

MINUTES OF WORKSHOP MEETING

DOWNERS GROVE, ILLINOIS

MARCH 27, 2007

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, Ron Sandack, William Waldack, Sean P. Durkin; Village Manager Cara Pavlicek; Village Attorney Enza Petrarca; Village Clerk April Holden

Absent: Commissioners Martin Tully and Stan Urban

Visitors: **Press:** Samantha Nelson, Downers Grove Reporter

Residents: John Schofield, 1125 Jefferson Avenue; Linda Kunze, 4801 Montgomery; Andy Clark, Downers Grove Watch, 1226-62nd Street; Perry Erhart, Gloria Dei Lutheran Church, 4501 Main Street, Rob Pekelder, DG Professional Firefighters, 6912 Main Street, Suite 21; Geoff Neustadt, 4633 Saratoga; Christine Fregeau, 1918 Elmore Avenue; Mark Thoman, 1109 61st Street; Damienne Souter, 605 Prairie Avenue; Bruce Beckman, 4629 Middaugh; David Stamm, New England Builders, Inc. 4927 Main Street, Skokie; Kirby Eisman, 445 Austin

Staff: Dave Fieldman, Deputy Village Manager; Mike Baker, Assistant Village Manager; Stan Balicki, Assistant Director, Public Works; Jim Black, Deputy Police Chief; Liangfu Wu, Director, Information Services; Wes Morgan, Director, Human Resources; Judy Buttny, Acting Director, Finance; Mary Scalzetti, Director, Community Events; Phil Ruscetti, Fire Chief; Jeff O'Brien, Senior Planner, Community Development

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. Consent Agenda Items

- a. **Authorization to Request Road Salt from State Contract.**
- b. **Heritage Festival – Bingo Vendor.**
- c. **Heritage Festival Agreement – Generator Contract.**

d. Contract Renewal – Health Plan Consulting and Accounting Services.

Mayor Krajewski asked if the accounting services could be done internally.

Village Manager Cara Pavlicek said the GCG was more proactive in 2006 than in 2005. The long-term goal is not to pay for the accounting services and to reduce fees.

The Mayor asked if this contract is on an 18-month basis.

Village Attorney Enza Petrarca said this was done on an 18-month basis, although she believes the contract allows the Village to terminate at any time.

e. Bid: Supply of Traffic Sign Maintenance Materials.

f. Bid: Thermoplastic Pavement Marking Services.

g. HIPAA Opt-Out Resolution.

h. PMA Resolutions:

- **Resolution designating PMA as Village broker of record and designating signatories**
- **Resolution authorizing an Institutional Brokerage Account Agreement**
- **Resolution authorizing an Account Agreement with PMA**

Commissioner Durkin recommended an RFP for this in the future.

The Mayor noted that this work can probably be done internally.

The Manager said that prospective candidates will be asked about their experience with monitoring investments.

Commissioner Waldack said he also asked about looking at other vendors.

i. Resolution to Participate in the Suburban Tree Consortium and Authorize Tree Supply and Planting Service for FY07.

Commissioner Waldack said this is a very good program and he is glad to see the Village is getting 175 trees. He noted that he learned about this program through the Standing Committee meetings. These meetings were a great opportunity for residents, departments and the Council to learn about programs. He feels that the Standing Committee meetings provided many opportunities to learn about Village services and programs. He would like to see more Standing Committee meetings.

j. Authorization of FY2007-08 Downtown Management Corporation Budget.

Commissioner Schnell said this a pass-through for the Council.

k. Grant Application: Mini-Grant Alcohol Program (MAP).

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Commissioner Waldack said he fully supports this program. He enumerated the goals to: 1) Reduce the number of fatal and alcohol-related traffic crashes; 2) Increase enforcement of impaired driving laws; and 3) Achieve a higher use of safety belts and child safety seats. Enforcement performance objectives are: 1) 40-46 patrol hours per enforcement campaign; 2) A minimum of one citation every 60 minutes of patrol; 3) A minimum of one DUI arrest for every ten hours of actual patrol; and 4) a DUI processing rate of no more than two hours. With respect to objectives 2 and 3, Commissioner Waldack said he has a hard time enumerating these as goals. The goal would be not to find any DUI's. He said he wished the objectives were stated in a different manner.

Regarding teen drinking, Commissioner Waldack said he would like to know the Village's initiatives to cut down on teen drinking as well as getting parents involved.

Regarding seat belts and child safety seats, Commissioner Waldack suggested doubling fines for those stopped for a violation while using a cell phone.

Commissioner Waldack referenced controlled buys mentioned in the *Village Corner*. He asked if there were any failures. He said he has not seen reports recently. The Commissioner said he likes that the Village has a Liquor Commission and a Liquor Commissioner. He likes that the applicant has to answer a number of questions and that the application procedure is taken seriously. A violation results in a hearing and a recommendation of a fine/suspension. He asked about reports on overservice.

Ms. Petrarca said there are no such reports.

Commissioner Waldack said the Village needs to get back to meetings to enforce our laws.

The Manager noted that the performance objectives are established through the grant process. The expectation is that, with appropriate enforcement, we should expect to meet these objectives. With respect to teen drinking, she noted that the Police Chief is researching this matter. She will discuss with the Police Chief the matter of cell phones.

The Mayor noted that he gets regular updates from the Liquor Commission.

Ms. Petrarca said this information is provided to all Council members. She will provide last month's report to the Council again.

Commissioner Sandack noted that Clarendon Hills and Hinsdale had a combined meeting regarding teen drinking. He suggested looking at this. This may be a topic for Commissioners Urban and Durkin to review in a Public Safety Committee meeting. He commented that the issue with the grant application is public safety. He said he would like to use funds for education.

The Manager said the mini-grant is to pay for overtime for sworn peace officers to conduct the enforcement campaigns.

Ms. Petrarca noted that Beverage Alcohol Sellers and Servers Education and Training (BASSET) training is part of the Village's ordinance and is a requirement for all establishments.

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Commissioner Sandack noted that this is an enforcement component. We need to get to the dispensers of alcohol and make sure they understand their requirements.

Commissioner Durkin noted that he served on the Liquor Commission prior to being appointed to the Village Council. Training regarding overserving was one of the main topics of the Liquor Commission.

The Mayor asked if all servers are fully trained in BASSET.

Ms. Petrarca said January 1 was the compliance deadline.

The Mayor noted that when a person is stopped for a DUI, he or she is asked where they were served.

The Mayor asked how long the Village has had this grant program. The Manager responded that this is the fifth year.

The Mayor asked about training for the police officers.

The Manager explained that IDOT has postponed the required training course until October 1, 2008. Our staff will be trained within that time period.

The Mayor asked that staff research educating vendors regarding selling cigarettes to minors.

2. Active Agenda and Informational Items

a. **Roadway Classification Map Amendment.**

The Manager said an ordinance has been prepared to amend the Roadway Classification portion of the Future Land Use Map.

Commissioner Schnell asked if residents on streets to be reclassified were notified.

Stan Balicki, Assistant Director, Public Works, said he would research this.

Commissioner Schnell said it does not seem as if there was much citizen input.

Bill Wrobel, 7800 Queens Court, said that at the last candidate's forum, issues of streets including calming devices, etc. were discussed. Chris Lavoie presented him with a book, "Traffic Calming State of the Practice." He said it would be prudent to reclassify streets so the traffic calming devices could be further investigated. It makes a great deal of difference to those who live on the streets. He encouraged the Council to investigate this issue and to be thorough.

b. **Budget Amendment for Fiscal Year 2006/2007.**

The Manager said this is for the eight-month period that ended December 2006. Staff has identified minor adjustments as they prepare for the audit.

The Mayor asked if there will be more amendments coming forward. The Manager said this is the final amendment.

Commissioner Waldack said this amends the budget by \$25,000 for taxi coupons. He said he supports transportation programs for seniors and people with disabilities. Our experience indicates that we should increase the budget. He noted that there is a \$100 limit per month on the taxi coupons. Seniors note that this amount runs out quickly. He said we serve over 325 seniors. This program is more efficient than the Ride DuPage program.

Commissioner Waldack mentioned the possibility of misuse of the coupons, as he has heard there is some abuse of this program. He would like the Human Service Commission to review this and recommend ways to limit misuse. He suggested that seniors could show IDs when paying to cut down on misuse. He would like to protect and expand this program, but wants to be sure it is used properly.

The Mayor asked for a report of users and the cost of the program for the last eight years.

Commissioner Schnell said she would like a report regarding destinations, as the smaller buses might be used for some services.

The Mayor asked staff to look into the status of the smaller buses for Peace Memorial and Immanuel Residences.

c. Reservation of Private Activity Bond Volume Cap Authority.

Deputy Village Manager Dave Fieldman said that each year the State grants each Home Rule municipality the authority to issue tax exempt bonds for certain qualifying industrial development and low income housing projects. This year the Village's private activity bond volume cap is \$4,172,990. State law requires the Village to grant, transfer or reserve the bond authority by resolution no later than May 1, 2007. Staff is recommending that the Village reserve the private activity bond volume cap authority for two reasons. There is a business in town that may come forward to apply for the use of the bond. Secondly, we have some interest in other financial entities that have requested the use of our authority. This action would not obligate the Village to issue any bonds, but would simply reserve the right to issue private activity bonds or transfer the Village's bonding authority to another entity during 2007.

In response to Mayor Krajewski, Mr. Fieldman said there is the potential of a couple of projects in Illinois that may want our bonding authority, but have not finalized their financing yet. Generally the going rate that a business would pay for this funding is 1%.

Commissioner Waldack noted that Roger Morsch of the Illinois Housing Development Authority spoke at the middle-income housing discussion. He is an expert in using bonding authority and is a big proponent of using it towards middle-income housing. That would be another option Council could use.

Mark Thoman, 1109 61st Street, said it was clarified to him today that this will remain an active agenda item. He requested that the Council tell residents what is going on. If we are considering a project that is beneficial to our community and has benefits for Village industrial based revenues, then residents should know about it so they can support it. In the meantime, if it cannot be discussed, he asked that the ordinance itself contain a section of language making it clear that there is no reservation of cap amount for any specific purpose. He further asked for language that makes it certain that any and all specific cap requests are

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required to go through all steps of the complete proper process. Any application is subject to full disclosure, public input, discussion and debate every step along the way.

The Mayor noted that last year the funds were used for Peace Memorial and Immanuel Residences.

Mr. Fieldman said the Village has a policy addressing the issues raised by Mr. Thoman, as does the Municipal Code. He would not recommend any changes be made to the ordinance.

The Manager said staff has sometimes missed opportunities and wants to provide Council will all options. There are no specifics at this time.

The Mayor said the Village has sold their bond authority in the past.

d. Special Use with Variation from Code and Final Plat of Consolidation for Gloria Dei Resubdivision.

Commissioner Sandack noted that a number of churches have been going through renovations. He said this is in compliance with one variation and seems reasonable. The Plan Commission recommended unanimous approval.

Commissioner Schnell said that that the petitioner should do whatever can be done to buffer the residents to the south.

e. Final Planned Development Amendment to Acadia on the Green Sign Plan.

Jeff O'Brien, Senior Planner, Community Development, said the Acadia on the Green project was approved in November 2005. As a condition of the original Planned Development, the petitioner was required to bring a Master Sign Plan back to the Plan Commission and the Village Council for review. The petitioner is proposing a combination of wall signs and awnings. Mr. O'Brien explained that there are two zoning lots associated with this request. Building 1 is on one zoning lot and Buildings 2 and 3 are on the other. As such, Building 1 is permitted a total of 300 square feet of signage; Buildings 2 and 3 are permitted a total of 300 square feet. Total square footage for the buildings will comply with the Sign Ordinance requirements.

Commissioner Sandack noted how important the Sign Ordinance was when it was passed. He said new buildings are coming into compliance at the time they are built. Old buildings have time to come into compliance.

Mayor Krajewski asked when the staff would be presenting information regarding the signs on Butterfield Road.

Mr. O'Brien said the Plan Commission met about this in March. It should be presented soon.

MANAGER AND DIRECTORS' REPORTS

The Manager said, pursuant to Code, she was providing notification to the Council regarding applications to operate an outdoor Sidewalk Café from Ballydoyle Irish Pub and Restaurant, and from Emmett's Ale House. Permits will be issued within 72 hours.

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The Manager said she is transmitting a report regarding petitions to vacate the alley adjacent to 4714 Douglas Road, the alley between Franklin Street and Austin Street, and the alley adjacent to 445 Austin Street. Staff recommends placing all three alley vacation discussions on a future Workshop agenda.

The Manager then noted that Assistant Village Manager Mike Baker has been elected to the International City County Management Association governing body. He will be a vice-president. He will be sworn in and will serve a three-year term as of October. She said it is noteworthy that Mike's peers have elected him to be one of two people that represent the entire Midwest region.

Village Clerk April Holden said Early Voting began yesterday, March 26 and would continue through April 12, 2007. Hours are 8:00 a.m. to 4:30 p.m. Mondays, Wednesdays, Thursdays and Fridays. The hours on Tuesdays are 8:00 a.m. to 7:00 p.m. Saturday hours are 8:00 a.m. to 1:00 p.m.

Dr. Liangfu Wu, Director, Information Services, announced that the Technology Commission will hold its next meeting on Thursday, April 12 at 6:00 p.m. in the Council Chambers. The agenda will be to review the website.

Commissioner Durkin asked, with respect to the sidewalk café licenses, if staff was recommending any changes from last year.

The Manager said there were no changes, but staff will work directly with the managers of Emmett's regarding noise.

Ms. Petrarca said one license is for two years. All other terms and conditions remain the same.

Commissioner Schnell asked if residents could bring their laptop computers to the Technology Commission meeting. Dr. Wu said they could.

Commissioner Waldack asked, with respect to the Sidewalk Café licenses, about clean up efforts after the events.

In response to Commissioner Waldack, Ms. Petrarca said these consist of two separate components: The Sidewalk Café License Agreement is required to allow for the operation of outdoor cafés on public property. The liquor license is a separate license.

Commissioner Waldack said if there are violations, it could impact their liquor license. Ms. Petrarca agreed.

The Manager noted that Ballydoyle's application is to operate an outdoor café within the CBD Parking Deck pedestrian right-of-way adjacent to their building. Emmett's has made improvements to public property. The café will be located on a permanent structure that was constructed in 2006 in the Village right-of-way.

The Mayor said the appointments to Boards and Commissions will be moved to next week as not all the resumes were sent out with the resolution.

ATTORNEY'S REPORT

Village Attorney Enza Petrarca said she was presenting 14 items to the Council: 1) A resolution authorizing execution of an extension to the contract with Gen Power, Inc.; 2) A resolution to opt-out of compliance with the provisions of the Federal and Illinois Health Insurance Portability and Accountability Acts for the Village health plan year 2007; 3) A resolution authorizing execution of a plan consultant & accounting administration agreement with GCG Financial; 4) A resolution authorizing execution of an account agreement with PMA Financial Network, Inc.; 5) A resolution authorizing execution of an institutional brokerage account agreement with PMA Financial Network, Inc.; 6) A resolution designating PMA as Village brokerage of record and designating signatories; 7) A resolution expressing intent to continue participation in the Suburban Tree Consortium and to authorize certain purchases for FY 2007; 8) An ordinance reserving 2007 volume cap for private activity bond issues, and related matters; 9) An ordinance providing for an amendment to Ordinance #4832 and the Village of Downers Grove budget for fiscal year 2006/07; 10) An ordinance amending the future land use map; 11) An ordinance authorizing a special use for 4501 Main Street to permit a church facility with a variation; 12) A resolution approving the Gloria Dei Lutheran Church final plat of consolidation; 13) An ordinance approving a planned development amendment to Planned Development #37 for a master sign plan for an existing multi-family residential/commercial development; and 14) A resolution authorizing submittal of grant application to the Illinois Department of Transportation for the mini-grant alcohol enforcement program (MAP). She asked the Council to consider waiving the traditional one-week waiting period to consider voting on the resolution authorizing submittal of the grant application for the mini-grant alcohol enforcement program.

Commissioner Sandack moved to waive the one-week waiting period to consider new business. Commissioner Schnell seconded the motion.

VOTE: AYES: Commissioners Sandack, Schnell, Durkin, Waldack, Mayor Krajewski

NAYS: None

Mayor Krajewski declared the Motion passed.

A RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR THE MINI-GRANT ALCOHOL ENFORCEMENT PROGRAM (MAP)

RESOLUTION 2007-29

Commissioner Schnell moved to authorize submittal of grant application to the Illinois Department of Transportation for the Mini-Grant Alcohol Enforcement Program (MAP), as presented. Commissioner Sandack seconded the motion.

VOTE: AYES: Commissioners Schnell, Sandack, Durkin, Waldack, Mayor Krajewski

NAYS: None

Mayor Krajewski declared the Motion passed.

VISITORS

Mark Thoman, 1109 61st Street, said that at the Coffee With The Council, Cameo Condominium residents were in attendance regarding the construction of a recycling and transfer station on Thatcher. He said misinformation was given regarding this being tabled. He asked about this item being on the April 10, 2007 Workshop agenda. He asked that details be made public as soon as possible.

The Mayor said the recommendation from the Plan Commission is already public.

The Manager said the staff recommendation will be available on the Friday before the Workshop meeting. Staff will make sure that residents from Cameo will be aware of corrections to information that may have been reported at Coffee With The Council.

Mr. Fieldman said the item concerns a petition for a special use for a recycling facility at 5240 Thatcher. He said this was the subject of a hearing in January conducted by the Plan Commission.

Commissioner Schnell asked if the traffic study will be ready by April 10. Mr. Fieldman said he does not know if it will be ready by that time.

Commissioner Schnell said the traffic study is an important component to discussing this and is important to the residents regarding implementation. She reiterated that she would like to know if the study will be available. She wants to have all pieces of this compiled for the discussion.

Bill Wrobel, 7800 Queens Court, said he is with the Downers Grove Coalition for Managed Redevelopment. He gave an update on 4500 Bryan Place and reported that on March 26 the structure was destroyed and a backhoe is loading debris into a truck. He said the Coalition is happy this has taken place. He suggested this would be a good time to review the Village's codes. He thanked everyone that made this happen and said that people on the block are excited by this.

The Mayor thanked Judge Bonnie Wheaton for allowing the Village to enforce our Codes.

Kirby Eisman, 445 Austin, asked if there will be an opportunity for discussion of the alley vacation. The Manager said there would be an opportunity for discussion. Staff will communicate with him.

COUNCIL MEMBERS

Commissioner Sandack extended congratulations to Mike Baker. With respect to the taxi subsidy, he said he hopes the mini-buses will be part of the conversation for helping seniors get around.

Commissioner Sandack said he attended an art opening sponsored by the Park District for historic pieces.

Commissioner Waldack provided an update regarding House Bill 1500 regarding cable competition. He attended a Mayors and Managers conference on HB 1500, or so called "cable competition." He referenced a commercial aired on TV, and noted that we need the residents support in opposition to this bill. He said AT&T is sponsoring project Lightspeed, a totally

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unnecessary bill. Commissioner Waldack said the Village has a franchise agreement with Comcast and we would love to have competition. Specific provisions of this bill include no enforcement of discrimination based on race, AT&T can be selective in terms of areas of coverage, there is no requirement for community access channels, it does not protect the right-of-way. Currently the Village controls the right-of-way and under this bill, we would not have this control. The use of eminent domain would be permitted. He showed examples of the size of the boxes and said one box would be need for every 300 customers. It is proprietary and a very dangerous situation. Viewer privacy will not be respected. This will not result in lowering costs. They may not offer basic packages and may only offer higher end packages. The Chairman of the House Telecommunications Committee is Mr. Brosnahan. Commissioner Waldack said AT&T has contributed thousands of dollars to this Committee. Residents need to let Mr. Brosnahan know how we feel. He urged people to contact the House to change this.

The Mayor said we are fighting an uphill battle. He encouraged people to contact their legislators. Federal legislation is also being considered; as such, the FCC would regulate disputes.

Commissioner Schnell congratulated Mike Baker. On another matter, she asked staff to provide information as to when yard waste pick up begins. Commissioner Schnell extended 40th wedding anniversary wishes to her husband.

The Mayor extended his congratulations to Mike Baker. He noted there are six regions and they hold quarterly meetings typically held in the US.

Kirby Eisman, 445 Austin asked if there is a website for more information about HB 1500. The Mayor said the Village Attorney has information. The Manager suggested a link to the DuPage Mayors and Managers Conference.

ADJOURNMENT

There being no further discussion, the Workshop meeting was adjourned at 8:00 p.m.

April K. Holden
Village Clerk