

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

8/11/2015

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 (Present): Commissioner Olsen, Commissioner Hosé, Commissioner Barnett (arr. 7:10 p.m.), Commissioner White, Commissioner Waldack, Mayor Tully

Absent: Commissioner Vattimo

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.

MOT 2015-6379 — A. Motion: Permit Electronic Attendance

Summary: This allows Commissioner Waldack to participate in the Village Council meeting of August 11, 2015, by telephone.

Motion: Commissioner Olsen moved to allow Commissioner Waldack to participate in the Village Council meeting of August 11, 2015, by telephone. Commissioner White seconded the motion.

Votes: Yea: Commissioner Olsen, White, Waldack, Hosé, Mayor Tully

Council Meeting

Village of Downers Grove

August 11, 2015

Nay: None

Mayor Tully declared the motion carried.

3. Minutes of Council Meetings

MIN 2015-6380 — A. Minutes: Council Minutes - August 4, 2015

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

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

Nay: None

Mayor Tully declared the motion carried.

4. Proclamation

Mayor Tully read a proclamation acknowledging the 25th anniversary of the Americans with Disabilities Act and the many contributions of individuals with disabilities.

5. Public Comments

This is the opportunity for public comments.

Laurel Bowen, 829 Clyde Drive, spoke on the Clyde Estates project, stating that a contract with Hancock was unanimously approved for \$90,000 for oversight of the project, and she asked where that oversight group is. The issues keep piling up. There was a gas line broken last Friday. There are daily obstructions on the roadway and the contractors are inconsiderate. She stated that the garbage truck had to come back due to obstructions. Ms. Bowen said that neighbors were told they would be contacted if there were any delays or changes to their regular mail and garbage service, and that has not happened. One resident mentioned that a truck blocked her driveway and she could not even leave her driveway. Her overall comments were to inform the Council of the problems that have not been addressed by the oversight group.

Mayor Tully then asked for a mid-project update for the next meeting.

Ms. Bowen then said she has called the Public Works Director and others repeatedly with no response. Code Enforcement officers told her that this was a Village project and that it would be inappropriate for Village officers to enforce the rules on Village projects. She asked when the oversight manager would be working on this. The oversight group is not communicating with residents. She received a generic note in response to her comments.

Ms. Bowen said that she attended the Long Range Planning meeting last week. She does not understand why the regular Council meeting is extended on a weeknight. The public comments are at the end of the meeting, but by 10:00 p.m. she could not stay any longer. She wanted to know why the Long Range Planning meeting is not held on a separate night, or on the fourth Tuesday of the month. There is enough room in the Council Chambers to hold such a meeting. If the meeting impacts the budget, it is important for the public to be able to attend. She also said that the budget meeting is held in Fire Station 2 where there is no parking, and the room is too small. She believes the Council limits the time of meetings which is inconsiderate of the residents who cannot always come to evening meetings, and especially when they last too late into the evening.

Mayor Tully replied, thanking her for her comments on meetings. He took issue that meetings are scheduled to make it difficult for people to attend. The Long Range Planning meetings are done on more than one night. In addition, Council meeting agendas are kept relatively light to make time for the Long Range Planning meetings.

Council Meeting

Village of Downers Grove

August 11, 2015

The Long Range Planning meetings are not scheduled consecutively so there is time between the meetings to express your thoughts. Residents expect meetings on Tuesday nights and that works well for most people. The Committee Room allows for more conversation because of the importance of the sessions, and to arrange for a round table type of environment. Regarding having meetings on the fourth Tuesday, he thinks that is a fair point, although might not always work. Because of the regular Council meeting schedule, people sometimes arrange to do something else on the fourth Tuesday. He thanked Ms. Bowen again for her comments.

6. Consent Agenda

BIL 2015-6375 — A. Bills Payable: No. 6208, August 11, 2015

MOT 2015-6306 — C. Motion: Award a Three-Year Contract in an Amount Not to Exceed \$297,704.67 to Tovar Snow Professionals, East Dundee, IL for Specialty Winter Operations Services

Summary: This awards a three-year contract for specialty winter operations services to Tovar Snow Professionals in an amount not to exceed \$297,704.67, which includes a 5% contingency.

MIN 2015-6374 — B. Minutes: Note Receipt of Minutes of Boards and Commissions

Summary: Plan Commission - July 6, 2015

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

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

Nay: None

Mayor Tully declared the motion carried.

7. Active Agenda

RES 2015-6346 — A. Resolution: Authorize an Agreement with the International Union of Operating Engineers, Local 150, Public Employees Division

Summary: This authorizes a collective bargaining agreement with the International Union of Operating Engineers, Local 150 and the Village.

**A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE
OF DOWNERS GROVE AND THE INTERNATIONAL UNION OF OPERATING ENGINEERS,
LOCAL 150, PUBLIC EMPLOYEES DIVISION**

RESOLUTION 2015-55

Motion: Commissioner Olsen moved to adopt A Resolution Authorizing Execution of an Agreement Between the Village of Downers Grove and the International Union of Operating Engineers, Local 150, Public Employees Divisions, as presented. Commissioner White seconded the motion.

Mayor Tully expressed his appreciation to everyone for their participation in the process toward achieving this agreement.

Council Meeting

Village of Downers Grove

August 11, 2015

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

Nay: Commissioner Barnett

Mayor Tully declared the motion carried.

8. First Reading

ORD 2015-6370 — A. Ordinance: Authorize a Special Use for 2501 Ogden Avenue to Permit an Automobile Dealership

Dave Fieldman, Village Manager, introduced Stan Popovich, Planning Manager, to address this item.

Stan Popovich, Planning Manager, stated that this is a request for a Special Use for property that is located in the western part of the Village at the southeast corner of Cross and Ogden Avenue. The Special Use requested is to operate an automobile dealership on a site that was formerly an automobile dealership. That special use has lapsed. He noted that the property is improved with a one-story building, parking area and greenspace. He noted that the petitioner will add greenspace, improve the parking and improve the overall site. Mr. Popovich displayed site plans to describe the plans contemplated by the petitioner, and to explain the proposed improvements. As to the Comprehensive Plan, the property is in the commercial corridor property area, which is auto-oriented. The petitioner has met the Special Use standards per Section 28.12.050.H. of the Zoning Ordinance.

Mayor Tully said that this is a Special Use for an existing use and an improvement to the community.

ORD 2015-6320 — B. Ordinance: Rezone Certain Property Located at 5100 Forest Avenue

Mr. Popovich said he would address items B, C, and D which all concern the property located at 5100 Forest Avenue for a Planned Unit Development.

The property is located on the west side of downtown and is the former site of the TCF bank. It is located on the corner of Forest and Gilbert. The petitioner plans to construct a 5-story, 89-unit building. He showed drawings depicting the building. Each side of the building has the same finishing touches. He noted that the site plan shows the development as a U-shaped building with an amenity deck with a pool, and barbecue area. Mr. Popovich explained the setbacks for the site at 0-10 feet for the front property line. The corner arched curvilinear treatment is a nice feature and meets the intent of making sure that the corner requirements are met. The revised parking plan shows 106 parking spaces, with a ratio of 1.19 with a single tandem space. He explained that a traffic study was completed with the result showing a volume less intense than if the bank had a drive-through. All of the intersections will continue to operate at acceptable levels with a minimal impact on queues associated with the railroad gates.

Mr. Popovich then showed a drawing of the first floor plan, as well as the apartments for the second through fifth floors.

Mr. Popovich then reviewed the improvements planned by the petitioner that include a north side sidewalk connecting Forest Avenue to commuter Lot D. On Forest Avenue there will be a 5-minute drop-off zone where it meets Burlington Avenue. The second loading space/drop off zone is off Gilbert Avenue and will be a flex loading/parking zone similar to that at Station Crossing. It can be used for garbage pick-up, moving in and out times, visitor parking, etc. They will work with the petitioner to designate those areas for loading or parking. He then showed a garbage truck exhibit using the Gilbert Avenue loading area. There was also an exhibit showing how moving vans would move in and out of the site. Design guidelines include the use of high quality building materials; it provides visual interest and is a distinctive building. Comprehensive Plan goals are also met with this proposal. The subject property is identified as Catalyst Site #8 in the Comprehensive Plan and is described as a transit and pedestrian-oriented development. It provides a terminating vista on Burlington Avenue from the east.

Council Meeting

Village of Downers Grove

August 11, 2015

This redevelops an underused site and enhances the downtown district. As for Zoning Ordinance compliance, Mr. Popovich said that rezoning standards are met, as are the PUD standards. It also meets Special Use standards.

Commissioner Olsen inquired about the sidewalk on the north side and whether it will come straight out to Forest Avenue. Mr. Popovich said it comes out for one portion, goes southerly, and then on to Forest.

Mr. Fieldman added that the sidewalk design increases pedestrian safety around the trains.

Commissioner Waldack asked how traffic blocking Gilbert at the loading area would be enforced/penalized.

Mr. Popovich said that is a question for the petitioner.

Commissioner Waldack noted that only a certain size moving truck will be allowed. He asked how that would be enforced.

Mr. Fieldman responded that vehicles blocking Gilbert would be ticketed.

Comments from the Petitioner:

Drew Mitchell, 544 W. 7th Street, Hinsdale, said he has owned the site for two years. He introduced other members of his team including Mike O'Connor, Doug Wirth, Chris Lavoie, Javier Millan.

Mr. Mitchell said this site is known as Burlington Station. They started looking at the site without the Comprehensive Plan in mind, but then realized it was an important site in the Village. It is identified in the Comprehensive Plan as a catalyst site. It must be transitional and unique. After research they found that this product is in demand, as it is higher-end residential near a downtown area. The two key demographics are the millennials and the empty nesters. He explained that this project has a lot of consistency with the Comprehensive Plan and with the catalyst site recommendations which include: creating pedestrian oriented and transit oriented development; developing sensitivity to the nearby residential areas; fronting the development on Forest Avenue with an orientation to the downtown; and providing a terminating vista on Burlington Avenue from the east. Mr. Mitchell then showed the development of 5100 Forest, which was originally a lumber company, then a grocery store and a bank. He noted that it is a tricky site to develop and he hopes that by studying the Comprehensive Plan as closely as they have they will get it right. The center of the building will be lit at night. Mr. Mitchell said this site has been vacant for ten years. He also described the amenity deck that will be an outdoor living space with televisions, kitchen, bocce ball court, fountain, etc. As to the apartments, there will be a 2/3-1/3 ratio of one bedroom to two-bedroom. Some units will include dens.

As for the parking garage, there will be 106 parking spaces available to meet parking problems in Downers Grove. Some units will have two cars, and 1/3 will have one car with 1/3 with no cars. They think this will be sufficient and they want to have a highly functioning, modern building. Downers Grove does have options in terms of visitor parking. He then showed photographs of the conceptual interior imagery. There were open items following the Plan Commission meeting including visitor parking, refuse handling, move-in/move-out management, construction logistics and lack of retail presence. He reviewed each of the items, saying that they hope the Village Council will eventually allow overnight parking in commuter Lot B. He is comfortable working with Village staff regarding options available to them on each of the points brought up at the Plan Commission meeting. With regard to the lack of retail presence, Mr. Mitchell pointed out that the property has been vacant for ten years. They attempted to attract retail for two years with little success. As for construction, they will work to minimize disruption to the downtown area. He said that construction logistics are typically detailed through the permitting process. Their intention is to work with staff to develop a detailed construction logistics plan, including identifying potential locations for construction traffic parking, prior to permit issuance.

Commissioner José asked how long the garbage pickup retainer would be in the right-of-way. Mr. Mitchell said that an employee will wheel the container out and wait for the scheduled pick-up time, then wheel it back in or find a hauler who will wheel it in and out.

Commissioner Waldack asked about provision of janitorial services. Mr. Mitchell replied that on-site staff is required, and there will be several full-time equivalent staff on the site.

Council Meeting

Village of Downers Grove

August 11, 2015

The Mayor called for comments or questions from the public.

1. Michael Cassa, President of the Economic Development Corporation said that he spends time with developers, brokers, etc., and the main topic on the agenda of conferences with these individuals is what the community is doing to provide transit-oriented housing for millennials. This proposal fills a need. Millennials are most sought after as employees and as a customer base.
2. Brayer Teague, 5227 Brookbank, said that from an economic development standpoint he is excited and thinks the building is beautiful. His concerns focus on traffic patterns and safety of pedestrians. He would like to see the traffic study.

Mayor Tully said that the traffic study is available on-line.

Mr. Teague said that he passes that intersection during rush hours. It is a unique intersection. The movement of traffic from the Library parking lot could be difficult. He doesn't think the amount of traffic can compare to the bank of ten years ago.

Mayor Tully said that he also knows how difficult that traffic can be as travelled this area taking his children to Downers Grove North for several years. This is of high concern and he expects they'll be able to look at this and address the options available.

Mr. Teague added that pedestrian traffic is also a big concern as is rail traffic.

3. Rich Kulovany, 6825 Camden commented that he was very concerned about this, but, as he has looked into this, he likes it more and more and thinks this place will draw people that only want to have one car. Moving companies ask the address of where you are moving to see the site. He is not concerned that there is no business on the site. This has his support.
4. Rose Hudson said she owns the business next door and is excited about the project. Her concerns as a business owner are foot traffic, but parking is so tight that you are discouraging other people from visiting and patronizing that area. She is also concerned about the amount of traffic, as this is a congested busy corner. There is no parking for maintenance vehicles or visitors. The parking lot is always filled.
5. Mike Busse, 5472 Bending Oaks Place, and president of the Downers Grove Community Bank said that they have the same traffic pattern on the other side, and people learn to adapt. He thinks this will be a good project for Downers Grove.

The Mayor called for comments from the Village Council.

Commissioner Waldack said this is a great project, but gives him concerns. He is concerned about the pedestrian traffic situation. He likes that this is apartments rather than condos. The Commissioner noted that he attended the Plan Commission meeting. He said he disagrees with the number of millennials that do not use cars, and thinks they will not be too quick to give up their cars. The developer would need 129 spaces and 106 are being offered. Eventually the lack of spaces will create a need for a new parking deck. For all the time he has served on the Council there have been situations where less parking has been allowed then required, and he thinks that will eventually lead to the need for a new parking deck. His suggestion is that in cases where insufficient parking is provided, the developer be required to make payment to the Village in lieu of parking spaces. He noted that a space in a parking deck is about \$50,000. He doesn't buy into the idea that the millennials will not have cars. He suggested enforcing parking requirements or providing payment in lieu of parking. He is also concerned about the Immanuel Residences. They have some parking spaces in front of the residences for service providers, and he would like to see signage reserving those spaces for those providers as other people tend to use those spaces. With regard to the traffic study he has never seen a traffic study brought in by a petitioner that is not favorable to the petitioner. As a liaison to the Downtown Management Corporation, he said that they were in favor of this project.

Mayor Tully said he is pleased to see a project such as this coming to this particular site. The Village has not had the right opportunity for this site for a long time, and he feels this is right for the location. He agreed that this is a

Council Meeting

Village of Downers Grove

August 11, 2015

tough spot. He is glad that the Village was critical and mindful with respect to the other proposals for this site. Most of what the Village deals with is redevelopment of existing spaces. He sees the rezoning and the PUD as no issue. As for the Special Use, the Village has specific criteria, and he feels the criteria have been met in a generally acceptable manner. He also agreed with Mr. Cassa as to the desire to attract millennials to the community. He thinks it is a handsome facility and well designed. The Mayor noted that issues raised as to traffic, pedestrian safety, etc., are appropriately raised and additional adjustments can be made to address the situation. He is not as concerned about parking as others have expressed. He feels this meets all the criteria for a Special Use and is a terrific project. Mayor Tully said he has attended many meetings of the Technology and Manufacturing Association that meets periodically, and he has heard first hand their expression of the need to have proper work force housing. Downers Grove wants to attract companies and businesses to the community, and they want to have residents who can provide a work force for these companies. Having this type of living facility can attract that type of individual to the Village.

ORD 2015-6321 — C. Ordinance: Amend the Comprehensive Zoning Ordinance to Designate Burlington Station Apartments at 5100 Forest Avenue as Planned Unit Development #53 and Authorize Construction of a Multi-Family Structure with Deviations

ORD 2015-6322 — D. Ordinance: Authorize a Special Use for 5100 Forest Avenue to Permit Construction of a Multi-Family Structure

MOT 2015-6381 — E. Motion: Direct Staff to Prepare a Request for Proposal and Statement of Qualifications for Solid Waste Collection and Disposal Services

Deputy Village Manager Mike Baker stated that this item directs staff to prepare an RFP and Statement of Qualifications for solid waste collection and disposal services for a 5-year term. The staff report prepares a schedule including opportunities for the Environmental Concerns Commission to weigh in on this topic. The documents, if approved, would include a statement of qualifications that would emphasize the importance of evaluating the responses that come back regarding customer service, ability to respond to emergency situations and service liability. Also the RFP would set pricing to maintain the structure of the current program that allows options of stickers or carts. It will also ask for information and optional pricing for other potential services.

Richard Vandermolen, 532 Fair Oaks Avenue, Oak Park, said he is with Republic Services, and asked that the Village exercise the option it has to extend their existing contract for two years. He said that it is in the Village's best interest to discuss a contract extension. He distributed a chart of competitive procurements in DuPage County. The sticker prices as a result of these procurements were all double-digit increases. He is requesting a contract renewal, saying that there are four service options. At this time 6,500 people use the cart program, which is a huge difference from five years ago, and they are adding about 400 per year. The average person using stickers uses 2.5 stickers per month at \$3.85 per sticker. He noted that results in less than \$10 per month. Sticker-only users decrease on an annual basis. The transition for people using carts is not simple. He has requested that the Village agree to discuss an extension with them. If there is a change there will be some transition issues for 6,500 people who use the carts.

Mayor Tully said that they can receive any information he chooses to provide to the Council between now and next week so they can review it more closely. The Village's procurement policy dictates what they can do with regard to extensions.

Ms. Bowen asked why the Village is not choosing to stay with a company that they know and that works. She asked why they invest staff hours for a process that works.

Mayor Tully replied that the policy calls for bidding these out periodically to maintain the integrity of the process. He is not suggesting that the program is not working.

Council Meeting

Village of Downers Grove

August 11, 2015

Commissioner Hosé said he would like to see pricing in the contract for an Amnesty Day.

Commissioner Barnett said that August 21 is the date for the release of the RFP, and he would like to see additional information regarding Amnesty Day, and the cost of a no-sticker situation. He encouraged patience to see the recommendation of the Environmental Concerns Commission. He wants to be sure to understand the costs and benefits. He would like staff and Council input regarding including this on the property taxes. He would like everyone's thoughts on this. Downers Grove is the only community he has lived in that does not include this on property taxes.

Mayor Tully commented that property taxes cost those who don't use the service more than those who use it. It is a subsidization program when it is on one's taxes.

Commissioner Barnett replied that those who use the toters subsidize the sticker program. He would like to understand why it would cost more, as the service will be made available on a regular basis whether there is garbage on the streets or not.

Commissioner Olsen said that the time and effort of this is a good point. What they have now is working. The process outlined by staff is a good one and aligns with the current practice with some enhancements. He supports Commissioner Vattimo's concern for downtown recycling.

Commissioner Waldack expressed his concern about getting RFPs, but it is important that they do it for transparency and to get the best value they can. Amnesty Day is important. He noted that the standard is stickers. He doesn't want people using stickers to have to subsidize the carts.

Mr. Fieldman said there is no problem getting information regarding an Amnesty Day.

9. Mayor's Report

10. Manager's Report

11. Attorney's Report

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 for 2501 Ogden Avenue to permit an automobile dealership.
2. An ordinance rezoning certain property located at 5100 Forest Avenue.
3. An ordinance amending the Comprehensive Zoning Ordinance to designate Burlington Station Apartments at 5100 Forest Avenue, located at the northwest corner of Gilbert and Forest Avenues, as Planned Unit Development 53 and authorize construction of a multi-family structure with deviations.
4. An ordinance authorizing a special use for 5100 Forest to permit construction of a multi-family structure.

12. Council Member Reports

Commissioner Olsen noted that there will be a 5k run on Saturday, August 25 sponsored by St. Mary of Gostyn School.

Mayor Tully congratulated the Downers Grove Park District on its dedications last week. He referenced the Village's partnership with the Park District. The Mayor also noted that the Village's staff received the Distinguished Budget Award for the sixth consecutive year. Also, he pointed out that Coffee with the Council will take place on August 15 from 9:00-10:00 a.m. at the Downers Grove Main Street Train Station.

Council Meeting

Village of Downers Grove

August 11, 2015

13. Council Member New Business

14. Adjournment

Mayor Tully asked for a motion to adjourn.

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

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

Nay: None

Mayor Tully declared the motion carried and the meeting adjourned at 9:00 p.m.

Respectfully submitted,

April Holden

Village Clerk