

**CITY OF WARRENVILLE
PUBLIC SAFETY AND FINANCE
COMMITTEE OF THE WHOLE
REGULAR MEETING
Monday, July 26, 2021 at 7:00 p.m. at City Hall
28W701 Stafford Place**

MINUTES

A. CALL TO ORDER

Chairman Goodman called the meeting to order at 7:00 p.m.

B. ROLL CALL

Present: Chairman Leah Goodman, Mayor David Brummel, Aldermen: Stuart Aschauer, Clare Barry, Kathryn Davolos, Jeff Krischel, Bill Weidner and Bob Wilson. Alderman Jay Anderson attended electronically due to employment purposes.

Absent: None.

Also Present: City Administrator John Coakley, Finance Director Kevin Dahlstrand, and Police Chief Raymond Turano. Assistant City Administrator Cristina White and Executive Assistant / Deputy City Clerk Dawn Grivetti participated virtually.

Also Absent: City Clerk Julie Clark

C. PLEDGE OF ALLEGIANCE

Chairman Goodman led the pledge of allegiance.

D. CITIZEN COMMENTS

Bob Siebert, Albright Court, stated the Committee should congratulate Alderman Anderson on his new position with The Ohio State University.

E. OFFICIALS AND STAFF COMMENTS

Mayor Brummel reminded the Committee to attend National Night Out, August 3, at Cerney Park from 5:00 p.m. – 9:00 p.m.

Ald. Davolos commented on a report of a symposium recently attended by Community and Economic Development Director (CEDD) Mentzer. She said the report stated attendees of the Future of the Chicago Suburbs Symposium discussed the Chicago suburban commercial real estate market, and noted the entire United States, including the Chicago metropolitan area, is overpopulated with retail establishments. She stated the City does not direct the retail businesses that locate in Warrenville, and stressed the City cannot continue to do things the same way; the City has to be open to new things. Ald. Davolos commended staff for their creative thinking and willingness to embrace change. She added, successful planning will lead to a stronger tax base and lower property taxes.

Chairman Goodman congratulated Mrs. Gloria Latta, for being named Wheaton Warrenville South's 2021 Distinguished Educator.

F. BUSINESS OF MEETING

1. Consideration of amendments to the Employee Mission Statement and the City's Vision and Values Statements

Sara Phalen, Inclusion, Diversity, Equity, and Awareness (IDEC) Commissioner, expounded on the Commission's efforts to improve the Employee Mission Statement and Vision and Value Statements to better identify Warrenville's aspirations and commitment to being a welcoming and inclusive community. She stated changes to the statements did not remove themes, but merely reorganized them to ensure the inclusive language reflected the entire community.

Mayor Brummel and several Aldermen thanked the IDEC Commission for their efforts to improve the statements to better exemplify the City's mission, vision, and values.

Alderman Anderson stated his support for the changes, adding the new mission statement is more of an aspirational statement, moving away from the previous commitment statements. Ms. Phalen stated IDEC's reason for changing commitment statements to vision statements is due to their thought that the City is aspiring to obtain these goals as a community through work plans and action items. He asked why "supporting schools" was removed. Ms. Phalen replied several local agencies contribute to education and life-long learning, so making the statement more global is intended to add support for all educational institutions.

Ald. Anderson stated as a citizen, the old statements seemed more tangible, but thanked the Commission for all their work updating the statements.

Ald. Davolos recalled how the original mission statement was established in connection with the Strategic Plan, which contains measurable action items. There was continued discussion of how the original statements developed into the new statements. Ms. Phalen noted that the spirit of the values and visions within the original mission statement was taken into consideration when the new Vision and Values Statement was created for the City.

ALDERMAN WEIDNER MADE A MOTION, seconded by Ald. Davolos to recommend the City Council approve the revisions to the Employee Mission Statement, and the City's Vision and Values statements.

MOTION ADOPTED VIA VOICE VOTE.

2. Request for Alderman to serve as Council liaison on the Bicyclist and Pedestrian Advisory Commission

Mayor Brummel stated, if there are no other volunteers, Ald. Barry has offered to serve as Council Liaison to the Bicyclist and Pedestrian Advisory Commission.

ALDERMAN DAVOLOS MADE A MOTION, seconded by Ald. Barry to recommend the City Council designate Alderman Barry to serve as the City Council Liaison to the Bicyclist and Pedestrian Advisory Commission.

MOTION ADOPTED VIA VOICE VOTE.

3. Informational update on Illegal fireworks special enforcement detail activity (RT)

Police Chief (PC) Turano stated, since 2017, the Police Department has conducted annual fireworks enforcement to address illegal fireworks activity within the City. He added, the enforcement begins each year on June 1, with department staff delivering educational announcements to residents using the City's social media platforms and through officer outreach during traffic stops. The program concludes approximately one week after the Independence Day holiday.

PC Turano noted a total of 180.5 hours of overtime work was dedicated to the special enforcement of the fireworks plan this year, and offered a summary of the number of service calls, investigations, citations, and confiscated fireworks.

Ald. Davolos asked if there were any fees collected for the citations issued. PC Turano replied he had no information about fines collected or those that may be collected following due process.

Ald. Weidner asked, now that the program has been established, could it be scaled back to reduce costs in future years. PC Turano gave an explanation as to how costs were determined, and suggested the department could see if a reduction in hours would have the same effect.

Chairman Goodman asked about the cost and contents of the brochure that was handed out. PC Turano replied the brochures are produced in-house, and are produced at a minimal cost. He described the contents of the brochure which includes a description of the types of injuries incurred by the illegal use of fireworks. Chairman Goodman suggested the brochure also be made available to residents during neighborhood roll calls and other Police Department outreach efforts.

NO COMMITTEE ACTION WAS REQUESTED NOR TAKEN.

4. Financial update

Finance Director (FD) Dahlstrand offered a financial update on the projected performance of major revenue sources on the General, Capital Maintenance and Replacement, and Hotel Tax funds for Fiscal Year 2021. The reports presented indicate how revenues from Fiscal Year 2021 compare to revenues of Fiscal Year 2020 on a 12-month rolling average. FD Dahlstrand stated a majority of the revenues received are improving, and the gaps in the 12-month rolling average are closing.

FD Dahlstrand presented specific details of the revenues received from various sources and their impacts on funds that received them. He stated specific concern with the Amusement Tax revenue, which is showing only a very small increase in the last two months largely due to the reopening of the movie theater in May, while improvements in Local Motor Fuel Tax revenue is largely due to the new Thornton's gas station. FD Dahlstrand added that the Hotel Tax started to show recovery in March and April 2021, and revenue projections through June 2021, show continued improvement and a closing of the gap from losses largely due to the coronavirus pandemic.

CA Coakley reminded the Committee that the FY 2021 revenues reported are unaudited, and those reported over the past year reflect the impact of the pandemic on market-sensitive revenues. He added, the report is not intended to offer a fiscal analysis of the entire City finances, but only a look at the more volatile revenues as good indicators of the local economy. He further stated another good indicator of change is seen in the increased revenues in the Sales Tax, and noted that some of that increase is attributable to internet sales tax revenues.

Chairman Goodman and other Aldermen stated the graphs help to show the impact of the pandemic on the City's economy. She added, the long-term trends are very helpful to see that, while there are some lows, there are also positive trends, and the City is rebounding. She noted a lot of volatility can be seen in the charts. FD Dahlstrand and staff were thanked for the work involved in producing the information.

CA Coakley stated the reporting format can always be adjusted to better provide the information, and noted that staff will be meeting with another municipality to learn ways to improve the reporting. He added, staff wants to make sure this is a meaningful document for the Council to understand and use as a resource. CA Coakley referenced a sample report of local economic indicators as an example of how that kind of information can be reported. FD Dahlstrand added the future use of the report will include charts and graphs for easier comparison. Chairman Goodman stated here appreciation for the graphs and the charts to get a full picture and understanding of the gaps in the funds received.

There was discussion regarding the distribution and planned use of American Rescue Plan Act (ARPA) funds allocated to the City. CA Coakley stated staff will be working with the Long-range Financial Planning workgroup to make recommendations to the Council in September. He added, the City has several years to spend the ARPA money, so there is time to gather and discuss several options.

NO COMMITTEE ACTION WAS REQUESTED NOR TAKEN.

5. Consideration of an ordinance to allow video gaming

CA Coakley stated, as directed at the June 14, 2021, Public Works and Infrastructure Committee meeting, staff worked with the City Attorney to prepare a draft ordinance, which would amend the City Code to allow video gaming and impose various fees and

restrictions as determined by Council. He added, staff believes that the draft ordinance incorporates and addresses the concerns and interests raised at the Committee meeting.

He briefly stated the history of video gaming discussions by the City Council dating back to 2009, at which time the Council prohibited video gaming within the City. In 2013, three local business owners asked the Council to reconsider video gaming, but the Council did not reverse its decision.

CA Coakley summarized the key points of the draft ordinance included in the agenda packet, including the license requirements, and the license classifications, fees, and number of licenses allowed. He added, a business would have to have been established at its location for one year prior to applying for a license and currently hold a Class V liquor license to be eligible to apply for a video gaming license. Initially, there would be a limit of six Class V liquor licenses, and state law allows up to six video gaming terminals per establishment. The ordinance includes the City's annual terminal license fee of \$1,000 per terminal. He stated, the proposed ordinance prohibits video gaming cafes, adding, video gaming cannot be the primary purpose of a business.

CA Coakley provided revenue projections stating, based on the proposed ordinance and staff research, the annual gaming revenue is projected to be between \$47,900 and \$61,600, the revenue for Class V liquor licenses could be \$12,000, and revenue for the video gaming terminal license fees could range between \$21,000 and \$28,000, for a total annual revenue projection between \$80,000 and 101,000. He noted, actual revenue generated will vary, depending on the number of establishments with licenses, the number of video gaming terminals licensed, and customer usage.

CA Coakley reminded the Committee that Council has control over the number of Class V liquor licenses allowed, which will control the number of establishments allowed to operate gaming terminals. If a licensed establishment closes, the number of Class V licenses can be reduced, and likewise, if a new establishment becomes eligible and requests a license, the Council can increase the number of Class V licenses to accommodate the request.

Ald. Aschauer stated the proposed cost of the liquor license seems high, adding, the ordinance has to raise revenue for the City as well as allow businesses to flourish. He stated, as was previously suggested at a Committee meeting, the terminal fees for the machines were to be paid by the machine owners rather than the owner of the establishment. He recommended cutting the proposed fee for a Class V license in half, from \$2,000 to \$1,000, and directing the responsibility of the terminal fee to the machine owner.

CA Coakley replied, the specification of who pays the terminal fee was considered, but was thought to be administratively challenging, adding, if the terminal owner delays in paying the fee, it can delay the process for the establishment owner. However, the Council has the option to determine how the fee is assigned and to split the cost any

way it sees fit. CA Coakley noted, according to the survey of municipalities allowing video gaming, most split the cost of the terminal fee between both parties.

Management Analyst Youngmeyer added additional information regarding how other communities split terminal fees from the municipal survey results previously presented to Council at the June 14, Public Works and Infrastructure Committee of the Whole meeting.

Ald. Krischel asked, which fund will receive the licensing fees and gaming revenue stream. CA Coakley suggested all video gaming revenues be directed to the Capital Maintenance Replacement fund, however, this is at the Council's discretion.

Ald. Krischel stated the Class V license should be an auxiliary fee, and not a primary license fee. He added, he is also in favor of reducing the licensing fee by half.

Ald. Davolos asked for more information on how gaming revenues are divided, and why some nearby communities do not allow video gaming. MA Youngmeyer replied she did not survey the nearby municipalities that do not allow video gaming, however, of the municipalities that were surveyed, and similar to Warrenville, most stated hesitation initially due to community image, a concern for community character, and threat of increased crime as reasons to prohibit video gaming. Over time, businesses in some of those communities voiced concerns, because they wanted to remain competitive with businesses in towns that allowed gaming, and many Councils saw video gaming as an asset to bring people in and to support the local economy.

Ald. Davolos questioned if video gaming is actually pro-business, stating, although video gaming may be advantageous to the few businesses awarded a Class V license, what would be the impact to other businesses that do not have these licenses. Do other businesses suffer significant revenue loss due to local gaming laws? MA Youngmeyer replied there were few negative comments from other municipalities, and none of those comments related to a negative impact on businesses that do not have video gaming.

Ald. Anderson stated he thinks the businesses requesting video gaming licenses are a good fit for it, and feels the proposed ordinance is written in a way that protects the City from inappropriate businesses obtaining licenses. He added, the initial program should be affordable and that fees could increase as the program is established. He further stated his agreement with Ald. Aschauer that terminal owners should be responsible for some part of the terminal fee according to a normal benchmark split. He suggested staff determine the standard recommendation, and the City could start with a midrange fee with progressive annual increases.

Chairman Goodman referenced the different liquor license classifications where video gaming is proposed to be allowed versus where it is prohibited, and stated she would like to see video gaming banned from movie theaters. She also noticed a food requirement was not included in the draft ordinance, though the survey of surrounding

communities found that many towns do require that. She stated Council should consider regulations on this as well.

Chairman Goodman discussed technical questions about the draft ordinance that should be addressed by the City Attorney, specifically adding a statement of license eligibility or ineligibility in Sec K. for a Class E license; and adding a definition of a video gaming café.

Mayor Brummel stated Aurora and Carol Stream, both nearby communities, allow video gaming and have no concerns. He suggested staff consult with them about how they developed their programs and if they considered different fees at the start or expect to increase them later.

Ald. Wilson stated the Council should consider whether or not video gaming should be allowed, and not focus on the specific fees and restrictions at this time. He added, after that determination, fees and restrictions could be worked out. CA Coakley replied he appreciates all the input provided by Council, as that was the intent of tonight's discussion. He added, the previous Committee votes, including June 12, 2021, directing staff to pursue video gaming indicated to staff that the majority of Council showed an interest in allowing video gaming. The intent of tonight's discussion was to gather a consensus from Council on the specifics for the ordinance.

ALDERMAN ASCHAUER MADE A MOTION, seconded by Ald. Krischel to recommend the City Council adopt an ordinance allowing video gaming in the City of Warrenville with specific fees and restrictions, which would include consideration of reducing the Class V liquor license fee from \$2,000 to \$1,000, and any licensing fees on gaming machines would be paid by the gaming machine provider rather than the owner of the establishment.

Chairman Goodman clarified that Ald. Aschauer motioned for 100% of all terminal fees to be paid by the gaming machine provider. Ald. Aschauer concurred.

Ald. Anderson asked for a clarifying question to determine if it is a standard practice of other municipalities to require the same. MA Youngmeyer replied, from her research, most of the responding municipalities split the fees differently between establishment and terminal provider, but none have required 100% of the terminal fees be paid by the terminal provider.

Ald. Weidner stated several other concerns that have been discussed are not addressed by the motion. He questioned whether the terminal provider would agree to pay 100% of the terminal fee. He also wondered about a consensus on a video gaming café definition and food requirements, and whether these items should be added to the motion, or directed back to staff for more information. Chairman Goodman added concern for a movie theater liquor license classification including an ancillary Class V license as well.

Mayor Brummel suggested changing the motion to consider a nondescript split of terminal fees rather than requiring 100% of the fee from the terminal provider. He further suggested staff research how other communities determined the split requirement of the fee.

Following further discussion of the motion and the issues previously discussed, ALDERMAN BARRY MADE A MOTION, seconded by Ald. Goodman, to postpone discussion of the motion on the table to the Public Works and Infrastructure Committee of the Whole meeting on August 9.

CA Coakley clarified staff will prepare responses to all the questions and ensure the City Attorney will be available for additional discussion.

MOTION ADOPTED VIA VOICE VOTE.

6. Informational updates on Administration, Finance, and Police Department FY 2022 Work Plans and Decision Packages

Ald. Weidner asked if the bike patrol program is going to be reactivated. PC Turano confirmed it is up and running again.

Chairman Goodman asked for an update on police body worn cameras. PC Turano stated software training will take place in early August, and as soon as the cameras are up and running, he will give Council a demonstration. PC Turano also stated Warrenville will be the seventh community in DuPage County to have body cameras.

Mayor Brummel reported the local bike shop will host an event on August 14 and requested a bike officer be present at the event. He also expressed interest in participating in the bike patrol as a ride along with an officer.

NO COMMITTEE ACTION WAS REQUESTED NOR TAKEN.

G. MISCELLANEOUS

1. Commendations

PC Turano reported on several letters of commendation and thanks received by the Police Department for services provided to individuals as well as whole communities in the case of the Naperville tornado and the Warrenville Independence Day celebration. He also stated he will address the issues of officer recruitment and retention with the DuPage Mayors and Managers Conference in August. He also reported on assistance to multiple agencies within the DuPage MERIT multijurisdictional task force.

PC Turano reported staff is planning a tabletop disaster exercise for emergency operations with CA Coakley and EMA coordinator Spain to take place in December.

H. CLOSED SESSION

I. ADJOURN

ALDERMAN KRISCHEL MADE A MOTION, seconded by Ald. Davolos to adjourn.

MOTION ADOPTED VIA VOICE VOTE

The meeting adjourned at 9:10 p.m.

Approved: _____

Dawn R. Grivetti, Executive Assistant/Deputy Clerk