

MINUTES OF WORKSHOP MEETING

DOWNERS GROVE, ILLINOIS

AUGUST 11, 2009

Mayor Sandack called the Workshop meeting of the Village Council of the Village of Downers Grove to order at 7:00 p.m. in the Council Chambers of the Village Hall. The Mayor led the audience in the Pledge of Allegiance to the Flag.

Present: Mayor Ron Sandack; Commissioners Marilyn Schnell, William Waldack, Sean P. Durkin, Geoff Neustadt, Bob Barnett; Village Manager Dave Fieldman; Village Attorney Enza Petrarca; Village Clerk April Holden

Absent: Commissioner Bruce Beckman

Visitors: **Residents:** Pete Hultman, 5540 Walnut; John Schofield, 1125 Jefferson; Andy Clark, D.G. Watch, 1126—62nd Street; Marge Earl, 4720 Florence; William Wrobel, D.G. Watch, 7800 Queens Court; Mark Thoman, DG CMR, 1109 61st Street; Laura Crawford, DG Chamber of Commerce, 2001 Butterfield Road, #105; Bill Nienburg, CoC, EDC, 5313 Washington; Nora Enlow, 716 Wehrli; Jim Russ, Attorney, 4915 Main Street; Dave Murray, 4501 Lee Ave; Greg Bedalov, EDC
Staff: Bob Porter, Police Chief; Nan Newlon, Director, Public Works; Jamie Belongia, Intern; Brandon Dieter, Management Analyst; Steve Sanderson, Budget Officer; Tom Dabareiner, Director, Community Development; Mike Baker, Deputy Village Manager

Mayor Sandack explained that Council Workshop meetings are held the second and fourth Tuesdays at 7:00 p.m. The meetings are video taped live and for later cable-cast over cable channel 6.

The Workshop meeting is intended to provide Council and the public with an appropriate forum for informal discussion of any items intended for future Council consideration or just for general information. No formal action is taken at Workshop meetings.

The public is invited to attend and encouraged to comment or ask questions in an informal manner on any of the items being discussed or on any other subject. The agenda is created to provide a guideline for discussion.

MANAGER

1. Active Agenda and Informational Items

- a. **Economic Development Corporation: Unified Economic Development Plan.** The Manager said this Plan is a high priority as part of this year's Strategic Plan. Deputy Village Manager Mike Baker provided the report.

Mike Baker, Deputy Village Manager, said that this presentation recognizes the significance of economic development activities. He provided a background of the Economic Development Corporation (EDC), which was established in December 2005. The President was hired in June

2006, a Tourism Manager hired in January 2007, and the current office opened in October 2007. The Board of Directors consists of 32 members. There is a strong partnership between business, government and non-profit agencies led by the independent EDC.

Greg Bedalov, President of the EDC, provided an overview of the major accomplishments of the EDC, a review of the retail sector performance, and an update of the Strengths, Weaknesses, Opportunities & Threats (SWOT) analysis. He noted the essential key elements for a unified economic development strategy, as well as enhancement of an economic development toolkit. Mr. Bedalov reviewed accomplishments such as Zeigler Dodge/Chrysler/Jeep development, Lemon Tree, Michael's, DeVry, and the Ellsworth Business Park Alliance. With regard to the retail economy, Mr. Bedalov said that automotive businesses still represent a quarter of all sales tax revenues in the Village. Other major contributors are drug and miscellaneous retail, furniture stores, and big box stores. The sales tax peaked in 2006-07 at about \$13 million, trending at \$10.5 million currently. General merchandise and big boxes are affecting the bottom line as well as changes in the auto industry.

Mr. Bedalov updated the SWOT analysis, saying the Village still has a low tax rate, a vibrant office sector and a diverse economy. The community is, however, built-out, and because of that there is tremendous local competition with communities that are not fully built-out. There is a heavy reliance on automotive business in the Village. Economic development tools available to the Village have been embraced. He indicated that the community is unified in its goal of long-range economic growth. It is important to understand the changing economic patterns, and use that information to capitalize on long-term future growth opportunities. It is essential to maintain and monitor progress against metrics. As long as there is a consistent message received from Council as to its focus, the EDC is prepared to apply all available economic development tools where and when appropriate. There has to be an alignment of the Village's Long-range Financial Plan and Strategic Plan with the EDC Strategic Plan.

EDC President Bedalov then reviewed the economic development tools currently in use, including a strong and active EDC that has developed strong relationships with appropriate agencies in the County and State. They have used Tax Increment Financing (TIF), tax rebates and fee waivers. Potential tools include business enterprise zones, business improvement districts, and facilitated property acquisition and transfer. He indicated they will continue to apply all the economic development tools wherever and whenever they are appropriate, maintain flexibility, define and achieve desired outcomes, identify issues and goals, and identify other potential tools for the development of the Village.

Mayor Sandack noted that having a vibrant business community is a constant challenge, and it doesn't happen by luck. It is a critical part of the tax base.

Commissioner Schnell commented that a vibrant good sales-tax-producing community keeps the taxes low for residents. She said that the EDC is generating as much sales tax as possible and it has been fairly stable. She noted that the EDC is funded by the Hotel Tax, with 50% of that tax going to the EDC, and no property tax is used to fund the Corporation. She emphasized that the hotel tax is paid for by people who visit Downers Grove and stay in our hotels. Property taxes are not used to fund the EDC.

- b. **Façade Improvement Grant for 5150 Main Street.** The Manager asked Tom Dabareiner, Director, Community Development, to address this issue.

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Tom Dabareiner, Director, Community Development, explained that this item is to award a Façade Improvement Grant for 5150 Main Street on the August 18 Consent Agenda. He showed an aerial map of the area, which is close to Curtiss. The petitioner is requesting a \$15,000 grant. They will maintain all existing glass windows on the east and south facades. He further described the proposed improvements to be made, including replacement of walls. The Architectural Design Review Board (ADRB) discussed the item on June 25 and recommended approval. There was one dissenting Board member who was concerned about the precedent to allow the use of EIFS materials over brick. Staff also recommended approval of the request. Any amount above \$10,000 requires Council approval.

The Mayor reminded everyone that the FY-09 budget allocates \$100,000 for façade improvements in the TIF District. He said it is great that this program is being utilized.

Commissioner Schnell commented that she thought this was a great program as it allows us to compete with other communities. She asked about the heavy stone accents toward the Cellar Door, and asked about the logic behind this with respect to the concentration toward the Cellar Door. Mr. Dabareiner said that a color rendering shows that it looks like three distinct buildings. He noted that the petitioners have agreed to keep the signs at the proper size.

Commissioner Barnett asked about the minutes from the ADRB meeting regarding the Nay vote. He felt from the minutes that the Nay vote was to make a point to the Council emphasizing that some changes were necessary in the Village Design Guidelines with regard to the terms “preferred” and “discouraged.”

Mr. Dabareiner said there is debate on the part of the members of the ADRB as to whether the Village should be discouraging any materials, including EIFS materials. That discussion continues to go on. He understands that the Nay vote was to express concern with respect to the materials proposed in this project.

Commissioner Neustadt said that this is at 82% compliance with the design guidelines. He appreciates that this is coming before the Council before the work begins. He is in favor of this and looks forward to the new façade.

Commissioner Waldack added that he was also confused in reading the minutes. The façade improvement program started in January 2009 with 2009 dollars. The purpose of the program is to improve the downtown architecture and owners can use whatever material they want. Discouraged materials can still be used, but putting in discouraged materials will not result in awards from the grant program. He is concerned that a grant award might be encouraging these EIFS materials all along Main Street. He also feels acting retroactively is a huge mistake. Commissioner Waldack said the work has not been done yet on this project. He wants the Village to encourage life safety improvements. He said it disturbs him that the Village is funding start-up costs for a business that is changing from one type of business to another. With this petition, it is current and is a 2009 project. They have already set a precedent with EIFS material, so he does not see denying it on that basis. The Village has set aside \$100,000 for this grant program, and he is disappointed with the way the Village is running this. He does not want to go a penny over \$100,000, and if it comes up in next year’s budget he will not support it as it is presently being conducted.

Commissioner Durkin stated that he supported the program and envisioned the funds being used this way to create better curb appeal. He wishes the Village had funds for next year.

Commissioner Durkin addressed use of the word “discouraged” and noted that it does not mean “banned.”

Commissioner Barnett pointed out that this is a grant program and the petitioners are putting in a fair amount of their own money. In this particular case, the petitioner is putting in more money than the Village. He thanked the petitioners for investing in the community.

Mayor Sandack reminded everyone that these funds come from TIF funding, and not property taxes. These funds are intended specifically for use in the TIF District. The intent and execution of the program has been successful. He noted that this applicant meets the requirements, the ADRB looked at this from various perspectives and recommended approval, and the applicant will be paying a lot of money out of pocket.

Manager Fieldman said that staff will provide a report on the program later in the year.

c. **ROW Vacation: 4501 Lee Avenue.** Mr. Dabareiner said this ordinance will vacate a dedicated and partially improved portion of Grant Street, adjacent to the property located at 4501 Lee Street. He reminded the Council that six votes are required for approval of the ordinance. He showed slides of the area, noting that there is an easement to be preserved for both AT&T and ComEd who have utility poles in the right-of-way. There are no other utilities in the right-of-way. Mr. Dabareiner said that the Downers Grove Park District has expressed an interest in acquiring the north half of the right-of-way in the future. The Plan Commission has recommended approval and the staff concurs with the Plan Commission’s recommendation.

Commissioner Schnell asked whether the petitioner is willing to pay the fee, and Mr. Dabareiner said the petitioner is aware of the fee and willing to pay it. Commissioner Schnell then said that she understood that the northern half is to be annexed to the Park District at no fee. She urged staff to encourage the Park District to take this and do both parcels at the same time, although she did not want to hold this up for the petitioner. She clarified that the Park District would pay no fee.

Mr. Fieldman said he would talk to the Park District about this. Commissioner Schnell said if the Park District indicates it does not want to do this, to find out why.

3. Consent Agenda Items

a. **Approval of Administrative Hearing Officer Agreement Extension.** The Manager said this is a one-year extension for the administrative hearing services in the amount of \$4,600. The Village has worked with this individual for several years. There will be no increase in fees.

Commissioner Schnell said it appears that the Village will get its money back and much more.

b. **Resolutions to Authorize Acceptance of Credit Card Payments and Processing Services with Payment Processing Inc. (PPI).** The Manager said there are two resolutions—one authorizing the Village to accept credit card payments, and another authorizing an agreement with PPI to replace its current credit card processor. Currently the Village uses financial software called Eden. Paypal is upgrading their financial software by September 1. The Village has to change to the PPI vendor in order to continue taking credit card payments, as they are compatible with the Village’s system.

Action will be requested at the August 25 meeting following a public hearing requirement pursuant to State law.

Commissioner Waldack asked if the Village's Eden software would be compatible with both companies, and the Manager said it would be.

Commissioner Durkin asked when the Eden software was approved and whether staff looked into vendors that would be compatible with the Eden Software. He asked how much credit card activity there is per month. The Manager said he would obtain that information. Commissioner Durkin commented that he was surprised to see that this wasn't part of the RFP, and asked for proper clarification.

- c. **FY 2010-2015 Surface Transportation Program (STP) Application.** The Manager said the Village participates through the DuPage Mayors and Managers Conference for dollars for road improvements. The Village plans to submit six projects and staff recommends approval. Approximately \$900,000 in potential grants is available for this program. A waiver of the one-week waiting period is not necessary, and they will follow the regular approval process.
- d. **Change Order: Washington Park Stormwater Improvement Project (CIP Project SW-042).** The Manager said this change order is in the amount of \$76,000, and the majority of the change order is to assure proper construction of the retaining wall. The Village is obtaining participation from Christopher Burke Engineering as well as the Park District.
- e. **Contract Amendment: Phase III Engineering Services – Maple/55th Water Main Replacement (WA-006).** The Manager said this item concerns an amendment with Hampton, Lenzini and Renwick, Inc. (HLR) resident engineer on this project, in the amount of \$14,893.50. There is a different contractor in charge of constructing the improvements. He noted that staff will seek reimbursement of these funds from the contractor.

Commissioner Waldack said that the engineering service was to keep tabs on the people who were doing the work. He asked if there was something HLR should have been doing that it neglected to do. The Manager said he will check into this further, but his impression from staff is that they have been doing an excellent job,

- f. **Contract Amendment: Professional Design Services Projects: Watershed Improvements, Prentiss Creek Sub F (SW-037).** The Manager said this pertains to watershed improvements and amends an existing contract. It gives the Village the opportunity to bundle projects with the Hobson Triangle area, which will be a cost-savings item.

MANAGER'S REPORT

ATTORNEY'S REPORT

Village Attorney Enza Petrarca said she was presenting eight items to the Council: 1) An ordinance vacating a certain portion of a right-of-way located adjacent to 4501 Lee Avenue in the Village of Downers Grove; 2) A resolution authorizing an extension to an agreement for administrative hearing officer legal services between the Village of Downers Grove and Victor E.

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Puscas, Jr.; 3) A resolution authorizing the acceptance of credit card payments by the Village of Downers Grove; 4) A resolution authorizing execution of an agreement and addenda between the Village of Downers Grove and Payment Processing, Inc.; 5) A resolution authorizing submittal of application to the DuPage Mayors and Managers Conference for FY 2010 Surface Transportation Program (STP) – Roadway Reconstruction; 6) A resolution authorizing submittal of application to the DuPage Mayors and Managers Conference for FY 2010 Surface Transportation Program (STP) – Traffic Signals; 7) A resolution authorizing execution of a first amendment to a professional engineering services agreement between the Village of Downers Grove and Hampton, Lenzini and Renwick, Inc.; and 8) A resolution authorizing execution of a first amendment to a professional engineering services agreement between the Village of Downers Grove and GC Engineering, Inc.

VISITORS

Andrew Clark, 1226 62nd Street, expressed his concerns about the Brookbank Prairie Subdivision area. It has been languishing for approximately ten years. Mr. Clark said he noticed an article in last week's Downers Grove Sun that the Village will assume responsibility for completing the uncompleted portion of the southbound lane of Brookbank Road. He asked if this is a fact, and the Mayor responded that it is. Mr. Clark then asked if Bradley's requirements were waived by the Village to benefit the developer. The Mayor responded that was not correct. The Village concluded a settlement and the Village decided it was in the Village's best interest to control the project with respect to the road.

Mr. Clark then asked if there was an exchange of money in the negotiations. The Mayor said that Mr. Clark read the settlement agreement, and knew there was no exchange of money. Mayor Sandack reiterated that the Village took responsibility for the road and assumes that responsibility.

Mr. Fieldman said there would be a neighborhood meeting next year for the road to go over design options. Mr. Clark said this amounts to the developer being released of a large expenditure for the completion of the road, sidewalk and lighting of that area. The Mayor said that is not correct, and that Mr. Clark has read the settlement. Mr. Clark said that his tax money will be used to complete this roadway. The Mayor stressed that this is "our" tax money. Mr. Clark said that he would like to ask the Council to consider rescinding vacation of Middaugh for the developer to build a house. The original plans had a sidewalk immediately adjacent to the southbound roadway, which cannot be kept clear in the winter. He is concerned with the safety of the children. Mayor Sandack said that staff will review the placement of the sidewalk.

COUNCIL MEMBERS

Commissioner Schnell spoke on behalf of Council and staff to thank the Noon Lions Club for the luncheon it sponsored for new teachers. It highlighted the partnership among the Village's community groups.

Commissioner Durkin encouraged people to visit McCollum Park. The new basketball courts and volleyball courts were overloaded with people. The Park has been enhanced.

Commissioner Neustadt said that the Village will be hosting the ProCriterium bike race next Saturday and Sunday. On August 15 there will also be Coffee with the Council at the Market. He invited people to attend.

ADJOURNMENT

Commissioner Schnell moved to adjourn to Executive Session pursuant to Section 2(c)(5) of the Open Meetings Act to consider the purchase of property. Commissioner Barnett seconded.

VOTE: YEA: Commissioners Schnell, Barnett, Durkin, Neustadt, Waldack, Mayor Sandack

Mayor Sandack declared the motion carried and the Council convened into Executive Session at 8:05 p.m.

April K. Holden
Village Clerk

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