

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL
FEBRUARY 20, 2007 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Lyman Woods Streambank Stabilization Phase II – Park District Request for Fee Waiver	Resolution Ordinance ✓ Motion Discussion Only	Cara Pavlicek Village Manager

SYNOPSIS

A motion to authorize partial waiver of the stormwater review and inspection fee as requested by the Downers Grove Park District for the Lyman Woods Streambank Stabilization Phase II project is proposed.

FISCAL IMPACT

Approval of this motion would waive fees in accordance with the Village Council Policy for “Fee Waivers” (Res. 2002-73), which allows complete waiver of the first \$5,000 and 70% waiver of the remaining fee amount (“...except under extraordinary circumstances.”). The total amount of the stormwater review and inspection fee for this project is \$26,623.00, of which \$20,136.10 is eligible for waiver by Council. If the waiver request is approved, payment of all other applicable fees will still be required. These include the remaining portion of the permit fee, direct fees for consultant review, refundable performance security, and DuPage County wetland mitigation fees.

UPDATE AND RECOMMENDATION

Due to weather, the Village Council did not discuss this item as a part of the February, 13, 2007, Council Workshop meeting. Public comments were heard on February 13, 2007.

Therefore, it is recommended that the Village Council approve a single motion at the start of the February 20, 2007, Village Council meeting to waive the traditional one-week waiting period to allow for action on appropriate items.

Subject to approval of the motion to waive the traditional one-week waiting period, staff recommends Council discuss this item and proceed with approval, provided there is consensus for support of this item.

BACKGROUND

This request was initially presented to the Village Council in 2006. At that time, Council asked if the request could be considered after a second workshop. The Park District was allowed to proceed with the project, without payment of the permit fee. At this time, staff requires Council action on February 20, 2007 to approve the fee waiver. Should Council deny the waiver at that time, staff will proceed with notice to the Park District that the fee is due.

Staff recommends the fee waiver as the Park District is continuing their record of good stewardship of natural resources by stabilizing eroding stream banks within the Lyman Woods Forest Preserve.

This is likely to have a direct positive impact on water quality in Lacey Creek downstream of the project, also helping to protect the Village investment into the Lacey Creek Restoration Project. This is also an example of a project that can help partner with the Village to achieve water quality objectives set forth under the federal Clean Water Act.

The waiver is further recommended as the Village of Downers Grove is an owner of property within Lyman Woods and the Park District provides for maintenance of the property via an agreement with the Village and DuPage County Forest Preserve.

