



Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

October 17, 2023

07:00 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): Commissioner Hosé (arrived at 8:44 pm), Commissioner Sadowski-Fugitt, Commissioner Gilmartin, Commissioner Glover, Commissioner Davenport

Council Attendance (Not Present): Commissioner Tully

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

3. Proclamations

A. Arts DuPage Month

Mayor Barnett read the proclamation and presented it to Debbie Venezia, Director of Arts DuPage. Ms. Venezia spoke on behalf of the organization.

B. Community Planning Month

Mayor Barnett read the proclamation and presented it to Community Development Director Stan Popovich.

C. American Pharmacists Month

Mayor Barnett read the proclamation and presented it to a group of students from Midwestern University. Student Kourtney McKinnon, from the Midwestern University College of Pharmacy, program spoke on behalf of the organization.

4. Minutes of Council Meetings

MIN 2023-9914 - A. Minutes: Village Council Meeting Minutes – October 3, 2023

MOTION: To adopt the meeting minutes of the October 3, 2023, Village Council Meeting, as presented.

RESULT: Motion carried unanimously by voice vote. .

MOTIONED TO APPROVE: Commissioner Sadowski-Fugitt

SECONDED BY: Commissioner Hosé,

AYES: Commissioners Sadowski-Fugitt, Gilmartin, Davenport,, Glover, Mayor Barnett

NAYES: None

5. Public Comments

Mayor Barnett reviewed public comment procedures and the ways in which the public may contact the Village Council.

Addie Potter, Ryan Gustus, Lily Bowerman, Lola Blogwell and Sarah Ryan, students of Downers Grove North and part of the Junior Board of Directors for the Grove Express Foundation, spoke about their duties as board members. They encouraged all to visit Groveexpress.com to sign up for the race that takes place on Thanksgiving morning or to volunteer for the event.

Tom Schroeder, Forest Ave., spoke about the larger than normal work plan the Council has taken on and asked that the Council consider having the input of all Council members when having discussions on major items. He also asked Council to consider slowing things down with their workload.

Janet Whittingham spoke of an issue she had when driving in the downtown and trying to navigate around a Sysco Food truck that was stopped in the street while delivering to a restaurant. She attributed the issue to the outdoor dining areas (and barricades).

6. Consent Agenda

BIL 2022-9806 — A. Bills Payable: No. 6758 – October 10, 2023

BIL 2022-9807 — B. Bills Payable: No. 6760 – October 17, 2023

COR 2022-9808 — C. Claims Ordinance: No. 6525, Payroll – October 6, 2023

***MOTION:** To adopt the consent agenda, as presented.*

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

***MOTIONED TO APPROVE:** Commissioner Sadowski-Fugitt*

***SECONDED BY:** Commissioner Gilmartin*

***AYES:** Commissioners Sadowski-Fugitt, Gilmartin, Davenport, Glover, Mayor Barnett*

***NAYES:** None*

7. Active Agenda

ORD 2023-10052 — A. Ordinance: Rezoning Certain Property at 1634 63rd Street.

Summary: This ordinance rezones certain property at 1634 63rd Street from R-1 (Residential Detached House 1) to R-3 (Residential Detached House 3).

MOTION:** To adopt **AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 1634 63RD STREET**, as presented. **ORDINANCE 6001

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

***MOTIONED TO APPROVE:** Commissioner Sadowski-Fugitt*

***SECONDED BY:** Commissioner Gilmartin*

***AYES:** Sadowski-Fugitt, Gilmartin, Davenport, Glover, Mayor Barnett*

***NAYES:** None*

ORD 2023-10051 — B. Ordinance: Rezoning Certain Property at 3854 Glendenning Road.

Summary: This ordinance rezones certain property at 3854 Glendenning Road from R-1 (Residential Detached House 1) to R-2 (Residential Detached House 2).

MOTION: To adopt AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 3854 GLENDENNING ROAD, as presented. ORDINANCE 6002

RESULT: Motion carried unanimously by roll call..

MOTIONED TO APPROVE: Commissioner Sadowski-Fugitt

SECONDED BY: Commissioner Gilmartin,

AYES: Commissioners Sadowski-Fugitt, Gilmartin, Davenport, Glover, Mayor Barnett

NAYES: None

MOT 2023-10058 — C. Motion: Direct Staff to Submit the Pre-Final Plans to the Illinois Department of Transportation (IDOT) to Continue with the Federal Project Approval Process for the Construction of the Traffic Safety Improvements on Main Street Near Downers Grove North High School

Summary: This motion directs staff to submit the Pre-Final Plans to IDOT to continue with the federal project approval process for the construction of the traffic safety improvements on Main Street near Downers Grove North High School.

MOTION: To adopt A Motion to Direct Staff to Submit the Pre-Final Plans to the Illinois Department of Transportation (IDOT) to Continue with the Federal Project Approval Process for the Construction of the Traffic Safety Improvements on Main Street Near Downers Grove North High School

RESULT: Motion carried unanimously by roll call.

MOTIONED TO APPROVE: Commissioner Sadowski-Fugitt

SECONDED BY: Commissioner Gilmartin,

AYES: Commissioners Sadowski-Fugitt, Gilmartin, Davenport, Glover, Mayor Barnett

NAYES: None

Public Comment

Tom Schroeder returned to the podium and commented on a hit and run accident on Ogden Ave involving a biker, noting the importance of having ridges or reflectors on the edge of bike lanes to notify drivers of where the bike line begins. He also asked the Council to consider the cars that may cut through the neighborhoods off of Main Street due to the narrowing of lanes included in plan.

8. First Reading

ORD 2023-10057 — A. Ordinance: Establishing Video Gaming Regulations

Village Manager Dave Fieldman stated that Village staff gave a presentation on this topic at the last Village Council meeting (October 3rd) and he had nothing further to add.

Public Comment

Timothy Colton, spoke against video gaming and gave details/statistics on gambling addictions and revenue, and spoke about the impacts on property values.

Dan Wimsatt, resident and Addiction Counselor, spoke against video gaming and about issues with allowing gambling at establishments that also serve alcohol.

Eva Rodriguez, student at North High, spoke against video gaming and her fear of it changing the feel of Downers Grove.

Sara VanDyke, resident, spoke against video gaming, her fear of it changing the brand of Downers Grove, and requested the topic be put to referendum to allow the people to vote.

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Rich Mathews, resident, spoke in support of video gaming (as long as he cannot hear it while dining) and stated that he thinks issues with liquor addiction should be more concerning than gambling addiction.

Nick Clucharik, Prince Street, spoke against video gaming, stating that there are options to gamble online and in restaurants outside of Downers Grove for those that wish to gamble. He asked that it be put to referendum.

Johnathon Bender, resident, spoke against video gaming, stating he has a fear it will change the feel of Downers Grove.

Tim McCahill, Middaugh Ave., spoke against video gaming, stating that there will be issues with only allowing it in certain areas of town and also requested that it be put to referendum.

Tracy Vanhoutan, Northcott Ave., spoke against video gaming and the impacts it could have on real estate values. She requested this be put to referendum.

Caroline Shields, Forest Ave., spoke against video gaming, stating that only restaurant owners and terminal operators would benefit if it is allowed and requested that the vote be put to referendum.

Janet Whittingham, resident, spoke against video gaming, stating that she would like the decision to be made by vote of the Village Council because a majority of the public is against it anyway, so it is not necessary to put it to referendum.

Charlie Ecker, resident, spoke against video gaming, stating that it would be bad for the community.

Michael Morrissey, resident, spoke against video gaming, stating that he was originally for it until doing research. He asked that it be put to referendum.

Jayshree Sheth, resident, spoke against video gaming, issues with gambling addictions, and the negative impact it could have on the Downers Grove brand.

Scott Richards, Warren Ave., spoke against video gaming, stating that people that want to gamble can go to nearby communities that offer it and requested that the vote be put to referendum.

Marshall Schmitt, Seeley Ave., spoke against video gaming, its negative impacts, the need for the Council to discuss this topic, and suggested the vote be put to referendum.

Ann Riley, resident, spoke against video gaming, how it would affect the Downers Grove brand, and requested it be put to referendum.

Anthony Schroeder, resident, spoke against video gaming, stating that the residents have worked hard to create the Downers Grove brand and he does not think it is worth it financially to allow it in the community.

Carrie Presson, resident, spoke against video gaming, concurs with residents that spoke before her, is worried about what it will do to the Downers Grove brand, and requested that it be put to referendum if the Council does not vote against it.

Dana Cox, resident, spoke against video gaming and the neon signs associated with it, stated that she wants to preserve the community, and asked that it be put to referendum if the Council does not vote against it.

Sam Schroeder, Forest Ave., spoke against video gaming, thinks that most of the community is against it and that many people do not know that it is a topic being discussed, asked that it be put to referendum.

Joyce Economides, resident, spoke against video gaming, thinks this is wrong for the community and asked that it be put to referendum.

Melissa Brennan, Prince Street, spoke against video gaming, the negative affects it could have on the brand of Downers Grove, and asked that it be put to referendum if the Council does not vote against it.

David Mathias, resident and builder, spoke against video gaming and said about all that went into building Downers Grove into what it is today. He asked the Council to vote no.

Kim Ecker, resident, spoke against video gaming and stated that she will not patronize establishments that offer it.

Tom Schoeder, Forest Ave., spoke against video gaming, stated that a majority of the community is against video gaming and requested it be put to referendum if there is a split vote amongst the Council.

Nell Sorenson, resident, spoke against video gaming, stating that there is no evidence of a positive economic impact on communities that offer it, that she would like for the Council to take their time discussing this, and asked that this be put to referendum.

Bob Taft, Downers Grove business owner, spoke in support of video gaming and the increase in additional revenue through food and beverage tax dollars at establishment that would be allowed to have it. He spoke of patrons that frequent establishments in surrounding communities that allow video gaming and mentioned that those at the meeting against this topic only represented 1/20th of 1% of the Downers Grove population.

Village Council Comments/Questions

Commissioner Sadowski-Fugitt is in support of video gaming. She reiterated the restrictions outlined in the Video Gaming Ordinance. She said she is not opposed to revisiting video gaming in one year and that she is concerned about the misinterpretations and misconceptions she has seen online. Commissioner Sadowski-Fugitt stated that if there is interest in this being put to a binding referendum, it is something the community would need to do on their own via the Video Gaming Act. She said she cannot find data to support many of the concerns she has heard. The Commissioner Sadowski-Fugitt said she has heard from many residents that support this and are not comfortable coming to Council meetings and speaking for it. She stated she supports a provision to come back and look at this in one year and offered that to her peers as a compromise. The Commissioner said she does not see any of the negatives outweighing the potential benefits for the establishments that would offer it (they are located on the outskirts of town). She noted she would like to stick with 10 licenses at this time and possibly re-evaluate the number in the future.

Commissioner Glover stated that he supports video gaming. He said the way the ordinance is written, video gaming in Downers Grove will not be the same as it is in the surrounding communities. Commissioner Glover reviewed the restrictions listed in the ordinance and spoke about the aesthetic piece of this. He noted that he thinks the Village Code should be enforced at all times by charging the highest possible fines to offenders. Commissioner Glover suggested exempting Club "C License" establishments from the limit of 10 licenses.

Commissioner Hose arrived and joined the meeting at this time.

Commissioner Gilmartin stated he is not in support of video gaming. He thanked those that have reached out to the Council and said that a vast majority of the feedback is against it. Commissioner Gilmartin noted that he does not see evidence to support this. He stated that the Village only lost one restaurant during COVID, stating that it was largely in part of the support the community showed the restaurants. He noted he would like to put this to referendum. Commissioner Gilmartin spoke about how this is a different type of gaming, with the use of lights and sounds and he does not believe it is the same type of gaming as sports betting or the lottery. He spoke about other issues that may come about if it is allowed, such as making changes to the Village Sign Ordinance to accommodate gaming. The Commissioner further stated that changes to the Sign ordinance can affect establishments that do not even offer video gaming. Commissioner Gilmartin said he agrees with having only 10 licenses and would like 2 reserved/earmarked for

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Club licenses. – including the one that is already at the Moose. He also said he has no interest in lowering the fee structure and thinks there should be a requirement for a security camera, since the room will be closed off with a seven foot wall. The Commissioner said he thinks the building owners should have an opportunity for disclosure before allowing video gaming in their establishments. He suggested that since approximately 37 establishments would be eligible to have video gaming, the establishments should be allotted a 120-day window to complete the paperwork required by the State to be eligible apply for the licenses, and then the Village should pick a day after that to hold a lottery for the licenses.

Village Attorney Enza Petrarca said that the State already requires a security camera for video gaming areas.

Village Manager Dave Fieldman gave a breakdown of the types of licenses included in the total of 37: 29 are establishments that hold Restaurant Liquor Licenses, 3 establishments hold Club Liquor Licenses, and 5 establishments hold Recreational Facility Liquor Licenses.

Commissioner Davenport said he supports video gaming and does not think allowing video gaming will affect the legacy or character of Downers Grove. He also stated that he does not support putting it to referendum because the seven Council members were elected to make decisions for and about the community. He stated he thinks the three clubs should be excluded from the 10 licenses and is intrigued by the lottery idea, stating there is a fairness about it that appeals to him.

Mayor Barnett asked for the Commissioners to give their opinions on the lease issue mentioned by Commissioner Gilmartin. He explained that with Liquor Licensing there is a requirement that in the lease of any Liquor License holder, there has to be verbiage to identify that the owner of the building knows the tenant will be engaged in the sale of alcohol. The Mayor said that there had been a conversation previously amongst the Council about adding the same thing to Video Gaming Licenses.

The Council concurred.

Commissioner José noted that he is against video gaming and believes it should be put to referendum. He said he concurs with what Commissioner Gilmartin has stated over the last couple of weeks. He said this is a yes or no question, not a compromise, as the people have overwhelmingly spoken against video gaming. The Commissioner further stated he believes that the limitations on video gaming as written in the ordinance, i.e. it will be behind a seven foot wall so that it cannot be seen, it will not be allow in the downtown, etc., is to keep the brand of Downers Grove. He questioned why even allow video gaming if it has to be hidden. Commissioner José said he would like this to be put to referendum if not voted down by the Council.

The Mayor asked if all would like the signage requirements (similar to those for establishments that sell alcohol) to be included in these spaces.

The Council concurred.

The Mayor asked that staff include the sign requirement in the ordinance. He also said he liked Commissioner Gilmartin's idea about allowing the establishments a period of time before holding a lottery. The Mayor stated that Council members try to apply the law equally, which may make things move slower. He said this is an opportunity for six or seven businesses to make extra money and does not think it is fair that all 39 businesses (that are eligible) would be not be allowed to have video gaming. He further stated that of those eligible, there is a range in the types of businesses, from Portillos to smaller ones that are just starting out. The Mayor said he is the Liquor Commissioner and he has heard from establishments that stated that they need a Video Gaming License because it would be helpful for them financially. He explained that the Village limits choices. Mayor Barnett noted that rumor has it that one business left the Village because Downers Grove does not allow gaming. He stated when that business left, it was backfilled immediately. The Mayor said he believes that this should be put to referendum and he listed the reasons why:

- It does not provide material value to the Village.
- A limited number of establishments would be selected by the Village to have it.
- A majority of the public is against it.
- There is a divided Council.

The Mayor thinks this is serious enough to ask for the opinions of the community. He explained that there have been five referendums since he has served the Village. The Mayor said he believes it should be put to a referendum. He said this is materially different from many of the decisions the Council has made and the Council is split on this topic. He noted how the marijuana decision was different than this, because at first, the Council did not want it and then later it was a united Council that voted for it. The Mayor said he does not want to lose sight of the businesses that cannot have the licenses. He then reiterated the slight adjustments that need to be made to the ordinance included leases, signage, and the lottery.

Manager Fieldman said the next ordinance will include owner consent, interior warning signs, and a lottery for the application process.

The Mayor asked what the process would be in terms of “control buy” measures, further asking if video gaming control buy measures would be added to the liquor ones already in place. He also asked if it will be an annual thing.

Attorney Petrarca said the State will enforce the gaming portion of this and the Village will enforce the actual ordinance as written through Code Enforcement or the Police Department with inspections on a regular basis. She explained that “Control Buys” would determine if patrons are under 21 in the gaming rooms, etc., just as is done with liquor. She said other provisions would be enforced by Code Enforcement Officers during annual inspections.

Commissioner Gilmartin questioned what Commissioner Sadowski-Fugitt meant about revisiting this in a year, not quite a sunset clause though.

Commissioner Sadowski-Fugitt suggested setting a date in a year, so that staff could give them whatever data they decide should be collected in a year, to review and decide if video gaming is meeting their expectations or if there are any concerns with it.

Commissioner Gilmartin said he concurs with that. He noted that when speaking of this as a “Trojan Horse” he was referring to those establishments that are pushing for it, but will not have it. The Commissioner asked about the prohibition of video gaming cafes, the three components of the definition of cafes, and how that portion of the ordinance would be enforced.

Manager Fieldman said other portions of the draft ordinance are clear (i.e. about room size, etc.) and Village staff would have an objective way of determining if it was a cafe. He further stated that if there were a cafe, the establishment would not be allowed to operate in the same manner going forward. Manager Fieldman said by design, the staff’s objective was to make it more clear with the other components of the ordinance.

Commissioner Gilmartin asked what the consequences are if establishments are run as a cafe.

Attorney Petrarca said they would lose their license.

Manager Fieldman said the liquor license and the video gaming license would be tied together; if an establishment loses one, they would lose both.

Commissioner José expressed interest in Commissioner Glover’s comments from last week about using funds toward Police Pension Funds and said he would like that written in the ordinance.

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Commissioner Gilmartin said he would rather the funds go toward Human Services, but he might be outnumbered.

Commissioner Davenport said he would rather not see the funds be earmarked.

Manager Fieldman said he wanted to make sure the majority of Council agreed – four members concurred, including Mayor Barnett, Commissioner Glover, Commissioner José, and Commissioner Sadowski-Fugitt.

Manager Fieldman clarified that if passed, the funds would be dedicated revenue to Public Safety Pension required contributions.

Commissioner José stated that it should be included in the smoothing method that will be added for the Public Pension Funds.

Manager Fieldman concurred with Commissioner José and said that it would be introduced in the Budget, in just a couple of weeks.

Commissioner Sadowski-Fugitt said that if this goes to referendum, she wants to be during a General Election because it is a better representation of the community. She said she would have a greater comfort level with a resident-led effort for a binding referendum. The Commissioner explained that she has no ties to the Chamber of Commerce or any businesses in town, but noted that if residents do not vote for it, then the businesses would not benefit from it. She reiterated that if passed, she would like to revisit the topic in one year.

Commissioner José asked Commissioner Sadowski-Fugitt if she is in agreement with a resident-led binding referendum campaign and if she would commit to tabling the item until the referendum vote were to take place. He asked if she would commit to live by the results.

Commissioner Sadowski-Fugitt said if it is a binding referendum, she would have to commit to it. She said the November 1st deadline date for this item is arbitrary.

The Mayor stated the November deadline is not arbitrary. He said that November 1st is meaningful, even if this does not happen, because it affects the types of the types of Liquor Licenses that the Village will be issuing.

Commissioner Gilmartin noted that the Village has created a Liquor License solely to exclude Downtown businesses from having gaming. He reiterated that this is a low cost, high profit investment for businesses – stating that the heavy lifting is done by the terminal operators. The Commissioner further stated that he does not see this as an investment, as there are costs to it.

Commissioner Davenport asked the staff about enforcement, ensuring that there are no establishments that rise to the level of a gaming cafe. He asked if there is a way to craft the renewal application in a way that would ensure that establishments are not a gaming cafes (submitting data and charts to prove it).

Attorney Petrarca said yes, that could be added as a provision on the application. She further stated that establishments are always required to provide their layout.

The Mayor compared it to Liquor Licensing, stating that it was not clear at first, but there is a better handle on it now because of the Food and Beverage Tax.

Attorney Petrarca said there would be more data with this than there was in the past.

Manager Fieldman said the draft ordinance that will be prepared for the next Council consideration will include the concept of owner consent, interior warning signs, the lottery approach, and distribution of revenue to the Public Safety Funds.

Commissioner Gilmartin stated his interest in a one-year review would only be if it were a sunset clause, stating with the clause it would not pass unless the Council approved it again.

Commissioner Sadowski-Fugitt said by allowing the one-year check-in, if a referendum were to come forward, it would give the Council the opportunity to have further conversation. She stated it would cover the bases of the concerns even if it moves forward, as the Council could still have conversation about it in the future.

Manager Fieldman made a clarification that if the Council would like to discuss the item in one-year, that would not be included in the ordinance, it would simply be a check-in in one year's time. However, a sunset clause would need to be written into the ordinance.

Commissioner José said he does not believe a one-year check-in is necessary, as any of the Council members can bring the subject up as new business at any time. He noted that if it passed, he would be very interested to see the sunset clause, but he would rather push a pause button and allow for a referendum – whether during the Primary (March) or in the General Election (November).

Commissioner Davenport said he does not think a check-in should be included because the Council can check-in at anytime. He also stated that he is not interested in the sunset clause either, as he does not want to debate this topic again in a year.

Commissioner Glover said he is not interested in a sunset clause.

Commissioner Sadowski-Fugitt stated she does not agree with a sunset clause because she thinks there is potential for misinformation to be spread.. She noted she would like a check-in after a year, further stating that if there ends up being a group of residents who are interested in taking up a binding referendum, she would follow whatever the residents desired at that point.

Mayor Barnett stated that a majority is not in agreement with the sunset clause.

Manager Fieldman said the schedule that staff put together indicates that this would be on the Active Agenda next week for vote, as all of the Council members are expected to be present. He asked if Council agreed.

The Council concurred.

ORD 2023-10050 — B. Ordinance: Amending Certain Zoning Ordinance Provisions

Village Community Director Stan Popovich presented via PowerPoint and provided details about the text amendments to the Zoning Ordinance.

Village Council Comments/Questions

Commissioner Davenport said he is in support of staff recommendations and he believes this will clarify the ordinance.

9. Attorney's Report

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

1. An ordinance amending certain Zoning Ordinance text amendment provisions.
2. An ordinance establishing video gaming regulations.

10. Mayor's Report

Mayor Barnett said that he encourages conversations within the scope of Village governance. He spoke of things that happen beyond that, such as the murder of George Floyd, and the October 7th attack of Hamas on Israel. He stated that the Village would like to make it clear that it is against the actions of Hamas (and other terrorist groups). He said that Downers Grove stands in support of Israel and reminds residents and businesses that discrimination is not welcome in Downers Grove.

11. Council Member Reports

Commissioner Sadowski-Fugitt gave a shout-out to EQuality Downers Grove and the Downers Grove Public Library for hosting Supporting LGBTQ Plus Youth Through Traumatic Experiences. She explained that this event was about how to engage those that experienced various forms of trauma.

Commissioner Gilmartin said the 100 Women Who Care, a group that supports local charities by pooling donations from members, is having their first of four donation events of the year. Their meeting will take place on Wednesday, November 1st at 7:00 pm at Neat Restaurant in Westmont. He explained the process of nominating a charity. The Commissioner also said the EDC is having their first Spark Event on Thursday, October 19th at 9:00 am at the Belmont Golf Club. Lastly, Commissioner Gilmartin thanked the Mayor for his words in the Mayor's Report, and also spoke about the tragic loss of a six-year-old in Plainfield.

Commissioner José also thanked the Mayor for his words and reiterated that discrimination and hate are not welcome in Downers Grove.

Mayor Barnett called for a five-minute break and invited all to reconvene in the Committee Room for the Manager's Report – A discussion on the Fairview Focus Area Implementation.

12. Manager's Report**INF 2023-10037 — A. Information: Fairview Focus Area Implementation: Discussion of the Project Area and Land Use Recommendations**

Community Development Director Stan Popovich presented via PowerPoint. He explained that in the Council's Long Range Plan there are 18 Priority Action Items (PAI) to be completed over the next 20 month period, through May of 2025. He stated that included in the PAI is an update of the 2017 Comprehensive Plan and related action items; included in those items is the Fairview Area Plan Implementation. Mr. Popovich explained that the purpose of this meetings discussion was to define the project area and clarify the land use recommendations, which could lead to amendments to the Zoning Ordinance and Zoning Maps. He said that staff is looking for policy direction from the Council during the discussions. Mr. Popovich reviewed the proposed and potential boundaries of the focus area, the existing use, and the land use recommendations. He noted the land use recommendations are similar to those of the downtown and said that staff is looking for Council clarifications as to whether the existing land uses are appropriate or if they want existing industrial uses to be relocated or redeveloped.

Mr. Popovich displayed a map on the screen in the Committee Room to reflect the area being discussed.

Village Council Comments/Questions

The Mayor started the conversation asking with regard to the 2017 Comprehensive Plan's definition of uses and acceptable uses, did anyone want to see any changes?

Manager Fieldman asked if the Council thought the uses on the map were appropriate or are if there were uses that Council would like to add.

Commissioner José said that the existing uses are not appropriate. He said he would like to have a discussion with some of the industrial users, to see if they can be moved to another area of the Village. The Commissioner said he wants this area to be redeveloped as a connection to the downtown and he wants to take advantage of that at this time. He spoke about wanting to see more multifamily or single family attached homes included in this area and outlined the areas of the map he would incorporate into the focus area along Rogers and east of Fairview.

The Mayor asked Commissioner José if he thought there were any uses that he wished were incorporated into the are that are not at this time. He also asked the Commissioner if he liked the Map displayed.

Commissioner José said if he had a little extra time he could think of 20-30 uses and regarding the map displayed, he may tweak it by grabbing parcels in certain areas, but by and large, yes he agreed.

Commissioner Glover stated if the goal is to create a connection between the downtown area and the Fairview area, the industrial use along Rogers is not appropriate. He spoke about extending boundaries north of Rogers, and including multifamily homes, with a buffer to single family homes.

Commissioner José concurred that they should do that, adding that they could possibly tweak it a little on the east end of Fairview and south end of 2nd Street. He said the bigger the better.

Commissioner Glover noted that he agrees with Commissioner José on extending the area to the east end of 2nd Street.

Commissioner Davenport said he would default that anything zoned multi-family be included in this. He said he could see having conversations about some of the single family home adjacencies being included in this, outlining the areas he would include; further stating that he could see conversations about areas currently zoned single family somehow being in the focus area. Commissioner Davenport noted that he is confused by the “existing uses being appropriate” language in the current Comprehensive Plan. He stated that the industrial properties are not being used to the fullest extent at this time. Commissioner Davenport said no to automobile-oriented uses.

Commissioner Sadowski-Fugitt said she agrees with Commissioner Davenport on including some of the multi-family areas. She said she is not for keeping the existing uses. Commissioner Sadowski-Fugitt said she is in favor of a connection to the downtown and potentially getting more retail/service-type industries in this area – including restaurants, brew pubs, etc. She thinks that anything they do to help boost the use of the Fairview Station and the economy of the area would be a benefit to residents.

Commissioner Gilmartin stated that he agrees with extending into multi-family parcels and he asked if Prospect was far enough east to connect to the downtown.

Mr. Popovich noted that the Downtown Transition (DT) Zoning started at Prospect.

Commissioner Gilmartin said he wants this to be a little different than the downtown, such as having theater performance types of establishments and other businesses that create a separate atmosphere.

Manager Fieldman noted the idea of a wider use of mixes but asked if it should be so wide that it captures existing uses.

Commissioner Gilmartin stated that some of the existing uses are not appropriate, and he thinks there is a vision to work backwards from. He noted that he does not want automobile uses here.

Commissioners Hosé and Sadowski-Fugitt both said no to automobile uses as well.

Commissioner Davenport said he agrees with Commissioner Gilmartin and he does not want this area to emulate the downtown. He compared it to something like Seven Bridges or areas near and around vibrant college campuses.

The Mayor stated he would not limit the focus area to multi-family and would also include single-family, outlining the areas of 2nd Street and many other areas he would like to include in the focus area. He said the discussions the Council is having should lead to visions, public decisions about infrastructure, investments, and financing tools. He wanted to have bigger spaces available; further stating that during the experience of redeveloping the downtown, the Village bought a bunch of property and put it together. He also spoke of the lot sizes along Ogden Ave being a challenge.

Mayor Barnett asked what property the Village owns at this time in the focus area.

Mr. Popovich reviewed the parcels the Village owns, which included a portion of the train station parking lot.

Manager Fieldman said that people assume that the Village owns and controls parking lots, but the Village has many parking agreements; further stating that the Village has agreements with BNSF. He said the Village has a good working history with BNSF and other underlying landowners.

The Mayor pointed out that with those agreements are challenges when it comes to trees, fencing and crossings. He further stated that those parties that have agreements with the Village may have expectations that likely do not meet the Village's.

Commissioner Davenport asked about the lots on Grand Avenue.

Mr. Popovich reviewed the uses of the lots, including single family homes and multifamily complexes.

Commissioner Davenport noted that those are large parcels and more can be done with them in the future, if someone were to choose to do so.

The Mayor referenced the Village property and said he agrees with the opinions given on uses. He spoke about reactions people will have when other types of uses are encouraged, such as a infrastructure for performance type environments. The Mayor stated that as they are outlining the areas and uses they would like included on this map, the Council needs to understand this is more than just considering the area; there are decisions that could be made that could have radical impacts. The Mayor asked Attorney Petrarca about the Village's rezoning in the Downtown area (in approximately 2017) - when definitions were added and expanded, i.e. Artisan Manufacturing, were they tied to DT and DB definitions.

Attorney Petrarca said yes they are allowed in those zoning districts.

The Mayor stated he wants to be thoughtful when using the word "industrial". He further stated that he does not think the Council wants "industrial" use, as used in the classic definition, but he suspects they will want to include some type of manufacturing-ish things.

Commissioner Hosé agreed, stating that Goldfinger Brewing Company (currently in the area discussed) fits because it is "quasi" industrial.

Manager Fieldman summarized the discussion stating that artisan-type industrial and small-scale maker spaces would be okay but heavy industrial would not be okay.

The Mayor noted he has no interest in warehousing.

Manager Fieldman asked if the Council if they think self-storage and warehousing would be considered industrial-ish.

The Council concurred.

Mayor Barnett said no to automobile use.

Mr. Popovich summarized what he heard by noting some of the existing uses are appropriate, but heavy manufacturing industrial use is not okay. He reiterated that the idea of vibrancy in the area (university feel) would be different than that of the downtown area.

Manager Fieldman said that staff would put together an interpretation of the 2017 Comp Plan Recommendations (sort of modified) based on what was heard during this meeting; further stating this would include what was heard in terms of land use recommendations and some adjusted boundaries. Manager Fieldman said staff is hoping to have this available to them for the next discussion.

The Mayor explained that this process is continuing and ongoing and will take much more than one meeting.

Commissioner Gilmartin said he would like the opportunity to discuss the vision of this area sooner rather than later. He said he would like more information about a university type of feel and possibly bring the EDC into the discussion. The Commissioner said he wants more guidance about what uses they want over others, to fit the feel they are looking for.

Manager Fieldman stated that from the input that was given, staff is at a good place to work on the zoning framework next. He asked if everyone is looking for EDC input.

The Council concurred.

Mayor Barnett agreed and said he would like for the Council members to write a narrative of their visions, share it with Legal, before sharing it at the next meeting.

Manager Fieldman suggested a good place to start is to read the opening paragraphs of the current Comprehensive Plan.

The Mayor stated that this is the type of homework that would help the entire Council.

Public Comment

Scott Richards, resident, asked how much of the map in this vision includes peoples homes – asking if those residents homes are going to loose their homes.

Mayor Barnett explained this discussion is about what this area will look like 25 years from now. He suggested Mr. Richards take time to review the future land use map - it shows what can be done in terms of land use.

Manager Fieldman stated that this is a zoning exercise and is the front end of the project. He said it will take a while to get to the categories, which will include facilitations and financial policies.

Miles Boone, owns a building on Fairview, asked if he should put money into his building or do minimal work to it

Mayor Barnett stated that in 1997 or 1998 there was a similar exercise, involving rezoning, for the downtown area. That included a process and it took over 15 years. He explained that nothing about this exercise should direct any existing landlords in the area discussed to make choices at this time. The Mayor said this is just an exercise to put together a vision of what the Council wishes the area to look like in 20 years.

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Mr. Boone spoke about a 2017 discussion (about the Comp Plan) that the Council had about his block and plans for what it should look like; he asked if this was the same type of discussion.

Mayor Barnett compared this to the downtown, explaining there were a couple sets of renderings of what it might look like. He explained that would be the next step once the Council had some clarity on direction.

Mr. Boone wanted confirmation that the Council is a ways off from actual change.

The Mayor concurred.

Commissioner Gilmartin said that the Comprehensive Plan was visionary and there was not a lot of action behind it. He said that the Council has said this is an important part of what they want to see. He explained that the Council would like to make this a connection to the downtown. He said this is the very first step to enacting this. The Commissioner said that he thinks that Goldfinger Brewing has been a catalyst to what the Council wants in the area, mainly because of its location between the downtown and Fairview.

Mr. Richards spoke again, saying that he thinks making this too much like the downtown would draw people away from the downtown area.

Mayor Barnett compared this to areas in Lagrange.

Chris Johnson, owner of sever property in the area, spoke about concerns with setbacks and zoning because he owns property on Fairview and there are limits to what he can do with his property. He also spoke about how commuting to downtown Chicago has changed and advised the Council to exercise caution with creating a tertiary downtown Downers Grove.

Mr. Popovich explained the Comp plan vision and explained that the goal is to make the Fairview area a more walkable area, explaining how the buildings will be situated on their parcels differently.

Manager Fieldman said the plan will lessen the required setbacks, not increase them.

Mr. Johnson said that the paperwork included in the agenda materials indicated “an exaggerated setback” where his property is located.

Manager Fieldman said that staff would take a look at that.

Mayor Barnett said that Mr. Johnson’s input is an important part of this process.

Robin Tryloff asked where Whittier School is located on the Map.

Mayor Barnett showed her where it was on the map.

Ms. Tryloff spoke about past conversations the Council had stating that Fairview would be a good place to offer affordable housing. She expressed that she hoped affordable housing would be included in this plan.

Mr. Richards spoke of Fairview Ave. becoming the “Main Street” of the area and said it would be too narrow and would not offer enough parking. He suggested building a parking deck in that area.

Mayor Barnett said to think of it as a second Maple Ave.

Manager Fieldman said that street widths would be part of the Street Scape Plan that would be coming early next year.

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Tom Beckmann, Owner of Goldfinger Brewing Company, said he opened Goldfinger in the area discussed and has more of a philosophy about possibly improving the industrial buildings currently there. He said he likes the idea of making this an artsy area and does not want to bulldoze areas.

Mr. Boone said that good things can come out of repurposing a building.

Mayor Barnett thanked the residents for coming out.

13. Adjournment

Mayor Barnett asked for a motion to adjourn the meeting.

***MOTION:** To adjourn the October 17, 2023 Village Council Meeting.*

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

***MOTIONED TO APPROVE:** Commissioner Hosé*

***SECONDED BY:** Commissioner Sadowski-Fugitt*

***AYES:** Commissioners Hosé, Sadowski-Fugitt, Davenport, Glover, Gilmartin, Mayor Barnett*

***NAYES:** None*

Mayor Barnett declared the motion carried by voice vote and the meeting adjourned at 10:52 pm.

Respectfully Submitted,

Rosa Berardi
Village Clerk