



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, December 18, 2001

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, Commissioner Mark Zabloudil and Mayor Brian Krajewski

Non Voting: Village Attorney Daniel Blondin, Village Clerk April Holden and Village Manager Riccardo Ginex

3. Minutes of Workshop and Council Meetings

Council Meeting - November 20, 2001

Council Workshop Meetings - November 27, 2001 & December 11, 2001

Special Council Meeting - November 27, 2001

Executive Session Minutes for Approval Only - November 6, 2001, November 13, 2001 & November 27, 2001

There being no additions or corrections to the minutes, Mayor Krajewski said they would be filed as submitted.

Promotions and Recognitions

PROMOTIONS/RECOGNITION:

Police Chief Bob Porter introduced the members of the Police Department up for promotion. Office Ralph Tessmann was promoted to the position of Police Sergeant and Sergeant Mitchell Vandembos was promoted to the position of Police Lieutenant.

Chief Porter then presented a plaque to resident Stan Greanias for his 17 years of service on the Police and Fire Commission.

Fire Chief Phil Ruscetti introduced the members of the Fire Department for promotion. Thomas Frank and Matthew Beyer were promoted to the position of Fire Lieutenant.

Mayor Krajewski then made presentations on behalf of the Village Council to Stanley Greanias for his 17 years of service on the Police and Fire Commission, and to Patricia Winter for her 18 years of service on the Community Events Commission. He noted how fortunate the Village was to have residents willing to serve on its numerous Boards and Commissions.

4. Public Comments and Questions

A. Comments and Questions on Active Agenda

There were none.

B. Comments and Questions on General Matters

1. *Kate Linden, 2150 West 59th Street, unincorporated Downers Grove, said she was representing the residents of the area who have been notified that their wells were contaminated. Ms. Linden said she came to the Council on November 9 to request assistance for residents who were unable to pay the fee for connecting to the Village water system. Ms. Linden said she is still waiting to hear something from the Village Manager and Financial Director. She noted that the residents have not asked for a free ride or waiver of fees, but have requested some type of low interest financing arrangement. She said petitions were presented to the Village and County officials. On December 12 the residents met with the State Representatives. She gave a copy of the petition and letter to the Village Manager and Council. Ms. Linden said she does not understand why the Village does not want to help these residents with this public health issue. She said they do not understand why the Village leadership is misrepresenting the type of assistance the residents are requesting. Ms. Linden said the residents did not contaminate their wells. The IEPA and the USEPA are looking at a local Village industrial park as a possible source of the contamination. She asked how the Council would feel if they found their water was unsafe, and they would have to pay between \$5,000-\$12,000 to obtain safe water, which would cause a financial hardship. State and local authorities were aware of a problem as long as ten years ago. The residents are asking the Village to work with the County for a program to connect these residents quickly to Downers Grove water without creating a financial burden to the homeowners.*

The Mayor asked what their request was and she said they are asking the Village leadership to create a program with a low interest rate for the home owners or an extended fee payment program.

The Mayor said that the Manager has met with Patti Bellock and Wally Brown on this situation. He said they also inquired as to the situation in Lisle. He noted that one resident wanted water without annexation to the Village. He said another meeting is scheduled after the holidays with the County board chairman. Manager Ginex said that Wally Brown was to set up the next meeting. Ms. Linden said that the people are very concerned about this as it is a public health issue.

The Mayor said the Council has an obligation to its taxpaying residents. They are trying to work with the County and the State for a solution to this problem. They also have to wrestle with the fairness for those who paid the full amount of the fee. Ms. Linden thanked the Council and asked that they keep the residents informed of the situation.

2. *Bill Vollrath, 6818 Osage, said he came to express two concerns. First he expressed disappointment at the quality of workmanship performed on Oxford and Fairmount east of Main Street when they replaced the water mains. The estimated three-month long job took twice as long. He said the street is paved in a jagged fashion for about ten blocks, and he hoped the job would be done again in the spring. He urged the Council to tour the street and see what type of job was done. Mayor Krajewski agreed with Mr. Vollrath saying they needed to have better supervision of the contractors. Mr. Vollrath said he understood that the job ended up being completed by the Village staff.*

Secondly, Mr. Vollrath said that he understood that the Village's Cable Channel 6 is franchised to the Village. He doesn't believe it is operated to serve the entire community. He said that District 99 recently had celebrations for the renovations of both school buildings. The North celebration was televised, however, the South celebration was not televised. He added that South High School had a great season. He thought that should have been televised as well. He sees this as a problem, and should not be called community cable TV. The Mayor said there is

a staffing issue problem and there often are no personnel available to send to the events. Mr. Vollrath said he thought they should be more sensitive to the politics of North versus South.

5. Public Hearings

2001-02 Tax Levy

Annexation Agreements

2001-02 Tax Levy

Mayor Krajewski called the public hearing to order at 7:00 p.m. He said this public hearing has been called by the Village Council pursuant to the Illinois Truth in Taxation Law to consider the proposed 2001 tax levy of the Village of Downers Grove. Notice of this hearing was published in the Downers Grove Reporter and a copy of the notice and the proof of publication have been presented and are made a part of the official record of this hearing.

The Mayor then summarized the procedure for the hearing.

The Mayor then introduced Marty Lyons, Director, Financial Services, to make his report.

Finance Director Marty Lyons distributed informational material to the Council and public. He said that on November 13 a Council Workshop was held estimating the 2001 Tax Levy and an analysis was presented at that meeting. He explained that the tax levy includes the Police and Fire operating levies, the Police and Fire pension levies, the debt service levies, and the Library operating levies.

Mr. Lyons said that total Village/Library levy is \$9,095,259 for all levies that are extended or abated. The proposed extension will be \$4,339,072 for the Village, and \$3,426,694 for the Library, for a total extended levy of \$7,765,766.

Commissioner Schnell said the major increase in the police pension is an unfunded mandate. Mr. Lyons said the economy affected the pension fund as they rely on investment income for over half of the funding. They do not have to levy for the entire amount in a year as they do not have to be fully funded until the year 2032. The Commissioner asked what percentage of the 121% increase was due to the unfunded mandate. Mr. Lyons said it is about 1/3, which is due to a change in the Statute.

Commissioner Sisul asked Mr. Lyons to describe the investments. Mr. Lyons said that the Village operates under the Downstate Pension Act, and invests local tax dollars and contributions from the Firefighters or Police Officers in facilities provided in the public investment act. The Village may have 55% of the funds in fixed income securities which are guaranteed, and 45% of the portfolio may be in equity products in the stock market. They cannot invest directly in stocks, but participate in annuities through professional money managers, or directly through mutual funds. He said the Village's investments are 70% secured and 30% equity.

Bill Vollrath, 6818 Osage, said he was concerned with the size of the percentage increase, which was 19.5%. He said we are in a recession and many citizens have poor job security at the moment. Inflation is at 2%-3%, and he does not know how they can justify a 19.5% tax increase. His two areas of concern are the 120% increase for the Police Pension fund. He said people should be disturbed that of \$25 million there was less than a 1% rate of return. This needs to be changed. He also said that the \$2 million shortfall is for one year. He believes the fund was underfunded coming into the shortfall. Mr. Lyons said it was 102% funded before this year.

Mr. Vollrath said he thought they'd be on track for another \$2 million shortfall that no one is

talking about for next year. He thinks they must pay more attention to the Police and Fire pension funds.

The Mayor said that the Police Pension Board is made up of five people. Village Attorney Blondin noted that the Police and Fire Pension Boards are state created. The Village has the authority to appoint only two positions of the five on the Police board.

Mr. Vollrath said he has been in financial services specializing in municipal investments of police and fire pension funds. He said the Village has the responsibility for the operation and investments of the Police and Fire Pension Funds through the Finance Director. There is a responsibility to see that \$25 million earns more than 1%. A bad market should not require a 120% tax levy increase. He said he thought the Village is putting pressure on the Board to get an 8.75% or 8.5% rate of return. That cannot be done now. Treasuries now pay 3%-6%. He recommended not using actuarial assumptions of 7.5%. He said he is not being critical of the people sitting on these funds, but he believes they need to be given help.

Secondly, Mr. Vollrath said he was concerned about the financing of the CBD and TIF Districts. He said the fall issue of the Village newsletter stated that the TIF would be about \$22 million short of funding for the renovation of the downtown area. He said that he does not recall citizens being told there would be a \$22 million shortfall when the TIF was created. He also said that the same newsletter also said there would not be a \$22 million shortfall but an \$11 million shortfall because things are going so well downtown. He said he would like to see an analysis of the financing of the TIF Districts and the projections for future revenue and expenses because it does not make sense to him.

The Mayor responded that the TIF is a complicated financial tool. He said that typically the TIF is over a 23 year period. He explained that TIF revenue comes in from property tax revenue increases from the year the TIF is put in place over the next 23 years. He said that the landbank properties were basically levied at zero due to Village ownership. When the \$10 million project is completed those property taxes will go into the TIF. In addition, Morningside also put in a \$10 million building. In addition, Curtiss Block and Station Crossing will be going into the TIF revenue. This is why the projections are better than initially projected. He added that other changes of businesses in the downtown area will also improve the projections.

Mayor Krajewski said that in looking at the surrounding communities such as Naperville, Darien, Woodridge, Westmont, Glen Ellyn, Elmhurst, Hinsdale, Lisle, Bolingbrook, etc., all have experienced some problems with the recession. Downers Grove's levy is .2028, and Naperville is 3.5 times that, Darien is 4 times that, and Westmont is 2.5 that. Levies of most of the other communities are also higher than Downers Grove's levy. He said he believed Downers Grove has done a good job keeping the levy down as compared to these surrounding communities. He said that the Downers Grove levy has come down dramatically from the levy of 1983.

There being no further discussion or questions regarding the tax levy, the Mayor closed this public hearing.

Annexation Agreements

Mayor Krajewski called the public hearing to order at 7:22 p.m. to consider proposed annexation agreements for the properties located at 5615 Belmont Road, 5707 Belmont Road, 5725 Belmont Road, 5735 Belmont Road, 2340 College Road, 2508 College Road, 5720 Janes Avenue, 5601 Pershing, 5604 Pershing, 5718 Pershing, 5750 Pershing, 5770 Pershing, 5947 Pershing, 5904 Woodward Avenue, 5909 Woodward Avenue, 5910 Woodward Avenue, and

5912 Woodward Avenue. Notice of this hearing was published in the Downers Grove Reporter on November 30, 2001.

The Mayor then summarized the procedure for the hearing.

The Manager summarized the petitions by address and date of annexations:

5615 Belmont Road - January 1, 2006, or at time of request by owner, whichever occurs first.
5707 Belmont Road - January 1, 2006, or at time of request by owner, whichever occurs first.
5725 Belmont Road - January 1, 2006, or at time of request by owner, whichever occurs first.
5735 Belmont Road - January 1, 2006, or at time of request by owner, whichever occurs first.
2430 College Road - January 1, 2008, or at time of request by owner, whichever occurs first.
2508 College Road - January 1, 2008, or at time of request by owner, whichever occurs first.
5720 Janes Avenue - January 1, 2008, or at time of request by owner, whichever occurs first.
5601 Pershing - January 1, 2006, or at time of request by owner, whichever occurs first.
5604 Pershing - January 1, 2006, or at time of request by owner, whichever occurs first.
5718 Pershing - January 1, 2006, or at time of request by owner, whichever occurs first.
5750 Pershing - January 1, 2006, or at time of request by owner, whichever occurs first.
5770 Pershing - January 1, 2006, or at time of request by owner, whichever occurs first.
5947 Pershing - January 1, 2006, or at time of request by owner, whichever occurs first.
5904 Woodward Avenue - January 1, 2006, or at time of request by owner, whichever occurs first.
5909 Woodward Avenue - January 1, 2006, or at time of request by owner, whichever occurs first.
5910 Woodward Avenue - January 1, 2006, or at time of request by owner, whichever occurs first.
5912 Woodward Avenue - January 1, 2006, or at time of request by owner, whichever occurs first.

The Manager said no rezoning or other land use approvals are requested with these annexation agreements. As such, the properties will be classified as R-1 Single-Family Residence District upon annexation.

There being no questions or comments from the Council or the public, the Mayor adjourned the public hearing at 7:29 p.m.

6. Consent Agenda

COR 00-00708 Claim Ordinance: No. 5406, Payroll, November 16, 2001

Sponsors:Accounting

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

Indexes: N/A

COR 00-00709 Claim Ordinance: No. 5408, Payroll, November 30, 2001

Sponsors:Accounting

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

Indexes: N/A

BIL 00-00710 List of Bills Payable: No. 5411, December 18, 2001

Sponsors:Accounting

Commissioner Gilbert questioned item SB124 on Claim Ordinance 5411.

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

Indexes: N/A

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, Commissioner Zabloudil and Mayor Krajewski

7. Active Agenda

RES 00-00715 Resolution: Authorize Agreement with Metro Transportation Group, Inc. re: Traffic Signal at Main & Franklin

Sponsors: Parking & Traffic Commission

Summary of Item: This will authorize an agreement between the Village of Downers Grove and Metro Transportation Group, Inc. for the design plans and specifications for a traffic signal at Main and Franklin.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND METRO TRANSPORTATION GROUP, INC.

RESOLUTION 2001-103

The Mayor thanked the Public Service Committee for their work on this project.

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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Traffic Signal - Main & Franklin

ORD 00-00712 Ordinance: Prohibiting Tampering with Police Animals

Sponsors: Police Department

Summary of Item: This will prohibit individuals from tampering with police animals.

AN ORDINANCE PROHIBITING TAMPERING WITH POLICE ANIMALS

ORDINANCE NO. 4344

A motion was made by Commissioner Gilbert, seconded by Commissioner Zabloudil, 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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Police

RES 00-00713 Resolution: Authorize an Intergovernmental Agreement with the Forest Preserve District of DuPage County for the Joint Purchase of Natural Gas, Gasoline and Diesel Fuel

Sponsors: Public Works

Summary of Item:This will approve an intergovernmental agreement with the DuPage County Forest Preserve District for the joint purchase of natural gas, gasoline and diesel fuel.

A RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE FOREST PRESERVE DISTRICT OF DUPAGE COUNTY FOR THE JOINT PURCHASE OF NATURAL GAS, GASOLINE, AND DIESEL FUEL

RESOLUTION 2001-104

A motion was made by Commissioner Zabloudil, 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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Alternative Fuel, Forest Preserve District of DuPage County

RES 00-00714 Resolution: Authorize Professional Development Services Agreement with The Lakota Group re: CBD Zoning

Sponsors:Deputy Village Manager

Summary of Item:This will authorize execution of a Professional Services Agreement between The Lakota Group and the Village of Downers Grove for assistance in writing the Central Business District Zoning Codes to more easily implement the CBD Master Plan.

A RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE LAKOTA GROUP AND THE VILLAGE OF DOWNERS GROVE

RESOLUTION 2001-105

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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Lakota Group, Zoning Ordinance - Concentrated Business District

RES 00-00716 Resolution: Authorize Professional Development Services Agreement with The Lakota Group re: Ogden Avenue Corridor Streetscape

Sponsors:Deputy Village Manager

Summary of Item:This will authorize execution of a Professional Services Agreement between The Lakota Group and the Village of Downers Grove for planning and design services in relation to the Ogden Avenue Corridor Streetscape Design.

A RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE LAKOTA GROUP AND THE VILLAGE OF DOWNERS GROVE (Ogden Avenue Corridor Streetscape)

RESOLUTION 2001-106

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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Ogden Avenue TIF, Lakota Group

ORD 00-00722 Ordinance: Amend Certain Provisions of the M-1 District Concerning Greenspace and Parking Requirements

Sponsors: Planning Services

Summary of Item: This will amend certain provisions for the M-1, Light Manufacturing Zoning District related to off-street parking requirements and open space-landscaped greenspace requirements for two properties on the west side of Thatcher Road and south of Hitchcock Avenue.

AN ORDINANCE AMENDING CERTAIN PROVISIONS FOR THE M-1 DISTRICT CONCERNING GREENSPACE AND PARKING REQUIREMENTS

ORDINANCE NO. 4345

Commissioner Zabloudil noted that Downers Grove is landlocked. This will allow the businesses in the areas to do some possible expansion and will improve the industrial base as well.

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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Zoning Districts

ORD 00-00732 Ordinance: Approve a Lot Split with an Exception as Regards Lot Width for the Property Commonly Known as 728 Prairie Avenue

Sponsors: Plan Commission

Summary of Item: At their meeting of November 6, 2001, the Plan Commission recommended on a 5:3 vote to approve the lot split with an exception for the property commonly known as 728 Prairie Avenue.

AN ORDINANCE APPROVING A LOT SPLIT WITH AN EXCEPTION AS REGARDS LOT WIDTH FOR THE PROPERTY COMMONLY KNOWN AS 728 PRAIRIE AVENUE

The Motion made by Commissioner Sisul was not seconded, thereby failing for lack of a second.

Commissioner Sisul said he made the motion to bring it up. He said he agrees with the Council.

The Mayor said that this does not meet the criteria. There was extensive debate from the three dissenting Plan Commission members. He said only five Plan Commission members voted in favor of it.

Commissioner Zabloudil said that the policy sets limits of 50' width. He believes that this is the right decision on the part of the Council. He said that historically the Council has not made such exceptions over the years.

Commissioner McConnell said this request undermines the concept of having the rules, regulations and guidelines and would leave everything open for discussion.

Commissioner Schnell said that the 50' lot width has been adhered to historically, and she does not think it should be changed. She said that the area is unique in that there might be smaller lots but it doesn't look that way. She believes this would destroy the streetscape.

Commissioner Tully said he was uncomfortable with lots sizes of less than 50'. In addition, he could not find that the criteria was met. In the Workshop they discussed that there were several lots in the area that were less than 50', but they were created before implementation of the Zoning Ordinance. The trend has been toward wider rather than smaller lots. Another element to consider was whether this was consistent with the character of the neighborhood, and he did not consider this to be with the character of this neighborhood or other neighborhoods to create additional nonconforming lots. Since the conditions for the exception were not met, had it come up for a vote, he would have voted Nay.

Failed

Indexes: Lot Split

ORD 00-00733 Ordinance: Authorize Lot Reconfiguration for Properties Located at 908 Prairie Avenue and 4730 Washington Street, Downers Grove, Illinois

Sponsors:Plan Commission

Summary of Item:At their meeting of November 6, 2001, the Plan Commission unanimously recommended adoption of this ordinance which will approve a lot reconfiguration and permit the transfer of a 16 foot by 52 foot section of land from 908 Prairie Avenue to 4730 Washington Street.

AN ORDINANCE AUTHORIZING LOT RECONFIGURATION FOR PROPERTIES LOCATED AT 908 PRAIRIE AVENUE AND 4730 WASHINGTON STREET, DOWNERS GROVE, ILLINOIS

ORDINANCE NO. 4347

A motion was made by Commissioner Gilbert, seconded by Commissioner Zabloudil, 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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Lot Reconfiguration

RES 00-00720 Resolution: Authorize Execution of a Lease Agreement with the First United Methodist Church

Sponsors:Manager's Office

Summary of Item:This will authorize a lease agreement with First United Methodist Church to provide 50 parking spaces for the period of December 31, 2001 through November 30, 2002. The Village will pay \$1,000.00 per month as a rental fee.

A RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE FIRST UNITED METHODIST CHURCH

RESOLUTION 2001-107

A motion was made by Commissioner Zabloudil, 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, Commissioner Zabloudil and Mayor Krajewski

Indexes: First United Methodist Church

ORD 00-00734 Ordinance: Authorize Special Use at Saint Mary of Gostyn's Catholic Church to Permit an Addition to the Existing Structures

Sponsors:Zoning Board of Appeals

Summary of Item:At their meeting of December 4, 2001, the Zoning Board of Appeals recommended that a Special Use be granted for Saint Mary of Gostyn's Catholic Church to build additions to the existing Saint Mary of Gostyn's Catholic Church. This includes modification of the setback requirements for this property along Douglas Road to reduce the required setback to permit construction of the additions as shown on the Special Use Plans - Exhibit C. Such modification will result in setback reductions to permit setbacks ranging from 6.71 feet to 7.18 feet.

AN ORDINANCE AUTHORIZING SPECIAL USE AT SAINT MARY OF GOSTYN'S CATHOLIC CHURCH TO PERMIT AN ADDITION TO THE EXISTING STRUCTURES

ORDINANCE NO. 4348

Commissioner Tully said that this is the first time a request has been made under the newly enacted Zoning Ordinance Section 28-1020. He said that he appreciated the petitioner's efforts for informing the Council with respect to the various elements to be met where a church had made a claim of substantial burden on the exercise of religion. He believes the elements have been met in this situation. The petitioner has established the burden. There is no adverse impact indicated on the community, and the neighborhood has been supportive.

Commissioner Zabloudil stated that the church promotes a sense of community and he believes the Council should support this request. The exception requested does not add to a safety factor in this case.

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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Special Use - Saint Mary of Gostyn's Catholic Church

RES 00-00719 Resolution: Authorize an Amendment to an Agreement with Orchard Brook Homeowners Association

Sponsors:Village Attorney

Summary of Item:This will amend the agreement between the Village of Downers Grove and the Orchard Brook Homeowners Association regarding the Orchard Brook Wetlands Restoration Project. The agreement will be amended to extend the term of the agreement to December 31, 2002.

A RESOLUTION AUTHORIZING AN AMENDMENT TO AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE ORCHARD BROOK HOMEOWNERS ASSOCIATION

RESOLUTION - 2001-108

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

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

Indexes: Lacey Creek, Orchard Brook Homeowners Association

MOT 00-00718 Motion: Authorize 2002 Class "A" Scavenger License with BFI/Illinois Recycling

Sponsors:Manager's Office

Summary of Item:Application has been made by Allied Waste Industries d/b/a BFI/Illinois Recycling for a Class "A" Scavenger License. Finding that BFI/Illinois Recycling complies with the applicable requirements of the Municipal Code, adoption of this motion will approve and authorize issuance of a Class A Scavenger License to BFI/Illinois Recycling for 2002. This license allows BFI/Illinois Recycling to serve all premises within the Village. BFI/Illinois Recycling is currently under contract with the Village to provide single-family scavenger and recycling services through March 31, 2003.

Motion to approve and authorize issuance of a 2002 Class "A" Scavenger License for Allied Waste Industries d/b/a BFI/Illinois Recycling. The Village Manager, Village Clerk and staff are authorized to take such steps as may be necessary to issue this license.

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

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

Indexes: Scavenger-Recycling Program

ORD 00-00738 Ordinance: Authorize and Provide for Issuance of \$4,000,000 General Obligation Water Bonds, Series 2001A

Sponsors:Financial Services

Summary of Item:This will authorize the issuance of \$4,000,000 General Obligation Water Bonds, Series 2001A in order to pay for improvements to the existing waterworks system.

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$4,000,000 GENERAL OBLIGATION WATER BONDS, SERIES 2001A, OF THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS, FOR THE PURPOSE OF PAYING THE COST OF IMPROVING THE EXISTING WATERWORKS SYSTEM OF THE VILLAGE, PRESCRIBING ALL THE DETAILS OF SAID BONDS AND PROVIDING FOR THE IMPOSITION OF TAXES TO PAY THE SAME

ORDINANCE NO. 4349

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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Automated Meter Reading Project, Water Service

RES 00-00735 Resolution: Authorize Execution of an Agreement for Professional Engineering Services with Christopher B. Burke Engineering, Ltd.

Sponsors:Public Works

Summary of Item:This will authorize execution of an agreement for professional engineering services related to the CBD Watershed Plan.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES BETWEEN THE VILLAGE OF DOWNERS GROVE AND CHRISTOPHER B. BURKE ENGINEERING, LTD.

RESOLUTION 2001-109

A motion was made by Commissioner Gilbert, seconded by Commissioner Zabloudil, 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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Christopher B. Burke Engineering, Ltd., Central Business District - Watershed Plan

ORD 00-00731 Ordinance: Establish Parking Restriction at the Main Street and Maple Avenue Parking Lot

Sponsors:Public Works

Summary of Item:This will establish parking restrictions at the Main Street and Maple Avenue temporary parking lot.

AN ORDINANCE ESTABLISHING PARKING RESTRICTIONS AT THE MAIN STREET AND MAPLE AVENUE PARKING LOT

ORDINANCE NO. 4350

A motion was made by Commissioner Zabloudil, 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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Parking Lot - NE Corner of Main and Maple, Parking Restrictions - Main & Maple Parking Lot

ORD 00-00721 Ordinance: Village of Downers Grove 2001 Aggregate Tax Levy

Sponsors:Financial Services

Summary of Item:This will establish the 2001 Downers Grove Tax Levy in the amount of \$5,702,793 for the Village of Downers Grove and \$3,392,766 for the Library.

2001 AGGREGATE TAX LEVY ORDINANCE

ORDINANCE NO. 4351

Commissioner Sisul said he believes this to be a conservative levy. The people who have been managing the police and fire pension funds have done a good job over the years.

Commissioner Schnell said the Council still has the capability to abate any of the levies until February 2002. This is the projection of what may be.

The Mayor asked the Finance Director who helps manage the Police Pension Fund. Mr. Lyons said that both boards hired Mary Tomanek of Salomon Smith Barney to help coordinate their issues. He gave her background information and said she currently handled over \$500 million in assets under a variety of pension funds. The change in Statute two years ago allowed for more equity investments and her knowledge is beneficial.

The Mayor said that both pension boards have her working with them as a result in the Statute change. The Village contracted out to provide expert advice for the use of the boards.

Mr. Lyons said there was a one-year long competitive process to select Ms. Tomanek.

Commissioner Tully said regarding the returns on the investment funds, one of the key goals in investing is the preservation of assets of municipal funds. There is a large degree of conservancy that goes into this to avoid risking the taxpayers' dollars.

The Mayor said that until last year the Police fund was 103% funded. Many municipalities are not at the 100% funding level. The State is requiring all communities to be fully funded by 2033.

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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Tax Levy - 2001/02

ORD 00-00727 Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of May, 2001 and Ending on the Thirtieth Day of April, 2002 for Village of Downers Grove Special Service Area Number One

Sponsors:Financial Services

Summary of Item:This will establish the 2001/02 Special Service Area Number One tax levy in the amount of \$7,423.60.

AN ORDINANCE FOR THE LEVYING OF TAXES FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF MAY, 2001 AND ENDING ON THE THIRTIETH DAY OF APRIL, 2002 FOR VILLAGE OF DOWNERS GROVE SPECIAL SERVICE AREA NUMBER ONE

ORDINANCE NO. 4352

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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Tax Levy - 2001/02

ORD 00-00728 Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of May, 2001 and Ending on the Thirtieth Day of April, 2002 for Village of Downers Grove Special Service Area #2 (Downers Grove Downtown Service Area)

Sponsors:Financial Services

Summary of Item:This will establish the Special Service Area #2 (Downtown Special Service Area) tax levy in the amount of \$209,000.00.

AN ORDINANCE FOR THE LEVYING OF TAXES FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF MAY, 2001 AND ENDING ON THE THIRTIETH DAY OF APRIL, 2002 FOR VILLAGE OF DOWNERS GROVE SPECIAL SERVICE AREA #2 (DOWNERS GROVE DOWNTOWN SERVICE AREA)

ORDINANCE NO. 4353

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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Tax Levy - 2001/02

ORD 00-00729 Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of May, 2001 and Ending on the Thirtieth Day of April, 2002 for Village of Downers Grove Special Service Area #3 (Prince Pond Special Service Area)

Sponsors:Financial Services

Summary of Item:This will establish the 2001/02 tax levy for the Prince Pond Special Service Area #3 in the amount of \$8,671.00.

AN ORDINANCE FOR THE LEVYING OF TAXES FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF MAY, 2001 AND ENDING ON THE THIRTIETH DAY OF APRIL, 2002 FOR VILLAGE OF DOWNERS GROVE SPECIAL SERVICE AREA #3 (PRINCE POND SPECIAL SERVICE AREA)

ORDINANCE NO. 4354

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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Tax Levy - 2001/02

ORD 00-00726 Ordinance: Abate a Portion of the 2001 Tax Levy Related to Fairview Avenue Debt Service

Sponsors:Financial Services

Summary of Item:This will abate the 2001 tax levy for the Fairview Avenue debt service in the amount of \$268,705.00.

AN ORDINANCE ABATING A PORTION OF THE 2001 TAX LEVY RELATED TO FAIRVIEW AVENUE DEBT SERVICE

ORDINANCE NO. 4355

A motion was made by Commissioner Gilbert, seconded by Commissioner Zabloudil, 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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Tax Levy Abatement

ORD 00-00723 Ordinance: Abate a Portion of the 2001 Tax Levy Related to the General Obligation Bonds, Series 1999

Sponsors:Financial Services

Summary of Item:This will abate the 2001 tax levy for the General Obligation Bond Series 1999 in the amount of \$403,265.00.

AN ORDINANCE ABATING A PORTION OF THE 2001 TAX LEVY RELATED TO THE GENERAL OBLIGATION BONDS, SERIES 1999

ORDINANCE NO. 4356

A motion was made by Commissioner Zabloudil, 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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Tax Levy Abatement

ORD 00-00724 Ordinance: Abate a Portion of the 2001 Tax Levy Related to the General Obligation Bonds, Series 2000

Sponsors:Financial Services

Summary of Item:This will abate the 2001 tax levy for the General Obligation Bond Series 2000 in the amount of \$433,649.00.

AN ORDINANCE ABATING A PORTION OF THE 2001 TAX LEVY RELATED TO THE GENERAL OBLIGATION BONDS, SERIES 2000

ORDINANCE NO. 4357

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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Tax Levy Abatement

ORD 00-00725 Ordinance: Abate a Portion of the 2001 Tax Levy Related to the General Obligation Bonds, Series 2001

Sponsors:Financial Services

Summary of Item:This will abate the 2001 tax levy for the General Obligation Bond Series 2001 in the amount of \$300,763.00.

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

ORDINANCE NO. 4346

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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Tax Levy Abatement

8. Mayor's Report

Materials to be Received - Minutes

Economic Development Commission - October 10, 2001 & November 14, 2001

Library Board - November 14, 2001

Liquor Commission - December 6, 2001

Plan Commission - November 6, 2001

Tourism and Events Commission - October 15, 2001 & November 19, 2001

Zoning Commission - November 15, 2001

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, Commissioner Zabloudil and Mayor Krajewski

New Business

The Mayor read a proclamation congratulating Anderson's Book Shop on being named an Illinois Family Business for 2001.

Mayor Krajewski then announced that the Village has reached a tentative agreement with the Gammonley Group for the development of Station Crossing located east of Main Street, north of the Burlington Railroad Tracks. He said that negotiations with the previous developer failed, and the Gammonley Group's most recent proposal was tentatively approved. That proposal will be reviewed at the January 8 Workshop. He described the proposed development.

Mayor Krajewski announced that Cammi Granato would be speaking at Herrick School tomorrow and will be serving as Captain of the 2002 Women's Hockey Team. Cammi won a gold Medal on the 1998 Women's Hockey Team in the '98 Olympics.

The Mayor then commented on the parade honoring South High School's Football Team State Champions. He thanked the staff for the efforts to accommodate the team in the parade, and for their work in having a sign ready for the team when they arrived back in Downers Grove congratulating them. He said the Village will continue to work to support the activities of all the schools in the Village equally. He wished everyone a Happy Holiday, saying the next meeting will be the January 8 Workshop meeting.

9. Manager's Report

Manager Ginex wished everyone a Merry Christmas and Happy New Year.

10. Attorney's Report

Village Attorney Blondin noted that the Village has acquired a small portion of the property at 933-939 Curtiss Street to serve as the access drive for the parking deck. He asked that the Council authorize execution of the agreement immediately and waive the one-week waiting period.

Commissioner Sisul moved to waive the one-week waiting period for consideration of new business. Commissioner Gilbert seconded the Motion.

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

The Motion carried.

RES 00-00739 Resolution: Authorize Execution of a Residential Sales Contract - A Portion of 933-939 Curtiss Street

Sponsors:Village Attorney

Summary of Item:This will authorize an agreement for the purchase of a portion of 933-939 Curtiss Street for \$470,000.00.

A RESOLUTION AUTHORIZING EXECUTION OF A RESIDENTIAL SALES CONTRACT - A PORTION OF 933-939 CURTISS STREET

RESOLUTION 2001-110

Commissioner Sisul explained this is for the driveway off Curtiss to provide access to the parking deck area.

The Mayor specified that this does not include the building which is the location of the meat market.

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, Commissioner Zabloudil and Mayor Krajewski

Indexes: Village Property - Acquisition

Future Active Agenda

RES 00-00740 Resolution: Approve Annexation Agreements

Sponsors: Planning Services

Indexes: Annexation/Water Service - 5615 Belmont, Annexation/Water Service - 5707 Belmont, Annexation/Water Service - 5725 Belmont, Annexation/Water Service - 5735 Belmont, Annexation/Water Service - 2340 College, Annexation/Water Service - 2508 College, Annexation/Water Service - 5720 Janes, Annexation/Water Service - 5601 Pershing, Annexation/Water Service - 5604 Pershing, Annexation/Water Service - 5718 Pershing, Annexation/Water Service - 5750 Pershing, Annexation/Water Service - 5770 Pershing, Annexation/Water Service - 5947 Pershing, Annexation/Water Service - 5904 Woodward, Annexation/Water Service - 5909 Woodward, Annexation/Water Service - 5910 Woodward, Annexation/Water Service - 5912 Woodward

11. Committee Standing Reports

Finance Committee

Commissioner McConnell said the Finance Committee met regarding the Ogden Avenue Corridor. EDC provided an update on the area and showed some preliminary plans to the Committee. The Finance Department has been asked to work with them to discuss the financial impact and TIF monies.

The Mayor asked the Manager to provide a report to the Council.

Public Safety - no report

Public Services - no report

12. Council Member Reports and New Business

Commissioner Zabloudil said that he drove down Glendenning and saw that the wetlands project has started. He wished everyone a happy holiday season.

Commissioner Sisul said that the intent of the Council is to streamline the process a bit better to handle long agendas. He saw he spoke with a resident along Maple regarding the fact that residents on that street would like to have streetlights similar to those in the downtown area. He said that was an interesting concept and could be investigated. He said the residents might have to be involved in payment via an SSA.

Commissioner Schnell wished everyone a happy and safe holiday season.

Commissioner McConnell said the next Character Counts Focus Group meeting will be held on January 16, 2002. She said people may call 434-5595 if they are interested. The next Character Counts Coalition meeting is January 30, 2002. She wished everyone a happy

holiday and encouraged everyone to give their family members an extra hug.

Commissioner Tully reflected back on the year which was a year of change, sorrow, celebration, and many new projects. He said it was a year of national tragedy and our country going to war, but also a time when we saw the communities pull together and get through these great tragedies. There were also causes for celebration, such as the Mustangs State Championship, successful Heritage Festival activities, and other community events. He thanked the Council for their work as a group, the Village staff for the work they did throughout the year, and the residents of Downers Grove for being the greatest in the State of Illinois, and extended best wishes for a joyous holiday season to the residents, staff and Village Council, as well as a safe and Happy New Year.

The Mayor said the Park District is finalizing negotiations with the Village to televise the Park District Board meetings on the local Cable station. He wished everyone happy holidays and a safe New Year. He also thanked the Council and the Village staff for their hard work throughout the year. He thanked those who set up the bus trips for the senior citizens to view the many Christmas decorations as part of a two-hour bus trip. He thanked the staff for setting up that project. They hope to do this again next year.

13. Adjournment

*Present: Commissioner Sue McConnell, Commissioner Michael Gilbert, Commissioner Thomas Sisul, Commissioner Marilyn Schnell, Commissioner Martin Tully, Commissioner Mark Zabloudil, Mayor Brian Krajewski, Village Attorney Daniel Blondin and Village Clerk April Holden
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 8:22 p.m.