

**MINUTES OF WORKSHOP MEETING**

**DOWNERS GROVE, ILLINOIS**

**SEPTEMBER 23, 2008**

Mayor Sandack called the Workshop meeting of the Village Council of the Village of Downers Grove to order at 7:00 p.m. in the Council Chambers of the Village Hall. The Mayor led the audience in the Pledge of Allegiance to the Flag.

Present: Mayor Ron Sandack; Commissioners Marilyn Schnell, Commissioner Martin Tully (arr. 7:01 p.m.); William Waldack, Sean P. Durkin, Geoff Neustadt, Bruce Beckman; Acting Village Manager Dave Fieldman; Village Attorney Enza Petrarca; Village Clerk April Holden

Absent: None

Visitors: **Press:** Catherine Leyden, Downers Grove Reporter  
**Residents:** Frank Falesch, 820 Prairie; Pete Hultman, 5540 Walnut, Unit 12C; Andy Clark, 1226 62<sup>nd</sup> St; John Schofield, 1125 Jefferson Ave.; Bill Wrobel, 7800 Queens Ct.; Christine Fregeau, 1918 Elmore; Greg Bedalov, D.G. EDC, 2001 Butterfield; Mark Thoman, 1109 61<sup>st</sup> St.  
**Staff:** Brandon Dieter, Management Analyst; Steve Sanderson, Budget Analyst; Kurt Bluder, Deputy Police Chief; Mike Millette, Assistant Director, Public Works; Phil Ruscetti, Fire Chief; Doug Kozlowski, Director, Communications; Judy Buttny, Finance Director

Mayor Sandack explained that Council Workshop meetings are held the second and fourth Tuesdays at 7:00 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. Active Agenda and Informational Items

- a. **Stormwater and Flood Plain Control Ordinance Variances – 4958 Forest Avenue.**  
Acting Village Manager Dave Fieldman said asked Mike Millette, Assistant Director, Public Works, to address this item.

**Mike Millette**, Assistant Director, Public Works, summarized two variances to the Stormwater and Flood Plain Ordinance to allow ponding of up to 18 inches of stormwater in a parking lot, instead of a maximum of 12 inches; and to allow a structure adjacent to a flood prone area to be

built one foot higher than the base flood elevation. Mr. Millette said that the Stormwater and Floodplain Committee heard the petition. Two citizens testified in support of the variation, and the Committee voted unanimously in favor of this variance.

The Mayor said this property is located across from the Community Bank of Downers Grove. That building is to be razed. Mr. Millette said the petitioner intends to build a 3,000 square foot building on a slab for an eye clinic.

**Commissioner Schnell** commented that this is similar to the variation given to Community Bank. Mr. Millette verified that. Commissioner Schnell asked if any problems were experienced with Community Bank. Mr. Millette responded there were no problems.

**Commissioner Beckman** said that the Village has a three foot minimum elevation, yet the County has a one foot elevation. He asked why the variation is necessary.

Mr. Millette said the Village regulation is more restrictive than the County, which allows for lower premiums for flood insurance. Commissioner Beckman asked what effect these variances will have on insurance ratings. Mr. Millette said that the flood insurance program is geared toward residents and not commercial property.

Mayor Sandack asked whether this variance would still conform with the County's ordinances, and Mr. Millette said it would.

- b. **Water Rate Increase.** The Manager said this ordinance will increase water rates in 2009. He explained that this relates to the drinking water system. Major components of the water system are watermains, fire hydrants and water towers. Operations include system maintenance, major capital projects, emergency repairs, and monitoring and testing. Mr. Fieldman explained that the DuPage Water Commission distributes the water from Lake Michigan through a distribution system to DuPage County. That water is purchased directly from the City of Chicago. The Village operates its own local water system. The City of Chicago has instituted rate increases for three years effective January 1, 2008 to the DuPage Water Commission, which has been passed on to the Commission's customers. He reviewed the proposed rate increase. Currently customers pay \$2.72 per unit (750 gallons). The rate proposed for January 2009 will increase to \$2.87, and in May 2009 to \$3.04. Staff recommends a phased implementation of the increase.

Mayor Sandack said that the City's increase begins in October 2008, while the Village will begin the increase in January 2009.

Commissioner Schnell noted that traditionally, whenever the DuPage Water Commission has given rebates or reduced the price of water, the Village has passed those decreases on to the customers. Mr. Millette said that was correct. Commissioner Schnell said the Village recently received \$3 million from the Water Commission that has been placed in the Water Fund to use for capital projects. Mr. Fieldman said that was correct, and that the rebate is for water improvements. Commissioner Schnell asked as to the effect on capital projects, if those funds were used to mitigate the price increase. Mr. Millette said work would either be deferred or it would be necessary to look for other revenue sources. Commissioner Schnell further noted that over the years the Village has decreased the water costs, and this is basically the first actual increase.

The Mayor added that the Village has continual maintenance costs, such as watermain breaks or other infrastructure costs.

Commissioner Beckman said that this comes to a 45% increase over three years. Mr. Fieldman responded that the first increase is 5.5%, and 12% through 2009. He said staff does not anticipate any future increases beyond what has been described. Commissioner Beckman asked whether the Village will absorb the other increases. Mr. Fieldman said the increases are passed through to the consumer given the Village's base.

Mayor Sandack added that the water costs are based on consumption.

**Commissioner Neustadt** questioned whether the water bill will be used to explain the increases to the public. Mr. Fieldman said that staff will begin an information campaign, and will use the water bills as a means of communicating to the public.

**Commissioner Tully** clarified that this increase is not to offset a revenue shortfall, but is a pass-through to cover the Village costs for water purchase. Currently the cost to the Village is \$1.25 per thousand gallons, and the Village charges \$2.72 per unit. He noted that this increase is beyond the Village's control. The Village had contemplated an increase because the water fund is an enterprise fund and is self-supporting, based on revenues. He discussed the maintenance costs and repair costs to transmit water to the customers. The Village's budget projects long-term costs including maintenance and repair. The Village's customers pay for usage, as this is a user-driven system that is designed to maintain itself.

Commissioner Waldack clarified that we are paying \$1.75 per thousand gallons from the City of Chicago. The customers pay \$2.72 per 750 gallons.

Commissioner Schnell asked how they calculated the minimum usage to be charged, and whether decreasing the minimum could mitigate the increase. Mr. Fieldman said staff would research that suggestion.

- c. **Primeco Settlement Agreement Purchases.** The Manager said in 1998 the State enacted franchise fees that were later declared unconstitutional. The unclaimed money went into a pool and the Village's share is \$330,000. These funds can be used for certain types of programs and projects. Council will begin to see purchases for major public safety items that are not budgeted.

The Mayor asked the attorney whether the Village will lose this money if it is not spent.

**Village Attorney Enza Petrarca** responded that if it is not spent it will be lost.

Commissioner Schnell clarified that this money cannot be used in response to a downturn in the economy. She asked whether the opportunity for residents to claim funds has expired and Attorney Petrarca said the deadline was extended twice and has passed.

- d. **Fee Schedule.** The Manager said the Council asked staff to review the Village Codes and policies to identify fees. Mr. Fieldman said that staff conducted the review and they plan to combine the information into a fee schedule. Then a Village Council policy will be prepared that can be amended as necessary. He said staff will do this throughout 2009.

Mayor Sandack said there are many fees, some of which are duplicative, or obsolete, or may need to be adjusted.

- e. **Long Range Financial Plan – Draft.** The Manager said this has been identified as a top priority in the last two Strategic Plans. This applies a financial forecasting and analysis to the system. It identifies long term financial issues and development of long term financial strategies as well as assists in the preparation of annual budgets. The plan will contain economic environment and conditions, multi-year financial outlook, planning for ten significant areas, revenue analysis and financial strategies. This will tie in with the FY09 budget in that it will include revenue and expense projections and will highlight implementation of options in the Long Range Financial Plan. Mr. Fieldman then reviewed the schedule, saying that this will create multiple opportunities for input and dialogue, and also creates an awareness of significant issues and potential solutions.

The Mayor asked whether this is on the website. Mr. Fieldman said it is there as part of tonight's agenda. The Mayor noted that this is a very involved issue and a great document for beginning discussions.

Commissioner Schnell suggested that if this is put on the Village's website, staff should make sure that it is clear that this is a draft only, particularly with regard to revenue enhancement. There needs to be some type of disclaimer on this that it is a working discussion document, and is made up of conceptual ideas.

Commissioner Beckman stated that Council members have had discussions on this plan for some time. Conceptual ideas should be stated as such.

Commissioner Tully said he applauds this document being made available. He agrees it should be clear that it is conceptual. It will frame discussions at budget time for future years, outline options to achieve objectives, etc. He asked whether special re-assessments have been factored into the document, and suggested that the Village have accurate up-to-date property information. Mr. Fieldman responded that staff is in constant communication with the Assessors' offices. Commissioner Tully noted that the recent reassessment was significant.

Commissioner Neustadt questioned whether the Economic Development Corporation or the Chamber has been brought in for discussions on the retail section. Mr. Fieldman said that staff has met with the EDC.

### 3. Consent Agenda Items

- a. **Withdrawal of South East Association for Special Parks and Recreation (SEASPAR) from the Village's Health Insurance Program.** The Manager said a resolution has been prepared authorizing an amendment to the intergovernmental agreement for joint administration of the employee health insurance program with the Park District to remove the South East Association for Special Parks and Recreation (SEASPAR) from the agreement. SEASPAR has identified alternative health insurance coverage through the Park District Risk Management Agency. They indicated that they were most appreciative of coverage and service provided through the Village. The decision to withdraw from the Village's health program was based solely on budgetary reasons.

- b. **Intergovernmental Agreement with the Downers Grove Sanitary District.** The Manager said a resolution has been prepared approving an intergovernmental agreement with the Downers Grove Sanitary District pertaining to construction activities within the Village's right-of-way. This formalizes the procedures under which both the Village and the Sanitary District have been operating and serves to minimize any future problems.
- c. **Addendum to Professional Services Agreement – Stormwater Bond Issue.** The Manager said a motion has been prepared approving an addendum to the professional services agreement with Chapman & Cutler, LLP. Earlier this year, the Village Council authorized the execution of a professional services agreement with Chapman & Cutler for bond counsel services for the 2008 general obligation bonds to fund stormwater system improvements. The agreement states that Chapman & Cutler will submit an addendum for additional legal services related to the refunding of any existing bonds. As part of the bond issuance, the Village proceeded with refunding existing bonds in the amount of \$3,900,000. The fee for the legal services for the bond refunding is \$15,000.
- d. **Banking Services.** The Manager said a resolution has been prepared to authorize an addendum to the Village's banking services agreement with US Bank. This will extend the Village's contract with US Bank for one year at no increase in fees. This agreement, for three years, was approved by Council in 2005 with two one-year options to extend the contract. The Village currently receives the Federal Funds Rate on bank balances and the proposed rate is the Federal Funds Rate less ten basis points.

Commissioner Durkin said there is a decrease in the interest rate. Mr. Fieldman agreed. The Commissioner asked if it is a floating rate and Mr. Fieldman said it is.

Commissioner Durkin asked why staff is recommending an extension rather than an RFP since fees have dropped. Mr. Fieldman said staff felt a one-year extension was in order due to the staff work load and the cost of changing banks. He further stated that Council can direct staff to go out to bid on this matter.

Commissioner Durkin said he would like more information regarding the compensating balances and the lockbox.

- e. **2009 Surveying Services.** The Manager said this is a request to authorize a contract with Professional Land Surveying, Inc. for \$13,964 and a contract with GC Engineering, Inc. for \$4,630 to provide surveying services for the proposed 2009 and 2010 new sidewalk program. Doing the survey work now allows staff to take full advantage of next year's construction season.

Commissioner Schnell asked if the sidewalk segments have been identified. Mr. Fieldman said the segments to be surveyed have been identified. In January, the funds and priorities will be reviewed. A survey does not necessarily mean that a new sidewalk is forthcoming.

Commissioner Waldack noted that the proposals included campaign disclosure statements and contractor evaluation forms. He said he appreciated these additions to the proposals.

- f. **Purchase of Traffic Counting Equipment.** The Manager said this is a request to purchase 18 portable volume traffic counters/analyzers and protective covers from John Thomas, Inc. He noted that the FY08 Capital Projects Fund allocates \$100,000 for the purchase of traffic calming-related items and services.

**MAYOR'S REPORT**

**Circulator Study Task Force Amendment**

Commissioner Waldack noted that last week, seven residents were named to the Circulator Study Task Force. He asked that this be increased to nine members to include senior representation. He suggested that this item be tabled to such a time as vetted senior representation is presented to the Mayor. Increase in the number of positions, and appointments would be made at the same time.

**Resolution: Appointment to the Liquor Commission**

The Mayor asked the Village Clerk to read the resolution regarding an appointment to the Liquor Commission.

A resolution appointing Christine Fregeau to the Liquor Commission. This appoints Christine Fregeau to the Liquor Commission for a term expiring August 31, 2010.

Commissioner Tully moved to adopt "A Resolution Appointing Christine Fregeau to the Liquor Commission," as presented. Commissioner Schnell seconded the motion.

Commissioner Schnell pointed out that Ms. Fregeau has been an active resident and attends many Council meetings. She is aware of what is happening in the community. Ms. Fregeau has a varied business background that will enhance the present makeup of the Liquor Commission.

The Mayor said that it is good that the Village has Ms. Fregeau's time and talents and dedication to the Village. He appreciates all resident volunteers who give their time to the community.

**A RESOLUTION APPOINTING CHRISTINE FREGEAU  
TO THE LIQUOR COMMISSION**

**RESOLUTION 2008-100**

**VOTE: AYES: Commissioners Tully, Durkin, Beckman, Neustadt, Waldack,  
Schnell; Mayor Sandack**

**NAYS: None**

Mayor Sandack declared the Motion passed.

**MANAGER'S REPORT**

Mr. Fieldman said that the Recycling Extravaganza served over 1,600 cars and filled seven tractor-trailers with recyclable items. He thanked all the staff members, Kay McKeen who provided technical expertise, members of the Environmental Concerns Commission, and residents who donated their time.

The Mayor added his thanks to the residents for bringing items to the event, and to the volunteers for giving their time.

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**Judy Buttny**, Finance Director, updated the Council on Village investments, given the present state of the market. All investments are either insured by FDIC or collateralized with U.S. treasuries or agencies.

Commissioner Durkin asked whether they monitor the banks that have Village investments. Director Buttny said that they have been monitored regularly in the past, and are now monitoring on a daily basis. Commissioner Durkin then asked about the bank ratings and Ms. Buttny said that information is also reviewed. She said staff will keep the Council informed.

### **ATTORNEY'S REPORT**

Village Attorney Enza Petrarca said she was presenting nine items to the Council: 1) A resolution authorizing execution of an addendum to a banking services agreement between the Village of Downers Grove and US Bank; 2) A resolution authorizing execution of an intergovernmental agreement between the Downers Grove Sanitary District and the Village of Downers Grove with regard to permitting and bonding requirements; 3) A resolution authorizing execution of a plan amendment for Village of Downers Grove Group Health Plan; 4) A resolution authorizing execution of an amendment to an intergovernmental agreement for joint administration of employee health insurance program between the Downers Grove Park District and the Village of Downers Grove; 5) An ordinance granting stormwater variances for 4958 Forest Avenue; 6) An ordinance amending rates charged for metered water; 7) An ordinance providing for the acquisition through condemnation of property known as the Main Street/Prairie Avenue right-of-way project/First Illinois Bank & Trust #10189 (Ring) parcel; 8) An ordinance providing for the settlement and closing of the property known as the Belmont/Burlington Grade Separation and Transportation Safety Project/ 4927 & 4944 Belmont (Litt parcels); and 9) An ordinance authorizing the acquisition of property known as the Belmont/Burlington Grade Separation and Transportation Safety Project/ 4927 & 4944 Belmont (Litt parcels).

### **COUNCIL MEMBERS**

Commissioner Tully added his congratulations to those who made the recycling extravaganza a great success. He thanked Megan Bourke for a job well done.

Commissioner Schnell agreed with Commissioner Tully's comments. She asked if there is a way to measure whether this event will impact Amnesty Day.

Commissioner Durkin said he asked staff about the cost savings with respect to the tonnage reduced and was told the Village is charged a flat fee for Amnesty Day. The Commissioner then mentioned that he attended the DuPage Water Commission's annual meeting, as well as the DuPage Mayors and Manager's monthly meeting where they discussed the emergency telephone system boards, and its importance. He has minutes from the meetings that he will give to Mr. Fieldman.

Commissioner Durkin then reminded everyone that the first Taste of Downers Grove will be held Thursday from 4:00-8:00 p.m. at Carlucci's Restaurant. There is also a Girl's Night Out on Thursday in the CBD.

Commissioner Waldack thanked the staff and everyone who worked at the recycling extravaganza, as well as residents who participated. He attended the ribbon-cutting last week at Immanuel Residences. Several years ago the Village's bond cap was used to remodel the Residences. This was a great event and the residents there are interested in what is going on in

## **DRAFT**

the Village. He suggested having a future Coffee with the Council at Peace Memorial or Immanuel Residences.

Commissioner Beckman echoed the appreciation for the recycling event. He mentioned the Chamber of Commerce Black and White Ball, saying it was an opportunity to meet business people as well as residents.

Commissioner Neustadt concurred that the Black and White Ball was a huge success. He reported that the Passport to Safety Day was held on Saturday at the Recreation Center. He thought the recycling extravaganza was excellent and he hoped they have it next year as well. On September 28, the Barkapalooza event will be held at Barth Pond.

The Mayor said this was a particularly busy week, especially on Saturday. He attended the Immanuel Residences ribbon-cutting. It was a lovely event. Lifelink is a terrific corporate partner. He said that there are several residents living there since the Residences were opened, one of whom is 102 and walks two miles daily. The Mayor then noted that on October 5 the Family Shelter Service “Put Yourself in Her Shoes” walk/run will be held at Downers Grove North. This is a great organization and he will participate in this event, in high-heeled shoes.

### **ADJOURNMENT**

Commissioner Tully moved to adjourn to Executive Session pursuant to Section 2(c)(1) of the Open Meetings Act to discuss personnel matters. Commissioner Durkin seconded.

VOTE: YEA – Commissioners Tully, Durkin, Beckman, Neustadt, Waldack, Schnell, Mayor Sandack

Mayor Sandack declared the motion carried and the Council convened into Executive Session at 8:05 p.m.

April K. Holden  
Village Clerk

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