

# Meeting Minutes

Village of Downers Grove - Council Meeting

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Council Chambers

9/13/2016

7:00 PM

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In order to give as many visitors as possible an opportunity to speak and in the interest of adjourning the meeting by 9:00 p.m., please limit your comments to 5 minutes in length, unless further time is granted by Council. Thank you.

## 1. Call to Order

Mayor Martin Tully called the regular meeting of the Village Council of the Village of Downers Grove to order at 7:00 p.m. in the Council Chambers of the Downers Grove Village Hall.

Pledge of Allegiance to the Flag

Mayor Tully led those present in the Pledge of Allegiance to the Flag.

## 2. Roll Call

**Council Attendance (Present):** Commissioner Walus, Commissioner Earl, Commissioner Waldack, Commissioner White, Commissioner José, 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 2016-7012** — A. Minutes: Executive Session Minutes for Approval Only - August 9, 2016; August 15, 2016; August 16, 2016; August 29, 2016; August 30, 2016

**MIN 2016-7013** — B. Minutes: Council Minutes - September 6, 2016

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

Mayor Tully declared the motion carried by voice vote.

#### **4. Proclamation**

Mayor Tully read a proclamation honoring the 150<sup>th</sup> anniversary of the First United Congregational Church of Christ in Downers Grove. He reviewed the history of the Church and its role in the Underground Railroad in Downers Grove, as well as the numerous charitable and social endeavors of the Church throughout its history.

The Mayor presented the Proclamation to Pastor Scott Oberle. Pastor Oberle thanked the Mayor and said it has been with great pride and honor that he has served to be part of a church that has been part of the Village since it was a grove. He thanked the Village for recognizing the church.

Mayor Tully thanked the Pastor for his comments and for all those attending tonight's meeting. He congratulated the congregation on behalf of the Village of Downers Grove.

#### **5. Public Comments**

This is the opportunity for public comments.

Matt Novak, 805 Summit, expressed his congratulations to the new members of the Council. He said he had a few items to discuss, the first concerning the Police Department. The Downers Grove Police Department has an excellent reputation. Mr. Novak is a patrol officer in another suburb and has heard that the Downers Grove Police Department has been without a contract for over two years. He said that the Village officers should be taken care of. There are many issues in policing today that are internal. The morale of the Downers Grove Police Department is tanking. He commented that often there is lack of communication that exists internally that has to be addressed. He asked that someone from the Council speak to the police officers and negotiators to get the situation of a contract remedied.

Mr. Novak then commented on the issue of community policing, referencing the Coffee with a Cop, which is a fantastic organization that helps build a bond between law enforcement and the citizens. He also mentioned that in May 2017 the Special Olympics fundraising, Cop on a Rooftop, will take place at Dunkin Donuts. He wanted people to be aware of this organization and this event that raised more than \$2.5 million last year.

Mr. Novak expressed concerned to the Council about the home at 5309 Lyman Avenue, which is a house that has been abandoned for 2-1/2 years and is for sale near Randall Park. The house is in an LPDA and is becoming an eyesore with drainage issues. There are skunks living in the garage. He asked that the Village look at the property to see what can be done, and whether this is a property that could be purchased by the Village and demolished to improve the drainage issues in that area.

Mayor Tully replied by thanking Mr. Novak for his comments. With regard to 5309 Lyman, the Council will consider the request he made. This may not be a good opportunity for acquisition. With regard to community policing, Chief Bluder and his department take the lead on that program. And as to the police contract, that is a collective bargaining issue. He said, however, that the Council is not holding up the contract. He has been with the Village Council since 2001 and the Village has always been involved in negotiating in a respectful manner.

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The Downers Grove Police Department has and will have the full support of the Village Council. The Police Department is accredited by the Commission on Accreditation for Law Enforcement (CALEA) and, except for facilities, achieves excellence in all areas when evaluated. He knows first-hand the excellence this department has achieved, and noted that negotiations are a give and take situation.

Mr. Novak asked if contract negotiations have entered into arbitration. The Mayor said they may be in the process of arbitration. Mr. Novak commented that the residents want the police taken care of.

## 6. Consent Agenda

**BIL 2016-7014** — A. Bills Payable: No. 6286, September 13, 2016

**MOT 2016-6945** — B. Motion: Authorize a Three-Year Contract for \$196,750.00 to Backflow Solutions, Inc., Alsip, IL, for Cross Connection Control Program

**Summary:** This authorizes the execution of a three-year contract with a provision for a possible two-year extension for Professional Services for a Cross Connection Control Program to Backflow Solutions, Inc. of Alsip, Illinois in the amount of \$196,750.

**RES 2016-6999** — C. Resolution: Authorize a First Amendment to a License Agreement with Verizon Wireless to Install, Maintain and Operate Antenna Equipment on Village Property Located at 3801 Highland Avenue

**Summary:** This authorizes a first amendment to a license agreement with Verizon Wireless at the Highland Avenue water tower.

**A RESOLUTION AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO LICENSE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND CHICAGO SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS TO INSTALL, MAINTAIN AND OPERATE ANTENNA EQUIPMENT ON VILLAGE PROPERTY LOCATED AT 3801 HIGHLAND AVENUE**

**RESOLUTION 2016-58**

**MOT 2016-6987** — D. Motion: Authorize \$36,776.40 to the DuPage Mayors and Managers Conference for FY 2016-17 Dues

**Summary:** This will authorize renewal of the FY 16-17 DuPage Mayors and Managers Conference membership and authorize staff to submit dues in the amount of \$36,776.40.

**RES 2016-7002** — E. Resolution: Authorize a First Amendment to License Agreement with Wide Open West Illinois, LLC for Use of the Village Rights-of-Way

**Summary:** This authorizes an amendment to the Right-of-Way License Agreement with Wide Open West to allow underground fiber optic cables.

**A RESOLUTION AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO LICENSE AGREEMENT BETWEEN WIDE OPEN WEST ILLINOIS, LLC AND THE VILLAGE OF DOWNERS GROVE FOR USE OF THE VILLAGE RIGHTS-OF-WAY**

**RESOLUTION 2016-59**

**MOT 2016-7004** — F. Motion: Award a Contract for \$64,900 to Chicagoland Paving Contractors, Inc., Lake Zurich, IL, for 2016 Fall Roadway Patching (CIP Project ST-004D)

**Summary:** This awards a contract for 2016 Fall Roadway Patching (CIP Project ST-004D) to Chicagoland Paving Contractors Inc. of Lake Zurich, Illinois in the amount of \$64,900.00.

**MOT 2016-7007** — G. Motion: Award a Contract for \$30,000 to Superior Road Striping, Melrose Park, IL, for 2016 Pavement Striping Maintenance

**Summary:** This awards a contract for the 2016 Pavement Striping Maintenance to Superior Road Striping of Melrose Park, Illinois in the amount of \$30,000.00.

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

**Votes:** Yea: Commissioners White, Waldack, Walus, Earl, José, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

## 7. Active Agenda

## 8. First Reading

Village Manager Dave Fieldman said that all four items under the First Reading have to do with the property at 1401-1445 Ogden Avenue. He asked Community Development Director Stan Popovich to provide information on these items.

**ORD 2016-6951** — A. Ordinance: Rezone Certain Property Located at 1401-1445 Ogden Avenue

Stan Popovich, Director, Community Development, said that these ordinances concern the property commonly known as Delta Sonic. The alley vacation requested is south of the property. He noted that there are five curb cuts presently on Ogden Avenue and two on Oakwood Avenue. The west side of the property is vacated by Burger King, which was purchased by Delta Sonic. He showed slides of the existing building, the stacking area, etc. The petitioner is proposing to redevelop the property with two curb cuts on Ogden Avenue, the installation of new canopies for the fuel pumps along Ogden Avenue, and include new construction and stacking for the car wash. He said that additional parking would be provided. Stormwater detention for the site will be underground, and no new stormwater detention is required. He showed a slide of the north and east elevations as well as a cross-section of the west side. With regards to the Comprehensive Plan, this meets requirements in that it will reduce curb cuts, and provide a pedestrian connection. The site meets the PUD, rezoning, special use and alley vacation criteria.

Mayor Tully said that basically they are expanding their existing use. The site has long been a challenging spot, and the expansion is a good thing.

Commissioner Earl said that she is thrilled that the curb cuts are being reduced and happy with the installation of the sidewalk.

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Kathleen West, representing Delta Sonic, said that they have operated this facility for more than 27 years, and they propose to plan and renovate the facility. They hope to improve safety, onsite circulation and provide a better level of customer service.

Commissioner José thanked Delta Sonic for continuing to reinvest in the community. He is glad to see the site grow and the reduction of curb cuts.

**ORD 2016-6950** — B. Ordinance: Designate the Property at 1401-1445 Ogden Avenue as Planned Unit Development #56 for the Redevelopment of a Fueling Station and Car Wash

**ORD 2016-6952** — C. Ordinance: Authorize a Special Use for 1401-1445 Ogden Avenue to Permit the Redevelopment of a Fueling Station and Car Wash

**ORD 2016-6953** — D. Ordinance: Vacate a Portion of a Public Alley Immediately South of 1401-1445 Ogden Avenue

## 9. Mayor's Report

### New Business

**RES 2016-7011** — A. Resolution: Appoint and Reappoint Members to Boards and Commissions

Mayor Tully asked Village Clerk April Holden to read the Resolution into the record.

**A RESOLUTION APPOINTING AND REAPPOINTING MEMBERS TO VILLAGE BOARDS AND COMMISSIONS**

**RESOLUTION 2016-60**

**Motion:** Commissioner White moved to adopt the resolution as read. Commissioner Waldack seconded the motion.

Mayor Tully expressed his appreciation for the services of those members of Boards and Commissions being reappointed or newly appointed. He noted that it is always a difficult choice because so many well-qualified people have applied to serve the Village. He said that the Village values the advice, input and service of all Board and Commission members.

**Votes:** Yea: Commissioners White, Waldack, Walus, Earl, José, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

## 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 rezoning certain property located at 1401-1445 Ogden Avenue

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2. An ordinance amending the Zoning Ordinance to designate the property at 1401-1445 Ogden Avenue as Planned Unit Development #56 for the redevelopment of a fueling station and car wash
3. An ordinance authorizing a special use for 1401-1445 Ogden Avenue to permit the redevelopment of a fueling station and car wash
4. An ordinance vacating a portion of a public alley immediately south of 1401-1445 Ogden Avenue

## 12. Council Member Reports

Commissioner Waldack said that he is the liaison to the Downtown Management Corporation, which recently sponsored the 40<sup>th</sup> Annual Fine Arts Festival; 50 artists participated in that event.

Commissioner Waldack then announced Girls Day Out (formerly known as Ladies Night Out) is scheduled for Thursday, September 29, and takes place all day, and into the night. More information can be obtained at [www.downtowndg.org](http://www.downtowndg.org).

Commissioner Earl commented that it was a fine Fine Arts Show. She said that “fine art” doesn’t necessarily hang on the wall; people can wear it. Next year people should consider what the artists have to share.

Commissioner White said he has been involved with FROG (Friends of the Gifted) for some time. This year's speakers will start with Amy and David Gassen who will give a talk on September 26 on the History and Significance of the American Foursquare at 7:00 p.m. at Ballydoyle's at 5157 Main Street.

Mayor Tully also commented on the Fine Arts Festival, the Farmers’ Market, and the annual Grove Foundation Golf outing that took place this last weekend. This coming weekend District 58 will hold their annual Oktoberfest celebration on September 17 and 18. Information can be obtained at [www.58foundation.org](http://www.58foundation.org). The celebration takes place at Burlington Avenue at Main Street.

The Mayor then announced that on Sunday, September 18 at 8:00 a.m. Whittier School will sponsor its 5k Jaguar Jog. Information can be obtained at [www.whittierschoolpta.org](http://www.whittierschoolpta.org).

Mayor Tully reminded everyone that the next Coffee with the Council takes place on September 17 at the Main Street Train Station from 9:00-10:00 a.m. at the Downtown Downers Grove Market.

## 13. Adjournment

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

**Votes:** Yea: Commissioners White, Waldack, Walus, Earl, Hosé, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried and the meeting adjourned at 7:37 p.m.

Respectfully submitted,  
April Holden  
Village Clerk