

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

11/05/2019

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 Robert 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 Earl, Commissioner Walus, Commissioner Sadowski-Fugitt, Commissioner Kulovany, Commissioner Gray, Mayor Barnett

Absent: Commissioner José

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 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.

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3. Minutes of Council Meetings

MIN 2019-8351 — A. Minutes: Council Minutes – October 15, 2019

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

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

Nay: None

Mayor Barnett declared the motion carried.

4. Public Comments

This is the opportunity for public comments.

1. Vera Miller, Clean Energy Task Force, said this is a community group that formed two years ago and is committed to working with the Village, residents, businesses and other community groups to bring more clean energy to Downers Grove. She said the group is disappointed with the Village's Long Range Plan for 2019-21 in that it contains no specific action items concerning renewable energy, energy efficiency projects, or electric vehicle transportation and infrastructure. She said there is great demand among Downers Grove residents for more clean energy as evidenced by 158 clean energy petition postcards signed by residents.

Ms. Miller thanked the Mayor for the detailed and thoughtful responses he has sent to her and other residents. She said they are aware that the Village has shown significant environmental leadership in the past. They would like to see Downers Grove build on that past progress with explicit new commitments to advance clean energy and decrease our carbon footprint. They would like to see specific action items in the Long Range Plan for the coming year related to solar power, energy efficiency and electric vehicle infrastructure. The Village risks being left behind as other DuPage communities are taking the initiative to protect public health by decreasing pollution and actively bringing the benefits of renewable energy/energy efficiency to their residents and local businesses.

Ms. Miller then addressed action the Village could incorporate in the Long Range Plan: Become SolSmart certified; join the Greenest Region Compact; incorporate solar power and energy efficiency measures of Village buildings where possible; explore placing electric vehicle charging stations at more locations; support Property Assessed Clean Energy (PACE) opportunities for Downers Grove businesses; and develop a Climate Action Plan.

Ms. Miller said the task force looks forward to further conversations regarding clean energy.

2. Dr. Jan Hessler spoke to the same issue and said Mayor Barnett responded to his email. He supports the Council in their efforts. He presented an article, "Warming World – Why Climate Change Matters More Than Anything Else" published in Journal of Foreign Affairs last October. He quoted from the article, "The disruption to the earth's climate will ultimately command more attention and resources and have a greater influence on the global economy and international relations than other forces visible in the world today." That is why it is so crucial that this issue be addressed.

3. Ron Nowicki said he is a landscape architect and concerned environmentalist. He is a 40-year resident of Downers Grove. He said the flow of life through our only planet's ecosystems has gotten much weaker in recent years. He said his wife has a Master's degree in Environmental Education. They designed a passive solar and energy efficient home, built it, and two months after they moved in the gas company visited them to see if the meter was broken. They returned a month later to check the meter again, replaced the meter, and eventually walked away scratching their heads.

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Mr. Nowicki said energy conservation and the effective use of free solar energy is not rocket science; it is simply common sense. He and his wife have discovered and developed techniques and behaviors than anyone can use at home. He said it is time to augment the progressive steps already taken by the Village. He suggested the Council declare Downers Grove the Greenest Suburb. This will express a very positive direction for the future. It is a distinction and an attraction for new residents and businesses and a simple and inexpensive idea to promote Downers Grove. He referred people to his website: holdtonature.com.

4. Diane Kasnick said she is a 30+ year resident of Downers Grove and involved in environmental issues. She quoted an article published today, "More than 11,000 scientists declare a climate emergency today." This was published in the journal BioScience. "Scientists have a moral obligation to clearly warn humanity of any great existential threat and to tell it like it is. On the basis of the obligation we declare clearly and unequivocally that the planet Earth is facing a climate emergency."

5. Pat Burke said she is a 25 year resident of Downers Grove. She spoke regarding slowing climate change. She was impressed with the letter sent by Mayor Barnett. She noted the need to be careful with resources but to maximize the impact on climate change. She urged the Council to use resources, including residents, to be creative.

6. Alison Profitt spoke of the urgency of this problem. We are at the point of no return if we don't reduce carbon emissions. She hopes this is taken seriously and a top priority. We have 11 years to change. It is critical develop a climate action plan to audit CO2 emissions.

7. Alka Gadgil spoke and said it is time to do something about climate change. This is an emergency.

8. Dee Wernette said he is a social scientist and a retiree of Argonne. He trained Department of Defense and Department of Energy staff on public involvement concerning low-level radioactive waste sites. He said this expression of concern on the part of residents might suggest that a more active public involvement process in educating people is needed. He offered the resources of the Argonne Alumni Association.

9. Francis Soresi said he is a 30+ year science educator and offered his help. He said he has spoken with five attorneys and three judges regarding his barking dog issue. The problem still stands. He has been fined and has taken days off from work due to a dog barking. There are no guidelines in the ordinance regarding timelines. His dog barks at 2:30 p.m. Judges have told him that laws are changed by the Village. It is his right to have a dog and his neighbor's right to peace and quiet. His neighbor refuses to meet. The thanked the Council for listening.

10. Lisa Pocius said she is a seven year resident of the Village and she loves Downers Grove. Residents would like the Council to make climate change a high priority. She works at Argonne and the scientists there are worried about climate change. The time to do something is now. We only have a short time in which to act to make a difference. She urged the Council to be creative and to tap resources to help mitigate this.

11. A student spoke, saying that in a few years the world will be four degrees hotter.

Mayor Barnett thanked people for coming and noted that the Council listens to citizens' comments.

5. Consent Agenda

COR 2019-8415 — A. Claims Ordinance: No. 6335, Payroll, October 25, 2019

BIL 2019-8414 — B. Bills Payable: No. 6488, November 5, 2019

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MOT 2019-8358 — C. Motion: Award \$323,651.55 to H&H Electric Company for Traffic Signal Modernization at the Intersection of Finley Road and Finley Square Mall

Summary: This awards \$323,651.55 to H&H Electric Company for traffic signal modernization at the intersection of Finley Road and Finley Square Mall

MOT 2019-8416 — D. Motion: Accept the 2019-2021 Long Range Plan

Summary: This accepts the 2019-2021 Long Range Plan

RES 2019-8387 — E. Resolution: Authorize an Extension to the Contract with SNI Solutions, Inc.

Summary: This authorizes an extension to the contract with SNI Solutions, Inc. for the purchase of salt treatment, anti-icing and de-icing products for snow and ice removal purposes.

**A RESOLUTION AUTHORIZING EXECUTION OF AN EXTENSION TO THE CONTRACT
BETWEEN THE VILLAGE OF DOWNERS GROVE AND SNI SOLUTIONS, INC**

RESOLUTION 2019-82

MOT 2019-8401 — F. Motion: Authorize the Purchase of Bulk Rock Salt at a Cost of \$92.86 per Ton and a Not-to-Exceed Cost of \$189,434.00 from Compass Minerals America Inc., Overland Park, Kansas

Summary: This authorizes the purchase of bulk rock salt at a cost of \$92.86 per ton and a not-to-exceed cost of \$189,434.00 from Compass Minerals America Inc., Overland Park, Kansas.

RES 2019-8400 — G. Resolution: Authorize an Amendment and Extension to the Agreements with First Communications

Summary: This authorizes an amendment and extension to the agreements with First Communications, LLC for ISDN-PRI telecommunication services at 801 Burlington Avenue and 5101 Walnut Avenue.

**A RESOLUTION AUTHORIZING EXECUTION OF AN AMENDMENT AND EXTENSION TO THE
AGREEMENTS BETWEEN THE VILLAGE OF DOWNERS GROVE AND FIRSCOMMUNICATIONS**

RESOLUTION 2019-83

MOT 2019-8398 — H. Minutes: Note Receipt of Minutes of Boards and Commissions

Summary: Library Board – September 25, 2019

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

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

Nay: None

Mayor Barnett declared the motion carried.

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6. Active Agenda

ORD 2019-8354 — A. Ordinance: Amend Disabled Parking Provisions

Summary: This amends disabled parking provisions.

AN ORDINANCE AMENDING DISABLED PARKING PROVISIONS

ORDINANCE NO. 5778

Motion: Commissioner Earl moved to adopt "An Ordinance Amending Disabled Parking Provisions," as presented. Commissioner Walus seconded the motion.

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

Nay: None

Mayor Barnett declared the motion carried.

ORD 2019-8353 — B. Ordinance: Amend the Number of Class R-3 Liquor Licenses

Summary: This amends the number of Class R-3 liquor licenses.

AN ORDINANCE AMENDING THE NUMBER OF CLASS R-3 LIQUOR LICENSES

ORDINANCE NO. 5779

Motion: Commissioner Earl moved to adopt "An Ordinance Amending the Number of Class R-3 Liquor Licenses," as presented. Commissioner Walus seconded the motion.

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

Nay: None

Mayor Barnett declared the motion carried.

7. First Reading

ORD 2019-8361 — A. Ordinance: Adopt the Fiscal Year 2020 Budget in Lieu of Passage of an Appropriation Ordinance

Village Manager Dave Fieldman opened the discussion of the FY20 budget. He said tonight's discussion would include a review of the budget schedule, key points, the property tax levy and review of the General Fund and related funds. He noted that this is the first of six planned budget meetings.

The key points of the FY20 budget are: A balanced General Fund and recommended fund balance; \$2 million in expenses in the Major Buildings Fund which could be used for Village facilities replacement and sustainability; \$175,000 increase in the property tax levy for operations; property tax levy increase for required public safety pensions; maintained staffing levels; \$21.3 million investment in infrastructure; aging Enterprise Resource Planning system (ERP).

Mr. Fieldman asked Mike Baker, Deputy Village Manager, to address the property tax levy.

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Mike Baker, Deputy Village Manager, said the Village's portion of the tax levy is 9.56% of the overall tax bill. The proposed FY20 levy is \$14,628,464. This includes the required fire and police pensions, the corporate levy, fire protection and capital. With regard to the public safety pension funds, Mr. Baker noted that these are designated trust funds that are financially sound. The Village makes 100% of the annual required contributions. The funds are managed by autonomous boards and the Village Council does not set or control the budgets. The Village's ability to influence the expenses or obligations of these funds comes through setting staffing levels and salaries.

Mr. Baker then discussed how the typical property in Downers Grove will be affected by the property tax. The typical household will pay approximately \$579.29 to the Village in property taxes in 2020. This is an increase of \$33 over 2019.

Mr. Fieldman then discussed the General Fund and related funds. The General Fund is the main operating fund. It includes funding for the majority of Village services. It is supported by many revenue sources. It supports and reflects the Long Range Plan actions.

Revenues and expenses are balanced in the General Fund with revenues at \$49.67 million and expenses at \$49.64 million, and a fund balance of \$19.50 million. General Fund revenues are projected to be up 3% compared to 2019. This increase is driven by an increase in the public safety pensions, an increase in ambulance fee revenue, an increase from the Food and Beverage Tax and a \$175,000 increase in the Operations Levy. Mr. Fieldman noted that the ambulance fee is currently the lowest in DuPage County.

There is an increase in General Fund expenses of 2.9% over 2019 including \$1.68 million in personnel costs, \$462,000 decrease in workers compensation claims and \$200,000 decrease in the cost of purchasing salt. Salt purchases were moved from the General Fund to the Motor Fuel Tax fund.

Commissioner Earl said this budget represents great work. It is the healthiest budget she's seen in five years and noted there are several areas of potential increase. She is uncomfortable with a property tax increase for operations. She noted that we don't have a choice with pensions. The increase for operations is a rounding error in a budget of this size.

Commissioner Sadowski-Fugitt asked Mr. Fieldman to clarify the potential sources of additional revenue.

Mr. Fieldman said there could be good news regarding revenue. There are four factors that could affect the budget in 2020 including sales tax revenue for online sales. The budget was not increased to reflect this change. Ground Emergency Medical Transport (GEMT) reimbursement is a supplemental federal funding program. It has just been established in Illinois and the amount of funds to be reimbursed to the Village is undetermined at this time. Legalized recreational cannabis tax revenue would be for the prevention and training of law enforcement. Finally, the Village will continue to monitor general economic conditions and to implement any strategies needed to address any impacts to Village revenues. Mr. Fieldman said any increases from these potential sources of additional income would likely come at the end of the year.

Commissioner Sadowski-Fugitt referenced the \$2 million for facilities asked as to the cost of the Village facilities and sustainability project.

Mr. Fieldman said the estimate provided during the last version was \$40 million gross.

Commissioner Sadowski-Fugitt said it would not hurt to have a little bit of money available to us. She asked if the \$33 increase in the property tax levy just refers to the \$175,000 increase in operations or if it also includes the public safety pensions.

Mr. Fieldman said the increase includes the pensions and the \$175,000 taxes for operations.

Commissioner Sadowski-Fugitt said she is comfortable planning for the future and facilities. She is happy with this budget.

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Commissioner Kulovany asked if the \$175,000 could be applied to the building fund if it wasn't needed for operations. Mr. Fieldman said it could be.

Mayor Barnett said we have resisted this increase in operations for a long time. The Village is very lean and works to be so. He hears from residents that they expect more from the Village. He said he thinks the increase in the amount for operations is very small at \$32. The average household is still paying less than \$2.00 a day for Village services. He said this is a planning and philosophical matter regarding delivering services our residents expect or hoping we can find efficiencies or revenue growth elsewhere. He would like to start on the process of deciding to advance the revenues collected by the Village for the services we provide. He said the rounding error is important because if we didn't use that \$175,000 we could be talking about an entirely different levy next year.

Mr. Soresi said as a former firefighter involved in emergency medical and rescue efforts, he said he has an issue with the ambulance charge.

Mayor Barnett said this has been in place for a while and most communities have an ambulance fee.

Commissioner Earl said part of the reason we bill is because insurance pays for it. We do not aggressively collect.

Guy Bloomfield said he thought the tax rate would be higher. Regarding the ambulance fee, those with a high deductible insurance plan end up paying the fee. Mr. Bloomfield then asked for an explanation of the \$2 million for facilities.

Mr. Fieldman said the \$2 million for facilities is for the replacement of this building and police station. The plan will be presented next year. The expected cost will be about \$40 million. Council directed staff to start saving money. The FY20 budget allocated \$2 million toward this project.

Mr. Fieldman then addressed the related funds including the Health Fund and the Risk Management Fund that are both self-insured; the Fleet Services Fund and the Equipment Replacement Fund. Most of the revenue in these funds come from transfers out of the General Fund.

With regard to the Health Fund, the FY20 revenues are projected at \$8.46 million and expenses at \$8.75 million. The Village controls costs better than the national average. Over seven years, the Villages expenses increased 28.32% vs. the national trend of 53.06%.

FY20 revenues for the Risk Management Fund are \$1.71 million with expenses at \$2.33 million. The Village is self-sufficient. We have accumulated a strong cash balance.

FY20 revenues for the Fleet Services Fund are \$1.96 million with expenses at \$1.95 million. The Village has received the Government Green Fleet Award seven years in a row.

With respect to the Equipment Replacement Fund, the revenues are \$1.56 million and expenses are \$2.21 million in FY20. This fund is intended to be balanced over multiple years. The Village's fleet has been reduced 20% over the last decade.

Mayor Barnett said the Risk Management Fund is a big deal. Village employees are doing the right thing every day in terms of things the public sees and on those things that are not as obvious. We have a safe work environment because of our employees. He thanked Chanay Mackey and all employees for their work.

Mayor Barnett said 9.5% of a resident's tax bill is for the Village of Downers Grove – police and fire protection, public works. Most of the residents are paying between \$1.00 and \$8.00 per day for that work. The Village does an excellent job of providing services. The Mayor said that in addition to the levy, there are also other revenue sources that keep the cost of services down.

Mr. Fieldman said next week infrastructure will be the focus. He complimented the Village directors and the Finance Department for their work.

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ORD 2019-8388 — B. Ordinance: Amend Alarm System Requirements

Mr. Fieldman said the Village requires businesses to maintain a fire alarm monitored by our emergency dispatch center. This will require only wireless alarms which is less costly to businesses. No landlines will be required. He noted that wireless alarms are more accurate.

ORD 2019-8383 — C. Ordinance: Amend Construction Site Management Permits and Provisions Concerning the Protection of Trees and Shrubs

Stan Popovich, Director, Community Development, addressed this item. Amendments to ordinances are being proposed in an effort to provide more protection to our parkway trees. Issues that may negatively impact parkway trees are utility connections such as water and sanitary lines, new construction and reconstruction of sidewalks, driveways, and fence removals. Staff is proposed to reduce the likelihood of any damage to trees by installing signs on the parkway tree fencing that states the fence has to remain until approved by the Village for removal. With respect to trees 24 or more inches in diameter, staff is proposing a pre-demolition meeting, a site management meeting, a pre-water tap inspection of the parkway trees with no auguring or trenching prior to the inspection, a tree risk assessment qualified report, and increased fines. Mr. Popovich then reviewed the fine schedule.

Commissioner Kulovany asked about provisions for trees that don't immediately show damage.

Mr. Popovich said staff hasn't experienced that.

Mr. Fieldman said there is a timeframe between closeout and the release of bond money and he will get more information on this.

Commissioner Gray asked if trees are removed on a project by project basis or if it is based on issues.

Mr. Popovich said there are allowances for defective, diseased and older trees. There is a fee charged for trees removed before construction.

Mayor Barnett asked if this is tied to the Certificate of Occupancy.

Mr. Popovich said all tree issues have to be resolved before the Certificate of Occupancy is issued.

Mayor Barnett asked if there is a way to try notify the owner.

Mr. Fieldman said the relationship is between the permit holder and the Village of Downers Grove. The permit holder may be the contractor and not the homeowner.

Commissioner Earl said these amendments are in response to contractors that have not preserved our trees. Homeowners expect to move into a home on a tree-lined street and find that trees have been removed. Our street trees are important. We are a Tree City USA.

Mayor Barnett said we want the trees to remain.

Commissioner Kulovany said he supports this. He noted that pre-meetings may be more important than the fine. He referenced a 150-year old oak tree on Linscott that was removed. He hopes builders pay attention.

Pat Burke said that perhaps the Village could notify builders and others of this annually.

Sue Farley said this is a great ordinance. She asked what is meant by a "nuisance tree." She asked if trees are being replaced when they are removed.

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Mr. Fieldman said a nuisance tree is volunteer growth – one falling over, dropping branches and creating a safety concern. In that instance, the Village may work with the builder on a planned, safe removal. Trees are required to be replaced.

Ms. Kasnick asked if it is one-for-one replacement.

Mr. Fieldman said it is an inch for inch replacement. It is based on size, not a tree count.

8. Manager's Report

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 adopting the fiscal year 2020 budget in lieu of an Appropriation Ordinance
2. An ordinance amending alarm system requirements
3. An ordinance amending construction site management permits and amending provisions concerning the protection of trees and shrubs

10. Mayor and Council Member Reports

Commissioner Kulovany said that the Downers Grove Historical Society is sponsoring History on Tap, a pub crawl, on Thursday, November 14 starting at 6:00 p.m. Tickets are available at downersgrovehistory.org.

Commissioner Walus announced the Downers Grove Rotary Club veteran coat drive through November 13. They are in need of men's coat size large and up. She noted the drop off sites and referenced the Rotary Club of Downers Grove Facebook page for information if you are unable to drop off a coat.

11. Adjournment

Mayor Barnett asked for a motion to adjourn.

Motion: Commissioner Earl moved to adjourn. Commissioner Walus seconded the motion.

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

Nay: None

Mayor Barnett declared the motion carried and the meeting adjourned at 8:37 p.m.

Respectfully submitted,

April Holden

Village Clerk