

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

6/12/2018

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 Pro Tem William White 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. He explained that Mayor Tully is out of town on business and would not be in attendance at tonight's meeting.

Pledge of Allegiance to the Flag

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

2. Roll Call

Council Attendance (Present): Commissioner Walus, Commissioner Waldack, Commissioner White, Commissioner Barnett

Absent: Commissioner Earl, Commissioner José; Mayor Tully

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.

At the appropriate time the presiding officer 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.

Agendas are located on either side of the Council Chambers for the audience to follow the progress of the Council meeting.

3. Minutes of Council Meetings

MIN 2018-7813 — A. Minutes: Council Minutes - June 5, 2018

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Motion: Commissioner Walus moved to approve the minutes as presented. Commissioner Waldack seconded the motion.

Mayor White declared the motion carried by voice vote.

4. Public Comments

This is the opportunity for public comments.

5. Consent Agenda

BIL 2018-7814 — A. Bills Payable: No. 6398, June 12, 2018

RES 2018-7785 — B. Resolution: Accept the Comprehensive Annual Financial Report of the Village of Downers Grove for Fiscal Year January 1, 2017 through December 31, 2017

Summary: This accepts the Comprehensive Annual Financial Report of the Village of Downers Grove for Fiscal Year January 1, 2017 through December 31, 2017.

**A RESOLUTION TO ACCEPT THE COMPREHENSIVE ANNUAL FINANCIAL REPORT OF THE
VILLAGE OF DOWNERS GROVE FOR THE FISCAL YEAR JANUARY 1, 2017 THROUGH
DECEMBER 31, 2017
RESOLUTION 2018-41**

MOT 2018-7787 — C. Motion: Award \$894,653.67 to A Lamp Concrete Contractors, Inc., Schaumburg, IL, for the 2018 Water Main Improvements Contract C

Summary: This awards a contract for the 2018 Water Main Improvements Contract C to A Lamp Concrete Contractors, Inc. of Schaumburg, Illinois in the amount of \$894,653.67.

MOT 2018-7804 — D. Motion: Award \$258,238.85 to Home Towne Electric, Inc., Lake Villa, IL, for Traffic Signal Modernization at Lacey Road & Woodcreek Drive

Summary: This awards a contract for Traffic Signal Modernization, Lacey & Woodcreek, to Home Towne Electric Inc. of Lake Villa, Illinois in the amount of \$258,238.85.

MOT 2018-7786 — E. Motion: Award \$197,991.68 to Abbey Paving & Sealcoating Co., Inc., Aurora, IL, for 2018 Water Facilities and District 58 Pavement Improvements

Summary: This awards a contract for 2018 water facilities and District 58 pavement improvements for Village and School District 58 locations to Abbey Paving & Sealcoating Co., Inc. of Aurora, IL in the amount of \$197,991.68.

RES 2018-7806 — F. Resolution: Authorize a First Extension to the Contract with Hancock Engineering for Stormwater Construction Engineering Services

Summary: This authorizes the extension of the existing contract for municipal construction engineering services for the 2018 stormwater improvement projects for an amount of up to \$84,640.00 to Hancock Engineering of Westchester, IL.

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**A RESOLUTION AUTHORIZING EXECUTION OF A FIRST EXTENSION TO THE CONTRACT
BETWEEN THE VILLAGE OF DOWNERS GROVE AND HANCOCK ENGINEERING**

RESOLUTION 2018-42

RES 2018-7818 — G. Resolution: Support Senate Bill 2332 and Encourage the Governor to Sign the Bill into Law

Summary: This supports Senate Bill 2332 and encourages the Governor to sign bill into law.

Carolyn Cerf, American Heart Association, thanked the Council for this resolution on the agenda regarding Tobacco 21. She said she hopes the Village will still consider adopting an ordinance as well with a September effective date. She said if the Governor signs the bill on his desk, it will not be in effect in time for the start of the school year.

Mayor White said this item would have to be removed from the Consent Agenda to discuss it further, but he commented that the issue is not going away.

**A RESOLUTION SUPPORTING SENATE BILL 2332 AND ENCOURAGING THE GOVERNOR TO
SIGN THE BILL INTO LAW**

RESOLUTION 2018-43

MOT 2018-7809 — H. Motion: Award a Contract in an Amount Not to Exceed \$268,600.00 to Detroit Salt Company, Detroit, MI, for the Purchase of Bulk Rock Salt

Summary: This approves a contract for the purchase of bulk rock salt from the Detroit Salt Company of Detroit, Michigan, at a cost of \$67.15 per ton up to an amount of \$268,600.

MOT 2018-7808 — I. Motion: Award a Three-Year Contract in an Amount Not to Exceed \$323,977.50 to Snow Systems, Wheeling, IL, for Specialty Winter Operations Services

Summary: This awards a three-year contract for specialty winter operations services to Snow Systems of Wheeling, Illinois, in the amount of \$323,977.50, which includes a 5% contingency.

Motion: Commissioner Walus moved to approve the Consent Agenda as presented. Commissioner Waldack seconded the motion.

Votes: Yea: Commissioners Walus, Waldack, Barnett; Mayor White

Nay: None

Mayor White declared the motion carried.

6. Active Agenda

ORD 2018-7803 — A. Ordinance: Amend Traffic Provisions

Summary: This amends certain traffic provisions.

AN ORDINANCE AMENDING TRAFFIC PROVISIONS

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ORDINANCE NO. 5701

Motion: Commissioner Walus moved to adopt "An Ordinance Amending Traffic Provisions," as presented. Commissioner Waldack seconded the motion.

Votes: Yea: Commissioners Walus, Waldack, Barnett; Mayor White

Nay: None

Mayor White declared the motion carried.

ORD 2018-7795 — B. Ordinance: Amend the Board of Fire and Police Commissioners Provisions

Summary: This amends provisions of the Board of Fire and Police Commissioners.

**AN ORDINANCE AMENDING THE BOARD OF FIRE AND POLICE COMMISSIONERS
PROVISIONS**

ORDINANCE NO. 5702

Motion: Commissioner Walus moved to adopt "An Ordinance Amending the Board of Fire and Police Commissioners Provisions," as presented. Commissioner Waldack seconded the motion.

Votes: Yea: Commissioners Walus, Waldack, Barnett; Mayor White

Nay: None

Mayor White declared the motion carried.

7. First Reading

Village Manager Dave Fieldman said there are six items on the First Reading covering three issues.

ORD 2018-7782 — A. Ordinance: Consider a Petition for Rezoning, Planned Unit Development and Plat of Subdivision at 6000-6014 Fairview Avenue

Stan Popovich, Director, Community Development, explained that this request is for a Planned Unit Development (PUD), rezoning and subdivision approval. The property is located at 6000-6014 Fairview and involves the construction of a 13-unit townhome development. He explained that the plan proposes five townhome buildings with two access points to Fairview Avenue. He noted that the proposal does not comply with the Comprehensive Plan or Future Land Use Plan which identify this area as single-family detached housing. The proposal is for multi-family attached housing. Mr. Popovich said the plans also do not comply with the Village's Zoning Map, as this would be rezoned to R-5, while the surrounding area is zoned single-family residential. The standards are not met with regard to a PUD, rezoning or plat of subdivision. For those reasons, staff does not support the petition.

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Elaine Kindt, Kindt & Associates, said she was here with Pete Walsh and Mike Hansen. This proposal is for the Villas of Absher Woods. She showed the site plan and the existing site. She noted that as of June 4, there are 337 single-family homes on the market in Downers Grove, with 104 days being the average time on the market. Forty-four townhomes on the market are averaging 57 days. Currently there are 22 properties on Fairview Avenue for sale and the average market time is 995 days. She said that this development would bring tax dollars to the community as well as to schools and the Park District. She said that the development would bring \$93,600 to the school district, with \$140,000 donated to the school and park districts up front.

Ms. Kindt described the development saying that detention areas and rain gardens will decrease flooding. She further described the construction materials, floor plans and general design of the living areas. They are planning a price point of \$550,000 to \$575,000. She noted that staff required that they put in a private road. The site has proper setback and sidewalks. Ms. Kindt continued that there is a need for this type of development per the Village's Comprehensive Plan. She then read excerpts from the Comprehensive Plan, and said that the Village's Land Use Plan is a general guideline and is not a site development plan. She explained that the number of households in the 35-54-year old age bracket is decreasing and the empty nester household is growing, comprising a significant proportion of those purchasing multi-family units. Ms. Kindt said that the petitioner believes they have taken steps to minimize adverse effects by providing beautiful architectural design and materials for the development.

Commissioner Barnett commented to the petitioner that he appreciates their wanting to develop in Downers Grove. He said that the Village puts a lot of effort in reviewing and keeping the Village's plans up to date. He struggles to find anything unique about this area. He said he is reluctant to think that it merits moving away from the Village's plan.

Commissioner Waldack stated that there is a place for this type of development somewhere, but not here. He noted that this would be no small change, and they need to respect the Village's plans. He is inclined not to support this development.

Commissioner Walus agreed with the comments made by her colleagues. While the units are beautiful, she said this is not the best location for the development. They have to take what the Plan Commission recommended into consideration.

Ms. Kindt replied that there is not much land left for people in Downers Grove, and this is what the citizens are asking for. She noted that this is a prime area.

Mayor Pro Tem White said his thoughts are consistent with other comments, and he agreed with Commissioner Barnett. There is nothing unique about this part of Fairview Avenue. The Council has the power to change the Land Use Plan, not just for one parcel but for the area.

1. Howard Dorion said he owns the property adjacent to the subject site at 6044 Fairview. He thinks this proposal would enhance the property greatly. There are apartments on the east side of Fairview, and this is nicer than apartments. He would welcome this.
2. Patti Gibbons identified herself as a resident-realtor, stating that they need luxury townhomes with first floor master bedrooms. She said that people have nothing here to stay for, and the Village is losing out on a lot of money. People do not want big single-family homes on Fairview. Ms. Gibbons told the Council that they are missing the boat, and the lots on Fairview will sit blighted for a long time.
3. Maggie Maier, 217 White Fawn Trail, said she reviewed the plans and has concerns about the location due to flooding in the area. The impact will be felt at some time. She would like the Village to follow its guidelines and oppose this development.
4. Robert Brannigan, 7338 Baybury Road, said he is also a realtor. Downers Grove really needs this development. People are downsizing and have nowhere to go. He thinks this proposal is ideal.

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5. Heather Kinealy, a resident of the Village who is also a realtor, agrees with her colleagues. Most townhomes do not have first floor master bedrooms. People look elsewhere. She thinks this is a product desperately needed in the area.

6. William Ponstein, 6012 Hillcrest, said that he has been a resident of Downers Grove for over 60 years, and he thinks this proposal is spot zoning. It is cramming more residences onto a small property and he is opposed to this proposal. He owns five lots north of the property and they are all single-family lots.

Mayor Pro Tem White asked whether Mr. Ponstein's property adjoins the subject site. Mr. Ponstein said it does not and is about 250' away. The petitioner is asking for a variation on setbacks and he thinks that is a ploy to put more on the property and get more money for the properties.

7. Theresa identified herself as a realtor. People are living longer and they don't want to climb stairs. This is a great addition to the area, and she believes there is a big need for it.

8. Mike Muller said he is speaking for a family that has property south of 63rd Street. Their house has been for sale for four years. No one wants to build a single-family home on Fairview. There is a need for townhomes on Fairview Avenue. He thinks this should not be limited to this lot, but multi-family should be allowed on Fairview Avenue.

9. Ray Ponstein, 5736 Fairmount, also has lived in Downers Grove for 60 years. He commented that to place this development on one lot in the whole block is not good. From 63rd Street to 75th Street there is residential zoning and there have been successful additions and remodeling done south on Fairview Avenue.

10. Margaret. Crowell, who lives in Lemont, said she would like to be looking at a townhome with an attached garage. She thinks people would look at this type of product.

Mayor Pro Tem White thanked the public for their comments, and repeated that this is a first reading. No decision will be made at this meeting. He said that in his opinion the arguments for proceeding would have to extend beyond one lot.

Commissioner Barnett said he recently moved his parents to Downers Grove. They could not find a first floor master from Lisle to I-294, because there weren't any. Those that existed were gone quickly. However, the question before this Council is whether the Council should adjust its planning documents for a single development. That is not the same as saying the product is not needed. The Council tries to maintain and manage expectations. This stretch of roadway is not multi-family in the Village's plans. One-off change in zoning is not a good process. Zoning and land use planning is important for the Village. The issue is the process and the zoning and how you go about changing that. He doesn't think this is the right way to move forward at this time.

Mr. Fieldman said staff will talk to the petitioner about the next steps.

One of the realtors asked how long the property has been in disarray. She only sees this proposal for its benefits.

Ms. Kindt commented that she has talked to property owners in the area. She asked why the Village can't look at the whole area and change its zoning. She thinks this product is so needed. She then asked whether this area of Fairview was focused on when they were updating the Comprehensive Plan.

Mayor Pro Tem White replied that this is an inappropriate venue to ask that question, given the present item on the agenda. They cannot consider this until the appropriate processes are followed by staff and proper procedures moving forward are reviewed. Doing this as a one-off is not appropriate. He said they would have to notice changing zoning using proper procedures.

MOT 2018-7807 — B. Motion: Award \$179,984.00 to A Lamp Contractors, Inc., Schaumburg, IL, for 2018 New Sidewalk Installation

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Nan Newlon, Director, Public Works, explained that this request is to award a bid to A Lamp Contractors for sidewalk construction in the West Burlington area including Drendel, north of Indianapolis, and Cross south of Haddow. They received four bids with A Lamp as the low bidder.

ORD 2018-7815 — C. Ordinance: Authorize an Intergovernmental Agreement with the Forest Preserve District of DuPage County Providing for the Conveyance of Certain Property within Hidden Lake Forest Preserve, Granting Easements within Maple Grove Forest Preserve and Granting a License within Hidden Lake Forest Preserve

Mr. Fieldman noted that Items C-F refer to a conveyance of land and easement issues with the Forest Preserve District at Maple Grove and Hidden Lake Forest Preserves. These are largely housekeeping items.

ORD 2018-7817 — D. Ordinance: Authorize an Easement Agreement for a Public Sidewalk on the North Side of Maple Avenue within the Maple Grove Forest Preserve

ORD 2018-7816 — E. Ordinance: Authorize an Easement Agreement for Gilbert Avenue Improvements within the Maple Grove Forest Preserve

RES 2018-7811 — F. Resolution: Authorize a License Agreement with the Forest Preserve District of DuPage County Providing for Grading Work on a Portion of Hidden Lake Forest Preserve

8. Mayor's Report

Mayor Pro Tem White said that Rotary Grove Fest takes place in ten days.

9. Manager's Report

Mr. Fieldman noted that the Coffee With The Council will take place at Rotary Grove Fest this month.

10. 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 authorizing an intergovernmental agreement with the Forest Preserve District of DuPage County providing for the conveyance of certain property within Hidden Lake Forest Preserve, granting easements within Maple Grove Forest Preserve and granting a license within Hidden Lake Forest Preserve
2. An ordinance authorizing an easement agreement for a public sidewalk on the north side of Maple Avenue within the Maple Grove Forest Preserve
3. An ordinance authorizing an easement agreement for Gilbert Avenue improvements within the Maple Grove Forest Preserve

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11. Council Member Reports

Commissioner Walus announced the opening of Rotary Grove Fest on Thursday, June 21, to Sunday, June 24. There will be many great bands, and good food. Volunteers are still needed and more information can be obtained at www.rotarygrovefest.com.

Commissioner Barnett announced that Friends of the Library is providing free books for Metra riders. They have provided a rack at the train station and riders can take a book to read while they are on the train.

12. Adjournment

Mayor White asked for a motion to adjourn.

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

Mayor White declared the motion carried by voice vote and the meeting adjourned at 7:51 p.m.

Respectfully submitted,

April Holden

Village Clerk