

**MINUTES OF WORKSHOP MEETING**

**DOWNERS GROVE, ILLINOIS**

**NOVEMBER 10, 2009**

Commissioner Waldack 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. He led the audience in the Pledge of Allegiance to the Flag and asked for a moment in silence in recognition of Veterans Day.

Present: Commissioners William Waldack, Sean P. Durkin, Geoff Neustadt, Bob Barnett; Village Manager Dave Fieldman; Village Attorney Enza Petrarca; Village Clerk April Holden

Absent: Mayor Ron Sandack; Commissioners Marilyn Schnell and Bruce Beckman

Visitors: **Press:** Ann Piccininni, Bugle; Janice Hoppe, Downers Grove Reporter  
**Residents:** Paul Simms, 5210 Blodgett; Frank Falesch, 820 Prairie; Bill Wrobel, 7800 Queens Court; Mark Thoman, 1109 61<sup>st</sup> Street; Marge Earl, 4720 Florence; John Schofield, 1125 Jefferson; Greg Bedalov, Economic Development Corporation; Chris Sarricks, 1116 61<sup>st</sup> Street; Dave Humphreys, 4221 Saratoga Avenue  
**Staff:** Mike Baker, Deputy Village Manager; Tom Dabareiner, Director, Community Development; Naneil Newlon, Director, Public Works; Bob Porter, Police Chief; Judy Buttny, Director, Finance; Brandon Dieter, Management Analyst; Mary Scalzetti, Director, Community Events

Commissioner Waldack 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. **Parking Modifications: Claremont Drive at Blackburn Avenue and Osage Avenue.**  
The Manager said traffic-calming improvements have been completed on Claremont resulting in some narrowing of the street in certain areas and requiring parking restrictions for those areas. This item was recommended for approval by the Parking and Traffic Commission.

- b. **Washington Street at 55<sup>th</sup> Street Turn Restrictions.** The Manager said this concerns turn restrictions, based on a recommendation from Parking and Transportation Commission (P&T). He asked Naneil Newlon, Director, Public Works, to address this item.

**Naneil Newlon**, Director, Public Works, said this was brought to the Village's attention by residents in the area. There have been consistent crash experiences at this location since 2003, and data has been collected to validate the resident complaints. There are volume issues at the location. Options include challenging physical changes, so staff concurs with right turn only restrictions for Washington Street, and restricting left turns from 55<sup>th</sup> Street onto Washington Street.

**Chris Sarricks**, 1116 61<sup>st</sup> Street, of the Parking and Transportation Commission, said there was an additional consideration raised by residents about through traffic, both north and south bound. There have been collisions as a result of that movement, which have resulted in danger to private property. The recommendation was the possibility of installing a pork chop at that location. He said this is a point of information for the Council.

**Commissioner Barnett** asked about the limited right-of-way and its location. Ms. Newlon said it is approximately behind the sidewalk, which is close to the road. Commissioner Barnett asked if there are any other restrictions. Ms. Newlon said staff has talked with the County about putting in a pork chop barrier; however, they have specific requirements that are geometrically large and could not be met at this location.

Commissioner Barnett said he understands the recommendation from T&P with respect to our funding situation, but he doesn't like it. Strategic plan discussions including maintaining neighborhoods and top notch infrastructure put together with budget discussions to avoid deferred maintenance and deferred capital improvements, as well as reducing the Police Department, in his opinion, work against this recommendation. With this sign there will have to be additional enforcement. There is an enormous traffic problem on Washington in the southbound lanes during rush hour. He will probably support this recommendation, but is not happy about it. He would like to see some consideration of a more permanent solution.

**Commissioner Durkin** said that basically they would be eliminating the traffic down Washington into the parking deck. Ms. Newlon said that they are enforcing turn restrictions to encourage people to travel on Main and avoid cutting through on Maple. She noted that a traffic study was conducted. That intersection has the highest rate of crashes of any non-signalized intersection along 55<sup>th</sup> Street, and that is caused by sight restrictions. Commissioner Durkin said he could see a traffic nightmare with people rushing to trains and not being able to turn at that location. Ms. Newlon said additional information on the traffic study would be provided to the Council.

**Commissioner Waldack** said that the report indicated the traffic at peak times. There is added pressure due to the traffic volume at rush hour. He would like the signage and the turn restrictions specified for peak hour times, and see whether this has an effect on the traffic before thinking of more drastic options.

Commissioner Barnett asked staff, if possible, to access data of other similar intersections to gauge the amount of enforcement that might be necessary. He stressed that he doesn't want to create a large research project, but if the information is easily accessible, he would appreciate seeing it.

The Manager said staff would provide information on the impact of diverting traffic, and the impact of similar situations.

- c. **Permanent Traffic Calming Improvements: Blodgett Avenue from Maple Avenue to 55<sup>th</sup> Street.** The Manager said this was a T&P item as well and asked Ms. Newlon to address this item.

Ms. Newlon said this is an issue of cut-through traffic. Temporary speed humps were installed which seemed to positively effect the traffic speed and volume. Studies of the area were conducted. There is a strong feeling by residents that speed humps were effective and they would like to see permanent installation. T&P also recommended a permanent installation, however, there is no money available in 2010 for this. Staff will continue to monitor traffic-calming processes and look at other options. She said staff is asking the Council to note receipt of this report from T&P and note that funds are not available at this time to proceed with a permanent traffic calming project.

**Bill Wrobel**, 7800 Queens Court, said he attended the T&P meetings referenced earlier. He noted that the residents spoke to the positive effect of the speed humps. One resident asked T&P to see what could be done before winter. The resident asked for asphalt speed bumps and said he hoped the Village could find funds for this. Mr. Wrobel noted the passion expressed by the residents at the T&P meetings, and he hoped the Village could find some funds to make this happen on Blodgett.

**Paul Simms**, 5210 Blodgett, said he has served as the neighborhood organizer to get the traffic calming devices on Blodgett. He wrote a letter 11 years ago to the Village noting the situation at Whittier School. The traffic has increased since then. Public Works has collected data over the past few years and the data speaks for itself. The speed limit goes from 25 mph to 20 mph in the school zone. He described the cut-through traffic, and said the average speed is 36 mph. There was a 10 mph decline with the speed humps. Mr. Simms said the concern is that people cannot pull out of their driveways. Progress has been slow on this issue. The motion to note receipt of the report is basically making a motion to do nothing.

Mr. Fieldman said that the Village has recently improved its traffic calming process. The FY10 budget does not include funding for traffic calming. There will be positive recommendations to the Council, but no funding. When the funding is restored the plan is to bring this back.

Mr. Simms said they are talking about five speed humps. The Claremont project came in at \$68,000, and there was \$100,000 in the budget. He doesn't understand why the remaining funds can't come from the FY09 budget. For everything done on one street, another street pays for it.

**Commissioner Neustadt** asked how the driver feedback signs are working in the area of Kingsley School. Ms. Newlon said there have been no studies done, but they seem to be having a positive effect. They would like to move that to this area. Commissioner Neustadt pointed out that this is a different area because there are no buses and there is a lot of traffic before and after school. He pointed out that there are no funds left in the FY09 budget and, and he doesn't see any funds coming through in 2010. This will be on Council's radar and there will be as much enforcement as possible.

Commissioner Barnett said that he thinks what the Village needs to do, as opposed to running festivals, is fund this next year. It is a core service. It is obvious that people are trying to avoid

traffic lights. The Village can enforce this, but that is a temporary thing. Blodgett and Lyman are probably also pass-through traffic streets. The problem exists all over town, and the Village needs to figure out a way to address it. He would like to see this funded. He will not support a motion to oppose this.

Commissioner Waldack said that he agrees with Commissioner Neustadt. The Village has considerable budget constraints. The Council did not know how much the traffic calming devices would cost and budgeted \$100,000. He thinks it is wise to assess the Claremont situation in terms of improving parking where the traffic calming devices have affected the width of the street. He supports staff's recommendation and believes, when possible, the Village should fund this and do the work the right way the first time.

Commissioner Barnett asked if there is a consensus on the solution among both residents and staff, absent the funding issue.

Ms. Newlon responded that the only difference of opinion was to provide a semi speed bump versus a speed hump. Doing an actual speed hump is more expensive. The proposal is for five humps. There is also consideration about doing something at the triangular intersection.

Commissioner Durkin said he agrees with Commissioner Barnett that the Village should try to find the funds for this, as this is a core service to the Village. During these times, he would support public safety over public entertainment.

- d. **2009 Aggregate Tax Levy for the Village of Downers Grove.** The Manager asked Deputy Village Manager Mike Baker to address this item.

**Deputy Village Manager Mike Baker** said the budget discussions to date have included conversation related to the tax levy. The estimate of the tax levy is a statutory requirement. He reviewed the components of the 2009 levy before and after abatement. He referred to the data provided to the Council, which reported components for the 2009 levy. The total Village 2009 levy is \$20,903,981. After abatements it is \$12,477,946. The total levy with the SSA and Library is \$25,796,756 or \$17,370,721 after abatement. Compared to 2008 the levy is increasing by \$500,000 for the General Fund, and the Fire and Police pension increase is \$845,108. Overall the 2009 levy is \$1.3 million of additional property tax revenue compared to 2008.

Mr. Baker then reviewed the dates regarding the levy adoption. The Council will vote on the estimated levy on November 17. The Truth in Taxation notice will appear in The Reporter on November 25, followed by a Workshop and Public Hearing on December 8 instead of December 1 as originally thought. The actual levy adoption is scheduled for December 15.

Commissioner Waldack said the original plan for this meeting was to discuss the levy and vote on the estimate next week; however, with three Council members absent, the schedule has been forwarded one week. The Truth in Taxation will be confusing and a shock to many people since it includes other items. He asked about an explanation in the notice to clarify it for residents.

Mr. Fieldman said staff is working on that with the Village Attorney, and will post that information on the website as well. He noted that the Village has been very transparent in this year's budget process. The numbers seen in the levy are consistent with the proposed budget published and include the increased funds in both General Operations and the Police and Fire pension funds.

## DRAFT

Commissioner Waldack said, for further clarification, that the Village could always levy lower, but could not increase over what is published in the Truth in Taxation Notice. Publication of the notice locks the Village into a maximum levy.

**Frank Falesch**, 820 Prairie, asked if the Library has been reviewing their budget in terms of cuts.

Commissioner Waldack explained that the Village is obliged to move forward with the Library's budget, however, the Village has no control over their budget decisions.

The Manager said this is called a component-unit relationship, and the Village's role is administrative. The Village has to levy what the Library requests.

Commissioner Barnett said it is important to recognize that there appears to be an 8.5% increase in property tax. The Village and Library portions are much smaller than the 8.5%. They have done a fantastic job in attempting to reduce the costs. Both the Village and the Library have taken the steps they can to control costs. The \$845,000 shown on the document is largely beyond the Village's control, and it is important to make this distinction. The Village's only control as it relates to the \$845,000 figure is in terms of the number of people employed.

Commissioner Waldack commented that the staff is looking for direction as to the numbers that will be published. The Council has not discussed the estimated amount. If the Council goes with the estimate, it will stop all discussion on the matter. He would like to see the estimated tax levy increase another \$500,000 to reinstate proposed cuts or to fund other matters such as traffic calming.

The Manager said that with the adjusted schedule, the Council can weigh in on this next week prior to publishing the maximum levy. There is a budget workshop next week with the revised budget figures.

Commissioner Durkin said he would not support an increase in the tax levy by \$500,000. There was no majority among the Council last week to rollback the cuts. He would not support changing the levy dollar amount. There was a majority on the Council wanting more and deeper cuts. He firmly believes there is money in the budget that can be studied and shifted to fund other matters.

Commissioner Waldack said that a number of months ago he mentioned his reluctance to hurt people already hurting. He thinks the proposed budget hurts those most affected in the community, including seniors, not-for-profits, and those in general difficulties. The Village has a low property tax rate as compared to other communities. Other sources do not contribute to the extent they once did, due to the economy. Commissioner Waldack said that the Village portion of the tax bill is less than an annual cable bill, and many cell phone bills. He would like to consider that the Village offer a rebate equal to 1/12 of the base amount for each month that a principal taxpayer who has paid their taxes is unemployed.

Commissioner Durkin said he didn't understand this at all.

Commissioner Waldack said it is something new he would like to see done, and he would like to see the property tax levy raised. Otherwise all conversation is closed. This suggestion would be for anyone who finds himself or herself unemployed.

Commissioner Durkin said he didn't think that the Village was a charity. The unemployed receive unemployment compensation.

Commissioner Waldack said that the Village is not a charity. This is an opportunity to allow programs to continue that are destined for cuts. He commented that there are hundreds of thousands of dollars being given in rebates to businesses.

Commissioner Barnett commented on the rebates, saying they are restricted funds that could not be used for other purposes. He wanted to be sure they are clear on process.

Commissioner Waldack said that the Village does rebates for businesses, facade improvement programs, etc., so it is not unusual. This is an option he is putting forth. He asked staff to review this.

Commissioner Neustadt said it seems odd that this comes up tonight. He would have appreciated having this information last week when there was a full Council, and Commissioner Waldack responded that this is a brand new idea.

Commissioner Neustadt said he is not sure about taxing staff to look into this. He would strongly suggest that the four-hour rule be used as a maximum amount of investigation for something that only has one person's support. If there is more support, it could be discussed next week.

Commissioner Waldack said he only thought of this today and spoke to the Village Manager. This wasn't meant to be a surprise. He doesn't want to hurt people who are already hurting and he wants to be able to continue programs.

Commissioner Barnett said he thought the key discussion is separate from expense cuts, and he thought that there was a clear consensus last week.

The Manager said staff would provide a revised budget proposal next week, and next Tuesday the Council will have the opportunity to weigh in prior to publication of the levy.

- e. **Amendment to Chapters 1 and 2 of the Downers Grove Municipal Code - Public Access Laws.** The Manager asked Village Clerk April Holden to address this item.

**Village Clerk April Holden** said two ordinances are being presented in regard to this item. New FOIA legislation was signed into law in August 2009 and goes into effect January 1, 2010. Staff has prepared two ordinances amending Chapters 1 and 2 with regard to copying fees and other aspects of the law. The major impact is that this law reduces the number of response days from 7 working days to 5 working days and there are additional record-keeping requirements beyond what is currently stipulated.

**John Schofield**, 1125 Jefferson Avenue, commended the Village for bringing this issue forward proactively. He also commended the Village Clerk for doing an excellent job in working with the FOIA regulations. He has confidence that the changes will be reflected efficiently and effectively in operation of the Clerk's Office. He has placed FOIA requests often and the Clerk has been efficient in getting responses back to him electronically. He said that the ordinance should be made gender neutral.

Commissioner Barnett said that the Village spends a lot of money on FOIA requests. That said, the Village does not have enough money to do everything that was done last year. He said that

for all those who feel compelled to submit FOIA requests, he hoped they would think twice as it is a real expense. Funds are being spent here that are not going to other things.

Commissioner Neustadt said changing the response time from seven days to five days is a big difference. He noted that the Village's website is a huge resource with a lot of information including minutes and other data. He encouraged people to do the research themselves. It costs money to complete the FOIA requests.

Commissioner Waldack said that Commissioners Neustadt and Barnett are right. The Village averages about 1,000 FOIA requests per year. He thanked the Clerk and her office for their work.

- f. **Alcohol Enforcement in Parking Lot and Public Areas of Prentiss Creek Apartment.** The Manager said this enforces certain alcohol regulations at the Prentiss Creek Apartment Complex. This arrangement has existed since 1994, and staff recommends a five-year extension of the agreement.

**Frank Falesch**, 820 Prairie, said he thinks that ordinance should affect the whole Village, and not just a specific place. The Manager responded that there is a general ordinance which applies to public property. The area in question is private property.

Mr. Falesch also said that people should be told they can find information on the Internet if they are making a FOIA request. The Village Clerk said staff does advise people making requests for documents; however, when a formal request for information is made, the Village Clerk's office is bound by law to provide that information.

- g. **Allow Possession of Telecommunication Devices on Public School Property.** The Manager said this is to rescind an existing ordinance prohibiting telecommunication devices in public schools. It is outdated and staff recommends its repeal.

**Chris Sarricks**, 1116 61<sup>st</sup> Street asked if this is in response to situations where communication can prevent a tragedy. He also asked if teachers will be able to control this as well.

The Manager said this is merely a case of repealing an out-of-date ordinance. In this case, the schools have the ability to set policy on how they operate. He explained that this is a routine review of policies, and the schools have the ability to set their policies.

### 3. Consent Agenda Items

- a. **Asset Maintenance Management Software – Water System Module.** The Manager said a motion is requested to authorize execution of a software license and maintenance agreement with GBA Master Series, Inc. of Overland Park, Kansas in the amount of \$20,795 for installation, configuration and training in their water system modules. In November 2008, the Village Council authorized an agreement with GBA Master Series, Inc. for asset maintenance management software modules (AMMS) used to manage the Village's public parkway tree inventory. Staff recommended that implementation of the software platform be phased in yearly.
- b. **Contract Extension – Elevator Inspection Services.** The Manager said this is a resolution to authorize execution of a second 12-month contract extension with Elevator and Escalator Inspection Services (EIS) of Indian Head Park, IL for elevator inspection, testing, and plan review services in the amount of \$30,000. There is no rate increase and

the cost is entirely reimbursed through elevator inspection fees. EIS has agreed to maintain their 2007/08 price level for all 2010 work. Approval will represent the final option for renewal.

- c. **PRI Line Agreement and Addendum with Call One.** The Manager said this is a resolution to approve a three-year contract and addendum to lease two Primary Rate Interface (PRI) lines from Call One, Inc. as part of the telephone replacement project for a total cost of \$28,800. This will be paid through savings achieved in the General Fund from the purchase of the new phone system. These lines are required to support the Voice over Internet Protocol Telephone System (VoIP). He noted that this estimate is lower than originally expected.

## **MANAGER'S REPORT**

## **ATTORNEY'S REPORT**

Village Attorney Enza Petrarca said she was presenting 13 items to the Council: 1) An ordinance prohibiting drinking in certain areas; 2) A resolution authorizing execution of an agreement between the Village of Downers Grove and PPRG-RAIT Portfolio Member, LLC; 3) An ordinance repealing the prohibited possession of telecommunication devices on public school property; 4) A resolution authorizing execution of an extension to an agreement between the Village of Downers Grove and Elevator Inspection Service, Inc.; 5) An ordinance amending Freedom of Information procedures; 6) An ordinance establishing procedures for the recording of closed sessions in the Village of Downers Grove, Illinois; 7) A resolution authorizing execution of a customer service agreement and addendum agreement between the Village of Downers Grove and United Communication Systems, Inc.; 8) An ordinance amending parking restrictions on Claremont Drive; 9) An ordinance prohibiting certain vehicle movement and left turns off 55<sup>th</sup> Street and Washington Street; 10) A resolution authorizing a real estate contract for the property located at 122 55<sup>th</sup> Street; 11) A resolution authorizing a real estate contract for the property located at 125 8<sup>th</sup> Street; 12) A resolution authorizing a real estate contract for the property located at 118 55<sup>th</sup> Street; and 13) A resolution authorizing a real estate contract for the property located at 121 8<sup>th</sup> Street;

## **VISITORS**

**Frank Falesch**, 820 Prairie, said he noticed that a fourth residence is going up in the Brookbank Prairie subdivision. He understood that only three homes are allowed on that site according to the County storm water detention regulations.

Mr. Fieldman said that is incorrect. The construction of the home is permitted by both Village and County ordinances. He said he would sit down and discuss this personally with Mr. Falesch.

## **COUNCIL MEMBERS**

Commissioner Durkin commented on the take home vehicle policy provided by staff for review. He asked that staff also investigate cell phone usage of employees while driving Village-owned vehicles. He does not need that information immediately.

Commissioner Waldack suggested looking at fines for use of cell phones while driving as well.

## DRAFT

Commissioner Neustadt reported that “It’s a Wonderful Weekend” kicks off on November 27- 29 with the community tree lighting ceremony, special shopping and Santa parade that weekend.

Commissioner Durkin announced that there will be a Gingerbread House contest and those interested should contact the Downtown Management Corporation. Secondly, the new holiday shopping hours are:

Monday, Tuesday and Wednesday, from 10:00 a.m. – 6:00 p.m.

Thursday and Friday, 10:00 a.m. – 9:00 p.m.

Saturday, 10:00 a.m. – 6:00 p.m.

Sunday, 11:00 a.m. – 4:00 p.m.

Commissioner Barnett read the words of Woodrow Wilson into the record in conjunction with Armistice Day, as well as a short poem entitled “You Can’t Tell a Vet Just by Looking.” The Commissioner said it is an honor and a privilege to live in this great nation.

There being no further discussion, the Workshop meeting was adjourned at 8:30 p.m.

April K. Holden  
Village Clerk

tmh/