



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Mayor: Brian Krajewski
Commissioners: Michael Gilbert, Sue McConnell, Marilyn Schnell,
Thomas Sisul, Martin Tully, Mark Zabloudil
Village Manager: Riccardo Ginex

Tuesday, September 4, 2001

6:30 pm

Council Chambers

1. Call to Order

Mayor Brian Krajewski called the regular meeting of the Village Council of the Village of Downers Grove to order at 6:30 p.m. in the Council Chambers of the Downers Grove Village Hall.

Pledge of Allegiance to the Flag

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

2. Roll Call

Present: Commissioner Sue McConnell, Commissioner Thomas Sisul, Commissioner Marilyn Schnell, Commissioner Martin Tully, Commissioner Mark Zabloudil and Mayor Brian Krajewski
Absent: Commissioner Michael Gilbert
Non Voting: Village Attorney Daniel Blondin, Village Clerk April Holden and Village Manager Riccardo Ginex

Mayor Krajewski said he would like to remind everyone present that 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 Mayor stated that at the appropriate time the presiding officers will ask 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. He stated that remarks be limited to five minutes, and asked that individuals refrain from making repetitive statements.

The Mayor 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

*Executive Session for Approval Only - 8/7/01 & 8/14/01
Council Meeting - August 21, 2001
Workshop Meeting - August 28, 2001*

There being no additions or corrections to the minutes, Mayor Krajewski said they would be

filed as submitted.

Promotion:

Village Manager Ginex called upon Deputy Fire Chief Dan Gilbert to make the presentation. Deputy Chief Gilbert said this was a special evening, as 15-year member Michael Mason was being promoted to the office of Fire Lieutenant. Lieutenant Mason was then sworn into office as a Fire Lieutenant with the Downers Grove Fire Department.

4. Public Comments and Questions

A. Comments and Questions on Active Agenda

1. Andrew Clark, 1226 62nd Street, said he was opposed to the purchase of a vehicle for the Village Manager as the Manager already had a vehicle. He said the Manager should be reimbursed for mileage and other costs in accordance with the IRS regulations. He said this is a waste of taxpayer money and he should be authorized to use his personal vehicle.

2. Roger Crisman, 1140 Gilbert, spoke to the issue of the water meters asking what the problem was the Village was trying to address. He asked how many meters were involved, about the protocol for the cellular channel, and the system integrity. He also asked if there will be possible other uses for this private network system that's being installed.

Jack Bajor, Director of Public Works, responded to Mr. Crisman inquiries. He said they are changing to meet national standards as the Village meters are reading at an 80% accuracy level and are quite old. They will replace approximately 15,500 residential as well as commercial. They are using 14 collectors downloaded to a regular phone system which should be a reliable source. They have investigated other municipal uses and have found no reception difficulties.

Marty Lyons, Director, Financial Services, responded further stating that if there are problems they will be settled within a day or two instead of a month or more. Now they are reading every two months. The new system will be reading twice daily.

The Mayor asked that the report be sent out to Mr. Crisman.

Commissioner McConnell said that one of the initiatives behind this is greater accuracy in billing which will also be on target with revenue projections

Commissioner Schnell said that NIGAS, who does the reading now, will also no longer be reading the Village's meters.

3. Marilynn Gerloff, 4241 Highland, asked what will happen if a citizen refuses access to their homes to replace the water meter, and how will it affect the remainder of the system. She said several people refused to let NICOR in their homes. She asked about the Village's recourse.

The Mayor said that staff will investigate the repercussions and a report will be made back to Ms. Gerloff.

Mr. Lyons said that by Code, the Village has a right to be in a house once a year to check the meters, or the service can be terminated. If the Village cannot get into the house for a couple of weeks it will not disrupt the system.

4. Jack McGuire, 1425 Gilbert, asked whether the homeowners will be able to read their own meters as they can now. Mr. Bajor said there will not be any meters on the outside, and the outside device will not be there. They can read the meter in the basement, and the Village is

looking at a method of using the web design for reading the meters. This system will eliminate the analog reading system. The Billing Clerk will be able to read it remotely.

B. Comments and Questions on General Matters

1. Mr. Martin, 4942 Montgomery, asked why the new Curtiss Street pavement is cracking up. There are 12 panels cracked between Main and Washington, and he asked if it is due to faulty design or faulty workmanship. The Mayor said he will ask staff to review it.

Mr. Martin asked why the Village spend tens of thousands of dollars to restripe everything in the business districts. The Mayor asked Mr. Bajor to get Mr. Martin's address and get the information checked regarding the cracked panels on Curtiss Street, as well as the information that was available at Workshop regarding the restriping.

Mr. Bajor said that in regard to the restriping, they used a tape that does not adhere to the concrete. 3M worked with the Village to get it in before the winter weather.

Mr. Martin asked why the wrong thing was used originally. The Mayor said they used temporary striping on both sides of the street, because they had to wait for the weather before they could put in the permanent striping.

Mr. Martin said he was involved in a number of concrete jobs and normally when you do a pavement jobs, the paving contractor does all of this. He noticed that was done by Martam last year came off and asked whether it was faulty or permanent. The Mayor said it was temporary. Mr. Bajor said it was all done in-house. Mr. Martin said he would like to know the cost.

2. David Ziech, 4130 Downers Drive, asked about the recent resignations of the top three fire officials, as he felt it was in the best interest of the residents to be kept fully informed relative to all decisions and proposals made by the Village as they affect everyone. He said that the Mayor campaigned on the issue of making local government more responsive to citizens. Mr. Ziech said residents hear about happenings in the Village basically through hearsay or through the newspapers, or if they happen to come to a Village Council meeting. That is why he is at this meeting. He said he was aware that certain aspects of personnel issues may not be discussed, however questions regarding policy or practices may be discussed. He then asked regarding an article in the August 4, 2001 Chicago Tribune wherein Chief Russel was quoted as saying "One would have to be pretty naïve to think they all got up Monday morning and quit our jobs." He quoted Chief Segalla as saying "I inquired about performance and they said it wasn't performance, that I should clear my things out that day." Mr. Ziech said that residents aren't naïve. The question he asked is whether the quotes are accurate. He then referred to an article in the August 22, 2001 Downers Grove Reporter which quoted Manager Ginex as stating "The Department is now moving in a different direction." Mr. Ziech asked in what direction would they say the Fire Department is now heading, and what direction was the Fire Department heading before the resignations.

Mr. Ziech then commented on a proposed amendment to allow outdoor burning devices. He said that previous Village Councils must have given careful thought to prohibiting outdoor burning devices of any type except for preparation of food. An amendment to allow outdoor burning devices for disposing of yard waste, garbage, lumbars, etc. is justified, as he understands it, because they are available for resident use. Mr. Ziech said there are many items for sale that residents are not allowed to use without certain precautions. He said that there is a difference between the outdoor burning device and an indoor fireplace. Mr. Ziech asked whether everyone understood the definition of seasoned firewood. He believes we do not need a change in the current Code. He feels residents need to be educated as to what the current Code requires. He asked that the Village expand the education and publish the current Code by way of other media.

The Mayor said that the Council routinely looks at issues considered by other communities. Elmhurst has an ordinance which was brought to the Village's attention regarding outdoor burning devices. Upon review, the Council has decided not to move forward at this time with the amendment to the Code.

Regarding the Fire Department, the Mayor said that the Village Council is involved in personnel decisions for hiring and setting performance goals for the Village Manager and the Village Attorney. The Village Manager is responsible for all other hirings. He cannot comment on the quotes in the newspapers. One of the policies that the Council has given to the prior Village Manager and the present Village Manager is communication between the Mayor, Council, Manager, Directors and staff. He said there were departments that operated in fiefdoms, running their own departments and operations. The prior Manager's decision was to focus on teamwork as a performance goal, which is also the goal of the current Village Manager. The Mayor said he has full confidence in Manager Ginex. Regarding personnel matters, the Village Attorney has advised the Manager not to speak on those matters, but the Council has 100% confidence that the Manager is carrying out the goals of the Council. Those goals are to get all of the departments to work together. The philosophy of this Council is to stress teamwork among all Village employees.

3. Liz Chaplin, 5623 Pershing, said she has well water and has had her well water tested by a private environmental firm. Her well came up 9 parts/billion of TCE which is almost double the standard. She asked whether the Village is aware of the problems with the wells and will make any attempt to hook the residents up to safe drinking water.

The Mayor said they were contacted by the IEPA and Public Works will be in contact with the residents. Some of the areas will be annexed into the Village and can hook up immediately. Others have no infrastructure in place. Staff is working with the County to get the infrastructure in place. Manager Ginex said they will get her a packet of information. The Mayor said they will get information to residents on both sides of 55th Street.

4. Jack McGuire of Gilbert Avenue thanked the Village for fixing the striping. He said it is beautiful now.

5. Peter Hultman, 1410 Gilbert, said he was a 75 year resident of the Village. He appeared before the Village Council on August 21 and asked why he hasn't received a response to his 15 letters to the Council, Village Attorney and Village Manager. He said he was rudely interrupted by the Mayor and Commissioner Gilbert who portrayed him as an unappreciative senile old citizen. He asked for the opportunity to speak without interruption according to Roberts Rules of Order.

Mr. Hultman then reviewed statements made by Commissioner Gilbert at personal meetings with him, and his responses to those statements. He read a letter he said he wrote to Commissioner Gilbert, to which Commissioner Gilbert did not respond. Mr. Hultman said he wrote to then Police Chief Ginex for a meeting which was refused. He said he was also told the Village Attorney would contact him and that has not happened.

Mr. Hultman then referred to the August 21, 2001 Council meeting at which there was discussion concerning the flight of stairs at Village Hall between the upper and lower parking decks. He asked about the repairs and why the work isn't being properly pursued. Mr. Hultman said Village staff and residents are being placed at risk by not adequately pursuing repair of those staircases.

Mr. Hultman referred to other correspondence with Commissioner Gilbert regarding the

Warren Avenue paving. Mr. Hultman gave some dates of letters and what he had requested in those letters stating he had never received responses.

The Mayor responded to Mr. Hultman stating that the Council would disagree with his comments every week. This Council has answered his letters, met with him and bent over backwards to meet with him. He asked Mr. Livergood, Mr. Miller, Mr. Bajor to meet with him, and have talked with him at Coffees with the Council and Public Works Committees. The Mayor said there has been third party testing done on the compaction at the request of the Council in response to Mr. Hultman's comments that the work was inadequate. He said that the Village will continue to disagree with him on this issue. He will ask staff to look at the issue regarding the staircase. The Mayor said another company has come in to look at the compaction issue again. In addition, he noted to Mr. Hultman that Commissioner Gilbert and members of the Public Works Department will go with the Village Manager to Philadelphia to receive a National Award for the Village's Main Street Public Works Project. He invited Mr. Hultman to come back to the Public Works Safety Committee meeting when the PSI report comes in. Staff has met with Mr. Hultman personally instead of writing letters in response to his letters.

6. Rita Martin, 4946 Montgomery Avenue, said she is not pleased with the way Martam has finished the construction in terms of landscaping. She hopes there will be grass replaced instead of chips. She would like to see the Warren Avenue project finished in a nice way, and it's unfortunate that large trees have to be lost, and replaced with small, unattractive trees.

Ms. Martin then asked whether there will ever be a shelter on the north side of the railroad tracks. She said every town has them, except Downers Grove. The Mayor responded that they are putting in shelters through DuPage Mayors and Managers. They will be at Belmont, Fairview and Main Street and there are 9 or 10 shelters planned. He said they intend to have them installed on the north side before winter sets in. Ms. Martin said they should be larger in size.

The Mayor then responded regarding her comments about Martam saying they are not completely finished. They will be doing the landscaping. Regarding trees, for the landbanked properties, both developers worked their plans around two very large trees on those properties. There are no developer agreements on Station Crossing as yet. He emphasized that the large trees on the Station Crossing are important to the Council.

Ms. Martin asked if the award was given for appearance, construction, or what reason. The Mayor said they will be publicizing the award. He said they received both the local and national awards.

Ms. Martin suggested that the Manager consider forming an architectural or aesthetics commission as well. The Mayor said the Council will decide on designing a new commission based on a review of existing boards. Commissioners Sisul and McConnell will be reviewing the land use boards.

Ms. Martin then asked why the historical district signs were put in the wrong place. The Mayor asked staff to look at this and report back to the Council as to the locations.

7. Roger Crisman, 1140 Gilbert, asked for more clarification on the press release regarding the landbank developer agreement. The Mayor said that staff is going to work with Rosol Construction on the developer's agreement. Once that is negotiated, it will be voted upon. Staff is to address the issues of financing, stormwater, etc., and the agreement needs to be carried out in order for the Council to approve the agreement. If it does not work out, they will look to another developer.

Mr. Crisman asked whether the issues can be expanded upon and publicized. The Mayor said they can, and that the County is going to be involved in the stormwater detention aspects of the agreement. In addition, background checks will be done on the financing. As information is obtained, it will be released.

Mr. Crisman then asked about the proposal review team as to the number of local officials and those that represented single-family homes in the area. Mayor Krajewski said the only local official was the Mayor. He sat on the committee with Mr. Przybyl, some architects, the Downtown Management Board, staff members, etc. Their job was to make the recommendation of the two top developers. Those comments were then provided to the Council. In addition, five or six realtors were brought together to get their consensus as to what would be the best product for that area. The Mayor said that the realtors felt both projects submitted would sell well. He said that he has also spoken with Immanuel Lutheran residents.

5. Public Hearings

6. Consent Agenda

COR 00-00609 Claim Ordinance: No. 5395, Payroll, August 24, 2001

Sponsors:Accounting

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

Indexes: N/A

BIL 00-00610 List of Bills Payable: No. 5396, September 4, 2001

Sponsors:Accounting

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

Indexes: N/A

BID 00-00613 Bid: Staff Vehicle

Sponsors:Manager's Office

Summary of Item:\$30,005.00 for Staff Vehicle

Mayor Krajewski said some of the Village employees have Village cars and some have expense accounts. He said this was brought up during budget time. He said a number of Village Managers in other communities have vehicles as a part of their contracts.

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

Indexes: Vehicle Purchases

BID 00-00617 Bid: Installation of 24 Opticom Emitters in Police Vehicles

Sponsors:Human Resources and Police Department

Indexes: Police Equipment

Passed The Consent Agenda

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

Votes: Yea: Commissioner McConnell, Commissioner Sisul, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

7. Active Agenda

RES 00-00606 Resolution: Authorize Agreement with HPN Worldwide, Inc.

Sponsors:Human Resources

Summary of Item:This will authorize an agreement with HPN Worldwide, Inc. to provide health risk management products and services for Village employees.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND HPN WORLDWIDE, INC.

RESOLUTION 2001-73

Commissioner McConnell said she met with HPN to go through the materials and discuss how they will be presented. She said the Council will review the cost impact of this program.

A motion was made by Commissioner Sisul, seconded by Commissioner Zabloudil, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Sisul, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

Indexes: Health Risk Assessment

MOT 00-00615 Motion: Authorize Change Order #1 and 2 for 2001 Sidewalk Improvement Program (Capital Project 03-01)

Sponsors:Public Works

Summary of Item:Motion to approve Change Order #1 in the amount of \$12,815.00 to conduct additional sidewalk repair in relation to the 2001 Sidewalk Improvement Program (Capital Project 03-01) and to approve Change Order #2 extending the concrete contract deadline from July 31, to October 1, 2001 so as to complete the additional sidewalk repair as recommended by the Director of Public Works. The Village Manager and staff are authorized to take such actions as may be necessary to carry out the terms of this motion.

A motion was made by Commissioner Zabloudil, seconded by Commissioner Schnell, to Authorize this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Sisul, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

Indexes: Sidewalk Replacement, Sidewalk Improvements - 2001

MOT 00-00616 Motion: Award Contract to Water Resources, Inc. for Water Meter Replacement and Automated Meter Reading Deployment Project

Sponsors:Public Works

Summary of Item:Motion to award water meter replacement and automated water meter reading deployment project to Water Resources, Inc. and to approve the contract as submitted, subject to such modifications as may be authorized by the Village Attorney. The Village Manager and staff are authorized to execute such documents and take such actions as may be necessary to carry out the terms of this motion.

Approval of this motion will authorized an award of a contract to Water Resources, Inc. for water meter replacements. The total cost of this contract is \$4,125,767.00. This provides for an implementation schedule of 24 months (2 years).

Commissioner Tully expressed his appreciation to Laura Wainwright on this matter which he sees as a useful tool for the Village.

Mayor Krajewski said Ms. Wainwright did an outstanding job. It is a model for other projects. He said it was informative and made it easy for the Village Council to make a decision.

A motion was made by Commissioner Schnell, seconded by Commissioner McConnell, to Authorize this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Sisul, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

Indexes: Automated Meter Reading Project

MOT 00-00619 Motion: Authorize Desman and Associates, Inc. to proceed with Construction Document Phase of the CBD Parking Deck

Sponsors: Director of Redevelopment

Summary of Item: Motion to authorize Desman & Associates to proceed with the construction document phase for the CBD parking deck. The Village Manager and staff are authorized to execute such documents and take such actions as may be necessary to carry out the terms of this motion.

A motion was made by Commissioner McConnell, seconded by Commissioner Tully, to Authorize this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Sisul, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

Indexes: Central Business District - Parking Deck

8. Mayor's Report

Materials to be Received - Minutes

CBD Committee - August 24, 2001

Community Events Commission - August 9, 2001

Library Board - July 25, 2001

Public Safety Committee - July 25, 2001, August 9, 2001 & August 21, 2001

Zoning Board of Appeals - July 25, 2001

A motion was made to Note Receipt Of this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Sisul, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

Materials to be Received - Monthly Reports

New Business

Proclamations

The Mayor declared the month of September as Prostate Cancer Awareness Month in the Village of Downers Grove.

The Mayor declared the week of September 17-23, 2001 as Constitution Week in the Village of Downers Grove.

RES 00-00620 Resoution: Appoint and Reappoint Members to Village Boards and Commissions

Sponsors: Mayor

Summary of Item: Mayor Krajewski asked the Clerk to read the resolution confirming the following appointments:

BOARD OF FIRE AND POLICE COMMISSIONERS

Robert Lang appointed for a term expiring 4/30/04

PLAN COMMISSION

Catherine Reynolds and Daniel McCormick reappointed for terms expiring 4/30/04

Randall Stark appointed for a term expiring 4/30/03

Christopher Kahlke appointed for a term expiring 4/30/04

ZONING BOARD OF APPEALS

William Wh ite appointed as Chair for a term expiring 4/30/06

Ralph Gray appointed for a term expiring 4/30/03

ZONING COMMISSION

Joseph Pappalardo reappointed for a term expiring 4/30/05

William Levin appointed for a term expiring 4/30/05

A RESOLUTION APPOINTING AND REAPPOINTING MEMBERS TO VILLAGE BOARDS AND COMMISSIONS

RESOLUTION 2001-74

The Mayor said that Robert Lang is a former firefighter and volunteer of the Village.

Regarding the Zoning Board of Appeals, the Zoning Commission and Plan Commission, Commissioner Sisul has spent a considerable amount of time interviewing different individuals. Commissioner Sisul said a number of fine people are interested in serving. He discussed possible changes, including increasing citizen participation and keeping the boards and commissions better informed.

The Mayor said that Commissioner Sisul came across some individuals with EDC experience, and some of the EDC subcommittees want to add members. The Council needs to discuss this with the Village Manager and Steve Rockwell.

A motion was made by Commissioner Sisul, seconded by Commissioner Zabloudil, to Adopt this file. Mayor Krajewski declared the motion carried by the following vote:

Votes: Yea: Commissioner McConnell, Commissioner Sisul, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

Indexes: Boards and Commissions

9. Manager's Report

Manager Ginex said that the American Public Works Association (APWA) is awarding the Village its Project of the Year for Historical Restoration Preservation \$2-\$10 million range project. The Village was awarded the metropolitan chapter award as well. The Manager, Mayor and Commissioner Gilbert will be attending the award ceremony next week, with Public

Works staff members Dave Conley and Bob Shoger.

Manager Ginex said the grand reopening of Main Street will be held on Friday night beginning at 6:30 with a ribbon cutting ceremony and fireworks at 9:30 pm.

10. Attorney's Report

Future Active Agenda

ORD 00-00373 Ordinance: Refund of GO Bonds Series 1996 and 2000

Sponsors: Financial Services

Indexes: General Obligation Bond - Refund

11. Committee Standing Reports

Public Safety

Commissioner Sisul said he had no report.

Public Works

Commissioner Schnell said she had no report.

Finance

Commissioner McConnell said they met and discussed e-mail for water billing and hope that will be a successful negotiation. They hope to have more information in early October. In addition they discussed purchasing policies and will have additional information in early October. She said additional discussion concerned authorizing purchasing authority, and reviewing the first quarter reports. Sales tax is down, and there are some delinquent payments from the utility companies. This will be carefully watched. Commissioner McConnell said Council will begin to hear about the budget process at the September 15 retreat.

The Mayor said the DuPage Water Commission said they have seen a decrease in sales tax every month this year in DuPage County.

12. Council Member Reports and New Business

Commissioner Tully invited citizens to come downtown for the official reopening of Main Street. Council members will be at the opening and look forward to seeing citizens.

13. Adjournment

Commissioner Sisul moved to adjourn to Executive Session pursuant to Section 2(c)(6) of the Open Meetings Act to consider the setting of a price for sale or lease of property. Commissioner Zabloudil seconded.

VOTE: YEA - Commissioners Sisul, Zabloudil, Tully, McConnell, Schnell, Mayor Krajewski

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