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Finance & Administration Committee
Regular Meeting
Monday, January 7, 2013
Village Hall, Executive Session Conference Room

Call to Order at 6:00pm - Trustee Emery

Roll Call - Taken by Manager Searl, not read for recording.

Pledge of Allegiance

NEW BUSINESS

- Construction and Plan Review Reimbursement Request Policy:

Trustee Emery asked Manager Searl to explain the change in agenda order. The agenda is changed to accommodate the guests attending to present the new business item: Construction and Plan Review Reimbursement Request Policy. Document was passed out to attendees that was brought by guests. CD Acting Director Malik will speak first and then the guests will have an opportunity to speak. This is a situation that Manager Searl has been involved in, and had worked toward settling. The request for monies needs to be brought to Committee per Village Attorney. Mr & Mrs Koecher are not expecting a decision tonight, just a presentation of the situation for the board.

Acting CD Director Malik passed out a hand out on costs and explained the background of the situation: Staff have been meeting with the Koecher's since last summer, front counter staff has meet with them repeatedly to go over the requirements for their permits, Kim Nicoll & Karen Remkus met on a couple of occasions; there were no professional designers for this plan. This item is a little difficult as parts of the lot sit in floodplain areas. A review of the timeline of submittals and reviews, county submittals, and the payments for permits were handed out and reviewed. After the permit was under review, Mr. Koecher contacted Karen Remkus to cancel the project. Shannon was informed that this was due to the costs of the additional building, electrical & plumbing permit.

Beginning October 5, 2013 Mr. & Mrs. Koecher's son Brian began contacting the Village Manager's office. After that point, Shannon personally began meeting with the Koechers. The comments in the letter that were made that she did not maintain contact, Shannon takes exception to as she feels that she did. Ron comments that he did get involved, knows that their son was frustrated. This is the first Ron has seen of the letter. He does not see that there was any out of the ordinary delays in the processes. Asked Shannon to go through facts and requests.

Shannon believed that Brian would take a more active role, but he did not attend the meeting; this meeting was to make sure that everyone was on the same page. October submittals were rushed through to make up for the initial delays. November 7th was the date the third engineering submittal and on November 11th Mr. Koecher sent an email to Shannon to withdraw their permit asking that he not be charged for the permits. Engineering said that the permit was almost done - it was in final submittal. This is a unique property. The vacant parcel had impact fees and sanitary connection, along with the Com Ed; this lot has never been developed.

Shannon's spreadsheet breaks out the total fees for engineering application, building permits: architectural, electrical & plumbing, along with the impact fee. Total: $12,673.00. Trustee Emery stops Shannon, saying that the list of fees is not something that she has ever seen before. The balance dues are added to subtotals to give the grand total of $12,673.00.

Trustee Emery asks to go through the line items. $2200.00 application fee, does that include the Burns & McDonnell fees? Shannon said that this cost is meant to cover up to 4 engineering reviews for an average property, but sometimes it does not for properties that have extensive issues. For this property that $2200 covered 2 engineering reviews. This includes the listings for Burns & McDonnell. The filing down payment was made by Mr & Mrs Koecher. Review fees are $1550 for zoning and architectural plan review. Zoning are done in house, plan review are Don Morris. Trustee Emery asks what that fee is based on, Shannon responds that it is the administrative costs of the permit as well as the zoning review. Trustee Fleming asks about the Don Morris architectural fees and Shannon said that she misspoke that the $515.00 is not part of the review fee; she handed out another spreadsheet that might help everyone understand the costs.

Trustee Emery asked that they continue the review of the $1550. The inspections are $800, were any done? Shannon replied no. Were any plans reviewed under that $1550, how much of it? Shannon replied yes and that it was the total plan review fee without work being done. The zoning plan review and the administrative costs - 100% of the costs is staff. Don Morris plan review of $515, why is it separate? Shannon does not have it on her notes, will have to double check that information. Bond? That could be refunded is the notation. Shannon asks to go back to the $515 and believes that might be the invoice cost from Don Morris pulled out to list separately; Trustee Emery asks what it was pulled out from. Shannon is not sure and will have to double check that. Trustee Fleming asks what would happen if there was another review would it cost an additional $515? Shannon responds that generally if there was a second review it would be cheaper because only the punch list items would be reviewed.

Trustee Fleming asks if that could be an additional cost that someone would not know about, correct. Shannon explains that the costs for the plan reviews are not quoted, it depends on the responsiveness of the residents architect. Trustee Fleming asks if there are one, two or many in the average project. Shannon said there are usually a minimum of two. Trustee Fleming asks why then is only one listed on the form? Shannon said that historically we have not required a down payment with the building portion as we have with engineering, it is something that we could look at doing. Trustee Emery said that when you are costing out a project fees are something that need to be looked at upfront; Trustee Fleming said you can't go back at someone and say wait you owe us another $550. These fees should be paid upfront and laid out for people; refunding what isn't used. Your package is a disservice to people that want to build in town. People need to know their fees going into a project. Trustee Klebenow stated that this first fee is the only fee that is going to be a given, any others are a maybe and only come up in unique situations Trustee Emery responded that it still needs to given as a heads up of what could be coming.

Ron states that this is our normal practice. What happened here is that a lot was purchased that had some some significant challenges to it and as Shannon said in the beginning they took on a lot of the responsibility - Mr. Koecher was to be the general on this? Mr. Koecher responds that he had a general contractor. The impression that Ron received from Community Development was that we have seen a lot more properties that have been way underpriced due to the market conditions but many of these lots have some developmental challenges and that is why the cost of the land is so low. There are more and more people that are doing their own submission and not relying on professionals to save money. The fees are updated, but these forms have been used for years and are not new. It is more that people are not familiar with the process.

Trustee Emery said she understands that but when she is given a financial statement that is not done as any financial statement Spencer would give, she is going to ask how to read it. Trustee Scott then asks what the applicants are looking for? Total amount back? Ron said he is not sure at this point. He initially spoke to their son regarding a reimbursement of $1,318 in stormwater review fees, and thought he was fine with that. He has since called back and asked for additionally monies. At that time Ron felt that it should come to committee.

Trustee Emery said that according to the sheet handed out that they have only paid $1200.00, so what have they paid? This amount is from an email from Brian Koecher, he asks Shannon to clarify and she said that the remaining balance was due at the time the permit is issued. Trustee Emery confirms that they have paid $1200 along with $200 in courier fees and the registration of $50 total. What about the other bond issues? Shannon said that was the contractor registration with All Around Electrical, who would have had to receive their surety bond back within 30 days after issuance to get refunded by their insurance company. It looks like that was around September 17th and there was no request from the Electrical Contractor for that to be returned.

Trustee Emery asks Mr. Koecher to confirm that he has decided not to build on the lot. He replied that is correct. She then asks if it has been put up for sale again and he replies not yet. Trustee Emery responds that on behalf of the Village we apologize that you have decided not to build here. We all live here and like it. Mrs. Koecher responds that they are very disappointed, as their children live here and have for 20 years. All their hopes and dreams went in to this project and it didn't work. She also states that the breakdown that the board is looking at, they never received. No copy of anything was received. Mr. Koecher states that they did receive a breakdown, but after.

Mr. Koecher states that they purchased the lot in 2011 and arranged for a meeting with the stormwater engineers at DuPage County and were advised that it was a buildable lot as long as there was no basement and the remaining pervious areas would remain undisturbed.

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Then in June of 2012 we visited the Village to learn about the permit process and fees, as they had no idea about such things. We were told that the permit fee would be $2200 with a deposit required of $1000 plus $200 to the County. We were also told that the DuPage County had changed their ordinance to make it less restrictive and we would be the first on that new rule. So we returned to the Village on August 30 with our entire permit package in hand, the architectural plans, county fees, sanitary district fees.

However, over a period of we did not receive the full transparency of the fees or the professionalism that we felt we were due from the staff of Westmont Development Department. So for the next few months we received undisclosed charges, often conflicting, having restrictions added to the property, and new regulations encountered along the way. The plans returned from Burns and McDowell changed the square footage of the building plan and for best practices should treat 100% of the project area, this should be in your notes. This is quite unreasonable as it would did not leave room to build a house or for a driveway. This contradicts the county's claim that the lot is buildable. So my son, had to complain to the Mayor's office to make Shannon return our calls to receive a simple update on the project status and a final tabulation of the many changes. In fact the fee notices were hung in the ED office after the phone call, after the phone call, these had never been posted before when we visited the office.

Ron asked Mr. Koecher if there was a question of power to the property? Yes, Mr. Koecher had contacted Com Ed asking how they were going to service the property. Given that there were poles on either side, a distance away, not anywhere near the property, they had suggested that the mid stand pole and serving the property from across the street or to come off the pole on the other side of the property that had a transformer off it already; this side did not have a utility room only a bathroom. Ron said that with our history of dealings with ComEd he was interested in whether Mr. Koecher remembers what the lowest cost option that they were given. Mr. Koecher said that with overhead service it would not cost anything. The midpole on the one side of the house had to be approved by the village.

October 22nd was the date that the total fees from the Village were. From August 30-October 22 we had no idea what the total costs from the Village would be, and it was kind of strange that this piece of property which is adjacent to St. Joseph's Creek, a partial floodplain (70%) and with all the regulations placed on it made it a pollution dump for the garbage from the surrounding properties. Trustee Emery asked what changes were made to the other properties that created this in the last few months. Ron said that many of the properties along the creek are unincorporated and have developed over time. The county is trying to put things in retrospectively. Mr. Koecher is worried about the property is being the waste water for the entire neighborhood due to the illegal building of sheds and bridges across the pond. The Village has no control over that creek either. Mr. Koecher is upset by that maintenance of the creek and Ron said that the creek is under the control of Corp of Engineers and that the property owners were responsible for the creek.

Trustee Scott asked Shannon is when the Koecher's first submitted their plans did someone from the Village take a first look and say that yes this plan will fit on this property? Or was that handed off to Burns and McDowell first. Shannon said that first step is the zoning review and make sure that all the setbacks are met after that if it passes it goes for an engineering review. Shannon also points out that on August 30 only a partial submittal was made,

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everything that is needed was not submitted until September 10th. Mr. Koecher states that that is untrue. In fact it is mentioned that they had everything in order. The staff told them that very few people come in and have everything together.

Trustee Emery thanks the Koechers for coming in and asks that this be cut short, there are other agenda items and already a half hour has been used. She asks Ron if this is to go before the board. Ron states he would like the Koechers to be clear before the board right now that they are requesting a refund of $1450. They state yes, and he responded alright. The Koechers thank everyone for their time and consideration as they exit. Shannon asks if she could add a final thought and Ron responds no - we need to move on. There are other things on the agenda.

We will go back to the beginning and start with Finance. Shannon asks if she can mention the changes that have been made and Ron said no we have to move 0n. Ron asks Trustee Emery where we should begin? Trustee Emery asks Shannon to really quick give a response to the Koecher's email, as Shannon had the emails and letters and there are always two sides to the story; however if someone waited 5 weeks for a response to be told we don't have time for you, that is not right - it is not acceptable. Shannon does not believe that is what happened. Trustee Emery would like it in writing along with the email package so the timeline can be followed. When a resident says that they have been treated like crap, we are not going to blow it off, we are going to take a look at what happened.

Ron states to Trustee Emery that he had never before spoken to Mr. Koecher, only to his son and that the total dollar amount was never given. Trustee Senicka asks why the Koechers were dealing with the staff and not the general contractor? Clearly they did not understand the process. The contractor registration fee is clearly listed, with a company name. Ron replied that if he knew it was $1450, it would not have come to committee, his impression was that it was much higher from taking to their son Trustee Emery recommends that if this needs to come before the board for a refund, do it. Trustee Nero said that the refund should be done if they are not going to build, but the ultimate goal is to have them build on the property. As everyone knows he went through the same experience as his own general contractor and it was a pain in the neck but a real learning experience - he did not know what he was doing at first. He got through by calling the county - there are grey areas in the new ordinance. He asks Shannon if she thinks it is black and white, doesn't the Village have the authority to allow if it is on the edge or buffered up against a flood zone. Trustee Nero believes what happened was the County said this and the Village said this and maybe the Village could have helped to see this built on this property; the County has built the grey area in for situations like this. Trustee Emery responds that the problem is that they have buyers remorse now and good luck selling it. Trustee Nero said that going forward we have to help homeowners going through this and hand hold them. It means not discouraging them. Ron repeated that he was sorry for this item as the amount was only $1450 but the son made it sound like a much greater amount. Trustee Scott responded that it could change as the son was not here today; Ron let him know that the son was asked to come and responded that his father would handle it.

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REPORTS

- Finance
  - Monthly Treasurer's Report - Spencer hands out the November report - you can see that this is a good report as departments have been great at watching expenditures. The cash report on the reverse side is up from last year, we are in a good position.
  - Bank RFP/Selection -
    - All (25) banks are listed that were contacted.
    - All banks that downloaded the rfp are listed (7).
    - The proposals are listed and color coded the best is green, worst is red, and yellow somewhere in the middle.
    - The ratings are also listed, Clarendon Hills is first with a 5 star, and First Midwest is second. The next column is if they are in Westmont, the next is community outreach. The Community events section is if they are involved in local community events. Also a listing for services.
      - Recently we had the police department confiscate coins and our current bank did not have the ability to count the coins for us and return the exact same specific coins to us as evidence. Thus that was a specific question in the RFP.
    - Next item is the ability to cash petty cash checks on a different account as that has been an issue with our current bank.
    - The fees and rates are similar between Clarendon Hills Bank and First Midwest along with the incentives.
    - The question of any municipalities leaving in the last few years only Clarendon Hills Bank and Midwest Bank were the only ones that answered that question and both said no. Clarendon Hills Bank seems to have the better rates, however they are not located in the corporate boundaries of Westmont.
  - Ron states that the goal tonight is to present the information, discuss it and then place it on the board agenda. Trustee Senicka asks how often in a day do we send someone to the bank? Spencer responds that it is once a day with the deposits. Trustee Senicka responds that it then means that someone will have to get in a car and drive, Spencer respond that yes but the distance is very close except for Republic Bank. Trustee Emery said that the did not mentions are unacceptable. This item can be brought before the board.
  - Budget Prep Update - The first item that has been passed out is the budget timeline. The tentative schedule is April 8th as beginning the budget workshops. The budget process kickoff shows the line item budget a new view with a program budget format that lists where the line item comes from. The program will also show different options for the costs in the programs. This would give the board/resident more information for the budget process. The Board will be able to see the project sheet and costs on their tablets as the decisions are made in the Google Drive spreadsheet to give a better feel for the

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numbers. Ron said that it will give everyone a clearer picture of what a cut means to a department.

- Administration
  - Web Site Project Update Review - Glen is not at the meeting so Ron said to table for the next meeting.
  - Cathy Casey announces that the staff catch up day will be January 21st. Just a reminder that it is that time of year - these are going really well for departments.

UNFINISHED BUSINESS

- Comprehensive Plan Update - Shannon announced that Wednesday evening is the Open House and then at the Planning & Zoning meeting will be the Public Hearing. Hopefully there will be a good turn out. Progress did an interview earlier today - hopefully we will get some good coverage.
- TIF Study Update - SWBD-TIF was continued to 1-16-13 by the JRB. The CBD-TIF draft proposal should be delivered soon by Teska. Things are moving forward, on time with both TIFS.

NEW BUSINESS

- Service Recognition Policy & Procedure (PP-23) - Cathy Casey passed out the policy that has been updated to reflect Village practices. The language changes have been highlighted. The dollar amounts that the board has previously approved has not been changed. The 2005 policy and the current version were sent in the Friday Report. These copies highlight the changes.

- The Comp Plan two ala carte items that were approved for this year's fiscal budget, the development visualization and the design development guidelines. We are at the point with Houseal Lavigne that if we still wish to move forward with them doing the work than now would be when they are able to get started. We wanted to touch base with the board to make sure we still wanted to move in that direction.
  - Trustee Emery said that yes we want them to do the whole thing, Trustee Fleming said to take it to the finish line.

ADJOURN - Trustee Emery calls for a motion to adjourn, Trustee Nero so moved and Trustee Senicka seconds, all respond aye.