

# Meeting Minutes

Village of Downers Grove - Council Meeting

---

Council Chambers

11/15/2016

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 Waldack, Commissioner Hosé, Commissioner Barnett; Mayor Tully

**Absent:** Commissioner Earl, Commissioner White

**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 2016-7119** — A. Minutes: Council Minutes - November 1, 2016

**Motion:** Commissioner Hosé, seconded by Commissioner Barnett, moved to approve the minutes as presented.

Mayor Tully declared the motion carried by voice vote.

Council Minutes

Village of Downers Grove

November 15, 2016

#### 4. Proclamations

Mayor Tully read a proclamation declaring Thursday, November 17, 2016, as World Pancreatic Center Day in the Village of Downers Grove.

#### 5. Public Comments

This is the opportunity for public comments.

Rich Kulovany, 6825 Camden, said he is the Chair of the Friends of the Edwards House. He said the results of the landmarking weekend were outstanding. A workshop was held at the Library on Saturday and a tour of landmarked homes was held on Sunday. Pictures are on their Facebook page, Friends of the Edwards House.

Mayor Tully said he attended the tour and learned a great deal about the history of the landmarked homes.

#### 6. Consent Agenda

**COR 2016-7120** — A. Claims Ordinance: No. 6185, Payroll, October 28, 2016

**BIL 2016-7121** — B. Bills Payable: No. 6298, November 15, 2016

**RES 2016-7035** — C. Resolution: Authorize an ISDN-PRI Service Agreement with First Communications, LLC for 801 Burlington Avenue

**Summary:** This authorizes an ISDN-PRI service agreement with First Communications, LLC for 801 Burlington Avenue.

**A RESOLUTION AUTHORIZING EXECUTION OF AN ISDN-PRI SERVICE AGREEMENT  
BETWEEN THE VILLAGE OF DOWNERS GROVE AND FIRST COMMUNICATIONS, LLC FOR 801  
BURLINGTON AVENUE**

**RESOLUTION 2016-80**

**RES 2016-7040** — D. Resolution: Authorize an ISDN-PRI Service Agreement with First Communications, LLC for 5101 Walnut Avenue

**Summary:** This approves an ISDN-PRI service agreement with First Communications, LLC for 5101 Walnut Avenue.

**A RESOLUTION AUTHORIZING EXECUTION OF AN ISDN-PRI SERVICE AGREEMENT  
BETWEEN THE VILLAGE OF DOWNERS GROVE AND FIRST COMMUNICATIONS, LLC FOR  
5101 WALNUT AVENUE**

**RESOLUTION 2016-79**

**MOT 2016-7111** — E. Motion: Authorize a Not-to-Exceed Amount of \$38,350 to Engineering Resource Associates, Warrenville, IL, for Engineering and Survey Services (CIP Project DR-022)

**Summary:** This awards a contract for engineering and survey services for the assessment of the St. Joseph Creek South Branch stream corridor to Engineering Resource Associates (ERA) in the amount of \$34,863.00 plus 10% contingency in the amount of \$3,487.00 for a total not-to-exceed \$38,350.00.

Council Minutes

Village of Downers Grove

November 15, 2016

**MOT 2016-7112** — F. Motion: Authorize a Not-to-Exceed Amount of \$91,581.00 to Tank Industry Consultants for Summit Street Water Tower Rehabilitation Services

**Summary:** This authorizes a contract for the Summit Street Water Tower rehabilitation services to Tank Industry Consultants in the amount of \$87,222.00 plus 5% contingency in the amount of \$4,361.00 for a total not-to-exceed \$91,581.00.

**MOT 2016-7113** — G. Motion: Authorize a Not-to-Exceed Amount of \$38,863.00 to Baxter & Woodman for Back-Up Water Well Professional Services

**Summary:** This authorizes a contract for back up water well evaluation professional services to Baxter & Woodman in the amount of \$37,012.00 plus 5% contingency in the amount of \$1,851.00 for a total not-to-exceed \$38,863.00.

**RES 2016-7125** — H. Resolution: Amend the Agreement with Thompson Elevator Inspection Service, Inc.

**Summary:** This amends the agreement with Thompson Elevator Inspection Service, Inc.

**A RESOLUTION AUTHORIZING EXECUTION OF AN AMENDMENT TO THE AGREEMENT  
BETWEEN THE VILLAGE OF DOWNERS GROVE AND THOMPSON ELEVATOR INSPECTION  
SERVICES, INC.**

**RESOLUTION 2016-81**

**MIN 2016-7134** — I. Minutes: Note Receipt of Minutes of Boards and Commissions

**Summary:** Architectural Design Review Board - July 20, 2016; Library Board - September 28, 2016; Plan Commission - July 11, 2016; August 1, 2016; September 12, 2016; October 3, 2016.

**Motion:** Commissioner Waldack moved to approve the Consent Agenda. Commissioner Barnett seconded the motion.

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

Nay: None

Mayor Tully declared the motion carried.

## 7. Active Agenda

**RES 2016-7065** — A. Resolution: Grant Historic Landmark Designation for 710 Maple Avenue

**Summary:** This grants historic landmark designation for 710 Maple Avenue.

**A RESOLUTION GRANTING HISTORIC LANDMARK DESIGNATION FOR 710 MAPLE AVENUE**

**RESOLUTION 2016-82**

**Motion:** Commissioner Waldack moved to adopt "A Resolution Granting Historic Landmark Designation for 710 Maple Avenue," as presented. Commissioner Barnett seconded the motion.

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

Nay: None

Council Minutes

Village of Downers Grove

November 15, 2016

Mayor Tully declared the motion carried.

**RES 2016-7064** — B. Resolution: Grant Historic Landmark Designation for 4540 Highland Avenue

**Summary:** This grants historic landmark designation for 4540 Highland Avenue.

**A RESOLUTION GRANTING HISTORIC LANDMARK DESIGNATION FOR 4540 HIGHLAND AVENUE**

**RESOLUTION 2016-83**

**Motion:** Commissioner Waldack moved to adopt "A Resolution Granting Historic Landmark Designation for 4540 Highland Avenue," as presented. Commissioner Barnett seconded the motion.

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

Nay: None

Mayor Tully declared the motion carried.

Mayor Tully presented Mr. and Mrs. Huber a certificate for their home, the JJ Cole House, at 710 Maple Avenue. He also presented them with a framed copy of the Village's Papers of Incorporation, signed by Mr. Cole.

Maren Huber, 710 Maple, thanked all the people who worked on this. She said it is nice to have unanimous support as well as the support of Amy Gassen and the Friends of the Edwards House.

Mayor Tully then presented Mr. and Mrs. Orwin a certificate for their home, the Venard House, at 4540 Highland Avenue.

John Orwin, 4540 Highland, thanked those who helped them in obtaining this recognition, particularly the Gassens and the Downers Grove Historical Society. He said he never thought when they purchased their older home 35 years ago that one day they would be receiving such recognition for their house.

Mayor Tully expressed appreciation for the support so many have given to obtain historical designation.

## **8. First Reading**

**MOT 2016-7085** — A. Motion: Estimate 2016 Aggregate Tax Levy for the Village of Downers Grove

Mike Baker, Deputy Village Manager, said this establishes a maximum amount that the tax levy cannot exceed. He reviewed the calendar with regard to passage of the FY17 budget and the tax levies.

Mr. Baker said the total levy is \$30,251,102, but this does not reflect what will appear on homeowners' tax bills. The Village portion is \$24,881,003. The Village amount, less abatements, but including stormwater is \$16,694,984. The amount, less abatements, and removing stormwater is \$12,794,984. A Truth in Taxation notice will appear in the newspaper on November 23, 2016.

Mayor Tully noted that the Village has to publish the tax levy at a specific amount due to State law; however, we will collect less due to other forms of revenue – abatements. The Mayor further stated that we have the benefit of the referenda results, by a 2 to 1 margin, to continue the stormwater utility. To publish the levy with the stormwater included would confuse the public, given the referenda results.

Commissioner Barnett said he agreed with the Mayor. The referenda results are crystal clear. The amount budgeted for stormwater, \$3.9 million, should be removed from the tax levy.

Commissioner Hosé said he was in complete agreement. We should abide by the referenda results.

Council Minutes

Village of Downers Grove

November 15, 2016

Commissioner Waldack said we should follow what people indicated. He urged staff to provide further information to residents.

Mayor Tully noted that stormwater fees are currently part of the utility and not on the tax levy. This continues the utility.

Village Manager Dave Fieldman said the levy amount of \$12,794,984 is consistent with the proposed budget published in September.

Mayor Tully said the amount budgeted for stormwater will be a separate conversation.

Commissioner Walus said she agrees with her Council colleagues.

Mayor Tully said there is no reason to add the \$3.9 million for stormwater in the tax levy notice as it will continue to be funded through a stormwater utility fee.

**ORD 2015-6449** — B. Ordinance: Amend Certain Provisions of the Community Events Commission

Mr. Fieldman said staff was directed to make changes to the Community Events Commission. The removes the requirement that a Council member be the Chair. It also addresses several other housekeeping changes with respect to operating budgets, Heritage Festival, etc.

Commissioner Waldack said he is glad to see this come forward.

Mayor Tully said a Council member was appointed as Chair in the past due to the Commission's powers and duties with respect to approval of operating budgets and expenditures. The Community Grants Commission had similar powers and duties. With the current role of the Community Events Commission, he agrees with these changes.

**ORD 2016-7063** — C. Ordinance: Amend Provisions of the Zoning Ordinance to Allow Automobile Dealership Off-Site Vehicle Storage as a Special Use in the M-1, Light Manufacturing Zoning District

Stan Popovich, Director, Community Development, said this is a request for a text amendment to allow off-site automobile storage for dealerships as a Special Use in the M-1, Light Manufacturing, zoning district. This amends Section 5.010, Section 5.050.Q (definition) and Section 6.190 (performance standards) of the Zoning Ordinance.

Mr. Popovich reviewed the areas in the Village with M-1 zoning. The area under consideration is the Ellsworth Industrial Park area and the dealerships along Ogden Avenue. This does not apply to vehicles in need of service or considered junked vehicles. It is an off-site storage amendment. Mr. Popovich then reviewed the performance standards for automobile dealership off-site vehicle storage. He noted that the site access is limited to employees and that the special use is non-transferable. He said this complies with the Comprehensive Plan and allows competitiveness for the automobile dealerships.

Michael Cassa, President, Economic Development Corporation (EDC), 5159 Mochel Drive, said the EDC was contacted by auto dealers regarding storing cars off-site on a temporary or seasonal basis. We compete with many other communities for auto dealerships. The inventory capacity of automobile dealers on Ogden Avenue has a direct impact on the dealers' opportunity to generate sales tax revenues. This text amendment may provide a temporary solution to auto dealers, although there will still be challenges. This depends upon the owners in the M-1 districts to provide auto storage. Mr. Cassa said the EDC supports this text amendment.

Commissioner Waldack said he understands this is a competitive situation. The language refers to vehicles for sale or lease. He asked for clarification of the language to include operable vehicles but not junk vehicles. He noted that a 3.5 mile radius is designated in the ordinance; he asked for language that allows this to be Village-wide.

Council Minutes

Village of Downers Grove

November 15, 2016

Mr. Fieldman addressed the Zoning Ordinance and land use issues. He said staff would look at the options.

Mr. Cassa noted that, with the exception of one dealership, the 3.5 mile radius accomplishes what Commissioner Waldack requested.

Commissioner Barnett asked why they have to have performance standards. It seems to him that we are looking to add regulations.

Mr. Popovich said staff wants to make sure the existing requirements of the site are met in addition to making accommodations for storage. These are separate uses and staff wants to be sure we do not turn areas into rows and rows of car storage. The purpose is to accommodate both the storage of these vehicles as well as employee parking at the site. He noted that the requirement for screening is for those parcels adjacent to residential properties only.

Mayor Tully said he understood Commissioner Barnett's comments to be that the concept is fine, but some of the measures may not be necessary. The Mayor said he thinks this is fine and noted that it may be adjusted as necessary.

Commissioner José said he supports this; he feels this is a reasonable solution.

Commissioner Barnett said this is well thought out and he appreciates that staff and Mr. Cassa brought this forward.

Mr. Cassa said the challenge will be to find a property owner in the M-1 district to agree to store these vehicles.

## **9. Mayor's Report**

Mayor Tully, in his capacity of Liquor Commissioner, noted that he is placing on file in the Clerk's Office an application for an on premise beer and wine only liquor license received from Wanartit, Inc. d/b/a Thai First, located at 2249 Maple Avenue. Pursuant to Section 3-12 of the Liquor Control Ordinance, a public hearing for a liquor license application may be waived. The application must be placed on file for a minimum of two weeks, subject to public comment prior to the issuance of a new license. Barring objection, a liquor license will be issued to Wanartit, Inc. d/b/a Thai First located at 2249 Maple Avenue.

Mayor Tully announced that there are approximately 210 days to GroveFest 2017.

## **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 provisions of the Community Events Commission
2. An ordinance amending provisions of the Zoning Ordinance to allow automobile dealership off-site vehicle storage as a special use in the M-1, Light Manufacturing Zoning District

## **12. Council Member Reports**

Commissioner José wished everyone a Happy Thanksgiving as he will be out of town next week.

Commissioner Walus said the 13<sup>th</sup> annual Bonfield Express will be held on Thanksgiving Day beginning at 8:30 a.m. They are still in need of volunteers. More information can be found at [www.bonfieldexpress.com](http://www.bonfieldexpress.com).

Council Minutes

Village of Downers Grove

November 15, 2016

### **13. Adjournment**

**Motion:** Commissioner Barnett moved to adjourn. Commissioner Waldack seconded the motion.

Mayor Tully declared the motion carried by voice vote and the meeting adjourned at 7:55 p.m.

Respectfully submitted,

April Holden

Village Clerk