



Village of Downers Grove Meeting Minutes Downers Grove Village Council

Civic Center
801 Burlington
Downers Grove, IL 60515
630-434-5500

Tuesday, April 13, 2010

7:00 pm

Council Chambers

1. Call to Order

Mayor Ron Sandack called the regular meeting of the Village Council of the Village of Downers Grove to order at 7:00 p.m. in the Council Chambers of the Downers Grove Village Hall.

Pledge of Allegiance to the Flag

Mayor Sandack led those present in the Pledge of Allegiance to the Flag.

2. Roll Call

Present: Commissioner Marilyn Schnell, Commissioner Bob Barnett, Commissioner William Waldack, Commissioner Sean P. Durkin, Commissioner Bruce E. Beckman, Commissioner Geoff Neustadt and Mayor Ron Sandack

Non Voting: Village Manager David Fieldman, Village Attorney Enza Petrarca and Village Clerk April Holden

The Council meeting is broadcast over the local FM radio station, WDGC. In addition, a tape recording and videotape of the meeting are being made using Village owned equipment. The videotape of the meeting will be used for later rebroadcast of the Council meeting over the Village cable television Channel 6.

The Council will follow the rules of conduct for this meeting as provided in Sec. 2.5 of the Downers Grove Municipal Code. These offer the public the opportunity to comment at several points in the meeting. First, immediately following approval of the minutes of the past meetings, an opportunity will be given for public comments and questions of a general matter. If a public hearing is scheduled for this meeting, an opportunity is given for public comments and questions related to the subject of the hearing. Finally, an opportunity is given for public comments and questions on items appearing on the Consent Agenda, the Active Agenda and the First Reading.

The presiding officer will ask, at the appropriate time, if there are any comments from the public. If anyone wishes to speak, the individual should raise their hand to be recognized and, after acknowledgment from the presiding officer, approach the microphone and state their name and address. Remarks should be limited to five minutes, and asked that individuals refrain from making repetitive statements.

Mayor Sandack said there are agendas located on either side of the Council Chambers, and he invited the audience to pick up an agenda and follow the progress of the Council meeting.

3. Active Agenda

Council Meeting - April 6, 2010

Commissioner Waldack said he submitted a correction to the minutes to the Clerk. Mayor Sandack said the minutes would be filed as corrected.

4. Public Comments - General Comments on Matters Not Appearing on Tonight's Agenda

Mitchell Rick, 5556 Webster Street, said he had an event flyer to present to the Council members. The event is in honor of the Boy Scout Troops 100th Anniversary Celebration and he has worked on this for several weeks. He said this event will include all troops of Downers

Grove Boy Scouts. So far seven Boy Scout troops will be working together. The event, the Downers Grove Boy Scouts 100th Anniversary Celebration, is for both those who enjoy scouting, and for those who know nothing about scouting. It will include numerous activities and programs related to scouting. There will be no cost to attend and it is open to all ages. Scouts will be sure that the area will be cleared at the end of the event, as one of their objectives is to "leave no trace in nature." The event will be on May 8 at Hummer Park. He thanked the Park District and District 58 for their help, and asked for signage and announcements on Downers Grove TV 6, as well as the community board signs.

Mayor Sandack verified that they want advertising placed on Cable 6, a portable sign on Fairview, and information on the community boards advertising the event. The Mayor said the Village would be happy to undertake these tasks honoring the 100th Anniversary of the Scouts.

Bill Wrobel, 7800 Queens Court, spoke on behalf of the Downers Grove Watch Association regarding efforts to increase pedestrian safety along Ogden Avenue, particularly in the winter months. Mr. Wrobel said the Association worked with Stan Balicki, Assistant Director, Public Works, this year, educating the businesses in January regarding blocking driveways and removing snow. He said that the Association met last week and decided to recognize an exemplary business. Trek Bicycle Store, 639 Ogden Avenue, will receive a Winter Sidewalk Safety certificate in recognition of their efforts to follow the Downers Grove ordinance and keep the walks safe for pedestrians. He read the certificate into the record. The Association appealed to the merchants to work on this project in an effort to remove additional stress on the Village staff's time.

Frank Falesch, 820 Prairie, expressed concern about the garbage situation, saying that he heard the goal is to simplify the program by requiring everyone to purchase the large containers, which is good for the company but not for the residents, in his opinion. He has a small family and doesn't need a container of that size. He asked that the Council consider his comments in their deliberation. The Mayor said that the Council has not yet deliberated on this issue, but will take his comments into consideration.

5. Public Hearings

Bond Issuance by the Industrial Development Authority of the City of Glendale, Arizona for Midwestern University

Mayor Sandack called the public hearing to order at 7:09 p.m. to consider issuance by the Industrial Development Authority of the City of Glendale, Arizona, Revenue Bonds, Midwestern University, Series 2010, in an aggregate principal amount not to exceed \$50,000,000 with respect to facilities of the University located in the Village of Downers Grove. Notice of this hearing was published in the Downers Grove Reporter on March 24, 2010. He then summarized the procedures to be followed for the Public Hearing.

Chris Walrath, bond counsel for Midwestern University, thanked the Council for their help in this endeavor. He explained that the bonds are actually issued in Arizona, although the public hearing is being held in Illinois. Midwestern University maintains campuses in both Illinois and Arizona. In April 2006, a statute was amended to allow Glendale, Arizona to issue bonds for both campuses. He noted that part of this bond issue is a refunding and part of it is new. Mr. Walrath said that federal tax law requires a hearing in both jurisdictions, and they need approval of bonds in both jurisdictions. This allows for one set of documents to streamline the paperwork.

Commissioner Beckman asked why Illinois Industrial Revenue Bonds were not used. Mr. Walrath responded that the Arizona paper is double tax exempt, trades better than Illinois paper, and the Arizona authorization fees are more reasonable than the Illinois Finance Authority charges.

Commissioner Barnett inquired as to the use of the revenue.

Greg Gaus, Chief Financial Officer for Midwestern University, replied that the project is the construction of the Basic Science Building, which is a 185,000 square foot area. He said \$92 million will cover the cost of the building, equipment and furnishings and will allow for the start of a dental school in Downers Grove in Fall 2011, with a class size of 125. There are other expansions as well, including additional research facilities, laboratories, offices and classrooms.

Commissioner Barnett said he is glad the University is here and that they are expanding. He wished them well.

Commissioner Schnell added that she is also happy they are expanding. She asked if they anticipate any problems acquiring this money given the present economic situation, and if the money has been committed. Mr. Gaus responded that they do not anticipate any problems. It will be a public offering.

There being no further questions or discussion, Mayor Sandack closed the public hearing at 7:19 p.m.

6. Consent Agenda

BIL 00-04100 A. List of Bills Payable: No. 5820, April 13, 2010

Sponsors: Accounting

A motion was made to Approve this file on the Consent Agenda.

Indexes: N/A

BID 00-04098 B. Bid: Award a Contract to Geneva Construction Company, Inc., Aurora, IL, for the 2010 Resurfacing (A) Project in an Amount Not-to-Exceed \$1,647,885.35

Sponsors: Public Works

A motion was made to Approve this file on the Consent Agenda.

Indexes: Motor Fuel Tax, Roadway Improvements

BID 00-04095 C. Bid: Award \$466,836.29 to Construction Management Corporation of IL, DBA Briggs Paving of Downers Grove, IL for the Inverness Avenue Improvements

Sponsors: Public Works

Summary of Item: This is for Inverness Avenue (Janes Avenue to Belmont Road)

A motion was made to Approve this file on the Consent Agenda.

Indexes: Streets

BID 00-04096 D. Bid: Award \$84,000 to Western Gradall Corporation of Naperville, IL, for Roadside Ditch Reconstruction and Maintenance Services

Sponsors: Public Works

A motion was made to Approve this file on the Consent Agenda.

Indexes: Roadway Improvements

BID 00-04105 E. Bid: Award \$64,800 to James D. Fiala Paving Co., Inc., Bolingbrook, IL, for Hot Mix Asphalt Materials

Sponsors: Public Works

A motion was made to Approve this file on the Consent Agenda.

Indexes: Street - Resurfacing , Public Works - Standard Supplies & Services

BID 00-04107 F. Bid: Award a Contract to Elmhurst Chicago Stone, Elmhurst, IL, in an Amount Not to Exceed \$20,000 for Supply of Ready Mixed Concrete

Sponsors: Public Works

A motion was made to Approve this file on the Consent Agenda.

Indexes: Public Works - Cement and Concrete Materials

BID 00-04106 G. Bid: Award \$272,220 to Gaffney's PMI, Batavia, IL, for Streetlight Maintenance Services

Sponsors: Public Works

A motion was made to Approve this file on the Consent Agenda.

Indexes: Street Lights - Maintenance

MOT 00-04111 H. Motion: Approve Purchase of Computers from Dell, Inc. in an Amount Not to Exceed \$31,679.82

Sponsors: Information Services

A motion was made to Authorize this file on the Consent Agenda.

Indexes: Computers, Public Works - Equipment

RES 00-04101 I. Resolution: Authorize Plan Amendment #6 for Village of Downers Grove Group Health Plan

Sponsors: Human Resources

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF PLAN AMENDMENT #6 TO THE VILLAGE OF DOWNERS GROVE GROUP HEALTH PLAN

RESOLUTION 2010-28

A motion was made to Pass this file on the Consent Agenda.

Indexes: Insurance - Health, Employee

RES 00-04118 J. Resolution: Authorize Amendment #2 to an Agreement with National Insurance Services of Wisconsin, Inc. (Long Term Disability)

Sponsors: Human Resources

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT #2 TO AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND NATIONAL INSURANCE SERVICES OF WISCONSIN, INC. (Long Term Disability)

RESOLUTION 2010-29

A motion was made to Pass this file on the Consent Agenda.

Indexes: Insurance - Health, Employee

- RES 00-04102** K. Resolution: Authorize Amendment # 5 to the Agreement with National Insurance Services (Group Life)
Sponsors: Human Resources
Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT #5 TO THE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND NATIONAL INSURANCE SERVICES (Group Life)

RESOLUTION 2010-30

A motion was made to Pass this file on the Consent Agenda.

Indexes: Insurance - Health, Employee

- MOT 00-04103** L. Motion: Renew Re-Insurance of Property, Casualty and Excess Liability Coverage
Sponsors: Human Resources
Summary of Item: This authorizes the purchase of re-insurance coverage for property, casualty and excess liability for the Village with the following insurance carriers:

Excess General Liability/Auto Liability - Recommended Low Compliant Bidder 2010-11 - Everest National Insurance - \$10 million excess (\$1 million self-insured retention) - Premium - \$103,530

Excess General Liability/Auto Liability - Recommended Low Compliant Bidder 2010-11 - Star Indemnity - \$5 million excess - Premium - \$15,810

General Auto Liability Umbrella - Recommended Low Compliant Bidder 2010-11 - Traveler's - \$20 million umbrella insurance policy - Premium - \$42,850

Excess Workers Compensation Stop Loss of \$450,000 - Recommended Low Compliant Bidder 2010-11 - Safety National - Premium - \$93,888

Property Insurance - Recommended Low Compliant Bidder 2010-11 - Chubb Insurance - Premium - \$58,540

Total Premiums - \$314,618

A motion was made to Authorize this file on the Consent Agenda.

Indexes: Insurance - Health, Employee

Passed The Consent Agenda

A motion was made by Commissioner Schnell, seconded by Commissioner Barnett, that the consent agenda be passed. The motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Barnett, Commissioner Waldack, Commissioner Durkin, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

7. Active Agenda

- RES 00-04084** A. Resolution: Initiate Submission of a Public Question to Support Regional Actions to Attain Long-Term Pension Sustainability
Sponsors: Mayor

Summary of Item: This places the following non-binding advisory question on the November 2, 2010 local election ballot: 1. Shall the Illinois General Assembly and the Governor take immediate steps to implement meaningful pension reform which will relieve the unsustainable burden on local taxpayers?

A RESOLUTION INITIATING THE SUBMISSION OF A PUBLIC QUESTION TO SUPPORT REGIONAL ACTIONS TO ATTAIN LONG-TERM PENSION SUSTAINABILITY

RESOLUTION 2010-31

A motion was made by Commissioner Schnell, seconded by Commissioner Barnett, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Barnett, Commissioner Waldack, Commissioner Durkin, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

Indexes: Referenda Questions, Pension

RES 00-04083

B. Resolution: Initiate Submission of a Public Question Concerning Term Limits for Mayor and Commissioners of the Village of Downers Grove

Sponsors: Mayor

Summary of Item: This places the following non-binding advisory question on the November 2, 2010 local election ballot: Shall the Village of Downers Grove place the following term limits on municipal offices: Mayor term limited to two (2) consecutive four (4) year terms. Six Village Commissioners limited to three (3) consecutive four (4) year terms each.

A RESOLUTION INITIATING THE SUBMISSION OF A PUBLIC QUESTION CONCERNING TERM LIMITS FOR MAYOR AND COMMISSIONERS OF THE VILLAGE OF DOWNERS GROVE

RESOLUTION 2010-32

Bill Wrobel, 7800 Queens Court, said he supports Commissioner Schnell's comments regarding the power of the ballot, and does not believe they need this referendum on the ballot. He heard Dr. Goodman speak about putting three referenda on the ballot at a date that would preclude other community groups from exercising their rights to file. The Village has until the end of August, and the public has until mid-August to file their petitions. He hopes the Council will leave room for the general public. He is not adverse to the issue but thinks it would be more democratic to hold back.

Commissioner Beckman said he believes the election is the term limit, and he thinks time limits do not function in the best interests of our community. He has seen time and time again that various electoral bodies have trouble finding sufficient qualified candidates. It is apparent that the Village does not have a large number of long-term members on the Council. He will vote in the affirmative, not because of his feelings about term limits, but because the resolution deals with whether or not this shall be submitted to a public question of referendum. He thinks there is sufficient interest in the community for this question to be raised.

Commissioner Waldack said his comments can be reviewed in previous minutes and tapes of meetings. He opposes this as he feels term limits will be detrimental. The Village only has a limit of three items that can be placed on the ballot, and once this is passed, it will be published in the newspaper. He hoped they would hold off on filing to the County until August 1 for this and the next item to leave space for possible public referenda.

Village Attorney Petrarca explained that no additional publication is required. It would require a Motion to change the filing date.

Commissioner Neustadt said that the Council has had this discussion for three weeks. These three questions have been vetted. He would not favor delaying submission to the County and

looks forward to this being on the ballot. No member of the public has come forward with any other potential submissions.

Commissioner Schnell said her feelings are very well known. She has been urged to vote against this as people don't feel it is necessary. She has mixed emotions on this issue. The question is really whether this is necessary or detrimental to the Village. On a local level people know whether their elected officials are doing a good job. She is personally against this item.

Mayor Sandack pointed out that there is a vast record with respect to these items over the past month. He said that these three questions were put out to the Council in early February, and he feels the questions are appropriate for public opinion and input. No one has said they are not appropriate. These are of the nature of issues frequently put out for public referenda questions. What is going on with the State of Illinois requires reform, and it is not enough to say it. Something has to be done. Putting it out for an advisory question is appropriate. He doesn't see why they should not seek public input. This is the third leg of the ethics course started by the Council two years ago. He doesn't understand how this can be interpreted as unseemly.

Commissioner Waldack moved to amend the Motion to add language that the resolution be filed with the appropriate election officials by August 1, 2010.
Commissioner Beckman seconded the Motion.

VOTE: YEA: Commissioners Waldack and Beckman

NAY: Commissioners Barnett, Neustadt, Durkin, Schnell; Mayor Sandack

A motion was made by Commissioner Barnett, seconded by Commissioner Beckman, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:

Votes: Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack
Nay: Commissioner Schnell and Commissioner Waldack

Indexes: Term Limits, Referenda Questions

RES 00-04085

C. Resolution: Initiate Submission of a Public Question Urging the General Assembly to Move Toward Consolidation of Local Services and Elimination of Unnecessary Layers of Local Government

Sponsors: Mayor

Summary of Item: This places the following non-binding advisory question on the November 2, 2010 local election ballot: Shall the Illinois General Assembly and the Governor take immediate steps to review the services being provided by townships and special districts and consider consolidation of these services with other units of local government in an effort to reduce or eliminate unnecessary levels of local government?

A RESOLUTION INITIATING THE SUBMISSION OF A PUBLIC QUESTION URGING THE GENERAL ASSEMBLY TO MOVE TOWARD CONSOLIDATION OF LOCAL SERVICES AND ELIMINATION OF UNNECESSARY LAYERS OF LOCAL GOVERNMENT

RESOLUTION 2010-33

Dr. Gordon Goodman, 5834 Middaugh, commented that he read the background information on these three referenda questions. He asked about the staff recommendation sections, saying that staff recommended approval on the first two items, but this item shows no staff recommendation. The Manager responded that staff has no recommendation on any of the three questions. Dr. Goodman said that is an important issue. He strongly opposes putting these on the ballot at this time. The point of view expressed as a compromise to postpone the submissions to August 1 is a good one. The revision of language is a good thing to consider and he supports Commissioner Waldack's modification. It is an issue of substance as well as procedure. He is pleased that the

staff is not recommending approval of these questions.

The Mayor said this was discussed before, however, the language regarding staff recommendations was inadvertently left unchanged.

Commissioner Waldack noted that last week he introduced some alternative language and said he would make a Motion to initiate a public question as to whether the Illinois General Assembly shall have the Governor take immediate steps to review the services being provided by Townships and Special Districts and consider the consolidation of these services with other units of government. Commissioner Waldack said this would remove prejudicial language and the misconception that this would be consolidated with local governments.

The Mayor said this has been discussed extensively. Illinois has over 7000 units of local government, more than any State in the country. In this economy, the idea that families and businesses are doing more with less ought to be something that occurs at the governmental level as well. He reminded people to look at their tax bills and try and identify some of the entities. The idea that these entities can be consolidated to reduce redundancies seems intuitive.

Commissioner Waldack moved to amend the language of the advisory questions as follows: "Shall the Illinois General Assembly and the Governor take immediate steps to review the services being provided by townships and special districts and consider consolidation of these services with other units of government?"

The Motion failed for lack of a second.

Commissioner Waldack moved to amend the Motion to add language that the resolution be filed with the appropriate election officials by August 1, 2010.

The Motion failed for lack of a second.

A motion was made by Commissioner Beckman, seconded by Commissioner Neustadt, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Barnett, Commissioner Durkin, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack
Nay: Commissioner Waldack

Indexes: Referenda Questions, Consolidation of Local Services

RES 00-04069 D. Resolution: Authorize an Agreement with Municipal & Financial Services Group for a Water Rate Study

Sponsors: Public Works

Summary of Item: This authorizes an agreement with Municipal & Financial Services Group LLC of Annapolis, Maryland for a water rate study in an amount not-to-exceed \$30,000.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND MUNICIPAL & FINANCIAL SERVICES GROUP, LLC

RESOLUTION 2010-34

Frank Falesch, 820 Prairie, said he assumes that the Water Department budget has been set already. The Village knows the charges for water and the use remains the same. Mayor Sandack said that the City of Chicago charges the DuPage Water Commission, and the DuPage Water Commission charges the Village. Mr. Falesch said that he would expect the costs will remain the same. The Mayor said he thought the costs would change and probably go up. Mr. Falesch said that it has been budgeted for, and it doesn't seem that difficult to figure the water

rate. *It's not rocket science.*

The Manager responded that the 2010 budget includes funds for maintenance of the water system. The budget includes the \$30,000 for the rate study. He noted that while it is not rocket science, analyzing the water system and the rates for sustainability is a complex economic question.

Commissioner Schnell commented that one of the advantages of the study is to obtain information to help the Village price the cost of water correctly. There could be a tendency to increase the cost too much. This study should be advantageous to our residents.

Commissioner Waldack said he thinks the Village handles the Water Fund very well. The City of Chicago sets the rates, then the DuPage Water Commission, etc. The difficult part is the infrastructure work, such as pavement patching, water breaks, etc. He believes they need this study to get the last piece of the formula for cost.

A motion was made by Commissioner Neustadt, seconded by Commissioner Schnell, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Barnett, Commissioner Waldack, Commissioner Durkin, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

Indexes: Water Rates

8. First Reading

RES 00-04115 A. Resolution: Authorize a License Agreement for the Temporary Use of Public Property with the Rotary Club of Downers Grove for the 2010 Rotary Club Grove Fest
Sponsors: Community Events and Community Events Commission

The Manager said that the Rotary Club Grove Fest is proposed for July 15-18 on the west side of the downtown area. Staff recommends approval of this, as did the Community Events Commission, with several conditions. The first is that the Rotary Club will pay all actual Village costs incurred, with estimated fees up front, and post a letter of credit in an amount of 110% of the costs. The Manager said that the Village will track the actual costs. This is a new venture for everyone involved. The Village is ultimately responsible for public safety, and there are conditions which would allow the Village staff to close the event if public safety needs are not met.

Mary Scalzetti, Director, Community Events, said that this event is similar in its activities to the former Heritage Festival, including a musical stage, beer garden, amusement rides, car show, etc. The Rotary Club estimates attendance at 25,000 people. She mentioned some of the operational plans that will have to be met including the notification plan, clean-up, amusement ride layout, etc. The Community Events Commission met on April 1 and concurred with staff's recommendations and conditions. She said that staff feels this can be managed with proper planning.

Barb Wysocki, President of the Rotary Club of Downers Grove, thanked the Council, on behalf of the Rotary Club, for reviewing the proposal, and thanked the staff for their efforts in planning this event. She said that the Rotary Club is confident they can run the event safely and successfully. The goal of the event is to raise money for the Rotary Club. A lot of Rotary money goes back into the community including scholarships and contributions to local entities. She indicated this type of event brings the community together and the Rotary believes there is a demand for some type of event in the summer. Another goal is to build business for the downtown merchants. Curtiss Street and Main Street will remain open and the two-hour parking will remain open as will the parking deck. Ms. Wysocki said that the Rotary knows this has to be an air-tight iron-clad operations plan. There is management staff for all areas including security, garbage pick-up, sanitation, etc. There will always be 12 security people on

duty. The Rotary Club has had success with past events, such as their Oktoberfest. They intend to look for local talent for entertainment. Volunteers will include Rotarians and community volunteers. She commented that they are incorporating the non-profits. Tables will be set up to allow up to 20 non-profit groups to attend. They will localize their marketing, and this event will be advertised mostly by word-of-mouth. They anticipate 25,000 in attendance.

Ms. Wysocki then noted that the Car Show on Sunday will be the only portion of the event north of the tracks. There will be police and volunteers at the crossings at all times. Crowd control was an issue raised by the Community Events Commission. There will only be few entrances and they will be posted with volunteers and police. If it is too crowded, they will not let people in. They are very aware of crowd control and its importance. Hours of the event will be Thursday, from 6:00 to 10:00 p.m. for the ride preview only with tickets for rides being sold in advance; Friday from 5:00 p.m. to 11:00 p.m. Saturday from noon to 11:00 p.m., and Sunday from 10:30 a.m. to 4:00 p.m. for the Car Show.

Ms. Wysocki said that the spacing of the amusement rides was an issue, and the Rotary has worked with the amusement operator and removed some rides.

Mayor Sandack commented that last summer and fall the Village was forced, by the economy, to do things differently by looking at its core services and other services. He said that the Village is moving from provider and funder of community events, to facilitator. He said that the Council hoped that there would be a Heritage Festival type of event picked up by the private sector. Community groups have stepped up. He said that the goal is to get to a place that meets the needs of the public and is safe. Staff met with applicants and the applications went to the Community Events Commission. There was good debate and dissent. This is the first time that the Council has seen the application and the process continues.

Tammi Karam, owner of Humidor, spoke as a business owner in the downtown area. She said that Heritage Festival was a huge business weekend for them. It brought in new local customers who have continued to come back throughout the year. Ms. Karam said it is great that the Rotary Club has stepped up to bring this event to the Village.

Jim Stahulak of the Downers Grove Arts Council, said they are presenting an alternative proposal to the Community Events Commission. They are also looking to provide a festival that will bring tourism dollars into the Village. He asked that the Council suspend their judgment on the Rotary Club proposal until the Arts Council proposal has been heard by the Community Events Commission.

Dan D'Andrea, 725 73rd Street, said he is a member of the Arts Council. He suggested that the Council consider that the revenue might help those programs which were cut from the Village budget, such as arts groups and Meals on Wheels.

Dr. Gordon Goodman, 5834 Middaugh, reminded the Council of the emphasis on "heritage," a role that the Council allowed Blodgett House to play. Blodgett House is complete on the exterior, and he hopes plans for this street fair will allow a role for Blodgett House with "heritage" as the theme. He hopes for discussions between the Arts Council and the Rotary Club. Dr. Goodman said he knows they have to move ahead, but hopes a conversation between the two groups and staff can occur.

The Mayor said that staff has suggested that such a conversation could be beneficial.

Commissioner Schnell asked about the layout, street closures and the logistics. Ms. Wysocki responded that Forest Avenue will be closed. People will enter south of the tracks with Main Street and Curtiss Street remaining open. The entertainment area will be south of the tracks including food and beverages. South of that will be the stage and seating area with tables for the non-profits south of the food and beverage areas. Carnival rides will be in the Library lot

and on Forest Avenue. All in all, it is a much smaller footprint than Heritage Festival.

Commissioner Beckman expressed concerns about how they will manage the expectations of the community. In the past Heritage Festival drew over 100,000 people and was a much larger operation. Ms. Wysocki responded that their message is the key. One of the Rotarians is a marketing expert. This will be a clear message and the communication will be kept local. She said that they will address the message to manage expectations.

Commissioner Beckman then asked about non-profit participation and the resources that will be used to get the word out. Ms. Wysocki replied that they will use the Chamber of Commerce, ads in the newspapers and online at the Rotary website.

Commissioner Beckman then noted that this will be an initial attempt and asked if they will be soliciting feedback. Ms. Wysocki said they will probably utilize social media.

Commissioner Barnett expressed his excitement about this, especially given all of the angst expressed during the budgeting process. Everyone is working hard to fill the needs of the community. He asked if the Downers Grove Market will continue at the same time, and Ms. Wysocki responded that the Market will be open in the morning, and the Rotary Club will use the area in the afternoon. Commissioner Barnett then said that the Village role is to protect the community and its assets. He would like commentary from the Legal Department and the Police Department regarding the Oktoberfest, and would like to hear from the Library Board as well. He then asked who would evaluate this from the Village's perspective.

Mr. Fieldman replied that he, Mary Scalzetti and Chief Porter would be the contacts, and if they see any issues requiring attention, they will be proactive. Ultimately the Village staff/Manager will make the decisions. With regard to insurance, Attorney Petrarca and Dennis Burke have determined the necessary levels of insurance. Commissioner Barnett encouraged them to press on.

Commissioner Neustadt commented that the Community Events Commission, Village staff and the Rotarians have worked hard to get to this point. He thanked Dave Humphreys for chairing the meeting in his absence. With regard to staffing, Commissioner Neustadt encouraged a back-up plan for volunteers. He suggested a Facebook page for additional contacts, such as the Scouts, not-for-profits, etc. He recommended keeping a close eye on the food service, setting up of the event, crowd control, etc. He thinks the Rotary Club can do this. Downtown businesses have weighed in on this and some are happy to have this new event. Commissioner Neustadt said he will support this and wished everyone good luck. Ms. Wysocki said they will tap into all groups.

Commissioner Schnell asked about the Rotarians as a management group, and whether they have a way to orient the volunteers to their responsibilities. Ms. Wysocki said they will have training for managerial levels as well as levels below that. There will be training from the Village for liquor management as well. She indicated that the police presence will be the same as it was in the past. Commissioner Schnell then asked about cleanup and how they will clean up the stickiness on the streets if it doesn't rain. Ms. Wysocki said that the rental company will take down the equipment and then a company will perform the cleanup. She also said she would provide figures on the number of volunteers they expect to use.

Commissioner Schnell then noted that the Rotary did not run Oktoberfest last year, and asked whether they will be able to get the finances to run this. Ms. Wysocki said they feel they will be able to secure sponsorship due to the fewer number of events being held.

Commissioner Schnell then asked staff how long it would take to review the other application. Mr. Fieldman said if it tracks in a similar way to this one it would be 4-5 weeks from resubmittal. Commissioner Schnell said it may be problematic to get that through.

Commissioner Waldack commented that the Council grounded Heritage Festival and look forward to having an event. He referenced the Pepsi sponsorship of Heritage Festival one year and he is glad that not-for-profit groups such as the Rotary Club and the Arts Council are interested. He wants to see an event for "heritage" and for non-profits. They can do a lot of good for a lot of people. He hopes the Arts Council will be welcomed in and thinks curiosity on the part of the public will attract large numbers of people. The role of the Village has changed such that it must protect its assets and the safety of the public. If anything goes wrong, the staff and Council will take the heat from the public, not the Rotary Club. Commissioner Waldack wished them luck and said he will continue to review the application.

Commissioner Durkin said he was a former Rotarian and their motto is "Service above self." If they are granted the license, it will be a success. As to the attendance, he asked if their estimate of 25,000 was for one day or the full weekend. Ms. Wysocki said it was for the weekend. Commissioner Durkin commented that a number of communities have cancelled events, and he thinks this estimate is low. Ms. Wysocki replied that they looked at Heritage Festival and scaled back the size. They may have to turn people away.

Commissioner Durkin expressed concern about cash payment for staff services, and said he wants to be sure that all Village expenses will be covered. If more people attend, they will need more police and volunteers. Ms. Wysocki said they are aware of that possibility. Commissioner Durkin then said he would like this in writing. The power the Village has to shut this down is huge, so he would like more information on the projected number of attendees, to be sure this is successful. He also asked for information as to how this compares to Oktoberfest and how the Rotary feels they will be able to reimburse the Village for staff time. Ms. Wysocki said that the two sources of revenue are beverages and the rides. Oktoberfest was held in the early fall. This is a summer event where kids will be home from school.

Commissioner Schnell noted that unless the entire area is fenced in, it will be difficult to turn people away. They need a better explanation of how this will work. She also feels that 25,000 is a very low estimate. Ms. Wysocki responded that the entertainment area will be fenced in, and volunteers will be on the streets directing people to control crowding.

Commissioner Beckman stated that he shares the concerns regarding management with respect to the Village and Rotary's responsibilities. Mr. Fieldman said that the Village's role starts and stops with safety. Mary Scalzetti will be the bridge between the Village and the Rotary Club. Commissioner Beckman asked how they plan to work together in managing this event. Ms. Wysocki replied they will rent communication devices for communication between management, staff, volunteers and police. She said there will be a chain of command. Mr. Fieldman said that there will be a detailed report as to how the event will be managed.

Commissioner Beckman then asked about the \$25,000 estimated expenses and whether there was any thought given as to charging on a time and materials basis versus a specific sum. Mr. Fieldman said the Rotary Club is responsible for all actual costs by way of invoice. They have estimated the number of staff hours and fees at \$25,600, and the Village will require the Rotary Club to submit payment in cash 14 days in advance. The Village would have up to \$55,000 in the form of a letter of credit, 14 days prior to the event. Commissioner Beckman noted that there are two critical dates: 30-days prior to the event for staffing; and 14 days prior to the event for financial bonding. Mr. Fieldman said that was correct, and if the Rotary Club fails to meet the conditions it will result in cancellation of the permit and the event.

Commissioner Neustadt stated that if there is a problem with overcrowding, the Village's Police Department will clear the area, as part of the security plan. He noted that too many people could be a good problem. There will be a constant monitoring on movement of people.

Commissioner Barnett then referenced the agreement, saying that the Village's Police

Department will be in charge. In the past those costs were on the taxpayers and now the Village will be compensated for those staffing costs. This is a smaller version of what has been done in the past by the Village, and he thinks the Rotary Club has proven themselves with smaller events. The agreement addresses many of the concerns being expressed. He thinks a lot of thought has been put into the agreement.

Commissioner Durkin commented that they are paying the Village based on the number of attendees, and staff levels are being based on 25,000 people attending. That will be a concern if the numbers are much larger.

Mayor Sandack spoke to the magnitude of the event, saying he doesn't worry that too many people will attend, because the Village staff is well-trained and professional. The model discussed in the fall requires trust in the not-for-profits and civic organizations. He asked the Council members to submit additional questions to staff. The Mayor said it causes him some pause that there is a proposal by the Arts Council. It is a resubmitted proposal from an earlier one that might go to the Community Events Commission in the next month. He suggested that the Rotary Club proposal be acted upon, absent the Arts Council getting everything approved and to the Community Events Commission in a timely manner. He also suggested that the two groups work together. Mayor Sandack said that unless something comes to the Council, he favors proceeding on the pending application. He asked for the Council's feelings.

Commissioners Beckman and Schnell said they would prefer to wait and see answers to the open questions. Commissioner Barnett suggested acting on the Rotary Club application.

Commissioner Beckman asked if the Community Events Commission meeting date could be changed. Commissioner Neustadt responded that by waiting one week, it will delay action on the Rotary proposal two weeks. He recommended that the Council move ahead. The applicant has gone through the process and has to move forward with various aspects of marketing, etc.

Commissioner Durkin asked that they wait as he will be in Springfield.

Commissioner Waldack said that they cannot insure a positive vote next week. The issue is the number in attendance. He asked staff if anything favored one group over the other. He has no problem voting on this next week, but is concerned about the number estimated.

Mayor Sandack asked if they should hold the Rotary application up due to another applicant. At one time the second applicant was on a parallel track, but then fell behind. There is a time element inherent in these applications.

Ms. Wysocki stated that the Rotary has been working on this proposal since December and will have answers to the questions asked by tomorrow morning. They are partnering with up to 40 non-profits on this, and would appreciate a vote sooner rather than later.

The Mayor said that four Council members indicate they all right with moving forward. He would appreciate seeing a joint effort by the Rotary and Arts Council to work together.

Indexes: Community Events

RES 00-04108

B. Resolution: Authorize an Agreement between the Village of Downers Grove, the State of Illinois Commerce Commission, the BNSF Railway and the Illinois Department of Transportation for Maple Avenue Crossing

Sponsors: Public Works

Nan Newlon, Public Works Director, said this agreement authorizes the Village to receive grant funding from the Illinois Commerce Commission (ICC) Grade Crossing Protection Fund for the Maple Avenue crossing. She showed slides which depicted the problem at the site. She

indicated that the Village has sought funding assistance for this location. This site was the scene of a fatal accident in 2007. The ICC would provide 90% funding for the upgrade. She showed a plan to address the issue, which suggested closing Burlington to westbound traffic west of Grand. Eastbound traffic on Maple Avenue would continue to turn right on Burlington. In response to the Mayor, Ms. Newlon said that funding is from the Illinois Jobs Now Program, and the Village has had a positive response to the proposal.

Commissioner Beckman said he is pleased to see this. This was considered for an underpass many years ago, and he asked if there has been any update on that idea. Ms. Newlon said it scored well for a separation many years ago; however, there are other issues involved. She noted that the Burlington Northern-Santa Fe supports the idea of a separation. Commissioner Beckman asked if this agreement would preclude that and Ms. Newlon said it would not.

Commissioner Neustadt noted that Whittier School is in the area. He asked for a traffic study regarding the increased volume of traffic if this is approved.

Commissioner Barnett said he is opposed to this. He realizes there is a safety issue; however, they have talked about traffic in the past and not doing something that would impact another area negatively. This seems to him to guarantee an expressway atmosphere, and he is not convinced that this is a good idea. The Commissioner commented that he hates to spend money to fix a situation that makes this grading safety concern more permanent. He thinks the Comprehensive Plan Committee may address this area. There are many unknowns here and he doesn't want to do this now.

Mayor Sandack stated that this is a known unsafe situation that can be made safer. He said that they know an underpass will not go there in the next ten years. There could be unintended consequences; however, this is a dangerous road. He felt this to be a safety issue that needs to be addressed.

Commissioner Schnell said that the chances of getting an underpass in the next 30 years is zilch. She agrees with this proposal. This is a safety issue and she favors this proposal.

Indexes: Illinois Commerce Commission

ORD 00-04081 C. Ordinance: Amend Certain Administrative Fees Charged by the Village

Sponsors: Manager's Office

Mr. Fieldman said Items C & D relate to administrative fees being charged by the Village. These items deal with the Manager's Office, Finance Department and Clerk's fees. The Manager said the fees would cover Village direct and indirect costs, and they were reviewed for competitiveness with other communities. He said that these would generate about \$35,000.

Indexes: Fee Schedule

RES 00-04119 D. Resolution: Amend the Procedure for Granting of Licenses for Certain Encroachments on Property Over Which the Village Holds an Easement

Sponsors: Manager's Office

The Manager said if the fees are changed as noted in Item D, then the policy would have to be changed to reflect amendments.

Commissioner Barnett said he thought it appropriate to review these fees. He encouraged staff to think about raising revenue, induce certain behaviors, etc., and not simply cover costs. He said that they still have a big revenue issue and he would rather be toward the top of other communities in terms of competitiveness.

Commissioner Beckman said he agrees with Commissioner Barnett. There is a formula utilized to maximize revenue and he suggested that the Human Resources Director might have that information. He agrees that they have to find a way to replace the lost revenue.

Commissioner Waldack said he agreed with the others to a point, but he said they have to know why they want to adjust the fees. He thinks the reasoning is important. He asked the question about encroachment fees. He read the narrative and with the number of people who touch the document, he doesn't see how they are able to recover costs. If the goal is to recover costs, he doesn't think this accomplishes that goal.

Mayor Sandack commented that the propriety of costs and recovery of costs is subjective. He discussed the issue of influencing behavior as well as the revenue component. He said they also have to determine whether they want to be at the top of the fee schedule as compared to other communities. He appreciates the efforts employed so far.

Indexes: Encroachment Policy

RES 00-04114 E. Resolution: Authorize an Agreement and Addendum Thereto with Champion Energy, LLC for the Purchase of Electric Utility Service

Sponsors: Finance

Mr. Fieldman said this is a three-year agreement with Champion Energy Services. ComEd no longer provides retail sale of electricity to the Village for parking deck and water pumping stations. Two responses were received to the RFP, and the rates would be established upon the execution of a contract. They expect to reduce costs by \$30,000.

Commissioner Beckman asked if this is a full three-year contract, and Attorney Petrarca said it is a three-year contract. Commissioner Beckman then expressed concern about whether there was an opportunity to look toward building a consortium with other communities to drive down the unit cost. Mr. Fieldman said staff is always looking for ways to partner with neighboring communities and will continue to do so. However, the new contract expires in May, but they can cancel at any time.

Commissioner Schnell asked whether alternate types of energy could be used to supplement this, and Attorney Petrarca answered affirmatively.

Indexes: Electric Services

BID 00-04104 F. Bid: Award \$524,055 to Marcott Enterprises, Inc., Addison, IL, for Debris Hauling and Crushed Limestone Supply Services

Sponsors: Public Works

The Manager said this is to award a three-year contract for debris hauling and crushed limestone supply services to Marcott Enterprises, Inc. of Addison, Illinois in the amount of \$524,055. Marcott provided the low bid of the eight bids received. Marcott did work for the Village in 2008.

Commissioner Durkin asked what debris is being hauled. Ms. Newlon said it includes leaves, sweepings, ditch regrading and utility repairs. Commissioner Durkin asked if the Village recycles materials from this, and Ms. Newlon said they are not doing that currently, but material is separated. Commissioner Durkin asked that they consider this as costs could be reduced.

Commissioner Durkin expressed his concern about Village staff loading the trucks. He would like to work with a vendor regarding credits going forward for recycling. He said he supports this. It is a great use of the Village's money and he is pleased to see the three-year contracts.

Indexes: Public Works - Crushed Limestone & Ready Mix Concrete

RES 00-04117 G. Resolution: Authorize an Intergovernmental Agreement with the Illinois Department of Transportation (IDOT) for Bikeway Connections and the Eastern Corridor Bikeway Project

Ms. Newlon said this is a local agency agreement between the Village and the Illinois Department of Transportation for \$273,000 for two bikeway projects, 20% of which would be covered locally. She noted that this does not fully complete the bikeway plan. There are joint projects in this program and they will continue to work on those. There are five major segments for a total of 6.74 miles of combined on-street and off-street bikeways.

The Mayor asked if the bikeway paths are on the website, and the Manager said staff would check. Ms. Newlon said this will enhance the paths by closing holes.

Frank Falesch, 830 Prairie, said his main concern is the grant money being spent. It seems ridiculous to him to have other people paying for the work to be done. The Mayor said if the Village doesn't get this money someone else will.

Commissioner Waldack said that he has been talking about alternate transportation and bikeways for over a decade. The Village has been on hold waiting for grant money for a long time. He supports this. He said they need to find a way to get people to cross at the lights, such as in the 63rd Street area.

Commissioner Beckman said that the Fairmount route is heavily used by cyclists. This is a dangerous intersection and asked if there was any discussion about means to enhance safety of cyclists at 63rd Street and 55th Street. Ms. Newlon said that there was an agreement about warning signs on 63rd Street. As the route is formalized they will recount and hopefully meet the warrants for a traffic signal.

Commissioner Schnell said that the initial grant was much larger and asked if they can apply for an extension. Ms. Newlon said this already is an extension. It would take two or three years to build this. There is no leeway for the use of the funds.

Indexes: Bikeway Plan

9. Mayor's Report

Materials to be Received

Materials to be Placed on File

10. Manager's Report

11. Attorney's Report

Village Attorney Enza Petrarca said she was presenting one item to Council: An ordinance amending certain administrative fees charged by the Village.

Future Active Agenda

12. Council Member Reports and New Business

Commissioner Neustadt said that Downers Grove Restaurant Week is next week where people will find great deals at many Downers Grove restaurants. He announced also that on April 19, Another Round Bar and Grill will open. He extended best wishes to the Nagy family with their newest endeavor.

Commissioner Durkin added that the CVS at 63rd and Main will be opening April 18.

The Mayor said that the Village placed on its website a link to the report from DuPage Mayors and Managers regarding the DuPage Water Commission situation. The report is a narrative, and he suggested people read it if they want to know what really happened with the investigation as to the Commission's finances.

13. Adjournment

Commissioner Schnell moved to adjourn. Commissioner Barnett seconded the Motion.

Mayor Sandack declared the Motion carried by voice vote and the meeting adjourned at 10:00 p.m.