



Meeting Minutes

Village of Downers Grove – Council Meeting

Council Chambers

May 03, 2022

7:00 PM

1. Call to Order

Mayor Barnett 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 Barnett, Commissioner José, Commissioner Walus, Commissioner Sadowski-Fugitt, Commissioner Kulovany, Commissioner Gilmartin, Commissioner Glover

Council Attendance (Not Present): None

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

3. Proclamations

A. Historic Preservation Month

Amy Gassen, President of the Downers Grove Historical Society, accepted the proclamation. She thanked the Village for their recognition of Historic Preservation Month. She said in 2015 there were only two landmarks in the Village and now there are 30. She spoke of the Founder's Day events that took place through the weekend.

B. Building Safety Month

Stan Popovich, Director of Community Development, accepted the proclamation.

4. Minutes of Council Meetings

MIN 2022-9431 — A. Minutes: Village Council Meeting Minutes - April 19, 2022

Summary: Village Council Meeting Minutes –April 19, 2022

MOTION: To adopt the meeting minutes of the April 19, 2022 meeting, as presented.

RESULT: Motion carried unanimously by voice vote.

MOTIONED TO APPROVE: Commissioner José

SECONDED BY: Commissioner Walus

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

NAYES: None

5. Public Comment

Marshall Schmitt, 4926 Seeley, stated last time he appeared before the Council, the Mayor Pro Tem cut him off at 5 minutes, 30 seconds short of completing his remarks. He said he was there dispelling the myth the Village had no power to mitigate the loss of trees on the Longfellow property. He spoke of disappointment in the Zoning ordinance and the destruction of the Longfellow property.

David Rose, resident, spoke of the war in Ukraine. He stated political leaders needed to avoid creating panic and making things worse. He expressed his disappointment in the Village Council.

6. Mayor's Report

The Mayor stated everyone is entitled to their own opinion but not their own made-up facts. He said people still continued to show up and present ideas regarding the Longfellow property that present an inaccurate view. He asked if he bought the home next door, should his rights to use that property be different, diminished, or constrained more or differently as his neighbor that bought the same property. He said that was the heart of the matter. He stated that saying the same thing inaccurately over and over does not make it correct. He reiterated the Council takes its obligation seriously to defend the rights of all, in property and person equally. He also reminded everyone that the Village didn't own or sell the property in question, nor did the Village change its ordinance to help anyone's development rights. He said the characterizations made by some to the contrary are just simply wrong.

7. Consent Agenda

BIL 2022-9443 — A. Bills Payable: No. 6658 - April 19, 2022

Summary: No. 6658 - April 19, 2022

BIL 2022-9429 — B. Bills Payable: No. 6660 - May 03, 2022

Summary: No. 6660 - May 03, 2022

COR 2022-9430 — C. Claims Ordinance: No. 6455, Payroll - April 08, 2022

Summary: No. 6455, Payroll - April 08, 2022

MIN 2022-9444 — D. Minutes: Note Receipt of Boards and Commissions Meeting Minutes

Summary: Note Receipt of Boards and Commissions Meeting Minutes; Board of Library Trustees February 23 and March 23, 2022; Plan Commission March 7, 2022; Community Events Commission March 10, 2022; Board of Fire and Police Commissioners March 17, April 20 and April 21, 2022

RES 2022-9437 — E. Resolution: Approve an Intergovernmental Agreement with DuPage County for the Mochel Drive Water Quality Project **RES #2022-40**

Summary: This resolution approves an intergovernmental agreement with DuPage County for the Mochel Drive Water Quality Project.

RES 2022-9415 — F. Resolution: Approve a One-Year Renewal Agreement with ACLARA Technologies, LLC. In the amount of \$34,461.23 for the maintenance of the Automated Meter Reading (AMR) System **RES #2022-41**

Summary: This approves a one-year renewal agreement with ACLARA Technologies, LLC. in the amount of \$34,461.23 for the maintenance of the Automated Meter Reading (AMR) system.

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

RESULT: Motion carried unanimously by voice vote.

MOTIONED TO APPROVE: Commissioner José

SECONDED BY: Commissioner Walus

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

Barnett **NAYES** none

8. Active Agenda

There was no Active Agenda.

9. First Reading

Village Manager Dave Fieldman said that all of the items under the First Reading portion of the agenda were related to the Village's Facility Replacement and Sustainability Project. He said Items A-E were related to zoning approvals, but before having Community Development Director Stan Popovich review the items, he shared a [video](#) regarding the project.

Following the viewing of the video, Mr. Popovich presented [Items A-E](#). He reviewed the requested entitlements including the Plat of Vacation, Final Plat of Subdivision, Final Planned Unit Development, Map Amendment from DT to DT/PUD and Special Use. He gave details about traffic patterns, pedestrian walkways, exterior features of the building, on-site parking, and the movement of the telecommunications tower. Mr. Popovich concluded by stating that the Plan Commission recommended approval of the project at the April 4, 2022 meeting.

Manager Fieldman, as the petitioner of the project, said the proposed planning and development has been a project of multiple years of facility planning efforts. He explained that all of the staff members present at the meeting have been a part of it. He further stated he was seeking the Council's approval of the PUD and related zoning items, as the PUD implements recommendations of the Comprehensive Plan and addresses many long-standing issues with the existing Police Station and Village Hall.

ORD 2022-9421 — A. Ordinance: Vacating a Certain Portion of a Public Right of Way in the Village of Downers Grove (Downers Grove Civic Center)

Summary: This ordinance approves the vacation of a certain portion of a public right-of-way in the Village Downers Grove (Downers Grove Civic Center).

RES 2022-9420 — B. Resolution: Approving the Final Plat of Subdivision of the Downers Grove Civic Center

Summary: This resolution approves the Final Plat of Subdivision for the Downers Grove Civic Center.

ORD 2022-9422 — C. Ordinance: Amending the Zoning Ordinance of the Village of Downers Grove, Illinois, to Designate the Property at 700, 801 & 825 Burlington Avenue and 842 Curtiss Street (Downers Grove Civic Center) as Planned Unit Development #66

Summary: The ordinance amends the Zoning Ordinance of the Village of Downers Grove, Illinois, to designate the property at 700, 801 & 825 Burlington Avenue and 842 Curtiss Street (Downers Grove Civic Center) as Planned Unit Development #66.

ORD 2022-9423 — D. Ordinance: Rezoning Certain Property Located at 700, 801 & 825 Burlington Avenue and 842 Curtiss Street (Downers Grove Civic Center)

Summary: This ordinance rezones certain property located at 700, 801 & 825 Burlington Avenue and 842 Curtiss Street (Downers Grove Civic Center).

ORD 2022-9424 — E. Ordinance: Authorizes a Special Use for the Downers Grove Civic Center to Permit

Construction of a Freestanding Wireless Telecommunications Tower

Summary: This ordinance authorizes a special use for the Downers Grove Civic Center to permit construction of a freestanding wireless telecommunications tower.

Village Council Questions/Comments

Commissioner Kulovany asked for the history of why the site for the project was selected over other sites in Downers Grove.

Manager Fieldman stated there have been several discussions over the last couple of decades on where the new facilities should be located. He stated during Strategic planning, several years ago, the Council at that time wanted to make sure that Village Hall activities, police activities, etc. remained in the downtown area. That was reflected in the 2011 Comprehensive Plan and was included in the updated 2017 plan. He indicated the recommendations are in the Community Facilities section of the plan and the Downtown section as well.

Commissioner Kulovany stated that the facilities' condition assessments started in 2012. He gave an outline of the many phases the Village has gone through over the years in attempts to construct a new Civic Center. Commissioner Kulovany also spoke of the pad to be constructed for the future apartment building, asking if we will be putting in underground utilities or if we are leaving that for the developer to do.

Manager Fieldman said the details are still to be worked out regarding the utilities. He said the general plan calls for it to be pad ready, so the utilities should be nearby; however, once a prospective purchaser and developer are identified they would need to come before Council in a similar process for a PUD. At that time Council would review and approve the project.

Commissioner Kulovany asked if there is a plan to plant larger trees as replacements for those that will be removed for the project.

Manager Fieldman stated those details will come at the final design phase where the Council acts as the owner of the project. At that point, staff will take direction from Council on those things.

Commissioner Kulovany said at the Plan Commission meeting there was a discussion of proposing to turn the building 180 degrees, so the plaza in front of the building would face the downtown. He asked if there are reasons that would not be feasible.

Manager Fieldman stated that the shortest and most succinct answer to the question is a combination of grading issues and the phasing – making sure that Village Hall and the Police Station are operational while the new building is being constructed.

Commissioner José thanked Commissioner Kulovany for running through the history of the facilities project; indicating that it was a summary of his tenure on the Council and went on for many years prior to that. He said there have been many people that have worked on the project over the past 20 years and it's great to see it come to fruition. He continued by stating that he knew many people were in attendance at the meeting to speak about the telecommunications tower. Commissioner José stated he thinks all of the standards have been met. He spoke in particular about the health, safety, and welfare of the residents by stating it is a 9-1-1 tower, so it is actually beneficial to and enhances the health, safety, and welfare of the residents.

Public Comment

Ron Olson, 704 Maple Avenue, expressed concerns about what would happen if the project did not move along as planned; of the deteriorating Fleet Building that would remain in its current location; about the telecommunications tower. He spoke of concerns about 5G and the effects it could have on the health of the residents. He also spoke about the height and the lack of screening of the tower. He requested Mayor Barnett recuse himself from this item.

Laura Hois, 4405 Oakwood Avenue, stated she supports the objections to the telecommunications tower and requested

additional time before the Council takes a vote so that residents can get answers to their questions. She stated she had concerns about the location of the tower and about a decline in property values for the residents on Maple Avenue.

Sara Depasquale, 710 Maple Avenue, showed photos of her home with current views of the tower and views of the tower in its new location. She stated she has asked many questions and has not received answering. She also asked for an assessment of how the property values of the homes on Maple will be affected and for a solution to screen the view of the tower.

Matt Klepper, 702 Maple Avenue, stated he lives two doors down from Sara Depasquale. He feels Mayor Barnett should be recused from the vote on this item due to the location of his home. He spoke of concerns about the telecommunications tower and asked if the EMS services portion of the tower can be given to another community.

Muhummed Starks, 706 Maple Avenue, stated he had concerns about not being able to move his garage to the back of his yard due to the location of the tower. He also expressed additional concerns including the possibility of a tornado hitting the tower. He asked the Council to consider the people and come up with a solution that would make it right for them.

Matt McDonald, 710 Maple Ave, read quotes from the National Association of Realtors site's studies on cell towers. He spoke of the Village code, indicating it is to protect residential areas from adverse impacts of telecommunications towers. He asked the Council to represent all residents of the Village and explain how this would not be detrimental to the health of the residents and to the value of the homes on Maple Ave.

Jim McBride, 1217 Gilbert, stated last time the Council did the land bank, they changed ordinances, so the project could go on. He expressed concerns that the ordinances did not change this time. He said he was not a fan of 5G; without the 5G involved it may take away some of the concerns.

Village Council Comments/Questions

Commissioner Walus requested information from staff on additional screening. She asked if they had the option to omit the 5G from the new tower. She also asked staff to speak about the proposed height of the tower

Village Attorney Enza Petrarca stated equipment placed on the tower by private carriers was regulated by FCC, so municipalities have very little discretion.

Manager Fieldman said the height is to accommodate existing municipal uses, private wireless carriers, and additional future use.

Commissioner Walus asked if space for future use wasn't included, would more towers need to be built when more space is needed in the future.

Manager Fieldman answered yes.

Commissioner Glover asked if there was any other equipment or functions being added to the new tower that is not located on the current tower.

Manager Fieldman answered no.

Commissioner José said it was important to remember the property already had a tower on it that was 188 feet tall it was increasing in size by approximately 16 ft and was moving approximately 270 ft. He said it is important to remember the Village is not installing a tower where one didn't already exist before. He added that the project is not being paid for with the revenue from the tower.

Commission Sadowski-Fugitt asked if there was any way to figure out how far a tower needed to be before it impacted real estate values. She also asked why the decision was made not to knock down the Fleet garage. Commissioner Sadowski-Fugitt said emergency communication would only get faster with the new tower and she

had seen nothing that said 5G had any unhealthy impact. She asked if we already have 5G throughout the village

David Fieldman answered yes there was already 5G and he said they could not identify a location on the property to accommodate a new Fleet garage, so Council said to keep it as is.

Commissioner Sadowski-Fugitt said she would like to hear about potential screening options. She agreed with Commissioner Hosé stating that the community would benefit from the move of the tower because emergency communication would only get better and not having an adequate tower would only worsen response times. She also stated that she has followed the research and she has not seen anything supporting that 5G poses risks to humans. She asked if we already have 5G throughout the Village.

Attorney Petrarca answered yes.

Commissioner Kulovany asked for a brief explanation of what the fleet maintenance garage was used for.

Manager Fieldman said it was used to maintain and do repair work on all Village vehicles and equipment, including fire engines, police vehicles, and snow plow equipment.

Commissioner Kulovany asked if the tower, which has been in place for 40 years, were to be removed completely, what would the cell phone carriers need to do to provide cellular service.

Attorney Petrarca said they would have to relocate to another tower or propose to build their own tower.

Commissioner Kulovany said the agenda packet materials indicated the Village is a part of the DuComm Network and asked if anyone notified DuComm about moving this part of the network.

Manager Fieldman stated he is the Secretary of the DuComm Board of Directors. He said he asked the Executive Director that question and his answer is reflected in the FAQ document of the agenda materials. He continued by stating the relocation of towers that are a part of the DuComm System from their current site would require a redesign of the entire regional system.

Commissioner Kulovany asked if that covers all of DuPage County.

Manager Fieldman replied stating yes, along with the Addison Consolidated Dispatch Center (ACDC) – they work in conjunction to cover the whole County and back each other up.

Commissioner Gilmartin asked if they had a sense of the difference in footprint or width of the new tower in comparison to the existing tower.

Manager Fieldman replied stating the current tower is a lattice tower and the proposed tower is a monopole design, it is projected to take up less space.

Commissioner Gilmartin stated there is less mass as you go up in terms of the lattice tower. He asked about the way the monopole is fixed to the ground as opposed to the lattice tower, was there a difference and if so if there a sense of safety improvement.

Manager Fieldman stated they could work with design engineers to get an answer to the question of structural engineering design.

Commissioner Kulovany said the Council has to make a lot of decisions, some are made for them because of circumstances. He spoke of challenges with Village Hall, built in 1908, and the Police Station. They are subpar facilities that could affect the Village's CALEA rating – we are currently rated in the top 1% of the Country. He went on to speak of the Tax Increment Financing (TIF) District and how it is essential in order to prevent a rise in property taxes to pay for the new Civic Center. He said no one knows what will happen with the economy, but as a

Council, they have made the decision to honor the work that was done before them. He spoke of an attempt to find another location for the Fleet garage a couple of years prior and no location could be found – the Village does not own that much property. The Police Station is being kept with Village Hall for many reasons, but mostly for communications. Commissioner Kulovany said this is a major footprint addition to the Downtown Transition area. There were many things taken into consideration, however, the tower is being moved to the only part of the site that will accommodate it. He said he understood people’s concerns, but reminded all that came up to the podium that the telecommunications tower has been in its place for 40 years. The Village is trying to make the tower look more attractive and is being moved 270 feet to the east because it is the only spot for it.

Mr. Popovich continued with his presentation and moved on to Items F-H of this portion of the agenda, which are related to the proposed Washington and Curtiss Street Redevelopment Project Area. He explained that Tax Increment Financing (TIF) is a funding mechanism to capture revenue from the private redevelopment. He reviewed key approval dates; a Joint Review Board meeting in February, a Public Hearing before Council in April, and the current meeting for the first reading for the TIF district of the proposed Washington and Curtiss Street TIF district. He explained that the TIF boundary encompasses the Villages Civic Center property, as well as some right-of-ways; all Village-owned property. He said the TIF district will be used as a funding mechanism to collect property tax revenue from the apartment lot that is proposed to be sold to a private developer. He concluded by stating that the plan complies with the TIF Act and the Joint Review Board unanimously recommended approval. He said the TIF will help collect revenue and use it to pay for the new facility and improvements that occur on the property.

ORD 2022-9425 — F. Ordinance: Approving a Tax Increment Redevelopment Plan and Redevelopment Project for the Washington and Curtiss Street Redevelopment Project Area

Summary: This ordinance of the Village of Downers Grove, DuPage County, Illinois, approves a Tax Increment Redevelopment Plan and Redevelopment Project for the Washington and Curtiss Street redevelopment project area.

ORD 2022-9445 — G. Ordinance: Designating the Washington and Curtiss Street Redevelopment Project Area of Said Village A Redevelopment Project Area Pursuant to the Tax Increment Allocation Redevelopment Act

Summary: This ordinance of the Village of Downers Grove, DuPage County, Illinois, designates the Washington and Curtiss Street redevelopment project area of said Village a redevelopment project area pursuant to the Tax Increment Allocation Redevelopment Act.

ORD 2022-9446 — H. Ordinance: Adopting Tax Increment Allocation Financing for the Washington and Curtiss Street Redevelopment Project Area

Summary: This ordinance of the Village of Downers Grove, DuPage County, Illinois, adopts tax increment allocation financing for the Washington and Curtiss Street redevelopment project area.

Public Comment

Ron Olson returned to the podium and encouraged residents to be thinking about what would happen if TIF revenue was insufficient to fund the project. He asked if the redevelopment would still happen without the TIF revenue. He said property values would be higher without the 200 plus foot communications tower. He questioned what the minimum requirement for the EMS tower is.

David Rose stated he thought the Illinois TIF law was a failure and makes it a buyers’ market for developers. He expressed concerns about environmental sustainability and the new facility.

Village Council Questions/Comments

Commissioner Hosé stated the TIF District had nothing to do with private business and that there was no money shoveling anywhere, especially to private business. He said TIF is one of the reasons Downers Grove has the downtown it does. He stated if facts are to be stated, they should be correct.

Commissioner Kulovany spoke of the success of apartment buildings in the downtown Downers Grove area, giving

examples of Marquis on Maple, Maple on Main, and Burlington Station (located near the train tracks). He said people want to walk to the train, restaurants, businesses and other places that are within walking distance. It is called a transit-oriented development. He spoke of the newest apartment development going in at Maple and Washington by Opus Development, which has a prominent footprint in Downers Grove history. He said history would show success with TIF. He said he felt good about the TIF and that it would work out to the Village's benefit. Commissioner Kulovany stated without the TIF, property taxes would go up and Downers Grove does what it can to be a municipality some of lowest taxes in DuPage County.

Mayor Barnett stated some questions that were asked are the same questions the Council has asked themselves and they had not gone unanswered. He encouraged all to review the [Facilities Planning page](#) on the Village's website with documentation going back to 2014. He said there is no crystal ball. Every person that takes out a mortgage does it without using a crystal ball. He said by using TIF there is minimal impact on property taxes. No one knows what the future is going to hold and the Village is proceeding with this plan. The Council and staff believe that the way the TIF model is set up with selling the parcel and taking the tax revenue from the TIF district and using it to service future debt will minimize the debt service requirements for the general population. He said as with every TIF district, including the two that the Village has had, and every other TIF district, they are obligations of the entire Village. The Village of Downers Grove is different from the City of Chicago – where TIF money was given to United Airlines. The Mayor continued by stating this is different because the Village owns and operates Village Hall and the Police Station. He said this is their best effort at minimizing the burden of the facilities on the residents of Downers Grove. He said having buildings and running a Police Department is an obligation under any financing model, so he is fully supportive of the plan and he is very optimistic about it.

10. Manager's Report

There was no Manager's Report

11. Attorney's Report

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

1. An ordinance approving the vacation of a certain portion of a public right-of-way in the Village of Downers Grove (Downers Grove Civic Center).
2. An ordinance amending the Zoning Ordinance of the Village of Downers Grove, Illinois to designate the property at 700, 801 & 825 Burlington Avenue and 842 Curtiss Street (Downers Grove Civic Center) as Planned Unit Development #66.
3. An ordinance rezoning certain property located at 700, 801 & 825 Burlington Avenue and 842 Curtiss Street (Downers Grove Civic Center).
4. An ordinance authorizing a special use for the Downers Grove Civic Center to permit construction of a freestanding wireless telecommunications tower.
5. An ordinance approving a tax increment redevelopment plan and redevelopment project for the Washington and Curtiss Street redevelopment project area.
6. An ordinance designating the Washington and Curtiss Street redevelopment project area of said Village redevelopment project area pursuant to the Tax Increment Allocation Redevelopment Act.
7. An ordinance adopting tax increment allocation financing for the Washington and Curtiss Street redevelopment project area.

12. Council Member Reports

Commissioner Kulovany said the Founder's Day events sponsored by the Downers Grove Historical Society started at 9 am on Saturday, May 7th and would go through 3 pm. Some of the events included a self-guided walking tour, a family bike ride, Founder of the Year ceremony, Country in the Park, and the annual Montrew Dunham Award Ceremony

Commissioner Sadowski-Fugitt acknowledged Asian American Pacific Islander Month. She reminded everyone that May is Mental Health Awareness Month. She said the LGBTQ youth community is struggling. She said suicide is the second leading cause of death in young people ages 10-24 and the LGBTQ youth are four times more likely to commit suicide. She asked the community to listen to youth, see them, and hear them. She also reminded all adults to be the change that we want to see and support our community's collective mental well-being.

13. Adjournment

Mayor Barnett asked for a motion to adjourn the meeting.

***MOTION:** To adjourn the May 03, 2022, Village Council meeting.*

***RESULT:** Motion carried unanimously by voice vote.*

***MOTIONED TO APPROVE:** Commissioner José*

***SECONDED BY:** Commissioner Walus*

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

***Barnett NAYES:** None*

Mayor Barnett declared the motion carried by voice vote and the meeting adjourned at 9:00 pm.

Respectfully submitted,

Rosa Berardi
Village Clerk