



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, November 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 Meeting - November 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.

Proclamation

Mayor Tully proclaimed Saturday, November 24, 2012, as Small Business Saturday in the Village of Downers Grove. He presented the proclamation to Linda Kunze, Director of the Downtown Management Corporation. Ms. Kunze thanked the Mayor and Council for supporting this event, and for shopping locally.

Mayor Tully replied that the most powerful way to influence businesses in the downtown area is to shop there.

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

Michael Cassa, President of the Economic Development Corporation (EDC), spoke of a business, based in Denmark, that manufactures water pumps. Grundfos USA will move their North American headquarters to Downers Grove and will employ 40 people here. Their annual business is \$4 billion and they have a 50% market share. This is an example of attracting foreign-owned firms that are looking for a U.S. headquarters to Downers Grove.

Mayor Tully said he was glad to see world-class companies choose Downers Grove.

5. Public Hearings

6. Consent Agenda

Mayor Tully said Item E, RES 00-05083, a resolution authorizing an agreement with Blue Cross/Blue Shield of Illinois for stop loss coverage and Item I, RES 00-05087, a resolution authorizing an agreement with Blue Cross/Blue Shield of Illinois, were removed from the Consent Agenda for separate consideration.

COR 00-05074 A. Claim Ordinance: No. 5975, Payroll, October 19, 2012; Claim Ordinance: No. 5977, Payroll, November 2, 2012

Sponsors: Accounting

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

Indexes: N/A

BIL 00-05075 B. List of Bills Payable: No. 6014, November 20, 2012

Sponsors: Accounting

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

Indexes: N/A

MOT 00-05079 C. Motion: Issue 2013 Class A Scavenger License to Allied Waste Services of North America, LLC

Sponsors: Deputy Village Manager

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

Indexes: Scavenger-Garbage Collection, Refuse, Recycling, Yard Waste Services

MOT 00-05080 D. Motion: Award a Professional Services Contract for \$25,900 to SE3, LLC, Downers Grove, IL, for Traffic Signal Modernization at Finley Road and Finley Mall

Sponsors: Public Works

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

Indexes: Traffic Signal - Finley & Finley Mall

- RES 00-05085** F. Resolution: Authorize Amendment #4 to National Insurance Services Joinder Agreement for Long Term Disability Insurance
Sponsors: Human Resources
Summary of Item: A RESOLUTION AUTHORIZING AMENDMENT #4 TO NATIONAL INSURANCE SERVICES JOINDER AGREEMENT FOR LONG TERM DISABILITY INSURANCE
RESOLUTION 2012-86
A motion was made to Pass this file on the Consent Agenda.

Indexes: Insurance - Health, Employee, Employee Benefits

- RES 00-05086** G. Resolution: Authorize a National Insurance Services Trust Joinder Agreement for Group Life Insurance
Sponsors: Human Resources
Summary of Item: A RESOLUTION AUTHORIZING A NATIONAL INSURANCE SERVICES TRUST JOINDER AGREEMENT FOR GROUP LIFE INSURANCE
RESOLUTION 2012-87
A motion was made to Pass this file on the Consent Agenda.

Indexes: Insurance - Health, Employee, Employee Benefits

- RES 00-05084** H. Resolution: Authorize Renewal of a Group Dental and Vision Contract with Delta Dental of Illinois
Sponsors: Human Resources
Summary of Item: A RESOLUTION AUTHORIZING RENEWAL OF A GROUP DENTAL AND VISION CONTRACT BETWEEN THE VILLAGE OF DOWNERS GROVE AND DELTA DENTAL OF ILLINOIS
RESOLUTION 2012-88
A motion was made to Pass this file on the Consent Agenda.

Indexes: Insurance - Health, Employee, Employee Benefits

- MOT 00-05089** J. Motion: Authorize the Purchase and Extension of Property, General Liability, and Workers Compensation Insurance Coverages
Sponsors: Manager's Office
Summary of Item: This authorizes the purchase and extension of property, general liability, excess liability and workers compensation insurance coverages for the Village through December 31, 2012.
A motion was made to Authorize this file on the Consent Agenda.

Indexes: Insurance - Risk Management

- MOT 00-05091** K. Motion: Authorize \$50,000 to Downers Grove Economic Development Corporation for Tourism Related Activities
Sponsors: Manager's Office
A motion was made to Authorize this file on the Consent Agenda.

Indexes: Economic Development Corporation

MOT 00-05088 L. Motion: Note Receipt of Minutes of Boards and Commissions

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

Indexes: Boards and Commissions Minutes

Passed The Consent Agenda

The Consent Agenda, as amended was approved.

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

RES 00-05083 E. Resolution: Authorize an Agreement with Blue Cross/Blue Shield of Illinois for Stop Loss Coverage

Sponsors: Human Resources

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND BLUE CROSS/BLUE SHIELD OF ILLINOIS FOR STOP LOSS COVERAGE

RESOLUTION 2012-85

Commissioner Waldack said he asked that this and the next item be removed from the Consent Agenda. He said staff is recommending authorization of these agreements by way of our consultant. His personal experience with Blue Cross/Blue Shield has been terrible and he knows others have had similar experiences. They are rated an "F" by the Better Business Bureau. They have been ordered to pay the State of Illinois \$25 million to settle False Claims Act allegations.

Commissioner Waldack said it is easy for the consultant to pick a large company like this, but he is not comfortable with it and cannot vote for it. He hopes this will send a message. It seems their first reaction is to reject claims. Commissioner Waldack said his comments relate to Item I as well.

Commissioner Schnell asked if Village employees have had problems.

Village Manager Dave Fieldman said there have been minimal to no complaints. The Village is self-insured and Blue Cross/Blue Shield is administering a program the Village defines.

The Mayor said these are different programs than Commissioner Waldack's program.

Commissioner Waldack said his program is also employee based.

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

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

Indexes: Insurance - Health, Employee, Employee Benefits

- RES 00-05087** I. Resolution: Authorize an Agreement with Blue Cross/Blue Shield of Illinois
Sponsors: Human Resources
Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND BLUE CROSS/BLUE SHIELD OF ILLINOIS

RESOLUTION 2012-89
A motion was made by Commissioner Schnell, seconded by Commissioner Durkin, to Adopt this file. Mayor declared the motion carried by the following vote:
Votes: Yea: Commissioner Schnell, Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt and Mayor Tully
Nay: Commissioner Waldack
Indexes: Insurance - Health, Employee, Employee Benefits
- ORD 00-05070** A. Ordinance: Proposing Establishment of Special Service Area Number 5 - Atwood Subdivision
Sponsors: Community Development
Summary of Item: This proposes establishment for SSA #5 for Atwood Court and provide for a public hearing and other procedures in connection therewith.

AN ORDINANCE PROPOSING THE ESTABLISHMENT OF SPECIAL SERVICE AREA NUMBER 5 IN THE VILLAGE OF DOWNERS GROVE, ILLINOIS, AND PROVIDING FOR A PUBLIC HEARING AND OTHER PROCEDURES IN CONNECTION THEREWITH

ORDINANCE NO. 5287
A motion was made by Commissioner Schnell, seconded by Commissioner Durkin, to Adopt this file. Mayor declared the motion carried by the following vote:
Votes: Yea: Commissioner Schnell, Commissioner Barnett, Commissioner Waldack, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt and Mayor Tully
Indexes: Special Service Area 5 - Atwood Subdivision

8. First Reading

- ORD 00-05081** A. Ordinance: Establish Special Service Area Number 4 in the Village of Downers Grove - Green Acres Subdivision
Tom Dabareiner, Director, Community Development, displayed a map showing the location of the proposed SSA #4 in the Green Acres Subdivision. He noted that this ordinance is the last step in the process to establish an SSA. The process began August 21, 2012. Mr. Dabareiner commented that the SSA serves as a safeguard in the event the homeowners' association cannot, or does not maintain the subdivision's stormwater detention area. The Village proposes a maximum annual rate not to exceed 3% of the property EAV as a tax levy. The tax would only be levied if the homeowners' association defaults and the Village is required to maintain the common areas.

Mayor Tully commented that this is a best practice going forward.
Indexes: Subdivision - Green Acres of Downers Grove, Special Service Area 4 - Green Acres Subdivision
- MOT 00-04937** B. Motion: Award a Contract for \$569,740.50 to ENCAP, Inc., Sycamore, IL, for Naturalization of Valley View Pond
Sponsors: Public Works

Deputy Village Manager Mike Baker said that staff recommends entering into a contract with ENCAP, Inc. of Sycamore, IL, in the amount of \$569,740.50 for the design and construction of the naturalization of Valley View pond. This was discussed at the June 19 and July 17 meetings, and direction was given to staff to explore alternatives. A neighborhood meeting was held on September 6 where it was determined that the original recommendation was the most viable. Because of the delay, there was an increase in pricing of \$20,000. This would involve an extensive design and permitting process, and residents could be involved at this time.

Commissioner Schnell asked the nature of resident involvement, and Mr. Baker said that there will be neighborhood meetings as well as updates on the website.

Diane Vida, 1171 Robey, said that the residents are opposed to the naturalization. She asked what the guarantee is that this will not go into disrepair.

Mayor Tully said that was also his question, in terms of the maintenance schedule. He asked if it could be done in a neighborhood friendly fashion.

Mr. Fieldman said that permits are required as part of the process, and they have a lot to do with the maintenance. It is important that residents participate in the design phase. One of the points is to have a program that can be maintained long-term.

The Mayor said that there will be specifications, and agencies will be required to approve them and permit them for the work.

Ms. Vida said that the naturalization on Woodward looks like weeds and overblown growth. Mr. Fieldman said staff would look into that. Ms. Vida then added that there have been no problems with the pond this summer, and asked if this can be delayed.

The Mayor said the option to do nothing is not realistic and increases the problem and costs. He said it could be restored as a pond, which would be double the cost of naturalization and is not sustainable. Naturalization is preferred for both the cost and sustainability. He said that they discussed having the neighborhood contribute through establishment of an SSA. There was also discussion about the Park District taking the parcel; however, they are not interested in doing that. The Mayor said that his concern is that waiting increases costs.

Commissioner Rheintgen noted that part of the contract is for three years and the company has to review the project and the plantings.

The Mayor asked when work would begin.

Nan Newlon, Director, Public Works, said the design process would be simultaneous with the permitting, an estimate of six to nine months. She indicated that they could begin this in late 2013 or 2014.

Commissioner Schnell asked if there are penalties for not meeting the contract. Ms. Newlon replied that they must meet permitting requirements, establish plantings and the plantings have to be viable. Commissioner Schnell asked what the penalties are if that is not done.

Mr. Fieldman said that the Village would hold back a portion of their payment; if they don't comply, they do not get paid.

Robert Traub, 1181 Robey, commented that one of the resident concerns is how the Village will keep the area free of debris and maintain the aesthetics of the area?

Mayor Tully said that maintenance includes the plants and the site.

Ms. Newlon responded that the Village would monitor the site. They are seeing more and more of these sites, and staff collects debris to keep the sites looking good.

Indexes: Stormwater Sewer Watershed Improvement Plans, Stormwater Improvements

ORD 00-05076 C. Ordinance: Adopt the 2012 Edition of the International Energy Conservation Code

Sponsors: Community Development

Mr. Dabareiner said this ordinance amends a portion of Chapter 7 of the Municipal Code per the State of Illinois requirements. The current International Energy Conservation Code (IECC) was adopted in 2009. Senate Bill 3724 mandates use of the 2012 edition of the IECC, effective January 1, 2013. He highlighted some of the differences including building envelopes, windows, performance testing, mechanical ventilation, lighting efficiencies including equipment sizing. He noted that this is mandated.

Commissioner Schnell asked whether this applies to new builds and substantial renovations. Mr. Dabareiner said it applies to substantial renovations and HVAC changes.

Commissioner Barnett noted that this adds cost, burden and complexity and it was decided in Springfield. These mandates are painful at the local level.

Commissioner Durkin commented that this is the energy side of the Code, and not the entire Building Code.

Commissioner Rheintgen said that the HVAC contractor has to decide whether he will pass on this cost to the customer. This hurts homeowners and business owners.

Indexes: Municipal Code - Amendments

REP 00-05092 D. FY13 Budget Implementation Actions

Sponsors: Manager's Office

Mr. Baker noted that the Council approved the budget on November 13. It was based on the Long Range Financial Plan and many of the items presented tonight are made up of those discussions, including water rates, updates to the Compensation Plan, parking fees and parking changes.

Commissioner Waldack said those following this process understand that these items had to be brought forward. He spoke with the Village Manager about the water rates and increases in Chicago. This takes into account those increases.

Mr. Baker said that the Village received a notice for rates for 2013 and 2014. The Village purchases water from the DuPage Water Commission.

Commissioner Waldack commented that there are rates for the meter and the actual cost of the water. He said that the Village is not trying to make money on the water.

Mayor Tully mentioned the efforts of some municipalities to look at alternatives such as a coalition. The Village is following that as are neighboring communities.

Mr. Fieldman noted that the Village staff is participating in some of those discussions.

Commissioner Durkin commented that this is a subject being discussed by many municipalities. It was also on the agenda of the Metropolitan Mayors caucus meeting.

The Mayor said there is a fair amount of unrest regarding this topic.

Indexes: Budget - 2013

9. Mayor's Report

Materials to be Placed on File

10. Manager's Report

11. Attorney's Report

Village Attorney Enza Petrarca said she was presenting four (4) items before Council: 1) An ordinance establishing Special Service Area Number 4 in the Village of Downers Grove; 2) An ordinance adopting the 2012 edition of the International Energy Conservation Code; 3) An ordinance amending water rates for 2013; and 4) An ordinance amending parking permit fees.

Future Active Agenda

12. Council Member Reports and New Business

Commissioner Barnett wished all the residents a Happy Thanksgiving.

Commissioner Neustadt said that the Village's Gingerbread Festival will be held from Friday through Sunday, November 23 - 25, 2012, and will include the tree lighting ceremony, the Gingerbread House contest, breakfast with Santa on Sunday, complimentary carriage rides, etc. Santa will be in his house. The Commissioner said he is thankful to live in a great community. There are three shifts of the Police Department and Fire Department working on Thanksgiving Day as well as others.

Commissioner Durkin asked that if traveling, residents stay safe. He encouraged people to shop locally, and wished all a Happy Thanksgiving.

Commissioner Schnell congratulated Gabby Sims on winning first place at the state meet in the 100 freestyle swim, and the Downers Grove North Girls Swim Team on winning 6th place. She extended her best wishes for a Happy Thanksgiving.

Commissioner Waldack talked of renewing his driver's license about 20 years ago and found out he has retinitis pigmentosa, which is similar to macular degeneration and is degenerative. He was thankful for living in Downers Grove and for the Commuter Grove Shuttle. He has always supported the commuter buses. After the diagnosis he applied for a position on the Transportation Committee where he learned of a Transportation Subsidy Program, which he thought was fabulous. He started to get involved and interested and eventually ran for Council 7-1/2 years ago. He has tried to work very hard at this position. He spoke of clues as to when it is time to move on. He said he opposed term limits because they are not necessary. He feels contracts should be looked at with fresh eyes. As he looks ahead he has an opportunity to work with senior services as well as a County-wide organization providing para-transit services. This model has been used elsewhere. He feels it is time to take a step back, and announced that he is not running for re-election. There is still time for anyone to get signatures before the deadline. He thanked people for the opportunity to serve, and he wished all people a safe and Happy Thanksgiving.

Mayor Tully reported on the Bonfield Express 9th annual event to be held Thanksgiving morning. It is a 5k run and walk. This year's registration is higher than last year. The race begins at 8:00 a.m. in downtown.

The Mayor reminded everyone that the tree lighting ceremony will take place on Friday at 4:30 p.m. The Danko family donated the tree, and the community contributed the more than 1,000 ornaments.

The Mayor also announced a concert to be held at Downers Grove North on Saturday, November 24, 2012, at 8:00 p.m. Muriel Anderson, guitar virtuoso from Downers Grove, will perform.

Mayor Tully then wished all residents and their families a safe and Happy Thanksgiving.

13. Adjournment

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

Mayor Tully declared the motion carried by voice vote, and the meeting adjourned at 8:01 p.m.