

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

06/04/2019

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 Bob Barnett 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 Barnett led those present in the Pledge of Allegiance to the Flag.

2. Roll Call

Council Attendance (Present): Commissioner Walus, Commissioner Earl, Commissioner Sadowski-Fugitt, Commissioner Kulovany, Commissioner Hosé; Mayor Barnett

Absent: None

Non-Voting: Village Manager David Fieldman, Village Attorney Enza Petrarca, Village Clerk April Holden

The Council meeting is broadcast live and a recording of the meeting is made using Village-owned equipment. The recording 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 Barnett 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 2019-8198 — A. Minutes: Executive Session Minutes for Approval Only – May 14, 2019

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MIN 2019-8199 — B. Minutes: Council Minutes – May 21, 2019

Motion: Commissioner José moved to approve the minutes as presented. Commissioner Earl seconded the motion.

Mayor Barnett declared the motion carried by voice vote.

4. Proclamations

A. Garden Week – Downers Grove Garden Club

Mayor Barnett proclaimed the week of June 2-8, 2019, as National Garden Week in the Village of Downers Grove. He presented the Proclamation to members of the Downers Grove Garden Club present at the meeting.

B. National Safety Month – Chanay Mackey, Risk Manager

Mayor Barnett proclaimed the month of June 2019 as National Safety Month in the Village of Downers Grove. He presented Risk Manager Chanay Mackey with the Proclamation.

Village Manager Dave Fieldman thanked Chanay for her efforts and her leadership.

5. Public Comments

This is the opportunity for public comments.

1. Preston Straub reminded the Council that at a past meeting he brought to their attention the Village's Building Board of Appeals. Mr. Straub has spoken with and met people in the Village and he is not satisfied with the results of those contacts. He asked that the Council take a further look at the matters. He thinks there is a lack of a true Appeals Board, which should not be made up of employees of the Village. He hopes this can be placed on a future agenda. Mr. Straub said that although he is in the Village because of their annexation he is not up on all the procedures, and he doesn't think he has received the correct result.

Mayor Barnett stated that he understands there is a specific situation that exists right now that is in the courts.

Mr. Straub replied that that's part of it but it is not the whole issue. The issues are not going to go away and will affect everyone in the Village.

Mayor Barnett responded that the situation is currently in the court system and will not be litigated at the Village Council level; however, they would agree to look at this in the future once it is out of the court system. If Mr. Straub thinks there are failures on the part of the Village, the Council certainly would want to hear about it.

2. June Vandervest, 5912 Brookbank, thanked the Village for their street and the sidewalks. They are thrilled they now have a street and sidewalk. She asked whether they could conduct a traffic study due to all the additional side traffic to avoid Main Street. In addition, school buses are also rushing through the area.

Mr. Fieldman said a traffic study and counts will take place shortly and the results will go to the Transportation and Parking Commission.

Ms. Vandervest then noted that her husband has been removing limbs and branches during the windstorms and many branches and debris have fallen into the retention pond. She suggested that it should be addressed.

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Mayor Barnett said staff will check on it, and if it's the Village's responsibility they will make sure it's taken care of.

6. Consent Agenda

COR 2019-8200 — A. Claims Ordinance: No. 6315, Payroll, May 24, 2019

BIL 2019-8201 — B. Bills Payable: No. 6458, June 4, 2019

RES 2019-8196 — C. Resolution: Authorize an Agreement for Prosecution Services with Christine Charkewycz

Summary: This authorizes an agreement for prosecution services with Christine Charkewycz.

**A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT FOR
PROSECUTION SERVICES WITH CHRISTINE CHARKEWYCZ**

RESOLUTION 2019-39

RES 2019-8194 — D. Resolution: Authorize an Agreement with CHC Wellbeing, Inc., for Employee Health Risk Assessment Screenings.

Summary: This authorizes an agreement with CHC Wellbeing, Inc. for employee health risk assessment screenings.

**A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE
VILLAGE OF DOWNERS GROVE AND CHC WELLBEING INC.**

RESOLUTION 2019-40

RES 2019-8190 — E. Resolution: Authorize an Intergovernmental Agreement with the County of DuPage for the Installation of a Traffic Signal at CH38/63rd Street and Springside Avenue including Future Maintenance/Energy Responsibilities (Section No. 19-00288-03-TL0)

Summary: This authorizes the execution of an intergovernmental agreement between the Village of Downers Grove and DuPage County to design, construct and operate a new traffic signal at the intersection of 63rd Street and Springside Avenue.

**A RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT
BETWEEN THE COUNTY OF DUPAGE AND THE VILLAGE OF DOWNERS GROVE FOR THE
INSTALLATION OF A TRAFFIC SIGNAL AT CH 38/63RD STREET AND SPRINGSIDE AVENUE
INCLUDING FUTURE MAINTENANCE/ENERGY RESPONSIBILITIES**

SECTION NO. 19-00288-03-TL

RESOLUTION 2019-41

Motion: Commissioner José moved to approve the Consent Agenda as presented. Commissioner Earl seconded the motion.

Mayor Barnett declared the motion carried by voice vote.

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7. Active Agenda

ORD 2019-8161 — A. Ordinance: Authorize the Extension of Special Uses to Permit Construction of a Drive-Through Restaurant Facility and a Fueling Station at 2125 Ogden Avenue to October 31, 2019

Summary: This authorizes the extension of special uses to permit construction of a drive-through restaurant facility and a fueling station at 2125 Ogden Avenue to October 31, 2019.

**AN ORDINANCE AUTHORIZING THE EXTENSION OF SPECIAL USES TO PERMIT
CONSTRUCTION OF A DRIVE-THROUGH RESTAURANT FACILITY AND A FUELING STATION
AT 2125 OGDEN AVENUE TO OCTOBER 31, 2019**

ORDINANCE NO. 5764

Motion: Commissioner Hosé moved to adopt “An Ordinance Authorizing the Extension of Special Uses to Permit Construction of a Drive-Through Restaurant Facility and a Fueling Station at 2125 Ogden Avenue to October 31, 2019” as presented. Commissioner Earl seconded the motion.

Sean O’Leary, Petitioner, thanked the Council and Stan Popovich for the way has been handled.

Votes: Yea: Commissioners Hosé, Earl, Kulovany, Sadowski-Fugitt, Walus; Mayor Barnett

Nay: None

Mayor Barnett declared the motion carried.

8. First Reading

Mr. Fieldman said there are six items under First Reading.

RES 2019-8180 — A. Resolution: Accept the Comprehensive Annual Financial Report of the Village of Downers Grove for the Fiscal Year January 1, 2018 through December 31, 2018

This is to accept the Village's audit report. Mr. Fieldman asked Judy Buttny, Finance Director, to make the presentation.

Judy Buttny, Finance Director, introduced John Cutrera of the auditing firm BKD, LLP, who presented the results of the Village’s 2018 audit.

Mr. Cutrera said there are four deliverables. The first is the Comprehensive Annual Financial Report (CAFR), which is the largest document. He reviewed the financial section. The audit process is to provide an opinion as to whether the financial statements are presented in accordance with generally accepted accounting principles. They have issued an unmodified opinion as in the past. He pointed out that there is a new paragraph under their opinion to emphasize the fact the Village issued a fairly significant accounting standard dealing with its liability to post-employment benefits. Following is Management’s Discussion and Analysis, which is an executive summary of financial statements. He then reviewed the income statement, current year activities, business activities, etc. He reviewed specific figures. He pointed out footnotes and notes to the Financial Statements that should be reviewed. Mr. Cutrera said the Village has about 4.5 months of fund balance in an unrestricted category, which is an acceptable number.

Mr. Cutrera went on to the Statement on Auditing Standards (SAS 114) letter, which is the auditor’s letter to the Council stating that the audit was conducted in a smooth, efficient manner.

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Opinions were issued with regard to the Downtown and Ogden TIF, and there are no concerns in either case.

Mayor Barnett said this is part of the Village's effort to assure it is being a good steward of public funds and transparent. He said people will learn that the Village has a Finance Department that does a fantastic job. Audit information is available online dating from 2000.

Mr. Fieldman noted that the next 5 items under First Reading relate to watermain improvement projects. He asked Judy Buttny to provide information on Item B and C.

ORD 2019-8167 — B. Ordinance: Authorize a Loan Agreement with the Illinois Environmental Protection Agency (IEPA) for 2019 Watermain Replacements

Ms. Buttny said that the Village is requesting a loan agreement with the IEPA for its 2019 watermain replacement program in the amount of \$4.5 million. It is a 20-year loan at an interest rate of 1.84%. This loan is the fourth year of a five year project plan that is already approved by the IEPA. With this loan, the amount borrowed totals \$11 million through this loan program. Pursuant to the terms of the agreement, the Village may authorize a person other than the Mayor for the sole purpose of authorizing or executing any documents associated with payment requests or reimbursements.

Mr. Fieldman said originally they had considered issuing bonds, but the IEPA offered a much lower interest loan. In response to Mayor Barnett, Ms. Buttny said a similar amount will be issued next year.

RES 2019-8203 — C. Resolution: Authorize the Village Manager of the Village of Downers Grove to Execute Certain Documents Associated with the IEPA Loan Agreement L175338

MOT 2019-8181 — D. Motion: Award \$2,954,813.77 to A Lamp Concrete Contractors, Inc., Schaumburg, IL, for the 2019 Water Main Improvements Contract A

Nan Newlon, Director, Public Works, said bundling the next three items together results in 2.5 miles of watermain improvements in the Village. Locations for replacements are chosen based on the age of the watermain, condition and history. It's part of a five-year plan. She said this has been prepared in three contracts. The first covers Wisconsin from Walnut to Belmont, and Northcott from Prairie to Warren. A Lamp Concrete was the low bidder.

MOT 2019-8182 — E. Motion: Award \$1,598,100.24 to A Lamp Concrete Contractors, Inc., Schaumburg, IL, for the 2019 Water Main Improvements Contract B

Ms. Newlon said this covers Jefferson Avenue from Dunham Road to Brookbank Road; Almond Court from Downers Drive to cul-de-sac; and Pomeroy from 35th Street to cul-de-sac. A Lamp was the low bidder.

MOT 2019-8193 — F. Motion: Award \$1,215,601.14 to Austin Tyler Construction, Inc., Elwood, IL, for the 2019 Water Main Improvements Contract C

Ms. Newlon said this covers Black Oak Drive from Saratoga Avenue to Highland Avenue; Wilcox Avenue from 38th Street to cul-de-sac; and Brook Drive from Centre Circle to Downers Grove. Eight bidders submitted, and Austin Tyler Construction was the low bidder and has positive recommendations. Staff recommends approval of the three contracts.

Commissioner Earl asked if this will be bundled with other street work. Ms. Newlon said it includes roadway restoration on the streets under consideration.

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Mayor Barnett said that projects are bundled as much as possible. There are streets that are left go longer than might make sense so that they can be torn up once rather than several times for various projects on the same street.

9. Mayor's Report

Mayor Barnett said he will give his report later on the agenda with the Council member reports.

10. Manager's Report

Mr. Fieldman said the State passed a budget this past weekend. He said the Village received an appropriation of \$250,000 for roadway improvements and flood mitigation. He said there was also a sales tax structure change that would benefit the Village with certain on-line purchases. More information will be included during the Long Range Planning process.

Mayor Barnett said there is an expected income tax increase. Mr. Fieldman said they expect the revenues associated with income tax to be higher than previously thought but only for one year.

11. 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 authorizing a loan agreement between the Village of Downers Grove and the Illinois Environmental Protection Agency.

12. Mayor and Council Member Reports

Mayor Barnett explained the history of the Chicago Joseph Jefferson Award, which is an award given in Chicago to theater performers and productions. Last night, Kelli Harrington, native of Downers Grove, won her third Jefferson Award as Best Performer in a Musical Production for "Bridges of Madison County." The show itself won four of its six nominations including best production for the season. That is a big deal in the world of theater and it's awesome to have that associated with our community. If you meet or know the Harringtons at all be sure you give them congratulations, and we congratulate Kelli on her awards.

Commissioner Walus reminded everyone that there are only 16 days to Rotary GroveFest. She guarantees it will be sunny and clear with no mosquitoes. In addition, there are ten days to Ben's Memorial Mile will be held on Saturday, June 15, from 5:00-9:00 p.m. at North High School. People can still register.

13. Adjournment

Motion: Commissioner José moved to adjourn into Executive Session pursuant to Section 2(c)(3) of the Illinois Open Meetings Act to consider the selection of a person to fill a public office, as defined in this Act. Commissioner Earl seconded the motion.

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Mayor Barnett declared the motion carried by voice vote and the meeting adjourned into Executive Session at 7:38 p.m.

Respectfully submitted,
April Holden
Village Clerk