

MINUTES OF WORKSHOP MEETING

DOWNERS GROVE, ILLINOIS

AUGUST 25, 2009

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, William Waldack, Sean P. Durkin, Geoff Neustadt, Bruce Beckman; Village Manager Dave Fieldman; Village Attorney Enza Petrarca; Village Clerk April Holden

Absent: Commissioner Bob Barnett

Visitors: **Press:** Natalie Morera, Downers Grove Reporter
Residents: Frank Falesch, 820 Prairie, John Schofield, 1125 Jefferson, Bill Deutsch, 9S209 Cumnor, Marge Earl, 4720 Florence
Staff: Mike Baker, Deputy Village Manager; Brandon Dieter, Management Analyst; Naneil Newlon, Director, Public Works

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. Public Hearing

- a. **Public Hearing to Authorize the Village to Collect Payments via Credit Card in Accordance with the Local Government Acceptance of Credit Cards Act.**

Mayor Sandack called the public hearing to order at 7:02 p.m. to consider authorizing the Village to collect credit card payments for fines, fees and other charges in accordance with the Local Government Acceptance of Credit Cards Act. Notice of this hearing was published in the Downers Grove Reporter and a certificate of publication is made a part of these proceedings. The Mayor summarized the procedures to be followed for the public hearing.

Village Manager Dave Fieldman explained that the Village currently accepts credit cards. PayPal is the Village's current credit card processing provider; however, PayPal is updating their

software, which is not compatible with the Village's financial software. Staff proposes a switch in providers to Payment Processing, Inc. (PPI) to continue to accept credit cards.

There were no comments or questions from the public or the Council.

There being no further discussion, the public hearing was adjourned at 7:04 p.m.

2. Active Agenda and Informational Items

- a. **Sales Tax Rebate Agreement with Zeigler Auto Group.** The Manager asked Mike Baker, Deputy Village Manager, to address this item.

Mike Baker, Deputy Village Manager, explained that an agreement has been prepared to provide a sales tax rebate to the Zeigler Auto Group for the location of a Chrysler/Dodge/Jeep dealership at 2311 Ogden Avenue. JD Byrider was previously located at this site and has relocated to 2501 Ogden Avenue, the previous site of Premier Auto Haus which relocated to a new location on Warrenville Road in Downers Grove. The Zeigler Auto Group also owns JD Byrider. This transaction provides for both the attraction and retention of business in Downers Grove. Basic terms include a 50/50 sales tax rebate up to \$70 million in sales. At that point the split will be 75% to Zeigler and 25% to the Village. It is anticipated that these businesses will generate \$76 million annually, translating into \$375,000 to the Village with the remainder rebated to Zeigler. Both sites will be improved in a manner consistent with the Ogden Avenue Master Plan.

Greg Bedalov, Downers Grove Economic Development Corporation, explained that an emergency prevented the Zeigler Motor Group representatives from attending the meeting this evening. Mr. Bedalov said that \$70 million in annual sales factors in trade values of vehicles, and it is a conservative number. Zeigler owns ten franchises and they chose to locate in Downers Grove. He explained how the Zeigler Group's move into Downers Grove was achieved, and noted that both J.D. Byrider and Premier Auto Haus will remain in Downers Grove. The Chrysler/Dodge/Jeep dealership will employ about 70 people,

Mayor Sandack said that the template of this agreement is the same as has been used with other businesses along Ogden Avenue. Mr. Baker agreed.

Commissioner Durkin thanked those who participated in this. It is a great accomplishment. He is happy to see that the agreement eliminates the letter of credit requirement and noted this is consistent with a previously renegotiated sales tax rebate agreement.

Commissioner Waldack added his thanks to everyone for their hard work. He referenced questions to staff about Internet sales and point of sales and said he would like those questions answered when staff is able to obtain the information. He noted that this will bring jobs into the Village, and he hoped there would be a way to encourage hiring Downers Grove residents. The Commissioner said he would like to see that language added in future arrangements.

Commissioner Beckman commented that there were many people involved in this agreement. He had the opportunity to sit in on one of the negotiating sessions and was impressed with the work of the EDC, and the process and professionalism the team exuded. He feels that Zeigler Auto also had that same sense and clearly understood how they would be doing business with the Village.

Commissioner Schnell thanked everyone involved. She asked about the Ogden Avenue Master Plan and whether it relates to Byrider's location including sidewalks, green space, etc. Mr. Baker said it would apply to that location, with a curb cut being eliminated there.

Commissioner Neustadt added his congratulations for a great job.

Mayor Sandack welcomed the new partnership with Zeigler to the Village.

- b. **Parking Modifications – Springside Avenue, North of 63rd Street.** The Manager said this modification would designate a portion of Springside Avenue as no parking at any time. It is a narrow street. The Transportation & Parking Commission heard the petition in July and recommended the change. Staff agrees with the recommendation.

The Mayor clarified that this petition came out of the neighborhood's interest in establishing the parking restrictions for the area near Downers Grove South High School.

Commissioner Beckman thanked staff for their response to his question concerning the unincorporated area of Springside and whether the Village can coordinate with the Township regarding future plans for the area. He said he lives close to Downers Grove North and is aware of the ever-encroaching "no parking" areas that have been established over the years.

Commissioner Schnell said she would like to see this reviewed in six months to make sure this restriction does not infringe on residents.

Commissioner Durkin asked whether the Village currently reviews parking restrictions around schools on an annual basis. The Manager said that there is review but he is not sure that it is on an annual basis.

Commissioner Schnell said that letting the residents know there is a process for review is reassuring to them.

Commissioner Beckman asked how residents are notified of the change, and what can residents do if they are in need of additional parking. The Manager said he would get that information. Commissioner Beckman noted that on his street they simply call a request in to the Village if they need parking availability.

- c. **Main Street, South of Franklin Street – Proposed Parking Modification.** The Manager said this modification would add a handicapped space where no parking space currently exists. There are limited handicapped spaces in the vicinity of Main and Franklin streets. This is the result of a resident inquiry. This item was reviewed by the Transportation and Parking Commission. Both the Commission and staff recommend approval.

3. Consent Agenda Items

- a. **Bid: Purchase of Road Salt from State Contract.** The Manager said this is for the purchase of bulk road salt from Cargill Incorporated Salt Division of North Olmsted, Ohio, for snow and ice control via the State Contract at a cost of \$63.24 per ton and a total not to exceed cost of \$318,729.60. Each year the Village enters into a contract for the purchase of road salt at a unit price spanning two fiscal years and specifying a minimum and maximum quantity of salt allowable for purchase. According to the terms

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of the contract, the Village can purchase as little as 3,360 tons of salt at a total cost of \$121,486 or as much as 5,040 tons of salt at a cost of \$318,730. Actual use of salt for the upcoming season is expected to drop significantly due to the purchase of a liquid deicing product that will be applied to the salt and extend its effects.

Commissioner Schnell asked if the deicing agent would be used on all streets.

Nan Newlon, Director, Public Works, responded that we currently have a bare pavement policy. Staff will be mixing the liquid deicer with the salt and use it on all the streets.

Commissioner Durkin asked about the cost per ton with the deicing agent. He also asked if there is salt in storage from last year. Ms. Newlon responded that there is about 1,000 tons of salt in storage at this time, and the price being paid includes delivery.

Commissioner Waldack noted that this is considerably below the price many communities paid last year.

Commissioner Neustadt commented that when the Public Works building was built, it was planned to store salt there, and that helps the Village keep the price down.

Mayor Sandack commented that deicing is an example of doing more with less.

MANAGER'S REPORT

- a. **Sustainability Best Practices Annual Report for 2009.** The Manager said this report is a 2009 Strategic Plan objective. It contains current environmental practices, identifies best practices that can be considered, long-term and short-term goals, and recommendations. It was prepared with the input and oversight of the Environmental Concerns Commission (ECC). This is an informational report. Staff would like to work with this document as the Village moves forward with the 2010 budget process.

The Mayor said the report submitted indicated thoughtfulness, time and purpose and was prepared by staff and resident volunteer experts on the ECC. There is material contained in the report to guide the Village forward with a road map for future environmental practices. He thanked the ECC and staff for their work.

Lois Vitt Sale, a 17-year resident of Downers Grove and member of the ECC, complimented the staff for their hard work and diligence. The document as presented says what was done and where we are at present. She indicated that she was present as a citizen and was disappointed in the results of the report because it is not goal-oriented enough. She believes there is a lot that can be accomplished; yet, she felt there was a hesitation to embrace practices. She expressed her hope that the Village will push toward integrating goals into the report that will provide a clear road map for the future. Ms. Vitt Sale also said that the ECC reacts to assignments given to them by the Council, and she hopes that the Council continues to use their professional expertise.

Mark Thoman, 1109 61st Street, said he would like to see the Council charge the ECC with finding a better definition of how trees and stormwater relate to each other. Trees do not begin to pick up the sponge effect for absorbing ground water or the canopy cooling effects until they are 15-20 years old. The Village has lost 900 trees. He referred to the canopy coverage and crown volume. Over a ten-year period the Village will lose approximately one million square feet of municipal tree canopy, taking into account the lost trees and the ash trees that will be lost. That

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removes the capacity to absorb about 3.3 million gallons of water. By planting and replacing trees over the next ten years it will cost the Village \$280,000 a year to make up the absorption value that has been lost.

Commissioner Neustadt said this was an excellent document. He referred to the lighting retrofit, saying there is potential grant money available. He also referred to the bulb-crushing machine that can be obtained through another municipality. He was interested with wind tunnel turbines and the rain barrel program. He found it to be a very interesting document, and appreciated the input of the ECC and others.

Commissioner Waldack expressed his appreciation to Mr. Thoman for his comments, and thanked the ECC for their work. The Commission provides a wealth of knowledge, and he liked the idea of adding goals to the report. He would like to see the Commission, with their expertise, come up with new and exciting ideas. When there is that much expertise available, their ideas become important to the future plans of the Village. The Council and staff depend upon the expertise and knowledge from members of the Boards and Commissions, and it is beneficial to the community.

Commissioner Schnell agreed with staff's idea to work this through the budget process. She asked about budget implications from some items stated in the report. She believes the report has to be viewed in terms of the budget implications. She questioned grant possibilities available for retrofitting Village buildings. The Manager responded that there are energy efficiency grants, and he will have staff report back to the Council.

Commissioner Beckman said he saw the Village as having two different missions. First, what the Village is doing to help the community be more sustainable, and secondly, what the Village is doing internally in its operations to be more sustainable, such as lighting, etc. He suggested separating the two missions. Mr. Fieldman said that could be done. The Strategic Plan goal for 2009 was specifically the Village's operations, but they can look at both components.

The Mayor thanked staff and members of the ECC. He said this is obviously a beginning, and not an end. Where we go moving forward is our charge. We have a good starting point.

ATTORNEY'S REPORT

Village Attorney Enza Petrarca said she was presenting three items to the Council: 1) A resolution authorizing execution of a sales tax rebate agreement between the Village of Downers Grove, Zeigler Chrysler Dodge Jeep, JD Byrider and AJZ-Downers Grove; 2) An ordinance amending parking restrictions on Springside Avenue; and 3) An ordinance amending parking spaces for disabled persons.

The Attorney asked the Council to consider a resolution concerning accepting credit card payments and a resolution for credit card processing services with Payment Processing, Inc. These were the subject of a public hearing earlier this evening.

A. Resolution authorizing the acceptance of credit card payments by the Village of Downers Grove. This authorizes the acceptance of credit card payments by the Village of Downers Grove. This was the subject of a public hearing held by the Village Council on August 25, 2009.

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Commissioner Schnell moved to adopt “A Resolution Authorizing the Acceptance of Credit Card Payments by the Village of Downers Grove,” as presented. Commissioner Beckman seconded the motion.

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF CREDIT CARD PAYMENTS BY THE VILLAGE OF DOWNERS GROVE

RESOLUTION 2009-81

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

NAYS: None

Mayor Sandack declared the Motion passed.

B. Resolution authorizing execution of an agreement and addenda between the Village of Downers Grove and Payment Processing, Inc. This authorizes the execution of an agreement between the Village of Downers Grove and Payment Processing, Inc. This was the subject of a public hearing held by the Village Council on August 25, 2009.

Commissioner Beckman moved to adopt “A Resolution Authorizing Execution of an Agreement and Addenda between the Village of Downers Grove and Payment Processing, Inc.,” as presented. Commissioner Durkin seconded the motion.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT AND ADDENDA BETWEEN THE VILLAGE OF DOWNERS GROVE AND PAYMENT PROCESSING, INC.

RESOLUTION 2009-82

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

NAYS: None

Mayor Sandack declared the Motion passed.

VISITORS

Frank Falesch, 820 Prairie, said he had asked a question last week regarding the Brookbank Prairie Subdivision and whether the southbound part of the original roadway was the developer’s responsibility. He did not receive a response. The Mayor responded that he thought staff had been in contact with Mr. Falesch. Staff will work with him on his question. Mr. Falesch asked about the road height as well. The Mayor said staff will work with him on that as well.

John Schofield, 1125 Jefferson, said he previously made comments about the sustainable report, but questioned how it crosses jurisdictional boundaries. In particular, what the Village can do to elicit similar studies or intergovernmental activities with other agencies. Mayor Sandack responded that it is a fine point. The concept of trying to share ideas, equipment, and efficiencies with other governmental bodies is an excellent goal and needs to be increased. He believes the

Village can do its part by leading by example, and the Village will share this information with other governmental bodies.

COUNCIL MEMBERS

Commissioner Waldack said he attended a DuPage Mayor and Managers Transportation Policy meeting today regarding red-light cameras. He noticed publicity regarding the use of cameras and people angered at receiving tickets for not stopping before making a right turn on red. He said that people are supposed to stop before making right turns, stop at stop signs, etc. He believed it is getting a bit scarier on the streets, particularly for pedestrians. They need to have confidence that they can make it across the street once they start. He is asking for more enforcement and emphasis to protect pedestrians.

Commissioner Waldack announced that on October 9 there will be a John Noel Transportation Conference. He urged the staff and his colleagues to attend the meeting, which will include discussion about the role of transportation in a bad economy. In addition, he noted that on Saturday, August 29, Argonne National Laboratory is having an open house. It is a great facility, and provides many opportunities to learn. The Open House will take place between 9:00 a.m. and 4:30 p.m. at Argonne Laboratories.

Commissioner Durkin said that he, Commissioner Schnell, the Manager, Director Dabareiner and Planner Jeff O'Brien met earlier in the Finance and Administrative Standing Committee meeting to discuss the annexation initiatives. Minutes of that meeting will be presented and brought before the Council.

Commissioner Durkin then asked about the Village's Police Department looking into the New York concept of "do not block the box," which is the intersection. If you are stuck in the intersection, you are fined \$250.00. He then commented on Claremont Drive and extensive roadwork for the installation of traffic calming devices. With respect to environmental issues, some of the concrete will be replaced with vegetation.

Commissioner Beckman said that on September 18, the Downers Grove Chamber of Commerce will be hosting its annual Black and White Ball, and the theme is a Rock n' Roll review. It will be held at the Esplanade Lakes DoubleTree and begins at 6:30 p.m.

Commissioner Schnell said this would be the last meeting with Chief Ruscetti as the Village's Fire Chief. He has been a great Fire Chief and it has been a pleasure to work with him. She wished him a long and happy retirement, and the best of luck.

Mayor Sandack echoed that everyone wishes Chief Ruscetti the best, knowing that he will be greatly missed. Mr. Fieldman announced that Jim Jackson will serve as Acting Chief. He has been with the Fire Department for many years and is up to the task.

The Mayor noted that there have been some technical difficulties with the meeting tonight and he apologized for the problem. It will be audio only.

Mayor Sandack reminded everyone that St. Mary of Gostyn is having their 3rd Annual Fund Raiser, a 5k run/walk on Saturday, August 29. The fundraising is for the school.

ADJOURNMENT

There being no further discussion, the Workshop meeting was adjourned at 8:05 p.m.

April K. Holden
Village Clerk

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