESOLUTION 2015-54**

**Motion:** Commissioner Olsen moved to adopt A Resolution Amending the Village Council Cash Management and Investment Policy, as presented. Commissioner White seconded the motion.

Commissioner Waldack said the report is issued monthly. The Council should be added to the recipients of the report and there should be no need for a monthly presentation.

**Motion:** Commissioner Waldack moved to amend Section 7.1 Methods, to read: "The Finance Director/Treasurer shall provide an investment report to the Village Manager and the Village Council on a monthly basis." The following wording would be removed: "Said report shall also be presented to the Village Council at a regularly scheduled meeting on a quarterly basis." Commissioner Olsen seconded the motion.

Commissioner Hosé asked that the amended motion be repeated. He then said that the effect of the amendment would be to delete the second proposed sentence. He said he does not have a problem with this as long as an investment report is presented at a regularly scheduled meeting. It has been demonstrated that the report takes very little extra time.

Commissioner Barnett asked if Commissioner Waldack would consider Commissioner Hosé's change.

Commissioner Waldack that, with the report being distributed to the Manager and Village Council, it eliminates the need to present it at a regularly scheduled monthly meeting. It demeans the presentation.

**Motion:** Commissioner Hosé moved to amend the amendment to add the words "and the Village Council" as well as keeping the portion that reads, ""Said report shall also be presented to the Village Council at a regularly scheduled meeting on a quarterly basis." Commissioner Barnett seconded the motion.

Commissioner Barnett said the Village struggles with getting information out to the public. This presents residents with the opportunity to get information without having to look it up on their own.

Mayor Tully asked for a vote on Commissioner Hosé's motion to amend Section 7.1 of the Cash Management and Investment policy.

**Votes:** Yea: Commissioners Hosé, Barnett; Mayor Tully

Nay: Commissioners Olsen, White, Waldack, Vattimo

Mayor Tully declared the motion failed 3:4.

The Mayor then asked for comments regarding Commissioner Waldack's amendment to the motion.

Commissioner Hosé said he is surprised by the decision not to make this more transparent.

The Mayor said he thinks it is transparent.

Commissioner Waldack said it is a monthly report. Council and the residents will be able to see it monthly; it does not affect transparency.

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Commissioner José said Council already gets a quarterly report. He is suggesting a small add-on. He said he is curious as to how many people know this report is available and how many people read it. He is shocked by the pushback to be transparent.

Commissioner Vattimo asked why this needs to be done if it is such a small change.

The Mayor said the report is already public. He said he does not have a problem with this although he does not see that this adds anything.

Commissioner Barnett said it is incumbent on the Council to push information out to the residents who have reason to be highly suspect of government in general.

Mayor Tully said this both goes too far and not far enough.

Commissioner White said this is trivial and he does not see why this takes priority over other points. He does not see a reason to change the current practice.

Commissioner Barnett said this is not an unfunded mandate as the information is already available.

Mayor Tully asked for a vote on Commissioner Waldack's motion to amend the amendment.

**Votes:** Yea: Commissioners Waldack, Olsen, White, Vattimo; Mayor Tully

Nay: Commissioners José, Barnett

Mayor Tully declared the amended motion passed 5:2.

The Mayor then asked for comments regarding the motion made by Commissioner Olsen.

Commissioner José said he is disappointed in the vote, but will support the resolution to amend the policy.

**Votes:** Yea: Commissioners Olsen, White, Waldack, Vattimo, José, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

## **7. First Reading**

## **8. Mayor's Report**

Mayor Tully extended his thanks to Art Van Furniture for hosting the opening event of the year. The van Elslander family has transformed the space. The Mayor said the Village is thankful that they chose Downers Grove.

The Mayor then reported out on the recent DuPage County Stormwater Committee meeting. He is the District 3 municipal representative to the Committee. The Committee has submitted a proposed budget. The wetland map has been approved and is available on DuPage County's website. He asked that this be linked to our website. He also provided information regarding changes to the US EPA Clean Water rules.

## **9. Manager's Report**

## **10. Council Member Reports**

Commissioner Barnett said that former Commissioner Geoff Neustadt asked him to mention a fund raising run, Run Forest Run Downers Grove, to support veterans and first responders. More information can be found at [runforestrundownersgrove.com](http://runforestrundownersgrove.com).

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Commissioner Hosé said the Downers Grove Jr. Woman's Club is participating in Hope's Front Door effort to collect school supplies. There are three drop off sites: The Downers Grove Recreation Center, 4500 Belmont Road; Community Bank of Downers Grove, 1111 Warren Avenue; and the Functional Effect Fitness & Rehabilitation, 2474 Wisconsin Avenue. More information is available at [dgjwc.org](http://dgjwc.org).

Commissioner Waldack said if anyone is looking to buy furniture, Art Van Furniture is the place to go.

Commissioner Waldack said that at the last meeting in July, comments were made in connection with the Maple and Florence project regarding previous Councils and Council members not listening to the public, texting, and rolling their eyes. Commissioner Waldack explained that he is legally blind and his movements may be confusing but he does not text or surf the web, or roll his eyes at Council meetings. He pays a great deal of attention to what people say. He also referenced a story he told to make a point. To misconstrue that story in the way it was unconscionable.

Commissioner Olsen said he is looking forward to the Run Forest Run race. He then announced three Park District dedication ceremonies: On August 7, the park at 63<sup>rd</sup> and Brookbank will be renamed Ned Bell Park in honor of Ned Bell who served as Administrator for the Park District from 1973-1996. Also on August 7, the Downers Grove Golf Club clubhouse will be named the Dan A. Cermak Clubhouse in honor of Dan Cermak who served the Park District for 34 years. On August 8, Patriots Park and Barth Pond on 55<sup>th</sup> Street between Main and Fairview will be rededicated.

Mayor Tully said the first joint meeting of the Architectural Design Review Board and Ad Hoc Subcommittee on Historic Preservation will be held on August 5 at 6:30 p.m. at the Public Works Facility, 5101 Walnut.

## 11. Council Member New Business

**MOT 2015-6371** — A. Motion: Direct Staff to Prepare a Report re: Three (3) Month Pilot Downtown Business District Recycling Program

**Summary:** At the request of Commissioner Vattimo, a proposal to conduct a pilot program for downtown recycling is being placed on the New Business Agenda.

Commissioner Vattimo said this concerns recycling in the Downtown Business District.

The Mayor said this will be considered a part of the next solid waste contract and the Environmental Concerns Commission will be asked to make a recommendation regarding this matter.

Commission Vattimo said she is not requesting further action at this time.

The Mayor asked for a motion to adjourn to the Committee Room for the Long Range Planning Session.

**Motion:** Commissioner Olsen moved to adjourn to the Committee Room for the Long Range Planning Session. Commissioner White seconded the motion.

**Votes:** Yea: Commissioners Olsen, Barnett, Waldack, White, Vattimo, Hosé; Mayor Tully

Mayor Tully declared the motion carried and the regular Council meeting adjourned to the Committee Room for the Long Range Planning Session at 8:19 p.m.

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## 12. Long Range Planning Session - Committee Room

Mayor Tully opened the Long Range Planning session at 8:29 p.m. He said the focus of tonight's discussion is infrastructure trends and issues. This will include streets, stormwater, sidewalks, water and facilities. He then introduced Village Manager Dave Fieldman.

Mr. Fieldman said staff is looking for direction with respect to policy questions regarding three systems: Streets, stormwater and sidewalks.

Mr. Fieldman said the Village has 167 miles of streets with approximately 99% of them in maintainable condition. Approximately \$25 million has been invested in street reconstruction in the last five years. He noted that five years ago about 22% of the streets were not in maintainable condition.

The current practice, in general, is to maintain the streets in "as-is" condition. The current funding is \$4.6 million annually. Staff is seeking direction with respect to A, continuing with the current policy, or B, improving the streets to certain right-of-way standards as determined by the Council.

Mayor Tully said the streets must be kept in a maintainable condition. He said we don't have a cost for going beyond the current investment. He has not heard anyone say they do not want to maintain our streets.

Commissioner Olsen said the current maintenance is very important. The Village has made a significant level of improvement and he looks forward to continuing this effort.

Commissioner Barnett asked if the funding includes re-builds. Mr. Fieldman said it does not.

Commissioner Barnett said he feels it is reasonable to reconsider standards for street design and maintenance. He would like this reconsideration to be a priority. The current process leads to subpar conditions and to deficiencies. He would like to re-establish best practices.

Mayor Tully said it has been expensive to get to the streets to their current condition. Pairing street maintenance and sidewalks is a good idea. Increasing street standards should include a discussion about funding sources. We need a revenue stream if we are raising standards.

Commissioner Barnett said he remains committed to the \$4.6 million for maintenance. He would like to look at standards when reconstruction is needed.

Commissioner White noted that the purpose of this meeting is to determine where Council will focus its attention. Addressing the right-of-way standards may require capacity increases and should take place after other issues are addressed.

Commissioner Olsen noted that the key metric is organizational bandwidth. There is limited organizational capacity. We cannot do eight things at one time and expect to do a good job.

Commissioner José said staff lets the Council know when we have reached capacity. In terms of the direction being sought, he said he chooses Option B, improving the streets to certain right-of-way standards as determined by the Council.

Commissioner Vattimo said she chooses Option A, continuing with the current policy.

Commissioner Waldack said all neighborhoods and streets are unique. He recommends the policy of maintaining streets in a manner similar to what exists. He noted that there are many things to do that will not cost nearly as much money and will impact many people.

Commissioner Barnett said the current practice is committed to non-improvement and less than best practices.

Commissioner José recommended having the larger conversation.

Mr. Fieldman then addressed the stormwater system. This is an extremely large system with an investment of millions of dollars. He said 58 capital projects have been completed since 2008. The stormwater utility (SWU) was created in 2013 and generates approximately \$3.7 million in revenue dedicated to stormwater system

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improvements and maintenance. The Village is performing approximately 50% of the recommended maintenance. Some projects have been delayed due to funding. The recommended level of service is \$7.8 million per year and the SWU generates approximately \$3.7 million per year. The Village has a 15 year plan to raise revenue. Some of the maintenance that is not being done includes jetting out sewers, streambank maintenance and drainage issues.

Staff is seeking direction with respect to A, continuing with the fee-based system and adjusting rates annually, or B, consider changes to the SWU using other revenues to fund maintenance and capital projects.

Mayor Tully said the trend is toward fee-based systems, not away from them. Given the current situation, we are fortunate to have a fee-based system for a revenue stream. He said his preference is A; we should not imperil the program.

Commissioner White said the SWU is appealing in that maintenance gets funded and it is not deferred. We should keep the money solely for maintenance and not use it for capital projects. He said that before the Council commits to \$8 million of fees, the SWU needs to be on firmer legal footing. He favors freezing the utility and having a comprehensive discussion. He does not favor repealing the SWU in FY 16. He said capital projects funded with fees does not fit the fee model.

Commissioner Olsen said this issue has generated enormous interest. Given that, his choice is Option B, to consider changes.

Commissioner José said he agrees with maintaining the commitment to solving flooding problems. Some areas of the Village are very well served and some are underserved. We need to maintain our focus.

Commissioner Vattimo said she wants to eliminate the fee. She prefers Option B.

Commissioner Waldack said it is clear that people do not want a SWU; they want this on their taxes. He supports eliminating the fee and putting it back on taxes.

Commissioner Barnett said he wants to eliminate the fee but there has to be a commitment to get the work done. He would like to move away from the SWU.

Mr. Fieldman then addressed sidewalks. Mr. Fieldman said the Village has 260 miles of sidewalks. The construction of sidewalks supports a long-standing goal of providing a sidewalk on at least one side of every street and the Village is nearing completion of this goal with 95% of the street segments having sidewalks on at least one side. The budget is approximately \$300,000 per year for new construction.

Staff is seeking direction with respect to A, should we temporarily stop construction and respond to individual requests and reallocate money to other needs, or B, continue to construct new sidewalks and, if so, have a priority action to update the new sidewalk construction plan.

Commissioner Olsen said this is a huge victory for our community. He recommends reallocating money for other priorities, Option A.

Commissioner José recommends temporarily stopping as \$300,000 can be better used elsewhere. He suggested talking about this in the next three to five years.

Commissioner Vattimo recommended using the money for stormwater. She prefers Option A and likes Commissioner José's suggestion.

Commissioner Barnett asked about Ogden Avenue. Mr. Fieldman said this discussion does not include Ogden Avenue. To construct sidewalks on Ogden Avenue requires land acquisition. There is grant and Village funding for this and the staff is proceeding.

Commissioner Barnett asked if there will be gaps along Ogden. Mr. Fieldman said there will not be, as it is currently designed.

Nan Newlon, Public Works Director, said there are challenging blocks in terms of land acquisition or geometry.



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Mr. Fieldman said staff will provide a status report.

Commissioner Barnett said he would like to know if there are funding issues with respect to sidewalks on Ogden Avenue. In terms of sidewalks in general, he agrees with Commissioner Hosé. It makes sense to respond to requests. He referred to the sidewalk map and said he would like to know the conditions where there are no sidewalks as depicted on the map.

Commissioner Waldack said he would like to see efforts put into less costly programs that would affect more people. He would like to be more proactive than reactive in planning. He mentioned issues such as transportation, homelessness and other human service matters. He would like to reallocate sidewalk money to these issues.

Mayor Tully said he prefers Option A to reallocate \$300,000 to stormwater. He suggested a system to handle sidewalk requests similar to that used for other public/private partnerships.

Commissioner Hosé said he is reluctant to reallocate anything specifically to stormwater as we have any number of inflationary pressures.

Commissioner Barnett noted that there are needs that are labor and personnel intensive. We are frugal and lean, but not as responsive as we could be because we are at our limit. We need to talk about personnel resources.

The Mayor said this could be discussed on August 18.

With respect to the water system, Mr. Fieldman said the Village needs a new five-year plan.

Mayor Tully said the Village is charged for water by the DuPage Water Commission from the City of Chicago. We know we have to maintain our water system.

In response to Commissioner Barnett, Mr. Fieldman said we are charging for all the water used in the system except for emergency water suppression. Commissioner Barnett said it would be nice if we could recover that cost as well.

Mr. Fieldman said staff will look into partnership opportunities with respect to water.

Mayor Tully asked staff to look at a process regarding facility issues and discussions. He would like to start this conversation as it is a priority item.

The Mayor asked for public comments.

Marge Earl said that, with respect to sidewalk segments, it is important to pay particular to school areas.

Jon Povlivka proposed combining the Village Hall and Police Department in a central location on the worst piece of land and moving Fleet Services to Public Works.

Tom LeCren said the SWU is based on impervious area. He asked what the value of his property has to do with the stormwater fee. He suggested requiring impact studies from developers. He asked if it is time for TCD 4.

The Mayor said it is probably a little early; it is a big process.

Commissioner Waldack said there have been three Long Range Planning sessions so far. At each meeting, there is talk about Springfield and yet our representatives do not attend our meetings to learn about how we are dealing with potential issues. We need a different approach and we need our representatives to come to our meetings.

The Mayor noted that we communicate with our representatives in many different ways.

The Mayor noted that these discussions are short-term for FY 16, but are also addressing bigger policy issues long-term.

Commissioner Olsen said we need to consider organizational capacity – engaging and interacting with the public. The goal for August 18 is priority actions as there is a limited amount we can do.

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### **13. Adjournment**

There being no further comments or discussion, Mayor Tully asked for a motion to adjourn.

**Motion:** Commissioner Olsen moved to adjourn. Commissioner White seconded the motion.

Mayor Tully declared the motion carried by voice vote and the meeting adjourned at 10:16 p.m.

Respectfully submitted,

April Holden

Village Clerk