



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, September 16, 2014

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 Bob Barnett, Commissioner Sean P. Durkin, Commissioner Becky Rheintgen, Commissioner Geoff Neustadt, Commissioner Greg Hosé, Commissioner David S. Olsen 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 - September 9, 2014

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

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

The Mayor declared the Motion carried by voice vote.

Proclamations

Mayor Tully read a proclamation designating September 17-23, 2014, as Constitution Week in the Village of Downers Grove. Carol Wandschneider of the DAR accepted the proclamation. She asked that people remember what the constitution gives us when we see what is going on in the world.

Mayor Tully then read a proclamation designating October 2014, as American Pharmacists Month. He welcomed pharmacy students from Midwestern University and presented the proclamation to Kelsea Caruso, President of Midwestern University's American Pharmacists Association (APhA).

Ms. Caruso thanked the Mayor and Council for the proclamation. She said pharmacists are the most accessible health care providers. She then announced Midwestern University's annual Health Fair on October 4, 2014, at the Downers Grove Park District Recreation Center. She said everyone is invited to see what your pharmacist can do for you.

Mayor Tully said he has attended the Health Fair in the past. He gets many offers to get flu shots, but he prefers to get his at the Health Fair. It is a wonderful service and offers many health screening options. He thanked the students for their work.

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

Bill Wrobel, 7800 Queens Court, complimented the Council on the workshop that was held last week, particularly the set-up and that it was televised. He suggested Council consider televised documentaries. Mr. Wrobel then said that in the 2000s there was concern about home rule and referenda. He reviewed the history of establishing home rule in Downers Grove. He said home rule is a tremendous power. Elected officials serve as representatives to invoke the will of the people.

Mayor Tully said Councils are very mindful of their responsibilities. Home rule is a power more communities are moving toward as they do not want to be dictated to by Springfield. The Mayor said the voice of the people is heard frequently. There are many ways for people to participate today and to be heard. Voters can change the Council through the election process every two years. The Council's charge is to do their homework, listen, and to articulate their rationale and their decision.

Bill Waldack, 1409 Willard Place, referenced the planning process and meetings. The means do not always justify the ends. Before he ran for Council, there were many discussions about tax increases. Commissioner Schnell expressed concern about this and the frenzy stopped. Now we have a stormwater utility and lists of priorities because of added revenue, often referred to as "dedicated source of revenue," and taxes. He said the taxpayers are the "dedicated source of revenue." He can think of no term that is colder or more unempathic. It allows for increases in the stormwater utility of 8.5%.

Mayor Tully noted the rules the Council follows, one of which comments are to be directed to the Chair.

Mr. Waldack said there are many places in Downers Grove where one can live without stormwater problems. Multiple debts are not a plan. He prefers a pay-as-you-go plan. Stormwater detention efforts and tree preservation are not effective. The redevelopment ordinance allows inappropriate buildings that exacerbate problems. He suggested having planning meetings to prevent problems instead of ways to raise money.

Mayor Tully said tree preservation was a topic of discussion prior to the recession. Many people were interested but others did not want government interfering with private property rights. It did not proceed due to the concerns expressed by the community. This issue has come up again with the resurgence in redevelopment. The Mayor also noted that the Council is looking at establishing stormwater regulations that would be more stringent than the County requires.

Mr. Waldack thanked the Mayor for his comments. He said that tree preservation was seriously discussed and it might be time to revisit it.

Don Zimmerman, Pastor, First Baptist Church of Downers Grove, said he thought the stormwater utility fee was on the agenda tonight. He commented on behalf of the faith communities that they have felt the cost and realize there is also an add-on yearly cost. He feels this is a tax and it should not be imposed on non-profit faith organizations that contribute in many ways to the community.

The Mayor said a stormwater utility has been held to be a fee and not a tax. There are differing views on this matter. He thanked Pastor Zimmerman for expressing his views.

Bob Peterson, 6861 Camden Road, said he is the owner of Leibundguth Moving and Storage. He wants to protect his painted sign from the Sign Ordinance. He said many people have expressed interest in this matter. He said Downers Grove is a self-contained community and he identified many businesses, all of which have left the community except for his. He is trying to survive as a small business. He hopes the Council can help him.

The Mayor said there was a request to consider a text amendment in regard to this matter. A motion was made but failed for a lack of a second.

5. Council Member Reports

Commissioner Olsen noted that this is the last Council meeting in September. He said Family Shelter Services is hosting a 5k/10k run on September 28 at 8:15 a.m. at Downers Grove North. It is a great race and supports a great cause.

Commissioner Rheintgen said Lester PTA is hosting a Fun Run on October 12 at 9:00 a.m. Proceeds from the race will benefit Lester School.

Commissioner Neustadt said the Village is hosting a Recycling Extravaganza on Saturday, September 20, from 8:00 a.m. to 1:00 p.m. at Lot H at the Belmont Road train station. More information is available at www.downers.us and volunteers are still needed for the event.

6. Public Hearings

7. Consent Agenda

COR 00-05690 A. Claim Ordinance: No. 6071, Payroll, August 22, 2014
Sponsors: Accounting
A motion was made to Approve this file on the Consent Agenda.

Indexes: N/A

BIL 00-05691 B. List of Bills Payable: No. 6144, September 16, 2014
Sponsors: Accounting

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

Indexes: N/A

MOT 00-05697 C. Authorize Termination of PACE Contract for Operation of the Grove Commuter Shuttle

Sponsors: Public Works

Mr. Waldack said he is concerned that this is on the Consent Agenda. He thought it would have been delayed at least one week. He has a problem with this item being placed on the Consent Agenda. He said he understands that riders were make aware of this action. Mr. Waldack asked as to the figure of \$107,000 referenced in the Council report. He asked how that was calculated. The report indicates that the Transportation Fund will be eliminated in 2015, but Mr. Waldack said he thought this fund included programs other than the commuter shuttle program. He asked as to the role of the Council and staff with respect to the riders and routes moving forward. Mr. Waldack said Pace is to provide information on ridership and he asked if that happens. He noted that even in the 1990s it was a goal to turn the commuter shuttle over to Pace. He referenced new rules, regulations and liability issues to which Pace must adhere. Mr. Waldack said he agrees that it is time to turn this over to the agency that receives funding for it.

The Mayor said these are fair questions. He feels this has ended well. He understands that steps were made to reach out to the riders. There will still be commuter services, but the services will be taken over by Pace. Pace has provided ridership reports. Riders will continue to have representation. The Mayor then asked Dave Fieldman, Village Manager, to speak regarding the future of the Transportation Fund.

Dave Fieldman, Village Manager, said the figure of \$107,000 represents staff hours spent on operating the service that were not reimbursed. Regarding the fund, Mr. Fieldman said the accumulated deficit of \$1.9 million has been closed out per Council direction. Since 2005, there have been no other programs in this fund.

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

Indexes: Pace

RES 00-05698 D. Resolution: Authorize a First Amendment to an Agreement with Hampton, Lenzini and Renwick, Inc. for 2014 MFT Roadway Resurfacing Program

Sponsors: Public Works

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO AN AGREEMENT BETWEEN HAMPTON, LENZINI AND RENWICK, INC. AND THE VILLAGE OF DOWNERS GROVE FOR 2014 MFT ROADWAY RESURFACING PROGRAM

RESOLUTION 2014-50

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

Indexes: Street - Resurfacing , Roadway Improvements

RES 00-05699 E. Resolution: Authorize a Software and Hardware Maintenance Renewal Agreement and Addendum with Imageware Systems, Inc.

Sponsors: Police Department

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF A SOFTWARE AND HARDWARE MAINTENANCE RENEWAL AGREEMENT AND ADDENDUM BETWEEN THE VILLAGE OF DOWNERS GROVE AND IMAGEWARE SYSTEMS, INC.

RESOLUTION 2014-51

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

Indexes: Police Digital Booking System

MOT 00-05696 F. Motion: Note Receipt of Minutes of Boards and Commissions

Summary of Item: Liquor Commission - August 7, 2014

Transportation and Parking Commission - July 9, 2014

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

Indexes: Boards and Commissions Minutes

Passed The Consent Agenda

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

Votes: Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully

8. Active Agenda

9. First Reading

RES 00-05694 A. Resolution: Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code

Sponsors: Public Works

Mr. Fieldman introduced Stan Balicki, Assistant Director, Public Works, to address this and the next item.

Stan Balicki, Assistant Director, Public Works, said a resolution has been prepared appropriating \$200,000 of Motor Fuel Tax (MFT) funds for road salt purchases. This money is through the 2014 State of Illinois Capital Bill and is unexpected revenue in addition to the \$1.35 million of MFT funds previously received in FY14. The Village will purchase enough salt this year through the State of Illinois contract and the DuPage County contract to fill the new salt dome, which will reduce the risk of running out in the case of severe weather.

Mr. Balicki then addressed the purchase of road salt from the State contract. Staff is requesting the purchase of bulk road salt from Cargill Incorporated Salt Division of North Olmsted, Ohio, for snow and ice control via the State of Illinois contract at a cost of \$58.12 per ton and a not-to-exceed cost of \$351,509.76. This cost is 5% higher than last year. The estimated cost to purchase the salt needed to fill the new salt dome is \$347,000. Mr. Balicki said the Council approved a contract with Morton Salt on July 1, 2014, as a secondary source for the Village.

Mr. Fieldman reiterated that the Village has two salt suppliers which allows us to be more independent. We have a large salt dome that enables us to receive and house all this salt.

Commissioner Neustadt commented that the Village is paying \$58.12 per ton for salt while other communities are paying more than \$100 per ton. This is a great victory; we learned from last year's extreme winter.

Commissioner Barnett referenced the Village's snow report. The overview describes the severity of the 2013-14 snow season and staff has looked for opportunities to make operational improvements.

Commissioner Durkin asked if the cost to the Village will be \$147,000.

Mr. Fieldman confirmed that the total estimated cost is \$347,000 less the \$200,000 from the MFT funds, resulting in \$147,000 of Village funding.

Commissioner Durkin said the salt dome should enable us to maintain all the salt we need. He asked if it would be replenished as salt is used.

Mr. Fieldman said we have options; with these prices, we should replenish it.

Commissioner Durkin cautioned against getting lazy and spreading salt everywhere. The long-term use of salt will be hard on the roads.

Mr. Fieldman said that, as staff, we have changed our ways with respect to salt usage.

Mayor Tully spoke of collaborative efforts with DuPage County and the Downers Grove Sanitary District. There have been supply chain issues in the past and the opportunity became available to obtain salt from another supplier through collaborative efforts with DuPage County. Staff has also collaborated with the Downers Grove Sanitary District to build the new salt dome.

Indexes: Motor Fuel Tax

MOT 00-05695 B. Motion: Authorize the Purchase of Bulk Road Salt from Cargill Incorporated Salt Division, North Olmsted, Ohio, via the State Contract

Sponsors: Public Works

Indexes: Salt

10. Mayor's Report

New Business

Mayor Tully asked Village Clerk April Holden to read the resolution after which he thanked those who have volunteered to serve on a Board or Commission as well as the assistance of the Council members in making recommendations.

RES 00-05693 Resolution: Appointing and Reappointing Members to Boards and Commissions

Sponsors: Mayor

Summary of Item: This appoints and reappoints members to Village Boards and Commissions.

ARCHITECTURAL DESIGN REVIEW BOARD

Reappoint Mike Davenport and David Matthies to three-year terms expiring August 31, 2017

Appoint Edward Larson to a two-year term expiring August 31, 2016

BOARD OF FIRE AND POLICE COMMISSIONERS

Reappoint Thomas Bondi, Keith Killacky and Gene Marino to three-year terms expiring August 31, 2017

COMMUNITY EVENTS COMMISSION

Reappoint Andrea Knudsen, Scott Jacaway and Toni Kosaris to three-year terms expiring August 31, 2017

ENVIRONMENTAL CONCERNS COMMISSION

Appoint Troy Riley to a two-year term expiring August 31, 2016

Appoint Denis McCann and Daniel Marion to three-year terms expiring August 31, 2017

Appoint Liz Pelloso as Chair

FIRE PENSION BOARD

Appoint Tom Carroll to a two-year term expiring August 31, 2016

HUMAN SERVICES COMMISSION

Appoint Rachel Rondy-Geocarlis to a two-year term expiring August 31, 2016

Appoint Michael Chvatal to a three-year term expiring August 31, 2017

LIBRARY BOARD

Reappoint David Humphreys to a term expiring August 31, 2019

LIQUOR COMMISSION

Reappoint Alice Strelau as Chair, and Dan Austin and Don Clary to three-year terms expiring August 31, 2017

PLAN COMMISSION

Reappoint Ronald Waechtler and Donald Rickard to three-year terms expiring August 31, 2017

Appoint Robert Bassler to a three-year term expiring August 31, 2017

STORMWATER AND FLOOD PLAIN OVERSIGHT COMMITTEE

Reappoint David Gorman and Robert Ruyle to three-year terms expiring August 31, 2017

TRANSPORTATION AND PARKING COMMISSION

Reappoint Anthony Schiller and Bill Wrobel to three-year terms expiring August 31, 2017

Appoint Jim Wilkinson to a three-year term expiring August 31, 2017

ZONING BOARD OF APPEALS

Reappoint Joseph Domijan, Daiva Majauskas and R. Michael McCann to three-year terms expiring August 31, 2017

Appoint Graham Mosey to a one-year term expiring August 31, 2015

A RESOLUTION APPOINTING AND REAPPOINTING MEMBERS TO VILLAGE BOARDS AND COMMISSIONS

RESOLUTION 2014-52

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

Votes: Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully

Indexes: Boards and Commissions

11. Manager's Report

Mr. Fieldman said staff has prepared an update with respect to the FY14 budget. He asked Finance Director Judy Buttny to make the presentation.

Judy Buttny, Finance Director, reviewed the General Fund revenues and expenses. She said FY14 estimated revenues are \$44.24 million; estimated expenses are \$43.91 which adds \$330,000 to the General Fund balance before transfers. We are well-positioned for planned transfers to the Risk and Transportation funds. She said \$3.8 million will be transferred to the Risk and Transportations funds per the Long Range Plan. These transfers will be shown as expenses. Fund balances after the transfer are within the target and the policy. Revenues are estimated to be greater than budgeted and total expenses will exceed budgeted expenses, due to the transfers. A budget amendment will be required and is planned for Council consideration in early 2015.

Mr. Fieldman said this is being presented now so people can track what is happening in the FY14 budget as we move to the FY15 budget.

Mayor Tully said dollars are coming out of the General Fund and transferred into other funds in order to take care of issues in other funds that are planned and have been discussed. He also noted that the severe winter further impacted the budget.

12. Attorney's Report

Future Active Agenda

13. Council Member New Business

14. Adjournment

Mayor Tully asked for a Motion to adjourn.

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

VOTE: AYE: Commissioners Neustadt, Durkin, Hosé, Olsen, Rheintgen, Barnett; Mayor Tully

Mayor Tully declared the motion carried and the meeting adjourned at 8:12 p.m.