

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

10/18/2016

7:00 PM

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

1. Call to Order

Mayor Martin Tully called the regular meeting of the Village Council of the Village of Downers Grove to order at 7:00 p.m. in the Council Chambers of the Downers Grove Village Hall.

Pledge of Allegiance to the Flag

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

2. Roll Call

Council Attendance (Present): Commissioner Walus, Commissioner Earl, Commissioner Waldack, Commissioner White, Commissioner Hosé, Commissioner Barnett; Mayor Tully

Absent: None

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

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

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

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

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

3. Minutes of Council Meetings

MIN 2016-7081 — A. Minutes: Council Budget Workshop Minutes - October 8, 2016

MIN 2016-7082 — B. Minutes: Council Minutes - October 11, 2016

Council Minutes

Village of Downers Grove

October 18, 2016

Motion: Commissioner White, seconded by Commissioner Waldack, moved to approve the minutes as presented.

Mayor Tully declared the motion carried by voice vote.

4. Proclamation

Mayor Tully read a Proclamation in honor of the 40th anniversary of Good Samaritan Hospital in Downers Grove, and presented the Proclamation to the hospital's President, Dave Fox, designating Good Samaritan Hospital week in the Village.

Dave Fox, President of Good Samaritan Hospital, thanked the Mayor, saying that they value the relationship they have with Downers Grove. He said that it is a pleasure and a privilege to be in this town.

Mayor Tully commented on the wonderful public/private partnership with Good Samaritan Hospital. Advocate continues to give back to the Village, and the community is always excited to learn about their new projects.

5. Public Comments

This is the opportunity for public comments.

1. Amy Gassen, 5320 Benton, said she was present speaking on behalf of the Friends of the Edwards House group to inform everyone that the weekend of November 12 they are holding a landmarking event. It will be from 1:00-2:00 p.m. on Saturday at Lincoln Center with information for homeowners on how to landmark their property. On Sunday, November 13, there will also be a historic landmark tour from 11:00 a.m. to 3:00 p.m. It is a free event and registration is required.
2. Liz Chalberg, 1132 Curtiss, said she was present on behalf of the Downer Grove Historic Society, stating that on Saturday from 10:00 a.m. to noon they will hold the Living Cemetery staffed by 25 costumed volunteers in the Downers Grove Cemetery. She invited resident to come and meet the Village's founders.
3. Tim Werner, 6736 Osage Place, said he wanted to discuss the exploratory project that the Council is considering. He has concerns and said he is part of Downers Grove for Responsible Government, which began when citizens discussed their concerns about potential new facilities. He said that the Commissioners who supported changes in the facilities plan were voted in with high voter turnout. He explained how this issue ignited the public. When he saw last week's meeting he was concerned that this would become a Facilities Plan Part 2. There are a lot of moving parts, and much information can be had without consulting experts. He's done work on what was proposed last week, and he's concerned about the TIF, externalities and proposing the project thoroughly to the public to assure that the public has a voice. He offered his services to staff to review the material he has researched and stated that the Commissioners did an awesome job presenting a good proposal that addressed the needs of the Police Department. Mr. Werner said he wants to be sure that the government is representing the people. He wants a thoughtful plan, and this proposed plan is very ambitious. Mr. Werner said he wants to be sure the government is not representing themselves, but is representing the people. He said he will have a lot of questions regarding the proposal. He feels an obligation to those who signed the petition and those who sought the signatures.

Mayor Tully replied that the Council is trying to come up with a proposal to analyze. The Police Department proposal is incomplete because it does not address the Village Hall piece. He would like to see Mr. Werner's evaluation.

Mr. Werner responded that this is a soft science. The Mayor replied that the Village does not have a proposal yet. Mr. Werner said he is expressing his concern.

6. Consent Agenda

Mayor Tully said that items 6 C., RES 2016-7066, a resolution authorizing an addendum to the agreement with Williams Architects, and 6 E., RES 2016-6928, a resolution authorizing a real estate contract for property located at 5631 & 5635 Webster Street, Downers Grove, Illinois, have been removed from the Consent Agenda for separate consideration.

COR 2016-7068 — A. Claims Ordinance: No. 6181, Payroll, September 30, 2016

BIL 2016-7069 — B. Bills Payable: No. 6294, October 18, 2016

MOT 2016-7083 — C. Motion: Authorize \$16,000.00 to MG2A West d/b/a M. Gingerich, Gereaux & Associates, Manhattan, IL, for an ALTA/Topographic Survey of Village-Owned Civic Center Property

Summary: This authorizes a contract with MG2A West d/b/a M. Gingerich, Gereaux, & Associates of Manhattan, IL to complete an ALTA/topographic survey of the Village-owned Civic Center Property in the amount of \$16,000.

MOT 2016-7034 — D. Motion: Authorize \$15,232.40 to CDW Government for Windows Server Software Licenses

Summary: This licensing is required to upgrade servers to current version of windows server software.

MOT 2016-7055 — E. Motion: Award \$61,560.00 to Patnick Construction, Inc., Franklin Park, IL, for the Cumnor Road Storm Sewer Replacement Project

Summary: This awards a contract for the Cumnor Road Storm Sewer Replacement project to Patnick Construction, Inc. of Franklin Park, Illinois in the amount of \$61,560.00.

RES 2016-7071 — F. Resolution: Authorize a Renewal Agreement with Blue Cross/Blue Shield of Illinois

Summary: This authorizes a renewal agreement with Blue Cross/Blue Shield of Illinois.

A RESOLUTION AUTHORIZING EXECUTION OF A RENEWAL AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND BLUE CROSS/BLUE SHIELD OF ILLINOIS

RESOLUTION 2016-71

RES 2016-7072 — G. Resolution: Authorize a Renewal Agreement with Blue Cross/Blue Shield of Illinois for Stop Loss Insurance Coverage

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

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

RESOLUTION 2016-72

Council Minutes

Village of Downers Grove

October 18, 2016

RES 2016-7073 — H. Resolution: Authorize Renewal of a Group Dental Insurance Contract with Delta Dental of Illinois

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

**A RESOLUTION AUTHORIZING RENEWAL OF A GROUP DENTAL INSURANCE CONTRACT
BETWEEN THE VILLAGE OF DOWNERS GROVE AND DELTA DENTAL OF ILLINOIS
RESOLUTION 2016-73**

RES 2016-7074 — I. Resolution: Authorize a Renewal Agreement with Humana

Summary: This authorizes a renewal agreement with Humana.

**A RESOLUTION AUTHORIZING A RENEWAL AGREEMENT BETWEEN THE VILLAGE OF
DOWNERS GROVE AND HUMANA
RESOLUTION 2016-74**

RES 2016-7075 — J. Resolution: Authorize an Amendment to a Joinder Agreement with National Insurance Services Trust for Group Life Insurance

Summary: This authorizes an amendment to a joinder agreement with National Insurance Services Trust for group life insurance.

**A RESOLUTION AUTHORIZING AN AMENDMENT TO A JOINDER AGREEMENT BETWEEN
THE VILLAGE OF DOWNERS GROVE AND NATIONAL INSURANCE SERVICES TRUST FOR
GROUP LIFE INSURANCE
RESOLUTION 2016-75**

RES 2016-7076 — K. Resolution: Authorize Amendment #3 to Joinder Agreement with National Insurance Services Trust for Long Term Disability Insurance

Summary: This authorizes Amendment #3 to joinder agreement with National Insurance Services Trust for long term disability insurance.

**A RESOLUTION AUTHORIZING AMENDMENT #3 TO JOINDER AGREEMENT BETWEEN THE
VILLAGE OF DOWNERS GROVE AND NATIONAL INSURANCE SERVICES TRUST FOR LONG
TERM DISABILITY INSURANCE**

RES 2016-7077 — L. Resolution: Authorize an Employee Assistance Program Contract with Perspectives, Ltd.

Summary: This authorizes an employee assistance program contract with Perspectives, Ltd.

**A RESOLUTION AUTHORIZING AN EMPLOYEE ASSISTANCE PROGRAM CONTRACT
BETWEEN THE VILLAGE OF DOWNERS GROVE AND PERSPECTIVES, LTD.
RESOLUTION 2016-77**

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

Council Minutes

Village of Downers Grove

October 18, 2016

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

Nay: None

Mayor Tully declared the motion carried.

7. Active Agenda

RES 2016-7066 — A. Resolution: Authorize an Addendum to the Agreement with Williams Architects

Summary: This authorizes execution of an addendum to the agreement between the Village of Downers Grove and Williams Architects.

A RESOLUTION AUTHORIZING EXECUTION OF AN ADDENDUM TO THE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND WILLIAMS ARCHITECTS

RESOLUTION 2016-69

Motion: Commissioner White moved to adopt "A Resolution Authorizing Execution of an Addendum to the Agreement between the Village of Downers Grove and Williams Architects," as presented. Commissioner José seconded the motion.

Commissioner Waldack said he wanted this item removed from the Consent Agenda. He believes it deserves more consideration. Residents didn't want to spend \$46 million regardless of where the money was raised. He said the Village has \$14.6 million for the Police Department. To build a new station would be about \$25 million. Commissioner Waldack said that the Village has a large, ugly campus and it is a blank canvas on which developers could submit plans, and it doesn't have to be a box that houses 300 units. There are restrictions for Village facility needs. He thinks the Village is imposing more details than is necessary. The Acadia on the Green process could be followed and they could ask for innovation, something pleasant looking that would add value. He thinks they should go ahead with the Police Department and do the best they can with the rest of the campus. He thinks it is too early to turn this over to Williams Architects.

Commissioner White said he will support this resolution. He wants to know whether they can build a comprehensive solution to both needs within the budget that the TIF might allow. In addition, the addition of the Police Department significantly decreases the value of the whole parcel. He said he would have to be persuaded that the new plan is materially different from the previous plan discussed in 2014. Without knowing the cost and without the TIF projections he doesn't feel he would be able to make an informed decision. This could resolve a lot of problems at once.

Commissioner Earl asked staff about some of the money earmarked and whether it would have to be spent anyway for Williams Architects.

Village Manager Dave Fieldman replied that the proposal with the expansion of the Police Department would require an amended contract. They've gone as far as they can go with the original \$50,000. So regardless of which object they choose, the Williams proposal would have to be amended.

Council Minutes

Village of Downers Grove

October 18, 2016

Mayor Tully said that they still have objectives that they have to achieve. He doesn't think residents said never to pursue any opportunities that arise. He doesn't feel they have enough information to make a rational decision and to determine if this is a better value and more complete solution to a long-standing problem. They have an obligation to seek a solution that has value and is a complete solution. The Mayor said that the Village has an obligation to partner with other agencies as well. He thinks they should explore partnering with other bodies in the community that also have facilities issues. However, they need enough good information to answer "what if" questions. He thinks they need this information to come to an informed conclusion, and he would like to see if they can reach a conclusion that the community will support. He referenced some years back when the Village was considering the potential of a hotel and convention center which many supported in the community; however, in the long run it was determined that the proposal did not make sense and the idea was scrapped. This is not the same plan as previously presented. This is high priority for the community and a high interest level for the present Council as well as future Councils.

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

Nay: Commissioner Waldack

Mayor Tully declared the motion carried.

RES 2016-6928 — B. Resolution: Authorize a Real Estate Contract for Property Located at 5631 & 5635 Webster Street, Downers Grove, Illinois

Summary: This authorizes the purchase of 5631 and 5635 Webster Street.

A RESOLUTION AUTHORIZING EXECUTION OF A REAL ESTATE CONTRACT FOR PROPERTY LOCATED AT 5631 & 5635 WEBSTER STREET, DOWNERS GROVE, ILLINOIS

RESOLUTION 2016-70

Motion: Commissioner White moved to adopt "A Resolution Authorizing Execution of a Real Estate Contract for Property Located at 5631 & 5635 Webster Street, Downers Grove, Illinois," as presented. Commissioner Waldack seconded the motion.

1. Dr. Gordon Goodman, 5834 Middaugh, thanked the Village for removing this from the Consent Agenda for more thorough discussion. He prepared a presentation, saying that he supports the flood plan acquisition program and the acquisition of these two properties. He said that it is important to follow Village ordinances and have a fully approved and detailed engineering plan for the management of stormwater on these properties or any other properties. The Village needs to comply with its own ordinances to avoid creating new problems for the residents of the area. Dr. Goodman said that some time ago the Village acquired two lots on the east side of Main Street just west of 5704 Webster. More recently the Village acquired two properties on the west side of Webster including 5634 and 5638 Webster. He then showed a slide depicting the flood plain and floodway boundaries in the 5600 block of Webster Street. He noted that 5704 Webster is still under private ownership. The properties at 5631 and 5635 are being considered tonight on the east side of Webster. He said 5635 Webster is vacant, and 5639 is on the market. He said that it is susceptible to flooding, as others would be. Dr. Goodman pointed out on the slide the poorly functioning drains in front of 5634 Webster, and then showed a slide looking east toward 5631, 5635 and 5639 Webster. He thinks the Village should move ahead with the acquisition, but should comply with the requirements for detailed engineering stormwater management plans before any modifications are made. He would like to see a detailed engineering stormwater management plan as a condition before any work is done.

2. Vicky Chlupsa, 5627 Webster, said she lives next to the house that will be torn down, and asked whether the Village will have a stormwater permit and when demolition will begin. She also asked whether she will have a say as to what they will do, as she would like a slope to go back toward the creek. Mayor Tully replied that they are only talking about a contract at this time to buy the properties.

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

Council Minutes

Village of Downers Grove

October 18, 2016

Nay: None

Mayor Tully declared the motion carried.

8. First Reading

ORD 2016-7080 — A. Ordinance: Amend Ordinance No. 5265 Authorizing a Special Use to Permit the Construction of Three Principal Buildings on a Single Lot at 2300 Wisconsin Avenue

Community Development Director Stan Popovich explained that this property is in the Ellsworth Industrial Park area. He showed the area and the three buildings. The buildings include 55 units, which are about 90,000 square feet in size. The petitioner is requesting an amendment to the Special Use approved by the Village in 2012. There are about 150 parking spaces on the property, and the zoning is for light industrial warehousing and office use. In May of 2012 restrictions on the use were established. Then in 2014 the Zoning Ordinance was updated, and in 2016 the applicant requested removal of all the use restrictions. Staff recommended that the use restrictions be amended. Staff believes the Special Use standards have been met.

Bridget O’Keeffe said she represents the owner. They first appeared before the Village in 2012 when the Special Use was approved. After two years of aggressive attempts to lease the property, more than 1/3 of the units are still vacant and they believe it is due to the restrictions. They had to deny seven potential users. She said a comprehensive presentation was made to the Plan Commission and the Plan Commission recommended removal of the Special Use restrictions. She noted several representatives of the property who wished to make presentations to the Village Council regarding their request.

Rich Curran, Property Manager for the property at 2300 Wisconsin Avenue, said that they have 35 units leased with 25 tenants. They are operating at 36% vacancy rate. Most of the tenants are light industrial businesses and individual storage facilities. He noted the types of businesses on the site. They have had seven potential users that could not be allowed under the restrictions for the site. He noted that the property is beautiful. He reviewed the restrictions for the site, and said he visits the site twice a day. He is familiar with the parking situation at the facility. There have been no complaints about the parking, no citations regarding insufficient parking, and no requests for more parking.

Eric Russell of KLOA testified with regard to the parking and traffic situation. Mr. Russell said a study was done on the parking situation on the site this past summer. They have 150 spaces, with the peak times at 4:00 p.m. on Wednesday, and 9:00 p.m. on Friday evening. There is shared parking occurring on the property due to the different peak parking characteristics of the various tenants. He then reviewed the evening and daytime peak parking ratios. The current parking requirement would be 78 spaces out of the 155. Mr. Russell spoke about the uses in the M-1 district that are considered to be traffic intensive. He noted that each unit has an outdoor space in front of their garage drive. Parking for some of the permitted uses have higher parking ratios than for some of the not-permitted uses. He explained that most of their tenants have low parking ratios, and that parking reserve is available. Mr. Russell said that their study shows that there is ample parking available for existing tenants and any additional tenants that may lease the property. Parking should be looked at as a whole.

Council Minutes

Village of Downers Grove

October 18, 2016

George Kisiel, President of Okrent Kisiel Associates, Inc. said he is a licensed architect with offices in Chicago. The purpose of their client's requested amendment is to remove all use-related restrictions established for the site in 2012. He spoke about the land use context and Special Use review standards. Mr. Kisiel then reviewed the staff report of 2012. At that time the proposal was found to be consistent with the Village's Comprehensive Plan, zoning requirements, etc. He noted that the property is about 90,000 square feet, with 150 parking spaces, of 1.7 spaces per 1,000 square feet. There is additional capacity available. The site is in the Ellsworth Business Park that is made up primarily of larger buildings, with light industrial use and office uses. Mr. Kisiel described facilities in the Park that are similar to the subject property. He reviewed the three approval criteria for a special use and staff's response to whether the petitioner met the criteria. He showed slides of the subject property as well as surrounding businesses. In 2012, staff's evaluation was that inclusion of traffic intensive users could impact the amount of available parking and the safe flow of emergency vehicles, if vehicles are stored or parked outside of the striped parking areas. Mr. Kisiel noted that the current uses on the subject property are allowed in the M-1 District. He said that they believe the current restrictions are unnecessary, and they disagree with staff's conclusions. He said the restrictions represent an undue burden to the property owners and no public purpose would be served by denying this request.

David MacNeil said he began the company, Weather Tech, in 1989 in Ellsworth Industrial Park. He spoke about the history of this site, and about other buildings he owns in the Village. He bought this subject site as a 5-acre site and improved the property. He wanted to make the site more attractive to lessees and sought the Special Use permit. He would not have built the site if he had known it would not be economically viable. The occupancy rate is a failure, and he feels the zoning restrictions are unfair. There have been potential businesses that have not been able to lease on his site due to the restrictions. They have the parking, good management and will manage the property. He asked that the Council consider their request for the amendment.

Mayor Tully said he appreciated the history of the site and the approval criteria at the time of the original request in 2012. In 2012, the consideration was to mitigate traffic, parking, congestion, etc. The desire was not to deny the request, but they wanted conditions placed on the Special Use at that time. As for experience, they can now see how the property has functioned over time. He said that it helps to see what has been happening here, noting that it is in the ability of the Council to remove, add or modify conditions. The Council prides itself on facilitating change. He asked whether they can modify the conditions for certain permitted uses and some special uses, and if conditions can be placed on the special use such as for overnight parking. That would go to the perceived problem rather than to a specific use. He noted that staff's recommendation is to allow more than what is there now.

Ms. O'Keefe commented that having more uses is better. They have proven themselves and should be treated as anyone else in the M-1 district. Their neighbors have this ability.

Mr. Kisiel noted that the conditions put forth by staff are a translation of the initial set of uses that were permitted. It's not really an expansion of the permitted uses.

Ms. O'Keefe said that the Village has control through the certificate of occupancy permit.

Commissioner José asked how many parking spots are outdoors, and how many are indoors. Ms. O'Keefe said there are 95 outdoor, and 55 indoor, but that does not include the tandem spaces. She said they have no requirements that indoor spaces be occupied. Mr. MacNeil said they don't allow overnight parking for reasons of plowing, security, etc. Many of their tenants don't use any parking at all.

Mr. MacNeil said they are just seeking to be treated the same way as many of their neighbors in the M-1 district. He said there are many properties in Ellsworth that need to be revitalized, and he would love to do that; however, he's not going to reinvest in Downers Grove if this project is a failure, and right now it is, due to these unnecessary burdensome zoning restrictions. In further response to Commissioner José, he indicated that they do not allow overnight parking, and many of their tenants don't use any parking at all.

Ms. O'Keefe said that they look at tenants to make sure that parking is accommodated. They had to turn away seven prospects that were low parking demands.

Council Minutes

Village of Downers Grove

October 18, 2016

Mayor Tully said they are not making any decision tonight. He said they are trying to find a solution. In terms of fairness, the Village has a number of special uses granted in the community that have conditions that were added. He's not even sure this would have been granted in 2012 without the conditions established.

Commissioner White asked about the property at 2476 Wisconsin, or the comparable property to the west. Mr. Kisiel said 2460 and 2478 Wisconsin are comparable. Commissioner White then asked about the floor area ratio, parking and restrictions on the comparable property. Mr. Fieldman said he would get back to the Commissioner on those questions. Commissioner White also asked whether window tinting would have been allowed.

Mr. Popovich said that business would not have been allowed as it falls under an automobile mechanic category. A yoga studio would be a special use.

Commissioner White said he could fully accept that in 2012 there were serious concerns about special uses that could have been a problem. He thinks they can learn from experience. He is interested in knowing if there are parking problems in similar properties in M-1 districts.

Commissioner Barnett said that in 2012 he recalls that this was referred to as "condo-esque", and they did not have a lot of experience with this. He doesn't think that this building presents any problems, and it should be treated like others in an M-1 District. He sees no public benefit to adding restrictions, as this building is not presenting any unique problems.

Commissioner Earl said she remembers that this was sold as a business condo type usage. She recalls that this was discussed in detail. They all want this to be successful. She thinks it is in everybody's best interest to get this to 100% but not at the expense of creating problems. She's trying to decide where that line should be drawn.

Commissioner Waldack commented that the restrictions may have prevented problems. He sees no reason to remove the restrictions. The Special Use category allows the Village to prevent problems. If there were a suggested use that would not be a problem, he would try to find a way to bring it to the Council to allow a use. He doesn't know that the Council could make a modification to an Ordinance and grant a special use. He's leery of removing all the restrictions.

Commissioner Earl asked to look at the site plan slide again to determine what is leased and what is not leased. She said it seems that the portions that are vacant appear to be a function of their location on the site.

Mr. MacNeil replied that they build walls between the units. The back buildings were leased first. Parking utilization is less than 67% of the leased area. Ms. O'Keefe added that if they continue to lease they will still have excess parking. She added that they would like to be able to ask for permission to consider tenants. Right now they can't even ask, because the Village has total control.

Commissioner Barnett commented that the reality of a known process outweighs the idea of considering an ordinance change. If there are truly some inherent public safety concerns, they should be discussed.

Mayor Tully asked for questions from the public and there were none. He said he wants to see this facility become commercially successful, and would like to see them be able to ask for a change. This will be on the Agenda for the next Council meeting.

ORD 2016-7061 — B. Ordinance: Amend Certain Traffic Provisions

Mr. Fieldman said the proposed ordinance replaces yield signs with stop signs at intersections of Brookside/Venard, Middaugh/Blanchard and Sterling/40th. It adds stop signs at the intersections of Venard/Golden Bell, Duchess/Brookside, Brookbank/Blanchard and Jefferson/Middaugh.

Dr. Gordon Goodman, 5834 Middaugh, said he supports the changes for signage in this area, which is his neighborhood.

Council Minutes

Village of Downers Grove

October 18, 2016

INF 2016-7016 — C. Information: Potential Amendments to Stormwater Management Regulations

Public Works Director Nan Newlon said this is a top priority action item. Council directed staff to consider more stringent stormwater management regulations to lessen the negative impacts of runoff generated by residential construction activity. She summarized the actions taken by staff in conjunction with the Stormwater and Flood Plain Oversight Committee. She said the complete report was available in the Council's packets. She reviewed the number of teardowns new homes constructed in the community since 2011. Stormwater runoff generated by new home construction, additions to homes, and construction of accessory structures in compliance with current Village regulations sometimes negatively affects adjacent properties. As for the flooding that has occurred, there are generally four causes for nuisance runoff: 1) new impervious areas constructed in established neighborhoods that lack adequate stormwater management systems and infrastructures; 2) significant grade differences causing increased stormwater runoff; sump pumps that serve large, deep basements discharging substantial amounts of water; and 4) lack of stormwater infiltration into the ground due to high clay content in soils and compaction during construction..

Ms. Newlon then reviewed the Stormwater and Flood Plain Oversight Committee changes, including options for consideration such as detention on a lot-by-lot basis, requiring sump pumps to connect to a minor drainage system, and implementing maximum impervious areas on a lot.

Commissioner White asked about the experience with the changes implemented in 2015 such as dry wells, rain gardens and swales. Ms. Newlon said that in 2015 in some lots these options were effective because they are first storage, but the high clay content in the soil causes some challenges and creates nuisance conditions.

Mr. Fieldman commented that where PCBMPs (Post Construction Best Management Practices) are not working, no one's expectations are met and the administrative burden is intense. Staff recommends eliminating the PCBMPs.

Mayor Tully said that he would be in favor of retracting some requirements from making them mandatory, as they are not always working. Mr. Fieldman replied that staff would like to discontinue those or replace them with more effective means.

Commissioner Barnett said that requiring on-site stormwater detention is the answer. He asked what Elmhurst has been doing in this regard.

Mr. Fieldman said that Elmhurst requires underground storage, which is not technically detention as it's not a restrictor, but is a storage mechanism.

Commissioner José asked what the standard depth is of a basement, and Ms. Newlon responded that 9' is typical.

Mr. Fieldman said that houses built many years ago are a lot shallower.

Commissioner Waldack spoke about a house that was flooded due to the elevation of the neighboring house. It is key to find a way to address the height of foundations. He also addressed the fees "in-lieu of," which seem unfair as they pass the problem on to others, rather than solving the problem.

Mr. Fieldman commented that raising fees in lieu of doesn't address the issues effectively. It is another example of unmet expectations. It has to be part of a broader solution.

Commissioner Barnett said that they could not change enough to solve issues on a lot-by-lot basis.

Commissioner Earl said that the Stormwater and Flood Plain Oversight Committee did not recommend eliminating the building coverage "bonus" for detached garages and front porches. Ms. Newlon said they felt it was outside of their jurisdiction, and should be considered by the Plan Commission. They did not disagree with it.

Commissioner Barnett said that with respect to the proposed code changes, the first item, to require on-site stormwater detention with an outlet to an established minor drainage system, is the key.

Mr. Fieldman said the goal tonight was to start a conversation with staff. Staff will check in with the Council and will bring this back at the appropriate time.

1. Dr. Gordon Goodman, 5834 Middaugh, commented about sump pump discharges and encouraging them to go into a minor drainage system. There is a parallel concept that the drainage patterns approved by the Village should be primarily taking the water not to the neighboring lot but out to the street. That is a very important concept. Architects don't always want to implement the drainage plan. He recalled the situation on his own property with a home being built next to his that did not have adequate drainage provided. He had to repeatedly request compliance from the developer to assure that stormwater from the new building did not cause runoff onto his property. Dr. Goodman said that it is very important to stand behind the compliance of the approved plans. He said that the Village needs more minor drainage systems. It should be called out and strengthened.

ORD 2016-7054 — D. Ordinance: Adopt the Fiscal Year 2017 Budget in Lieu of Passage of an Appropriation Ordinance

Mr. Fieldman noted that the Village's budget was published in September and has been the subject of several meetings. It will appear on the Council Agenda several more times before final approval by the Council. Discussion of the tax levy continues until December.

9. Mayor's Report

10. Manager's Report

11. Attorney's Report

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

1. An ordinance amending certain traffic provisions
2. An ordinance amending Ordinance No. 5265 authorizing a special use to permit the construction of three principal buildings on a single lot at 2300 Wisconsin Avenue

12. Council Member Reports

Commissioner Earl reported that the Library's 125th anniversary celebration was well attended and very successful.

Commissioner José thanked Chief Jackson and the Fire Department staff for allowing him to ride along on the Silent parade. He also thanked those who attended the Parade in honor of fallen firefighters.

Commissioner Waldack said that Senior Home Sharing is looking for volunteers to help them move from their location on Main Street. They are moving on Saturday, October 29 from 10:00 a.m. to 1:00 p.m., and need help to box up items and move them into trucks. The house is located across from the Medical Center at McCollum Park. The house has been sold to the Park District.

Commissioner Waldack wished his wife a Happy 42nd Anniversary tomorrow.

Mayor Tully said the Family Shelter Services will hold their 5k and 10k race on October 30, beginning at 8:30 a.m.. The new course is on the campus of Midwestern University.

Council Minutes

Village of Downers Grove

October 18, 2016

13. Adjournment

Motion: Commissioner White moved to adjourn. Commissioner Waldack seconded the motion.

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

Nay: None

Mayor Tully declared the motion carried and the meeting adjourned at 8:39 p.m.

Respectfully submitted,

April Holden

Village Clerk