

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

07/16/2019

7:00 PM

In order to give as many visitors as possible an opportunity to speak and in the interest of adjourning the meeting by 9:00 p.m., please limit your comments to 5 minutes in length, unless further time is granted by Council. Thank you.

1. Call to Order

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

2. Roll Call

Council Attendance (Present): Commissioner Walus, Commissioner Earl, Commissioner Sadowski-Fugitt; Commissioner Kulovany, Commissioner Gray, Commissioner Hosé; Mayor Barnett

Absent: None

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

The Council meeting is broadcast live and a recording of the meeting is made using Village-owned equipment. The recording 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 past meetings, an opportunity will be given for public comments and questions of a general nature. 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 Mayor stated that at the appropriate time the presiding officers will ask if there are any comments from the public. Individuals wishing to speak should raise their hand to be recognized and, after acknowledgment from the presiding officer, approach the microphone and state their name. Remarks should be limited to five minutes, and individuals are asked to refrain from making repetitive statements.

Mayor Barnett 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

MIN 2019-8198 — A. Minutes: Council Minutes – July 9, 2019

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Motion: Commissioner José moved to approve the minutes as presented. Commissioner Earl seconded the motion.

Mayor Barnett declared the motion carried by voice vote.

4. Public Comments

This is the opportunity for public comments.

Preston Straub spoke about the Building Board of Appeals process. He said he met with three Village department heads. There is no appeals board. He has several issues. He said an alternate method of protection was presented but it was abruptly denied and they were threatened with having their buildings red tagged. He feels he has the right to take this to an independent board that is independent of staff. He doesn't think this is right. He noted that the Mayor previously said he did not want to discuss this because it was in traffic court, but this is independent of that. He has a right to due process. This is arbitrary nonsense and he wants to get this over with. He asked if he can get this matter as an agenda item because the Council needs to see the workings of the Village.

Mayor Barnett said he has not been fully engaged in the process.

Mr. Straub said they were one of the first groups to be hooked up to the new radio system. Around 2016, the Village wanted to enforce inspections in private dwelling units. This is where the matter started getting problematic.

Mayor Barnett said there is a process and it is his understanding that we are working through it; not everyone likes it. Suggesting alternative codes is not something to be brought to this Council. This is the staff's responsibility. The Mayor said he disagrees that this is arbitrary. It is not what Mr. Straub likes. He suggested Mr. Straub write down his concerns and send them to the Village Manager to send to Council. He further noted that this has gone through the court system.

Mr. Straub said the purpose of the Building Board of Appeals is to be independent. He asked as to due process.

The Mayor said he thinks the time limitations have been exceeded, which is why this was in court. He reiterated that Mr. Straub has the option to submit an agenda issue through the Village Manager for review and Council's consideration.

5. Consent Agenda

COR 2019-8258 — A. Claims Ordinance: No. 6321, Payroll, July 5, 2019

BIL 2019-8259 — B. Bills Payable: No. 6468, July 16, 2019

RES 2019-8254 — C. Resolution: Authorize Intergovernmental Agreements re: Peer Jury Program

Summary: This authorizes intergovernmental agreements with each of the following municipalities - Burr Ridge, Clarendon Hills, Darien, Hinsdale, Oak Brook and Willowbrook - for the continued operation of the Downers Grove Regional Peer Jury Program.

**A RESOLUTION AUTHORIZING INTERGOVERNMENTAL AGREEMENTS REGARDING THE
PEER JURY PROGRAM**

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RESOLUTION 2019-56

RES 2019-8256 — D. Motion: Award a Three-Year Contract for \$120,000.00 to Legacy Fire Apparatus, Shorewood, IL, for Fire Apparatus Repair and Maintenance

Summary: This awards a three-year contract for fire apparatus repair and maintenance to Legacy Fire Apparatus of Shorewood, Illinois, in the amount of \$120,000.

RES 2019-8230 — E. Motion: Award a Three-Year Contract Not to Exceed \$197,772.00 to Hampton, Lenzini and Renwick, Inc., Elgin, IL, for Native Landscaping and Natural Areas Maintenance

Summary: This awards a three year contract for additional native landscaping and natural areas maintenance to Hampton, Lenzini and Renwick, Inc. (HLR), of Elgin, Illinois, in an amount of \$197,772.00, which includes a 20% contingency. The contract price for 2019 is \$100,140.00.

RES 2019-8260 — F. Motion: Award a Contract in an Amount Not to Exceed \$63,350.00 to Master Projects, Inc., Chicago, IL, for Roof Replacement at Fairview Avenue Commuter Station

Summary: This authorizes approval of a contract with Master Projects, Inc. of Chicago, IL, for the replacement of the roof at the Fairview Avenue Commuter Station in an amount not to exceed \$63,350.

RES 2019-8261 — G. Resolution: Authorize an Intergovernmental Agreement for the Repair of a Community Facility in the Village of Downers Grove

Summary: This authorizes an intergovernmental funding agreement with Metra for the replacement of the roof at the Fairview Avenue Commuter Station.

A RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL FUNDING AGREEMENT FOR THE REPAIR OF A COMMUTER FACILITY IN THE VILLAGE OF DOWNERS GROVE

RESOLUTION 2019-57

Motion: Commissioner José moved to approve the Consent Agenda as presented. Commissioner Earl seconded the motion.

Mayor Barnett declared the motion carried by voice vote.

7. Active Agenda

ORD 2019-8208 — A. Ordinance: Authorize a Special Use for 6301 Main Street to Permit a Fueling Station

Summary: This authorizes a special use for 6301 Main Street to permit a fueling station.

AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 6301 MAIN STREET TO PERMIT A FUELING STATION

ORDINANCE NO. 5768

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Motion: Commissioner José moved to adopt “An Ordinance Authorizing a Special Use for 6301 Main Street to Permit a Fueling Station” as presented. Commissioner Earl seconded the motion.

Votes: Yea: Commissioners José, Earl, Gray, Kulovany, Sadowski-Fugitt, Walus; Mayor Barnett

Nay: None

Mayor Barnett declared the motion carried.

ORD 2019-8207 — A. Ordinance: Authorize a Special Use for 2300 Wisconsin Ave., Unit 101, to Permit a Personal Vehicle Sales Business

Summary: This authorizes a special use for 2300 Wisconsin Avenue, Unit 101, to permit a personal vehicle sales business.

**AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 2300 WISCONSIN AVENUE, UNIT 101,
TO PERMIT A PERSONAL VEHICLE SALES BUSINESS**

ORDINANCE NO. 5769

Motion: Commissioner José moved to adopt “An Ordinance Authorizing a Special Use for 2300 Wisconsin Avenue, Unit 101, to Permit a Personal Vehicle Sales Business” as presented. Commissioner Earl seconded the motion.

Votes: Yea: Commissioners José, Earl, Gray, Kulovany, Sadowski-Fugitt, Walus; Mayor Barnett

Nay: None

Mayor Barnett declared the motion carried.

7. First Reading

8. Manager’s Report

9. Mayor and Council Member Reports

Commissioner Kulovany said he attended the dedication of the Montrew Dunham History Center on July 13, 2019, on behalf of the Downers Grove Historical Society and the Mayor. It took place at the Downers Grove Museum, which is owned by the Park District. It was a great event, well attended and the Dunham family was present.

Commissioner Sadowski-Fugitt reminded everyone that the next Coffee With The Council will be on Saturday, July 20, 2019.

Commissioner Gray expressed his appreciation for the community’s support and encouragement of him in his role as Commissioner. He is looking forward to speaking with residents at the Coffee With The Council.

Commissioner Earl congratulated Gordon Goodman on winning the first Montrew Dunham award.

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Commissioner José said the Coffee With The Council will be at the Main Street Train Station from 9:00 a.m. to 10:00 a.m.

Mayor Barnett said the weather is expected to be tough for the next few days. He urged people to look out for each other.

Mayor Barnett asked for a motion to recess to the Committee Room to discuss Council governance.

Motion: Commissioner José moved to recess. Commissioner Earl seconded the motion.

The Mayor declared the motion carried by voice vote and the Council recessed at 7:17 p.m.

10. Council Governance Discussion – Committee Room

Mayor Barnett asked for a motion to reconvene the meeting to discuss Council governance.

Motion: Commissioner José moved to reconvene. Commissioner Earl seconded the motion.

The Mayor declared the motion carried by voice vote and the Council reconvened at 7:24 p.m.

Mayor Barnett introduced the Council governance discussion. The purpose is to discuss the issues that help achieve the results desired by the Village Council. There is no “right” or “wrong” way, and there can be changes. He wants Council members to talk about what works. He noted there is a great deal of work to be done and expressed his hope that they continue to follow with what has been working for a while. However, he invited the Council to discuss any areas with which they might have an issue. It is important to talk with one another. The Mayor addressed the issues.

Council Meetings

The Mayor discussed how the agenda is built, the timing, meetings and phone calls between the Manager, the Mayor and Council. He said the Council meeting packets are available to Council and residents at the same time.

Commissioner Sadowski-Fugitt asked about minutes of Boards and Commissions.

Mayor Barnett said he circulated the synopsis provided by the DuPage Mayors and Managers Conference with respect to County meetings.

Board and Commission Meetings

The Mayor said the workload is such that he would like to hold on this issue for a while.

Commissioner Kulovany said that, as a board member, he did not feel intimidated with the Mayor or a Council member attending a board or commission meeting.

The Mayor said he would like to discuss this at a later date as there are opposite feelings as well.

Commissioner José said in the past he has asked for an audio recording of a meeting if he had questions regarding the minutes.

Commissioner Earl said the intention is to allow the board or commission to make their own decisions.

Commissioner Gray asked about the makeup of the Downtown Management Corporation.

Mayor Barnett explained that the Downtown Management Corporation is a separate entity with their own bylaws, etc.

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Other Government/Agency Meetings

Mayor Barnett noted it is important for Council members to stay focused on the fact that you are representing the Village and oneself. He urged Council members to be sensitive to that and to circle back around to staff.

Coffee With The Council

Mayor Barnett said Council members should attend Coffee With The Council meetings as they are able. Currently these meetings are held at the Library, the Downers Grove Downtown Market and Fire Station 2. He recommended continuing this practice. He said when meetings were rotated more regularly, there was some additional attendance but it might have been out of a sense of curiosity.

Commissioner Earl said her experience is that the more it moves locations, the fewer number of people show up.

Commissioner Gray asked how many people come to a Coffee With The Council.

Commissioner Earl said it varies depending upon the weather and issues.

The Mayor said people like to know they can attend if they want to.

Communicating with the Public

Mayor Barnett said it is important to communicate with staff and each other. It is fine to say that staff will get back to a resident.

Commissioner Earl cautioned Council members to be careful when putting something in writing and to consciously protect the Village. She said to check with the legal department with questions.

Mayor Barnett spoke about the requirements of the Open Meetings Act. He also noted that a written document creates a record.

Commissioner José said it is important to leverage social media to get information out. We can't live in fear of frivolous lawsuits.

Mayor Barnett agreed that he wants everyone to feel comfortable but also to be mindful of Commissioner Earl's comments. We need to be thoughtful and careful. Social media is not private.

Responding to Press Inquiries

Mayor Barnett reminded the Council that staff resources are available to help Council members. The goal is to be responsive and to put the Village in the best light.

Responding to Residents

Mayor Barnett said this was previously discussed.

Neighborhood Meetings

Mayor Barnett said there are many neighborhood meetings; staff will inform you of them.

Groundbreaking/Ribbon Cutting Ceremonies

Mayor Barnett said Council is invited to these ceremonies by the Chamber 630, the Downtown Management Corporation and the Economic Development Corporation. He has asked representatives of these groups to highlight an opening if they have a reason to do so. He said generally he or Commission José, as Mayor pro tem, speak, or the Mayor will ask another Council member to speak. The Mayor asked Council members to decide to speak if he is not at an opening and no one has already been designated to speak.

Council Directed Work by Staff

Mayor Barnett explained the four hour limit. Staff gives Council as much information as possible. He asked that Council avoid asking staff to change a policy.

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Commissioner Earl said it is important to talk to staff as they may have already heard about an issue or it may have already been sorted out.

Mayor Barnett said Council has the ability to do our job built into the goals and issues.

Commissioner Kulovany asked about the rationale behind submitting questions on Wednesday.

Mayor Barnett said this helps to avoid surprises and allows time to prepare for a meaningful discussion at the next Council meeting.

Village Manager, Dave Fieldman, noted that staff meetings are held on Wednesdays and Council agendas are discussed at that time.

Commissioner Earl said it makes for a smoother process.

Mayor Barnett said it is designed to be efficient.

Designing Capital Projects

Mayor Barnett discussed the budget process. Capital projects are included in the budget and highlight what needs to be done and the costs. While Council will not see a specific item until there is a contract, a lot of work is going on behind the scenes and often neighborhood meetings are held. Mayor Barnett told Council members to feel free to ask for a pause and stop the process if necessary. He said it happens infrequently but it is necessary to make sure a particular project is right.

Commissioner Earl noted that the budget will show when a project is slated to begin.

Following this presentation, the Council agreed to keep the current system in place for the time being.

Mr. Fieldman said staff will move forward with the Long Range Plan (LRP) and said a draft will be available on Friday, August 2. Council will meet in the Committee Room for LRP discussions.

Mayor Barnett urged Council members to help each other and to ask questions.

Public Comment

David Rose noted that the Mayor's voice does not carry.

The Mayor said he will work on this.

Mr. Rose asked about the Environmental Concerns Commission (ECC). He is disappointed with how inadequate this body is. They thought they needed to be directed. Previous Councils have asked that they examine how they work. They have not met for three months. He asked about bringing energy to this Commission and noted that little or nothing has been done with respect to environmental sustainability.

Mayor Barnett said this will probably not be solved quickly. He said whether or not there is an ECC does not equate with Village's environmental sustainability goal. The Village has a very good record with respect to environmental work. We are good stewards of the environment.

Mr. Rose said he disagrees. There are no metrics to support this.

The Mayor said he would be happy to follow up with Mr. Rose.

Commissioner Walus said Council needs to look at how boards and commissions function as a group.

Commissioner Earl said attendance at meetings is not always easy. It is frustrating not to have a quorum. She also noted that the charge of some boards/commissions is flexible while others are petition driven.

Mr. Rose asked if he can expect any changes.

The Mayor said he cannot expect any changes at this time. He will be appointing and reappointing members to boards and commissions in August.

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Mr. Rose said it is perplexing to him that the ECC doesn't do anything unless they are given an assignment.

The Mayor said the reason is due to the workload. With 100-110 people serving on boards and commissions, the workload could rise to a level that cannot be managed. Council wants the boards and commissions to be a resource.

Mr. Rose said he thought the ECC could take actions that are not directly connected to Council, such as educating the community.

Commissioner Earl said everything has to be a cohesive package and message. It is not as simple as one would like it to be.

Commissioner Kulovany said decisions will be made as the Council goes into the LRP discussions. The LRP becomes the operating plan for the Village and where an issue could be sent to a board/commission to drill down.

Commissioner José said we shouldn't think of boards and commissions as subcommittees of the Council; they are not. We do not have the budget for them to drive initiatives.

Commissioner Earl suggested there be a rolling appointment process.

Mr. Rose asked about the practice to deal with inactive members.

Mayor Barnett said the Council is not fully prepared to discuss this in detail. The ECC functions based on work assigned to them by the Council.

Todd Paradis said he is cautiously optimistic. He encouraged the Council to follow through on what was said.

11. Adjournment

Motion: Commissioner José moved to adjourn. Commissioner Earl seconded the motion.

Mayor Barnett declared the motion carried by voice vote and the meeting adjourned at 8:31 p.m.

Respectfully submitted,

April Holden

Village Clerk