



## Meeting Minutes

Village of Downers Grove – Council Meeting

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Council Chambers

April 12, 2022

7:00 PM

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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 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.

### 2. Roll Call

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

**Council Attendance (Not Present):** Mayor Barnett

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

### 3. Proclamations

A. National Public Safety Telecommunicators Week

### 4. Public Hearings

**PUB 2022-9383** — A. Public Hearing: Proposed Washington and Curtiss Street TIF District

<sup>A</sup> Mayor Pro Tem José called the public hearing to order at 7:04 p.m.

Mayor Pro Tem José explained the public hearing was to consider approval of the Washington and Curtiss Street TIF proposal. He stated that on January 11, 2022, Downer's Grove Village Council adopted ordinance number 5912, which proposed the Washington and Curtiss Street TIF. He stated that it was published in the Daily Herald on March 17, 2022, and March 18, 2022. He also expressed that a Joint Review Board was established, and their report was submitted and made a part of the record of the public hearing. Mayor Pro Tem José instructed that witnesses would not be sworn in for this hearing.

Deputy Village Manager Mike Baker stated two public meetings processes were running concurrently; the TIF approval process and the zoning approval process. He stated after the public hearing the TIF approval process will continue on May 3<sup>rd</sup> when it will be presented to Council as a First Reading agenda item and then on May 10<sup>th</sup> when it will be voted on. Mr. Baker went through the zoning approval process, which involved a neighborhood meeting and

also a public hearing that took place at last week's Planned Commission Meeting. He stated that would also come up for Council consideration in early May. He said these were very important processes that related to the Facility Replacement and Sustainability Plan. Mr. Baker presented a map showing the boundaries of the proposed TIF District and mentioned that all properties within the boundaries were Village-owned. Mr. Baker explained the reason for creating this TIF was to support the Facility Replacement and Sustainability Plan. He stated it was determined the provisions of the TIF Act were fully complied with and affirmed by the Joint Review Board.

**Commissioner Kulvany** commented there were a lot of elements that went into the decision of the new facility being located there, for example, the ability to create TIF for funding purposes.

Marshall Smidt, 4923 Sealy, stated that because they were creating a TIF district, the money collected by the school district would go to the construction of the new facility, but said if the referendum came before the public on the school district, the record needed to be clear that money was being diverted from the schools to build the facility. He also mentioned that they asked to have a neighborhood meeting regarding the Longfellow Development and were told no but allowed the neighborhood meeting for this.

David Rose, resident, seconded Marshall's comments. He also stated he was disturbed there was a need to do this without any laying out of scenarios financially. He added that he was concerned about the consequence of having the TIF District and the financial implications that could affect Village residents, such as pensions.

**Mayor Pro Tem Hosé** clarified that the referendum referenced did not apply to this project. He stated School District 58 would be housed in the facility if all carries out to plan. However, that would have no impact on whether or not the Village would be moving forward with the project. He said because the property had no property tax paid on it, it is owned by the taxpayers right now with zero immediate impact on the school districts. He expressed that pension obligations existed independent of the project and were met every year by the Village.

Mayor Pro Tem Hosé adjourned the public hearing at 7:15 p.m.

## 5. Minutes of Council Meetings

MIN 2022-9378 — A. Minutes: Village Council Meeting Minutes - April 05, 2022

**Summary:** Village Council Meeting Minutes - April 05, 2022

***MOTION:** To adopt the meeting minutes of the April 05, 2022 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*

## 6. Public Comment

**Mayor Pro Tem Hosé** gave the guidelines for public comment and explained that members of the public could ask questions or engage Council members through the Village's reMarks system, the CRC (Community Response Center), Coffee with the Council, direct email, or by phone.

Marshall Schmidt returned to the podium and stated the Longfellow property developer destroyed approximately 30 trees to make room for 12 homes several weeks ago. He expressed disappointment over the loss of the trees and about the fencing that erected around the property. He stated he had concerns about gaps in stormwater provisions and continued with statements regarding lot width requirements working hand in hand with those provisions. Mr. Schmidt expressed disappointment with the Council over this process.

Julie Brethauer, 4909 Montgomery, stated the fence went up, but it was on public property and cut off the access to the sidewalk. Therefore, she asked that it be moved.

David Rose expressed his disappointment in the Council's decision-making process. He mentioned that he does not find the EDC reports meaningful. He feels the Council limits the time the public can speak; they are also unwilling to engage with the public.

## 7. Mayor's Report

There was no Mayor's Report.

## 8. Consent Agenda

**BIL 2022-9379** — A. Bills Payable: No. 6654 - April 05, 2022

**Summary:** No. 6654 - April 05, 2022

**BIL 2022-9426** — B. Bills Payable: No. 6656 - April 12, 2022

**Summary:** No. 6656 - April 12, 2022

**RES 2022-9293** — C. Resolution: Authorize a License Agreement with T-Mobile Central, LLC., to Maintain and Operate Antenna Equipment on Village Property at 3801 Highland Avenue **RES #2022-37**

**Summary:** This resolution authorizes a license agreement with T-Mobile Central, LLC. to maintain and operate antenna equipment on Village property at 3801 Highland Avenue.

**RES 2022-9382** — D. Resolution: Approve the Final Plat of Subdivision for 1122 Gilbert Avenue **RES #2022-38**

**Summary:** This resolution approves the Final Plat of Subdivision for 1122 Gilbert Avenue.

**MOT 2022-9413** — E. Motion: Approve an Agreement with Chicagoland Paving Contractors Inc. of Lake Zurich, Illinois in the amount of \$161,250.00 for 2022 Street and Driveway Restoration Services

**Summary:** This motion approves an agreement with Chicagoland Paving Contractors Inc. of Lake Zurich, Illinois in the amount of \$161,250.00 for 2022 street and driveway restoration services.

***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

**ORD 2022-9381** — A. Ordinance: Authorize a Special Use to Construct an Accessory Structure Before the Principal Structure is Constructed at 5240 Lyman Avenue **ORD #5920**

**Summary:** This ordinance authorizes a special use to construct an accessory structure before the principal structure is constructed at 5240 Lyman Avenue.

***MOTION:** AUTHORIZE A SPECIAL USE TO CONSTRUCT AN ACCESSORY STRUCTURE BEFORE THE PRINCIPAL STRUCTURE IS CONSTRUCTED AT 5240 LYMAN AVE*

***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*

## Public Comment

Marshall Schmidt returned to the podium and stated he built a gazebo on a lot he owned, next to the one his home is

on. He said he was forced to get a special use permit for it. He said he was required to enter into a written special use agreement in which he was obligated to record the special use against the lot and if the lot is sold without a principal residence on it, he is required to tear the gazebo down. He said he wanted to be sure that is the procedure that will be followed in this case.

Village Attorney Enza Petrarca and several Council members stated that the same procedure would be followed and it was also stated in Council meeting materials.

### Village Council Questions/Comments

**Commissioner Kulvany** asked if the homeowners were able to consolidate that lot and not require a special use for the addition of the gazebo.

Village Manager Dave Fieldman affirmed that is correct.

## **10. First Reading**

**MOT 2022-9414** — A. Motion: Final Design of the Construction of a Sidewalk on Blodgett Avenue from 59th St. to 61st St.

Andy Sikich, Public Works Director, presented a proposal on the sidewalk on Blodgett Avenue in the Fairmount School neighborhood, which was part of the District 58 Sidewalk Plan. He stated in 2021, Village Council approved a four-year plan of construction of sidewalks near District 58 schools, resulting in standalone projects over four years. He stated the FY 22 budget included \$200k for construction of this year's proposed segment. He stated the first segment was in the Kingsley neighborhood on Norfolk Street, which was constructed last year, and the second was along the east side of Blodgett Avenue from 59th to 61st. He presented a map of the general project location. He said the project being considered has one primary neighborhood tradeoff to consider, the preservation of existing trees. Mr. Sikich said staff proposed that the segment be constructed in a standard location for a sidewalk, generally 1 foot off the property line, just inside the right of way, approximately 13 feet from the road edge. He stated staff had estimated this option would require the removal of between 3 and 8 existing parkway trees, but would not require many modifications to the existing drainage system and would not require easements. Mr. Sikich did state there may be one tree they would have to go around, located on private property. He explained that the estimated total cost for both blocks would be \$190k. He also presented a photo of the three trees that staff believed would likely need to be removed. He stated that once given direction to proceed, staff would host a neighborhood meeting, perform the final design, and obtain bids. He said they anticipated presenting the lowest bid to Council in June with construction to follow over the summer when school is out.

### Village Council Questions/Comments

**Commissioner Sadowski-Fugitt** commented that she was happy to see there were minimal tree impacts and she appreciated checking into seeing if any could be moved. She stated a resident recently expressed safety concerns about parking along the west side of Blodgett with kids crossing there, so it would be nice if the kids had another option to go south on Blodgett and then were able to cross on the crosswalk across from Fairmount. She reiterated that it was nice to see safety with minimal tree impact.

**Commissioner Kulvany** commented he was also pleased to see that. He said they thought about this long and hard when they did Norfolk, so he assumed he would make the same consideration for this. He stated there was one tree that was planted too close to the right of way. He further stated that there were large segments of Downer's Grove where there is only one tree and trusted the new planning policies would put them further in the right way, so they wouldn't have to destroy those trees in the future.

**Mayor Pro Tem José** stated he thought it was the right decision and was confident they would try to minimize the loss of trees to the fullest extent and try to replant as many as they could later on.

**Public Comment**

Marshall Schmidt returned to the podium and stated that sidewalks around schools were great for the safety of the kids. He asked if there were ways to meander around those three trees and if the same effort was made to save the trees on the parkway that were made to save the trees on private property. He expressed his disappointment that no neighborhood meetings were held regarding the Longfellow property and he felt the Council only holds meetings when it is convenient and they don't think there's going to be a lot of objection and controversy. He expressed that wasn't good government or policy and needed to change.

**Mayor Pro Tem José** stated the Village Council held neighborhood meetings when they were called for by Village ordinances and policies. When it comes to changes to the zoning code, they were not typically called for. He asked Manager Fieldman for comment concerning meandering around parkway trees.

Manager Fieldman stated the Village always looks to preserve trees when they can. They will take another look and if it can be done safely, within the policy boundaries the Council established on Norfolk, and on this, it will be presented next week.

**11. Manager's Report**

There was no Manager's Report.

**12. Council Member Reports**

**Commissioner Kulvany** reported that the Downers Grove Historical Society was sponsoring a tour of the Tivoli on May 4th and tickets were available online at [downersgrovehistory.org](http://downersgrovehistory.org).

**Mayor Pro Tem José** said that anyone interested should take the Tivoli Tour on May 4<sup>th</sup>. He took it with his daughter and strongly suggests it.

**13. Adjournment**

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

**MOTION:** *To adjourn the April 05, 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, Glover, Gilmartin, Kulovany, Mayor Pro Tem José*

**NAYES:** *None*

Mayor Pro Tem José stated the motion was carried by voice vote and the meeting adjourned at 7:44 p.m.

Respectfully submitted,

Rosa Berardi  
Village Clerk