

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Legal Department
(Name)

DATE: May 21, 2002

RECOMMENDATION FROM: _____ FILE REF: _____
(Board or Department)

NATURE OF ACTION:

- Ordinance
- Resolution
- Motion
- Other

STEPS NEEDED TO IMPLEMENT ACTION:

Motion to Adopt "AN ORDINANCE MAKING CERTAIN TECHNICAL AMENDMENTS TO THE DOWNERS GROVE MUNICIPAL CODE", as presented.

awb

SUMMARY OF ITEM:

Adoption of the attached ordinance will make certain technical, non-substantive amendments to the Downers Grove Municipal Code.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____

AN ORDINANCE MAKING CERTAIN TECHNICAL AMENDMENTS TO
THE DOWNERS GROVE MUNICIPAL CODE

BE IT ORDAINED by the Council of the Village of Downers Grove, in DuPage County, Illinois,
as follows: (Additions are indicated by shading; deletions by ~~strikeout~~.)

SECTION 1. That the following sections of the Downers Grove Municipal Code are hereby
amended as follows:

2-6. Creation of departmental groups.

The Village government shall be administered, under the direction and control of the Village
Manager, within major departmental groups as follows:

Police.

Fire.

~~Community Development.~~

~~Finance & Administrative Services.~~

~~Public Works & Engineering.~~

~~Legislative and General Management.~~

~~Economic Development/Visitors Bureau.~~

~~Administrative.~~

~~Operational.~~

The Village Manager shall designate operating departments within each such group and for
financial purposes shall designate programs within each operating department. (Ord. No. 956, § 1; Ord.
No. 1811, § 1; Ord. No. 2261, § 9; Ord. No. 2434, § 1; Ord. No. 3266, § 5; Ord. No. 3379, § 1.)

NOTE: For state law as to creation of departments, see Ill. Comp. Stat., ch. 65, § 5/5-3-8.

2-53. Appointment of members to boards and commissions.

(a) Members of the following boards and commissions shall be appointed by the Village Council
as provided herein:

Library Board of Trustees - all members as provided by law.

(b) Members of the following boards and commissions shall be appointed by the Mayor as
provided herein:

Police Pension Board - two members, with balance as provided by statute.

(c) Members of the following boards and commissions shall be appointed, and the chairperson
designated, by the Mayor, subject to confirmation by the Village Council:

Plan Commission

Zoning Commission

Zoning Board of Appeals

Human Service Commission

Community Maintenance Board

Board of Fire and Police Commissioners
Community Events Grants Commission
~~*Visitors Bureau Board of Directors*~~ *Tourism & Events Commission*
Economic Development Commission
Stormwater and Flood Plain Oversight Committee
Electrical Commission
Parking and Traffic Commission
Liquor Commission
Technology Commission

(d) Members of the following boards and commissions shall be appointed, and the chairperson designated, by the Village Manager:

Design Review Committee

(e) Members of the following boards and commissions shall be appointed, and the chairperson designated, by the Village Manager, subject to confirmation by the Village Council:

Building Board of Appeals

(f) Each member of a board or commission, including the chairman, shall hold office until the expiration of the term for which such member was appointed or until such time as a successor has been appointed or qualified, unless prior to such time such member resigns his position or is removed from it by the appointing official.

(g) Vacancies on any board or commission shall be filled as soon as possible for the unexpired term of the member whose place has become vacant.

(h) Each member of a board or commission shall be a resident of the Village unless otherwise specifically provided.

(i) Only duly appointed members may vote on any matter before any board or commission. (Ord. No. 3266, § 34; Ord. No. 3294, § 1.)

2-80. Created.

(a) The Downers Grove Economic Development Commission is hereby created, which Commission shall consist of thirteen members. The members, including the designation of chairperson, shall be appointed by the Mayor, subject to confirmation by the Village Council. Provided, such members shall have the right to vote, and be appointed for terms, as follows:

1. Twelve voting members shall be appointed for staggered terms of three years each. Each voting member shall either reside within the corporate limits of the Village; or be an employee, officer, manager or owner of a business which has one or more business locations within the corporate limits of the Village. In general, it is expected that the voting members will represent a cross section of the Village with special emphasis on those businesses and individuals involved in the economic community, and may include, but is not required to include or limited to the following: ~~the Downers Grove Visitors Bureau Director~~; a representative of the Downers Grove Chamber of Commerce; persons engaged as commercial or industrial developers or brokers; persons engaged as retailers; persons engaged with a hotel; persons engaged at a financial institution; persons engaged as a residential real estate broker; persons engaged with a manufacturer or industrial activity; and members of the general community.

2. One non-voting member shall be the president or a member of the executive committee of the Downers Grove Chamber of Commerce.

(b) The Economic Development Commission shall establish a schedule of regular meetings which shall occur not less than once a month. In addition, special meetings may be called by the chairperson and as otherwise provided by the rules of the Commission. Notice of all meetings shall be provided as mandated in the Illinois Open Meetings Act. A majority of the total members appointed and serving, including the non-voting member, shall constitute a quorum.

19-2. Applicability of Chapter Reserved

The provisions of this Chapter shall not be applicable to the portion of any street maintained by the state or by the county. (Ord. No. 843, § 24.)

26-125. Detention Variance Fee Program.

1. Where a variance to the site runoff storage requirements of Section 26-53 is granted, payment into a detention variance fee program shall be made prior to the issuance of a Stormwater Management Permit as a condition of the variance.

2. Payment of a detention variance fee for the varied storage shall be made to the Village and is determined by applying the first applicable criteria as follows:

(a) A fee calculated by multiplying the per-acre-foot cost of the closest off-site storage facility times the varied storage where:

1. A design concept plan for the facility has been approved by the Oversight Committee and the Village Council containing an estimate of the per-acre-foot cost of constructing the storage, including operation and maintenance costs; and

2. A formula has been developed to determine that any investment in the facility shall be at least equal to the cost of planning, acquiring of lands, constructing, operating and maintaining the facility; and

3. The facility is located in the same watershed planning area as the variance.

(b) The fee is calculated by multiplying the varied storage amount by the cost per-acre-foot for the watershed planning area where the development is located, in accordance with the following fee schedule:

Salt Creek	\$133,000 per acre foot
East Branch DuPage River	\$106,000 per acre foot
Sawmill Creek	\$87,000 per acre foot

The fee shall include the cost of planning, acquiring land, construction, operation and maintenance.

3. Funds collected shall be accounted for in separate project or watershed planning area accounts. Funds shall be used in the same community or watershed planning areas as collected to enhance existing site runoff storage facilities and related components, construct off-site facilities and related components, provide maintenance of stormwater facilities, or undertake other development that provides a watershed benefit.

4. The Village Council shall provide an accounting on an annual basis of all funds deposited in each project or watershed planning account and shall account for each fund on a first in, first out basis.

5. The Oversight Committee may prioritize and allocate funds on an annual basis within each watershed planning area account. Residents may make a request to the Oversight Committee by June 30th of each year for funds within the watershed planning accounts for uses identified in Section ~~26-54(3)26-125(3)~~

6. All detention variance fees are refunded to the person who paid the fee, or to that person's successor in interest, whenever the Village fails to encumber the fees collected within 10 years of the date on which such fees are collected.

7. Refunds are made provided that the person who paid the fee, or that person's successor in interest, files a petition with the Village within one year from the date on which such fees are required to be encumbered.

SECTION 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest: _____
Village Clerk

[techamd]