

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

12/13/2016

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 Earl, Commissioner Waldack, Commissioner White, Commissioner Hosé, Commissioner Barnett; Mayor Tully

Absent: Commissioner Walus

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 2016-7173 — A. Minutes: Council Minutes - December 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. Public Comments

This is the opportunity for public comments.

John Schofield, 1125 Jefferson, said he will speak to Item G on the Consent Agenda at the appropriate time.

Rich Kulovany, 6825 Camden Road, spoke as a representative of the Friends of the Edwards House. They have a calendar for 2017; he thanked Melissa Nyssen, Shanon Tully and D'Lara Photography for their help in making this calendar.

Tim Werner, 6736 Osage Place, spoke regarding the proposed building at Washington Street. He said he was speaking on behalf of Downers Grove for Responsible Government. With recent developments, there are 347 newly approved units and there is concern about the urbanization of Downers Grove. He is for development, but there is concern. He has difficulty seeing how this development will not be burdensome to the general population. He asked to share information with staff. He further asked if the Village has a bid for the development.

The Mayor said the Council's civic duty is on par with Mr. Werner's. Mayor Tully said there is no bid as of yet, so there is nothing to analyze at this time.

Mr. Werner said it is difficult to picture generating the TIF revenues required based on the size of the property. There are other costs as well in terms of this being burdensome, such as traffic, etc. He noted the heavy traffic this evening. He spoke of landlocked areas due to population density. There are many externalities. He suggested letting the existing units come to fruition. He asked to schedule time with staff to review this matter. He sees this as his civic duty. He thought there was a good plan to address the Police Department and he wants to be cautious. He said staff has a great deal of knowledge in terms of putting together a proposal. After analysis of the bid, a TIF consultant could be retained. He does not see the need to do this now.

Mayor Tully responded that we have asked the marketplace to make a proposal within the parameters set forth.

Mr. Werner said the TIF consultant does not need to be immediately engaged.

The Mayor said that, based on his experience, we want an expert to examine the bids. It is typical of other developments we have done. He noted that these will be not-to-exceed contracts done in phases. We look forward to sharing the information we receive. Mayor Tully noted that the traffic backup tonight is due to Metra trains.

5. Consent Agenda

Mayor Tully asked that item G, RES 2016-7200, a resolution authorizing a first amendment to the Nelson Meadow Subdivision, be removed from the consent agenda and considered separately.

BIL 2016-7174 — A. Bills Payable: No. 6302, December 13, 2016

RES 2016-7078 — B. Resolution: Authorize a Severance and Release Agreement

Summary: This authorizes a severance and release agreement.

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A RESOLUTION AUTHORIZING EXECUTION OF A SEVERANCE AND RELEASE AGREEMENT**RESOLUTION 2016-90****RES 2016-7170** — C. Resolution: Authorize an Extension to the Agreement with Hyland Software, Inc.**Summary:** This authorizes an extension to an agreement for OnBase with Hyland Software, Inc. of Westlake, Ohio, in an amount not to exceed \$23,530.57.**A RESOLUTION AUTHORIZING EXECUTION OF AN EXTENSION TO THE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND HYLAND SOFTWARE, INC.****RESOLUTION 2016-91****MOT 2016-7202** — D. Motion: Issue 2017 Class A Scavenger License to Allied Waste Services of North America, LLC**Summary:** A motion is requested to authorize issuance of a 2017 Class A Scavenger License to Allied Waste Services of North America, LLC.**RES 2016-7156** — E. Resolution: Authorize an Extension to the Agreement with Meade, Inc.**Summary:** This authorizes a contract extension with Meade Electric Company of McCook, Illinois for traffic signal maintenance services until December 31, 2017. There is no change in contract costs for this time extension.**A RESOLUTION AUTHORIZING EXECUTION OF AN EXTENSION TO THE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND MEADE, INC.****RESOLUTION 2016-92****RES 2016-7127** — F. Resolution: Approve the Final Plat of Subdivision with an Exception for 3830 Venard Road**Summary:** This approves the final plat of subdivision with an exception for 3830 Venard Road**A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION WITH AN EXCEPTION FOR 3830 VENARD ROAD****RESOLUTION 2016-93****MIN 2016-7175** — H. Minutes: Note Receipt of Minutes of Boards and Commissions**Summary:** Liquor Commission - September 1, 2016; Plan Commission - November 7, 2016**Motion:** Commissioner White moved to approve the Consent Agenda as amended. Commissioner Waldack seconded the motion.**Votes:** Yea: Commissioners White, Waldack, Earl, Hosé, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

6. Active Agenda

RES 2016-7200 — G. Resolution: Authorize a First Amendment to the Nelson Meadow Subdivision Improvement Agreement

Summary: This adopts an amendment to the Subdivision Improvement Agreement (SIA) between the Village of Downers Grove and Downers Grove TPM Real Estate, LLC. The amendment would change the required completion date of public improvements from November 18, 2016 to October 1, 2017.

A RESOLUTION AUTHORIZING A FIRST AMENDMENT TO THE NELSON MEADOW SUBDIVISION IMPROVEMENT AGREEMENT

RESOLUTION 2016-94

Motion: Commissioner White moved to adopt a resolution authorizing a First Amendment to the Nelson Meadow Subdivision Improvement Agreement as presented. Commissioner Waldack seconded the motion.

Stan Popovich, Director, Community Development, showed the location of the subdivision on the east side of Brookbank Road, north of Jefferson Avenue and west of Carpenter Street. The Subdivision Improvement Agreement included a completion date of November 18, 2016 for all public improvements. The agreement included stormwater, sanitary, water, streets and site work. Not included in the agreement are sidewalks and the final street lift. Work completed to date is significant and includes sanitary sewers, water mains, fire hydrants, curb and gutter, and first street paving. The developer is close to finishing the storm sewers, retaining walls and grading of the basin. Work still to be completed includes detention basin seeding, final street paving, installing street lights, driveway aprons, final grading and parkway restoration.

Mr. Popovich said this amendment changes the required completion date to October 1, 2017. This amendment is to have everything completed by October 1, 2017; it includes all of the original improvements as well as sidewalks and the final street lift.

Dave Fieldman, Village Manager, said the developer agrees with the agreement as proposed.

Mayor Tully noted that the schedule for the sidewalks and final street lift is accelerated.

Mr. Popovich said that is correct.

Mayor Tully asked as to the October timeframe.

Mr. Popovich said staff believes the work will be done before October, but this timeframe gives staff and the developer time for final punch list items.

Mr. Fieldman said that other than the sidewalks and final street lift, the improvements are expected to be done by May 2017.

Mayor Tully asked as to the impact of not granting an extension.

Mr. Fieldman said the agreement is still in place and nothing would happen until the Village sent a notice of default which would result in a similar situation as what is being discussed tonight.

John Schofield, 1125 Jefferson, said the neighbors have known of the extension date for a while, but they were surprised by the extent of the extension to October 2017. He asked that the Council defer action to January 10, 2017; that the staff ask the developer for a proposed timeframe and that the Council then make a decision as to the completion date based on the facts. Mr. Schofield said it is his belief that the timeframe proposed by staff is extended too long. The neighbors would like the timeframe to be as short as possible to protect the neighborhood as much as possible. Mr. Schofield noted that development started in Nelson Meadow 12 years ago with a

previous developer. This work has been going on for 16 weeks. The idea of waiting until October 2017 is of concern to the neighborhood.

Commissioner White suggested an exhibit to the agreement with completion dates for the items.

Mayor Tully expressed concern with tailoring this too much. Essentially this is the difference between May and October. He would not like to have to amend the agreement again. He recommends that the amendment have a realistic date from all perspectives.

Commissioner José asked the petitioner to speak to the improvements completion date.

Patrick Franz, owner and developer of Nelson Meadow, said the date was staff's recommendation. When he started this development, the records were not as complete as they thought. He has incentives to get everything done in a timely manner.

Mayor Tully asked if there was a motion to amend the agreement to cause the project improvements to be completed by June 2017.

Motion: Commissioner White moved to amend the resolution authorizing a First Amendment to the Nelson Meadow Subdivision Improvement Agreement with a completion date for all items of no later than June 30, 2017. Commissioner Waldack seconded the motion.

Mayor Tully asked for a roll call on the amendment to the resolution.

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

Nay: None

Mayor Tully declared the motion carried.

Mayor Tully then asked for a roll call on the resolution as amended.

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

Nay: None

Mayor Tully declared the motion carried.

ORD 2016-7126 — A. Ordinance: Authorize a Special Use for 1512 Ogden Avenue to Permit a Drive-Through Banking Facility

Summary: This authorizes a special use for 1512 Ogden Avenue to permit a drive-through banking facility.

AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 1512 OGDEN AVENUE TO PERMIT A DRIVE-THROUGH BANKING FACILITY

ORDINANCE NO. 5576

Motion: Commissioner White moved to adopt "An Ordinance Authorizing a Special Use for 1512 Ogden Avenue to Permit a Drive-Through Banking Facility," as presented. Commissioner Waldack seconded the motion.

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

Nay: None

Mayor Tully declared the motion carried.

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

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Summary: This amends various sections of the Municipal Code concerning traffic and parking regulations.

AN ORDINANCE AMENDING CERTAIN PARKING AND TRAFFIC REGULATIONS

ORDINANCE NO. 5577

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

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

Nay: None

Mayor Tully declared the motion carried.

ORD 2016-7128 — C. Ordinance: Rezone Certain Property Located at 3604 Douglas Road

Summary: This rezones certain property located at 3604 Douglas Road from R-2, Residential Detached House 2 to R-1, Residential Detached House 1.

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 3604 DOUGLAS ROAD

ORDINANCE NO. 5578

Motion: Commissioner White moved to adopt "An Ordinance Rezoning Certain Property Located at 3604 Douglas Road," as presented. Commissioner Waldack seconded the motion.

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

Nay: None

Mayor Tully declared the motion carried.

ORD 2016-7166 — D. Ordinance: 2016 Aggregate Tax Levy

Summary: This establishes the 2016 Downers Grove Tax Levy in the amount of \$20,981,002.76 for the Village of Downers Grove and \$5,043,515 for the Library.

2016 AGGREGATE TAX LEVY ORDINANCE

ORDINANCE NO. 5579

Motion: Commissioner White moved to adopt the "2016 Aggregate Tax Levy Ordinance," as presented. Commissioner Waldack seconded the motion.

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

Nay: None

Mayor Tully declared the motion carried.

ORD 2016-7089 — E. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2016 and Ending on the Thirty-First Day of December 2016 for Village of Downers Grove Special Service Area #2 (Downers Grove Downtown Service Area)

Summary: This establishes the Special Service Area #2 (Downtown Special Service Area) tax levy in the amount of \$247,000.

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**AN ORDINANCE FOR THE LEVYING OF TAXES FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF JANUARY 2016 AND ENDING ON THE THIRTY-FIRST DAY OF DECEMBER 2016 FOR VILLAGE OF DOWNERS GROVE SPECIAL SERVICE AREA #2
(DOWNERS GROVE DOWNTOWN SERVICE AREA)**

ORDINANCE NO. 5580

Motion: Commissioner White moved to adopt the "An Ordinance for the Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2016 and Ending on the Thirty-First Day of December 2016 for Village of Downers Grove Special Service Area #2 (Downers Grove Downtown Service Area)," as presented. Commissioner Waldack seconded the motion.

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

Nay: None

Mayor Tully declared the motion carried.

ORD 2016-7090 — F. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2016 and Ending on the Thirty-First Day of December 2016 for Village of Downers Grove Special Service Area #4 (Green Acres Subdivision)

Summary: This establishes the tax levy for the Green Acres Subdivision Special Service Area #4 in the amount of \$0.00.

**AN ORDINANCE FOR THE LEVYING OF TAXES FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF JANUARY 2016 AND ENDING ON THE THIRTY-FIRST DAY OF DECEMBER 2016 FOR VILLAGE OF DOWNERS GROVE SPECIAL SERVICE AREA #4
(GREEN ACRES SUBDIVISION)**

ORDINANCE NO. 5581

Motion: Commissioner White moved to adopt the " An Ordinance for the Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2016 and Ending on the Thirty-First Day of December 2016 for Village of Downers Grove Special Service Area #4 (Green Acres Subdivision)," as presented. Commissioner Waldack seconded the motion.

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

Nay: None

Mayor Tully declared the motion carried.

ORD 2016-7091 — G. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2016 and Ending on the Thirty-First Day of December 2016 for Village of Downers Grove Special Service Area #5 (Atwood Subdivision)

Summary: This establishes the tax levy for the Atwood Subdivision Special Service Area #5 in the amount of \$0.00.

**AN ORDINANCE FOR THE LEVYING OF TAXES FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF JANUARY 2016 AND ENDING ON THE THIRTY-FIRST DAY OF DECEMBER 2016 FOR VILLAGE OF DOWNERS GROVE SPECIAL SERVICE AREA #5
(ATWOOD SUBDIVISION)**

ORDINANCE NO. 5582

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Motion: Commissioner White moved to adopt the " An Ordinance for the Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2016 and Ending on the Thirty-First Day of December 2016 for Village of Downers Grove Special Service Area #5 (Atwood Subdivision)," as presented. Commissioner Waldack seconded the motion.

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

Nay: None

Mayor Tully declared the motion carried.

ORD 2016-7092 — H. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2016 and Ending on the Thirty-First Day of December 2016 for Village of Downers Grove Special Service Area #6 (Fairview Fire Protection District)

Summary: This establishes the tax levy for the Fairview Fire Protection District Special Service Area #6 in the amount of \$79,584.00.

**AN ORDINANCE FOR THE LEVYING OF TAXES FOR THE FISCAL YEAR COMMENCING ON
THE FIRST DAY OF JANUARY 2016 AND ENDING ON THE THIRTY-FIRST DAY OF DECEMBER
2016 FOR VILLAGE OF DOWNERS GROVE SPECIAL SERVICE AREA #6
(FAIRVIEW FIRE PROTECTION DISTRICT)**

ORDINANCE NO. 5583

Motion: Commissioner White moved to adopt the " An Ordinance for the Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2016 and Ending on the Thirty-First Day of December 2016 for Village of Downers Grove Special Service Area #6 (Fairview Fire Protection District)," as presented. Commissioner Waldack seconded the motion.

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

Nay: None

Mayor Tully declared the motion carried.

ORD 2016-7122 — I. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2016 and Ending on the Thirty-First Day of December 2016 for Village of Downers Grove Special Service Area #7 (Dunham Subdivision)

Summary: This establishes the tax levy for the Dunham Subdivision Special Service Area #7 in the amount of \$0.00.

**AN ORDINANCE FOR THE LEVYING OF TAXES FOR THE FISCAL YEAR COMMENCING ON
THE FIRST DAY OF JANUARY 2016 AND ENDING ON THE THIRTY-FIRST DAY OF DECEMBER
2016 FOR VILLAGE OF DOWNERS GROVE SPECIAL SERVICE AREA #7
(DUNHAM SUBDIVISION)**

ORDINANCE NO. 5584

Motion: Commissioner White moved to adopt the " An Ordinance for the Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2016 and Ending on the Thirty-First Day of December 2016 for Village of Downers Grove Special Service Area #7 (Dunham Subdivision)," as presented. Commissioner Waldack seconded the motion.

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

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Nay: None

Mayor Tully declared the motion carried.

ORD 2016-7123 — J. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2016 and Ending on the Thirty-First Day of December 2016 for Village of Downers Grove Special Service Area #8 (Nelson Meadow Subdivision)

Summary: This establishes the tax levy for the Nelson Meadow Subdivision Special Service Area #8 in the amount of \$0.00.

**AN ORDINANCE FOR THE LEVYING OF TAXES FOR THE FISCAL YEAR COMMENCING ON
THE FIRST DAY OF JANUARY 2016 AND ENDING ON THE THIRTY-FIRST DAY OF DECEMBER
2016 FOR VILLAGE OF DOWNERS GROVE SPECIAL SERVICE AREA #8
(NELSON MEADOW SUBDIVISION)**

ORDINANCE NO. 5585

Motion: Commissioner White moved to adopt the " An Ordinance for the Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2016 and Ending on the Thirty-First Day of December 2016 for Village of Downers Grove Special Service Area #8 (Nelson Meadow Subdivision)," as presented. Commissioner Waldack seconded the motion.

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

Nay: None

Mayor Tully declared the motion carried.

Motion to Adopt Ordinances ORD 2016-7093 through ORD 2016-7102 (Active Agenda Items K-T)

Summary: This abates certain 2016 tax levies as enumerated on the agenda. The total amount to be abated is \$8,186,018.76. This amount can be abated since other sources of revenue are available to pay these debt service obligations.

Motion: Commissioner Barnett moved to adopt "Ordinances Abating a Portion of the 2016 Tax Levy Related to General Obligation Bonds, Series 2008A, Series 2008B, Series 2009, Series 2010, Series 2010B, Series 2012, Series 2013A, Series 2014, Series 2015 and Series 2016," as presented. Commissioner Waldack seconded the motion.

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

Nay: None

Mayor Tully declared the motion carried.

ORD 2016-7093 — K. Ordinance: Abate a Portion of the 2016 Tax Levy Related to the General Obligation Bonds, Series 2008A

Summary: This abates a portion of the 2016 tax levy related to the General Obligation Bonds, Series 2008A.

**AN ORDINANCE ABATING A PORTION OF THE 2016 TAX LEVY RELATED TO THE
GENERAL OBLIGATION BONDS, SERIES 2008A**

ORDINANCE NO. 5586

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ORD 2016-7094 — L. Ordinance: Abate a Portion of the 2016 Tax Levy Related to the General Obligation Bonds, Series 2008B

Summary: This abates a portion of the 2016 tax levy related to the General Obligation Bonds, Series 2008B.

**AN ORDINANCE ABATING A PORTION OF THE 2016 TAX LEVY RELATED TO THE
GENERAL OBLIGATION BONDS, SERIES 2008B**

ORDINANCE NO. 5587

ORD 2016-7095 — M. Ordinance: Abate a Portion of the 2016 Tax Levy Related to the General Obligation Bonds, Series 2009

Summary: This abates a portion of the 2016 tax levy related to the General Obligation Bonds, Series 2009.

**AN ORDINANCE ABATING A PORTION OF THE 2016 TAX LEVY RELATED TO THE
GENERAL OBLIGATION BONDS, SERIES 2009**

ORDINANCE NO. 5588

ORD 2016-7096 — N. Ordinance: Abate a Portion of the 2016 Tax Levy Related to the General Obligation Bonds, Series 2010

Summary: This abates a portion of the 2016 tax levy related to the General Obligation Bonds, Series 2010.

**AN ORDINANCE ABATING A PORTION OF THE 2016 TAX LEVY RELATED TO THE
GENERAL OBLIGATION BONDS, SERIES 2010**

ORDINANCE NO. 5589

ORD 2016-7097 — O. Ordinance: Abate a Portion of the 2016 Tax Levy Related to the General Obligation Bonds, Series 2010B

Summary: This abates a portion of the 2016 tax levy related to the General Obligation Bonds, Series 2010B.

**AN ORDINANCE ABATING A PORTION OF THE 2016 TAX LEVY RELATED TO THE
GENERAL OBLIGATION BONDS, SERIES 2010B**

ORDINANCE NO. 5590

ORD 2016-7098 — P. Ordinance: Abate a Portion of the 2016 Tax Levy Related to the General Obligation Bonds, Series 2012

Summary: This abates a portion of the 2016 tax levy related to the General Obligation Bonds, Series 2012.

**AN ORDINANCE ABATING A PORTION OF THE 2016 TAX LEVY RELATED TO THE
GENERAL OBLIGATION BONDS, SERIES 2012**

ORDINANCE NO. 5591

ORD 2016-7100 — Q. Ordinance: Abate a Portion of the 2016 Tax Levy Related to the General Obligation Bonds, Series 2013A

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Summary: This abates a portion of the 2016 tax levy related to the General Obligation Bonds, Series 2013A.

**AN ORDINANCE ABATING A PORTION OF THE 2016 TAX LEVY RELATED TO THE
GENERAL OBLIGATION BONDS, SERIES 2013A**

ORDINANCE NO. 5592

ORD 2016-7101 — R. Ordinance: Abate a Portion of the 2016 Tax Levy Related to the General Obligation Bonds, Series 2014

Summary: This abates a portion of the 2016 tax levy related to the General Obligation Bonds, Series 2014.

**AN ORDINANCE ABATING A PORTION OF THE 2016 TAX LEVY RELATED TO THE
GENERAL OBLIGATION BONDS, SERIES 2014**

ORDINANCE NO. 5593

ORD 2016-7102 — S. Ordinance: Abate a Portion of the 2016 Tax Levy Related to the General Obligation Refunding Bonds, Series 2015

Summary: This abates a portion of the 2016 tax levy related to the General Obligation Bonds, Series 2015.

**AN ORDINANCE ABATING A PORTION OF THE 2016 TAX LEVY RELATED TO THE
GENERAL OBLIGATION REFUNDING BONDS, SERIES 2015**

ORDINANCE NO. 5594

ORD 2016-7099 — T. Ordinance: Abate a Portion of the 2016 Tax Levy Related to the General Obligation Refunding Bonds, Series 2016

Summary:

**AN ORDINANCE ABATING A PORTION OF THE 2016 TAX LEVY RELATED TO THE
GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016**

ORDINANCE NO. 5595

7. First Reading

ORD 2016-7129 — A. Ordinance: Designate the Property at 3300 Finley Road as Planned Unit Development #57 to Allow Additional Signage

Mr. Popovich said the petitioner, Fry's Electronics, at 3300 Finley Road, is requesting approval of a Planned Unit Development and Rezoning from B-3, General Services and Highway Business to B-3/PUD, General Services and Highway Business/Planned Unit Development to permit modifications to the existing sign plan at 3300 Finley Road. He described the current signs. The proposed changes are consistent with the Comprehensive Plan. The criteria for a Planned Unit Development and for rezoning as outlined in the Zoning Ordinance are met.

Commissioner White said he was the chair when this was heard by the ZBA. He noted there was not a remedy under the ZBA that would allow them to grant a variation. He supports this and feels the Sign Ordinance needs to be reviewed for all properties that adjoin the Tollway.

Commissioner Earl said she supports this request.

Commissioner Waldack asked if Fry's and X-Sport share a sign.

Mr. Popovich said that sign counts toward X-Sport.

Commissioner Waldack said he will support this.

ORD 2016-7130 — B. Ordinance: Rezone Certain Property Located at 3300 Finley Road

ORD 2016-7133 — C. Ordinance: Amend Stormwater Utility Fees

Mr. Fieldman said an ordinance has been prepared to increase the stormwater utility rate from \$9.72 per ERU to \$10.53 per ERU. This is consistent with the 2016 Stormwater Utility Report, the FY17 budget and stormwater calculator used as a part of the public education materials with respect to the referenda questions. The updated fee is expected to generate \$3.9 million of revenue in the Stormwater fund.

Mayor Tully said this is what was planned for and what was communicated to the residents.

ORD 2016-7169 — D. Ordinance: Amend Citation Provisions for Ordinance Violations

Mr. Fieldman said this item will be presented at a later date.

MOT 2016-7172 — E. Motion: Authorize \$855,200.00 for the Purchase of 17 Replacement Vehicles through Cooperative Purchase Agreements

Nan Newlon, Director, Public Works, said this is a request for authorization to purchase 17 replacement vehicles as provided for in the 2017 vehicle replacement schedule and included in the FY17 budget. Ms. Newlon said staff is taking advantage of 2016 prices and the total cost is \$120,000 under the budget projection. She noted that the budget reflects the purchase of 22 vehicles; staffing is requesting replacement of 17 vehicles at this time. She said the Village's Fleet Team has evaluated the need to replace each vehicle.

Commissioner Waldack noted that the process for vehicle replacement has improved and it is much more organized. He complimented staff on the improvements.

Commissioner Barnett asked about moving from Ford vehicles to Chevy vehicles under the Suburban Purchasing Cooperative.

Ms. Newlon said staff will provide more information.

Commissioner Earl complimented staff on the report. She said it is very enlightening.

ORD 2016-7199 — F. Ordinance: Amend Mobile Food Vehicle Vendor Provisions

Mr. Fieldman said, based on last week's Council discussion, staff is proposing an ordinance to expand the areas in which licensed mobile food vendors are permitted to operate. Further staff recommends changing the current ordinance to require only the owners and/or applicants to be fingerprinted. It does not propose any changes to the fees.

Mayor Tully asked about the decision not to change the fees.

Mr. Fieldman said staff heard the fee is too high based on the area in which mobile food vendors can operate. He said staff does not have enough experience with processing the permits to recommend lowering the fee.

Commissioner Barnett said the concern was also the fee for the background checks.

Commissioner Earl asked if there is another way to get acceptable information with respect to background checks. She said she is reluctant to abandon background checks for all employees.

Commissioner White said he supports expanding this to the new locations outlined in the packet. With respect to the background checks, he said he would be more concerned about background checks if the trucks were in residential areas. He feels background checks are not necessary if the trucks are in the industrial parks.

Commissioner Earl said the trucks are encouraged to go to Park District events. She is concerned about the children that attend these events. She said she would be willing to lower the fee to cover the cost of the background checks.

Commissioner José said he supports expanding the operational areas. He does not, however, support eliminating the background checks. He suggested leaving that provision in place for trucks operating in Park District properties. He said he could accept background checks from other communities/agencies provided they are timely.

Mayor Tully said the Park District has the authority to allow trucks or not, and can set their own terms.

Commissioner Waldack said he agrees with the fee. Regarding background checks, the concern is who is in the truck and who is driving it. He would agree to accept background checks from other entities.

Mayor Tully said he thinks what is proposed is reasonable.

Commissioner Barnett said he agrees that Council should go forward with this. With respect to the background checks, he noted that, in addition to a felony conviction within the last ten years, there is a long list of offenses for which an applicant could be denied a license. He asked if that is what Council intends.

Commissioner Barnett said there are many barriers to entry. He does not see that background checks help achieve the goal of this as a desirable activity.

Commissioner White suggested lowering the fee but keeping the background checks as are.

Mr. Fieldman said the fingerprint fee is an outside cost. It would be an out-of-pocket, cash expense for the Village.

Mayor Tully said the background check is something we are imposing upon one group that we are not imposing on similarly situated groups. There are businesses in Downers Grove that attract children and we are not requiring background checks on any of them.

Commissioner Earl said that, while that is true, those businesses will be in the same spot tomorrow.

Commissioner White said a physical store is not moving.

Commissioner Barnett said to those who are considering a background check, it is important to consider the scope of the exclusion.

Commissioner José said the amended ordinance reduces the people required to have background checks and eliminates the ones that most matter while keeping those that are symbolic.

Commissioner White said it is very important that the Village attempt to accommodate this type of business, but the economic impact is small. This is a public relations effort; there is no meaningful economic development.

Mayor Tully said food trucks may lead to brick and mortar dining establishments. He also noted that they are an ancillary benefit to business parks.

Commissioner Barnett said public relations should not be undersold. He asked if the Village is looking for opportunities to regulate or for opportunities to facilitate.

MOT 2016-7201 — G. Motion: Authorize a Contract Not to Exceed \$70,000.00 with Kane McKenna and Associates, Inc., for TIF Consulting Services

Deputy Village Manager Mike Baker said staff is requesting authorization for an agreement for TIF consulting services with Kane McKenna and Associates in an amount not to exceed \$70,000.00. He said the Council directed staff to pursue an alternative option for a mixed use redevelopment of the Civic Center property. A call for offers has been completed and proposals are due on Friday, December 16, 2016. The TIF consultant will review the bids in terms of the costs associated with the development.

Commissioner Waldack asked if it would be better to take more time to look at the bids before engaging a TIF consultant.

Commissioner White said moving this to January 10 extends the timeline too far.

8. Mayor's Report

Mayor Tully said he attended the annual City Summit hosted by the National League of Cities. He said he is always struck by the common problems all municipalities face. He said he will provide a brief report next week.

The next Coffee With The Council will be held on Saturday, December 17, 2016, at the Public Library from 9:00 a.m. to 10:00 a.m.

The Mayor then suggested a governance retreat to be held in January to discuss how Council members conduct themselves. He said he would like to bring up the topic of liaison roles.

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 designating the property at 3300 Finley Road as Planned Unit Development #57 to allow additional signage
2. An ordinance rezoning certain property located at 3300 Finley Road
3. An ordinance amending stormwater utility fees
4. An ordinance amending mobile food vehicle vendor provisions

11. Council Member Reports

Commissioner Waldack urged people to shop in Downers Grove. He noted the variety of shops in the Village.

12. Adjournment

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

Council Minutes

Village of Downers Grove

December 13, 2016

Mayor Tully declared the motion carried by voice vote and the meeting adjourned at 8:44 p.m.

Respectfully submitted,

April Holden

Village Clerk