

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

05/21/2019

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 Bob Barnett 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 Barnett led those present in the Pledge of Allegiance to the Flag.

2. Roll Call

Council Attendance (Present): Commissioner Walus, Commissioner Earl, Commissioner Sadowski-Fugitt, Commissioner Kulovany, Commissioner Hosé; Mayor Barnett

Absent: None

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

The Council meeting is broadcast live and a recording of the meeting is made using Village-owned equipment. The recording 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 Barnett 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 2019-8184 — A. Minutes: Council Minutes – May 14, 2019

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Motion: Commissioner José moved to approve the minutes as presented. Commissioner Earl seconded the motion.

Mayor Barnett declared the motion carried by voice vote.

4. Public Comments

This is the opportunity for public comments.

1. Frederick Vasquez, a resident of Downers Grove for 35 years, said that they have never had problems with the police. However, they have had a dog-barking problem from spring 2017. He started complaining to the police after four months. Five officers have been contacted and have been there for dog barking. The dog owners said that both dogs are deaf and cannot be trained. The last time the owner was issued a citation and the barking stopped to almost no barking. The dog owner said he wants to contest the charges. The resident asked what he has to do to fight with the dog owner, as he doesn't know the process. He said if it took five officers this much time to get a ticket written, he wants to know how much time and money went into this situation.

Mayor Barnett said it would have been a lot of time and money, but it is part of what we do. He explained that the Village Council does not handle contested citations. The Village Manager or Village Attorney can give him the information regarding the next steps in the process.

Village Manager Dave Fieldman said that Lt. Lichamer would work with the resident regarding follow-up information.

6. Consent Agenda

COR 2019-8185 — A. Claims Ordinance: No. 6313, Payroll, May 10, 2019

BIL 2019-8186 — B. Bills Payable: No. 6456, May 21, 2019

MOT 2019-8170 — C. Motion: Award a Contract in an Amount Not to Exceed \$401,850.00 to Detroit Salt Company, LLC, Detroit, MI, for the Purchase of Bulk Rock Salt

Summary: This awards a contract for the purchase of bulk rock salt from Detroit Salt Company, LLC of Detroit, Michigan at a cost of \$80.37 per ton up to an amount of \$401,850.

RES 2019-8177 — D. Motion: Resolution: Authorize an Agreement with Sada Systems, Inc.

Summary: This authorizes a 12-month license agreement renewal with SADA Systems, Inc. of North Hollywood, CA, for the use of G Suite in the amount of \$35,890.00.

**A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN
THE VILLAGE OF DOWNERS GROVE AND SADA SYSTEMS, INC.**

RESOLUTION 2019-36

MOT 2019-8176 — E. Motion: Approve a Building Permit Fee Waiver of \$12,267.62 to Downers Grove South High School, 1436 Norfolk Street, for Site Improvements

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Summary: This approves a building permit fee waiver in the amount of \$12,267.62 for site improvements at Downers Grove South High School, 1436 Norfolk Street.

MOT 2019-8188 — F. Motion: Approve a Building Permit Fee Waiver of \$9,712.90 to Downers Grove North High School, 4436 Main Street, for Site Improvements

Summary: This approves a building permit fee waiver in the amount of \$9,712.90 for site improvements at Downers Grove North High School, 4436 Main Street.

MOT 2019-8189 — G. Motion: Approve a Building Permit Fee Waiver of \$17,570.55 to West Suburban Humane Society, 1901 Ogden Avenue, for the Construction of a New Building

Summary: This approves a building permit fee waiver in the amount of \$17,570.55 for the construction of a new building at the West Suburban Humane Society, 1901 Ogden Avenue.

MOT 2019-8183 — H. Motion: Authorize \$72,246.35 to CDW Government LLC, Vernon Hills, IL, for Replacement of 55 Desktop Computers, Monitors and Speakers

Summary: This authorizes the purchase of 55 desktop computers (PCs), monitors, and speakers, as part of the Village's hardware lifecycle management plan.

RES 2019-8152 — I. Resolution: Authorize a Master Pole Attachment Agreement with Chicago SMSA Limited Partnership d/b/a Verizon Wireless for Use of the Village Owned Poles in Rights-of-Way

Summary: This authorizes execution of a Master Pole Attachment Agreement with Chicago SMSA Limited Partnership d/b/a Verizon Wireless to allow installation of small cell wireless facilities on Village poles.

**A RESOLUTION AUTHORIZING EXECUTION OF A MASTER POLE ATTACHMENT
AGREEMENT BETWEEN CHICAGO SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS
AND THE VILLAGE OF DOWNERS GROVE FOR USE OF THE VILLAGE OWNED POLES IN
RIGHTS-OF-WAY**

RESOLUTION 2019-37

RES 2019-8179 — J. Resolution: Award a Second Contract Extension in an Amount Not to Exceed \$94,966.00 to Hancock Engineering, Westchester, IL, for Municipal Construction Engineering Services

Summary: This authorizes the extension of the existing contract for municipal construction engineering services for the 2019 stormwater improvement projects for an amount of up to \$94,966.00 to Hancock Engineering of Westchester, IL.

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

RESOLUTION 2019-38

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MOT 2019-8163 — K. Motion: Award \$1,278,591.50 to A Lamp Concrete Contractors, Inc., Schaumburg, IL, for Debolt, Linden, and Gierz Stormwater Improvements - Phase 1

Summary: This awards a contract for Debolt, Linden, and Gierz Stormwater Improvements – Phase 1 to A Lamp Concrete Contractors, Inc. of Schaumburg, IL in the amount of \$1,278,591.50.

MOT 2019-8168 — L. Motion: Award a Contract for \$2,707,000.00 to J. A. Johnson Paving Company, Arlington Heights, IL, for 2019 Street Resurfacing

Summary: This awards a contract for the 2019 Street Resurfacing Contract to J. A. Johnson Paving Company of Arlington Heights, Illinois in the amount of \$2,707,000.00.

MOT 2019-8195 — M. Motion: Award a Contract in an Amount Not to Exceed \$20,606.00 to McDonough Mechanical Services, Inc., Waukegan, IL, for the Replacement of Two HVAC Rooftop Units

Summary: This awards a contract for the replacement of two HVAC rooftop units to McDonough Mechanical Services, Inc., of Waukegan, Illinois in an amount of \$20,606.

MIN 2019-8197 — N. Minutes: Note Receipt of Minutes of Boards and Commissions

Summary: Human Service Ad Hoc Committee – March 20, 2019

Motion: Commissioner José moved to approve the Consent Agenda as presented. Commissioner Earl seconded the motion.

Mayor Barnett declared the motion carried by voice vote.

7. Active Agenda

ORD 2019-8145 — A. Ordinance: Authorize a Special Use for 62 Ogden Avenue to Permit a Drive-Through

Summary: This authorizes a special use for 62 Ogden Avenue to permit a drive-through.

AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 62 OGDEN AVENUE TO PERMIT A DRIVE-THROUGH

ORDINANCE NO. 5761

Motion: Commissioner José moved to adopt “An Ordinance Authorizing a Special Use for 62 Ogden Avenue to Permit a Drive-Through” as presented. Commissioner Earl seconded the motion.

Votes: Yea: Commissioners José, Earl, Kulovany, Sadowski-Fugitt, Walus; Mayor Barnett

Nay: None

Mayor Barnett declared the motion carried.

ORD 2019-8144 — B. Ordinance: Authorize a Special Use for 2300 Wisconsin Avenue to Permit a Personal Vehicle Repair and Maintenance Business

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Summary: This authorizes a special use for 2300 Wisconsin Avenue to permit a personal vehicle repair and maintenance business.

AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 2300 WISCONSIN AVENUE TO PERMIT A PERSONAL VEHICLE REPAIR AND MAINTENANCE BUSINESS

ORDINANCE NO. 5762

Motion: Commissioner José moved to adopt “An Ordinance Authorizing a Special Use for 2300 Wisconsin Avenue to Permit a Personal Vehicle Repair and Maintenance Business” as presented. Commissioner Earl seconded the motion.

Votes: Yea: Commissioners José, Earl, Kulovany, Sadowski-Fugitt, Walus; Mayor Barnett

Nay: None

Mayor Barnett declared the motion carried.

ORD 2019-8165 — C. Ordinance: Amend Rates Charged for Water

Summary: This amends the Municipal Code regarding the rates charged for water.

AN ORDINANCE AMENDING THE RATES CHARGED FOR WATER

ORDINANCE NO. 5763

Motion: Commissioner José moved to adopt “An Ordinance Amending Rates Charged for Water” as presented. Commissioner Earl seconded the motion.

Commissioner Earl explained that this ordinance is a direct pass-through of a rate increase from the DuPage Water Commission.

Votes: Yea: Commissioners José, Earl, Kulovany, Sadowski-Fugitt, Walus; Mayor Barnett

Nay: None

Mayor Barnett declared the motion carried.

8. First Reading

MOT 2019-8162 — A. Motion: Award \$483,664.50 to Chicagoland Paving Contractors, Inc., Lake Zurich, IL, for Forest North Parking Lot Improvements

Nan Newlon, Director, Public Works, said this is a request to award a contract to Chicagoland Paving Contractors, Inc. for Forest parking lot improvements. She showed the location of the lot between Forest and Main Street that consists of a mix of downtown parking and 3-hour parking. Improvements include replacing pavement and curbs, adding a sidewalk along the north side of Burlington Avenue, replacing storm sewer, adding bioswales, permeable pavers and landscaping to improve the appearance of the parking lot and the water quality. She said the construction is scheduled to begin immediately after RotaryFest with completion before Oktoberfest. Parking has been identified for those displaced during construction. The vendor recommended is the low bidder.

Commissioner Sadowski-Fugitt said she is excited to see the improvements and permeable pavers.

Commissioner Kulovany asked if they have used permeable pavers in parking lots.

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Ms. Newlon said not that she is aware of. Mr. Fieldman said that District 99 used them in North High's parking lot.

Ms. Newlon said this are will not get the heavier traffic, and they will only be in a portion of the lot.

Commissioner Kulovany said one of the line items was the removal of 22 trees.

Ms. Newlon said they will be removing 22 trees but adding more landscaping, which will be better for that area.

ORD 2019-8161 — B. Ordinance: Authorize the Extension of Special Uses to Permit Construction of a Drive-Through Restaurant Facility and a Fueling Station at 2125 Ogden Avenue to October 31, 2019

Stan Popovich, Director, Community Development, explained that this ordinance extends two special uses previously approved. The permit has not yet been issued. Revisions for this request were submitted this morning. The extension of this request is at the discretion of the Council, and two 6-month extensions can be approved.

Mr. Fieldman noted that the petitioner submitted a re-submittal for the building permit this morning.

Petitioner Sean O'Leary said that they are asking for the extension on their special uses for Power Mart. They are moving forward with the project and will go to demolition once the permits are issued. The main reason the project was delayed is due to an engineering firm that is no longer in business. They are happy with where things are regarding the project, and are looking at a six-month window for completion.

Commissioner Kulovany asked whether there are any material changes being made.

Mr. O'Leary replied that it is a convenient store and restaurant, and there is no material change that he is aware of.

Commissioner Kulovany asked whether there has been any resolution regarding the alley vacation.

Mr. Fieldman responded that it was addressed and resolved.

9. Mayor's Report

Mayor Barnett said tonight's meeting is the last meeting before Memorial Day, Monday, May 27. Alexander Bradley Burns American Legion Post 80 will hold their 100th Memorial Day observance for the Village at 10:45 a.m. on Monday when they will parade from Main Street to Fishel Park with an observance beginning at 11:00 a.m. All are welcome and encouraged to attend. He provided historical information regarding the celebration of Memorial Day. There are competing claims to the place and origin of Memorial Day but in 1966 Congress and President Lyndon Johnson declared Waterloo, New York, the birth place of Memorial Day based on a ceremony which took place there on May 5, 1866 honoring local veterans who had fought in the Civil War. By the end of the 19th century, Memorial Day ceremonies were being held on May 30 throughout the nation and state legislatures passed proclamations designating the day, and the Army and Navy adopted regulations for proper observance at their facilities. It was not until after World War I that the day was expanded to honor those who died in all American wars. In 1971, Memorial Day was declared a national holiday by an Act of Congress. It was then placed on the last Monday in May.

He requested that Americans observe the real meaning of Memorial Day, which is honoring those who lost their lives by serving in the armed forces. He asked that people pause for one minute at 3:00 p.m. on Monday to reflect on those who died serving in the military. He also suggested that people raise the flag at half-staff until noon and then raise it to full staff for the rest of the day.

The Village of Downers Grove thanks and remembers those who gave their lives in service to our Country.

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10. Manager's Report

There was no 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 authorizing the extension of special uses to permit construction of a drive-through restaurant facility and a fueling station at 2125 Ogden Avenue to October 31, 2019.

12. Council Member Reports

Commissioner José said that on Wednesday he attended the Officer Barth ceremony. Many people attended including members of Officer Barth's family. It was an honor to be there and to honor his sacrifice.

Commissioner José noted that he attended the Economic Development Corporation meeting on Friday with a presentation by the DuPage Visitors' Bureau. He noted that both the EDC and the DVB are working hard.

Commissioner Walus reminded everyone that there are 30 days to Rotary GroveFest. She also said Ben's Memorial Mile will be held on Saturday, June 15, from 5:00-9:00 p.m. at North High School. She encouraged everyone to register as soon as possible. Finally, Commissioner Walus reminded everyone that the first Summer Nights Classic Car Show will be held this coming Friday night from 6:00-9:00 p.m., with live entertainment from 7:00-9:00 p.m.

13. Adjournment

Motion: Commissioner José moved to adjourn into Executive Session pursuant to Section 2(c)(3) of the Illinois Open Meetings Act to consider the selection of a person to fill a public office, as defined in this Act. Commissioner Earl seconded the motion.

Mayor Barnett declared the motion carried by voice vote and the meeting adjourned into Executive Session at 7:28 p.m.

Respectfully submitted,
April Holden
Village Clerk