

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

August 18, 2020

7:00 PM

Due to the COVID-19 pandemic, Public comment will be taken electronically and in person. To submit a comment electronically, please click on the “Submit Public Comment” link on the Current Week’s Meeting page of the Village website any time before or during the meeting. Thank you

1. Call to Order

Mayor Robert Barnett called the regular meeting of the Village Council of the Village of Downers Grove at 7:01 p.m. in the Council Chambers of the Downers Grove Village Hall.

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

2. Roll Call

Council Attendance: Mayor Barnett, Commissioner Hosé, Commissioner Walus, Commissioner Sadowski-Fugitt, Commissioner Kulovany, Commissioner Gray

Absent: Commissioner Earl

Non-Voting: Village Manager David Fieldman, Village Attorney Enza Petrarca, Village Clerk Megan Miles

3. Minutes of Council Meetings

MIN 2020-8649 A. — Minutes: Council Minutes – August 11, 2020

Motion: Commissioner Hosé moved to adopt the August 11, 2020 minutes as presented. Commissioner Earl seconded the motion.

Mayor Barnett declared the motion carried by voice vote.

4. Public Comments

There were none. Deputy Village Manager Mike Baker noted no additional comments were received electronically.

5. Consent Agenda

BIL 2020-8647 — A. Bills Payable: No. 6544 – August 18, 2020

COR 2020-8648 — B. Claims Ordinance No. 6373 – Payroll, July 31, 2020

MOT 2020-8643 — C. Motion: Authorize \$18,388.20 to DuPage Mayors and Managers Conference for FY2020-2021 Dues

Summary: This authorizes \$18,388.20 to DuPage Mayors and Managers Conference for FY 2020-2021 dues

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MOT 2020-8644 — D. Motion: Authorize a Three-Year Contract in the Amount of \$50,457.60 for Compressed Natural Gas (CNG) Fueling Station Maintenance Services with Ozinga Energy, LLC

Summary: This authorizes a three-year contract in the amount of \$50,457.60 for compressed natural gas (CNG) fueling station maintenance services with Ozinga Energy, LLC

MIN 2020-8646 — E. Minutes: Note Receipt of Minutes of Boards and Commissions

Summary: Transportation and Parking Commission - July 22, 2020

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.

6. Active Agenda

7. First Reading

8. Manager's Report

INF 2020-8588 — A. Information: 2019-2021 Long Range Plan Update

Village Manager Dave Fieldman summarized tonight's focus would be on Priority Action Items and provided a brief background on the Long Range Plan in general. This was the fifth meeting; however, Mr. Fieldman estimated he would be adding another meeting in the future. A summary of what constitutes a Priority Action Item followed, along with those priority action items that were completed, on schedule, re-engaged, or suspended:

Completed: Regulations and taxes on recreational marijuana;

On schedule: Creation of a plan for a future of the Downtown;

Proceeding but delayed by pandemic: Replacement of Enterprise Resource Planning Software (system operating and finance system for the Village); District 99 High School Pedestrian Safety Plan; Stormwater Capital Projects Plan; Human Services Ad hoc Committee Recommendations; and

Suspended: Village Facilities Replacement and Sustainability Plan; Downtown Parking Plan.

The three priority action items that were added included: continual response to the pandemic and its economic conditions related to the pandemic; work on the Design Review project; and making the Village's temporary outside dining program permanent.

In closing Mr. Fieldman asked the commissioners to provide their feedback and direction on the above update in order for staff to return with a scheduled work plan in September to present to them.

INF 2020-8639 — B. Information on Design Guidelines and the Review Process

Community Development Director Stan Popovich provided a summary of the Design Review project and was seeking confirmation about the project's scope. A summary of the project and its objective were reviewed, followed by the project's scope, summary and timeline, including four tasks to complete, in more detail.

Key policy questions that staff will have to be answering with the Architectural Review Board includes: 1) what type of development requires design review compliance; 2) what is the proposed review and approval process; 3) who reviews it for design compliance; 4) where in the process does the public provide input; and 5) an appeal

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process. Other considerations include: what is the design criteria and how will the design guideline compliance affect the current review process.

Mr. Fieldman closed and asked for Council confirmation as to whether the information met the Village's expectations and if this was the project staff was to complete.

Mayor Barnett opened up the above two items for discussion.

Commissioner Kulovany provided some background on the above topics and explained that the Council received the legal authority to follow through on such items through its Comprehensive Plan adopted in 2017. He discussed the overall support that the downtown businesses needed, the competition that was coming from other suburbs, and the need to support those downtown business and building owners who invested in the downtown area and to ensure their property values are protected. New developments should enhance the buildings while shoppers and diners should be drawn to the downtown area. He agreed the Pattern Book should remain on hold because it serves its purpose. The Downtown Guidelines, do, however, need some minor revision. He said he believed that if the guidelines are made enforceable, the Village will be fine for the next 50 to 75 years. He was in favor of setting the building standards but not necessarily design guidelines or catalyst sites. Examples followed. He also supported open transparency for the public so they can see the projects early. On Page 6 of the Design Guidelines, he preferred to remove Task Nos. 1 and 4 and switch Task Nos. 2 and 3. On Page 9 he would add outdoor dining, alcoves, attractive rear entries and parking lots. As for holding the neighbor meetings prior to ADRB review or before Plan Commission, it would be up to the petitioner. Lastly he would remove Belmont and Ellsworth because they are industrial areas and he did not believe someone moving into an industrial area would be so concerned about the physical surrounding of the buildings since they are concerned with building footprint, space, and access to their building. Other examples followed. On Page 6 of the Design Guidelines, Commissioner Kulovany supported the graphics depicted since they showed developers examples of what the Village is or is not looking for in its building designs.

Commissioner José was fine with what was being presented but understood that staff places design guideline compliance into the approval process.

Commissioner Earl's understanding was that more eyes would be involved in the process; however, she was not exactly sure how compliance would be determined, i.e., scoring. She did not see the need to review the Pattern Book and was questionable about the catalyst sites because each one was unique. She favored durable building materials.

Commissioner Walus also supported durable building materials and favored the changes that Commissioner Kulovany voiced. She supported leaving in Belmont and Ellsworth, looked forward to seeing what staff provides, and looked forward to seeing how the Council can preserve the community.

Commissioner Sadowski-Fugitt also was in favor of the plans for the design guidelines.

Mayor Barnett supported the objectives to continue the process and to go as quickly as possible. He was of the mindset that the catalyst sites should be by-passed and push forward on Task Nos. 2 and 3. Regarding the schedule, the Mayor noticed that the schedules seemed to run concurrently and he favored that it continue by staff. However, he wanted to know if it made sense to have staff provide input on the interactions of the Zoning Board of Appeals, the Plan Commission and the Architectural Design Review Board, and whether opportunities existed to combine one or more of those groups, seeing other communities were merging groups, as long as it did not slow down staff.

Commissioner Kulovany emphasized that the overall process should be developer-friendly.

Commissioner Earl did not support combining any one of the three groups and felt having more sets of eyes on a project were beneficial to the Village.

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Deputy Village Manager Baker discussed a new project that was added to the Priority Action Item List: a permanent outdoor dining program for those restaurants located in the downtown area. While the Village sought a temporary program for outdoor dining as a result of coming back on board from the State's Restore Illinois plan, the Village took action to obtain the addition of public property, including sidewalks, alleys and public parking spaces for use by adjacent restaurants and used water-filled barricades to separate diners from vehicles for safety purposes. The program was well received and because of its success, the Village, along with the Downtown Management Corporation and the downtown community will continue to work on proposed changes to the municipal code to make outdoor dining permanent.

Mr. Baker explained that part of the project will include several key questions, including how will permanent changes in outdoor dining and use of on-street parking impact property values and rights; what should be the level of financial support provided by restaurants, the Village and/or Downtown Management; what should be the role and responsibilities of restaurants, the Village and Downtown Management, to name a few. Staff has already been working on some of the key questions.

Staff planned to provide project updates to the Council on this matter and expected the full program to be ready for Council consideration by January 2021. Mr. Fieldman asked the Council if this project was something staff should work on.

Mayor Barnett reminded the Council that the three action items: amendments to the design review process, permanent outdoor dining, and continued response to COVID-19 were items added to the existing list of high priority action items. He asked Commissioners to discuss their thoughts on the three items and provide staff feedback.

Commissioner José was interested in seeing more information about permanent outdoor dining. However, regarding the Village's Facility Replacement and Sustainability Plan, he recalled there was consensus among the Commissioners on that topic before the pandemic hit and hoped to continue that topic. Also, on the topic of regulation and taxes on recreational marijuana, he believed enough data existed to draw such businesses to the area to address the budget gap rather than tax the residents.

Commissioner Earl had no interest in reopening the discussion of recreational marijuana considering the issues such stores experienced in other communities and what the police department was experiencing with its normal course of business. She believed such businesses could affect the Village negatively. She was not sure about developing a "permanent" outdoor dining program since the Village already had such program. She asked what happens when the traffic returns and the demand returns. She was open to suggestions, however. As for the facilities discussion, she agreed that having the project on hold was difficult.

Commissioner Sadowski-Fugitt echoed Commissioner Earl's comments as it related to the permanent downtown dining but wanted to see roof-top dining also. If the Village was seeking to making outside dining permanent then she wanted to continue to see the transportation and parking discussion to ensure that businesses were not being negatively impacted. She preferred to revisit the facilities discussion in 2021, as well as revisit the recreational marijuana discussion. Lastly, she would like the Village to have a goal to be a model for good diversity, inclusion and equity practices. She cited examples and data resources that were available, explaining that as a high priority action item it would be a study of the existing systems for training, hiring and pay Village-wide.

Clarification briefly followed on what permanent outdoor dining meant to staff, that it meant a continuous or recurring program of outdoor dining. The program would not look like what outdoor dining is now, but rather a recurring outdoor dining program would be established.

Commissioner Kulovany shared his thoughts on outdoor dining including the fact that retailers should be contacted again to ensure they are not negatively impacted by restaurants. He also wanted to keep discussions going on the facilities matter. Regarding the Human Services Ad hoc Committee, Commissioner Kulovany wanted to see their list of priorities and obtain the information and project it out to residents. As for the diversity discussion and the police discussions, he believed such discussions needed to begin at the high school level.

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Regarding the recreational cannabis topic, he preferred to find out what other communities who have such businesses, experienced as far as crime, and would the Village need to hire full-time police for these businesses. Parking continued to be a concern and what was the revenue for such businesses.

Commissioner Gray voiced that the discussion about the facilities matter felt distant currently and he wanted it to return. The Village could not avoid the 3 to 5 year expansion plan for stormwater. He was interested in seeing the work from the Human Services Ad hoc Committee as it pertains to diversity, equity and inclusion practices and also see a copy of the Village's mission statement as it pertains to the same. He questioned how the Village would position itself to attract such businesses and residents to come to Downers Grove versus downtown Chicago. As for permanent outdoor dining he preferred that the Village be able to revisit the item annually, especially when life returns to normal. Commissioner Gray supported the design review process moving forward but he did not support the recreational cannabis topic.

Commissioner Walus expressed her opinions on permanent outdoor dining, ensuring that the Village is as equitable as possible between all the businesses. She supported roof-top dining and diversity/inclusion but asked staff to research how that would look. For facilities, she agreed everyone was on the same page until the pandemic came along. She hesitated to start the facilities discussion immediately, voicing other pressing matters existed, but she did not want the facilities discussion to be forgotten. She had no interest in revisiting the recreational marijuana topic at this time.

Mayor Barnett explained that he sees the pandemic as a shift and not returning to normal any time soon. As a result, the Village is going to be working on the budget and he would like to have the facilities discussion in early 2021. He would like to see input from the Human Services Ad hoc Committee. Recreational cannabis sounded like it could be revisited. As for downtown dining, the Mayor mentioned the question was whether the Village's re-vision of some of the downtown public space usage would be for more dining and what would that look like. He wanted that study to be completed.

As it pertains to creating a stormwater capital projects plan, Commissioner Earl mentioned she spoke to staff about the idea of moving tree planting into the stormwater capital fund so that tree planting would be fixed and have a dedicated resource to fund it. She was open to other thoughts.

Mayor Barnett said he liked the idea and explained that Council would have to consider other funding structures.

Commissioner Kulovany supported moving tree planting into the stormwater capital fund.

Commissioner José also supported the diversity/equity suggestion. As to how the facilities discussion returns up front and center, Commissioner José explained it takes four Council members to make it happen.

Commissioner Kulovany said given the circumstances surrounding the review of the Village's long range plan, it may have to be revisited again early next year when the Village has different financials.

Mr. Fieldman appreciated the comments for the long-range planning and all comments will be formulated into a draft work plan to include a list of projects and a project schedule for the next council meeting. He emphasized that this is the time where this work plan drives the proposed budget, citing what was done in past budgets. Mr. Fieldman planned to confirm the Village's work plan, followed by preparing a budget for the Council so that Council understands what is required to deliver the work plan in terms of revenue, staffing, expenses, moving monies, etc. He explained what steps will follow.

Commissioner Walus asked staff to indicate what projects will run concurrently.

9. Mayor and Council Member Reports

Commissioner Earl reminded everyone to practice wearing their masks and providing grace.

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Mayor Barnett recalled there was a poster contest for elementary children about the importance of the three “W’s” and proceeded to announce the winners of the “Show you know the three W’s poster” contest which included James Peccary, Evelyn Smitana, Lucian Peccary, Alexa Nash, Presley Pfeiffer, and Sophia Nash. The Mayor extended his congratulations to the winners, noting their posters will be used to promote the three W’s throughout the Village.

10. 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 and the meeting adjourned at 8:30 p.m.

Respectfully submitted,

Megan Miles

Village Clerk