



Village of Downers Grove Meeting Minutes Downers Grove Village Council

Civic Center
801 Burlington
Downers Grove, IL 60515
630-434-5500

Tuesday, December 1, 2009

7:00 pm

Council Chambers

1. Call to Order

Mayor Ron Sandack 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 Sandack led those present in the Pledge of Allegiance to the Flag.

2. Roll Call

Present: Commissioner Marilyn Schnell, Commissioner Bob Barnett, Commissioner William Waldack, Commissioner Sean P. Durkin, Commissioner Bruce E. Beckman, Commissioner Geoff Neustadt and Mayor Ron Sandack

Non Voting: Village Manager David Fieldman, Village Attorney Enza Petrarca and 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 the past meetings, an opportunity will be given for public comments and questions on the active agenda items for this evening's meeting. Following this, an opportunity is given for public comments and questions on any subject. Finally, 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.

The presiding officer will ask, at the appropriate time, if there are any comments from the public. If anyone wishes to speak, the individual should raise their hand to be recognized and, after acknowledgment from the presiding officer, approach the microphone and state their name and address. Remarks should be limited to five minutes, and asked that individuals refrain from making repetitive statements.

Mayor Sandack 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 Workshop and Council Meetings

Council Meeting - November 17, 2009

Workshop Meeting - November 24, 2009

There being no additions or corrections to the minutes, Mayor Sandack said they would be filed as submitted.

Capital Projects Update

Public Works Director Nan Newlon provided the Capital Projects update. She said that the Village will receive more money than expected from the Illinois Department of Commerce and Economic Opportunity (DCEO) for the parking deck lighting retrofit project. The original grant of \$25,000 has been increased to \$73,000. In addition, based on the last electricity bill, there is

a 50% savings, rather than the 40% expected. The payback will go from two years, down to one year.

Ongoing projects include McCollum Park, Washington Park, and the Prentiss Creek projects, all of which are moving forward.

The Mayor congratulated the staff. He asked when the park projects go into hiatus, and when work will resume. Ms. Newlon replied that McCollum should be completed this winter with some minor work in the Spring. There will be a change order presented for soil removal. As for Washington Park, they will continue work during the cold weather.

4. Public Comments and Questions

A. Comments and Questions on Active Agenda

George Swimmer, 4905 Main Street, said he attended the Community Events Commission meeting as President of the Downers Grove Noon Lions' Club. He has been affiliated with the Lions for about 30 years, and also with Heritage Festival. The Evening Lions Club sold steak sandwiches at Heritage Festival. The Noon Lions club sold roasted corn. He said \$400,000-\$500,000 has been donated back to the community over the past 20 years through these projects. Mr. Swimmer commented that he met a gentleman from the Rotary Club, the organization that works the beer garden. They have collected more than the Lions Club and have contributed significantly more to the community.

Mr. Swimmer then reviewed some of the things that the Noon and Evening Lions' Clubs have been involved in over the years: Halloween parade, Christmas Party at the Tivoli, Barth Pond fishing contest in which the Lions stocked the pond with fish, help for the blind and hearing impaired, donation of the clock at the Main Street Station, donating the Fishel Park bandstand. He indicated that no one has a really good handle on the costs of Heritage Festival to the Village or how much was actually earned. He thinks the Heritage Festival is just some good planning away from being highly successful. He believes that more events, such as the band stages, could be moved to the Tivoli and people will pay for good entertainment. With regard to the Heritage Festival printed programs, he suggested that the Village sell advertising space in the program. He further suggested that there are a number of parking lots in the downtown area that could be opened to the public with a fee. Mr. Swimmer said if it is a matter of supporting Heritage Festival, the parking lot revenue should go to pay the three sworn officers on duty at the train station, or ask METRA to man the station. They do not need three officers on duty. With regard to the beer garden, he didn't know whether it is a revenue generator, or if it costs the Village, but he recommended that it be fine-tuned. Restaurants and hotels could also provide prizes and raffles to the community. Bus fares could also be increased. According to the Commission's high school representative, students at Downers Grove North love Heritage Festival and they spend a lot of money. He added that many people in the community love Heritage Festival. It is a shame that two members of the staff of Community Events will leave if Heritage Festival is suspended. He added that the proceeds from the benefit concert could also go to Heritage Festival. Mr. Swimmer said that the Events Committee was taken by surprise by the Council's decision to suspend Heritage Festival. They should have the opportunity to make an intelligent forecast.

Keith Hoffman, 1410 Golden Bell Court, thanked the Village, Mary Scalzetti and the Heritage Festival staff for the sensational job they've done over the years. He works with the Rotary Club. He said he attended today's Community Events meeting, and asked that the Council reconsider what they have asked the Committee to do, because once you ask a Committee to forget about this year and move forward to next year, it is a difficult task to recoup and come back with a successful event. The Rotary Club has made a lot of money which they give back to the community in the form of scholarships, and donations to various organizations. The Heritage Festival is one of their biggest fund raisers, as it is for many other groups.

B. Comments and Questions on General Matters

Frank Falesch, 820 Prairie, commented that the Reporter stated that the Village is about to purchase four properties on 55th Street and 8th Street. Some of those backyards experience flooding. He said there was little information provided.

The Mayor responded that a presentation was made about two weeks ago, saying that the area has been designated in the Watershed Infrastructure Improvement Program for detention purposes. Mr. Falesch asked whether this is a one-shot deal. The Mayor responded that it is for this neighborhood. There are many other projects contemplated for 2010, 2011 and 2012. The stormwater program is an on-going program. Mr. Falesch said he has never seen anything on this before, and Mayor Sandack said property acquisition is based on the need of a specific project. The Village is not in the land acquisition business. This must make sense for the stormwater watershed project. Mr. Falesch asked whether people could approach the Village to participate. The Mayor replied that residents contact the Village all the time, but it doesn't mean that their particular property would qualify for purchase.

Mark Thoman, 1109 61st Street, attended the Community Events Committee meeting to ask the members to reach out to the community and find people who would take a more active role. He was pleased to find many people at the meeting who have already stepped forward and offered their services. He asked the Council members to do everything they can to help staff allow these volunteers to do that. He realized that the Council is trying to find ways to meet its costs.

Tom LeCren, 545 Chicago Avenue, asked the Police Department to take extra special care in public, in light of the incident that occurred in Seattle. He asked that they take extra caution so the Village doesn't lose any officers.

5. Public Hearings

6. Consent Agenda

COR 00-03961 A. Claim Ordinance: No. 5823, Payroll, November 20, 2009

Sponsors: Accounting

A motion was made to Approve this file on the Consent Agenda.

Indexes: N/A

BIL 00-03962 B. List of Bills Payable: No. 5976, December 1, 2009

Sponsors: Accounting

A motion was made to Approve this file on the Consent Agenda.

Indexes: N/A

RES 00-03964 C. Resolution: Authorize the Sale by Public Auction of Personal Property Owned by the Village of Downers Grove

Sponsors: Public Works

Summary of Item: A RESOLUTION AUTHORIZING THE SALE BY PUBLIC AUCTION OF PERSONAL PROPERTY OWNED BY THE VILLAGE OF DOWNERS GROVE

RESOLUTION 2009-108

A motion was made to Pass this file on the Consent Agenda.

Indexes: Auction, Surplus Property

RES 00-03911 D. Resolution: Authorize a Contract with Andres Medical Billing, Ltd.
Sponsors: Fire Department
Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT BETWEEN THE VILLAGE OF DOWNERS GROVE AND ANDRES MEDICAL BILLING, LTD.

RESOLUTION 2009-109
A motion was made to Pass this file on the Consent Agenda.

Indexes: Ambulance Fee, Fire Department

MOT 00-03963 E. Motion: Authorize a Change Order for \$85,498.57 with C-A Cement, Bloomingdale, IL, for the Rogers Street Resurfacing Improvements
Sponsors: Public Works
Summary of Item: This authorizes a change order in the amount of \$85,498.57 to C-A Cement for the Rogers Street Resurfacing Improvement Project (ST-023).
A motion was made to Authorize this file on the Consent Agenda.

Indexes: Street - Resurfacing , Water Main Improvements, Drainage Improvements

RES 00-03965 F. Resolution: Amend the Employee Administrative Rules and Regulations
Sponsors: Fire Department
Summary of Item: A RESOLUTION AMENDING THE EMPLOYEE ADMINISTRATIVE RULES AND REGULATIONS OF THE VILLAGE OF DOWNERS GROVE

RESOLUTION 2009-110
A motion was made to Pass this file on the Consent Agenda.

Indexes: Employee Manual

Passed The Consent Agenda

A motion was made by Commissioner Schnell, seconded by Commissioner Barnett, that the consent agenda be passed. The motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Barnett, Commissioner Waldack, Commissioner Durkin, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

7. Active Agenda

ORD 00-03968 A. Ordinance: Authorize a Special Use to Permit a Storage Facility for the Property Located at 2659 Wisconsin Avenue
Sponsors: Community Development and Plan Commission
Summary of Item: At their meeting of November 2, 2009, the Plan Commission recommended that a Special Use be granted to permit a storage facility within the M-1 light manufacturing zoning district.

AN ORDINANCE AUTHORIZING A SPECIAL USE TO PERMIT A STORAGE FACILITY FOR THE PROPERTY LOCATED AT 2659 WISCONSIN AVENUE

ORDINANCE NO. 5099
A motion was made by Commissioner Schnell, seconded by Commissioner Barnett, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Barnett, Commissioner Waldack, Commissioner Durkin, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

Indexes: Special Use - 2659 Wisconsin

ORD 00-03967 B. Ordinance: Authorize a Special Use to Permit a Telecommunication Tower for the Property Located at 6401 Springside Avenue

Sponsors: Community Development and Plan Commission

Summary of Item: At their meeting of November 2, 2009, the Plan Commission recommended that a Special Use be granted to permit a telecommunications tower within a residential zoning district.

AN ORDINANCE AUTHORIZING A SPECIAL USE TO PERMIT A TELECOMMUNICATION TOWER FOR THE PROPERTY LOCATED AT 6401 SPRINGSIDE AVENUE

ORDINANCE NO. 5100

A motion was made by Commissioner Barnett, seconded by Commissioner Beckman, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Barnett, Commissioner Waldack, Commissioner Durkin, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

Indexes: South High School, Special Use - 6401 Springside

ORD 00-03970 C. Ordinance: Prohibit Video Gaming

Sponsors: Manager's Office

Summary of Item: This prohibits video gaming within the corporate limits of the Village of Downers Grove.

AN ORDINANCE PROHIBITING VIDEO GAMING

ORDINANCE NO. 5101

A motion was made by Commissioner Neustadt, seconded by Commissioner Waldack, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Barnett, Commissioner Waldack, Commissioner Durkin, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack

Indexes: Video Gaming

ORD 00-03969 D. Ordinance: Adopt the Fiscal Year 2010 Budget in Lieu of Passage of an Appropriation Ordinance

Sponsors: Manager's Office

Summary of Item: This adopts the fiscal year 2010 budget in lieu of an appropriation ordinance. As provided by law, proper notice has been given, the budget has been available for inspection for at least ten days, and a public hearing was held on November 3, 2009.

AN ORDINANCE ADOPTING THE FISCAL YEAR 2010 BUDGET IN LIEU OF PASSAGE OF AN APPROPRIATION ORDINANCE

ORDINANCE NO. 5102

Commissioner Beckman said he found this to be an exhaustive journey, and he hoped they could find a means in the future to balance the budget in a better fashion. This budget is eliminating many services. He has repeatedly stated his objection to the elimination of the Counseling and Social Services Department. The Pro Criterion Bike Race has been eliminated, the Ice Sculpture

Festival has been cut back, the Independence Day Parade has been reduced, and Heritage Festival has been suspended. Commissioner Beckman said he found it disconcerting that all of the cuts and changes which could have been used to reinstate programs only went to reduce the deficit. He believes the counseling program provides a vital service to Downers Grove and he disagrees with the Council majority. By saying there are private counselors out there (who charge up to \$200 an hour) is simply a way of saying "let those who are in need eat cake." He believes, however, that the budget, for the most part, reflects the needs of the community. He will vote in the affirmative to give the Council the opportunity to move forward.

Commissioner Barnett thanked his colleagues and the staff. Everyone has contributed to the process. He believes the budget is a reasonable compromise. Many people are unhappy with certain pieces of the budget; however, the Village needs to move forward. This budget allows the Village to move forward and be exceptional.

Commissioner Schnell thanked staff and the public for the incredible input during the budget process. This is unprecedented budget in an unprecedented time. She said that never in her history with the Village have they cut 25 positions, or money for core services. The budget provides Police, Fire and Public Works, including stormwater services, paving roads, etc. She said that unfortunately, from her perspective, this budget also puts a huge burden on individuals unable to provide for themselves. Funding has been eliminated to Meals on Wheels, Counseling and Social Services and cut backs have been made to the taxi subsidy. Commissioner Schnell said she has had a problem all along that this is a situation that is not a win/win. There are parts of the budget she finds distasteful. She will, however, vote for the budget as presented, because they need to have a plan to move forward for next year. She hoped that next year's process will be easier on the public.

Commissioner Neustadt stated that he would vote in favor of the budget as presented. This is the most difficult task he's ever been involved in, and there are portions of this budget with which he doesn't agree. There are components of the budget he does not agree with such as the lay offs of two sworn police officers, the suspension of Heritage Festival, and the elimination of Counseling and Social Services. He said that the Council has received a lot of feedback from staff, the public and employee groups. Some of the ideas will be worked into action plans for 2010, which he already presented to staff. Among those items is a review of the take-home vehicle policy for the Police and Fire Departments, and attempts to find efficiencies and outsourcing opportunities in every department. He values the service of the Village staff. He noted that the budget was easy to read and clear. He also thanked the Council for the lively discussions over the past months. He looks forward to moving ahead with action items.

Commissioner Waldack thanked all the residents who participated in this process. Unfortunately in his opinion, their input had no effect. He noted that basically all the cuts could be restored by \$1.25/month tax increase on a \$300,000 home. As for Meals on Wheels, there will be people who will end up on the waiting list. The Village will not contribute and will become moochers. People will not get hot meals and well-being checks, many of which result in finding residents who need medical attention. Commissioner Waldack then commented on the taxi-subsidy program, saying it will cost only about \$2.00 per year on residents' taxes but it will cost seniors who depend on the subsidy about \$40 more per month, or two weeks worth of groceries. He asked if that was right to do at this time. He noted that there is an organization that delivers unexpired bread for distribution at one of the senior centers. The seniors fight over the bread. He thinks the Village needs to get its priorities straight. As for Community Grants, it's the Arts. He said they could possibly ask the schools to stop teaching the performing arts, eliminate art and music books from the library, etc.

Commissioner Waldack then commented on the Counseling and Social Services saying that last week the Council discussed extending CSS for a while for those in need. It was agreed to by a head nod. He regrets that he agreed. The Village Manager is on track to close this program by the end of the year. Money saved by canceling Heritage Festival and hurting the non-profit

organizations will not go to CSS or any other programs. Months ago it was decided to make certain cuts. However, it was also decided to use \$1 million of reserve funds. Now any spare money will go back into the reserve. Had they made the increase to the Home Rule Sales Tax effective January 1, they would not have to use the reserve money. Staff told only two people on the Council about this, and they pushed for the money to be placed back in the reserve. He said he is very upset about that. He then showed a bag of apples and apple cores, saying you don't go to the store to buy an apple core - you need to buy the whole apple. The core is important. Using the apple as a prop, he cut the apple into slices and asked which is the better apple, the whole apple or the one that has been dissected. He will not support this budget, and said that he is very disappointed in it and said that the Village deserves better.

Commissioner Durkin said he has been part of nine municipal budgets, and this is the most difficult one ever. He is not happy with the proposed budget. They are still spending \$910,000 in reserves, and that doesn't balance. There are some positives from the budget, including the great community involvement. Everyone's message was listened to throughout the process. He indicated that we are in the times that we are in, and everyone is doing more with less. The Village is cutting a lot of services but to him they are not core services that he believes the Village should be providing. He then said he would like to talk with staff about what went well with the budget discussion. He believes that the 2011 budget will not be better than 2010. There are many items he would have liked to have seen, but the Village doesn't have the money. Heritage Festival is a cancellation, and he cannot support a party when they are cutting people and services. He said he would support the budget and thanked staff and the residents for their participation.

Mayor Sandack said he knew in September and October 2008 when the economy failed and was being looked at anew and there was no confidence anywhere, that there would be difficult times ahead. The Village had already passed its budget and was only one month into 2009 when amendments were made and costs were cut. He said that staff has made cuts all year long. This budget reflects shared sacrifice and everyone is getting hit. All staff positions were frozen, staff took furlough days, etc. The budget cutting was in response to a challenging economy and to make ends meet. In May, the Village also began its Long Range Financial Planning meetings to make sure that the Village was making prudent decisions. The process has been open, honest, direct and inclusive. The result reflects the nuances and difficulties we face. The Village is a land-locked community, the sales tax base isn't growing, and the sales tax remains flat, but personnel expenses continue to grow. This is a service organization. People cost money in terms of salary, health insurance, retirement, etc. The math is irrefutable. They cannot continue to do everything and give everything to everybody. When you do more than you should, unwinding it is nearly impossible. He has listened to people talk who have given to this community for years. Giving to Heritage Festival is anathema, the Rotary didn't do Oktoberfest, etc. He said that he loves Heritage Festival; however, it is not a core service. The Village has to prioritize. He can provide a whole list of wishes that he has for the community. He said that the questions are tough in terms of what the Village can do, what it does and what is the best use of its money. He noted that the public isn't happy with the cuts, but also doesn't want a tax increase. No one on the Council is happy with the budget, and everyone wanted to do more without having to pay for it. The budget reflects the core services everyone expects to receive such as Police, Fire and Public Works. The Village is not equipped to provide social services. It must stay focused on things it can do and control its expenses, such as police, fire, and public works services. Taxes will be raised to get to this budget, but not flippantly. The Mayor said that this budget reflects a shared sacrifice. Everyone is getting hit in these times. The budget reflects a series of open meetings unprecedented in this Village. The budget is a compromise of a body of work, and no one is happy about it. As for Heritage Festival, the Mayor said they cannot subsidize a party in this economy while not supporting other programs. He thinks the void will be picked up. Mayor Sandack noted that this budget requires leadership. Collectively, the circumstances require this in the short run and the long run. He believes that they have structurally right-sized local government for future years. The alternative was to tax more and to face this year after year. He extended his gratitude to staff, the residents and his colleagues.

It has been gut wrenching and challenging, but the Village will move forward.

A motion was made by Commissioner Durkin, seconded by Commissioner Beckman, to Adopt this file. Mayor Sandack declared the motion carried by the following vote:

Votes: Yea: Commissioner Schnell, Commissioner Barnett, Commissioner Durkin, Commissioner Beckman, Commissioner Neustadt and Mayor Sandack
Nay: Commissioner Waldack

Indexes: Budget - 2010

8. Mayor's Report

Materials to be Received

Materials to be Placed on File

9. Manager's Report

10. Attorney's Report

Future Active Agenda

11. Council Member Reports and New Business

Commissioner Beckman said as they move into the New Year, he thinks it would be good for the Council to look, from a bird's-eye perspective, at the budget process, as there are some elements he thinks that would be worth studying.

Commissioner Neustadt met with the Community Events Commission, and they came up with good questions and participation. They are attempting to come up with an action plan.

Commissioner Waldack said he missed the events over the weekend as he has been under the weather. He said over the last few months he has heard from residents. Staff has experienced turmoil over the cuts. He said that some attitudes about our staff are misplaced. This is a large organization, and the staff have many responsibilities. He asked everyone to keep in mind the turmoil of staff. The Village provides a lot of services for one organization. Running the Village takes a lot of people, work and creativity.

Commissioner Durkin announced the passing of Robert Jacobs, a long-time resident of the Village who was responsible for the partnership between District 99 music programs and its German counterparts. He asked that everyone remember Mr. Jacobs' family, and all those people who work behind the scenes to make this community a great community.

Mayor Sandack said he participated with Commissioner Beckman in the Bonfield Express on Thanksgiving morning. It was a very competitive run. They had a cadre of volunteers and were very organized and dedicated. This project is an instructive footprint for some Village events going forward. The Mayor said there was a great crowd for the tree lighting ceremony. He encouraged people to patronize Village shops.

12. Adjournment

Commissioner Schnell moved to adjourn. Commissioner Neustadt seconded the Motion. Mayor Sandack declared the Motion carried by voice vote and the meeting adjourned at 8:09 p.m.