



Village of Downers Grove Meeting Minutes Downers Grove Village Council

Civic Center
801 Burlington
Downers Grove, IL 60515
630-434-5500

Tuesday, March 19, 2002

6:30 pm

Council Chambers

1. Call to Order

Mayor Brian Krajewski called the regular meeting of the Village Council of the Village of Downers Grove to order at 6:30 p.m. in the Council Chambers of the Downers Grove Village Hall.

Pledge of Allegiance to the Flag

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

2. Roll Call

Present: Commissioner Sue McConnell, Commissioner Michael Gilbert, Commissioner Thomas Sisul, Commissioner Marilyn Schnell, Commissioner Martin Tully and Mayor Brian Krajewski
Absent: Commissioner Mark Zabloudil

Non Voting: Village Clerk April Holden, Village Manager Riccardo Ginex, Village Manager Riccardo Ginex, Acting Village Attorney Enza Petraca and Acting Village Attorney Enza Petraca

Mayor Krajewski said he would like to remind everyone present that 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 the past meetings, an opportunity will be given for public comments and questions on the active agenda items for this evening's meeting. Following this, an opportunity is given for public comments and questions on any subject. Finally, 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.

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

The Mayor 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 Workshop and Council Meetings

Council Meeting - March 5, 2002

Workshop Meeting - March 12, 2002

Commissioner Tully said he provided corrections to the March 12th meeting to the Village Clerk earlier.

4. Public Comments and Questions

A. Comments and Questions on Active Agenda

There were none.

B. Comments and Questions on General Matters

Janis Farrington, 5211 Lee Avenue, addressed the Council regarding an issue of inhumane trapping of wild animals that exists in the Village in her neighborhood. This was brought to her attention by her neighbors at 5223 Lee Avenue. She said that apparently some neighbors have taken it upon themselves to determine how many raccoons should live in the area which is bounded by the Maple Grove Forest Preserve. She is appalled that they can set bait traps in the yard legally in the Village, and that her taxpayer dollars pay for this practice. She is also appalled that the Village then comes and picks up the animals and has them euthanized. Ms. Farrington said the animals are not aware of boundaries, and residents must adapt to the woods. She does not want her tax dollars spent to have someone from the Village come out every morning and set traps. She asked what happens if a domesticated animal, such as a dog or cat, accidentally gets caught in one of these traps. There are some endangered animals in the wooded area. She believes this is an inhumane way to dispose of animals, and is also very cruel. She asked how one neighbor can determine how many raccoons can reside in the area. She asked the Council to halt this trapping until a better, more humane solution is found.

The Mayor asked whether the neighbor has a problem with raccoons in the house or if they are just outside catching them. Ms. Farrington said they are outside catching them. She said she would have no problem if the trap was on the roof or in an attic, but she is opposed to having a baited trap set outdoors, in a back yard, adjacent to a Forest Preserve. The Mayor asked staff to provide him with a copy of the Ordinance. He agreed with Ms. Farrington that the baited trap lures the animals to come out of the woods. Ms. Farrington said when you move into a location that backs into a Forest Preserve there will be animals, and it is inconceivable to her than someone would do this to these defenseless animals.

Commissioner Sisul asked whether Ms. Farrington has talked with the neighbors about this. Ms. Farrington responded that the neighbor said there are too many raccoons, and he would be happy with a token one or two in the area. She said she puts out bird seed, corn for the deer and occasionally food for the stray cats. Commissioner Sisul also asked for staff reports on this issue.

The Mayor also asked staff to investigate the disposition or relocation policy. Staff responded that DuPage County asked them to refrain from dropping animals into the Forest Preserve.

Commissioner Schnell said if this is happening on a daily occurrence, the \$20 fee is not covering the cost of staff having to go out, pick up the animals and euthanize them. She said it would be good to also investigate whether there is a limitation on how many times they can go back and pick up the animals. She would like to review the ordinance as well as the fee structure.

Chris Fregeau, 1918 Elmore, asked the Council to reserve judgment before they pursue this issue. The individual is not present to defend themselves. She said that she is aware of the problem, and is also aware of situations where the Health Department has been called because food and water has been left out to attract the animals into residential areas. She said that parents are concerned about disease, etc. She said she is also aware that neighbors have called to ask for assistance with this problem. Neighbors have spent quite a bit of money in terms of traps, and putting flashing on the trees. Ms. Fregeau said she had personal experiences where it became a health issue with raccoons.

The Mayor asked her if she meant that residents are putting food outside to attract animals so they can see them. Ms. Fregeau said she thought that was one reason, or perhaps even to take the young ones in as pets.

Commissioner Sisul said this is a situation of balancing living with the wild animals. It is a common problem. He also suggested discussing this with the Forest Preserve and Park District for their input.

Ms. Fregeau asked that they look at all sides before moving on this issue.

5. Public Hearings

There were none.

6. Consent Agenda

COR 00-00827 Claim Ordinance: No. 5421, Payroll, March 8, 2002

Sponsors:Accounting

A motion was made to Approve this file on the Consent Agenda.

Indexes: N/A

BIL 00-00828 List of Bills Payable: No. 5422, March 19, 2002

Sponsors:Accounting

Commissioner Schnell asked about items for the same vendor: DM250 on page 2, and DM250 on page 5. Her question is why they are using that particular vendor.

Mayor Krajewski said he sent his questions to the Village Manager by e-mail.

A motion was made to Approve this file on the Consent Agenda.

Indexes: N/A

BID 00-00832 Bid: Award Demolition Contract to Environmental Cleansing Corporation of Markham, IL for \$43,487.00 + 5% contingency

Sponsors:Public Works

A motion was made to Approve this file on the Consent Agenda.

Indexes: McCollum Park-Satellite Maintenance Facility

BID 00-00833 Bid: Award Contract Renewal for Sewer Jetting and Cleaning for FY 2002/03 to Kenny Industrial Services

Sponsors:Public Works

Summary of Item:Bid amount \$94.50 per hour (approximately 300 hours). Amount budgeted is \$30,000.00.

A motion was made to Approve this file on the Consent Agenda.

Indexes: Sewer Jetting

Passed The Consent Agenda

A motion was made by Commissioner Sisul, seconded by Commissioner Gilbert, that the consent agenda be passed. The motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Gilbert, Commissioner Sisul, Commissioner Schnell, Commissioner Tully and Mayor Krajewski

7. Active Agenda

RES 00-00809 Resolution: Authorize Intergovernmental Agreement with Downers Grove Park District re: Use of Village Facilities and Video Production of Park District Board Meetings

Sponsors:Village Attorney

Summary of Item:This will authorize execution of an Intergovernmental Agreement between the Village of Downers Grove and the Downers Grove Park District regarding the use of Village facilities (commonly referred to as the Village of Downers Grove Council Chambers) and video production equipment and personnel for Board meeting broadcasts.

A RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE DOWNERS GROVE PARK DISTRICT REGARDING THE USE OF VILLAGE FACILITIES AND VIDEO PRODUCTION OF PARK DISTRICT BOARD MEETINGS

RESOLUTION 2002-22

A motion was made by Commissioner Sisul, seconded by Commissioner Gilbert, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Gilbert, Commissioner Sisul, Commissioner Schnell, Commissioner Tully and Mayor Krajewski

Indexes: Park District

ORD 00-00834 Ordinance: Reserve Volume Cap in Connection with Private Activity Bond Issues, and Related Matters

Sponsors:Economic Development Director

Summary of Item:This will reserve the entire Village's 2002 Bond Allocation Cap for Stern Brothers, Inc.

AN ORDINANCE RESERVING VOLUME CAP IN CONNECTION WITH PRIVATE ACTIVITY BOND ISSUES, AND RELATED MATTERS

ORDINANCE NO. 4386

A motion was made by Commissioner Gilbert, seconded by Commissioner Schnell, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Gilbert, Commissioner Sisul, Commissioner Schnell, Commissioner Tully and Mayor Krajewski

Indexes: Industrial Revenue Bond - Stern Brothers

RES 00-00836 Resolution: Authorize Execution of a Plan Administrator and Accounting Agreement with Kraemer & Loney, Inc.

Sponsors:Human Resources

Summary of Item:This will authorize an agreement between the Village of Downers Grove and Kraemer & Loney, Inc. to provide for plan administration and accounting services for the Village's self-funded medical, vision, group life, accidental death & disability and long term disability insurance.

A RESOLUTION AUTHORIZING EXECUTION OF A PLAN ADMINISTRATOR AND ACCOUNTING AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND KRAEMER & LONEY, INC.

RESOLUTION 2002-23

The Mayor asked Mr. Lyons whether Commissioner Zabloudil had any questions regarding this item, and Mr. Lyons said he did not to his knowledge.

A motion was made by Commissioner Schnell, seconded by Commissioner McConnell, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Gilbert, Commissioner Sisul, Commissioner Schnell, Commissioner Tully and Mayor Krajewski

Indexes: Insurance - Health, Employee

ORD 00-00837 Ordinance: Conduct Municipal Census

Sponsors:Public Works

Summary of Item:This will authorize the Village to conduct an interim census in the newly annexed Downers Grove Estates/Meadowlawn Subdivisions in order to collect additional Motor Fuel Tax monies for labor/materials associated with the maintenance of streets.

ORDINANCE FOR MUNICIPAL CENSUS

ORDINANCE NO. 4387

The Mayor thanked staff for moving quickly on this particular matter.

A motion was made by Commissioner McConnell, seconded by Commissioner Tully, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Gilbert, Commissioner Sisul, Commissioner Schnell, Commissioner Tully and Mayor Krajewski

Indexes: Census

RES 00-00838 Resolution: Authorize Execution of a Proposal/Agreement to Furnish Phase II Engineering Services (Fairview Avenue Resurfacing) with Civiltech Engineering, Inc.

Sponsors:Public Works

Summary of Item:This will authorize execution of a professional services agreement between the Village of Downers Grove and Civiltech Engineering, Inc. for the Fairview Avenue Resurfacing Project 12-01.

A RESOLUTION AUTHORIZING EXECUTION OF A PROPOSAL/AGREEMENT TO FURNISH PHASE II ENGINEERING SERVICES (FAIRVIEW AVENUE RESURFACING) BETWEEN THE VILLAGE OF DOWNERS GROVE AND CIVILTECH ENGINEERING, INC.

RESOLUTION 2002-24

The Mayor asked Jack Bajor to review the policies on this item.

A motion was made by Commissioner Tully, seconded by Commissioner Sisul, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Gilbert, Commissioner Sisul, Commissioner Schnell, Commissioner Tully and Mayor Krajewski

Indexes: Fairview Avenue Resurfacing

RES 00-00839 Resolution: Authorize Execution of an Agreement with Transystems Corporation for Professional Services (Dunham Road Improvements)

Sponsors:Public Works

Summary of Item:A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN VILLAGE OF DOWNERS GROVE AND TRANSYSTEMS CORPORATION FOR PROFESSIONAL SERVICES (DUNHAM ROAD IMPROVEMENTS)

RESOLUTION 2002-25

A motion was made by Commissioner Sisul, seconded by Commissioner Gilbert, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Gilbert, Commissioner Sisul, Commissioner Schnell, Commissioner Tully and Mayor Krajewski

Indexes: Dunham Road Improvements

ORD 00-00840 Ordinance: Annex 3835 & 3841 Glendenning Road

Sponsors:Village Attorney

Summary of Item:This will annex the property commonly known as 3835 & 3841 Glendenning Road. Following annexation, this property will remain R-1 Single Family Residential.

AN ORDINANCE ANNEXING 3835 AND 3841 GLENDENNING ROAD TO THE VILLAGE OF DOWNERS GROVE, ILLINOIS

ORDINANCE NO. 4388

A motion was made by Commissioner Gilbert, seconded by Commissioner Schnell, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Gilbert, Commissioner Sisul, Commissioner Schnell, Commissioner Tully and Mayor Krajewski

Indexes: Annexation

ORD 00-00819 Ordinance: Create a Comedy Club Liquor License

Sponsors:Liquor Commission

Summary of Item:This will create one Class "C-1" license which authorizes the retail sale of alcoholic liquor for consumption on the premises where the major and primary business is that of a Comedy Club.

AN ORDINANCE CREATING A COMEDY CLUB LIQUOR LICENSE

ORDINANCE NO. 4389

A motion was made by Commissioner Schnell, seconded by Commissioner McConnell, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Gilbert, Commissioner Sisul, Commissioner Schnell, Commissioner Tully and Mayor Krajewski

Indexes: Liquor Ordinance Amendments

ORD 00-00831 Ordinance: Abate a Portion of the 2001 Tax Levy Related to the General Obligation Water Bonds, Series 2001A

Sponsors:Financial Services

Summary of Item:This will abate the 2001 tax levy for the General Obligation Water Bond Series 2001A in the amount of \$396,862.71.

AN ORDINANCE ABATING A PORTION OF THE 2001 TAX LEVY RELATED TO THE GENERAL OBLIGATION WATER BONDS, SERIES 2001A

ORDINANCE NO. 4391

A motion was made by Commissioner McConnell, seconded by Commissioner Tully, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Gilbert, Commissioner Sisul, Commissioner Schnell, Commissioner Tully and Mayor Krajewski

Indexes: Tax Levy Abatement

ORD 00-00825 Ordinance: Adopt and Approve Publication of the Village of Downers Grove Zoning Map

Sponsors:Planning Services

Summary of Item:This will approve and authorize publicaiton of the 2002 Village of Downers Grove Zoning Map, corrected to 3/15/02. Pursuant to state law, the Village is required to approve and publish its Zoning Map on an annual basis.

AN ORDINANCE ADOPTING AND APPROVING PUBLICATION OF THE VILLAGE OF DOWNERS GROVE ZONING MAP

ORDINANCE NO. 4390

A motion was made by Commissioner Tully, seconded by Commissioner Sisul, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Gilbert, Commissioner Sisul, Commissioner Schnell, Commissioner Tully and Mayor Krajewski

Indexes: Zoning Map

8. Mayor's Report

Materials to be Received - Minutes

Economic Development Commission - February 13, 2002

Library Board - February 27, 2002

Parking & Traffic Commission - February 13, 2002

Plan Commission - January 8, 2002

Public Services Committee - March 5, 2002

A motion was made by Commissioner Sisul, seconded by Commissioner Gilbert, to Note Receipt Of this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Gilbert, Commissioner Sisul, Commissioner Schnell, Commissioner Tully and Mayor Krajewski

New Business

Resolution of Appreciation: The Mayor read a Resolution thanking Linda Kunze for her contributions to the community, and congratulated her as recipient of the 2001 Downers Grove

Chamber of Commerce Citizen of the Year. He said the award was presented to her on Saturday night at the Downers Grove Chamber's annual dinner. He also thanked the Chamber of Commerce for their work in the community with the businesses, and with the local schools. He also thanked the staff for working with the students last week.

Mayor Krajewski then recognized and thanked Gregory Bollendorf for his work on the Tourism and Events Commission, and Mark Detjen for his 12 years of service on the Zoning Board of Appeals.

Liquor License Suspensions

The Mayor said that the Liquor Commission recommended a suspension of not less than 20 days and a fine not to exceed \$1000, as well as \$520 in administrative cost fees to Fuddrucker's at 7231 Lemont Road for the sale of alcoholic liquor to a minor. The Mayor said he has made his findings and their liquor license will be suspended for 20 days. He then read the dates of suspension, noting that no liquor can be sold from the premises during the designated suspension dates.

METRA Public Hearing

The Mayor said a meeting was held by METRA last week regarding the Belmont underpass. He said that Manager Ginex and Commissioner Tully were present at that meeting. He said that METRA will respond to all of the comments written at that meeting, and the Village will also be sure that it has copies of the questions and responses from METRA. He noted that the Village is well aware of the concerns of the residents. One of the main questions was to have METRA provide six alternatives which were completed some time ago. METRA said they would provide that information to the Village. The Mayor said that the Village has received an intergovernmental agreement and is in the process of reviewing that agreement. Mayor Krajewski said that a number of issues were discussed at the meeting. He and Manager Ginex will meet with a small group of residents from the Puffer area. He stated that the Village will have final approval on any plans that METRA submits. He said the agreement for the road transfer will have to be completed prior to January for the County to submit the application with the I.C.C.

DuPage Water Commission meeting

The Mayor said he attended the DuPage Water Commission monthly meeting on Thursday evening. There were residents in attendance from unincorporated areas of the Village and they discussed the possibility of securing some funding to assist in financing the costs of connecting to the Village water. The Water Commission staff will be looking further into the issue.

Materials to be Placed on File

9. Manager's Report

Deputy Manager Brian Pabst stated that Manager Ginex was absent from this evening's meeting due to the illness of his mother. Deputy Manager Pabst said he had no report.

10. Attorney's Report

There was no report.

Future Active Agenda

Sponsors:Financial Services

Indexes: General Obligation Bond - Refund

11. Committee Standing Reports

Commissioner Schnell said the Public Services Committee will be meeting next Monday evening at 5:00 to discuss stormwater issues.

Commissioner McConnell said the Finance Committee met this evening to keep on track with the budget process review. There will be a public hearing and review on April 2. The Fire Department said they would prepare information as to possible fees to be established. Other possible fees were also discussed. She said after the budget process is completed, they would like to review the process in an effort to make it run more smoothly next year. In addition, they will look at the financial reporting format when Commissioner Zabloudil returns. Lastly, they discussed creating an open issues list.

12. Council Member Reports and New Business

Commissioner Gilbert thanked the Council, Staff and citizens for their kind words and phone calls over the past few days. It has helped the family get over a very difficult time.

Commissioner McConnell said that there was a Partners for Healthier Communities meeting held wherein a presentation from a smoking cessation group was made. They looked at the potential of creating a resolution to ask the FDA to consider tobacco in the same way they look at other drugs. She is waiting for a copy of that resolution to give to the Council for their review.

Commissioner McConnell said they also discussed a Fire Department follow-up budget item to find ways to monitor at home stays of those individuals who use emergency services often.

Commissioner McConnell said that the Character Counts Goals Meeting will be held tomorrow evening at the Public Works Building at 7:00 p.m. to finalize their 2002 goals.

The Mayor said that at the Rotary Club meeting they showed photographs of the slides that the Character Counts booth intends to sponsor at the next Heritage Festival.

Commissioner Tully congratulated Linda Kunze on receiving the Citizen of the Year award. He said she has been a guiding and driving force of the Downtown Management Corporation.

Commissioner Tully then congratulated Brian Pabst for the award he received from the Chamber of Commerce recognizing his work in redevelopment.

Commissioner Tully then mentioned the possible creation of a stormwater utility for Downers Grove. He said he attended a meeting on this last week where this item was brought up. The Stormwater and Floodplain Oversight Commission discussed the issue and asked Public Works staff to prepare a more extensive report, and that report will be presented at the April meeting. Commissioner Tully said he thought this was a decision that should be made by the Village after a thorough study has been completed, and this has been discussed by the community. He said he felt the Finance Department should also be involved in this, and resident involvement and input in the analysis must also be implemented. Commissioner Tully then suggested the possible creation of a Stormwater Utility Exploratory Task Force comprised of representatives of the Stormwater and Floodplain Oversight Commission, the Public Service Committee, the Public Works Department, Finance Department, interested residents with background in the area, and representatives of the business community. They should be given very specific tasks with a rigid time frame culminating in a detailed presentation to the Council regarding options

and recommendations with respect to this issue.

Commissioner Tully said in the National League of Cities seminar he attended, the consultants strongly recommended that there be a citizens advisory group or task force established in the community.

The Mayor asked staff to review the issue.

Mayor Krajewski asked Doug Kozlowski to check on the connection for Commissioner Tully's phone communication, as it was difficult for the Council to hear him this evening.

The Mayor then congratulated Deputy Village Manager Pabst for his receipt of the Golden Shovel Award from the EDC.

The Mayor also thanked the 3rd graders at Hillcrest School for inviting him to meet with them last week to discuss local government, as well as other topics.

13. Adjournment

Commissioner Sisul moved to adjourn. Commissioner Gilbert seconded.

VOTE: YEA - Commissioners Sisul, Gilbert, Zabloudil, Tully, McConnell, Schnell, Mayor Krajewski

Mayor Krajewski declared the motion carried and the meeting adjourned at 7:20 p.m.