

BOARD OF TRUSTEES
DOWNERS GROVE FIREFIGHTERS PENSION FUND MEETING
Downers Grove Fire Department Station 2, 5420 Main,
Fire Station 102 (Primary) and Electronic Conference
February 17, 2022 – 1700 hrs.

Agenda Item – 1

Trustee Campbell called the meeting to order at 1705 hrs.

Agenda Item – 2

Trustee Campbell made a motion requesting consent by each participant in the meeting to be recorded during the February 17, 2022 Downers Grove Firefighter Pension Board Quarterly meeting. Seconded by Trustee Bacidore.

Members

Trustee Bacidore,	Consents
Trustee Campbell	Consents
Trustee Ludwig	Consents
Trustee Moy	Consents
Non-voting Downers Grove Finance Director Judy Buttny	Consents

Member Absent

Trustee Kuchta

Guests

Paul Marchese – Marquette Associates (electronically)	Consents
AJ - Lauterbach & Amend, LLP (electronically)	Consents
Bruno	
Richard Reimer, Attorney - Reimer & Karlson LLC (electronically)	Consents

Trustee Campbell made a recommendation that a motion be made to allow electronic attendance.

MOTION: A motion was made by Trustee Campbell to conduct the August February 18, 2021 Quarterly Pension Board meeting electronically. Seconded by Trustee Bacidore.

Roll Call vote:

Trustee Bacidore,	Aye
Trustee Campbell	Aye
Trustee Ludwig	Aye

Motion carried by a vote of 3-0.

Agenda Item – 3
Approval of Minutes

MOTION: A motion was made by Trustee Campbell to approve as amended Quarterly Meeting Minutes of November 20, 2021. Seconded by Trustee Bacidore.

Roll Call vote: Trustee Bacidore Aye
 Trustee Campbell Aye
 Trustee Ludwig Aye

Motion carried by a vote of 3-0.

Agenda Item – 4
Report from Marquette Associates

Handout
 Marquette Associates DGFD Pension Fund
 Fourth Quarter Report

As most of the assets are no longer under the Board’s supervision, therefore, he will present a quick 4th quarter update. He advised that the consolidation did go through as planned on January 4, 2022. All the motions that the Board approved as far as getting cash needed for during the freeze period was there. At the end of December there was approximately 3.5 million going into consolidation. Since then all of those funds with the exception of the minus amounts had been swept out of the custodial bank and sent to 5th/Third. Whatever remains there is to pay any fees and to keep the accounts open so it can generate year end statements. Marquette Associates also has included in its report their Annual Disclosure for record keeping purposes to show how many searches they conducted relative to MWBE firms. Also a report for wrapping up the Funds’ performance fiscal year for December 31, 2021 the Fund finished up a positive 13.2%, in terms of dollars it equates to approximately a \$9 million gain in the portfolio. Over the past 10 years the Fund is up 8.8%.

Protocols for other Funds has been to keep your existing contracts open given the pending litigation regarding the consolidation. In terms of what needs to transpire today there is nothing else to report.

There is a dimitive amount of cash with the existing custodian the rest has been swept to 5th/Third which Ms. Leahy uses to pay all bills and benefits pertaining to the Pension Fund.

Mr. Marchese ended by extended sincere thanks for the confidence the Board has shown MarquetteAssociates over the past 15 years.

MOTION: A motion was made by Trustee Campbell to accept the 4th Quarter Report from Marquette & Associates. Seconded by Trustee Bacidore.

Motion carried by a vote of 3-0.

Roll Call vote: Trustee Bacidore Aye
 Trustee Campbell Aye
 Trustee Ludwig Aye

Agenda Item 5 - A**Report from Lauterbach & Amen, LLP****ATTACHMENT**
Lauterbach & Amen, LLP
Monthly Financial Report
For the Month Ended December 31, 2021

A.J. of Lauterbach & Amen, reviewed the Monthly Financial Report for month ended December 31, 2021. Total cash and cash equivalent at \$77,428,000. Income statement contributions from Downers Grove are just over \$4.8 million. Active firefighters contributing \$721,000. Investment income just a little over \$9 million gross of fee. Paid out about \$46,000 in administrative expenses. Pension benefits and refunds just over \$5.5 million. At the twelve months ending at December 31, 2021, the Fund is up almost \$9 million.

Supplementary information – cash analysis report shows cash balances to pay benefits of almost \$2.7 million in cash, between Harris and 5th/Third, \$1 million in U.S. Bank. Average is \$470,000 a month in benefit payments.

Pages 11-1 and 11-2 show expenses paid from the Fund from October 1 through December 31, 2021 which were previously approved.

Discussion brought up regarding being Cash heavy and should they send some of this to IFPIF? Board members suggested waiting for a few months to see how the amount currently being held in cash is adequate until consolidation is complete. Suggestion was to table any decisions until next quarterly meeting.

Trustee Campbell asked the opinion of Atty. Reimer who advised that he agreed. It is unknown how long the “Black Out” period will be before there is a set policy. That this Pension Board should continue as they are now operating and holding this amount of cash for payment of benefits.

MOTION: A motion was made by Trustee Campbell to approve the monthly report from Lauterbach & Amen. Seconded by Trustee Bacidore,

Motion carried by a vote of 3-0.

Roll call was taken:

Trustee Campbell	Aye	
Trustee Bacidore	Aye	
Trustee Ludwig		Aye

TREASURER’S REPORT

Agenda Item 6 - A

Payment of Bills

Finance Director Buttny requested that the DGFDP Pension Fund Board approve as reported by Marquette & Assoc. on Pages 11-1 and 11-2 the Vendor Check Report October 3, 2021 through December 31, 2021 in the amount of \$201,709.47. The charges are standard such as the ODOI payment for \$8,000.00 and all the typical other monthly payments.

MOTION: A motion was made by Trustee Campbell to approve the Vendor Check Report of July 1, 2021 through September 30, 2021 in the amount of \$201,709.47. Seconded by Trustee Bacidore.

Motion carried by a vote of 3-0.

Roll call was taken:

Trustee Campbell	Aye	
Trustee Bacidore	Aye	
Trustee Ludwig		Aye

Agenda Item 6 – B

New Employee’s / Retirees / Issuance of a refund

Trustee Campbell advised the Fund has not received a request for issuance of a refund.

- 1) New employee Dylan Hughes has not completed all of his paperwork, therefore, his acceptance to the Pension Fund will be tabled until the next meeting.
- 2) New Employee - Gregory Stevens who started on January 10, 2022, and will be a Tier II member of the Pension Fund.

MOTION: A motion was made by Trustee Campbell to accept Gregory Stevens into the Pension

Fund. Seconded by Trustee Bacidore.

Motion carried by a vote of 3-0.

Roll call was taken:

Trustee Campbell	Aye	
Trustee Bacidore	Aye	
Trustee Ludwig		Aye

Agenda Item 6 – C

Reimbursement for Trustee Moy CE

As required by statute Trustee Moy attended the 11/27/21 IPFA continuing education paid for by himself. He has submitted a request for reimbursement in the amount of \$160.00. He did complete the course and provided the continuing education certificate.

MOTION: A motion was made by Trustee Campbell reimburse Trustee Moy in the amount of \$160.00. Seconded by Trustee Bacidore.

Motion carried by a vote of 3-0.

Roll call was taken:

Trustee Campbell	Aye	
Trustee Bacidore	Aye	
Trustee Ludwig		Aye

MOTION: A motion was made by Trustee Campbell to accept the Treasurer's Report. Seconded by Trustee Bacidore.

Motion carried by a vote of 3-0.

Roll call was taken:

Trustee Campbell	Aye	
Trustee Bacidore	Aye	
Trustee Ludwig		Aye

NEW BUSINESS

Agenda Item 8 - A

FPIF Update

The Pension Fund Board has been provided with a receipt of transaction for tranche of assets that occurred on January 4, 2022. There were no problems with our securities. All of the assets were transferred as planned and as discussed with Lauterbach. Our temporary cash policy is still in place. The FPIF Board has sent news letter regarding the performance of the Fund for the first quarter as well as the savings they feel they have realized up until now.

Atty. Reimer gave an update on litigation that has been pending since early 2021. A number of police and fire pension funds (predominately police) filed a law suit seeking it declared unconstitutional under the Pension Protection clause in Illinois. Initially, the Court dismissed the individual pension funds as plaintiffs because they have no standing. Any rights that they have under the Pension Protection clause flow to the individual firefighter's participants or beneficiaries. The Court has

heard oral arguments on November 10 and asked for additional briefs. The Court gave the parties lawyers until November 19 to submit. The Judge has had the case since November 19. He advised a ruling would be forthcoming. Recently, because there was no action, the plaintiff's lawyers filed another motion for a preliminary injunction and a temporary restraining order based on the Police Consolidation Board. The Court has asked the lawyers to come up with an agreed order – which they did. The Court did not yet make a finding, this basically makes an agreement between the Fire Consolidation Board and The Police Consolidation Board that they will not initiate compliance proceedings against the plaintiffs and any other Board. The Judge's Order is being anticipated.

Agenda Item 8 - B

Approval of 2022 COLA's

Lauterbach & Amen advised that the total change for the COLA's is \$13,153.48. These are all Tier I COLA's.

Trustee Campbell advised that the 3% COLA's are statutorily required and are automatic.

MOTION: A motion was made by Trustee Campbell to approve the 2022 COLA's in the amount of \$13,153.48. Seconded by Trustee Bacidore

Motion carried by a vote of 3-0.

Roll call was taken:

Trustee Campbell	Aye	
Trustee Bacidore	Aye	
Trustee Ludwig	Aye	Aye

Agenda Item 8 - C

Fiduciary Liability Policy Renewal 2022-23

Bruno - (from Miserow)

They were able to obtain renewed terms with Chubb (it is A++ rated carrier) with no deductible. Premium will be \$9,842.00 which is less than a 4% increase over last year. Also, this is the same terms and conditions as last year with a small increase to renew. No change in the deductible, no new exclusions, no coverages being renewed, only the premium that is increasing. Going with the same carrier will also mean no gaps in coverage.

MOTION: A motion was made by Trustee Campbell to renew the Fiduciary Liability insurance policy with Chubb with the premium amount of \$9,842.00. Seconded by Trustee Bacidore.

Motion carried by a vote of 3-0.

Roll call was taken:

Trustee Campbell	Aye	
Trustee Bacidore	Aye	
Trustee Ludwig		Aye

Agenda Item 8 - D
Schedule of Annual Physicals for Disabled Members

Trustee Campbell advised that any member under the age of 50 and on disability is required to have an annual physical to establish that they are in fact still disabled. The Board will confirm the birthdates of our disabled members, and if there are disability physicals that need to be scheduled what is the best practice.

Atty. Reimer advised the best practices for scheduling these physicals.

1. You could allow the disabled FF/PM to go their own doctor.
2. Schedule an independent doctor of the Board's choosing.
 - a. Should go with a doctor this person has already seen due to cost of starting with new physician.
 - b. Due to COVID it might need to be a Tele med appointment
3. Hire a doctor through INSBY.

Trustee Campbell advised that the Board has tried all three options over the years and feels Option 3, hiring an independent doctor through INSBY is the best practice.

MOTION: A motion was made by Trustee Campbell to retain INSBY to schedule disability physicals for any disability pensioner under the age of 50 and will allow Tele med options at their discretion. Seconded by Trustee Bacidore.

Motion carried by a vote of 3-0.

Roll call was taken:

Trustee Campbell	Aye	
Trustee Bacidore	Aye	
Trustee Ludwig		Aye

Trustee Bacidore advised that Trustee Moy has electronically joined the meeting. Trustee Campbell asked Trustee Moy if he consents to be recorded. Trustee Moy gave his consent.

Agenda 8 – F**Retiree Trustee Term Expires Prior to next meeting date**

Trustee Campbell advised that an election for the Retiree Trustee position will need to be held.

Trustee Campbell advised that Lauterbach has handled the elections in the past and asked **AJ.** for an approximate cost to have Lauterbach handle this. AJ advised is was around \$300.00.

MOTION: A motion was made by Trustee Campbell to retain Lauterbach & Amen to conduct the Retiree Trustee election for the expiring term of Trustee Moy with the cost not to exceed \$350.00. Seconded by Trustee Bacidore.

Motion carried by a vote of 4-0.

Roll call was taken:

Trustee Campbell	Aye	
Trustee Bacidore	Aye	
Trustee Moy	Aye	
Trustee Ludwig		Aye

Agenda Item 8 - E**Michael Baldwin Refund/Survivor Benefit**

In review, Michael Baldwin was a member of the DGFDF who left with more than 13 yrs. of service just prior to the end of 2021. He has recently passed away. Prior to passing away he did not request a refund of contributions or elect to be a deferred pensioner. He wanted to review his options with his financial adviser and had not given the Board direction either way. The purpose of this Agenda item is now that he has passed away without taking action, what does the Board do moving forward?

Atty. Reimer advised that he queried to thoughts of payment on this: refund or surviving spouse benefit.

Atty. Reimer advised that he conferred with Allison from Lauterbach & Amen as they have had a good deal of knowledge in this. When looking at Section 4-114 of the Pension Code, in the first paragraph – keep in mind that there is no generally vesting period for a survivor benefit. There is a vesting period for different things i.e. Tier I, Tier II, how much time you need to have to retire, a vesting period for non-duty disability pension of 7 years, five years for an occupational disease pension.

Atty. Reimer went on that he had a similar case in the past. He looked at the statuette and could find no DOI opinions on this point. He actually got an opinion from the DOI that says: “A firefighter who dies as a result of suicide dies as a result of an illness and the wife receives 54% under Section 4-114 in the first paragraph.”

Section 4-14 says, “A firefighter who is not receiving a disability pension under Section 4-110 or Section 4-110.1 dies: 1) dies as a result of any illness or accident. (NOTE: there is no vesting period). 2) or may cause while in receipt of a disability pension under this article, or 3) retirement after 20 years of service, or while vested for in receipt of a pension payable under sub-section b of 4-109 or while a

deferred pensioner having made all required contributions.”

Atty. Reimer advised that he feels Mike Baldwin would be considered a “deferred pensioner” and qualifies, even though he was not in service, with 13 years of service. He could have elected not to take his money and waited until age 60 and then received a pension at 20.4% of salary. Atty. Reimer feels she should receive 54%, without factoring in dependent children’s benefits. My understanding is that the surviving spouse has four children.

Then you would need to look at Section 2. Section 2 says, “Beginning January 1, 2004, you receive the greater of the total amount if 1) firefighter died while receiving retirement pension; 2) while he or she was a deferred pensioner with at least 20 years of creditable service.” This is the only place in the Pension Code where firefighters receive less pension than police officers. Atty. Reimer feels this does not apply.

Sub-section D, “the total pensions provided under A, B and C of this article shall not exceed 75% of the monthly salary of the deceased firefighter when paid to the survivor of the firefighter who had attained 20 or more years of active service and was eligible to receive a pension when it is paid to a survivor of a firefighter who dies as a result of illness or accident. Or, when paid to the survivor of the firefighter who dies from any cause while on a disability pension. Or, when paid to the survivor of a deferred pensioner.”

Here is the question. Unfortunately, he was not a firefighter when he died. He was a deferred pensioner because he was not on the job. He had resigned. He is a deferred pensioner by Operation Law default. Had he taken a refund of contributions then it would have been over. Atty Reimer’s opinion is that Sub-section D applies here – not to exceed 75% because you have to factor in the children’s benefits and spouse. Unless, for some reason, the estate requests a refund.

Trustee Campbell reviewed that the spouse is entitled to 54% of salary and each child is entitled to 20% of salary. With the deferred pensioner’s benefit is it true that it should be paid upon his death and they do not have to wait until he would have been sixty to receive these benefits?

Atty. Reimer advised: (A Circuit Court of Cook County stated that precedential that no monies be paid until he would have been 60 years old. It is now on appeal.) – This was a police case.

Trustee Campbell queried if the spouse and children notify the Board tomorrow that they expect a survivors benefit according to statuette. What is Counsel’s advice – are we required to provide that benefit? Atty. Reimer advises, “Yes. Unless they ask for a refund.”

Trustee Ludwig asked if it would be payable immediately? Atty. Reimer advises, “Yes.”

Trustee Campbell asked if it would be retroactive to the date of his death? Atty. Reimer advises, “Yes.”

Trustee Campbell wants to be sure the Board realizes the impact to the Fund. And, for the Minutes, and for anyone listening, I would like the widow and children to receive every benefit entitled to them.

Mike's status as a deferred pensioner would have entitled him to 20.4% of his salary when he attained the age of 60. At the time of his death he was 39 years old. His salary was just slightly over \$100,000 per year. If the Fund's was to take \$20,400.00 in salary when he reached the age of 60. The statute as stated by Counsel is going require us to pay 54% of the minimum spouse benefit, 20% per child (x 4 children) – the benefit cannot exceed 75%. That means that the Fund would be required to pay a surviving benefit starting immediately of approximately \$75,000.00 per year until the children attain the age of 18 and the 54% for the life of his spouse. This is the gravity of the situation. We want the widow and children to receive everything due them but this is a significant impact on the Fund. (This would not be subject to COLAs.)

For the sake of Due Diligence, Trustee Campbell stated that right after Mike passed away he asked Atty Reimer to investigate this situation. I feel he and his firm have done a good job. We have reached out to Lauterbach & Amen and Allison specifically (who is the authority and has seen a lot of past practice). And, personally I have reached out to the AFFI Legislative team who has bargained over some of the benefits. And, the explanation was that while that may not make sense at face value, the intent of the Legislation is that a spouse will be entitled to a surviving benefit on day 1 the firefighter becomes employed. And that benefit will in fact be a richer benefit until the person has worked long enough to exceed that benefit.

Atty. Reimer advised the law doesn't always make sense. The intent was to take care of widows and orphans of firefighters.

Trustee Campbell proposed as an action. The estate has reached out to Trustee Campbell as the Pension Board President and asked what they do. If the Board is okay with this, we can have Lauterbach & Amen calculate the benefit that we believe per statute they are entitled to. Trustee Campbell will then forward that to Mike's widow and simply inform here that she has two options. She can receive this benefit as calculated or take a refund of contributions sacrificing any future benefit.

If she wants to take the withdrawal, what happens to the children's benefits? Atty. Reimer advised if she is the executor (will) or administrator (without will) represents all the estate, not necessarily all of the heirs of law, because there could be competing interests. That is the whole purpose for probate.

Atty. Reimer advised to have Lauterbach & Amen modify the forms that the widow will indemnify and hold harmless any claims that might be made with regards to disputes under her actions.

Trustee Moy asked what if the widow decides to remarry. Does the spousal benefit continue or does it end? Atty. Reimer advised that it would continue.

Trustee Campbell asked if the Pension Board should have immediately issued the benefit upon the time of death, and do not settle this until the fourth quarter, are they responsible for interest? Atty. Reimer advised that he did not think they would be responsible for interest.

Lauterbach & Amen will provide the Board with the calculation information. There is a packet for the surviving spouse the L&A will send to Trustee Campbell to review.

MOTION: A motion was made by Trustee Campbell requesting a calculation from Lauterbach & Amen via email regarding a calculation entitled per the legal advice of Fund Counsel to widow and surviving children. Upon receiving these calculations widow will be contacted advising of all options including the cash out option and indemnify any claims of the estate.

Motion carried by a vote of 4-0.

Roll call was taken:

Trustee Campbell	Aye	
Trustee Bacidore	Aye	
Trustee Ludwig		Aye
Trustee Moy	Aye	

MOTION: A motion was made by Trustee Campbell to authorize the Board's attorney to contact the attorney for the estate providing both the surviving spouse option as well as the cash out option and indemnify any claims of the estate.

Motion carried by a vote of 4-0.

Roll call was taken:

Trustee Campbell	Aye	
Trustee Bacidore	Aye	
Trustee Ludwig		Aye
Trustee Moy	Aye	

Agenda 8

Scheduling of Quarter Board Meetings

MOTION: A motion was made by Trustee Campbell to schedule May 5 quarterly meeting
Seconded by Trustee Bacidore.

Motion carried by a vote of 4-0.

Roll call was taken:

Trustee Campbell	Aye	
Trustee Bacidore	Aye	
Trustee Moy	Aye	
Trustee Ludwig		Aye

OLD BUSINESS

Agenda Item7 - A

NONE

PUBLIC COMMENT

Trustee Campbell asked that at the next Board meeting on the Agenda Review of the Pension Board contracts and vendors.
Election results regarding the Retired Trustee position.

A questions from the audience: What is the current dollar amount of the Fund?

Trustee Campbell advised that the Fund was at \$73 million as of the tranche date. Have not received a first quarter investment statement to date.

ADJOURN

MOTION: Trustee Campbell made a motion to adjourn.

Trustee Moy seconded the motion.

Motion carried 4-0.

Roll call was taken:

Trustee Campbell	Aye	
Trustee Bacidore	Aye	
Trustee Moy	Aye	
Trustee Ludwig		Aye

The meeting adjourned at 1833 hrs.

Respectfully submitted.

Firefighter/Paramedic Anthony Bacidore, Secretary

AB: pp All Files/Pension/2021 – 2-17-22 Quarterly Meeting Minutes

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**VILLAGE OF DOWNERS GROVE
HISTORIC PRESERVATION AND DESIGN REVIEW BOARD
MINUTES OF MARCH 16, 2022 7:00 P.M.**

Chairwoman Gassen called the March 16, 2022 of the Historic Preservation and Design Review Board to order at 7:01 p.m. and requested a roll call:

1. ROLL CALL

PRESENT: Chairwoman Gassen, Mr. Styczynski, Mr. Lerner, Ms. Chalberg, Mr. Renner, Ms. Kolev

ABSENT: Mr. Reimer

STAFF: Jason Zawila, Planning Manager and Flora Leon, Senior Planner

VISITORS: None

2. APPROVAL OF DECEMBER 15, 2021 MEETING MINUTES

The Board welcomed Iana Kolev to the HPDRB, who then offered an introduction for herself. Commissioner Lerner asked the minutes reflect the changes emailed to Flora Leon, Senior Planner.

Motion by Mr. Renner, second by Ms. Chalberg to approve the minutes of the December 15, 2021 meeting. Roll call:

AYE: Renner, Styczynski, Lerner, Chalberg, Kolev, Gassen

NAY: None

ABSTAIN: None

Motion passed.

3. PUBLIC HEARING: None

4. OLD BUSINESS - None

5. NEW BUSINESS – An overview of the Certified Local Government Program

Ms. Flora Leon, Senior Planner, introduced the presentation as an overview of what it meant to be designated as a CLG or Certified Local Government. She shared that the presentation would include a definition, an explanation on the benefits and the requirements to maintain this status. Additionally, Ms. Leon explained that a brief timeline would be provided explaining how the Village had secured this status. She noted that she would present this information using a website built for this meeting. However, Ms. Leon shared that the website was not a live link but that a lot of the same information could be found on the Village website.

Ms. Leon started with a quote from the Downers Grove Preservation Ordinance. She stated that the goal of the ordinance was to “Continue promoting the protection, enhancement, perpetuation, and use of improvements of special character and historical interest or value in the Village.” She indicated that the adoption was one of the items that allowed the Village to apply to become a Certified Local Government. The program recognizes local governments that

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meet the criteria established by the U.S. Secretary of the Interior and the State of Illinois. Additionally, Ms. Leon shared that the program was established by the U.S. Congress through the National Historic Preservation Act Amendments of 1980.

Ms. Leon then moved on to explain what it meant to have the CLG status. One of the benefits includes additional funding that can range between \$5,000 and \$15,000. These awards depend on the type of project. She explained that these were matching grants and that 70% of the project cost were covered by the state. Previous examples of grant-funded projects include historical surveys, planning documents, education materials, and design guidelines, national register nominations, and historic preservation workshops. Ms. Leon also explained that other benefits included an opportunity to review all National Register nominations within the Village and provide feedback to the Illinois Historic Preservation Agency. Additionally, she shared that residents can take advantage of the State Property Tax Assessment Freeze Program for locally landmarked properties. Finally, Ms. Leon added that CLG communities could receive technical assistance from the Illinois Historic Preservation Agency.

Ms. Leon then shared the requirements to maintain CLG status. The following items were listed:

1. Current preservation ordinance
2. Maintain a board.
3. Quarterly meetings: This meeting fulfills the first quarter's requirement for 2022.
4. Review National Register Nominations.
5. Monitor any proposed alterations of National Register properties.
6. Provide opportunity for public participation.
7. Maintain a system for survey and inventory.
8. Provide an annual report to the Illinois Historic Preservation Commission.

Ms. Leon then provided a timeline of events leading up to earning the status as a Certified Local Government. She highlighted the following events:

1. December 12, 1980: National Historic Preservation Act of 1966 was expanded so local governments can participate.
2. July 3, 2007: The Historic Preservation Ordinance was adopted to give residents a tool to protect historic homes.
3. April 2009: A Historic Preservation Plan was adopted. This plan compiled list of historic buildings from different state and local resources
4. July 28, 2009: The Village applies with the State of Illinois and is accepted and recognized as Certified Local Government. Currently Downers is one of only 83 CLGs in Illinois.
5. November 5, 2013: The Village applied and received \$15,000 to conduct a historic resource survey.
6. November 3, 2015: A Report on Historic Preservation was adopted. The report highlighted misconceptions about historic preservation and called for increased education and awareness.
7. June 8, 2016: In the effort to promote historic preservation, the Village applied to be a part of the Property Tax Assessment Freeze Program.
8. July 1, 2016: To address the action items highlighted in the Report on Historic Preservation Downers submits a CLG grant to publish Education and Marketing Brochures.

Ms. Leon concluded by highlighting that the first home that was locally landmarked occurred in 2008. Since then the Village has accumulated 30 locally landmarked properties.

Ms. Leon then provided the details associated with the required CLG Annual Report. She then concluded her presentation and asked if there were any comments or questions by the board.

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Mr. Lerner asked if there were any plans to apply for additional funds for future projects

Ms. Leon shared that the current work plan did not include plans to apply for funding. However, if the Board had ideas for projects staff would be happy to discuss those.

Ms. Chalberg noted that there were several commercial properties that were not covered by the historic survey. She then asked if the historic survey was intended to only cover residential properties. Ms. Chalberg also asked if the commercial properties could be surveyed in the future.

Ms. Leon explained that she was not certain if the intention was to leave out commercial properties. She offered to look into this and update the board at a later time.

Mr. Zawila added that parts of Main Street were surveyed. He asked if Ms. Chalberg had other commercial properties in mind.

Ms. Chalberg said that there were some properties on Curtiss Street such as the Post Office and Masonic Building. In addition to that, she noted that several churches were historic.

Chairwoman Gassen noted that the Village had talked about expanding some of the surveyed area in the future.

Ms. Chalberg added that there are areas south of 55th Street that could be surveyed in the future.

Mr. Lerner noted that there were plenty more areas that could be surveyed.

Mr. Zawila added that Main Street north of the tracks and Randall Park area would all be great candidates. He then added that pursuing future surveys would come down to resources and work plans for the future. He concluded that with future surveys the Board would be involved with giving feedback and recommendations.

Ms. Chalberg clarified that if a property is up for landmarking it does not need to be part of a current historic survey.

Chairwoman Gassen noted that several properties had been landmarked and were not on the current historic survey.

Mr. Zawila added that in those instances the State of Illinois, the Downers Grove Historical Society, and the library have all been resources as staff researched the history of a property.

Ms. Chalberg then asked if there was any other purpose for the historic survey from a public interest perspective besides maintaining CLG status.

Mr. Zawila explained that there were multiple reasons for having the historic survey. He explained that it was a tool for staff to use as local government to research properties.

Mr. Zawila went on to explain that when landmark cases are not part of an agenda, staff has to identify topics that are relevant for discussion during these meetings. He highlighted that this topic was presented via an interactive webpage and he noted that the Village would be updating their website in the near future.

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Chairwoman Gassen pointed out that in 2016 only two properties were landmarked. She added that the current 30 landmarked properties were a testament to the efforts of the Village and volunteer organizations.

Ms. Chalberg asked why the Village was restricted from actively marketing this landmark program.

Mr. Zawila noted that the Village takes the opportunity to feature landmarked homes in the DG Insider magazine, videos are posted on the Downers Grove website, and there are a lot of other resources for landmarking homes on the Village website.

Chairwoman Gassen added that the Village also has led presentations regarding local landmarking processes.

Mr. Lerner, noted that with a larger stock of landmarked homes the board might anticipate more applications for Certificates of Appropriateness. He then suggested that a future presentation could focus on the process and guidelines to review this type of application.

Ms. Chalberg added that it would be a good idea to invite past petitioners to explain how they proposed their changes to a landmarked home with a Certificate of Appropriateness.

Mr. Zawila agreed that this would be a great idea for a future presentation. The idea for the meeting this evening was based on how timely it was with fulfilling the CLG status requirements for quarterly meetings.

Chairwoman Gassen asked if there were any other updates from staff.

Mr. Zawila shared that on Monday March 21st the Village would be hosting a Neighborhood Meeting for the proposed Village Hall project. He also noted that this would be the first project that would be reviewed against the recently updated Downtown Design Guidelines. He also explained that because the request was for a PUD the proposal would appear in front of the Plan Commission. Additionally, Mr. Zawila noted that the case would appear in front of the Village Council in May.

Mr. Styczynski asked if the Monday meeting would be televised.

Mr. Zawila said it would not be televised. Instead it would be an open meeting for the public to come in person. He also shared that there would be a video presentation summarizing the project.

Chairwoman Gassen asked what time the meeting would be hosted.

Mr. Zawila shared that the meeting would be from 7-8:30 P.M.

6. PUBLIC COMMENT: None

7. ADJOURNMENT

Chairwoman Gassen thanked staff for the overview. She called for a motion to adjourn.

Mr. Renner moved, seconded by Ms. Chalberg to adjourn the meeting at 7:30 p.m. Motion carried unanimously.

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/s/ Village Staff
(As transcribed by MP-3 audio)

APPROVED

**VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING**

June 6, 2022, 7:00 P.M.

Chairman Rickard called the June 6, 2022 meeting of the Downers Grove Plan Commission to order at 7:00 p.m. and led the Plan Commissioners and public in the recital of the Pledge of Allegiance.

ROLL CALL:

PRESENT: Chairman Rickard, Commissioners Rector, Dmytryszyn, Boyle, Toth, Roche, Johnson, and Patel

ABSENT: Commissioner Maurer

STAFF: Planning Manager Jason Zawila, Senior Planner Flora Leon

OTHERS

PRESENT: Gary Nudelman, John Vicario, Jeremy Hinds

APPROVAL OF MINUTES

Chairman Rickard entertained a motion to approve the minutes.

MINUTES OF THE MAY 2, 2022 PLAN COMMISSION MEETING WERE APPROVED ON MOTION BY COMMISSIONER TOTH, SECOND BY COMMISSIONER DMYTRYSZYN, MOTION PASSED BY VOICE VOTE OF 8-0.

PUBLIC HEARING

Chairman Rickard explained the protocol for the public hearing process and swore in those individuals that would be speaking during the public hearing.

FILE 22-PLC-0012: 22-PLC-0012: A PETITION SEEKING APPROVAL FOR A SPECIAL USE TO CONSTRUCT AND OPERATE A PERSONAL VEHICLE SALES BUSINESS. THE PROPERTY IS CURRENTLY ZONED B-3, GENERAL SERVICES AND HIGHWAY BUSINESS. THE PROPERTY IS LOCATED AT THE NORTHEAST INTERSECTION OF OGDEN AVENUE AND CROSS STREET, COMMONLY KNOWN AS 2424 OGDEN AVENUE, DOWNERS GROVE, IL (PINS: 08-01-303-020, 08-01-303-009, 08-01-303-010, 08-01-303-011, 08-01-303-012, AND 08-01-303-013). 2424 PUGI, LLC, OWNER AND DOWNERS GROVE IMPORTS, PETITIONER.

Petitioner, Gary Nudelman, 2020 Ogden Avenue, stated he is the director of operations for Pugi. With the proposed dealership, Pugi is attempting to improve the property and make it better for Downers Grove and the business community.

Commissioner Boyle requested additional information about the proposal such as what improvements are going to be made to the site. Mr. Nudelman stated that they would be improving

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the site with a state of the art Genesis dealership, which will be quite beautiful. He then further described the elevations and mentioned they are currently finishing the Hyundai dealership and the Genesis dealership will be of a high quality. The Plan Commission further inquired if the same building infrastructure will be used from the former Max Madsen dealership that was previously located on the site. It was also asked if off-loading of vehicles would occur on Cross or Ogden. Mr. Nudelman stated that off-site loading would occur on site and they have experience with this at their other dealerships.

Jeremy Hinds, the development engineer for the project, came to the podium to provide an overview of additional site improvements proposed for the project. To address the inquiry about using existing infrastructure, they will be utilizing a portion of the existing stormwater vault located on the site and then he proceeded to offer a summary of the stormwater system that is proposed for the project. Mr. Hinds then offered an overview of the proposed landscaping plan, building elevations, and the sidewalk system for the project. Lastly, he provided a summary of the petitioner's response to the findings for a special use, which was provided in the packet.

A question was asked about the materials that will be used for the dealership. John Vicario, the construction manager for the project, came to the podium to provide information about the architectural package. He stated that propose elevations are a result of the strict requirements that Genesis has for all of their dealerships and that the building will be constructed with high quality finishes. A question was also asked regarding the proposed trash enclosure and if there would be any outside storage. It was stated by the petitioner that the enclosure would be used for everyday trash and not outdoor storage.

Chairman Rickard invited for any additional public comment. No additional public comment was received. Staff was invited to present.

Ms. Flora Leon, Senior Planner, summarized the request stating that the petitioner is requesting approval for a special use at 2424 Ogden Avenue. She then referenced the map identifying the location of the subject property and described the existing conditions for the subject property.

Ms. Leon then provided an overview of the site plan and referenced that the two existing points of entry will be utilized for the project in addition to highlighting the code required pedestrian connections that will be provided for the project. She then referenced the location of the trash enclosure and stated that outdoor storage is not permitted on the subject property, nor is it proposed for the project. She then highlighted the landscaping plan and provided an overview of elevations, noting that the materials would be a combination of an aluminum panel system, and blue insulated glass.

Ms. Leon concluded that the staff felt that the standards for a special use have been meet and that staff recommended approval of the special use request.

Commissioner Johnson inquired if there was restriction for where test drives could occur. It was stated that this was one of the conditions provided with the recommendation for approval.

Commissioner Rector confirmed that a lot consolidation was required with the development. It was confirmed that this will occur and that is also a condition of approval.

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Chairman Rector confirmed that a photometric plan is required for the proposed development. It was confirmed that that this is a requirement and would be reviewed with the building permit review.

Chairman Rickard invited the petitioner to provide any closing statements. The petitioner stated they had nothing else to add.

Chairman Rickard moved to Plan Commission deliberation. The Plan Commission members generally felt that the standards had been met and supported recommending approval of the petition.

Chairman Rickard entertained a motion

WITH RESPECT TO FILE 22-PLC-0012 AND BASED ON THE PETITIONER'S SUBMITTAL, THE STAFF REPORT, AND THE TESTIMONY PRESENTED, COMMISSIONER PATEL MADE A MOTION THAT THE PETITIONER HAS MET THE STANDARDS OF APPROVAL FOR A SPECIAL USE AS REQUIRED BY THE VILLAGE OF DOWNERS GROVE ZONING ORDINANCE AND IS IN THE PUBLIC INTEREST AND MOVED THAT THE PLAN COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF 22-PLC-0012, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE SPECIAL USE SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT; ARCHITECTURAL DRAWINGS PREPARED BY ROCCO CASTELLANO DESIGN STUDIO DATED APRIL 11, 2022 AND LAST REVISED ON MAY 27, 2022, AND ENGINEERING AND LANDSCAPE DRAWINGS PREPARED BY GRAEF DATED APRIL 11, 2022 LAST REVISED ON MAY 31, 2022, EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**
- 2. A PHOTOMETRIC PLAN SHALL BE SUBMITTED AND SHALL MEET THE LIGHTING REQUIREMENTS AS PER SECTION 28.10.030 OF THE ZONING ORDINANCE PRIOR TO THE RELEASE OF ANY PERMIT.**
- 3. THE APPLICANT SHALL ADMINISTRATIVELY CONSOLIDATE THE SIX LOTS INTO ONE LOT OF RECORD PRIOR TO THE RELEASE OF ANY PERMIT. THE PLAT SHALL PROVIDE THE FOLLOWING ITEMS:**
 - A. A SIDEWALK EASEMENT IF ANY PORTION OF THE PUBLIC SIDEWALK IS PLACED ON PRIVATE PROPERTY.**
 - B. A STORMWATER MANAGEMENT EASEMENT OVER THE EXISTING AND ANY PROPOSED DETENTION FACILITY.**
- 4. A STORMWATER REPORT SHOWING THAT THE EXISTING SURFACE STORAGE VOLUME THAT WAS PREVIOUSLY STORED WITHIN THE TWO DETENTION FACILITIES IS ENTIRELY PROVIDED WITHIN THE SITE IS REQUIRED PRIOR TO THE ISSUANCE OF ANY PERMIT. IF ADDITIONAL STORAGE IS REQUIRED, IT SHALL BE PROVIDED ON-SITE AND APPROVED BY THE VILLAGE.**
- 5. A STRUCTURAL ENGINEER SHALL PROVIDE AN ASSESSMENT OF THE EXISTING UNDERGROUND DETENTION FACILITY AND THE DESIGN OF**

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THE NEW BUILDING FOUNDATIONS TO CONFIRM THAT THE NEW BUILDING WILL NOT COMPROMISE THE INTEGRITY OF THE UNDERGROUND DETENTION FACILITY, OR VICE VERSA, PRIOR TO THE RELEASE OF ANY PERMIT.

- 6. ALL TEST DRIVES ARE LIMITED TO ARTERIAL STREETS AS DEFINED IN THE COMPREHENSIVE PLAN. ARTERIAL STREETS INCLUDE: OGDEN AVENUE, BELMONT ROAD, WARREN AVENUE, AND MAIN STREET.**
- 7. ALL VEHICLE DELIVERIES MUST BE COMPLETED ON PRIVATE PROPERTY. NO BUSINESS ACTIVITIES MAY TAKE PLACE ON OGDEN AVENUE OR CROSS STREET.**
- 8. IDOT APPROVAL FOR THE PROPOSED WORK IN THE OGDEN AVENUE RIGHT-OF-WAY SHALL BE REQUIRED.**
- 9. SHOULD IDOT OR DUDOT REQUIRE DEDICATION OF RIGHT-OF-WAY, ALL PLANS SHALL BE UPDATED TO MEET THE REQUIREMENTS OF ALL VILLAGE ORDINANCES.**

SECOND BY COMMISSIONER RECTOR. ROLL CALL:

AYE: COMMISSIONERS RECTOR, DMYTRYSZYN, BOYLE, TOTH, ROCHE, JOHNSON, PATEL, AND CHAIRMAN RICKARD

NAY: NONE

MOTION PASSED. VOTE: 8-0

Planning Manager Zawila indicated that there was an agenda items scheduled for the July 11th, 2022 Plan Commission meeting.

THE MEETING WAS ADJOURNED AT 7:27 P.M. UPON MOTION BY COMMISSIONER JOHNSON. SECOND BY COMMISSIONER DMYSTRYSZYN. A VOICE VOTE FOLLOWED AND THE MOTION PASSED UNANIMOUSLY.

/s/ Village Staff
 Recording Secretary
 (As transcribed by MP-3 audio)