

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

11/22/2016

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 Walus, Commissioner Earl, Commissioner Waldack, Commissioner White; Mayor Tully

Absent: Commissioner José, Commissioner Barnett

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 2016-7139 — A. Minutes: Council Minutes - November 15, 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 read a proclamation declaring Saturday, November 26, 2016, as Small Business Saturday in the Village of Downers Grove. He encouraged residents to support local small businesses in Downers Grove. He said that the proclamation would be presented later to Linda Kunze, Downtown Manager.

5. Public Comments

This is the opportunity for public comments.

6. Consent Agenda

MOT 2016-7149 — A. Motion: Authorize a Change Order to G&L Construction for \$1,280.00 for Maple Water Tank Storage Garage

Summary: This authorizes a change order to the contract with G&L Construction in the amount of \$1,280.00 for additional work involved in replacing the roof of the Maple Water Tank Storage garage.

MOT 2016-7135 — B. Motion: Authorize the Purchase and Renewal of Property, General Liability, Excess Liability and Workers Compensation Insurance Coverages

Summary: This renews insurance for General Liability, Property, Excess Liability and Workers Compensation coverage for the Village, effective January 1, 2017 through December 31, 2017.

RES 2016-7137 — C. Resolution: Authorize an Extension to the Agreement with HD Supply Waterworks Ltd.

Summary: This authorizes a contract extension with HD Supply Waterworks, Ltd. of Carol Stream, Illinois, until December 31, 2017 for the purchase of fire hydrants. The contract unit prices shall increase by 0%, for a total not-to-exceed price of \$56,170.

A RESOLUTION AUTHORIZING EXECUTION OF AN EXTENSION TO THE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND HD SUPPLY WATERWORKS LTD.

RESOLUTION 2016-84

RES 2016-7154 — D. Resolution: Authorize an Agreement with Christopher B. Burke Engineering, Ltd.

Summary: This authorizes an agreement with Christopher B. Burke for engineering consulting services to update the base flood elevations for localized poor drainage areas in the St. Joseph Creek North watershed.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND CHRISTOPHER B. BURKE ENGINEERINGS, LTD.

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RESOLUTION 2016-85**RES 2016-7155** — E. Resolution: Authorize an Agreement with Engineering Resource Associates, Inc.**Summary:** This authorizes an agreement with Engineering Resource Associates, Inc. for engineering consulting services to update the base flood elevations for localized poor drainage areas in the St. Joseph Creek South watershed.**A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND ENGINEERING RESOURCE ASSOCIATES, INC.****RESOLUTION 2016-86****RES 2016-7152** — F. Resolution: Authorize an Agreement with Clark Dietz, Inc.**Summary:** This authorizes an agreement with Clark Dietz, Inc. for engineering consulting services to update the base flood elevations for localized poor drainage areas in the Prentiss Creek watershed.**A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND CLARK DIETZ, INC.****RESOLUTION 2016-87****RES 2016-7153** — G. Resolution: Authorize an Agreement with V3 Companies of Illinois, Ltd.**Summary:** This authorizes an agreement with V3 Companies of Illinois, Ltd. for engineering consulting services to update the base flood elevations for localized poor drainage areas in the Lacey Creek watershed.**A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND V3 COMPANIES OF ILLINOIS, LTD.****RESOLUTON 2016-88****MIN 2016-7141** — H. Minutes: Note Receipt of Minutes of Boards and Commissions**Summary:** Comprehensive Planning Ad Hoc Committee - October 5, 2016; Library Board - October 26, 2016**Motion:** Commissioner White moved to approve the Consent Agenda. Commissioners Waldack seconded the motion.**Votes:** Yea: Commissioners White, Waldack, Walus, Earl; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

7. Active Agenda**MOT 2016-7085** — A. Motion: Estimate 2016 Aggregate Tax Levy for the Village of Downers Grove**Summary:** Motion to find and determine that the aggregate levy for the Village of Downers Grove, as defined in the Illinois Truth in Taxation Law, estimated to be necessary to be raised by taxation for 2016 upon the taxable property in Downers Grove is \$26,024,517.76. This amount is based upon an estimated levy of \$3,968,669 for corporate and police; \$2,850,000 for fire; \$2,915,699 for police pension; \$3,060,616 for fire pension; \$5,043,515

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for library operating; \$431,600 for Stormwater 2008A Series debt service; \$108,000 for Central Business District 2008B Series debt service; \$1,046,575 for Central Business District and Fairview Avenue 2009 Series debt service; \$416,700 for Central Business District 2010 Series debt service; \$855,000 for Central Business District 2010B Series debt service; \$1,936,818.76 for Capital Projects 2012 Series debt service; \$1,814,050 for Central Business District 2013A Series debt service; \$786,525 for Refunding Bonds 2014 Series debt service; \$511,650 for Refunding Bonds 2015 Series debt service; and \$279,100 for Refunding Bonds 2016 Series debt service. The estimated levy for Special Service Area #2, CBD Special Service Area, is \$247,000. The estimated levy for Special Service Area #4, Green Acres Special Service Area, is \$0. The estimated levy for Special Service Area #5, Atwood Special Service Area, is \$0. The estimated levy for Special Service Area #6, Fairview Fire Protection District Special Service Area, is \$79,584. The estimated levy for Special Service Area #7, Dunham Subdivision, is \$0. The estimated levy for Special Service Area #8, Nelson Meadow Subdivision, is \$0. A public hearing will be held on these proposed levies on December 6, 2016, at 7:00 p.m. in the Village Council Chambers. The adoption of the proposed levies will be held on December 13, 2016, at 7:00 p.m. in the Village Council Chambers. Staff is also directed to prepare ordinances to abate certain 2016 tax levies.

Motion: Commissioner White moved to find and determine that the aggregate levy for the Village of Downers Grove, as defined in the Illinois Truth in Taxation Law, estimated to be necessary to be raised by taxation for 2016 upon the taxable property in Downers Grove is \$26,024,517.76, as presented. Commissioner Waldack seconded the motion.

Notes: Yea: Commissioners White, Waldack, Walus, Earl; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

ORD 2015-6449 — B. Ordinance: Amend Certain Provisions of the Community Events Commission

Summary: This amends certain provisions of the Community Events Commission.

**AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE COMMUNITY EVENTS
COMMISSION**

ORDINANCE NO. 5570

Motion: Commissioner White moved to adopt "An Ordinance Amending Certain Provisions of the Community Events Commission," as presented. Commissioner Waldack seconded the motion.

Notes: Yea: Commissioners White, Waldack, Walus, Earl; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

ORD 2016-7063 — C. Ordinance: Amend Provisions of the Zoning Ordinance to Allow Automobile Dealership Off-Site Vehicle Storage as a Special Use in the M-1, Light Manufacturing Zoning District

Summary: This amends the Zoning Ordinance to allow automobile dealerships off-site vehicle storage as a special use in the M-1, Light Manufacturing Zoning District.

**AN ORDINANCE AMENDING PROVISIONS OF THE DOWNERS GROVE ZONING ORDINANCE
TO ALLOW AUTOMOBILE DEALERSHIPS OFF-SITE VEHICLE STORAGE AS A SPECIAL USE IN
THE M-1, LIGHT MANUFACTURING ZONING DISTRICT**

ORDINANCE NO. 5571

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Motion: Commissioner White moved to adopt "An Ordinance Amending Provisions of the Downers Grove Zoning Ordinance to Allow Automobile Dealerships Off-Site Vehicle Storage as a Special Use in the M-1, Light Manufacturing Zoning District," as presented. Commissioner Waldack seconded the motion.

Commissioner Earl noted that she was absent last week; she said this is a great idea.

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

Nay: None

Mayor Tully declared the motion carried.

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

Summary: This adopts the fiscal year 2017 Budget in lieu of an appropriation ordinance. As provided by law, proper notice has been given, the budget has been available for inspection for at least ten days, and a public hearing was held on November 1, 2016.

**AN ORDINANCE ADOPTING THE FISCAL YEAR 2017 BUDGET IN LIEU OF PASSAGE OF AN
APPROPRIATION ORDINANCE**

ORDINANCE 5572

Motion: Commissioner White moved to adopt "An Ordinance Adopting the Fiscal Year 2017 Budget in Lieu of Passage of an Appropriation Ordinance," as presented. Commissioner Waldack seconded the motion.

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

Nay: None

Mayor Tully declared the motion carried.

8. First Reading

ORD 2016-7131 — A. Ordinance: Authorize the Extension of a Special Use to Permit an Animal Boarding Facility at 941 63rd Street to May 10, 2017

Stan Popovich, Director, Community Development, showed the location of the property, noting there is an existing veterinary clinic on the site. On November 10, 2015, the Council approved a proposal for a new veterinarian care clinic. The petitioner is pursuing a building permit; however, a private law suit has been filed against the petitioner to enforce a private deed restriction on the property. This suit is still is pending and the Village cannot issue a permit for the development until the suit is resolved.

Commissioner Waldack noted that the Village does not recognize deed restrictions so this matter has to go through the courts. If the Village does not grant an extension, the petitioner would have to re-file their petition. He asked if there are any alternatives.

Mr. Popovich said it would be necessary to modify the Zoning Ordinance.

Mayor Tully said it is not uncommon to get this type of request. He feels this is a reasonable request.

ORD 2016-7136 — B. Ordinance: Authorize the Extension of a Special Use to Permit Construction of a Mixed Use Structure with Apartments at 904-910 Curtiss Street to May 10, 2017

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Mr. Popovich showed the location of the property. On November 10, 2015, the Council approved a proposal to construct a five-story mixed use building at 904-910 Curtiss Street. The petitioner has submitted a building permit application, and is currently finalizing financing to complete the project.

ORD 2016-7132 — C. Ordinance: Amend Certain Parking and Traffic Regulations

Nan Newlon, Director, Public Works, said this ordinance makes four changes to various sections of Chapter 14 of the Municipal Code: 1) Section 14.4 would be amended to allow the Village Manager to approve the suspension of traffic regulations for up to 180 days, with one extension of an additional 180 days. 2) All references to the Main and Maple parking lot would be deleted as the parking lot no longer exists. 3) "No Parking" restrictions would be put into effect on Loomes Avenue and Bates Place between the hours of 8:00 a.m. and 11:00 a.m. 4) Phase 1 of the conversion of yield signs to stop signs would take place at four intersections. Ms. Newlon said Council will see more of the sign change requests in the future.

9. Mayor's Report

New Business

RES 2016-7117 — A. Resolution: Appoint and Reappoint Members to Boards and Commissions

Village Clerk April Holden read a resolution appointing and reappointing members to Boards and Commissions.

ARCHITECTURAL DESIGN REVIEW BOARD

Appoint Robyn Hollweck to a three-year term expiring August 31, 2019

Appoint Michael Davenport as Chair

COMMUNITY EVENTS COMMISSION

Appoint Anne-Marie Williams and Tiffany Wong to three-year terms expiring August 31, 2019

Appoint David Humphreys as Chair

ENVIRONMENTAL CONCERNS COMMISSION

Appoint Melissa Ellis to a three-year term expiring August 31, 2019

PLAN COMMISSION

Reappoint Michael Quirk to a three-year term expiring August 31, 2019

POLICE PENSION FUND

Reappoint Norm Sidler to a two-year term expiring August 31, 2018

TECHNOLOGY COMMISSION

Reappoint James McGinnis to a four-year term expiring August 31, 2020

Motion: Commissioner White moved to adopt "A Resolution Appointing and Reappointing Members to Boards and Commissions," as presented. Commissioner Waldack seconded the motion.

Mayor Tully said this will fill vacant and expired positions.

Commissioner Earl thanked all who have volunteered to serve on a Board or Commission. She noted that the Council cannot do their job without the input from the boards and commissions.

Mayor Tully extend his thanks and congratulations to the new appointees. Their contribution is invaluable.

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

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Nay: None

Mayor Tully declared the motion carried.

Mayor Tully thanked Finance Director Judy Buttny for receiving another Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA). He noted that the Village has received this recognition consecutively for many years.

Mayor Tully also thanked staff for all they do year round for the community. He said there are many successes that are not adequately celebrated. He extended his thanks on behalf of the Council and wished staff and their families best wishes for the holiday season.

10. Manager's Report

INF 2016-7150 — A. Information: Stormwater Fund Revenue Decision.

Mr. Fieldman said residents voted on three stormwater advisory referenda questions at the November 8 election to help the Council determine how the cost of owning and operating our stormwater management system will be paid – fees, property tax, or a combination of both. Overwhelmingly, voters indicated a preference to remain on the stormwater utility fee-based system rather than use property taxes to cover stormwater costs. Based on that, the Council provided direction last week to keep the fee-based system in place and not to use property taxes to cover costs of stormwater related expenses. The direction provided by the Council is consistent with the results of the advisory referenda. The next step will be to consider any potential changes to the fee amounts. That will be presented next month in order that they be in place in 2017.

Mr. Fieldman noted that the public engagement campaign was extensive. He thanked staff who worked on this.

Mayor Tully said the information campaign was impressive. He was struck by the number of people who used the calculator. Mr. Fieldman said over 5,000 people used it.

Mayor Tully also noted that the short-form videos were brilliant. They were a very effective way to get across key points.

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 authorizing the extension of a special use to permit an animal boarding shelter at 941 63rd Street to May 10, 2017
2. An ordinance authorizing the extension of a special use to permit construction of a mixed use structure with apartments at 904-910 Curtiss to May 10, 2017
3. An ordinance amending certain parking and traffic regulations

12. Council Member Reports

Commissioner Waldack spoke of downtown activities including Small Business Saturday, the Gingerbread Fest, and Breakfast with Santa. He said more information can be found and reservations can be made at www.downtowndg.org. He wished everyone a Happy Thanksgiving.

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Commissioner Walus said there are two days until the Bonfield Express 5k. People can still sign up and can also register on the day of the race at the Tivoli. She wished everyone a Happy Thanksgiving.

Commissioner White expressed his wishes to everyone for a Happy Thanksgiving.

Mayor Tully reminded everyone of the tree lighting ceremony on Friday, November 25 at 4:30 p.m. at the conclusion of the Santa parade. On November 26 at 8:00 p.m. at Downers Grove North, is the annual Muriel Anderson concert. The West Towns Chorus Christmas Concert will be held on December 10 and 11 at the Tivoli Theater. More information is available at www.westtowns.org. The VFW, 5101 Belmont, will host the Exchange Club of DuPage on December 10 from 9:30 a.m. to 12:30 p.m. for their Home Service event. More information can be found at www.familyshelterservice.org.

Mayor Tully wished everyone a safe, happy and healthy Thanksgiving. He quoted Ralph Waldo Emerson, "Cultivate the habit of being grateful for every good thing that comes to you, and give thanks continuously. And because all things have contributed to your advancement, you should include all things in your gratitude."

13. Adjournment

Motion: Commissioner White moved to adjourn into Executive Session pursuant to Section (2)(c)(2) of the Illinois Open Meetings Act to consider collective bargaining matters. Commissioner Waldack seconded the motion.

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

Nay: None

Mayor Tully declared the motion carried and Council adjourned into Executive Session at 7:32 p.m.

Respectfully submitted,

April Holden

Village Clerk