

# Meeting Minutes

Village of Downers Grove - Council Meeting

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Council Chambers

6/14/2016

7:00 PM

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In order to give as many visitors as possible an opportunity to speak and in the interest of adjourning the meeting by 9:00 p.m., please limit your comments to 5 minutes in length, unless further time is granted by Council. Thank you.

## 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

**Council Attendance (Present):** Commissioner Waldack, Commissioner White, Commissioner Vattimo, Commissioner Hosé, Commissioner Olsen, Commissioner Barnett; Mayor Tully

**Absent:** None

**Non-Voting:** Village Manager David Fieldman, Village Attorney Enza Petrarca, 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 past meetings, an opportunity will be given for public comments and questions of a general nature. 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 Mayor stated that at the appropriate time the presiding officers will ask if there are any comments from the public. Individuals wishing to speak, should raise their hand to be recognized and, after acknowledgment from the presiding officer, approach the microphone and state their name. Remarks should be limited to five minutes, and individuals are asked to 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

**MIN 2016-6856** — A. Minutes: Council Minutes - June 7, 2016

**Motion:** Commissioner Olsen, seconded by Commissioner White, moved to approve the minutes as presented.

Mayor Tully declared the motion carried by voice vote.

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**4. Public Comments**

This is the opportunity for public comments.

There were no comments.

**5. Consent Agenda**

**BIL 2016-6857** — A. Bills Payable: No. 6268, June 14, 2016

**Summary:** No. 6268, June 14, 2016

**RES 2016-6836** — B. Resolution: Authorize a Renewal to the Customer Service Agreement with Call One, Inc.

**Summary:** This authorizes a renewal to the customer service agreement between the Village of Downers Grove and Call One, Inc.

**A RESOLUTION AUTHORIZING EXECUTION OF A RENEWAL TO THE CUSTOMER SERVICE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND CALL ONE, INC.**

**RESOLUTION 2016-28**

**RES 2016-6846** — C. Resolution: Authorize an Amendment to the Contract with Engineering Resource Associates

**Summary:** This amends a contract for three years for stormwater related development review services with Engineering Resources Associates (ERA) from a not-to-exceed amount of \$20,000 per year to \$70,000 per year.

**A RESOLUTION AUTHORIZING EXECUTION OF AN AMENDMENT TO THE CONTRACT BETWEEN THE VILLAGE OF DOWNERS GROVE AND ENGINEERING RESOURCE ASSOCIATES**

**RESOLUTION 2016-29**

**RES 2016-6847** — D. Resolution: Authorize an Amendment to the Contract with Robinson Engineering, Ltd.

**Summary:** This amends a contract for three years for stormwater related development review services with Robinson Engineering, Ltd. from a not-to-exceed amount of \$20,000 per year to \$70,000 per year.

**A RESOLUTION AUTHORIZING EXECUTION OF AN AMENDMENT TO THE CONTRACT BETWEEN THE VILLAGE OF DOWNERS GROVE AND ROBINSON ENGINEERING, LTD.**

**RESOLUTION 2016-30**

**RES 2016-6844** — E. Resolution: Authorize an Agreement with Sungard Public Sector, Inc.

**Summary:** This authorizes approval of the Sungard Public Sector Inc. maintenance agreement in the amount of \$120,891.23. This agreement covers updates, service, and support for computer software applications utilized by the Downers Grove and Westmont police and fire departments on the Village's Sungard Public Sector CAD Computer system.

**A RESOLUTION AUTHORIZING EXECUTION OF A MAINTENANCE AGREEMENT AND ADDENDUM BETWEEN THE VILLAGE OF DOWNERS GROVE AND SUNGARD PUBLIC SECTOR, INC.**

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**RESOLUTION 2016-31****MIN 2016-6858** — F. Minutes: Note Receipt of Minutes of Boards and Commissions**Summary:** Plan Commission - May 2, 2016**Motion:** Commissioner Olsen moved to approve the Consent Agenda as presented. Commissioner White seconded the motion.**Votes:** Yea: Commissioners Olsen, White, Waldack, Vattimo, Hosé, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

**6. Active Agenda****RES 2016-6786** — A. Resolution: Grant Historic Landmark Designation for 701 Maple Avenue**Summary:** This grants historic landmark designation for 701 Maple Avenue.**A RESOLUTION GRANTING HISTORIC LANDMARK DESIGNATION FOR 701 MAPLE AVENUE****RESOLUTION 2016-32****Motion:** Commissioner Olsen moved to adopt "A Resolution Granting Historic Landmark Designation for 701 Maple Avenue," as presented. Commissioner White seconded the motion.

Commissioner White said he is pleased to see this moving forward.

Mayor Tully said the Village has made a concerted effort to simplify and promote landmark designation, and he greatly appreciates residents taking advantage of this opportunity.

**Votes:** Yea: Commissioners Olsen, White, Waldack, Vattimo, Hosé, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

Mayor Tully presented a certificate to Bo and Christine Martin who have named their house, "The Herring House."

Ms. Martin said the procedure is easy, quick and enjoyable. They are proud of the house.

Mr. Martin thanked the staff for their help.

**RES 2016-6833** — B. Resolution: Grant Historic Landmark Designation for 5226 Carpenter Street**Summary:** This grants historic landmark designation for 5226 Carpenter Street.**A RESOLUTION GRANTING HISTORIC LANDMARK DESIGNATION  
FOR 5226 CARPENTER STREET****RESOLUTION 2016-33****Motion:** Commissioner Olsen moved to adopt "A Resolution Granting Historic Landmark Designation for 5226 Carpenter Street," as presented. Commissioner White seconded the motion.**Votes:** Yea: Commissioners Olsen, White, Waldack, Vattimo, Hosé, Barnett; Mayor Tully

Nay: None

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Mayor Tully declared the motion carried.

Mayor Tully thanked Charlotte and Byron Holtzen for applying for landmark designation. He presented them with a certificate. The Holtzens have named their house, "The Foster House."

Ms. Holtzen thanked the Council for making this possible. The house is already a centennial home. She said the Fosters built the original back part of the house. She noted that the Fosters are buried in the Main Street Cemetery.

**RES 2016-6787** — C. Resolution: Grant Historic Landmark Designation for 1000 Burlington Avenue

**Summary:** This grants historic landmark designation for 1000 Burlington Avenue.

**A RESOLUTION GRANTING HISTORIC LANDMARK DESIGNATION  
FOR 1000 BURLINGTON AVENUE**

**RESOLUTION 2016-34**

**Motion:** Commissioner Olsen moved to adopt "A Resolution Granting Historic Landmark Designation for 1000 Burlington Avenue," as presented. Commissioner White seconded the motion.

Mayor Tully said the Village takes seriously its commitment to historic preservation. This address is the Main Street Train Station and is a public building.

**Notes:** Yea: Commissioners Olsen, White, Waldack, Vattimo, Hosé, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

Mayor Tully asked Stan Popovich, Director, Community Development, to comment on this site.

Stan Popovich, Director, Community Development, described the train accident that occurred at this site, as well as the architecture and history of the train station. He said this is the third busiest station outside of Union Station.

**RES 2016-6834** — D. Resolution: Approve the Preliminary Plat of Subdivision for 5527-5531 Fairmount Avenue with Exceptions

**Summary:** This approves the preliminary plat of subdivision for the property located at 5527-5531 Fairmount Avenue.

**Motion:** Commissioner Olsen moved to adopt "A Resolution Approving the Preliminary Plat of Subdivision with Exceptions for 5527-5531 Fairmount Avenue," as presented. Commissioner White seconded the motion.

Commissioner Olsen said he feels Council needs an opportunity to discuss this matter further. He made this motion in order to have discussion and possibly table this to another time.

Rich Kulovany, 6825 Camden, reiterated his concerns. He said the distance between homes is only 14 feet. He also addressed stormwater issues. He said the builder has lived in the neighborhood for 15 years and that is a good point.

Joe Galvan said he lives across the street from the subject property. He thinks this would be a great project for the neighborhood. Currently it is an eyesore. He said Mr. Buie, the developer, will take care of issues. This will add value to the street and to the Village, and will be a tax benefit to the Village.

Dan Buie, 5541 Fairmount, said he is the petitioner. He said the density will not increase as there are already three homes of the property. He discussed the lots and said this proposal is not out of character with the rest of the homes in the neighborhood.

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Commissioner White commented that the minutes of the Plan Commission meeting reflect that the majority of the neighbors support this and do not believe it is too dense and that it may improve stormwater issues. He suggested three conditions to the resolution: 1) Side yard setbacks of 7.5 feet each; 2) The Village engineer's agreement with the site plan as it relates to improving the stormwater drainage system; and 3) Grant a stormwater utility easement over a portion of the rear lot.

Commissioner White suggested that these terms be put in writing and published before this is voted upon. He is in favor of this resolution with these conditions.

Commissioner Olsen said he support's Commissioner White's conditions. Absent a clear opinion on the part of Council, he would be willing to default to the request of the petitioner with respect to the size of the lots.

Commissioner Waldack said last week he expressed concern about setting a trend in the neighborhood. He said he would prefer two 75-foot lots and one 65-foot lot. That would make the trend toward enforcing the Codes that currently exist.

Commissioner Olsen said he supports that recommendation.

Commissioner Waldack commended the Plan Commission on their work. They did an excellent job and enforced the rules.

Commissioner José said he supports the conditions discussed by Commissioner White. He thinks it means a lot when the neighborhood supports the project. He said he would rather have smaller lot size exceptions with 71.5-foot lots instead of a 65-foot lot. He thinks smaller exceptions are better than larger ones.

Commissioner Vattimo said she agrees with Commissioner White's conditions. She noted that this will be great for the neighborhood.

Mayor Tully said he concurs with Commissioner Waldack that approval of this is not meant to disagree with the recommendation of the Plan Commission. He proposed to table this to work out the details.

Commissioner Olsen said he supports tabling this item, but asked for direction regarding the size of the lots.

Commissioner White said his preference is for two 75-foot lots and one 65-foot lot as that would mean that at least two of the lots are conforming; however, he would not vote against 71.5-foot lots. The details can be part of what is published prior to the next Council meeting, as that improves public transparency.

Commissioner Barnett said the outcomes are most important and are valued. Staff can work out the details with the petitioner.

Commissioner Olsen moved to table "A Resolution Approving the Preliminary Plat of Subdivision with Exceptions for 5527-5531 Fairmount Avenue," to a date certain of June 21, 2016. Commissioner White seconded the motion.

**Votes:** Yea: Commissioners Olsen, White, Waldack, Vattimo, José, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried. This item will be considered at the June 21, 2016, Council meeting.

**ORD 2016-6841** — E. Ordinance: Grant a Stormwater Variance for 1740 63rd Street

**Summary:** This grants a stormwater variance for the property located at 1740 63rd Street.

**AN ORDINANCE GRANTING A STORMWATER VARIANCE FOR 1740 63RD STREET**

**ORDINANCE NO. 5540**

**Motion:** Commissioner Olsen moved to adopt "An Ordinance Granting a Stormwater Variance for 1740 63<sup>rd</sup> Street," as presented. Commissioner White seconded the motion.

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Commissioner Waldack said he appreciates staff's work to be clear with respect to the signage. He hopes this will resolve the situation. He said he will support this item.

**Votes:** Yea: Commissioners Olsen, White, Waldack, Vattimo, Hosé, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

## 7. First Reading

**ORD 2016-6843** — A. Ordinance: Amend Traffic Provisions at the Intersection of Lacey and Esplanade Roads

Nan Newlon, Director, Public Works, said this is to amend a section of the Municipal Code regarding installation of an all-way stop sign at the intersection of Lacey Road and Esplanade Road. She said this was brought forward by Hamilton Partners. She provided a slide showing the area and access points at the location. She said this concerns efficiency and safety. Traffic backs up on Esplanade Road and when getting out of the parking garage. Hamilton Partners' consultant, SE3, provided a traffic analysis which found that the traffic counts are close to the peak hour warrants for an all-way stop. Ms. Newlon said staff reviewed this data and recommended a four-way stop as well as removing some lanes on a trial basis. Hamilton Partners is also working with IDOT to help alleviate congestion. Staff recommends making the four-way stop at this intersection permanent.

Commissioner Olsen said he does not support this. He thinks this is a 24-hour solution to a 30-minute problem. He understands the problem, but noted there are similar situations elsewhere in the Village. He feels it is far more reasonable to have traffic control people for that short period of time. He does not feel this proposal is reasonable.

Commissioner Waldack asked if there was a better solution. He said this was warranted by only a little bit based on a study paid for by the petitioner.

Commissioner Olsen said the warrants were a little under, not over.

Commissioner Waldack suggested private traffic control staff or a traffic light just for week days.

Mayor Tully said he appreciates the comments. The Village is trying to work with a commercial resident. This can be a challenging intersection and he would like to be of assistance if possible.

Commissioner Barnett asked if the objection is the Village taking care of a problem for a private landowner, or the technical merits of this as a solution.

Commissioner Olsen said it is a combination of both. It is, from his perspective, an issue that could be addressed in a more targeted manner by the landowner. This is a situation where the studies are marginal, at best.

Mayor Tully said the Village has tried to be accommodating with respect to attracting and retaining businesses particularly for Class A office space.

Commissioner Hosé asked if there have been accidents at this intersection. Ms. Newlon said there have been no accidents.

## 8. Mayor's Report

Mayor Tully congratulated the Downers Grove South Girls Softball team on taking third place in the State championship. He suggested inviting them to participate in the July 4<sup>th</sup> parade.

Mayor Tully then said there are nine days until GroveFest. The Council will have a presence at the fest.

## 9. Attorney's Report

Pursuant to Section 2.5 of the Downers Grove Municipal Code, the following are presented for Village Council consideration:

1. An ordinance amending traffic provisions at the intersection of Lacey and Esplanade Roads

## 10. Council Member Reports

## 11. Council Member New Business

**MOT 2016-6864** — A. Motion: Direct Staff to Prepare a Resolution Amending Exhibit B of the Council Policy on Ethical Standards

Mayor Tully asked Commissioner Waldack to present this matter.

**Motion:** Commissioner Waldack moved to direct staff to draft a resolution amending Exhibit B of the Council Policy on Ethical Standards. Commissioner Olsen seconded the motion.

Commissioner Waldack said the current policy is less transparent and has serious legal issues. This should be reviewed in light of court decisions.

Commissioner White suggested renaming the exhibit "Campaign Finance."

Commissioner Olsen said he supports this item as it is important that this be in compliance with higher authorities.

Commissioner Barnett said he is disappointed that other areas are not being reviewed as often, such as zoning issues. He added, however, that he supports this.

Mayor Tully said he agrees with the call to review this and possibly rename the policy; however, he questions the priority of this. This policy only applies to Council members. His view is to deal with bigger circle items first. He noted Council will talk about priorities later tonight and suggested tabling this to see how it fits into the bigger picture.

Commissioner José said he shares the concerns about prioritization. Hopefully this will not take a lot of time. There is no reason not to move forward.

Commissioner Waldack said he does not think this will take much time. He does not want to open Village up to something we do not want. This could be tabled next week, if necessary.

Mayor Tully said if it is more involved than anticipated, it could be re-evaluated.

Commissioner Vattimo said she supports this item.

**Votes:** Yea: Commissioners Waldack, Olsen, White, Vattimo, José, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

The Mayor asked for a motion to recess to the Committee Room to discuss the Long Range Plan.

Commissioner Olsen moved to recess to the Committee Room. Commissioner White seconded the motion.

**Votes:** Yea: Commissioners Olsen, White, Waldack, Vattimo, José, Barnett; Mayor Tully

Nay: None

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Mayor Tully declared the motion carried and a recess was called at 8:00 p.m.

## 12. Manager's Report - Committee Room

### INF 2016-6855 — A. Information: Long Range Plan Update

Mayor Tully reconvened the Council meeting at 8:10 p.m. in the Committee Room to discuss the Long Range Plan.

Dave Fieldman, Village Manager, said the purpose is to discuss issues affecting the next one to three years and the FY 17 budget. He identified two issues: 1) the property tax levy; and 2) pensions and other post-employment benefits (OPEB).

With respect to the property tax levy, Mr. Fieldman said there are three things that may cause it to increase in 2017 and/or 2018:

- 1) Required increases to public safety pension contributions could amount to \$800,000 - \$1.3 million. In FY 17, our contribution will increase approximately \$500,000 as required by State law. If the pension boards change their assumptions regarding the rate of return on investments used in their models, that could result in another \$500,000 increase. The Police and Fire Pension boards consist of five individuals each. They are autonomous boards with fiduciary responsibilities. The Village has enjoyed a strong working relationship with the pension boards.
- 2) Police station improvements of \$600,000. This will start in 2018 and is fully offset by the library bond that is set to end.
- 3) Stormwater and stormwater utility and how to generate funds. He said that the Council has authorized \$3.9 million for stormwater revenue for next year. Funds could be fee based, property tax based or anywhere in between.

Mr. Fieldman then showed the effect of these changes in the levy on a typical home.

Mayor Tully noted that the Village has no control over the public pensions.

Commissioner Waldack said the source of funds for stormwater costs will be chosen by residents. He commended staff for explaining the pension issue. Pension increases are pursuant to State law. Based on returns on investments, the Village has to make up the difference with respect to required funding levels. This matter would be a good piece for public education as people do not understand how the public safety pension funds work.

Commissioner Vattimo said she agrees with Commissioner Waldack. We can't do much about the pensions, we are waiting for the results of the election with respect to funding stormwater issues, and she wants to do the Police Department improvements.

Commissioner White said he is not ready to give up with respect to stormwater.

Commissioner Olsen said this is disheartening. He agrees with Commissioner Waldack about asking residents about how to pay for stormwater issues, and this question will be posed to the public. Regarding public safety pensions, it points out the need for pension reform. The Council does not have the authority to make those decisions; we need to fund the pensions as required.

Mayor Tully said he would like to hear more about strategies. He said he feels the stormwater costs will hit the homeowners unfairly if it is funded through property taxes.

Commissioner Olsen said they would have a better understanding as to how to address the stormwater issue after the election. He would like to find a solution for the improvements to the Police station without a major impact on taxpayers. He continues to challenge staff with respect to the budget.



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Commissioner Barnett asked if anyone believes things will be better two years from now. We spend a great deal of money on many things. We do not have sustainability without increases in property taxes. We need serious conversations about service levels and these conversations need to go beyond the three items being discussed tonight. He is ready to have these conversations.

Commissioner José said he is always willing to engage in conversation. The Police Department work has to be done. It is not a perfect plan, but it accomplishes what needs to be done. With respect to public pensions, Commissioner José noted that the Village always makes the required contributions and employees are contributing money as well.

Commissioner White said public pensions go toward our liabilities.

Commissioner Barnett suggested asking staff to suggest \$1 million in savings.

Mayor Tully said it would change costs if fundamental services were eliminated. If anyone has suggestions on what cuts could be made, he asked that they speak up.

Commissioner White said nobody wants services cut.

Mr. Fieldman then discussed strategies. With respect to public safety pensions, the issue is that the unfunded liability is going up and the percent funded is going down. This may affect our bond rating. Benefits are set by the State. The Village makes all required contributions and, in fact, makes more than the minimum contribution. Strategies to address this issue include making more contributions and changing staffing and service levels.

With respect to OPEB, the issue is unfunded liability that will appear in the 2018 CAFR and may affect our bond rating. The Village is required to provide retirees access to health benefits. The OPEB unfunded liability is the difference between the amount paid to the Village by retirees and the amount the Village will have to pay to provide health benefits. There is also another cost from the Public Safety Employee Benefit Act (PSEBA), which is a State law requiring health insurance for disabled employees in Public Safety injured while on the job. That has increased by \$3 million in the last two years. Unfunded liability calculated can affect the bond rating moving forward. Strategies are to treat OPEB exactly like pensions are treated by establishing an OPEB trust fund of sorts. They can also consider changing employee and employer contributions.

Commissioner White asked if anyone else is doing contributions, and the Manager said he thinks only Aurora is doing this to his knowledge. They have an extremely large OPEB liability.

Mayor Tully asked if it would be helpful to have a spreadsheet of this information. Mr. Fieldman said that can be done.

Commissioner José said that he is seeing this in the private sector as well.

Commissioner Waldack suggested that they look at the total cost of new hires. He then asked about employee contributions, saying when they get into labor negotiations they are considering more than simply salaries.

Commissioner Olsen asked about bringing up items that on an on-going basis would save taxpayers a significant amount of money over time. He thinks they need to focus on this.

Mayor Tully said they can eliminate or share costs, and can look at outsourcing, or discontinuing services.

Commissioner Barnett noted that projected increases outpace inflation.

Mayor Tully said that they could focus on revenue sources as well.

Mr. Fieldman said that the Village manages its issues well. Staff has created awareness to the Council and to the community.

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The Mayor said they have to manage the expense side and enhance the tax base.

Jon Polivika said that the figure \$3.9 million for stormwater cost was mentioned and he doesn't recall the current Council discussing this. Mr. Fieldman replied that it was discussed at a Council meeting. Mr. Polivika asked whether staff has done studies as to what triggers an increase in first responders. Mr. Fieldman replied that they are experiencing density but not a growth outward. Staff has done an analysis and doesn't see an increase but a redistribution of what the first responders are doing. Staff monitors the demand for services on a regular basis and advises the Council on that information. They are doing a review of what the Fire Department will look like in five years.

### **13. Adjournment**

Commissioner Olsen moved to adjourn. Commissioner White seconded the motion.

Mayor Tully declared the motion carried by voice vote and the meeting adjourned at 9:00 p.m.

Respectfully submitted,

April Holden

Village Clerk