



Meeting Minutes

Village of Downers Grove – Council Meeting

Council Chambers

November 02, 2021

7:00 PM

1. Call to Order

Mayor Pro Tem José called to order the Village Council meeting at 7:00 p.m. and led those in the room in the Pledge of Allegiance to the Flag. He explained the protocol for the meeting and the guidelines to submit public comment.

2. Roll Call

Council Attendance (Present): Commissioner José, Commissioner Walus, Commissioner Sadowski-Fugitt, Commissioner Kulovany, Commissioner Gilmartin, Commissioner Glover

Council Attendance (Absent): Mayor Barnett

Non-Voting: Village Manager Dave Fieldman, Village Attorney Enza Petrarca, and Village Clerk Rosa Berardi

3. Minutes of Council Meetings

MIN 2021-9150- A. Minutes: Village Council Meeting Minutes –October 19, 2021

Summary: Village Council Meeting Minutes - October 19, 2021

MOTION: To adopt the meeting minutes of the October 19, 2021 meeting as presented.

RESULT: Motion carried unanimously by voice vote.

MOTIONED TO APPROVE: Commissioner Walus

SECONDED BY: Commissioner Sadowski-Fugitt

AYES: Walus, Sadowski-Fugitt, Glover, Gilmartin, Kulovany, Mayor Pro Tem José

NAYES: None

MIN 2021-9167- A. Minutes: Executive Session Meeting Minutes for Approval Only – October 19, 2021

Summary: Executive Session Meeting Minutes for Approval Only - October 19, 2021

MOTION: *To adopt the Executive Session meeting minutes of the October 19, 2021 meeting as presented.*

RESULT: *Motion carried unanimously by voice vote.*

MOTIONED TO APPROVE: *Commissioner Walus*

SECONDED BY: *Commissioner Sadowski-Fugitt*

AYES: *Walus, Sadowski-Fugitt, Glover, Gilmartin, Kulovany, Mayor Pro Tem Hosé*

NAYES: *None*

4. Public Comment

Public Comments/Questions

Len Ververs of 4713 Cornell:

- In favor of community woodchip self-serve pile; requests Sanitary District dumping station gates be open the same days/hours for easier access to woodchips.

Mr. Fieldman: Village can reach out to the Sanitary District which is a different government unit and ask.

5. Mayor's Report

No Mayor's Report.

6. Consent Agenda

BIL 2021-9149 — A. Bills Payable: No. 6626 –November 02, 2021

Summary: No. 6626 –November 02, 2021

MIN 2021-9168 — B. Minutes: Note Receipt of Boards and Commissions Meeting Minutes

Summary: Note Receipt of Boards and Commissions Meeting Minutes: 04-21-2021 ADRB; 6-7-2021 Plan Commission; 8-26-2021 Foreign Fire

MOT 2021-9173 — C. Motion: Authorize a Three-Year Contract with Red Wing Shoes for Footwear for the Fire Department in a Total Not-to-Exceed Amount of \$45,000.00 (\$15,000 Per Year)

Summary: This motion requests approval of a three-year contract with Red Wing Shoes for footwear for the Fire Department in a total not-to-exceed amount of \$45,000 (\$15,000 per year).

MOT 2021-9174 — D. Motion: Authorize a Purchase from Media Resources Inc. (MRI) of Lisle, IL in the Amount of \$26,690.33 for a New Audio/Visual System in the Training Room at Fire Station 102

Summary: This motion authorizes a purchase from Media Resources Inc. (MRI) of Lisle, IL in the amount of \$26,690.33 for a new audio/visual system in the training room at Fire Station 102.

RES 2021-9157 — E. Resolution: Authorize a Contract with MacQueen Equipment, LLC, for the Purchase of a Fire Engine in the Amount of \$585,000.00, Plus a Contingency in the Amount of \$10,000.00, for a Total Not-to-Exceed of \$595,000.00 **RES #2021-72**

Summary: This resolution authorizes the execution of an agreement for the purchase of a replacement fire engine with MacQueen Equipment LLC in an amount not to exceed \$595,000.00, which includes a \$10,000.00 contingency.

MOT 2021-9166 — F. Motion: Authorize a Contract with Sentinel Technologies, Inc. of Downers Grove, Illinois in the Amount of \$70,440.82 for the Purchase of Cisco Duo Multi-Factor Authentication (MFA) Solution

Summary: This motion authorizes a contract with Sentinel Technologies, Inc. of Downers Grove, Illinois in an amount of \$70,440.82 for the purchase of a Cisco Duo Multi-Factor Authentication (MFA) solution.

RES 2021-9170 — G. Resolution: Authorize the Acceptance of Public Improvements at 3600-3700 Lacey Road and 3800 Finley Road **RES #2021-73**

Summary: This resolution authorizes acceptance of improvements at 3600-3700 Lacey Road and 3800 Finley Road.

MOTION: *To adopt all items on the Consent Agenda, as presented*

RESULT: *Motion carried unanimously by voice vote.*

MOTIONED TO APPROVE: *Commissioner Walus*

SECONDED BY: *Commissioner Sadowski-Fugitt*

AYES: *Commissioners Walus, Sadowski-Fugitt Glover, Gilmartin, Kulovany, Mayor Pro Tem José*

NAYES: *None*

7. Active Agenda

MOT 2021-9172 — A. Motion: Direct Staff to Make Improvements to Prairie Avenue as Outlined in the Update and Recommendation Section of the Staff Report

Summary: This motion directs staff to make improvements to Prairie Avenue as outlined in the update and recommendation section of the staff report.

Public Comments/Questions

Bill Nally of 4808 Woodward Ave:

- In favor of a 4-way stop at Woodward & Prairie not just a pedestrian crossing, requests Council consideration.

Council Comments/Questions

Commissioner Sadowski-Fugitt: Traffic data will be taken in the area. There is the potential to add a 4-way stop at that location. Concerned about non-compliance at all of the stop signs if there are too many. There are fewer cars on the cross streets on western end of Prairie. Wants to see if bump outs, crosswalks, traffic light improvements help slow cars on Prairie. If speeds are still too high, will reconsider.

Commissioner Kulovany: Taking an incremental approach to see how the first step of traffic calming helps and will consider adding in the future if needed.

Commissioner Gilmartin: Included at Woodward is bump-outs, crosswalk, mid-roadway stop for pedestrian sign. Agrees with other Commissioners about evaluating first steps before progressing.

Mayor Pro Tem José: Prairie Ave over the last few months has been a dynamic situation. The new steps are not set in stone and Council is always considering feedback from residents and evaluating what the data shows. May end up with another 4-way stop at Woodward after re-visiting down the road.

MOTION: *To direct staff to make improvements to Prairie Avenue as outlined in the Update and Recommendation section of the Staff Report.*

RESULT: *Motion carried unanimously roll call.*

MOTIONED TO APPROVE: *Commissioner Walus*

SECONDED BY: *Commissioner Sadowski-Fugitt*

AYES: *Commissioners Walus, Sadowski-Fugitt, Glover, Gilmartin, Kulovany, Mayor Pro Tem José*

NAYES: *None*

ORD 2021-9159 — B. Ordinance: Amending Certain Traffic Control Provisions Related to Neighborhood Traffic Study #7 and the Prairie Avenue Corridor Plan

Summary: This ordinance amends certain traffic control provisions related to neighborhood traffic study #7 and the Prairie Avenue Corridor Plan.

MOTION: *To adopt an ordinance amending certain traffic control provisions related to neighborhood traffic study #7 and the Prairie Avenue Corridor Plan. ORD #5889*

RESULT: *Motion carried unanimously roll call.*

MOTIONED TO APPROVE: *Commissioner Walus*

SECONDED BY: *Commissioner Sadowski-Fugitt*

AYES: *Commissioners Walus, Sadowski-Fugitt, Glover, Gilmartin, Kulovany, Mayor Pro Tem
Hosé*

NAYES: *None*

Public Comments/Questions

No public comment

Council Comments/Questions

No comment from Council

8. First Reading

ORD 2021-9155 — A. Ordinance: An Ordinance Establishing Video Gaming Regulations

Summary: This ordinance establishes video gaming regulations.

Village Manager David Fieldman presented this information. Staff prepared a Memo found in the Council meeting agenda materials after the original staff report.

3 Changes made to the draft ordinance based on last meeting discussion

1. The maximum size of the separate gaming room has been reduced from 500 sq ft to 200 sq ft.
2. Terminals shall not be visible from outside the establishment.
3. Noise from the terminals shall not be heard from outside of the gaming room.

Draft ordinance is a starting point for further discussion. Staff is available to answer questions.

Council Comments/Questions

Commissioner Glover: In favor of allowing Downers Grove (DG) establishments to add video gaming revenue stream. Does not view it as a subsidy. Views not approving as a barricade blocking additional revenue to DG establishments. Downtown has been built vibrant and beautiful with nice places to go to. Does not agree with choosing where video gaming belongs or does not. There is a place for both trendy and casual places downtown DG. Without allowing gaming there will not be any casual establishments. Would like to remove the downtown variant from the Ordinance.

Commissioner Gilmartin: Thank you to staff for report and answers to questions from last discussion and for all who provided feedback on topic. Appears the revised ordinance more clearly addresses concerns in a meaningful way. Would like to mandate the camera system. In favor of providing staff flexibility in relation to allocation of funds with a bend towards social services if possible. Does support this but it is not unconditional. Most feedback regarding

concerns allowing gaming is in the Downtown Business District (DBD). Businesses in DBD are provided benefits other business locations do not get such as: using public spaces for outdoor dining, parking, enhanced snow removal and cleanup, tax payer funded Downtown Management Corporation. Village does not operate under what is equal for all businesses, but does try to have a sense of equity. Village has restrictions on buildings and codes downtown that do not apply outside of the DBD to keep a look and feel. Residents who have spoken up hold downtown DG to a different regard. Does not believe restricting video gaming from downtown is picking and choosing. There is context to each decision regarding the downtown. Overwhelming feedback from residents is to not have video gaming downtown and believes it belongs in the Ordinance.

Commissioner Sadowski-Fugitt: Thoughts are more in alignment with Commissioner Glover. In favor of 200 sq ft, not visible from street, not heard from outside the room. In favor of allowing gaming in the DBD. Feels that downtown business owners would not allow video gaming to have a negative impact on the downtown. Wants to have a variety of businesses downtown at different price points and not just upscale restaurants. Feels strange that vape shops and cigar smoking is allowed outside business store fronts but that video gaming signage downtown is an issue. In favor of allowing video gaming within the downtown. Brings a variety of businesses to downtown. Downtown businesses pay additional taxes through the SSA for the added benefits of snow removal and use of public space. Fine with either mandating or allowing business owners to decide on cameras.

Commissioner Kulovany: Withholding comments until after public comments.

Mayor Pro Tem Hosé: In 2022 the DBD will not be levied on residents but on the businesses that will receive the benefits. TIF districts are used to spur reinvestment and for infrastructure.

Public Comments/Questions

Richard McLaren representing American Post 80 and VFW Post 503:

- In favor of video gaming ordinance; revenue will support the good works of the organizations

Debbie Scarlati resident of 4811 Forest Ave.:

- In favor of diligence as to how the gaming is occurring
- Not in favor of lack of maintenance and not meeting values/standards of downtown

Bob Taft of 2707 63rd St, Owner and operator of Q Pub & Grill at 2145 West 63rd St.:

- In favor of video gaming; has several other locations with it and it has never had a negative impact; able to pay employees more and offers additional revenue stream; will allow Village to stay competitive with other towns

Jay Nege of 5141 Main St, Owner of Another Round Bar & Grill:

- In favor of video gaming in DBD; happy to comply with signage; wants to be included with other areas allowed to have gaming.

Willis Johnson of 4605 Lee Ave, Owner and operator of Tivoli Bowl:

- In favor of video gaming in all of Village including DBD; additional revenue stream for all businesses.

Phil Cullun Owner of Bally Doyle and other restaurant locations in Naperville and Montgomery:

- In favor of video gaming in all of Village including DBD; important new revenue stream; can be made upscale and nice; additional element to DBD for customers to enjoy.

Larry McKone of J&J Gaming, Regional Sales Manager

- In favor of video gaming in Village including DBD; State mandates all operators put live cameras on gaming areas; recordings are kept.

Alberto Torrez, President of the Moose Lodge:

- In favor of video gaming in Village including DBD; can be discrete with no visibility or noise; source of

revenue to help with charitable efforts.

- In favor of signage and square footage requirements and revenue proposals.

Marty McKelphin 5733 Plymouth, Municipal Engagement Manager for Prairie State Gaming:

- In favor of video gaming in Village including DBD; wholesome feel in DBD can be maintained.
- In favor of sign ordinance and gaming advertising to be regulated.

Willis Johnson returned to the podium:

- Question: Ordinance he printed out today still lists 500 sq ft. Are there other changes and have they been incorporated on the Ordinance considered with first reading?

Mayor Pro Tem Hosé: Ordinance put forth tonight includes the change and prohibits noise from leaving the designated area and does not allow visibility of the gaming area from the rest of the establishment.

Village Attorney Enza Petrarca confirmed those were the major changes incorporated from two weeks ago.

Tom Schroder of 4815 Forest Ave:

- Not in favor of video gaming in DBD but in favor of having at the Moose Lodge, American Legion, and VFW, Tivoli Bowl (Governor is about to sign bill allowing video gaming in Fraternal Order Organizations)
- In favor of keeping the downtown DG family brand.

Council Comments/Questions

Commissioner Kulvany: Took years to build the success and brand of the DBD and family friendly atmosphere. Not in favor of video gaming and how it may affect that. Wants to help rebuild Tivoli business affected by pandemic. Downtown special assessment is on the property owners not specifically the businesses. Tom Schroder mentioned governor's bill allowing fraternal and veteran's organizations to have video gaming. Not in favor of video gaming signage in DBD and sign ordinance does not restrict that. Gave visual examples of signage used at establishments outside of the Village.

Commissioner Sadowski-Fugitt: Questions: The Moose and Tivoli are part of downtown, cannot carve out exception if prohibited downtown?

Manager Feildman: Confirmed staff is recommending based on zoning districts, those locations share zoning districts with the surrounding properties in the downtown.

Commissioner Sadowski-Fugitt: Family brand is subjective. Cigar and vape shops interfere with the family brand, especially with smoking in front of the shops. Would rather have a bright sign than smoking out on the street. There are vape, alcohol and other electronic signs. Not sure why video gaming is considered different from the other adult behaviors. Attends restaurants in other towns with gaming and does not see it negatively affecting a family experience. Confident in ordinance restrictions being put into place. In favor of giving all of the businesses including DBD a chance to enhance revenue. Worked with restaurant owners for outdoor dining spaces, can do that again with gaming. Option to make rules stricter going forward.

Commissioner Walus: Waited to speak until hearing public comment. Thinks this is a tough subject balancing business wants and needs with resident wants and needs. Agrees with Commissioner Gilmartin's points. Understands where all Commissioners are coming from. In favor of prohibiting DBD from gaming; understands that people view it as unfair.

Commissioner Glover: Village DBD brand built by DG business owners who are advocating for the income. Does not think it is businesses against residents. Believes most residents want a casual atmosphere to go to for a reasonably priced meal without always paying top dollar for a trendy atmosphere.

Commissioner Gilmartin: There is legislation on the Governor's desk allowing Veteran Associations and Fraternal order groups to have video gaming. Current sign ordinance does not restrict video game signage. Question: If gaming

is not allowed in the Village outright, those organization would still have the opportunity to have that, however, if prohibited from downtown, then that ordinance would supersede the state.

Attorney Enza Petrarca: Sated that is correct.

Commissioner Kulvany: Revenue gained from video gaming is revue that could have come from money spent at restaurants, on clothing, or other items in the local economy.

Mayor Pro Tem Hosé: Sympathetic to DG businesses, especially restaurants affected by the pandemic. Video gaming would be good to help local businesses. Businesses in the Village can choose to have video gaming or not and residents can choose whether they dine at establishments with or without video gaming. Likes the restrictions in place in the draft ordinance. Not in favor of prohibiting DBD businesses from having video gaming, if other areas of the Village are allowed to have it. Have to trust that business owners will be responsible on how they implement it because it is their livelihood. In favor of allowing video gaming as additional stream of revenue throughout the Village.

Mr. Fieldman: Ordinance will be placed on an upcoming active agenda.

ORD 2021-9169 — B. Ordinance: Adopt the Fiscal Year 2022 Budget in Lieu of Passage of an Appropriation Ordinance **ORD 5889**

Summary: This ordinance adopts the Fiscal Year 2022 Budget in lieu of passage of an appropriation ordinance.

Village Manager presented a PowerPoint [presentation](#) of the Municipal Budget, which is the annual implementation of the Village's mission and strategic goals. Purpose is to align everyday operations and resources with community priorities outlined in planning documents such as the long range plan (LRP) and comprehensive plan. Budget will be discussed at 6 public meetings in the next 45 days or so providing opportunity for public input and Council consideration. Process is scheduled to conclude mid-December with the adoption of the property tax levy. Budgeting process begins in the summer when Council prepares the long range plan. Many strategies and policy direction included and reflected in the LRP are also shown in the FY22 Proposed Budget. This Council provided direction on items such as: PD staffing; stormwater capital projects; amount of property tax levy; use of American Rescue Plan Funding; funding for the facilities projects; and funding for valued partner organizations such as the Downtown Management Corporation and the Economic Development Corporation. Much policy direction for the budget has already been provided by Village Council. The Village Council approves two key items: 1). The Budget Ordinance which establishes the maximum amount that can be spent from each of the Village funds in the calendar year of 2022; and 2). The Property Tax Levy Ordinance which establishes the amount of money collected via property taxes. The extensive amount of information in the budget materials is simply provided to assist the Village Council in adopting these two key items and helps the Council, and the public, understand the Village's use of valued public resources. Details and key points of the FY 2022 Budget were then presented.

Manager Fieldman then introduced Michael Casa, President and CEO of the Downers Grove Economic Development Corporation (EDC). Mr. Casa provided a summary of the EDC FY22 Budget, a copy of which is included with the Council meeting agenda materials. The EDC Budget packet was reviewed including a budget summary; the 2022 budget and the 2019 and 2020 actuals; the 2021 end of year projections; a proposed budget for all of all funds; 2020 actual and 2021 projected balances; a profit and loss statement; a statement of financial position; cash reserve policy; update on Partnership to Prosperity; and fiscal year 2023 processing with deadlines. Mr. Casa also explained that Fiscal Year 2022 will be the first year that the EDC will operate under a new funding model, rather than receiving a share of the local hotel tax revenues, the EDC now adopts an annual budget that includes a funding request from the Village. This provides a more predictable and sustainable funding for the organization and permits the Village to allocate funds from any source that it deems fit.

Council Comments/Questions

Mayor Pro Tem Hosé: In addition to this process change, there have been additional process changes at the EDC in terms of their budget. The EDC is running a significantly lower reserve than it used to due to recent changes allowing more flexibility with the Village paying monthly. The EDC can count on the Village as a good partner because the

EDC invests in the community.

Commissioner Kulvany: Question: What will the EDC do to work more closely with the Downtown Management Corporation (DMC)?

Mr. Casa: EDC will continue to work with the DMC as closely as they can. The EDC moved offices downtown Downers to be closer to DMC.

Commissioner Kulvany: In favor of not having funding come from hotel revenue.

Mr. Casa: Many thanks went to all on the Board (including Manager Fieldman) and the Village for its tremendous support of the organization.

Manager Fieldman introduced Ms. Erin Venezia, Executive Director with the Downtown Management Corporation (DMC). Ms. Venezia provided a summary of the DMC FY 2022 Budget, put together by the Board of Directors; a copy of which is included with the Council meeting agenda materials. This is the first budget of Special Service Area (SSA) #11. The creation of SSA number 11 has created a new baseline for the DMC revenue source. It is the first increase the organization has seen since 1999. Looking forward to increasing reach in advertising through different publications that were previously cost prohibitive. 75% of advertising was done digitally this past year, with 25% print. Advertising will be used to promote the 11 events hosted in the downtown and to promote downtown Downers Grove in general. The cost to host events continues to rise. Looking forward to increasing staffing by 1. Currently operate with 1 full time and 1 part time staff member. There new staff position will most likely be another part-time employee or a contract employee. The DMC welcomed 28 new businesses to DBD in the past year. First floor occupancy rate is approximately at 96% and has remained steady at this number the last few years.

Commissioner Walus: Thank you to both parties for their presentations.

Mayor Pro Tem Hosé: Thank you

Mr. Fieldman: Council provides great policy direction over the summer. Staff: Judy Buttny, Robin Lahey, Daiva Sheldon, Joshua Dausener, Matt Timmerberg, Mike Baker and the department heads at the Village all play a major role in putting this together. The process allows Council members to ask questions at any time. Every question is tracked and posted on the Village website with a response on This Week's Meetings page (near the bottom).

Council Comments/Questions

Mayor Pro Tem Hosé: Thank you to staff leadership for a balanced budget that works for the community. Money in the budget for the new facility project is historic and the Village is about to take first step in getting the project done.

Commissioner Kulvany: Thank you to staff for the budget and job well done. Asked Mr. Fieldman if he is confident that the Village has enough police coverage to enforce traffic issues.

Mr. Fieldman: Feels PD has staffing that matches the service levels the Village has been enjoying for the past several years. Traffic enforcement is tough. The issue is that the demand and request for traffic enforcement exceeds the number of officers the Village has on the street at any given time. PD does focus a lot of patrols on traffic safety in a variety of locations.

Commissioner Sadowski-Fugitt: Excited for the stormwater and street projects planned for 2022 and to see the line go up for full time employees. Concerned that the Village is so lean that it will burn out current staff over time. Would like to see more investment in staff and with more PD enforcement. Does not want the number lower than what where it was post-recession. Great job on the budget to all.

Commissioner Walus: This is a good budget coming out of a tough time. Thrilled to see the facility project finally moving forward. Thank you to staff.

Commissioner Gilmartin: Thank you to staff. Question: Is there is a ratio for team number to resident. Concerned with staff being too lean.

Mr. Fieldman: Attempts at measure staffing levels and efficiencies exist. A large challenge is deciphering services and service levels. If the Council sees fit to give the Village more staff members, they will accept and put it to good use with Council direction.

Commission Gilmartin: Would like to see areas where staffing was cut within the Village.

Mr. Fieldman: That information can be provided. Back to 2009 in the budget shows staffing over the years.

Mayor Pro Tem Hosé: “That’s my budget.”

9. Manager’s Report

No report tonight.

10. Attorney’s Report

Pursuant to Section 2.5 of the Downers Grove Municipal Code, Village Attorney, Enza Petrarca presented the following ordinances for Village Council consideration:

1. An ordinance establishing video gaming regulations.
2. An ordinance adopting the Fiscal Year 2022 Budget in lieu of passage of an appropriation ordinance.

11.Council Member Reports

Commissioner Sadowski-Fugitt: On November 21st from 8am – 2pm a vaccination clinic will be held at Downers Grove North HS hosted by D58 and D99 for anyone age 5 and up (a second dose booster will be offered on December 12th). Appointments can be made for first doses and for second or third booster doses on November 21st.

Commissioner Walus: Can register for Grove Express through November 20th to guarantee a race day shirt. Go to groveexpress.com to register and be a part of this inaugural event.

12.Adjournment

MOTION: To adjourn the November 02, 2021, Village Council meeting.

RESULT: Motion carried unanimously by voice vote.

MOTIONED TO APPROVE: Commissioner Walus

SECONDED BY: Commissioner Sadowski-Fugitt

AYES: Commissioners Walus, Sadowski-Fugitt, Glover, Gilmartin, Kulovany, Mayor Pro Tem Hosé

NAYES: None

Mayor Pro Tem Hosé declared the motion carried by voice vote and the meeting adjourned at 8:49 p.m.

Respectfully submitted,

Rosa Berardi
Village Clerk