

# Meeting Minutes

Village of Downers Grove - Council Meeting

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Council Chambers

7/17/2018

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 White, Commissioner Hosé, Mayor Tully

**Absent:** Commissioner Waldack; 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 2018-7848 — A. Minutes: Council Minutes - July 10, 2018

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**Summary:** Council Minutes - July 10, 2018

**Motion:** Commissioner White moved to approve the minutes as presented. Commissioner Earl seconded the motion.

Mayor Tully declared the motion carried by voice vote.

#### **4. Public Comments**

This is the opportunity for public comments.

There were no public comments.

#### **5. Consent Agenda**

**COR 2018-7849** — A. Claims Ordinance: No. 6271, Payroll, June 22, 2018; No. 6273, Payroll, July 6, 2018

**BIL 2018-7850** — B. Bills Payable: No. 6404, July 17, 2018

**RES 2018-7851** — C. Resolution: Amend the Agreement with Genuine Parts Company d/b/a NAPA for Fleet Parts and Inventory Program Services

**Summary:** This authorizes an amendment to the agreement with Genuine Parts Company d/b/a NAPA for fleet parts and inventory program services.

**A RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT BETWEEN THE  
VILLAGE OF DOWNERS GROVE AND GENUINE PARTS COMPANY D/B/A NAPA**

**RESOLUTION 2018-55**

**MOT 2018-7836** — D. Motion: Award \$29,759.59 to Marking Specialist Corporation for Pavement Marking Striping Maintenance

**Summary:** This awards a contract for pavement marking striping maintenance to Marking Specialist Corporation in the amount of \$29,759.59.

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

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

Nay: None

Mayor Tully declared the motion carried.

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**6. Active Agenda****RES 2018-7831** — A. Resolution: Grant Historic Landmark Designation for 1514 Thornwood Drive**Summary:** This grants historic landmark designation for 1514 Thornwood Drive.**A RESOLUTION GRANTING HISTORIC LANDMARK DESIGNATION FOR  
1514 THORNWOOD DRIVE****RESOLUTION 2018-56****Motion:** Commissioner White moved to adopt "A Resolution Granting Historic Landmark Designation for 1514 Thornwood Drive," as presented. Commissioner Earl seconded the motion.

Commissioner White asked how many homes have been landmarked to date.

Village Manager Dave Fieldman there have been 22 homes designated with Historic Landmark status.

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

Nay: None

Mayor Tully declared the motion carried.

Following the vote, Mayor Tully presented a certificate to the homeowners.

Ms. Shaw thanked the Village Council for landmarking this house. She said she is happy this program is available to residents.

Mayor Tully thanked her for participating in the program.

**ORD 2018-7829** — B. Ordinance: Provide for the Regulation of and Application for Small Wireless Facilities**Summary:** This provides for the regulation of and application for small wireless facilities on municipal rights-of-way.**AN ORDINANCE PROVIDING FOR THE REGULATION OF AN APPLICATION FOR SMALL  
WIRELESS FACILITIES****ORDINANCE NO. 5707****Motion:** Commissioner White moved to adopt "An Ordinance Providing for the Regulation of an Application for Small Wireless Facilities," as presented. Commissioner Earl seconded the motion.**Votes:** Yea: Commissioners White, Earl, Walus, Hosé; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

**7. First Reading**

Mr. Fieldman asked Nan Newlon, Director, Public Works, to present the First Reading item.

**MOT 2018-7838** — A. Motion: Award \$774,420.00 to Martam Construction, Inc., Elgin, IL, for Culvert Rehabilitation Design-Build

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Nan Newlon, Director, Public Works, said this is to award a contract for culvert rehabilitation design-build to Martam Construction, Inc. of Elgin, Illinois in the amount of \$774,420. She explained that these are large quasi-bridges. The locations of the first two are in Lacey Creek on Barneswood Drive and Saratoga Avenue. These are large structures and the work at these two sites will include construction of the culvert. Ms. Newlon showed a slide of the pipes to be removed and replaced. The other location is on Springside Avenue where there are two culverts with deteriorating concrete. This site will include design, permitting and residential engineering services. The construction related to this site will be bid separately, possibly this year.

Mayor Tully noted that this is a reflection of the Village's investment in infrastructure.

## 8. Mayor's Report

Mayor Tully congratulated the Finance Department and Director Judy Buttny on receiving the Government Finance Officers Association (GFOA) Distinguished Budget Presentation award for the 2018 municipal budget. This is the ninth consecutive year that they have received this award. This is an indication of the high performance of the Village's Finance Department.

The Mayor noted that the next Coffee With The Council will be held on Saturday from 9:00 a.m. to 10:00 a.m. at the Main Street Train Station.

## 9. Council Member Reports

Commissioner Earl said the Park District continues to have Tuesday night concerts at Fishel Park band shell. She also said the Library is collecting canned goods for the FISH food pantry.

## 10. Manager's Report - Committee Room

Mayor Tully asked for a motion to recess to the Committee Room to discuss a potential Peer Jury program.

**Motion:** Commissioner White moved to recess. Commissioner Earl seconded the motion.

The Mayor declared the motion carried by voice vote and the Council recessed at 7:14 p.m.

### INF 2018-7801 — A. Information: Potential Peer Jury Program

Mayor Tully asked for a motion to reconvene the meeting.

**Motion:** Commissioner White moved to reconvene the meeting. Commissioner Earl seconded the motion.

The Mayor declared the motion carried by voice vote and the Council meeting was reconvened at 7:22 p.m.

He then asked Mr. Fieldman to present information on the proposed Peer Jury Program, which is a priority action item.

Mr. Fieldman said that Downers Grove Township operated this program for a long time and suspended the program about a year ago. The Village Council then directed staff to analyze options for a peer jury program in the Village. He referenced the report prepared by staff and reviewed the four options identified in it for Council consideration. He displayed a re-creation of the table from the report.

Option 1: Continue the current system which is a Police Department station adjustment, and has been in effect since the peer jury was suspended.

Option 2: Expand the current use of the station adjustments where officers could assign juvenile offenders certain assignments such as letters of apology to victims or community service.

Option 3: Institute a peer jury program operated by the Village for residents of Downers Grove only.

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Option 4: Create a regional peer jury option that is the closest to reinstating the previous Township program. There would be a small monetary figure related to this program.

Mr. Fieldman noted that, since the suspension of the original program, the Juvenile Records Act amendment became effective. That Act states that records cannot be shared with anyone outside of law enforcement. The concern is sharing records with peer jurors is a violation of the Juvenile Records Act. This would need to be addressed before reinstating the program.

Mr. Fieldman said that staff's recommendation would be to begin this program in January 2019 if the Council chooses to move forward with this. They recommend that Downers Grove staff operate the program initially, and that there would be a performance review in June 2019.

Mayor Tully explained that the Village is always striving to cut costs while maintaining services at minimal costs. He said they don't often get the opportunity to consider a small investment that has such value to the community. This program is a good example of intergovernmental cooperation and he supports Option 4. He would like to survey other communities to determine their interest in the program. He thinks that this could be a worthwhile pursuit and hopes that the law could be amended.

Commissioner White concurred with the Mayor's comments. He has confidence in the ability of staff and the Police Department to develop operational rules for this program. There is a possibility that a parent could sign a waiver with respect to the Juvenile Records Act, and that is an issue to address.

Commissioner José agreed that Option 4 is the way to go, as there is a tremendous value in this program. He thanked his colleagues and staff for this recommendation.

Commissioner Walus added her agreement to her colleagues' comments. She knows the benefit of this program as an educator. It benefits not only the offender but also the juror. She supports Option 4.

Commissioner Earl stated she would also support Option 4.

A resident spoke about training of the jurors and urged that consideration be given to the schedule. They might not be able to train and start the program by January 2019. He is concerned about the students, and noted that if students have to be retrained, some may no longer participate.

Mr. Fieldman replied that if they run into problems, they will report it out.

Cathy Rager, former coordinator and moderator of the program for 15 years, said she is familiar with the program and the high school. She encouraged a regional program. There are service sites and students available. The previous program ran smoothly and had an incredible impact on all involved in the program and their parents. She believes this to be an important program for students and their parents and the community as a whole. She urged the Council to consider the regional program and offered her support. The program was successful in part due to the anonymity aspect of it.

Mayor Tully commented that the maximum benefit would be through a regional program with as many participants as possible. He encouraged people to reach out to their community to take advantage of this program if they are outside of Downers Grove.

A woman spoke and said she had kids involved in the program. If we label teens as criminals they will mold into that. Teenagers make mistakes. The non-re-offender rate is 97% by the time they turn 18 years of age. She noted that there is a cost savings in the restorative nature of this.

Rich Kulovany commented that this is a great program and is an investment. He likes the regional aspect of it.

Mayor Tully thanked his colleagues. He said it would have been easy to cast this aside. He is proud that they took the leadership role and thanked staff for their work on this.

Mr. Fieldman said staff has a clear direction from the Council. The next steps are to touch base with other communities, further develop the program and schedule, reach out to schools for jurors, and formulate an intergovernmental agreement with participating municipalities.

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## **11. Adjournment**

Mayor Tully asked for a motion to adjourn.

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

Mayor Tully declared the motion carried by voice vote and the meeting adjourned at 7:51 p.m.

Respectfully submitted,

April Holden

Village Clerk