



# Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

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Tuesday, July 1, 2003

6:30 pm

Council Chambers

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## 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 Ron Sandack, Commissioner Stan Urban, Commissioner Marilyn Schnell, Commissioner Martin Tully, Commissioner Mark Zabloudil and Mayor Brian Krajewski

Non Voting: Village Manager Riccardo Ginex, Village Attorney Enza Petrarca 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 - June 17, 2003*

*Workshop Meeting - June 24, 2003*

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

### **Awards:**

*Commission on Accreditation of Law Enforcement Agencies  
Governor's Home Town Award 2003*

*Commission on Accreditation of Law Enforcement Agencies*

*Chief Bob Porter explained that the Police Department was awarded National accreditation. He introduced the Accreditation Team including Lt. Lee Hahn, Deputy Chief Pam Church, Public Information Manager Marion Heintz, Administrative Assistant Carol Franklin. He said the Team worked very hard to achieve this goal set forth in 1999. He's proud of what has been accomplished, and thanked the Council for being so supportive throughout the process. The Mayor congratulated the Team for their hard work. Chief Porter then read the award. Pam Church presented the Council with accreditation pins. Chief Porter said less than 25% of the police departments across the country earn accreditation.*

*Commissioner Zabloudil said it is an honor to be able to achieve this, and he appreciated all the time and effort dedicated to this achievement.*

*Governor's Home Town Award 2003*

*Mayor Krajewski said the Village has been awarded the 2003 Governor's Home Town Award. He reviewed the background of the award. This year the Downers Grove Chamber of Commerce and the Kiwanis Club had a bone marrow drive which raised \$22,000 to test people. There have been three matches to date and one transplant. He invited the members of the Kiwanis Club and the Chamber to come forward and congratulated them on their hard work.*

*Barb Wysocki of the Chamber said this was a successful collaborative project and shows what a great community Downers Grove is. Volunteers from the Chamber and Kiwanis worked hard toward achieving the goal.*

*Phil Cullen said that, as a result of this effort, he had the opportunity to shave some heads. This was a community effort and that is why it was successful.*

*Keith Hoffman of the Kiwanis Club thanked the community for coming together for this and he feels lucky to be a member of this community. He added his thanks to Cathy Shuster.*

*The Mayor said there were about 800 volunteers, and these testings could result in future matches. He expressed his congratulations to everyone said the Village received a street sign and plaque by the Village.*

#### **4. Public Comments and Questions**

##### **A. Comments and Questions on Active Agenda**

*There were none.*

##### **B. Comments and Questions on General Matters**

*There were none.*

#### **5. Public Hearings**

#### **6. Consent Agenda**

**BIL 00-01322** List of Bills Payable: No. 5484, July 1, 2003  
**Sponsors:** Accounting  
**A motion was made to Approve this file on the Consent Agenda.**  
**Indexes:** N/A

**COR 00-01323** Claim Ordinance: No. 5485, Payroll, June 13, 2003  
**Sponsors:** Accounting  
**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 Tully, seconded by Commissioner Urban, that the consent agenda be passed. The motion carried by the following vote:**

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

## 7. Active Agenda

**ORD 00-01229** Ordinance: Amend Outdoor Display Provisions in Certain Zoning Districts  
**Sponsors:** Zoning Commission  
**Summary of Item:** At their meeting of February 20, 2003, the Zoning Commission unanimously recommended amending outdoor display provisions in certain zoning districts.

AN ORDINANCE AMENDING OUTDOOR DISPLAY PROVISIONS IN CERTAIN ZONING DISTRICTS

*Commissioner McConnell said she was not voting in favor of this and reiterated her concern that this needs to be addressed globally and quickly. She expects something more comprehensive to come to the Council in the review of the land use.*

*Commissioner Zabloudil said there is a Land Use Task Force, and they need to look at a comprehensive zoning plan. Once that is addressed, this type of issue will fall into place. He said he would not support this Ordinance.*

*Commissioner Tully said he seconded the Motion to bring up the discussion and bring this issue to closure. He is not in favor of this text amendment, because it leaves the door open to future requests, and it is not consistent with the plan and aesthetic vision for commercial corridors. He is not in favor of it.*

*Commissioner Urban said he made the Motion but is not in favor of this and wants to see closure on the issue.*

*Commissioner Schnell said she would also vote against.*

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

**Votes:** Nay: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

**Indexes:** Zoning Ordinance - Outdoor Display Provisions

**ORD 00-01317** Ordinance: Rezone Property at the Northwest corner of Puffer Road and 63rd Street R-1 to R-4

**Sponsors:** Zoning Board of Appeals

**Summary of Item:** At their meeting of May 28, 2003, the Zoning Board of Appeals recommended unanimously that the property located at the northwest corner of Puffer Road & 63rd Street be rezoned from R-1 Single Family Residential to R-4 Single Family Residential.

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, CODIFIED AS CHAPTER 28 OF THE DOWNERS GROVE MUNICIPAL CODE, AS AMENDED, TO REZONE PROPERTY LOCATED AT THE NORTHWEST CORNER OF PUFFER ROAD AND 63RD STREET (R-1 TO R-4)

ORDINANCE NO. 4520

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

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

**Indexes:** Rezone 63rd Street & Puffer - R-1 to R-4

**ORD 00-01318** Ordinance: Amend Zoning Ordinance re: Parking Requirements for Restaurants

**Sponsors:** Zoning Commission

**Summary of Item:** At their meeting of May 22, 2003, the Zoning Commission recommended 5:1 to amend certain parking requirements for restaurants by excluding those areas exclusively devoted to permanent storage purposes from the calculation in the number of parking spaces required.

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, CODIFIED AS CHAPTER 28 OF THE DOWNERS GROVE MUNICIPAL CODE, AS AMENDED, TO AMEND PARKING REQUIREMENTS FOR RESTAURANTS

ORDINANCE NO. 4521

*Commissioner McConnell said she is in favor of this but it is a short-term solution. She would like to find a more rational way of looking at this.*

*The Mayor said that the number of seating places would mandate parking requirements. He said the Liquor Commission and Plan Commission should look into this.*

*Commissioner McConnell said there may be some benefit from comments from the Liquor Commission.*

*Commissioner Urban said he agrees that this is a short-term solution. He suggested that the County Health Department could also look at this regarding storage. He would like to look at it from a chair count instead of storage space.*

*Commissioner Tully said he is in favor of this short term solution. He said it is more logical to look at parking as it relates to seats, as he sees the driving force being the seating capacity of the restaurant. He said the Plan Commission needs to look at the policy of parking requirement ratios, and the Liquor Commission has expertise with restaurants and should also participate in this discussion.*

*The Mayor asked that the Liquor Commission look at this and forward their comments on to the*

*Plan Commission.*

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

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

**Indexes:** Zoning Ordinance - Parking Requirements - Restaurants

**RES 00-01320** Resolution: Establish Procedure for Vacation of Streets, Alleys and Public Rights-of-Way

**Sponsors:** Village Attorney

**Summary of Item:** This will establish procedures to be followed in the vacation of streets, alleys and public rights-of-way in the Village.

A RESOLUTION ESTABLISHING A PROCEDURE TO BE FOLLOWED IN THE VACATION OF STREETS, ALLEYS AND PUBLIC RIGHTS-OF-WAY IN THE VILLAGE OF DOWNERS GROVE, ILLINOIS

RESOLUTION 2003-58

*Commissioner Sandack said he thinks a procedure that's flexible and distinguishes between commercial and residential property is a good procedure.*

*Commissioner Schnell said she would vote no on this even though it is flexible. She said that she thought this might stifle a resident being able to acquire a piece of right-of-way.*

*Commissioner Tully said he appreciates Commissioner Schnell's concerns. This is directed at developers. He said that this is discretionary as to whether to charge a fee. He said the Village needs to eliminate the expectation that compensation will never be required. Compensation may be required. The appraisal is an opportunity for the Council to understand the potential value of the parcel considered for vacation.*

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

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski  
Nay: Commissioner Schnell

**Indexes:** Vacation - Alley

**ORD 00-01319** Ordinance: Amend Ordinance No. 4483 and the Village of Downers Grove Budget for Fiscal Year 2002/03

**Sponsors:** Financial Services

**Summary of Item:** This adopts certain amendments to the 2002/03 budget.

AN ORDINANCE PROVIDING FOR AN AMENDMENT TO ORDINANCE #4483 AND THE VILLAGE OF DOWNERS GROVE BUDGET FOR FISCAL YEAR 2002/03

ORDINANCE NO. 4522

*The Mayor said that there will be an adopted budget, an amended budget and an actual budget as they move forward. They will be in the Library for review.*

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

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

**Indexes:** Budget Amendment - 2002/03

**RES 00-01321** Resolution: Authorize Sidewalk Cafe License Agreement with Founders Hill Brewing Company

**Sponsors:** Liquor Commission

**Summary of Item:** This will authorize a license agreement with Founders Hill Brewing Company to permit and regulate the operation of a Sidewalk Cafe on public property.

A RESOLUTION AUTHORIZING EXECUTION OF A SIDEWALK CAFE LICENSE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND FOUNDERS HILL BREWING COMPANY

RESOLUTION 2003-59

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

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

**Indexes:** Founders Hill

**ORD 00-01151** Ordinance: Vacate a Certain Portion of a Public Alley South of Hobson Road (59th Street) Bounded by Puffer Road and Belmont Road

**Sponsors:** Plan Commission

**Summary of Item:** At their meeting of January 7, 2003, the Plan Commission unanimously recommended approval of an ordinance vacating a portion of an unimproved alley right-of-way located approximately 140 feet south of and parallel to Hobson Road (59th Street), bounded by Puffer Road on the west and Belmont Road on the east.

AN ORDINANCE VACATING A CERTAIN PORTION OF A PUBLIC ALLEY SOUTH OF HOBSON ROAD (59TH STREET) BOUNDED BY PUFFER ROAD AND BELMONT ROAD IN THE VILLAGE OF DOWNERS GROVE

ORDINANCE NO. 4523

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

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

**Indexes:** Vacation - Alley

## 8. Mayor's Report

### Materials to be Received - Minutes

*Liquor Commission - June 5, 2003*

*Public Services Committee - May 27, 2003*

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

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

## New Business

*The Mayor asked the Village Clerk to read a resolution regarding appointments and reappointments to the Stormwater and Flood Plain Oversight Committee.*

**RES 00-01324** Resolution: Appointments to Boards and Commissions

**Sponsors:** Mayor

**Summary of Item:** This will confirm the reappointment of William Ponstein for a term expiring April 30, 2005 and the appointment of David Gorman for a term expiring April 30, 2006.

RESOLUTION APPOINTING AND REAPPOINTING MEMBERS TO THE STORMWATER AND FLOOD PLAIN OVERSIGHT COMMITTEE

RESOLUTION 2003-60

*Commissioner Schnell said that Mr. Gorman is an engineer with extensive background in stormwater. Mr. Gorman and Mr. Ponstein are looking forward to making this a proactive committee. There are two more vacancies.*

**Indexes:** Boards and Commissions

## Materials to be Placed on File

### 9. Manager's Report

*Manager Ginex said that the Village experienced a chlorine leak near Station 2. He said that the Staff and other Fire Departments, including Chicago, did an excellent job and were fully committed to solving the problem. He said that forty families were moved and the evacuation went smoothly. The leak was contained and the canisters were removed.*

*The Manager then complimented the Village Staff and Tourism and Events Department on their outstanding job on this year's Heritage Festival*

*Manager Ginex said that the Illinois Department of Agriculture has been applying sprays for gypsy moths.*

### 10. Attorney's Report

#### Future Active Agenda

### 11. Committee Standing Reports

*Commissioner McConnell said that the Public Safety Committee will meet on July 15.*

*Commissioner Tully said Public Services met twice last week. The Local Transportation Subcommittee met on Wednesday to discuss the update on the Bus Committee report and recommendation. He said the report answered many questions regarding the bus program. He said that a number of marketing recommendations made in 1996 were not done. The Committee recommended that some of these things be done right away, utilizing the cable channel, water bills, and ads at the train stations. He asked the Council to direct the committee to do those particular things.*

*The Mayor asked if the question is asked on the Citizens' Survey regarding citizen knowledge about the bus service. Commissioner Tully said Doug Kozlowski asked whether the questions regarding bus service can be included in the Citizens' Survey.*

*Mr. Mike Baker said that questions have been asked about transportation options. He said he*

would get the exact wording and the results of those surveys to the Transportation Committee.

Commissioner Tully said that assignments were also made to the Committee members, one of which would be having Pace take over the routes. In addition they are considering looking at advertising on the buses.

Regarding the Stormwater Utility Exploratory Committee, Commissioner Tully said they met last Thursday and discussed what the Village's scope should be in the Stormwater Utility program, and what would costs be. He said that there is a \$3.5 million backlog of stormwater projects. The source of the funding is being discussed. He reviewed the directives raised in the Committee's discussion including 1) studying the policy for streambank stabilization; 2) policy for maintenance of easements and private stormwater systems; 3) possible creation of an updated Stormwater Master Plan; 4) a cost-sharing policy; 5) a Stormwater matrix, similar to that done for sidewalks.

Commissioner McConnell said they need to prioritize the directives rather than give all of them to the staff at the same time.

Commissioner Tully said that the Stormwater Administrator would be best suited to identify the highest priority projects. He added that further direction should also come from staff. These items do not fit with the Stormwater Utility and for that reason should be given to the Oversight Committee.

The Mayor asked the Attorney to look into the legislation regarding fees for discharge.

Commissioner Schnell said they also discussed having the Stormwater Committee meet on a regular, monthly schedule.

Commissioner Zabloudil said that the Finance Committee met this evening and discussed revenue sources such as the utility tax and the use of excess funds. They reviewed accounts receivables and have identified various procedures that need to be addressed. Regarding the fund balance policy, the Committee said they need to have Council discussion and direction to staff. He said this could be a topic for discussion at the retreat.

Regarding the BFI contract, Commissioner Zabloudil said it went into effect on April 1. However, BFI has had an unexpected tax increase by the State which is a dumping fee. BFI would like to open dialogue with staff regarding increasing their fees in light of the State's action.

## **12. Council Member Reports and New Business**

Commissioner McConnell thanked everyone who attended Heritage Festival and the Council booth. She said staff did a great job.

Commissioner Urban thanked the staff for Heritage Festival as well, saying it gets bigger, better and safer each year.

Commissioner Tully thanked those residents who came to the Council booth. He expressed his sincere thanks to those who make the Heritage Festival possible, and wished everyone a happy and safe July 4th.

Commissioner Schnell said it was an enjoyable Heritage Festival and she thanked everyone involved. Regarding the Stormwater meeting, she mentioned that only \$125,000 has been allocated for stormwater projects. At the meeting there was a request from some residents about a safety issue. She asked if additional funding is acquired, that staff work in conjunction with

*the Public Works department to tie into life safety issues in the schools.*

*Commissioner Sandack gave kudos to the staff, particularly Mary and her staff. He was glad to see so many people stop by the booth and meet with the Council members to express their opinions.*

*Commissioner Zabloudil said the Festival was a great event and Mary Scalzetti and her team did a great job, as did all of the various departments. The layout of the festival made it feel more open, expanded, and provided a great flow for those in attendance.*

*The Mayor reiterated what the other Commissioners said, saying the staff did a great job. The numbers were up this year. He said that the Midwest Ballet had their highest attendance ever with 2287 people.*

*The Mayor said that Friday is the 4th of July and the parade will begin at 12:45 p.m. Fireworks will be displayed in the evening and he wished everyone a safe 4th.*

### **13. Adjournment**

*Commissioner Tully moved to adjourn. Commissioner Urban seconded.*

*VOTE: YEA - Commissioners Tully, Urban, Sandack, Zabloudil, McConnell, Schnell, Mayor Krajewski*

*Mayor Krajewski declared the motion carried and the meeting adjourned at 7:30 p.m.*