



# Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

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Tuesday, July 2, 2013

7:00 pm

Council Chambers

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## 1. Call to Order

*Mayor Pro Tem Geoff Neustadt called the regular meeting of the Village Council of the Village of Downers Grove to order at 7:00 p.m. in the Council Chambers of the Downers Grove Village Hall.*

### Pledge of Allegiance to the Flag

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

## 2. Roll Call

Present: Commissioner Bob Barnett, Commissioner Sean P. Durkin, Commissioner Becky Rheintgen, Commissioner Geoff Neustadt, Commissioner Greg Hosé and Commissioner David S. Olsen

Absent: Mayor Martin Tully

Non Voting: Village Manager David Fieldman, Village Attorney Enza Petrarca and Village Clerk April Holden

*The Council meeting is broadcast over the local FM radio station, WDGC. In addition, a tape recording and videotape of the meeting are being made using Village owned equipment. The videotape of the meeting will be used for later rebroadcast of the Council meeting over the Village cable television Channel 6.*

*The Council will follow the rules of conduct for this meeting as provided in Sec. 2.5 of the Downers Grove Municipal Code. These offer the public the opportunity to comment at several points in the meeting. First, immediately following approval of the minutes of the past meetings, an opportunity will be given for public comments and questions of a general matter. If a public hearing is scheduled for this meeting, an opportunity is given for public comments and questions related to the subject of the hearing. Finally, an opportunity is given for public comments and questions on items appearing on the Consent Agenda, the Active Agenda and the First Reading.*

*The presiding officer will ask, at the appropriate time, if there are any comments from the public. If anyone wishes to speak, the individual should raise their hand to be recognized and, after acknowledgment from the presiding officer, approach the microphone and state their name and address. Remarks should be limited to five minutes, and asked that individuals refrain from making repetitive statements.*

*Mayor Neustadt said there are agendas located on either side of the Council Chambers, and he invited the audience to pick up an agenda and follow the progress of the Council meeting.*

## 3. Minutes of Council Meetings

*Council Meeting - June 18, 2013*

*Long Range Plan Meeting - June 18, 2013*

*Mayor Neustadt asked for a Motion to approve the minutes as submitted.*

*Commissioner Durkin moved to approve the minutes as presented. Commissioner Olsen seconded the motion.*

*The Mayor declared the Motion carried by voice vote.*

#### **4. Public Comments - General Comments on Matters Not Appearing on Tonight's Agenda**

*Richard McMahon, 5412 Regents, Rockford, spoke of the Mobil station at 63rd and Belmont and discussed the shopping center around the station. He then referred to land at the southeast corner of Ogden and Cross. It was a used car dealership and he has a contract to purchase the parcel. He said he met with Mr. Cassa of the EDC on June 3 and has not heard back. He asked if the community will support the rezoning of Ogden and Cross for a large convenience store. He was told the community probably would not support this because they would be in competition with an existing business. He finds this to be anti-American. He said there have not been many improvements in the community in this industry. He also asked if the community would grant his company a license to sell beer and wine in the convenience store. This is a 6,800 square foot, \$4 million facility, not just an ordinary convenience store. He has not received an answer on this. He has a timeline and he requested consideration of these matters.*

*Mayor Neustadt asked Mr. McMahon to provide contact information to Mr. Dabareiner.*

*Jim Crawford, 201 56th Street, said he was representing St. Mary of Gostyn's Parish which is part of a group of churches that have organized themselves regarding the stormwater utility fee. He outlined several concerns the churches have with this fee: 1) Separation of church and state - he feels this is a clear issue of taxation; 2) The amount of money - he asked about safeguards for the future to hold the increases down; 3) Financial burden placed on worship communities - the money for the fee has to come from somewhere and it falls on services to the needy; 4) Fairness - the burden of the stormwater utility fee is placed on churches, but not on the Park District; 5) Shared burden - about 1/3 of the church membership actually contribute to their church, and their donations are used to pay the fee. He further suggested that credits be better defined.*

*Mayor Neustadt said the Council has listened carefully to the comments from the churches. He referenced the report recently published by the Village regarding the April flood event. The Village will be funding extra projects and the funds for these projects come in large part from the stormwater utility fee.*

#### **5. Council Member Reports**

*Commissioner Durkin reported that many members of the Council attended the EDC awards luncheon. The Mayor announced three cornerstone awards to Midwestern University, Flavorchem and Shop & Save. Over 350 people were in attendance. The CEO for Advocate Health Care, James Skogsbergh, was the keynote speaker.*

*Commissioner Durkin said he participated in the recent Midwestern University golf outing. Dr. Goepfinger, President and CEO of Midwestern University, extended an invitation to the community to the dedication ceremony of the clinical campus on July 16, 2013 from 5:00 to 7:00 p.m. at 3450 Lacey Road. More information is available at [www.mwuclinic.com](http://www.mwuclinic.com) or by calling 630-743-4500. Their state-of-the art dental clinic has already started providing services at decreased costs.*

*Commissioner Hosé wished everyone a happy and safe Independence Day holiday.*

*Commissioner Rheintgen noted that the 4th of July parade begins at 12:45 p.m. at Main and Grant Streets and travels south. The fireworks will be held at 9:30 p.m. at 75th and Lemont.*

*Mayor Neustadt spoke of the ceremony initiating Police Chief Robert Porter as president of the Illinois Chiefs of Police. He said it was a moving ceremony; he wished Chief Porter well.*

**6. Public Hearings****7. Consent Agenda**

*Dr. Gordon Goodman, 5834 Middaugh, commented on items D & E with respect to the real estate contracts for properties that have drainage issues. He said he supports this action. In 1973, he was chair of a committee for flood plain acquisition. Many of the recommendations are consistent with what the Village is currently doing. He spoke of the land purchased at 40th and Glendenning, an area that would repeatedly flood. The land has been managed for drainage relief. It is managed as a natural area. He thinks this is the case for 3944 Sterling as well. He said he was also pleased with the acquisition on Lee Street. He suggested looking at acquiring the property south of 4407 Lee.*

*Dr. Goodman said he also looked at another neighborhood that has a floodway and flood plain. In 2011, the Village missed out on an opportunity to purchase a property that was in foreclosure. He will forward information to the Manager regarding another parcel. He is pleased to see the Village moving ahead on this.*

*Commissioner Olsen commented on the two intergovernmental agreements on the Consent Agenda, saying that this is another way to work with partners to share services and reduce costs. He looks forward to staff bringing forth more of these agreements.*

**COR 00-05276** A. Claim Ordinance: No. 6009, Payroll, June 14, 2013

**Sponsors:** Accounting

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

**Indexes:** N/A

**BIL 00-05277** B. List of Bills Payable: No. 6056, July 2, 2013

**Sponsors:** Accounting

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

**Indexes:** N/A

**MOT 00-05262** C. Motion: Award a Contract for \$261,464.40 to Archon Construction Co., Inc., Addison, IL, for Sterling Road Storm Sewer Project

**Sponsors:** Public Works

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

**Indexes:** Storm Sewers

**RES 00-05273** D. Resolution: Authorize a Real Estate Contract for the Property Located at 4407 Lee Avenue, Downers Grove

**Sponsors:** Village Attorney

**Summary of Item:** A RESOLUTION AUTHORIZING A REAL ESTATE CONTRACT FOR THE PROPERTY LOCATED AT 4407 LEE AVENUE, DOWNERS GROVE, ILLINOIS 60515

RESOLUTION 2013-39

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

**Indexes:** Village Property - Acquisition

**RES 00-05282** E. Resolution: Authorize a Real Estate Contract for the Property Located at 3944 Sterling Road, Downers Grove  
**Sponsors:** Village Attorney  
**Summary of Item:** A RESOLUTION AUTHORIZING EXECUTION OF A REAL ESTATE CONTRACT FOR THE PROPERTY LOCATED AT 3944 STERLING ROAD, DOWNERS GROVE, ILLINOIS 60515

RESOLUTION 2013-40

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

**Indexes:** Village Property - Acquisition

**MOT 00-05258** F. Motion: Award a Design Contract for \$127,561 to Engineering Resource Associates, Inc., Warrenville, IL, for Roadway Reconstruction of Brook Drive and Centre Circle

**Sponsors:** Public Works

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

**Indexes:** Roadway Improvements

**RES 00-05281** G. Resolution: Authorize an Intergovernmental Agreement with the Village of Westmont for Police Department Network System

**Sponsors:** Police Department

**Summary of Item:** A RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE VILLAGE OF WESTMONT FOR POLICE DEPARTMENT NETWORK SYSTEM

RESOLUTION 2013-41

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

**Indexes:** Police Equipment

**RES 00-05280** H. Resolution: Authorize an Intergovernmental Agreement with the Villages of Clarendon Hills, Downers Grove, Westmont, Hinsdale and Willow Springs, the Tri-State Fire Protection District, and DuPage Public Safety Communications for the Southeast DuPage County Communications and Radio Networks

**Sponsors:** Fire Department

**Summary of Item:** A RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGES OF CLARENDON HILLS, DOWNERS GROVE, WESTMONT, HINSDALE AND WILLOW SPRINGS, THE TRI-STATE FIRE PROTECTION DISTRICT, AND DUPAGE PUBLIC SAFETY COMMUNICATIONS (DU-COMM) FOR THE SOUTHEAST DUPAGE COUNTY COMMUNICATIONS AND RADIO NETWORKS

RESOLUTION 2013-42

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

**Indexes:** Fire Equipment - Radios

**MOT 00-05283** I. Motion: Note Receipt of Minutes of Boards and Commissions

**Summary of Item:** Library Board - May 22, 2013  
Transportation and Parking Commission - April 10, 2013

**A motion was made to Note Receipt Of this file on the Consent Agenda.**

**Indexes:** Boards and Commissions Minutes

## Passed The Consent Agenda

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

**Votes:** Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner José and Commissioner Olsen

## 8. Active Agenda

## 9. First Reading

**ORD 00-05279** A. Ordinance: Approve a Planned Development Amendment to Planned Development #24, Fairmount Village II, to Allow the Construction of Two 7-Unit Townhome Buildings at 950 75th Street

**Sponsors:** Community Development and Plan Commission

*Tom Dabareiner, Director, Community Development and Planning, said the subject property is located at 950 75th Street. This will amend Planned Development #24, Fairmount Village II, with a variation to permit the construction of 14 townhomes. He showed a slide of the location. There will be two buildings consisting of seven units each and detention facilities. The site will be improved with new structures. The subject property consists of 1.45 acres and is zoned R-5A Townhouse-Residential. DuPage County requires access via Stockley Road, and not 75th Street. A homeowners association will be set up and supported by a Special Service Area. All open space requirements have been met, and the proposal is consistent with the Comprehensive Plan and Zoning Ordinance. Mr. Dabareiner said that the developer will add an eastbound stop sign. The Plan Commission met on June 3, and staff concurs with their recommendations, which include a density variation*

*Commissioner Rheintgen asked whether the density variation is included because this is part of a PUD. Mr. Dabareiner replied that the density of the Planned Development as originally created was slightly higher than what is allowed today, but the density of the PUD was below our current standards. They could do more based on the original standards, but they are asking for a little more than allowed under the original standards. Commissioner Rheintgen mentioned the turnaround area for emergency vehicles. She asked if visitors will be allowed to park in that area. Mr. Dabareiner said that visitors will not be able to park in that area as currently designed.*

**Indexes:** Planned Development #24 - Fairmount Village II

**MOT 00-05275** B. Motion: Award a Contract for \$2,217,888.20 to Central Blacktop Company, Inc., LaGrange, IL, for the 2013 Resurfacing (B) Project

**Sponsors:** Public Works

*Nan Newlon, Director, Public Works, said this Motion will award a contract to Central Blacktop Company of LaGrange for road resurfacing. She said that this is one component of the 2013 Roadway Maintenance Program. She noted that the streets to be resurfaced are shown in the Council's packet. It will include pavement and concrete and curb and gutter repair as needed. Central Blacktop was the low bidder. They are involved in other Village maintenance roadway projects and have a satisfactory performance record.*

**Indexes:** Street - Resurfacing , Motor Fuel Tax

**10. Mayor's Report**

*Mayor Neustadt commented on the storm report regarding the April storm. He said the report is on the Village's website and it identifies the projects that are related to those storms.*

*Village Manager Dave Fieldman said that staff is looking for resident reactions to preliminary recommendations regarding the storm issue. Staff expects to schedule a meeting following the Fourth of July holiday.*

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

*Village Attorney Enza Petrarca said she was presenting one item to the Council: An ordinance approving a planned development amendment to Planned Development #24, Fairmount Village II, to allow the construction of two 7-unit townhome buildings at 950 75th Street.*

**13. Council Member New Business****14. Adjournment**

*Commissioner Durkin moved to adjourn. Commissioner Olsen seconded the Motion.*

*Mayor Neustadt declared the motion carried by voice vote, and the meeting adjourned at 7:37 p.m.*