

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

1/20/2015

7:00 PM

In order to give as many visitors as possible an opportunity to speak and in the interest of adjourning the meeting by 9:00 p.m., please limit your comments to 5 minutes in length, unless further time is granted by Council. Thank you.

1. Call to Order

Pledge of Allegiance to the Flag

2. Roll Call

Council Attendance: Commissioner Barnett, Commissioner Durkin, Commissioner Hosé, Commissioner Neustadt, Commissioner Olsen, Commissioner Rheintgen, Mayor Tully

Staff Attendance: 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 past meetings, an opportunity will be given for public comments and questions of a general nature. If a public hearing is scheduled for this meeting, an opportunity is given for public comments and questions related to the subject of the hearing. Finally, an opportunity is given for public comments and questions on items appearing on the Consent Agenda, the Active Agenda and the First Reading. The Mayor stated that at the appropriate time the presiding officers will ask if there are any comments from the public. Individuals wishing to speak, should raise their hand to be recognized and, after acknowledgment from the presiding officer, approach the microphone and state their name. Remarks should be limited to five minutes, and individuals are asked to refrain from making repetitive statements.

3. Minutes of Council Meeting

MIN 2015-6049 A. Minutes: Executive Session Minutes for Approval Only - December 2, 2014

Summary: Executive Session Minutes for Approval Only - December 2, 2014

MIN 2015-6037 B. Minutes: Council Minutes - January 13, 2015

Summary: Council Minutes - January 13, 2015

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

Motion: Commissioner Neustadt moved to approve the minutes as presented. Commissioner Durkin seconded the Motion.

Votes: **Yea:** Commissioner Neustadt, Commissioner Durkin, Commissioner José, Commissioner Olsen, Commissioner Rheintgen, Commissioner Barnett; Mayor Tully

Mayor Tully declared the motion carried.

4. Public Comments

This is the opportunity for the public to comment on non-agenda items.

Bill Wrobel, 7800 Queens Court, said he has had an on-going email dialogue with the Village Council since December regarding the garbage north of the Public Library. He heard from Village Manager Dave Fieldman who said he has investigated and that nothing would be done. The Village will not construct a holding area that would obscure it from public view. Mr. Wrobel said that this is an eyesore.

Mr. Wrobel then commented on the issue of entrance markers, saying he found it interesting that the Village is concerned about how we present ourselves. It is counter-productive to be concerned about traffic and ignore the anchor of our downtown—the Library—to store peoples' refuse. This is unique in Downers Grove that we have private people and businesses storing trash on public property. Mr. Wrobel described what he has seen and it is a disgrace. He referred to photographs that he sent to the Council. It seems to him that this is a low-priority item. He wanted to go on record that he has spoken with the Council on this and that he considers it a high-priority item.

Mr. Wrobel then discussed an item on the Village Manager's report regarding the spending of \$46 million for potential Village facilities. He said that the Village has charged out over \$13,000 to audit a petition that was circulated to put a referendum on the ballot. This is a bad use of public funds. The Village is questioning the integrity of the citizens.

Mayor Tully said that the information posted was in regard to two challenges to the nominating petitions, and not to audit the petition regarding the referendum. The Mayor said an attorney was engaged to hold board meetings consistent with state law. Objections were heard to nominating petitions.

Mr. Wrobel said he stands corrected and apologized because he misunderstood that the funds were being used for the petition for a referendum, and not being used in reply to two challenges to the nominating petitions.

Mayor Tully then said that with regard to gateway signs, the amount to be spent is far from being determined. It was first discussed last week. No certain amounts have been determined. Neither the actual design nor the cost has been determined.

Mayor Tully replied to the comments regarding the refuse containers near the Library. He thanked Mr. Wrobel for the photographs he provided, and said that the Council will attempt to work with the property owners regarding the problem. The containers are more difficult than one might think. He said that the Council appreciates Mr. Wrobel's input and has not forgotten about it.

Mr. Wrobel said that he has observed piles at these sites. It is a welcome to the community to dump their trash here.

Jo Potts, 216 Lincoln Avenue, spoke regarding communication and the Council Chambers acoustics. She noted that some Council members are harder to hear than others and suggested that they lean forward when talking. To the audience, she suggested they move to seats closer to the Council. She also asked that people not speak unless they are at the podium and to listen and respect who is speaking. Further, come prepared, do your homework, and know the difference between facts and opinions. She also asked that people not tap their fingers when speaking.

Laurel Bowen, 829 Clyde, said that with respect to the trash cans, the area behind the bank is condoned off and would be ideal for a container.

Ms. Bowen then spoke about the Clyde Estates proposals. She said no one seemed to be interested in this on January 6, 2015. She read a portion of the oath of office of elected officials. No one was present at the public meetings, no one has walked Clyde Estates, the residents were not given handouts and there were no overhead presentations. Ms. Bowen said the residents don't know what the project looks like and it has gone out to bid. There are many important issues to be addressed. This project is being rammed through. She asked if the Public Works director still works for Christopher Burke.

Mayor Tully said this is a major street construction. To minimize the impact, it is being bundled with other projects, including streets, stormwater, sidewalks, traffic calming, etc. There have been a couple of meetings. People have differing opinions about this project and staff continues to work with the residents. He expressed appreciation to Ms. Bowen for her comments and noted that the Village will not be able to please everyone. He noted that the Council has not voted on any items with respect to this project. The Mayor said the drawings were part of the Manager's report and will be linked on our website.

Ms. Bowen asked if they could be made available in hard copy.

The Mayor said they could be.

Commissioner Barnett said there were a couple of neighborhood meetings, each attended by 30 plus people and the drawings were available at tables. This stands in contrast to Ms. Bowen's comments that information was not available.

Ms. Bowen said the available materials were blueprints on tables.

The Mayor asked that staff link the information to our website and provide it to Ms. Bowen.

Mr. Fieldman said staff has met individually with residents.

Ms. Bowen said the number of people attending the neighborhood meetings include duplicates. She said this is their neighborhood and it is a redevelopment of their neighborhood.

Noreen Hess, 6004 Clyde, spoke about the proposed sidewalk reconstruction. She is fearful that the project will change the neighborhood. Due to her location, she has a large side yard and the plans will negatively affect her property values. They cannot retreat to their backyard. Other homes will not be as negatively affected. She said their concerns are not being heard. There is a partial sidewalk across the street that was installed within the last five years. The plan is to remove it and install new sidewalk. She said she doesn't like coming before the Council. This has pitted neighbor against neighbor. She asked the Council to please consider the option of not being a cookie-cutter town. She asked that her street's beauty and integrity be left intact.

The Mayor said sidewalks were initiated by the community. Staff has tried to be mindful of the neighborhood and will continue to work with the neighborhood.

Ms. Hess said that at the first meeting with the residents they were told sidewalks were being installed whether people wanted them or not. She said they need the street work and sewers, but not sidewalks. It is a unique neighborhood. She said she doesn't think Denburn Woods will get sidewalks.

Connie Butler, 5925 Washington, said she is intrigued by what she has learned. She read a letter and thanked the Council and staff for listening. She referred to the section south of 59th on Clyde. She appreciates the interconnected approach. She feels the need to know the studies and data behind the project. She asked about what is known, how long the road will last, whether it is a total reconstruction of the road, traffic studies, speeding tickets, violations, residential vs. non-residential speeding, flooding, etc. She

didn't move into a neighborhood of ditches. She thinks this is a police issue and she hopes this will be rethought.

Norbert Ryzbicki said he discussed the Clyde Estates design with two staff members and was told that it is Council's decision that sidewalks are needed and will be installed. He was given the same answer twice.

The Mayor reiterated that sidewalks have been a long-standing community initiative.

Dr. Gordon Goodman, 5384 Middaugh, noted that the agendas and minutes are missing in the 2015 archives that are available through the Village's website. The Manager's report that has been referenced, is from December. Dr. Goodman urged Council to review the sidewalk policy.

Dr. Goodman said he is pleased with the tree consortium resolution. He referred to a slide regarding tree plantings, removals and inventory comparison. He noted the number of tree replacements and removals over a 13-year period. As of 2006, the Village is losing trees. We need space available for location of trees and may need more parkway space. The Village has a wonderful Forestry department and he hopes they get the support they need.

Tom Taylor said he has lived in Downers Grove for 37 years. He said we cannot afford not to be innovative. New technology will be a part of our future. Much effort has been put into plans for a new facility, but new innovations might be considered. Informed citizens make good government.

Joe Phillips, 840 Jay Drive, said the Village is well-run with a highly professional staff. He understands that a referendum will be on the ballot for the April 7, 2015, election. The Village needs a robust business case regarding the Village facilities and needs to dig deeper for a presentation that makes sense.

Tim Harms, co-chair of the Downers Grove for Responsible Government Coalition said that the Council has expressed its opinions regarding the referendum question, and they would like to respond. Mr. Harms stated the referendum question, and said it is clear, specific and directly addresses the facilities plan that is proposed by the Council. He said that the referendum is a gauge of public opinion. He noted that last week it was stated that the referendum was promoted in bad faith or had bad intentions. He has deep respect for those who circulated the petitions. He said their intention is to give residents what the Council would not give them. He and Tim Warner are available to answer questions. They consider it preferable to have an open exchange of questions, rather than discussion on Facebook.

The Mayor said that now that the referendum is officially on the ballot, there are restrictions on what the Village can do using Village facilities that could be construed as being for or against the referendum. The Village can only provide information.

Mr. Harms said we can leave it up to the residents to vote. He would be happy to respond to questions about integrity of Downers Grove for Responsible Government. He said they can be reached at DG4RG.com

5. Council Member Reports

Commissioner Olsen said yesterday was observance of Martin Luther King Day. Commissioner Olsen recognized the contributions of Dr. King and all those who promoted equality and contributed to voting and civil rights.

Commissioner Neustadt highlighted the Village's website and the ability for people to sign up for community notifications and link to the Village's Facebook page, You Tube, etc.

Commissioner Neustadt said he attended a Chamber 630 ribbon-cutting event for Adventure Realm at 63rd and Woodward, which opened yesterday.

Mayor Tully encouraged people to get sources from the Village's website as opposed to Facebook.

6. Consent Agenda

COR 2015-6034 A. Claims Ordinance: No. 6089, Payroll, December 26, 2014

BIL 2015-6035 B. Bills Payable: No. 6168, January 20, 2015

MIN 2015-6047 C. Minutes: Note Receipt of Minutes of Boards and Commissions

Summary: Liquor Commission - October 02, 2014

Motion: Commissioner Neustadt moved to approve the Consent Agenda. Commissioner Durkin seconded.

Votes: **Yea:** Commissioner Neustadt, Commissioner Durkin, Commissioner Hosé, Commissioner Olsen, Commissioner Rheintgen, Commissioner Barnett; Mayor Tully

Mayor Tully declared the motion carried.

7. Active Agenda

RES 2015-6043 A. Resolution: Place an Advisory Referendum Question Regarding Police Facilities on the Ballot for the April 7, 2015, Consolidated Election

Summary: A Resolution Placing an Advisory Referendum Question Regarding Police Facilities on the Ballot

Motion: The Mayor asked for a Motion to place an advisory referendum question regarding police facilities on the ballot for the April 7, 2015, Consolidated Election.

This matter failed for lack of a motion.

RES 2015-6044 B. Resolution: Place an Advisory Referendum Question Regarding the Village Facilities Plan on Ballot for the April 7, 2015, Consolidated Election

Summary: A Resolution Placing an Advisory Referendum Question Regarding Village Facilities Plan

Motion: The Mayor asked for a Motion to place an advisory referendum question regarding the Village Facilities Plan on the ballot for the April 7, 2015, Consolidated Election.

This matter failed for lack of a motion.

Commissioner José thanked his colleagues and the community for engaging on this matter. He said we are striving to find the “and” solution. There is only so much that can be captured on a referendum question. He then proposed that Council direct staff to put together a resident survey to obtain more, better and narrative feedback on facilities. This allows for additional educational opportunities as well as the ability to put information out and get information back.

Mayor Tully said no one doubted the intention, but they struggled with the appropriate vehicle. No one has suggested to do nothing. This is a better path to get information out and input back.

Commissioner Barnett said Council needs to make information available to the public starting now. He suggested changing staff

priorities to try to get information out. He would like to direct staff now to get information to all residents.

Mayor Tully asked as to the specific additional measures that should be taken.

Commissioner Barnett said time is of the essence. Staff should decide the next action.

Mr. Fieldman said staff will continue with individual meetings with Council members to determine desired outcomes. He will start immediately and these meetings will be a precursor to a survey. The work plan will be posted and shared.

8. First Reading

INF 2014-6006 A. Resolution: 942 Maple Avenue Structure Relocation

Mr. Fieldman introduced Planning Department Manager Stan Popovich to make the presentation, saying that staff will be looking for direction from the Council.

Planning Manager Stan Popovich commented that the proposed agreement is to relocate the house at 942 Maple to 743 Maple Avenue. He showed slides depicting the path proposed to relocate the house. The agreement is a three-party agreement that lays out the responsibilities of the Tillotsons, and developer and the Village. The Tillotsons are responsible for preparing and relocating the house, seeking historic landmark designation, indemnifying the Village and developer, and agreeing for private tree work. The developer will donate the structure for moving, provide a cash donation equal to demolition costs, apply for multi-family residential building permit, pay for all Village permit fees for the multi-family residential building and remove the existing oak tree at 942 Maple. The escrow amount is \$140,000. The Village will offer technical assistance between the Tillotsons and the developer, expedite review and approvals, distribute the multi-family permit fees to the Tillotsons, waive all permit fees for 743 Maple Avenue and duly consider historic landmark designation.

Mr. Popovich then addressed the issue of tree location, and referred to the tree map showing 30 trees that will be impacted. The map was recently revised, and the tree numbers have been reduced. There are still 30 trees impacted. He said that there are 5 parkway trees to be removed and replaced, and 11 ash trees to be removed. He reviewed all of the trees impacted by the move of the house, based on review by the Village Forester. Mr. Popovich said that the proposed move will include before and after images to visualize the impact of the proposal. He said that they also will show the before and after pictures of trees on Maple Avenue and the look of Maple Avenue. There are some trees, such as the ash on the Park District property, that have already been removed. The Village will replant any trees removed.

Mr. Popovich then showed photos of the corner of Maple and Mackie, as it appears now and will appear after the house has been moved.

Mr. Fieldman said the “and” solution in this case is to save the house and preserve the trees. This is as close as they could get to the “and” solution. He noted that the Forester has worked hard to remove the minimum amount of trees, and this is a trade off. Time is of the essence in this case because the condo developer plans to begin construction in the spring. The foundation would have to be started immediately once this agreement is approved. The proposal shown is the minimum amount of trees to be removed.

Commissioner Olsen asked about the replacement of parkway trees with 3” caliper trees, and who would pay for the cost of the replacement. Mr. Fieldman said the Village would be responsible for the cost, but the Tillotsons would be responsible for paying for the valuation of the public trees to be removed. The fee would be used to replace the trees.

Mayor Tully noted that the location being discussed tonight is different from that which was previously identified. There are still some things to be calculated and there may not be answers to all questions this evening.

Commissioner José asked whether there is a way to shrink the house as it goes down Maple Avenue, such as to cut it in half, to lessen impact on Maple Avenue trees. Mr. Fieldman said that cutting the house in half would not be an option, but the front and back porches would be removed. Commissioner José then asked how the trees to be replaced compare to the existing trees. Mr. Popovich said that the existing trees range in size from 2”, 23”, 30”.

Commissioner Neustadt asked about the size of the parkway trees, and Mr. Popovich said they would be 2” or 3” trees. Commissioner Neustadt said he thought the utilities would be a big issue, but it appears that is routine. Mr. Fieldman said it is not routine, however, there are best practices that they are aware of.

Commissioner Neustadt then asked if there are utility boxes in the right-of-way, and the Manager replied that the house could be redirected around some obstructions.

Commissioner Neustadt then asked what happens if the developer does not go forward, and the Manager responded that they are entering into an agreement. The Tillotsons would have significant risk here. They are looking for ways to mitigate the risk to the Tillotsons.

Mayor Tully commented that the removal of 15 trees is contemplated, four of which are ash trees. He asked about the remaining eleven trees. Mr. Popovich then provided a list of the remaining 11 trees including the type and size.

Commissioner Durkin asked about the private trees that need to be pruned, and what happens if the owners change their mind. Mr. Fieldman said there is a clause in the agreement. The Tillotsons would be required to obtain written approval to prune trees. Mayor Tully noted that five trees are on private property. Commissioner Durkin commented that there are a lot of moving parts involved. Mr. Fieldman replied that staff is looking for direction to continue working on the agreement. He said that they might want to direct the Tillotsons to reach out to the private tree owners.

Commissioner Rheintgen asked whether replacement trees could be of the same size. Mr. Fieldman responded that the maximum size suitable for planting is a 3" caliper. Anything larger is too big to survive. Commissioner Rheintgen asked how long it would take to regrow the canopy, and the Manager replied that there is 1/2" growth in caliper per year. It would take 16 years to reach the 11" caliper. Commissioner Rheintgen then asked what the Village contribution was when the Blodgett House was moved.

Commissioner Durkin said that was a private house for public use.

Commissioner Neustadt added that it was projected to raise \$35,000 in revenue.

Commissioner Rheintgen said that beautiful trees affect the property value. She asked what the impact of this would be on the properties. Mr. Fieldman said that it would be \$831 per year for all the properties impacted. Commissioner Rheintgen then asked what the age of Tillotsons' house is, and Mr. Popovich said it is not a significant property. Commissioner Rheintgen questioned the timeline for designating the historic landmark. Mr. Fieldman replied that the final schedule has not yet been determined. Staff will provide ample time but it would have a deadline.

Commissioner Barnett asked for clarification regarding the historic value of the existing house at 743 Maple Avenue. The individual breakout calls it "significant", yet staff identifies it as "contributing." Mr. Popovich said that information would be obtained.

Amy Hebert, 802 Maple, spoke about the value of trees in a neighborhood. The presence of trees adds value to the sale price of a home, reduces noise by nearly 50% and drivers are less aggressive. She said that trees also reduce crime and collect runoff. The caliper does not directly relate to the canopy. Older trees will not regenerate in a short period of time. She asked that they consider the impact of the neighborhood as a whole.

Scott Lazar, 808 Maple, said he was initially excited about the prospect of moving this structure, but now he has concerns. Trees are a part of the town, the name, and the name of the street. Downers Grove has been a Tree City USA since 1984, and was approved for Forestry Department accreditation and reaccredited in 2012. Mr. Lazar then referenced the Urban Forestry and Municipal Landscape Maintenance Program report, and looked at the stormwater runoff impact based on the original proposal. The reduction of gallons of stormwater interrupted annually is 27,792. Regarding tree pruning, Mr. Lazar said this is not positive. The proposal would cut a 40'x40' swath down Maple Avenue. The street is 32' curb-to-curb. He spoke with representatives at the Morton Arboretum, and they cautioned against this move because of the risk to the health of trees, the death of trees, the costs, and the risk from weak and falling branches. They referred to professional pruning standards, saying under no circumstances should they move more than 25% of the foliage of a tree. They could expect more of these trees to fall down. Mr. Lazar then asked if water runoff liability has been addressed, and has the Forester been asked to conduct an impact study.

Mr. Fieldman said that the answer is "yes" regarding the Forester, and the product of her study is tonight's presentation.

Tom Taylor said it is heartening to see the passion for trees. He asked about a plan to move the house at the corner of Main and Maple. Mayor Tully said they have not contemplated this.

John Hebert, 802 Maple, said he was sold on his house due to the canopy. He spoke about three parkway trees. One has a Cooper Hawk. Another is an original Maple tree. He said this impacts on wildlife.

Mayor Tully noted that the Village did not initiate this. An opportunity has presented itself, and it is a neighborhood issue. The Village is trying to explore options and fully appreciates that there will be an impact. They are trying to respond to a cry about the house.

Christopher Salman said he moved the Blodgett House in 2008-09. The Edwards house is a beautiful home and deserves to be moved.

Mike Behm, 4629 Linscott, said that this is a community discussion and not an argument. He came before the Village a few months ago as a resource if the Village wanted it and wanted to save the house. He is here as a resource if people want them to do this. He said he doesn't understand why the past four months have been an argument rather than a discussion. He has given a good amount of his time. All he is hearing is anger rather than opportunity.

Denise Lazar, 808 Maple, read a statement on behalf of a neighbor, Mr. O'Malley. Mr. O'Malley's letter expressed concern about the impact of moving the home and the trees. Trees make Maple Avenue unique. The move will take away the scenery, and the impact is devastating. Mr. O'Malley's letter said that this is a long-term impact that will take 20-25 years to replace. Residents on Maple Avenue should have more say than those who don't live on Maple.

Ms. Lazar then said that \$140,000 is a huge amount of money for the Village to pay for one historic home. She would like to know what it cost to move the Blodgett Home from a public to private purpose. Mayor Tully said there is a cost. The Village has been involved in aspects of what are community assets. Ms. Lazar said that if the Council approves this move, she suggested that money be made available to owners for trees to be planted on private property. She thinks making funds available to property owners would go a long way to alleviate the concerns about rebuilding the canopy.

Karen Crowe, 5408 Fairmount Avenue, said that the Oak on the private property seems to be so easily wiped out. She values the trees on her property and is concerned about the canopy. The information that is being presented is not entirely accurate and that is why there is concern expressed. She asked the Council to reconsider the slides of before and after to show what trees would remain. The slides do not accurately represent how the street will look. She is in favor of the House. She spoke about the tree inventory on Maple Avenue, and said that the public needs accurate information. Ms. Crowe reviewed the trees that were reported by staff, saying that some of the information was not exact. With regard to runoff, she said people talk about runoff created by larger homes. Trees have a life expectancy that should be taken into consideration.

Mayor Tully clarified that the Oak tree on the property is coming down because of the project, and not because of the move of the house.

Christine Martin, 701 Maple, said she is in full support of moving the Edwards House and thanked the Behms and Mr. Tillotson. She thinks it is the perfect, ideal situation for an old and gracious home. She does not agree that pruning the trees is bad. Pruning and trimming trees is good for the trees. The trees being removed are not ancient. The house remains but the trees come and go. She is in favor of removing the trees and replacing them. She showed photos of the interior of the house, saying that the house is not in disrepair. She has full confidence that the Tillotsons can bring this house back. She support the Tillotsons and the Behms.

Kathy Wilson, 705 Maple, said that her house would not be impacted by the move of the Edwards House. She has lived in Downers Grove for 28 years, and has seen the tree canopy disappear due to new homes being built. Flooding is due to new homes being built. Ms. Wilson said that she thinks that the Edwards House is two Sears kits put together. With regard to the trees, the truck can go around the trees. The five private property trees have to be pruned, and pruning will probably happen at the top of the trees. She noted that Maples generally live to be 40-60 years, and even the oldest Maples are probably not the originals. Trimming trees on Maple should be a Village concern. Ms. Martin reiterated that there are only four trees over 10", and most of what has to be removed is fast growing. She suggested that the Forester look at this. She doesn't think it will look as stark as the photos shown, and she would like to save the Edwards House. Downers Grove has a history that is more important than whether the trees are replaced. She supports moving the Edwards House.

Commissioner Rheintgen said that the house mover, and the Village Forester have discussed how the house would be moved. This is a tree plan based on those discussions and the tree plan could be enacted before the house is moved. Their plan is designed to have the minimum impact on the trees. Mr. Fieldman said that this tree plan has been prepared after multiple walk-throughs of the house and Maple Avenue. The plan shows the most accurate interpretation for the removal of trees with the minimal amount of impact. What is substantial is the width of the house, which is 40'.

Chuck Fevillan, 633 Maple Avenue, said he supports the move. His parkway trees have been replaced four times. If you move the house, the trees will grow back. Twenty-five years from now the houses may still be there, with different trees that have grown back. The only tree they should be upset about losing is the Oak tree.

Ms. Wilson said that they have visited over 48 properties on Maple, and she presented the results of those visits to the Council.

Ms. Potts commented that she does not live on Maple Avenue but thinks this is an issue for the community. They have discussed the impact on the trees, and she said that most of the people there wouldn't live long enough to see the canopy grow back. Her understanding is that residents with private property trees can just say no to the Village. She asked about the Village Council's report dated January 20, 2015, on page two which refers to the interior of the structure being gutted. She also learned that the front and back porch would be demolished. The Mayor said that the front and back porch would be removed and then replaced. Ms. Potts commented that it would take a couple of decades or more to replace the canopy. She noted that not all trees would be removed.

Mr. Fieldman commented on the status of 743 Maple, saying there are three categories: 1) contributing significance; 2) contributing; and 3) not contributing. The existing house at 743 Maple is in the middle category. He then asked Mr. Behm to explain what is meant by interior demolition, which relates to the basement area. Mr. Behm said that the basement would have to be gutted, but nothing above the basement level would be gutted.

Mr. Hebert said that regarding the survey along Maple, several homes were by-passed. He asked if there is a way that he would have to consent to this. The Mayor responded that if the owner is opposed to any pruning of their private trees, they have the right to do that.

Commissioner Durkin asked whether the tree can be moved without an owner's consent, and Mr. Fieldman responded that it is highly unlikely that his trees could be moved without an owner's consent.

Nancy Svoboda, 4702 Florence, said the issue of the home has community impact. She knows the sadness of losing trees, and it has to be weighed against the historical preservation. She asked for ways to preserve the Edwards House.

Mayor Tully said that the staff has looked at various options. The Village and Council have been looking for ways to get to a solution. There are significant obstacles to saving the house.

Ken Wolf, 744 Maple, said it does not make sense to destroy the canopy to save one house. He asked about the resale of the house. Mayor Tully noted that the house would have to be designated as a landmark property. Mr. Fieldman added that defaults and remedies would have to be added to the agreement.

Dr. Gordon Goodman said he is a notorious tree hugger. He moved to Downers Grove in 1962 and he is 82 years old. He thinks this house is worth saving. Over a 22-year period, one-third of the trees are replaced. Over a 66-year period, it is a 100% replacement. He referred to subdivisions and trees that have grown in those subdivisions. The neighborhood can recover from the impact of the tree plan. He is confident that the Edwards House will survive. It would be desirable if the Village would have a public use for the house at Maple and Main.

Tom Callahan, 954 Summit, said he is doing a community film project about Downers Grove and has learned that people talk about community preservation; however, he said that they have to keep in mind that we live on stolen land. We need to broaden our understanding of the land.

Mr. Lazar referred to a memo from The Lakota Group, which lists 743 Maple as a “significant” property.

A resident from 5th Street said we are all impacted by changes. He supports older trees and homes. There has not been much discussion about the cost, and he asked if the deal would fall apart if the Village pulls its support. Mayor Tully responded that it would fall apart in terms of the Village participation. The resident replied that he is concerned about the benefit of this particular partnership. He does not think the tangible benefits will be apparent, and does not support the use of \$140,000 of Village funds.

Mayor Tully explained that private citizens have come forward. He said that the Village did not initiate this. It came about as the result of public response. Private citizens have come forward with a proposal to save and move the house. He noted that some years back the whole community paid for the installation of the brick street because of its aesthetic benefit to the community.

Mr. Behm commented that when this project first was brought to the Village, he offered the parcel and wanted to break even and not make any money on this project. He does not want anyone to think that he will make a profit on this. He doesn't want to lose money. This is not a developer venture, and no one is making a profit on this.

Graham Mosey, 4925 Forrest, said he was born in England and said that in England they use a netting and tarp system to save trees that are taller. He suggested that something of that nature might be used in this case.

John Tillotson, 5232 Benton, said he is the owner of 743 Maple and is not a developer. He purchased 743 Maple because they love trees and historic homes. He does not want to negatively impact his neighbors and thinks the Edwards House is a beautiful structure. This is an effort to contribute to the community. If this is going to negatively impact neighbors, he said they can just take the project off the table. The primary concern was saving the Edwards House, and that is why they offered the property on Maple. They have the location and are in the fortunate position to afford this.

Kathleen Drennan, 840 Maple Avenue, has lived there for 20 years. She is in favor of moving the Edwards House and it is fine by her to trim her trees.

Mayor Tully commented that this is a community conversation and is a difficult puzzle. There are many obstacles involved, and he thinks everyone is well intentioned and has the best interest of the community at heart.

Commissioner Neustadt asked if he were at 905 Maple and looked at the private property tree, how much of it would be trimmed up. Mr. Fieldman said it is difficult to say. Having walked it several times with the Village Forester, that level of precision is difficult. They know the dimensions of the house, the dimensions of the street, and at what point branches will brush against the house. They can work on those types of exhibits if needed.

Commissioner Neustadt then asked about the acceptance of the developers' building permit fees, redistribution, etc. Mr. Fieldman said the fee waiver policy can be waived for not-for-profit agencies. He said that the Village has done fee waivers as economic incentive agreements as well as other exceptions. The mechanics of this deal are important, such as escrow funds. Commissioner Neustadt asked if the Village is considering waiving the building permit fees for the condos, and the Manager said yes. That is the majority of the funding for this project in the amount of \$140,000. Commissioner Neustadt asked where those building permit fees funds would generally go, and Mr. Fieldman said that they would go into the General Fund to cover the costs of providing services and plan reviews.

Commissioner Neustadt commented that Downers Grove values and honors historic preservation. The Edwards House is beautiful and historic. The tree canopy is throughout the Village, not just on Maple Avenue. He said that they have to look closely at the effect on the characteristics of the neighborhood—is it the tree canopy, or the historic home? The Village must get the private property tree trimming in place before moving forward. Without those private property owners' agreements, they cannot move forward with the project. He said the information received this evening from private residents, staff, the Behms and Tillotsons has been remarkable. He is glad they are having this conversation. Up to now they have expending many hours of Village staff time.

Mayor Tully thanked all of the people present for their participation, and those who stepped up to allow for this conversation to take place. He said that they appear to have competing interests. The Comprehensive Plan talks about the vision for the future in terms of housing stock, and the urban forest. Those are the horns of the dilemma. Maple Avenue is characterized as historic, and the question arises as to whether the Village can preserve the home and the trees. No matter what is done by the Village, someone will be unhappy. The Mayor discussed the topic of trees, saying that the smaller trees are not the issue. It is the trimming and the impact on the canopy. If this were just about the parkway trees, the Mayor said they could get past it. He stated that he has an issue with government involvement and private trees. He wants to move forward with this; however, the Village has to find a way to bring the private property owners along in this project. The impact on private owners is troublesome for him.

Commissioner Olsen commented that he supports moving forward, and wants to see them address the issue with the private property trees. He thinks it behooves the Village to move forward as best as possible.

Commissioner Rheintgen said that this is a hard decision to make. She is interested in saving the house. She said that she asked a group of 5th Graders today about saving the house or the trees and they were divided. The pro is to save the house, but there are a lot of cons. Thirty trees are going to be impacted, and permit fees in the amount of \$140,000 will be expended. Commissioner Rheintgen said that the Village has to answer to that, as it is for a private property. It will take 16 years for trees to return to their current place. She thinks there are more cons than pros.

Commissioner Barnett expressed his opinion that this is a value decision, and they value both elements. The public value of trees exceeds the value of the house in his opinion. The Village has spent energy and resources on its trees for 40 years and our historical preservation efforts have been largely unsuccessful. He thinks that the tree value exceeds the value of the Edwards' home.

Commissioner Hosé thanked everyone, and especially the Behms and the Tillotsons. It says a lot about the character of Village residents. The public benefit of keeping the trees outweighs the benefit of keeping the house. The dramatic impact of the tree canopy on Maple Avenue is a con that he's not willing to go to. He hopes there is a way to keep the history.

Commissioner Durkin said that his concern is the use of the \$140,000. This is to preserve a house to maintain a private residence, and not be a public use. There is a large financial burden that is being placed on the two residents who have come forward for moving the house, but it will still be private ownership. He is stuck with that dilemma.

Mayor Tully said that he heard that Commissioner Barnett and Commissioner Hosé said they should save trees at the expense of the house. He thought Commissioner Rheintgen appears to be torn, thinking the cons outweigh the pros. He thought five members said if they can get the consent of the five private property owners, they could go forward to draft an agreement to move the house.

Mr. Fieldman clarified that he heard three Commissioners say if the petitioner doesn't pursue getting the signatures, then staff should get involved. Two Commissioners said that staff should lead the effort.

Mayor Tully replied that if five private property owners whose trees stand to be trimmed as a prerequisite to the house being moved provide their consent, then staff should continue to move forward. He is in favor of further staff participation.

Commissioner Neustadt said that the petitioner has to get the agreements ready.

Commissioner Rheintgen said she agrees with Commissioner Neustadt, but even if the private property owners do agree she still has some issues.

Mr. Fieldman said that without the \$140,000, the project will not proceed.

Mr. Tillotson said that they are planning to put an addition on the structure and need to break ground. If the revenue stream is not there, the deal is off the table. He said that they would plan to stay in that building for approximately six years, when their children move on to college.

Mayor Tully thanked the Behms and Tillotsons for their offer and providing the opportunity. He called on the neighborhood to rise to the occasion.

Mr. Fieldman said we have learned from the experience on Maple Avenue. Staff has presented the scope and schedule which proposes addressing with the Historic Preservation Ordinance from February through April. Review of the Zoning Ordinance would be from May through the end of the year.

Mayor Tully suggested taking up the Zoning Ordinance but not the Historic Preservation Ordinance at this time. All Council members have discussed the need to review the Zoning Ordinance. Council has also discussed the information campaign over the next 60 days regarding the facilities plan. Unlike the Zoning Ordinance, the Mayor said he doesn't see an immediate need for the Historic Preservation Ordinance.

Commissioner Olsen said he feels staff time is stretched and the Zoning Ordinance is a more pressing issue. He supports the Mayor's suggestion.

Commissioner Rheintgen said she feels the Zoning Ordinance will take more time to review than the Historic Preservation Ordinance.

The Mayor said all Council members discussed the paramount importance of addressing the Zoning Ordinance. He suggested that perhaps the Zoning Ordinance schedule could be moved up.

Commissioner Neustadt asked Mr. Fieldman if the schedule could be moved up.

Mr. Fieldman said if the Zoning Ordinance starts in May, yes, they could do most of what is on the list; however, if it starts immediately, no, they cannot.

Commissioner Neustadt said he is in favor of the proposed schedule.

Commissioner José said there is a distinct possibility of a new Council in May who may have their own ideas and it may have to be redone. He would not be in favor of moving up the discussion of the Zoning Ordinance.

Commissioner Barnett said it is not easy to separate these ordinances as they are interrelated. If this is staff's way to address these matters, he feels we should proceed. There is a big gap between how the ordinances are written and their application.

Commissioner Olsen asked as to the discussion on February 3.

Mr. Fieldman said staff would start the discussion on February 3 and would review the ordinance, summarize the thresholds and ask for direction as to changes.

Dr. Goodman asked as to the experts to be consulted in the course of these reviews, the role the Comprehensive Plan will play in these reviews, and the relationship between the proposed reviews and the Village's 2013 architectural and historical survey. Dr. Goodman said he hopes staff will answer these questions on February 3.

Mr. Lazar asked the Council to consider discussion of the Zoning Ordinance first as it is more macro and affects more people. He said he feels people are not ready to address the Historic Preservation Ordinance issues. He pointed out an error in the architectural historic survey as it relates to 702 and 704 Maple. They are designated "contributing" in one document and "significant" in another and both houses were built after 2000. He feels it is a little too soon to discuss the Historic Preservation Ordinance. People could use some breathing room. The idea of a Maple Avenue historic district was rejected by an overwhelming majority. Currently 51% of owners must consent; he thinks there will be a lot of pressure to reduce that percentage. This impacts people's wealth and retirement. He feels there isn't a compelling need for an historic district. Individual homeowners can apply for their own property to be designated an historic home.

Commissioner Ordinance asked if an individual seeking historic designation has to come before Council.

Village Attorney Enza Petrarca answered affirmatively.

Marge Earl, 4720 Florence, expressed agreement with Mr. Lazar and Dr. Goodman. There are many issues with the survey and people may need breathing room. There doesn't seem to be a pressing demand from the community. Zoning issues will probably present themselves before someone comes forward with a request for an historic district.

Kathy Wilson, 705 Maple Avenue, said the survey in 2013 was based on the new homes while the 2003 survey was based on the former homes. She suggested reviewing permits at the same time as the ordinance review. She noted the importance of zoning.

9. Mayor's Report**10. Manager's Report****11. Attorney's Report****12. Council Member New Business**

Mayor Tully noted that the Village offices are open on Martin Luther King Day. Dr. King is well-known for his commitment to service. The Mayor suggested looking at doing a service project that day.

Commissioner Olsen expressed his support for this idea.

13. Adjournment

Mayor Tully asked for a motion to adjourn.

Motion: Commissioner Neustadt moved to adjourn. Commissioner Durkin seconded the Motion.

Votes: **Yea:** Commissioner Neustadt, Commissioner Durkin, Commissioner Hosé, Commissioner Olsen, Commissioner Rheintgen, Commissioner Barnett; Mayor Tully

Mayor Tully declared the motion carried and the meeting adjourned at 11:48 p.m.

Respectfully submitted,

April Holden
Village Clerk