

MINUTES OF WORKSHOP MEETING

DOWNERS GROVE, ILLINOIS

FEBRUARY 24, 2009

Mayor Sandack called the Workshop meeting of the Village Council of the Village of Downers Grove to order at 7:00 p.m. in the Council Chambers of the Village Hall. The Mayor led the audience in the Pledge of Allegiance to the Flag.

Present: Mayor Ron Sandack; Commissioners Marilyn Schnell, Martin Tully; William Waldack, Sean P. Durkin, Geoff Neustadt, Bruce Beckman; Village Manager Dave Fieldman; Village Attorney Enza Petrarca; Village Clerk April Holden

Absent: None

Visitors: **Press:** Cat Leyden, Downers Grove Reporter

Residents: Margaret Ulrich, 661 62nd Street; Linda Smith, Tivoli Theatre, 5021 Highland Avenue; Willis & Shirley Johnson, Tivoli Theatre, 5021 Highland Avenue; Andrew Barnett, WD Partners, 254 Frankfort Square, Columbus, OH; Jim Norris, 7249 Springside; Marge Earl, 4720 Florence Avenue; Bill Deutsch, 9S209 Cumnor Road; Linda Kunze, Downtown Management Corporation, 933A Curtiss; Bob Barnett, 730 Maple; Mark Thoman, 1109 61st Street; Christine Fregeau, 1918 Elmore Avenue; Greg Bedalov, Downers Grove Economic Development Corporation, 2001 Butterfield Road; Bill Wrobel, 7800 Queens Court

Staff: Nan Newlon, Director, Public Works; Tom Dabareiner, Director, Community Development; Judy Buttny, Director, Finance; Mike Baker, Deputy Village Manager; Mike Millette, Assistant Director, Public Works; Brandon Dieter, Management Analyst

Mayor Sandack explained that Council Workshop meetings are held the second and fourth Tuesdays at 7:00 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

1. Active Agenda and Informational Items

- a. **Planned Development Amendment to Planned Development #9 and Two Special Uses.** The Manager asked Tom Dabareiner, Director, Community Development, to discuss this matter.

Tom Dabareiner, Director, Community Development, explained that this request is for redevelopment of a BP service station at the intersection of 75th Street and Lemont Road. He

described changes to the existing service station site including the closing of three access sites, the addition of one access and a change in turning radius. The existing building, canopy, tanks, will be removed and replaced with a brick-exterior building. A car wash will be added to the site as well. The plan complies with all zoning bulk regulations and is consistent with the Village's Future Land Use Map. Mr. Dabareiner said that the Plan Commission recommended approval of this amendment and special use request.

Commissioner Beckman noted that the proposed design is similar to the station at Main Street and Ogden Avenue.

Commissioner Schnell asked about the speed bump location and purpose. Mr. Dabareiner responded that, although not uncommon, there are currently no other gas stations in Downers Grove with speed bumps. In this particular case, it is a unique situation and the speed bump will help. The location is at the southwest corner of the property where there is cross access with the rest of the shopping center. Traffic can go both ways at that access, and there is a potential for problems with site issues caused by the shopping center building. In further response to Commissioner Schnell, Mr. Dabareiner used an overhead projection to depict how the tankers will enter and exit the property, from east to west. The curb cuts are large enough for tankers to enter.

Commissioner Waldack asked for clarification that the usage on the lot is not changed with the exception of the carwash. Mr. Dabareiner said that was correct, and there will be a larger store. In further response regarding the car wash being open 24 hours and noise issues, Mr. Dabareiner said that this can be revisited in terms of the special use. He noted that the site is surrounded by commercial zoning and it is a busy intersection.

The Mayor said this basically is a redevelopment of an existing service station. It is a good redevelopment during a particularly difficult time, and he will vote in favor of this next week.

- b. **Valet Parking Ordinance.** The Manager explained that this is for the downtown area only is has been requested by the Downtown Management Corporation. The proposed ordinance is modeled after the Naperville ordinance for the use of public streets and public parking lots. This applies only to the downtown area and a permit is required. Mr. Fieldman explained that the permit may contain conditions regarding safety, and the applicant must have insurance, indemnity and pay a \$25 fee. He indicated that the Downtown Management Corporation has recommended approval.

Commissioner Schnell asked whether the amount of space for loading would be large enough to stack a few cars, and the Manager said it would, especially if it is on Main Street. This may take up to three parking places. Commissioner Schnell questioned whether the area would be clearly marked and not open to public parking, and the Manager said it would. In further response to Commissioner Schnell, Mr. Fieldman said that people would be able to park on the north side in Parking Lot A even if it is valet parking. There would not be a roped off or exclusive area.

Commissioner Waldack asked what spots would be lost and the Manager said it would be those designated for loading. Commissioner Waldack asked if this is supported by the Downtown Management, the neighboring businesses and the affected businesses. The Manager said it appears to be supported by Downtown Management and the affected businesses.

Village Attorney Enza Petrarca, in response to Commissioner Waldack, said if a licensed valet service provider fails to comply with and maintain the required insurance, the business would

receive a citation. She also noted that the applicant will be required to sign an indemnification agreement.

Commissioner Waldack said that this did not go through Transportation & Parking Commission. This disturbs him, as there is a process in place specifically to address parking issues.

Commissioner Durkin noted that this was discussed with Downtown Management and would occur when retail businesses are closed. He said it would attract people to the restaurants. Downtown Management verbally approved it, and he thanked staff for working so quickly on this matter.

The Manager said that they have received two applications with the potential for a total of six. The ordinance allows for sharing of loading spaces.

Commissioner Tully commented that this is a low-cost way to assist and stimulate businesses downtown, and may need to be amended overtime but that is to be expected. The Transportation & Parking Commission usually meets regarding parking in neighborhoods. In this instance, the neighborhood is Downtown Management and they were directly involved in this request. He did suggest an evaluation through P&T at some future designated time. He also feels this should be acted upon quickly.

The Mayor agreed that follow-up is a good idea. This makes imminent sense and is responsive to the business community.

- c. **Ordinance Amendments: Theater Liquor License Classification.** The Manager said this would amend the Class” E-1” liquor license class.

The Mayor said this has been reviewed three times by the Liquor Commission.

Willis Johnson of Tivoli Enterprises said this request was prompted by a product presented last year. Staff has presented an ordinance that addresses his concerns and he appreciates their efforts.

The Mayor noted that the Tivoli has a special use liquor license.

Commissioner Neustadt commented that this is an excellent example of collaboration on the part of Village staff and the Tivoli.

Commissioner Waldack asked whether there were any other venues that might qualify for this. Attorney Petrarca said there were none at this time.

Commissioner Schnell thanked Mr. Johnson and the Liquor Commission for compromising on some items. She asked whether control buys would be conducted and Village Attorney Petrarca said they would be.

Commissioner Beckman said he would support this. The kinds of events suggested are already provided. The Tivoli provides opera, and, as this is a narrow audience, this will provide the proper ambience.

- d. **Prairie Avenue Stage II Resurfacing and Reconstruction Joint Agreement with IDOT – waive the one-week waiting period.** The Manager said this is an agreement

that would provide IDOT funding for a portion of this project. Staff recommends approval of this agreement and requests waiving the one-week waiting period.

3. Consent Agenda Items

- a. **Bond Refunding.** The Manager said the bond counsel and the Village's financial advisor has been engaged. Staff is seeking authorization to proceed with the bond refunding. It entails engaging a rating agency and underwriters.

Mayor Sandack asked as to the expected savings to the Village.

The Manager said the net present value savings to the Village is estimated to be \$500,000.

- b. **2009 Transit Grant Agreement with Pace.** The Manager said this is an annual operating agreement for funding for the Grove Commuter Shuttle.
- c. **Tree Supply and Planting.** The Manager said this resolution is presented annually to continue the Village's participation in the Suburban Tree Consortium and to authorize tree supply and planting services. This would authorize 280 trees to be planted. This year staff is using cash in lieu of the parkway tree planting fund wherein the contributions from developers over the past several years will be used to fund the tree plantings in the parkways.
- d. **Bid: Thermo Pavement Marking.** The Manager said staff recommends awarding a contract for the 2009 thermo pavement marking in an amount not to exceed \$30,000 to Superior Road Striping, Inc. This was competitively bid and Superior Road Striping was the low bidder.
- e. **Bid: Traffic Sign Blanks.** The Manager said staff recommends awarding a contract for the 2009 traffic sign blanks in an amount not to exceed \$18,000 to US Standard Sign. This was competitively bid and US Standard Sign was the low bidder.
- f. **Bid: Traffic Sign Posts.** The Manager said staff recommends awarding a contract for the 2009 traffic sign posts in an amount not to exceed \$18,096 to Newman Signs. This was competitively bid and Newman Signs was the low bidder.

MANAGER'S REPORT

Manager Fieldman said the Mayor has requested the status report for the Village's Watershed Infrastructure Improvement Plan be referred to the Public Services Standing Committee for discussion during the March 16, 2009 meeting. The meeting is scheduled for 4:00 p.m. at the Village Hall.

The Mayor said this meeting will be noticed. The status report of the Watershed Infrastructure Improvement Plan will include 2009 and beyond.

The Manager said staff is engaged in a long-term facility planning effort that will guide future needs. Staff has completed two tours of the Village Hall and Police Department facilities. A webcast of the tour will be available in early March. The Manager noted that this is a good time to do facility planning as this extends beyond any economic cycle. Current economic conditions

as well as current and future facilities are challenging staff to rethink how services are provided and which services are provided. Staff will make a recommendation in March as to how to proceed with long-range facility planning and will include only improvements we can afford in the short and long term.

The Manager then addressed the economic stimulus funding, noting that the Village is well positioned to receive this funding. Council and staff will proceed through traditional conduits and has started work with these agencies. More information will be available soon.

ATTORNEY'S REPORT

Village Attorney Enza Petrarca said she was presenting six items to the Council: 1) A resolution expressing intent to continue participation in the suburban tree consortium and to authorize certain purchases for FY 2009; 2) An ordinance establishing valet parking provisions; 3) An ordinance amending provisions of the Class "E-1" theater liquor license classification; 4) A resolution authorizing execution of an agreement between the Village of Downers Grove and Suburban Bus Division of the Regional Transportation Authority (Pace); 5) An ordinance approving a planned development amendment to Planned Development #9 for the construction of a service station with convenience store and car wash; and 6) An ordinance authorizing special uses for 1200 75th Street to permit a service station with convenience store and car wash.

The Attorney asked the Council to consider a motion waiving the one-week waiting period to consider new business to authorize execution of an intergovernmental agreement between the Village of Downers Grove and the Illinois Department of Transportation for the resurfacing and reconstruction of Prairie Avenue.

Commissioner Tully moved to waive the one-week waiting period to consider new business as outlined by the Attorney. Commissioner Durkin seconded the motion.

VOTE: AYES: Commissioners Tully, Durkin, Beckman, Neustadt, Waldack Schnell; Mayor Sandack

NAYS: None

Mayor Sandack declared the Motion passed.

A. Resolution authorizing execution of an intergovernmental agreement between the Village of Downers Grove and the Illinois Department of Transportation for the resurfacing and reconstruction of Prairie Avenue.

This authorizes an intergovernmental agreement between the Village of Downers Grove and the Illinois Department of Transportation for the resurfacing and reconstruction of Prairie Avenue between Forest Avenue and Fairview Avenue.

Commissioner Tully moved to adopt "A Resolution Authorizing Execution of an Intergovernmental Agreement between the Village of Downers Grove and the Illinois Department of Transportation for the Resurfacing and Reconstruction of Prairie Avenue," as presented. Commissioner Durkin seconded the motion.

A RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE

**ILLINOIS DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING AND
RECONSTRUCTION OF PRAIRIE AVENUE**

RESOLUTION 2009-30

**VOTE: AYES: Commissioners Tully, Durkin, Beckman, Waldack, Neustadt,
Schnell; Mayor Sandack**

NAYS: None

Mayor Sandack declared the Motion passed.

VISITORS

1. Bill Wrobel, 7800 Queens Court, commented on the statements made by Public Works Director Nan Newlon at last week's meeting. He appreciated Commissioner Schnell's comments regarding the Ogden Avenue TIF and getting groups involved in safety issues. He also thanked Commissioner Schnell for expressing her concerns. Mr. Wrobel then thanked Commissioner Durkin for his comments and information on traffic calming. Mr. Wrobel expressed his appreciation to the Council for making information available to the public.

2. Margaret Ulrich, 661 62nd Street, came before the Council because of flooding issues she experienced on her property on December 27, 2008. She showed slides of the stormwater leaking into the sanitary sewer. She explained that when the storm sewer on Fairmount was completed, 62nd Street was not reconnected, and the area was about one foot under water. It poured into her window wells, pool, sheds, etc. There was no storm sewer blockage. She explained the problems she has had with the insurance company because of difficulty in establishing who is responsible for the problem. She has gone around in circles from contractors, to subcontractors' insurance companies and her own insurance, only to be told coverage was not available. She was told it was not the contractor's problem, and that the design plans were wrong. Ms. Ulrich said that she is getting the run around, and she hopes that there is insurance to cover this error.

The Mayor said that he empathizes with her, and doesn't know whose fault this is. If there was an error made, staff will try to get her in the right direction to make a claim on the right party. Ms. Ulrich said there should be someone at the Village calling center if rain is expected.

COUNCIL MEMBERS

Commissioner Tully congratulated the New World Repertory Theater on their latest production "Betrayal" by the late Harold Pinter, the 2005 Nobel Laureate in Literature. He encouraged people to have dinner downtown and attend the performance.

Commissioner Neustadt thanked the Downers Grove Professional Firefighters Association for the invitation to their annual retirement and recognition dinner held last Saturday in Downers Grove. The event celebrated the retirement of three firefighters: Robert Dode, with 29 years of service; Patrick Molloy, with 21 years of service; and Thomas Spradau, with 30 years of service. Service awards, for 5, 10 or 20 years of service were also presented. He said that the largest number of awards was for 20 years of service, and it is remarkable to see the experience these firefighters bring to the Village. He congratulated all of the firefighters for their accomplishments.

The Mayor also thanked the retiring firefighters and wished them the best.

DRAFT

Mayor Sandack announced that the Downers Grove South Speech Team won IHSA State finals, and Downers Grove North placed fifth. He congratulated them both. He then addressed the stimulus package and the Village's shovel-ready projects, saying that the information is ready and will be given to legislators. If there are dollars available, the Village will present its case. He then invited the public to attend the TCD3 initial meeting and bring ideas with them.

ADJOURNMENT

There being no further discussion, the Workshop meeting was adjourned at 7:54 p.m.

April K. Holden
Village Clerk

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