



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, April 20, 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 Bruce E. Beckman, Commissioner Geoff Neustadt and Mayor Ron Sandack

Absent: Commissioner Sean P. Durkin

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. Minutes of Council Meetings

Council Meeting - April 13, 2010

There being no additions or corrections to the minutes, Mayor Sandack said they would be filed as submitted.

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

5. Public Hearings

6. Consent Agenda

- COR 00-04120** A. Claim Ordinance: No. 5843, Payroll, April 9, 2010
Sponsors: Accounting
A motion was made to Approve this file on the Consent Agenda.
Indexes: N/A
- BIL 00-04121** B. List of Bills Payable: No. 5822, April 20, 2010
Sponsors: Accounting
A motion was made to Approve this file on the Consent Agenda.
Indexes: N/A
- MOT 00-04123** C. Motion: Authorize a Contract for \$39,150 to M.E. Simpson Co., Valparaiso, Indiana, for Hydrant Flow Testing Services
Sponsors: Public Works
A motion was made to Authorize this file on the Consent Agenda.
Indexes: Fire Hydrants
- BID 00-04124** D. Bid: Award \$50,560 to Water Products Company, Aurora, IL, for Supply of Fire Hydrants
Sponsors: Public Works
A motion was made to Approve this file on the Consent Agenda.
Indexes: Fire Hydrants
- RES 00-04117** E. Resolution: Authorize an Intergovernmental Agreement with the Illinois Department of Transportation (IDOT) for Bikeway Connections and the Eastern Corridor Bikeway Project
Sponsors: Public Works
Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR BIKEWAY CONNECTIONS AND THE EASTERN CORRIDOR BIKEWAY PROJECT

RESOLUTION 2010-35
A motion was made to Pass this file on the Consent Agenda.
Indexes: Bikeway Plan
- RES 00-04114** F. Resolution: Authorize an Agreement and Addendum Thereto with Champion Energy, LLC for the Purchase of Electric Utility Service
Sponsors: Finance

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT AND ADDENDUM THERETO BETWEEN THE VILLAGE OF DOWNERS GROVE AND CHAMPION ENERGY, LLC

RESOLUTION 2010-36

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

Indexes: Electric Services

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

Sponsors: Public Works

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

Indexes: Public Works - Crushed Limestone & Ready Mix Concrete

MOT 00-04116 H. Motion: Note Receipt of Minutes of Boards and Commissions

Summary of Item: Stormwater and Flood Plain Oversight Committee - January 28, 2010

A motion was made to Note Receipt Of this file on the Consent Agenda.

Indexes: Boards and Commissions

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 Beckman, Commissioner Neustadt and Mayor Sandack

7. Active Agenda

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

Summary of Item: This authorizes a license agreement for the use of public property for the 2010 Rotary Club Grove Fest on July 15-18, 2010.

A RESOLUTION AUTHORIZING A LICENSE AGREEMENT FOR THE TEMPORARY USE OF PUBLIC PROPERTY BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE ROTARY CLUB OF DOWNERS GROVE FOR THE 2010 ROTARY CLUB GROVE FEST

RESOLUTION 2010-37

Commissioner Neustadt extended a thank you to his colleagues for moving on this item this evening rather than extending the vote to another meeting. He commented that staff and the Rotary Club have done an excellent job of responding to the questions raised by the Council last week. He said this was a great example of an organization stepping up and responding to a need. He is fully in support of this.

Commissioner Schnell asked for clarification regarding the costs of the Village in an amount of about \$25,000. She asked whether Senior Staff would be part of the expenses and be on site in an official capacity. The Manager said that staff will track their time and bill the Rotary accordingly. Commissioner Schnell further commented that there were a lot of hidden costs in Heritage Festival and she wanted to be sure that staff costs are covered.

Commissioner Beckman stated that he would support this, but is concerned about the other proposal submitted to staff. He would like there to be some way the two organizations could cooperate. If there is anything the Village can do to help facilitate that, he thinks it would benefit the community.

Commissioner Waldack commented about his concerns that the attendance will exceed the 25,000 estimated. He said he hopes the Council does not take credit for privatizing the Fest as Council dumped Heritage Fest. Commissioner Waldack said we are lucky that a credible organization, and others, in fact, stepped up and against the odds is trying to hold the event. He felt holding the group to past standards is unrealistic. He thanked the Rotary for their work and the opportunity it affords other nonprofits. He said he wants to maintain a community spirit and wishes them best of luck. He will support this.

The Mayor said he has no concerns about the ability of the Rotary Club to deliver. They have a marked history of putting on events, and they will muster the organization that they need. There are expectations in the community, and he has no doubt the Rotary will exceed the expectations. Those who supported Heritage Festival will come out. Not everyone accepted Heritage Festival, and tax money no longer subsidizes it. The Mayor said he hopes that people will step up and volunteer their time. He never lost faith that the community would fill the void. This is a testament to civic organizations and those who care about the town. He will vote in the affirmative.

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

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

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

Summary of Item: This authorizes execution of an agreement between the Village, ICC, IDOT and BNSF for a roadway safety improvement project at the Maple Avenue crossing of the Burlington Northern Santa Fe Railroad.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE, THE STATE OF ILLINOIS COMMERCE COMMISSION, THE BNSF RAILWAY AND THE ILLINOIS DEPARTMENT OF TRANSPORTATION

RESOLUTION 2010-38

Commissioner Barnett reiterated his previous comments that this is not an improvement and he is against the plan. He believes to take this step now when the Council is starting to embrace traffic calming issues is not appropriate, and he doesn't understand why the Village does not wait to see a complete plan, and evaluate the success of the Claremont traffic calming template. He will not support this. He would like a neighborhood evaluation as he thinks this has the ability to drive 200-300 more cars on the street and he doesn't see why this cannot wait for a few months.

The Mayor said he respects Commissioner Barnett's comments as valid and appropriate, but safety issues trump any potential regarding refashioning of this road. Ninety percent of the cost comes from grant money. They are making an improvement to a road that might need traffic calming. There has been a fatality at this location already, and often teens lose perspective at

times and utilize this road to become airborne, which could be catastrophic. He will support this.

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

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

Indexes: Illinois Commerce Commission

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

Sponsors: Manager's Office

Summary of Item: This amends the Municipal Code regarding Village user-fees, licenses and fines.

AN ORDINANCE AMENDING CERTAIN ADMINISTRATIVE FEES CHARGED BY THE VILLAGE

ORDINANCE NO. 5 132

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 Waldack, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

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

Summary of Item: This amends the Council Policy concerning the granting of encroachment licenses.

A RESOLUTION AMENDING THE PROCEDURE TO BE FOLLOWED FOR THE GRANTING OF LICENSES FOR CERTAIN ENCROACHMENTS ON PROPERTY OVER WHICH THE VILLAGE HOLDS AN EASEMENT

RESOLUTION 2010-41

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

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

Indexes: Encroachment Policy

RES 00-04134 F. Resolution: Provide for the Issuance of Revenue Bonds, Midwestern University, Series 2010 by the Industrial Development Authority of the City of Glendale, Arizona

Sponsors: Manager's Office

Summary of Item: This authorizes the issuance of bonds for Midwestern University in the aggregate principal amount not to exceed \$50,000,000 Series 2010.

A RESOLUTION APPROVING THE ISSUANCE BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF GLENDALE, ARIZONA OF ITS REVENUE BONDS, MIDWESTERN UNIVERSITY, SERIES 2010, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$50,000,000 WITH RESPECT TO FACILITIES OF MIDWESTERN UNIVERSITY LOCATED IN THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS, AND APPROVING CERTAIN RELATED MATTERS

RESOLUTION 2010-39

A motion was made by Commissioner Waldack, 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 Beckman, Commissioner Neustadt and Mayor Sandack

ORD 00-04075 G. Ordinance: Amend Rates Charged for Metered Water

Commissioner Schnell moved to table this item to May 4, 2010.

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

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

Indexes: DuPage Water Commission, Water Rates

8. First Reading

RES 00-04112 A. Resolution: Authorize a Professional Services Agreement with Sikich, LLC

Sponsors: Manager's Office

The Manager explained that this agreement relates to the strategic planning process. The amount proposed is \$23,650. Last year the Village had an abbreviated planning process, and the Council requested that some improvements and enhancements be made to the 2010 Strategic Plan process. This went through a competitive bid, resulting in seven proposals. Staff and Commissioners reviewed the finalists, interviewed them and determined that Sikich was the best responder to this request. Staff recommends approval. This service will result in a Strategic Plan similar to the current plan, and a Council Policy Guide with ground rules for interaction between the Council, staff and the public.

The Mayor said that the Village has been doing strategic planning since 2006. The Village has held citizen summits as a part of strategic planning. Last year the Village changed its direction and went into the Total Community Development (TCD 3) process. He indicated that the Village could continue with the old model, or change based on the TCD 3 results. This will not be as large of a summit, but will still be public.

Commissioner Neustadt commented that he thought Sikich will fit the style that the Village is considering for 2010 the best. The other companies had different approaches. A different style will bring forth different ideas. He looks forward to developing a good relationship during this process.

Commissioner Schnell said that the Village has had other types of strategic planning. In the past it was more of a Staff/Council format. She envisions this recommendation to be the process that should be used. Commissioner Schnell noted that this model allows the Village to digest aspects of TCD 3 and incorporate it into action plans. The ability to come up with a governance

model is a big plus in her opinion. She said that this company seems to have the best ability to come up with a governance model. She reiterated that these will be open meetings. The Council and the staff will need to decide how to take the ideas of TCD 3 and incorporate them into the day-to-day activity of the community.

Commissioner Beckman said he was looking for more community input. The world is evolving dynamically and rapidly. What was a constant last year may not be valid this year. He thinks it is important to remain close to the community, more than just inviting people to the podium. He had hoped to see a more organized venue for participation from the community.

Commissioner Waldack said the proposal includes two parts: an updated Strategic Plan, and a governance model. There were three finalists. He was one of the Council members interviewing the firms, and he suggested letting the Council decide whether to go with an update or a totally new Strategic Plan. The option was for an update and Sikich was chosen. He supports the choice. All three firms had public components. He said that Sikich does not include a community/public component and noted that Sikich's proposal is over the budget. The Council didn't really do strategic planning last year. Strategic planning last year was done by Council majority. It was rolled into financial planning and was a Council majority with no public component. At that time it was noted that there would be further discussion during the budget, but during budget discussions, Council members were told that strategic planning was discussed during financial planning. There was a supposed update to strategic planning with no public component.

The Sikich proposal states that, "Unlike traditional strategic planning processes, our approach will not include community interaction." The proposal requested by the majority of the Council is over budget and will exclude the community.

TCD 3 was a long time ago in terms of what is happening regarding the elimination of Heritage Festival, Counseling and Social Services, community grants, Meals on Wheels, and other programs. TCD 3 has almost become irrelevant. There were almost 200 people at the budget discussions who were totally ignored. He said that the majority of the Council fears the public component. One school of thought is to listen to the public and represent the public. The other thought is that the Commissioners have been elected, and they do not emphasize public input. He favors the public component. Commissioner Waldack said that the governance model is another tool the majority would like to create to stifle opinions that they don't like by creating additional limitations. He wants to use his tools to represent the public. He will not go along with anything that interferes with this. He asked why the Village is spending money without a public component. He would rather see the money go to Meals on Wheels. The whole point of updating the Strategic Plan is to have public input.

Commissioner Schnell said she has worked with many Councils, many of which have had good governance models. The system allows the Council to represent the constituents to the best of their ability. She listens to all of her constituents and respects the differences of opinions. That is good governance. Commissioner Schnell said she believes a consultant would allow the Council to discuss difference of opinions, not stifle the Council, allow them to learn from each other and represent all of the residents. The governance model has never stifled her. They need the ability to listen and respect each other while moving forward. With regard to the Strategic Plan, Commissioner Schnell noted that every meeting is an open meeting and people have the ability to speak. This concept does not stifle public opinion. It is a different format and the Council needs to tell the community that it is trying to come up with the best Strategic Plan possible.

Commissioner Barnett said he agreed with Commissioner Schnell. In the 12 months he has served, there has been no shortage of opportunity for public input. Nobody has ever been stifled, although they may have found themselves on the minority vote. He said that the Village had TCD 3, has an on-going Comprehensive Plan study, and the budget process. There is no

attempt to avoid public input. This Village seeks out public input, and he sees no desire to stop or diminish that.

Commissioner Neustadt commented that he disagrees with Commissioner Waldack. The Council is a public body. Every meeting, except for Executive Sessions, has public comment opportunity. He noted tonight's agenda has an opportunity for public input, and no one came forward at this meeting. He is offended by Commissioner Waldack's comments, and he takes great pride in his own responses and availability to the residents. He reaches out to the community. The Council is out in the public. With regard to the Strategic Plan, the Village had an opportunity to talk about the process with staff and the management team. Tonight is the first time he's heard from Commissioner Waldack on this issue. It is important to have a governance model to help get past some of these debates that may not need to happen.

Commissioner Beckman said he has spent time dealing in the world of strategic planning and strategic marketing, and has familiarity in this area. His comments were not to say that information the Village is receiving from the public is not valid, but is random and is not a balanced approach in obtaining public input. He thinks that comments organized under a consultant may be more valid in providing a community interest profile, than hearing from friends and neighbors one at a time through e-mails or speaking at a public meeting. He would prefer to have the public components to provide a statistical, professional valid profile of what the community is saying today.

Commissioner Waldack said he agrees with Commissioner Beckman. There is a difference between public comment and public meetings in a process that builds a strategic plan. That is what they are talking about here. More than 200 people spoke to the Council at the budget meetings, but those comments were ignored during the budget process. He asked what happened to those people who commented. Those comments have not become part of a planning document or vision for the future. As to Commissioner Neustadt's comments, Commissioner Waldack was part of the interview process for the consultant. This is the first opportunity for this discussion. He said he didn't know he had to provide notice regarding his concerns. Staff took their recommendation to individual Council members, and evidently a majority did not want a public component. He said he is sorry if Commissioner Neustadt felt surprised by his comments. Commissioner Waldack said he follows the rules and does what he is supposed to do. He is sorry if Commissioner Neustadt was offended by it.

The Mayor said that some of the public who thought there might be a contentious debate over Rotary are surprised that this debate regarding the Strategic Plan is occurring instead. The governance component is on display right now during this discussion. He waited to make his comments last because he wanted to hear from his colleagues. Charged rhetoric, self-serving martyrdom about stifling, locking out, the majority gets what they want-it's all on the record-is simply a self-professed victimhood, better defined and better stated as simply whining. The fact is that they are talking about a process right in the open. Everything they do is in the open and public. There is no locking out and frankly, that is a charged term and inappropriate-saying the Council is doing things like stifling public comment, when the Mayor calls for public comment on each and every item. The Mayor challenged Commissioner Waldack to go back into the minutes of every meeting since 2007, and asked him to find in a 3-4 year period of time more public meetings from this Village Council, or any previous Village Council with respect to budgeting, long-range financial planning, TCD 3, a Comprehensive Plan. The fact is that everything they do is open. They invite the public and sometimes grovel for public involvement. Saying that the Council locks anyone out, stifles any opinion is belied by the record, and that record is preserved pretty well. The record is available on www.downers.us where there are podcasts of every meeting since May 2007, when meetings were first podcast live. The idea that someone is being locked out is inappropriate. No one stopped anyone from speaking. He said that people talk to the Council members at any location including train station, Jewel, grocery store, or any place where they meet the public. The governance model adopted in 2006 talked about fair play, heads up, no surprises and was signed by every Council member but one. The

Council will continue to broadcast meetings, listen to the public, ask for suggestions, and try to do their jobs as best as they can with everyone who wants to be involved. He said they will expect that good will will be utilized and they will try and treat each other with respect and not endeavor to name call or act as a martyr unbecoming to this Village.

Indexes: Strategic Plan

BID 00-04127 B. Bid: Award \$109,405.86 to Denler, Inc., Mokena, IL, for the 2010 Preventive Seal Project

Sponsors: Public Works

Nan Newlon, Public Works Director, said this contract is for the 2010 Preventive Seal Project in an amount not to exceed \$109,405.86. The 2010 budget includes \$3,795,000 for roadway maintenance. This is the second contract presented and the bid is lower than the engineer's estimate. She described the scope of the project to include 18.7 miles of Village streets. Two bids were received.

Dr. Gordon Goodman, 5834 Middaugh, said he was pleased to see this is on a first reading, along with several other items. He anticipates that many of these will be Consent Agenda items next week. This procedure to hear details of the various bids and motions for intergovernmental agreements is very good and he supports this contract. The First Reading gives him a chance to comment. Dr. Goodman said he noticed on the Consent Agenda today there were five items and three of those appeared on the First Reading last week. He congratulated the Council for resolving this matter.

Commissioner Schnell asked if a preventive seal is different from slurry seal. Ms. Newlon said that this is the same type of seal, and extends the life of the surface of the pavement.

Indexes: Preventive Seal

BID 00-04128 C. Bid: Award \$662,662.00 to Everest Excavating Co., Naperville, IL, for the Benton Avenue Drainage Improvements

Sponsors: Public Works

Ms. Newlon noted that this item was included in the Water Infrastructure Improvement Plan in the St. Joseph's Creek Watershed J. It will help alleviate flooding and improve drainage in the area of Benton Avenue between Summit and Randall streets. This is a high priority project. She explained the work to be done, saying that it was publicly bid with six bids received. Everest Excavating was the low bidder. She said notification would be sent to the area residents as the project progresses.

Commissioner Beckman asked the time frame for the project, and Ms. Newlon said they anticipate beginning construction at the end of May and plan to complete the project by late summer/early fall. It is an underground storage tank similar to the one constructed at the commuter parking area at Belmont Avenue.

Indexes: St. Joseph Creek, Stormwater Sewer Watershed Improvement Plans, Stormwater Improvements

MOT 00-04129 D. Motion: Award a Contract for \$52,060.00 to V3 Companies, Ltd., Woodridge, IL, for the Brookbank Road Design

Sponsors: Public Works

Ms. Newlon said that there is a 350 foot section of Brookbank which is a current gap in the roadway system between 59th Street and 60th place. She described the major work item for the contract. An RFP was posted and 16 submittals were received. V3 Companies was recommended by the selection team based on their experience with this type of project, the project manager's experience and the ability to successfully complete the permitting.

The Mayor reminded that this is the completion of the road that the Village took on.

Commissioner Schnell commented that this has been a contentious issue. She asked whether V3 is aware of the issues so they can address them. Ms. Newlon said they are aware of the background, and staff kept that in mind in making the recommendation. V3 is good at public interaction and addressing resident questions and concerns.

Mayor Sandack noted that staff will also be present during the process.

Indexes: Roadway Improvements

MOT 00-04122 E. Motion: Authorize a Contract for \$18,728 with M.E. Simpson Co., Inc., Valparaiso, Indiana, for Water Distribution System Leak Detection Survey Services

Sponsors: Public Works

The Manager said that this is commonly referred to as "leak detection." The item was competitively bid with five responses. The recommended contractor has the experience and proven performance in the Village, as they did this service in 2009. Their prior services identified leaks that saved the Village about \$150,000 last year.

Commissioner Beckman noted that some respondents did not meet the qualifications and asked if those are listed and the Manager said they were.

Commissioner Schnell noted that this was a \$5,000 increase in bids. She said that the low respondent did not get the recommendation, which is the same for the next item. She suggested seeking out a way to negotiate a reduction in the price since they are being recommended for two contracts. The Manager said staff will address that suggestion with the contractor.

Indexes: Water System

MOT 00-04125 F. Motion: Authorize a Contract for \$67,200 with M.E. Simpson Co., Valparaiso, Indiana, for Water Distribution System Valve Assessment Services

Sponsors: Public Works

Mr. Fieldman said this authorizes a contract with M.E. Simpson in the amount of \$67,200 for valve assessment. He said \$60,000 was budgeted for this item. There was an RFP with three responses. M.E. Simpson provided this service in 2009 and staff was satisfied with their performance. Mr. Fieldman noted that, as a whole, tonight's bid and contract items are tracking right on budget.

Commissioner Waldack noted that this covers about one half of the valves, and is on a two-year schedule.

Commissioner Beckman commented that the Village loses about \$150,000 worth of water through leakage annually, so spending \$60,000 to save \$150,000 is a good deal and is a money-maker for the Village.

Indexes: Water Valves

RES 00-04133 G. Resolution: Authorize an Intergovernmental Agreement between the County of DuPage, Village of Downers Grove, Illinois, and Village of Westmont, Illinois for the Transfer of Property and Maintenance Responsibility for Drainage System Components

Sponsors: Manager's Office

Mr. Fieldman said this Agreement will dissolve the Westmont Surface Water Protection District. That districts provides stormwater management for portions of Downers Grove, Westmont and

unincorporated DuPage County. The District has been unable to properly manage the stormwater system due to financial constraints. In an advisory referendum in February, voters approved this dissolution. The Village will provide services to the areas within the Village boundaries, and this will minimally impact the Village's financial position since many of the services are already being provided. It is a reduction of an overlap in government, and reduces a property tax line item for people living in this district. He recognized Ms. Newlon's work, as well as those who have worked on this project for almost ten years.

Dr. Gordon Goodman, 5834 Middaugh, congratulated the staff on this agreement. This is an example of what the Village can accomplish working with the neighbors. He then asked about the drainage basin, and Manager said that staff is not aware of a particular watershed connection. He believes there is no issue, and the Village will provide enhanced services to the residents.

Indexes: Westmont Surface Water Protection District

MOT 00-04135 H. Motion: Authorize Payment Not to Exceed \$22,000 to Global Emergency Products for Repairs to the Fire Department 1998 Pierce Ladder Truck

Sponsors: Fire Department

Summary of Item: This authorizes payment in an amount not to exceed \$22,000 to Global Emergency Products for repairs to the Fire Department 1998 Pierce Ladder Truck.

Mr. Fieldman explained that the \$22,000 will be used to repair the 1998 Pierce ladder truck, which is not working. It will take about four weeks for the repair. He asked the Council to take action on this item tonight.

Commissioner Barnett said he would like additional information about how long the equipment should last, maintenance costs and the long term expectations.

Commissioner Schnell asked whether there is a guarantee that the repair will work, and if there is a warranty. Mr. Fieldman said that staff will provide that information.

Commissioner Waldack questioned whether there was an incident that damaged the vehicle. The Manager said there have been on-going issues with controls and they thought it was repaired. It was tested and was not repaired.

Commissioner Waldack commented that when they shop for a new ladder truck they need to do a better job of shopping and look for another provider.

The Mayor noted that this is a 1998 vehicle, which has a bit of wear and tear on it.

Indexes: Fire Equipment-Pumper

9. Mayor's Report

Proclamations

Mayor Sandack proclaimed April 30 as Arbor Day in the Village. He said that the Village has been named a Tree City USA for 26 consecutive years. He urged all residents to provide proper care for their trees.

The Mayor proclaimed May 1 as Silver Star Banner Day in the Village in remembrance of those who have dedicated themselves to honor wounded soldiers from the Village, and to recognize the sacrifices made by those in the Armed Forces.

Materials to be Placed on File

10. Manager's Report

The Manager presented the First Quarter report of 2010 which includes information on the strategic planning items, as well as activities over the first 90 days. The three key themes are Customer Service, Fiscal Responsibility, and Innovation. He said that 14 projects have been worked on so far, and that information can be found on the Village's website for public review. In the second quarter the Council will be asked to hold a policy discussion on items on the list including partnership with the Darien-Woodridge Fire Department, annexations, Freedom of Information Act legislation, etc.

The Manager then reviewed accomplishments over the last 90 days including: counseling services leasing, meeting format changes, reduction of Village take home vehicles, implementation of the taxi program, Sign Ordinance amendments, changes to user fees, bond refunding, Prentiss Creek street-light project, reaffirmation of the Village's bond rating.

Mr. Fieldman then showed a table highlighting the Village's revenues, which are about \$2.1 million less than 2009. The telecommunications tax revenue is about \$400,000 under budget. The January 2010 sales tax is down 9.5% as compared to the same period in January 2009, and this was unexpected. This is not consistent with the previous upward trend. Neighboring communities have experienced a similar sales tax decline. Some threats to revenues include a reduction of income tax distributions to municipalities which would impact the Village about \$1.1 million. The State is also about four months behind in distributing income tax payments, amounting to about \$1.2 million. With regard to expenses, the FY10 budgeted expenses for the year are \$1.27 million less than 2009, and expenses in the general fund are tracking on budget. However, due to the revenue issues mentioned, staff will continue to look for operating efficiencies, closely monitor all expenses, and will replace only essential staff vacancies that are mission critical.

The Manager then reviewed information on Capital Projects, saying the FY10 budgeted revenues are higher than FY09 due to the receipt of several grant funds. He reviewed the sources of revenue, and discussed monitoring the revenue. He noted that Home Rule Sales Taxes are down, as is the telecommunications tax. Regarding grants, the staff will continue to monitor the State's ability to actually fund those grants, since there is no guarantee that the State will actually distribute the grant money.

Expenses in the capital fund are higher, but the construction season has not begun yet. There are 100 projects budgeted in the Capital Projects Fund, but there is little information available yet. The Capital projects update series will begin next month.

Mr. Fieldman said the budgeted revenues for the FY10 Stormwater Fund are \$4.7 million. This fund has significant expenses and they expect to do \$21.78 million worth of projects this year. He reviewed the projects, and said the Village will have to make its first debt payment this year. The Village is in the position to make that payment comfortably.

The Manager then discussed the Water Fund since it affects potential rate increases. He said that staff introduced raising the rates because the DuPage Water Commission's fees for water is increasing. He said that the FY10 revenues for the year are budgeted at \$8.39 million. He highlighted that the FY09 revenues came in \$1.1 million below budget and they expect that trend to continue. Water usage was down last year due to the cool summer. The economy also affects the use of water. With regard to expenses, Mr. Fieldman said that the components of the Water fund are \$7.87 million in operations and maintenance, a small debt payment, and over \$2.22 million in planned capital projects for 2010. The Village has been using the reserves of the DuPage Water Commission rebate from a couple of years ago; however, expenses are increasing and capital projects in this area are very expensive. Staff recommends reducing capital projects by about \$1 million; increasing customer water rates, and completing a Village water rate study for the remainder of 2010.

Mayor Sandack asked the public if they had any questions or comments regarding this. He said that the Council has discussed issues with the DuPage Water Commission and what is facing the municipalities. DuPage Water Commission increases may be coming. The Mayor said that the Village has its own infrastructure and capital projects to consider. One proposed option is to pass the DuPage Water Commission increase on to Village customers. He added there may be additional increases coming as well.

Commissioner Schnell noted that the proposal is to reduce capital expenditures this year and asked if this is consistent with what it was before the rebate. The Manager said that was correct. The Commissioner clarified then that they were going back to where the projects were before the rebate. The Manager said staff can do a history of the capital water projects for the last ten years. Commissioner Schnell said that they have hired a consultant and she would not be in favor of increasing the rates beyond what is being passed on until the water rate study is done.

Commissioner Waldack agreed with Commissioner Schnell. Basically, as he said previously, he is comfortable with a formula where the rates of Chicago and the DuPage Water Commission, plus the cost to deliver the water to homes are passed onto the consumer. He said they do not know the cost of delivering the water right now. The cost of the pipe is somewhat fixed. Whether the water is used or not, the Village still has to maintain the pipe system. He would be more comfortable waiting for the result of the study as well.

The Manager responded that an increase in the amount charged to the Village by the DuPage Water Commission will be effective May 1, and customers would see it in their July bill, covering the May and June billing cycle. There are potential increases, one as the result of the increased cost, and one as a result of the study.

Commissioner Barnett said that the DuPage Water Commission will probably raise their rates. Residents would see almost a 10% increase now, with another increase of 10-15% as a result of the study, with one more DuPage Water Commission increase in a year. It is reasonable to anticipate increases and adopt an ordinance to cover them at one time. The reason the Village is paying a consultant is to obtain information beyond normal staff analysis. What the Village is trying to do is overcome an \$800,000 deficit, and recover the costs necessary to supply the water system.

Commissioner Beckman said that water has been referred to as "blue oil." He has difficulty supporting an early increase in water rates. They will likely have to pass on the increases from the suppliers, but he believes communication to the public that this is one of possibly three steps is necessary. He thinks the water study will add valuable tools. He would prefer to pass on only the defined rate increases, and communicate to the Village that this may be part of additional increases over the next 12-14 months.

Commissioner Neustadt said obviously the Village has to pass on its increase, but the wild card is the DuPage Water Commission. He would not like to make extra increases as they go along, but the Village may not be able to do this without the water rate study to tell how much actually needs to be charged to the residents. He said that the water bill is a useful tool to explain the costs.

Mayor Sandack said that the DuPage Water Commission has made one increase, and they have borrowed \$40 million more. They are not charging the real rate of water, so another increase will be coming although the amount is not known. Reducing the capital expenditures does not mean that the projects are any less important. When you defer capital expenditures, the projects just continue to get more expensive down the line. The Village knows that based on past evidence.

Commissioner Barnett said that local municipalities try to keep funds transparent as contrasted

to how the DuPage Water Commission operates.

Commissioner Beckman said they must be sure to keep their arms around this issue. He has heard that the City of Chicago is looking toward subcontracting the delivery of water to the DuPage Water Commission, and that will become more expensive to the recipient communities. They need to follow this closely and watch the revenue stream.

Comprehensive Planning Process

Community Development Director Tom Dabareiner explained that this is the first of monthly reports to the Council on the Comprehensive Planning process. The Comprehensive Plan is much more than the Future Land Use Map. It incorporates and consolidates a community's goals and aspirations for its future layout and physical character. He then compared what a Comprehensive Plan is, and is not. It is a guide to manage the physical changes and evolution of the community, a to-do list with regard to spatial goals, as well as a record documenting current issues, challenging trends and opportunities facing the community at the time it is prepared. It can be amended, but serves as a foundation for community decision-making.

Mr. Dabareiner said that the Comprehensive Plan is not a guarantee of changing or not changing, it is not a Zoning Ordinance, it is not a place for final design, and it is not a detailed plan for economical development, parks, recreation or transportation. He then presented a diagram of the Comprehensive Planning Process, explaining its three steps: 1) consideration by the Comprehensive Planning Committee; 2) Plan Commission Public Hearing; 3) Adoption of the Comprehensive Plan by the Village. He said the Village has frontloaded this effort with the TCD 3, as a result of information obtained through numerous meetings.

Mr. Dabareiner described the roles and responsibilities of the principals in this process. There were almost 2000 people involved in TCD 3 providing information in a public forum. He said the downers.us website has a link to the Comprehensive Plan website, which includes documentation and information during the process. The Comprehensive Plan Committee's role is make sure that issues identified in TCD 3 are incorporated into the final document. They hold regular meetings and serve as a community sounding board throughout the whole process. They will meet on a monthly basis throughout the next year. He said that the consultant will listen to concerns raised by the Committee, include the information in their analysis, and provide recommendations based on sound planning principles. Staff will serve as a liaison between the Village, consultant and the Comprehensive Planning Committee, as well as the public. They will also preview draft materials from the consultant, and provide the document to the Committee members, Council, and on line.

Mr. Dabareiner said the Plan Commission will meet in December to consider the Comprehensive Plan through a Public Hearing. The Village Council will review the draft documents, present them as a First Reading at their meetings, and use the Plan as a foundation for decision-making. He then reviewed some of the contents included in a Comprehensive Plan. He used Carpentersville's Plan as an example of how a Plan is created.

Mr. Dabareiner noted that a workbook is available on line. When the Plan is reviewed, it will be on a chapter-by-chapter basis. The next report on the process will be presented on April 27 at 7:00 p.m. in the Committee Room.

Mayor Sandack noted that the TCD 3 process was intended to be set up as a lead-in to the Comprehensive Plan process.

Commissioner Beckman asked if the Comprehensive Plan is an agent for changes or response, and Mr. Dabareiner said that it needs to respond to change, and is also critical toward laying out the goals and objectives for the future. It serves as a foundation for future changes.

11. Attorney's Report

Waive One-Week Waiting Period to Consider New Business

Village Attorney Enza Petrarca noted that it is not necessary to waive the one-week waiting period with respect to this matter.

MOT 00-04135 H. Motion: Authorize Payment Not to Exceed \$22,000 to Global Emergency Products for Repairs to the Fire Department 1998 Pierce Ladder Truck

Sponsors: Fire Department

Summary of Item: This authorizes payment in an amount not to exceed \$22,000 to Global Emergency Products for repairs to the Fire Department 1998 Pierce Ladder Truck.

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

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

Indexes: Fire Equipment-Pumper

12. Council Member Reports and New Business

Commissioner Neustadt said that the Community Events Commission had a discussion of a new model for community events for the future. One member from the Economic Development Corporation (EDC) was part of that discussion. Commissioner Neustadt said that he would like staff to prepare an ordinance adding an ex-officio member, as appointed by the President of the EDC, to the Community Events Commission.

There were no Council members opposing this request and the Mayor asked staff to draft the ordinance.

Commissioner Beckman said that yesterday he attended the DeVry Open House which is a magnificent facility. They are very excited about their facility and to be part of the Downers Grove family. They have many different colleges, universities, and schools that are under their umbrella. He said it was a wonderful event, and the Mayor and many other dignitaries had an opportunity to speak.

Commissioner Beckman then noted that the new CVS Pharmacy is officially open at the intersection of 63rd and Main. He also mentioned that SEASPAR and the Downers Grove National Bank will present a program called Buddy and Beyond on Wednesday at 7:00 p.m. at the Tivoli. This highlights a Buddy Holly tribute performer. He added that local restaurants are offering 10% discounts for meals.

Commissioner Neustadt said that the Mayor, Commissioner Schnell and he attended Gary Rauch's retirement from the Downers Grove Fire Department today. He is a 24-year veteran. His last call was broadcast tonight, and he will be missed. He is a true public servant.

Commissioner Neustadt also announced that Another Round Bar and Grill opened on Main Street.

Commissioner Neustadt then extended best wishes to Commissioner Schnell on her birthday.

Commissioner Schnell commented on the garbage survey, saying she was amazed at the number of participants, which was over 1,000, with comments made by 700 of those residents. She was happy that so many people took time to express their thoughts and concerns.

Mayor Sandack commented on the staff's report regarding the under-performance of sales tax

figures for January 2010, as compared to January 2009, which was already a bad month. He hopes that there are brighter days ahead. The most important part of the report is that telecommunication tax dollars are down, maybe because the State is holding funds. He said they are also concerned that the State has not taken care of the income tax payment. The Governor has already announced his intention to take 3% of the income tax from municipalities, which would be a drop of \$1.1 million for the Village. The Mayor is grateful that staff has been proactive the past two years in delivering news so the Village can make adjustments when necessary. He said we need to be mindful that if the Village did not do what they did in the last budget-making process, we would be in a catastrophic state right now.

The Mayor then commented on the private sector stepping forward to present a Heritage Festival for the community, and the privatization of the social services program. In addition, an Ice Festival occurred through the private sector. He said that if the Village focuses on core services, there will still be tough decisions to be made. He noted that a budget process will begin again shortly, and it will be an open process. He said the Village will be as efficient as possible noting, however, that there are items out of the Village's control that will have to be dealt with.

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 9:27 p.m.