



# 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, April 3, 2007

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 Ron Sandack, Commissioner Stan Urban, Commissioner Martin Tully, Commissioner William Waldack, Commissioner Sean P. Durkin and Mayor Brian Krajewski  
Absent: Commissioner Marilyn Schnell  
Non Voting: Village Manager Cara Pavlicek, Village Attorney Enza Petrarca and Village Clerk April Holden

*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 presiding officer will ask, at the appropriate time, 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. Remarks should be limited to five minutes, and asked that individuals refrain from making repetitive statements.*

*Mayor Krajewski 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

*Executive Session Minutes for Approval Only - March 6, 2007*

*Council Meeting - March 20, 2007*

*Workshop Meeting - March 27, 2007*

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

*Executive Session Minutes for Release - 3/8/05, 4/19/05, 7/5/05, 7/12/05, 7/26/05, 8/16/05, 10/4/05, 10/25/05, 1/3/06, 6/27/06, 7/18/06, 7/19/06, 7/22/06, 8/1/06, 8/2/06, 9/5/06*

*Special Presentation*

*Police Chief Bob Porter recognized the police work of Detectives Stark and Dutton resulting in the apprehension of bank robbers who had been responsible for a robbery at the DuPage Credit Union. They worked with the FBI and other police departments in resolving other robberies as well.*

*Eileen Schmidt of the FBI thanked the Downers Grove Police Department for working with the FBI to solve last summer's bank robberies. The two criminals were responsible for seven robberies in the County area. She thanked the detectives and presented them with certificates which were signed by the Director of the FBI. Police Chief Porter also thanked the FBI for their assistance, as well as the families of the detectives.*

*Mayor Krajewski then introduced the new Director of the Chamber of Commerce, Laura Crawford. Ms. Crawford said she began yesterday and has lived in DuPage County for 25 years. She thanked the Mayor for the recognition.*

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

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

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

*1. Tim Meany, 420 Franklin, said that he met with David Fieldman and Don Scheidler earlier this morning to discuss the situation of a construction fence that was erected about four months ago at 425 Franklin, although no construction has taken place. He summarized the events over the past four months. He said he filed a FOIA request; there was no information available at all regarding the property, and no reason to erect the fence. The builder was given 24 hours to comply and did fix a silt fence that was protecting a tree. Mr. Meany then obtained a resident petition which he brought to the staff's attention earlier today. He was told that the builder has one last detail to care for before construction can begin. He noted that the residents are concerned about the size and character of the house planned for the site.*

*2. John Schofield, 1125 Jefferson, commented that the Council just approved Executive Session minutes for release. He said that these will never make their way to the Village website, based on past practices. He thinks neglecting to put them up with the rest of the minutes is a serious oversight. He asked that they be published on the website in the same manner as any other minutes. He'd like to see this taken care of quickly.*

*Manager Pavlicek said that staff will respond within the next 10-14 business days. Mr. Schofield said this is a technical issue, and he doesn't understand why the Village staff is so reluctant to make these minutes public. He asked for a commitment from the Manager that these will be on the website. Manager Pavlicek said that she will discuss this with staff, and try to get that information to him as soon as possible.*

*3. George Swimmer, 4905 Main Street, said he has spent many hours on railroad safety issues. He commented on Acadia on the Green. He said that references have been made about the safety of the outside walls. Recently Deputy Village Manager Fieldman stated that the safety on the outside wall was not a problem. Mr. Swimmer said that he became aware that the second floor and higher is all wood construction. He spoke with a fire official of the Village who indicated they thought the building code had been changed 15 years ago to prevent that type of construction. Mr. Swimmer said that the Fire Department representative said that many complaints have been received about the construction. At a downtown meeting recently, the question was asked of a Fire Department official, and he said that the Village has a different building code which is older than the current BOCA Code. Mr. Swimmer then indicated his concerns which were proper fire stops, interior wood that may not be properly treated to retard fires, and the sprinkler system may be compromised. Mr. Swimmer said that the Village may not be getting as safe a building as they think they are. He indicated that based on a conversation he had with an expert on building, a steel structure would be safer; however, steel would also be*

more expensive. Mr. Swimmer said based on what he's seen occurring in the Council in the past few months, the Board of Elections website, campaign contributions received by certain individuals, he believes this may not be a true arm's length transaction.

The Mayor asked about the interior wood, and whether it was inspected by Mr. Swimmer's friend. Mr. Swimmer said he did not inspect it but told Mr. Swimmer that he would be surprised if the wood had been properly treated. Mr. Swimmer said that he noted that Mr. Fieldman was very specific when he said that the exterior walls were proper, but didn't mention the interior walls. The Mayor said that Mr. Swimmer should visit the website for more recent information.

4. Mark Thoman, 1109 61st Street, commented that when sodium silicate is used to treat wood it looks dirty. He said it would be appropriate to have the Fire Department conduct the tests, as there appears to be a difference between the outside and interior woods. In addition, Mr. Thoman said that the construction entrance fence was down on Curtiss.

Commissioner Tully said that there was an RFQ and then an RFP before a builder was chosen for Acadia on the Green. He can guarantee that the process was extraordinarily competitive and at arm's length. He is disappointed to hear insinuations that are untoward because an individual might not be happy with a project. This was a competitive process with an intensive review by the staff and Council. Commissioner Tully said that this project was about having a structure which would be appropriate for the downtown area.

5. Andrew Clark, 1226 62nd Street, said he has concerns about the wooden structure of Acadia on the Green as well, and feels it is freshly milled lumber that has not been treated. He said he has taken some photographs of the site, and he would like to be part of any testing procedure.

Don Scheidler, Acting Director, Community Development, said that there are at least weekly inspections.

## 5. Public Hearings

## 6. Consent Agenda

**COR 00-02762** A. Claim Ordinance: No. 5683, Payroll, March 16, 2007

**Sponsors:** Accounting

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

**Indexes:** N/A

**BIL 00-02763** B. List of Bills Payable: No. 5668, April 3, 2007

**Sponsors:** Accounting

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

**Indexes:** N/A

**MOT 00-02741** C. Motion: Authorize Request for Purchase of 4,800 Tons of Road Salt for 2007-08 from State Contract

**Sponsors:** Public Works

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

**Indexes:** Salt

- MOT 00-02742** D. Motion: Accept Proposal by Veterans of Foreign Wars to Operate as Bingo Tent Games Vendor - 2007 Heritage Festival  
**Sponsors:** Community Events  
**A motion was made to Award this file on the Consent Agenda.**  
**Indexes:** Heritage Festival 2007
- RES 00-02743** E. Resolution: Authorize an Extension to the Contract with Gen Power, Inc., for 2007 Heritage Festival Generator Contract  
**Sponsors:** Community Events  
**Summary of Item:** A RESOLUTION AUTHORIZING EXECUTION OF AN EXTENSION TO THE CONTRACT BETWEEN THE VILLAGE OF DOWNERS GROVE AND GEN POWER, INCORPORATED  
  
RESOLUTION 2007-30  
**A motion was made to Pass this file on the Consent Agenda.**  
**Indexes:** Heritage Festival 2007
- BID 00-02745** F. Bid: Award Contracts for the Supply of Traffic Sign Maintenance Materials  
**Sponsors:** Public Works  
**Summary of Item:** Awards in an amount not to exceed \$60,000 as follows:  
  
Traffic control sign posts in the amount of \$17,410 from Vulcan Signs of Foley, Alabama  
Traffic sign blanks in an amount not to exceed \$22,590 from US Standard Sign of Franklin Park, Illinois  
Traffic sign facing materials in an amount not to exceed \$20,000 from the 3M Company of St. Paul, Minnesota  
**A motion was made to Approve this file on the Consent Agenda.**  
**Indexes:** Traffic Signs
- BID 00-02746** G. Bid: Award a Contract to A.C. Pavement Striping Company, Elgin, IL, for Thermoplastic Pavement Marking Services  
**Sponsors:** Public Works  
**Summary of Item:** This contract is in an amount not to exceed \$18,000.00.  
**A motion was made to Approve this file on the Consent Agenda.**  
**Indexes:** Streets
- RES 00-02747** H. Resolution: Opt-Out of Compliance with the Provisions of the Federal and Illinois Health Insurance Portability and Accountability Acts for the Village Health Plan Year 2007  
**Sponsors:** Human Resources  
**Summary of Item:** A RESOLUTION TO OPT-OUT OF COMPLIANCE WITH THE PROVISIONS OF THE FEDERAL AND ILLINOIS HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACTS FOR THE VILLAGE HEALTH PLAN YEAR 2007  
  
RESOLUTION 2007-31  
**A motion was made to Pass this file on the Consent Agenda.**

**Indexes:** Federal Health Insurance Portability Act, HIPAA

**RES 00-02748** I. Resolution: Authorize an Account Agreement with PMA Financial Network, Inc.

**Sponsors:** Finance

**Summary of Item:** A RESOLUTION AUTHORIZING EXECUTION OF AN ACCOUNT AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND PMA FINANCIAL NETWORK, INC.

RESOLUTION 2007-32

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

**Indexes:** Depository, Designating, Banking Services

**RES 00-02749** J. Resolution: Authorize an Institutional Brokerage Account Agreement with PMA Financial Network, Inc.

**Sponsors:** Finance

**Summary of Item:** A RESOLUTION AUTHORIZING EXECUTION OF AN INSTITUTIONAL BROKERAGE ACCOUNT AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND PMA FINANCIAL NETWORK, INC.

RESOLUTION 2007-33

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

**Indexes:** Depository, Designating, Banking Services

**RES 00-02750** K. Resolution: Designate PMA as Village Brokerage of Record and Designating Signatories

**Sponsors:** Finance

**Summary of Item:** A RESOLUTION DESIGNATING PMA AS VILLAGE BROKERAGE OF RECORD AND DESIGNATING SIGNATORIES

RESOLUTION 2007-34

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

**Indexes:** Depository, Designating, Banking Services

**RES 00-02751** L. Resolution: Express Intent to Continue Participation in the Suburban Tree Consortium and to Authorize Certain Purchases for FY 2007

**Sponsors:** Public Works

**Summary of Item:** A RESOLUTION EXPRESSING INTENT TO CONTINUE PARTICIPATION IN THE SUBURBAN TREE CONSORTIUM AND TO AUTHORIZE CERTAIN PURCHASES FOR FY 2007

RESOLUTION 2007-35

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

**Indexes:** Tree Consortium, Trees and Shrubs

**MOT 00-02752** M. Motion: Approve FY 2007-08 Budget for the Downers Grove Downtown Management Corporation

**Sponsors:** Manager's Office

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

**Indexes:** Downtown Management Corporation

**MOT 00-02764** N. Motion: Note Receipt of Minutes of Village Boards and Commissions

**Summary of Item:** Car Show - February 20, 2007

Library Board - February 28, 2007 & March 14, 2007

Parking & Traffic Commission - February 14, 2007

Transportation Advisory Commission - January 18, 2007

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

**Indexes:** Boards and Commissions Minutes

### **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 Sandack, Commissioner Urban, Commissioner Tully, Commissioner Waldack, Commissioner Durkin and Mayor Krajewski

## **7. Active Agenda**

**RES 00-02744** A. Resolution: Authorize a Plan Consultant and Accounting Administration Agreement with GCG Financial

**Sponsors:** Human Resources

**Summary of Item:** This will authorize an agreement between the Village and GCG Financial for insurance consultant services.

A RESOLUTION AUTHORIZING EXECUTION OF A PLAN CONSULTANT & ACCOUNTING ADMINISTRATION AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND GCG FINANCIAL

RESOLUTION 2007-36

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

**Votes:** Yea: Commissioner Sandack, Commissioner Urban, Commissioner Tully, Commissioner Waldack, Commissioner Durkin and Mayor Krajewski

**Indexes:** Insurance - Health, Employee

**ORD 00-02754** B. Ordinance: Amend the Future Land Use Map

**Sponsors:** Community Development

**Summary of Item:** At their meeting of February 5, 2007, the Plan Commission unanimously recommend to amend the Future Land Use Map.

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP

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

**Votes:** Yea: Commissioner Sandack, Commissioner Urban, Commissioner Tully, Commissioner Waldack, Commissioner Durkin and Mayor Krajewski

**Indexes:** Future Land Use Plan

**ORD 00-02755** C. Ordinance: Amend Ordinance #4832 and the Village of Downers Grove Budget for Fiscal Year 2006/07

**Sponsors:** Finance

**Summary of Item:** This adopts certain amendments to the 2006/007 Budget.

AN ORDINANCE PROVIDING FOR AN AMENDMENT TO ORDINANCE #4832 AND THE VILLAGE OF DOWNERS GROVE BUDGET FOR FISCAL YEAR 2006/07

ORDINANCE NO. 4860

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

**Votes:** Yea: Commissioner Sandack, Commissioner Urban, Commissioner Tully, Commissioner Waldack, Commissioner Durkin and Mayor Krajewski

**Indexes:** Budget Amendment - 2006/07

**ORD 00-02756** D. Ordinance: Reserve 2007 Volume Cap for Private Activity Bond Issues

**Sponsors:** Deputy Village Manager

**Summary of Item:** This will reserve the 2007 Volume Cap for private activity bond issues.

AN ORDINANCE RESERVING 2007 VOLUME CAP FOR PRIVATE ACTIVITY BOND ISSUES, AND RELATED MATTERS

ORDINANCE NO. 4861

*Commission Tully said approval of this ordinance does not obligate the Village, but only reserves the 2007 volume cap for private activity bond issues.*

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

**Votes:** Yea: Commissioner Sandack, Commissioner Urban, Commissioner Tully, Commissioner Waldack, Commissioner Durkin and Mayor Krajewski

**Indexes:** Bond Allocation, Illinois Private Activity Bond Allocation

**ORD 00-02757** E. Ordinance: Authorize a Special Use for 4501 Main Street to Permit a Church Facility with a Variation

**Sponsors:** Community Development

**Summary of Item:** At their meeting of March 5, 2007, the Plan Commission recommended that a Special Use with a Variation be granted for Gloria Dei Lutheran Church located at 4501 Main Street.

AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 4501 MAIN STREET TO PERMIT A CHURCH FACILITY WITH A VARIATION

ORDINANCE NO. 4862

*Commissioner Tully said he supports this petition which requests a special use and variation from parking requirements for the Gloria Dei Church. It is already functioning as a church. As for the parking requirements, this Ordinance will allow them to substantially increase their parking, and he believes that the criteria for a variation have been met.*

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

**Votes:** Yea: Commissioner Sandack, Commissioner Urban, Commissioner Tully, Commissioner Waldack, Commissioner Durkin and Mayor Krajewski

**Indexes:** Special Use - 4501 Main Street

**RES 00-02758** F. Resolution: Approve the Gloria Dei Lutheran Church Final Plat of Consolidation

**Sponsors:** Community Development

**Summary of Item:** At their meeting of March 5, 2007, the Plan Commission recommended approval of the Gloria Dei Lutheran Church Final Plat of Consolidation.

A RESOLUTION APPROVING THE GLORIA DEI LUTHERAN CHURCH FINAL PLAT OF CONSOLIDATION

RESOLUTION 2007-37

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

**Votes:** Yea: Commissioner Sandack, Commissioner Urban, Commissioner Tully, Commissioner Waldack, Commissioner Durkin and Mayor Krajewski

**Indexes:** Gloria Dei Lutheran Church

**ORD 00-02759** G. Ordinance: Approve a Planned Development Amendment to Planned Development #37 for a Master Sign Plan for an Existing Multi-Family Residential/Commercial Development

**Sponsors:** Community Development

**Summary of Item:** At their meeting of March 5, 2007, the Plan Commission recommended approving a master sign plan for Planned Development #37.

AN ORDINANCE APPROVING A PLANNED DEVELOPMENT AMENDMENT TO PLANNED DEVELOPMENT #37 FOR A MASTER SIGN PLAN FOR AN EXISTING MULTI-FAMILY RESIDENTIAL/COMMERCIAL DEVELOPMENT

ORDINANCE NO. 4863

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

**Votes:** Yea: Commissioner Sandack, Commissioner Urban, Commissioner Tully, Commissioner Waldack, Commissioner Durkin and Mayor Krajewski

**Indexes:** Planned Development #37-Acadia on the Green

## 8. Mayor's Report

**RES 00-02740** Resolution: Appoint and Re-appoint Members to the Environmental Concerns Commission

**Sponsors:** Mayor

**Summary of Item:** The following persons have been appointed or re-appointed to the Environmental Concerns Commission:

Appoint Joseph Sterner and Brian Freeman as Co-Chairs

Re-appoint Joseph Sterner to a three-year term expiring 4/30/10

Appoint Lois Vitt Sale to a one-year term expiring 4/30/08

Appoint William Tokash to a three-year term expiring 4/30/10

**RESOLUTION APPOINTING AND REAPPOINTING MEMBERS  
TO THE ENVIRONMENTAL CONCERNS COMMISSION**

*The Mayor said that appointments to Boards and Commissions will be addressed after the upcoming election.*

**Indexes:** Boards and Commissions

**New Business**

*Mayor Krajewski said that he went to Springfield with Greg Bedalov about two weeks ago. They spoke with State Representatives as well as Metra representatives. Regarding the Northwest Corridor and Economic Development, several companies have relocated to that area and there is no train scheduled that is convenient going from Belmont to the City of Chicago. He said that Metra has adjusted their train schedule with an express now going from Belmont into the City. It took effect yesterday.*

**Materials to be Placed on File**

*Liquor Application: White Hen Pantry, Inc., 4240 Main Street*

*The Mayor said that in this situation, they are going from a franchisee to corporate ownership.*

**9. Manager's Report**

*Preliminary Official Statement on the General Obligation Bonds for Fire Station 2*

*Manager Pavlicek said that staff has transmitted to the Council the preliminary official statement for the issuance of General Obligation Bonds for the construction of Fire Station 2.*

*The Manager also said that the April 24 Workshop will be held on April 23 instead due to the DuPage Mayors and Manager's Conference lobbying effort in Springfield.*

**10. Attorney's Report**

**Future Active Agenda**

**11. Council Member Reports and New Business**

*Commissioner Sandack thanked the Kiwanis for asking him to participate in their Easter party.*

*Commissioner Tully said that the Village has a number of senior residents who spent a great deal of their lives participating in Village meetings and speaking their opinions openly to the Council. He announced that Jack McGuire and Rita Martin, both of whom attended many meetings in the past, recently passed away. He expressed the Village's appreciation to them for their contribution, saying they would both be missed.*

*Commissioner Tully then noted that the Downers Grove Noon Lions Club will be celebrating 80 years in the Village on Friday, April 27. Former Governor Jim Edgar will be their guest speaker. He said that tickets are available via their website at [www.DGNoonLionsClub.org](http://www.DGNoonLionsClub.org)*

*Commissioner Tully said he also noticed an insert in a recent issue of The Reporter which was a tribute to the Village's 175th anniversary. He was happy to see that recognition.*

*The Mayor said that on Wednesday, the River 95.9 radio station broadcast live from Al's Beef. He had the opportunity to speak about the 175th anniversary of the Village.*

## **12. Adjournment**

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

*VOTE: YEA - Commissioners Tully, Urban, Durkin, Waldack, Sandack, Mayor Krajewski*

*Mayor Krajewski declared the motion carried and the meeting adjourned at 7:15 p.m.*