

MINUTES OF WORKSHOP MEETING

DOWNERS GROVE, ILLINOIS

SEPTEMBER 23, 2003

Mayor Krajewski called the Workshop meeting of the Village Council of the Village of Downers Grove to order at 6:00 p.m. in the Council Chambers of the Village Hall.

Present: Mayor Brian Krajewski; Commissioners Marilyn Schnell, Sue McConnell, Martin Tully, Mark Zabloudil, Ron Sandack, Stan Urban; Village Manager Riccardo Ginex; Village Attorney Enza Petrarca; Village Clerk April Holden

Absent: None

Visitors: **Press:** Kris Owens, The Sun; Kevin Stahr, D.G. Reporter

Residents: Sara Davis, Alfred Benesch & Co.; Jim Russ, 4915 Main; Ron Kotecki, 449 Plaza, Westmont; Bill Mourad, Luxury Motors, 330 Ogden; Ruby Graves, 2407 Inverness; C. Graves, 2400 Inverness; M.C. Marvin, 1923 Elmore; From CAG: C. Kullen, 5798 Pershing; Roger Sahs, 6106 Woodward; K. Carpenter, 5826 Lee Avenue; Ann Muniz, 5617 Pershing; Rich Besler, 5820 Pershing; Pam Owens, 5900 Pershing; Rick Britton; 6299 Woodward; Joseph Shroka, 5854 Chase; Joseph Gentiluomo, 2423 College Rd.; Debbie Hamilton, 5969 Janes; David Meilbeck, 5969 Janes; Marjorie Schumacher, 6295 Woodward; Eunice Rettinger, 5429 Elinor; Donna Norvilas, 5440 Elinor; Marilyn Neubauer, 5855 Belmont; Kim & John Cruz, 2137 Maple Ave.; Debbie & Ken Holbrook, 2141 Maple; Joe & Mary Figura, 5859 Belmont; Anthony Iacovetti, 5865 Belmont; John & Justin Przybyl, 1227 Gilbert; John-Walker Smiles, 4708 Middaugh; James C. Wendte, 5746 Woodward; Henry Schei, 5820 Katrine

Staff: Mike Millette, Assistant Director, Public Works; Mike Baker, Assistant to the Village Manager; David Van Vooren, Deputy Village Manager; Amanda Browne, Planner; Trisha Steele, Assistant Director, Financial Services, Joseph Skach, Director, Planning & Community Development

Mayor Krajewski explained that Council Workshop meetings are held the second and fourth Tuesdays at 6:30 p.m. The meetings are video taped live and for later cable-cast over cable channel 6.

The Workshop meeting is intended to provide Council and the public with an appropriate forum for informal discussion of any items intended for future Council consideration or just for general information. No formal action is taken at Workshop meetings.

The public is invited to attend and encouraged to comment or ask questions in an informal manner on any of the items being discussed or on any other subject. The agenda is created to provide a guideline for discussion.

MANAGER

1. **Parking Deck Update.** Manager Ginex said Mike Millette, Assistant Director, Public Works, was present to address this item.

Mike Millette, Assistant Director, Public Works, asked Sara Davis to provide the update.

Sara Davis, Alfred Benesch & Co., said there has not yet been visible progress above ground. The deep foundation is more than half in. The load tests were successful and excavation is proceeding. The piles are to be completed by Monday. She noted that the load testing was part of the contract.

Commissioner McConnell asked if they were on time and on budget at this point, and if there have been any unforeseen problems.

Ms. Davis said they are on time, on schedule and on budget, with nothing unforeseen.

In response to the Mayor, Mike Millette said there should be substantial use of the deck by June 2004.

2. Bids:

- a. **Front Wheel Loader.** The Manager said the Fleet Replacement Plan includes replacement of one of the three wheel loaders in Public Works used to load plow trucks with salt and for plowing cul-de-sacs. RFP's were sent to six dealers. Staff recommends awarding the bid to Patten Industries, Inc., in the amount of \$97,923 for a Caterpillar 938G Series II wheel loader.
- b. **Alternative Fuel Pick-up Trucks.** The Manager said two new positions were added to Public Works and these are alternative fuel vehicles for those employees. Staff recommends awarding the bid to Willowbrook Ford in the amount of \$35,228.

Commissioner Schnell asked if they can fuel up at any facility in the County, and Manager Ginex said they could. In further response he said he would provide a listing of the facilities to the Council.

The Mayor asked also for information on how many government entities have contracts with the Village and are using the Village facilities.

- c. **Computer Replacement Program.** The Manager said this is the first year of purchases under the newly established Computer Replacement Fund. In the past few years, staff has purchased Dell computers exclusively in order to provide equipment from a single manufacturer. This year the State contract includes only Compaq computers and staff is proposing purchasing them due to the substantial savings. Staff will replace all public safety personal desktop computers first because of some of the new software.

Commissioner McConnell asked if having different types of computers will cause an increase in maintenance costs outweighing the benefits of the cost savings. Manager Ginex said it will not as this will improve the maintenance.

Commissioner Tully asked if it would make sense to have the Technology Commission assist in some way when there is a substantial purchase. He asked what the practice is. The Mayor said that it is a relatively new Commission. Commissioner Tully suggested a guidance policy be developed as to when to seek input from the Technology Commission.

Commissioner McConnell said they only meet on a monthly basis. They have been getting into very technical issues.

Commissioner Tully said he sees this as an independent voice weighing in when substantial purchases are being made or when there are complex issues involved.

3. **Annexation 4929 Drendel.** The Manager said this property is contiguous to the Village limits and the owners wish to connect to the water system. The zoning will default to an R-1 single-family residential property.
4. **Water Service Agreement.** The Manager said this revision establishes specific procedures to provide water to unincorporated areas of DuPage County. The Village, County and USEPA worked together to draft the language.

Commissioner Tully asked the Village Attorney whether they are fully indemnified, and Village Attorney said that the Village was indemnified.

Ann Muniz, 5617 Pershing, thanked the Council for its endeavors on behalf of the citizens. She noted exceptions the residents have to the August 15 cutoff date. On August 15 there was no acceptable agreement available to the residents. The residents do not want to jeopardize the agreement. She said they also wish to state that they do not think anybody should have the right to waive any potential claim that any resident may or may not have in a suit against the PRPs.

5. **Luxury Motors: Rezoning/Amend Special Use.** The Manager asked Amanda Browne, Planner to discuss this item.

Amanda Browne, Planner, said these are two related petitions for the property at the northwest corner of Ogden and Florence Avenue. The petitioner is requesting a rezoning from R-1 to B-3, and their second request is for an amendment to its Special Use. She described the rezoning request as consistent with the Future Land Use Plan. In addition, with regard to the Special Use, Ms. Browne said there are four main elements: 1) to add property; 2) construct a 3,587 square foot addition to the westerly building; 3) construct a 48-space parking facility; 4) construct a new detention facility. She said the Plan Commission has forwarded positive recommendations on both petitions. It was recommended that the parking facility be limited to the parking of employee and customer vehicles only, and not for the display of vehicles for sale.

Commissioner McConnell applauded the petitioner for taking steps to address the street parking situation. She asked about the outstanding citations and whether they have been addressed. Manager Ginex said there are two outstanding that may be going to Court on Monday. Commissioner McConnell asked for clarification that the Court issues will not hamper the petitioner moving forward.

Commissioner Schnell asked whether the Village had the authority to ticket Luxury Motors if they violated the parking restrictions. Attorney Petrarca said that the Village has that right as it would be a violation of the Zoning Ordinance.

Commissioner Tully said he has no problem with the rezoning request. As for the Special Use he would like to see the traffic engineer's recommendation made part of the conditions under which the Special Use is granted. He asked about the 12 parking spaces that will be lost.

Jim Russ, 4915 Main Street, attorney for the petitioner, said it was a combination of all parking.

Commissioner Tully said he would support using the 48 spaces solely for employee and customer parking. Mr. Russ said the petitioner has no objection to that condition.

Commissioner Tully then referred to staff recommendation regarding lighting, the PA system and screening. He said it appears that they have addressed the lighting situation. The landscaping and screening also seems to have been done very well. He questions the PA system, which has caused most of the problems in the past. He asked whether there really needs to be a PA system, and whether it would be a hardship to eliminate it altogether.

Bill Mourad, Luxury Motors, 330 Ogden Avenue, said they cannot eliminate it entirely since they have to page people on the lot. They have lowered the volume and pointed it away from the residential areas. There have been no complaints in the past month. The speakers have not been and will not be moved. Commissioner Tully encouraged them to look into the elimination of the system.

6. **Resolution: Ad Hoc Committee Performing Arts.** The Manager said this will establish a Commission to evaluate the need for a Performing Arts Center in the Village, and will be made up of 13 members to be appointed at a later time.

Commissioner Tully said there are a number of members on the Community Events Commission who have an interest or expertise in performing arts as a source for the proposed Commission.

The Mayor said that in 1993 the Council commissioned a study which recommended not moving forward at that time. That was prior to the new downtown infrastructure and redevelopment. The RFQ has gone out for the Curtiss lot development. He requested that residents interested in the performing arts or having expertise should obtain applications or provide resumes.

Commissioner Schnell suggested people could fill out the profile sheet on-line.

7. **Ordinance Amending Lien Procedures.** The Manager said this is in regard to tree removal and pruning. When the situation warrants, the Village Forester can, after providing notice to a homeowner, remove or prune the tree. If the Village has to perform the service, the homeowner will be required to pay the fee. The Village currently has 60 days in which to both invoice the homeowner and file a lien if the invoice for the work completed remains unpaid. This amendment extends the amount of time from 60 to 120 days to allow the Village sufficient time for invoicing, awaiting payment, and filing the lien if warranted.

Commissioner McConnell said she discussed with the Village Attorney the order of invoicing before the lien is done. She asked about the interest rate of 10% stipulated in the ordinance. Attorney Petrarca said she verified this number with Finance.

STANDING COMMITTEE REPORTS

Public Services Committee

Commissioner Tully said that the Local Transportation Subcommittee will meet September 24 at 6:00 p.m. in the Committee Room. He said the tentative date for the next Stormwater Utility meeting is October 3 at 6:00 p.m. in the Public Works facility.

MANAGER'S REPORT

Manager Ginex said that SBC notified the Village that they would have to close Main Street between 55th Street and 63rd Street for repair of the underground phone lines. Traffic will be rerouted, and should be closed for only one day.

ATTORNEY'S REPORT

Village Attorney Enza Petrarca said she was presenting five items to the Council: 1) An ordinance annexing 4929 Drendel Road to the Village of Downers Grove; 2) 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 4236 Florence Avenue; 3) An ordinance authorizing an amendment to special use at 310-330 Ogden Avenue; 4) A resolution establishing the Downers Grove Performing Arts Study Commission; and 5) An ordinance amending lien procedures.

The Attorney asked the Council to waive the one-week waiting period to consider new business in regard to the water service agreement discussed earlier tonight.

Commissioner Tully moved to waive the one-week waiting period to discuss new business. Commissioner Urban seconded.

AYES: Commissioners Tully, Urban, Sandack, Zabloudil, McConnell, Schnell,
Mayor Krajewski
NAYS: None

The Motion carried.

AN ORDINANCE AMENDING ORDINANCE NO. 4524 ESTABLISHING REVISED PROCEDURES FOR PROVIDING WATER SERVICE TO AREAS LOCATED IN UNINCORPORATED DUPAGE COUNTY

ORDINANCE NO. 4535

This will amend a Village Council policy on providing water service within the territories of Downers Grove Gardens, Belmont Park and Maple Hill and other areas of unincorporated DuPage County.

Commissioner Tully moved to adopt an Ordinance amendment Ordinance No. 4524 establishing revised procedures for providing water service to areas located in unincorporated DuPage County as presented. Commissioner Urban seconded.

AYES: Commissioners Tully, Urban, Sandack, Zabloudil, McConnell, Schnell,
Mayor Krajewski
NAYS: None

The Motion carried.

A RESOLUTION AMENDING AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY AND CERTAIN PARTICIPATING COMPANIES

RESOLUTION 2003-77

DRAFT

This will amend an agreement between the Village of Downers Grove, the County of DuPage and certain participating companies for the implementation of water service to areas of DuPage County.

Commissioner Tully moved to adopt a Resolution amending an agreement between the Village of Downers Grove, DuPage County, and certain participating companies as presented. Commissioner Urban seconded.

The Mayor asked how many companies were involved in this, and Attorney Petrarca said there are 12 or 13. He asked the number that use TCE as it is his understanding that in some cases previous companies used these chemicals.

AYES: Commissioners Tully, Urban, Sandack, Zabloudil, McConnell, Schnell,
Mayor Krajewski
NAYS: None

The Motion carried.

COUNCIL MEMBERS

Commissioner Sandack reminded people that the Kelly Miller circus was great fun. The Mayor said that the 7:30 show is sold out.

Commissioner Tully said that the Mayor should add to his list of talents the ability to ride an elephant. He then thanked the Village Manager and Village Attorney for their work on the water agreements.

The Mayor asked about the North Belmont Park area and Manager Ginex said the Illinois EPA needed some information from the Village.

Deputy Manager Dave Van Vooren said that they authorized an award of a contract upon receipt of IEPA's grant agreement. When the agreement is received, this can be finalized. The contractor cannot start until the grant agreement is received from the IEPA, stating the Village has complied with everything. The Mayor asked if he needs to make any phone calls on this, and Attorney Petrarca said she would let him know. Deputy Manager Van Vooren said the first component is the installation of the water main which is 120 days, then the installation of the storm sewers, and finally the completed restoration. The water can be hooked up without the storm sewers being completed.

There being no further discussion, the Workshop meeting was adjourned at 6:40 p.m.

After adjournment, Mayor Krajewski reconvened the meeting to discuss with the Council the matter of directing the Liquor Commission to conduct a review of the current requirement of 60/40 food versus alcohol revenue split. The Council agreed to this direction. The meeting was adjourned at 6:44 p.m.

April K. Holden
Village Clerk

tmh/