



Village of Downers Grove Meeting Minutes Downers Grove Village Council

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

Tuesday, September 6, 2011

7:00 pm

Council Chambers

1. Call to Order

Mayor Martin Tully called the regular meeting of the Village Council of the Village of Downers Grove to order at 7:00 p.m. in the Council Chambers of the Downers Grove Village Hall.

Pledge of Allegiance to the Flag

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

2. Roll Call

Present: Commissioner Marilyn Schnell, Commissioner Bob Barnett, Commissioner William Waldack, Commissioner Becky Rheintgen, Commissioner Geoff Neustadt and Mayor Martin Tully

Absent: Commissioner Sean P. Durkin

Non Voting: Village Manager David Fieldman, Village Attorney Enza Petrarca and Village Clerk April Holden

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 of a general matter. 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. Finally, an opportunity is given for public comments and questions on items appearing on the Consent Agenda, the Active Agenda and the First Reading.

The presiding officer will ask, at the appropriate time, 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. Remarks should be limited to five minutes, and asked that individuals refrain from making repetitive statements.

Mayor Tully 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 Council Meetings

Council Minutes - August 16, 2011

Comprehensive Plan Minutes - August 16, 2011

Long Range Financial Planning Minutes - August 23, 2011

The Village Manager said that Commissioner Durkin mentioned a small change to him in the Long Range Financial Planning minutes, and that has been given to the Village Clerk.

Mayor Tully asked for a Motion to approve the minutes as amended.

Commissioner Schnell moved to approve the minutes as amended. Commissioner Barnett seconded the motion.

The Mayor declared the Motion carried by voice vote.

9-11 Presentation

Fire Chief Jim Jackson said that he and Police Chief Porter recently shared some of their comments and thoughts about the upcoming anniversary of 9/11. It was one of the worst days in history and changed many lives. This was the worst attack on U.S. soil ever. There will be many stories in the media in the days approaching the 10th anniversary of 9/11, but the moral of these stories is to reflect, remember and pay tribute. Nearly 3000 people, including 60 police officers and 243 firefighters, died that day. It was a day of unselfish acts of heroism. Many people remember where they were and what they were doing on that day. Chief Jackson remembered that he was at a morning shift change at the fire station and was planning to go to training. When the TV news broke in, there was a special report about a plane that crashed into the World Trade Center. He could not believe his eyes as he watched on television with other firefighters, as the Towers were attacked and then collapsed. America was under attack and life would not be the same. Over the years since that attack, Chief Jackson has seen how 9/11 has affected public safety. People rely on their Fire and Police Departments daily. Because of 9/11, weapons of mass destruction and terrorist responses have been added to the list of items that public safety officers have to know about in order to assure the public safety. 9/11 has changed the way the Fire and Police do business. Chief Jackson asked that on Sunday, September 11, people take a moment of silence to remember the courage, strength and sacrifice of those who lost their lives.

Mr. Fieldman said that members of the community may join the Village at 11:50 a.m. for a moment of silence on Main Street in front of Rocco and Rocco's.

Mayor Tully said that everybody remembers where they were at the time the Trade Center Towers were attacked. He said that on September 12, everyone became aware of something different having occurred, and it was a frightening sense of awareness.

4. Public Comments - General Comments on Matters Not Appearing on Tonight's Agenda

Tom LeCren, 545 Chicago Avenue, said that the Village has spent a lot of money on the Comprehensive Plan to determine what the Village should look like ten years from now. He asked, instead, that the Village take time to decide what they want the Village to look like now, and determine what is being done to get there. The problem he sees is empty houses. There are over 200 vacant homes in Downers Grove according to the Chicago Tribune. He said that the Village does not know where these homes are. He gave three addresses to the staff. He noted, however, that staff does not have enough tools to police these vacancies, and asked if they can do something to control the vacant houses. There are outdoor maintenance issues to be addressed. Mr. LeCren also asked about doing something about rentals in the Village. He would like the Council to give consideration to tools needed, and zoning or ordinance changes necessary that would help in this situation.

Mr. LeCren also asked that at the budget meetings, the Village look at its Police and Fire Departments and what we are asking the officers to do. There have been reported killings of police officers by ambush in other areas. The officers need to be well trained for their protection, and should not be working alone.

Mayor Tully said that the Village is interested in protecting our first responders, just as the first responders are interested in protecting the Village citizens. As for the housing situation, there are other communities in this situation, and the Village and staff are keeping their eyes and ears

open for tools regarding the vacant houses.

5. Public Hearings

6. Consent Agenda

COR 00-04619 A. Claim Ordinance: No. 5913, Payroll, August 12, 2011

Sponsors: Accounting

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

Indexes: N/A

BIL 00-04620 B. List of Bills Payable: No. 5916, September 6, 2011

Sponsors: Accounting

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

Indexes: N/A

MOT 00-04621 C. Motion: Award \$86,800 to Martam Construction, Inc., Elgin, IL, for Lot A Retaining Wall Rehabilitation (CIP P-012-11)

Sponsors: Public Works

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

Indexes: Parking Lots

RES 00-04622 D. Resolution: Allow Participation in a State-Wide Joint Purchasing Agreement with Sprint Solutions, Inc.

Sponsors: Finance

Summary of Item: A RESOLUTION AUTHORIZING EXECUTION OF A LETTER OF AUTHORIZATION ALLOWING THE VILLAGE OF DOWNERS GROVE TO PARTICIPATE IN A STATE-WIDE JOINT PURCHASING AGREEMENT WITH SPRINT SOLUTIONS, INC.

RESOLUTION 2011-58

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

Indexes: Telephone System

RES 00-04623 E. Resolution: Submit Grant Application for 2011 Assistance to Firefighters Grant Program for Ambulance Acquisition

Sponsors: Fire Department and Finance

Summary of Item: A RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO THE US DEPARTMENT OF HOMELAND SECURITY FOR 2011 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM

RESOLUTION 2011-59

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

Indexes: Firefighters Grant Program

RES 00-04624 F. Resolution: Submit Grant Application for 2011 Assistance to Firefighters Grant Program for Turnout Gear Acquisition
Sponsors: Finance and Fire Department
Summary of Item: A RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO THE US DEPARTMENT OF HOMELAND SECURITY FOR 2011 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM

RESOLUTION 2011-60

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

Indexes: Firefighters Grant Program

MOT 00-04542 G. Motion: Approve the FY11-12 Budget for the Downers Grove Downtown Management Corporation
Sponsors: Manager's Office
Summary of Item: This approves the 2011/12 Downers Grove Downtown Management Corporation budget.

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

Indexes: Downtown Management Corporation

RES 00-04626 H. Resolution: Submit Grant Application to the Housing and Urban Development Department Community Planning Challenge Grant
Sponsors: Community Development and Finance
Summary of Item: A RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO THE HOUSING AND URBAN DEVELOPMENT DEPARTMENT COMMUNITY PLANNING CHALLENGE GRANT

RESOLUTION 2011-61

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

Indexes: Subdivision, Zoning Ordinance

RES 00-04627 I. Resolution: Provide for the Issuance of Revenue Bonds, Midwestern University, Series 2011 by the Industrial Development Authority of the City of Glendale, Arizona
Sponsors: Manager's Office

Summary of Item: A RESOLUTION APPROVING THE ISSUANCE BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF GLENDALE, ARIZONA OF ITS REVENUE BONDS, MIDWESTERN UNIVERSITY, SERIES 2011, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$45,000,000 WITH RESPECT TO FACILITIES OF MIDWESTERN UNIVERSITY LOCATED IN THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS, AND APPROVING CERTAIN RELATED MATTERS

RESOLUTION 2011-62

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

Indexes: Bond Issue, Midwestern University

MOT 00-04636 J. Motion: Note Receipt of Minutes of Boards and Commissions

Summary of Item: Library Board - July 27 and August 10, 2011
Transportation and Parking Commission - March 9 and May 11, 2011
Zoning Board of Appeals - July 27, 2011

A motion was made to Note Receipt Of this file on the Consent Agenda.

Indexes: Boards and Commissions Minutes

Passed The Consent Agenda

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

Votes: Yea: Commissioner Schnell, Commissioner Barnett, Commissioner Waldack, Commissioner Rheintgen, Commissioner Neustadt and Mayor Tully

7. Active Agenda

8. First Reading

Village Manager Fieldman said that all five items under First Reading are Community Development issues.

RES 00-04628 A. Resolution: Approve Final Plat of Subdivision for 318 4th Street

Sponsors: Community Development and Plan Commission

Community Development Director Tom Dabareiner presented a resolution to consolidate two existing lots into one lot. He showed the location, saying they are looking for approval on the September 13 Active Agenda. The property is zoned R-4 and consists of 7900 square feet. With the consolidation the owner would be able to construct a two-car attached garage on the existing home. The existing garage would be demolished. There are no new public improvements required and the plans conform to the Zoning Ordinance regulations. He indicated that a revised set of plans has been received by staff. The Plan Commission recommended approval of the request, and staff concurs with that recommendation.

Indexes: Subdivision, Subdivision - 318 4th Street

RES 00-04629 B. Resolution: Approve Final Plat of Subdivision for 339 6th Street

Sponsors: Community Development and Plan Commission

Mr. Dabareiner noted that this resolution is also a consolidation to bring three existing lots into one lot for property at 339 6th Street. The consolidation is slightly under 12,000 square feet and is zoned R-4. The consolidation would allow the property owner to construct a future addition to their home. No plans for that construction have been submitted. There are no new public improvements required, and the request conforms to the Zoning Ordinance. The Plan Commission recommended approval and the staff concurs with that recommendation.

Indexes: Subdivision, Subdivision - 339 6th Street

RES 00-04630 C. Resolution: Approve Final Plat of Subdivision for 5237 Benton Avenue

Sponsors: Community Development and Plan Commission

Mr. Dabareiner described this resolution to approve a final plat of subdivision to consolidate two existing lots into one lot, resulting in 11,572 square feet in an R-4 zoning district. One of the lots, measuring 55x131 feet is vacant. The Village is the petitioner in this case and owner and is requesting the consolidation prior to selling the property. In 2010 the Village purchased both lots to construct a detention facility to ease flooding in the area. There will be an easement to prevent construction over the detention area. The Village will be responsible for general maintenance of the detention facility. There are no new public improvements required and this

will conform to the Zoning Ordinance. The Plan Commission recommends approval, and staff concurs.

Commissioner Schnell asked if there is an underground detention basin on the property. Mr. Dabareiner said there was.

Mayor Tully commented that perhaps lot consolidations could be done at the Plan Commission level. There have been no comments in opposition to these lot consolidations. Mr. Fieldman said that could be included in the rewrite of the Zoning Ordinance and Subdivision Control Ordinance that is planned for next year. The Mayor said this would eliminate one step in the process for people who want to consolidate properties.

Indexes: Subdivision, Subdivision - 5237 Benton Avenue

ORD 00-04631 D. Ordinance: Vacate a Certain Portion of a Right-of-Way Located Adjacent to 4720 Florence Avenue

Sponsors: Community Development and Plan Commission

Mr. Dabareiner explained this ordinance would approve vacating a portion of the property adjacent to 4720 Florence Avenue. He showed the location of the property and said the petitioner has requested that the Village vacate the alley next to their property. The petitioner would compensate the Village in the amount of \$3155.75, based on staff's evaluation. Staff has contacted the utility companies and outside public agencies to determine if any rights should be retained. There are overhead utility lines and buried cable, as well as public drainage easement, utility and utility access easement. The petitioners do not object to that stipulation. The Village vacation policy permits vacation of the right-of-way if there are two consenting property owners who provide written consent. There are two consenting property owners in this situation. The Plan Commission found that the petitioners met the requirements.

Commissioner Schnell noted that one of the owners doesn't want anything to do with the property, and Mr. Dabareiner said that was correct. Commissioner Schnell asked if the alley continues north of the requested area. Mr. Dabareiner responded that it does continue north and has not been vacated.

Commissioner Barnett asked if the Village waits for requests in situations such as this, and what is the value to the Village to retain these properties. Mr. Fieldman responded that the Village has a policy requirement for payment so the Village does not promote vacations. Commissioner Barnett then asked as to existing maintenance for the properties. Mr. Fieldman said that the Village relies on adjoining homeowners to maintain the sites. Commissioner Barnett commented that it would probably be in the Village's interest to vacate the properties.

Mayor Tully agreed that this should be looked at, noting that there are some situations where the Village would not want to vacate. He said that there was a question at one time about alerting people to this policy. Mr. Fieldman said he would get additional information to the Commissioners as to the properties in Village inventory at this time.

Commissioner Schnell commented that the Village has not been overly aggressive because they are required to receive payment for the property. It boils down to the question of whether you require people to pay for the vacation.

Indexes: Vacation, Vacation - 4720 Florence Avenue

RES 00-04632 E. Resolution: Abrogate a Certain Portion of a Public Easement in the Village of Downers Grove - 6241 Main Street

Sponsors: Community Development

Mr. Dabareiner explained that this resolution would authorize the abrogation of a watermain easement at the property located at 6241 Main Street, the northeast corner of 63rd Street and Main Street. On April 12, 2011 a special use was approved for the redevelopment of the property at 6241 Main Street for a Chase Bank building. The applicant is requesting that the Village eliminate the existing 10' wide watermain easement. There are no water utility structures located in the easement.

1. Ron Waechtler, 919 Stratford Lane, noted that he resides near the property in question, and said that someone needs to be responsible for the upkeep, unless this moves along quickly. The existing signs are rusted out and property needs to be cleaned up.

2. Chris Saricks, 1116 61st Street, asked about the status of the site, such as removal of the storage tanks, etc.

Bill Shank of 10 S. Wacker responded that the petitioner is waiting on the Village to release a permit, and will be ready to demolish the existing building and clear the site. The tanks and lines have been removed, and the dirt will be hauled to a remediation site.

Indexes: Abrogation - 6241 Main Street

9. Mayor's Report

New Business

RES 00-04600 Resolution: Appoint and Reappoint Members to Boards and Commissions
Sponsors: Mayor

Summary of Item: This confirms the following appointments and reappointments to Village Boards and Commissions;

ARCHITECTURAL DESIGN REVIEW BOARD

Reappoint Mike Davenport, David Matthies and Joseph Pappalardo to three-year terms expiring August 31, 2014

Appoint David Matthies as Chair

BOARD OF FIRE AND POLICE COMMISSIONERS

Reappoint Keith Killacky, Gene Marino and Richard Matthies to three-year terms expiring August 31, 2014

Appoint Richard Matthies as Chair

COMMUNITY EVENTS COMMISSION

Reappoint Scott Jacaway and Ellen Pendola to three-year terms expiring August 31, 2014

Appoint Andrea Knudesen to a three-year term expiring August 31, 2014

Appoint Michael Kubes and Maura Towey to one-year terms expiring August 31, 2012

ENVIRONMENTAL CONCERNS COMMISSION

Reappoint James Speta and Thomas Eisenhart to three-year terms expiring August 31, 2014

Appoint Joseph Vitti to a one-year term expiring August 31, 2012

FIRE PENSION BOARD

Appoint David Fieldman and Jeffrey Kuchta to two-year terms expiring August 31, 2013

HUMAN SERVICE COMMISSION

Appoint Thomas Svoboda to a one-year term expiring August 31, 2012

LIBRARY BOARD OF TRUSTEES

Reappoint Wendee Green to a six-year term expiring August 31, 2017

LIQUOR COMMISSION

Reappoint Alice Strelau, and Don Clary to three-year terms expiring August 31, 2014

Reappoint James Krusenoski to a two-year term expiring August 31, 2013

Appoint Dan Austin to a three-year term expiring August 31, 2014

PLAN COMMISSION

Reappoint Gregory Beggs and Ronald Waechtler to three-year terms expiring August 31, 2014

Appoint Gregory Hose to a three-year term expiring August 31, 2014

POLICE PENSION BOARD

Reappoint Norman Sidler to a two-year term expiring August 31, 2013

Appoint David Fieldman to a two-year term expiring August 31, 2013

TECHNOLOGY COMMISSION

Appoint Chuck Redpath and Ed Earl to two-year terms expiring August 31, 2013

TRANSPORTATION AND PARKING COMMISSION

Reappoint David Stuebner and Christopher Saricks to two-year terms expiring August 31, 2013

Reappoint Anthony Schiller to a three-year term expiring August 31, 2014

Appoint Patricia Vlcek and William Wrobel to three-year terms expiring August 31, 2014

Appoint Celeste Aguzino to a one-year term expiring August 31, 2013

ZONING BOARD OF APPEALS

Reappoint Joseph Domijan and Daiva Majauskas to three-year terms expiring August 31, 2014

Appoint Damienne Souter to a three-year term expiring August 31, 2014

A RESOLUTION APPOINTING AND REAPPOINTING
MEMBERS TO VILLAGE BOARDS AND COMMISSIONS

RESOLUTION 2011-63

Mayor Tully said he is happy to be involved in the appointments of volunteers to Village Boards and Commissions, and he appreciates their commitment to the Village. He thanked those who offer to serve and recognized those appointees in attendance at the meeting.

The Mayor also thanked the Council for the time and effort they took to interview and make recommendations for appointments and re-appointments to the Boards and Commissions.

Commissioners Schnell, Neustadt, Rheintgen and Waldack expressed their appreciation to the volunteers who they interviewed for the various Boards or Commissions on which the Commissioners served as liaisons. They named the appointees and re-appointees and thanked them for their service to the community.

Mayor Tully then commented on outgoing members of the Boards and Commissions, expressing his and the Council's appreciation for their continued service to the Village. He also commented on the high school students he interviewed for the Youth In Government program, saying they are extraordinary young people who will serve the Village well.

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

Votes: Yea: Commissioner Schnell, Commissioner Barnett, Commissioner Waldack, Commissioner Rheintgen, Commissioner Neustadt and Mayor Tully

Indexes: Boards and Commissions

RES 00-04635 Resolution: Appoint Members to the Building Board of Appeals
Sponsors: Manager's Office
Summary of Item: This confirms the following appointments to the Building Board of Appeals:

Appoint Brett Webster as Chair to a three-year term expiring August 31, 2016

Appoint Ralph Calisto to a three-year term expiring August 31, 2016

Appoint Tom Banaszak and Dan Fettig to two-year terms expiring August 31, 2014

Appoint Robert Klinker to a one-year term expiring August 31, 2013

RESOLUTION APPOINTING MEMBERS TO THE BUILDING BOARD OF APPEALS

RESOLUTION 2011-64

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

Votes: Yea: Commissioner Schnell, Commissioner Barnett, Commissioner Waldack, Commissioner Rheintgen, Commissioner Neustadt and Mayor Tully

Indexes: Boards and Commissions

REP 00-04637 ComEd Reliability Report and Town Hall Meeting Update

Sponsors: Mayor

Mayor Tully presented an update on ComEd reliability issues. He commented that the Council has prepared a reliability report that was posted to the Village website last week. He said that staff has shared this report with the representatives of ComEd. He noted that some senior members of ComEd will attend the Village's Town Hall Meeting on September 15 at 7:00 p.m. at the Downers Grove Park District Recreation Center. There will be presentations of what the Village has learned, as well as discussion by ComEd, and an opportunity for public comments. It is expected that State Senators and Representatives will be in attendance. The focus of this meeting is improved reliability.

Mr. Fieldman reminded everyone to attend the Town Hall meeting on September 15. Further information is available on the Village's website.

Indexes: Com Ed

RES 00-04625 Resolution: Opposing ComEd Smart Grid Legislation

Sponsors: Manager's Office

Summary of Item: A RESOLUTION OPPOSING COMED SMART GRID LEGISLATION

RESOLUTION 2011-65

The Mayor then referenced a resolution with respect to ComEd. Staff has been working closely with representatives of ComEd. He noted, however, that there is presently legislation on the Governor's desk regarding the Smart Grid technology. The Village does not necessarily object to the Smart Grid technology, as much as it does not feel that ComEd goes far enough in terms of performance measures. The Mayor stressed that the Village wants to continue to work with ComEd, but believes the Smart Grid technology does not go far enough.

Commissioner Barnett said that the Smart Grid technology would be a benefit, but one of the challenges for the Council is to find a proper balance to working with partners while

maintaining a strong advocacy situation for the residents. One of the challenges of SB 1652 has to do with some of the definitions used regarding what makes an outage, and the determination of reliability rates. He does not think those would translate well enough to what the residents expect. Commissioner Barnett said it is a decent beginning point for compromise, but there should be more specifics as to what translates to resident concerns.

Commissioner Neustadt said that surrounding neighbors are providing similar resolutions to the State. There were two major storms this year in the Village, and the Village worked hard to address the needs. There were many comments about ComEd's response during that period. It is important for the Village to know what ComEd intends to do.

The Mayor said in the right format this legislation would benefit a number of communities including Downers Grove.

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

Votes: Yea: Commissioner Schnell, Commissioner Barnett, Commissioner Waldack, Commissioner Rheintgen, Commissioner Neustadt and Mayor Tully

Indexes: Com Ed

DuPage County Stormwater Committee Meeting

Mayor Tully reported on a meeting this morning with the DuPage County Stormwater Management Planning Committee. At that meeting it was announced that the next draft of the revised County-wide stormwater ordinance is online, and the Committee has commenced the 45-day comment period. The Village's staff as well as the Stormwater and Flood Plain Oversight Commission will be reviewing that draft ordinance. He said it is important that the Village move forward on this review, as stormwater is a very important issue at this time.

Mr. Fieldman said the Village's Stormwater Committee would review the draft ordinance in September. The Village will be able to send its response within the 45-day period.

Mayor Tully said that the ordinance is available on the County website, and he asked staff to provide a link for the residents so they can see what has been prepared.

10. Manager's Report

11. Attorney's Report

Village Attorney Enza Petrarca said she was presenting one (1) item to the Council: An ordinance vacating a certain portion of a right-of-way located adjacent to 4720 Florence Avenue in the Village of Downers Grove.

Future Active Agenda

12. Council Member Reports and New Business

REP 00-04634 Report: Electricity Alternative

Commissioner Barnett said that electricity aggregation is a relatively new concept in the State of Illinois, allowing municipalities to purchase electricity. There have been ads appearing over the past two years by distributors of electricity. Distribution is still with ComEd, but the concept of municipal aggregation can result in a savings to the municipality and its residents. He said a resident in this business would make a presentation this evening.

The Mayor said that there are other people in this particular business, and this would be the beginning of learning about this process.

Richard Spilky, a resident of Downers Grove, was present with his colleague Dean Nicol. Their company, Integrys Energy Services, is pursuing this type of business. He presented a hard copy of their slide presentation to the Council. Mr. Spilky stated that he feels it is in the best interest of the Village to pursue this concept. There have been some market and regulatory developments that have created the aggregation opportunity. He provided some estimates of potential savings using this concept. Mr. Spilky explained a bar chart showing that there is great competition in this area. There are, in Illinois, 13 businesses certified to sell to residential customers, and 24 to commercial customers. He noted that 80% of ComEd's non-residential load is served by an alternative retail electric supplier. The Downers Grove School District also uses an alternative supplier.

Mr. Spilky said that PA 96 -0176 is a law that allows local governments to put forward a referendum allowing municipalities the opportunity to aggregate electric power purchasing for its residents and provide increased buying power and more competitive prices. He noted that individuals can choose to opt out of the program if the program went into effect. Mr. Spilky noted that 20 municipalities out of 22 have passed a referendum for aggregation already.

Mr. Spilky explained some of the estimates for savings for residents, noting that individuals can sign up to participate through the Internet if they choose alternative sources; however aggregation would result in bigger savings. He provided a conservative estimate with an 85% participation rate that would result in a savings of about \$1.8 million a year if they choose to change individually. Aggregation would result in about \$3.8 million in savings. Bills that residents receive would continue to come from ComEd. Business customers are billed through the providing company. He noted that ComEd today has the ability to shut off non-paying customers, and can still do so under the aggregation plan. He displayed a copy of a real bill showing savings in electricity supply services. He noted that delivery service charges and taxes do not change. Mr. Spilky explained various charts depicting the costs of power, and how bidding for power occurs.

Mr. Spilky explained the steps toward aggregation. The Village would have to place a referendum on the ballot, and the deadline for the primary election is January 3, 2012. The primary election is March 20, 2012. The deadline for the general election is August 20, 2012 and the election is November 6, 2012. He recommended that the Village find a partner offering the aggregation service and a supplier for maximum values.

Mayor Tully thanked Mr. Spilky for the presentation. He clarified that this is focused on price and not on reliability, and Mr. Spilky said that was correct. This does not help, nor hurt ComEd and ComEd still would continue to respond to problems.

Mayor Tully further summarized that this concept is a law that allows municipalities to create a bargaining unit, and the citizens can vote not to pass the referendum or opt out of participation if a referendum passed. He said that this does not impose anything on the residents. He asked whether there is an ongoing obligation on the part of the municipality, and Mr. Spilky responded that the contract with the municipality ends at the end of the contract period.

The Mayor asked about additional services provided to the municipality by alternative sources. Mr. Spilky responded that there are consultant services, mailers, communication, advertising, education for the community, "Green Power," etc.

The Mayor said that it appears you would have to enter into this prior to the referendum. If the referendum were to fail, the municipality would have to bear the initial costs. Mr. Spilky said that is possible; however, in the towns where they have been involved, they have never had a referendum come close to not passing. Their company would accept the risk if there was a high opt-out percentage. He explained that there is only one line item on their bill. Their company takes the risk of the market costs, scheduling, etc.

Commissioner Schnell asked if other government agencies would be able to opt out if the community opted for this. Mr. Spilky said that this is primarily for residential customers and small commercial customers, such as a pizza business. He said that most larger commercial establishments have already switched to alternative sources.

Mayor Tully asked whether this provides an opportunity to add other agencies, and Mr. Spilky said it might be possible for towns to get together. With a town the size of Downers Grove, adding another town would not make that much of a difference.

Commissioner Barnett asked the time period for a typical contract, and Mr. Spilky said the contracts are 1-3 years. In further response to Commissioner Barnett, he said that those who have already switched would get information to opt in or opt out. There are dozens of wholesale suppliers who buy wholesale blocks of power. He compared their purchases to a buyer like Wal-Mart, buying in bulk. If a supplier is short on power on a day, the supplier is responsible for that. When they lock in a price they are responsible to their customers.

Dean Nicol introduced himself, and said he has experience in aggregation. The statistics they use come from Ohio, where this has been done for the past 12 years.

Commissioner Neustadt asked about DuPage County communities that are participating, and Mr. Spilky responded that North Aurora has passed a referendum. He is not sure how many have decided to put a referendum on the ballot for the next election.

Mr. Fieldman stated that staff will be talking and working out a plan to present to the Council to decide if the Village wants to move forward on this concept.

Mayor Tully thanked Mr. Spilky and Mr. Nicol for their presentation.

Indexes: Electricity Alternative

Reports

Commissioner Neustadt reminded everyone of the Annual Fine Arts Festival which will take place this weekend. There is a list of about 100 different artists participating that is available at www.downtowndg.org.

Mayor Tully announced Midwestern University's dedication of the Science Hall, which is a stunning representation of state-of-the-art technology. He encouraged residents to ask for a tour of the facility.

The Mayor said the Noon Lions Club Labor of Love 5K race was a good event with 300 runners in attendance and noted that no officials were harmed in the running of the race.

Mayor Tully then noted that the Grove Foundation is having its golf outing at the Downers Grove public golf course on Saturday at 2:30 p.m. Spots are still available.

13. Adjournment

Commissioner Schnell moved to adjourn to Executive Session pursuant to Section 2(c)(2) of the Open Meetings Act to consider collective negotiating matters; Section 2(c)(5) of the Open Meetings Act to consider the purchase or lease of property; and Section 2(c)(6) of the Open Meetings Act to consider setting a price for sale or lease of property owned by the public body. Commissioner Barnett seconded.

VOTE: YEA - Commissioners Schnell, Barnett, Rheintgen, Neustadt, Waldack, Mayor Tully

Mayor Tully declared the motion carried and the Council convened into Executive Session at 8:37 p.m.