

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

8/16/2016

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 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 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 2016-6979 — A. Minutes: Council Minutes - August 9, 2016

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Motion: Commissioner White, seconded by Commissioner Waldack, 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.

5. Consent Agenda

COR 2016-6980 — A. Claims Ordinance: No. 6171, Payroll, July 22, 2016

BIL 2016-6981 — B. Bills Payable: No. 6282, August 16, 2016

RES 2016-6969 — C. Resolution: Authorize an Agreement with United States Cylinder Gas

Summary: This authorizes an agreement with US Gas for the supply of medical gas and cylinders.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND UNITED STATES CYLINDER GAS

RESOLUTION 2016-49

MOT 2016-6974 — D. Motion: Authorize an Amount Not to Exceed \$30,945.00 to Equipment Management Company, Channahon, IL, for the Purchase of Hydraulic Rescue Tools

Summary: This authorizes the purchase of hydraulic rescue tools from Equipment Management Company of Channahon, Illinois in an amount not to exceed \$30,945.00.

MOT 2016-6929 — E. Motion: Award a Contract Not to Exceed \$134,134.00 to DLZ Illinois, Inc., Chicago, IL, for Professional Services Related to Downtown Business District Crosswalk and Accessibility Improvements

Summary: This authorizes execution of a contract for the design of DBD crosswalk and accessibility improvements to DLZ Illinois, Inc. in the amount of \$121,940.00, plus 10% contingency in the amount of \$12,194.00 for a total not-to-exceed amount of \$134,134.00.

RES 2016-6970 — F. Resolution: Amend Resolution No. 2016-38 Initiating the Submission of a Public Question Concerning Funding of Stormwater Costs Using a Stormwater Utility Fee Instead of Property Taxes

Summary: This amends Resolution No. 2016-38 initiating the submission of a public question concerning funding of stormwater costs using a stormwater utility fee instead of property taxes.

A RESOLUTION AMENDING RESOLUTION NO. 2016-38 INITIATING THE SUBMISSION OF A PUBLIC QUESTION CONCERNING FUNDING OF STORMWATER COSTS USING A STORMWATER UTILITY FEE INSTEAD OF PROPERTY TAXES

RESOLUTION 2016-50

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RES 2016-6971 — G. Resolution: Amend Resolution No. 2016-39 Initiating the Submission of a Public Question Concerning Funding of Stormwater Costs Using Property Taxes Instead of a Stormwater Utility Fee

Summary: This amends Resolution No. 2016-39 initiating the submission of a public question concerning funding of stormwater costs using property taxes instead of a stormwater utility fee.

A RESOLUTION AMENDING RESOLUTION NO. 2016-40 INITIATING THE SUBMISSION OF A PUBLIC QUESTION CONCERNING FUNDING OF STORMWATER COSTS USING PROPERTY TAXES INSTEAD OF A STORMWATER UTILITY FEE

RESOLUTION 2016-51

RES 2016-6972 — H. Resolution: Amend Resolution No. 2016-40 Initiating the Submission of a Public Question Concerning Funding of Stormwater Costs Using a Combination of Stormwater Utility Fees and Property Taxes

Summary: This amends Resolution No. 2016-40 initiating the submission of a public question concerning funding of stormwater costs using a combination of stormwater utility fees and property taxes.

A RESOLUTION AMENDING RESOLUTION NO. 2016-39 INITIATING THE SUBMISSION OF A PUBLIC QUESTION CONCERNING FUNDING OF STORMWATER COSTS USING A COMBINATION OF STORMWATER UTILITY FEES AND PROPERTY TAXES

RESOLUTION 2016-52

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

Tom LeCren, 545 Chicago Avenue, Downers Grove, talked about the three questions the public will be asked to vote on in November. He said that the wording as it exists could result in three “yes” votes. He suggested that it would make more sense to read, “Vote yes for one and no for two”, or just have one question and pick one of three.

Mayor Tully said that staff spent time on these questions and they meet parameters established by the Election Commission. He would find it very instructive if all three questions were answered “yes.”

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

Nay: None

Mayor Tully declared the motion carried.

6. Active Agenda

RES 2016-6942 — A. Resolution: Grant Historic Landmark Designation for 4502 Prince Street

Summary: This grants historic landmark designation for 4502 Prince Street.

A RESOLUTION GRANTING HISTORIC LANDMARK DESIGNATION FOR 4502 PRINCE STREET

RESOLUTION 2016-53

Motion: Commissioner White moved to adopt "A Resolution Granting Historic Landmark Designation for 4502 Prince Street," as presented. Commissioner Waldack seconded the motion.

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Mayor Tully asked if there is a certificate or plaque.

Village Manager Dave Fieldman said that the plaque is on order.

Mayor Tully thanked everyone who has taken advantage of this opportunity.

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

Nay: None

Mayor Tully declared the motion carried.

RES 2016-6941 — B. Resolution: Grant Historic Landmark Designation for 1130 Franklin Street

Summary: This grants historic landmark designation for 1130 Franklin Street.

A RESOLUTION GRANTING HISTORIC LANDMARK DESIGNATION FOR 1130 FRANKLIN STREET

RESOLUTION 2016-54

Motion: Commissioner White moved to adopt "A Resolution Granting Historic Landmark Designation for 1130 Franklin Street," as presented. Commissioner Waldack seconded the motion.

Cindy Zaeske, 1130 Franklin Street, said that the home was built in 1892 and will be 124 years old on August 27. She moved in four years ago. She said that Emerson Foote died shortly before the family moved into the house, and that Foote and E.H. Prince were friends until they died. The layout of the house has not been changed which is rare.

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

Nay: None

Mayor Tully declared the motion carried.

ORD 2016-6947 — C. Ordinance: Adopt the 2014 National Electrical Code

Summary: This adopts the 2014 National Electrical Code and amendments thereto.

AN ORDINANCE ADOPTING THE 2014 NATIONAL ELECTRICAL CODE

ORDINANCE NO. 5555

Motion: Commissioner White moved to adopt "An Ordinance Adopting the 2014 National Electrical Code," as presented. Commissioner Waldack seconded the motion.

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

Nay: None

Mayor Tully declared the motion carried.

7. First Reading

ORD 2016-6949 — A. Ordinance: Authorize a Special Use for 1620 Ogden Avenue to Permit an Automobile Dealership

Mr. Fieldman introduced Community Development Director Stan Popovich.

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Stan Popovich, Director, Community Development, explained that this Ordinance concerns a Special Use for an automobile dealership at the former McDonald's site. The building will be kept intact with some minor work. There will be no drive through, and the Special Use will include increased landscaping, and additional fencing along the north and east property lines which are adjacent to residential use. He displayed a slide showing the traffic pattern for the auto carrier. The proposal is compatible with the Comprehensive Plan and meets all standards for approval of a Special Use per Section 28.12.050 of the Municipal Code.

ORD 2016-6955 — B. Ordinance: Rezone Certain Property Located at 2200 Warrenville Road

Mr. Popovich said that this property is at the northwest corner of Warrenville Road and Finley Road and is the former Perkin Elmer facility. The petitioner is asking for a rezoning from M-1 to O-R-M, and approval of a parking ratio above the maximum allowance of the Zoning Ordinance. He displayed the site plan and photos of the conceptual plan. It is a two-story, 84,000 square foot office building, and they expect to have about 675 cars parking at the site due to an increase in employee density. The rezoning brings this into compliance with the Comprehensive Plan, and the request is consistent with the Zoning Ordinance.

Mayor Tully said that the requests are for an appropriate use and appropriate zoning for the site and the location in the Village.

ORD 2016-6954 — C. Ordinance: Authorize a Special Use to Exceed the Maximum Parking Ratio at the Property Located at 2200 Warrenville Road

ORD 2016-6968 — D. Ordinance: Amend the Brew Facility License Classification

Mr. Fieldman said that this would allow live entertainment to take place at these facilities.

Mayor Tully said that this appears to have been an oversight, and this Ordinance will amend that oversight.

ORD 2016-6982 — E. Ordinance: Authorize the Extension of a Special Use to Authorize Construction of a Multi-Family Structure at 5100 Forest Avenue to February 18, 2017

Mr. Popovich addressed Items E, F and G regarding the Burlington Station development. He displayed a design photo for the location, and noted that this request is to extend the special use request for six months. The other two ordinances relate to the reduction of the required school and park donations.

ORD 2016-6983 — F. Ordinance: Amend Ordinance No. 5475 Designating Planned Unit Development #53 and Authorizing Construction of a Multi-Family Structure with Deviations at 5100 Forest Avenue

ORD 2016-6975 — G. Ordinance: Amend Ordinance No. 5476 Authorizing a Special Use for 5100 Forest Avenue to Permit Construction of a Multi-Family Structure

8. Mayor's Report

Mayor Tully said that phone calls were made to residents that spraying by Clarke Mosquito Control will take place tonight beginning at about 8:30 p.m. The spraying is scheduled to begin within the hour.

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9. Manager's Report**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 authorizing a special use for 1620 Ogden Avenue to permit an automobile dealership
2. An ordinance rezoning certain property located at 2200 Warrenville Road
3. An ordinance authorizing a special use to exceed the maximum parking ratio at the property located at 2200 Warrenville Road
4. An ordinance amending the brew facility license classification
5. An ordinance authorizing extension of a special use to authorize construction of a multi-family structure at 5100 Forest Avenue to February 18, 2017
6. An ordinance amending Ordinance No. 5475 designating Planned Unit Development #53 and authorizing construction of a multi-family structure with deviations at 5100 Forest Avenue
7. An ordinance amending Ordinance No. 5476 authorizing a special use for 5100 Forest Avenue to permit construction of a multi-family structure

11. Council Member Reports**12. Adjourn to Executive Session****Convene into Executive Session**

Commissioner White moved to go into Executive Session pursuant to Section 2(c) (3) of the Illinois Open Meetings Act to consider the selection of a person to fill a public office. Commissioner José seconded the motion.

Mayor Tully declared the Motion carried by voice vote and the Council convened into Executive Session at 7:23 p.m.

Reconvene into Open Session

Council reconvened into Open Session at 8:01 p.m.

13. Active Agenda

RES 2016-6984 — A. Resolution: Appoint a Person to Fill a Public Office

Mayor Tully asked Village Clerk April Holden to read a resolution appointing Margaret A. Earl as a Village Commissioner.

Village Clerk April Holden read the Resolution into the record appointing Margaret A. Earl to fill the vacancy left by David Olsen.

A RESOLUTION APPOINTING MARGARET A. EARL AS A VILLAGE COMMISSIONER

RESOLUTION NO. 2016-55

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Motion: Commissioner White moved to adopt "A Resolution Appointing Margaret A. Earl as a Village Commissioner," as presented. Commissioner Waldack seconded the motion.

Mayor Tully noted that 14 individuals submitted materials to the Village Council to fill the vacancy on the Village Council for the balance of the unexpired term of David S. Olsen. The Mayor said that the submissions were narrowed down to a small group of people, and he commented on how impressed he was by their passion to serve their community. He noted that he wanted to start September's meetings with a full Council. He thanked everyone who participated, saying it is a considerable undertaking.

Commissioner Barnett commented that the process was efficient with many qualified candidates. He said that the Commissioners appreciate those who applied for the position. He noted that he doesn't share the urgency that his colleagues share, and as a result he believes they missed meeting some potential candidates who were unable to apply due to the expeditious nature of the process to fill the vacancy. Commissioner Barnett said he feels that the Village, Council and staff would survive with six members on the Council, and to suggest otherwise discounts the skill sets of the remaining Council and staff members. He doesn't feel they went through a process that afforded others the same opportunities to be evaluated. He noted that they didn't touch on some subjects, opinions on various topics, etc. They will move forward positively tonight. He is not voting "Nay," because that is not how he sees the vote, but will simply vote "Present."

Commissioner José thanked all the candidates who applied, and said he was impressed by the results and the outreach. He has some quibbles with the process as well and felt that the process was close-minded; however, he has no qualms with the candidate chosen.

Mayor Tully said it was very important to him that all Council members participate in the process. Everyone had the opportunity to ask questions of the candidates. He thanked both the participants and his colleagues.

Mayor Tully said that a meeting had been noticed for tomorrow; however, that has been cancelled.

Newly appointed Commissioner Marge Earl said she is humbled and honored at her appointment to the Village Council, and said she appreciates their confidence in her. She thanked the Council for the opportunity to expand her service to the Village.

Mayor Tully said that she would be sworn in at the next meeting.

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

Present: Commissioner Barnett

Mayor Tully declared the motion carried.

14. Adjournment

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

Mayor Tully declared the motion carried by voice vote and the meeting adjourned at 8:11 p.m.

Respectfully submitted,

April Holden

Village Clerk

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