



## Meeting Minutes

Village of Downers Grove – Council Meeting

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Council Chambers

October 4, 2022

7:00 PM

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### 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 Hosé, 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. Community Planning Month

B. National Code Compliance

Community Development Director Stan Popovich accepted both proclamations on behalf of the Village.

### 4. Presentations

A. Report: Economic Development Corporation Quarterly Report

Bryan Gay, President and CEO of the Downers Grove Economic Development Corporation (DGEDC), stated that he was new to the organization and was honored to be making his first presentation to the Village Council. He gave details about the events he and his staff would attend over the next couple of months. Mr. Gay said that detailed monthly key performance indicators (KPIs) were posted on the DGEDC's website.

Mr. Gay continued with the 2022 – Q2 quarterly report. He said that there were 6 projects that brought in \$21,458,000.00 in Capital Investment and created at least 25 new jobs. He continued reviewing the following:

- Unemployment Rates: Within the Village was down 1.1% and the rate was down .9% in the County. This downward trend would make the job market a bit more competitive.
- Commercial Occupancy rates: Within the Village was at 90.13% and the County was at 92.62% - those numbers had declined a bit over the past few years.

- Industrial Occupancy rates: Within the Village was at 94.67%. This was a little higher than the Q-1 rate within the 1-88 suburban corridor. Mr. Gay said the numbers were where they should be, but expected they may go down as newer spaces came online and things got upgraded .
- Office Occupancy rates: Within the Village it was at 85%. This was a little higher than the Q-1 rate for the East-West Corridor Office Sub-market. The Village was doing a little better than the surrounding area.

## B. Report: Downtown Management Corporation Quarterly Report

Erin Venezia, Executive Director of the Downtown Management Corporation (DMC), presented the Quarterly Report. She said that there were approximately 280 business in the downtown area. She spoke of the 18 new businesses that were welcomed into the downtown over the past year.

Ms. Venezia gave details about the 18 events and promotions that the DMC hosted throughout the past year, adding that some were through partnerships with many community groups and other organizations. Mrs. Venezia said through the DMC Aesthetics Committee, they were able to add oversized lighted holiday decorations in the downtown and would be bringing those, in addition to a couple more, back this year. There were an additional six planters added to the downtown area, bringing the total of planters to 31. Additionally, 18 benches were replaced that were in need of replacement. In all, the DMC spent just under \$94,000.00 in aesthetics over the past 12 months.

## VILLAGE COUNCIL COMMENTS/QUESTIONS

Mayor Barnett said the presentations did not do the EDC and the DMC justice, as they worked hard every day, all day, on behalf of the Village. He said most of what was seen in terms of economic activity and downtown events were run by the two organizations. The Mayor said they do the community an enormous service and he thanked them for all they do.

Mayor Barnett gave protocol on the Public Comment portions of the meeting. He also said there were other opportunities to reach out to the Village Council such as the e-Remarks system, the CRC, Coffee with the Council, via email and by phone.

## 5. Minutes of Council Meetings

**MIN 2022-9605** — A. Minutes: Village Council Meeting Minutes – September 20, 2022

**MOTION:** *To adopt the meeting minutes of the September 20, 2022 meeting, as presented.*

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

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

**SECONDED BY:** *Commissioner Walus*

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

**NAYES:** *None*

## 6. Consent Agenda

**COR 2022-9610** — A. Claims Ordinance: No. 6475, Payroll - September 09, 2022

**BIL 2022-9611** — B. Bills Payable: No. 6690 - October 4, 2022

**MIN 2021-9643** — C. Minutes: Note Receipt of Boards and Commissions Meeting Minutes

**Summary:** Note Receipt of Boards and Commissions Meeting Minutes: Board of Fire and Police Commissioners, 7-28-22; Foreign Fire Fund, 8-25-22 Regular Meeting and 8-25-22 Budget Meeting.

**MOT 2022-9586** — D. Motion: Approve an Agreement with Engineering Resource Associates, Inc. in the Amount

of \$18,573.50 for the Design of the Mochel Drive Water Quality Project

**Summary:** This motion approves an agreement with Engineering Resource Associates, Inc. of Warrenville, IL in the amount of \$18,573.50 for the design of the Mochel Drive Water Quality Project.

**RES 2022-9599** — E. Resolution: Approve a Three-Year Renewal with Watersmart Software, Inc. in the Amount of \$136,768.00 for annual services and the Integration of the Village's Water Customer Portal With the Village's New Enterprise Resource Planning System **RES 2022-74**

**Summary:** This resolution approves a three-year renewal with Watersmart Software, Inc. in the amount of \$136,768.00 for annual services and the integration of the Village's Water Customer Portal with the Village's New Enterprise Resource Planning (ERP) System.

#### **RESOLUTION 2022-74**

**A RESOLUTION APPROVING A THREE-YEAR RENEWAL WITH WATERSMART SOFTWARE, INC. IN THE AMOUNT OF \$136,768.00 FOR ANNUAL SERVICES AND THE INTEGRATION OF THE VILLAGE'S WATER CUSTOMER PORTAL WITH THE VILLAGE'S B=NEW ENTERPRISE RESOURCE PLANNING SYSTEM**

**RES 2022-9637** — F. Resolution: Approve a One-Year Agreement with Sentinel Technologies, Inc. in the Amount of \$48,352.50 for the Renewal of Licenses Necessary for the Village's Cisco Duo Multi-Factor Authentication Solution **RES 2022-75**

**Summary:** This resolution approves a one-year agreement with Sentinel Technologies, Inc. of Downers Grove, Illinois, in the Amount of \$48,352.50 for the renewal of licenses necessary for the Village's Cisco Duo Multi-Factor Authentication Solution (MFA) which includes 375 Duo Access edition licenses and 375 Azure Active Directory Premium P1 licenses.

#### **RESOLUTION 2022-75**

**A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND SENTINEL TECHNOLOGIES, INC. RESOLUTION 2022-75**

***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, Glover, Gilmartin, Kulovany, Sadowski-Fugitt, Mayor Barnett*

***NAYES** none*

#### **7. Active Agenda**

**ORD 2022-9606** — A. Ordinance: Approving an Amendment to Planned Unit Development #31 to Add Multi-Family Residential as an Allowed Use **ORD 5943**

**Summary:** This ordinance approves an amendment to Planned Unit Development #31, Esplanade at Locust Point, to add multi-family residential as an allowed use.

#### **VILLAGE COUNCIL COMMENTS/QUESTIONS**

Commissioner José said that he was not able to attend the last meeting when this was discussed as a First Read item, but appreciated the comments made by his colleagues and the public. He said though he would be voting in favor of this item, he was not convinced that multifamily was the right way to go in that area. He further stated that there are hotels and things of that nature in the area, but it was largely Class A Office Space. He said he believed amending the PUD to potentially permit multifamily use was a good step and gave the Village some options.

***MOTION:** To adopt AN ORDINANCE APPROVING AN AMENDMENT TO PLANNED UNIT*

*DEVELOPMENT #31 TO ADD MULIT-FAMILY RESIDENTIAL AS AN ALLOWED USE, as presented.*

**ORDINANCE 5943**

**RESULT:** Motion carried by roll call.

**MOTIONED TO APPROVE:** Commissioner José

**SECONDED BY:** Commissioner Walus

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

**NAYES:** None

**MOT 2022-9597** — B. Motion: Approve a Contract with Era-Valdivia Contractors, Inc. for the Downers Drive Water Tower Rehabilitation Project (WP-019) in the Amount of \$2,664,791.00, Which Includes a 2% Contingency

**Summary:** This motion approves an agreement with Era-Valdivia Contractors, Inc., of Chicago, Illinois, for the Downers Drive Water Tower Rehabilitation Project (WP-019) in the amount of \$2,664,791.00, which includes a 2% contingency.

**MOTION:** To adopt A MOTION TO AUTHORIZE EXECUTION OF A CONTRACT FOR THE DOWNERS DRIVE WATER TOWER REHABILITATION PROJECT (WP-019) TO ERA-VALDIVIA CONTRACTORS, INC. IN THE AMOUNT OF \$2,612,540.00 PLUS A 2% CONTINGENCY IN THE AMOUNT OF \$52,251.00 FOR A TOTAL NOT-TO-EXCEED \$2,664,791.00, as presented.

**RESULT:** Motion carried by roll call.

**MOTIONED TO APPROVE:** Commissioner Walus

**SECONDED BY:** Commissioner José

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

**NAYES:** None

## **8. First Reading**

**ORD 2022-9607** — A. Ordinance: Approving an Amendment to Planned Unit Development #18 to Permit C Construction of a Restaurant With a Drive-Through and Retail Building at 7251 And 7261 Lemont Road

**RES 2022-9609** — B. Resolution: Approve a Final Plat of Subdivision With an Exception for 7251 and 7261 Lemont Road

Community Development Director Stan Popovich presented Items A and B via PowerPoint. In the presentation Mr. Popovich said this was a Planned Unit Development Amendment with a Special Use in the Plat of Subdivision for the shopping center at 7251-7261 Lemont Road. The project discussed was at the northeast corner of 75<sup>th</sup> and Lemont. Mr. Popovich showed a map outlining the entire shopping center, the existing traffic patterns, the entrances to the shopping center, the location of the new proposed building with a drive aisle in front of the building and a drive-through wrapping around the building. There was also a proposed pedestrian connection out to Lemont Road along the main entry drive. Sketches of the proposed facade were also shown. Mr. Popovich said the proposed Plat of Subdivision included an exception, as there was no frontage proposed with the development. He said access to the development would be provided through cross-axis easements throughout the shopping center – the entrances to this development would be the same as all the other locations in the shopping center. Mr. Popovich stated that the Comprehensive Plan noted that this was a corridor commercial development to serve the neighborhood and regional residents. He added that the proposal beautified the center, provided shared parking, and a pedestrian connection to those that may be walking along Lemont Road. The Plan Commission found the standards for the Planned Unit Development, Special Use, Plat of Subdivision, and the exception standards were met.

## **PUBLIC COMMENTS**

Linda Schranz asked if there had been any consideration given to building this across the street from the location proposed.

## **VILLAGE COUNCIL COMMENTS/QUESTIONS**

Commissioner Kulovany asked if there was currently a stop sign within the site where the pedestrian crossing would be.

Mr. Popovich replied that there was not one for traffic coming in, but there was for traffic that was going across.

Commissioner Gilmartin asked if this building was a spec or if it was being built for specific businesses.

Petitioner, Jason Reibert with Golf States Construction Services, said that it was a speculative endeavor but that leasing efforts were well underway.

Commissioner Sadowski-Fugitt referred to the sketches of the facades shown and asked where the entrances were in relation to the parking lot.

Mr. Popovich reviewed the sketches of each of the elevations pointing out where the proposed entrances, the drive through lanes, and the pedestrian connections from the parking lot were located.

Commissioner Sadowski-Fugitt asked if the parking with the pedestrian connection would be adequate or if Mr. Popovich thought that there may be overflow parking in the main shopping center parking area.

Mr. Popovich stated that the parking as proposed met the requirements.

Mayor Barnett stated that the south elevation was the back end of the building. He said there were many outlots and (what could be considered) a road running through the parking lot of the development. He said in order for the PUD to service the whole community around it, he wanted careful consideration to be given to the pedestrian access from the north and east.

Mr. Popovich said that he would discuss this with the petitioner.

Commissioner Kulovany shared the Mayor's concern. He asked if there were any possibilities of changing the design based on which tenants went into the proposed development and if there could possibly be more glass on either side of the facades, or if this was the final design that was getting approved. He mentioned the driveway to the east was really a road when you looked at closely. He was worried and wanted to be careful with it, as people drove fast on roads.

Village Manager Dave Fieldman said that now was the time for the Council to express concerns about the elevations. He said the concerns would be addressed during the approval process and would be discussed with the petitioner.

Commissioner Kulovany said he was concerned about not having protected crosswalks from the parking lot to the building. He complimented the design of the building.

**ORD 2022-9639** — C. Ordinance: Authorizing the Amendment of the Village of Downers Grove, DuPage County, Illinois Multifamily Housing Revenue Bond (Downers Grove Supportive Living Facility), Series 2014 Originally Issued in the Aggregate Principal Amount Not-To-Exceed \$20,114,920.00 in Connection Therewith; the Execution and Delivery of Such Amended Bond; and Related Matters

Village Manager Fieldman presented Item C. He explained the ordinance allowed the developer of the supportive living facility located on Lacey Road to refinance bonds that were issued in 2014 so they could achieve a fixed interest rate. Manager Fieldman explained that as was the case when the housing bonds were issued in 2014, there would be no financial impact to the Village whatsoever.

Commissioner Kulovany asked for confirmation that the bonds were currently at a variable rate and this was to fix them at a lower rate. He also added that this was to help a supportive living facility in the Village.

Manager Fieldman confirmed.

## 9. Attorney's Report

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

1. An ordinance approving an amendment to Planned Unit Development #18 to permit the construction of a restaurant with a drive-through and retail building at 7251 and 7261 Lemont Road.
2. An ordinance authorizing the amendment of the Village of Downers Grove, DuPage County, Illinois, Multifamily Housing Revenue Bond (Downers Grove Supportive Living Facility), Series 2014 originally issued in the aggregate principal amount not-to-exceed \$20,114,920.00 in connection therewith; the execution and delivery of such amended bond; and related matters.

## 10. Public Comment

Noel Manley, co-chair of Awake Downers Grove, spoke about his volunteer work with many organizations. He also expressed his disapproval of public posts made by Commissioner Sadowski-Fugitt on social media regarding the Drag Bingo event that was canceled at the library.

Bob Kolek, resident, spoke against comments made by Commissioner Sadowski-Fugitt and Commissioner José in a Suburban Life article regarding the Drag Bingo event that was canceled at the library.

Preston Straub spoke about ongoing legal issues he had with the Village. He expressed his disappointment with the Village's responses. He brought copies of Village Council meeting minutes from 2019 for the Council to review and asked for assistance in getting the matter resolved.

Ed Briner spoke about the threat mailed to DuPage County and about his disapproval of comments made by the Downers Grove Library Board and some of the Village Council members regarding the Library's canceled Drag Bingo event.

Mary O'Dowd spoke against social media comments made by a Village Council member regarding the Library's canceled Drag Bingo event.

Carol Jean Davis said she supported the Downers Grove Library and didn't feel the Library Director or any Board Members should be penalized for the Drag Queen Bingo event that was scheduled and canceled. She also commented regarding the Village's Long Range Plan and said she supported the proposed item prohibiting the sale of assault weapons.

Jim Kelly was looking to rent office space in Downers Grove. He was also looking to host a carnival in Downers Grove with profits being donated to not-for-profit organizations.

Laura Temple asked for the Council to carefully consider the next appointment to the Library Board. She also spoke regarding the Village's Long Range Plan and said she was in support of the prohibition of the sale of assault weapons, the Complete Streets Plan, and the Private Tree Preservation Plan.

## 11. Mayor's Report

### A. Appointing and Reappointing Members to Boards and Commissions RES 2022-76

Village Clerk Rosa Berardi read the following appointments and reappoints:

- Community Events Commission

- Reappoint Michael Puzen to a three-year term expiring August 31, 2025
- Appoint Jessica Bzdyl to a two-year term expiring August 31, 2024
- Appoint Taylor Sommers to a two-year term expiring August 31, 2024
  
- Environmental Concerns Commission
  - Reappoint Liz Pelloso as Chair to a two-year term expiring August 31, 2024
  
- Fire Pension Board
  - Reappoint Jeff Kuchta to a three-year term expiring August 31, 2025
  - Appoint Tim Nash to a three-year term expiring August 31, 2025
  
- Historic Preservation and Design Review Board
  - Reappoint Don Renner to a three-year term expiring August 31, 2025
  - Reappoint Liz Chalberg to a three-year term expiring August 31, 2025
  - Appoint Alicia Ciuffini-Kemp to a three-year term expiring August 31, 2025
  
- Liquor Commission
  - Appoint Amy Kastory to a three-year term expiring August 31, 2025
  - Appoint Bill Fenton to a one-year term expiring August 31, 2023
  
- Plan Commission
  - Appoint Katherine Frankovic to a three-year term expiring August 31, 2025
  
- Stormwater and Flood Plain Oversight Committee
  - Appoint Kathryn Richert to a three-year term expiring August 31, 2025
  - Appoint Scott Bobo to a one-year term expiring August 31, 2023
  - Appoint Will Wicklander as Chair

Mayor Barnett thanked the Council for assisting with the appointment process. He also thanked all of the residents that had volunteered their time to serve on Village Boards and Commissions.

Mayor Barnett spoke about the PUD amendments that had come before the Council. He explained that they are a reflection of why the Village had an Economic Development Corporation and a Downtown Management Corporation. He said that there were rules, Zoning Ordinances, and PUD agreements within the Village, but things had changed as time went on and the Village wanted to ensure all of the property continued to be vibrant, vital, an active part of the community, and that it was appealing to others. The Mayor said that businesses may fail and people may retire and move out of the State, and he wanted to ensure that the property left behind was kept vibrant and appealing to the next round of people that may consider moving to Downers Grove.

***MOTION:*** To adopt A RESOLUTION APPOINTING AND REAPPOINTING MEMBERS TO BOARDS AND COMMISSIONS **RESOLUTION 2022-76**

***RESULT:*** Motion carried by roll call.

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

***SECONDED BY:*** Commissioner Walus

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

***NAYES:*** None

## 12. Council Member Reports

Commissioner Walus said that she was going to speak from some pre-written comments, though they may have seemed to speak to some of the public that expressed concerns during the Public Comment portion of the meeting. She stated that people were claiming that threats made against the Downers Grove Library were false. She spoke specifically about a threat that the Downers Grove Police Department released to the public in response to a FOIA request on September 29<sup>th</sup>. The threat included a rifle round, a bullet, and a threat to take someone's life, or many lives, within the Downers Grove Community.

She said whether a threat is considered credible or not, it did not change the fact that it was a threat – to her this was considered a crime no matter how one looked at it. The Commissioner further stated that everyone had different points of views, political beliefs, religious beliefs and she respected every member of the public that had come to the podium that night and in weeks past. She said even if she did not share the same view or beliefs of those that spoke, it was ok. However, what was not ok was for the lives of people in the community to be threatened and there was absolutely no reason that would make violence or violent sentiments ok - whether they were credible or not. She said she was appalled by the threat. She spoke of her work with teenagers and the age group the event was geared toward. She further stated that at least one of her students was a part of the LGBTQ+ community. Commissioner Walus said the teenage years were hard enough without questioning their identity or sexuality. She stated that whether or not the threat was credible, she wanted to be sure her family and the community felt safe living in the town she loved so much. She concluded by stating that she wanted her kids to be accepting and kind to everyone and she expected them to experience the same in return from all of the members of the community.

Leslie Sadowski-Fugitt stated that she volunteered for the EQDG organization and wanted to thank them for their leadership in supporting the LGBTQ youth. She further stated she wanted the greater LGBTQ community to feel loved and sense of belonging. The Commissioner concluded by saying that she hoped that the community would once again feel safe.

Commissioner José thanked Commissioner Walus for her well-written and strong words. He spoke about the resident that commented on his Facebook post and that though he did not plan on discussing it at the meeting he stood by every word of it. He said the threats made against the library and their staff are the most vile he had seen in his decade of service to the public. The Commissioner further stated that he should have said it weeks ago, but he supported inclusive programming at the library and didn't understand why anyone wouldn't. He said when speaking to any teenager these days, people would find that there are a lot of kids that are at risk and the LGBTQ community was a part of that. Commissioner José spoke of the First Amendment, stating that it was brought up earlier in the meeting during the Public Forum. He said the public forums where taxpayer provided forums that included the LGBTQ+ community – a community that uses the Downers Grove Public Library. He said that all have the right to express their opinions, whether they be political or entertainment related. He said the comments that were given at the September 6<sup>th</sup> Village Council meeting and at the last Library Board Meeting were attempts to suppress speech and the Drag Queen Bingo event. Commissioner José stated that whether speech took place at the podium or at the dais, it was protected by the First Amendment - which was intended to protect against government censorship of speech. He said by asking the Library Board or the Village Council to take action against the Drag Queen Bingo event, they were being asked to censor speech and that was improper under the First Amendment. He said because he was an attorney, he knew it to be true. Commissioner José concluded by stating that the First Amendment was a beautiful thing and it protected everyone, whether in the majority or minority. This included the LGBTQ+ Community just as much as Awake Illinois. The Commissioner called on the Downers Grove Public Library to schedule more inclusive programming soon.

Commissioner Gilmartin said he spoke at the last Village Council Meeting regarding the Drag Queen Bingo event and suggested those that did not hear him watch the video. He said he was heartbroken to hear that the event had been canceled, but understood why in the light of such a serious threat. He further stated that the safety of the residents came first and while disappointed, he thought this brought a lot to the surface. The Commissioner said he is a big believer that sunshine makes a great disinfectant. He also invited all to attend the Bike Repair Station Dedication that was happening on October 8<sup>th</sup> at 10 a.m., on the north side of the tracks by the bicycle parking just east of Main Street. He said the bike repair station was donated by the Downers Grove Bicycle Club and would be installed by the Downers Grove Public Works Department.

Commissioner Glover thanked Commissioner Walus for her strong comments and said he agreed with every word and stood behind her comments.

Mayor Barnett called for a 5 minute break and invited all to reconvene in the Committee Room for the Manager's Report.



### 13. Manager's Report

The meeting reconvened at 8:32 p.m. Manager Fieldman stated that the purpose of the discussion was to wrap up the update to the 2021/2023 Long Range Plan (LRP) with a discussion on the Council's Priority Action Items (PAI). He said that ten items were approved by the Council in September of 2021. He stated that Council was currently in the process of updating the entire plan as a whole and not just the Priority Action Items. He went on to state that of the 10 PAI that were set last year, staff was currently working on five items, four items had been completed, and one item had been tabled by the Council in December. Manager Fieldman said at the August 16<sup>th</sup> meeting seven potential new action items were identified, four of which were under consideration and three were to be discussed in May of 2023, with the next Village Council. He asked two questions to frame up the discussion.

- (1) Which of the proposed PAI would the Council like to include in the Council's current work plan?
- (2) If proposed items were included in the current work plan, at what point (prior to April of 2023) should they be included? Manager Fieldman kept a tally of the Council's preferences/votes on the proposed PAI.

#### MAYOR/COMMISSIONER COMMENTS QUESTIONS

Mayor Barnett started the discussion by stating that the Council needed to determine which of the proposed PAI should be completed between now and April of next year. He said typically the decisions at this point had always been about the items on the list that the Council thought needed to be worked on between that time and April of the following year and if they wanted to put anything off or extend anything beyond April. He pointed out that it was a small window of time (six months) which also included the budget, the levy, two holidays and an election. He also said that historically the Council had done a reasonable job to try and get all seven Council members plus the public to understand what the question before them was. The Mayor spoke about past conversations involving chickens that the public was heavily involved in. Mayor Barnett asked the Council to once again consider if any of the proposed PAI were items they thought should be worked on within the next six months or if they thought that all seven items were things that should remain on the for the new Council that would be established in April. He reminded the Council that some items that were on the current work plan were ongoing and would continue on to the next Council – the Civic Center and ERP being two of the major projects.

Commissioner José started the conversation by stating that he had never seen an update of the LRP that included adding additional PAI to what was already on the work plan, especially at such a late date. He stated that he agreed with just about all of the seven newly proposed PAI, but didn't think it was the best time to start tackling them. Commissioner José said he thought it was best to focus on the ten PAI that were already under the current work plan, as some of them were ongoing and would continue on to the next Council – the new Civic Center would take a bit of time to be built. The Commissioner voted no to all of the proposed items at this time and suggested keeping them for the new Council to review next May.

Commissioner Sadowski-Fugitt disagreed and that it would be best to get started on all seven of the proposed PAI now instead of waiting until later. She spoke of the four items in question. She stated that she would like start discussions on private tree preservation regulations, prohibiting the sale of semi-automatic weapons and large magazines, and the Complete Streets Plan. She stated that she recently spoke with a family that was new to town that would benefit from the Complete Streets Plan. The Commissioner stated that she would be in favor of adding an FTE for any of the items. She spoke about video gaming, stating that she was willing to hold off and leave it as a tabled item until a Veteran or Fraternal Organization submitted an application.

Manager Fieldman stated that staff would monitor whether applications were submitted by qualifying Veteran and Fraternal Organizations.

Commissioner Glover stated that he would split the difference of what Greg and Leslie had stated. With regard to video gaming, he wanted to get started on that right away instead of waiting for an application to be submitted. He

said he would prefer to get started with collecting the revenue that video gaming would bring in now rather than later. He stated that he did not agree with the private tree preservation regulations. The Commissioner said he wanted to wait for the State to enact policy on the prohibition of the sale of semi-automatic weapons before acting on that. He further stated that he wanted to get started on the Complete Streets Plan.

Manager Fieldman stated that it was staff's understanding that the General Assembly may be taking up discussions regarding prohibiting the sale of semi-automatic weapons in the State, but he was not certain that conversations would happen.

Commissioner Kulovany stated that he did not think video gaming would take six months to get approved. He further stated that he thought it should be easy to craft an ordinance and proposed that the item be removed from the PAI list and be considered regular business.

Manager Fieldman stated that video gaming started as a PAI and was tabled, so it would need to remain a PAI if it were to be un-tabled.

Commissioner Kulovany continued on the topic of video gaming, stating that he believed that Fraternal Organizations would submit applications, so he thought it best to take the opportunity to regulate it now in town, but agreed to wait for an application to be submitted to the State before starting discussions. He also stated that he was in favor of private tree preservation regulations. He said he agreed with Commissioner Glover's stance on the issue of prohibiting the sale of semi-automatic weapons and that the Village should wait until the General Assembly's decision in order to guide the Village with policy making. The Commissioner stated though he agreed with the Complete Streets Plan, due to the amount of trees that would have be removed from the parkways in order for the item to be implemented, he voted not to get started on that now.

Commissioner Gilmartin stated that since there had already been so much discussion on the topic of video gaming, he agreed with Commissioner Kulovany that the item should be un-tabled and not considered a PAI but as regular business instead.

Manager Fieldman explained that if Commisisoner Gilmartin wanted to work on video gaming, his vote would need to be yes to work on it as a PAI. He said if the majority of the vote was yes, then it would be un-tabled and would be placed on an agenda. Manager Fieldman also confirmed that Commissioner Kulovany wanted to wait until an application was submitted by a Veteran or Fraternal organization before un-tabling the item.

Commissioner Kulovany said yes, since that was what staff suggested. He said he wouldn't want to spend time on it unless the organizations applied for the license. Commissioner Gilmartin said he agreed and would like to wait until there was an application as well. He said he was in full support of the private tree preservation. He said he wanted to act now on the prohibition of the sale of semi-automatic weapons and compared it to the Village prohibiting the sale of puppies – the Village did not wait for the State to take the lead on that. The Commissioner was also in favor of the Complete Streets Plan. He added that he wanted the Complete Streets Plan framed in the right way. He said he would love for the current Council to start discussions about making the community more transversable by means of non-motorized transportation. The Commissioner said the Bike Plan discussed in 2013 started a spark, but he didn't think the Council had a good handle on what the Village could potentially become. He spoke about residents that had come to Council meetings to complain about vehicles speeding. He said the Council could make things easier on themselves, on future Councils, and on the staff if they had a more defined plan. Commissioner Gilmartin stressed that though he was not looking to start bulldozing trees, he thought there was value to start looking to the Complete Streets Plan.

Commissioner Walus said when it came to video gaming she was in agreement to wait to un-table the item until there was an application. She then spoke about the discussion/debate the prior Council had a few years back on having staff work on both the ERP and the Civic Center projects at the same time, because they were both so much work. She said they finally agreed to give the staff both projects. She said though she respected her colleagues for

being so passionate about the proposed items on the list, she wanted to respect staff and the amount of work they were given with the ERP and Civic Center Projects, along with other priority actions items that were still in progress. The Commissioner was a no to taking on the private tree preservation regulations and the Complete Streets Plan, but if the State took action on the prohibition of the sale of semi-automatic weapons, she was in agreement at putting a policy in place.

Commissioner Kulovany spoke off topic about the Social Services Gap, stating that the League of Women Voters brought attention to the idea of a Community Mental Health Board. He said he spoke with Manager Fieldman about it and though the Commissioner was aware that it was typically handled through the Township, he wanted to be sure the Village's Social Worker Heather Lippe interfaced with the Township, the League of Women Voters and other organizations that provided mental health services.

Manager Fieldman stated that a report from the Human Service Commission would be on the last meeting agenda of the month.

Mayor Barnett stated that while all of the proposed PAI should be on the list, it is best not to work on any of them within in the next six months. He specifically stated that as far as video gaming went, he didn't want to get into it unless someone appealed the Village for it. He said that the private tree preservation regulations would not happen without an enormous amount of public input and meetings. Regarding the prohibition of semi-automatic weapons, he also wanted to wait for the State to take it on. He did not want to risk a law suit and be a guinea pig. The Mayor spoke about the Complete Streets Plan and that it would take on too much time and energy to lay out a potential design for all of the Village's street segments. He spoke of situations that caused him to worry. He didn't think the idea to develop the plan ahead of time was reasonable. Mayor Barnett said they were delaying action on some of the proposed items because the current discussion was typically a check-in time of the current plan; the proposed items were big investments and time consuming and this Council only had six months to take action. He spoke about the many things over the past two years that were brought to the Council and were not put forth by the Council. The Mayor also spoke of the ERP and Facilities (Civic Center) Projects. He said to the Council it seemed as if the projects were complete because they were underway, however there was a lot of work still to be done. He spoke of Manager Fieldman having 4-6 meetings a day on various subjects and how that was going to continue for at least the next year. He said though some things may seem easy to the Council, like preparing an ordinance for video gaming, it was not - staff already had a lot of work at this time. The Mayor said he wanted a picture to be taken of the White Board in the room with the current PAI list, the Gant Chart and the proposed PAI list. He wanted it brought back out in 6 months.

Manager Fieldman gave a brief summary, stating that work would continue on the five PAI that were already in progress and as far as video gaming was concerned, staff took the conversations as direction to place the item on an agenda once a qualifying organizations in town submitted an application.

Mayor Barnett wanted all to keep in mind that that if an application was submitted for video gaming and it was placed on an agenda, there was going to be a lot of public discussions. He said this would be a bigger deal than a few words and an ordinance.

Commissioner Glover asked if it would take a time frame of about three months to draft up an ordinance on video gaming and to go through the approval approval process.

Manager Fieldman said the item was given a three month time frame when considering the process of drafting the ordinance and going through the process of first readings and discussions before it was to be approved. He said it was possible that the process could be a lot quicker though.

Mayor Barrett stated what Manager Fieldman said was true about a lot of the proposed items, including the possibility of an assault weapons ordinance. He said engaging the public and bringing the community along the way would take many hours of prep and work.

Commissioner Gilmartin stated that while he did want to be respectful of the staff's time, sitting back and waiting for things to come to the Council felt reactionary. He wanted to focus on bringing things forth by the Council. He said if all they got out of the discussions of the proposed PAI was to un-table video gaming, then it felt as if the Council was

not moving the Village forward.

Mayor Barrett stated that rather than waiting, it was more about focusing on finishing the work plan that the current Council devised in 2021. He further stated that the original PAI required a certain amount of time and work to be completed to meet that April 2023 deadline. He said a couple of months ago, when the Council checked-in and did a status update on the work plan, there were new ideas. He said he suspected that when they did this in December, there would be even more new ideas. The Mayor said the work plan consisted of work the Council believed they could accomplish by April 2023.

Commissioner Gilmartin asked if the Council had the ability to add resources in order to change the current work plan.

Mayor Barnett stated that they did.

Commissioner Sadowski-Fugitt stated that she would be in agreement with hiring a consultant or adding an FTE. She felt as if adding the proposed items to the work plan would help with some of the items brought to them by the public. The Commissioner said they have the benefit of having consultants and staff with expertise to assist with the Complete Streets Plan and to explain it in detail to the residents. She also mentioned that having a Tree Preservation Ordinance in place would benefit the Village when residents and developers came forth with plans. The Commissioner said starting work on the proposed PAI items would move the Village forward. She further stated that starting on the proposed items now would help the Council anticipate and be proactive with what they would be dealing with rather than waiting and being reactionary to issues that were brought to them. She said based on what had been brought to the Council over the past three years that she had been a member, she thought it would be beneficial to take on some of the proposed items. Commissioner Sadowski-Fugitt suggested adding to the budget and hiring a consultant.

Commissioner José said the items on the proposed list could potentially take years to complete – especially the Complete Streets Plan. He further stated that he couldn't even estimate the amount of staff time and resources that would take. He said in six months half of the Council could be replaced and those members may decide they do not like the ideas that were brought forth and could completely change the course. He said that would be a waste of staff time and money spent on consultants. He said the current work plan was fairly close to be completed, aside from the continuing work on the ERP and Civic Center Projects and that there would continuously be issues that the Council was working on. The Commissioner suggested waiting until there was some stability before taking on items that would take a significant amount of time and feedback from the community. He spoke about discussions with past Council's discussions that took place about chickens and the facilities project. He said when the private property of residents was compromised in anyway by stating they can or cannot remove trees, or that part of their front yard would need to be given up for bike lanes, or that sidewalks needed to be put in, there would have to be a lot of time and consideration taken. He said by 2024-2025 two major projects would fall of the work plan, but at the current time they were consuming a lot of staff time and resources. Commissioner José said he liked some of the proposed ideas, but he just did not think now was the time for them.

Commissioner Kulovany spoke about the ERP and his experience being in that industry for many years. He pointed out that the project could really consume an entire organization with the various staffing and work requirements. He further stated that the process was similar to building a house and pointed out how the staff already had regular work duties on top of the work of the ERP. The Commissioner stated that he disagreed with Commissioner José about his stance on the Private Tree Preservation Plan regarding the community feedback. He spoke of contractors coming into town and cutting down a lot of trees. He said it would be a voluntary thing and people could still cut their trees down, if they so wished, and the Village would not have any recourse. Commissioner Kulovany said that the community was known for its trees and is in a vulnerable state. He said it would be best to educate the people about the plan and how it would benefit Downers Grove.

Commissioner Gilmartin said the Council was not there to debate a Tree Ordinance, but thought that it would be important to have something written in the ordinance relating to boundary trees. He said though he appreciated Commissioner Kulovany saying that his recommendations were voluntary, he did want the ordinance to go beyond a recommendation. He also pointed out that Village staff had been diminished by 78 people over last 15 years which

lead to projects taking much longer for staff due to a staff shortage.

Mayor Barrett stated that he disagreed with the issue of the staff shortage causing projects to take longer. He pointed out that the ERP and Civic Center Project have involved the time of every single staff member at the Village. The Mayor further stated that there had never been a work plan with two projects of that magnitude in the history of the organization. He said beyond staff already being worked to capacity, they needed to remember the importance of bringing the Downers Grove community along through the planning and implementation of the proposed PAI. Community input would involve neighborhood meetings, multiple discussions, and issues that would go beyond just putting a plan together.

Commissioner José stated that he wanted to point out that this Council and staff had taken on more than the ERP and Civic Center Projects over the last two years. He gave a list of the projects which included DEI, police body worn cameras, license plate readers, outdoor dining and a solid waste contract.

Mayor Barrett said in 2021 it was the current Council that developed the current work plan. He said the plan was put into place considering current staff counts and not the addition of staff.

Manager Fieldman gave a summary of the meeting's discussion stating that staff would continue with the projects under the current work plan. They would also monitor video gaming and whether or not qualified organizations submitted an application. Lastly, staff would monitor the General Assembly's discussion regarding the prohibition of assault weapons and would report back accordingly.

Mayor Barnett agreed with Manager Fieldman's summary.

Commissioner Kulovany stated that he wanted to make another comment on the proposed Private Tree Ordinance. He said that boundary trees were an issue because developers had the ability come into town and inadvertently damage someone else's tree. He said the Village already had regulations in place regarding root pruning when putting in new sidewalks or streets. He spoke further about the roots of trees.

### **PUBLIC COMMENT**

Linda Schrams, a 38-year resident of Downers Grove, said that she agreed with the Complete Streets Plans and spoke about her own personal experience with travel around the community and how difficult it was for her at times.

Susan Lawrence, a resident of Downers Grove and the co-founder of MAVIS (Mothers Against Violence in Schools) spoke about the development of the organization and how they have dealt with violence in schools, bullying, and parent education. She said she strongly suggested moving forward with implementing the prohibition of semiautomatic weapons immediately.

### **14. Adjournment**

Mayor Barnett asked for a motion to adjourn the meeting.

***MOTION:*** To adjourn the October 4<sup>th</sup>, 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 9:28 p.m.

Respectfully submitted,

Rosa Berardi  
Village Clerk