

## **Staff Responses to Council Questions**

### **December 12, 2017**

#### **6. Consent Agenda**

##### **D. Motion: Issue 2018 Class A Scavenger License to Allied Waste Services of North America, LLC**

*When was the rule change for Class B licenses approvals from the Council to the Village Manager?*

The Municipal Code was amended by Ordinance 3796 on October 30, 1995, to authorize the Manager to issue or renew Class B scavenger licenses.

##### **E. Resolution: Authorize a First Amendment to Subdivision Improvement Agreement with Bradley Property Holdings, LLC and Bradley Construction Services for the McInerney Subdivision**

*Is Lot 4 subject to the agreement?*

Yes.

*Was the Certificate of Occupancy for Lot 4 granted in violation of the agreement or any regulations?*

The Certificate of Occupancy for the house on Lot 4 was granted pursuant to all terms and conditions of the original subdivision improvement agreement and all Village and County codes. At the time the house was constructed, detention basins were allowed to be constructed concurrently with new houses provided that the basins provided storage volume commensurate with the amount of development on the site at the time. This was the case with the house on Lot 4.

*Why is the term of the agreement three years?*

Staff recommends a term of three years because it is likely that it will take three years to complete all of the required public improvements. The required public improvements include the final lift of asphalt for the street, which is likely to be completed when most or all of the houses in the subdivision have been constructed.

*Why is there a difference in the cost of installing parkway trees between the engineer's cost estimate and the cash in lieu of parkway trees in the agreement?*

The cash in lieu of planting parkway trees, in the amount of \$10,300, is higher than the cost of planting parkway trees in the Engineer's Opinion of Probable Cost in the amount of \$7,200 for the following reasons:

- The Village's cost of planting trees is usually higher than the private sector cost because the Village is required to pay prevailing wage for this work.
- The Village would prefer the developer to install the trees. The cash in lieu of installing parkway trees reflects this preference and should encourage the developer to plant the trees.

The letter of credit amount is significantly greater than the estimated cost for the remaining public improvements. Therefore, there should be sufficient funds available for the Village to plant the trees in the event that the developer fails to do so.

*Has the Village Forester approved the parkway trees to be planted?*

The Village Forester will review and approve the parkway trees prior to installation. The developer is required to submit the list of proposed trees to the Village prior to installation.

*Are sidewalks included in the letter of credit amount?*

No. The sidewalks will be installed in conjunction with the construction of each house to avoid damage to sidewalks caused by construction activities. The bond submitted for each house will include an amount to guarantee completion of the sidewalk.

## **7. Active Agenda**

### **E. Ordinance: 2017 Aggregate Tax Levy**

*If the Council votes no or fails to pass this measure (with or without abatements) by Dec. 26, 2017, what are the consequences?*

If the Council does not approve a property levy by the end of the year, the Village will have no mechanism by which to collect property taxes. While the Village is not required to levy and collect property taxes, the budget calls for the use of property tax revenues to pay for required items such as contributions to the public safety pension funds, contractually obligated salaries and revenue for the Downers Grove Public Library, a component unit of the Village. Without levying property taxes, it is likely that the Village would not be able to pay for these required items and would be in violation of state requirements.

## **8. First Reading**

### **A. Ordinance: Authorize the Extension of a Planned Unit Development Site Plan Approval to Allow Additional Signage at 3300 Finley Road to December 20, 2018**

*It is unclear as to why Fry's needs more time to file a site plan per their letter. There appears to be no indication of progress or intent to proceed other than wanting a nonconforming sign*

*unless they had a PUD. What does Staff consider progress and what material progress has there been?*

Staff has been in discussions with the applicant for the past couple of months. Fry's has not yet selected a contractor to complete the work. Staff considers material progress to be the applicant's pursuit of a contractor to complete the required work.

**D. Ordinance: Amend the Stormwater Utility Rate**

*How does the proposed fee for 2018 compare to the fees recommended in the SWU multi-year plan?*

The proposed fee is \$11.43 per ERU (Equivalent Residential Unit). The original SWU multi-year plan called for a 2018 fee of \$12.18 to \$12.48. The revised multi-year plan updated in 2016 calls for a fee of \$11.48.

**Attachments**

There are no rEmarks this week.