

Responses to Village Council Questions September 2, 2025

ACTIVE AGENDA: [ORD 2025-10888](#) A. Ordinance: Amending the Provisions of Mayor Pro Tem

1. *Please provide the documents related to the 2001 Village Council actions which created the Mayor Pro Tem provisions that are currently in effect.*

Please see attached Village Council agenda packets from when the Mayor Pro Tem ordinance was last amended in 2001.

1. Attached is the Workshop Packet from March 27, 2001, which includes the agenda, staff report, draft ordinance and the minutes.
 2. Village Council agenda packet for April 17, 2001, which includes the agenda, draft ordinance (that was ultimately adopted) and the minutes.
 3. Signed version of ordinance # 4285 which was adopted on April 17, 2001.
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2. *Other than the information provided in the response to Question 1 above, are there any records of the discussions regarding the Mayor Pro Tem related rules and ordinances? Was the public made aware of these discussions?*

There are no other records on this topic. The topics were discussed at the March 27, 2001 Workshop Meeting and the April 17, 2001 Village Council Meeting.

3. *Is it common for resolutions to be signed with red lines in them (as opposed to incorporating the changes into a clear resolution)?*

Yes, ordinances and resolutions are signed with red lines in them.

4. *Can you confirm that there are no transcripts or audio/video of the 4/17/2001 meeting, or the previous workshop, and no record of how the ordinance got changed from Council elected, mayor appointed? If not, why not?*

Other than the information provided in response to Question 1 above, staff was not able to find additional records. Video and audio recordings of these meetings were disposed of in compliance with the State law.

5. *Can you check whether the Village retains any records, memoranda, or correspondence from our then village attorney in 2001 with the former mayor and council members that explain the intent of the Pro Tem code change? Given the lack of meeting notes or public discussion, any of this could be very helpful to the*

Council and the public in understanding how this shifted from a council election, confirmed by our attorney, to a mayoral appointment, and how the removal powers were added to give the mayor the power to remove the mayor Pro Tem unilaterally.

Other than the information provided in response to Question 1 above, staff was not able to find additional records.

6. *In the previous meeting cadence, where they would workshop an item (seeming robust discussion based on minutes and then the next meeting is a voting meeting), would there typically not be any additional discussion of the item during the voting meeting, but rather just a vote (which seems to be the case here.. the only mention of the ordinance is a reference to a question from then commissioner elect Tully during what appears to be the public comments and questions section)?*

Discussions are held on a case by case basis. The minutes from the public meetings are included in the information provided in response to Question 1 above.

7. *In the past, has the Village ever made a Mayor Pro Tem appointment using the state law provisions?*

Prior to the change in Ordinance in 2001 noted above, it appears that the Mayor Pro Tem appointment process was guided by Council Rule 2, which is included in the information provided in response to Question 1 above (Ordinance 4285).

8. *Are there any standards that Village Council members are required to consider or adhere to when voting on the confirmation of a Mayor Pro tem proposed appointment?*

No, there are no standards that Village Council members are required to consider or adhere to when voting on the confirmation of a Mayor Pro tem proposed appointment.

9. *What actions require 5 votes from the council?*

The following is a preliminary list of actions that require more than 4 affirmative votes either by State law or Village ordinance. There may also be additional actions.

Action	Voting Requirement
Arbitration- to reject panel's award in police and fire employee interest arbitration	3/5 vote of duly elected and qualified members of governing body . Vote required is 5.
Public Works contracts	Contracts exceeding \$10,000 shall be let to the lowest responsible bidder except as authorized by 2/3 vote of council members then holding office. 5 votes.
Sale of real estate	Power to sell real estate shall be by ordinance passed by ¾ vote of the members of the Village Council then holding office. 6 votes.
Issuance of bonds to finance water or wastewater facilities	3/5 vote of corporate authorities then holding office . 5 votes.
Borrowing to finance improvements necessary due to accident or casualty after passage of budget or for financing needed to prevent the spread of disease or remove imminent damage due to unforeseen event after passage of budget	2/3 vote of the corporate authorities then holding office for. 5 votes.
Adoption of budget system.	2/3 vote of corporate authorities then holding office . 5 votes.
To abandon budget system	2/3 vote of corporate authorities then holding office . 5 votes.
Consent Agenda	Unanimous vote of corporate authorities then holding office to decide to use consent agenda. 7 votes.

Effective Date Immediately	Ordinances containing statement of urgency in preamble- 2/3 vote of corporate authorities then holding office . 5 votes.
Censure a member	majority vote of members present - vote required depend on how many at the meeting
Expel a member	3/4 vote of all members elected . 6 votes
Sale or exchange of real estate when no longer necessary, appropriate, required for the use of, profitable to or for the best interest of the Village	3/4 of the members of the Village Council then holding office . 6 votes
Transfer of property between municipal corporations	2/3 vote of members of governing body then holding office to authorize granting or conveying upon agreed terms. 5 votes.
To authorize a lease for up to 50 years between municipal corporations	2/3 vote of members of governing body then holding office . 5 votes.

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1. Bids:
 - a) Apparatus Floor Sealing – Fire Station #5
 - b) Tuckpointing of Fire Station #5
 - c) Heritage Festival – Sound
 - d) Geotechnical Engineering Services – Project #18-00
 - e) Laptop Computers for the Council & Staff

Action Requested: Place on Consent Agenda

2. Update Personnel Manual

Action Requested: Place on Active Agenda

3. Landbank RFP

Action Requested: Information

4. Natural Gas Fueling Facility

- a) Agreement with Gas Technology Institute
- b) Agreement with City of Chicago
- c) CNG Vehicle Purchase

Action Requested: Place on Active Agenda

5. Expansion of Village Council

Action Requested: Information

6. Ordinance Revision – Open Burning

Action Requested: Place on Active Agenda

7. Motor Fuel Tax Resolution

Action Requested: Place on Active Agenda

COUNCIL WORKSHOP ITEM

ITEM: Revision of Chapter 2 of Downers Grove Municipal Code Related to Village Council
DATE: March 22, 2001
PREPARED BY: Daniel P. Blondin, Village Attorney
PURPOSE: The purpose of the memorandum is to transmit information and a draft ordinance related to possible changes to Chapter 2 of the Downers Grove Municipal Code related to the Village Council

DISCUSSION:

In April, 2001, a general municipal election will be held at which additional members will be selected for the Downers Grove Village Council increasing the size of the Council from five to seven. In light of this, it is necessary to make some revisions to Chapter 2 of the Downers Grove Municipal Code related to Council activities. At the same time, I have recently been requested to review other possible changes to Council rules and procedures. Attached hereto is a draft ordinance which incorporates these items. Basically, these can be grouped into three categories. First, there are changes which are or may be necessary as a result of an increase in Council size. Second, the role of the Mayor pro tem has been refined to set forth in greater detail possible activities of this person. Third, a provision has been added which would allow for the creation of standing Council committees.

1. Increase in Council Size.

As a result of the increase in Council size, a number of changes are required to the existing Village ordinances. However, the Council has some discretion in a number of these changes.

First, Section 2-1 currently provides that a special meeting may be called by any "two" members of the Council. Does the Council wish to increase this to "three"? Although this provision has never been used while I have been with the Village, the intent is to provide a mechanism for the convening of a special meeting. As is typical, the Mayor always has the authority to call a special meeting. Individual members of the Council cannot call a special meeting. However, multiple members of the Council, acting in agreement, can call for such a meeting. Currently, the level is two and it is suggested that the Council may wish to consider raising this to three to maintain the percentage of Council membership required before a special meeting can be called.

By State law, under the Manager/Commissioner form of government, three affirmative votes are required to adopt any ordinance or resolution. Rule 32 in Section 2.5 addresses this vote requirement. Because four votes may now be required to adopt certain matters (4 being the new majority of the Council) this Rule 32 has been amended to provide that "four members of the Council shall constitute a quorum. Except when a greater number is mandated by law, the affirmative vote of three members, or a majority of the members present and eligible to vote, whichever is greater, shall be necessary to adopt any motion, resolution or ordinance." This provision also increases the quorum requirement for the Council from the current three to four.

2. Mayor pro tem.

The Council rules currently provide for the election of a Mayor pro tem by the Village Council. (See Rule 1 in Section 2-5) The proposed revisions maintain this Council election but provide greater detail

regarding when the election is to occur and the powers and duties of the Mayor pro tem. As set forth, the Mayor pro tem would be elected within 60 days following each general municipal election and would serve until the person is no longer a member of the Council, or until a successor is chosen following the next general election, or until the person is replaced by an affirmative vote of not less than five members of the Village Council, whichever occurs first. Note, wherever the term "Council" or "Village Council" is used in this ordinance, or anywhere in the Village Code, this includes the Mayor. Section 2-17 has been amended to provide greater detail regarding the selection, powers and duties of the Mayor pro tem. As set forth in this draft, the Mayor pro tem would act as presiding officer of the Council during absences of the Mayor. In addition, this person would assist the Mayor, as requested, and be involved in "facilitating the exchange of communication and information between members of the Council".

3. *Standing Committees.*

A new Section 2-5.1 has been added to create three standing committees of the Village Council. These would include Finance & Administration, Public Safety and Public Works. These standing committees would consist of two members, including chairperson. No member of the Village Council would serve on more than one committee. Membership would be as directed by the Mayor, subject to confirmation by the Village Council. The committees would consider such matters as are referred to the Committee by the Village Council or the Mayor.

Conclusion:

The items related to the increase in Council size should be reviewed by the Council and adopted before the new Council members take office. In addition, the Council should consider and provide guidance related to the changes suggested for the Mayor pro tem and the standing committee recommendation.

ATTACHMENT:

AN ORDINANCE AMENDING THE PROVISIONS OF THE VILLAGE COUNCIL

RECOMMENDATION:

It is recommended that the Council consider this matter and place on a future active agenda for approval.

Approved By Village Manager

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DRAFT

Orig. 01/03/01

03/15/01

ORDINANCE NO. _____

03/21/01

03/22/01

03/23/01

AN ORDINANCE AMENDING THE PROVISIONS OF THE VILLAGE COUNCIL RULES

BE IT ORDAINED by the Council of the Village of Downers Grove, in DuPage County, Illinois, as follows: (Additions are indicated by **shading**; deletions by ~~strikeout~~.)

SECTION 1. That Section 2-1 of the Downers Grove Municipal Code is hereby amended as follows:

2-1SEC. Council meetings.

(a) The regular formal meetings of the Council shall be held the first and third Tuesday of each month at the hour of 6:30 p.m. in the Downers Grove Village Hall. Any regular formal meeting falling upon a legal holiday shall be canceled or rescheduled.

(b) The regular workshop meetings of the Council shall be held the second and fourth Tuesday of each month at the hour of 6:30 p.m. in the Downers Grove Village Hall. Any regular workshop meeting falling upon a legal holiday shall be canceled or rescheduled.

(c) Special meetings, including emergency meetings, may be called from time to time by the Mayor or by any ~~two~~**three** members of the Council. Except in the case of an emergency meeting, not less than forty-eight hours notice shall be given to all members of the Council. Special meetings may be held without this notice to Council members when all members of the Council are present in person, or consent in writing to the holding of such meeting, such written consent to be filed with the Clerk prior to the beginning of the meeting. Provided, nothing herein shall authorize the conduct of any meeting in violation of the notice requirements of the Illinois Open Meetings Act. To the extent permitted by law, any Council actions, including formal approval, may be taken at a special meeting.

(d) In conformance with the Illinois Open Meetings Act, and upon a majority vote of a quorum present at an open meeting, the Council may hold a meeting closed to the public, or close the portion of any open meeting for which proper notice has been given. Meetings or portions of meetings closed to the public shall be referred to as executive sessions. (R.O. 1925, § 16; Ord. No. 980, § 1; Ord. No. 999, § 1; Ord. No. 1024; Ord. No. 2339, § 1; Ord. No. 3266.)

SECTION 2. That Section 2-5 of the Downers Grove Municipal Code is hereby amended as follows:

2-5. Council rules.

The following rules shall govern the deliberations and proceedings of all Council meetings:

Rule 1. Presiding officers. ~~The Mayor shall preside at all meetings of the Council, and shall vote on all questions and matters brought before the Council. As the presiding officer, the Mayor shall not make or second motions.~~ **The Mayor shall preside at all meetings of the Council. During the temporary absence or disability of the Mayor, the Mayor pro tem shall act as presiding officer of the Council. In the event both the Mayor and the Mayor pro tem are absent, the Council shall elect one of its members Acting Mayor, who shall act as presiding officer of the Council. The presiding officer shall not make or second motions but shall vote on all questions and matters brought before the Council.** The presiding officer shall preserve order and decorum, and may speak to points of order in preference to other members, and shall decide all questions of order subject to appeal. All questions relating to the priority of business at any meeting shall be decided by the presiding officer without debate, subject to appeal. In case of any disturbances or disorderly conduct, the presiding officer shall have the power to require the chamber to be cleared.

~~Rule 2. Reserved. Absence of the Mayor - Mayor pro tem. The Council shall elect one of its number Mayor pro tem of the Council, who shall act as presiding officer of the Council during a temporary absence or disability of the Mayor, or when requested so to do by the Mayor. The Mayor pro tem of the Council, when acting as presiding officer, shall not make or second motions, and shall vote on all questions on which the vote is taken by yeas and nays, his name being called last. In the absence of the Mayor and Mayor pro tem, a temporary chairman for the meeting shall be elected by a majority vote of the Councilmen present from among their members.~~

Rule 3. Commencement of meeting. Each meeting of the Council shall convene at the time appointed for such meeting, as provided by Section 2-1. The Clerk, or someone appointed to fill his place by the presiding officer, shall thereupon immediately call the roll of members. A quorum for the transaction of business shall consist of a majority of all the Council, including the Mayor, entitled by law to be elected. If no quorum ~~be~~ is present, the Council shall not thereby stand adjourned, but the members present shall have authority to adjourn or recess the meeting to a day certain by majority vote of those members present.

Rule 4. Filing or receipt of documents.

(a) Where the Council determines that it is desirable or necessary that a document be permanently maintained in the office of the Village Clerk, it may direct that the document be placed "on file". Materials placed on file by the Village Council shall be maintained by the Village Clerk with the official records of the Village Council, in the permanent files of the Village.

(b) Where the Council determines that it is desirable or necessary that a document be temporarily held in the office of the Village Clerk, it may direct that the document be "received". Materials received by the Village Council shall not be considered records or documents of the Village, and shall be held by the Village Clerk for a period of sixty days, or such other time as the Council may direct.

Rule 5. Consent Agenda.

(a) The Village Manager shall submit a consent agenda to be considered by the Village Council at each regularly scheduled Village Council meeting. Such consent agenda shall contain all matters, except ordinances, deemed by the Village Manager to be suitable and of a non-controversial nature. This is expected to include, but is not necessarily limited to approval of bids, bills payable, resolutions and miscellaneous motions as well as matters on which a preliminary vote or recommendation, awaiting the drafting of final documents, has been taken by the Council. The consent agenda may be adopted by a roll call vote and such roll call shall be recorded in the minutes of the Village Council as approving each item contained in said consent agenda. The motion to adopt the consent agenda shall be non-debatable.

(b) Any item may be removed from the consent agenda at the Council meeting by the request of any Council member in which case the item shall be considered separately.

(c) In the event one or more Council members wishes to ~~be~~ receive further information regarding any individual item in a list of bills payable, said Council member shall immediately before the vote approval of the consent agenda so notify the Village Clerk who will make an appropriate reference in the minutes and such individual item shall be removed from the list of bills payable and the remainder of items approved as part of the Consent Agenda.

(d) The taking of a single vote on the consent agenda shall be deemed ~~a~~ sufficient compliance with all requirements of law to all intents and purposes and with like effect as if the vote in each case had been taken separately by nays and ayes on the question of each ordinance, resolution and motion included on the consent agenda. In particular, but without limitation, such vote shall be deemed to have authorized the suspension of the rules, waiving of first reading and pass on second reading, waiving competitive bidding and awarding contracts, approving and adopting resolutions, as needed per items listed in the Consent Agenda.

(e) In the event one or more Council members wishes to be recorded as passing or voting against any item included in the consent agenda, said Council member shall immediately before the vote approval of the consent agenda so notify the Village Clerk who will make an appropriate reference in the minutes to so record such negative votes.

Rule 6. Order of business - Order of Business. The Manager, or the Manager's designee shall prepare an agenda for each Council meeting. In the absence of a written agenda, the presiding officer of the

meeting shall establish the order of business. The Village Clerk shall post or otherwise provide notice of the agenda as required under the Illinois Open Meetings Act.

Rule 7. Duties of members. While the presiding officer is putting the question, no Council member shall walk across or out of the Council chamber.

Every member, previous to speaking, making a motion, or seconding one, shall address the presiding officer by ~~the~~his/her last name preceded by the word "Mayor", and shall not proceed until recognized and named by the chair. Remarks shall be confined to the question under debate, avoiding personalities and refraining from impugning the motives of any other member's argument or vote.

When two or more members address the chair at the same time, the presiding officer shall name the member who is first to speak.

Rule 8. Visitors.

(a) Person other than a member of the Council shall be permitted to address that body as follows:

- (1) With the consent of a majority of the members present.
- (2) During a public hearing. Provided comments and questions shall be limited to the purpose and scope of the public hearing.
- (3) During public comment or question portions of any meeting.

(b) Each person addressing the Council shall give his or her name and address in an audible tone of voice for the record, and unless further time is granted by the Council, shall limit his or her address to five (5) minutes.

(c) All remarks shall be addressed to the Council as a body and not to any member thereof.

(d) No person, other than the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the presiding officer.

(e) No question shall be asked of a Council member except through the presiding officer.

Rule 9. Presentation of Communications. When a member wishes to present a communication or other matter to be placed on file, he shall send it to the Mayor, or at the Mayor's discretion, the Village Clerk, who shall either read such matter when reached in its proper order, or shall describe its content in a manner sufficient for it to be identified, prior to its being placed on file.

Rule 10. Debate. No member shall speak more than once on the same question, except by unanimous consent, and then not until every other member desiring to speak shall have had an opportunity to do so; provided, however, that the proponent of the matter under consideration shall have the right to open and close debate. No member shall speak longer than ten minutes at any one time, except by consent of the Council; and in closing debate on any question, as above provided, the speaker shall be limited to five minutes, except by special consent of the Council.

While a member is speaking, no member shall hold any private discussion.

Rule 11. Call of member to order. A member, when called to order by the chair, shall thereupon discontinue speaking and take his seat, and the order or ruling of the chair shall be binding and conclusive, subject only to the right of appeal.

Rule 12. Appeals from decisions of the chair. Any member may appeal to the Council from a ruling of the chair and, if the appeal is seconded, the member making the appeal may briefly state his reason for the same, and the chair may briefly explain his ruling; but there shall be no debate on the appeal, and no other member shall participate in the discussion. The chair shall then put the question, "Shall the decision of the chair be sustained?" If a majority of the members present vote "No", the decision of the chair shall be overruled; otherwise, it shall be sustained.

Rule 13. Question of personal privilege. The right of a member to address the Council on a question of personal privilege shall be limited to cases in which his integrity, character, or motives are assailed, questioned, or impugned.

Rule 14. Voting. Every member who shall be present when a question is stated from the chair shall vote thereon, unless excused by the Council, or unless such member is personally interested in the question, in which case that member shall abstain.

Rule 15. Special order of business. Any matter before the Council may be set down as a special order of business at a time certain, if a majority of the Councilmen present vote in the affirmative, but not otherwise.

Rule 16. Seconding of motions required; written motions. No motion shall be put or debated in the Council unless it be seconded. When a motion is seconded, it shall be stated by the presiding officer before debate, and every motion in the Council, except motions of procedure, shall be reduced in writing, if required by a member, and the proposer of the motion shall be entitled to the floor.

Rule 17. Withdrawal of motions. After a motion or resolution is stated by the presiding officer, it shall be deemed to be in possession of the Council, but it may be withdrawn at any time before decision, by consent of the Council.

Rule 18. Division of questions. If any question under consideration contains several distinct propositions, the Council by majority vote of the members present may divide such question.

Rule 19. Record of motions. In all cases, the name of the member moving, and also the name of the member seconding, a motion, shall be entered in the minutes.

Rule 20. Taking and entering the votes. The "yeas" and "nays" or any "abstentions" upon any question shall be taken and entered in the minutes.

When the Clerk has commenced to call the roll of the Council for the taking of a vote by "yeas" and "nays" or any "abstentions", all debate on the question before the Council shall be deemed concluded, and during the taking of the vote, no member shall be permitted to explain his vote, but shall respond to the calling of his name by the Clerk by answering "yea" or "nay" or "abstain", as the case may be.

Rule 21. Announcement and change of votes. The result of all votes by "yeas", "nays", or "abstains" shall be announced by the Mayor, and no vote shall thereafter be changed.

Rule 22. Precedence of motions. When a question is under debate, the following motions shall be in order and shall have precedence over each other in order, as listed:

- (a) To adjourn to a day certain
- (b) To adjourn
- (c) To take a recess
- (d) To lay on the table
- (e) The previous question
- (f) To amend
- (g) To defer or postpone to a time certain
- (h) To defer or postpone (without reference to time)
- (i) To defer or postpone indefinitely

Paragraphs (b), (d), and (e) shall be decided without debate.

Rule 23. Motions to adjourn. A motion to adjourn the Council shall always be in order except:

- (1) When a member is in possession of the floor;
- (2) When the members are voting;
- (3) When adjournment was the last preceding motion; or
- (4) When it has been decided that the previous question shall be taken.

A motion simply to adjourn shall not be subject to amendment or debate, but a motion to adjourn to a time certain shall be.

The Council may at any time adjourn over one or more regular meetings, on a vote of a majority of all the Councilmen authorized by law to be elected.

Rule 24. Previous question. When the previous question is moved on the main question, and seconded, it shall be put in this form:

"Shall the main question now be put?"

If such motion be carried by a majority vote, all further amendments and all further motions and debates shall be excluded, and the question put without delay, upon the pending amendments in proper order, and then upon the main question.

Rule 25. Motions to lay on the table and to take from the table. A motion simply to lay a question on the table shall not be debatable; but a motion to lay on the table and publish, or with any other condition, shall be subject to amendment and debate.

A motion to take any motion or other proposition from the table may be proposed at the same meeting at which such motion or proposition was laid upon the table, provided a majority of the Councilmen present vote therefor.

A motion to lay any particular motion or proposition on the table shall apply to that motion or proposition only. An amendment to the main question or other pending question may be laid on the table and neither the main question nor such other pending question shall be affected thereby.

Rule 26. Indefinite postponement; motion to defer or postpone, without any reference to time. When consideration of a motion or other proposition is postponed indefinitely, the effect is to reject the proposition. A motion to postpone indefinitely opens the main question to debate. If passed, a motion to postpone indefinitely may be reconsidered.

A motion to defer or postpone, without reference to time, shall not be construed as a motion to postpone indefinitely, but shall be considered to be of the same general nature, and to possess the same general attributes so far as applicable under these rules, as a motion to postpone definitely or to time certain.

Rule 27. Motion to amend. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be entertained.

An amendment modifying the intention of a motion shall be in order; but an amendment relating to a different subject, shall not be in order.

On an amendment to "strike out and insert", the paragraph to be amended shall first be read as it stands, then the words proposed to be stricken out, then those to be inserted, and finally the paragraph as it will stand if so amended shall be read.

Rule 28. Motion to substitute. A substitute for any original proposition under debate or for any pending amendment to such proposition may be entertained notwithstanding that at such time further amendment is admissible; and if accepted by the Council by vote, shall entirely supersede such original proposition or amendment, as the case may be, and cut off all amendments appertaining thereto.

Rule 29. Reconsideration. A vote or question may be reconsidered at any time during the same meeting, or at the first regular meeting held thereafter. A motion for reconsideration, having once been made and decided in the negative, shall not be renewed, nor shall a motion to reconsider be reconsidered.

A motion to reconsider may be made and seconded only by members who voted on the prevailing side of the question to be reconsidered, unless otherwise provided by law; provided, however, that where a motion has received majority vote in the affirmative, but is declared lost solely on the ground that a greater number of affirmative votes is required by statute for the passage or adoption of such motion, then in such case a motion to reconsider may be made and seconded only by those who voted in the affirmative on such question to be reconsidered.

Rule 30. The minutes. The Clerk shall keep the minutes of the proceedings of the Council. Within no more than seven days after each meeting of the Council, the Clerk shall supply each member at his residence a typewritten or printed copy of the proceedings.

Rule 31. Style of ordinances. The style of all ordinances shall be: "BE IT ORDAINED by the Council of the Village of Downers Grove, DuPage County, Illinois..."

Rule 32. "Yea" and "nay" vote. The yeas, nays and abstentions shall be taken upon the passage of all ordinances and on all propositions to create any liability against the Village, or for the expenditure or appropriation of its money, and in all other cases at the request of any member of the Council; and such vote shall be entered on the journal of the proceedings.

The Mayor and each Commissioner shall have the right to vote on all questions coming before the Council. **Four members of the Council shall constitute a quorum. Except when a greater number is mandated by law, the affirmative vote of 3 members, or a majority of the members present and eligible to vote, whichever is greater, shall be necessary to adopt any motion, resolution or ordinance.**—Three members of

~~the Council shall constitute a quorum, and the affirmative vote of 3 members shall be necessary to adopt any motion, resolution, or ordinance, unless a greater number is provided for by law.~~

Rule 33. Adoption of Robert's Rules of Order Revised". The rules of parliamentary practice comprised in the latest published edition of Robert's Rules of Order Revised, shall govern the Council in all cases to which they are applicable, and in which they are not inconsistent with the special rules of this Council.

Rule 34. Temporary suspension of rules; amendments of rules. These rules may be temporarily suspended by a majority vote of all members of the Council entitled by law to be elected, and shall not be repealed, altered or amended, unless by concurrence of a majority of the Councilmen entitled by law to be elected.

Rule 35. Censure of members; expulsion of members. Any member acting or appearing in a lewd or disgraceful manner, or who uses abusive, obscene or insulting language to or about any member of the Council, or who does not obey the order of the chair, may be, on motion, censured by a majority vote of the members present, or expelled by a four-fifths vote of all members elected.

Rule 36. Personal announcements. A member shall not address the Council with regard to his or another person's candidacy for election or re-election to any public office, events sponsored by organizations other than the Village or other matters not related to the business of the Village, except as such matters may concern mayoral proclamations properly before the Council.

Rule 37. Reading. Each resolution or ordinance shall be reduced to writing and its contents summarized by the Mayor, or such other official as the mayor may from time to time designate, before a vote is taken thereon. At any time prior to a final vote thereon, including such time as when a matter is scheduled for formal consideration, the Council, by a majority vote of its members present, may direct the Village Clerk to read aloud the complete text, or such portion thereof as the Council may instruct, of any resolution or ordinance. Proposed resolutions and ordinances shall be submitted to the Village Council for a first reading at a public meeting, including any regular, workshop or special meeting, not less than five (5) days before the meeting at which final action is to be taken thereon. Thereafter, such proposed resolutions or ordinances may be amended without further opportunity for public inspection but all such amendments shall be noted at the time of formal action on such resolutions or ordinances. Provided, the Village Council may, for such reasons as the Council determines appropriate, waive this reading requirement by majority vote of those present, and any vote to approve such item shall be deemed to include a motion to waive first reading.

Rule 38. Validity of enactments. The validity and enforceability of any ordinance, resolution or motion which is otherwise adopted in accordance with applicable law shall not be impaired or affected by any violation of any provision of this rule. (Ord. No. 1024; Ord. No. 1491, § 1; Ord. No. 2261, § 8; Ord. No. 2339, § 2; Ord. No. 2715, § 1; Ord. No. 2920, § 1; Ord. No. 3266, § 4.)

SECTION 3. That Section 2-5.1 of the Downers Grove Municipal Code is hereby added as follows:

2-5.1. Standing Council Committees.

(a) There shall be the following standing committees of the Village Council.

- (1) Finance & Administration
- (2) Public Safety
- (3) Public Works

(b) The standing committees shall consist of two (2) members, including the chairperson. No member shall serve in more than one (1) chairperson capacity or as a member of more than one committee other than the one chaired. All standing committee appointments, including designation of the chairpersons, shall be by the Mayor, subject to confirmation by the Council. Organization of committees shall be accomplished at the first regular meeting of the Council in each fiscal year.

(c) The standing committees shall established a regular meeting schedule and conduct special meetings in conformance with the Illinois Open Meetings Act.

- (d) Each committee may establish appropriate rules governing their meetings and activities.
- (e) Each committee shall be empowered to investigate, evaluate, recommend and generally consider matters as referred by the Village Council or the Mayor.

SECTION 4. That Section 2-17 of the Downers Grove Municipal Code is hereby amended as follows:

2-17. Power of Mayor pro tem.

~~_____ In the absence of the Mayor, the acting Mayor, or Mayor pro tem shall have the duty to exercise any power vested in the Mayor and to perform such acts or executive functions as are required of the Mayor, unless otherwise expressly provided in this Code.~~

(a) Within 60 days following any general municipal election at which members of the Council are chosen, the Council shall elect one of its members Mayor pro tem of the Council. The Mayor pro tem shall serve until such person resigns as Mayor pro tem, or until such person is no longer a member of the Council, or until a successor is chosen following the next general election, or until replaced by the affirmative vote of not less than five members of the Council, whichever occurs first.

(b) In the absence of the Mayor, the Mayor pro tem shall have the duty to exercise any power vested in the Mayor and to perform such acts or executive functions as are required of the Mayor, unless otherwise expressly provided in this Code.

(c) The Mayor pro tem shall assist the Mayor as requested in the performance of such duties and activities as the Mayor may designate. This may include, but is not necessarily limited to, the following:

(1) Acting as presiding officer of the Council during a temporary absence or disability of the Mayor, or when requested to do so by the Mayor.

(2) Evaluating and assisting the Village Manager in preparing agendas for future Council meetings. This may include meeting informally with the Manager in addition to or in lieu of the Mayor, to discuss pending or likely agenda items as well as matters related to Council functions.

(3) Facilitating the exchange of communication and information between members of the Council. Council members will, where practical, consult with the Mayor pro tem regarding the appropriate timing and efficient presentation of items desired by the Council members before the Village Council.

(4) Such other duties as the Mayor shall direct. (R.O. 1925, § 492; Ord. No. 3266, § 11.)

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest: _____

Village Clerk

[council.mtg]

MARCH 27, 2001

Mayor Krajewski called the Workshop meeting of the Village Council of the Village of Downers Grove to order at 6:30 p.m. in the Committee Room of the Village Hall.

Present: Mayor Brian Krajewski; Commissioners Marilyn Schnell, Thomas Sisul, Michael Gilbert, Sue McConnell; Village Manager Michael McCurdy; Village Attorney Daniel Blondin; Village Clerk April Holden

Absent: None

Visitors: **Press:** Susie Gura, Downers Grove Reporter; **Residents & Others in Attendance:** Mike Kelch, 5729 Carpenter, Linda Kunze, Downtown Management, 1015 Curtiss; Tim Hart, Hart's Garage, 939-945 Curtiss; Mark Zabloudil, 620 39th St.; Pat Peterman, 1143 Gilbert; Jeff & Mary Mack, 1111 Gilbert; Stephen Daniels, 840 Valley View Dr.; Marilyn Gerloff, 4241 Highland; Sharon & Martin Tully, 3678 Venard; Vincent Barrett, 4921 Highland; Terri Gilbert, 4617 Highland; Ken Ellingson, 4702 Wallbank; Jeff Ceren; Pete Mousadis, 806 Rogers; Dave Humphreys; Larry Rosol, 6556 Berrywood **Staff:** Mary Scalzetti, Community Events; Fire Chief Lanny Russell, Jerry Sprecher, Deputy Village Manager; Greg Zimmerman, Director of Human Resources; Liangfu Wu, Director of Information Services; Jack Bajor, Director of Public Works; Dave Conley, Director of Engineering; Ron Kring, Manager, Fleet Services; Mike Baker Assistant to the Village Manager; Brian Pabst, Director of Redevelopment

Mayor Krajewski explained that Council Workshop meetings are held the second and fourth Tuesdays at 6:30 p.m. The meetings are video taped live and for later cable cast over cable channel 6.

The Workshop meeting is intended to provide Council and the public with an appropriate forum for informal discussion of any items intended for future Council consideration or just for general information. No formal action is taken at Workshop meetings.

The public is invited to attend and encouraged to comment or ask questions in an informal manner on any of the items being discussed or on any other subject. The agenda is created to provide a guideline for discussion.

MANAGER

Bids:

Apparatus Floor Sealing – Fire Station 5. Manager McCurdy said staff is recommending approval of a contract in the amount of \$15,750 to Artlow Systems to coat the apparatus floor of Fire Station #5. He noted that the application of the coating will prolong the service life of the floor as well as improve its appearance. The Manager said adequate funds are available for the project.

Commissioner Schnell asked whether there is a maintenance schedule for the firehouses, and the Manager said that there is a schedule. He noted that the apparatus floors take a beating due to the trucks. He said this would appear on the April 3 Consent Agenda.

Tuckpointing of Station 5. The Manager said staff recommends awarding a contract to Master Masons, LTD of Downers Grove in the amount of \$13,600 to complete the window and masonry repairs for Fire Station #5. He said there is masonry deterioration around the windows that has to be addressed. There are adequate funds available. The Manager said this would appear on the April 3 Consent Agenda.

Heritage Festival – Sound. The Manager said staff recommends approving a contract with R.J. Recording in the amount of \$18,400. He noted that although this was not the low bid, staff and the Community Events Commission felt that R.J. Recording provided a more complete bid in terms of service and technicians available to manage six stages.

Commissioner Gilbert said that the sound system is very important to the entire Heritage Festival, and the hiring of a sound system needs to be auditioned, rather than bid.

The Mayor said he received a call from someone regarding setting up tents for the Heritage Festival. He referred that call to Commissioner Gilbert. The Manager said this item would be on the Consent Agenda of April 3.

Geotechnical Engineering Services – Project #18-00. The Manager said staff recommends awarding a contract to Claude H. Hurley Company at the quoted unit prices for soil and materials testing.

Commissioner McConnell said that having the low bids highlighted in the table was very helpful. Manager McCurdy said this would be placed on next week's Consent Agenda.

Laptop Computers for the Council & Staff. The Manager said staff is recommending purchase of laptop computers from CDW at a total cost of \$18,401. He noted that the Village is phasing out hard copy paper documents and will be purchasing ten laptop computers to be used by the Village Council, and three staff members. The cost includes installation of wireless networking equipment.

The Mayor asked whether the press and others will be given CDs as well. The Manager said documents will be provided in whatever format they can use.

This item will appear on next week's Consent Agenda.

Update Personnel Manual. The Manager said the primary purpose for this update was to include language pertaining to the sexual harassment policy, as well as modifications to language in the compensation plan to reflect changes in the compensation studies. The Manager said Council members have asked about language concerning communication between staff and Council members. He said changes in that area will be submitted at a later date.

Commissioner McConnell asked about modifications to the definition of full-time staff status. The Manager said he will review it and insert clarifying language. Commissioner McConnell said they don't define full-time as to the number of hours. Regarding the sexual harassment language, she said that the language should also include contractors as well.

Commissioner Gilbert questioned Section 2.11.1 regarding outside employment and limitations. He is concerned about the first clause regarding obtaining approval of their superiors and would like that modified. He has no objections to Section 2.11.2. The Manager said he would look into that further.

Commissioner Sisul suggested that the Table of Contents and pages be reviewed so they match up.

Mark Zabloudil, 620 39th Street, stated he shares Commissioner Gilbert's concerns about outside employment. He said that several sections in the manual need to be cleaned up regarding wording and implications regarding employees. He also suggested clearing up the ambiguity regarding directors making suggestions for employees.

The Manager said this will be on the April 17 Active Agenda.

Landbank RFP. The Manager said this is a proposal for the disposition of the landbank property. This has been Workshopped several times and the Council directed the staff to prepare an RFP for the sale or redevelopment of the landbanked properties. He said that staff has met with representatives from the neighborhood on this issue as well. He asked Mr. Baker to highlight some of the proposal areas.

Mike Baker, Assistant to the Village Manager, said that the Council has received a draft RFP in their packet. He stated there has been continuous dialogue on this issue for several months, and emphasized that the document presented is a draft only and can be changed as needed. The RFP purpose is to articulate explicitly what the Village wants to happen regarding the properties. Mr. Baker said that the RFP is a comprehensive document with options to interested bidders.

In reviewing the document, Mr. Baker said that the objectives are the key to the process and speak to the foundation of the document. Objectives include enhancing the aesthetic and historical character of the neighborhood, increasing property values, optimizing Village benefits in utilization of the site, and

providing sound owner-occupied structures that will enhance the neighborhood. He then reviewed the different types of options available in the RFP as applied to specific parcels.

Commissioner Schnell said that initially there was discussion about the Architectural Review Board reviewing the proposal, and she felt if the Council concurred, that it should be stated in the document. She agreed that the document needs to be tightened up a bit. She said that the Block 117 RFP very clearly outlined what the Village wanted to see on the site and what the options were. Commissioner Schnell said those options for the landbank properties need to be clear in the RFP as well. She suggested including pictures of what the Village wants in terms of blending in with the character of the community. She also stated that in addition to sending this out to developers, it could be made available on the Internet to be available to those who might want to form a consortium in developing the properties.

The Manager said they did mention the Architectural Review team; however, they will review it and emphasize that point.

Commissioner Schnell said she will give staff further comments of her concerns with the RFP .

Commissioner Sisul said there needs to be careful direction from the Council, and he wants to know what the Commissioner's concerns are. He said they need to be careful about the direction they wish the RFP to take. He said the Council was concerned that this would be an enhancement to the community and evolve into a financial benefit to the community as well. He said it is important to remember they are acting for the whole community. Commissioner Sisul said he has reservations about the Council being able to control the development after it begins. Their first obligation is to the community as a whole, and a return on the investment made on the properties.

The Mayor asked the Manager if he has met with any of the developers for Block 117, and the Manager said he has. The Mayor said there will be more questions as this moves along that can be directed back to the Manager.

Commissioner Schnell agreed that the first obligation is to the community as a whole; however, she said it is possible to have a development that blends in with the character of the community and provides a return on the investment as well.

Commissioner Sisul asked how many developers have expressed interest so far. Mr. Baker said there were several. Some have been in contact with Steve Rockwell. In addition they thought of using the list that was sent to those interested in Block 117.

Commissioner Schnell said there are people who specialize in rehabbing houses and she does not want them to be excluded from the list.

Commissioner McConnell referred to Section Six regarding qualifications. She said they need to be clear and concise to eliminate people who would not fit.

Commissioner Gilbert asked for clarification of Options D and E and whether E refers only to rehabbing. He said he did not believe the Council is in a position to decide if someone is qualified to rehab the properties. He asked what they would do if someone agreed to purchase properties 8 and 9 independently. The Mayor said he thought they were considering going out separately for 8 and 9. Commissioner McConnell suggested they be taken out and just sell them separately.

Commissioner Sisul said there is a possibility where a swap could occur with 1 and 8 or 9, making a continuous piece of property for greater possibilities.

After some discussion regarding certain parcels, Mr. Baker said that Parcel #1 is optional and there could be negotiations to include it.

Commissioner Gilbert recommended negotiating to that end and advising the developers that #1 could be swapped for parcel #8 or #9.

Commissioner Schnell said they need to define the ability to redraw the lot lines. The Mayor said that they should add the ability to redraw the lot lines under 4.3.

Commissioner Gilbert mentioned 7.3 regarding the Architectural Review Team, and said that structure should be clarified.

Commissioner Sisul also said it should be clarified that the Architectural Review Team is a recommending body and not a decision-making body.

Commissioner Gilbert recommended specifying a time frame so the developer has some idea as to when they will receive an answer to their proposal.

Commissioner Schnell said that 7.3 needs to list what the criteria are and she believes that pictures would be helpful.

Commissioner McConnell said that under the Project Summary she thinks it is somewhat confusing in terms of the options, and suggested that the comment on page 1 be placed in this section regarding a combination of alternatives. Also, under D, she thinks they must be clear that they are looking for a comprehensive plan including parcels 1-7 as a package. She said they need people who will do more than just buy the properties, but people who will enhance the properties as well. Regarding the goals, Commissioner McConnell said it needs to be clear that the view from the street to remain essentially the same with the tree-lined streets and that the ambiance and character needs to be maintained from the street level.

Commissioner Sisul said the developers could include what they expect the values of the properties to be after completion. He recommended looking at the verbiage regarding the Village objections. He said the phrase "to enhance the aesthetic and historic character" could be reworded, so what is built is better than what is there now. The word "historic" can be confusing.

Commissioner McConnell recommended wording to the effect that it would be in keeping with the character of the area. She wants the wording clear that the Village would like a traditional type of structure.

Commissioner Schnell also said they could ask for the renovation plans including their timetable.

Commissioner Sisul added they could include some figures as to the minimal investment that would be made in the property.

Commissioner Schnell said she thinks they are looking more for a consortium of investors, rather than an individual. Commissioner Sisul said that is not clear in the RFP and perhaps should be clarified.

Commissioner Gilbert said under Village Objectives, it refers to owner-occupied, and he is concerned with that term. He does not think the Village can direct what they can do with their own property. He does not think that phrase is necessary. Commissioner Sisul agreed that the Village cannot control whether they rent it out after the development is completed. Mr. Baker said there are currently two-flat structures that would be converted to single-family. Commissioner Gilbert said he would remove the words "owner-occupied" completely.

The Mayor stated that Option E will be pulled out. He asked Mr. Baker about options A & B, as developers may combine those. He would like to see those broken out in the proposal.

Commissioner Sisul asked about addressing Section Six, qualifications, and how they plan to fill in 6.1, 6.2, and 6.3. He would like to see a clear formula so it is taken care of as soon as possible. He asked about the real estate board that was involved and whether they could assist with this in some way.

The Manager said that under 6.1 they need to submit financial information, and 6.2 they need to submit a project budget. He thinks staff can clarify that.

Commissioner Sisul asked whether staff needed any outside assistance in filling out those sections, and the Manager said they will handle it through staff. They will come back to the Council with this in two weeks.

Commissioner Schnell said she believes they need to get out information to the property owners as to how the bidding process will take place.

The Manager said there are a couple of alternatives of disposing of the property, such as auction, or soliciting a real estate broker.

Tom Julian , 6223 Springside, said in researching this project, he thought there was an Architectural Review Board established some time ago. The Manager said there is a Design Review Board which met almost monthly and they could be included in the process. Attorney Blondin said there is a body called the Architectural Review Board, however, they are not very active.

Jim McBride , 1217 Gilbert, said there was a lot of discussion previously about having 2 RFPs, and now there seems to be only one. He said that Block 117 included larger developers such as Hamilton Partners. There is agreement on the Curtiss site property, and he would like to see them get Curtiss moving forward, as well as 8 and 9. Mr. McBride said the residents are looking to maintain the residential character of the area. To help maintain the residential character, down-zoning from R-6 would be beneficial to prevent someone from buying both 8 and 9 and establishing a townhome project on the corner. There are many issues on the Gilbert side. He indicated that the last Workshop referred to two RFPs, and that would provide more movement. Mr. McBride said that 1137 was a teardown. He said some people already inquired as to that property. However, this evening they are now talking about a consortium, which he thinks will be difficult. Individual owners put more money into their home. A developer would not do that as it would not make sense. He said the document is worded such that it cuts out a lot of people who might want to move into the neighborhood. He would like to see the Village move forward on Curtiss; however, the Gilbert side has a lot of complicated issues to address. He said that guidance for individual owners is not laid out in the document, and he would like to see that addressed.

Jeff Mack , 1111 Gilbert, thanked the staff for including that property in the RFP . He clarified his position regarding what they are proposing for a swap for their property. They proposed to staff and Council acquiring both 8 and 9, with a combination of a swap of their property (parcel #1) and a cash payment to the Village. That would complete the continuity of Lots 1 through 7 for development and increase the value of the project as a whole. Mr. Mack said it would also allow the Village to divest themselves of 8 and 9 and reduce their ownership by one parcel. He would propose to put 5117 Carpenter back to single-family configuration and occupy that home ultimately. Regarding 1201 Gilbert they would occupy it while renovating 5117 Carpenter, and then rent or sell 1201 Gilbert.

The Mayor said the Village staff will meet with him this week, and added that it would be 8 or 9, not 8 and 9.

Mark Zabloudil, 620 39th Street, asked whether there would be a change in the zoning. The Mayor responded that staff is working on down-zoning the entire area of Gilbert Avenue. The Manager verified that they are looking at the whole area for down-zoning.

Mr. Zabloudil suggested that there were a number of reputable builders residing in the community. He suggested that they ask Code Enforcement for a list of those local builders and attempt to get them involved.

Commissioner Schnell said she thought they were moving forward with the down-zoning of all the properties. The Manager said that if they go with single-family detached housing, they would be down-zoned.

Vincent Barrett , 4921 Highland, said he was encouraged by the conversation about reflecting some controls after it returns to private hands. He asked that the Council makes sure the developers do what they say they are going to do. He asked how the Block 117 RFP uses specific language that directs control. The Mayor responded that Block 117 will be developed as a whole block. Mr. Barrett said that his concern is what type of language is included in the sale of a large piece of property to enforce how the developers use that property. Village Attorney Blondin said that some restrictions can be incorporated in the deed to transfer the property. There are numerous ways to deal with how the property is developed. Mr. Barrett asked if the Village would include language in the transfer of the property to direct to some extent how it is developed. The Manager said that in terms of an RFP for Block 117 or the landbank project, the Village would have a redevelopment agreement in place and the property would not be transferred until the redevelopment occurred. The guidelines in the RFP for Block 117 were very specific, and staff did a tremendous job in putting it together.

Commissioner Schnell said the Block 117 RFP contained specific definition in terms of the amount of greenspace, the height of the structure, etc. That is what she would like to see incorporated into this RFP .

Commissioner Sisul said they can set specifications in the redevelopment agreement as they are buying the Village's land.

Mr. Barrett said he is pursuing this because he is learning more about the redevelopment of the downtown area. He has not read a redevelopment document and asked if there is an example of a redevelopment agreement available on the Village website. The Mayor said staff would have something available and get it back to him.

Larry Rosol , 6556 Berrywood, said that parcels 1, 2 and 3 are unusable if they have to meet the 25' setback, because they are too shallow. He asked whether they can be grandfathered in. Commissioner Sisul asked what the setback was, and Mr. Rosol said it was 5-10 feet. Commissioner Sisul agreed that they will have to be flexible with the front yard setbacks and address that in the RFP . The Manager said that staff will continue to work on this and come back to the Council with adjustments to the RFP .

Natural Gas Fueling Facility:

- **a. Agreement with Gas Technology Institute.**
- **b. Agreement with City of Chicago.**
- **c. CNG Vehicle Purchase.**

Deputy Village Manager Jerry Sprecher provided background information on this agreement originating in February 2000. The Village received a \$2468,000 CMAQ grant for the construction of a Natural Gas fueling facility in the Village. In the past year there has been much negotiating between the parties to get the agreement in order. Staff is requesting that the Council approve proceeding with an agreement with the City of Chicago and the Gas Technology Institute to construct the fueling facility at the Public Works site. Secondly, staff is requesting authorization of an agreement with the City of Chicago as administrator of the CMAQ grant. Thirdly, staff requests authorization of six CNG vehicles into the Village fleet.

Mr. Sprecher said he believes the Village will be the first of the grantees to have a facility up and operating. Construction can be started and completed in a matter of a few weeks. It will consist of an approximately 9'x20' structure. He noted that Staff Attorney Enza Petrarca has negotiated with the Gas Technology Institute, Clean Fuel Services, and the City of Chicago for the past year on this project. He said that the Village will be building an approximately \$300,000 facility and spend less than \$20,000 as its share, as GTI will fund most of the Village's share.

The Mayor congratulated staff on its negotiations for this project. He said that other communities have already contacted the Village to use the facility, and the fee charged should allow the Village to recoup its share of the of the facility and maintenance costs.

The Manager said this would be on the Consent Agenda for April 3.

Expansion of Village Council. Village Attorney Daniel Blondin said that last March's referendum resulted in a decision to increase the Village Council from five to seven members. There will be an election in April to choose the additional Council members. He said the Ordinance he is presenting addresses a number of mechanical changes to reflect seven rather than five members. Secondly, it addresses the number of votes required to adopt any Ordinance, Resolution, etc. Thirdly, the function and duties of the Mayor Pro Tem are defined and clarified. Regarding standing Committees, Attorney Blondin said the Ordinance also considers the creation of a Finance and Administration Committee, Public Safety Committee and Public Works Committee. These would be referral committees

Commissioner McConnell asked whether the term "shall" is correct, as it sounds like an ad hoc committee. Attorney Blondin it can be done as an ad hoc committee system, but was envisioned as established committees. It was intended that the items to be assigned would be ad hoc, and they might not always have something to meet about. The Mayor added it would be similar to the DuPage Water Commission.

Commissioner McConnell asked whether the Mayor has something specific in mind with these committees. Mayor Krajewski responded that he suggested to the Village Attorney to look into creating standing committees. He said Commissioner Gilbert and Attorney Blondin worked on the language for these committees.

Commissioner Gilbert said they were established so that some of the issues that come before the Council could be studied in more depth. It would spread the work load as well. The choice of the three committees represent the three major areas of work for the Village. One committee would address administrative issues, rather than administration.

Commissioner McConnell asked if they might change the agenda to include standing committee reports and the Mayor said that was correct. Commissioner McConnell asked about C3 under Mayor Pro Tem, to assure that the Council members have access to the Mayor. The Mayor said this takes some of the burden off of the Mayor to call Council members. He said that the Council members could still call the Mayor directly.

Commissioner Gilbert added that the discussion was related to the review and evaluations of the Village Manager. He said the Village Manager is placed in a difficult position serving as a referee. This provides for a system whereby the Village Manager is not placed in the middle of a situation. It is not meant to restrict discussions. It allows the Council to operate more as a body separate from the Manager. They felt there should be some mediating factor in the creation of the agenda. Concerning the Agenda, Commissioner Gilbert said there are five criteria which control the agenda: Statutory requirements, petitions before the Council, Council initiatives, staff initiatives and public initiatives. The Village Manager and Village Attorney have to be able to control a good portion of it. The Council initiative and public initiative have to come back to the Council. They are looking for a better flow of information from the Council to staff, and within the Council itself.

Commissioner Schnell asked if the intent of the committee system is to replace the workshop with committee meetings. The Mayor said that was not the intent. Commissioner Schnell said that they may want to change the starting time of the Council meetings if committee meetings precede the regular Workshop and Council meetings. She also said she would like to see a definition of each committee including the duties, function and responsibilities. Commissioner Gilbert said the wording was chosen so as not to restrict the committees in their considerations. He felt further restrictions might prevent the committee from reviewing an issue. Commissioner Schnell said she was not so concerned with specific issues as to the workings of the committees. She asked how other communities define their committees. Commissioner Gilbert said he looked at two examples which were set up similar to this, without being defined too tightly. They are not regulatory boards.

Commissioner Schnell then commented on section 4A which has wording that allows a Mayor Pro Tem's term to extend beyond those terms of the Mayor or Council that chose him. Commissioner Gilbert said that is covered in the next sentence.

Commissioner Sisul said he liked the idea of committees as they will have a positive effect of involving new Commissioner members in projects right away. It is a good training ground as well. Regarding the makeup of the committees, he said it states that it will consist of two members, including a chair person. He asked how the chair person is appointed, and whether more people will be involved. The Mayor said it would also include the Village Manager, Deputy Village Manager and Department Directors. Commissioner Gilbert said the Mayor would direct who the chair would be, subject to confirmation by the Council.

The Manager said this would be placed on the April 17 Active Agenda.

Ordinance Revision – Open Burning. Village Attorney Blondin stated that staff has surveyed other communities on the issue of outdoor fireplaces. There was basically a lack of ordinances dealing with the issue. He stated that they pulled information from the BOCA Code and developed the Ordinance presented to the Council based upon that information. There are two issues, one of which is where the burning occurs and in what types of containers. Secondly, there is the issue of what can be burned. The ordinance identified recreational fires, and recreational campfires burning seasoned dry firewood only, excluding leaves, grass, etc.

Commissioner Gilbert asked that the word "controlled" be added, such as "controlled burning of recreational fires." It provides more regulatory power to the Fire Department and Code Enforcement. In addition, he asked that the wording "safely" be added to the wording.

Commissioner McConnell said they could also add the wording "cannot be unattended" or "always attended" to the definition. In addition, she asked what an approved container was. Attorney Blondin said it would be a container designed and intended for that purpose. In further response to Commissioner McConnell, Attorney Blondin said that the Fire Department has reviewed this document.

Commissioner Sisul commented on the description of materials not to be burned, noting that sometimes paper is used as an igniter, and not for the purpose of burning. Regarding twigs and branches, he asked if the concern was the smoke produced from green, unseasoned wood. Attorney Blondin said the problem is that the Code Enforcement people have to be able to determine whether the materials comply or do not comply. The intent was cut, seasoned, dry firewood.

Commissioner Schnell said a resident called and asked what is meant by seasoned, dried firewood. Attorney Blondin said there is no good model to use. They can define the dimensions of the wood as well as the dried quality of the wood. The enforcement people will then have to determine whether or not it is appropriate. He noted that there will have to be further revisions, based on some of the comments made this evening. He said staff would rework the Ordinance and forward it to the Council for further review.

Motor Fuel Tax Resolution. The Manager said this Resolution is for calendar year 2001, and allows the Village to spend the motor fuel tax funds for various street projects. He estimates \$1,350,000 in motor fuel tax funds for this year. He said that the streets under consideration for repair were listed in the Council's packets. The Mayor asked that the list be placed on cable TV so residents know what streets are scheduled for work.

ATTORNEY'S REPORT

Attorney Blondin said he was only presenting one Resolution to the Council concerning the maintenance of streets and highways by the Village under the Illinois Highway Code.

RESIDENT COMMENTS

Tim Hart, 945 Curtiss, said he was present last week to discuss the downtown redevelopment, the SSA and the TIF District. Mr. Hart referred to a comment made by a resident at that meeting regarding a tractor on a street that was unsafe. That comment upset him, but he was especially bothered by the man's comment that Johnson Printing was paid too much for their relocation. Mr. Hart said he knows that the Council felt they gave a fair price. He also knows that Mr. Johnson was upset by the comment. Mr. Hart said he does not appreciate the "cheap shots" at the Council or at Mr. Johnson by the man who did not know much about the history of Mr. Johnson's business.

Martin Tully, 3678 Venard, commented on the fact that it was announced that CD ROM disks would be available to the Council. He asked whether this would be available on the website and the Mayor said it would be, and was already available on the website at this time.

COUNCIL MEMBERS

Commissioner Sisul said there was construction on Main Street once again. He reminded the residents that this is the 4th year of the downtown construction. He asked everyone for their patience, and asked that they do not forget the merchants on Main Street. The traffic patterns and the parking have been working well. He hopes that the business can stay. Three years of reduced sales is difficult for any business to handle. He reiterated his wish that residents will support the downtown businesses during this time.

Commissioner Schnell said that when people come down Main to Franklin, they should be extra cautious and concerned for school children crossing.

The Mayor said he visited O'Neill Middle School on Friday, and they were in the middle of their Student Council election. He congratulated the winners for the Student Council who were Jeff Verboda for President, Tom Vaska as Vice President, Amanda Cemeria as Secretary, and Lindsay Christensen as

Treasurer.

The Mayor also wished good luck to all of the candidates for the Village Council in the election on Tuesday.

The Manager said that there are still some issues being studied with regards to the CBD project, including traffic safety at Franklin and Main Street. The results of those studies will be brought back to the Council.

There being no further discussion, the Workshop meeting was adjourned at 8:40 p.m.

April K. Holden Village Clerk tmh/

Meeting Agenda

Downers Grove Village Council

Council Chambers

April 17, 2001

6:30 pm

1. Meetings Schedule
2. Minutes of Workshop and Council Meetings

Council Minutes - April 3, 2001

Workshop Minutes - April 10, 2001

Special Council Meeting - April 10, 2001

3. Public Comments and Questions

4. Consent Agenda

COR 00-00441 Claim Ordinance: No. 5376, Payroll, April 6, 2001

BIL 00-00442 List of Bills Payable: No. 5377, April 17, 2001

BID 00-00444 Bid: \$16,680 for Extension of Cleaning and Custodial Services Contract to Crystal Maintenance Services Corporation to April 30, 2002

BID 00-00445 Bid: Risk Management and Health Insurance Contract Renewals for FY 01/02

BID 00-00455 Bid: \$161,580.00 plus 5% Contingency to WAS Concrete for 2001 Sidewalk Replacement

5. Active Agenda

ORD 00-00421 Ordinance: Authorize Disconnect of Southeast Corner of 60th Street and Fairview Avenue from the Village of Downers Grove

RES 00-00415 Resolution: Amend Employee Administrative Rules and Regulations

RES 00-00440 Resolution: Amend Employment Classification Plan

RES 00-00434 Resolution: Authorize Agreement with Gas Technology Institute and City of Chicago for Construction of Compressed Natural Gas Fueling Facility

RES 00-00435 Resolution: Authorize Agreement with City of Chicago for CMAQ Grant Funds re: CNG Fueling Facility

ORD 00-00437 Ordinance: Amend the Provisions of the Village Council Rules

RES 00-00447 Resolution: Authorize Submittal of Grant Application to the Illinois Arts Council for Special Assistance Grant

RES 00-00453 Resolution: Authorize License Agreement for the Founders Hill Spring Brewers Festival

RES 00-00454 Resolution: Authorize Execution of an Intergovernmental Agreement with the Downers Grove Sanitary District to Provide for the Construction of the Central Business District Redevelopment, Phase 4

ORD 00-00439 Adopt Fiscal Year 2001/02 Budget

6. Mayor's Report

Materials to be Received - Minutes

Canvassing Board - 4/10/01

Community Events Commission - 3/12/01

Liquor Commission - 3/15/01

Plan Commission - 3/6/01

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7. Attorney's Report

Future Active Agenda

	ORD	00-00449	(5/15) - Ordinance: Lot Split - 4346 Cumnor Road
	ORD	00-00450	(5/15) - Ordinance: Rezone 6859 Dunham from R-1 to R-3
R-2	ORD	00-00451	(5/15) - Ordinance: Rezone 702 39th Street from County R-4 to Village
	ORD	00-00452	(5/15) - Ordinance: Rezone 404 39th Street from County R-4 to Village
R-2	ORD	00-00389	Ordinance: Parking Restrictions on Brookbank Road
	ORD	00-00373	Ordinance: Refund of GO Bonds Series 1996 and 2000
	ORD	00-00428	Ordinance: Amend Open Burning Restrictions

VILLAGE OF DOWNERS GROVE

INITIATED: Village Manager DATE: April 17, 2001
(Name)

RECOMMENDATION FROM: _____ FILE REF: _____
(Board or Department)

NATURE OF ACTION:

STEPS NEEDED TO IMPLEMENT ACTION:

X Ordinance

Resolution

 Motion

Other

Motion to Adopt “AN ORDINANCE AMENDING THE PROVISIONS OF THE VILLAGE COUNCIL RULES”, as presented.

SUMMARY OF ITEM:

Adoption of the attached ordinance will amend certain Council rules.

RECORD OF ACTION TAKEN:

DRAFT

Orig. 01/03/01

03/15/01

ORDINANCE NO. _____

03/21/01

03/22/01

03/23/01

03/28/01

04/04/01

04/11/01

AN ORDINANCE AMENDING THE PROVISIONS OF THE VILLAGE COUNCIL RULES

BE IT ORDAINED by the Council of the Village of Downers Grove, in DuPage County, Illinois, as follows: (Additions are indicated by **shading**; deletions by **strikeout**.)

SECTION 1. That Section 2-1 of the Downers Grove Municipal Code is hereby amended as follows:

2-1SEC. Council meetings.

(a) The regular formal meetings of the Council shall be held the first and third Tuesday of each month at the hour of 6:30 p.m. in the Downers Grove Village Hall. Any regular formal meeting falling upon a legal holiday shall be canceled or rescheduled.

(b) The regular workshop meetings of the Council shall be held the second and fourth Tuesday of each month at the hour of 6:30 p.m. in the Downers Grove Village Hall. Any regular workshop meeting falling upon a legal holiday shall be canceled or rescheduled.

(c) Special meetings, including emergency meetings, may be called from time to time by the Mayor or by any ~~two~~**three** members of the Council. Except in the case of an emergency meeting, not less than forty-eight hours notice shall be given to all members of the Council. Special meetings may be held without this notice to Council members when all members of the Council are present in person, or consent in writing to the holding of such meeting, such written consent to be filed with the Clerk prior to the beginning of the meeting. Provided, nothing herein shall authorize the conduct of any meeting in violation of the notice requirements of the Illinois Open Meetings Act. To the extent permitted by law, any Council actions, including formal approval, may be taken at a special meeting.

(d) In conformance with the Illinois Open Meetings Act, and upon a majority vote of a quorum present at an open meeting, the Council may hold a meeting closed to the public, or close the portion of any open meeting for which proper notice has been given. Meetings or portions of meetings closed to the public shall be referred to as executive sessions. (R.O. 1925, § 16; Ord. No. 980, § 1; Ord. No. 999, § 1; Ord. No. 1024; Ord. No. 2339, § 1; Ord. No. 3266.)

SECTION 2. That Section 2-5 of the Downers Grove Municipal Code is hereby amended as follows:

2-5. Council rules.

The following rules shall govern the deliberations and proceedings of all Council meetings:

Rule 1. Presiding officers. ~~The Mayor shall preside at all meetings of the Council, and shall vote on all questions and matters brought before the Council. As the presiding officer, the Mayor shall not make or second motions.~~ **The Mayor shall preside at all meetings of the Council. During the temporary absence or disability of the Mayor, the Mayor pro tem shall act as presiding officer of the Council. In the event both the Mayor and the Mayor pro tem are absent, the Council shall elect one of its members Acting Mayor, who shall act as presiding officer of the Council. The presiding officer shall not make or second motions but shall vote on all questions and matters brought before the Council.** The presiding officer shall preserve order and decorum, and may speak to points of order in preference to other members, and shall decide all questions of

order subject to appeal. All questions relating to the priority of business at any meeting shall be decided by the presiding officer without debate, subject to appeal. In case of any disturbances or disorderly conduct, the presiding officer shall have the power to require the chamber to be cleared.

Rule 2. ~~Reserved.~~ Absence of the Mayor – Mayor pro tem. ~~The Council shall elect one of its number Mayor pro tem of the Council, who shall act as presiding officer of the Council during a temporary absence or disability of the Mayor, or when requested so to do by the Mayor. The Mayor pro tem of the Council, when acting as presiding officer, shall not make or second motions, and shall vote on all questions on which the vote is taken by yeas and nays, his name being called last. In the absence of the Mayor and Mayor pro tem, a temporary chairman for the meeting shall be elected by a majority vote of the Councilmen present from among their members.~~

Rule 3. Commencement of meeting. Each meeting of the Council shall convene at the time appointed for such meeting, as provided by Section 2-1. The Clerk, or someone appointed to fill his place by the presiding officer, shall thereupon immediately call the roll of members. A quorum for the transaction of business shall consist of a majority of all the Council, including the Mayor, entitled by law to be elected. If no quorum ~~be~~^{is} present, the Council shall not thereby stand adjourned, but the members present shall have authority to adjourn or recess the meeting to a day certain by majority vote of those members present.

Rule 4. Filing or receipt of documents.

(a) Where the Council determines that it is desirable or necessary that a document be permanently maintained in the office of the Village Clerk, it may direct that the document be placed "on file". Materials placed on file by the Village Council shall be maintained by the Village Clerk with the official records of the Village Council, in the permanent files of the Village.

(b) Where the Council determines that it is desirable or necessary that a document be temporarily held in the office of the Village Clerk, it may direct that the document be "received". Materials received by the Village Council shall not be considered records or documents of the Village, and shall be held by the Village Clerk for a period of sixty days, or such other time as the Council may direct.

Rule 5. Consent Agenda.

(a) The Village Manager shall submit a consent agenda to be considered by the Village Council at each regularly scheduled Village Council meeting. Such consent agenda shall contain all matters, except ordinances, deemed by the Village Manager to be suitable and of a non-controversial nature. This is expected to include, but is not necessarily limited to approval of bids, bills payable, resolutions and miscellaneous motions as well as matters on which a preliminary vote or recommendation, awaiting the drafting of final documents, has been taken by the Council. The consent agenda may be adopted by a roll call vote and such roll call shall be recorded in the minutes of the Village Council as approving each item contained in said consent agenda. The motion to adopt the consent agenda shall be non-debatable.

(b) Any item may be removed from the consent agenda at the Council meeting by the request of any Council member in which case the item shall be considered separately.

(c) In the event one or more Council members wishes to ~~be~~ receive further information regarding any individual item in a list of bills payable, said Council member shall immediately before the vote approval of the consent agenda so notify the Village Clerk who will make an appropriate reference in the minutes and such individual item shall be removed from the list of bills payable and the remainder of items approved as part of the Consent Agenda.

(d) The taking of a single vote on the consent agenda shall be deemed ~~a~~ sufficient compliance with all requirements of law to all intents and purposes and with like effect as if the vote in each case had been taken separately by nays and ayes on the question of each ordinance, resolution and motion included on the consent agenda. In particular, but without limitation, such vote shall be deemed to have authorized the suspension of the rules, waiving of first reading and pass on second reading, waiving competitive bidding and awarding contracts, approving and adopting resolutions, as needed per items listed in the Consent Agenda.

(e) In the event one or more Council members wishes to be recorded as passing or voting against any item included in the consent agenda, said Council member shall immediately before the vote approval of the consent agenda so notify the Village Clerk who will make an appropriate reference in the minutes to so

record such negative votes.

Rule 6. Order of business - Order of Business. The Manager, or the Manager's designee shall prepare an agenda for each Council meeting. In the absence of a written agenda, the presiding officer of the meeting shall establish the order of business. The Village Clerk shall post or otherwise provide notice of the agenda as required under the Illinois Open Meetings Act.

Rule 7. Duties of members. While the presiding officer is putting the question, no Council member shall walk across or out of the Council chamber.

Every member, previous to speaking, making a motion, or seconding one, shall address the presiding officer by ~~the~~his/her last name preceded by the word "Mayor", and shall not proceed until recognized and named by the chair. Remarks shall be confined to the question under debate, avoiding personalities and refraining from impugning the motives of any other member's argument or vote.

When two or more members address the chair at the same time, the presiding officer shall name the member who is first to speak.

Rule 8. Visitors.

(a) Person other than a member of the Council shall be permitted to address that body as follows:

(1) With the consent of a majority of the members present.

(2) During a public hearing. Provided comments and questions shall be limited to the purpose and scope of the public hearing.

(3) During public comment or question portions of any meeting.

(b) Each person addressing the Council shall give his or her name and address in an audible tone of voice for the record, and unless further time is granted by the Council, shall limit his or her address to five (5) minutes.

(c) All remarks shall be addressed to the Council as a body and not to any member thereof.

(d) No person, other than the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the presiding officer.

(e) No question shall be asked of a Council member except through the presiding officer.

Rule 9. Presentation of Communications. When a member wishes to present a communication or other matter to be placed on file, he shall send it to the Mayor, or at the Mayor's discretion, the Village Clerk, who shall either read such matter when reached in its proper order, or shall describe its content in a manner sufficient for it to be identified, prior to its being placed on file.

Rule 10. Debate. No member shall speak more than once on the same question, except by unanimous consent, and then not until every other member desiring to speak shall have had an opportunity to do so; provided, however, that the proponent of the matter under consideration shall have the right to open and close debate. No member shall speak longer than ten minutes at any one time, except by consent of the Council; and in closing debate on any question, as above provided, the speaker shall be limited to five minutes, except by special consent of the Council.

While a member is speaking, no member shall hold any private discussion.

Rule 11. Call of member to order. A member, when called to order by the chair, shall thereupon discontinue speaking and take his seat, and the order or ruling of the chair shall be binding and conclusive, subject only to the right of appeal.

Rule 12. Appeals from decisions of the chair. Any member may appeal to the Council from a ruling of the chair and, if the appeal is seconded, the member making the appeal may briefly state his reason for the same, and the chair may briefly explain his ruling; but there shall be no debate on the appeal, and no other member shall participate in the discussion. The chair shall then put the question, "Shall the decision of the chair be sustained?" If a majority of the members present vote "No", the decision of the chair shall be overruled; otherwise, it shall be sustained.

Rule 13. Question of personal privilege. The right of a member to address the Council on a question of personal privilege shall be limited to cases in which his integrity, character, or motives are assailed, questioned, or impugned.

Rule 14. Voting. Every member who shall be present when a question is stated from the chair shall vote thereon, unless excused by the Council, or unless such member is personally interested in the question, in which case that member shall abstain.

Rule 15. Special order of business. Any matter before the Council may be set down as a special order of business at a time certain, if a majority of the Councilmen present vote in the affirmative, but not otherwise.

Rule 16. Seconding of motions required; written motions. No motion shall be put or debated in the Council unless it be seconded. When a motion is seconded, it shall be stated by the presiding officer before debate, and every motion in the Council, except motions of procedure, shall be reduced in writing, if required by a member, and the proposer of the motion shall be entitled to the floor.

Rule 17. Withdrawal of motions. After a motion or resolution is stated by the presiding officer, it shall be deemed to be in possession of the Council, but it may be withdrawn at any time before decision, by consent of the Council.

Rule 18. Division of questions. If any question under consideration contains several distinct propositions, the Council by majority vote of the members present may divide such question.

Rule 19. Record of motions. In all cases, the name of the member moving, and also the name of the member seconding, a motion, shall be entered in the minutes.

Rule 20. Taking and entering the votes. The "yeas" and "nays" or any "abstentions" upon any question shall be taken and entered in the minutes.

When the Clerk has commenced to call the roll of the Council for the taking of a vote by "yeas" and "nays" or any "abstentions", all debate on the question before the Council shall be deemed concluded, and during the taking of the vote, no member shall be permitted to explain his vote, but shall respond to the calling of his name by the Clerk by answering "yea" or "nay" or "abstain", as the case may be.

Rule 21. Announcement and change of votes. The result of all votes by "yeas", "nays", or "abstains" shall be announced by the Mayor, and no vote shall thereafter be changed.

Rule 22. Precedence of motions. When a question is under debate, the following motions shall be in order and shall have precedence over each other in order, as listed:

- (a) To adjourn to a day certain
 - (b) To adjourn
 - (c) To take a recess
 - (d) To lay on the table
 - (e) The previous question
 - (f) To amend
 - (g) To defer or postpone to a time certain
 - (h) To defer or postpone (without reference to time)
 - (i) To defer or postpone indefinitely
- Paragraphs (b), (d), and (e) shall be decided without debate.

Rule 23. Motions to adjourn. A motion to adjourn the Council shall always be in order except:

- (1) When a member is in possession of the floor;
- (2) When the members are voting;
- (3) When adjournment was the last preceding motion; or
- (4) When it has been decided that the previous question shall be taken.

A motion simply to adjourn shall not be subject to amendment or debate, but a motion to adjourn to a time certain shall be.

The Council may at any time adjourn over one or more regular meetings, on a vote of a majority of all the Councilmen authorized by law to be elected.

Rule 24. Previous question. When the previous question is moved on the main question, and seconded, it shall be put in this form:

"Shall the main question now be put?"

If such motion be carried by a majority vote, all further amendments and all further motions and

debates shall be excluded, and the question put without delay, upon the pending amendments in proper order, and then upon the main question.

Rule 25. Motions to lay on the table and to take from the table. A motion simply to lay a question on the table shall not be debatable; but a motion to lay on the table and publish, or with any other condition, shall be subject to amendment and debate.

A motion to take any motion or other proposition from the table may be proposed at the same meeting at which such motion or proposition was laid upon the table, provided a majority of the Councilmen present vote therefor.

A motion to lay any particular motion or proposition on the table shall apply to that motion or proposition only. An amendment to the main question or other pending question may be laid on the table and neither the main question nor such other pending question shall be affected thereby.

Rule 26. Indefinite postponement; motion to defer or postpone, without any reference to time. When consideration of a motion or other proposition is postponed indefinitely, the effect is to reject the proposition. A motion to postpone indefinitely opens the main question to debate. If passed, a motion to postpone indefinitely may be reconsidered.

A motion to defer or postpone, without reference to time, shall not be construed as a motion to postpone indefinitely, but shall be considered to be of the same general nature, and to possess the same general attributes so far as applicable under these rules, as a motion to postpone definitely or to time certain.

Rule 27. Motion to amend. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be entertained.

An amendment modifying the intention of a motion shall be in order; but an amendment relating to a different subject, shall not be in order.

On an amendment to "strike out and insert", the paragraph to be amended shall first be read as it stands, then the words proposed to be stricken out, then those to be inserted, and finally the paragraph as it will stand if so amended shall be read.

Rule 28. Motion to substitute. A substitute for any original proposition under debate or for any pending amendment to such proposition may be entertained notwithstanding that at such time further amendment is admissible; and if accepted by the Council by vote, shall entirely supersede such original proposition or amendment, as the case may be, and cut off all amendments appertaining thereto.

Rule 29. Reconsideration. A vote or question may be reconsidered at any time during the same meeting, or at the first regular meeting held thereafter. A motion for reconsideration, having once been made and decided in the negative, shall not be renewed, nor shall a motion to reconsider be reconsidered.

A motion to reconsider may be made and seconded only by members who voted on the prevailing side of the question to be reconsidered, unless otherwise provided by law; provided, however, that where a motion has received majority vote in the affirmative, but is declared lost solely on the ground that a greater number of affirmative votes is required by statute for the passage or adoption of such motion, then in such case a motion to reconsider may be made and seconded only by those who voted in the affirmative on such question to be reconsidered.

Rule 30. The minutes. The Clerk shall keep the minutes of the proceedings of the Council. Within no more than seven days after each meeting of the Council, the Clerk shall supply each member at his residence a typewritten or printed copy of the proceedings.

Rule 31. Style of ordinances. The style of all ordinances shall be: "BE IT ORDAINED by the Council of the Village of Downers Grove, DuPage County, Illinois..."

Rule 32. "Yea" and "nay" vote. The yeas, nays and abstentions shall be taken upon the passage of all ordinances and on all propositions to create any liability against the Village, or for the expenditure or appropriation of its money, and in all other cases at the request of any member of the Council; and such vote shall be entered on the journal of the proceedings.

The Mayor and each Commissioner shall have the right to vote on all questions coming before the Council. **Four members of the Council shall constitute a quorum. Except when a greater number is mandated by law, the affirmative vote of 3 members, or a majority of the members present and eligible to vote,**

~~whichever is greater, shall be necessary to adopt any motion, resolution or ordinance. Three members of the Council shall constitute a quorum, and the affirmative vote of 3 members shall be necessary to adopt any motion, resolution, or ordinance, unless a greater number is provided for by law.~~

Rule 33. Adoption of Robert's Rules of Order Revised". The rules of parliamentary practice comprised in the latest published edition of Robert's Rules of Order Revised, shall govern the Council in all cases to which they are applicable, and in which they are not inconsistent with the special rules of this Council.

Rule 34. Temporary suspension of rules; amendments of rules. These rules may be temporarily suspended by a majority vote of all members of the Council entitled by law to be elected, and shall not be repealed, altered or amended, unless by concurrence of a majority of the Councilmen entitled by law to be elected.

Rule 35. Censure of members; expulsion of members. Any member acting or appearing in a lewd or disgraceful manner, or who uses abusive, obscene or insulting language to or about any member of the Council, or who does not obey the order of the chair, may be, on motion, censured by a majority vote of the members present, or expelled by a four-fifths vote of all members elected.

Rule 36. Personal announcements. A member shall not address the Council with regard to his or another person's candidacy for election or re-election to any public office, events sponsored by organizations other than the Village or other matters not related to the business of the Village, except as such matters may concern mayoral proclamations properly before the Council.

Rule 37. Reading. Each resolution or ordinance shall be reduced to writing and its contents summarized by the Mayor, or such other official as the mayor may from time to time designate, before a vote is taken thereon. At any time prior to a final vote thereon, including such time as when a matter is scheduled for formal consideration, the Council, by a majority vote of its members present, may direct the Village Clerk to read aloud the complete text, or such portion thereof as the Council may instruct, of any resolution or ordinance. Proposed resolutions and ordinances shall be submitted to the Village Council for a first reading at a public meeting, including any regular, workshop or special meeting, not less than five (5) days before the meeting at which final action is to be taken thereon. Thereafter, such proposed resolutions or ordinances may be amended without further opportunity for public inspection but all such amendments shall be noted at the time of formal action on such resolutions or ordinances. Provided, the Village Council may, for such reasons as the Council determines appropriate, waive this reading requirement by majority vote of those present, and any vote to approve such item shall be deemed to include a motion to waive first reading.

Rule 38. Validity of enactments. The validity and enforceability of any ordinance, resolution or motion which is otherwise adopted in accordance with applicable law shall not be impaired or affected by any violation of any provision of this rule. (Ord. No. 1024; Ord. No. 1491, § 1; Ord. No. 2261, § 8; Ord. No. 2339, § 2; Ord. No. 2715, § 1; Ord. No. 2920, § 1; Ord. No. 3266, § 4.)

SECTION 3. That Section 2-5.1 of the Downers Grove Municipal Code is hereby added as follows:

2-5.1. Standing Council Committees.

(a) There shall be the following standing committees of the Village Council.

- (1) Finance & Administrative
- (2) Public Safety
- (3) Public Works

(b) The standing committees shall consist of two (2) members, including the chairperson. No member shall serve in more than one (1) chairperson capacity or as a member of more than one committee other than the one chaired. All standing committee appointments, including designation of the chairpersons, shall be by the Mayor, subject to confirmation by the Council. Organization of committees shall be accomplished at the first regular meeting of the Council in each fiscal year.

(c) The standing committees shall established a regular meeting schedule and conduct special meetings in conformance with the Illinois Open Meetings Act.

- (d) Each committee may establish appropriate rules governing their meetings and activities.
- (e) Each committee shall be empowered to investigate, evaluate, recommend and generally consider matters as referred by the Village Council or the Mayor.

SECTION 4. That Section 2-17 of the Downers Grove Municipal Code is hereby amended as follows:

2-17. Power of Mayor pro tem.

~~_____ In the absence of the Mayor, the acting Mayor, or Mayor pro tem shall have the duty to exercise any power vested in the Mayor and to perform such acts or executive functions as are required of the Mayor, unless otherwise expressly provided in this Code.~~

(a) Within 60 days following any general municipal election at which members of the Council the Mayor shall appoint from the members of the Council a Mayor pro tem, subject to confirmation by the Village Council. The Mayor pro tem shall serve until any of the following occur:

- (1) Such person resigns as Mayor pro tem, or
- (2) Such person is no longer a member of the Council, or
- (3) A successor is chosen following the next general municipal election, or
- (4) Such person is removed as Mayor pro tem by the Mayor or an affirmative vote of not

less than five members of the Council.

(b) In the absence of the Mayor, the Mayor pro tem shall have the duty to exercise any power vested in the Mayor and to perform such acts or executive functions as are required of the Mayor, unless otherwise expressly provided in this Code.

(c) The Mayor pro tem shall assist the Mayor as requested in the performance of such duties and activities as the Mayor may designate. This may include, but is not necessarily limited to, the following:

(1) Acting as presiding officer of the Council during a temporary absence or disability of the Mayor, or when requested to do so by the Mayor.

(2) Assisting the Village Manager in evaluating and preparing agendas for future Council meetings. This may include meeting informally with the Manager in addition to or in lieu of the Mayor to discuss pending or likely agenda items as well as matters related to Council functions.

(3) Facilitating the exchange of communication and information between members of the Council. Council members will, where practical, consult with the Mayor pro tem regarding the appropriate timing and efficient presentation of items desired by the Council members before the Village Council.

(4) Such other duties as the Mayor shall direct. (R.O. 1925, § 492; Ord. No. 3266, § 11.)

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

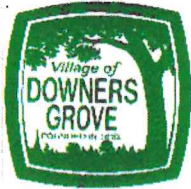
Passed:

Published:

Attest: _____

Village Clerk

[council.mtg]



Village of Downers Grove

Meeting Minutes

Downers Grove Village Council

Civic Center
801 Burlington
Downers Grove, IL 60515
630-434-5500

Mayor: *Brian Krajewski*
Commissioners: *Michael Gilbert, Sue McConnell, Marilyn Schnell, Thomas Sisul, Martin Tully, Mark Zabloudil*
Village Manager: *Michael McCurdy*
Village Attorney: *Daniel Blondin*

Tuesday, April 17, 2001

6:30 pm

Council Chambers

1. Call to Order

Mayor Brian Krajewski called the regular meeting of the Village Council of the Village of Downers Grove to order at 6:30 p.m. in the Council Chambers of the Downers Grove Village Hall.

Pledge of Allegiance to the Flag

Mayor Krajewski led those present in the Pledge of Allegiance to the Flag.

2. Roll Call

Present: Commissioner Sue McConnell, Commissioner Michael Gilbert, Commissioner Thomas Sisul, Commissioner Marilyn Schnell and Mayor Brian Krajewski

Absent: Village Clerk April Holden

Non Voting: Village Manager Michael McCurdy, Village Attorney Daniel Blondin and Deputy Village Clerk Linda Brown

3. Minutes of Workshop and Council Meetings

Council Minutes - April 3, 2001

Workshop Minutes - April 10, 2001

Special Council Meeting - April 10, 2001

Commissioner McConnell said she gave corrections to the Village Manager earlier in the day. There being no further additions or corrections to the minutes, Mayor Krajewski said they would be filed as corrected.

PROCLAMATION

Mayor Krajewski proclaimed the week of April 15, 2001 as Downers Grove South Speech Team Week in the Village of Downers Grove. He introduced the coaches and members of the award-winning speech team, and congratulated them on their accomplishments. He then presented them with Village pins.

4. Public Comments and Questions

A. Comments and Questions on Active Agenda

Village Attorney Blondin said a question was raised concerning Council rules. The issue presented relates to the number of votes required to adopt an item. The proposal was with seven Council members that there would be four votes required out of seven, unless there is not a full Council present. One of the Commissioner elects as well as Commissioner McConnell asked if the Council should reconsider whether an absolute majority is necessary to adopt any item. If they wish to keep it an absolute majority they would have to amend Rule 32 of the Ordinance and he would provide the text change.

Commissioner McConnell said that Commissioner-elect Tully brought up the issue to her and

she agrees that always needing a majority of four would be favorable, if the rest of the Council agrees.

Commissioner Sisul asked as a point of order whether the amendment would come first. Attorney Blondin said the Ordinance would be adopted first, and then an amendment made.

B. Comments and Questions on General Matters

1. Michael Kubes, 5538 Lyman, spoke on behalf of the Downers Grove Jaycees with regard to the Adopt-a-Highway program. He said that there are 34 sites that need to be adopted, and presently only 16 have been adopted. The other sites are cleaned up at the residents' expense by Village employees. Of the 34 municipalities in DuPage County, 19 participate in this program. He said that the Jaycees adopted a site on Old Main Street and Claremont Road, across from National Tire and Battery. Their group has cleaned the site 5 or 6 times during the year. They intend to have their first official clean up this Sunday at 11:00 AM, and invited everyone to participate in the program. He encouraged adopting sites in the community for cleanup. He also said people could contact Jenny Acarias at the Public Works facility. He also noted there are 65 days left until the next Heritage Festival.

The Mayor added that on Saturday at 9:00 a.m., the Pierce Downers Heritage Alliance will be doing cleanup at 31st and Highland and the Lyman Woods site. Everyone is invited to assist in that clean up as well.

5. Public Hearings

6. Consent Agenda

COR 00-00441 Claim Ordinance: No. 5376, Payroll, April 6, 2001

Sponsors:Accounting

A motion was made to Approve this file on the Consent Agenda.

Indexes: N/A

BIL 00-00442 List of Bills Payable: No. 5377, April 17, 2001

Sponsors:Accounting

A motion was made to Approve this file on the Consent Agenda.

Indexes: N/A

BID 00-00444 Bid: \$16,680 for Extension of Cleaning and Custodial Services Contract to Crystal Maintenance Services Corporation to April 30, 2002

Sponsors:Public Works

A motion was made to Approve this file on the Consent Agenda.

Indexes: Public Works Facility Cleaning & Custodial Services

BID 00-00445 Bid: Risk Management and Health Insurance Contract Renewals for FY 01/02

Sponsors:Human Resources

- Summary of Item:** 1. Kemper Insurance Company - \$87,400 for excess GL/AL
2. St. Paul & Marine Insurance Company - \$28,500 for additional excess GL/AL
3. Travelers - \$20,296 for property coverage
4. Safety National Casualty Corporation - \$41,280 for excess Workers Compensation coverage
5. Broker's fee for March USA Inc. - \$15,000
6. Humana/Employers Health - estimated \$135,792 for the administration of the medical, vision and traditional dental programs
7. Humana, Inc. - estimated \$171,300 for specific stop loss insurance
8. Kraemer Loney, Inc. - \$26,741 for benefits consultant
9. AIG Life Insurance - estimated \$43,389 for Life/Accidental Death & Dismemberment insurance
10. Fortis, Inc. - estimated \$40,822 for long term disability insurance
11. Health Plan Management - estimated \$13,930 for flexible benefits program
12. Creative Care Management - estimated \$16,374 for employee assistance program

A motion was made to Approve this file on the Consent Agenda.

Indexes: Insurance - Health, Employee

BID 00-00455 Bid: \$161,580.00 plus 5% Contingency to WAS Concrete for 2001 Sidewalk Replacement

Sponsors: Public Works

A motion was made to Approve this file on the Consent Agenda.

Indexes: Sidewalk Replacement

Passed The Consent Agenda

A motion was made by Commissioner Schnell, seconded by Commissioner Sisul, that the consent agenda be passed. The motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Sisul, Commissioner McConnell, Commissioner Gilbert and Mayor Krajewski

7. Active Agenda

ORD 00-00421 Ordinance: Authorize Disconnect of Southeast Corner of 60th Street and Fairview Avenue from the Village of Downers Grove

Sponsors: Planning Services

Summary of Item: This will authorize disconnection of the property located at the southeast corner of 60th Street and Fairview Avenue from the Village of Downers Grove.

AN ORDINANCE DISCONNECTING PROPERTY LOCATED AT THE SOUTHEAST CORNER OF 60TH STREET AND FAIRVIEW AVENUE FROM THE VILLAGE OF DOWNERS GROVE

ORDINANCE NO. 4284

Village Attorney Blondin said the boundary agreement has been drafted and forwarded to Westmont.

A motion was made by Commissioner Schnell, seconded by Commissioner Sisul, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Sisul, Commissioner McConnell, Commissioner Gilbert and Mayor Krajewski

Indexes: Disconnection

RES 00-00415 Resolution: Amend Employee Administrative Rules and Regulations**Sponsors:** Human Resources**Summary of Item:** This will authorize adoption of the Village of Downers Grove Employee Administrative Rules and Regulations dated April 17, 2001.

A RESOLUTION AMENDING THE EMPLOYEE ADMINISTRATIVE RULES AND REGULATIONS OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS

RESOLUTION 2001-32

Commissioner Gilbert thanked the Manager for the significant changes in the wording that were made. He noted Section 210 and the wording concerning communication between Council and employees.

A motion was made by Commissioner Sisul, seconded by Commissioner Gilbert, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Sisul, Commissioner Gilbert, Commissioner McConnell, Commissioner Schnell and Mayor Krajewski

Indexes: Employee Manual

RES 00-00440 Resolution: Amend Employment Classification Plan**Sponsors:** Human Resources**Summary of Item:** This will authorize adoption of the Village of Downers Grove Employment Classification Plan dated April 17, 2001.

A RESOLUTION AMENDING THE VILLAGE OF DOWNERS GROVE EMPLOYMENT CLASSIFICATION PLAN

RESOLUTION NO. 2001-33

A motion was made by Commissioner Gilbert, seconded by Commissioner McConnell, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Gilbert, Commissioner McConnell, Commissioner Sisul, Commissioner Schnell and Mayor Krajewski

Indexes: Classification Plan

RES 00-00434 Resolution: Authorize Agreement with Gas Technology Institute and City of Chicago for Construction of Compressed Natural Gas Fueling Facility**Sponsors:** Deputy Village Manager

Summary of Item: This shall authorize an agreement between the Institute of Gas Technology, the City of Chicago and the Village of Downers Grove for receipt of CMAQ funding for funds for the installation of a CNG fueling station at the Villager's Public Works Facility. Note, the Village must also contribute funding in the amount of \$56,250.00 as a condition of receiving the grant.

A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE INSTITUTE OF GAS TECHNOLOGY, THE CITY OF CHICAGO AND THE VILLAGE OF DOWNERS GROVE (CNG Fueling Facility)

RESOLUTION 2001-34

A motion was made by Commissioner McConnell, seconded by Commissioner Schnell, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Schnell, Commissioner Gilbert, Commissioner Sisul and Mayor Krajewski

Indexes: CNG Fueling Facility

RES 00-00435 Resolution: Authorize Agreement with City of Chicago for CMAQ Grant Funds re: CNG Fueling Facility

Sponsors: Deputy Village Manager

Summary of Item: This shall authorize an agreement between the City of Chicago and the Village of Downers Grove for receipt of CMAQ funding in relation to the CNG fueling station.

RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF CHICAGO AND THE VILLAGE OF DOWNERS GROVE

RESOLUTION NO. 2001-35

A motion was made by Commissioner Schnell, seconded by Commissioner Sisul, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Sisul, Commissioner McConnell, Commissioner Gilbert and Mayor Krajewski

Indexes: CNG Fueling Facility

ORD 00-00437 Ordinance: Amend the Provisions of the Village Council Rules

Sponsors: Manager's Office

Summary of Item: This will amend certain Council rules.

AN ORDINANCE AMENDING THE PROVISIONS OF THE VILLAGE COUNCIL RULES

ORDINANCE NO. 4285

Commissioner Sisul moved to amend the Ordinance to provide under Rule 32 that a permanent vote of four members will be required to adopt any item. Commissioner Gilbert seconded the Motion.

A motion was made by Commissioner Sisul, seconded by Commissioner Gilbert, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Sisul, Commissioner Gilbert, Commissioner McConnell, Commissioner Schnell and Mayor Krajewski

Indexes: Village Council

RES 00-00447 Resolution: Authorize Submittal of Grant Application to the Illinois Arts Council for Special Assistance Grant

Sponsors: Financial Services

Summary of Item: This shall authorize submittal of a grant application to the Illinois Arts Council for funds to support performances of the Midwest Ballet Theater in connection with the Downers Grove Heritage Festival. Note, the Village must also contribute funding in the amount of \$700.00 as a condition of receiving the grant.

A RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO THE ILLINOIS ARTS COUNCIL FOR SPECIAL ASSISTANCE GRANT

RESOLUTION NO. 2001-36

A motion was made by Commissioner Gilbert, seconded by Commissioner McConnell, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Gilbert, Commissioner McConnell, Commissioner Sisul, Commissioner Schnell and Mayor Krajewski

Indexes: Illinois Arts Council

RES 00-00453 Resolution: Authorize License Agreement for the Founders Hill Spring Brewers Festival

A motion was made by Commissioner McConnell, seconded by Commissioner Schnell, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Schnell, Commissioner Gilbert, Commissioner Sisul and Mayor Krajewski

Indexes: Founders Hill Festival

RES 00-00454 Resolution: Authorize Execution of an Intergovernmental Agreement with the Downers Grove Sanitary District to Provide for the Construction of the Central Business District Redevelopment, Phase 4

Sponsors:Public Works

Summary of Item:This shall authorize execution of an intergovernmental agreement between the Village of Downers Grove and the Downers Grove Sanitary District for the construction of certain public improvements within the CBD.

A RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE DOWNERS GROVE SANITARY DISTRICT TO PROVIDE FOR THE CONSTRUCTION OF THE CENTRAL BUSINESS DISTRICT REDEVELOPMENT, PHASE 4

RESOLUTION NO. 2001-38

A motion was made by Commissioner Schnell, seconded by Commissioner Sisul, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Sisul, Commissioner McConnell, Commissioner Gilbert and Mayor Krajewski

Indexes: Sanitary District, Central Business District - Phase IV

ORD 00-00439 Adopt Fiscal Year 2001/02 Budget

Sponsors:Financial Services

Summary of Item:This adopts the fiscal year 2001/02 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 April 10, 2001.

AN ORDINANCE ADOPTING THE FISCAL YEAR 2001/02 BUDGET IN LIEU OF PASSAGE OF AN APPROPRIATION ORDINANCE.

ORDINANCE NO. 4286

A motion was made by Commissioner Sisul, seconded by Commissioner Gilbert, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Sisul, Commissioner Gilbert, Commissioner McConnell, Commissioner Schnell and Mayor Krajewski

Indexes: Budget 2001/02

APP 00-00461 Resolution: Appoint Members to the Human Service Commission

Sponsors: Mayor

Summary of Item: RESOLUTION APPOINTING MEMBERS TO THE HUMAN SERVICE COMMISSION

RESOLUTION 2001-39

The Mayor asked the Clerk to read the Resolution appointing Patricia Mochel and Lawrence O'Donnell to the Human Services Commission.

Commissioner McConnell said she interviewed both appointees for the Commission and is pleased that both were able to serve on this Commission.

A motion was made by Commissioner Schnell, seconded by Commissioner Sisul, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Sisul, Commissioner McConnell, Commissioner Gilbert and Mayor Krajewski

Indexes: Human Service Commission-Appoint Mochel & O'Donnell

8. Mayor's Report

Materials to be Received - Minutes

Canvassing Board - 4/10/01

Community Events Commission - 3/12/01

Liquor Commission - 3/15/01

Plan Commission - 3/6/01

A motion was made by Commissioner Schnell, seconded by Commissioner Sisul, to Note Receipt Of this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Sisul, Commissioner McConnell, Commissioner Gilbert and Mayor Krajewski

Materials to be Received - Monthly Reports

New Business

Proclamations:

Mayor Krajewski proclaimed Friday, April 27, 2001 as Arbor Day in the Village of Downers Grove.

Mayor Krajewski proclaimed the week of April 22-28, 2001 as Volunteer Week in the Village of Downers Grove. He said the Village is fortunate to have as many volunteers as it does working on various Boards and Commissions and volunteering in other projects in the community.

9. Manager's Report

1. Accreditation for Fire Department. The Manager asked Chief Russell to make a presentation regarding the accreditation.

Fire Chief Lanny Russell said that two years ago the Fire Department began working toward accreditation. He described the process the Department went through to achieve its goal, by means of developing a self-assessment process. The Department underwent the intensive

scrutiny of three Chief Officers in December and received a favorable report. Downers Grove is one of only 44 agencies worldwide to achieve the accreditation distinction. He said the process has been good for the Department, and described the plan the Department has to provide service to the community. He presented the Mayor with a plaque designating the Fire Department as an accredited agency. He asked Deputy Chief Dave Burns and Deputy Chief Paul Segala to make the presentation as they contributed greatly toward this achievement. He thanked the Council for their support and presented each Council member with a pin in honor of the accreditation.

2. Manager McCurdy announced that the Village is the recipient of an award from the Chicago Chapter of the American Public Works Association for the Central Business District project. In addition, the Village won the national award for the CBD project as well.

The Mayor congratulated the Manager and the staff for both the accreditation and the Public Works awards.

10. Attorney's Report

Village Attorney Blondin said he was presenting no items this evening; however, on the next agenda there will be four items presented at that meeting. There are three items on the Future agenda, without date.

Future Active Agenda

RES 00-00449 Resolution: Lot Split - 4346 Cumnor Road

Sponsors:Plan Commission

Indexes: Lot Split

ORD 00-00450 Ordinance: Rezone 6859 Dunham from R-1 to R-3

Sponsors:Zoning Board of Appeals

Indexes: Rezone 6859 Dunham - R-1 to R-3

ORD 00-00451 Ordinance: Rezone 702 39th Street from County R-4 to Village R-2

Sponsors:Zoning Board of Appeals

Indexes: Rezone 702 39th Street - County R-4 to Village R-2

ORD 00-00452 Ordinance: Rezone 404 39th Street from County R-4 to Village R-2

Sponsors:Zoning Board of Appeals

Indexes: Rezone 404 39th Street - County R-4 to Village R-2

ORD 00-00389 Ordinance: Parking Restrictions on Brookbank Road

Sponsors:Parking & Traffic Commission

Summary of Item:Adoption of this ordinance will amend parking restrictions on Brookbank Road.

Indexes: Parking Restrictions - Brookbank Road

ORD 00-00373 Ordinance: Refund of GO Bonds Series 1996 and 2000

Sponsors:Financial Services

Indexes: General Obligation Bond - Refund

ORD 00-00428 Ordinance: Amend Open Burning Restrictions

Sponsors: Village Attorney

Indexes: Open Burning

11. Council Member Reports and New Business

1. *Commissioner McConnell thanked the Mayor and Council members who attended the Character Counts meeting last week. It was an excellent meeting with about 30 people in attendance.*

2. *Commissioner Gilbert said there are 64 days until the next Heritage Festival.*

3. *Commissioner Sisul complimented the Staff on receiving the two awards announced this evening.*

4. *Commissioner Schnell said there have been many questions and concerns regarding the burning ordinance and asked whether that would be re-workshopped to incorporate some of the public comments. She thought it should be placed on the Internet for further explanation to the public.*

Manager McCurdy said that it would be a good idea as there are some misconceptions as to what the Council has done in this regard.

The Mayor agreed that it should be re-workshopped due to those misconceptions.

Commissioner Schnell said there has to be some way to get the message out that burning in the Village is illegal. She said it seems as though much of the e-mail contains misinformation as to what is legal in the Village.

12. Adjournment

Commissioner Schnell moved to adjourn to Executive Session pursuant to Sections 2(c)(3), 2(c)(5), and 2(c)(11) of the Open Meetings Act to consider personnel, lease and sale of real estate and litigation. Commissioner Sisul seconded.

*VOTE: YEA - Commissioners Schnell, Sisul, McConnell, Gilbert, Mayor Krajewski
NAY - None*

Mayor Krajewski declared the motion carried and the Council convened into Executive Session at 7:10 p.m.

ORDINANCE NO. 4285

AN ORDINANCE AMENDING THE PROVISIONS OF THE VILLAGE COUNCIL RULES

BE IT ORDAINED by the Council of the Village of Downers Grove, in DuPage County, Illinois, as follows: (Additions are indicated by shading; deletions by ~~strikeout~~.)

SECTION 1. That Section 2-1 of the Downers Grove Municipal Code is hereby amended as follows:

2-1SEC. Council meetings.

(a) The regular formal meetings of the Council shall be held the first and third Tuesday of each month at the hour of 6:30 p.m. in the Downers Grove Village Hall. Any regular formal meeting falling upon a legal holiday shall be canceled or rescheduled.

(b) The regular workshop meetings of the Council shall be held the second and fourth Tuesday of each month at the hour of 6:30 p.m. in the Downers Grove Village Hall. Any regular workshop meeting falling upon a legal holiday shall be canceled or rescheduled.

(c) Special meetings, including emergency meetings, may be called from time to time by the Mayor or by any ~~two~~three members of the Council. Except in the case of an emergency meeting, not less than forty-eight hours notice shall be given to all members of the Council. Special meetings may be held without this notice to Council members when all members of the Council are present in person, or consent in writing to the holding of such meeting, such written consent to be filed with the Clerk prior to the beginning of the meeting. Provided, nothing herein shall authorize the conduct of any meeting in violation of the notice requirements of the Illinois Open Meetings Act. To the extent permitted by law, any Council actions, including formal approval, may be taken at a special meeting.

(d) In conformance with the Illinois Open Meetings Act, and upon a majority vote of a quorum present at an open meeting, the Council may hold a meeting closed to the public, or close the portion of any open meeting for which proper notice has been given. Meetings or portions of meetings closed to the public shall be referred to as executive sessions. (R.O. 1925, § 16; Ord. No. 980, § 1; Ord. No. 999, § 1; Ord. No. 1024; Ord. No. 2339, § 1; Ord. No. 3266.)

SECTION 2. That Section 2-5 of the Downers Grove Municipal Code is hereby amended as follows:

2-5. Council rules.

The following rules shall govern the deliberations and proceedings of all Council meetings:

Rule 1. Presiding officers. ~~The Mayor shall preside at all meetings of the Council, and shall vote on all questions and matters brought before the Council. As the presiding officer, the Mayor shall not make or second motions.~~ The Mayor shall preside at all meetings of the Council. During the temporary absence or disability of the Mayor, the Mayor pro tem shall act as presiding officer of the Council. In the event both the Mayor and the Mayor pro tem are absent, the Council shall elect one of its members Acting Mayor, who shall act as presiding officer of the Council. The presiding officer shall not make or second motions but shall vote on all questions and matters brought before the Council. The presiding officer shall preserve order and decorum, and may speak to points of order in preference to other members, and shall decide all questions of order subject to appeal. All questions relating to the priority of business at any meeting shall be decided by the presiding officer without debate, subject to appeal.

In case of any disturbances or disorderly conduct, the presiding officer shall have the power to require the chamber to be cleared.

Rule 2. ~~Reserved~~ Absence of the Mayor — Mayor pro tem. ~~The Council shall elect one of its number Mayor pro tem of the Council, who shall act as presiding officer of the Council during a temporary absence or disability of the Mayor, or when requested so to do by the Mayor. The Mayor pro tem of the Council, when acting as presiding officer, shall not make or second motions, and shall vote on all questions on which the vote is taken by yeas and nays, his name being called last. In the absence of the Mayor and Mayor pro tem, a temporary chairman for the meeting shall be elected by a majority vote of the Councilmen present from among their members.~~

Rule 3. Commencement of meeting. Each meeting of the Council shall convene at the time appointed for such meeting, as provided by Section 2-1. The Clerk, or someone appointed to fill his place by the presiding officer, shall thereupon immediately call the roll of members. A quorum for the transaction of business shall consist of a majority of all the Council, including the Mayor, entitled by law to be elected. If no quorum ~~be~~ is present, the Council shall not thereby stand adjourned, but the members present shall have authority to adjourn or recess the meeting to a day certain by majority vote of those members present.

Rule 4. Filing or receipt of documents.

(a) Where the Council determines that it is desirable or necessary that a document be permanently maintained in the office of the Village Clerk, it may direct that the document be placed "on file". Materials placed on file by the Village Council shall be maintained by the Village Clerk with the official records of the Village Council, in the permanent files of the Village.

(b) Where the Council determines that it is desirable or necessary that a document be temporarily held in the office of the Village Clerk, it may direct that the document be "received". Materials received by the Village Council shall not be considered records or documents of the Village, and shall be held by the Village Clerk for a period of sixty days, or such other time as the Council may direct.

Rule 5. Consent Agenda.

(a) The Village Manager shall submit a consent agenda to be considered by the Village Council at each regularly scheduled Village Council meeting. Such consent agenda shall contain all matters, except ordinances, deemed by the Village Manager to be suitable and of a non-controversial nature. This is expected to include, but is not necessarily limited to approval of bids, bills payable, resolutions and miscellaneous motions as well as matters on which a preliminary vote or recommendation, awaiting the drafting of final documents, has been taken by the Council. The consent agenda may be adopted by a roll call vote and such roll call shall be recorded in the minutes of the Village Council as approving each item contained in said consent agenda. The motion to adopt the consent agenda shall be non-debatable.

(b) Any item may be removed from the consent agenda at the Council meeting by the request of any Council member in which case the item shall be considered separately.

(c) In the event one or more Council members wishes to be receive further information regarding any individual item in a list of bills payable, said Council member shall immediately before the vote approval of the consent agenda so notify the Village Clerk who will make an appropriate reference in the minutes and such individual item shall be removed from the list of bills payable and the remainder of items approved as part of the Consent Agenda.

(d) The taking of a single vote on the consent agenda shall be deemed a sufficient compliance with all requirements of law to all intents and purposes and with like effect as if the vote in each case had been taken separately by nays and ayes on the question of each ordinance, resolution and motion included on the consent agenda. In particular, but without limitation, such vote shall be deemed to have authorized the suspension of the rules, waiving of first reading and pass on second reading, waiving competitive bidding and awarding contracts, approving and adopting resolutions, as needed per items listed in the Consent Agenda.

(e) In the event one or more Council members wishes to be recorded as passing or voting against any item included in the consent agenda, said Council member shall immediately before the vote approval of the consent agenda so notify the Village Clerk who will make an appropriate reference in the minutes to so record such negative votes.

Rule 6. Order of business - Order of Business. The Manager, or the Manager's designee shall prepare an agenda for each Council meeting. In the absence of a written agenda, the presiding officer of the meeting shall establish the order of business. The Village Clerk shall post or otherwise provide notice of the agenda as required under the Illinois Open Meetings Act.

Rule 7. Duties of members. While the presiding officer is putting the question, no Council member shall walk across or out of the Council chamber.

Every member, previous to speaking, making a motion, or seconding one, shall address the presiding officer by ~~the~~ his/her last name preceded by the word "Mayor", and shall not proceed until recognized and named by the chair. Remarks shall be confined to the question under debate, avoiding personalities and refraining from impugning the motives of any other member's argument or vote.

When two or more members address the chair at the same time, the presiding officer shall name the member who is first to speak.

Rule 8. Visitors.

(a) Person other than a member of the Council shall be permitted to address that body as follows:

(1) With the consent of a majority of the members present.

(2) During a public hearing. Provided comments and questions shall be limited to the purpose and scope of the public hearing.

(3) During public comment or question portions of any meeting.

(b) Each person addressing the Council shall give his or her name and address in an audible tone of voice for the record, and unless further time is granted by the Council, shall limit his or her address to five (5) minutes.

(c) All remarks shall be addressed to the Council as a body and not to any member thereof.

(d) No person, other than the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the presiding officer.

(e) No question shall be asked of a Council member except through the presiding officer.

Rule 9. Presentation of Communications. When a member wishes to present a communication or other matter to be placed on file, he shall send it to the Mayor, or at the Mayor's discretion, the Village Clerk, who shall either read such matter when reached in its proper order, or shall describe its content in a manner sufficient for it to be identified, prior to its being placed on file.

Rule 10. Debate. No member shall speak more than once on the same question, except by unanimous consent, and then not until every other member desiring to speak shall have had an opportunity to do so; provided, however, that the proponent of the matter under consideration shall have the right to open and close debate. No member shall speak longer than ten minutes at any one time, except by consent of the Council; and in closing debate on any question, as above provided, the speaker shall be limited to five minutes, except by special consent of the Council.

While a member is speaking, no member shall hold any private discussion.

Rule 11. Call of member to order. A member, when called to order by the chair, shall thereupon discontinue speaking and take his seat, and the order or ruling of the chair shall be binding and conclusive, subject only to the right of appeal.

Rule 12. Appeals from decisions of the chair. Any member may appeal to the Council from a ruling of the chair and, if the appeal is seconded, the member making the appeal may briefly state his reason for the same, and the chair may briefly explain his ruling; but there shall be no debate on the appeal, and no other member shall participate in the discussion. The chair shall then put the question, "Shall the decision of the chair be sustained?" If a majority of the members present vote "No", the decision of the chair shall be overruled; otherwise, it shall be sustained.

Rule 13. Question of personal privilege. The right of a member to address the Council on a question of personal privilege shall be limited to cases in which his integrity, character, or motives are assailed, questioned, or impugned.

Rule 14. Voting. Every member who shall be present when a question is stated from the chair shall vote thereon, unless excused by the Council, or unless such member is personally interested in the question, in which case that member shall abstain.

Rule 15. Special order of business. Any matter before the Council may be set down as a special order of business at a time certain, if a majority of the Councilmen present vote in the affirmative, but not otherwise.

Rule 16. Seconding of motions required; written motions. No motion shall be put or debated in the Council unless it be seconded. When a motion is seconded, it shall be stated by the presiding officer before debate, and every motion in the Council, except motions of procedure, shall be reduced in writing, if required by a member, and the proposer of the motion shall be entitled to the floor.

Rule 17. Withdrawal of motions. After a motion or resolution is stated by the presiding officer, it shall be deemed to be in possession of the Council, but it may be withdrawn at any time before decision, by consent of the Council.

Rule 18. Division of questions. If any question under consideration contains several distinct propositions, the Council by majority vote of the members present may divide such question.

Rule 19. Record of motions. In all cases, the name of the member moving, and also the name of the member seconding, a motion, shall be entered in the minutes.

Rule 20. Taking and entering the votes. The "yeas" and "nays" or any "abstentions" upon any question shall be taken and entered in the minutes.

When the Clerk has commenced to call the roll of the Council for the taking of a vote by "yeas" and "nays" or any "abstentions", all debate on the question before the Council shall be deemed concluded, and during the taking of the vote, no member shall be permitted to explain his vote, but shall respond to the calling of his name by the Clerk by answering "yea" or "nay" or "abstain", as the case may be.

Rule 21. Announcement and change of votes. The result of all votes by "yeas", "nays", or "abstains" shall be announced by the Mayor, and no vote shall thereafter be changed.

Rule 22. Precedence of motions. When a question is under debate, the following motions shall be in order and shall have precedence over each other in order, as listed:

- (a) To adjourn to a day certain
 - (b) To adjourn
 - (c) To take a recess
 - (d) To lay on the table
 - (e) The previous question
 - (f) To amend
 - (g) To defer or postpone to a time certain
 - (h) To defer or postpone (without reference to time)
 - (i) To defer or postpone indefinitely
- Paragraphs (b), (d), and (e) shall be decided without debate.

Rule 23. Motions to adjourn. A motion to adjourn the Council shall always be in order except:

- (1) When a member is in possession of the floor;
- (2) When the members are voting;
- (3) When adjournment was the last preceding motion; or
- (4) When it has been decided that the previous question shall be taken.

A motion simply to adjourn shall not be subject to amendment or debate, but a motion to adjourn to a time certain shall be.

The Council may at any time adjourn over one or more regular meetings, on a vote of a majority of all the Councilmen authorized by law to be elected.

Rule 24. Previous question. When the previous question is moved on the main question, and seconded, it shall be put in this form:

"Shall the main question now be put?"

If such motion be carried by a majority vote, all further amendments and all further motions and debates shall be excluded, and the question put without delay, upon the pending amendments in proper order, and then upon the main question.

Rule 25. Motions to lay on the table and to take from the table. A motion simply to lay a question on the table shall not be debatable; but a motion to lay on the table and publish, or with any other condition, shall be subject to amendment and debate.

A motion to take any motion or other proposition from the table may be proposed at the same meeting at which such motion or proposition was laid upon the table, provided a majority of the Councilmen present vote therefor.

A motion to lay any particular motion or proposition on the table shall apply to that motion or proposition only. An amendment to the main question or other pending question may be laid on the table and neither the main question nor such other pending question shall be affected thereby.

Rule 26. Indefinite postponement; motion to defer or postpone, without any reference to time. When consideration of a motion or other proposition is postponed indefinitely, the effect is to reject the proposition. A motion to postpone indefinitely opens the main question to debate. If passed, a motion to postpone indefinitely may be reconsidered.

A motion to defer or postpone, without reference to time, shall not be construed as a motion to postpone indefinitely, but shall be considered to be of the same general nature, and to possess the same general attributes so far as applicable under these rules, as a motion to postpone definitely or to time certain.

Rule 27. Motion to amend. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be entertained.

An amendment modifying the intention of a motion shall be in order; but an amendment relating to a different subject, shall not be in order.

On an amendment to "strike out and insert", the paragraph to be amended shall first be read as it stands, then the words proposed to be stricken out, then those to be inserted, and finally the paragraph as it will stand if so amended shall be read.

Rule 28. Motion to substitute. A substitute for any original proposition under debate or for any pending amendment to such proposition may be entertained notwithstanding that at such time further amendment is admissible; and if accepted by the Council by vote, shall entirely supersede such original proposition or amendment, as the case may be, and cut off all amendments appertaining thereto.

Rule 29. Reconsideration. A vote or question may be reconsidered at any time during the same meeting, or at the first regular meeting held thereafter. A motion for reconsideration, having once been made and decided in the negative, shall not be renewed, nor shall a motion to reconsider be reconsidered.

A motion to reconsider may be made and seconded only by members who voted on the prevailing side of the question to be reconsidered, unless otherwise provided by law; provided, however, that where a motion has received majority vote in the affirmative, but is declared lost solely on the ground that a greater number of affirmative votes is required by statute for the passage or adoption of such motion, then in such case a motion to reconsider may be made and seconded only by those who voted in the affirmative on such question to be reconsidered.

Rule 30. The minutes. The Clerk shall keep the minutes of the proceedings of the Council. Within no more than seven days after each meeting of the Council, the Clerk shall supply each member at his residence a typewritten or printed copy of the proceedings.

Rule 31. Style of ordinances. The style of all ordinances shall be: "BE IT ORDAINED by the Council of the Village of Downers Grove, DuPage County, Illinois..."

Rule 32. "Yea" and "nay" vote. The yeas, nays and abstentions shall be taken upon the passage of all ordinances and on all propositions to create any liability against the Village, or for the expenditure or appropriation of its money, and in all other cases at the request of any member of the Council; and such vote shall be entered on the journal of the proceedings.

The Mayor and each Commissioner shall have the right to vote on all questions coming before the Council. ~~Four members of the Council shall constitute a quorum. Except when a greater number is mandated by law, the affirmative vote of 4 members shall be necessary to adopt any motion, resolution or ordinance. Three members of the Council shall constitute a quorum, and the affirmative vote of 3 members shall be necessary to adopt any motion, resolution, or ordinance, unless a greater number is provided for by law.~~

Rule 33. Adoption of Robert's Rules of Order Revised. The rules of parliamentary practice comprised in the latest published edition of Robert's Rules of Order Revised, shall govern the Council in

all cases to which they are applicable, and in which they are not inconsistent with the special rules of this Council.

Rule 34. Temporary suspension of rules; amendments of rules. These rules may be temporarily suspended by a majority vote of all members of the Council entitled by law to be elected, and shall not be repealed, altered or amended, unless by concurrence of a majority of the Councilmen entitled by law to be elected.

Rule 35. Censure of members; expulsion of members. Any member acting or appearing in a lewd or disgraceful manner, or who uses abusive, obscene or insulting language to or about any member of the Council, or who does not obey the order of the chair, may be, on motion, censured by a majority vote of the members present, or expelled by a four-fifths vote of all members elected.

Rule 36. Personal announcements. A member shall not address the Council with regard to his or another person's candidacy for election or re-election to any public office, events sponsored by organizations other than the Village or other matters not related to the business of the Village, except as such matters may concern mayoral proclamations properly before the Council.

Rule 37. Reading. Each resolution or ordinance shall be reduced to writing and its contents summarized by the Mayor, or such other official as the mayor may from time to time designate, before a vote is taken thereon. At any time prior to a final vote thereon, including such time as when a matter is scheduled for formal consideration, the Council, by a majority vote of its members present, may direct the Village Clerk to read aloud the complete text, or such portion thereof as the Council may instruct, of any resolution or ordinance. Proposed resolutions and ordinances shall be submitted to the Village Council for a first reading at a public meeting, including any regular, workshop or special meeting, not less than five (5) days before the meeting at which final action is to be taken thereon. Thereafter, such proposed resolutions or ordinances may be amended without further opportunity for public inspection but all such amendments shall be noted at the time of formal action on such resolutions or ordinances. Provided, the Village Council may, for such reasons as the Council determines appropriate, waive this reading requirement by majority vote of those present, and any vote to approve such item shall be deemed to include a motion to waive first reading.

Rule 38. Validity of enactments. The validity and enforceability of any ordinance, resolution or motion which is otherwise adopted in accordance with applicable law shall not be impaired or affected by any violation of any provision of this rule. (Ord. No. 1024; Ord. No. 1491, § 1; Ord. No. 2261, § 8; Ord. No. 2339, § 2; Ord. No. 2715, § 1; Ord. No. 2920, § 1; Ord. No. 3266, § 4.)

SECTION 3. That Section 2-5.1 of the Downers Grove Municipal Code is hereby added as follows:

2-5.1. Standing Council Committees.

(a) There shall be the following standing committees of the Village Council:

- (1) Finance & Administrative
- (2) Public Safety
- (3) Public Works

(b) The standing committees shall consist of two (2) members, including the chairperson. No member shall serve in more than one (1) chairperson capacity or as a member of more than one committee other than the one chaired. All standing committee appointments, including designation of the chairpersons, shall be by the Mayor, subject to confirmation by the Council. Organization of committees shall be accomplished at the first regular meeting of the Council in each fiscal year.

(c) The standing committees shall established a regular meeting schedule and conduct special meetings in conformance with the Illinois Open Meetings Act.

(d) Each committee may establish appropriate rules governing their meetings and activities.

(e) Each committee shall be empowered to investigate, evaluate, recommend and generally consider matters as referred by the Village Council or the Mayor.

SECTION 4. That Section 2-17 of the Downers Grove Municipal Code is hereby amended as follows:

2-17. Power of Mayor pro tem.

~~In the absence of the Mayor, the acting Mayor, or Mayor pro tem shall have the duty to exercise any power vested in the Mayor and to perform such acts or executive functions as are required of the Mayor, unless otherwise expressly provided in this Code.~~

~~(a) Within 60 days following any general municipal election at which members of the Council the Mayor shall appoint from the members of the Council a Mayor pro tem, subject to confirmation by the Village Council. The Mayor pro tem shall serve until any of the following occur:~~

- ~~(1) Such person resigns as Mayor pro tem, or~~
- ~~(2) Such person is no longer a member of the Council, or~~
- ~~(3) A successor is chosen following the next general municipal election, or~~
- ~~(4) Such person is removed as Mayor pro tem by the Mayor or an affirmative vote of not less than five members of the Council.~~

~~(b) In the absence of the Mayor, the Mayor pro tem shall have the duty to exercise any power vested in the Mayor and to perform such acts or executive functions as are required of the Mayor, unless otherwise expressly provided in this Code.~~

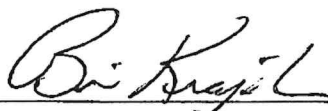
~~(c) The Mayor pro tem shall assist the Mayor as requested in the performance of such duties and activities as the Mayor may designate. This may include, but is not necessarily limited to, the following:~~

- ~~(1) Acting as presiding officer of the Council during a temporary absence or disability of the Mayor, or when requested to do so by the Mayor.~~
- ~~(2) Assisting the Village Manager in evaluating and preparing agendas for future Council meetings. This may include meeting informally with the Manager in addition to or in lieu of the Mayor to discuss pending or likely agenda items as well as matters related to Council functions.~~
- ~~(3) Facilitating the exchange of communication and information between members of the Council. Council members will, where practical, consult with the Mayor pro tem regarding the appropriate timing and efficient presentation of items desired by the Council members before the Village Council.~~

~~(4) Such other duties as the Mayor shall direct. (R.O. 1925, § 492; Ord. No. 3266, § 11.)~~

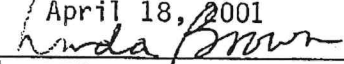
SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.


Mayor

Passed: April 17, 2001

Published: April 18, 2001

Attest: 
deputy Village Clerk

[council.mtg]