



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, March 20, 2012

7:00 pm

Council Chambers

1. Call to Order

Mayor Martin Tully 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 Tully 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 Becky Rheintgen, Commissioner Geoff Neustadt and Mayor Martin Tully

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 Tully 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 Minutes - March 13, 2012

Mayor Tully asked for a Motion to approve the minutes as submitted.

Commissioner Schnell moved to approve the minutes as presented. Commissioner Durkin seconded the motion.

The Mayor declared the Motion carried by voice vote.

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

Patti Gruber, 6216 Pershing, presented a petition with the latest signatures of those in opposition to the proposed Walgreens at 63rd and Woodward. There are 530 signatures on the written petition and 220 names on the online petition. She said she will continue to collect signatures.

Bill Wrobel, 7800 Queens Court, said when he voted today he requested an English ballot, not a bilingual one and was told by the election judge that such a form was not available. He asked the election judge to make a report to the Election Commission that he was treated with prejudice because he was not offered a traditional English ballot. He was only able to get a bilingual ballot. He was told that a decision was made in Springfield that election ballots would be bilingual. His rights as a citizen were amended today and he takes issue with it. He thinks our democracy is suffering with this decision. Mr. Wrobel said he knows of one person who refused to take a ballot because it was bilingual.

The Mayor thanked him for being at the meeting, and said that the comment might be more appropriately addressed with another body.

5. Public Hearings

6. Consent Agenda

COR 00-04827 A. Claim Ordinance: No. 5941, Payroll, February 24, 2012

Sponsors: Accounting

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

Indexes: N/A

BIL 00-04828 B. List of Bills Payable: No. 5966, March 20, 2012

Sponsors: Accounting

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

Indexes: N/A

RES 00-04802 C. Resolution: Authorize a Professional Services Agreement with Sada Systems, Inc.

Sponsors: Information Services

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF A MASTER PROFESSIONAL SERVICES AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND SADA SYSTEMS, INC.

RESOLUTION 2012-16

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

Indexes: Computers, Computer Servers

RES 00-04824 D. Resolution: Authorize a Government Customer Agreement with Sada Systems, Inc.

Sponsors: Information Services

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND SADA SYSTEMS, INC.

RESOLUTION 2012-17

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

Indexes: Computers, Computer Servers

RES 00-04749 E. Resolution: Authorize an Agreement with Comcast Business Communications, LLC

Sponsors: Information Services

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND COMCAST BUSINESS COMMUNICATIONS, LLC

RESOLUTION 2012-18

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

Indexes: Computers, Internet Access Provider, Internet Service Provider

MOT 00-04822 F. Motion: Award \$221,794 to Foster Coach Sales, Sterling, Illinois, for the Purchase of a 2013 Freightliner M2/MedTec M170 Ambulance

Sponsors: Public Works

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

Indexes: Fire Equipment - Ambulance

BID 00-04829 G. Bid: Authorize a Three-Year Contract for \$111,850 to Giant Maintenance & Restoration, Mundelein, IL, for Fire Hydrant Painting

Sponsors: Public Works

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

Indexes: Fire Hydrants

MOT 00-04830 H. Motion: Authorize a Three-Year Contract for \$320,052 to M.E. Simpson Co., Inc., Valparaiso, IN, for Fire Hydrant Maintenance and Flow Testing Services

Sponsors: Public Works

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

Indexes: Fire Hydrants

BID 00-04831 I. Bid: Award \$53,570 to Ziebell Water Service Products, Elk Grove, IL, for Supply of Fire Hydrants

Sponsors: Public Works

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

Indexes: Fire Hydrants

MOT 00-04832 J. Motion: Award a Contract for \$70,330 to Strand Associates, Inc., Joliet, IL, for Water Main Replacement Resident Engineering Services

Sponsors: Public Works

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

Indexes: Water Main Improvements

RES 00-04837 K. Resolution: Authorize Work Upon State Maintained Rights-of-Way

Sponsors: Public Works

Summary of Item: A RESOLUTION AUTHORIZING WORK UPON STATE MAINTAINED RIGHTS-OF-WAY

RESOLUTION 2012-19

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

Indexes: Streets, Illinois Department of Transportation

MOT 00-04838 L. Motion: Note Receipt of Minutes of Boards and Commissions

Summary of Item: Architectural Design Review Board - October 13, 2011

Library Board - February 22, 2012

Transportation and Parking Commission - February 8, 2012

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

Indexes: Boards and Commissions Minutes

Passed The Consent Agenda

Commissioner Rheintgen noted that all of the Public Works projects came in under budget for a total of \$75,000.

The Mayor said he appreciated the information regarding Google apps. The terms seem to be specific. He noted the economies and efficiencies. This improves the Village's ability to answer FOIA requests and saves the Village money.

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

Votes: Yea: Commissioner Schnell, Commissioner Barnett, Commissioner Waldack, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt and Mayor Tully

7. Active Agenda

8. First Reading

Village Manager Dave Fieldman noted that five of the six items under First Reading relate to implementation of the Community Investment Plan (CIP). He asked Public Works Director Nan Newlon to present the first three items.

MOT 00-04820 A. Motion: Award \$3,552,453 to A. Lamp Concrete Contractors, Inc., Schaumburg, IL, for Valley View Estates Reconstruction and Water Main Replacement Project

Sponsors: Public Works

Nan Newlon, Director, Public Works, presented the information on the Valley View Estates street reconstruction and watermain replacement project. The project also includes installation of traffic calming measures. She described the area in question and the construction of the streets in the area, including Valley View Drive, Foster Road, Foster Place, Hobart Avenue, Creekside Road, Parker Avenue, Waterfall Place, and Robey Avenue. She said the subdivision was built in the late 1970s with a pozzolonic base material that has suffered rapid deterioration. Ms. Newlon said that they will be doing both projects together which will reduce longer-term maintenance costs and improve pavement performance. The low bidder of six bids received was

A Lamp Contractors.

Commissioner Neustadt said that road reconstruction is a disruption to residents, but it will be monitored and residents will be kept informed. He is pleased to see both road reconstruction and watermain work bundled.

Indexes: Water Main Improvements, Subdivision - Valley View

MOT 00-04819

B. Motion: Award \$5,489,847.76 to Austin Tyler Construction, LLC, Elwood, IL, for the Knottingham Subdivision Road Reconstruction and Water Main Replacement Project

Sponsors: Public Works

Ms. Newlon said this project is in the Knottingham Subdivision and is similar to the Valley View project. It includes street reconstruction, watermains and traffic calming. She outlined the affected streets, including Queens Court, Rohrer Drive, Sherwood Court, Elizabeth Lane, Marie Drive, Knottingham Lane, 77th Street and Baimbridge Drive. Four bids were received, with the bid going to Austin Tyler Construction LLC. They have satisfactory references. She said that staff has met twice with both subdivisions and will continue to meet with them and keep them informed as the projects move along.

Bill Wrobel, 7800 Queens Court, said he attended both community meetings. The engineer laid out plans for the watermain replacement and traffic calming on Queens Court. Some of the residents spoke with Dorin Fera. The traffic calming measures are mild and the residents would like to address this at a future time to obtain more aggressive measures. He said that the project will start at the northeast part of the subdivision. Queens Court will be one of the last areas to be addressed. Mr. Wrobel complimented Public Works on the plans that are available for review. He is elated that they are moving ahead with the project.

Frank Falesch, 820 Prairie, said that the savings look great on paper, but he thinks the Village should have better estimates. They are way off.

Indexes: Water Main Improvements, Subdivision - Knottingham

RES 00-04834

C. Resolution: Authorize an Intergovernmental Agreement with City of Darien

Sponsors: Public Works

Ms. Newlon noted that there are ten Darien residents in the Knottingham subdivision. She said that the Village has a history of cooperation with Darien and Darien has agreed to cost share with the Village via an intergovernmental agreement for the street and watermain improvements in the Knottingham Subdivision. Darien will pay the Village \$67,425 for improvements made.

Commissioner Durkin thanked the City of Darien for working with the Village to complete the project all at once, rather than piecemeal.

Indexes: Subdivision - Knottingham, Darien

ORD 00-04833

D. Ordinance: Amend Certain Rates Charged for Water

Sponsors: Public Works

Mr. Fieldman said this is the deletion of the special Knottingham water rates.

Deputy Village Manager Mike Baker said that this would remove the rates that only apply to residents in the Knottingham subdivision. The proposed rate is the same as that paid by all other residents in the Village.

Bill Wrobel, 7800 Queens Court, said he spoke with Mr. Baker about this. Knottingham is a

community divided between Downers Grove and Darien. He knows that annexation has been addressed. He asked whether the Council would be interested in the Darien residents annexing to Downers Grove since the Village does supply their water.

Mr. Fieldman responded that a conversation has begun. There are no short-term solutions but they may occur in the long-term. In the short-term they have agreed to the intergovernmental agreement.

Indexes: Subdivision - Knottingham

RES 00-04835 E. Resolution: Declare Official Intent Regarding Certain Capital Expenditures to be Reimbursed from Proceeds of an Obligation

Sponsors: Manager's Office

Mr. Fieldman said this expresses the Village's intent to issue bonds for future projects in the Village's Community Investment Plan and Long Range Financial Plan (LRFP). It allows the Village to reimburse itself for any expenses paid prior to issuance of the bonds. Bond discussion is scheduled for the April 10 and April 17 agendas. The bonds will be paid for using existing revenue streams per the approved FY12 budget.

Commissioner Waldack said all the projects will cost money, but the work definitely needs to be done and is long overdue. He raised the question of how to best pay for the work and was specifically addressing bonding. He noted that deep cuts were made a couple of years ago and the Council was proud that it did not borrow money or dip into its reserves. Residents spoke at public meetings asking the Council to try not to borrow any money. He hears people say that the Village needs to live within its means. The Commissioner noted that everyone has had a taste in the last few years of how bad the economy can get. He has a problem with the idea that we need to borrow money. The plan is for a \$35 million bond, \$10 million of which is for the water system and paid for by the water fund. In Long Range Financial Planning conversations, he has said he could support up to \$18 million for the water system, but with respect to \$25 million for street reconstruction, he thinks the Village can pay as it goes. The infrastructure has suffered because taxes were kept artificially low. Commissioner Waldack noted that \$25 million for 25 years at 3% interest equals \$1.4 million per year in interest. The Village will have paid \$11-12 million in interest over the life of the bond. Paying interest does not fill one pothole. He said that the Village could build another fire station for that amount. There would be 7-1/2 years of interest only payments. The projects could be paid for without borrowing. The Commissioner said if the Village used \$1.4 million per year Valley View would be paid in two years, and Knottingham in three years, which would save a lot of interest money. Commissioner Waldack thinks the Village can do a "pay-as-you-go" plan. He thinks they are setting up a ladder system with perpetual debt and perpetual interest payments. This is not the same as a mortgage. The Village can afford to pay as it goes. It is not getting more equity in the Village. We are paying a lot of money in interest so we can get the money and use it faster. He finds it hard to agree that this is the way to go.

Commissioner Barnett commented on Commissioner Waldack's statement that Valley View would take two years, and Knottingham would take three years on a pay-as-you-go basis. Commissioner Waldack responded that was correct. The Village would not delay the projects but would make a transfer.

Commissioner Barnett asked what amount they would be spending per year. Commissioner Waldack said he would like to see the projects and funding plans first. Some projects may have to be put off, but in the long run the Village would have the 7-1/2 years worth of interest money for additional projects.

Commissioner Barnett asked if Commissioner Waldack sees an adjustment to the reserve policy, or pure cash flow. Commissioner Waldack responded that for simplicity's sake he would go with

the cash flow, however there are other options that have not been fully investigated. He realizes that he is in the minority on this. When Council discussed financial planning, the majority directed staff to plan for a bond issue. Pay-as-you-go has not been fully investigated yet. He asked why they should have to pay 7-1/2 years worth of interest. He is a staunch supporter of pay-as-you-go.

Commissioner Barnett asked if the bonding issue proposed by staff requires additional revenue. Mr. Fieldman said that the revenues for \$25 million of bonds for the streets were put in place in 2008, and no adjustments would be required.

Commissioner Barnett said he recalls that the Council collectively decided that the volume of work and the schedule is what drove the decision to bond.

Commissioner Schnell commented that during the financial planning process she heard that by bonding they could address the worst streets and could put a project together so disruption to residents would be lessened. There is a distinct advantage to getting the worst projects completed with minimal disruption. There is also an advantage to getting the money up front to put the area back together again. Because of the restrictions on staff they can only take on two big projects per year.

Mr. Fieldman replied that they fell behind and had to catch up. After the reconstruction the Village will go back to the pay-as-you-go plan. Interest rates are at 3% and inflation is tracking higher. It is to the Village's advantage to take advantage of the current interest rates.

Commissioner Waldack responded that the interest payments are a lot of money to the taxpayers. He would rather see the money go into the project than to the bank. It would not cause additional disruption on these two projects. He would prefer setting the money aside and when the money is there, go out and do the project. It appears as though the Council prefers the \$25 million bond, and he understands that and that he is in the minority.

Mayor Tully noted that there is a pay-as-you-go plan in the CIP plan for 2011-2015. The question is how to pay for it. What dollars do you spend over what period of time? The plan is available in terms of dollars and projects. The Mayor asked whether they pay dollars over time and extend the horizon dramatically. They need to consider inflation, etc.

Commissioner Neustadt said they had this conversation in the Long Range Financial Planning discussions. He referenced Commissioner Schnell's comments regarding the constraints on staff. Staff is bound by time. At the LRFP the majority direction was to proceed with bonding. If we go back on the direction, plans could be delayed. He supports bonding and wants them to stick with the direction given in the LRFP.

Commissioner Rheintgen commented that the cost of replacing roads on a pay-as-you-go basis could increase.

Commissioner Waldack said he is being consistent with earlier statements, and he feels the Village can do this. He doesn't believe they would be putting things off for a long time. This means setting money aside for projects and he believes in pay-as-you-go.

Mayor Tully said that Commissioner Waldack is right. The Mayor said he wishes that they had the money to do these projects without borrowing money. It comes down to five things: planning, demand, necessity, opportunity, and risk. The Mayor said that the problem is that the pay doesn't meet the go. Issues such as inflation, increased fuel costs, further deterioration, etc. must be taken into consideration. He said the top issue brought out by the public has been streets. He would like to see the Village get caught up so it can return to a pay-as-you-go. This method has been planned and planning is where the balance comes out. Mayor Tully said there is an opportunity with the current interest rates and the bid costs. Two projects tonight are \$9

million. The Village has dedicated revenue streams that minimize debt and should be resistant to the economic downturn. He thinks this is a responsible balancing of risks and opportunities. There is also the issue of necessity.

Commissioner Waldack replied that he is looking 25 years out. He respects the opinions expressed. He thinks what they planned on doing in 25 years could be done in 20. Initially projects may take a little longer, but in the long run more projects can be completed because no money has been paid toward interest.

Mr. Fieldman said that the Bond Ordinance will come before the Council on April 10 and April 17.

Indexes: General Obligation Bond Issue - Series 2012

REP 00-04836 F. Report: Ogden Avenue Site Improvement Strategy (OASIS) Grant Program

Sponsors: Community Development

Mr. Fieldman asked Tom Dabareiner, Director, Community Development, to address this item. Mr. Fieldman said if Council sees any issues to be altered, staff will place this on a future agenda.

Tom Dabareiner, Director Community Development, said that at the February 14, 2012, meeting, the Village Council requested a report regarding the OASIS Program. OASIS is a matching grant program for certain site improvements. Council established the program in September 2010. It was developed by business/property owners, the Economic Development Corporation (EDC), and Chamber with assistance from Village staff. The program stems from a top priority item in the strategic plan to implement the Ogden Avenue Master Plan, and goals, based on the Master Plan, are to provide more attractive sites, improve traffic circulation for vehicles and pedestrians, improve existing building appearance, and improve signage and reduce visual clutter. Applications are reviewed by the OASIS team made up of business/property owners, EDC staff, Chamber staff and Village staff. He noted that the review process is competitive.

In terms of funding, Mr. Dabareiner said this is a dollar for dollar grant program. Up to \$50,000 is available for interior properties of less than one acre, and up to \$75,000 is available for corner properties, properties greater than one acre or tenant spaces over 5,000 square feet. He said there is also a 25% bonus available for comprehensive improvements.

Mr. Dabareiner then reviewed the categories used to judge applications: Site improvements, landscaping, building facade, and signs. The Village's purchasing policy applies to this program. Projects requesting less than \$15,000 may be approved by the Village Manager if recommended by the OASIS team. Projects of \$15,000 or more must be approved by the Village Council if recommended by the OASIS team.

Mr. Dabareiner reviewed the eligible program area. The program is available to all of the properties within the Ogden Avenue TIF. Mr. Dabareiner discussed the status of the program to date. There have been six submittal deadlines, 33 projects reviewed, and 20 grants awarded. He said \$750,000 was budgeted for 2011 and \$350,000 for 2012. Of the grants awarded, nine were for site improvements, six include new landscaping, eight include facade improvements, and 17 include new conforming signs. He said eight of the projects are sign-only requests. The total amount awarded is \$409,961 and the total investment value is \$1.3 million. With respect to the bonus, four projects received a recommendation for the 25% bonus based on the comprehensive nature of the proposed improvements.

Commissioner Barnett commented that he thinks the plan is working; however, when the original plan was put in place there was trepidation about signage only projects being funded.

He would still like to revisit that in the near future. The sign only award does not sit well with him.

Commissioner Schnell commented that if the Village were to continue with sign only, she would like to see enhancements to landscaping. There doesn't appear to be much landscaping included with sign only projects. She sees landscaping enhancements as important to the beautification of Ogden Avenue. Mr. Fieldman said that staff would provide Council with options. Commissioner Schnell said she would also like to investigate matching funds to install sidewalks. She said that easements are not getting the sidewalks done. She would like matching funds to be used for sidewalks. There also appear to be more bikers on Ogden Avenue trying to traverse the sidewalks. Instead of requiring easements, she would like to require sidewalks.

Commissioner Neustadt said he thinks the OASIS program is working pretty well. The review process is stringent. He asked if there is a priority given to projects if they contain multiple facets. Mr. Dabareiner said they are not prioritized, however there is a 25% bonus. The Manager added that they did not consider sign only requests until the third round. Commissioner Neustadt said he would like to continue the program as it is.

Commissioner Rheintgen asked whether grants under \$15,000 are reviewed by the team, and Mr. Dabareiner said they were. Commissioner Rheintgen then asked that they add dates as to projects completed and deadline dates to the spreadsheet. Mr. Fieldman said they could add the status and possible photographs. Commissioner Rheintgen then asked if there is a cap amount during each review period. Mr. Dabareiner said that it is first come first served. Commissioner Rheintgen said she thinks sign applications should continue to be considered, but suggested that they change the percentage granted.

Commissioner Waldack said this is a great program, and for the most part it is doing what it is suppose to do. He wants to stop paying for signage because the deadline in the original Sign Ordinance was recently amended. The Village is rewarding people who waited, and he would like to see the sign portion of the grant funding end or retroactively give some funds to those who complied with the Ordinance.

Mayor Tully said that he would like further discussion regarding the sign-only portion. He is not a fan of this. At a minimum he would like to re-examine the verbiage regarding what is going to be embraced and what is going to be discouraged.

Mr. Fieldman said he will meet with the OASIS team and then get back to the Council.

Indexes: Ogden Avenue TIF

9. Mayor's Report

ComEd Reliability Report

Village staff continues to work with ComEd to track progress on the final two equipment replacement projects that were identified during the reliability review in Summer 2011. ComEd has notified Village staff that work is beginning on these two projects this month. As the spring and summer storm seasons approach, Village staff will continue to work with ComEd to ensure that they provide responsive customer service should outages occur.

The Mayor then spoke of the new protocol for extreme weather events. Mr. Fieldman said a meeting hosted by ComEd and the DuPage Mayors and Managers Conference is scheduled for Thursday, March 22, 2012 to address this matter.

New Business

The Mayor said he is planning a trip to Springfield next week with the DuPage Mayors and Managers Conference to advocate for Downers Grove.

10. Manager's Report**11. Attorney's Report**

Village Attorney Enza Petrarca said she was presenting one item to Council: An ordinance amending certain rates charged for water.

Future Active Agenda**12. Council Member Reports and New Business**

Commissioner Rheintgen asked if a notice could be put on the Village's website about leaf pick up. The Manager said a reminder will be added that leaf pick up begins April 1.

Commissioner Waldack said he and Commissioner Neustadt attended the opening of the Wig Boutique at the Good Samaritan Cancer Center. This is a worthwhile use of resources. It was a great event and he thanked Commissioner Neustadt for his comments at the event.

Mayor Tully thanked the Downers Grove South baseball team for inviting him to their fundraiser where he served as a guest auctioneer.

The Mayor extended his congratulations to all the candidates awaiting election returns.

The Mayor then reported that there are 92 days until the Rotary GroveFest.

13. Adjournment

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

VOTE: YEA - Commissioners Schnell, Durkin, Rheintgen, Barnett, Neustadt, Waldack, Mayor Tully

Mayor Tully declared the motion carried and the meeting adjourned at 8:26 p.m