



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, July 20, 2010

7:00 pm

Council Chambers

1. Materials to be Placed on File

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

Absent: Village Manager David Fieldman and Village Clerk April Holden

Non Voting: Village Attorney Enza Petrarca, Assistant Village Manager Michael Baker and Deputy Village Clerk Linda Brown

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 of a general matter. 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 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 Council Meetings

Council Minutes - July 13, 2010

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

4. Public Comments - General Comments on Matters Not Appearing on Tonight's Agenda

Frank Falesh, 820 Prairie Avenue, commented on the Washington Park improvement project, saying he sent a letter to the Park Board expressing his belief that the Park Board is taking the

Village for a ride as the improvements are opulent and the Village is paying for the improvements.

The Mayor replied that the Village is paying for some of the improvements. There were change orders submitted, and Park District is paying for some of those change orders. Mayor Sandack said that the Village was aware of the Park District's plans, and the Village is not being taken to the cleaners.

Mr. Falesch responded that they have a great gazebo, fancy lights, many benches, and the layout is not good. Terraces are hard to maintain and they could have done with a lot less.

The Mayor responded that it is going to be a nice facility, and the Village is paying for improvements primarily for stormwater detention. It is intended to be a destination park.

Mr. Falesch said the letter he received from the Park District said the Village was paying for everything.

Todd Galantine, 4923 Main Street, provided an update of Rotary GroveFest and thanked the Mayor, the Council, Dave Fieldman, John Tucker, Mary Scalzetti and everyone who helped put this event together. The event was approved three months ago, and since then 40 club members worked on it, which is a testament to the business and community leaders, as well as the overall support of the community. All of the pieces came together, and Mr. Galantine noted many of the quotes on Facebook in support of the event. He said that there were 20 non-profit organizations participating in GroveFest, 17 entertainment acts, 10 restaurants, 280 volunteers, and 1,682 volunteer hours given this weekend in downtown Downers Grove. Mr. Galantine said that attendees will provide responses regarding the event, and local businesses and vendors will also be asked for their opinions.

The Mayor said he attended the event and was impressed by the hard work and organization of the committee members in building the event in a three-month period of time. He noted that the Community Events Commission is meeting on Thursday, and he expects there will be a lot of feedback at that meeting. He expressed his appreciation and congratulations to everyone involved.

Commissioner Schnell added her thanks and congratulations, saying she was there all four days. She added that Carol Kuchynka did a phenomenal job regarding the liquor sales.

Commissioner Beckman said he was only able to attend Saturday, and he found the volunteers to be very friendly. He also noticed that some hometown restaurants that are not part of the downtown area participated. He enjoys Mediterranean cooking and Cedar Grill was there. He was happy to see it broadened to other businesses in the community.

Commissioner Neustadt added his comments, saying it was a great event. He said the Rotary Club's dedication to work with the Community Events Commission was excellent. He heard people commenting on the Rotary GroveFest 2011. He wished them luck in the future.

5. Public Hearings

6. Consent Agenda

Mark Thoman added his thanks to the Rotary Club for the GroveFest. He thanked Jeff Loster and Nan Newlon for advancing the Fire Station 3 project. It is a great project for the community in terms of showing best management practices.

BIL 00-04209

A. List of Bills Payable: No. 5840, July 20, 2010

Sponsors: Accounting

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

Indexes: N/A

MOT 00-04214 B. Motion: Award a Contract to Rural Renewable Energy Alliance of Pine River, Minnesota, for the Purchase of 62 Solar Heat Collectors

Sponsors: Finance

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

Indexes: Solar Heat Collectors

RES 00-04215 C. Resolution: Intergovernmental Agreement with DuPage County for Fire Station #3 Bioswale and Rain Garden Water Quality Project

Sponsors: Public Works

Summary of Item: INTERGOVERNMENTAL AGREEMENT BETWEEN COUNTY OF DUPAGE, ILLINOIS AND THE VILLAGE OF DOWNERS GROVE FOR THE FIRE STATION NUMBER THREE BIOSWALE AND RAIN GARDEN WATER QUALITY PROJECT

RESOLUTION 2010-50

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

Indexes: Fire Station # 3

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 00-04210 A. Ordinance: Amend Traffic Provisions for a Four-Way Stop at the Intersection of Middaugh Avenue and Grant Street

Sponsors: Public Works and Transportation and Parking Commission

Summary of Item: This amends traffic provisions for a four-way stop at the intersection of Grant and Middaugh.

AN ORDINANCE AMENDING TRAFFIC PROVISIONS FOR A FOUR-WAY STOP AT THE INTERSECTION OF GRANT AND MIDDAUGH

ORDINANCE NO. 5144

Commissioner Neustadt said this is an excellent addition, and a good improvement for the neighborhood.

Commissioner Beckman added that he has lived there since 1978, and he has witnessed some near misses at that corner. There are problems with limited sight, as well as three schools within a block of each other. This was much needed and is good for the community.

Mayor Sandack said there was complete cooperation from the schools and the neighbors, and TAP made an unanimous recommendation.

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: Stop Sign - Middaugh & Grant

ORD 00-04211 B. Ordinance: Amend Traffic Provisions at the Intersection of 4th Street and Victor Street

Sponsors: Public Works and Transportation and Parking Commission

Summary of Item: This amends traffic provisions on 4th Street and Victor.

AN ORDINANCE AMENDING TRAFFIC PROVISIONS AT THE INTERSECTION OF 4TH STREET & VICTOR STREET

ORDINANCE NO. 5145

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: Yield - 4th & Victor

8. First Reading

The Mayor said this is an informational presentation of items that will be coming before the Council for consideration in the next few weeks.

MOT 00-04207 C. Solid Waste Collection and Disposal Services Contract

Sponsors: Manager's Office

Deputy Village Manager Mike Baker said there are three options regarding solid waste removal. He said there have been several steps leading up to this proposed contract. Negotiations began in February, followed by a resident survey, three meetings of the Environmental Concerns Commission (ECC), and updates provided to the Village Council. The contract expires in 2011.

Option 1 maintains the current status for three years, with an option for a fourth year including an Amnesty Day.

Option 2 is to convert to the cart system for a 5-year contract, with options for 35/65/95 gallon refuse carts. It includes a senior discount, and a 64-gallon recycling cart. This option also allows for one bulk item per week with no sticker required, and this would eliminate the need for the annual Amnesty Day program. There is also a cancellation opportunity for one-month or more period of time.

Option 3 blends the first two options to include the sticker program with the refuse cart use. The large recycling carts will not be available to those using stickers. This option would maintain Amnesty Day.

Mr. Baker said that other considerations were the inclusion of some multi-family structures that are not currently part of the program. Also discussed was a fixed cost concept which includes the costs of operating a system such as labor, maintenance, etc., no matter how much trash is placed out.

With Council's direction, staff will draft revised contract language based on the information obtained during the negotiation process. He noted that Steve Vogrin of Republic is also present,

The Mayor asked that the first slide be placed on screen again to show that the public understands the Village process. He said that the ECC reviewed this program and made its recommendations based on environmental best practices, without regard for cost. A comprehensive survey was also conducted to get public input. Mayor Sandack said that they have heard from some small volume users who believe in paying for what they use. He noted, however, that there are costs to have trucks run up and down the street, and the cost is borne by all users on a macro level. Republic received high marks on its service. He thinks the Village has seen good faith negotiating with Republic, and sees no reason to go out to bid. The Village has reviewed what other communities are doing with their refuse programs. He noted that there is a fixed price for the service whether or not bins are placed on the street, at a cost of about \$8 per household, meaning that others will subsidize those who do not use the service. He asked that everyone be mindful of that fact.

H.D. Mitchel, 1132 Curtiss, spoke specifically to the proposed inclusion of condominiums for the first time in the Village's solid waste contract. He thanked the staff for proposing this and thanked the Council for considering inclusion of the condo owners who are in fact, taxpayers. This would also reduce the number of large trucks on the streets. He thanked Commissioner Schnell for her ongoing support in answering his questions and concerns. He said that it would be fair to treat condos in the same manner as single-family homes. This is a good start. Ironically, the condo contracts run through 2012 with another provider.

Frank Falesch, 820 Prairie, said that commercial establishments will still have to have private garbage pick ups so that won't reduce trucks on the streets.

Commissioner Schnell complimented Republic for their good faith negotiations and producing a cost effective way to keep the system. She said that with the present system only about 1/4 of the residents choose to have carts. Residents prefer to pay for what they actually use. The bottom line is that the program was put into place in the 1990s to encourage recycling, and it is a program that many other communities in the County have copied. She is pleased with the numbers discussed, saying that the increase in cost is reasonable. She said that Republic values the Village's business and it is a win-win situation. She noted that they can't have everything they wish for, but there is flexibility in putting out recyclables. This is an older community and there may be difficulty having the large carts in smaller garages. Every call she has received was in favor of the current system. She will support the present system, and congratulated the staff for the amount of work they did to get to this point.

Commissioner Waldack said that many people were rankled by the proposed changes, but this was something that needed to be done. He said that the response from the public was overwhelming, and they prefer the current sticker system. Prices will go up but there is no need for an RFP. The ECC looked at this from an environmental perspective. When carts are used it is neater, but at the same time people may be putting recyclables into the carts. With regard to Amnesty Days, he suggested having them every other year to save \$.06 per sticker. He felt that every other year would be sufficient, as the bulk volume has gone down consistently since the first Amnesty Day was held. There is still a process to remove bulk items. He also noted there are various stations in the County that accept recycled items between Amnesty Days.

Commissioner Neustadt noticed that Christmas tree removal was not shown for Options 2 and 3. Mr. Baker said it is included in all options on a five-day schedule. Mr. Baker further answered questions regarding downtown recycling options. The Village would have to supply the receptacles for the downtown and collection would be twice a week. Commissioner Neustadt agreed that the cancellations and senior discount were interesting. He thinks both Options 1 and 2 are good options. The 35-gallon cart option is good for him. He said that staff did a great job.

Commissioner Durkin said he is 100% behind the toters. He likes that Option 2 includes a

larger recycling container and provides a neater look. He reiterated the Mayor's comment regarding the cost to put the trucks on the street. He said when you drive through a community with a toter program it is cleaner looking without loose garbage and newspapers flying around. The Village of Park Ridge gave him a tour of their program which is actually more efficient for the drivers. He would rather be ahead of the curve. Commissioner Durkin also thought the senior discount program was a great addition. He doesn't really see as much of a discount as he expected if 100% of the households had the carts. He asked to find out if there is still room for negotiation or an explanation of the lesser discount. Commissioner Durkin pointed out that they only heard from 1% of the residents in the garbage survey, and overall he is for the cart program.

Mayor Sandack commented that representatives from Republic are present making notes of the comments made.

Commissioner Beckman said he is still drawn to the first option. All members of the Council provide a different perspective as to the project. Commissioner Beckman said that the people he has heard from want to stay with the sticker program. In the last three weeks, he has become an empty nester, which gave him an opportunity to better understand how much trash an individual can generate. He said that the bag he placed for pick-up was half-filled, which points out the equity of the sticker program. Empty nesters responded that the sticker program is more equitable. He noted that the Mayor said there is a subsidization taking place. Commissioner Beckman believes that in some way or another one group always subsidizes the other. He supports the sticker program.

Commissioner Barnett said he appreciated the staff process, saying there was no lack of preparation in the process. The fact is that there are fundamental costs that are in play. As with water and natural gas delivery, there are fixed costs. No contractor will come out based on when individuals want to place garbage out for pick up. Highland Park said that the cost of having garbage pick-up available is about \$60 per year. He sympathizes with Commissioner Durkin's comments about cleanliness and neatness. Garbage pick up is not free nor is it \$3 per bag. Amnesty Day is not free, either. It is not accurate to suggest that everyone wants a volume-based program. There are statistics to show that recycling volume has been essentially unchanged while sticker rates have increased. In ten years sticker prices have almost doubled and the recycling volume has remained the same. He had a question regarding the data that the total tonnage of garbage is down only about 4% over a decade. He asked why we are at 35% less sticker purchases. He thinks it means that many more people are using carts. Regarding the survey, people like the sticker program because they do not want to pay more. With regard to Amnesty Day, it is a disincentive to recycling/conservation programs and he cannot support it. He asked staff to provide demographic data on households and age brackets to see if they represent a cross section of the community. He feels strongly about this because we have to agree to pay for the things we use and require. To him, the second option is the most appealing, because there are very real costs associated with the program.

Commissioner Beckman said that they have to see that every option they review has been based on making a profit for the vendor. Nowhere in the proposal is one segment of the population subsidizing another. He believes every option is a well-structured proposal based on a profit margin.

In response to Commissioner Neustadt, Mr. Baker said that Option 1 includes allowing larger recycling carts than under the current program.

The Mayor said this will not be up for a vote next week. He said that he pushed hard for the survey to obtain opinions. Each person brings their own life experience to the discussion, and they are all users of the system. He said he heard from 18 people who love the volume-based system. He said that the hybrid notion is not being recommended by staff. The ECC was asked for their advice, and they recommend getting rid of Amnesty Day and going to a full cart system.

He added that Commissioner Beckman is right and they do want their provider to make a profit. This is a good incumbent provider and they have shown good faith. No one is suggesting that they go out to bid. The Mayor said that he understands people want to pay for what they use. However, there are true analogies with this system and the water system with regard to their built-in expenses. The Highland Park model comes to \$5 per resident per month. That is a good model to recognize the true cost of the service. The true cost of the system has to be considered. He said that he hates Amnesty Day, hates that he participates in it, and hates how it makes the Village look. He does like the ability of putting out one bulk item each week, and likes that the downtown area and condo associations also being involved.

The Mayor reminded everyone that information on this discussion is available on the website for review.

Indexes: Scavenger-Recycling Program, Scavenger-Garbage Collection

BID 00-04212

C. Bid: Award \$337,234.98 to Globe Construction, Addison, IL, for the 2010 New Sidewalk Program (S-004)

Sponsors: Public Works

Mr. Baker said this is to award a contract to Globe Construction for sidewalks and related storm sewer items. Globe was the lower of two bidders for this item and has received positive references. Staff has conducted a number of meetings with residents who would be impacted, and staff recommends approval of this item, with the stormwater bid included

Mayor Sandack said that only two companies responded, but staff did due diligence in obtaining responses.

Chris Fregeau, 1918 Elmore, commented that this was discussed in TCD I, II, and III, and asked that the Village fulfill its commitment. Sidewalks have been in the Village since its incorporation in 1831, and these are core safety services, separating people from traffic. She said the current funding level has been affected by the economy. There are 15 miles to complete, excluding unique projects. She asked Public Works to start the bidding process earlier, and take proactive ways to save the trees. She said the program requires continuity and commitment. She noted that grants have been pursued; however, projects have been approved in Buffalo Grove in the amount of \$500,000 for sidewalks. Ms. Fregeau encouraged searching out additional sources for grant funding. She has concerns about continuity as there are very few people who have been around 15 years on staff and on the Parking and Transportation Committee. She asked again that this safety commitment not be abandoned.

Mayor Sandack responded that there will be additional discussion later on grants.

Commissioner Schnell asked whether there are any projects in the foreseeable future where sidewalks might be torn out. She said that each year the bid is a little later. She said at one point staff was asked to go out for bids as early as possible, in March or April, and her concern is that they are almost into August. School will begin near the end of August, which brings a problem of construction equipment and it is not a good process to mix school opening and construction equipment. She asked again that the process start earlier to get better prices and begin work before school starts. This has been a long-time problem.

Commissioner Durkin asked why this is not done much earlier. It simply makes logistical sense. He asked for an explanation as to why staff has not followed the direction to do this earlier.

Commissioner Barnett said, based on the past two or three years, staff should be able to rough out an estimate of the balance of what is left in the matrix with ballpark figures. The matrix goal was to have a sidewalk on one side of every street, and he thinks this should be discussed further in the budget talks and strategic planning. This seems to be an annual ritual dance to extend the

timetable. He agrees that the Council has to affirm that the matrix is a goal to accomplish, and a plan has to be put together to get this done. If the Village is serious about this they have to have additional discussions and increased searches for grant money.

Commissioner Beckman said he shared Commissioner Barnett's perspective. There are those residents who do not embrace a sidewalk on every block as much as others. There may be a handful of sidewalks that have tactical issues. Council may need to make a commitment to completing these projects.

Commissioner Neustadt said that you can see people walking in the street when there are perfectly good sidewalks next to the road. He thinks they should stick to the matrix, but there have been so many close calls in the Village, and they cannot stop installing sidewalks because they are short on cash. It is good for kids to walk to school. Walking in the streets is not safe.

Indexes: Sidewalk Construction

BID 00-04199 D. Bid: Award \$133,650 to Strada Construction Co., Addison, IL, for 2010 Replacement Sidewalk Program

Sponsors: Public Works

Mr. Baker said this contract is for \$133,650, and five bids were received. Staff recommends the low bidder who has previously worked in the Village.

Ms. Fregeau commented that the bids were 80 pages long with grouped projects including stormwater. Staff has done an excellent job in project grouping. This is not a town that has consistently embraced the matrix concept. The matrix is objective and there are projects that will likely not get done. She noted that all throughout Wisconsin you are fined for not clearing sidewalks. Maintaining existing sidewalks is important. There may be alternate materials for projects down the road and she agrees those should be sought out.

Commissioner Schnell agreed that new sidewalks are important, but maintenance of old sidewalks may be more important. If people get used to using sidewalks, her concern is that there are a lot of deteriorating sidewalks that do not meet the standard trip hazard. If a resident has a sidewalk in front of their home that is crumbling and falling apart, she asked if they can contact the Village for replacement. Mr. Baker said they can. Commissioner Schnell asked that information regarding sidewalks replacement be placed on the Village Corner or on Cable TV. She doesn't think residents understand that a lot of responsibility for sidewalk replacement is on the homeowner and they should contact Public Works. She said walking along Main Street with a stroller showed her that there are problems.

Indexes: Sidewalk Construction

D. Water Rate Study

Mr. Baker said the Village Council approved a study with the Municipal and Financial Services Group regarding the Village's water system. The Village's water system is part of a much larger system. The Village purchases water from the DuPage Water Commission, who purchases water from the City of Chicago. There have been several increases in rates. He note that Stan Balicki, Assistant Director, Public Works, worked with the consultants over the past months. This is the first of two presentations on the topic. Staff will come back later regarding alternative rates study.

David Hyder, consultant, presented information regarding the Water Rate Study. He said the objective is to keep rates and fees stable through sound financial management while recovering the full cost of providing services. He said that they have reviewed the water fund, and have looked carefully at the Long Range Financial Plan, as well as looking at the historical aspect of the project.

Mr. Hyder said that the Village has 50,000 residents and commercial users of water. The water is purchased from the City of Chicago through the DuPage Water Commission. The Village has seven elevated storage tanks that hold eight million gallons of water, as well as rate control stations, 200 miles of distribution mains, fire hydrants, etc., which are just a few components of the system. In terms of operating and maintenance expenses, he used an overhead to show how expenses are divided between the DuPage Water Commission, fixed costs, etc. The Village cost is expected to go up by 3% and DuPage costs are forecast at an increase of 10% per year.

Mr. Hyder then discussed Capital Improvement Projects (CIP), noting that they have reviewed the above-ground and below-ground assets to determine future potential costs. There is about \$45 million worth of assets that have already exceeded useful life by about 25 years including above-ground assets like water tanks, pumps, etc., and other items that expired useful life in the 1980s. Due to the magnitude of potential capital projects for the water system, there would have to be an enormous rate increase. The consultants recommend financing a portion of the projects, spreading the costs out over a longer period of time. Another issue is that waiting until the money is available could result in the work never being completed. The Village has an advantage in that its assets are not 150/200 years old as in some cities. The consultant recommends to bond fund individual projects that exceed \$1 million dollars or \$1.5 million dollars. Essentially to prevent rate shock they would propose a bond issue in 2012 of about \$10 million and in 2015 of \$6.5 million.

Lisa Zitomer, Municipal and Financial Services Group, discussed the Village's outstanding debt services. The current bond issue is at a cost of \$500,000 per year. The recommendation is a 90 day operating and maintenance reserves system. The second reserve is for a repair replacement schedule. The questions raised are what the Village should be spending, what the Village is spending, and then compare what should be done to what is being done. She said that there are buried assets, 30% of which have reached the end of their theoretical useful life. Above-ground assets show that 37% of those have reached their theoretical useful life. Ms. Zitomer said that spreading this out over the next 20 years would result in a reserve contribution of \$5 million in the CIP. The reserves should cover only what is not being put into the system, and Ms. Zitomer said that the Village is already doing a good job. She reviewed the figures shown on the overhead projection. The recommendation is about a 13% increase over the next three years, which would result in an increase in the typical bill from \$50 to about \$56 for users. Ms. Zitomer said that there will be a Rate Structure Alternative presentation in August, followed by a preliminary report and recommendations in September.

Mr. Baker said that the consultants will be giving the Village a detailed model project going forward, and copies of tonight's presentation will be available to the Council and will be placed on the Internet.

Mayor Sandack asked if there is an anticipated 10% increase from DuPage Water Commission every year, and Ms. Zitomer said there was. The Mayor said he thought that to be a super conservative estimate.

Commissioner Schnell asked about the above-ground assets. Ms. Zitomer said that most of those assets fall into machinery, equipment and building categories, such as pumps, water towers, etc. In terms of water towers, Ms. Zitomer said that the estimated useful life of water towers in general is not as clear and depends upon how they are operated and maintained. The estimate at this time for the Village is a useful life of 60 years.

Commissioner Barnett inquired as to whether the economic models anticipate continually reduced consumption volumes. Mr. Hyder responded that at this time they are flat rates, but there is a 10% reduction possible. Commissioner Barnett said he thought encouraging a decreased use should be part of the model if possible. Mr. Hyder said that the Village is in a somewhat better situation than utilities that have their own source of supply.

Commissioner Barnett then asked about comparison studies between the Village and other communities and potential sources down the line. Mr. Hyder said that the City of Cleveland would love to ship you as much water as possible. Around the country they are seeing utilities experiencing a 2%-3% decline every year with fewer people per household. In homes that were built pre-1981, low-flow requirements were not in place.

Mayor Sandack said the report verifies the need for a survey.

Commissioner Beckman commented that there is an item called "reserve contribution" which in 2016 would spike, and he asked the reason for that. Mr. Hyder said that the Village's CIP now has a capital program for five years at a cost of \$5 million through 2015. Commissioner Beckman then noted that over the past months there has been discussion regarding shoring up some of the leakage in the infrastructure, and asked whether the assumptions made include how repair of the infrastructure might affect costs. Mr. Hyder said unless there is a tremendous leakage, it is not expected to make a significant impact. Commissioner Beckman then asked if other communities have outsourced this management. Mr. Hyder said that the City of Chicago has done this, and there is no profit in this. It is actually an added cost, and whether they can do it more efficiently has not been determined. Depending upon the level of the capital program there could be a need to use more contractors.

Commissioner Waldack thanked the consultants for the presentation. He said this is a very complex program and it's important that everyone understands that the basic message is to try and get the rates right, and to see that the people receive clean usable water. It appears that those costs are going to be substantial in the future.

Mayor Sandack expressed his appreciation for the presentation and the continued work toward assessing the program properly and seeing to it that it is priced properly.

Commissioner Schnell asked whether the conditions of the Village's wells were studied and whether they should be maintained. Mr. Hyder said they have not gone out in the field as yet, and will consider them in future review.

9. Mayor's Report

Materials to be Received

Materials to be Placed on File

RES 00-04172 B. Resolution: Authorize a Professional Services Agreement with Nicolay & Dart, LLC

Sponsors: Manager's Office

Mayor Sandack said this resolution is for a professional services agreement for hiring a lobbyist for the purpose of representing the Village before the Illinois General Assembly and with appropriate state agencies and officials. This firm has connections on both side of the aisle in Springfield. The Village hired Nicolay and Dart to help get the Belmont underpass project fully financed in Springfield. The opportunity arose to continue that contract for the water and road projects, and that was largely successful. The Mayor suggested that the Village continue the relationship, and continue to have access to grants and other State resources. Mayor Sandack said that Council members are not always free to go to Springfield and lobby. A few weeks ago the Village chose not to renew its membership in the DuPage Mayors and Managers Conference (DMMC), and he thinks the contract with Nicolay and Dart should be renewed for the purpose of a presence in Springfield. They could have weekly conference calls, and a transfer of information to the Council as to activities in Springfield. Continuance of the relationship would be at the same price and contract terms.

John Nicolay said it has been his and his firm's privilege to partner successfully with the Village over the past few years. He pointed out that the term "partner" is used purposefully. Downers Grove has some of the best legislative representation in the State. In addition the Village has taken the initiative to make its presence known, and the Council and staff have developed an excellent level of professionalism.

Commissioner Neustadt commented about the Village's membership with the DMMC, which he felt did not do much for the Village. He asked what Nicolay and Dart could do for the residents of this Village that other lobbyists cannot.

Mr. Nicolay responded that his firm's reputation is that it works well with both sides of the aisle, as well as with the agencies such as IDOT, the Commerce and Economic Opportunity Commission, etc.

Commissioner Schnell said that the State is in crisis, with a potential change at the top. She pointed out that the Village is still waiting for money for the parking deck and might not see the money that is owed by the State. Commissioner Schnell asked how Nicolay and Dart could help the Village receive the funds that have been promised. Mr. Nicolay responded that he couldn't promise that will occur. The State's payment cycle is a murky issue. He said that his firm would stay on the people in Springfield. Some of the money will eventually be paid depending on the source. He thinks the value of his firm's service is longer term, such as with federal funds through IDOT. He thinks the most important thing is raising Downers Grove's profile, and it is in the Village's best interest to continue to do this. Downers Grove is seen as one of the most together and professional operations that comes to Springfield, and that is a long-term substantial benefit to the Village.

Commissioner Beckman said that he has learned in his business that success is based on his relationship with his clients-it is a two-way street. He applauds and supports the relationship. He asked Mr. Nicolay how he sees this to be more effectively developed on both sides. Mr. Nicolay replied, given the fact that the Village no longer works with DMMC, there are many issues apart from funding where municipalities come to Springfield. A big issue right now is red light cameras. He would love to have all of the Council members as involved as their time will allow, as well as working with staff members.

Commissioner Barnett commented that whether or not we like a particular legislator, they are a big part of our lives. There has to be a mutually respectful relationship between the parties. He said the work he has witnessed with Nicolay and Dart has been outstanding and he appreciates the tone and tenor set by their firm. He asked Mr. Nicolay to describe how he sees the process going forward in terms of specific target issues in the next two or three years. Mr. Nicolay responded that the issues brought to his attention thus far have been workable. As for Strategic Planning, he would like to see how they could get more inventive with working with State government. Being more proactive in working with his firm can be more effective and yield a higher rate of return. He will work with whatever issues the Village feels are beneficial and important to the Village.

Commissioner Waldack thanked Mr. Nicolay for all of the work done on behalf of the Village. When the Village first chose to do this, it was all about perception. The Village chose not to continue with DMMC basically because of the process and the Village's budget. The Village's budget has not changed over the past two weeks. The DMMC process was something the Village was not happy with. Given the fact there will be more changes taking place in Springfield this coming November, he suggested that the Village hold off on approving this so they can further define the relationship during the budget-planning season. He would like to see a specific list prepared as well as a process of communication between Village Council and staff and the lobbying firm.

Commissioner Schnell asked whether there is some time sensitivity, and whether waiting until September would matter. Mr. Nicolay replied that it is important for everyone to understand that as a lobbyist, he is an extension of the Village with the General Assembly, Governor's office, and the various agencies. There is time sensitivity in terms of the Legislative Session, Veto Session, and the regular Spring Session. In between sessions there are many things that the firm can do with regard to Strategic Planning and working with agencies that are on a 12-month schedule. He believes there is value in having continuity. Commissioner Schnell said she voted against DMMC because of the Village's budget situation, and she is still trying to get an understanding of why this should be done now rather than waiting until September. The Mayor said that the contract is expired. Commissioner Schnell said she understood that their contract is expired, but she wanted to know whether the Village needs a point of view right now, rather than waiting until September. She is looking for some time to process this further, and know what the lobbyists would be doing for the Village in the next few months.

Commissioner Durkin said he takes a different position than his colleagues, as he would like to vote on this tonight and get it done. He feels like this because as a part of his mortgage-paying job he attends luncheons and hears various political people speak. He has heard from others that the Village is lucky to have Nicolay and Dart. Previously, the word lobbyist was frowned upon in Downers Grove. The Village took a risk, and Nicolay and Dart opened doors, accomplishing what otherwise would never have been accomplished. Downers Grove is now well respected in Springfield, and he knows this based on his interaction with others. He believes the Village has taken on a leadership role, and having Nicolay and Dart in its corner provides the Village with another tool in its tool box. He has supported DMMC and believes they will continue to represent the Village and County as a whole; however, he would like to see this contract approved quickly because there is grant money out there, even though the Legislature is not in session.

Commissioner Beckman commented that the Council has to have a better understanding as to how they will build the relationship and a broader sense of that relationship. There will be different objectives, and he believes they need to ferret that out. He agrees that Nicolay and Dart has demonstrated the value of their relationship.

Commissioner Durkin suggested that the Council members just contact Mr. Nicolay directly with their questions and concerns and he will meet with them.

Commissioner Waldack commented that he would just like to take some time to understand what bills they are looking for, what funds they are looking for, etc. He thinks the agreement is too general at this time and he would like to see this nailed down in the written agreement.

Mayor Sandack said they have had a general agreement for two years. It is general because there is nothing structured or easily anticipated in Springfield. It moves at extreme paces. He thinks putting every contingency into the document would be hampering. He believes that it has worked very well. As to DMMC, he believes voting to leave was based on a lack of value and return on the investment. Staff put it in the budget, as was traditionally done in the past. He is proud that the Council reviewed what it received as part of its investment in DMMC. Nicolay and Dart is not a substitute for DMMC. He did not agree that DMMC adequately lobbied for the Village. He believes having a continued presence is important. They have seen a return in the past two years. The Belmont underpass would not have been done without Nicolay and Dart, and there are 10-1/2 years of treading water to show that. The second year contract was the same as the first, reviewed by the Village Manager and Attorney, and again they saw action. He believes the Village needs to continue what it has started by having a continued presence in Springfield. The Village is ahead of the curve. He understands that Elmhurst and others towns are now considering hiring lobbyists.

Commissioner Barnett said he has not heard anyone suggest that having a relationship-building presence in Springfield was not valuable. His vote on DMMC was based not on budget, but on

his perceived quality of the relationship. DMMC said in writing that having a truly adversarial role was more advantageous to them and was the route they were going to pursue. It was that attitude that made him vote against joining. Commissioner Barnett said that they have seen the process work in the past two years, and everyone seems to agree that having a presence in Springfield is important.

Commissioner Schnell questioned staff that \$36,000 for a lobbyist is not included in the budget. Mr. Baker said that was correct. She asked whether they trade that money for this contract, or do it in the normal budgeting process in August and September. She is still trying to get a handle on the necessity of doing this now.

The Mayor suggested that a process between staff and Nicolay and Dart be put into play, so the Village knows what is taking place in Springfield, and is informed on everything it needs to know. He does not want to jeopardize the two-year relationship that has been built, and he would like to see this on the Agenda for a vote at the next Council meeting..

Indexes: Lobbyist

10. Manager's Report

Mr. Baker said that there has been a tentative agreement reached on the Local 150 strike. The Belmont project will be closed between July 28 through August 12.

11. Attorney's Report

Future Active Agenda

12. Council Member Reports and New Business

Commissioner Beckman asked that the Council consider a canopy or umbrella to be used for Coffee with the Council when it is held outside. This would also be helpful for the citizens.

Commissioner Waldack commented that GroveFest was a great event. There were differences in size and scope with Heritage Festival, but the job that the Rotary did with its volunteers was fantastic. He received feedback from the residents of Park Place Senior Home and Immanuel Residences who were pleased. They also extended an invitation to the Mayor to visit at Immanuel Residence. The Mayor said he would take them up on their invitation.

Commissioner Durkin suggested having a traveling Coffee with the Council on buses.

Mayor Sandack echoed Commissioner Waldack's thanks to the Rotary Club for GroveFest. He noted that Mary Scalzetti and staff were supportive in the preparation. The event didn't need to be funded by tax dollars, and can be a privately funded citizen initiative. He said a detailed report would be presented in the near future.

13. Adjournment

Commissioner Schnell moved to adjourn to Executive Session pursuant to Section 2(c)(1) of the Open Meetings Act to consider personnel and pursuant to Section 2(c)(2) of the Open Meetings Act to consider collective negotiating matters. Commissioner Barnett seconded.

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

Mayor Sandack declared the motion carried and the Council convened into Executive Session at 9:58 p.m.