

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

9/10/2019

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 Robert 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 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 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.

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3. Minutes of Council Meetings

MIN 2019-8312 — A. Minutes: Council Minutes – September 3, 2019

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.

Mark Thoman invited the Council and public to the 2nd Annual Oktober Fest Senior Fundraiser on October 3 from 5:00 p.m. to 7:00 p.m. at Oak Trace Health Center. Tickets are \$25 at the door.

Matt Topic said he lives in Orchard Brook. He said he applied for a permit to install solar panels but the application was rejected because the panels would encroach on the street. He was told he could only build half of the system. He asked the Council to amend the Zoning Ordinance regarding encroachments. He provided a packet to the Council.

5. Consent Agenda

BIL 2019-8313 — A. Bills Payable: No. 6478, September 10, 2019

MOT 2019-8306 — B. Motion: Authorize \$62,938.95 for the Purchase of 15 Motorola Solutions Starcom APX6000 Portable Radios for Police Operations through the State of Illinois Master Contract

Summary: This authorizes the purchase of 15 Motorola Solutions Starcom APX6000 portable radios for Police Operations through the State of Illinois Master Contract for Starcom Radios in the amount of \$62,938.95.

MOT 2019-8302 — C. Motion: Award a Contract for \$200,000.00 to J.A. Johnson Paving Company, Arlington Heights, Illinois, for 2019 Fall Roadway Patching

Summary: This awards a contract to J.A. Johnson Paving Company, Arlington Heights, Illinois for 2019 fall roadway patching in the amount of \$200,000.00.

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

Mayor Barnett declared the motion carried by voice vote.

7. Active Agenda

ORD 2019-8304 – A. Ordinance: Amend Raffle License Provisions

Summary: This makes certain amendments to raffle license provisions.

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AN ORDINANCE AMENDING RAFFLE LICENSE PROVISIONS**ORDINANCE NO. 5772**

Motion: Commissioner Hosé moved to approve “An Ordinance Amending Raffle License Provisions,” as presented. Commissioner Earl seconded the motion.

Votes: Yea: Commissioners Hosé, Earl, Gray, Kulovany, Sadowski-Fugitt, Walus; Mayor Barnett
Nay: None

Mayor Barnett declared the motion carried.

MOT 2019-8311 – B. Motion: Direct Staff to Prepare Amendments to the Zoning Ordinance for Plan Commission Review and Consideration at a Public Meeting

Summary: This directs staff to prepare amendments to the Zoning Ordinance for Plan Commission review and consideration at a public hearing, to include the following:

- Categorize Cannabis Dispensaries as a Special Use in the B-2, B-3, ORM, M-1 and M-2 Zoning Districts.
- Categorize All Other Cannabis Businesses as a Special Use in the ORM, M-1 and M-2 Zoning Districts.
- Other Regulations for Cannabis Businesses
 - Not adjacent to residentially zoned properties
 - Must be located 1,000 feet or 1,300 feet from schools, parks and daycares (Plan Commission to discuss these distance regulation options)
 - A dispensary must not be within 1,500 feet of another dispensary
 - A maximum of three Special Use permits for all cannabis businesses shall be issued

Motion: Commissioner Hosé moved to staff to prepare amendments to the Zoning Ordinance for Plan Commission review and consideration at a public hearing, to include the following:

- Categorize Cannabis Dispensaries as a Special Use in the B-2, B-3, ORM, M-1 and M-2 Zoning Districts.
- Categorize All Other Cannabis Businesses as a Special Use in the ORM, M-1 and M-2 Zoning Districts.
- Other Regulations for Cannabis Businesses
 - Not adjacent to residentially zoned properties
 - Must be located 1,000 feet or 1,300 feet from schools, parks and daycares (Plan Commission to discuss these distance regulation options)
 - A dispensary must not be within 1,500 feet of another dispensary
 - A maximum of three Special Use permits for all cannabis businesses shall be issued.

Commissioner Sadowski-Fugitt seconded the motion.

Commissioner Sadowksi-Fugitt thanked Stan Popovich, Director, Community Development, and Police Chief Shanon Gillette for their presentations, and the residents for their comments. She reiterated that retail cannabis will be legal as of 1/1/20. She will vote yes on this motion in order to explore this matter. It is not a vote regarding zoning.

Commissioner Hosé agreed that the Council should gather more information and the way to do it is through the Plan Commission. He thanked the staff for answering the Council questions. He noted that staff estimates that

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dispensaries will be 2,000 to 4,000 square feet in area and generate \$7 to \$10 million in annual sales. This is a range of \$1,750 to \$5,000 per square foot in annual sales. He compared this to retail stores that generate about \$350 per square foot in retail sales.

Zac Alexander spoke of the effect of cannabis based businesses in Downers Grove. He spoke in favor of this motion and cited reports refuting concerns regarding crime, accidents, tax revenue, teenage drug use, cash only business crime, as well as support for federal legalization and the risk of unregulated products.

Mayor Barnett said this motion is to consider the potential zoning to allow for cannabis based businesses in our community. This is to determine whether to forward the matter to the Plan Commission.

Christina Martin, 701 Maple Avenue, said parents face so many serious issues. Downers Grove is a family friendly neighborhood. We don't need to be selling cannabis here; it sends the wrong message.

Commissioner Kulovany said he read all the research papers cited in the Council packet. This issue is personal to him. Legalization is going to happen. He spoke of Chief Gillette's comments concerning the potential work and costs. He discussed the possible results in terms of tax revenue vs. the risks. He said Lombard is moving forward and he would not be surprised if Westmont moves forward as well. He asked if it is unreasonable to drive to Westmont or Lombard. This touches him personally. He noted that this has not stopped black market sales. He thinks it is worth waiting to see the results of other communities. He will vote no on this motion.

Commissioner Gray said last week he took in new information and he has tried to break it down. Council was inundated by numbers. He spoke of risk vs. reward. The zoning restrictions seem to offer a limited opportunity. He noted that the financial numbers always come in lower than what is expected. He said we could be opening up a box to something we don't know due to it being new. He spoke of expungements in the State's Attorney's office noting that 700,000 lives could be affected. He asked if the words, "thug," "hoodlum," and "dealer" still apply. He addressed social equity due to the costs to participate. In terms of the future of Downers Grove, he said he didn't understand the starting point. He asked as to similar issues experienced here and what was learned. He spoke of the image/brand we have for Downers Grove. He asked if the decision is improving the brand of Downers Grove or not. He will vote no.

Commissioner Earl spoke of a conference she attended with respect to the topic of unintended consequences of medical marijuana. This was a group of planners and they were trying to warn people. This is an undesirable business and she does not support this. She said we don't need to be the first to opt in. The income may not cover potential costs. This is not the way she wants the community to be perceived and it is not the way to generate revenue. She does not support this.

Commissioner Walus said she would like to pause. She addressed several issues. Costs are not yet available. She has received a mixed response from the community – 50% in favor of this; 50% opposed. This gives her pause. She said we cannot just consider revenue. We must consider societal costs. She said she wants to be thoughtful and she does not want to add to the work of the police. She believes we need to pause. She is not opposed to reviewing this at a later date. It is our job to hear all who wish to be heard.

Commissioner Sadowksi-Fugitt said this is not a vote on the Zoning Ordinance. It is to take it to the Plan Commission to hold public hearings in order to hear more from the public. A "no" vote is a vote to get less information.

Commissioner José said a "no" vote stops information and stops the process. If Chief Gillette and the police department were of the opinion that the sale of cannabis would be too dangerous, he would have said so. In response to comments that no one has expressed any interest in Downers Grove, he noted that no one will design a business plan when the Council is not ready to talk about it. He said he doesn't understand why we would stop the public process to get public input.

Commissioner Kulovany said the Plan Commission must follow specific guidelines. This would not be in the purview of the Plan Commission.

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Mayor Barnett said he agrees that stopping the process stops the flow of information. Downers Grove has a reputation for gathering information. This would stop the process on the part of both staff and residents. The role of the Plan Commission is to conduct public hearings.

Votes: Yea: Commissioners Hosé, Sadowski-Fugitt; Mayor Barnett

Nay: Commissioners Gray, Kulovany, Walus, Earl

Mayor Barnett declared the motion failed 4:3.

Motion: Commissioner Earl moved to direct staff to prepare an ordinance prohibiting adult-use cannabis business establishments (other than medical cannabis cultivation centers and dispensaries) from operating within the Village of Downers Grove. Commissioner Kulovany seconded the motion.

Commissioner Hosé said last week five Commissioners said they were okay moving forward. This is a flip flop and he has no idea why.

Commissioner Hosé moved to table the motion. Commissioner Sadowski-Fugitt seconded the motion.

Commissioner Sadowski-Fugitt said she has the same concerns as Commissioner Hosé. At worst, public opinion is 50/50 and last week five Commissioners were in support. She said she is concerned about this. She stands by more information always being better. This would limit the information we have.

Commissioner Earl said this is not to limit information; it is waiting for more data from our area. She said the feedback she has received is also 50/50. She prefers freeing up staff to work on other things.

Commissioner Gray said last week he said he was processing information in real time. This is a serious topic. He said someone told him they heard he said no last week.

Commissioner Kulovany said his position evolved. He said he had no political backing when he ran for office. He noted that he doesn't change his story depending on who he is speaking to and referenced his support for historic preservation and for trees. He's kept an open mind on this issue. He has respect for people taking in additional information. He didn't know a lot of the facts that he knows now. His decision is fact based.

In response to Commissioner Sadowski-Fugitt, Village Manager Dave Fieldman said future actions would be to prepare an ordinance to prohibit cannabis based businesses. The Zoning Ordinance could also be amended such that these businesses are not allowed. That action would require a public hearing.

Mayor Barnett asked for a vote on the motion to table this motion.

Votes: Yea: Commissioners Hosé, Sadowski-Fugitt; Mayor Barnett

Nay: Commissioners Gray, Kulovany, Walus, Earl

Mayor Barnett declared the motion failed 4:3.

Mayor Barnett then asked for a vote on the motion moved by Commissioner Earl to direct staff to prepare an ordinance prohibiting adult-use cannabis business establishments (other than medical cannabis cultivation centers and dispensaries) from operating within the Village of Downers Grove.

Votes: Yea: Commissioners Earl, Kulovany, Gray, Walus

Nay: Commissioners Sadowski-Fugitt, Hosé; Mayor Barnett

Mayor Barnett declared the motion passed 4:3.

8. First Reading

ORD 2019-8295 — A. Ordinance: Approve a Redevelopment Agreement with the Downers Grove Township

Mr. Fieldman said a redevelopment agreement has been prepared between the Village and the Downers Grove Township to reimburse the Township in an amount not to exceed \$275,000 for the costs of stormwater management improvements and pedestrian crosswalk. He said \$850,000 is available in the Ogden TIF Fund.

Commissioner Earl said she was delighted to see this move forward.

Commissioner Kulovany he liked the idea of cooperation with District 99, the native plantings and the green roof.

Mark Thoman, Downers Grove Township Supervisor, thanked the Mayor and staff for their help. He explained the existing conditions in terms of parking, public access and meeting space. The building will provide space for the FISH pantry which is staffed by volunteers and will continue to serve residents. He addressed the public space needs. Mr. Thoman said the Township will partner with District 99 for science experiences, and for student pedestrian safety. The redevelopment agreement helps make this project work. He noted that no new offices will be created. He is looking forward to this entity helping people in the future.

Commissioner Sadowski-Fugitt said she is excited about this, particularly the involvement of people from high school through senior citizens.

INF 2019-8307 — B. Information: Discuss Results of the Water Rate Study

Mr. Fieldman introduced David Hyder, Principal, Stantec Consulting, to introduce this item.

David Hyder, Principal, Stantec Consulting, said the Village's water system is extensive and one of the largest assets in the Village. Mr. Hyder noted that he was involved in the last water rate system study.

The last study was completed in 2010. Since then, the Village has made significant progress and it is important to keep the momentum as we have to continually replace pipes. The Village has been able to replace 1% of the water distribution system on an annual basis, with plans to continue for the foreseeable future. The Village has also been able to leverage low interest rate loans from the Illinois Environmental Protection Agency (IEPA) to fund the necessary capital investments while minimizing rate impacts.

Mr. Hyder addressed financial planning assumptions including expenditures, operating and existing debt forecasts and capital improvements. He said the Village expects to spend \$54 million over the next ten years on the water system, the majority for watermain replacements.

With respect to revenue sufficiency, the purchased water forecast is for a 1% decline going forward and no new customers are anticipated. He discussed the five-year revenue requirements and revenue sufficiency and said that the current water revenues at existing rates are insufficient to meet the annual expenditures. He recommended an adjustment in rates of 4.6% per year.

In terms of the water rate structure, there is a fixed charge based on meter size and the rates are different for incorporated vs. unincorporated customers. Fixed charges have not changed for five years and generate 12% of the rate revenue; this plan recommends 20% by the end of the ten year period. He showed rates with the recommended increase for a typical resident and compared them to other communities. The Village is below the average rates for other communities.

In response to Commissioner Kulovany, Mr. Hyder confirmed that the rates are in today's dollars.

Commissioner Kulovany asked if the replacement schedule is sufficient.

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Mr. Hyder said that although he does not know how the pipes will perform, the numbers are solid.

Commissioner Kulovany asked about the reduced usage and whether it was to save money or because it is the right thing to do.

Mr. Hyder said it is due to fixture change outs. He said typical water usage in the US is 67 gallons per day; in Europe it is 34 gallons per day.

Commissioner Kulovany asked if we are solving a problem we no longer have in terms of alternate day outside watering restrictions.

Mr. Hyder replied that he does not have enough information to answer this.

Commissioner José said he thought it was good that Mr. Hyder was involved in other projects. He noted that this is a big part of your Village taking care of the infrastructure. He thanked staff for taking advantage of the IEPA loan program. Regarding the supply issue, he doesn't think we should make changes due to fluctuation.

Mayor Barnett asked if there are benchmarks with respect to debt management and the debt load.

Mr. Hyder spoke of key performance indicators. It is recommended that no more than 30% of revenue be for debt. He said the Village is no way nearing that.

Mayor Barnett asked about the comparison rates and asked if we should be more aggressive.

Mr. Hyder said 50% of costs are fixed. He advised staff to continue to monitor this and to pay attention to a steep decline in water usage.

Mr. Fieldman thanked Mr. Hyder and his team for the report and presentation.

MOT 2019-8310 — C. Motion: Award \$1,169,500.00 to V3 Construction Group, Woodridge, Illinois, for the St. Joseph Creek Restoration Design-Build

Nan Newlon, Director, Public Works, said this and the next two items will be presented together. This concerns the St. Joseph Creek restoration project. It includes a design-build contract and intergovernmental agreements with DuPage County and the Illinois Environmental Protection Agency (IEPA). She showed the location which is from Main Street to Fairmount Avenue. A study of the Creek between Fairmount Avenue and Main Street was performed in 2016. The results identified areas for improved flow, erosion control, and small-scale storage on Village-owned parcels. To improve the water quality of the Creek, the Village is proposing stream channel restoration, stream channel stabilization, wetland restoration, permanent vegetative cover, rock outlet protection and tree plantings. The improvements are planned to work together.

Staff recommends awarding the contract for the design-build to V3 Construction Group in the amount of \$1,169,500.00.

With respect to the intergovernmental agreement with DuPage County, a water quality grant was submitted to DuPage County to assist in the construction costs of the proposed improvements. The County will reimburse the Village 15% of the total project construction costs, with a maximum amount of \$74,278.50. The intergovernmental agreement with the IEPA provides for reimbursement to the Village of 60% of the total estimated project construction costs, with a maximum amount of \$345,942.00.

Ms. Newlon said the design and permitting is anticipated to occur in 2019 and construction in 2020.

Commissioner Sadowski-Fugitt thanked staff for answering her questions and for the level of detail.

RES 2019-8248 — D. Resolution: Approve an Intergovernmental Agreement with DuPage County for the St. Joseph Creek Restoration Project from Main Street to Fairmount Avenue

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RES 2019-8308 — E. Resolution: Authorize an Intergovernmental Agreement with the State of Illinois Environmental Protection Agency for the St. Joseph Creek Restoration Project

8. Attorney's Report

Pursuant to Section 2.5 of the Downers Grove Municipal Code, the following are presented for Village Council consideration:

1. An ordinance approving a redevelopment agreement with Downers Grove Township

9. Council Member Reports

Commissioner Kulovany said a restoration contractor will speak regarding “This Old New House” on September 24 at Gatto’s beginning at 6:30 p.m.

Commissioner Earl announced that Friends of the Edwards House Historic Home Tour will be held this weekend, September 14. Tickets are still available.

Mayor Barnett responded to comments made at last week’s meeting regarding the dead tree on private property on Blanchard Avenue. The Village has the right to enact an ordinance requiring the removal of deal trees on private property. The impact on code enforcement efforts of enacting such an ordinance is difficult to predict at this time. Creating a new ordinance is never a quick process as there are typically multiple elements of Village code to consider including elements such as definitions, rules, violation penalties, remedy processes and Village resource consumption. The Council has been provided additional update information regarding other code enforcement issues related to this property. At this point, if the Council would like to pursue this type of ordinance, it is recommended that it be discussed during the Long Range Plan discussion of Priority Action Items, which is scheduled for consideration later this month.

With regard to property maintenance issues at Speedway at 898 Ogden, Mayor Barnett said staff is currently working with the property owner on two complaints – overgrown landscaping and a fence in disrepair. The Speedway district manager has been involved and the owner has a landscaping contractor involved as well who was included in a meeting with staff. Since early August there have been three site visits by Village staff resulting in the owner agreeing to remove all landscaping material along the fence by September 20 and this work started late last week, as well as address any fence issues in a timely manner once the landscaping material is removed. Mayor Barnett said staff will continue to work with the property owner to make sure the issues are addressed to the satisfaction of existing ordinance requirements.

Mayor Barnett called for a recess after which discussion on the 2019-2021 Long Range Plan will take place.

10. Manager's Report – Committee Room

INF 2019-8271 – A. Information 2019-2021 Long Range Plan

Mayor Barnett reconvened the meeting at 8:55 p.m.

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Mr. Fieldman reviewed the Long Range Plan schedule and its four components: Strategic Goals, Issues, Strategies and Solutions, and Priority Action Items. They have had three long range planning meetings, and this is meeting number four. Tonight the schedule calls for a discussion on the Stormwater Capital Plan.

This is a good news issue. We have worked through our current capital plan, projects identified in the 2014 Stormwater Analysis (SPA) and all projects will be completed by the end of next year except for three major floodplain projects. There are many areas in the Village that still lack adequate stormwater infrastructure. The strategy and solution is to create a new capital plan by Q3 of 2020 to guide projects in 2021-2026 and beyond.

Mr. Fieldman said he is looking for very straightforward Village Council direction tonight in terms of whether the Village should continue with the next steps in the Stormwater Capital Plan update. If not, he asked for an explanation of why not and what should be changed.

The Stormwater Capital Plan is part of a broader plan, the Stormwater Utility Plan. There are four components: 1.) Establishment of a recommended level of service – create or maintain a stormwater system that safely conveys and stores runoff in 95% of rain storms. 2.) Financial Plan - increase revenue from \$3.6 million to \$11.4 million by the last year of our plan, 2029; increase stormwater utility fees by 8.7% per year; issue \$10 million in bonds every few years and maintain an annual debt service payment of \$1.1 million per year 3.) Operations and Maintenance Plan – increase the maintenance activities to 100% of the recommended level by 2029, spend \$5 million by 2029 4.) Capital Plan – invest \$4-6 million, prepare and implement project plans: WIIP (2007-2015) and SPA (2014-2020).

These plans have led to significant and meaningful investments and improvements in the community. Since 2008, we have completed 78 projects, for a cost of \$38 million. These projects are working as designed to significantly improve stormwater management throughout the Village. A map showing the projects was displayed. The map showed completed projects throughout the Village. Mr. Fieldman then introduced Public Works Director Nan Newlon to share a success story on one of these projects.

Ms. Newlon presented the completed project at 2nd and Cumnor. Ms. Newlon showed a graphic of the project. This is by Pepperidge Farms and had a history of flooding in small rain events; five houses in that area had structural flooding. The Village purchased those properties and added a naturalized basin and storage. We partnered with the Park District on this project. Ms. Newlon said one of the most dramatic impacts has been that in modest rains staff no longer has to pump out water in in this area. The Village has provided benefits through buyouts and less flooding.

Mr. Fieldman noted more work is needed on the next iteration of the Capital Projects Plan. Work is underway on this. Mr. Fieldman noted a past discussion about a County study of the St. Joe's Creek watershed area, focusing on floodplain projects. This should be completed in 2020. We are proposing the next steps to use the results of this analysis to identify underserved areas of the Village and prioritize projects, prepare preliminary costs estimates, and develop a general construction schedule that is aligned with the Stormwater Utility Plan.

Mr. Fieldman then asked Council if we should continue with our next steps in the Stormwater Capital Plan.

Mayor Barnett noted these are long range plans, they take time to accomplish, coordinate and prioritize. We are doing a really good job. The net effect has been to lower flooding. Mayor Barnett said we should continue with the plan and asked for Council feedback.

Commissioner Earl said she is good with continuing the plan. She is uncomfortable with the 8.7% increase in stormwater utility fees but we have no choice. She said this process has served us well before. There are still needs. She said she would like to change the cost share program. There has been a lot of positive feedback on this program. She'd be willing to increase this program.

Mr. Fieldman said in the past when the cost share program has been increased the response has been positive and there have been more improvements. This will be in the 2020 budget.

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Commissioner Gray said for him this has been the most complex issue since he's been on the Council. He is in support of continuing the plan. He appreciated all of the information sent to him on this issue.

Commissioner Kulovany said he thinks they should continue the plan and agreed with Commissioner Earl's comments on increasing the cost-sharing program. He noted he attended many meetings of the Stormwater and Floodplain Oversight Committee. The professional contractors at these meetings felt larger conveyances are needed. He grew up in this neighborhood by a pond. This was put in by nature. In the 1950s and 1960s this was filled in. The Pepperidge Farm parking lot used to be a wetland. When this was paved over, flooding in the neighborhood became worse. We need to pay attention to what nature gives us.

Commissioner Sadowski-Fugitt said she thinks they should continue with the next steps and capital projects. As the analysis is completed, we will see areas in need of improvement. She is in support of changes to the cost-share program. She has spoken to residents who have valued this cost-share program. With more intense rain events, this is impacting them. She said she would like to see an analysis of the cost-share program. She asked if the Village has coordinated with other municipalities in terms of the St. Joseph watershed. She asked what kind of relationships municipalities have with one another to have coordinated efforts and impact the watershed the most. She said as a new Council member she is still figuring out these new coordination pieces.

Mr. Fieldman said this is a very complex issue in terms of municipality boundaries. The watershed that contributes to floodplain flooding is in Westmont. Mr. Fieldman said we have a great working relationship with Westmont and noted the current improvements underway for this fall in Deer Creek and that Westmont has been a tremendous partner. The next iteration for this project and improvements for St. Joe's Creek will require coordination with Westmont, the County, the State and federal governments. The Village will continue to build on these relationships to address these complex and technical floodplain issues.

Mayor Barnett said the Village has sought those partnerships out and all parties have been responsive.

Commissioner Walus said she agreed with all of what has been said and said stormwater is one of the major issues in the community. She said she thinks residents value cost-share programs. She said with the coordination, there are a lot of partners so this takes time. She said she thinks we've established great relationships but it will take time because there are so many parties involved.

Commissioner José said yes, he agrees with the plan.

Mayor Barnett said direction was given.

Mr. Fieldman said great direction was given and staff would keep the Council informed.

The Mayor called for public comments.

David Rose asked what recommended level of service means.

Mr. Fieldman said on average of 100 rain events that we can expect in a year, 95% of rain events won't result in structural flooding, the system will safely store and convey runoff in that percentage of events.

Mr. Rose asked what amount of rainfall that amounts to.

Ms. Newlon said it is about 3.5-4 inches of rain in 24 hours.

Mr. Rose asked how much of this activity is undoing things that have been done in the past because of lack of information on floodplains or disdain for stormwater runoff and how much of this is part of the projects being done now.

Mr. Fieldman said he wasn't aware of this information being quantified.

Ms. Newlon said FEMA did not create floodplain maps until the late 1970s, early 1980s so this is relatively new. This type of analysis is new.

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Mr. Fieldman said to some degree, all development activities have contributed over time but we have learned a lot. Post WWII development through the 1980s has some stormwater management and we have increased this more since then.

Mr. Rose asked how these ideas are factored into permission for development in the Village.

Mr. Fieldman said tonight we've talked about stormwater in terms of maintenance and operations but there is another discussion on stormwater regulations, the most recent round of changes occurred last year and we are seeing results and changes in development patterns.

Mr. Rose asked if something goes above the 95%, what would be experienced.

Ms. Newlon said 2017 was the last storm of that magnitude that caused street flooding and closures and some structural flooding.

Commissioner Kulovany asked if it depends on the kind of rain, like a deluge or non-stop raining and saturation of the ground.

Mr. Fieldman said in any time you get storms like that, a portion of the Village system will be inundated with stormwater runoff but it also depends on the storm.

Commissioner Kulovany said he also believes it takes into consideration winter storms where the ground is frozen and all of the rain is runoff.

Mayor Barnett said the answer is some structural flooding will occur and there will always be a situation where we will experience that.

Mr. Rose asked if the 95% changes, in terms of that value, what is the consequence of that.

Mr. Fieldman said he understands the issue and Ms. Newlon said storage would increase exponentially, it is not a straight line. Mr. Fieldman said if we are off in these assumptions, more and more storms will exceed the capacity of the system. He said he thinks this is a good balance to serve the community and investing in the system.

Commissioner Earl said we will never be able to alleviate 100% of the flooding all of the time and we do the best we can without burdening everyone with giant costs. She thinks the measurements are not static either. If we see more we will have to adjust.

Mr. Rose said related to the water discussion, if someone is a light user of water, the system is more valuable to the heavier user. The same thing applies here, more valuable to someone with more property. He would like a response to the idea of charging more for those with more at stake.

Mr. Fieldman said a lot of time and effort went into this when the stormwater utility fees were crafted. It is built on a model that all properties generate runoff and therefore all benefit from the system as a whole. Fees based on impervious area were created. He directed Mr. Rose to the 2012-2013 Stormwater Utility report and videos to explain the fee system. Mr. Rose said he didn't think that addressed what he was asking. Mr. Fieldman said he believes it's addressed in the reports. Mr. Rose said this is why he made the connection to the water report and the issue is that we are maintaining a system that is already in place because of how much it would cost and he thinks people are likely to complain if they are reducing water usage but because we have this big capital infrastructure in place to deliver the water a person using more water is benefiting greater.

Mr. Fieldman said this is flipped, this is making sure you don't have water.

Mr. Rose asked how much of the Village surface is covered by streets.

Mr. Fieldman said he would have to refer to that same report he mentioned earlier.

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11. Adjournment

There being no further discussion or comments, Mayor Barnett asked for a motion to adjourn.

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 9:31 p.m.

Respectfully submitted,

April Holden

Village Clerk