



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, September 17, 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, Commissioner Mark Zabloudil and Mayor Brian Krajewski

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

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 - September 3, 2002

Workshop Meeting - September 10, 2002

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

Swear In Arson and Police Officers

Police Chief Bob Porter introduced Police officers to be sworn in as follows:

*Pamela Church, Deputy Police Chief
Lee Hahn, Lieutenant
Shanon Gillette, Sergeant
Dennis Suroviak, Police Officer
Jeffrey Gunther, Police Officer*

Fire Chief Phil Ruscetti introduced George Drobny and James Werner to be sworn in as Peace Officers.

The Village Clerk swore in all the officers.

4. Public Comments and Questions

A. Comments and Questions on Active Agenda

There were none.

B. Comments and Questions on General Matters

Mike Richards, 6139 Plymouth, said he was representing a number of parents requesting the Council to use whatever influence it could to get the District 99 teachers and Administration back to the bargaining table to settle the teachers' strike.

Liz Slayton, 4720 Wallbank, said in the fall of 2000 neighbors to the south of her property began construction on a new home, and in the spring of 2002 work began on the driveway which has a large pitch. A storm drain was placed that ran over her property, and she called the Village stormwater department several times, expecting to obtain quick service. She met with John Hall on 5/29 and the neighbors, as well as a third party who would be impacted by the water. The Village suggested a plan at that time, and informed her that the natural flow had not been altered by the construction. She expressed concern about the adjacent property owner and was informed that as long as all three owners agreed there would be no problem. The third owner had problems with the agreement. She then spoke with the County and was informed that they must meet the minimum guidelines of the County ordinance. A County representative met with the Village in July and was told the Village was working on a resolution. Ms. Slayton said she received a second letter from the adjoining property owner stating he held her liable for any erosion damage to his property. They agreed to a solution based upon a recommendation of the Village, and there have been many discussions with the Village since July. She was assured that there would be resolution to the problem and was told she would receive a letter from the Village Stormwater Department. She has not received a letter. On August 27 she was told the Village would give her a letter with the Village's final decision within seven days and never received this letter. She informed the Council that she thought she had been lied to and misled by Village employees, and was also told that the Village would take an easement on her property and cut down the trees. She asked the Council what she can do now. She cannot go to the County and it is cost prohibitive for her to hire an attorney.

The Mayor said he met with the Village Manager and Jack Bajor on Friday regarding this situation. He said he wants the County representative to also come out to the site as well to evaluate the situation. He said they would like the County input, and told her there will be a resolution shortly. Ms. Slayton said there is a December deadline, and the Mayor said they will do it as quickly as possible.

The Mayor the Village has severe stormwater problems dating back several years. They are looking to add stormwater expertise to address those problems. They do not want to promise something they cannot produce to the developers. He said the Village wants to make sure that everything is done correctly.

Marilyn Stangland, 1327 59th Street, told the Council that she was also having a stormwater problem which has affected them receiving a simple building permit. In Spring 2002, they chose to add on to their home rather than move, hired an architect, and found a builder. They found they would need a topographic survey which was done. The addition is only 300 square feet more than the existing building. Final architectural plans were submitted on August 15. They were given no indication that there would be any problems. Since September 3, she has made six phone calls to Stormwater staff and none were returned. On September 9 John Hall came to their home and said there would be no problem, and he would take care of the paperwork. There has been no contact with the Stormwater Management since that time. Yesterday she e-mailed Mayor Krajewski and received a response from him, explaining the stormwater problems that the Village is facing. Ms. Stangland questioned whether the Village has the resources for getting the job done. They are very frustrated with the process and are close to making a decision to put their home on the market and leave the Village.

Marilynn Gerloff, 4241 Highland, discussed the problem of diabetic retinopathy and macular degeneration as causes of new blindness. She said that the Downers Grove Noon Lions Club will have a free eye screening tomorrow at the Downtown Management Corporation offices at 1015 Curtiss Avenue. Results of the screening will be mailed to the clients.

Andrew Clark, 1226 62nd Street, addressed the issue of the outside stairways at Village Hall and the Police Department. He said that both Commissioners Tully and Schnell have opted to follow the recommendation of staff and will suggest mudjacking for repair of the stairways. He said this was contrary to the Village's own ordinance, which he then read. He said that none of the Village staff are registered design professionals and are not qualified to enter an opinion on this matter. Mudjacking is not a science and the contractor does not guarantee the work. Mr. Clark then read from the contractor's contract with the Village. He said that the only thing mudjacking can change is elevation and orientation which affects the tread pitch of all of the threads. In addition, mudjacking can crack the stairway at the stress points. Cracking will exacerbate the existing problem. Mr. Clark noted that the steep slope of the area is also a problem with mudjacking. He then said that it appears that public safety is given second place to saving dollars.

The Mayor asked whether Mr. Clark wanted a registered engineer to look at the stairway, and Mr. Clark said they should look at whether the mudjacking should be attempted. He recommends that the stairways be replaced.

Commissioner Tully said that the minutes of the Public Service meetings have been made available to the Council and will be discussed at the Workshop on September 24. He said no recommendation has been made by the Committee to date. Five options will be discussed at the Council's Workshop meeting. He thanked Mr. Clark and Mr. Hultman for bringing this to the attention of the Council. He stated that the Committee has looked at what is possible and what is ideal. Issues are immediacy, cost, practicality and timing.

The Mayor compared this issue to the issue of sprinkling all houses in the Village and whether or not that is practical. They evaluate everything that needs to be done to make a situation safer.

Marc Panto, 4517 Belmont, commented on the issue of the steps. He witnessed this discussion earlier, and each time the same comments were made about the budget concern and the uncertainty of the future of Village Hall. He said people can understand budget concerns, however, some people are having a problem of understanding the issue of uncertainty.

The Mayor said that some sidewalks were cut, and they have gone with the #1 priority which is

Lee Avenue. Mr. Panto said that regarding uncertainty, either plans are being made to move or they are not.

The Mayor said that they bought the Village Hall in 1968 looking toward a 20-year useful life span. In 1993 they hired a consultant to look at the space needs of Village Hall, and in 2000 they began looking at those needs again. There are many maintenance issues related to the existing building. They continue to look at the space needs of the Village, and are discussing the possibility of a new Village Hall. They have budgeted out in the 5-Year Plan a new Village Hall for many years. It has been recommended to include the Village Hall in the TIF amendment.

Mr. Panto said Commissioner Tully's statement is misleading to use uncertainty as a viable option. He recommended removing the uncertainty, as the danger issue is a clear situation.

Commissioner Tully said he thought most people would agree that spending \$200,000 on a stairway would be too much if the Village Hall were to be leveled or moved in two years. He said that perhaps uncertainty was the wrong word, but there is an on-going analysis of how long the existing Village Hall will be viable.

Mr. Clark asked if they did the mudjacking would they be able to sell the building with that type of a fault attached to it.

The Mayor noted that if the property was sold, it would be to level the building.

Commissioner Tully said that a number of issues have been brought to the Council tonight that the Council has been discussing including diversion of funds for the CAD, sidewalk funds, stormwater problems, stairway repair. The Council and the staff struggle with these issues all the time, and there is not only one issue, but dozens of issues.

Peter Hultman, 1410 Gilbert, said that the stairway is a very unsafe condition, and puts at risk anyone who visits the Village as well as the Village employees. He said the Council was advised of this one year and three months ago, and it was not included in the subsequent budget. The Mayor said that the Village was apprised that there were 186 code violations in the stairs, and it appears that there are actually no Code violations. Mr. Hultman disagreed saying that the stairs are not safe.

Commissioner Tully said there are two issues here. Regarding Code violations, it was determined by Code professionals that there were no violations of the Code in question. The second issue is the enhancement of the safety of the situation. He said staff has made recommendations as to how the safety can be enhanced, what the timing would be, and what the associated costs would be. He did not recall anyone saying at any point they were not in favor of enhancing the safety of the stairs. The stairways will be addressed at the September 24 Workshop meeting.

Mr. Hultman said they are waiting until September 24, which means they are continuing to put the public and employees at risk. Commissioner Tully explained that there is the practicality of the timing involved. Mayor Krajewski said this would be Workshopped next week.

Mr. Hultman said the Village is self-insured. If someone fell and was badly injured and it came out that the Village knew about this for a year, it would affect the claim.

5. Public Hearings

6. Consent Agenda

COR 00-01051 Claim Ordinance: No. 5447, Payroll, September 6, 2002

Sponsors: Accounting

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

Indexes: N/A

BIL 00-01052 List of Bills Payable: No. 5446, September 17, 2002

Sponsors: Accounting

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

Indexes: N/A

BID 00-01055 Bid: Award \$155,437 plus 5% contingency to F&G Construction Company for Proposed 5202 Washington Street Parking Lot Improvements, Project #17-02

Sponsors: Public Works

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

Indexes: Parking Lots

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 00-01050 Resolution: Authorize Submittal of Applications to the DuPage Community Development Commission for the 2003 Block Grant Funding for Community Oriented Policing Programs

Sponsors: Social and Health Services and Financial Services

Summary of Item: This will authorize application to DuPage County for \$76,150.00 in Community Development Block Grant funds for the Arbor Park Resource Center (\$48,838.00) and the Autumn Grove Resource Center (\$27,312.00).

A RESOLUTION AUTHORIZING SUBMITTAL OF APPLICATIONS TO THE DUPAGE COMMUNITY DEVELOPMENT COMMISSION FOR THE 2003 BLOCK GRANT FUNDING FOR COMMUNITY ORIENTED POLICING PROGRAMS

RESOLUTION 2002-82

A motion was made by Commissioner Sisul, 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: Autumn Grove Resource Center, Arbor Park Resource Center, DuPage County Community Development Block Grant

RES 00-00998 Resolution: Authorize Agreement with H.T.E., Inc. re: CAD System

Sponsors: Technology Commission

Summary of Item: This will authorize execution of an agreement between the Village and H.T.E., Inc. for licensed software programs and related support services for the Village's CAD system.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND H.T.E., INC.

RESOLUTION 2002-83

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: Public Safety Software

RES 00-01056 Resolution: Authorize Execution of an Agreement Between the Village of Downers Grove and Com Ed re: Uniformed Tree Trimming Activities

Sponsors: Deputy Village Manager

Summary of Item: This will authorize an agreement between the Village of Downers Grove and ComEd for a uniform guide for tree trimming activities in the Village.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND COM ED

RESOLUTION 2002-84

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: Com Ed, Tree Trimming

ORD 00-01057 Ordinance: Provide for an Amendment to Ordinance #4400 and the Village of Downers Grove Budget for Fiscal Year 2002/03

Sponsors: Financial Services

Summary of Item: This adopts amendments to the 2002/03 budget to keep current year revenues and expenditures in a balanced position.

AN ORDINANCE PROVIDIN FOR AN AMENDMENT TO ORDINANCE #4400 AND THE VILLAGE OF DOWNERS GROVE BUDGET FOR FISCAL YEAR 2002/03

ORDINANCE NO. 4447

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: Budget Amendment - 2002/03

8. Mayor's Report

1. Proclamation - Mayor Krajewski proclaimed September 22-28, 2002 as Chamber of Commerce Week in the Village of Downers Grove.

2. *The Mayor asked that the intergovernmental agreement with Metra be placed on the Workshop agenda for September 24, 2002. He said this has to do with the transfer of Belmont Road and spells out the funding for the underpass. DuPage County and IDOT have agreed to the transfer of the road, which is dependent upon signing of the agreement.*

3. *The Mayor also said the DuPage Water Commission agreement would be on the September 24 Workshop agenda.*

Materials to be Received - Minutes

Economic Development Commission - August 14, 2002

Finance Committee - August 6, 2002 & August 20, 2002

Library Board - July 24, 2002 & August 28, 2002

Public Services Committee - July 16, 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, Commissioner Zabloudil and Mayor Krajewski

Materials to be Received - Monthly Reports

Materials to be Placed on File

9. Manager's Report

10. Attorney's Report

Future Active Agenda

ORD 00-00373 Ordinance: Refund of GO Bonds Series 1996 and 2000

Sponsors: Financial Services

Indexes: General Obligation Bond - Refund

11. Committee Standing Reports

Public Safety Committee

Commissioner Sisul said the Committee will be making a full report to the Council regarding the sprinkler issue.

Finance Committee

Commissioner Zabloudil said the Committee met earlier and discussed the budget calendar and how to improve the process for next year. In addition they discussed review of the Library budget. He said that a special meeting will be set for the audit update and management comments. They discussed the fund balance policy as well, and stated that Trisha Steele will be giving some guidelines and ideas as to how to simplify the process. He said they discussed the adoption of a Resolution for the appointment of a Treasurer. He said another budget amendment will come to the Council as a recommendation from the auditor.

12. Council Member Reports and New Business

Commissioner Schnell thanked Chief Ruscetti for organizing the moving ceremony marking September 11 at the Village Hall. She also thanked Commissioner McConnell and the Character Counts Coalition for the program Saturday morning.

Commissioner McConnell thanked the Character Counts Coalition for the ceremony remembering September 11. She said Character Counts is about bringing the community together. She acknowledged the various civic, religious and private groups involved in the ceremony including American Legion Post 80, First United Methodist Church Choirs, and Pastor Milkman of St. Luke Presbyterian Church. She thanked Police Chief Porter and Fire Chief Ruscetti for speaking. She gave special thanks to the Downers Grove Park District Rhythmic Gymnastics class and Tumble Tots/Scooters Program for presenting their flag, to Scot Press for the brochures, and for all the donated flowers.

The Mayor congratulated the Downers Grove Junior Women's Club and the Downtown Management Board for the art fair this past weekend. He announced that the Rotary Club will also host an Oktoberfest at the 75th and Lemont Street parking lot on Friday, Saturday and Sunday.

The Mayor echoed Commissioner McConnell's comments regarding the Police and Fire Department's involvement in the September 11 ceremony, and also the FEMA representatives who spoke at Downers Grove North on September 11 for that program. He announced that the memorial will be run on cable TV.

The Mayor said the Manager and he will be meeting with the School Board President, as well as the Park District Boards to discuss village issues. He said the Village will strongly encourage District 99 to negotiate and resolve the differences.

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 7:40 p.m.