

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

7/10/2018

7:00 PM

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 Walus, Commissioner Earl, Commissioner Waldack, Commissioner White, Commissioner Hosé; Mayor Tully

Absent: Commissioner Barnett

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 2018-7832 — A. Minutes: Council Minutes - June 19, 2018

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Motion: Commissioner White moved to approve the minutes as presented. Commissioner Waldack seconded the motion.

Mayor Tully declared the motion carried by voice vote.

4. Public Comments

This is the opportunity for public comments.

Lee Sila said his wife is unable to attend tonight's meeting. She is registered with the state as a beekeeper. He said she had a nonconforming waiver from the Village but she later received a letter stating she is not permitted to keep bees in the Village. Mr. Sila distributed materials regarding beekeeping programs offered by the Downers Grove Park District. He said he is seeking guidance from the Village on this matter. His wife is a master gardener and she teaches special education children. Mr. Sila suggested the matter be turned back over to the state.

Mayor Tully said he knows the Park District has a beekeeping program at Lyman Woods. He thanked Mr. Sila for bringing this matter to the Council's attention and said he will read up on this as he is not in a position to give an answer at this time.

Charlotte Holtzen, 5226 Carpenter, said many people in the Village have bees.

5. Public Hearing

PUB 2018-7828 — A. Public Hearing: Special Service Area #10 - 3600 Lacey Road, Bridgepoint Downers Grove Subdivision

Mayor Tully called the public hearing to order at 7:09 p.m. to consider the formation of Special Service Area #10 (Bridgepoint Downers Grove) and the levying of taxes affecting said area. The special service area is located at the corner of Lacey Road and Finley Road. An accurate map of said territory is on file in the office of the Village Clerk and is available for public inspection. Notice of this hearing was published in The Bugle on June 20, 2018, and a certificate of publication is made a part of these proceedings.

The Mayor summarized the procedures to be followed for the public hearing.

Village Manager Dave Fieldman said this subdivision consists of three lots with a stormwater management basin on a dedicated outlot. The proposed SSA will serve as a safeguard in the event that the homeowners' association cannot or does not maintain the subdivision's common detention areas. The subdivision approval included the establishment of a homeowners' association to maintain the stormwater management facilities, including the detention basin, inlet structures and connecting storm sewers and associated landscaping, swales and grass areas. The SSA will allow the Village to levy a special tax on the property owners for the maintenance of the common areas if the homeowners' association defaults and the Village is required to step in to provide such maintenance. The Village would then assume responsibility for maintaining the common areas.

There being no further commented from the public or the Council, Mayor Tully adjourned the public hearing at 7:11 p.m.

6. Consent Agenda

Mayor Tully said that a request has been made to remove Item 6. J. (MOT 2018-7845), a motion authorizing \$33,080.00 to E. Ariel Roofing Solutions, Cary, IL, for roof coating at Village Hall, 801 Burlington Avenue. This item has been moved to the Active Agenda.

COR 2018-7833 — A. Claims Ordinance: No. 6269, Payroll, June 8, 2018

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BIL 2018-7834 — B. Bills Payable: No. 6402, July 10, 2018

RES 2018-7771 — C. Resolution: Amend the Cash Management and Investment Policy

Summary: This amends the Village Council's Cash Management and Investment Policy.

A RESOLUTION AMENDING THE CASH MANAGEMENT AND INVESTMENT POLICY

RESOLUTION 2018-50

RES 2018-7772 — D. Resolution: Authorize an Agreement with PNC Capital Markets, LLC

Summary: This authorizes an agreement with PNC Capital Markets, LLC.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND PNC CAPITAL MARKETS, LLC

RESOLUTION 2018-51

RES 2018-7839 — E. Resolution: Approve and Authorize the Declaration of Trust of the Illinois Trust and Authorize Certain Officials to Act on Behalf of the Village of Downers Grove

Summary: This approves the declaration of trust of the Illinois Trust (formerly known as the Illinois Institutional Investors Trust) and authorizes the execution thereof, and authorizes certain officials to act on behalf of the Village of Downers Grove.

A RESOLUTION APPROVING THE DECLARATION OF TRUST OF THE ILLINOIS TRUST (FORMERLY KNOWN AS THE ILLINOIS INSTITUTIONAL INVESTORS TRUST) AND AUTHORIZING THE EXECUTION THEREOF, AND AUTHORIZING CERTAIN OFFICIALS TO ACT ON BEHALF OF THE VILLAGE OF DOWNERS GROVE

RESOLUTION 2018-52

RES 2018-7830 — F. Resolution: Authorize a Renewal to the Customer Service Agreement with Call One, Inc.

Summary: This authorizes a renewal to the Customer Service Agreement with 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 2018-53

RES 2018-7837 — G. Resolution: Authorize a Renewal Quotation and Addendum with Environmental Systems Research Institute, Inc. for GIS Maintenance

Summary: This renews software maintenance and licensing for the software packages the Village uses for its GIS solution.

A RESOLUTION AUTHORIZING EXECUTION OF A RENEWAL QUOTATION AND ADDENDUM BETWEEN THE VILLAGE OF DOWNERS GROVE AND ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC.

RESOLUTION 2018-54

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MOT 2018-7840 — H. Motion: Authorize a Contract with SAFEbuilt for Residential Development Review Services

Summary: This authorizes a contract for one year with SAFEbuilt for residential development review services.

MOT 2018-7847 — I. Motion: Authorize a Contract with TPI Building Code Consultants, Inc. for Residential Development Review Services

Summary: This awards a contract to TPI for residential development review services.

MOT 2018-7846 — J. Motion: Authorize \$47,826.00 to E. Ariel Roofing Solutions, Cary, IL, for Roof Replacement at the Main Street Train Station

Summary: This awards a contract to E. Ariel Roofing Solutions of Cary, Illinois for replacement of the Main Street Train station roof.

MIN 2018-7835 — K. Minutes: Note Receipt of Minutes of Boards and Commissions

Summary: Library Board - May 23, 2018

Motion: Commissioner White moved to approve the Consent Agenda as presented. Commissioner Waldack seconded the motion.

Votes: Yea: Commissioners White, Waldack, Walus, Earl, José; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

7. Active Agenda

MOT 2018-7845 — A. Motion: Authorize \$33,080.00 to E. Ariel Roofing Solutions, Cary, IL, for Roof Coating at Village Hall, 801 Burlington Avenue

Summary: This awards a contract to E. Ariel Roofing Solutions of Cary, Illinois for roof coating on Village Hall.

Motion: Commissioner White moved to authorize \$33,080.00 to E. Ariel Roofing Solutions for roof coating at Village Hall, 801 Burlington Avenue. Commissioner Waldack seconded the motion.

Commissioner José said he requested this item be removed from the Consent Agenda. He thanked staff for coming in under budget on this item. However, he feels this is an example of throwing away good money. Council members know we need a new Police Station and Village Hall, and that we are sitting on land that is valuable for economic development. Rather than a solution to the problems we face, this is a band-aid. Construction prices and interest rates are only going up. Taxpayers deserve better. Taxpayers deserve the fiscally prudent step of unlocking this tremendously valuable downtown real estate to allow us to invest in the facility we need rather than putting another band-aid on a building that has far outlived its useful life. He recognizes that staff cannot continue to work in a building that is leaking, but he cannot support putting additional money into this facility.

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Mayor Tully said he would also prefer not to spend the money, but he also applauds staff for keeping the expense as low as it is. Council members have been unable to convince the totality of the Council to address this matter.

Votes: Yea: Commissioners White, Waldack, Walus, Earl; Mayor Tully

Nay: Commissioner José

Mayor Tully declared the motion carried.

ORD 2018-7776 — B. Ordinance: Amend the Zoning Ordinance

Summary: This amends the Downers Grove Zoning Ordinance.

AN ORDINANCE AMENDING THE DOWNERS GROVE ZONING ORDINANCE

ORDINANCE NO. 5706

Motion: Commissioner White moved to adopt "An Ordinance Amending the Downers Grove Zoning Ordinance," as presented. Commissioner Waldack seconded the motion.

Commissioner José said this project started 18 months ago. He addressed land uses that were initially permitted uses but are now special uses. He noted that special uses require a hearing and come before Council. He feels this is a solution in search of a problem. He will vote against this.

Mayor Tully agreed that he would not have as many special uses as he thinks this is unnecessary. He also disagrees with not allowing a bed and breakfast business. However, he trusts that the land use planning boards, the residents and future Councils will exercise wisdom and discretion and will be able to achieve a balance to make sure we continue to have a vibrant downtown. He will not vote against this.

Votes: Yea: Commissioners White, Waldack, Walus, Earl; Mayor Tully

Nay: Commissioner José

Mayor Tully declared the motion carried.

8. First Reading

RES 2018-7831 — A. Resolution: Grant Historic Landmark Designation for 1514 Thornwood Drive

Stan Popovich, Director, Community Development, said this home is southwest of the downtown area, on the north side of Thornwood. It is a one story bungalow home, and includes features such as a Jerkinhead gable roof, partial front porch, and dark tapestry brick. These details are very common among Craftsman style bungalows. The proposed landmark meets the landmark designation criteria in Section 12.302.A and 12.302.B.3. of the Historic Preservation Ordinance.

Mayor Tully said he is pleased to see this and thanked the homeowners for bringing it forward.

Amy Gassen, 5320 Benton, expressed her support for this. She noted it is a Craftsman-style bungalow. She said the owner was unable to attend tonight's meeting.

Rich Kulovany, 6825 Camden, said he also supports this petition. It is a unique and interesting home.

Charlotte Holtzen, 5226 Carpenter, said she supports this. It represents the history of the bungalow.

ORD 2018-7829 — B. Ordinance: Provide for the Regulation of and Application for Small Wireless Facilities

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Enza Petrarca, Village Attorney, said the General Assembly enacted the Small Wireless Facilities Deployment Act. This Act authorizes the placement of small cell facilities in Village rights-of-way and pre-empts Home Rule authority. Municipalities are required to enact ordinances by July 31, 2018. Key provisions of the ordinance include establishment of the application fee, permit requirements and sets a limitation on height of the small cell facility to ten feet above an existing pole.

Mayor Tully said this is a model ordinance drafted in conjunction and collaboration with a number of municipalities. He thanked Ms. Petrarca for being involved in this process.

Mayor Tully expressed his displeasure with having to have this ordinance because the legislation that was passed that allows for this was a terrible undermining of local control in terms of the use of our right-of-way, decision-making for the benefit of our residents, and the ability to be compensated for allowing other people to use public property.

9. Mayor's Report

Mayor Tully thanked and congratulated the Downers Grove Rotary Club for an outstanding Rotary Fest. It was very successful and raised money for local causes. He suggested the Village participate in the 10th anniversary of Rotary Fest next year.

The Mayor then thanked everyone for a successful Independence Day parade. He thanked Jenny Rizzo, the Community Events Commission staff and others who worked to make the parade a success.

Mayor Tully announced that the groundbreaking ceremony for Bridgepoint Downers Grove was recently held. It is an impressive facility being developed that will be almost 680,000 square feet across 54 acres at Lacey and Finley Roads. He said the Village is proud to have them in our community.

Mayor Tully then said a dedication and ribbon-cutting ceremony was held for DuComm, an organization that has consolidated 911 emergency dispatch services serving 44 different agencies. The building is impressive and designed to withstand an EF-5 tornado. DuComm will handle 1.2 million phone calls per year. He said he is grateful to the leadership for bringing this in on time and budget. He noted that many of our former employees are dispatchers at DuComm now.

The Mayor then announced the passing of Phil Matejczyk, a long-time former member of the Plan Commission. He extended his condolences to Mr. Matejczyk's family and noted his thanks for Mr. Matejczyk's service to the community.

10. 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 providing for the regulation of and application for small wireless facilities

11. Council Member Reports

Commissioner Earl said the Chicago Metropolitan Agency for Planning (CMAP) is taking input for their comprehensive plan, On To 2050. More information can be found at cmap.gov.

Mayor Tully said the DuPage Mayors and Managers Conference (DMMC) represents 34 communities and will collaborate with CMAP.

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Commissioner Hosé echoed the Mayor's comments regarding Phil Matejczyk. He said Mr. Matejczyk comments regarding petitions before the Plan Commission were always very smart and insightful. He served the Village well.

Commissioner Waldack complimented staff on the Independence Day parade. He offered special thanks to the bands and others in uniform that marched.

12. Manager's Report - Committee Room

Mayor Tully asked for a motion to recess to the Committee Room to discuss the update to the 2017-2019 Long Range Plan.

Motion: Commissioner White moved to recess. Commissioner Waldack seconded the motion.

The Mayor declared the motion carried by voice vote and the Council recessed at 7:37 p.m.

INF 2018-7778 — A. Information: Update to the 2017-2019 Long Range Plan

Mayor Tully reconvened the meeting at 7:46 p.m. He asked Village Manager Dave Fieldman to introduce the item.

Mr. Fieldman said tonight's focus is a high priority action item, Other Post Employment Benefits (OPEB). These are health care benefits that do not include dental or vision plans. These health care benefits are provided to Village retirees. The state requires municipalities to provide OPEB. The cost of providing benefits exceeds the amount paid to the Village by retirees through premiums.

Mr. Fieldman said the issue is that the OPEB unfunded liability is \$12.3 million. The unfunded liability will appear in Village financial statements beginning with the FY18 audit and may affect future bond ratings, increasing the cost of issuing bonds for capital projects.

Mayor Tully clarified that this is a change in regulations and reporting requirements.

Mr. Fieldman explained that this is not a change in operations; it is a change in accounting rules.

Mr. Fieldman then discussed the plan to address the OPEB unfunded liability. The plan includes creating an OPEB Trust Fund with a trust document, funding policy and investment policy by December 2019. Further plans are to reduce the OPEB unfunded liability by making annual contributions of \$300,000 in 2018 and 2019 followed by actuarially determined contributions of \$800,000 starting in 2020. Staff intends to use investment returns from the Trust to reduce the annual contribution and to also provide financial incentives to retirees to participate in another plan as well as guidance and assistance in choosing another plan.

Mr. Fieldman said the fundamental aspects of this plan are very similar to the way we approach public safety pensions.

Mr. Fieldman said staff believes the outcome should result in a lower overall cost to the Village for the provision of these required health benefits.

Commissioner Earl asked if retirees are offered a one-time opportunity to participate in Village health benefits.

Ms. Petrarca answered affirmatively; there is a one-time election period upon retirement.

Commissioner Waldack said he likes this plan. He thinks it is a good plan and that there are options. He said it is a step in the right direction.

Commissioner Hosé said he agrees with Commissioner Waldack. This is absolutely the right way to go and makes perfect sense.

Commissioner White agreed.

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Commissioner Walus thanked staff for their work on this issue.

Todd Paradis asked if the bonds would be repriced if the Village's bond rating is downgraded.

Judy Buttny, Finance Director, said they would not be repriced. They are traded on the market; there is no impact on the Village.

In response to Mr. Paradis, Mr. Fieldman said the Public Safety Employee Benefits Act covers spouses of employees disabled or deceased on the job.

Mr. Paradis asked if the amount that can be charged for retirees is limited.

Mr. Fieldman said the general concept is that retirees cannot be treated differently than active employees.

Commissioner White clarified that staff is being directed to create a document for Council to consider adopting.

Mr. Fieldman said that is correct. The update to the Long Range Plan will be on a future agenda.

13. Adjournment

Mayor Tully asked for a motion to adjourn.

Motion: Commissioner White moved to adjourn. Commissioner Waldack seconded the motion.

Mayor Tully declared the motion carried by voice vote and the meeting adjourned at 8:00 p.m.

Respectfully submitted,

April Holden

Village Clerk