



## Meeting Minutes

Village of Downers Grove - Council Meeting

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**Council Chambers**

**March 12, 2024**

**07:00 PM**

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### 1. Call to Order

Mayor Barnett called to order the Village Council meeting at 7:00 pm and led those in the room in the Pledge of Allegiance to the Flag.

### 2. Roll Call

**Council Attendance (Present):** Mayor Barnett, Commissioner José (arrived at 7:50 pm), Commissioner Sadowski-Fugitt, Commissioner Gilmartin, Commissioner Tully, Commissioner Glover, Commissioner Davenport

**Council Attendance (Not Present):** None

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

### 3. Minutes of Council Meetings

**MIN 2024-10191** — A. Minutes: Village Council Meeting Minutes - March 5, 2024

**MOTION:** To adopt the Meeting Minutes of the March 5, 2024, Village Council Meeting, 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, Tully, Glover, Mayor Barnett

**NAYES:** None

**MIN 2024-10316** — B. Minutes: Executive Session Meeting Minutes for Approval Only - March 5, 2024

**MOTION:** To adopt the Executive Session Meeting Minutes from March 5, 2024, 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, Tully, Glover, Mayor Barnett

**NAYES:** None

### 4. Public Comments

Warner Kiunte,a resident, expressed his support to remove a member from the Library Board. He made several other requests of the Village Council.

Noel Manley, resident of Darien, IL, expressed concerns about the Library and his support of Library Trustee Bill Neinburg.

## 5. Consent Agenda

**BIL 2024-10182** — A. Bills Payable: No. 6788 - March 12, 2024

**RES 2024-10308** — B. Resolution: Authorizing the Purchase of Replacement Vehicles and Certain Equipment

**Summary:** This resolution authorizes staff to purchase up to six (6) vehicles and pieces of equipment in an amount not to exceed \$381,000 and waiving competitive bidding.

### RESOLUTION 2024-32

#### **A RESOLUTION AUTHORIZING THE PURCHASE OF REPLACEMENT VEHICLES AND CERTAIN EQUIPMENT**

**MOT 2024-10295** — C. Motion: Approve a Contract with R.W. Dunteman Company for the 2024 Street Resurfacing Contract B.

**Summary:** This motion awards a contract for the 2024 Street Resurfacing Contract B to R.W. Dunteman Company of Addison, Illinois in the amount of \$3,377,000.00.

**MOT 2024-10298** — D. Motion: Approve a Contract with Concept Plumbing, Inc. for the Curtiss Street & Glenview Avenue Drainage Improvements.

**Summary:** This motion awards a contract for the Curtiss Street & Glenview Avenue Drainage Improvements to Concept Plumbing, Inc. of Palatine, IL in the amount of \$1,658,000.00.

**RES 2024-10314** — E. Resolution: Approve an Amendment to the Agreement with Armstrong Relocation Company, Illinois, LLC to Increase the Scope of Work Related to the Civic Center Project.

**Summary:** This resolution approves an amendment to the contract with Armstrong Relocation for decommissioning services to increase the scope of work related to the Civic Center Project, resulting in a total not-to-exceed cost of \$83,880.

### RESOLUTION 2024-33

#### **A RESOLUTION AUTHORIZING EXECUTION OF AN AMENDMENT TO THE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND ARMSTRONG RELOCATION COMPANY, ILLINOIS, LLC**

**MOT 2024-10315** — F. Motion: Authorize the Allocation of 1,800 Tons of Rock Salt with DuPage County and 2,000 Tons with the State of Illinois for the 2024/2025 Season.

**Summary:** This motion authorizes the allocation of 1,800 tons of rock salt with DuPage County, and 2,000 tons with the State of Illinois for the 2024/2025 season.

**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, Tully, Glover, Mayor Barnett

**NAYES:** None

## 6. Active Agenda

**MOT 2024-10303** — A. Motion: Approve the Lead Service Line Inventory and the Initial Lead Service Replacement Plan, for Submittal to the Illinois EPA by April 15, 2024.

**Summary:** This motion approves the Lead Service Line Inventory and Initial Lead Service Replacement Plan, for submittal to the Illinois EPA by April 15, 2024

**MOTION:** To approve **THE LEAD SERVICE LINE INVENTORY AND THE INITIAL LEAD SERVICE REPLACEMENT PLAN, FOR SUBMITTAL TO THE ILLINOIS EPA BY APRIL 15, 2024, as presented.**

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

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

**SECONDED BY:** Commissioner Gilmartin

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**AYES:** Commissioners Sadowski-Fugitt, Gilmartin, Davenport, Tully, Glover, Mayor Barnett**NAYES:** None**7. First Reading****ORD 2024-10307** — A. Ordinance: Authorizing an Extension of Special Use Ordinance 5477 for 1300-1400 Butterfield Road to Permit a Restaurant with Drive-Through and Parking Variation to September 7, 2024.

Community Development Director Stan Popovich presented via PowerPoint. He shared a map of the property and explained that this is a Special Use extension for the Wendy's Restaurant located at 1330 Butterfield Road.

**Village Council Comments/Questions:**

Commissioner Tully said that good cause had been shown to extend this special use, as required by the Village's Municipal Code. He said that he supported this item.

Mayor Barnett stated that in most cases, special uses needed to be engaged in within a period of time or an extension needed to be requested. He explained that this item is clerical in nature.

**8. 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 authorizing an extension of Special Use Ordinance 5477 for 1300-1418 Butterfield Road to permit a restaurant with a drive-through and parking variation to September 7, 2024.

**9. Mayor's Report**

Mayor Barnett noted that the Council would decide what type of action would be taken with regard to the Library Trustee Nienberg. He said the Council will be respectful of allowing the residents to say what is on their mind, but requested everyone's patience and grace while the Council worked through the process.

**10. Council Member Reports**

Commissioner Sadowski-Fugitt said that the Grove Foundation's Passport to Dining would be taking place on April 18<sup>th</sup> and tickets would be on sale soon at Anderson's.

Commissioner Tully noted that on this date in 1933, Franklin Delano Roosevelt gave his first historic fireside chat. He also mentioned that there were exactly 100 days left until the Grove Fest.

Commissioner Gilmartin made everyone aware of the Guiding DG initiatives. He explained that the Council is working through the planning of the Comprehensive Plan and its sub-plans and this would be a way to engage the community in a process that will shape the future of Downers Grove. Commissioner Gilmartin noted the Guiding DG kickoff celebration would be held at the Lincoln Center on Thursday, April 4<sup>th</sup> at 5:30 pm. He stated that [www.guidingdg.com](http://www.guidingdg.com) has more information for those interested, as well as a survey for all to complete.

***The Mayor called for a five minute break. He said the meeting would reconvene in the Committee Room for the Fairview Focus Area discussion. He invited all in attendance to join.***

**11. Manager's Report****MOT 2024-10302** — A. Motion: Fairview Focus Area Implementation - Motion to Direct Staff to Pursue Ordinance Revisions.

The meeting reconvened at 7:29 p.m. The Mayor explained that there had been a few meetings on this topic already

and this meeting was staff's interpretation of the Council's direction on this topic.

Mr. Popovich presented via PowerPoint and provided the night's agenda. He explained that the regulatory framework would be reviewed, along with a concept map of the Fairview Focus Area that included some of the changes that were directed by the Council. Mr. Popovich noted the specifics about the building setbacks and heights in the F-1 and F-3 areas. He then reviewed adjacent buildings in the F-2 and F-3 areas, provided the existing zoning in the areas, and shared a bird's eye view and street view of the buildings. Next, Mr. Popovich discussed the Design Guidelines and spoke of staff's recommendation to change the guidelines in the F-1 area. He then reviewed the Home Occupations in the F-3 area and listed what is currently prohibited as home occupations, suggesting to keep the current list as is. Mr. Popovich also reviewed the lot coverage in the F-3 area and stated that staff proposed 40 percent lot coverage in that area. Land uses were then reviewed, and Mr. Popovich highlighted the uses that staff recommended be removed. Mr. Popovich concluded with an explanation of the next steps listed in his PowerPoint.

Village Manager Dave Fieldman explained that Village staff was looking for confirmation that the framework reviewed met the standards of the Council. He then asked the Council if they were agreeable to the zoning included in the Fairview Focus Area Map.

The Council agreed with the suggested zoning.

Manager Fieldman then asked for the Council's input regarding the height and setback regulations in the areas of adjacent zoning districts.

**Village Council Comments/Questions:**

Commissioner Davenport said he appreciated the graphics put together by staff. He emphasized that the drawings were of the allowable maximums.

Commissioner Gilmartin noted that the areas of the map between areas F-1 and F-3 were streets.

Mr. Popovich reviewed where there were streets currently.

Commissioner Gilmartin stated the application of this zoning plan would be relatively minimal.

The Mayor explained to those at the meeting that the Council had minimal comments because this was the 6<sup>th</sup> of a series of meetings on this topic and that there had been an ongoing conversation.

Manager Fieldman noted that more input was needed on the application of the F-1 Design Guidelines, whether it would involve only new buildings the area or also renovations. He then reviewed the staff's recommendation for both options.

The Mayor reminded all that these Design Guidelines discussed did not pertain to architectural style.

**Commissioner Hosé joined the meeting at 7:50 pm.**

The following Commissioners expressed support that the Design Guideline only be applied to new buildings: Commissioners Sadowski-Fugitt, Glover, Tully and Mayor Barnett.

The following Commissioners expressed their support to apply the Design Guidelines to both new buildings and renovations (renovations with the same triggers as in the Downtown): Commissioners Gilmartin, Davenport and Hosé.

Mayor Barnett said he voted for new buildings only for flexibility purposes.

Commissioner Davenport said if the guidelines were only to be applied to new builds, it could encourage renovations that could be overdone.

Mayor Barnett stated that he recalled past conversations about the renovation of existing buildings and noted his hope that people felt more freedom in the processes to renovate.

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Commissioner Gilmartin said he liked the idea of businesses knowing what to expect. He said he is not a huge fan of the Downtown Design Guidelines, but now that they are in place, he thought they should be the same for the businesses in the Fairview Area.

Commissioner José stated that he liked the familiarity and the same triggers of the Downtown Guidelines, thus he wanted to include renovations.

After this discussion, Manager Fieldman reviewed the Home Occupations allowable in the F-3 area. He expressed that staff felt the current list of expressly prohibited home occupations should remain the same.

Commissioner Gilmartin asked how often requests for home occupations that are not allowed came through.

Mr. Popovich noted that, in general, there were not a lot of home occupation requests. He said the list was more for code enforcement purposes. Mr. Popovich stated that occasionally people inquire about home occupations that are prohibited, but not often.

The Council concurred that the list should remain the same.

Commissioner Sadowski-Fugitt commented that the prohibited home occupations seemed to be those that would be disruptive to neighbors.

Manager Fieldman reviewed the proposed 40 percent lot coverage for the F-3 area and asked if the Council agreed with this.

The Council agreed with 40% lot coverage in the F-3 area.

Manager Fieldman asked if the Council agreed with the land uses that were listed.

The Council agreed.

Commissioner Gilmartin asked how Theater and Auditorium were defined in the Municipal Code, specifically in relation to their distinction in size. He gave an example of envisioning a very small music venue and questioned how that would be defined, i.e., a theater, club, etc.

Manager Fieldman asked Village staff if the current regulations would allow a small music venue.

Mr. Popovich and Planning Manager Jason Zawila said yes.

Commissioner Gilmartin gave his opinion that small theaters would be considered clubs.

Mr. Popovich read the definition of Theaters and Auditoriums in the Municipal Code.

Mayor Barnett asked if there is anything in the proposal to prevent a small music venue from opening.

Attorney Petrarca said No.

Commissioner Tully said there would probably be food and drinks, so some other uses would play a part as well.

Attorney Petrarca stated with establishments coming in as permitted use, as opposed to special use, there are a set of guidelines including things like parking. She noted that larger establishments, i.e. cinemas and movie theaters, come into the Village by right. Ms. Petrarca stated that the venues that Commissioner Gilmartin was referring to would most likely be classified as a restaurant or bar that will have live entertainment.

Mayor Barnett stated that in general there was insufficient parking in the downtown. He said that parking does not comply with the rest of the code.

Manager Fieldman outlined that early on in the process, the Council direction was to make the zoning in the Fairview

Area more permissive than the Downtown.

Several Council members agreed.

Manager Fieldman reviewed the steps taken thus far in the process and what the next steps would entail. He said staff would be working on the rezoning portion of the process over the next couple of months, and property owners/occupants would be notified of any rezoning that may affect their property.

***Commissioner Tully made the motion to Direct Staff to Pursue Ordinance Revisions to Implement the Fairview Focus Area Regulatory Framework, as presented.***

***The motion was seconded by Commissioner Davenport.***

Commissioner Gilmartin commended Village staff and the Council for their great work on this and for being so efficient.

**Public Comment:**

Warner Kiunte asked if the land use would permit religious organizations (that move into the community) to use a house as church.

Mr. Popovich stated that is not currently permitted in F-1 or F-2, but is permitted as a Special Use in F-3.

Janet Whittingham expressed that, in her opinion, the area would be too dense if following through with what Village staff proposed as the maximum allowed in the area. She expressed concern that certain uses should not be permitted and compared the proposed Fairview Area to Maple Avenue. Ms. Whittingham asked if the Council would change their current plans if the public's opinions were different than that of the Council.

Robin Tryloff, a resident, thanked the staff and Council for exploring inclusionary housing/affordable housing in the area.

Scott Melrose, a resident, said he is new to this subject and asked if this is something that came from the 2017 Development Plan, and if the scope of this is to make the area more uniform and more permissive than it currently is.

Mayor Barnett said yes. He encouraged him, and all the other residents, to spend time on the website to get caught up on the subject and to come to future meetings.

***MOTION: To adopt A MOTION TO DIRECT STAFF TO PURSUE ORDINANCE REVISIONS TO IMPLEMENT THE FAIRVIEW FOCUS AREA REGULATORY FRAMEWORK, as presented.***

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

***MOTIONED TO APPROVE: Commissioner Tully***

***SECONDED BY: Commissioner Davenport***

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

***NAYES: None***

Mayor Barnett said that there would be a draft ordinance worked up with this direction from the Council. He assured Ms. Whittingham that the Council would listen to input and consider it.

Commissioner Tully said the Council makes changes every year. He stated that there were changes made the year after this was done to the Downtown. Commissioner Tully noted that this is the framework, and based on his experience with the Village, adjustments will continue to be made in an effort to make it better.

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**Public Comment:**

Scott Richards, a resident, asked what the April 4<sup>th</sup> kickoff would involve.

Commissioner Gilmartin said April 4<sup>th</sup> is the Guiding Downers Grove kickoff event and the first opportunity for public input.

Commissioner Davenport reminded everyone that the Guiding Downers Grove website just went live a few days before the meeting.

**12. Adjournment**

*Mayor Barnett called for a motion to adjourn the meeting into Executive Session.*

***MOTION: To move to convene into closed session pursuant to section 2(c)(1) of the Illinois Open Meetings Act to consider the appointment, employment, compensation, discipline, performance, or dismissal of specific employees, specific individuals who serve as independent contractors in a park, recreational, or educational setting, or specific volunteers of the public body or legal counsel for the public body.***

***To move to convene into closed session pursuant to section 2 (c)(3) of the Illinois Open Meeting Act to consider the selection of a person to fill a public office, as defined in this Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance.***

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

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

***SECONDED BY: Commissioner Gilmartin***

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

***NAYES: None***

The meeting adjourned into Executive Session at 8:13 p.m.

Respectfully Submitted,

Rosa Berardi  
Village Clerk