

# Meeting Minutes

Village of Downers Grove - Council Meeting

---

Council Chambers

10/09/2018

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 Barnett, Commissioner Walus, Commissioner Earl, Commissioner Waldack, Commissioner White, Commissioner José; 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 2018-7942** — A. Minutes: Council Minutes – October 2, 2018

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

Council Meeting

Village of Downers Grove

October 9, 2018

Mayor Tully declared the motion carried by voice vote.

#### **4. Proclamation**

Mayor Tully proclaimed October 2018 as Pharmacists Month in the Village of Downers Grove. He presented the proclamation to Kelly Moran, a student at Midwestern University, Chicago College of Pharmacy.

Ms. Moran thanked the Mayor and Council for the proclamation. She spoke of the services a pharmacist provides to the public. She described the Nalox-Now program regarding opioid overdoses.

Mayor Tully thanked the students for their role in combatting the opioid overdose problem.

Mayor Tully proclaimed the week of October 7-13, 2018, as Fire Prevention Week in the Village of Downers Grove.

Jeff Pindelski, Fire Chief, thanked the Mayor and Council for this recognition. He addressed the number of fires over the last year and spoke of fatalities and property damage. This week serves to raise awareness of fire prevention.

Chief Pindelski then spoke of two events this week: A Night at the Firehouse will be held on Wednesday, October 10 from 6:30 p.m. to 8:30 p.m. at Fire Station #5, 6701 Main Street. The Silent Parade will be held on Friday, October 12 beginning at 7:00 p.m. in Hinsdale and will pass through Downers Grove on Maple Avenue at approximately 7:15 p.m.

Mayor Tully thanked the Fire Chief and the entire department for their work.

Mayor Tully proclaimed October 9 as Downers Grove Historical Society Day and congratulated the Society on their 50<sup>th</sup> anniversary.

Liz Chalberg, President, spoke of three events. The Living Cemetery will be held on October 20 from 10:00 a.m. to noon at the Main Street cemetery. At 12:30 p.m., the 2018 historic site dedication will take place at the Penner Building, 5219-5221 Main Street. The Downers Grove Historical Society 50<sup>th</sup> anniversary will be held on November 3 at Alter Brewing from 1:00 p.m. to 3:00 p.m. She also announced that Joyce Tumea will be named the 2018 Historian of the Year.

Mayor Tully discussed the possibility of marking the Downers Grove Cemetery as a landmark. It is under the Village's purview and staff is looking into procedures to follow for such landmarking.

Mayor Tully proclaimed October as Community Planning Month. He presented the proclamation to Stan Popovich, Director, Community Development.

Mr. Popovich thanked the Mayor and Council for the proclamation. He spoke about the variety of housing stock in Downers Grove. He thanked the volunteers who serve on the planning boards.

#### **5. Mayor's Report**

**RES 2018-7916** — A. Resolution: Appoint and Reappoint Members to Village Boards and Commissions

This confirms the following appointments to Village Boards and Commissions

##### **ARCHITECTURAL DESIGN REVIEW BOARD**

Reappoint Carine Acks to a three-year term expiring August 31, 2021

Council Meeting

Village of Downers Grove

October 9, 2018

**BOARD OF FIRE AND POLICE COMMISSIONERS**

Appoint Thomas Bondi as Chair to a three-year term expiring August 31, 2020

**COMMUNITY EVENTS COMMISSION**

Reappoint Michael Kubes to a three-year term expiring August 31, 2021

Appoint Soraya Faber to a three-year term expiring August 31, 2021

**ENVIRONMENTAL CONCERNS COMMISSION**

Reappoint Elizabeth Pelloso to a three-year term expiring August 31, 2021 and also as Chair

Appoint Lynn Bement to a three-year term expiring August 31, 2021

**LIBRARY BOARD**

Appoint Carissa Dougherty to a six-year term expiring August 31, 2024

**LIQUOR COMMISSION**

Reappoint Jeffrey Jacobson to a three-year term expiring August 31, 2021

Appoint Jacob Heafner to a three-year term expiring August 31, 2021

**STORMWATER AND FLOOD PLAIN OVERSIGHT COMMITTEE**

Reappoint William Wicklander to a three-year term expiring August 31, 2021

Appoint Ryan Delves to a three-year term expiring August 31, 2021

**PLAN COMMISSION**

Reappoint Amy Gassen to a three-year term expiring August 31, 2021

Appoint Don Rickard as Chair to a three-year term expiring August 31, 2021

**TECHNOLOGY COMMISSION**

Reappoint Anthony Cheng to a four-year term expiring August 31, 2022

Appoint Anthony Pedretti to a four-year term expiring August 31, 2022

**ZONING BOARD OF APPEALS**

Reappoint Tim Werner to a three-year term expiring August 31, 2021

Appoint Peter Foernssler to three-year term expiring August 31, 2021

**A RESOLUTION APPOINTING AND REAPPOINTING  
MEMBERS TO VILLAGE BOARDS AND COMMISSIONS**

**RESOLUTION 2018-73**

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

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

Nay: None

Mayor Tully declared the motion carried.

Mayor Tully extended his appreciation to the existing volunteers and new appointees for their service to the Village. He said the Village depends on volunteers who provide input and serve on a number of Boards and Commissions. He also thanked his colleagues for their assistance in making these appointments.

### 13. Council Member Reports

Commissioner Earl noted that the Downers Grove Organic Gardeners will meet on October 17, 2018, from 7:00 p.m. to 9:00 p.m. at Fire Station 2, 5420 Main Street, for a program by Mike Nowak entitled, "That Ain't No Way to Treat a Tree." Everyone is welcome to attend.

Commissioner Waldack said the Downtown Management Corporation met last Thursday and elected new officers and an interim Executive Committee.

Commissioner Walus announced community activities on October 20 beginning with the Ballydoyle Navigate Annual Pancake Breakfast, followed by Halloween window painting and the Living Cemetery.

### 6. Council Member New Business

**MOT 2018-7933** — A. Motion: Direct Staff to Research Options for Regulating the Sale of Dogs and Cats

Mayor Tully explained that some time ago he was contacted by members of various organizations regarding whether the Village should consider regulations on the sale of dogs and cats in the community. He was asked to have this appear as a New Business item that would not be voted upon, but would be open to discussion from interested parties. This provides the Village Council an opportunity to direct the staff to prepare an item for Council consideration. He noted that this was placed on the Agenda at the request of Commissioner Earl. He expects that the Village Council will give direction to staff for further information and consideration. Anyone wishing to speak to this topic will be given time under Public Comments.

Commissioner Earl moved to direct staff to research options for regulating the sale of dogs and cats. Commissioner Waldack seconded the motion.

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

Nay: None

Mayor Tully declared the motion carried.

### 7. Public Comments

This is the opportunity for public comments.

1. A woman spoke of having bought a dog from Happiness is Pets in Downers Grove in July 2016. It was a puppy mill dog and it has since died. The dog was sick throughout his life. She has since learned more about rescue dogs, and thinks there should be regulations regarding bad breeding of dogs. Her family suffered as a result of her not researching the business.

2. Vanessa said that Warrenville made a decision regarding puppy mills and she offered to help with an ordinance regarding puppy mills. In Warrenville there were daily protests at Happiness is Pets. The ordinance was passed in 2016. She grew up on an Iowa farm and went to school in Minnesota to become a veterinary technician. She worked over ten years in clinics and pet shelters. Happiness is Pets was unable to prove that it was not connected to puppy mills, and Warrenville acted quickly to regulate the sale of pets. She said that the public depends on local governments to step in and help make decisions. Consumers are responsible for learning about the products they purchase. Animals are still considered products, personal property by law, just like an automobile. The law requires full disclosure of automobiles or proper labeling of products purchased at stores. Therefore it is important to know where these animals came from and how they were treated. They are living

Council Meeting

Village of Downers Grove

October 9, 2018

creatures. Part of her job on a daily basis is to help educate the public. They are talking about the well-being of a community and make important decisions regarding animal rights. She thanked the Village for inviting her to speak and hoped that the Village will make a decision regarding the sale of animals in the Village.

The Mayor asked the people in attendance not to react to public comments either positively or negatively.

3. Kurt Fiedler is a lobbyist for the Illinois Pet Lovers Association, an association of Illinois pet stores. In August 2017 a new State law took effect. The Association came together because puppy mills need to end. Public Act 100-375 is the Safe Pets Bill, passed unanimously by the State Legislature. He noted that pet stores are highly regulated in Illinois. They can source from rescues, shelters, small breeders or commercial breeders that must meet U.S.D.A. regulations. Pet stores must keep records regarding the breeders and location of the source. That information should be publicly available at all pet stores. Further, they want to help with overcrowding issues, so the new law requires that stores microchip their dogs. He spoke about the laws regulating the pets and compliance with the law, including the changes taking place in other states and at the federal level. Rescue shelters must scan dogs to see the source of the microchip. When the Safe Pets Bill was passed, the President shut down the U.S.D.A. website, and Mr. Fiedler said he is happy to be a resource for staff and the public moving forward.

The Mayor thanked him for the information and said that the Village looks forward to reviewing the information provided tonight. Staff will follow this as expeditiously as possible. He said they also want to reach out to the Chamber of Commerce and as many other stakeholders as possible.

4. Greg Gordon, owner of Dog Patch in Naperville, bought the business in 2010 and immediately switched to rescue dogs only. He has seen what a puppy mill looks like, and they are all around. He mentioned that there are brokers who are also connected to puppy mills that should be examined. He encouraged staff to dig deep. There is a lot of information available. He has re-homed many commercially bred animals originating from other pet stores that will not take the pet back. Dog Patch is a licensed shelter in Illinois. He said the State of California has adopted a "no dogs or cats in pet stores" policy. Many of the existing laws have been upheld. He is asked on a regular basis whether puppy mills are as bad as reported, and he said it is much worse. He thanked the Village for the opportunity to speak.

5. Jennifer Bahlmann of the West Suburban Humane Society spoke of their mission statement and the humane treatment of animals. The topic is about anti-cruelty and they consider it their duty to speak out on behalf of those who do not have a voice. She said that puppy mill dogs spend their entire lives living in breeding cages. She gave statistics of the number of puppy mill dogs and the number of dogs euthanized every year. Consumers for animal related food, supplies, grooming and boarding spent over \$50 billion last year. She encouraged the Village to pursue investigation of this topic.

6. Charlotte Holtzen, 5226 Carpenter, spoke about reputable preservation breeders. Not one of these breeders will place their pets in a pet store. Her family has had Newfoundlands for 30 years and they have come from reputable breeders. They have researched the breed and regional/obedience clubs. She has seen dogs come from puppy mills and you will never forget it. Puppy mills happen all over the country. Ms. Holtzen said she will not shop in stores with live animals.

7. A resident who has been in the rescue business for most of her life said she helped build a brick and mortar shelter. Nobody wants to see a business close, but change can be good. It can be a win-win situation for everyone. Success can be shared by those who are in the pet business for profit, and those who want to rescue or save lives. The taxpayer often ends up paying the bill when communities have more pets than homes. She then spoke on behalf of Beth Anderson's animal shelters. They have done events with Petco and Pet Supplies Plus since 2017. They do about 1,000 adoptions out of each adoption center yearly. Responsible breeders only breed when they have responsible homes for the dogs. If a dog owner can no longer care for a dog, they are required to return it to the breeder. She said it is important that people research. On Pet Finder today she found that 3,000 dogs needing homes and 3,700 cats needing placement. It has to be heartbreaking to euthanize dogs because of lack of cage space in rescue shelters. She challenged the pet shop in Downers Grove to accept the offer extended to them from the Humane Society of the United States. The Humane Society is willing to help them implement a humane model at no cost. It is the trend of the future. She hopes Downers Grove will be a leader in this project.

Council Meeting

Village of Downers Grove

October 9, 2018

8. Peggy Crandall commented that people are beginning to learn about puppy mills and brokers who mate and exchange dogs exclusively for profit. She spoke about the activities of pet stores and about responsible breeders. Most consumers are unaware of the situation until they become victims. She noted that this is a huge opportunity to make a difference and noted how many communities/states have become responsible. She commented that the Mayor of Canton, Georgia, said he received more positive feedback because of their safe pets' ordinance than any other legislation passed. Regarding the Safe Pets Act, the Humane Society remains neutral on this because they left pre-emption off the table. Neutral doesn't mean they went along with it. She thanked the Council for its interest.

9. Jonathan Bernie, the owner of Happiness is Pets has been a corporate citizen for 22 years. They specialize in the sale of breeder-sourced pure bred and specialty bred puppies. In order to insure offering the healthiest puppies possible to their customers, all their puppies receive at least two veterinary exams by two different veterinarians. All puppies are up to date on their vaccinations and come with free 30-day post-veterinary care. They have recently doubled the length of their congenital warranty to four years. Illinois law mandates a one-year warranty. Under current Illinois law, pet stores can purchase puppies from the following U.S.D.A. licensed and inspected breeders: 1) breeders who do not have more than two indirect violations of the U.S.D.A. Animal Welfare Act within the previous two years; 2) breeders who do not have any direct violations of the U.S.D.A. Animal Welfare Act. Multiple direct and indirect violations are the kind of situations you would find in a puppy mill. Happiness is Pets does not purchase from brokers and works only with breeders. They are proud of their breeders and have full transparency of the source of their puppies.

10. Elizabeth Sheaffer said she has had 22 foster dogs. She reiterated that no reputable breeder would sell to a pet store. She brought two of her dogs who were puppy mill dogs who lived most of their lives in cages to provide puppies to puppy mill stores. She described the lives of her two dogs prior to being fostered. When she picked up these dogs she promised she would fight for these dogs and every dog like them. One of these dogs lived 8 years in a cage with no human contact. She asked the Village to bring an aggressive humane ordinance to Downers Grove.

11. Greg Hart, Chairman of the County Health and Human Services Committee and District 3 Representative to the DuPage County Board, spoke about how animals impact public health. He said animals kept in puppy mills and catteries follow the same Animal Welfare Act guidelines as livestock animals. Animals are often exposed to extreme temperatures, overcrowding, minimum care and housing standards, denied veterinary care, exercise and enrichment. This is a recipe for physical stress, psychological stress and a weakened immune system that sets the stage for the spread of disease. He spoke about the overuse of antibiotics by puppy mills as reported in a CDC report in January 2018. The report linked an outbreak through contact with puppy mill puppies. The outbreak lasted for two years with 115 human cases and 23 people requiring hospitalization. Two such cases were linked to pet stores in DuPage County. Multi-drug resistance is blamed on the misuse of antibiotics to combat the less than humane living conditions. This is a serious issue for animals and for communities from a public health standpoint. He encouraged the Village to look further into this issue.

12. Anna Peyton, President, Illinois Animal Welfare Federation; Chris Stern, Executive Director, Adopt a Pet Shelter, Naperville; and Tom Van Winkle, Executive Director of the Hinsdale Humane Society, spoke about their services and the information being provided to the Council and the public tonight. They offered their services to get to the facts about the issue before making a final ordinance decision.

13. Mark Thoman, Supervisor, Downers Grove Township, said the Township passed a resolution in June 2018 supporting SB 2280 banning the sale of puppy mill puppies. They are in reality breeding prisons. He urged the Village to take the lead on this issue as a home rule community for all other communities in DuPage County. He hoped the Village would provide the strongest possible language banning the sale of these animals, and that the Village passes a resolution supporting SB 2280. He said they were horrified at what they saw in their research.

14. Dr. Barb Hanek, veterinarian for DuPage County, gave the Council members a 6" ruler. Animals can live in an area 6" longer than the length of the animal from both its nose to the base of its tail. The animal can live in that confined space for its entire life as it is being bred over and over again. She said the Animal Welfare Act is

Council Meeting

Village of Downers Grove

October 9, 2018

overseen by the U.S.D.A. She spoke about the federal inspectors at the U.S.D.A. saying that Animal Health Plant Inspection Service has about 120 inspectors, who are responsible for inspecting research facilities, circuses, truck and airline transport, petting zoos, commercial breeding facilities, etc. They cannot perform all the duties responsibly. In 2010 they performed an internal audit that identified major deficiencies and the inspection service was determined to be ineffective. She said that U.S.D.A. guidelines are minimal and are about 50 years old. Dr. Hannon reviewed many of the health issues discovered with no follow up due to lack of manpower. She noted that they have had 25 dogs relinquished to the County this year, 15 from Happiness is Pets. There are about 10,000 puppy mills in the United States and there are cruel conditions for dogs in these mills.

15. Brian Krajewski, 6455 Nash Street, spoke about his last time in the Village Council Chambers. He is now on the County Board and is Chairman of Animal Control. Mr. Krajewski said he has learned about puppy mills and talked to a number of rescue groups. He referenced ordinances passed in Chicago and Cook County. DuPage County put it on its agenda to kill the bill in Springfield. There has been an effort to pass a countywide ordinance to ban the sale of puppy mill dogs in DuPage and Will Counties. It has not yet been passed. He would like every home rule government to pass an ordinance regarding banning the sale of puppy mill dogs in DuPage County. The Village has the opportunity to be a leader in DuPage County, and he urged the Council to move on this quickly and include dogs, cats and rabbits!

16. Cindy Beneke said she has volunteered with many rescues, fostered many dogs and groomed for rescues and foster dogs at no charge. She said that many of those dogs have been puppy mill mothers who were dumped because they were not producing properly. Most of them have had physical and mental issues. She said there is a movie on HBO called Mothers in the Mills about puppy mills. Reputable breeders do not give their puppies to pet stores.

Mayor Tully thanked everyone for sharing their passions, information and education on this matter. He said that the Village would move as quickly as it can. The Village Council is not afraid of tackling tough issues. He noted that local control is very important to Downers Grove. Staff will do the research. He assured everyone that they would have the opportunity to discuss this again. Downers Grove is a home rule community and will have an ordinance that is right-sized for Downers Grove. He looks forward to moving forward on this.

Mayor Tully asked for a motion for a five-minute recess.

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

The Mayor declared the motion carried by voice vote and the Council recessed at 8:55 p.m.

Mayor Tully reconvened the meeting at 9:07 p.m.

## 8. Consent Agenda

Mayor Tully asked that item D, MOT 2017-7922, a motion awarding \$192,164.45 to Construction Management Corporation of America d/b/a Briggs Paving, Downers Grove, IL, for 2018 fall roadway patching, be removed from the consent agenda and considered separately.

**BIL 2018-7936** — A. Bills Payable: No. 6418, October 9, 2018

**MOT 2018-7920** — B. Motion: Authorize \$42,557.85 to Insight Public Sector, Inc., Tempe, AZ, for 15 Dell 5414 Ruggedized Laptop Replacements

This authorizes the purchase of 15 Dell 5414 rugged laptops along with docking stations and antennas from Insight Public Sector, Inc. of Tempe, Arizona, in an amount of \$42,557.85.

Council Meeting

Village of Downers Grove

October 9, 2018

**MOT 2018-7912** — C. Motion: Award \$25,165.00 to CDS Office Technologies, Itasca, IL, for the Purchase of Seven (7) Toughpad Tablets

This authorizes the purchase of seven (7) Toughpad tablets with extended warranties from CDS Office Technologies of Itasca, Illinois, in an amount of \$25,165.00.

**RES 2018-7923** — E. Resolution: Authorize a Renewal Agreement with Blue Cross/Blue Shield of Illinois for Medical Claim Administration Services

This authorizes a renewal agreement with Blue Cross/Blue Shield of Illinois for medical claim administration services.

**A RESOLUTION AUTHORIZING EXECUTION OF A RENEWAL  
AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE  
AND BLUE CROSS/BLUE SHIELD OF ILLINOIS  
FOR MEDICAL CLAIM ADMINISTRATION SERVICES**

**RESOLUTION 2018-66**

**RES 2018-7924** — F. Resolution: Authorize a Renewal Agreement with Blue Cross/Blue Shield of Illinois for Stop Loss Insurance Coverage

This authorizes a renewal agreement with Blue Cross/Blue Shield of Illinois for stop loss insurance coverage.

**A RESOLUTION AUTHORIZING EXECUTION OF A RENEWAL  
AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE  
AND BLUE CROSS/BLUE SHIELD OF ILLINOIS  
FOR STOP LOSS INSURANCE COVERAGE**

**RESOLUTION 2018-67**

**RES 2018-7925** — G. Resolution: Authorize Amendment #6 to National Insurance Services Trust Joinder Agreement for Long-Term Disability Insurance

This authorizes Amendment #6 to National Insurance Services Trust Joinder Agreement for long-term disability insurance.

**A RESOLUTION AUTHORIZING AMENDMENT #6 TO NATIONAL INSURANCE  
SERVICES TRUST JOINDER AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE  
AND NATIONAL INSURANCE SERVICES TRUST  
FOR LONG-TERM DISABILITY INSURANCE**

**RESOLUTION 2018-68**

**RES 2018-7926** — H. Resolution: Authorize Amendment #2 to National Insurance Services Trust Joinder Agreement for Group Life Insurance

This authorizes Amendment #2 to National Insurance Services Trust Joinder Agreement for group life insurance.

**A RESOLUTION AUTHORIZING AMENDMENT #2 TO NATIONAL INSURANCE  
SERVICES TRUST JOINDER AGREEMENT**



Council Meeting

Village of Downers Grove

October 9, 2018

**FOR LONG-TERM DISABILITY INSURANCE****RESOLUTION 2018-69**

**RES 2018-7927** — I. Resolution: Authorize a Trust Funded Administration Agreement with Total Administrative Services Corporation for Administration of the VEBA Health Savings Plan

This authorizes a trust funded administration agreement with Total Administrative Services Corporation for administration of the VEBA Health Savings Plan.

**A RESOLUTION AUTHORIZING EXECUTION OF A  
TRUST FUNDED HRA ADMINISTRATION AGREEMENT BETWEEN  
TOTAL ADMINISTRATIVE SERVICES CORPORATION AND  
THE VILLAGE OF DOWNERS GROVE**

**RESOLUTION 2018-70**

**RES 2018-7928** — J. Resolution: Authorize the Renewal of a Group Dental Insurance Contract with Delta Dental of Illinois

This authorizes the renewal of a group dental insurance contract with Delta Dental of Illinois.

**A RESOLUTION AUTHORIZING RENEWAL OF A  
GROUP DENTAL INSURANCE CONTRACT BETWEEN  
THE VILLAGE OF DOWNERS GROVE  
AND DELTA DENTAL OF ILLINOIS**

**RESOLUTION 2018-71**

**RES 2018-7930** — K. Resolution: Authorize a Claims Administration Agreement with Professional Benefit Administrators

This authorizes a claims administration agreement with Professional Benefit Administrators.

**A RESOLUTION AUTHORIZING EXECUTION OF A  
CLAIMS ADMINISTRATION AGREEMENT BETWEEN  
PROFESSIONAL BENEFIT ADMINISTRATORS AND  
THE VILLAGE OF DOWNERS GROVE**

**RESOLUTION 2018-72**

**MIN 2018-7929** — L. Minutes: Note Receipt of Minutes of Boards and Commissions

**Summary:** Plan Commission – September 10, 2018

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

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

Nay: None

Mayor Tully declared the motion carried.

Council Meeting

Village of Downers Grove

October 9, 2018

## 9. Active Agenda

**MOT 2018-7922** — D. Motion: Award \$192,164.45 to Construction Management Corporation of America d/b/a Briggs Paving, Downers Grove, IL, for 2018 Fall Roadway Patching

This awards a contract for 2018 fall roadway patching to Construction Management Corporation of America d/b/a Briggs Paving of Downers Grove, Illinois, in the amount of \$192,164.45.

Commissioner José moved to award \$192,164.45 to Construction Management Corporation of America d/b/a Briggs Paving, Downers Grove, IL, for 2018 Fall Roadway Patching, as presented. Commissioner Earl seconded the motion.

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

Abstain: Commissioner White

Nay: None

Mayor Tully declared the motion carried.

**ORD 2018-7909** — A. Ordinance: Amend Certain Stormwater Provisions

**Summary:** This amends certain stormwater provisions effective January 1, 2019.

### AN ORDINANCE AMENDING CERTAIN STORMWATER PROVISIONS

#### ORDINANCE NO. 5713

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

Mayor Tully thanked staff for their work.

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

Nay: None

Mayor Tully declared the motion carried.

**ORD 2018-7876** — B. Ordinance: Amend Parking Restrictions

**Summary:** This amends certain parking restrictions in the downtown.

### AN ORDINANCE AMENDING PARKING RESTRICTIONS

#### ORDINANCE NO. 5714

**Motion:** Commissioner White moved to adopt "An Ordinance Amending Parking Restrictions," as presented. Commissioner Earl seconded the motion.

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

Nay: None

Mayor Tully declared the motion carried.

## 10. First Reading

Village Manager Dave Fieldman said there are four items covering two topics on the First Reading. The first is regarding downtown zoning. He asked Stan Popovich, Director, Community Development, to present the first items.

**ORD 2018-7903** — A. Ordinance: Rezone Certain Property Located in the Downtown from Downtown Business District to Downtown Core District

**ORD 2018-7932** — B. Ordinance: Rezone Certain Property Located in the Downtown from Downtown Business District to Downtown Transition District

**ORD 2018-7931** — C. Ordinance: Amend Certain Sections of the Municipal Code Related to the Downtown Core District

Mr. Popovich said the first three items under consideration refer to Downtown Zoning. They implement the vision of the Comprehensive Plan that identified three functional areas—the Core, the Business and the Transition areas. Tonight they are looking to rezone 66 properties from Downtown Business to Downtown Core, and 11 properties from Downtown Business to Downtown Transition. He noted that this is the 34<sup>th</sup> meeting discussing proposed changes to Downtown Zoning. He reviewed the Council's actions and showed the areas to be rezoned to Downtown Core as well as Downtown Business and Downtown Transition. He said the Plan Commission recommended approval of this at its September 10 meeting.

1. Willis Johnson, 603 Rogers, expressed concern about rezoning from Downtown Business to Downtown Transition of the 11 properties, five of which are on Rogers Street. He said it affects property values in terms of height and setbacks. His biggest concern is the setbacks. They are going from 72' in height and no setbacks, to about 32' in height and requiring setbacks. Those lots are generally 50'x100' and one is 45'x100'. They back up to a substantial masonry wall which is higher than Downtown Transition allows. He asked that when they discuss ORD 2018-7932 they consider eliminating the setback requirements. The lots are basically unusable with the setback requirements.

**ORD 2018-7884** — D. Ordinance: Adopt the Fiscal Year 2019 Budget in Lieu of Passage of an Appropriation Ordinance

Mike Baker, Deputy Village Manager, reviewed the property tax levy portion of the budget. He displayed a budget schedule for the public. The property tax levy components show only two increases, which are the Fire and Police Pension levies. The remaining levies have remained flat for the 8<sup>th</sup> consecutive year. As to the public safety pension funds, they are trust funds and are financially sound. The Village makes 100% of the required contributions, which are managed by autonomous boards. The Village Council does not set or control the budget for those pension funds. Expenses are affected indirectly through staffing levels and salaries. Mr. Baker said that the impact of the levy on a typical household is an increase of \$18.70 attributable to the increase in public safety pensions. He explained that the Village's share of the overall tax bill is 9.6% of the property tax bill received by Village property owners.

Mayor Tully said he appreciates the Herculean efforts of staff to keep portions of the levy flat.

Commissioner Waldack said it is great that they are on their 8<sup>th</sup> year of keeping operation costs flat. He asked if they expect service hits as a result of keeping the budget flat.

Mr. Fieldman said there are no changes contemplated to service levels.

Council Meeting

Village of Downers Grove

October 9, 2018

**11. Manager's Report****12. Attorney's Report**

Pursuant to Section 2.5 of the Downers Grove Municipal Code, the following are presented for Village Council consideration:

- An ordinance rezoning certain property located in the downtown from Downtown Business District to Downtown Core District
- An ordinance rezoning certain property located in the downtown from Downtown Business District to Downtown Transition District
- An ordinance amending certain section of the Municipal Code related to the Downtown Core District

**14. 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 9:23 p.m.

Respectfully submitted,

April Holden

Village Clerk