

VILLAGE OF DOWNERS GROVE
Report for the Village Council Meeting
12/19/2023

SUBJECT:	SUBMITTED BY:
2024 Budget Implementation Actions	Robin Lahey Finance Director

SYNOPSIS

Consistent with the FY24 budget, the following budget implementation actions have been prepared:

- An ordinance to increase the Water Rates per the Water Rate Study and amend certain fee provisions.
- An ordinance to increase the Stormwater Utility Rates per the Stormwater Plan.
- Motion to fund the Economic Development Corporation (EDC).
- Motion to fund the Downtown Management Corporation.

In addition, at year end staff reviews policies and ordinances and proposes changes when necessary. This year changes that are being proposed include:

- Ordinance amending the Employee Administrative Rules (Personnel Manual).
- Ordinance amending Chapter 1 and Chapter 2 of the Municipal Code.

STRATEGIC PLAN ALIGNMENT

The goals for 2023-2025 include *Steward of Financial, Environmental and Neighborhood Sustainability*.

FISCAL IMPACT

The water rates are proposed to increase revenues by 4.6% and are expected to generate \$17.7 million of revenue in the Water fund. The stormwater utility fee is proposed to increase from \$15.93 to \$17.31 per ERU and is expected to generate \$6.7 million of revenue in the Stormwater fund. There is no fiscal impact for the proposed policy changes.

RECOMMENDATION

UPDATE & RECOMMENDATION

This item was discussed at the December 12, 2023 Council meeting. Staff recommends approval on the December 19, 2023 Active Agenda

BACKGROUND

Water Rates

Per the approved FY24 budget, the water rates will be increased to align with the recommendations of the 2019 Water Rate Study. The 2019 Water Rate Study included a model projecting the total cost of owning, operating and maintaining the Village water system. The study recommends that water revenues should be increased in FY20 (effective July 1, 2020) and subsequent years by 4.6% per year.

The following table shows the proposed water rates that will go into effect for bills received after July 1, 2024. The bi-monthly fixed charges by water meter size are consistent with the proposed rates contained in the Water Rate Study.

Bi-Monthly Fixed Charge by Water Meter Size	2023	2024 Proposed
5/8"	\$16.30	\$17.77
1"	\$24.46	\$26.66
1 1/2"	\$81.55	\$88.89
2"	\$130.46	\$142.20
3"	\$244.64	\$266.66
4"	\$407.74	\$444.44
6"	\$815.43	\$888.82
10"	\$1,957.03	\$2,133.16
Bi-Monthly Unit Fee	2023	2024 Proposed
Inside Village	\$6.82	\$7.08
Outside Village	\$7.81	\$8.10

The following table shows how the new water rates will impact typical users in 2024:

User Category	Typical Meter Size	Current Bi-Monthly Bill	Proposed 2024 Bi-monthly Bill
Typical Residential User	5/8"	\$118.60	\$123.97
Typical Commercial User (100 units)	1.5"	\$763.55	\$796.89
Typical Industrial User	2"	\$1,494.46	\$1,558.20

Various amendments to Chapter 25 of the Village Code, Utilities, have been proposed in an effort to ensure the provisions of the Village Code are commensurate with current Village procedure, better define the timeline in which utility payments must be received by the Village and the consequences for failing to timely remit payment to the Village.

Stormwater Rates

Per the approved FY24 budget, the stormwater rate will be increased to align with the recommendations of the 2012 Stormwater Study and the 2016 Stormwater Utility Report. The plan called for a stormwater fee that would cover the cost of future capital projects, debt service related to those projects, as well as operational and maintenance costs. The utility model represents an equitable method to collect revenue from those properties that place a demand on the system. Revenue is generated by charging all property owners a monthly stormwater fee, based on the property's impact on the stormwater system. At that time, the Village created a plan for establishing stormwater fees that would increase revenues over a 15-year period, allowing the Village

to move from the current level of service to the recommended level within that time frame. The plan calls for annual increases in the stormwater utility fee of approximately 8.7% per year, which would increase the annual revenue available for stormwater management fees from its current level of \$5.6 million in 2022 to about \$10 million in 2029. This fee is expected to produce \$6.7 million in revenues in 2024.

The following table shows how the new stormwater rates will impact a single family resident, a typical commercial user, and a typical industrial user in 2024:

User Category	ERU	Current Bi-Monthly Bill	Proposed 2024 Bi-Monthly Bill
Single Family Residence (2,501-4000 s.f. of impervious area)	1	\$31.86	\$34.62
Typical Commercial User	20	\$637.20	\$692.40

Motion to Fund EDC

The adopted budget includes \$595,000 in funding for the Downers Grove Economic Development Corporation. This amount is consistent with the budget that was prepared by the EDC. Annually, this partner organization will be requesting funding from the Village to support their operations.

Motion to Fund Downtown Management

The proposed budget includes \$416,005 in funding for the Downtown Management Corporation. This amount is consistent with the budget that was prepared by Downtown Management. Annually, this partner organization will be requesting funding from the Village to support their operations.

Employee Administrative Rules (Personnel Manual)

From time to time, revisions to the Village’s Personnel Manual are necessary in order to, among other things, respond to changes in State and federal laws and to mirror current personnel practices within the Village. The proposed revisions being presented for consideration include the following:

- Revised the time off provisions to comply with the Paid Leave for All Workers Act, P.A. 102-1143, which becomes effective January 1, 2024.
- Revised verbiage throughout the personnel manual to clear up potential ambiguities.

Chapter 1 and 2 of the Municipal Code

It is necessary to periodically revise select provisions of the Village Code to ensure that all provisions of the Code are in compliance with new State and Federal laws that may be passed. Moreover, revisions are often necessary to ensure that the Code is commensurate with current policies or procedures of the Village. The proposed revisions being presented for consideration include the following:

- Add a new Section, Section 1.61 entitled “Home Rule Authority”, which explicitly states that all actions undertaken by the Village Council are presumed to be undertaken as an exercise of the Village’s Home Rule Authority
- Amend Rule 2 of Section 2.5 to comply with an amendment to the Illinois Open Meetings Act which provides a new reason for which Village Council members may attend meetings remotely
- Amend Rule 32 of Section 2.5 to remove a mention of “motion” from the types of Council actions that require four (4) or more affirmative votes

- Amend Rule 36 of Section 2.5 to allow a member of the Council to address the Council with regard to certain events not sponsored by the Village or other local civic organizations
- Delete the provisions of Section 2.5.1, Standing Council Committees, and reserve the same as such standing committees are not actually formed

ATTACHMENTS

Water Rate Ordinance

Stormwater Rate Ordinance

Motion to Fund EDC

Motion to Fund Downtown Management

Employee Administrative Rules (Personnel Manual) Ordinance

Chapter 1 & 2 Ordinance Amendment

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Village Manager DATE: December 19, 2023
(Name)

RECOMMENDATION FROM: _____ FILE REF: _____
(Board or Department)

NATURE OF ACTION:

STEPS NEEDED TO IMPLEMENT ACTION:

- Ordinance
- Resolution
- Motion
- Other

Motion to Adopt "AN ORDINANCE AMENDING CHAPTER ONE AND TWO OF THE MUNICIPAL CODE CONCERNING HOME RULE AUTHORITY PROVISIONS AND OPEN MEETINGS ACT GUIDELINES", as presented.



SUMMARY OF ITEM:

Adoption of the attached ordinance shall amend the Municipal Code concerning Home Rule Authority provisions and Open Meetings Act guidelines.

RECORD OF ACTION TAKEN:

ORDINANCE NO. ____

**AN ORDINANCE AMENDING CHAPTER ONE AND TWO OF THE MUNICIPAL CODE
CONCERNING HOME RULE AUTHORITY
PROVISIONS AND OPEN MEETINGS ACT GUIDELINES**

WHEREAS, the Village of Downers Grove (“Village”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution of 1970 and may exercise any power and perform any functions pertaining to its government and affairs, including the power to regulate for the protection of public health, safety and welfare; and

WHEREAS, the Village Council has determined that it is in its best interest to codify that every action undertaken by the Village is exercised or performed pursuant to the Village’s authority as a home rule unit, which is declarative of existing law; and

WHEREAS, the Village Council of the Village is a public body that must hold meetings in conformity with the requirements of the Illinois Meetings Act (the “Act”); and

WHEREAS, Section 120/7 of the Illinois Open Meetings Act authorizes members of a public body to attend meetings of the public by means other than physical presence (5 ILCS 120/7); and

WHEREAS, Section 2.5 of the Downers Grove Municipal Code implements rules by which the Village Council must adhere while conducting Council meetings; and

NOW, THEREFORE BE IT ORDAINED by the Village Council of the Village of Downers Grove as follows:

Section 1. That all of the Recitals contained in the Preamble to this Ordinance are full, true, and correct and are hereby incorporated into this Ordinance by this reference.

Section 2. That Section 1.61. is hereby added as follows:

Sec 1.6.1 Home Rule Authority

All provisions of the Downers Grove Municipal Code and any amendments thereto, and all actions of the Village Council, in addition to statutory authorization which may exist, shall be construed to be enacted or done pursuant to the Village’s home rule powers and functions as granted under article VII, section 6, of the Constitution of the State of Illinois.

Section 3. That Section 2.5, Council Rules of the Downers Grove Municipal Code is hereby amended as follows:

Rule 2. Meetings via electronic means.

- (a) *Purpose.* It is the decision of the Village of Downers Grove that any member of the Village Council may attend any open or closed meeting of the Village Council via electronic means (such as by telephone, video or internet connection) provided, that such attendance is in compliance with these rules and any applicable laws.
- (b) *Prerequisites.* A member of the Village Council may attend a meeting electronically if the member meets the following conditions: A quorum is physically present throughout the meeting; and, a majority of the Village Council votes to approve the electronic attendance at the beginning of the meeting:

- (1) The member should notify the Clerk or the Village Manager at least forty-eight (48) hours before the meeting, unless impractical, so that necessary communications equipment can be arranged. Inability to make the necessary technical arrangements will result in denial of a request for electronic attendance.
 - (2) The member must assert one of the following ~~three~~four (34) reasons why he or she is unable to physically attend the meeting:
 1. The member cannot attend because of personal illness or disability; or
 2. The member cannot attend because of employment purposes or the business of the Village; ~~or~~
 3. The member cannot attend because of a family or other emergency; or-
3.4. Unexpected childcare obligations.
 - (3) The Clerk or the Village Manager, after receiving the electronic attendance request, shall inform the Village Council of the request for electronic attendance.
- (c) *Voting Procedures.* After a roll call establishing that a quorum is physically present, the presiding officer shall call for a motion that a member may be permitted to attend the meeting electronically after specifying the reason entitling the absent member to attend electronically. The motion must be approved by a vote of a majority of the Village Council.
- (d) *Adequate Equipment Required.* The member participating electronically and other members of the Village Council must be able to communicate effectively, and members of the audience must be able to hear all communications at the meeting site. Before allowing electronic attendance at any meeting, the Village Council shall provide equipment adequate to accomplish this objective at the meeting site.
- (e) *Minutes.* Any member attending electronically shall be considered an off-site attendee and counted as present electronically for that meeting. The meeting minutes shall also reflect and state specifically whether each member is physically present or present by electronic means.
- (f) *Rights of Remote Member.* A member permitted to attend electronically will be able to express his or her comments during the meeting and participate in the same capacity as those members physically present, subject to all general meeting guidelines and procedures previously adopted and adhered to. The member attending electronically shall be heard, considered, and counted as to any vote taken. Accordingly, the name of any member attending electronically shall be called during any vote taken, and his or her vote counted and recorded by the Clerk and placed in the minutes for the corresponding meeting. A member attending electronically may leave a meeting and return as in the case of any member, provided the member attending electronically shall announce his or her leaving and returning.
- (g) *Committees, Boards and Commissions.* These rules shall apply to all committees, boards and commissions established of the Village of Downers Grove.

* * *

Rule 32. "Yea" and "nay" vote. The yeas, nays and abstentions shall be taken upon the passage of all ordinances and on all propositions to create any liability against the Village, or for the expenditure or appropriation of its money and in all other cases at the request of any member of the Council; and such vote shall be entered on the journal of the proceedings.

The Mayor and each Commissioner shall have the right to vote on all questions coming before the Council. Four (4) members of the Council shall constitute a quorum. Except when a greater number is mandated by law, the affirmative vote of four (4) members shall be necessary to adopt any ~~motion~~, resolution or ordinance.

* * *

Rule 36. *Personal announcements.* A member shall not address the Council with regard to:

1. his/her or another person's candidacy for election or re-election to any public office;
- ~~2. events sponsored by organizations other than the Village or other local civic organizations; or~~
- ~~3.2. other matters not related to the business of the Village, except as such matters may concern mayoral proclamations properly before the Council.~~

Section 4. That Section 2.5.1 is hereby reserved.

Sec 2.5.1 Standing Council Committees (Reserved)

- ~~1. There shall be the following standing committees of the Village Council:

 - ~~1. Finance & Administrative~~
 - ~~2. Public Safety~~
 - ~~3. Public Services~~~~
- ~~2. The standing committees shall consist of two (2) members, including the chairperson. No member shall serve in more than one (1) chairperson capacity or as a member of more than one committee other than the one chaired. All standing committee appointments, including designation of the chairpersons, shall be by the Mayor, subject to confirmation by the Council. Organization of committees shall be accomplished at the first regular meeting of the Council in each fiscal year.~~
- ~~3. Each committee shall be empowered to investigate, evaluate, recommend and generally consider matters as referred by the Village Council or the Mayor.~~
- ~~4. Each committee may establish appropriate rules governing their meetings and activities.~~
- ~~5. All standing committee meetings shall be held in accordance with the Illinois Open Meetings Act.~~

(Ord. No. 4285, 4/17/01; Ord. No. 4343, 11/20/01; Ord. No. 4781, 6/6/06)

Section 5. If any section, paragraph, subdivision or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain in full force and effect.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:
Published:
Attest: _____
Village Clerk