

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

12/10/19

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 commented that the 5:30 p.m. holiday mosaic concert at North High School was fantastic. Another concert was to be given at 8:00 p.m. and he urged people to attend.

2. Roll Call

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

Absent: Commissioner Walus

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 2019-8433 — A. Minutes: Council Minutes – December 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.

1. Preston Straub, Village Square III Condominium Association, said he presented materials to the Council last week. He asked as to the status of his request.

Mayor Barnett said his materials were received and a letter was sent out last week. He said the Council does not intend to get into this matter until it has been through the Courts.

Mr. Straub said he thinks the Council is passing the buck and he was expecting this. He said the Council is being unfair and has not followed its own rules.

Mayor Barnett said when a matter gets to the Courts, they want to finish that process.

Mr. Straub asked how things are resolved before they escalate to the Courts.

Mayor Barnett said for many things there are processes. It is our intention to avoid going to Court. We got to this point because the Village felt proper procedures were followed. Processes are intended to avoid going to Court.

Mr. Straub said the process was arbitrary and it should not have been followed.

2. Rose Kraft, Oak Tree Towers, said she exposed a theft ring six years ago. She has been doing her job, but the Police have not.

Mayor Barnett said he believes the Police have been doing their jobs.

Ms. Kraft then asked about AT&T and pollution.

The Mayor said he does not know about this issue.

Ms. Kraft said she wasn't sick until she moved here, as was another woman. Toxic air is in their building. Trees and bushes are dying, as are other people.

Mayor Barnett asked Ms. Kraft to give her information to Mike Baker, Deputy Village Manager.

3. David Rose spoke regarding environmental sustainability and distributed a handout to the Council. He noted that the Environmental Concerns Commission (ECC) meeting on Thursday is to discuss the fate of the ECC. He said the handout discusses the key question as to whether economic growth is bound by environmental limits for those claiming an objective of environmental sustainability. There are two schools of thought. One says yes there are limits to growth, and one says no, there are no limits to growth. We don't have a systematic solution to a systematic problem. We have a huge problem where the world is in 2019. In spite of a lack of evidence that the no limits assumption is correct and a growing body of evidence that the limits assumption is correct, momentum to continue pursuing growth feels overwhelming. He said he wanted to emphasize that pursuing growth when there are limits to growth equals mutual assured destruction (MADness). We don't recognize the MADness we

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are about. We imagine that by pursuing growth we are solving problems. He hopes this will help the Council understand where we are. Downers Grove has pursued growth. This doesn't solve things. He said he hopes the Council keeps the ECC doing something because of the urgency we face in the world today.

5. Consent Agenda

BIL 2019-8443 — A. Bills Payable: No. 6496, December 10, 2019

MOT 2019-8408 — B. Motion: Authorize a Three-Year Contract to Thompson Elevator Inspection Services, Inc., in the Amount of \$34,000 for Elevator Inspection, Testing, Plan Review, and Variance Review Services

Summary: This authorizes a three-year contract with Thompson Elevator Inspection Services, Inc., for elevator inspection, testing, plan review and variance review services in the amount of \$34,000.00

MOT 2019-8339 — C. Motion: Issue the 2020 Class A Scavenger License to Allied Waste Services of North America, LLC

Summary: This authorizes issuance of a 2020 Class A Scavenger License to Allied Waste Services of North America, LLC

MOT 2019-8409 — D. Motion: Authorize a Contract to Suburban Laboratories, Geneva, Illinois, in the Amount of \$15,674 for Laboratory Services for Drinking Water Testing

Summary: This authorizes a contract for laboratory services for drinking water testing with Suburban Laboratories of Geneva, IL, in the amount of \$15,674 as a sole source supplier.

RES 2019-8419 — E. Resolution: Authorize a Second Extension to the Contract with Robinson Engineering, Ltd.

Summary: This authorizes an extension to a contract for one year for stormwater related development review services with Robinson Engineering, Ltd. in a not-to-exceed amount of \$70,000.

A RESOLUTION AUTHORIZING A SECOND EXTENSION TO THE CONTRACT BETWEEN THE VILLAGE OF DOWNERS GROVE AND ROBINSON ENGINEERING, LTD.

RESOLUTION 2019-91

RES 2019-8418 — F. Resolution: Authorize an Extension to the Contract with Engineering Resource Associates

Summary: This authorizes an extension to a contract for stormwater related development review services with Engineering Resources Associates (ERA) in a not-to-exceed amount of \$70,000.

A RESOLUTION AUTHORIZING EXECUTION OF A SECOND EXTENSION TO THE CONTRACT BETWEEN THE VILLAGE OF DOWNERS GROVE AND ENGINEERING RESOURCE ASSOCIATES

RESOLUTION 2019-92

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MOT 2019-8410 — G. Motion: Authorize \$1,376,811.35 for Five 2020 Ford Police Interceptor Utility Hybrids, One Bobcat S740 Skid-Steer Loader, One Stepp SPHD Asphalt Patching Trailer, One 2020 Ford Expedition, One 2020 Ford Escape Hybrid, One Ford F-450, Four 2021 Peterbilt 348 Snow Plow Trucks and One 2020 Chrysler Pacifica Minivan

Summary: A motion is requested to authorize the purchase of the following replacement vehicles:

- Five 2020 Ford Police Interceptor Utility hybrids from Currie Motors of Frankfort, IL, in the amount of \$250,042
- One Bobcat S740 T4 skid-steer loader from Atlas Bobcat of Elk Grove Village, IL in the amount of \$65,923
- One Stepp SPHD asphalt patching trailer from Bonnell Industries Inc. of Dixon, IL, in the amount of \$37,125.50
- One 2020 Ford Expedition from Kunes Country Ford of Antioch IL, in the total amount of \$42,108
- One 2020 Ford Escape hybrid from Currie Motors of Frankfort, IL, in the amount of \$28,518
- One 2020 Ford F-450 with Sauber Service Body Package, from Currie Motors of Frankfort IL, in the amount of \$130,038
- Four 2021 Peterbilt 348 snow plow trucks from JX Peterbilt of Bolingbrook, IL, in the amount of \$787,816.85
- One 2020 Chrysler Pacifica minivan from National Auto Fleet Group of Watsonville, CA, in the amount of \$35,240

RES 2019-8431 — H. Resolution: Amend the Downers Grove Compensation Plan by Adopting a Revised Plan Effective May 1, 2020

Summary: This amends the Downers Grove compensation plan effective May 1, 2020.

**A RESOLUTION AMENDING THE DOWNERS GROVE COMPENSATION PLAN BY ADOPTING
A REVISED PLAN EFFECTIVE MAY 1, 2020**

RESOLUTION 2019-93

MIN 2019-8444 — I. Minutes: Note Receipt of Minutes of Boards and Commissions

Architectural Design Review Board - September 18, 2019; Plan Commission - November 4, 2019; Liquor Commission - November 7, 2019

Motion: Commissioner José moved to approve the Consent Agenda as presented. Commissioner Sadowski-Fugitt seconded the motion.

Commissioner Gray noted there was a question last week from a resident regarding the vehicle purchases. Commissioner Gray discussed efficiency drop off and payoffs in cost savings in terms of fuel and annual repairs.

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

Nay: None

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Mayor Barnett declared the motion carried.

6. Active Agenda

RES 2019-8407 — A. Resolution: Grant Historic Landmark Designation for 5329 Meadow Lane

Summary: This grants historic landmark designation for 5329 Meadow Lane.

A RESOLUTION GRANTING HISTORIC LANDMARK DESIGNATION FOR 5329 MEADOW LANE

RESOLUTION 2019-94

Motion: Commissioner Hosé moved to adopt "A Resolution Granting Historic Landmark Designation for 5329 Meadow Lane," as presented. Commissioner Earl seconded the motion.

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

Nay: None

Mayor Barnett declared the motion carried.

Mayor Barnett presented a certificate to the Mochels and the Trucanos. The Mayor noted that the Village has a landmark preservation program whereby protections are provided to historic structures to preserve our heritage for years to come.

ORD 2019-8390 — B. Ordinance: Amend the 2020 Stormwater Utility Rate

Summary: This amends the Municipal Code regarding stormwater utility fees effective January 1, 2020.

AN ORDINANCE AMENDING THE 2020 STORMWATER UTILITY RATE

ORDINANCE NO. 5784

Motion: Commissioner Hosé moved to adopt "An Ordinance Amending the 2020 Stormwater Utility Rate," as presented. Commissioner Earl seconded the motion.

Commissioner Hosé said this is in keeping with our goal to better maintain and expand our stormwater infrastructure pursuant to a long-term plan.

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

Nay: None

Mayor Barnett declared the motion carried.

ORD 2019-8399 — C. Ordinance: Amend the Rates Charged for Water

Summary: This amends the Municipal Code regarding the rates charged for water.

AN ORDINANCE AMENDING THE RATES CHARGED FOR WATER

ORDINANCE NO. 5785

Motion: Commissioner Hosé moved to adopt "An Ordinance Amending the Rates Charged for Water," as presented. Commissioner Earl seconded the motion.

Mr. Straub asked if the rates are increasing.

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Village Manager Dave Fieldman said the rates are increasing 4.6% based on a comprehensive study that looked at all aspects of the water program.

Mayor Barnett said many of the increases are based on studies that are three to ten years old and evaluated annually.

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

Nay: None

Mayor Barnett declared the motion carried.

ORD 2019-8366 — D. Ordinance: 2019 Aggregate Tax Levy

Summary: This will establish the 2019 Downers Grove Tax Levy in the amount of \$24,303,399.76 for the Village of Downers Grove and \$5,497,919 for the Library.

2019 AGGREGATE TAX LEVY ORDINANCE

ORDINANCE NO. 5786

Motion: Commissioner José moved to adopt the “2019 Aggregate Tax Levy Ordinance,” as presented. Commissioner Earl seconded the motion.

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

Nay: None

Mayor Barnett declared the motion carried.

ORD 2019-8367 — E. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2019 and Ending on the Thirty-First Day of December 2019 for the Village of Downers Grove Special Service Area #2 (Downers Grove Downtown Service Area)

Summary: This will establish the Special Service Area #2 tax levy in the amount of \$247,000.

**AN ORDINANCE FOR THE LEVYING OF TAXES FOR THE FISCAL YEAR COMMENCING ON
THE FIRST DAY OF JANUARY 2019 AND ENDING ON THE THIRTY-FIRST DAY OF DECEMBER
2019 FOR VILLAGE OF DOWNERS GROVE SPECIAL SERVICE AREA #2
(DOWNERS GROVE DOWNTOWN SERVICE AREA)**

ORDINANCE NO. 5787

Motion: Commissioner José moved to adopt “An Ordinance Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2019 and Ending on the Thirty-First Day of December 2019 for the Village of Downers Grove Special Service Area #2 (Downers Grove Downtown Service Area),” as presented. Commissioner Earl seconded the motion.

Commissioner Earl noted that property taxes are paid in arrears. This is not part of the 2020 budget.

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

Nay: None

Mayor Barnett declared the motion carried.

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ORD 2019-8370 — F. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2019 and Ending on the Thirty-First Day of December 2019 for the Village of Downers Grove Special Service Area #6 (Fairview Fire Protection District)

Summary: This will establish the tax levy for the Special Service Area #6 in the amount of \$95,267.00.

AN ORDINANCE FOR THE LEVYING OF TAXES FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF JANUARY 2019 AND ENDING ON THE THIRTY-FIRST DAY OF DECEMBER 2019 FOR VILLAGE OF DOWNERS GROVE SPECIAL SERVICE AREA #6 (FAIRVIEW FIRE PROTECTION DISTRICT)

ORDINANCE NO. 5788

Motion: Commissioner José moved to adopt "An Ordinance Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2019 and Ending on the Thirty-First Day of December 2019 for the Village of Downers Grove Special Service Area #6 (Fairview Fire Protection District)," as presented. Commissioner Earl seconded the motion.

Mayor Barnett noted that this Special Service Area is served by Downers Grove but it is not in the Village limits.

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

Nay: None

Mayor Barnett declared the motion carried.

Motion to Adopt Ordinances ORD 2019-8368 and ORD 2019-8369 and ORD 2019-8371 through ORD 2019-8374 (Active Agenda Items G-L)

Summary: This will establish the tax levy for the Special Service Area #4, #5, #7, #8, #9 and #10 in the amount of \$0.00.

Motion: Commissioner José moved to adopt "Ordinances for the Levying of Taxes for Special Service Area #4, #5, #7, #8, #9 and #10, Commencing on the First Day of January 2019 and Ending on the Thirty-First Day of December 2019," as presented. Commissioner Earl seconded the motion.

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

Nay: None

Mayor Barnett declared the motion carried.

ORD 2019-8368 — G. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2019 and Ending on the Thirty-First Day of December 2019 for the Village of Downers Grove Special Service Area #4 (Green Acres Subdivision)

Summary: This will establish the tax levy for the Special Service Area #4 in the amount of \$0.00.

AN ORDINANCE FOR THE LEVYING OF TAXES FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF JANUARY 2019 AND ENDING ON THE THIRTY-FIRST DAY OF DECEMBER 2019 FOR VILLAGE OF DOWNERS GROVE SPECIAL SERVICE AREA #4 (GREEN ACRES SUBDIVISION)

ORDINANCE NO. 5789

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ORD 2019-8369 — H. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2019 and Ending on the Thirty-First Day of December 2019 for the Village of Downers Grove Special Service Area #5 (Atwood Subdivision)

Summary: This will establish the tax levy for the Special Service Area #5 in the amount of \$0.00.

**AN ORDINANCE FOR THE LEVYING OF TAXES FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF JANUARY 2019 AND ENDING ON THE THIRTY-FIRST DAY OF DECEMBER 2019 FOR VILLAGE OF DOWNERS GROVE SPECIAL SERVICE AREA #5
(ATWOOD SUBDIVISION)**

ORDINANCE NO. 5790

ORD 2019-8371 — I. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2019 and Ending on the Thirty-First Day of December 2019 for the Village of Downers Grove Special Service Area #7 (Dunham Subdivision)

Summary: This will establish the tax levy for the Special Service Area #7 in the amount of \$0.00.

**AN ORDINANCE FOR THE LEVYING OF TAXES FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF JANUARY 2019 AND ENDING ON THE THIRTY-FIRST DAY OF DECEMBER 2019 FOR VILLAGE OF DOWNERS GROVE SPECIAL SERVICE AREA #7
(DUNHAM SUBDIVISION)**

ORDINANCE NO. 5791

ORD 2019-8372 — J. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2019 and Ending on the Thirty-First Day of December 2019 for the Village of Downers Grove Special Service Area #8 (Nelson Meadow Subdivision)

Summary: This will establish the tax levy for the Special Service Area #8 in the amount of \$0.00.

**AN ORDINANCE FOR THE LEVYING OF TAXES FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF JANUARY 2019 AND ENDING ON THE THIRTY-FIRST DAY OF DECEMBER 2019 FOR VILLAGE OF DOWNERS GROVE SPECIAL SERVICE AREA #8
(NELSON MEADOW SUBDIVISION)**

ORDINANCE NO. 5792

ORD 2019-8373 — K. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2019 and Ending on the Thirty-First Day of December 2019 for the Village of Downers Grove Special Service Area #9 (35th and Saratoga Subdivision)

Summary: This will establish the tax levy for the Special Service Area #9 in the amount of \$0.00.

**AN ORDINANCE FOR THE LEVYING OF TAXES FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF JANUARY 2019 AND ENDING ON THE THIRTY-FIRST DAY OF DECEMBER 2019 FOR VILLAGE OF DOWNERS GROVE SPECIAL SERVICE AREA #9
(35TH AND SARATOGA SUBDIVISION)**

ORDINANCE NO. 5793

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ORD 2019-8374 — L. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2019 and Ending on the Thirty-First Day of December 2019 for the Village of Downers Grove Special Service Area #10 (Bridgepoint Downers Grove Subdivision)

Summary: This will establish the tax levy for the Special Service Area #10 in the amount of \$0.00.

**AN ORDINANCE FOR THE LEVYING OF TAXES FOR THE FISCAL YEAR COMMENCING ON
THE FIRST DAY OF JANUARY 2019 AND ENDING ON THE THIRTY-FIRST DAY OF DECEMBER
2019 FOR VILLAGE OF DOWNERS GROVE SPECIAL SERVICE AREA #10
(BRIDGEPOINT DOWNERS GROVE SUBDIVISION)**

ORDINANCE NO. 5794

Motion to Adopt Ordinances ORD 2019-8375 through ORD 2019-8382 and ORD 2019-8471 (Active Agenda Items M-T)

Summary: This will abate certain 2019 tax levies. The total amount to be abated is \$9,674,935.76. This amount can be abated since other sources of revenue are available to pay these debt service obligations.

Motion: Commissioner José moved to adopt “Ordinances Abating a Portion of the 2019 Tax Levy Related to the General Obligation Bonds, Series 2010, 2010B, 2012, 2019 and Refunding Bonds Series 2014, 2015, 2016, 2017,” as presented. Commissioner Earl seconded the motion.

Mayor Barnett referred residents to last week’s presentation by Deputy Village Manager Mike Baker for a better understanding of abatements.

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

Nay: None

Mayor Barnett declared the motion carried.

ORD 2019-8375 — M. Ordinance: Abate a Portion of the 2019 Tax Levy Related to the General Obligation Bonds, Series 2010

Summary: This abates a portion of the 2019 Tax Levy Related to the General Obligation Bonds, Series 2010. This can be abated since other sources of revenue are available to pay this debt service obligation.

**AN ORDINANCE ABATING A PORTION OF THE 2019 TAX LEVY RELATED TO THE
GENERAL OBLIGATION BONDS, SERIES 2010**

ORDINANCE NO. 5795

ORD 2019-8376 — N. Ordinance: Abate a Portion of the 2019 Tax Levy Related to the General Obligation Bonds, Series 2010B

Summary: This abates a portion of the 2019 Tax Levy Related to the General Obligation Bonds, Series 2010B. This can be abated since other sources of revenue are available to pay this debt service obligation.

**AN ORDINANCE ABATING A PORTION OF THE 2019 TAX LEVY RELATED TO THE
GENERAL OBLIGATION BONDS, SERIES 2010B**

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ORDINANCE NO. 5796

ORD 2019-8377 — O. Ordinance: Abate a Portion of the 2019 Tax Levy Related to the General Obligation Bonds, Series 2012

Summary: This abates a portion of the 2019 Tax Levy Related to the General Obligation Bonds, Series 2012. This can be abated since other sources of revenue are available to pay this debt service obligation.

**AN ORDINANCE ABATING A PORTION OF THE 2019 TAX LEVY RELATED TO THE
GENERAL OBLIGATION BONDS, SERIES 2012**

ORDINANCE NO. 5797

ORD 2019-8379 — P. Ordinance: Abate a Portion of the 2019 Tax Levy Related to the General Obligation Bonds, Series 2014

Summary: This abates a portion of the 2019 Tax Levy Related to the General Obligation Bonds, Series 2014. This can be abated since other sources of revenue are available to pay this debt service obligation.

**AN ORDINANCE ABATING A PORTION OF THE 2019 TAX LEVY RELATED TO THE
GENERAL OBLIGATION BONDS, SERIES 2014**

ORDINANCE NO. 5798

ORD 2019-8380 — Q. Ordinance: Abate a Portion of the 2019 Tax Levy Related to the General Obligation Bonds, Series 2015

Summary: This abates a portion of the 2019 Tax Levy Related to the General Obligation Bonds, Series 2015. This can be abated since other sources of revenue are available to pay this debt service obligation.

**AN ORDINANCE ABATING A PORTION OF THE 2019 TAX LEVY RELATED TO THE
GENERAL OBLIGATION BONDS, SERIES 2015**

ORDINANCE NO. 5799

ORD 2019-8381 — R. Ordinance: Abate a Portion of the 2019 Tax Levy Related to the General Obligation Bonds, Series 2016

Summary: This abates a portion of the 2019 Tax Levy Related to the General Obligation Bonds, Series 2016. This can be abated since other sources of revenue are available to pay this debt service obligation.

**AN ORDINANCE ABATING A PORTION OF THE 2019 TAX LEVY RELATED TO THE
GENERAL OBLIGATION BONDS, SERIES 2016**

ORDINANCE NO. 5800

ORD 2019-8382 — S. Ordinance: Abate a Portion of the 2019 Tax Levy Related to the General Obligation Bonds, Series 2017

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Summary: This abates a portion of the 2019 Tax Levy Related to the General Obligation Bonds, Series 2017. This can be abated since other sources of revenue are available to pay this debt service obligation.

**AN ORDINANCE ABATING A PORTION OF THE 2019 TAX LEVY RELATED TO THE
GENERAL OBLIGATION BONDS, SERIES 2017**

ORDINANCE NO. 5801

ORD 2019-8417 — T. Ordinance: Abate a Portion of the 2019 Tax Levy Related to the General Obligation Bonds, Series 2019

Summary: This abates a portion of the 2019 Tax Levy Related to the General Obligation Bonds, Series 2019. This can be abated since other sources of revenue are available to pay this debt service obligation.

**AN ORDINANCE ABATING A PORTION OF THE 2019 TAX LEVY RELATED TO THE
GENERAL OBLIGATION BONDS, SERIES 2019**

ORDINANCE NO. 5802

7. First Reading

ORD 2019-8392 — A. Ordinance: Amend Chapter 15 of the Municipal Code

Village Attorney Enza Petrarca said the Illinois Cannabis Regulation and Tax Act becomes effective January 1, 2020, and amendments need to be made to Chapter 15 of the Municipal Code to be compliant with State law. The Act makes it legal to purchase and possess certain quantities of cannabis. It also sets forth specific restrictions regarding the consumption of cannabis. The proposed ordinance incorporates the provisions of the Act and also sets forth specific penalty provisions.

Ms. Petrarca said Chapter 15 has been further amended by minor housekeeping changes.

ORD 2019-8391 — B. Ordinance: Amend Zoning Ordinance Provisions

Stan Popovich, Director, Community Development, said various sections of the Zoning Ordinance need to be amended related to Adult Use Cannabis Business Establishments and to update and clarify other sections of the Zoning Ordinance. The Village Council approved amendments to Chapter 8 of the Municipal Code on October 8, which effectively prohibited adult use cannabis business establishments. The proposed Zoning Ordinance amendments are intended to ensure consistency between Chapter 28 and Chapter 8.

Amendments are also being made to update and clarify various sections of the Zoning Ordinance regarding solar panels, antennas, parking, fencing, and pre-application meetings.

Mr. Popovich said the Comprehensive Plan calls for the Zoning Ordinance to be reviewed. He said the Plan Commission recommended approval.

ORD 2019-8397 — C. Ordinance: Rezone Certain Property Located at 844 Warren Avenue from DB, Downtown Business, to DB/PUD, Downtown Business/Planned Unit Development

Mr. Popovich said this is a request for a Planned Unit Development and rezoning to construct a restaurant with a year-round outdoor seating area at 844 Warren Avenue. The petitioner is proposing to improve the property by adding 4,065 square feet to the existing footprint. The property currently has two curb cuts and a parking lot. The petitioner proposes to redevelop the site to create an outdoor dining establishment. The property will be

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improved with the addition, outdoor terrace, trash enclosure, landscaping, and the removal of all onsite parking. There will be two pedestrian access points. Mr. Popovich showed the south and west elevations of the proposed buildings.

The proposal includes a number of items that will require relief including build-to-zone, height, refuse container, fencing, yard features, fire pits and year-round outdoor seating. With respect to parking, Mr. Popovich said there is available parking in Lot F and Lot L. The public parking lots can accommodate the needs. The downtown design guidelines were met as were the standards for a Planned Unit Development. This matter was discussed at the November 4 Plan Commission meeting and the Commission recommended approval.

Commissioner Sadowski-Fugitt asked if this property is subject to the stormwater regulations. Mr. Popovich said it is.

Commissioner Kulovany said he is excited about this and appreciates the flexibility staff has shown.

Mr. Fieldman thanked the owners, purchasers and developers of this property for their investment in our community.

ORD 2019-8396 — D. Ordinance: Amend the Zoning Ordinance to Designate the Property at 844 Warren Avenue as Planned Unit Development #61 and Authorize a Restaurant with Year Round Outdoor Dining

MOT 2019-8445 — E. Motion: Accept the Downtown Parking System Presentation and Reports and Refer Discussion to the Transportation and Parking Commission and Downtown Management Corporation

Mr. Fieldman said staff was directed to look at parking in the downtown upon completion of three new residential structures. He introduced Deputy Village Manager Mike Baker to make this presentation.

Mike Baker, Deputy Village Manager, said parking has always been a challenge here and elsewhere. Everyone wants to park within a few steps of their destination. He provided an overview of the report in terms of the challenge, parking as a public service, the process, survey results, key findings, recommendations and next steps.

The challenge is balancing desirable attributes of the downtown with parking. Providing parking within steps of one's destination will erode desirable attributes. There are nine restaurants between Burlington Avenue and Maple Avenue. A total of 485 parking spaces would be required if the zoning requirements applied. There are 65 spaces. Public parking is a policy decision like any other service and should be thought of in terms of the level of service. The amount, location and price are all policy decisions that result in a level of service.

With respect to the process, a 2011 parking study was conducted by Rich & Associates. It was updated in 2019. The stakeholder engagement was led by Rich & Associates, the parking system observations and counts were performed by Rich & Associates and Walker Consulting, and the analysis and recommendations were by Walker Consulting. An open online survey was conducted in June 2019 with over 1600 responses. Mr. Baker said 79% of the respondents stated that there are not enough publicly available spaces for customers and visitors. He said 80% of the respondents are willing to walk two blocks or less; 46% of visitors most often park on the street, while 46% park in the deck or a public lot; 53% indicated there is not enough commuter parking; 43% of business owners do not have a policy discouraging employees from parking on the street.

The key findings are that 25% of parking spaces were available during peak hour demand 12:00 noon to 1:00 p.m. This increased to 46% at 4:00 p.m. On-street parking occupancy increased since 2011 by 4.9% and off-street parking decreased by 6.5%. There is a slight parking surplus for residents at Maple & Main apartments and minor deficits for resident parking at Burlington Station and Marquis on Maple. Mr. Baker then reviewed the parking types – on-street, surface lots and parking garage – and the number of spaces at each, as well as occupancy at peak hours.

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Mr. Baker said many of the survey respondents expressed dissatisfaction and frustration with the current parking system; however, the analysis indicates that even during peak demand, there are reasonably accessible spaces available to most users of the system. He noted that Lot D is three minutes away from the Library Lot.

Key recommendations include not pursuing additional structured parking at this time; formalize recommended level of service concept; consider operational, technological and policy improvements to the existing system; and promote walkability of the downtown area. Mr. Baker said that if Council would like to explore options for adding parking in the most preferred area, the “red zone,” consider 1) moving commuters from the parking deck to the Civic Center property; 2) constructing a parking deck at the Forest Lot North/Library Lot. If the Village were to design and construct a new deck that spans Library Lot and Forest North Lot, it is estimated to cost \$12.7 million and would add 260 net new spaces at a cost of \$49,000 per net new space.

Mr. Baker said the next steps are to present the findings and recommendations to the Transportation & Parking Commission (TAP) and Downtown Management Corporation (DMC) in January/February 2020.

Commissioner Gray noted that the survey results and the analysis seem to be opposite each other.

Mr. Baker said there are many approaches we can use to adjust perceptions.

Commissioner Hosé said he supports review by TAP. A few of the survey results and key findings struck him. He said there is a difference between being able to walk and being willing to walk. He was surprised by the number of spaces available at 4:00 p.m. He said there is a great deal to digest in greater detail.

Commissioner Sadowski-Fugitt said we have an issue of perception and options. She said there may be a need for better communication. She said it does not seem like the best investment to add another deck. She agreed with referring this report to TAP.

Commissioner Kulovany said he would like a holistic approach. He asked if it is a value to have commuters downtown in terms of anything they may do after work in the downtown area. He asked about park and ride locations.

Commissioner Earl said she agrees to send this to TAP. She thanked staff for this comprehensive report. We have to figure out how to communicate where open spaces are.

Mayor Barnett said he would like to hear from TAP. He said the concept of a service level definition strikes him, and he agrees that it the place to start. The data and the perceptions can be very divergent.

Commissioner Kulovany complimented the Mayor on a past Facebook post where he reset expectations.

Mr. Straub said he uses the parking garage. He suggested that handouts at strategic locations might alert people to other parking spots.

Mr. Fieldman thanked the team for their efforts as well as the DMC.

8. Manager’s Report

9. 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 amending Chapter 15 of the Municipal Code
2. An ordinance amending Zoning Ordinance provisions

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3. An ordinance rezoning certain property located at 844 Warren Avenue from DV, downtown business, to DB/PUD, downtown business/planned unit development
4. An ordinance amending the Zoning Ordinance to designate the property at 844 Warren Avenue as Planned Unit Development #61 and authorize a restaurant with year round outdoor dining

10. Mayor and Council Member Reports

Commissioner Earl urged residents to shop local this holiday season.

Mayor Barnett said it is important to remember that costs of the services residents expect from their Village far exceed the property taxes collected. In 2020, including property taxes, water fees and stormwater fees, the average home in Downers Grove will pay approximately \$3.50 per day for 24/7/365 police protection, fire protection, EMS services, safe drinking water, sidewalks, streets and snow plowing.

He said tonight's levy included an increase for those operations yet still, the typical household in Downers Grove pays less than 1/3 of what it costs to provide the services they receive from the Village. Over the years, people have heard Council members encouraging residents to shop local not only at this time of the year, but year round. There are good reasons for that including helping your friends and neighbors who own and operate those businesses, supporting those who work for those businesses and contributing to the overall vibrancy of our community. Those are all good reasons, but there is one more – and that's Village finances.

Mayor Barnett said that according to the US Census Bureau, there are just over 20,000 household units in Downers Grove comprising a little over 30,000 people between the ages of 18 and 65. According to the national Retail Federation, the average American will spend \$700 on holiday gifts this year. If each Village resident between the ages of 18 and 65 made all their holiday purchases locally, the net revenue to the Village would be more than the tax increase passed tonight.

The Mayor said he provided this information to give perspective. With burdens on governments at all levels, we are all in this together and we are increasingly responsible for our own future in Downers Grove. People say all politics is local, or to think global and act local. During this holiday season, please choose to act local when you shop and dine. It truly matters and helps make our community the great place we call home.

11. Adjournment

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 8:10 p.m.

Respectfully submitted,
April Holden
Village Clerk