



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, November 12, 2013

7:00 pm

Council Chambers

1. Call to Order

Mayor Martin Tully called the regular meeting of the Village Council of the Village of Downers Grove to order at 7:00 p.m. in the Council Chambers of the Downers Grove Village Hall.

Pledge of Allegiance to the Flag

Mayor Tully invited Cub Scout Pack #86 to help lead those present in the Pledge of Allegiance to the Flag.

2. Roll Call

Present: Commissioner Bob Barnett, Commissioner Becky Rheintgen, Commissioner Geoff Neustadt, Commissioner Greg Hosé, Commissioner David S. Olsen and Mayor Martin Tully
Absent: Commissioner Sean P. Durkin

Non Voting: Village Manager David Fieldman, 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 of a general matter. 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. Finally, an opportunity is given for public comments and questions on items appearing on the Consent Agenda, the Active Agenda and the First Reading.

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 Tully 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 Council Meetings

Council Meeting - November 5, 2013

Mayor Tully asked for a Motion to approve the minutes as submitted.

Commissioner Neustadt moved to approve the minutes as presented. Commissioner Olsen seconded the motion.

Commissioner Olsen thanked the Council for allowing him to participate electronically in last week's meeting.

The Mayor declared the Motion carried by voice vote.

4. Public Comments - General Comments on Matters Not Appearing on Tonight's Agenda

Frank Falesch, 820 Prairie, commented on an article he saw regarding the Village issuing bonds with no financial responsibility.

Mayor Tully said these are conduit bonds, a pass through for another entity. The Village is facilitating, but is not directly responsible for the bonds, and has received multiple assurances to this effect.

5. Council Member Reports

Commissioner Barnett extended condolences to the family of former Westmont Mayor Bill Rahn who passed away on Monday, November 11, 2013. He served Westmont for 31 years. His wake will be held on Friday, November 15, 2013, at Modell Funeral Home, 7710 S. Cass Avenue, Darien and funeral services will be at 11:00 a.m. at the First Congregational United Church of Christ at 1047 Curtiss Street in Downers Grove.

Mayor Tully said he had the pleasure of working with Mayor Rahn, and he will be missed.

Commissioner Olsen noted that yesterday was Veteran's Day and congratulated the American Legion on their service. He thanked all the veterans who protect our freedoms.

Commissioner Neustadt spoke of the Pink Heals Tour. Joel Mains is responsible for our chapter. There will be a short parade on Sunday, November 17 and the fire truck, Leslie, will be at Darien Woodridge Fire Station 1 from 11:00 a.m. to 1:00 p.m. The tour travels across the country to support cancer patients. More information is available at pinkhealschicagoland.org.

6. Public Hearings

7. Consent Agenda

BIL 00-05404 A. List of Bills Payable: No. 6082, November 12, 2013

Sponsors: Accounting

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

Indexes: N/A

RES 00-05407 B. Resolution: Authorize an Agreement and Addendum with Traffic Control Corporation

Sponsors: Public Works

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT AND ADDENDUM BETWEEN THE VILLAGE OF DOWNERS GROVE AND TRAFFIC CONTROL CORPORATION

RESOLUTION 2013-73

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

Indexes: Police Equipment

RES 00-05408 C. Resolution: Authorize a Real Estate Contract for Vacant Properties Located on Grand Avenue and West 55th Street

Sponsors: Village Attorney

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF A REAL ESTATE CONTRACT FOR VACANT PROPERTIES LOCATED ON GRAND AVENUE AND WEST 55TH STREET, DOWNERS GROVE, ILLINOIS 50515

RESOLUTION 2013-74

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

Indexes: Village Property - Acquisition

Passed The Consent Agenda

A motion was made by Commissioner Neustadt, seconded by Commissioner Olsen, that the consent agenda be passed. The motion carried by the following vote:

Votes: Yea: Commissioner Barnett, Commissioner Rheintgen, Commissioner Neustadt, Commissioner José, Commissioner Olsen and Mayor Tully

8. Active Agenda

ORD 00-05406 A. Ordinance: Approve an Economic Incentive Agreement with Art Van Furniture-Midwest, LLC

Sponsors: Manager's Office

Summary of Item: This approves an economic incentive agreement with Art Van Furniture.

AN ORDINANCE APPROVING AN ECONOMIC INCENTIVE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND ART VAN FURNITURE-MIDWEST, LLC

ORDINANCE NO. 5344

Commissioner Barnett said he intends to support this ordinance; however, there is a clawback provision in the agreement that he feels is lacking. This highlights to him the need to discuss subjects related to economic development soon. This is good work but it underscores the need to have meetings regarding economic development policies.

Commissioner Olsen said he feels it is fantastic to bring a high quality furniture store to a challenging area. He is pleased to support this. He agreed that a broad policy discussion regarding economic development would be beneficial. He thanked all the people involved in bringing this agreement forward.

The Mayor said he feels there are sufficient protections in this agreement. Rebates will only happen when sales tax is generated. However, he agreed to a policy discussion moving forward. He is satisfied with the terms of the clawback clause in this agreement. He said he is thrilled to have Art Van Furniture in Downers Grove.

A motion was made by Commissioner Neustadt, seconded by Commissioner Olsen, to Adopt this file. Mayor declared the motion carried by the following vote:

Votes: Yea: Commissioner Barnett, Commissioner Rheintgen, Commissioner Neustadt, Commissioner José, Commissioner Olsen and Mayor Tully

Indexes: Economic Incentive - Art Van Furniture Midwest

ORD 00-05386

B. Ordinance: Authorize a Special Use to Permit the Expansion of an Automobile Repair Shop at 815 Ogden Avenue

Sponsors: Community Development and Plan Commission

Summary of Item: This authorizes a special use for 815 Ogden Avenue to permit the expansion of an automobile repair shop.

AN ORDINANCE AUTHORIZING A SPECIAL USE TO PERMIT THE EXPANSION OF AN AUTOMOBILE REPAIR SHOP AT 815 OGDEN AVENUE

ORDINANCE NO. 5345

A motion was made by Commissioner Olsen, seconded by Commissioner Neustadt, to Adopt this file. Mayor declared the motion carried by the following vote:

Votes: Yea: Commissioner Barnett, Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully

Indexes: Special Use - 815 Ogden Avenue

ORD 00-05368

C. Ordinance: Adopt the Fiscal Year 2014 Budget in Lieu of Passage of an Appropriation Ordinance

Sponsors: Manager's Office

Summary of Item: This adopts the fiscal year 2014 budget in lieu of an appropriation ordinance. As provided by law, proper notice has been given, the budget has been available for inspection for at least ten days, and a public hearing was held on November 5, 2013.

AN ORDINANCE ADOPTING THE FISCAL YEAR 2014 BUDGET IN LIEU OF PASSAGE OF AN APPROPRIATION ORDINANCE

ORDINANCE NO. 5346

Commissioner Neustadt said Council has had a number of FY2014 budget meetings. This budget has everything we need for 2014 and beyond. Most of the discussion has been with respect to stormwater. He said he has looked at the budgets of other municipalities, and ours is probably the best one out there. He extended his thanks to the staff and his colleagues.

Commissioner Olsen echoed Commissioner Neustadt and thanked staff, Council and the residents. He plans to vote in favor of this budget. He is still uncomfortable with a 6.4% stormwater utility increase, but he noted that the ordinance before the Council is to adopt a budget with maximum amounts. The stormwater utility percentage increase will be part of another vote later this year.

Commissioner Hosé said this is a fantastic document. It is the result of work by Council, staff and residents. The process is open and transparent. We have a commitment to fiscal prudence; a flat property tax with regard to operations; a commitment to street, water and sidewalk infrastructure; and the resolution of the long-standing Fairview Fire Protection District issue. He will vote in favor of it.

Commissioner Rheintgen noted that this budget was prepared such that anyone could understand this budget, regardless of their experience.

Commissioner Barnett said he will not vote in favor of this budget. There are many good things in this budget as evidenced by the agreement among Council members. He does not support the stormwater utility portion. Budgets are the embodiment of policy. To hold the not-for-profit organizations in the stormwater utility structure is bad policy. He agrees with

the expense predictions, but those are driven through the Village's planning process, by give and take. He noted that he voted for last year's budget, which included the stormwater utility, to see how it would play out. He does not approve of the implementation of the stormwater utility so far, and he cannot support this budget. There are many good things in the budget, including top quality infrastructure, sustainability, predictability, improvement in the equity in the cost of government and reducing the burden on residents. These are worthy goals; however, he believes they can still be accomplished if the not-for-profit organizations were exempted from the stormwater utility. He agrees on the goals, but he does not agree on the paths taken to achieve them. He believes the stormwater utility is here to stay, and he had hoped to compromise. He encouraged Council and staff to continue to reach out and do whatever they can to address this issue.

Mayor Tully underscored the budget process. The budget is the embodiment of policy, going back to the long range planning sessions. He noted that we all think our view is in the best interest of the community. The process starts with the long range plan, then action items, which establishes priorities. There is always a difference of opinion in terms of the highest priorities. Then the budget is developed which is the outcome of compromise. The outcome at every step is the result of compromise. No one gets everything they want. The process and manner in which it is reflected in the budget is superior. He thinks they are on the right path.

A motion was made by Commissioner Olsen, seconded by Commissioner Hosé, to Adopt this file. Mayor declared the motion carried by the following vote:

Votes: Yea: Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully
Nay: Commissioner Barnett

Indexes: Budget - 2014

MOT 00-05383

D. Motion: Estimate 2013 Aggregate Tax Levy for the Village of Downers Grove

Sponsors: Finance

Summary of Item: This finds and determines that the aggregate levy for the Village of Downers Grove, as defined in the Illinois Truth and Taxation Law, estimated to be necessary to be raised by taxation for 2013 upon the taxable property in Downers Grove is \$25,590,872.84 This amount is based upon an estimated levy of \$3,968,669 for corporate and police; \$2,850,000 for fire; \$2,303,858 for police pension; \$2,467,520 for fire pension; \$4,440,083 for library operating; \$616,836 for Library 2013 Series debt service; and \$702,307.50 for Fire Station #2 2007 Series debt service; and \$1,153,587.50 for Stormwater 2008A Series debt service; \$108,000 for Central Business District 2008B Series debt service; \$1,045,450 for Central Business District and Fairview Avenue 2009 Series debt service; \$407,325 for Central Business District 2010 Series debt service; \$571,800 for Central Business District 2010B Series debt service; \$3,223,418.76 for Capital Projects 2012 Series debt service; and \$1,403,217.08 for Central Business District 2013A Series debt service.

The estimated levy for Special Service Area #2, CBD Special Service Area, is \$246,446. The estimated levy for Special Service Area #4, Green Acres Special Service Area, is \$0. The estimated levy for Special Service Area #5, Atwood Special Service Area, is \$0. The estimated levy for Special Service Area #6, Fairview Fire Protection District Special Service Area, is \$82,355. A public hearing will be held on these proposed levies on December 10, 2013 at 7:00 p.m. in the Village Council Chambers. The adoption of the proposed levies will be held on December 17, 2013 at 7:00 p.m. in the Village Council Chambers. Staff is also directed to prepare ordinances to abate certain 2013 tax levies.

A motion was made by Commissioner Olsen, seconded by Commissioner Hosé, to Authorize this file. Mayor declared the motion carried by the following vote:

Votes: Yea: Commissioner Barnett, Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully

Indexes: Tax Levy - 2013

9. First Reading

10. Mayor's Report

Mayor Tully said the Village has received an application for an upgrade from beer and wine only to full alcohol, off-premise consumption liquor license from Trader Joe's East, Inc. d/b/a Trader Joe's located at 122 Ogden Avenue.

Pursuant to Section 3-12 of the Liquor Control Ordinance, a public hearing for a liquor license application may be waived. The application must be placed on file for a minimum of two weeks, subject to public comment prior to the issuance of a new license.

The Mayor said he was placing this application for classification change on file in the Village Clerk's Office. Barring any object, once the two week waiting period has passed, a full alcohol, off-premise consumption liquor license shall be issued to Trader Joe's East, Inc. d/b/a Trader Joe's located at 122 Ogden Avenue.

New Business

RES 00-05403 Resolution: Appoint Members to Boards and Commissions

Sponsors: Mayor

Summary of Item: This confirms the appointment of Caryn S. Englander to the Architectural Design Review Board to a three-year term expiring August 31, 2016.

A RESOLUTION APPOINTING CARYN S. ENGLANDER TO THE ARCHITECTURAL DESIGN REVIEW BOARD

RESOLUTION 2013-75

The Mayor thanked his colleagues for their assistance in identifying a highly qualified person for this Board. He thanked Ms. Englander for her services to the Village.

A motion was made by Commissioner Neustadt, seconded by Commissioner Olsen, to Adopt this file. Mayor declared the motion carried by the following vote:

Votes: Yea: Commissioner Barnett, Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully

Indexes: Boards and Commissions

11. Manager's Report

12. Attorney's Report

Future Active Agenda

13. Council Member New Business

Commissioner Barnett asked if staff could develop a graphical example explaining how economic incentive agreements work. He hears from residents that there is still a gap in the general understanding of these agreements. It can be very simple and geared to help the general public understand how this works.

Mr. Fieldman said he would ask a team headed by Doug Kozlowski, Director, Communications, and Michael Cassa, President, Economic Development Corporation to review this.

The Mayor said this is a terrific suggestion and Council agreed to this request.

14. Adjournment

Mayor Tully asked for a Motion to adjourn.

Commissioner Neustadt moved to adjourn. Commissioner Olsen seconded the Motion.

VOTE: AYE: Commissioners Neustadt, Olsen, Hosé, Rheintgen, Barnett; Mayor Tully

Mayor Tully declared the motion carried and the meeting adjourned at 7:43 p.m.