

MINUTES OF WORKSHOP MEETING

DOWNERS GROVE, ILLINOIS

NOVEMBER 25, 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 Martin Tully; William Waldack, Sean P. Durkin, Geoff Neustadt, Bruce Beckman; Village Manager Dave Fieldman; Assistant Village Attorney Beth Janicki Clark; Village Clerk April Holden

Absent: Commissioner Marilyn Schnell; Village Attorney Enza Petrarca

Visitors: **Press:** Catherine Leyden, Downers Grove Reporter
Residents: Greg Bedalov, DG EDC, 2001 Butterfield; Laura Crawford, DG Chamber of Commerce, 2001 Butterfield; Scott and Amira Padalik, 4742 Cumnor Road; Wally Krawczyk, 7621 Baimbridge; Andy Clark, 1226 62nd Street; Frank Falesch, 820 Prairie; Mark Thoman, 1109 61st Street; Marge Earl, 4720 Florence
Staff: Police Chief Robert Porter; Community Development Director Tom Dabareiner; Deputy Village Manager Mike Baker; Finance Director Judy Buttny; Interim Public Works Director Robin Weaver; Management Analyst Megan Bourke; Assistant Director, Public Works Mike Millette; Management Analyst Brandon Dieter; Communications Director Doug Kozlowski

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.

Mayor Sandack said he met with students from El Sierra and Hillcrest Schools and will air pictures of them at tonight's meeting as soon as they are available.

MANAGER

1. Active Agenda and Informational Items

- a. **Prentiss Drive, Parking Modifications – Puffer Road to Woodward Avenue.** Village Manager Dave Fieldman said this modification will change the parking pattern on Prentiss to “No Parking” at any time. A bike lane installed in connection with the Village Bikeway Plan currently conflicts with the permitted on-street parking lane.

Mayor Sandack said this was reviewed by the Transportation and Parking Commission, which voted unanimously to approve the parking restriction amendment.

Commissioner Beckman asked about parking on the north side of Prentiss.

The Manager said there is no parking at any time on that side of the street. In further response to Commissioner Beckman, Mr. Fieldman said the residents are aware of the change and were invited to attend the Transportation and Parking Commission meeting.

- b. **Stormwater and Flood Plain Control Ordinance Variances – 4742 Cumnor.** The Manager asked Robin Weaver, Interim Public Works Director, to address this matter.

Robin Weaver, Interim Director, Public Works, said this is a request for a slight variation from the provisions of the DuPage County Stormwater and Flood Plain Ordinance as it relates to base flood elevation. The petitioner is asking for a variance which would allow a detached garage to be built 1 ½ feet higher than the base flood elevation as opposed to three feet as required. The County requirement is that the elevation be one foot above the floodplain. The Village's requirement is that the elevation be three feet above the floodplain. This is the second floodplain variance request this year. The homeowner has been advised that the risk is their responsibility and this variance may affect their flood insurance.

Commissioner Waldack corrected Ms. Weaver's comments about elevation requirements, which she had reversed.

- c. **Economic Development Agreement with DeVry University.** The Manager provided background information, saying that if this comes to fruition, DeVry would relocate their corporate headquarters to the Highland Landmark Building #5, north of 31st Street and east of Highland Avenue. The agreement includes waiver of a portion of the permitting and plan review fees, as well as a 50% rebate of utility and sales taxes for the duration of the agreement, which is 15 years. He added that if DeVry chooses to relocate to Downers Grove it would bring approximately 500 jobs to the area. The Village would also benefit from tax revenues from the corporate tenant as well as indirectly from sales taxes generated from the local businesses. The Manager said that finalization of this is contingent upon DeVry officially selecting the Village as its corporate headquarters. Mr. Fieldman acknowledged the work of Greg Bedalov of the Economic Development Corporation who was instrumental in bringing this agreement together.

Commissioner Beckman said that he hopes this will have a positive outcome. He thinks it would be great to have another world-class corporation in the boundaries of Downers Grove. The Commissioner said that DeVry is a great company, and he has some relatives who went through DeVry's program.

Commissioner Durkin echoed Commissioner Beckman's comments, adding that with today's difficult economic situation and vacancy levels increasing, this sends a great message to the community that the Village is actively working to bring businesses and corporations into its boundaries. He complimented the Village staff and the Economic Development Corporation for their hard work in getting the agreement to this stage.

Commissioner Waldack also thanked the staff and Greg Bedalov. He noted that the Council changed the Economic Development Corporation 3 ½ years ago to emphasize attracting and

retaining businesses in the Village. He congratulated the EDC for the work that they have accomplished. He also noted that some of the agreements the Council has seen in the past few years have been very positive which has to do with then Deputy Manager Fieldman joining the staff and working with the EDC, and the Chamber of Commerce. Everyone has worked as a team and he would like to see this continue.

Commissioner Neustadt commented that the teamwork between the staff and the EDC is an excellent example of implementing the Village's Strategic Plan. If this moves forward he will fully support it.

Commissioner Tully also expressed his appreciation to DeVry for their consideration of the Village for their corporate headquarters. Attraction and retention of business is difficult in any environment, and attracting a company of this stature in the current economic situation is tremendous. He congratulated everyone involved in this endeavor.

Mayor Sandack agreed with the Commissioners' comments, saying the present economic environment is as challenging as any he has seen in his lifetime. The Village's Mission Statement focuses on the formulation of partnerships and working together. He sees this potential relocation as a demonstration of aggressively and cooperatively using the tools at their disposal to encourage new businesses to come into the community. The Mayor said he appreciated the efforts of the EDC and Village staff to work together to attract and retain membership in the Village's corporate community. He will be pleased to have DeVry as a member of the corporate community if this endeavor is accepted.

- d. **Revisions to the FY09 Recommended Budget.** The Manager reviewed the recommended revisions to the FY09 budget, noting that the discussions began in September 2008 with many opportunities for public and Council input. He said that approval of the budget is expected to occur at the December 2 Council meeting. The Manager then reviewed the budgeting process since discussions began in September. At that time, staff presented Council with a balanced budget of \$41.6 million, with no use of reserves. He explained that there has been a reduction of revenues since that time of \$676,500, and staff has reduced expenses by \$689,000 from its original proposal. An additional reduction of \$124,500 has been made to the General Fund expenses and real estate tax levy. The Manager said that Council directed staff to find a way to present a budget that would keep the dollar amount of the levy equal to or less than last year. They have been able to achieve that by presenting a budget that is \$15,564 less than last year.

Mayor Sandack noted that staff has been responsive to Council's request to reduce costs wherever possible, and took its own initiative to fine tune expenses.

Commissioner Tully pointed that staff presented the Council with a balanced budget in September, and recognizing that a deteriorating economic situation existed, staff continued to review and revise the budget. The Commissioner said that some Council members voiced their desire to hold the dollar amount of the levy flat as compared to last year, and he appreciates the efforts of the staff in coming back to the Council several times to find ways to accomplish that goal. He thinks staff has presented a responsible budget that he will support. He thanked the staff for achieving the goals they were given by the Council.

Mayor Sandack echoed the sentiments expressed by the Council, reiterating Commissioner Tully's comments that staff initiated budget changes on its own, as they watched the economic challenges unfold. He noted that when the budget process began, fuel was at \$4.50 a gallon, and

adjustments were made to address the issue of rising fuel costs. Since then, however, gas has dropped to below \$2.00 per gallon, which shows how fluid the situation is and how responsible staff has been. Staff has been challenged to be fiscally prudent.

Manager Fieldman said that the budget will be presented at the next Council meeting.

- e. **Strategic Plan Implementation.** The Manager asked Mike Baker, Deputy Village Manager, to address this item.

Mike Baker, Deputy Village Manager, reviewed the Strategic Plan implementation and the action items related to the Plan. He presented a general overview of how highly prioritized items identified during the Strategic Planning process in July would be implemented. Mr. Baker said that some projects have already begun. He then explained the reporting system that staff will use to track the progress of each of the action items identified. There were 21 items identified as top or high priority items, and after further study, staff coordinated the projects effectively into 15 items. Staff has given the Council eight reports covering the initial projects, explaining how the reports will be submitted and what they are intended to do. Mr. Baker reviewed the various sections of the Status Report form that includes information on the project definition, proposed action, and completion time frames. The seven remaining projects will be submitted to the Council at a future meeting.

Mayor Sandack commented that the reports are well done and serve as another reporting tool not unlike the monthly reports that Interim Director Weaver has been providing to the Council on capital projects. He asked if these would be placed on the Village's website, and the Manager said they would be on the website, and reports will occur at Workshop meetings.

Commissioner Neustadt agreed that the reports were well done. He asked about the building code update revision, and whether there will be input from the public, as well as from Boards or Commissions. Mr. Fieldman said staff project leaders would work with property owners, as well as members of the Boards and Commissions and the community as a whole before bringing matters to the Council.

Commissioner Beckman said he sees the status reports as having the potential to be a great tool and appreciates staff efforts. He said he is pleased to see the Village move to a long-range strategic planning cycle with respect to a unified economic development plan. He asked how staff plans to handle any mismatches that may arise between what the Council sees as a need and what the EDC Board might see as strategic goals. The Manager said that there is always the potential that they may not be properly aligned; however, they are currently properly aligned. These tools will allow the EDC to know what is happening on the Council end. In addition, staff actively participates in EDC activities and meetings.

Commissioner Tully noted that there has obviously been participation with the EDC by elected officials and appointed staff. There are multiple incentives for alignment including open plans, an approval process, and the fact that the Village is a major funding source of the EDC.

Before moving on to the Consent Agenda items, the Manager informed the Mayor that the photographs taken of the Mayor and local school children were ready to be shown.

Mayor Sandack explained that he spent time in the past week visiting the children in Hillcrest and El Sierra Schools, and promised them that photographs of his visit with them would be shown on Channel 6 before their bedtime. He identified the groups in each photograph and commented on

how enthusiastic and lively the students were. He said it was nice to see kids who loved their schools, their teachers and their Village, and thanked them for having him as a guest during Career Day and Education Week.

3. Consent Agenda Items

- a. **Municipal Utility Tax Audit Services.** This is seeking authorization of the execution of a contract for Municipal Utility Tax Audit Services with Azavar Audit Solutions, Inc. A municipal utility tax audit is intended to ensure that the Village is receiving all the tax revenue it should from utility providers, such as electric (ComED), gas (NICOR), telecommunications (multiple), as well as cable (Comcast). The purpose of each audit is to recover past taxes that were not properly collected and remitted to the Village, and to collect these taxes on an ongoing basis.

Commissioner Beckman applauded staff for moving forward in this endeavor. He said he is surprised to see that the proposed costs and fees are both retroactive and going forward. He asked for additional information regarding the telecommunications portion of the audit and compensation. The Manager said staff would research that further and move this item to the December 16 meeting.

Commissioner Durkin commented that this organization was introduced to him at a DuPage Mayor and Managers dinner meeting, and he was also glad to see this move forward.

Mayor Sandack said that this is a time-tested organization. They only get paid if the Village gets paid so it is a win-win situation.

- b. **Resolution and License Agreement with T-Mobile Central, LLC.** This is seeking authorization of the execution of a license agreement between the Village of Downers Grove and T-Mobile Central, LLC (T-Mobile) to install, maintain and operate an antenna on Village property located on the water tower at 2304 Maple Avenue. The license agreement is for a term of five years beginning upon the issuance of a building permit in 2008 and ending December 31, 2012. The agreements also provide for two five-year extension terms. After February 1, 2018, T-Mobile may request the Village to enter into negotiations towards renewing or extending the agreements. The license fee per site will be \$3,300 per month through December 31, 2008, with a four percent increase each year thereafter.
- c. **ImageWare Systems, Inc. Maintenance Contract.** This is seeking authorization of the execution of a one-year maintenance agreement between the Village of Downers Grove and ImageWare Systems, Inc. of California to provide hardware and software maintenance for the Police Department's digital booking system in the amount of \$16,863.85.

Commissioner Durkin asked that staff find out if there is any savings if they choose to go with a multi-year agreement. The Manager said he will look into this.

- d. **Intergovernmental Agreement with SEASPAR for the Joint Purchase of Vehicle Fuel.** This is seeking authorization for an intergovernmental agreement between SEASPAR and the Village for the joint purchase of gasoline and diesel fuel.

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Commissioner Neustadt inquired as to the type of fuel being used by SEASPAR and the Manager said he would find out.

Commissioner Durkin asked about the service fee, saying he would like to know the renewal dates so that they can have uniform fees for everyone.

Commissioner Beckman asked how the Village gains customers. Mr. Fieldman said this came about when staff spoke about improving efficiency of the fleet and dialogue occurred with other government partners. The Village looked into being the fuel provided for all partners in the area.

- e. **Change Order #1: Barneswood Storm Sewer Replacement – Lacey Creek Subwatershed G (SW-031).** This is seeking authorization for a change order for watershed improvements from Barneswood Drive in the amount of \$12,178.00. On July 15, 2008, Council awarded a contract to Vian Construction of Elk Grove Village, Illinois, in the amount of \$32,779.00. This change order raises the total cost to \$44,957. The project would remain \$85,043 below budget.

- f. **Change Order #3: Maple/55th Water Main Replacement (CIP Project WA-006).** This is seeking authorization for Change Order #3 for the Maple Avenue/55th Street water main replacement project in the amount of \$39,372. It also includes a 15-day time extension for the project. On June 19, 2007, Council approved a contract with Archon Construction in the amount of \$2,585,996.96 for the replacement of the majority of the feeder main on Maple and 55th Street between Plymouth and Fairview. Change Order #1, approved on June 3, 2008, reduced the scope of the project due to unexpected project review comments provided by DuPage County. Change Order #2, approved August 5, 2008, increased the contract amount by \$130,090.95 for the increased operating and materials costs due to inflation from the time the original contract was awarded and the project started. Change Order #3 consists of several revisions and additions in the overall project scope and cost.

MANAGER'S AND DIRECTORS' REPORTS

The Manager said that last week a resident asked about potential increases in freight train traffic on the line that runs through Downers Grove. The Manager contacted BNSF railroad, and was told that the train traffic through the Village is near capacity already. They do not expect an increase in the number of trains in the future. The majority of increases are in the Chicago to California routes that do not go through Downers Grove.

Mary Scalzetti, Director, Community Events, reported on Hospitality Day, which will take place this Sunday, November 30, 2008. The tree lighting ceremony is scheduled for about 4:00 p.m., with cider and cookies being served for the children. The event begins with a parade sponsored by the Downtown Management Corporation. Santa will be in the parade, and pictures with Mr. and Mrs. Claus will be available. She invited everyone to attend the festivities. There are two sponsors of the festivities, Downtown Downers Family Medicine and the American Legion.

ATTORNEY'S REPORT

Assistant Village Attorney Beth Janicki Clark said she was presenting eight items to the Council: 1) An ordinance granting a stormwater variance for 4742 Cumnor Road; 2) An ordinance amending parking provisions on Prentiss Drive; 3) A resolution authorizing execution of a maintenance agreement and addendum agreement between the Village of Downers Grove and

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Imageware Systems, Inc.; 4) A resolution authorizing execution of an intergovernmental agreement between the Village of Downers Grove and South East Association for Special Parks and Recreation (SEASPAR) for the joint purchase of gasoline, diesel fuel and compressed natural gas; 5) A resolution authorizing a license agreement between the Village of Downers Grove and T-Mobile Central to install, maintain and operate an antenna on Village property (2304 Maple Avenue); 6) A resolution authorizing execution of an incentive agreement between the Village of Downers Grove and DeVry University; 7) An ordinance adopting the fiscal year 2009 budget in lieu of passage of an appropriation ordinance; and 8) A motion to approve the labor agreement with International Union of Operating Engineers Local 150 Public Employees Division and to authorize the Mayor and Village Clerk to sign the agreement on behalf of the Village and to take the steps necessary to implement the terms thereof.

COUNCIL MEMBERS

Commissioner Beckman said he noticed that work on Prairie Avenue is moving swiftly along, and he appreciates the efforts being put forth to get the project completed before snow falls.

Commissioner Neustadt wished everyone a Happy Thanksgiving, and noted that there will be live reindeer in the downtown area on Hospitality Day.

Commissioner Durkin said he received a call from Linda Kunze asking him to announce the events for Sunday. He said there will be live reindeer at Station Crossing in front of Every Day's a Sundae. There will also be carriage rides, and the Canterbury Carolers will be in the parade. They sang at the White House last year and will be there again this year. In addition, the high school marching bands will be there, as well as Santa. He encouraged everyone to attend.

Commissioner Durkin then said that he attended a luncheon in September for the DuPage Water Commission annual meeting. He received a packet from that luncheon today with a DVD highlighting the meeting with commentary by Dr. Robert Morris. He will give the DVD to the Manager for anyone who wishes to view it.

Commissioner Waldack wished everyone a Happy Thanksgiving and a good run in the Bonfield Express race. He encouraged everyone to shop in the downtown area, enjoy the tree lighting, and eat in the many restaurants.

Commissioner Tully said this year is the fifth Bonfield Express 5k run. He encouraged participation in the race, followed by good food. He also encouraged everyone to attend Hospitality Day, participate in the activities, and enjoy the rapidly expanding number of restaurants in the Village. He expressed his wishes to all for a Happy Thanksgiving, saying that these are challenging times but we all have a great deal to be thankful for in our community.

Mayor Sandack echoed all of the holiday wishes, and encouraged everyone to consciously shop in Downers Grove. In these difficult times, it is in the collective best interest to keep the money in Downers Grove so it can grow exponentially and benefit the entire community. He asked that residents think locally and act locally.

ADJOURNMENT

There being no further discussion, the Workshop meeting was adjourned at 7:52 p.m.

April K. Holden

Village Clerk

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