

MINUTES OF WORKSHOP MEETING

DOWNERS GROVE, ILLINOIS

SEPTEMBER 22, 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, Bob Barnett; Village Manager Dave Fieldman; Village Attorney Enza Petrarca; Village Clerk April Holden

Absent: None

Visitors: **Residents:** Phil Cullen, Ballydoyle Pub, 5151 Main; Marta Cullen, Dream Interiors, 5122 Main; Greg Bedalov, Economic Development Corporation; Mike Davenport, Davenport Architects, 6636 Blackstone; Tammi Karam, Humidor, 949 Burlington; Bella DelPorcio, Boll Weevil, 5147 Main; Dave Bormes, 5311 Washington; Bill Nienburg, 5313 Washington; Bill Wrobel, 7800 Queens Ct.; Mark Thoman, 1109 61st Street; Chad Walz, 1300 Palmer; Steven Poole, Steven Allan Builders, 4918 Northcott; David Matthies, Matthies Builders. Inc., 4417 Downers Dr.; Steve Sobkowiak, Oakley Home Builders, 4905 Main; Brian Columbus, Grasshopper Shuttle, 900 Ogden; John LeDonne, 1930 55th Street; Bill Deutsch, 9S209 Cumnor; Marge Earl, 4720 Florence; Guy Brownson, 5904 Downers Drive
Staff: Mike Baker, Deputy Village Manager; Naneil Newlon, Director Public Works; Tom Dabareiner, Director Community Development; Brandon Dieter, Management Analyst; Andy Matejcak, Director, Counseling and Social Services; James Jackson, Jr., Acting Fire Chief; Steve Sanderson, Budget Officer

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. **Adoption of Updated Building Codes and a Locally Administered Elevator Safety Program.** The Manager said this is a high priority project, which was identified in the Strategic Plan, and was workshopped two weeks ago.

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Tom Dabareiner, Director of Community Development, reviewed the goals in drafting Village Codes. He previously discussed the International Code Council and the process they use, and the process the Village used working for six or more months with Ann Marie Hess, Chief Building Inspector, Fire Prevention, and the Chamber of Commerce. He reviewed the four categories of changes including amendment reductions, improvements, clarifications, and enhancements. One key question concerned the reason for codes and why they should be updated. He explained that codes are necessary to save money later with items such as structural damage, water damage, fire destructions, etc. He noted that updating maximizes insurance rate discounts, and recognizes the latest building technology, materials and installation methods. Switching will bring the Village in line with the majority of suburbs. Mr. Dabareiner noted that professional publications no longer address the old codes. The Village must be better aligned with State mandated codes. The State has also recently mandated the 2009 Energy Conservation Code, and some State funding is conditioned upon having a current set of codes, updated to 2006. He said he has reviewed all of the codes being recommended for adoption on October 6.

Mayor Sandack noted that staff has held three meetings with outside groups prior to these presentations. Mr. Dabareiner responded that staff has had an ongoing relationship with the Chamber, and those meetings were not required by law. Numerous individuals participated as well. The Mayor said that people were invited to participate in the process before it came before Council.

Mark Thoman, 1109 61st Street, emphasized that the amendatory process is very important. He would like to hear a verbal commitment from the Council to be open to changes. The Mayor responded that the Council is always open to changes.

Dave Matthias, 4417 Downers Drive, thanked the Chamber for the meetings they hosted. He complimented Ms. Hess on her work as well, saying she did a nice job of leveling the playing field. One item that raised concerns was ductwork returns for mechanicals, which is required by many Villages but adds a lot of cost for little benefit. The 2006 IRC is very restrictive and can add significant costs of up to \$8,000. This seems like overkill to him.

Mike Davenport, 6636 Blackstone Drive, said he is Chair of the ADRB. He complimented Ms. Hess, Mr. Dabareiner and the Community Development team on their work in ridding the Code of ambiguities while aligning the Code with other communities. He is not familiar with increased costs addressed by Mr. Matthias, and has not seen huge cost increases. He extended compliments to the staff, saying it is nice to talk to people speaking the same language as he speaks.

Mayor Sandack said that the Council relies upon the staff and professionals in the community. He said that he wants the rules known, and people to understand that the rules will be fairly applied, and that there will be no surprises.

Commissioner Schnell said that people have spoken tonight who know about this subject. Her concern is for the average resident who gets in a position whereby things add up in terms of the cost. She asked how the Village works with the average residents.

Mr. Dabareiner responded that, for example, a deck project could be reviewed by five people in the Village. The earlier someone brings an idea forward, staff can begin to work with them. He said staff encourages this. When staff can sit down in advance, they can set expectations. Plans can change and staff can watch for that. There is a Project Manager system in place now and he is hopeful that this will be a step toward correcting past problems. In further response to

Commissioner Schnell, Mr. Dabareiner said that staff would like to include an article about this in a newsletter geared specifically toward the average homeowner.

Commissioner Beckman commented that there are certain Code requirements that the average person could comply with by going to Ace Hardware. He referenced a request for carbon dioxide monitors. He then asked how an individual could present a question and have it easily answered or clarified. Mr. Dabareiner said they could call 630-434-5515, and they might be assigned to a Project Manager or someone else in-house might answer their questions immediately. He wants Project Managers to begin with the residents early in the process.

Commissioner Barnett thanked everyone who participated in the meetings. He encouraged staff to proactively reach out to the public, and then asked about the workload implications on staff. Mr. Dabareiner said the biggest workload issue is in the first few months with both simultaneous training and implementation.

Commissioner Waldack thanked staff and everyone else involved. He was grateful for the additional time to review this. This is scheduled for the Council Agenda on October 6. He asked if, under the new codes, Acadia on the Green could be built with wood instead of steel and was told that the answer was no. Mr. Dabareiner said they would have to use noncombustible materials. Commissioner Waldack then asked if it would help if they adopt the Code and make it effective at a later date.

Mr. Dabareiner responded that they have already started training with an anticipated implementation date. They were not anticipating the 2009 Conservation Code. He does not believe staff will need additional time. The actual implementation date is thirty (30) days after adoption.

Commissioner Neustadt asked Mr. Dabareiner for clarification regarding stud wall cavities. Mr. Dabareiner responded that some are banned. There has to be a completely sealed area, limited to one floor with the proper level of seal that is required. He noted that many other communities are requiring this. He indicated that in the 2006 IRC Codebook, a number of restrictions are listed, as well as the need for testing. Staff is comfortable with the recommendation it has placed before the Council.

- b. **Stormwater Improvement Cost Share Policy Revision. Ordinance Amendment.**
The Manager noted there is a Village-wide major stormwater initiative. This amendment is the next step in addressing some of the issues raised by customers and is a customer-service enhancement.

Nan Newlon, Public Works Director, presented information on a proposed policy change. It is a comprehensive policy that covers a variety of aspects of stormwater. This change relates to the cost-share aspect. This policy was last amended in October 1998. The benefit of the policy revision is to increase participation by the public. Last year the funding level was increased to \$50,000 with ten participants. There are many areas in town where the drainage of several yards together depends upon private property conveyance of runoff, and private storm sewers. The policy would encourage homeowners to participate and work together with neighbors. There are 35 projects on the waiting list for 2009, and it is a cost effective use of funds. Ms. Newlon reviewed the priorities, which include habitable structures, accessory buildings, public property, private property, and projects incorporating more than one property. Ms. Newlon reviewed the changes, which deal with conveyance. The severity restrictions have no time limit. The Village contribution is \$1500 per property. She noted that the Village would require right-of-access.

Mayor Sandack said that in 2007 the Village made a major commitment to stormwater issues on public property with the hope to make noticeable improvements to stormwater problems in the Village. The staff receives regular calls regarding private property problems. This policy change is a great step to make improvements, and is a customer service improvement and opportunity to partner with the residents. He wholeheartedly supports this.

Gordon Goodman, 5834 Middaugh, said that in his neighborhood, east of Middaugh and north of 59th Street, there are big lots through which St. Joe's Creek flows. Weeds and other things reduce the flow of the water. This change would address that drainage problem with fewer strings and more cooperation.

Commissioner Beckman asked about residents living in Localized Poor Drainage Areas (LPDA). They eliminated the LPDA designation in some areas in the last year or so. He asked whether these funds would be available due to the redevelopment in a neighborhood. The Manager said the funds would be available on a case-by-case basis if criteria of the policy were met.

Commissioner Schnell said it was always mind-boggling that people did not take advantage of the original policy. The biggest issue in her opinion is to educate people about this. People are more aware of problems since the flooding in 2006. She suggested a written piece about the program with details alerting people to its existence. She asked, if this becomes popular, how the projects would be prioritized. She also applauds staff for the changes, but said they need to go the next step regarding education and the limitations of the policy.

Commissioner Barnett asked about the time factor mentioned in the documentation section. He said it states contact by phone as well as a letter. He thinks a request for participation should come in writing. There is also a requirement for having a survey and he asked who is responsible for cost of the survey. He then asked for clarification regarding recording improvements made to a property.

Commissioner Waldack requested clarification as to whether a second property is eligible if it is being affected by flow from another property. Ms. Newlon said the purpose of cost share isn't to address sump pump discharge. If it were surface flow, it would be eligible. That would be conveyance.

Commissioner Waldack then asked about any restrictions or time requirements on new or recent construction projects. His concern is about new developers creating problems as he would like to have this put on the developer. He would not like to see these problems qualify for this program. Ms. Newlon said that they catch many problems through the permit review. Some are not as obvious where the land is very flat. It is a matter of working together to make improvements as buildings are being constructed. She suggested that perhaps a maintenance bond could be established.

Mr. Fieldman said there is no intention to apply this cost-share program to catch things that should be part of a permit closeout process or a code enforcement effort. They do not want to shift from a private resource to a public resource.

2. Consent Agenda Items

- a. **Agreement with Grasshopper Shuttle, LLC for the Joint Purchase of Vehicle Fuel.**
The Manager said this was discussed several weeks ago and is an agreement for the joint

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purchase of vehicle fuel. This would make CNG available to this business. Two changes have been made, including the time element that is set in six-month increments. The pricing model has also changed reflecting retail prices. Staff recommends approval of the revised agreement.

Commissioner Neustadt said he fills up his work truck at Public Works. There is already a sharing program with intergovernmental agencies. He looks forward to this.

Commissioner Waldack said he was pleased with the original agreement and is happy to see this. The Village is in the business of attracting and retaining businesses. This is a small business owner who is environmentally friendly. There is no competition so the Village is not cheating anyone. A great deal of work needs to be done in the private sector before this becomes commercial. He congratulated Grasshopper on their contract with the School District.

Commissioner Beckman said he was concerned about a pricing plan competing with the private sector; however, he is comfortable with this agreement and would like information regarding the outcomes.

Commissioner Barnett said he appreciated the work done on this by staff. He said there is a short time frame and this will not hurt the private sector.

Commissioner Schnell said she heard that Grasshopper wanted to have stability in terms of supply. She will support this, and asked if they are in agreement with the timeframe. The Manager responded that staff spoke about this with the petitioner and they were supportive.

b. **Two-Year Extension of Contract for Medical Billing Services.** The Manager said there is no change in the pricing structure.

Commissioner Durkin commented that given the economic situation, this be put out to bid.

Commissioner Waldack said that the idea is not to charge residents, but to get the third party billing to pay. He asked for a copy of the letter that is typically sent out with the bill. He wants to make sure that the residents are comfortable with how this is managed.

The Mayor asked if there is a way to get an idea of potential vendors. The Manager said that a better process would be to go through an RFP.

Commissioner Schnell asked whether this is time sensitive. The Manager said he believes the expiration date has already passed. They have to work out an agreement with the provider on a short-term basis.

MANAGER'S REPORT

Mr. Fieldman said there have been general fund expense reductions the last three years. He encouraged participation in the budget process. It will take place on Saturday, October 3 at 8:00 a.m. in Village Hall Council Chambers.

Doug Kozlowski, Communications Director, provided a report on construction updates. He said there is an enhancement to the e-newsletter available on the website. He showed the website on screen, showing the banner on the homepage. People can now subscribe to participate in project updates, and can sign up for the fall newsletter or just participate in program updates. The full

newsletter is sent out every Wednesday. He explained the process for those new to the website and e-newsletter subscription process.

ATTORNEY'S REPORT

Village Attorney Enza Petrarca said she was presenting three items to the Council: 1) A resolution authorizing execution of an extension to the contract between the Village of Downers Grove and Andres Medical Billing, Ltd.; 2) A resolution amending the policy of the Village of Downers Grove concerning maintenance of storm water control structures and creek channels on public and private property; and 3) A resolution authorizing execution of an agreement between the Village of Downers Grove and Grasshopper Shuttle, LLC. for the sale of CNG fuel.

The Attorney also said she was presenting a resolution authorizing submittal of application to the DuPage Community Development Commission for the 2010 Community Development Block Grant for the Prentiss Creek Neighborhood Resource Center for tonight's consideration.

Resolution authorizing submittal of application to the DuPage Community Development Commission for the 2010 Community Development Block Grant for the Prentiss Creek Neighborhood Resource Center. This authorizes submittal of an application to the DuPage Community Development Commission in the amount of \$41,811 for the 2010 Community Development Block Grant Program. This will support activities for the Prentiss Creek Neighborhood Resource Center.

Commissioner Schnell moved to adopt "A Resolution Authorizing Submittal of Application to the DuPage Community Development Commission (CDC) for the 2010 Community Development Block Grant (CDBG) for the Prentiss Creek Neighborhood Resource Center," as presented. Commissioner Barnett seconded the motion.

A RESOLUTION AUTHORIZING SUBMITTAL OF APPLICATION TO THE DUPAGE COMMUNITY DEVELOPMENT COMMISSION (CDC) FOR THE 2010 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR THE PRENTISS CREEK NEIGHBORHOOD RESOURCE CENTER

RESOLUTION 2009-90

VOTE: AYES: Commissioners Schnell, Barnett, Beckman, Neustadt, Durkin, Waldack; Mayor Sandack
NAYS: None

Mayor Sandack declared the Motion passed.

VISITORS

Greg Bedalov, President of the Economic Development Corporation, thanked the citizens and participating restaurants for the Taste of Downers Grove, which was a great event. He hopes they continue to do this for many years. He noted that Bill Kay Chrysler has been awarded a Suzuki franchise, which is good news from the automotive front on Ogden Avenue.

Commissioner Beckman asked about projected revenue. Mr. Bedalov said it would be about 67-70% of what the Chrysler dealership did.

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Commissioner Durkin asked if they partner with anyone and was told they do not, they stand alone.

Gordon Goodman, 5834 Middaugh, said he enjoyed the Taste of Downers Grove, noting that the weather was beautiful. He announced that on October 4 the Artists Showcase West will be at Downers Grove North High School. Tickets are available for this start of the five-concert series. The cost is \$100 for all five concerts. He indicated that there is a conflict with the school for the second concert of the year. They are going to try an experiment by holding the second concert on November 1 in the Wentz Concert Hall on the North Central College campus in Naperville.

Guy Brownson, 5904 Downers Drive, said he was present to thank the Council. In the last 21 days he took two ambulance rides to Good Samaritan Hospital. He received excellent service from the Downers Grove paramedics and the staff at Good Samaritan was outstanding.

Mike Davenport, 6566 Blackstone Drive, commented on construction site management requirements. He encouraged the Council to reconsider some of the requirements, especially fencing in specifically sized projects. Some of the requirements came about during the tear down phase and backlash to tear downs in the Village. He indicated that some of those requirements are onerous.

Tammi Karam, Humidor, 949 Burlington, came to express her concerns about the possible addition of ATI to Acadia on the Green. Humidor is against it and would like the site to remain retail. She said that other retailers are in agreement.

Bella del DelPorcio, Boll Weevil, 5147 Main Street, said she was opposed to a gym coming into that location. It could be used for retail instead. She believes that a lot of money has been placed into the stores, and it would be harmful to approve this and use up 15,000 square feet of retail space.

COUNCIL MEMBERS

Commissioner Schnell said she attended a meeting of the legislative committee of the DuPage Mayors and Managers today. The Springfield Drive Down will be March 16 and 17, a Tuesday night at the Capitol. She said there was an update on S.B. 268, which protects our communities and addresses foreclosures and issues with foreclosures. Liens put on properties by municipalities would have the first chance to be paid off before the bank is paid. She will provide detailed information to the staff. She also said that the Legislative Action plan had an impact in Springfield. The DMMC asks annually for municipal support for their list of projects. She has to have a list of projects that the municipality would like to support before the next meeting in early October.

Commissioner Beckman said that *Money Magazine* had an article designating Downers Grove to be one of the top ten retirement communities in the United States. He accepted that designation with mixed feelings at first. This weekend there was an article in the *Wall Street Journal* dealing with retirement issues. It talks about target communities for retirees. Often these are communities where people are migrating to a life-cycle type of environment. All the things that we talk about in Downers Grove were in this article, and he thinks the designation was positive rather than negative. He said that the *Wall Street Journal* article ties in with *Money Magazine*, and can be used to the Village's benefit for the future,

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Commissioner Schnell commented on the budget meeting, suggesting it be made as user interactive friendly as possible. She believes they need interaction.

Commissioner Neustadt commented on the West Suburban Humane Society Barkapalooza Sunday at Patriot's Park.

Commissioner Waldack thanked everyone involved in the Taste of Downers Grove. It was an excellent event.

Commissioner Durkin also commented on the 2nd Annual Taste of Downers Grove, which he agreed was an excellent event. He extended thanks to Cindy Klima. The Black and White Ball was also wonderful. He announced that Girls' Night Out will be held on Thursday night to support local merchants.

The Mayor commented that Girls Night Out is a great event. He then announced the opening of Larson Eye Center facility, noting it was a beautiful building in a good development, and was a well-managed project from all aspects. The Mayor said he cannot attend Barkapalooza this year, but wishes them well. He announced that the 2nd annual recycling extravaganza will take place on Saturday, September 26, from 8:00 a.m. to 2:00 p.m. in Parking Lot H at Belmont.

There being no further discussion, the Workshop meeting was adjourned at 8:35 p.m.

April K. Holden
Village Clerk

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