

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

2/16/2016

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 Pro Tem David Olsen 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.

Mayor Pro Tem Olsen said Mayor Tully is unable to attend tonight's meeting. As a result, the annual report and the stormwater utility discussion have been postponed. It is necessary to have the entire Council present for the stormwater utility discussion. He noted, however, that those in attendance for this discussion can still make their comments under the Public Comments section of the Agenda. Advance notice will be given as these items are rescheduled.

In the absence of Mayor Tully, Commissioner Olsen served as Mayor Pro Tem.

Mayor Pro Tem Olsen asked for a moment of silence to reflect on the passing of Supreme Court Justice Antonin Scalia.

Pledge of Allegiance to the Flag

Mayor Pro Tem Olsen led those present in the Pledge of Allegiance to the Flag.

2. Roll Call

Present: Commissioner Waldack, Commissioner White, Commissioner Vattimo, Commissioner Hosé, Commissioner Olsen; Commissioner Barnett

Absent: Mayor Tully

Non-Voting: 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. 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 Pro Tem 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.

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Mayor Pro Tem Olsen 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 2016-6685 — A. Minutes: Council Minutes - February 9, 2016

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

Mayor Pro Tem Olsen declared the motion carried by voice vote.

4. Presentations

REP 2016-6634 — A. Report: 2015 Annual Report

Mayor Pro Tem Olsen said that due to the absence of Mayor Tully, the presentation of the 2015 Annual Report has been postponed. It will be rescheduled for a later date.

5. Public Comments

This is the opportunity for public comments.

1. Bob Peterson, 6861 Camden Road, owner of Leibundguth Movers, congratulated the Village on its success in erasing his signs and allowing him to suffer the economic consequences. He said that his business will be cut by about 20%-30%. With the completion of 100% compliance with the Sign Ordinance the Council has 100% of the business owners extremely upset. Storeowners paid hundreds of thousands of dollars to bring their signs into compliance. Some businesses have moved out of town and some are moving out of town. The people who put the Sign Ordinance together didn't understand business. Downers Grove was started and built with small businesses coming into the community but that is going by the wayside. Mr. Peterson gave examples of signs that have been changed out and are not as effective, such as the Speedway at Maple and Fairview that had to limit its size, or the Humane Society that had a pole sign and now has a small sign in the middle of their front yard which can only be seen if you are eastbound, and Teddy's Red Hots which had to put their sign in the parking lot, as opposed to their former sign which they were told was on an easement. Mr. Peterson said that Mayor Tully commented in January that something must be done for the businesses in Downers Grove. The signs are so small they can't be seen.

Mr. Peterson then added that another parking garage is needed since people coming to the downtown cannot find parking. The parking lot at the Library is always filled.

2. Angelo Manzoello, 4935 Northcott, spoke about stormwater runoff. He thinks the purpose of the meeting today was to convince people to pay more for the utility that wasn't wanted in the first place. The utility fee is inaccurate and ineffective. The calculation of impermeable surface is inaccurate. He has sent pictures of his flooded street with his utility bill payment.

Mayor Pro Tem Olsen explained again that due to the Mayor's unexpected absence the stormwater utility discussion will be postponed. He apologized for the late notice. Sufficient public notice will be given with respect to the next time the stormwater utility discussion will occur.

Commissioner José said that the Council is taking comments in case people cannot attend the next meeting.

3. Joe Royston, 435 Grant Street, has been a resident of the Village for 31 years. He wondered why Mr. Peterson's signs were not grandfathered in. He feels sad that some leeway wasn't given to Mr. Peterson since he's been doing business in the Village for 75 years.
4. Carla Cash, 5219 Grand, said she has been a resident for about 13 years. She spoke in favor of wall signs. She said she is sad for Mr. Peterson and wishes she had known about this sooner. She liked the painted company sign. It looked classic. She was a small business owner and congratulates Mr. Peterson for being in business for so long. The Village should make it easier for businesses to survive. One of the Village Council members told her that the Village has offered several compromises and amendments in the past. However, they are still talking about a really expensive sign. Mr. Peterson is passionate about his sign and she believes they should let him have this sign. She feels a compromise can be made, such as was recently made for the Lemon Tree. She quoted the Mayor as saying that the Village could gain more from Lemon Tree succeeding than the cost of the \$25,000. He further stated that the Council could stand on principle and end up with a closed business and no money.
5. Richard Bennett, 308 Shady Lane, has lived in the Village for 46 years. He said he has been affected by the Sign Ordinance, as the new signs don't convey enough information. He goes outside the Village where the signs include prices and buys what he needs outside of Downers Grove.
6. Molly Scoggin, 6661 Dunham Road, spoke about the stormwater utility. She believes the southern half of Downers Grove is being neglected by the plan. She spoke two years ago about her property that borders Prentiss Creek. Not \$1 is earmarked by Prentiss Creek. It is a complete disaster area. It is not a creek and it doesn't run, and should be earmarked for improvements. She expects that it will be another 16 years before Prentiss Creek will be addressed. She will be back for the stormwater meeting. She doesn't understand why Prentiss Creek is not part of the larger conversation.
7. Kent Conness, 1846 Grant, is concerned about stormwater management. He agrees with the suggestions to reduce runoff; however, he sees municipalities paving areas, such as parking lots and sidewalks, and paving in park areas, which is at odds with reducing runoff.
8. John Spriet, 1209 Jefferson, spoke about the issue of fees, saying they are not fair. He said he sent his comments to the Council. He gave examples of how other towns charge for runoff based on pervious and impervious areas. Best practices are to maintain 75% of stormwater on your own property. The cost of a rain garden is \$3,000-\$5,000 for an average rain garden, so the \$300 incentive is not much of an incentive to the average property owner. He suggested breaking up the rain gardens to make them more manageable and affordable. Education to do this is important as well. The Village-owned property on Jefferson between 59th Street and Jefferson is a mess. Residents cannot get into the area. He asked what it takes for the Village to maintain their own property. With minimal work, neighbors could maintain it. Residents in that area are faced with more water and mosquitoes. He asked the Council to review his documentation.
9. Debbie Janousek, 5826 Brookbank Road, is concerned about the stormwater project. She asked what will happen to her house. No one has done anything. The area needs to be maintained better. No one has done anything. There is water everywhere, and they are getting flooded badly.
10. Donn Kizior, 1215 Jefferson, spoke about the swamp on Jefferson as well. He said it comes down to simple maintenance. The retention basin was probably designed to take a certain amount of water, but with silt, etc., it overflows onto his property and he cannot store it. This needs to be addressed by the Village.
11. Violet Radwell, 5410 Grand, said she is happy to inform all that Mayor Pro Tem Olsen is now a Trustee of the College of DuPage. He will be a big asset to COD.

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12. Mr. Peterson asked the Council about the oldest companies in Downers Grove - Leibundguth, Stevens Plumbing, Dicke Tool, the Tivoli Theater - all in business in the Village for over 80 years. Yet the Village doesn't mention them. There is no appreciation for these businesses staying in the Village for so long. He heard that Warren Avenue is being downgraded from M-1 zoning to an apartment complex zoning on the south side of the street. He would only be able to sell his building to a developer. It seems to be up to the Village to tell him what he has to do, rather than what he wants to do with his own property.

Mayor Pro Tem Olsen thanked everyone for their comments. He looks forward to hearing from many of the residents at future meetings, or via e-mails, etc.

Village Manager Dave Fieldman said comments can be sent to rEmarks or swutility@downers.us, or call any staff or Council member.

6. Consent Agenda

COR 2016-6686 — A. Claims Ordinance: No. 6145, Payroll, January 22, 2016

BIL 2016-6687 — B. Bills Payable: No. 6246, February 16, 2016

RES 2016-6657 — C. Resolution: Authorize a License Agreement for the Temporary Use of Public Property with the Rotary Club of Downers Grove for the 2016 Rotary Club Grove Fest

Summary: This authorizes a contract with the Downers Grove Rotary Club for the use of public property for the 2016 Rotary Grove Fest, scheduled for June 23 - 26, 2016.

A RESOLUTION AUTHORIZING A LICENSE AGREEMENT FOR THE TEMPORARY USE OF PUBLIC PROPERTY BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE ROTARY CLUB OF DOWNERS GROVE FOR THE 2016 ROTARY CLUB GROVE FEST

RESOLUTION 2016-09

RES 2016-6680 — D. Resolution: Authorize an Agreement with Burns & McDonnell Engineering Co., Inc.

Summary: This authorizes a contract for Ogden Avenue sidewalks engineering design update and title services to Burns & McDonnell Engineering Co, Inc. of Downers Grove, Illinois in the amount of \$39,500.00.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND BURNS & MCDONNELL ENGINEERING CO., INC.

RESOLUTION 2016-10

MOT 2016-6669 — E. Motion: Authorize \$21,916.62 to e-Builder, Inc., Ft. Lauderdale, FL, for 2016 License Fees

Summary: This authorizes payment to e-Builder, Inc. of Ft. Lauderdale, Florida, in the amount of \$21,916.62 for 2016 license fees.

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

Votes: Yea: Commissioners White, Waldack, Vattimo, Hosé, Barnett; Mayor Pro Tem Olsen

Nay: None

Mayor Pro Tem Olsen declared the motion carried.

7. Active Agenda

ORD 2016-6654 — A. Ordinance: Authorize a New Bond Registrar and Paying Agent for the Village of Downers Grove

Summary: This authorizes the appointment of a new bond registrar and paying agent for the Village's outstanding bonds.

AN ORDINANCE PROVIDING FOR THE AUTHORIZATION TO APPOINT A NEW BOND REGISTRAR AND PAYING AGENT FOR THE VILLAGE'S OUTSTANDING BONDS

ORDINANCE NO. 5526

Motion: Commissioner White moved to adopt "An Ordinance Providing for the Authorization to Appoint a New Bond Registrar and Paying Agent for the Village's Outstanding Bonds," as presented. Commissioner Waldack seconded the motion.

Votes: Yea: Commissioners White, Waldack Vattimo, Hosé, Barnett; Mayor Pro Tem Olsen

Nay: None

Mayor Pro Tem Olsen declared the motion carried.

8. First Reading

RES 2016-6656 — A. Resolution: Authorize an Agreement with Houseal Lavigne Associates, LLC

Stan Popovich, Community Development Director, said this is an agreement for two of the Village's top priority items: The Comprehensive Plan and the Downtown Zoning review. This includes implementation of subarea plan reviews for 63rd Street, and for 75th and Lemont. The agreement allows Houseal Lavigne to direct both tasks, including the downtown zoning area. Staff recommends Houseal Lavigne, and they will be assisted by an Ad Hoc Comprehensive Plan Committee, which will meet on a monthly basis. This would begin in March with completion by December.

Commissioner White commented that he was Chair of the previous Ad Hoc Committee in 2011 when subareas were discussed for 75th and Lemont, and 63rd and Woodward. He strongly supports these and considers 75th and Lemont to have more sales tax potential.

Commissioner Barnett said he is fine with the study. The primary issue with respect to the subareas is recommended future land use. Mr. Popovich agreed and said this would also include studying the development of future catalyst sites.

Commissioner Barnett said he is happy to study this, but the bigger issue to him is the downtown zoning. He has commented on this several times over the past couple of years. He asked if these studies would be done on a parallel basis. He would hope the zoning would be at least first in the process. He doesn't think the downtown zoning matches residents' expectations. Mr. Popovich replied the intent is to address these issues on a parallel basis, and every meeting would address both issues. Commissioner Barnett said that he is fully supportive of this.

Commissioner Waldack said the Village has been served well by Houseal Lavigne. As far back as he can remember, residents have made 63rd Street and 75th Street high priorities. The publicity discussing both locations may perk up the ears of some potential opportunities. He supports this measure including the 75th Street option.

Commissioner José said that the 75th Street piece is more of an economic development piece rather than land use. He thinks it is vital for continued economic development to take place. Regarding 63rd Street, it is more of a land use issue, and they have to ask what they want the area to look like in the future. They know what 75th and Lemont will look like, but not what kind of commercial activity there will be.

Commissioner Vattimo said she thinks the 75th Street side needs improvement.

Commissioner White said he hopes that the Comprehensive Plan is seen more broadly than simply land use. He said that looking at downtown zoning is important, and this provides an opportunity to see if there was any follow-through on the recommendations made in 2011.

Mayor Pro Tem Olsen said this seems reasonable. He looks forward to including both 63rd Street and 75th Street in the study.

9. Mayor's Report

10. Council Member Reports

Commissioner Barnett said tickets are available to attend the Grove Foundation's Passport to Dining event on Thursday, February 25, 2016. It is a one-price ticket for a series of progressive dining experiences throughout the downtown area. For more information, go to www.thegrovefoundation.org.

Commissioner Waldack reported that the Community Adult Day Care Center at Gloria Dei Church, 4501 Main Street, will host a Star Wars Costume Benefit Bash on Saturday, February 20, 2016 from 6:00 to 8:30 p.m. The proceeds will support the Day Care Center.

11. Recess to the Committee Room

Mayor Pro Tem Olsen said that due to the absence of Mayor Tully, the stormwater utility discussion has been postponed. It will be rescheduled for a later date.

12. Manager's Report - Committee Room

INF 2016-6689 — A. Information: Stormwater Utility Discussion

13. Council Member New Business - Committee Room

MOT 2016-6690 — A. Motion: Direct Staff to Prepare Plans for the Deer Creek Subdivision Stormwater Project

Mayor Pro Tem Olsen said Commissioner Barnett brought this item forward. He asked Commissioner Barnett for his comments.

Commissioner Barnett asked that this item be continued. It was placed on the agenda following the stormwater utility discussion and it should remain there. He asked that the stormwater utility discussion be rescheduled as soon as possible. He noted that there will be a series of discussions of the stormwater system. Commissioner Barnett also encouraged people to reach out to Council members and not to hesitate to provide input as the Council debates this issue.

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Mayor Pro Tem Olsen said he looks forward to engaging with the community on this issue.

14. Adjournment

Mayor Pro Tem Olsen asked for a motion to adjourn.

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

Votes: Yea: Commissioners White, Waldack, Vattimo, Hosé, Barnett; Mayor Pro Tem Olsen

Nay: None

Mayor Pro Tem Olsen declared the motion carried and the meeting adjourned at 7:53 p.m.

Respectfully submitted,

April Holden

Village Clerk