



Meeting Minutes

Village of Downers Grove – Council Meeting

Council Chambers

February 01, 2022

7:00 PM

1. Call to Order

Mayor Pro Tem Hosé 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): Mayor Pro Tem Hosé, Commissioner Walus, Commissioner Sadowski-Fugitt, Commissioner Gilmartin, Commissioner Glover

Council Attendance (Not Present): Mayor Barnett

Council Attendance (Remote): Commissioner Kulovany

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

MOT 2022-9288 — A. Motion: Allowing for Electronic Participation for the February 1, 2022 Village Council Meeting

Summary: Allowing for Electronic Participation for the February 1, 2022 Village Council Meeting

***MOTION:** To allow electronic participation for the February 1, 2022 Village Council Meeting, 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 Hosé*

***NAYES:** None*

3. Presentations

No presentations.

4. Minutes of Council Meetings

MIN 2022-9304 — A. Minutes: Village Council Meeting Minutes - January 18, 2022

Summary: Village Council Meeting Minutes - January 18, 2022

MOTION: To adopt the meeting minutes of the January 18, 2022 meeting, as presented.

RESULT: Motion carried unanimously by voice vote.

MOTIONED TO APPROVE: Commissioner Walus

SECONDED BY: Commissioner Sadowski-Fugitt

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

NAYES: None

5. Public Comment

David Rose, Resident

- Comments made regarding Martin Luther King Jr. Day; Civil Rights Week.

6. Mayor's Report

There was no Mayor's Report.

7. Public Hearings

There were no Public Hearings.

8. Consent Agenda

BIL 2022-9296 — A. Bills Payable: No. 6642 - February 1, 2022

Summary: No. 6642 - February 1, 2022

COR 2022-9297 — B. Claims Ordinance: No. 6443, Payroll - January 14, 2022

Summary: No. 6443, Payroll - January 14, 2022

MIN 2022-9314 — C. Minutes: Note Receipt of Boards and Commissions Meeting Minutes

Summary: Note Receipt of Boards and Commissions Meeting Minutes: Community Events Commission 7-8-21, Historic Preservation Design Review Board 9-29-21, Foreign Fire Fund 10-28-21, Plan Commission 11-1-21.

RES 2021-9260 — D. Resolution: Approve a One-Year Extension to the Agreement with BKD, LLP to Perform an Independent Annual Audit of the Village's Financial Statements for an Amount Not-to-Exceed \$50,000.00 **RES #2022-08**

Summary: This resolution approves a one-year extension to the agreement with BKD, LLP to perform an independent annual audit of the Village's financial statements for an amount not-to-exceed \$50,000.00.

RES 2022-9286 — E. Resolution: Approving a Fourth Amendment to the Sales Tax Rebate Agreement with Downers Grove Imports, Ltd. d/b/a Pugi of Chicagoland **RES #2022-09**

Summary: This resolution approves a fourth amendment to the Sales Tax Rebate Agreement between the Village of Downers Grove and Downers Grove Imports Ltd. d/b/a Pugi of Chicagoland.

RES 2021-9268 — F. Resolution: Grant a Historic Landmark Designation for 5834 Middaugh Avenue **RES #2022-10**

Summary: This Resolution grants a Historic Landmark Designation to the house at 5834 Middaugh Avenue.

MOT 2022-9302 — G. Motion: Approve the Purchase of Vehicles and Equipment in the Amount of \$710,594.06 from National Auto Fleet Group of Watsonville, CA

Summary: This motion approved the purchase of vehicles and equipment in the amount of \$710,594.06 from National Auto Fleet Group of Watsonville, CA.

RES 2022-9310 — H. Resolution: Appropriating \$1,590,000.00 of Rebuild Illinois Funds for the 2022 Annual Roadway Resurfacing Program **RES #2022 11**

Summary: This resolution appropriates \$1,590,000.00 of Rebuild Illinois Funds for the 2022 Annual Roadway Resurfacing Program.

RES 2022-9311 — I. Resolution: Appropriate \$1,060,000.00 of Motor Fuel Tax (MFT) Funds for the 2022 Annual Roadway Resurfacing Program **RES #2022 12**

Summary: This resolution appropriates \$1,060,000.00 of Motor Fuel Tax (MFT) Funds for the 2022 Annual Roadway Resurfacing Program.

RES 2022-9312 — J. Resolution: Appropriate \$532,100.00 of Motor Fuel Tax (MFT) Funds for Roadway Maintenance in 2022 **RES #2022 13**

Summary: This resolution appropriates \$532,100.00 of Motor Fuel Tax (MFT) funds for Roadway Maintenance in 2022.

MOT 2022-9313 — K. Motion: Approve a Contract with Baxter & Woodman Natural Resources, LLC of Crystal Lake, Illinois for the Valley View Pond Improvements to an Amount Not-to-Exceed \$99,588.50, which Includes a 10% Contingency

Summary: This motion approve a contract with Baxter & Woodman Natural Resources, LLC of Crystal Lake, Illinois for the Valley View Pond Improvements in an amount not-to-exceed \$99,588.50, which includes a 10% Contingency.

MOT 2022-9317 — L. Motion: Approve a Change Order to ABC Commercial, Inc. for Train Station and Parking Deck Cleaning in the Amount of \$1,800.00

Summary: This motion approves a change order to an existing contract with ABC Commercial, Inc. for train station and parking deck cleaning in the amount of \$1,800.00.

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

***RESULT:** Motion carried unanimously by 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*

9. Active Agenda

No Active Agenda

10. First Reading

RES 2022-9307 — A. Resolution: Approve the Final Plat of Subdivision to Subdivide an Existing Parcel at 7135 Dunham Road into Six Residential Lots with an Outlot for Stormwater Detention

Summary: This resolution approves the Final Plat of Subdivision to subdivide an existing parcel at 7135 Dunham Road into six residential lots with an outlot for stormwater detention.

Stan Popovich presents the Plat of Subdivision for 7135 Dunham Road, illustrating (a) ; where the property is located; (b) noting the lot is a single lot of record as outlined; (c) Petitioner's Plan of Subdivision proposing to subdivide the property into six (6) lots with an outlot. Mr. Popovich notes the petitioner does have to do some public improvements including dedications of land to the Dunham Road and Mathias Road to become public rights-of-way, in order to . construct a connection allowing the roads to travel through the neighborhoods. Public improvements also include installing sidewalks, connecting water mains and sanitary sewer lines. Mr. Popovich notes how the stormwater will drain throughout the subdivision.

Mr. Popovich discusses the Comprehensive Plan and notes the following:

- Single Family Detached
- Consistent with surrounding neighborhood
- Variety of housing and dwelling types
- Quality housing stock is a community staple
- Improves stormwater management

The Plat does meet the requirements of the Subdivision Ordinance. The Plan Commission recommended approval for the petition by a vote of seven (7) to zero (0).

Village Council Questions/Comments

None

Public Comment

None

ORD 2021-9256 — B. Ordinance: An Ordinance Amending Outdoor Dining Regulations.

Summary: Approve an ordinance amending outdoor dining regulations.

Mr. Popovich presents the Updated Outdoor Dining Program for the downtown area for 2022 and beyond; he notes some key components of the temporary emergency programs from the past couple of years that are proposed to continue while some are proposed change. Included are the following Village Code Amendments:

- Remove sidewalk enclosure requirements
- Enclosures still required around seating within parking spaces; Village providing barricades to insure patron safety, since traffic will be nearby
- Maintain minimum four foot pedestrian aisle on sidewalks
- Downtown applications due March 1st; size for outdoor dining to be determined by VoDG and Downtown Management taking the following into consideration: (a) restaurant frontage along the street; (b) interior size of restaurant – the number of seats outside cannot exceed the number of seats inside the facility and (c) location relative to other businesses and pedestrian activity
- Revocation clause

With respect to the barricade placement and Fee Program, the Village is proposing to reinstitute the following fees:

- Application Fee
- On-Street Fee per square foot; a little more costly due to the cost of barricades and Village staff time
- Sidewalk Fee per square foot

With respect to Downtown Cleanliness:

- Additional cleanliness requirements in License Agreement

With respect to Liquor License:

- Class O Liquor License required for outdoor service

Village Council Questions/Comments

Commissioner Sadowski-Fugitt

- Question concerning enforcement of cleanliness
- Question concerning enforcement of four foot pedestrian aisle

Mr. Popovich: Staff will take a more active role in checking on these areas in person and Downtown Management will also be helping with checking on these things as well.

Commissioner Gilmartin

- Question concerning availability of Class O Liquor Licenses.
- In favor of extending Outdoor Dining Program to include all Downers Grove restaurants.

Village Attorney Enza Petrarca states there are no limits to Class O Liquor Licenses.

Manager Fieldman: All regulations discussed at this meeting are focused on the downtown. Staff would be looking for Council direction to look at changes to outdoor dining for the balance of the Village. It may take a bit of research, but if the direction is given, staff would be happy to get started.

Commissioner Glover

- Concurs with Commissioner Gilmartin on extending the updated Outdoor Dining Program to include all Downers Grove restaurants; Community enjoys the outdoor dining and would be a benefit to everyone.

Commissioner Walus

- In favor of extending the updated Outdoor Dining Program to include all Downers Grove restaurants.
- In favor of helping local restaurants be successful in an environment that is constantly shifting, changing and moving forward.

Commissioner Kulovany

- Outdoor dining successful and silver lining behind COVID.
- Questions if 27 parking spaces (last year's number) will be utilized for outdoor dining again this year
- In favor of extending Outdoor Dining Program to include all Downers Grove restaurants; would like staff to identify the work that would be involved in this.

Mr. Popovich: 27 parking spaces sounds correct for last year; will know more about this year once applications are in – which is reason for March 1 due date.

Commissioner Sadowski-Fugitt

- In favor of Outdoor Dining Program to be extended to include all Downers Grove restaurants; understands challenging with parking.

Mayor Pro Tem José

- In favor of outdoor dining in the downtown area; brought added vibrancy and excitement to the downtown
- In favor of keeping it safe and costs will be covered.
- In favor of looking into Outdoor Dining Program to be extended outside of Downtown area; notes parking requirements and don't want to affect the streets and other businesses; tents ok if temporary but would prefer to see permanent structures if outdoor dining is here to stay.

Public Comment

David Rose, returned to podium

- Question regarding removing sidewalk enclosures and enclosures around seating within parking spaces.

Mr. Popovich: Fencing enclosures were required around seating areas along sidewalks prior to the pandemic; this caused some challenges and therefore, they are no longer required. Enclosures will still be required around seating within parking spaces to ensure the safety of our patrons.

Manager Fieldman concludes the First Reading portion of the agenda by noting that staff will proceed with Downtown Outdoor Dining on an upcoming agenda; staff will also begin looking at other changes to areas outside the Village for outdoor dining. Manager Fieldman thanked staff members involved in making this program a success: Mike Baker, Stan Popovich, Jason Zawilla, Flora Ramirez, Gabby Baldassari, Enza Petrarca, Andy Sikich, John Tucker and the Public Works crews that place and move barricades for events. He also extends thanks to Downtown Management, including Erin Venezia, the entire Board and the restaurants that have participated in the program that have made it a huge success.

11. Manager's Report

No Manager's Report.

12. Attorney's Report

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

1. An ordinance amending outdoor dining regulations

13. Council Member Reports

Commissioner Sadowski-Fugitt expresses the hope to celebrate contributions of black Americans.

Commissioner Walus reminds everyone with respect to the upcoming winter storm to be safe, check on elderly neighbors and each other.

Commissioner Gilmartin recognizes Savannah Harmon, a Downers Grove native, who is a member of the US National Women's Hockey Team and will be representing the US in the Winter Olympics in Beijing; wished luck to her and all other American athletes at the winter games.

Mayor Pro Tem José discusses an opportunity to join Village Manager Fieldman, Michael Cassa with the Downers Grove Economic Development Corporation, and some friends from Flavorchem for a behinds the scenes tour of the Flavorchem facility; had an opportunity to meet Irish real estate developers who were members of the Institute of Professional Auctioneers & Valuers (IPAV) while visiting Flavorchem. Mayor Pro Tem José noted it was a fascinating meeting and suggests all attend the Flavorchem Open House.

Mayor Pro Tem José speaks of the large volume of snow expected; Public Works snow plows are working 24 hours a day; all snow plows owned by the Village will be on the streets. The Snow Removal Plan can be found on the Village's website: <http://www.downers.us/res/snow-and-ice-control> .

14. Adjournment

Mayor Pro Tem José asked for a motion to adjourn the meeting.

MOTION: To adjourn the February 1, 2022 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, Kulovany, Gilmartin, Glover, Mayor Pro Tem José

NAYES: None

Mayor Pro Tem José declared the motion carried by voice vote and the meeting adjourned at 7:33 p.m.

Respectfully submitted,

Rosa Berardi
Village Clerk