



# Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

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Tuesday, March 15, 2005

6:30 pm

Council Chambers

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## 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 Ron Sandack, Commissioner Stan Urban, Commissioner Marilyn Schnell, Commissioner Martin Tully, Commissioner Mark Zabloudil and Mayor Brian Krajewski

Non Voting: Village Manager Riccardo Ginex, Village Attorney Enza Petrarca and Village Clerk April Holden

*Commissioner McConnell arrived at 7:20 p.m.*

*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 Minutes for Approval Only - February 15, 2005 & February 22, 2005*

*Council Meeting - March 1, 2005*

*Workshop Meeting - March 8, 2005*

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

Mayor Krajewski introduced Ryan Gerard, a junior at Downers Grove South, who is part of the Leadership Academy through the Chamber of Commerce. He said that Ryan has been job shadowing, and is joining the Council at the dais.

#### 4. Public Comments and Questions

##### A. Comments and Questions on Active Agenda

Dr. Gordon Goodman, 5834 Middaugh, commented on the meeting of the Environmental Concerns Commission last week and supported the Tree and Shrub Ordinance. He said they had a full discussion. Mr. Peckhart had raised issues on the circumvention of the ordinance and Ms. Edith Makra was also present. Village Forester Kerstin von der Heide was also present when the Commission endorsed the proposal.

##### B. Comments and Questions on General Matters

Terry Madden, 920 60th Place, said he had e-mailed the Council regarding what he considered to be an infraction of Library policy and rules. He read that e-mail stating that in January the Library published information on home rule in their newsletter. He felt this was an infraction of their rules, and he feels that Stephen Daniels and Kathy DiCola violated the rules in hosting a reception for endorsed candidates of the Downers Grove Community Advocates. He then read a portion of the Library policy that states that receptions are not allowed, and the notice clearly stated that a reception would be held on Library property. Mr. Madden said he sent the e-mail to the Council and Village Attorney, and the Village Attorney told him that she was informed that the group would move this to another site. He said he thinks they were using the Library for their own agenda.

The Mayor indicated that the Village's Legal Department is looking into this matter.

Mr. Madden asked that he be informed of the outcome.

*Presentation Re: Blodgett House Painting*

Axel Lindstrand, 4420 Wilson Avenue, said he is a self-taught watercolor artist, and presented the Council with a painting he did of the Blodgett House. He specializes in painting house portraits for realtors to present to new owners of homes. He donated the painting to the Village.

Manager Ginex said there is small painting in Village Hall of the Main Street Station that was done from a black and white photograph. Mr. Lindstrand thanked the Manager for his words and said the Village was a great place to live.

*Performing Arts Study Committee - Final Report*

Commissioner Tully said he served as Chair of this Commission, and then introduced members of the Committee in attendance at the Council meeting, including Mim Eichmann, Jean Gottlieb, Dave Humphreys, Jeffrey Jacobson, Doug Kozlowski, Barbara Murphy, and Marilyn Weiher. He noted that the charge of this Committee was to determine the need for a performing arts center and a proposed location. Commissioner Tully said that in 1992 and 1993 prior studies for a Center were done which indicated there was a need. The 1993 study concluded that the facility should be located in the downtown core. In 2002, when the Council began to discuss the redevelopment of the Curtiss Block, the issue of the Performing Arts Center was again raised. The Commission looked at specific sites. He recognized the leadership provided by Commissioner Stan Urban and Scott Pfeiffer of Kierkegaard & Associates.

Mim Eichmann, Artistic Director of the Midwest Ballet Theatre then spoke, saying that in 1992 the Ballet Theatre did not even exist, but has become quite well-known in the last ten years. She explained that the Commission sent out 20 surveys to community arts groups with 12

responses. Most felt a greater range of programming could be offered to the community with a facility available for their performances. In total the 12 groups had 142 performances that were held on weekends, Thursday through Sunday. Concerns regarding space availability were expressed, and the cost of use of venues was often expensive. She said that seating needs ranged from less than 250 seats to 1000 seats, and based upon that a venue of 500 seats seemed to be an acceptable size. She reviewed the needs of the groups stating that many of the facilities being used for performances lack the amenities needed, which results in added expense to the performing company. Ms. Eichmann then reviewed the preliminary recommendation of the Commission which stated that a new performing arts venue should be housed within a single structure, although it might not be economically feasible. The principal structure should include a 350-500 seat theater fully outfitted with sound and light, a smaller black-box theater with 125 movable seats with sound and light, three smaller rooms with seating for approximately 50 people for arts education classes, rehearsals, meetings and small performances. Amenities include dressing rooms, storage, ticket office, administrative/maintenance office, cable TV facilities, catering kitchen and lobby. The lobby area should also double as an art exhibition area. A paid staff position to manage the day-to-day operations with additional personnel would also be necessary.

Jeff Jacobson of the Commission thanked the Council for putting the Commission together. He presented an overview of the location and funding. The prime locations were Curtiss Block, Fishel Park, Hart's Garage on Curtiss Street, Tivoli Theater and Lincoln Center. The Curtiss Block was the main choice as it is near the parking deck, the train and other performing arts facilities. A central ticket office would handle all performing arts entertainment in the area.

Mr. Jacobson said Fishel Park is perfect for both an indoor/outdoor facility, and its location is close to the parking garage as well. Hart's Garage also has an excellent location with the train and parking surrounding it. This was originally developed as a theater. It may not be available as it is privately owned and may be leased at the present time. As for the Tivoli Theater, it was proposed in the original study and the suggestion was to expand the theater. However, it is on the other side of the train tracks, and not easy to get to from the parking garage. The Lincoln Center may be available for creating the facility and has an auditorium that can be expanded to allow other entertainment facilities. It is also in the recommended location.

In regard to funding, Mr. Jacobson said that the Commission recommended chartering a public charitable foundation to solicit funds from large corporations and individuals. Once enough pledges were received, they would be called in. The Commission does not support the use of tax funds for this project, and believes the operation should be self-supporting. The Commission suggested a professional be engaged to project estimated revenues.

The Mayor asked whether they have a dollar amount, and Mr. Jacobson said they do not as it is beyond their scope at this time.

Dave Humphreys of the Commission then discussed the benefits this would have to Downers Grove. A performing arts center will help, support, and compliment the downtown retail district, will expand the entertainment operations for residents and visitors, be an arts incubator, and improve the quality of life for Village residents, as well as expand cultural resources. People will be drawn into the downtown to purchase tickets, attend rehearsals, and performances. Both stores and restaurants will benefit from this and additional tax revenues will also be drawn to the Village. Mr. Humphreys said the quality and professionalism of the cultural offerings in the Village are limited today because of the shortage of attractive and functional facilities. Better facilities can improve both the perceived and the real quality of the Village's offerings. He explained that an attractive and well-equipped facility would foster growth in existing activities and encourage the creation and nurturing of new artistic

endeavors. Mr. Humphreys said the advertising and promotion of arts and entertainment activities would also serve to create name recognition for Downers Grove and increase the awareness of the community to the surrounding area.

Commissioner Tully said that the question now is where do they go from this point. He thanked and named the members of the Commission who served, but were not in attendance at this meeting, including Jonathan Ball, Art Jaros, Willis Johnson, Megan Schroeder, and Steve Wilkey. He stated that they all contributed to a positive process. Commissioner Tully said that the Commission was asked to evaluate the need for a performing arts center, inventory current facilities, suggest goals, objectives and uses, suggest proposed location, ownership, management and funding alternatives, and prepare a report for the Village Council. Cost was beyond the scope of their charge, and a facilities assessment is necessary. He said that the locations were identified with the Curtiss Block as the #1 location, but noted that might not be a reality. Other facilities belong to the Park District or are held privately. He noted that he is not speaking for what the Park District or private entities should do. He said that the Commission presented well-thought out options for future consideration. He noted that there is a rich performing arts and cultural life in Downers Grove that has grown in the last decade, and that will continue to grow. He thanked everyone on the Commission for their efforts, stating they were wonderful to work with.

The Mayor said he would like to start a discussion to make this feasible. Regarding the location, when they looked at a new Village Hall in 1992, and continue to do so now, the most logical choice might be to place it on the same campus of the existing Village Hall.

Commissioner Tully noted that the Committee felt that the Central Business District would be the best location.

Commissioner Schnell said in 1992 the decision was not as to the need for it, but how to pay for it and where will it go. She asked if, when they were talking to others, they received any ideas as to how long it took other communities to raise their funds.

Doug Kozlowski, Director of Marketing and Media Relations said they did not look at how other communities' projects were initiated.

Commissioner Schnell said that the proposal hinges on how to finance the project, and she believes they need a timeline as to how long it would take to raise the donations.

Jean Gottlieb, 1603 Janet, said she is the artistic director of the New World Repertory Theatre in the Village. The Theater of Western Springs began in someone's house. They need to have another group with the proper background to establish the timeline, saying that it is a long timeline, based on her experience in building her own theater.

Commissioner Urban agreed that the need has been confirmed over the last ten years. He asked whether this is a service that is owed to the community, and also asked if the Council is behind it and willing to invest in it. He hopes that this will be taken to the next level, and feels that the Council should invest in this endeavor.

The Mayor suggested having Commissioner Tully head a group regarding establishing the non-profit organization, and bring in experts to establish a timeline and the costs.

Commissioner Schnell said that they need to move forward with this and get a clear definition and timeline, as well as a better idea of costs. Without the timeline it is difficult to move to the next step. She noted attempts in other cities such as Arlington Heights and Aurora to establish their performing arts centers, stressing that the timeline must be established.

*Mayor Krajewski said that to move forward they need to look at locating the facility, creating a foundation and retaining a professional to develop a feasibility study.*

*Commissioner Sandack said that further inquiries make sense in terms of feasibility, location and expense.*

*Commissioner Zabloudil agreed that it is a good idea to pursue the next steps.*

*The Mayor asked if the Village is willing to commit dollars including a portion of hotel tax dollars.*

*Commissioner Schnell asked what better way to use tax dollars than for funding the arts in the Village.*

## **5. Public Hearings**

### *Comcast Rate Hearing*

*Mayor Krajewski called the public hearing to order at 7:22 p.m. He said this public hearing has been called by the Village Council to consider whether the proposed Comcast's 2004 Form 1205 rate filing accurately reflects rates allowed by Federal Communications Commission regulations for regulated equipment and installation costs. The Village Council is only going to consider whether the various categories of equipment and installation charges as set forth in the Form 1205 are consistent with FCC regulations and rulings. This hearing will not consider whether people generally believe their cable rates are too high. It will not address whether rates for various kinds of programming are too high. It will not address customer services issues. Our legal authority in this hearing is limited to those categories of costs contained in the Form 1205, and again those are related to equipment and installation.*

*Notice of this hearing was published in the Downers Grove Sun and is made a part of these proceedings. The Mayor then reviewed the procedures to be followed for the public hearing. He introduced Douglas Kozlowski, Director of Marketing and Media Relations, to provide an overview.*

*Doug Kozlowski, Director, Marketing and Media Relations, said that municipal cable rate regulations are based on reports submitted by cable operators to the certified local franchising authorities and the FCC. This hearing concerns FCC Form 1205 which determines the costs of regulated cable equipment and installation, including equipment such as converters, remote controls, inside wiring and service installation. Federal regulations allow cable operators to include regulated equipment and installation costs, plus a reasonable profit, as a separate itemized line item on subscribers' bills. Mr. Kozlowski stated that there have been questions raised regarding the accuracy of the use of national aggregate samples to determine rates by cable operators, including Comcast. He said it is important to note that under the Telecommunications Act of 1996, municipal authority regarding rates is limited to the basic tier of programming and equipment/installation charges.*

*As part of the audit, Downers Grove joined many franchising authorities throughout the country in retaining the services of Ashpaugh and Sculco, CPAs, PLC, and Front Range Consulting, Inc. to analyze and report on Comcast's Form 1205. The final report and supporting documents prepared by the consultants recommends that various categories of equipment and installation charges be reduced in order to comply with FCC regulations. He noted that by performing this review, the Village is exercising due diligence with respect to the rates charged to Downers Grove cable subscribers, and the rate review concludes that Comcast's rates are higher than those allowed by FCC rules.*

*Mr. Kozlowski said that Comcast has had the opportunity to comment on the consultants' findings and the consultants have prepared a response to the comments of Comcast. The rate order before the Council directs Comcast to make refunds and adjust its rates to be within FCC limits, and it is recommended that the Council adopt this rate order by resolution. He said that whether subscribers receive refunds is based on whether or not Comcast exercises its option to appeal this rate order finding with the FCC.*

*Commissioner Zabloudil asked if other municipalities have been through this process. Mr. Kozlowski said that in Illinois, Downers Grove is the first to go through. Wheaton is recommending adoption of the rate order. He said they are under a deadline and it has to be filed by April 1. He said that Skokie, Wheaton and Downers Grove were the only Illinois municipalities to take on this project.*

*Dr. Gordon Goodman, 5834 Middaugh, said he's been interested in the subject of Cable since the 1970s. He took particular interest in this review and looked at the report from the consultants. He said this is a very unsatisfactory situation and he encouraged the Village and other municipalities to continue by adopting an order for rates that seem reasonable rather than their arbitrary rates. He suggested setting aside some contingency funds to pursue this matter. The rates charged are arbitrary and exorbitant.*

*Commissioner Schnell asked if this is a benefit for our residents, why so few municipalities have pursued this. Mr. Kozlowski responded it was probably because of the potential cost. Rate orders do not always pan out and people do not feel that this is worth the effort. He said Gary White is present from Wheaton who is the President of the Illinois National Association of Telecommunication Officers and Advisors.*

*Gary White, 533 East Evergreen in Wheaton, said that not all municipalities are certified to regulate rates. Some are done individually by municipalities, though grouping together is less costly. He said that due diligence is what they are looking for in watching action on the rates.*

*There being no further discussion, the Mayor adjourned the Public Hearing at 7:34 p.m.*

## 6. Consent Agenda

**COR 00-01885** Claim Ordinance: No. 5575, Payroll, March 4, 2005

**Sponsors:** Accounting

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

**Indexes:** N/A

**BIL 00-01886** List of Bills Payable, No. 5566, March 15, 2005

**Sponsors:** Accounting

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

**Indexes:** N/A

**BID 00-01887** Bid: Award \$49,910.11 to Strada Construction for 2004 Sidewalk Replacement Project, #03-04

**Sponsors:** Public Works

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

**Indexes:** Sidewalk Replacement, Sidewalk Improvements 2004

**BID 00-01888** Change Order: Authorize Approval of North Belmont Park Water Main Improvements Project Change Order No. 1 in the Amount of \$159,834.29

**Sponsors:** Public Works

**Summary of Item:** Close-out change order

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

**Indexes:** North Belmont Park Watermain

**BID 00-01889** Bid: Award Contract to Sikich Gardner and Company for Audit Services for Fiscal Years 2004/05 to 2008/09

**Sponsors:** Financial Services

**Summary of Item:** One-year agreement with four one-year extensions

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

**Indexes:** Audit Services

**BID 00-01890** Bid: Authorize Contract with BFI Waste Services of North America, Inc. to Provide Refuse, Recycling, and Yard Waste Services beginning April 1, 2005

**Sponsors:** Manager's Office

**Summary of Item:** This is a two-year contract.

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

**Indexes:** Scavenger-Garbage Collection, BFI Contract, Refuse, Recycling, Yard Waste Services

### Passed The Consent Agenda

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

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

## 7. Active Agenda

**ORD 00-01891** Ordinance: Amend Chapter 24 (Trees & Shrubs)

**Sponsors:** Public Works

**Summary of Item:** This will make certain amendments to tree preservation requirements.

AN ORDINANCE TO AMEND CHAPTER 24 (TREES & SHRUBS)

*Commissioner Tully said it is clear from community dialogue that residents want the Council to protect trees on public property. He has some concerns with respect to proposed measures for protecting trees on private property. He believes they should continue to pursue this; however, he would like the opportunity to read the minutes from the Environmental Concerns Commission. On his own he asked some residents who would be impacted by this whether it would truly impact them as projected. They were unaware that there even was an ordinance under discussion. He also wants to know about similar ordinances in other communities, and he would like to explore different incentives toward the preservation of trees. He noted that some residents e-mailed some ideas that might make this a more successful ordinance in the long term. Commissioner Tully said he would like to do this over more time to obtain additional input. He said there is a Community Dialogue coming up on March 23, and he*

would like to have input from that group as well.

Commissioner Sandack moved to table this matter for two weeks. Commissioner Schnell seconded the Motion.

Commissioner McConnell said she would like this to be continued to a specific date.

Commissioner Sandack amended his Motion to the first Workshop in May, May 10, 2005. Commissioner Schnell seconded the amendment.

Commissioner Schnell agreed with the comment made about the community dialogue discussion, and she believes this would be a logical topic for that meeting.

The Mayor asked if they can bring up in two weeks and take care of the parkway issue.

Attorney Petrarca said they could bring up the parkway tree issue in two weeks, and move the remaining portion of it to the May meeting.

Commissioner Schnell agreed with the idea of having a specific date and time so people will have the opportunity to discuss this and provide their input to the Village Council.

Commissioner McConnell asked if there is a way to obtain feedback from the local builders in the event they will not attend the March 23 meeting. She would like to have them involved in this round of discussions. She clarified that the parkway portion of the ordinance will be on the agenda of the next Council meeting for a vote, and the private property issue will be brought up in May.

**VOTE: AYES:** Commissioner Sandack, Schnell, Urban, Zabloudil, Tully, McConnell, Mayor Krajewski

**NAYS:** None

Mayor Krajewski declared the Motion carried.

**A motion was made by Commissioner Tully, seconded by Commissioner Urban, to Adopt this file. Mayor Krajewski declared the motion failed by the following vote:**

**Votes:** Nay: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

**Indexes:** Trees and Shrubs

**RES 00-01892** Resolution: Authorize Execution of an Agreement with the Downers Grove Sanitary District Re: Release of Water Consumption Records

**Sponsors:** Financial Services

**Summary of Item:** This shall authorize an intergovernmental agreement between the Village and the Sanitary District providing for the release of water consumption records of the Village to the District for calculation of sanitary sewer billings and providing for the discontinuance of water service to premises for the nonpayment of sewerage service charges.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND DOWNERS GROVE SANITARY DISTRICT

RESOLUTION 2005-10

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

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

**Indexes:** Sanitary District

**ORD 00-01893** Ordinance: Amend Section 25.20 of the Downers Grove Municipal Code Regarding Denial of Water Service

**Sponsors:** Financial Services

**Summary of Item:** This shall amend provisions for the denial of water service.

AN ORDINANCE AMENDING SECTION 25.20 OF THE DOWNERS GROVE MUNICIPAL CODE REGARDING DENIAL OF WATER SERVICE

ORDINANCE NO. 4660

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

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

**Indexes:** Water Service

**RES 00-01894** Resolution: Establish the Policy of the Village Council with Respect to Traffic Calming

**Sponsors:** Public Works

**Summary of Item:** This will establish a Traffic Calming Program.

A RESOLUTION ESTABLISHING THE POLICY OF THE VILLAGE COUNCIL WITH RESPECT TO TRAFFIC CALMING

RESOLUTION 2005-11

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

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

**Indexes:** Traffic Calming

**RES 00-01895** Resolution: Authorize an Agreement with the Innisbrook Homeowners Association Re: Hickory Court/Innisbrook Creek Streambank Stabilization Project, #12-04

**Sponsors:** Public Works

**Summary of Item:** This will authorize a cost sharing agreement between the Village of Downers Grove and the Innisbrook Homeowners Association for the construction of streambank stabilization and erosion control along Innisbrook Creek.

A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE INNISBROOK HOMEOWNERS ASSOCIATION

RESOLUTION 2005-12

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

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

**Indexes:** Hickory Court Ditch

**MOT 00-01898** Motion: Approve Collective Bargaining Agreement - Fire

**Sponsors:** Village Attorney

**Summary of Item:** This will approve a collective bargaining agreement between the Village of Downers Grove and Local 3234 of the International Association of Fire Fighters, as ratified by the bargaining unit.

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

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

**Indexes:** Fire Contract

**RES 00-01896** Resolution: Authorize Execution of a Third Addendum to an Agreement for Professional Services with Alfred Benesch & Company

**Sponsors:** Public Works

**Summary of Item:** This will authorize a third addendum to the professional consulting services agreement dated November 5, 2002 between the Village of Downers Grove and Alfred Benesch & Company.

A RESOLUTION AUTHORIZING EXECUTION OF A THIRD ADDENDUM TO AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE VILLAGE OF DOWNERS GROVE AND ALFRED BENESCH & COMPANY

RESOLUTION 2005-13

*Commissioner Urban recused himself from this item as he is a lease holder in the CBD TIF District.*

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

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski  
Abstain: Commissioner Urban

**Indexes:** Central Business District - Parking Deck

## 8. Mayor's Report

### Materials to be Received - Minutes

*Parking & Traffic Commission - February 9, 2005*

*Plan Commission - January 17, 2005*

**A motion was made by Commissioner Tully, seconded by Commissioner Urban, to Note Receipt Of this file. Mayor Krajewski declared the motion carried by the following vote:**

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

### New Business

*Proclamations:*

*Mayor Krajewski proclaimed March 28 as Baird and Warner Day in the Village in celebration of 150 years in business.*

*The Mayor proclaimed the week of March 14 as Downers Grove South Speech Team Week, and*

*congratulated them for their accomplishments in the State finals. He said that he would be attending an event on the March 21 at the high school and will read the proclamation at that time.*

## **Materials to be Placed on File**

### **9. Manager's Report**

*The Manager said that Don Rosenthal, Director of Code Enforcement, said that the Illinois Clean Energy Community Foundation has responded favorably to the Village's request for training costs in the amount of \$4,500. The training will be hosted by Hoffman Estates. In this past week, the Village also received two grant awards, one from the Illinois Liquor Commission to support the tobacco enforcement, and the other from the DuPage Community Development Commission in support of the Autumn Grove Resource Center.*

*The Manager said that the Finance Department has put together a list which shows all individuals and vendors sent to collection.*

*Manager Ginex then announced that Code Enforcement Director Don Rosenthal's daughter, Latoya, died of cancer last week at the age of 16.*

### **10. Attorney's Report**

*Village Attorney Enza Petrarca said she was presenting a severance agreement related to the resignation of the Village Manager. She asked the Council to consider waiving the one-week waiting period to consider new business.*

*Commissioner Tully moved to waive the one-week waiting period to discuss new business. Commissioner Urban seconded the Motion.*

*VOTE: AYES: Commissioners Tully, Urban, Sandack, Zabloudil, McConnell, Schnell, Mayor Krajewski  
NAYS: None*

*The Motion passed unanimously.*

**MOT 00-01899** Motion: Authorize Village Manager's Contract

**Sponsors:** Village Attorney

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

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

**Indexes:** Village Manager

### **11. Committee Standing Reports**

*Finance Committee*

*Commissioner Zabloudil said the Finance Committee met and discussed obtaining a financial software consultant. They have it narrowed down to one group and will have to go through the reference check. He said that the Technology Committee will be involved with the vendors. He also asked members of the EDC with financial experience to participate in this as well. In addition, they discussed the process for having sales tax rebate agreements come to the Finance and Administrative Committee prior to coming to the Council Workshop. There were also discussions concerning the Financial Advisor and the bid selection process. They want to*

include qualified local banking establishments in the process. They are looking at the debt policy and have created a policy for review at the next Workshop. Part of the discussion included fees for use of the IRB bonds for not-for-profit agencies.

The Mayor asked about the IRB bonds, and whether that could be used for the Performing Arts Center when a not-for-profit group is formed.

The Mayor asked about the timeline of the consultant, and Commissioner Zabloudil said that Rita Trainor is in the process of working on that now. The Mayor said they have \$200,000 in the budget for next year and he wondered whether that is enough in terms of the timeline.

#### Public Safety

Commissioner McConnell said Public Safety will meet at 7:30 a.m. Thursday morning. The meeting will focus on the Police Department.

#### Public Services

Commissioner Tully said Public Services met with Dave Barber and his staff and addressed the Five-Year capital improvement plan. He said they saw no items to remove from the Plan. Public Works is suggesting \$2 million in 2005-06 for additional street work. He said \$600,000 would come from the capital improvements fund with the remainder coming from MFT funds. In regard to sidewalk replacement, the previous budget was for \$75,000 for repair and replacement of sidewalks. New sidewalks would remain at \$360,000. The recommendation is to increase the amount for repair and replacement by \$200,000, based on the number of sidewalks, life span, etc. They also discussed the dead-end streets in the Village with substandard water connections. At the next meeting the Stormwater Master Plan will be the primary topic.

The Mayor said that the Space Needs Committee meets Thursday at 8:30 a.m. He said the December sales tax figures was \$1.2 million last year and this year was \$1.36 million. The home rule sales tax was \$442,000 last year and \$520,000 this year. The surplus is projected to be over \$3 million this year. Regarding the additional \$400,000 in property taxes, the Mayor said this will go in the capital projects fund.

Commissioner Tully said there are some additional projects proposed by Public Works which would effect the police and fire buildings. He said that he asked Public Works for recommendations for future years.

## 12. Council Member Reports and New Business

Commissioner Sandack said on Saturday there will be an important informational meeting on the Curtiss Block Redevelopment after Coffee with the Council at the Recreation Center. He said that the developer will be there.

Commissioner Schnell announced that the Community Dialogue will be held on Wednesday at 7:00 p.m. at Lincoln Center for discussion about residential redevelopment.

Commissioner Tully said that Coffee with the Council will be held on Saturday at 9:00-10:00 at the Recreational Center, followed by the Curtiss Block meeting. On Wednesday at 7:00 p.m., there will be a forum held by the Downers Grove Chamber of Commerce regarding candidates for Village Council. There is an election on April 5, and the public forum will be televised and rebroadcast on Channel 6.

The Mayor announced that absentee voting began today.

*Mayor Krajewski then wished Downers Grove South good luck as they play Naperville West. He received an invitation for the grand opening of the McDonald's on Ogden Avenue on Thursday, March 24 at 9:00 a.m. Also, See's Candies opened on Ogden Avenue and has been very successful. They have already leased the space next door and are doubling their size.*

### **13. Adjournment**

*Commissioner Tully moved to adjourn. Commissioner Urban seconded.*

*VOTE: YEA - Commissioners Tully, Urban, Sandack, Zabloudil, McConnell, Schnell, Mayor Krajewski*

*Mayor Krajewski declared the motion carried and the meeting adjourned at 8:14 p.m.*