

MINUTES OF WORKSHOP MEETING

DOWNERS GROVE, ILLINOIS

JANUARY 25, 2005

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

Present: Mayor Brian Krajewski; Commissioners Marilyn Schnell, Sue McConnell, Martin Tully, Mark Zabloudil, Ron Sandack, Stan Urban; Village Manager Riccardo Ginex; Village Attorney Enza Petrarca; Village Clerk April Holden

Absent: None

Visitors: **Press:** Kevin Stahr, Downers Grove Reporter

Residents: Lee Eisenberg, Bill Kay Nissan, 1601 Ogden; Mike Parilla, EDC, 1409 Ridgeview Circle; Chris Read, Pam Keiter, Realtor Association, 6655 Main Street; Walt Kopacz, Illiana Financial Credit Union, 6655 Main; Andrew Clark, 1226 62nd St.; Robert Criss, 144 N. Ashbury, Bolingbrook; William Waldack, 1419 Willard Place; Laurel Q. Bowen, 829 Clyde; Peter Hultman, 5300 Walnut; Barry Peckart, 1025 61st St.; Pat Durkin, 7213 Webster; Terry Lundquist, 450 Aldrin, Batavia; Ken Sweet, Culver's, 224 White Oak, Hampshire; Stan Ferguson, 4620 Main

Staff: Amanda Riordan, Senior Planner; Keith Sbiral, Planner; Stan Balicki, Assistant Director, Public Works; Dave Barber, Director, Public Works, Pam Church, Deputy Police Chief; Mike Millette, Assistant Director, Public Works; Dave Van Vooren, Deputy Village Manager; Doug Kozlowski, Director, Marketing and Media

Mayor Krajewski explained that Council Workshop meetings are held the second and fourth Tuesdays at 6:30 p.m. The meetings are video taped live and for later cable-cast over cable channel 6.

The Workshop meeting is intended to provide Council and the public with an appropriate forum for informal discussion of any items intended for future Council consideration or just for general information. No formal action is taken at Workshop meetings.

The public is invited to attend and encouraged to comment or ask questions in an informal manner on any of the items being discussed or on any other subject. The agenda is created to provide a guideline for discussion.

MANAGER

1. Bids:

- a. **Vehicle Purchase.** Manager Ginex said this bid is for a 2005 flex fuel Ford Explorer and will replace the 1994 Aerostar van for the Community Service Officer Division of the Police Department. It will have a multipurpose role. It will be used on the afternoon and evening shifts when not in use by the division. According to the State of Illinois Joint Purchase Contract, the price of this vehicle is \$20,985. The Village's purchasing procedures include a preference for local vendors if the price is equal to or less than a difference of 4.5%. Joe Madden Ford has quoted a price of \$21,800 which is within 4.5% and meets the criteria set forth in the policy for purchasing the vehicle locally.

Commissioner Zabloudil asked whether this will be equipped as a police vehicle, and the Manager said most vehicles are.

Deputy Police Chief Pam Church said it will be equipped as a police vehicle.

The Mayor asked whether the police lots are cleared of snow as a high priority.

Dave Barber, Director, Public Works, said they were.

- b. **Vehicle Purchase.** The Manager said this purchase is for one 2005 Ford F250 pickup and six chassis cabs. These are budgeted for replacement for Building Services and one for Public Works. The price according to the State of Illinois Joint Purchase Contract is \$200,531.10. Joe Madden Ford bid \$208,085.00 which is within the allowable range as outlined in the Village's purchasing procedures.

Commissioner Tully asked for clarification that the amount budgeted for vehicle replacement is \$405,082, and this bid is approximately half of that amount. He then asked whether other items anticipated for purchase will be at or below budget. Mr. Balicki said that was correct.

- c. **Color Copier.** The Manager said an RFP was sent out in December for a 36-month lease, and 7 responses were received. Staff recommends the bid from Business Machine Agents at a cost of \$8,333 annually.

Commissioner McConnell asked what comprises the 4,000 copies per month. Manager Ginex said they do a lot of pamphlets and brochures.

The Mayor said that the Plan Commission noted that they do not need all the color copies they receive. He also asked whether the 2.9% is the lease rate per year.

Doug Kozlowski, Director, Marketing and Media, responded it is the rate factor over 36 months.

Commissioner Tully asked if the substantial portion of color copies are brochures and pamphlets, could they be done outside for a lower cost. Mr. Kozlowski said that he will provide a breakdown as they have a user accounting of all copies made. The outside rates are from \$.70 to \$.90 per page, while the Village costs are at \$.07 per page, which is much lower. It was \$.14 per page three years ago. He said that the costs were obtained from printing companies.

- 2. **Change Order #20 - Parking Deck.** The Manager asked Mike Millette, Assistant Director, Public Works, to address this item.

Mike Millette, Assistant Director, Public Works, said that this was one of the last Change Orders for the parking deck and included 17 items at a total cost of \$54,400. They range in value from \$13,283 credit to \$25,628 charge. He said that item L is felt to be a direct result of error in the amount of 1.4 feet difference in grade. The amount of the change order attributed to the error is \$1,114. He anticipate about another \$100,000 or less in the remaining change orders, and they still anticipate being within the 5% contingency. With this change order they are at 3.74% of the contingency.

The Mayor asked whether A, I and L are also errors or omissions by the architect. Mr. Millette said they are items that should have been included in the bid, but were not.

In further response to the Mayor, Mr. Millette said that the contract sum in the Manager's Memo is incorrect as it does not include the contingency.

Commissioner Sandack asked about the remaining Change Orders and Mr. Millette said they should be before Council in two weeks. He noted that they are catchalls, most of which are about \$1,000 or \$2,000. Commissioner Sandack asked whether a date has been set to conclude the contract with Turner. Mr. Millette said they have had some meetings, and they anticipate settlement within 1.5 months.

- 3. **Plan Commission: Illiana Credit Union Special Use.** The Manager asked Amanda Riordan, Senior Planner, to address this item.

Amanda Riordan, Senior Planner, said this is a proposal for a drive-thru banking facility at 6655 Main Street. She said the petitioner occupies an existing space in the building and is requesting a two-lane drive-thru on the northeast portion of the building. There was significant discussion of the interior traffic pattern by the Plan Commission. The Plan was reviewed by Public Works staff, and received staff and Commission approval.

The Mayor noted that page one of the minutes was missing, and Ms. Riordan said that the petition started on page two.

The Mayor said that the Plan Commission spent a considerable amount of time on this particular item.

Commissioner McConnell asked about the traffic pattern. Ms. Riordan said that the northerly most drive will have full ingress and egress. The southerly drive is inbound traffic only with only right turns. In terms of a six-month evaluation of the proposed plan, Ms. Riordan said she did not know how that would be done, but it could be taken to the Parking and Traffic Commission. Further responding to the Commissioner, Ms. Riordan then explained the landscape screening proposed and said that everyone involved seemed reasonably satisfied with the landscaping.

Commissioner Schnell complimented Ms. Riordan for her work. She said the extra time improved the quality of the project for both the residents and the businesses. She said that the concerns expressed by the residents appear to have been addressed. Ms. Riordan said that since there is an existing facility with minimal construction to the site, they addressed the traffic issue without compromising the site.

Commissioner Tully summarized that the petitioner is requesting a special use in response to a request for a drive-thru, and clarified that they are not requesting variations. Ms. Riordan said that was correct.

Commissioner Tully noted that the special use comes under the criteria of Section 28-1902, and this petition appears to satisfy that criteria. He thanked the petitioner for their efforts to work with the staff and the public, saying they came up with a superior product. He also appreciated the Plan Commissioners' comments explaining their votes.

The Mayor said that he attended the Illiana Credit Union's grand opening. He said this is their fifth branch location and noted that they have a community room available for use.

Commissioner McConnell asked about the size of the room. The Mayor responded it is about the size of the Village Committee Room.

4. **Plan Commission: Culver's Restaurant Rezone and Special Use.** The Manager asked Keith Sbiral, Planner, to address this item.

Keith Sbiral, Planner, said this is a two-fold petition including rezoning the west two parcels from O-R-M to B-3, and a special use for a drive-thru for the restaurant at the corner of Cross and Ogden. The restaurant is anticipated to be 4,700 square feet in size.

Commissioner McConnell noted that the traffic counts are from 2001 and asked whether staff is comfortable that these were realistic. Mr. Sbiral said the Traffic Engineer looked at the situation and felt the counts were reasonable for the location.

Commissioner Schnell asked how close the right in/right out driveway is to the hotel. Mr. Sbiral said it is about 100 feet away, and there is no sight problem. Commissioner Schnell thanked the Plan Commission for looking at and following the Ogden Avenue Master Plan.

Commissioner Tully explained that this was a request for a special use for a drive-thru which falls under criteria specified in Section 28-1902. It is consistent with the Ogden Avenue Master Plan, and noted this

particular parcel was designated for restaurant use on the Master Plan. He also thanked Culver's for adhering to the Plan.

5. **E-Local Link Presentation.** The Manager asked Doug Kozlowski, Director, Marketing & Media, to address this item.

Mr. Kozlowski said the E-local link program is a video streaming program through CGI Communications in Rochester, New York. They have 30 years of experience in print and banner promotion. They will provide 60 minutes of streaming video linked to the Village website in exchange for the opportunity to sell sponsorship surrounding the site. He said it is an exciting way to promote the features and benefits of the Come Home Campaign. He then showed a demonstration on the website for Greenwich, CT.

Mayor Krajewski said he asked earlier whether there was a policy regarding control of the scripted material. The advertising policy related to buses would govern this.

Mr. Kozlowski said they provide a high quality product and they will be able to take the Village's productions and put them on the site if the Council so chooses. He indicated that at this time there are about 25 commitments from the community businesses. This is a way to reach a new audience.

Commissioner Schnell asked whether there is a disclaimer regarding sponsors. Mr. Kozlowski said that can be done. He said the Village has final approval of the scripted material. The disclaimer would be with regard to the advertising of the sponsors.

Commissioner Tully said this is a great interactive tool. He said this might be the means for local service organizations to advertise their programs. He then asked whether the setup would include a link with a logo off to the side for interested people to access. Mr. Kozlowski said that was correct and there should be nothing on the site that the Village does not approve.

The Mayor asked whether Geneva uses this, and Mr. Kozlowski said they are in development on this. Prospect Heights is up and running, and that municipality is satisfied with the work. The Mayor asked how much time it would take of staff. Mr. Kozlowski said it would be about 25-30 hours for scripting, about one week of his time.

6. **FY 2005 Bulletproof Vest Partnership Program.** The Manager said staff recommends submitting the Partnership Program Grant Application for bulletproof vests to support 50% of the cost for 14 vests. The total estimated cost is \$5950, of which the Village must provide \$2975.
7. **Discussion – Issue 2005 \$4,500,000.00 Two-Year Taxable Note.** Deputy Manager VanVooren said that he, the Manager, Village Attorney, and Finance Director have reviewed the maturity of the two-year tax note for the CBD which expires February 1. This ordinance would authorize refinancing, and Northern Trust has entered into an agreement with the Village on this refinancing. Mr. Al Ambrose is present. Mr. VanVooren said that the term on the refinancing is a two-year period, fully taxable, interest payable on 6 months with principal payable at any time at any dollar level. He said that local institutions were contacted, one of which submitted a proposal. He said that the Community Bank of Downers Grove has been recommended to receive the bid.

The Mayor asked with regards to the Fannie Mae and Mad Potter buildings, what is the rent generated. Mr. VanVooren said that the Fannie Mae building is generating \$90,000 annually and the Mad Potter building generates about \$75,000 annually. The Mayor asked if the rent then is covering the costs, plus \$35,000. Mr. VanVooren said that they have generated more money this year than interest, and the interest has been paid out of the real estate fund.

8. **Discussion – Incentive Request Parameters.** Deputy Manager VanVooren said he was present on behalf of the EDC and the Attraction and Retention Subcommittee. At the last meeting an incentive request was brought to the Council for Bill Kay Nissan. It included a sales tax component and a TIF component. Mr. VanVooren said that the Council asked about extending the TIF incentive longer than

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ten years. He said on review of Resolution 99-42, it mentioned a ten year term for the incentive agreement. It does not talk about TIF agreements specifically. Therefore, he brought this back to the Council for consideration. He indicated that each project needs to be evaluated separately, but general guidance from the Council was being sought. Mr. VanVooren said that in their recent request Bill Kay expressed concern about extending the term for 15 years, because as recipients they would be asked to stay in business longer than the term of agreement.

Mayor Krajewski said that Resolution 99-42 was done prior to the TIF implementation, and he doesn't see a need for a cap in the number of years. He agreed that every deal should be negotiated on its own. The Mayor said that the EDC needs to be given additional financial data regarding the general fund and the Five-Year Plan in making recommendations on these agreements.

Mr. VanVooren said that the EDC has struggled with the use of TIF funds. Some of the members want the economic incentives coming from the TIF used to increase the sales tax base, while others like to see it used for corridor improvements. The Mayor said that is why a plan for the next 15-18 years on Ogden Avenue has to be formulated. He suggested including TIF in the policy.

Commissioner Sandack agreed that they should add TIF in the policy and he sees no problem in removing the cap. It would give the Village greater flexibility in accomplishing its goals.

Mayor Krajewski said he understands that the businesses are trying to tie all elements of the agreement together.

Commissioner McConnell said she agrees with the TIF being included, but asked if there was any downside to not having timeframe guidelines. Mr. VanVooren said there is no downside, as much as there is a problem deciding whether to offer the incentives or not. There are communities operating without incentives. Competition does exist among those that do provide incentives, and the Village needs to be competitive. The EDC generally uses a 7-10 year range for sales tax agreements. The Resolution also stipulates other components for the project to be viable, such as generating \$100,000 in sales tax. The EDC has to evaluate everything in its rating charts and not just the length of time. It is better for them to have a fixed cap from a staff position. He believes the shorter the plan the better. He believes location sells this community, and most projects come to the Village as a result of our location.

Commissioner McConnell said they should use this tool as judiciously as possible. She agreed to adding the TIF in the Ogden Avenue Plan, and she thinks they need to focus on creating an overall Ogden Avenue Development Plan.

Commissioner Schnell said she had no problem with putting the TIF into the policy. The Village needs to generate revenues and it cannot be a giveaway. She believes this has been done well over the years. She said there are expenses (such as sidewalks) that will come up for Ogden that will come out of the TIF. She would hope that the beautification will work in with the sidewalk program. Commissioner Schnell said that the Council needs to take the EDC's vision and incorporate it into a plan.

Commissioner Tully said he also agrees that the use of TIF funds should be included as part of potential incentive agreements. He noted that there are two issues, one being the sales tax increments agreement, and enhancing or retaining the sales tax base. Regarding TIF projects, there is a plan for Ogden Avenue in the form of the Ogden Avenue Master Plan. He believes that proposed projects can be evaluated against that Plan. The Village needs to determine how to budget the funds, such as sidewalks, enhanced aesthetics, reducing curb cuts, general incentives, etc.

Commissioner Urban said that both Lisle and Westmont use tax incentives to attract businesses to their communities, and he asked if there are any other communities that have TIF districts along Ogden Avenue. Mr. VanVooren responded that to his knowledge, the Village is the only community with a TIF district on Ogden Avenue between I- 294 and Route 59.

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Commissioner Urban said he received calls from residents, and he wanted to explain that the Village is not creating new TIF Districts. Mr. VanVooren said that was correct. Last year the Ogden Avenue TIF increment was about \$350,000 due to the growth along the corridor. It will not take long to reach \$750,000 to \$1 million. He noted that there is a group of small business owners looking for TIF to assist them with meeting the Master Plan goals.

Commissioner Urban then said he is in favor of using TIF dollars for incentive packages, and he didn't think it would make a difference in terms of a time cap for most businesses. He thinks they should set aside certain dollar amounts for certain expenses as Commissioner Tully indicated.

The Mayor said that there will be a lot of money available in a few years, and then asked whether TIF funds can be used as a loan.

Mr. VanVooren said that the EDC likes the sales tax component as it puts the impetus on the business to perform. In further response to the Mayor, he said they would have to find out whether the repayment of the general fund by the TIF for that incentive is authorized under Statute.

The Mayor said he would like to see the Nissan agreement done as soon as possible. Mr. VanVooren said that staff is working with the Committee to finalize the project. The impetus on the deal is the percentage with which the Council feels comfortable. He said they offered a split of the funds for Bill Kay.

Commissioner Tully said he sees this as a hybrid request for both TIF goals and sales tax incentives. He asked what percentage of this package is achieving the TIF goals, and Mr. VanVooren said the last one was about 50-50. Commissioner Tully said that works for him as well. He then said it is probably time for a review by the EDC and the Council of the Ogden Avenue Master Plan status, which could assist in speeding issues along.

Commissioner McConnell said that Mr. VanVooren needs direction regarding the parameters to close the Nissan deal. She thinks they need to have some significant incentives to keep them selling a lot of cars. She recommended 50% or less for the TIF funds. She clarified that earlier she was not suggesting reinventing the Master Plan, but she was concerned with the execution of the Plan as part of the budget process.

Mr. VanVooren said he will bring forward a modification of Resolution 99-42 to include TIF funds. He understood that the TIF would be up to ten years, but could be modified on a case by case basis.

9. **Issue up to \$10 million of TIF Bonds.** Mr. VanVooren said that Chapman and Cutler prepared an ordinance to advance refund the 1999 and 2000 TIF bonds, which would total about \$9.7 million plus or minus. It would be a small issue bond that is bank qualified with a net savings of 4% or \$440,000. The Ordinance would authorize certain individuals to execute this. He indicated that the savings would be 2% or higher, which is the same as the last time this was done. He explained that the \$440,000 is for the life of the bonds, not the TIF.

In response to Commissioner Schnell, Mr. VanVooren said that the TIF is not being modified, and they are not adding on years to the life of the debt issue.

Mayor Krajewski asked if there is any advantage for cash flow purposes to extend the life of the issue. Mr. Ambrose said that the Village could extend the length of the term. Mr. VanVooren said they would review the numbers.

STANDING COMMITTEE REPORTS

The Public Safety Committee will meet on Thursday at 7:30 AM.

MANAGER'S REPORT

Manager Ginex said that DuPage Managers and Mayors had their Legislative Action Program last week. They discussed conference priority including protection of municipal revenues, regional transportation funding, infrastructure maintenance fee legislation, and the motor fuel tax use. He said that the membership voted in support of a proposal from DuPage County Stormwater to address redevelopment in impervious areas. The change would relax the 100 year retention requirement.

Manager Ginex said after the Workshop meeting, there will be a service program from Tourism and Events on the cable network. Emphasis will be given to the Ice Sculpture Festival.

The Manager said that posters will be displayed in the downtown area to obtain funding for tsunami aid. An account has been established at the Downers Grove National Bank.

The Manager said there is no Amnesty Day scheduled before the end of the contract, but the new contract may schedule an Amnesty Day in the Fall.

Manager Ginex said that Baird & Warner would like to distribute recycling bins to all residents free of charge, and they are asking if the Village could provide temporary storage for the bins. He asked if the Council has any problem with this. There was no objection.

ATTORNEY'S REPORT

Village Attorney Enza Petrarca said she was presenting six items to the Council: 1) An ordinance authorizing a special use for Illiana Financial Credit Union to permit construction of a drive-thru banking facility; 2) An ordinance amending the Comprehensive Zoning Ordinance of the Village of Downers Grove, Illinois, codified as Chapter 28 of the Downers Grove Municipal Code, as amended to rezone property located at approximately the northwest corner of Ogden Avenue and Cross Street; 3) An ordinance authorizing a special use for Culver's Restaurant to permit a drive-thru facility; 4) A resolution authorizing submittal of grant application to the Bureau of Justice Assistance for the FY 2005 Bulletproof Vest partnership (BVP) Program; 5) An ordinance providing for the issuance of \$4,500,000 taxable general obligation variable rate refunding bonds, Series 2005, of the Village of Downers Grove, DuPage County, Illinois, and providing for the security for and payment of said bonds; and 6) An ordinance providing for the issuance of not to exceed \$10,000,000 general obligation refunding bonds, Series 2005, of the Village of Downers Grove, DuPage County, Illinois, authorizing the execution of an escrow agreement and a bond order and providing for the levy and collection of a direct annual tax for the payment of the principal of and interest on said bonds.

VISITORS

Mr. Robert Criss of 144 N. Ashbury in Bolingbrook said that the Access Health Clinic is in his area and is an abortion mill. It is open three days a week, and on two of those days the lot is full. Last week was the 32nd anniversary of Roe v. Wade. He asked the Council to take a stand on this issue, asking how we can allow multiple killings day after day. He noted that we are a divided nation on this issue.

Pat Durkin of 7213 Webster commended the Council for considering the TIF action, saying it is good for the Village.

COUNCIL MEMBERS

Commissioner Sandack encouraged everyone to attend the Ice Sculpture Festival this coming weekend. He also commended the staff for an excellent job in moving the snow.

Commissioner Schnell added her commendations to the staff, and hoped the Ice Sculpture Festival would be successful.

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Commissioner McConnell added her encouragement for the Ice Sculpture Festival.

Commissioner Urban agreed, and then said that in the middle of the snow storm he was invited to attend a Speech Tournament at Downers Grove South. He said that they invited 56 schools to attend the tournament, 16 of which were from 100 miles away or farther. They spent time in local hotels, restaurants, etc. He also recommended that the School and hotel people get together for next year to encourage more stays.

Commissioner Tully said there was a good turnout of the DuPage Mayors and Managers Legislative conference. It was pointed out that this would be a very contentious legislative season. The State Budget is a disaster, and municipalities can not look forward to much assistance from the State.

He stated he also attended a seminar regarding retailers in communities, and the moderator of the seminar was from Downers Grove. Their emphasis was to find what retailers fit in which communities and how to seek them out. Some points made were to review regulatory issues and permit structures, and the town they focused on was McKinney, Texas and its economic development. He noted that McKinney, Texas co-funds attraction and retention efforts with their local Chamber of Commerce. He said because this was a historic community, they had murals on the buildings depicting historical events. He thought that would be useful in the Village. He closed with his appreciation to Public Works for their job, and encouraged all to attend the Ice Sculpture Festival.

The Mayor thanked the Pierce Downers 4th graders who he visited on Friday. They asked many good questions. He noted that the Kingsley PTA invited him to emcee their Trivia Rounds at their fund raiser on Saturday evening. The Hillcrest 4th graders invited him to come and discuss urban planning with their class. The Mayor then invited everyone to attend the Ice Sculpture Festival.

There being no further discussion, the Workshop meeting was adjourned at 8: 24 p.m.

April K. Holden
Village Clerk

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