

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

5/10/2016

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 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 Waldack, Commissioner White, Commissioner Vattimo, Commissioner Hosé, Commissioner Olsen, Commissioner Barnett; Mayor Tully

Absent: None

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 Consent Agenda, 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 2016-6807 — A. Minutes: Council Minutes - May 3, 2016

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

Mayor Tully declared the motion carried by voice vote.

4. Public Comments

This is the opportunity for public comments.

Tom Casey, 4925 Oakwood, said he has been a resident since 1968 and is the President of the Historical Society. He supports the practice of designating landmark status to the three properties today. He thanked Stan Popovich and his family for attending the Founder's Day event at the Library, as well as all the other groups that were in attendance. This is the first time that so many groups came together to promote preservation in Downers Grove. Mr. Casey spoke about the Historical Society and the Centennial Home Program designed to designate homes that were 100 years old. There are 40 homes in the program to date, and each of those homes was given an historic plaque. Today they are broadening that program to include homes that are 50 years old or older. The research is archived at the Downers Grove Museum. The Historical Society looks to landmark more properties in the near future.

Mayor Tully thanked Mr. Casey and the Historical Society for their work and for supporting the landmarking program.

5. Consent Agenda

BIL 2016-6808 — A. Bills Payable: No. 6262, May 10, 2016

MOT 2016-6797 — B. Motion: Authorize \$992,718.00 to A Lamp Concrete Contractors, Inc., Schaumburg, IL, for Burlington Avenue Roadway Reconstruction

Summary: This awards a contract for the Burlington Avenue Roadway Reconstruction to A Lamp Concrete Contractors, Inc. of Schaumburg, Illinois in the amount of \$992,718.00.

MOT 2016-6784 — C. Motion: Authorize the Village Manager to Negotiate a Redevelopment Agreement with Trammel Crow Chicago Development, Inc., for the Sale and Redevelopment of Village-Owned Property at the Northeast Corner of Main Street & Maple Avenue

Summary: This authorizes the Village Manager to negotiate a Redevelopment Agreement for the sale and redevelopment of Village-owned property located at the northeast corner of Main & Maple.

MOT 2016-6806 — D. Motion: Authorize a Three-Year Contract for \$124,100.00 to Continental Construction Co., Inc., Evanston, IL, for Fire Hydrant Sandblasting and Painting

Summary: This awards a three year contract for hydrant sandblasting and painting to Continental Construction Co., Inc. of Evanston, Illinois the amount of \$124,100.00.

MOT 2016-6805 — E. Motion: Authorize a Contract Amendment for \$4,200.00 to Walker Restoration Consultants, Elgin, IL

Summary: This authorizes a contract amendment to an existing contract for Design and Oversight for Parking Deck Rehabilitation and Maintenance with Walker Parking Consultants/Engineering, Inc. dba Walker Restoration Consultants, of Elgin, in the amount of \$4,200.00.

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MIN 2016-6809 — F. Minutes: Note Receipt of Minutes of Boards and Commissions

Summary: Comprehensive Planning Ad Hoc Committee - April 6, 2016

Library Board - March 23, 2016; April 5, 2016; April 20, 2016; April 21, 2016

Plan Commission - March 28, 2016; April 4, 2016

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

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

Nay: None

Mayor Tully declared the motion carried.

6. Active Agenda

7. First Reading

Dave Fieldman, Village Manager, asked Stan Popovich, Director, Community Development, to present the first four items under First Reading.

RES 2016-6786 — A. Resolution: Grant Historic Landmark Designation for 701 Maple Avenue

Stan Popovich, Director, Community Development, displayed photographs of the property applying for Historic Landmark Designation. It is a Queen Anne home built in 1865. He described the unique characteristics of the home including the porches, and the design, which qualifies the home under the Queen Anne category. The architect of the property is William James Huring, and this was his family home. He also designed the original Methodist Episcopal Church, as well as the building on the northeast corner of Main and Curtiss. Mr. Popovich then reviewed the criteria, saying that this home does meet the requirements set forth in the Ordinance.

RES 2016-6787 — B. Resolution: Grant Historic Landmark Designation for 1000 Burlington Avenue

Mr. Popovich then presented information on the second building seeking landmark designation, located at 1000 Burlington Avenue. He noted that the Friends of Edwards House supported this particular request by providing a great deal of information on this site. The Village is the petitioner for the Main Street Train Station. The building is a Classical Revival building. He then described the characteristics of the Station, which was constructed in 1911, and contains a symmetrical style of architecture. The train station meets many of the criteria established, and it has significant value in relation to its historic characteristics and it is a source of civic pride.

Mayor Tully said he was happy to see the Village leading by example in identifying this facility and requesting landmark designation for the Main Street Station. He said that in 1947 there was a historic train accident in which there were many injured as a result of the accident. There is a plaque in the train station commemorating that event.

1. Amy and Dave Gasson, 5320 Benton Avenue, came before the Council to state their support for the landmark designation of all three properties. Ms. Gasson said they are proud that the Village is leading by example. She hopes this encourages the other government bodies to apply for landmark status as well.

2. Ken Lerner, 4933 Whiffen, said he also supports all three applications, and noted that the Pierce Downer Heritage Alliance supports this as well. The train station speaks for itself. The process causes research to be done that results in numerous interesting stories. They add another chapter to the history of the Village.
3. Christine Martin, 701 Maple, said that the process was great and the application was enjoyable. She indicated that staff was welcoming and enthusiastic in assisting with the process. She said she is part of Friends of Edwards House and they are assisting others in the application process. She hopes that more applications will be coming soon.
4. Kathy Nybo, 5253 Blodgett, commented that it is great to see so many groups coming together with the same goal. Preserving these houses, and the decisions being made today regarding saving these homes adds to preserving the future of the Village.

RES 2016-6785 — C. Resolution: Grant Historic Landmark Designation for 1232 Gilbert Avenue

Mr. Popovich said that this property is a Victorian style home that has a gabled roof and symmetrical front side. He described the characteristics of the home, which contains many of the classical Victorian requirements. The home was built in 1891, and is a Folk Victorian Home.

Commissioner Barnett said that the Council is thankful for the participation of residents. If the applicants have comments to make regarding the process, and ways to make it even easier, he asked that they let the Council know. They are trying to make this something that grows and that becomes an easy process for homeowners.

1. Irene Hogstrom, 1232 Gilbert, said that the process was easy in general; however, it was difficult obtaining addresses from the township offices. That is a hand process that was tedious. However, the Village forms are easy to fill out. Her husband, Mark Bragen, thanked the Council for its enthusiastic support of landmarking in Downers Grove. He added that in the whole process they have had the opportunity to meet many wonderful people who have become friends. This process has encouraged him to meet with new people who he hopes will be friends for years to come. Ms. Hogstrom said in doing their research for the house they learned that the first owners were Norwegian immigrants, and that Mr. Edwards was a Trustee at the time. That information was interesting to learn.

ORD 2016-6801 — D. Ordinance: Adopt an Updated International Code Council Energy Conservation Code

Mr. Popovich said this concerns the adoption of the 2015 International Energy Conservation Code. The State is required to adopt the Code and requires municipalities to adopt it with no amendments other than local amendments regarding streamlining the permitting process.

MOT 2016-6803 — E. Motion: Authorize \$549,900.00 to Chicagoland Paving Contractors, Inc., Lake Zurich, IL, for the Lacey Road Reconstruction

Nan Newlon, Director, Public Works, said this is to award a contract for Lacey Road reconstruction to Chicagoland Paving Contractors. It includes the reconstruction of Lacey Road between Ogden Avenue and Virginia. She said it includes replacing the asphalt pavement, sidewalk repair, new ribbon curb installation and storm sewer replacement as well as other right-of-way improvements.

Commissioner Barnett asked whether they are coordinating this with Senior Living Facility, and Ms. Newlon said they are coordinating the schedule with them.

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MOT 2016-6816 — F. Motion: Accept Facility Sustainability Plan

Mike Baker, Deputy Village Manager, said that staff is presenting the Facilities Sustainability Plan to the Council for acceptance. The summary of the plan was displayed. Mr. Baker said that there has been extensive public discussion of this plan and the plan was developed based on Council guidance in April. The total project budget is \$16 million. This will include improvements to the Police Department including an addition and renovation. Village Hall will have short-term maintenance needs addressed.

Commissioner Barnett commented that he does not think this is a good path to take. He heard that people did not want to spend the original costs projected on public buildings, and that it wasn't providing value to the taxpayers. He feels that this provides less value. He said the original plan contained about twice of the expenses as this plan. Taxpayers made a call for value, and he thinks this is a fair concern. He thinks this plan provides less value. He thinks this is about half the debt for about 5% of the value. He thinks the public should be asked about this, and he doesn't think the referendum answer was to spend half of the original amount and do whatever they want. He thinks they will spend a lot of money with little to show for it. He said he isn't diminishing the value of the Police Department. He opposes this path, and knows he's in the minority but wanted to make his thoughts clear.

Commissioner White said that the last proposal was \$52 million. This is about \$16 million. He said \$8 million was identified to keep the Police Department up and running. There have been no alternatives presented to this plan.

Commissioner Olsen said he is pleased with this plan. Staff has heard continued challenges to save on costs. This plan is the first step to address an important issue so the Police Department has the facilities it needs to continue to provide top-notch services to the community. Commissioner Olsen commented that it is important to have appropriate facilities for a police department that is an excellent service provider. He appreciates the effort to do this economically. It provides value to the taxpayers and the Police Department. He thanked staff and the architects for their work, and challenged them to continue to provide service and reduce costs.

Commissioner Waldack commented that this was a complex referendum question. Residents did not want to spend that original amount of money and didn't want it on Ogden Avenue; however, they wanted the Village to continue to provide great service. He said there were references to the Fire Station built ten years ago. He thinks the Village is doing a good job with its costs and services. He supports moving ahead with the plan as it is presented.

Commissioner José commented that they are talking \$52 million versus \$16 million, which is roughly 1/3 of the original amount. According to the December 9, 2014 update, bond issuance was contemplated at \$31.5 million. This plan has its problems, but it is the best that they can get at the moment. It is coming in under budget and addresses the Police Department's space needs. He doesn't want to spend twice, and wants to be sure they get it right. It is unfortunate that they won't be providing emergency dispatch services, which is an unintended consequence.

Commissioner Vattimo said she loves the Plan and is excited to see it go forward.

Mayor Tully said that he doesn't necessarily agree that there is a connection between this and the next Agenda item. He does see this as a reasonable compromise. In May 2001, he joined the Council and they have been wrestling with this since that time. The problem has not gotten less severe and the costs have actually gone up since then. He thinks they need to fix this problem and move forward. There was never a proposal that had unanimous support, but he thinks they owe it to the community and to the Police Department to solve this situation. It is a reasonable compromise and achieves the needs of the Police Department. The Mayor said that this process was an interesting one. It does not address any of the needs of Village Hall and does leave open options for Village Hall. He is looking forward to creative approaches to the Village Hall situation.

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Commissioner Barnett agreed that this is a compromise. It is not a \$52 million versus \$16 million proposition. He thinks this is a \$55/year versus \$100/year proposition to the taxpayers. It does not fix Village Hall. He reviewed all the things that he thinks this plan does not address including the property tax base, downtown residential density, improving social services, etc. It is a compromise. It is too simplistic to categorize this as a \$16 million solution. He thinks they will be trying to figure out how to address the Village Hall situation soon, perhaps within a few years. Once this moves forward he will be as supportive as he can, but at this point he is in opposition to it.

Commissioner White said he stands by the \$52 million figure because it included a highly optimistic sources of funding. He thinks it is \$52 million versus \$16 million. A less expensive option should be presented now if Commissioner Barnett has that option.

Commissioner Barnett said that Commissioner White should review the report, and he sees it as criticism that is unwarranted.

Mayor Tully said that this is why he thinks they should evaluate this on its own merits. He chooses not to question prior or future decisions, but wants to move forward on this with this plan.

MOT 2016-6814 — G. Motion: Direct Staff to Pursue Membership in DuPage Public Safety Communications (DU-COMM)

Mr. Fieldman said this is a motion directing staff to pursue membership in DuPage Public Safety Communications (DU-COMM) for the provision of emergency and related dispatching services. DU-COMM is an intergovernmental agency formed in 1975 and provides service to 45 communities in DuPage County. He said that that this membership would maintain levels of service, and is geared toward consolidation, cooperation and collaboration. This relates to top priority action items and is consistent with the State and County consolidation efforts. He noted that it reduces the size and cost of the Police Department planned improvements. He said the project should take about a year to complete. The Village Council will have the opportunity to review the service level differences six months into the project, and then the Council will consider the actual transfer of operations.

Mayor Tully said that when he joined the Council in 2001 they were seeking solutions for various Council activities including SWAT teams versus FIAT and other regional solutions. He indicated that the Village has looked at this for a long time, and has looked at a number of options. Taking Village dispatch to something like DU-COMM is something that has been considered for some time, and there have been some projects such as coordinating with other municipalities that were introduced. The opportunities to pursue these paths are stronger now than ever. The Mayor said that the timing was pressing, particularly since the Village is looking at facility projects. Now is the time to make this move, and it is a long-term solution for the Village.

Commissioner Olsen re-emphasized his main question and concern, which is whether they have the quality of service that residents expect to receive. Dispatchers deal in life-threatening situations, where seconds and minutes count. He is convinced and confident that this quality service will be preserved through this project. He appreciates the work of Village staff to ensure that this works for the Village. A lapse in service would be the last thing they would want to see.

Mayor Tully said there are two major factors, one being public safety standards and costs. These items have been looked at with all plans. This is not a comment on the Village's dispatchers. He thinks the Village is obligated to pursue this.

Commissioner Waldack said that over the years the Village has pursued a lot of opportunities that did not work out, and the Village has always been able to analyze them. He said they do not know the outcome of this. The Village has excellent services now, but the Village is mandated to make a change. He said they have to make the best choice out of the limited options available. There is a mandated portion to this. He said the Village cares about our staff and will try to be sure that they are taken care of.

Commissioner José said that seconds count in emergency response time. In 1992, his dad suffered a heart attack and died before he got to the hospital. He is not willing to live with a reduction in service. Consolidation is a means, not an end. He said that they expect DU-COMM will result in the same or better levels of service, but in the short term costs will go up. This forces the Village to close its dispatch center, and he hopes this will be studied further.

Commissioner White said that his personal philosophy is that some consolidations are good and some are bad and you have to dig into the details to tell which is which. Just to consolidate is not the goal. Maintaining the status quo is not an option due to costs. He is confident that staff is making the right recommendation. He concurs with the opinion not to rush into consolidation without reviewing costs and the level of service.

Commissioner Barnett stated that there are a couple of levels of service he would like detailed for the Council and the public and that includes the procedures used, accessibility, integration with Public Works—he would like more information to try and understand those matters regarding type of services provided. He is concerned that some service levels will be left by the wayside and will be very expensive to provide. He explained that the Village is not doing this because it wants to do it, but because this is a State mandate, and he wants a clear understanding of how this will affect service to the community.

8. Mayor's Report

Mayor Tully had several items to report on.

- 1) John Mochel recently celebrated his 90th birthday, and that name is synonymous with the Village of Downers Grove. The Mochel family was involved in the Masonic Temple back in Village history. He congratulated and wished Mr. Mochel a Happy Birthday.
- 2) The Cupcake Classic 5K will be held on May 22 at Blackstone Drive and 67th Street at McCollum Park. The event was formerly known as the Noah's Hope 5k named after Noah Van Houtan. The purpose of the event is to combat the fatal disease, Batten Disease, which affected our community earlier this year with Noah's death.
- 3) Friday, May 20, from 3:00-7:00 p.m., Public Works will hold an Open House at 5101 Walnut. This is a family event and he encouraged people to come and bring their children. There will also be drawings for a rain barrel or a tree.
- 4) The Mayor reminded everyone that on May 16 at 1:00 p.m., the First Presbyterian Church will host the annual Richard J. Barth memorial ceremony. Officer Barth is the only Downers Grove Police officer killed in the line of duty. He was killed in 1974 and has been remembered every year in this memorial ceremony. He encouraged people to attend.

9. Manager's Report

INF 2016-6812 — A. Information: Long-Range Plan Update: Priority Action Item Discussion

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Mr. Fieldman said this items concerns an update to the Long-Range Plan. In September, the Village Council established 13 priority action items and a 20-month work plan. The Village is half-way through that work plan and the work is progressing. He said that staff has reviewed the plan for changes or amendments, and there are a few changes to the work plan proposed for the second half. He said that three items will be deferred including the resident survey, creating business friendly metrics, and the building permit process. Four changes to be made to the work plan are: 1) the scope of the stormwater utility will be expanded by preparing referendum questions for the upcoming election; 2) consolidation project with DU-COMM; 3) adding a food truck ordinance; and 4) hosting a super retreat gathering all overlapping governments serving Downers Grove. He said that the changes are shown in the proposed work plan.

Commissioner Waldack said he doesn't know what the rush is for a food truck ordinance. They need to hear from the EDC and Downtown Management as to the interest. He would like to get feedback first.

Commissioner Waldack then referenced the retreat, suggesting a mini-TCD-4 might be pursued instead. He would like to pursue a review of the Ethics Ordinance that was passed many years ago and has many flaws. He has a problem with transparency. There have been changes in campaign financing. He said that his personal attorney indicated that if the Ordinance was challenged it might be found unconstitutional. The Village Attorney is the Ethics Officer and it puts her in a difficult situation.

Mayor Tully said he had three observations. The food truck ordinance has been discussed with the Chamber's business committee. It should not take a lot of time and would not be Village-wide. It would address immediate requests in a way that would provide some overall experience with the practice.

Regarding the Super Retreat, the Mayor said that the concept is not to have a TCD-4, but an opportunity for taxing bodies with co-terminus boundaries to discuss objectives, challenges and what is being done through innovation. It would provide ideas to work together, and was initially designed to occur on a routine basis. Staff's proposal is a compromise.

The Mayor said he doesn't think that the campaign financing issue is a high priority action item right now. He thinks there are other things that have a more pressing need.

Commissioner Olsen asked if they could add the ethics ordinance to the other two items.

Mr. Fieldman said that now he is are concerned about a staff capacity issue. He reviewed 3rd quarter issues that will include the Police Station work, review of downtown planning and zoning, updating Comprehensive Plan, stormwater issues, food truck ordinance, etc. All of this is in addition to the day-to-day issues. He thinks they are at staff capacity right now.

Commissioner White referred to the Super Retreat, saying that they have to build a rapport between elected officials of the various bodies. He said that the Village would not be running this meeting. One goal would be to discuss ownership of decisions. He said that the various bodies must understand what types of decisions rest with the Council and staff. He would like a shared conversation with the EDC. The discussion of the philosophy of capital projects is important and he would like to see such a discussion take place. He said this type of retreat would motivate the members of this Council to carry out their duties as liaisons. This should not be staff intensive. He sees it as looking to build the lines of communication.

Regarding food trucks, this would provide the opportunity to find out what the community thinks and he thinks they can do this.

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Commissioner Olsen asked about staff being at or exceeding its capacity. He is uneasy about having policies on the books that are unconstitutional and unenforceable. He said they should address those more expeditiously. From his perspective the top priority items are the top priorities. High priority items he is willing to push back. He thinks ethics is higher priority than the other two new items.

Commissioner José said he hopes that Commissioner White is correct that the retreat does not take a great deal of staff time. As for the food trucks, he doesn't think that should take much time, but the educational component is important. It could become more labor intensive based on what the community thinks. He hopes it would not snowball into something taking many meetings, as some other things have done in the past.

Commissioner White said they have to take ownership of the policy decisions and relieve staff of that obligation. He doesn't think it will take up much time.

Commissioner José said that the process can take a number of public meetings.

Commissioner Olsen commented that organizational capacity is an issue that they should be concerned with.

Commissioner Waldack commented that not everybody on staff is involved in each and every activity. It's not complicated to put together referendum questions and should not take a lot of staff time. Each item is a lot, but they have to ask if after delegating, whether staff has reached capacity. He asked who is at capacity and what is needed. The ethics question would be the job of the Village Attorney and not Public Works or Planning.

Commissioner White asked if the ethics ordinance is specifically regarding campaign financing, and Commissioner Waldack said that was correct.

Commissioner José commented that they have to understand what decisions we own and what decisions staff owns. Who is assigned to what is something that the Manager should decide.

Mayor Tully said he supports the plan as presented.

Commissioner Barnett commented that the Council should focus on changes to priorities, and let staff come back and provide the information to the Council as to what can be done. He thinks that they have to find a way to make this less burdensome. He agrees with the plans as presented.

Commissioner White supports the Plan as presented as well.

Mayor Tully said that Council members can go through New Business process for other items.

10. 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 adopting an updated International Code Council Energy Conservation Code

11. Council Member Reports

Commissioner Barnett reminded everyone that the 5k Run and Walk Cupcake Classic for Batten Disease begins at 8:30 a.m. with registration beginning at 7:00 a.m.

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12. Adjournment

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

Mayor Tully declared the motion carried by voice vote and the meeting adjourned at 8:45 p.m.

Respectfully submitted,
April Holden
Village Clerk