

MINUTES OF WORKSHOP MEETING

DOWNERS GROVE, ILLINOIS

NOVEMBER 24, 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:** Mark Layne, Agent for T-Mobile, 777 Army Trail, Addison; Greg Bedalov, Downers Grove Economic Development Corporation, 2001 Butterfield; David and Mary Basek, 4905 Montgomery Avenue; Maria Brummel, 1121 Jefferson Avenue; John Schofield, 1125 Jefferson Avenue; Mark Cronin, 1117 Jefferson Avenue; Jim Russ, 4915 Main Street; Alice Strelau, 5611 Brookbank; Marge Earl, 4720 Florence Avenue; Christine Fregeau, 1918 Elmore Avenue; Sanjay Jaisingani, T-Mobile, 8550 W. Bryn Mawr Avenue; Tammi Karam, Humidor, 949 Burlington; Mark Thomas, 1109 61st Street; Tom LeCren, 545 Chicago Avenue; John LeDonne, 1930 55th Place

Staff: Jim Black, Deputy Police Chief; Kurt Bluder, Deputy Police Chief; Wes Morgan, Director, Human Resources; Andy Matejcek, Director, Counseling and Social Services; Jim Jackson, Acting Fire Chief; Tom Dabareiner, Director, Community Development; Judy Buttny, Director, Finance; Liangfu Wu, Director, Information Services; Brandon Dieter, Management Analyst; Bob Tutko, Deputy Fire Chief; Mary Scalzetti, Director, Community Events; Janene Cerulli, Public Relations Specialist; John Hardy, Battalion Chief, Fire Department; Bob Porter, Police Chief; Nan Newlon, Director, Public Works; Jeff Pindelski, Battalion Chief, Fire Department

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. **Special Use for Self-Storage Facility for 2659 Wisconsin.** The Manager asked Tom Dabareiner to address this item.

Tom Dabareiner, Director, Community Development, said this request is to permit a special use for 2659 Wisconsin Avenue. The petitioner intends to construct a self-storage facility in the M-1 Light Manufacturing District. Mr. Dabareiner described the site as a 3.9-acre area, improved with a vacant one-story office and warehouse building. The special use would allow the petitioners to build a 30,900 square foot self-storage facility. Approximately 13,000 square feet of the north portion of the building would be the Sievers and Stevens Construction Company. The interior will have about 133 freestanding self-storage units. Mr. Dabareiner showed the location of the building on the site, and noted the existence of a detention facility on the subject property. There will be few changes to the outside of the building, other than the addition of towers for aesthetic consideration. Staff believes the standards of the Zoning Ordinance have been met. The Plan Commission considered the petition and unanimously recommended approval. Staff concurs with the Plan Commission's recommendation.

Commissioner Beckman referred to and inquired as to an allegation made at the Plan Commission meeting of a chemical spill. Mr. Dabareiner responded that the building was formerly Johnson Printers, and it is not unusual to have spillage of printing chemicals. It does need to be cleaned; however, it is not a Village item.

Jim Russ, attorney for the petitioners, said the spill referred to was not from Johnson Printing but from the corporation there prior Johnson. It was a spill on the east side of the property which was cleaned up. There is a "No Further Remediation" letter on file from the EPA. Mr. Johnson informed the petitioner that there was no spill during the time he owned the property.

Commissioner Waldack asked whether hazardous material can be stored on this property and Mr. Dabareiner said it couldn't. The building is sprinkled and no other changes are proposed for the inside.

- b. **Special Use for a Telecommunications Tower at Downers Grove South High School.** The Manager asked Mr. Dabareiner to address this item.

Mr. Dabareiner said that the requested construction of a telecommunications tower at South High School is in an R-1 residential zoning district. He showed an aerial photograph of the site, and stated that because this is a heavily regulated topic, there are many things that are not up for discussion, because the Village is required to abide by certain FCC rules. Inevitably when this topic comes up, people come and talk about the impact of radio waves. The Village is prohibited from considering that and from factoring in environmental issues with regard to the placement of telecommunication towers. The Village may, however, consider height and distance requirements and other Code regulations. The tower and accessory equipment is proposed to be located beneath the bleachers, where the existing light tower now stands. That tower will come down. The new tower would have lights and an antenna, extending 90 feet above grade. It will be constructed to allow for only one set of antenna, T-Mobile, and will not support additional telecommunication providers. T-Mobile is the applicant. All setback, height, and zoning requirements have been met. Mr. Dabareiner showed a slide representing current coverage conditions and new predicted coverage. Staff reviewed other existing antenna sites in non-

residentially zoned areas and none were deemed feasible. T-Mobile held a neighborhood meeting in May and no residents attended. Three people attended the Plan Commission meeting and spoke about the height and negative impact on property values. Staff believes that both the required standards for a communication tower and a special use have been met. The Plan Commission recommended approval, with one Commissioner voting against the request. The dissenting member had concerns about the proximity of the equipment and tower to sporting events. Staff concurs with the Plan Commission's positive recommendation.

Mayor Sandack said Council has reviewed a number of telecommunication tower requests and recognizes the constraints of their authority.

- c. **Moratorium of Parking Restrictions on north side of Jefferson Avenue, east of Brookbank Road.** The Manager said that residents of the neighborhood submitted a petition requesting this moratorium. The street has a 14' wide pavement with a 66' right-of-way, and was built in 1975 with no changes to the street since that time. On-street parking is available. The residents are also looking for the ability to park in the grassy area. The Transportation and Parking Commission (TAP) recommended approval of the moratorium, but staff recommends denial since parking on any parkway is not permitted by Code. Other options were considered including the construction of a 6' wide gravel shoulder at a cost of about \$5,000. Residents who filed the petition were present to explain their request.

Maria Brummel, 1121 Jefferson Avenue, explained that this request came about because she teaches a childbirth class in her home. Seven couples arrived this summer, and parked in the grassy area. Apparently someone reported cars parked there and a police officer started issuing tickets. This never happened before, and Mrs. Brummel paid the parking tickets. She found out later that they were issued in error, saying that the cars were parking on private property. Ms. Brummel said that driving on the street when there are cars parked is hazardous. Her immediate concern is short term, since she has a class starting in early December, and is concerned that students will park in the grass and they will be issued parking tickets. With pregnant women, parking in that area might be the easiest way for them to get in and out.

Ms. Brummel said a moratorium on tickets issued until the problem is solved would be acceptable to her and other residents who use that area. She just wants a simple answer to the problem. She is aware of the Council's concern about setting a precedent, but doesn't know how this applies because this street is so unique. She thanked the Council for their time and hoped they would consider her request.

Mark Cronin, 1117 Jefferson, has lived at that address for 22 years and he has parked on the grass for most of those years with no problem. The Nelson family owned the property when Mr. Cronin moved into his home and had no problem with parking by the neighbors. He specified that the area is not used as a parking lot, but is used when people have guests, or classes. It has only become a problem recently. He thought someone complained to the police and suddenly the law is being applied there. Mr. Cronin explained that it is a bothersome situation and it's a safety concern as well. The residents park there when their driveway is full and they have to keep the roadway open. He's wondering why it hasn't been policed for 22 years, and now it is being policed.

John Schofield, 1125 Jefferson Avenue, remarked that this is about special occasions, family gatherings, graduations, holiday dinners, social occasions, community activities, etc. When you drive around the Village you see many streets that have no curb and gutter and people park with

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two or four wheels off the road to allow space for cars to pass on narrow streets. In fact, they are following the Illinois rural area requirement that instructs drivers to pull off the road for safety reasons. Mr. Schofield said that this street is unique in its narrow width, and the way it came to be built. It's clear that two Prius' can get by, but the FedEx man is forced onto the grass as are any other large vehicles. This came about because residents went to the Village staff to see if this could be handled on an exception basis by calling the police when there are special circumstances. Staff advised that this should come through the normal process and they placed a petition with the TAP for a parking warrant. The Commission had a slightly different view, unanimously sympathized with the situation, and they suggested a parking moratorium. A suggestion was made also to spread gravel to establish a hard surface, and residents would be fine with that as well. Residents just want to return to the status quo and park without the threat of the tickets that have been issued recently. He said that Mrs. Reardon and Mr. Weeks also spoke at the TAP meeting.

The Mayor said that some of what he hears has the feel between the lines of a neighborhood disagreement and asked whether attempts at détente have been made. The former owner, Mr. Nelson, may have had an agreement, but he asked if the present owner has been approached. Mr. Cronin responded that the 35' in question is not private property, but is a right-of-way. He said he did speak to the person in question and asked him whether there was some way that this could be resolved; however, there doesn't appear to be a chance of the situation changing.

Commissioner Schnell asked if there are any other areas in the Village with a half street with a grassy 35' right-of-way where there is a problem existing between residents. She then asked, when there is a street with a gravel shoulder on either side, what kind of maintenance is required by the Village, and whether it has to be done every year, and its effect on snow plowing, etc. The Manager said there are rural cross section streets in the Village with a small gravel shoulder. Staff's concern is that if the gravel area became used as parking, the area would not be able to be plowed in the winter on the gravel area.

Mr. Schofield responded to that concern saying that the neighborhood has established that it works together during snowstorms. He plows the entire block's sidewalks, and everyone pitches in and moves the snow. They have already moved snow out of that grassy area when needed.

Commissioner Durkin noted that currently, if a resident has to leave a car parked on the street after 2:00 a.m., they can notify the Police Department. He asked if that could be applied in special situations such as this. The Manager responded that staff is looking for policy direction because this is a "no parking at any time" situation. If Council wants that pursued, staff could review the options.

Commissioner Neustadt said that this street is unique in that it is only 14' wide. There is some parking there, but it is a tight squeeze. He would like to see some sort of resolution and apply some regulation to an area with a 14' wide roadway.

Commissioner Waldack said this has existed for 34 years, and he thinks it is a downright shame that this can't be addressed. He doesn't see why there has to be 6' wide restrictions for parking areas. There are neighborhoods where people park on grass. He thinks the Village should find a way to accommodate this situation, and the people on the block need to know that they will not be ticketed until this is resolved. He would go along with some sort of moratorium until a final conclusion is reached. He could also go along with putting gravel on the area to accommodate these residents and allow them to live the way they have been for the past 34 years in that

neighborhood. It doesn't make sense to him not to find some accommodation for the residents while some other resolution is found.

Commissioner Beckman commented that he has lived on a restricted parking block for many years. The practice is if there is some construction situation, or guests from out of town, they simply call the Village and make arrangements for these individuals not to be ticketed. If this property is used for special occasions, gatherings, parties, he asked why that same practice cannot be extended to this environment. They know that it's grassy and there may be a problem in inclement weather. The Manager said that the difference here is they are parking in an area that is prohibited by Village Code. They cannot park on parkway. Commissioner Beckman said he would agree to put down some gravel. He thinks the funds are available. If not, he suggested applying the practice that exists in other parts of the Village.

Commissioner Barnett said he doesn't like the idea of modifying ordinances or creating special situations for what is clearly some neighborhood dissent for whatever reason. For 34 years things were going fine. He doesn't like the idea of legislating from the dais, or removing police discretion in this matter. It seems as though the question is passage on the street, and if this is 14' wide his preference would be to pave this. He asked if this were a regular half street with a packed 24" shoulder if it would allow for easier passage. He doesn't like the idea of putting 6' of parking area because it would become a parking lot. He'd rather pave the whole thing. He thinks it is important to note that when you call the police to keep your car on the street overnight, there is an existing environment that is designed for parking.

Commissioner Schnell said when people have company and ask to park on the street, they obviously park on some of the gravel and some of the grass and are not ticketed. She thinks putting in a small ribbon of stone could work so they would not be ticketed. Mr. Fieldman said staff wanted a general policy direction and many ideas have been made by the Council. Staff will review those ideas and attempt to work it out on a staff level. Commissioner Schnell said she didn't want to see a huge parking area created that would require additional maintenance.

The Mayor said he doesn't think a moratorium is a good idea. If the rule in its essence makes sense, they should follow it, or revisit it if it doesn't make sense. He would rather make permanent changes to that street, as was initially contemplated; however, with the economy, plans have been delayed by the developer. He said that with Council's discussion he hoped staff had enough information to resolve the situation. Mr. Fieldman said staff will work with the neighborhood and report back.

d. **An Ordinance Prohibiting Video Gaming.** The Manager said the State approved a video gaming act a few months ago, but municipalities may prohibit video games in their individual communities. The current Village Code prohibits gambling, and this would expand that prohibition to prohibit video gaming.

e. **FY2010 Recommended Budget.** The Manager made a PowerPoint presentation reviewing the status of the budget process since it began in May 2009. He reviewed the numerous meetings that have been held since then, noting that the budget was planned for a final approval on December 1.

The Manager said the Village is facing a projected \$4.5 million budget deficit in FY 2010. There has been an unprecedented revenue decline in several major categories. He showed graphs depicting the changes in revenue source growth over the past 3-4 years. In addition, there are increasing personnel costs in terms of pensions, health insurance and contractual salary increases.

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The Manager said that staff has been working to change operations in various ways. There are 20 positions that have not been filled since April 2008, and there was a voluntary separation program in 2009. Numerous meetings were held during the summer to address the economic issues. The Manager then said that during the discussions services were categorized as core, primary and secondary services. The General Fund strategy is to reduce expenses, increase the property tax levy, increase other revenue sources and use \$1.0 million of reserves.

Proposed expense reductions for 2010 total \$2,051,000 and revenue enhancements total \$1,500,000. The total property increase to the real estate tax levy \$1.3 million; \$500,000 is for operations and \$845,100 is for pensions.

General Fund proposed revenue is \$39.85 million and proposed expenses are \$40.76 for a deficit of \$910,579. Unless Council so directs, the budget ordinance will be on next week's Active Agenda.

Mayor Sandack said this is the 15th or 16th meeting that has been held with respect to the 2010 budget. It has been an unprecedented process in many respects, and the Council has an obligation to move forward to enact a budget and a tax levy. The tax levy vote is now scheduled for December 15, and will be Workshopped on December 8. He said that the Council and staff are trying to find areas to cut expenses based on the economic situation. The Village is facing an estimated shortfall of \$4.5 million, and they are trying to budget for 2010 accordingly.

Commissioner Barnett said that most of his colleagues have heard from him on and off over the past week. At the last meeting he heard that the majority opinion was to stay where we are with the budget, but he also heard a lot of expressions concerning a lack of confidence in the process. He wanted to bridge some of those gaps and more closely align the concerns of the Council. He has a proposal he asked the Council to consider. He noted that last week the Mayor used the word "suspend" regarding Heritage Festival, and Commissioner Schnell made a point about the all-consuming nature of Heritage Festival in terms of staff utilization. He thought Commissioners Beckman and Waldack were uncomfortable with the Counseling and Social Services plan proposed. Therefore, Commissioner Barnett proposed suspending Heritage Festival for 2010. He acknowledged that this will cost another job in Community Events. He would like to take those savings and use them to establish a solid, well-conveyed transition plan for Counseling and Social Services (CSS). He thinks this is more consistent with the Long Range Financial Plan. Some of these things were not top list priorities, and that is true of community events. Residents who have communicated with him are not happy and don't like much of the budget. They wonder if we are in such dire straits how the Village can remove police, but still run Heritage Festival. He has been uncomfortable with this for some time. He thinks it will provide a higher level of confidence that the Council has its priorities straight for the entire community.

Commissioner Durkin said that last week he expressed support for continuing Heritage Festival in 2010. He had the opportunity to listen to everyone after his comments were made and he now agrees with Commissioner Barnett's thoughts on the suspension of Heritage Festival for 2010. He has communicated with the Manager and the Mayor. He has no problem with using some of the funds for CSS. He also agrees with the idea of putting any extra remaining savings back into the rainy day reserve fund.

Commissioner Schnell commented that she has no problem with Commissioner Barnett's proposal. She agrees that the suspension makes more sense because it gives Commissioner Neustadt and others an opportunity to right-size Heritage Fest. To try to do that in a short time is a monumental task. This will give the Community Events Commission time to work at

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redefining Heritage Festival. She has heard residents say it needs to be brought back into a "Downers Grove" perspective, because it grew too rapidly. In a crisis situation, to downsize or eliminate a counseling service that helps individuals who are facing crisis such as job loss, foreclosures, etc., makes no sense. These people cannot always find affordable services. From her perspective this is a unique opportunity to take the funds saved through suspension of Heritage Festival, and put them into the counseling program. It shows that the Village has a heart, cares about its individuals and their mental makeup. She said that the Village has a unique opportunity in that the Director of that department also brings perspective to the Village staff that helps support the staff as they deal with different situations within the organization. That is a unique opportunity that she would hate to lose. Using the \$200,000 in this way would enhance the quality of life for the residents. She would use the funds for the counseling program for the year and see if there is an increase in services, and then reevaluate it at that time.

Commissioner Beckman commended Commissioner Barnett for the leadership role he assumed in this situation. This brought up some emotional responses by many parties last week, and had Commissioner Barnett not stepped forward he doesn't know that the Council could move forward tonight. Commissioner Beckman said he thinks everything is fair game in attempting to run the Village. He believes that counseling offers a near core vital service to the community. The concept of suspending Heritage Festival for the next fiscal year seems to make sense. After discussions, he believes this proposal is more sustainable, and while he believes there has to be a means of celebrating the community, this decision would give the Community Events Committee the opportunity to reevaluate the place Heritage Festival has in today's economic situation.

Commissioner Neustadt said it is interesting to him that there has been more communication this past week. His concern is that in one week's time the Council has seemingly flipped from its consensus last week. He doesn't want that to be a theme for this Council. He met with the Community Events Committee last week and told them that the Council has suggested a smaller version of Heritage Festival. He feels badly for those volunteers who have started to work toward revisions and changes. The Car Show Committee has said they would volunteer to run the entire car show. He commented on what happens if they do not have Heritage Festival. Over the past few years there have been 70,000 to 100,000 visitors to the Village, which is something the Village wants to see occur. In terms of economic impact, the estimated loss in local sales tax is about \$40,000. Other ramification will be revenue loss for downtown businesses such as stores, and restaurants that have had successful sales during the Heritage Festival weekend. That is an advertising tool that the businesses will lose. As for the not-for-profit organizations, many of them will not have a fundraiser for 2010 without Heritage Festival. Even political organizations take advantage of the exposure from Heritage Festival. He will not support a suspension of Heritage Festival because he thinks that if it is not here in 2010, the chances of it ever coming back are very slim. He would prefer to stay with last week's plan and let Community Events come up with an event that's right for Downers Grove. Last week they discussed some of the modifications to make the Festival smaller. He said folks have served on the Community Events Commission for 26 years, meeting the changes that have taken place in the Village over the years. He asked that the Council think about those items he mentioned such as loss of sales tax, dedicated volunteers, and loss of revenue to the local businesses. He is discouraged by the complete turn around from last week. He votes to keep Heritage Festival as planned on a smaller scale.

Commissioner Waldack said he wanted to hear from Commission Neustadt's report from the Community Events Commission before making any comments on Commissioner Barnett's proposal. The Community Events Commission has done a tremendous job and they have a large task in front of them. He asked staff to follow up on the impact to sales tax, and contact previous

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not-for-profit participants to get a perspective on how this would affect their organizations. To take away one of the not-for-profits top funding sources adversely affects their opportunities to provide services to the community. As far as saving CSS, he would like to see it continue for another year. He hoped that this year would give an opportunity to review. He doesn't like the idea of staff stepping in and playing the role of counselors. Anyone who has problems and challenges understands how difficult it is to find a resource that can help you. Social problems aren't easy and trying to find resources is a chore in and of itself. He can certainly see maintaining CSS for another year. He would also go with the idea of a smaller Heritage Festival, almost to the stage of a block party. If there is any funding left over from any of this, he said he would like to see CSS continue for at least a year, and if this accomplishes that he is all for it.

The Mayor said the proposal was to assist in the roll out of the transition of CSS to phase out the department rather than resurrect it. He responded to the use of \$1 million in reserves. Just as there was an agreement to cease social services, there was an agreement to use \$1.0 million in reserves. There were strong objections, and there are components of this budget that distress him, but there are so many components of a budget that to take one or two things out without looking at the overall concepts would be shortsighted. He then polled the Commissioners regarding where they want to see the Heritage Festival funds placed if Heritage Festival is suspended.

Commissioners Neustadt and Durkin preferred the funds to be returned to the reserve. Commissioners Waldack, Beckman, and Schnell preferred the funds to go to the CSS. Commissioner Barnett and Mayor Sandack said they preferred the funds to go to concluding CSS, with the remaining funds to the reserve.

The Mayor then polled the Council regarding suspending Heritage Festival. He reviewed the comments made previously by Commissioner Neustadt. He pointed out that everyone respects what every person from Community Events and the Department has done over the course of their service. They are exemplary residents who have given their time and efforts over the years. They should know that everyone on the dais and staff respects what those volunteers do. If it is suspended for 2010, the Council would be taxing the group with the largest undertaking of its existence, and that would be to revisit the organization of Heritage Festival for the future.

All Commissioners, except Commissioner Neustadt, stated that they favored the suspension of Heritage Festival for 2010.

Mayor Sandack said he just didn't think it felt right to hold a Heritage Festival when cuts are being made in so many areas. He thinks a suspension makes sense, and then gear up and ask the Community Events Commission and staff to find a way for Heritage Festival to work again in 2011. The direction from the Council is that a clear majority agrees to suspend Heritage Festival in 2010, asking staff to find a way to go forward. He heard a majority preference to use the funds for CSS, with the remainder going to the reserves.

Mr. Fieldman said he wanted to know that everyone is in agreement regarding CSS. The Council understands that they are not providing services, but are gathering a list of available resources, while staff makes resources available for those who contact us. The Manager said that can be in operation by December 31. The Mayor said that there has to be some template left behind so that folks have a referral source left behind.

Commissioner Barnett said that part of the goal is to have everyone have the same level of confidence that staff and the Director of Counseling and Social Services have.

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Commissioner Durkin said that he asked staff about the traffic calming funding. He would like to see the recommendation to fund the traffic calming part of the capital projects by utilizing and taking advantage of the economy and lower bids. He understands why the money was placed back into the general fund in 2009, but he would not like to see that done for 2010. His concern is that they would not have a true budget in front of them if that were done again. He also asked that traffic calming be funded up to a certain percentage.

Mr. Fieldman clarified that some capital projects come in under bid. To the extent that capital projects come in under the budgeted amount, and revenues are on budget, money would be taken and directed toward traffic calming projects that are already approved. That would mean no change to the budget, but a more active engagement of the quarterly budget process.

The Mayor said they saw opportunities given the economy with lower bids coming in because people need the work.

The Manager said staff would use a method similar to that used for sidewalks.

Commissioner Schnell said she had no problem with Commissioner Durkin's comments. She said there was a \$100,000 cap on traffic calming this year and asked that this be reviewed. She suggested that capital projects be managed in terms of all savings, rather than project specific.

The Mayor said it is managing the capital budget in such a way that it makes sense. Mr. Fieldman said they could review this during the second quarter, in July.

Commissioner Durkin asked when bids would go out for road paving. He asked that the schedule be moved up earlier than July. Mr. Fieldman said bids come out in March. Staff wanted the second quarter because they wanted to monitor the revenues as well. This year there was no extra money. July gives a better view of the actual financial status. There will be projects for traffic calming ready to go in July.

Commissioner Barnett said that this is a further development in keeping with the Long Range Financial Plan discussions. He said they should be doing this all the time, and thanked Commissioner Durkin for bringing this forward.

Commissioner Beckman said he received a call from a concerned citizen who alleged that they are working on traffic calming devices on a street that does not have sidewalks. He asked about that situation. The Manager said staff would look at this.

The Mayor said the budget will be on the agenda for a vote next week. There are some things about it that are equally nauseating to everybody.

Tammi Karam, spoke about Heritage Festival and Social Services, and she thinks it is best for the community to get time for people to transition from Social Services. She said that Downtown Management is going to do something on a much smaller scale with respect to the Ice Festival. Maybe other things will be worked out as well for Heritage Festival.

The Mayor said he is an optimist, and believes there will be instances where citizen volunteers and groups will rise to the occasion and fill in the voids.

Tom LeCren, 545 Chicago Avenue, commented that the Community Events Commission should look for some way to create a Heritage Festival that doesn't cost the Village anything. Those are

the people who know how to do that and they can come close to finding it. If they can keep the Commission and the valuable people going they should look in that direction. He then asked if Commission Barnett's memo is available to the public. He noted that when he left this building last week he was very disappointed. At the end of this meeting that feeling has gone away.

Commissioner Schnell said that the comment of suspending Heritage Festival has nothing to do with suspending the Community Events Commission members and volunteers. They are wanted to work toward reevaluating the Festival.

Commissioner Durkin said we are fortunate in that we have people interested in serving on Boards and Commissions, although he would not want to lose any members.

Commissioner Beckman said he spoke briefly with Commissioner Neustadt today, and discussed some of the terminology Commissioner Beckman used last week. The terms that he used are terms he tends to use in business, and are not intended to be detrimental terms toward the individuals who work so very hard for the Village. He has used these terms on the street, and in the heat of discussion, they came out.

The Mayor said he appreciated those comments.

3. Consent Agenda Items

- a. **Authorize the Disposal of Surplus Vehicles and Equipment.** The Manager said this is to declare 14 vehicles and 16 pieces of equipment as surplus property and to authorize its disposal pursuant to Section 2.35 of the Municipal Code. The vehicles and equipment have been removed from service. A variety of services are used to dispose of the vehicles and equipment. Staff has established minimum bids for vehicles based upon conservative Kelly Blue Book values. The combined total of the minimum bids is \$10,830. Proceeds generated from the disposal of the surplus vehicles and equipment will be allocated to the Equipment Replacement Fund.
- b. **Medical Billing Contract.** The Manager said staff is requesting a resolution to approve a two-year contract for medical billing services with Andres Medical Billing Ltd. of Arlington Heights, IL, for an amount equal to 5% of the revenue collected by the Village. This is to provide billing services for the collection of fees for ambulance services rendered by the Village. This was previously before Council as a renewal, and staff was directed to prepare an RFP. Nine proposals were received. Staff recommends the contract be awarded to Andres Medical Billing as they have provided these services since 2001, their performance has met or exceeded Village expectations, they assign a program manager to the account, and their fee for service would be fixed at 5% for both years of the contract. He noted that as a result of the RFP, the fees charged by Andres Medical Billing dropped from 6 to 5%.

Commissioner Schnell said she received a call from a resident who used the ambulance service and received a bill, which she paid. She said we need to reiterate to people that this bill needs to go to the insurance company.

The Manager said staff will work with Andres to make sure this message is communicated to residents.

- c. **Change Order: Rogers Street Resurfacing Improvements (CIP Project ST-023).** The Manager said this is to request a change order to an existing contract with C-A Cement of Bloomingdale, IL, for the Rogers Street Resurfacing Improvements. He said Public Works Director Nan Newlon brought this forward recently at a Council meeting. The amount of the change order is \$85,498.57 which is an 8.9% increase over the existing contract. The proposed change order includes costs for additional concrete base patching, binder course, and concrete driveway. The change order also includes credits to the Village for reduction of sod estimate, reduction of sidewalk replacement, reduction of surface asphalt, and reduction of dowel bars.

Commissioner Durkin asked as to a policy to re-bid a project if a threshold percent increase is met.

Village Attorney Enza Petrarca said if the change order is over 50% of the original contract, staff is required by state law to re-bid the project.

- d. **Vacation Accrual Change for Overtime Exempt Staff on 24/48 Hour Work Schedule.** The Manager said staff is requesting a resolution amending Section 4.2.3 of the Village's Personnel Manual to increase the number of vacation hours accrued annually for exempt employees on a 24/48 hour work schedule. The current number of vacation hours a Battalion Chief earns annually is inconsistent with the vacation hours a Lieutenant earns, creating a disincentive to being promoted into a management position. This change addresses that issue.

MANAGER'S REPORT

ATTORNEY'S REPORT

Village Attorney Enza Petrarca said she was presenting seven items to the Council: 1) A resolution authorizing the sale by public auction of personal property owned by the Village of Downers Grove; 2) A resolution authorizing execution of a contract between the Village of Downers Grove and Andres Medical Billing, Ltd.; 3) A resolution amending the employee administrative rules and regulations of the Village of Downers Grove, Illinois; 4) An ordinance authorizing a special use to permit a telecommunication tower for the property located at 6401 Springside Avenue; 5) An ordinance authorizing a special use to permit a storage facility for the property located at 2659 Wisconsin Avenue; 6) An ordinance adopting the Fiscal Year 2010 budget in lieu of passage of an appropriation ordinance; and 7) An ordinance prohibiting video gaming.

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Tammi Karam, 949 Burlington, said she can see the Christmas tree from her shop and the tree lights are on all day. She said she does not understand this.

Nan Newlon, Director, Public Works, said the lights are not on a timer circuit. Because the Village does not pay for the electricity to run the lights, this is not a cost issue, but she understands it is a perception issue.

The Mayor noted that we want to be environmentally concerned and appropriate. He asked that this be reviewed to see if there is a way to easily correct this matter.

COUNCIL MEMBERS

Commissioner Beckman said holiday events will soon begin. He reminded people that the Tivoli Theatre has a Holiday Classics Film Festival of traditional holiday films to enjoy during the season.

Commissioner Neustadt thanked Public Works for decorating the downtown area and Village Hall. He wished everyone a Happy Thanksgiving. He encouraged people who have the means to donate to charity do so as it will be greatly appreciated.

Commissioner Barnett wished everyone a Happy Thanksgiving as did Commissioner Waldack.

Commissioner Schnell said she and Attorney Petrarca attended the DuPage Mayors and Managers Legislative Committee meeting today. A proposal of legislative actions will be available by mid-December and will be circulated to the Council.

Commissioner Schnell then wished everyone a Happy Thanksgiving and urged people to donate to a food pantry if they are able to do so.

Commissioner Durkin said he appreciates Ms. Karam's comments. He is bothered by staff's response, noting that, because it is free, the Village doesn't need to abuse it. Someone, somewhere is paying for that electricity.

Commissioner Durkin said this will be a wonderful weekend in Downers Grove and it starts Friday with the tree lighting at 4:30 p.m. at the Main Street Train Station, followed by caroling with the Choral Society. Cookies and apple cider will be available at 4:00 p.m. in the train station. He reviewed the weekend schedule including holiday shopping specials beginning Saturday, November 28. Santa's parade and other activities will begin at 1:00 p.m. on Sunday, November 29. Children will have an opportunity to visit with Santa until 4:00 p.m. This weekend will be a great success. He urged people to shop in Downers Grove.

The Mayor said that the Bonfield Express has become the Thanksgiving Day event in the Village with dollars going locally to assist students in their education. He encouraged participation in the worthwhile cause. He then noted that Mary Scalzetti, Director, Community Events, reported there are 1,072 ornaments donated by 69 organizations and individuals on the holiday tree. The tree was donated by Joan Allen. He encouraged everyone to attend the tree lighting ceremony and he wished everyone a Happy Thanksgiving.

On a personal note, the Mayor wished his wife a happy 19th wedding anniversary.

There being no further discussion, the Workshop meeting was adjourned at 8:57 p.m.

April K. Holden
Village Clerk

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