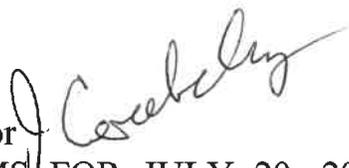


# CITY OF WARRENVILLE

## MEMORANDUM

TO: Mayor and City Council  
FROM: John M. Coakley, City Administrator   
SUBJECT: SUMMARY OF AGENDA ITEMS FOR JULY 20, 2020, CITY COUNCIL REGULAR MEETING  
DATE: July 16, 2020

Please contact the City Administrator with questions pertaining to agenda items by noon on the day of the meeting.

### VI. CONSENT AGENDA – OMNIBUS VOTE

#### A. Ordinance O2020-26 – Disposition of Personal Surplus Property (Attachment)

Staff is seeking retroactive approval for the sale of personal surplus property owned by the City of Warrenville. The police vehicle described in Exhibit A of the proposed ordinance was sold at auction on June 30, 2020 for \$5,900. A copy of the ordinance is included with the agenda backup materials along with Deputy Chief Jacobson's July 1, 2020 memo to Chief Turano detailing the history of the vehicle. Additional documents (exhibits) listed in the memo are not included, but can be provided upon request.

**Council Action Requested:** Accept staff recommendation, waive second reading, and pass ordinance O2020-26, authorizing the disposition of personal surplus property owned by the City of Warrenville.

**Staff Recommendation:** Police Chief Turano and Deputy Chief Jacobson recommend this action.

**Budgetary Impact:** Ninety-four percent (94%) of the proceeds from the property sold at auction, which was \$5,900, will be returned to the General Fund.

**Other Resources Required:** None.

**Strategic Plan Goal:** #2 Fiscal Conservatism.

#### B. Ordinance O2020-27 – Zoning Variation for Swimming Pool (Attachment)

This ordinance has been prepared to document approval of a zoning variation that would allow a swimming pool on the property at 29W700 Waverly Avenue to be located in the actual front yard.

At its July 9, 2020, meeting, the Zoning Board of Appeals held a formal public hearing, deliberated, and subsequently recommended unanimous approval of this variance request as outlined in the conclusion section of the attached Community Development staff report, dated July 9, 2020. The Applicants will be present at the July 20, 2020, City Council meeting to address questions. A copy of the ordinance is included with the agenda backup materials.

**Council Action Requested:** Accept Zoning Board of Appeals recommendation, waive second reading, and pass ordinance O2020-27, approving a variation from the City of Warrenville Zoning Ordinance for a swimming pool in the actual front yard at 29W700 Waverly Avenue.

**Staff Recommendation:** Community Development Director Mentzer and Senior Planner Domovessova recommend approval of this ordinance.

**Budgetary Impact:** None.

**Other Resources Required:** Staff time to record the ordinance at the DuPage County Recorder's Office.

**Strategic Plan Goal:** Not applicable.

C. Resolution R2020-41 – Emergency Declaration Extension (Attachment)

In accordance with Ordinance No. O2020-15, Mayor Brummel issued a Declaration of Local Emergency following the conclusion of the City Council meeting on March 16, 2020, due to the local impacts of the coronavirus (COVID-19). The City Council has subsequently approved extensions to the declaration on March 23, April 6, April 13, April 20, May 4, May 18, June 1, June 15, and July 6. Because the COVID-19 pandemic is ongoing, Mayor Brummel is requesting the City Council approve R2020-41, extending the local emergency declaration until the end of the next City Council meeting, which is scheduled for August 3, 2020. In accordance with state law, the Mayor or three Aldermen may call for a special meeting of the City Council to end the extension if deemed necessary.

**Council Action Requested:** Accept Mayor Brummel's recommendation and pass resolution R2020-41 extending the duration of the March 16, 2020, Declaration of Emergency until the adjournment of the next regular, special, or emergency meeting of the City Council.

**Staff Recommendation:** City Administrator Coakley concurs with the Mayor's request and recommends this action.

**Budgetary Impact:** None from this action. Budgetary impacts related to the City's response to the COVID-19 pandemic will be tracked for possible federal and state reimbursement.

**Other Resources Required:** A minimal amount staff time to record and publish the emergency declaration. Significant staff time and other resources have been committed to address the COVID-19 pandemic impacts at the local level.

**Strategic Plan Goal:** #5 Public Safety.

D. Resolution R2020-42 – IGA with DuPage County re CARES Act Funding (Attachment)

DuPage County received \$161 million through the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act). The State of Illinois subsequently determined that municipalities in counties that received a CARES Act allocation would not be eligible for a share of the state's CARES Act funds. Copies of Resolution R2020-42, the proposed IGA, and the July 15, 2020, DuPage County news release are included with the agenda backup materials.

The intergovernmental agreement (IGA) allocates a specific amount of the CARES Act money for City of Warrenville's COVID-19 related expenses. The City's maximum

reimbursement under this IGA allocation is \$682,940.16, based on \$51.84 per capita, the same figure used for the allocation of municipal funding for the in-county population of all DuPage municipalities. City Attorney Lenneman has also reviewed the intergovernmental agreement, but was not asked to provide specific input because it was reviewed by several DMMC member in-house attorneys and the County is requiring a uniform agreement across all DuPage municipalities. The City will be required to submit documentation of eligible expenses to receive the reimbursement.

**Council Action Requested:** Accept staff recommendation and pass resolution R2020-42, approving an intergovernmental agreement for participation in the DuPage County Local Government COVID-19 Reimbursement Program between the City of Warrenville and the County of DuPage.

**Staff Recommendation:** City Administrator Coakley recommends this action.

**Budgetary Impact:** Up to \$682,940.16 in reimbursements of COVID-19 related expenses.

**Other Resources Required:** Staff time to prepare and process the reimbursement requests.

**Strategic Plan Goal:** #2 Fiscal Conservatism.

E. Resolution R2020-43 – Fermilab Sewer IGA with US Dept of Energy (Attachment)

In 1986, the City entered into a contract to provide sanitary sewer service to the Fermilab area known as the "Village," formerly known as the Town of Weston. City Council passed Ordinance No. 2135 in 2004, which requires an intergovernmental agreement (IGA) to be in effect in order for the City to provide utility services outside its corporate limits. City Council passed Resolution No. 2010-05 in March 2010, approving an IGA executed on August 15, 2010, by and between the City of Warrenville and Fermilab, to provide sanitary sewer service to the Village area of Fermilab. Because the IGA expires on August 15, 2020, the City and U.S. Department of Energy staff have negotiated the 10-year IGA for sanitary sewer service, which is included with the agenda backup materials.

The terms of the proposed agreement are largely consistent with the original 1986 contract, except that provisions have been added for Fermilab to address its current infiltration and inflow (I/I) issues, and for it to monitor and maintain its system to address future I/I issues. A 50% surcharge was added in the event Fermilab does not address its current and future I/I issues. Additionally, a provision was added that allows the City to terminate the agreement with a one-year notice. In response to questions at the Committee of the Whole meeting, the term "Daily Average" was defined in the agreement.

**Council Action Requested:** Accept Community Development Committee recommendation and pass a resolution R2020-43, approving an intergovernmental agreement between the City of Warrenville and the U.S. Department of Energy for Fermilab Village sanitary sewer service.

**Staff Recommendation:** Deputy Public Works Director Kuchler recommends this action.

**Budgetary Impact:** There is no budgetary change from this action. The City will continue to bill Fermilab for sanitary sewer service at the rates it bills its other customers.

**Other Resources Required:** Staff time to monitor sanitary sewer flows from Fermilab and coordinate with Fermilab staff on infiltration and inflow issues.

**Strategic Plan Goal:** Not applicable.

F. Approval of Citgo Property Task Order and Follow-up Actions (Attachment)

The City completed its acquisition of the former Citgo gas station property located at the northeast corner of Warrenville Road and Batavia Road on July 1, 2020. Community and Economic Development Director (CEDD) Mentzer's memorandum, dated July 7, 2020, summarizes the various "next step" actions he is recommending the City implement in order to begin addressing the contamination issues on the property and enable the City to secure the maximum amount of outside funding assistance possible for this work. The summary memo is included with the agenda backup materials.

**Council Action Requested:** Accept Community Development Committee recommendation and approve the July 6, 2020, Terracon Consultants Task Order and authorize staff to implement the follow-up actions, as outlined in Community and Economic Development Director Mentzer's, Old Town Redevelopment Site #2 Next Step Recommendations memo, dated July 7, 2020.

**Staff Recommendation:** Community and Economic Development Director Mentzer recommends this action.

**Budgetary Impact:** Implementing the staff recommended actions would involve an approximately \$27,000 FY 2021 expenditure. The FY 2021 budget includes the funding necessary to cover these specific expenses.

**Other Resources Required:** Staff and environmental attorney time to coordinate the recommended follow-up actions.

**Strategic Plan Goal:** #1 Economic Development and #3 Open Space and Environment.

G. Staff Authorization to Develop Citgo Property Parking Restrictions

After the City took ownership of the former Citgo gas station property (OTRS #2), staff began taking steps to manage the City's liability exposure associated with the property. One of the items to address as part of this process is what, if any, private party parking and access will be allowed on the property in its current state. In order to address this issue efficiently, City Council direction on the issue is required.

Historically, and currently, employees and customers of the various businesses that operate near OTRS #2 have used it for overflow parking. In addition, the businesses that operate on the adjacent auto service property use the eastern edge of OTRS #2 for access to parking and storage yard areas on their site. CEDD Mentzer has confirmed these businesses desire to retain use of this portion of OTRS #2.

CEDD Mentzer believes it would be both desirable and appropriate to accommodate this type of continued private use on OTRS #2, as long as it is clearly defined, appropriately controlled, safe, and the City obtains appropriate liability protections. In order to satisfy these requirements, staff recommends the businesses that desire such use be required to enter into a license agreement with the City that documents the responsibilities, obligations, and rights attached to such use.

**Council Action Requested:** Accept Community Development Committee recommendation and authorize staff and the City Attorney to develop license agreements

with those property owners and businesses that desire to continue using Old Town Redevelopment Site #2 for private parking and access purposes.

**Staff Recommendation:** Community and Economic Development Director Mentzer recommends this action.

**Budgetary Impact:** A relatively limited amount of City Attorney time will be required to finalize the recommended license agreements.

**Other Resources Required:** Staff and City Attorney time to finalize license agreements with interested parties.

**Strategic Plan Goal:** #1 Economic Development.

H. Approval of a FY 2021 Hotel Tax Fund Grant for Warren Tavern (Attachment)

In January 2020, City Council authorized the removal of the Warren Tavern from the Hotel Tax Grant program administered by the Tourism and Arts Commission, with direction to staff to develop a process for funding future capital maintenance requests. Due to the COVID-19 pandemic, staff has not finalized the details of a new process for future grant years. However, in the meantime, the Warren Tavern Preservationsits would like to move forward with the improvement projects.

Included with the agenda back-up materials are (i) the January 27, 2020 Public Safety and Finance Committee meeting minutes, (ii) the Warren Tavern FY 2021 grant application outlining the expenses, and (iii) a grant recommendation spreadsheet detailing staff's endorsement of the FY 2021 Warren Tavern grant.

**Council Action Requested:** Accept Community Development Committee recommendation and approve \$10,000 in FY 2021 hotel tax funding for the Warren Tavern improvement projects.

**Staff Recommendation:** Assistant City Administrator White recommends this action.

**Budgetary Impact:** The FY 2021 budget includes \$10,000 for the Warren Tavern grant.

**Other Resources Required:** None.

**Strategic Plan Goal:** Not applicable.

I. Approval of a Food and Beverage Establishment Revenue-Sharing Assistance Program (Attachment)

A Warrentville resident recently contacted CEDD Mentzer to inquire if the City offered any economic development assistance, which could make it more feasible for a small entrepreneur to improve a building and open a restaurant within the Old Town/Civic Center TIF #3 area. This individual is interested in leasing and remodeling approximately 1,000 square feet of vacant space located along the Manning Avenue frontage of the former Oakbrook Bank Building at the northwest corner of Manning Avenue and Batavia Road. The proposed sandwich and ice cream shop would have a total estimated cost of more than \$225,000. CEDD Mentzer informed this individual that TIF #3 had not yet generated any surplus revenue stream and, therefore, the City had not yet established such a program.

The City Council's Economic Development Representatives (EDR) subsequently met on two separate occasions to discuss this opportunity and to review information regarding assistance programs in Plainfield, Winfield, St. Charles, Wheaton, and West Chicago, which encourage this type of business development and facade improvement. At its last

meeting, the EDR reviewed the framework for a potential new revenue-sharing assistance program specifically designed to encourage food and beverage establishments to locate, upgrade, grow, and improve the exterior facades of commercial buildings in the City's Old Town/Civic Center Subarea. The EDR unanimously agreed to recommend the City Council authorize staff to finalize the details of a new Food and Beverage Establishment Revenue-Sharing Assistance Program substantially consistent with the July 8, 2020, program framework, which is included with the agenda backup materials. Establishment of such a program would be consistent with the high priority implementation actions outlined in the Old Town/Civic Center Subarea Plan and Objectives #6 and #7 of the City's Economic Development Plan.

**Council Action Requested:** Accept Community Development Committee recommendation and authorize staff to finalize the details of a new Food and Beverage Establishment Revenue-Sharing Assistance program, to be substantially consistent with the, draft program framework, dated July 8, 2020.

**Staff Recommendation:** Community and Economic Development Director Mentzer recommends this action.

**Budgetary Impact:** None at this time.

**Other Resources Required:** Staff time to finalize proposed program details.

**Strategic Plan Goal:** #1 Economic Development.

J. Rescindtion of "Preferred Purchaser and Developer" Designation for SDRS#1 (Attachment)

At the March 9, 2020, Community Development Committee of the Whole meeting, staff distributed a survey document to each City Council member to provide detailed input on their expectations and priorities for the future of the 7.25-acre vacant redevelopment site the City owns at the northeast corner of Routes 59 and 56 (Southwest District Redevelopment Site #1/SDRS #1). The input provided by the Mayor and Alderman was used to prepare the City Council feedback summary document, dated March 27, 2020, which also includes additional staff commentary and recommendations. The summary document is included with the agenda backup materials.

**Council Action Requested:** Accept Community Development Committee recommendation and pass a motion to formally rescind the "Preferred Purchaser and Developer" designation the City assigned to Two Brothers Brewing Company for Southwest District Redevelopment Site #1.

**Staff Recommendation:** Community and Economic Development Director Mentzer recommends this action.

**Budgetary Impact:** Not applicable.

**Other Resources Required:** None at this time.

**Strategic Plan Goal:** #1 Economic Development.

K. Minutes of the Plan Commission and ZBA Regular Meeting (Attachment)

Receive and file minutes of the Plan Commission and Zoning Board of Appeals regular meeting held on July 9, 2020.

L. Invoices Paid (Attachment)

Receive and file report of invoices paid up to July 15, 2020, in the amount of \$84,064.78

M. Invoices Due (Attachment)

Authorize expenditures for invoices due on or before August 3, 2020, in the amount of \$131,771.15

N. Master Debit Card Expenditures (Attachment)

Receive and file report of Master Debit Card Expenditures for the month of June 2020, in the amount of \$10,177.75

**VII. REGULAR AGENDA**A. Resolution R2020-44 – Electrical Aggregation Program (Attachment)

On July 6, 2020, the City Council requested staff provide electric aggregation bids for a 12-month fixed-rate contract. Included with the agenda backup materials are copies of the resolution and the bid document, dated July 15, 2020. As rates are updated daily, an updated bid matrix will be provided at the meeting.

**Council Action Requested:** Accept staff recommendation and pass resolution R2020-44, authorizing Mayor Brummel to execute an agreement with the winning electrical power supplier under the electrical aggregation program, subject to review by the City Attorney and City Administrator.

**Staff Recommendation:** Assistant City Administrator White recommends this action.

**Budgetary Impact:** None.

**Other Resources Required:** Staff time to review and issue notices to residents.

**Strategic Plan Goal:** Not applicable.

B. FY 2021 Financial Update Discussion (Attachment)

Included with the agenda backup material is a memo and supporting documentation from City Administrator/Budget Officer Coakley and Finance Director Dahlstrand, which addresses the most recent projected financial impacts of the COVID-19 pandemic on the City's finances, specifically, the City's major market based revenue streams across all funds.

City Administrator Coakley and Finance Director Dahlstrand will discuss the projections at the Council meeting.

**Council Action Requested:** No action requested, informational only.

**Staff Recommendation:** No action requested informational only.

**Budgetary Impact:** Not applicable

**Other Resources Required:** Not applicable

**Strategic Plan Goal:** #2 Fiscal Conservatism