

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

11/19/2019

7:00 PM

In order to give as many visitors as possible an opportunity to speak and in the interest of adjourning the meeting by 9:00 p.m., please limit your comments to 5 minutes in length, unless further time is granted by Council. Thank you.

1. Call to Order

Mayor Robert Barnett called the regular meeting of the Village Council of the Village of Downers Grove to order at 7:00 p.m. in the Council Chambers of the Downers Grove Village Hall.

Pledge of Allegiance to the Flag

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

2. Roll Call

Council Attendance (Present): Commissioner Hosé (arr. 7:05 p.m.), Commissioner Walus, Commissioner Sadowski-Fugitt, Commissioner Kulovany, Commissioner Gray, Mayor Barnett

Absent: Commissioner Earl

Non-Voting: Village Manager David Fieldman, Village Attorney Enza Petrarca, Village Clerk April Holden

The Council meeting is broadcast over the local FM radio station, WDGC. In addition, a tape recording and videotape of the meeting are being made using Village-owned equipment. The videotape of the meeting will be used for later rebroadcast of the Council meeting over the Village cable television Channel 6.

The Council will follow the rules of conduct for this meeting as provided in Sec. 2.5 of the Downers Grove Municipal Code. These offer the public the opportunity to comment at several points in the meeting. First, immediately following approval of the minutes of past meetings, an opportunity will be given for public comments and questions of a general nature. If a public hearing is scheduled for this meeting, an opportunity is given for public comments and questions related to the subject of the hearing. Finally, an opportunity is given for public comments and questions on items appearing on the Consent Agenda, the Active Agenda and the First Reading.

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

Mayor Barnett said there are agendas located on either side of the Council Chambers, and he invited the audience to pick up an agenda and follow the progress of the Council meeting.

Council Minutes

Village of Downers Grove

November 19, 2019

3. Presentations

REP 2019-8394 — A. Report: State of Illinois Veto Session Update provided by Representative Stava-Murray
Mayor Barnett introduced State Representative Stava-Murray to make a presentation.

Representative Anne Stava-Murray stated that veto session finished last week and she is visiting various municipalities to report on the activities of the State. She serves part of the 81st District, and said that there was a robust veto session that included pension consolidation which refers to police and fire pensions. These pensions are funded by municipalities and need to be funded better. She noted that State law required they be on a path of funding at a 90% level. The Legislature looked at the performance over the past, stating that a larger pool of money will increase financial returns. A financial analysis was done and negotiations were held among all involved. She noted that they passed a bill to consolidate funds, stressing that the funding level of citizens doesn't change. This consolidation puts the funds together to have more a powerful investment vehicle.

Rep. Stava-Murray then addressed the issue of the marijuana trailer bill with cleaner language for private space only for consumption; prohibiting consumption by police and fire first responders; allowing employees to prohibit it on the part of their employees. She said this allows municipalities to start collecting taxes sooner. Ethnics remain a challenge with several indictments and disturbing situations. It will need to be worked on. As for the gambling bill, they agreed upon an additional bill that will require fingerprinting.

Mayor Barnett thanked Representative Stava-Murray for her presentation.

4. Minutes of Council Meetings

MIN 2019-8351 — A. Minutes: Council Minutes – November 12, 2019

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

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

Nay: None

Mayor Barnett declared the motion carried.

5. Public Comments

This is the opportunity for public comments.

6. Consent Agenda

COR 2019-8426 — A. Claims Ordinance: No. 6337, Payroll, November 8, 2019

BIL 2019-8424 — B. Bills Payable: No. 6492, November 19, 2019

RES 2019-8412 — C. Resolution: Authorize an Extension to the Agreement with Backflow Solutions, Inc.

Council Minutes

Village of Downers Grove

November 19, 2019

Summary: This authorizes an extension to the agreement with Backflow Solutions for a cross connection control program for services related to the backflow prevention program.

**A RESOLUTION AUTHORIZING EXECUTION OF AN EXTENSION TO THE AGREEMENT
BETWEEN THE VILLAGE OF DOWNERS GROVE AND BACKFLOW SOLUTIONS, INC.**

RESOLUTION 2019-85

RES 2019-8423 — D. Resolution: Authorize an Agreement with Total Parking Solutions, Inc. for Multi-Space Parking Pay Terminals

Summary: This authorizes an agreement with Total Parking Solutions, Inc. for multi-space parking pay terminals

**A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE
OF DOWNERS GROVE AND TOTAL PARKING SOLUTIONS, INC.
(Multi-Space Parking Pay Terminals)**

RESOLUTION 2019-86

MOT 2019-8363 — E. Motion: Estimate 2019 Aggregate Tax Levy for the Village of Downers Grove

Summary: This estimates the 2019 aggregate tax levy. It finds and determines that the aggregate levy for the Village of Downers Grove, as defined in the Illinois Truth in Taxation Law, estimated to be necessary to be raised by taxation for 2019 upon the taxable property in Downers Grove is \$30,143,585.76. This amount is based upon an estimated levy of \$4,058,169 for corporate and police; \$2,935,500 for fire; \$3,620,000 for police pension; \$4,014,795 for fire pension; \$5,497,919 for library operating; \$2,824,500 for Central Business District 2010 Series debt service; \$1,258,400 for Central Business District 2010B Series debt service; \$1,934,618.76 for Capital Projects 2012 Series debt service; \$779,425 for Refunding Bonds 2014 Series debt service; \$513,150 for Refunding Bonds 2015 Series debt service; \$745,750 for Refunding Bonds 2016 Series debt service; \$1,129,092 for Refunding Bonds 2017 Series debt service and \$490,000 for Stormwater Bonds 2019 Series debt service.

The estimated levy for Special Service Area #2, CBD Special Service Area, is \$247,000.00 and the estimated levy for Special Service Area #6, Fairview Fire Protection District Special Service Area, is \$95,267. The estimated levies is \$0 for the following Special Service Areas: Area #4, Green Acres; Area #5, Atwood; Area #7, Dunham Subdivision; Area #8, Nelson Meadow Subdivision; Area #9, 35th & Saratoga Subdivision and Area #10, Bridgepoint Downers Grove Subdivision.

A public hearing will be held on these proposed levies on December 3, 2019 at 7:00 p.m. in the Village Council Chambers. The adoption of the proposed levies will be held on December 10, 2019 at 7:00 p.m. in the Village Council Chambers. Staff is also directed to prepare ordinances to abate certain 2019 tax levies.

MOT 2019-8427 — F. Minutes: Note Receipt of Minutes of Boards and Commissions

Summary: Community Events Commission – March 14, 2019; Library Board – October 23, 2019

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

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

Nay: None

Council Minutes

Village of Downers Grove

November 19, 2019

Mayor Barnett declared the motion carried.

7. Active Agenda

ORD 2019-8384 — A. Ordinance: Authorize a Special Use for 2300 Wisconsin Avenue, Suite #318 to Permit a Personal Vehicle Repair and Maintenance Business

Summary: This authorizes a Special Use for 2300 Wisconsin Avenue, Unit #318 to permit a personal vehicle repair and maintenance business.

AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 2300 WISCONSIN AVENUE, UNIT 318 TO PERMIT A PERSONAL VEHICLE REPAIR AND MAINTENANCE BUSINESS

ORDINANCE NO. 5782

Motion: Commissioner José moved to adopt "An Ordinance Authorizing a Special Use for 2300 Wisconsin Avenue, Suite #318 to Permit a Personal Vehicle Repair and Maintenance Business," as presented. Commissioner Walus seconded the motion.

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

Nay: None

Mayor Barnett declared the motion carried.

8. First Reading

MOT 2019-8424 — A. Motion: Accept the Plan for the Future of the Downtown

Deputy Village Manager Mike Baker stated that the draft plan had extensive engagement with the key downtown stakeholders. He noted the groups that met over several months to discuss the future of the Downtown. The purpose is to identify sustainable funding sources following the expiration of the TIF and SSA. Mr. Baker then summarized the draft plan which does the following: a) maintains the existing boundaries of the current SSA and exempts all condo and townhome properties; b) sets a maximum rate of 1.0%; c) expires after a period of ten years; d) funds the Downtown Manager Corporation (DMC) operations and beautification/landscaping enhancements to be coordinated between the Village and the DMC and e) collects property tax revenue beginning in FY 2022. He then showed the boundaries on the map representing the six areas within those boundaries that will be exempted. The other two components of the plan include dedication of parking revenue no longer needed for debt service, and a continuation to fund the existing government operations and infrastructure improvements.

There are two steps of implementation: 1) revisions of the operating agreement with the Downtown Management Corporation; and 2) preparation of the SSA Ordinance and related documents.

1. David Rose asked for an explanation of the SSA and the difference between an SSA and the TIF. He asked for an explanation of the rationale for exempting townhomes.

Mr. Baker referenced information provided to the DMC. With regard to the SSA, it is a property taxing mechanism that allows local governments to collect taxes and deliver services directly or through the use of contracts with other parties to limited geographic areas within the jurisdiction. As for the TIF, it is an economic tool to capture revenue from growth in a specific geographic area.

Mayor Barnett added that TIFs and SSAs are not necessarily mutually dependent upon each other. A TIF is a tool by which you manage the process of redevelopment or economic development and is generally applied to areas that are struggling. It fixes a tax rate for all those taxing bodies other than the Village and allows the Village to

Council Minutes

Village of Downers Grove

November 19, 2019

capture the taxes that increase over a period of time. The period here is 23 years, which is part of the State law for TIFs. In this instance the Village put an SSA in place at the same time to fund the Downtown Management Corporation operations. There are other SSAs in Downers Grove as well. These are certain small geographical areas where services are extraordinary to those delivered elsewhere.

Village Manager Dave Fieldman added that the exemption of the townhomes came as a result of discussions with the stakeholders. It appeared that not only from their perspective but from the perspective of the leadership of the DMC that most of the services to be funded by the SSA are to the benefit of commercial properties and not residential properties; therefore, residential properties have been removed from the funding mechanism and taxes on the plan.

Mr. Rose then clarified that the SSA is saying that it's the uniqueness of the area that necessitates the SSA. Mayor Barnett responded that it is the uniqueness of the services.

Mr. Rose then asked, without the SSA, how would it be handled.

Mayor Barnett said it probably would not be.

Mr. Rose asked whether this is unique to Illinois. The Mayor said he was not sure about that.

2. Leo Stark, resident of the 930 Curtiss Street building, said that another reason for the SSA and a substantial amount of the revenue raised was to help contribute to the retirement of parking garage bonds.

Mayor Barnett said he doesn't think that is the case. He noted that the current levy is not all SSA.

Mr. Fieldman interjected that a significant amount of money went into the SSA and the #1 payment was toward debt service. There was no one specific stated service of the SSA.

Mr. Stark stated that there are a substantial number of remarks and vigorous discussion about this. There were heated DMC meetings trying to serve residents and businesses. This is set up as a funding mechanism that many of the business members see as a business member organization. The DMC is highly oriented to businesses.

3. Steve Mulligan, 4929 Forest, said he has been a taxpayer since 1971. He also asked about the exclusion of the condo owners.

Mayor Barnett replied that is what is being proposed tonight. Mr. Mulligan said that no one is interested in participating in paying this tax. The DMC should think about ways to get funding. Homeowners don't want to pay this tax.

Mayor Barnett said that Council has recommended taking that course of action.

4. Steve Jagilo, 4913 Main, said that the DMC Board approved the proposal, but there is an addition that wasn't part of the proposal. It's about beautification and landscaping enhancements. He said that the proposal has an extra \$100,000 proposed to fall under the SSA. He said that during the discussion before the proposal there was discussion about the rate, but not landscaping and beautification enhancement. Commercial property owners are not for that part of the proposal.

Mayor Barnett said he attended two of the DMC meetings and 5-6 meetings with the Village and it was mentioned in several meetings he attended. This was not added after the proposal. He said they would review this to determine exactly when that came about, but he doesn't believe Mr. Jagilo's explanation is correct.

Commissioner Kulovany commented that this was presented to him at Rotary Fest. Residents thought it was unfair. He said he has received emails supporting some proportionate share. The people in downtown will now get free snow shoveling, landscaping, decorations, etc. and the Village as a whole will now pay. He was surprised that the residents didn't want to pay anything for those services, although he believes residents should have a voice in the downtown.

Council Minutes

Village of Downers Grove

November 19, 2019

Commissioner José thanked staff, the DMC board and everyone who came to meetings. This started as a high priority action item over two years ago. He is surprised residents are willing to give up their seat on the DMC Board. He has heard from some residents that they are willing to pay. This is a balanced plan and fairly equitably divides expenses as shown in Mr. Baker's presentation. He said this handles the Village's needs both now and in the future.

Mayor Barnett also thanked the Council leadership in 1996/97 both on a staff level and Council level for creating this method. This TIF and SSA have caused the Village to have an enviable downtown. He noted that this will be discussed again.

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

Mr. Baker said that this is the fourth opportunity for discussion of the budget.

Commissioner Kulovany reviewed his questions and said he didn't expect answers tonight. He asked the following questions:

- If we could add back two of the 70.43 full-time equivalent (FTE) headcount reductions that have been made in the last ten years, where would the two be best utilized and what would their fully burdened annual cost likely be?
- Does the Economic Development Corporation and Downtown Downers Grove Management Corporation have adequate funding to get the job done?
- Are we maximizing grants?
- Has the Village contemplated another grade separation crossing of the Burlington tracks?
- Are we maximizing opportunities for intergovernmental cooperation?
- Page 4-35, Line 12: What are the "Other Financial Resources" of \$500,000?
- Do we know how much of the Library's personnel increase of \$377,625 are new FTE's?
- Page 5-4: Can we add "seek out opportunities for intergovernmental cooperation" as a 2020 objective?
- Page 5-10: Do we have education and development plans in place for each employee? Should that be an objective?
- Page 5-12: Add "New look for Downers.us" as an objective. Do we have a cyber security audit as an objective? Have we selected an ERP selection and implementation team?
- Page 5-16: Can we add, "Continue Historic Preservation efforts" as an objective?
- Page 5-18: How could we better advertise the Village?
- Page 6-5, Program FO-001: As of May 2019 there were 1,587 parkway ash trees, with 600 more to be removed over three years. Do we know how many we started with? Program S-011: Has the engineering for Jefferson-Brookbank Sidewalk Connection been completed?

Mr. Fieldman said staff would answer in written detail before the next meeting.

1. David Rose asked about the consequences of consolidating pension funds.

Mayor Barnett responded that the immediate effect is nothing short-term. The consolidation allows for two opportunities to increase future gains in the pension funds through investment opportunities, and allows for a reduction in the administrative cost in the investments. He said that the idea is to remove those costs and look for

Council Minutes

Village of Downers Grove

November 19, 2019

opportunities for larger investment gains. The Village hopes that the effect will be that future demands for pension contributions will be lessened.

9. Manager's Report

10. Mayor and Council Member Reports

Commissioner Kulovany commented that 192 people participated in the Downers Grove Historical Society's pub-crawl, which was a great turnout.

Commissioner Sadowski-Fugitt said that the Downers Grove tree lighting ceremony would take place at 4:30 p.m. on November 29.

Commissioner Walus reminded everyone of the Bonfield Express 5K race to be held Thanksgiving morning, 8:30 a.m., November 28.

Mayor Barnett wished everyone Happy Thanksgiving, with wishes that they would enjoy the company of family and friends. He also asked everyone to remember those less fortunate. If you look, you will find an opportunity to help those less fortunate.

11. Adjournment

Mayor Barnett asked for a motion to adjourn.

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

Mayor Barnett declared the motion carried by voice vote and the meeting adjourned at 7:51 p.m.

Respectfully submitted,

April Holden

Village Clerk