

MINUTES OF WORKSHOP MEETING

DOWNERS GROVE, ILLINOIS

OCTOBER 11, 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, Ron Sandack, Stan Urban, William Waldack; Deputy Village Manager Dave Fieldman; Assistant Village Manager Mike Baker; Village Attorney Enza Petrarca; Village Clerk April Holden

Absent: None

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

Residents: Shahid Ainuddin, Elegant Peddler, 415 Ogden Avenue; R. Tony Burgoyne, GPD Group, 520 S. Main, Akron, OH; David Dresdner, Mosaic Properties, 555 Skokie Blvd., Northbrook; Peter Lemmon, Metro Transportation, 212 W. Kinzie, Chicago; Tim McJoynt, 1131 Warren; Lois Prelesnik, Eileen Moroney, Barb Tanner, Cub Scout Pack 227; John Schofield, 1125 Jefferson; Noel and Felicia Michaels, 5427 Brookbank; Dan Loftus, 4704 Main; Gordon Goodman, 5834 Middaugh; Ken Gould, 408 Lake Avenue

Staff: Jim Jackson, Deputy Fire Chief; Keith Sbiral, Director, Planning and Community Development; Mike Millette, Assistant Director, Public Works; Dave Barber, Director, Public Works; Doug Kozlowski, Director, Marketing & Media Relations; Stan Balicki, Assistant Director, Public Works

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.

Mayor Krajewski announced the presence of special guests from Cub Scout Pack 227 of Kingsley School who are working on their citizenship badges. The Scouts introduced themselves and asked questions of the Village Council.

Proclamations: Mayor Krajewski proclaimed the week of October 9 through October 15 as Fire Prevention Week.

The Mayor proclaimed Halloween events to conclude at 8:00 p.m. in the Village of Downers Grove on Halloween, Monday, October 31, 2005.

MANAGEMENT TEAM

Consent Agenda Items

1. **Prosecution Agreements for DUI & Traffic.** Village Attorney Enza Petrarca said these are agreements for Dolci and McMahon to continue as prosecutors for DUI cases in an amount of \$55,000, which is a decrease from last year's agreement.

Ms. Petrarca said the second agreement is with Smith, Ricker & Smith to handle the local traffic and ordinance violations. This is for a six-month period in the amount of \$13,260.

Commissioner McConnell asked for clarification as to why the Village chose to go with flat rates. Ms. Petrarca said this provides a better grasp of expenses and more control by the Village.

The Mayor said there appears to be a huge swing in the number of DUI's. Ms. Petrarca said last year was extraordinary with 480 DUI's. She said this year they expect them to be more in line with the average year.

2. **Bid: Truck Equipment Purchase.** Assistant Village Manager Mike Baker said staff recommends awarding this contract to Auto Truck, Inc. for a 2006 Ford F450 chassis cab in the amount of \$35,297. This is a scheduled replacement of a 1993 truck used for snow plowing and transporting maintenance crews.
3. **Bid: Air Compressor.** Mr. Baker said staff recommends purchase of a Mako breathing air fill station replacing a unit that is 12 years old. Only one bidder met the qualifications. The Village obtained a grant covering 90% of the purchase price which is \$38,475. The contractor is Air One Equipment, Inc.
4. **Bid: Roof Replacement Project at Fire Station #5.**
5. **Bid: Roof Replacement at Village Hall.**
6. **Bid: Roof Replacement at Police Station.**

Mr. Baker said that Items 4, 5 and 6 all refer to roof replacement projects for various Village facilities. The first is Fire Station #5 in the amount of \$30,950 to Knickerbocker Roofing, Inc. 2) Village Hall replacement of three of nine sections of roof to Roofs, Inc. in the amount of \$52,300. 3) The Police Department roof replacement to J.L. Adler in the amount of \$63,010. All of these items were planned and budgeted for, and the combined total is \$146,260.

The Mayor noted that all companies bid on all three projects, and while one was low bidder on one of the projects that same company would not be the low bidder on the next project. He further noted that the price ranges were drastically different. Mr. Baker said that Dann Fitzpatrick contacted the firms and checked with the vendors to see whether combining the bids would have produced lower figures. He was told they would not have been lower. It also depends upon what type of work or material is needed on each facility. Mayor Krajewski said that the bidding pattern on this makes no sense to him, even though they are awarding bids to the lowest bid on each project.

7. **Bid: Rock Salt.** Mr. Baker said staff recommends purchasing 4800 tons of rock salt at \$33.23 per ton from North American Salt Company under the State of Illinois Joint

Purchasing Contract. Additional salt can be purchased if needed. Mr. Baker said that the difference this year is that the Village will not use ClearLane as this year's vendor does not offer a similar product. The purchase is less than 1% over budget at an amount of \$158,504.

Mayor Krajewski asked if he understands correctly that the State has contracted a company that doesn't offer ClearLane.

Dave Barber, Director of Public Works, said that the ClearLane manufacturer ran into legal problems regarding its patents. The product out on the market now is not as efficient.

Active Agenda and Informational Items

1. **Plan Commission File No. 23-05: National City Bank Special Use and Parking Setback Variation.** Deputy Village Manager Dave Fieldman said this is for the location at 401 Ogden Avenue, the southwest corner of Ogden and Fairview. The goals of the implementation strategy for Ogden Avenue include improving appearance, decreasing curb cuts, and increasing property values. This property will not add to the sales tax revenue. The Plan Commission has recommended positively on this petition.

Commissioner McConnell questioned the Fairview Avenue exit and entrance, which is 115 feet from Ogden Avenue. She asked whether it is safe to make a left-hand turn from there during the rush hour period.

Timothy McJoynt, representing National City Bank, introduced representatives in attendance.

Peter Lemmon, traffic study author, said that it obviously is congested northbound. They are maximizing the distance between Ogden Avenue and the access point. Essentially those making left turns would be going north on Fairview or west on Ogden. That is a low volume trip generation during peak hours. Commissioner McConnell said she was concerned about it from a safety perspective.

Commissioner McConnell then asked why the variance was necessary. The Plan Commission minutes did not clearly reflect the necessity for the variance.

Mr. Lemmon responded that they need to maintain ample parking as well as maintain adequate drive aisle widths. Safe circulation around the site requires the variance to maintain those aisle widths. They cannot provide ample parking and safety without the variance.

Commissioner McConnell said they are proposing three drive-through lanes, and asked why they haven't considered two lanes.

Mr. Lemmon responded that the first lane is dedicated to ATM access. Three lanes allows for car stacking necessary for the site to meet the Village Code. They will also be able to install ADA compliant walkways and additional landscaping.

Commissioner McConnell questioned the number of mature trees that are proposed to be taken down.

Mr. Lemmon responded that two will be removed. They want to clean up the site and rebuild it. They are proposing to install significant landscaping at double the amount required. That landscaping will include five trees.

Commissioner McConnell asked for a description of the vinyl fencing proposed as a buffer between the Bank and residential area.

Mr. Lemmon said it is similar to panel-on-panel fencing made of white vinyl with no gaps in between. It is an eight-foot tall privacy fence to allow screening to the residential area to the south. It is maintenance free and will not weather.

Commissioner Schell asked if they plan any softening of the fencing on the residential side. Mr. Lemmon said that is not in the current proposal but they can look into it. He noted that the previous fencing is chain-link.

Commissioner Schnell said that an eight-foot high white fence has a big impact on property and she suggested they consider softening this. Mr. McJoynt said that the neighbors are satisfied with what is proposed.

Commissioner Schnell then questioned the ingress and egress points, saying she has reservations from a safety standpoint about how traffic will get north. This could present a safety issue and may need to be monitored.

Mr. Lemmon said that other than restricting movements, there is not a lot that can be done. It comes down to driver courtesy. He agreed it should be monitored. He noted that the volume on Fairview is about one-third of what it is on Ogden Avenue.

Commissioner Schnell said she would like to have something included in the language to revisit this in six months to evaluate traffic movement. Safety is her main concern. There are many conflicting movements taking place at that intersection, including Fairview decreasing to one lane. Mr. Lemmon agreed that it should be monitored over the next six months. He said the access they are planning to use will be the west-most access point. He further noted that customers self-select less busy times to do their banking business. Their banking hours will permit customers to bank during non-peak times.

Tony Burgoyne, GPD Group, Inc. said that it would be acceptable to them to include language for a six-month follow-up.

Mayor Krajewski said that going northbound, the BP Amoco at Ogden and Main Street is a major traffic issue. Curb cuts were reduced at that site. He said that part of the long-range goals for Ogden Avenue from the Lakota Plan has been to reduce curb cuts. He stated that he appreciates the closures.

Commissioner Waldack addressed staff saying that in the minutes of the Plan Commission the Commission requested a traffic report. He asked why those reports were not made available prior to the Plan Commission meeting so the Commission could discuss these issues.

The Mayor responded that this plan resulted in reducing the curb cuts from four to two. Staff's recommendation, according to his interpretation of the minutes, was that the curb cuts reduced some of the safety issues. The staff did not feel a study was needed at that time. The Plan Commission requested the traffic study.

Commissioner Waldack said he was glad about the eight-foot high fence. He is concerned about lighting and hopes that the lights are not too bright and intrusive on the neighbors. He noted that

the Bank has extended hours with the ATM being open for 24 hours. He requested that the lighting be cut down during the after hours. Mr. Lemmon said that they are only proposing lighting for the first two drive-thru lanes. The lighting coming under the canopy is the only lighting on the south side of the property. Light poles will be shielded.

Commissioner Tully said that the petition request is for a Special Use under Section 28-1904, which has four criteria which he reviewed. He noted that this is an appropriate use and is consistent with the Ogden Master Plan. He asked about the concerns of placing a six-foot fence on a two-foot berm.

Keith Sbiral, Director of Planning & Community Development, said it simply came down to how the screening would be handled by the petitioner.

Commissioner Tully said the Plan Commission meeting also discussed improving dead-end signage on Lake Street, and asked for information on that issue. Mr. Sbiral said he would look into this question.

Commissioner Tully stated he sees no problem with granting the Special Use. In terms of the variation, the required setback is 50 feet, and the petition is asking for a 12-foot variance. This is Ogden Avenue and it has unique circumstances which present many challenges. He does not see the 12-foot setback variance altering the character of the locality. He sees no problem with this.

2. **Flood Plain Variance.** Deputy Village Manager Fieldman said this item concerns property at 5427 Brookbank. The petitioner wants to construct a detached garage one foot above the base flood elevation, while the Ordinance requires three feet above the base flood elevation. The Stormwater and Floodplain Oversight Committee voted unanimously to recommend approval. Staff also recommends approval.

The Mayor said he still doesn't understand the three-foot requirement, and noted that the County and others use one foot. He has no problem with using the one-foot figure.

STANDING COMMITTEE REPORTS

There were no reports from Public Services, Public Safety, or Finance and Administration.

MANAGEMENT TEAM'S REPORT

Attorney Petrarca said that Station 5 will have an open house on Wednesday evening. Also, Friday evening is the 11th anniversary of the Silent Parade. It will begin in Hinsdale, traveling down Maple Avenue to Lisle.

Deputy Village Manager Fieldman said that the Gilbert Avenue sidewalk project begins tomorrow. There will be some road closings involved.

Mr. Fieldman also noted that a resident of Yonkers, New York has posted a copy of the Village's 1963 Comprehensive Plan on E-Bay with an opening bid of \$2.50. There have been no bids to date.

ATTORNEY'S REPORT

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Attorney Petrarca asked the Council to consider waiving the one-week waiting period to consider new business.

Commissioner Tully moved to waive the traditional one-week waiting period for the purpose of authorizing an employment agreement for the Village Manager's position, and a Motion to appoint a Village Manager. Commissioner Urban seconded the Motion.

AYES: Commissioners Tully, Urban, Waldack, Sandack, McConnell, Schnell, Mayor Krajewski

NAYS: None

The Motion carried.

A RESOLUTION AUTHORIZING EXECUTION OF AN EMPLOYMENT AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND CARA L. PAVLICEK

RESOLUTION 2005-64

Commissioner Tully moved to adopt a Resolution authorizing an employment agreement between the Village of Downers Grove and Cara L. Pavlicek as presented. Commissioner Urban seconded the Motion.

Commissioner McConnell said she is very excited to have Cara join the Village.

Commissioner Schnell thanked the Management Team for their job since Manager Ginex has left. She thinks Cara will bring many skills to the table that will help staff do their job to their best ability. She has a wealth of knowledge, especially in economic development that will benefit the Village.

Commissioner Sandack also expressed his appreciation to the Management Team in heading up the transition and the process. A consultant was engaged and numerous candidates applied. Staff and the public had an opportunity to meet the final two candidates. It gave the Council an opportunity to see the candidates in various situations.

Commissioner Waldack said this is an important agreement because it affects the quality and delivery of the services that the residents and businesses expect. He said the agreement is the result of a process between the Council and Ms. Pavlicek. He would have taken a different philosophy and a different course of negotiation. He believes in compensation for performance and not for expectations. From his perspective they negotiated more on expectations than on performance. He thanked the Management Team that is in place and performed admirably. He reviewed the process the Village conducted, believing the consultants and recruitment team did a great job. He believes the Village Council learned the value of being a transparent government. He thinks Ms. Pavlicek will serve the community well, and looks forward to sitting down with her and chatting one-on-one.

Commissioner Urban said there is not much more to be said. The process was transparent and was the right process. He personally wanted to thank the team that helped the Village get through the process. He thinks they have created a team and he hopes it continues between staff, staff and Council, and staff and the constituency. He said that the candidates were asked to meet some

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very hard requirements and they did so. He is proud that so many candidates applied for the position.

Commissioner Tully was impressed with Ms. Pavlicek's abilities and accomplishments. She holds tremendous promise. He is confident she will achieve the expectations set by the Village. He thanked the Council members and Village staff for their work in this process. Good candidates and leaders do not join bad organizations. High quality people were attracted to the Village because of the high quality people the Village already has on staff. He believes the outcome of the negotiations was fair and reasonable, and he thinks it is appropriate. There were over 70 applicants. Commissioner Tully then thanked the residents who participated in the process as well.

AYES: Commissioners Tully, Urban, Waldack, Sandack, McConnell, Schnell, Mayor Krajewski

NAYS: None

The Motion carried.

Commissioner Tully moved to appoint Cara L. Pavlicek as Village Manager effective November 14, 2005 pursuant to Section 2-19 of the Downers Grove Municipal Code. Commissioner Urban seconded the Motion.

AYES: Commissioners Tully, Urban, Waldack, Sandack, McConnell, Schnell, Mayor Krajewski

NAYS: None

The Motion carried.

Village Attorney Enza Petrarca said she was presenting four items to the Council: 1) A resolution authorizing execution of an agreement for legal services with Dolci & McMahan; 2) A resolution authorizing execution of an agreement for legal services with Smith, Rickert & Smith; 3) an ordinance authorizing a special use for National City Bank to permit construction of a drive-through banking facility with variations; and 4) An ordinance granting Stormwater variance for 5427 Brookbank Road.

VISITORS

Ken Gould, 408 Lake Avenue said he was not aware that the National City Bank item was on the Agenda for this evening. He said he doesn't know what has been decided regarding the access from Fairview Avenue in and out of the bank. He asked if the traffic study was made, and the Mayor said it was concluded. Mr. Gould asked the results of the study.

Commissioner Tully gave Mr. Gould his copy of the report, stating that the report says that traffic will not be materially worsened by the development.

Mr. Gould said that traffic will not be worsened, but the accidents will increase. It should be a right-in and right-out only. He said some people will cross four lanes of traffic.

COUNCIL MEMBERS

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Commissioner Waldack said there seems to be a never-ending stream of bad news, such as the tsunami, hurricanes, and now earthquakes. He mentioned funds that were raised for hurricane relief, saying that the Church World Service is already involved in distributing relief assistance for the earthquake victims in Pakistan and India. There will be a Crop Walk on Sunday, October 16 by the Church World Service. Commissioner Waldack said he expects to have lost 20 pounds by that time in his effort to assist in fund raising. He asked the citizens to respond to this project at Gloria Dei Church, October 16 at 1:30 p.m., or by contacting himself via e-mail, or Wally Calaway at 910-1179. Church World Service can be checked through their website at churchworldservice.org.

Commissioner Waldack said that the Consumer Advisory Committee of DuPage is looking for people to participate in the Para Transit program providing transportation for senior citizens.

Commissioner Schnell announced that Character Counts Pancake Breakfast will be held at Ballydoyle's on October 29 from 8:00-11:00 a.m.

Commissioner Urban asked staff to research the moratorium on banks that he understands is taking place in some surrounding communities. He explained this has nothing to do with the previous petition reviewed this evening. He heard that Hinsdale has something of this nature in discussion.

Commissioner Tully congratulated the Downers Grove Historical Society on their book, *Voices That Are Gone*, a guide through the Main Street cemetery. Secondly, he reminded everyone that there is a 12" softball game between the Fire Department and the Police Department after the Crop Walk at O'Neill Middle School to benefit the Indian Boundary YMCA. Thirdly, Commissioner Tully announced that the next Coffee with the Council will take place at the Farmer's Market on October 15 at 9:00 a.m. This will be the last Farmers' Market for this season.

Mayor Krajewski said he sits on the Fire Pension Board and they recently discussed the new hires. There are some documents needed that are not being provided, and he asked that Human Resources require the documentation before an individual starts work.

There being no further discussion, the Workshop meeting was adjourned at 7:55 p.m.

April K. Holden
Village Clerk

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