

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

10/11/2016

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 asked the Pack 57 Scouts in attendance to help lead 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 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 2016-7045 — A. Minutes: Executive Session Minutes for Approval Only - September 20, 2016

MIN 2016-7046 — B. Minutes: Council Minutes - October 4, 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. Proclamation

Mayor Tully proclaimed the month of October 2016, as Community Planning Month in the Village of Downers Grove. He presented the proclamation to Stan Popovich, Director of the Village's Community Development Department. Mr. Popovich thanked the Mayor for the proclamation and recognition, saying it is an honor to accept it on behalf of the planning staff. He noted that the Village is fortunate to have a great staff and Board members who take their duties seriously. This year's theme is civic engagement, and the Village's Department of Community Planning does a good job of civic engagement in developing plans and regulations.

Mayor Tully said that Downers Grove takes planning seriously. He referenced TCD I, II and III, and the various Board and Commissions made up of volunteers who bring their expertise to the table. The Council appreciates their work as well as the contributions of the staff. The Village is headed in a good place.

Mayor Tully then proclaimed the week of October 9-15, 2016, as Fire Prevention Week in the Village of Downers Grove. He presented the proclamation to Fire Chief Jim Jackson. Chief Jackson and Deputy Chief Jeff Pindelski accepted the proclamation. Chief Jackson gave the background on the beginnings of Fire Prevention Week in 1891 in the City of Chicago. He explained that fire safety is everybody's business. On Wednesday at 6:30 there will be an open house at Fire Station #5 located at 67th and Main Street. Then on Friday, October 14, the 22nd annual Silent Parade will be held as it travels from Hinsdale down Maple Avenue to Lisle.

Mayor Tully said that the Village looks forward to participating in the events announced by the Chief.

5. Public Comments

This is the opportunity for public comments.

6. Consent Agenda

BIL 2016-7047 — A. Bills Payable: No. 6292, October 11, 2016

MOT 2016-7057 — B. Motion: Award a Two-Year Contract for \$227,227.00 to Ray O'Herron, Downers Grove, IL, for Police Equipment and Uniforms

Summary: This approves a two-year police equipment and uniform contract with Ray O'Herron of Downers Grove, Illinois, in an amount not to exceed \$227,227.00. The contract will be effective January 1, 2017 through December 31, 2018.

MOT 2016-7044 — C. Motion: Authorize \$68,238.02 to DU-COMM for the Purchase and Installation of a Microwave Communications Link

Summary: This approves payment to DU-COMM for the purchase and installation of a microwave communications link as part of the Village consolidation with DU-COMM for emergency dispatching services.

RES 2016-7052 — D. Resolution: Authorize a License Agreement with DuPage Amateur Radio Club, Inc. to Install, Maintain and Operate Antenna Equipment on Village Property

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Summary: This authorizes approval of a license agreement with the DuPage Amateur Radio, Inc. to install, maintain and operate antenna equipment on Village property.

A RESOLUTION AUTHORIZING EXECUTION OF A LICENSE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND DUPAGE AMATEUR RADIO CLUB, INC. TO INSTALL, MAINTAIN AND OPERATE ANTENNA EQUIPMENT ON VILLAGE PROPERTY

RESOLUTION 2016-66

RES 2016-7053 — E. Resolution: Authorize a License Agreement with xWAVE Communications, LLC, to Install, Maintain and Operate Antenna Equipment on Village Property

Summary: This authorizes approval of a license agreement with xWAVE Communications, LLC to install, maintain and operate antenna equipment on Village property.

A RESOLUTION AUTHORIZING EXECUTION OF A LICENSE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND xWAVE COMMUNICATIONS, LLC TO INSTALL, MAINTAIN AND OPERATE ANTENNA EQUIPMENT ON VILLAGE PROPERTY

RESOLUTION 2016-67

MIN 2016-7048 — F. Minutes: Note Receipt of Minutes of Boards and Commissions

Summary: Note Receipt of Minutes of Boards and Commissions: Comprehensive Planning Ad Hoc Committee - 8/23/16; Library Board - 8/24/16; Super Retreat - 9/16/16

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

ORD 2016-7020 — A. Ordinance: Rezone Certain Property Located at 421 Maple Avenue

Summary: This rezones 421 Maple Avenue from O-R-M Office, Research, Manufacturing District to B-2, General Retail Business District.

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 421 MAPLE AVENUE

ORDINANCE NO. 5567

Motion: Commissioner White moved to adopt "An Ordinance Rezoning Certain Property Located at 421 Maple Avenue," 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.

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ORD 2016-7021 — B. Ordinance: Authorize a Special Use for 421 Maple Avenue to Permit an Animal Boarding/Kennel Service with a Variation

Summary: This authorizes a special use for 421 Maple Avenue to permit an animal boarding/kennel service with a variation.

AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 421 MAPLE AVENUE TO PERMIT AN ANIMAL BOARDING/KENNEL SERVICE WITH A VARIATION

ORDINANCE NO. 5568

Motion: Commissioner White moved to adopt "An Ordinance Authorizing a Special Use for 421 Maple Avenue to Permit an Animal Boarding/Kennel Service with a Variation," 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.

RES 2016-7022 — C. Resolution: Approve the Final Plat of Subdivision for 4824 Prince Street

Summary: This approves the final plat of subdivision for the property located at 4824 Prince Street.

A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION FOR 4824 PRINCE STREET

RESOLUTION 2016-68

Motion: Commissioner White moved to adopt "A Resolution Approving the Final Plat of Subdivision for 4824 Prince Street," as presented. Commissioner Waldack seconded the motion.

Mayor Tully announced he would abstain from voting on this item for reasons given at last week's meeting.

Votes: Yea: Commissioners White, Waldack, Walus, Earl, José, Barnett

Nay: None

Abstain: Mayor Tully

Mayor Tully declared the motion carried.

8. First Reading

ORD 2016-7054 — A. Ordinance: Adopt the Fiscal Year 2017 Budget in Lieu of Passage of an Appropriation Ordinance

Village Manager Dave Fieldman stated that this item is a continuation of budget discussions. He explained that the proposed budget was made available in late September, and was presented and discussed on Saturday, October 8. He explained that responses to questions have been prepared. The Manager further stated that the Library budget has been prepared and approved by the Library Board and is on the Village's website. It has also been inserted in the budget book.

Mayor Tully said that the budget is a point in a process that begins in the summer months with long range planning. He noted that the budget has been placed on the website and was the subject of a meeting held on Saturday, October 8. He announced that Coffee With the Council will be held at 9:00 a.m. Saturday, October 15 at Fire Station 2. This will be another opportunity for discussion regarding the FY17 budget.

Mr. Fieldman then described the key takeaway points of the budget:

- Balanced General Fund with revenues and expenses of \$46.9 million.
- Fund Balance maintained at the recommended level of 40% of annual expenses.
- No increases in the Property Tax Levy to fund Village operations for the sixth consecutive year.
- Property Tax Levy increase of \$490,000 for required contributions to public safety pensions.
- The budget includes the cost of transitioning emergency dispatch operations to DU-COMM. Transition costs are \$545,000 and will be offset with a reimbursement of \$315,000.
- Staff resources shifted to Community Development and Public Works to address increasing demands for new construction and stormwater management services. Total staffing levels will drop by over 16 positions due to the elimination of the Village's emergency dispatch center.
- Funds of \$1.75 million to cover the 2017 costs of implementing the facility plan.
- Funds of \$18.6 million for maintenance and improvements to public infrastructure.
- Revenue of \$3.9 million in the Stormwater Fund. Council may make changes to the source of revenue used to pay for stormwater management costs.

Mr. Fieldman added that the cost for capital projects (excluding facilities) is \$18.5 million.

Commissioner Waldack referenced the fiscal impact section of the Manager's memos. He asked that the Manager consider being more specific with respect to tying fiscal impact to a specific page in the budget.

Commissioner White said that the budget has been developed over an extended period of time. There was nothing in it that was a surprise to him. It is consistent with the work of the last 12 months.

Mayor Tully said that he reserves the right to more thoroughly and carefully review the Library budget. He has some questions to discuss with Library leadership. There will be many more opportunities to discuss this budget.

9. Mayor's Report

10. Manager's Report

MOT 2016-7060 — A. Motion: Direct Staff to Pursue an Alternative Option for a Mixed-Use Redevelopment of the Civic Center Property

Deputy Village Manager Mike Baker said that the motion seeks Council direction to consider an alternative option for a mixed-use redevelopment of the Civic Center property. This option would include a new combined Police Station and Village Hall with a multi-family residential development on the property. Preliminary review of this option suggests that the revenue generated by the private development could be used for Village facilities and the amount of existing Village revenues could be reduced to something less than \$16 million. This option would provide a sustainable complete solution for the Police Station and Village Hall and is consistent with Comprehensive Plan goals and the discussion of the downtown focus area plan that took place last week. If the motion is approved, further evaluation of this option would take place over the next three to four months. The Council would then be able to decide whether to proceed with this new redevelopment option or the current option that calls for the renovation and addition of the existing Police Station.

Mayor Tully said it has been a long-running challenge to solve the Police Department and Village Hall facilities puzzle. It is important to come to a conclusion on this problem, and he is intrigued about pursuing this because it would be a complete solution and would be in the cost range of \$16 million or less. The Mayor said they are not making a commitment to this tonight, but would only be agreeing to examine it further.

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Commissioner White said he considers the current proposal to have two significant advantages over the proposal discussed in 2014. If it would be determined that the TIF financing mechanism is viable and would work, it would result in solving the problem without adding to the homeowners' tax bill. His understanding is that the community does not want to see a tax increase for building a Village Hall. Secondly, the community is better off with Packey Webb on Ogden Avenue instead of a Police Station. There are concerns about escalating commitment. He said that the question is how many large-sized buildings do they really want in the downtown area. Four already have been approved, and this would add a fifth to the area. He wants to go forward only with the full consensus of the Council, even though he is personally very interested in looking into this.

Commissioner José commented that the prior plan did include re-doing the downtown TIF. He is thrilled to see an option that completely solves the facility challenge. Taking care of the Police Station remains the first priority. The Village Hall facility has many challenges as well and was intended to be a temporary arrangement when it was turned into Village Hall. He likes the ability to unlock the economic potential of this site. It would be a shame not to explore this fully.

Commissioner Earl commented that she is taken aback by the 180-degree turn even though not everything she is seeing is something she dislikes. However, she has great concerns about building another 300 condo units without knowing the impact of the approved projects on downtown on traffic, people, etc. She feels this is moving too quickly and she is nowhere near ready for publishing a call for offers or hiring TIF consultants. She is okay with getting an environmental report, but not moving further without more information.

Commissioner Earl said she wants a year to see how things are working out with already approved developments.

The Mayor referenced the constant question of parking, and that is something that they will have to address. Parking and traffic go hand in hand. He expects that soon they will have to be adding parking to the downtown area. He is fairly confident that they can address this in stride. He believes they have kicked this around too long and it is irresponsible to continue to wait. The Mayor said he would like to know more about how this plays out as it addresses many issues and concerns including location, risk, etc. He would like to move forward, as they have to bring more residents into the downtown area. It is consistent with the trend of development in the Chicago Metropolitan area.

Commissioner Earl replied that she is aware of planning that goes with this, and urbanizing the downtown area. She doesn't want to be the community that overdeveloped too fast and then has a lot of vacant units on properties.

Commissioner White said that no one has sufficient information to make a final decision. He asked staff as to the next decision point for Council.

Mr. Fieldman replied there are several steps that would take place. Whether to proceed or not would likely be in front of the Council in February. He reviewed steps including contracts authorizing an extension of the contract with the architects, preparing a survey, environmental reports, hiring of a TIF consultant, etc. All of these steps would go into a call for offers. These things would come to the Council between now and February, at which time a decision could be made as to how to move forward. In further response to Commissioner White, the Manager said staff would begin to get documents ready for a call for offers, which is similar to requests for proposals. The initial steps would take place in the next thirty days.

Mayor Tully thanked the Manger for the clarification. He thinks there are sufficient and compelling reasons to look into this.

Mr. Fieldman said if the Council decides not to authorize staff to take the steps in the motion, staff would go back to implementing the plan as it currently exists which would also require an extension of the architect's contract, plat of survey, environmental reports, etc. The scope of those contracts would change slightly, but they would still come forward regardless of which option the Council directs.

Commissioner White noted that many Council members do not feel they have adequate information at this time to make an informed decision, and he understands that. He asked what consequences there would be in revisiting this on November 1. Mr. Fieldman responded it would be a delay in the existing plans.

Mayor Tully asked what information they will get between now and November 1. Commissioner White replied that the Mayor has been working on this for 12 years, while there are Council members who have only been looking at this for 12 weeks. The Mayor said he thought Council would be having the same conversation on November 1. He said there are some long-term potential impacts to this that he recognizes and is committed to addressing, such as parking and traffic. The TIF analysis will address the economics and the likelihood of these units selling.

Commissioner White asked, if this motion were approved, how much would be spent between now and when they next discuss it. Mr. Fieldman replied that it would be \$30,000-\$50,000 with the new plan. Many of the contracts under the existing plan would be under \$15,000. The architect's contract will be hundreds of thousands of dollars.

Commissioner White said it is necessary to have a current survey. He is not concerned about paying for a survey, or an environmental report.

Commissioner Barnett said that the Village is in a position that makes borrowing money easy. He thinks it would be a dereliction of duty not to pursue this. What is being asked is whether the plan is of interest to the Council. The point is any stage of the process could give them more ideas and information. He would like to get the information. There is no value in waiting, and he encouraged the Council to move forward and do the additional research to determine if this is viable. They may find out that there are problems on the site that make this an impossibility.

Commissioner Waldack referenced the referendum two years ago, saying that people wanted to improve the Police Department as soon as possible, and didn't want to move facilities to Ogden Avenue. The Commissioner said he is concerned about the cost. His question is whether the police facilities can withstand another delay. He would like to avoid the delay in improving the Police Department, which would be a cost of \$15 million. He then asked what would happen if they moved ahead with building the Police Station in terms of how it affect the offers and layout for the other facilities. Also, he said there are advantages to waiting on the Village Hall portion as referenced by Commissioner Earl. He noted problems with the Library facility, parking in the area, and options to changing locations between the Library and Village Hall, etc. He is very concerned about the expenditure of \$46 million, and doesn't want to do things that will obligate taxpayers to \$46 million. He is looking for partners, options on locations, reducing the cost and making Village Hall a better location. He hates the idea of delaying work on the Police Station.

Commissioner Walus said she sees a lot of advantages to looking into this further but is struggling with the lack of consensus, and also with residents not wanting a new Village Hall. She agrees with Commissioner Earl's concerns with regard to traffic and the number of units that would be in the downtown area.

Mayor Tully clarified that they are only considering whether to get additional information, which will come at a cost. He said they are not talking about committing to an alternative plan.

Commissioner White said he sees part of the concern to be with the escalating commitment.

Mayor Tully said this could progress much further and still not go forward due to new information and new input. There has to be an affirmative vote on each process before a final decision is made.

Commissioner White said his personal opinion would be tempered with the consensus of the Council.

Mayor Tully said he does not disagree with that, but he would like to get additional information to reach a consensus.

Commissioner José commented that they do not need a consensus now. They need information. The point at which they need a consensus is in February and if something comes up that is unacceptable, they are not committed to anything. They are deciding to get information, and not pick a plan.

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Commissioner Waldack said he can go along with this, but would like to know the effect of moving forward with the Police Department now, and its effect on the rest of the plan.

Mayor Tully said he understood Commissioner Waldack's question to be if they went ahead with the Police Station with the current plan, what options would be removed from the plan. He said they owe it to themselves to know what would be the path not taken. They are trying to achieve an agreement to go forward and get more information.

Commissioner Barnett said the answer is to allow Williams Architects consider a slightly different scope.

The Mayor asked for a motion to direct staff to pursue an alternative option for a mixed use redevelopment of the Civic Center property as described.

Motion: Commissioner Barnett moved to direct staff to pursue an alternative option for a mixed use redevelopment of the Civic Center property including a new combined Police Station & Village Hall and a multi-family residential development. Commissioner José seconded the motion.

Commissioner White said that it would be very helpful to have, as part of the report from Williams Architects, an evaluation of the impact of completing the Police Station under the previously approved plan on a mixed use redevelopment.

Mr. Fieldman asked for clarification. It would be difficult to look for a call for offers with such a wide spread in the concept of what is actually for sale or not. If they want to understand and flush out in more detail the impact of building the Police Department under the current plan and location, he would like to do an interim step by doing that report and study first. It would be challenging to go to call for offers with two alternative bids.

Mayor Tully said that he thought Commissioner Waldack was asking for more clarification as to what obstacles it would create to have the Police Station in the middle of the project.

Mr. Fieldman said that it cuts the development opportunities in half, creates significant challenges in site planning and drives the revenues from sales and TIF from the property by less than half. It would be a significant impact.

Commissioner White said it is especially important for Council members who have not dealt with this before to be able to see and review the documents so they understand this is a solid factual basis.

Mr. Fieldman said he understands Commissioner White is asking for a report with some sketch site plans that show the impact on how the call for offers would be put together. The motion would be to direct staff to work with the architect to develop a site plan for two options.

Commissioner Barnett said that the motion made is what they are considering. Someone needs to answer the questions raised by Commissioner Waldack. That information could be included in a Manager's memo.

Commissioner Waldack said he is concerned about a motion to pursue an alternative option when they are actually looking for additional information. They want to review an option, not pursue it.

Mr. Fieldman replied that the ultimate deliverable of this motion would be calls for offers.

Commissioner Barnett noted that there are steps along the way, with many opportunities to stop.

Commissioner White said he is not comfortable going forward with calls for offers before discussing this again. He wants the information so they can make a decision to ask the development community for written contracts. He wants a chance to vote one more time before requesting a written binding offer.

Mr. Fieldman said staff would bring that back in November.

Commissioner Earl asked what she is agreeing to.

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Mr. Fieldman said if the motion passes, the Village staff will take actions to prepare draft calls for offers, including an extension of the contract with Williams Architects, the preparation of a plat of survey for the Civic Center property, the preparation of an environmental report, the preparation of soil borings. They would gather all that information with a draft call for offers and would look for final information before the draft call for offers is published.

Commissioner Earl clarified that the Manager was referring to approving the first four items on the list for information, and a draft of the fifth item. Mr. Fieldman said that was correct and noted that they may also need a recommendation of getting a TIF consultant on board and how it would impact the financing plan. Commissioner Earl then asked how much this would cost. The Manager replied that the extension of Williams Architects would be \$50,000, the plat of survey is \$20,000 and the environmental report \$25,000 estimated.

Mayor Tully then said that they still have on the table what to do with the remainder of the campus of Village Hall even if they go simply with the current plan of replacing the Police Station.

Richard Kulovany, 6825 Camden, said he thought this was a simple but elegant solution. As a citizen it makes sense to come up with reasonable options. He agrees with this.

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

Nay: None

Mayor Tully declared the motion carried.

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 adopting the Fiscal Year 2017 budget in lieu of passage of an Appropriation Ordinance

12. Council Member Reports

Mayor Tully said there are some changes in liaison roles and he will follow up with the Commissioners. He asked Commissioner Walus to be the liaison to District 58.

Commissioner Waldack said that October 16 is the annual South DuPage Crop Walk for Hunger. Twenty-five percent of the amount collected stays local. It is a very worthwhile event. Step off is at 2:00 p.m. at Gloria Dei church with registration at 1:30 p.m.

Commissioner Walus announced that the Alter Fest will be held on October 15 from Noon until 4:00 for the family friendly portion of the event, and 6:00-10:00 p.m. for ages 21 and over with many prizes.

Commissioner Earl said this Sunday, October 16 is the 125th anniversary of the Library with a celebration all afternoon with cake, and special activities. Everyone is invited to come and help them celebrate.

13. Adjournment

Motion: Commissioner White moved to adjourn into Executive Session pursuant to Section (2)(c)(6) of the Illinois Open Meetings Act to consider the setting of a price for sale or lease of property owned by the public body. Commissioner Waldack seconded the motion.

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

Nay: None

Mayor Tully declared the motion carried and the meeting adjourned at 8:19 p.m.

Respectfully submitted,

April Holden

Village Clerk