



Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

June 04, 2024

06:00 PM

1. Call to Order

Pledge of Allegiance to the Flag

2. Roll Call

Council Attendance (Present): Mayor Barnett, Commissioner José, Commissioner Sadowski-Fugitt, Commissioner Tully, Commissioner Gilmartin, Commissioner Tully, Commissioner Glover, Commissioner Davenport (arrived at 6:12 p.m.)

Council Attendance (Not Present): None.

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

3. Executive Session

A. Convene into Executive Session Pursuant to Section 2(c)(3) of the Illinois Open Meetings Act to consider the selection of a person to fill a public office which the Village Council is given power to appoint under law or ordinance.

MOTION: To convene into closed session pursuant to Section 2(C)(3) of the Illinois Open Meetings Act, to consider the selection of a person to fill a public office as defined in the 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 José

SECONDED BY: Commissioner Sadowski-Fugitt

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

NAYES: None

4. Call to Order (7:00 p.m. – Reconvene into Open Session)

Pledge of Allegiance to the Flag

5. Proclamations

A. Pride Month

Mayor Barnett read the proclamation and presented it to members of EQDG.

6. Minutes of Council Meetings

MIN 2024-10389 — A. Minutes: Village Council Meeting Minutes – May 21, 2024

MIN 2024-10386 — A. Minutes: Executive Session Meeting Minutes for Approval Only – May 21, 2024

MOTION: *To adopt the Meeting Minutes of the May 21, 2024, Village Council Meeting and the Executive Session Meeting Minutes of the May 21, 2024, Village Council Meeting, as presented.*

RESULT: *Motion carried unanimously by voice vote.*

MOTIONED TO APPROVE: *Commissioner José*

SECONDED BY: *Commissioner Sadowski-Fugitt*

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

NAYES: *None*

7. Public Comments

Eileen Briner, resident, requested the Council's careful consideration during the appointment process for the Library Board Trustee.

Jeffrey Mack, resident, requested the process to appoint the Library Board Trustee member occur during open meetings rather than closed session meetings.

Sam Shaheen, landlord of a center on Ogden Avenue, said that he has had an issue with the Village's permit process at the 1402 location and requested assistance.

Selma Moberg, resident, expressed concern about the Council's approval of 902 Maple development at the May 21st Village Council Meeting, the lack of the Council listening to community input and the Village's transparency.

Clorinda Greco, business owner, expressed concerns with resident parking on the first floor of the parking deck and with outdoor dining taking up parking spaces in the downtown area.

Lynn Rivera, resident of 2nd Street, expressed concern with the Fairview Area Project and rezoning that may affect the zoning of her home. She requested clarification about this. Mayor Barnett asked her to provide her name and number to Deputy Village Manager Mike Baker for staff to communicate with her and provide clarification.

Janet Whittingham, resident, thanked the Mayor for the thoughtful Pride Month proclamation, and she opined that the appointment of the Library Board Trustee is within the Village Council's purview

James Kelly, resident, expressed concerns about the condition of the building he is moving out of on Ogden Avenue. He also spoke of safety concerns with cars racing in the parking deck.

Mayor Barnett explained that the Council does its best to give everyone the chance to speak. He explained that the Guiding DG process is at least a year from completion, and there have been at least 20 opportunities for public engagement thus far and there will be dozens more to come. He reminded all that public input is welcome on subjects like zoning and parking during this process. The Mayor then spoke of 902 Maple and responded to the derogatory public comments that were made toward Commissioners Sadowski-Fugitt and Tully. He expressed that it is unfair for anyone to think that any member of the Council does not care about the community, and he stressed that it is not OK to pick on individual Council members.

8. Consent Agenda

COR 2024-10224 — A. Claims Ordinance: No. 6555, Payroll – May 17, 2024

BIL 2024-10203 — B. Bills Payable: No. 6804 – June 4, 2024

MOT 2024-10363 — C. Motion: Approve a Three-Year Contract with M.E. Simpson Co., Inc., Valparaiso, Indiana, for Water Distribution Valve Assessment Services

Summary: This motion authorizes the execution of a three-year contract for water distribution valve assessment services to M.E. Simpson Co., Inc. Valparaiso, IN the amount of \$237,474.00.

MOT 2024-10387 — D. Motion: Approve a Contract with Concentric Integration of Crystal Lake, Illinois, for Professional Services to Make Improvements to the Village's SCADA System

Summary: This motion awards a contract for professional services to Concentric Integration of Crystal Lake, Illinois, in the not-to-exceed amount of \$133,224.00, which includes a 5% contingency.

MOTION: To adopt the Consent Agenda of the June 4, 2024, as presented.

RESULT: Motion carried unanimously by voice vote.

MOTIONED TO APPROVE: Commissioner Hosé

SECONDED BY: Commissioner Sadowski-Fugitt

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

NAYES: None

9. Active Agenda

ORD 2024-10372 — A. Ordinance: Increasing the Number of BF Brew Facility and WB Wine Boutique Liquor Licenses

Summary: This ordinance increases the number of BF Brew Facility Licenses by two (2) and the number of WB Wine Boutique licenses by one (1).

MOTION: To adopt **AN ORDINANCE INCREASING THE NUMBER OF BF BREW FACILITY AND WB WINE BOUTIQUE LIQUOR LICENSES**, as presented. **ORDINANCE 6051**

RESULT: Motion carried unanimously by roll call.

MOTIONED TO APPROVE: Commissioner Hosé

SECONDED BY: Commissioner Sadowski-Fugitt

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

NAYES: None

Public Comment

Scott Richards, resident, questioned if the additional licenses will be held in reserve or if they are they already assigned. He further questioned if they are assigned, what are the locations of the licenses. He expressed that he does not want Downers Grove to turn into Downtown Saint Charles.

Commissioner Tully said this just expands the inventory of available licenses because there has been an expressed interest in pursuing them.

ORD 2024-10369 — B. Ordinance: Authorizing a Special Use to Permit Construction of an Accessory Structure Before the Principal Structure is Established at 3928 Morton Avenue

Summary: This ordinance authorizes a Special Use to construct an accessory structure on a lot of record prior to the construction of a principal structure.

MOTION: To adopt **AN ORDINANCE AUTHORIZING A SPECIAL USE TO PERMIT CONSTRUCTION OF AN ACCESSORY STRUCTURE BEFORE THE PRINCIPAL STRUCTURE IS ESTABLISHED AT 3928 MORTON AVENUE**, as presented. **ORDINANCE 6052**

RESULT: Motion carried unanimously by roll call.

MOTIONED TO APPROVE: Commissioner Hosé

SECONDED BY: Commissioner Sadowski-Fugitt

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

NAYES: None

Village Council Comments/Questions

Mayor Barnett reminded all that Active Agenda items have been discussed at least one other time. He said that anyone looking for more information should check the Village website for previous meeting minutes and presentation materials, and YouTube for videos of previous Village Council meetings.

10. First Reading

RES 2024-10385 — A. Resolution: To Accept the Annual Comprehensive Financial Report for the Village of Downers Grove for the Fiscal Year January 1, 2023 through December 31, 2023

Village Manager Dave Fieldman introduced Jamie Wilkie, partner with Lauterbach and Amen. Ms. Wilke explained that this was Lauterbach and Amen's first engagement with Downers Grove. She said it was one of the cleanest first year audits they have ever seen, further stating that there was not a single material item adjustment. She thanked everyone on the Village Finance team for their efforts. Ms. Wilke explained the process of the audit and said that a draft of the final version of the Annual Comprehensive Financial Report is available with the Council Materials. She spoke of the Governors Finance Officers Association (GFOA) Award that the Village received the year prior and said that her team would be submitting for it again this year. She said this was a clean audit opinion, and that it is the highest level opinion that can be received each year. Ms. Wilke suggested the Council read the Management Executive Summary included in the Report. She pointed out that there is a wealth of historical financial information and that it is rolled forward with current information each year. Ms. Wilke also explained that two new standards will be implemented in the years to come and she would be sure that the Finance team is fully aware of them.

Village Council Comments/Questions

Commissioner Tully said that the Council is grateful to Finance Director Robin Lahey, the entire Village Finance Team and beyond. He expressed how impressive this was and highlighted the honor of receiving the GFOA Award. The Commissioner explained that 10 years ago the audits resulted in management letters and now those have been replaced with awards.

Commissioner Gilmartin explained what a journal entry is, and what an accomplishment it is that the Village did not have any – especially given the complexity of the audit. He thanked Finance Director Lahey and the Finance staff for their efforts.

Commissioner Sadowski-Fugitt echoed her peers and also thanked Village Manager Fieldman, Finance Director Lahey and the whole team for their efforts and for responding to her questions about pensions so quickly.

Commissioner Davenport said this is a moment that needs to be celebrated.

Commissioner José echoed his peers and said that not having any journal entries is amazing. He thanked staff for their efforts.

Mayor Barnett encouraged all to review the Report and to reach out with any questions. He said that rRemarks (located on the Village Agenda webpage) is a good form to use with any questions. He also explained that this is the Village's first interaction with Lauterbach and Amen because the Village systemically and periodically changes its auditor. He further stated that it is a way to ensure transparency, predictability, and integrity in the auditing process.

Manager Fieldman thanked the Council for their Long Range Planning work, further stating that it led to this. He also thanked Finance Director Lahey and the rest of the Finance team.

ORD 2024-10370 — B. Ordinance: Approving Certain Amendments to Planned Unit Development #57, Located at 3300 Finley Road

Village Council Comments/Questions

Community Development Manager Jason Zawila presented this item via PowerPoint. He explained this PUD and shared maps, renderings, and details about the development. He said this meets the Comprehensive Plan's recommendations, and that the Plan Commission recommended approval of this at their May 6, 2024, meeting.

Commissioner Sadowski-Fugitt said this is a great addition to the community and that Midwestern University has been a great partner in the community. She expressed that she is happy with the green space that this would add to the property, as opposed to what was already there. She also received confirmation that this would include a teaching hospital and spoke of the bereavement garden that will also be included in the development. Commissioner Sadowski-Fugitt expressed that this development will be a huge benefit to the community, with an already established partner.

Commissioner Davenport said he is also excited to see this. He expressed that taking an existing structure and repurposing it is good to see. He shared that he is still doing his review of the project, but that he is happy with what he has seen so far. The Commissioner said it will fit in well with the neighborhood.

Commissioner José said this is a good use for this property. He said there has been difficulty with finding the right development in this spot and this is a great result. He expressed that Midwestern University has been a valued partner in the community for many years and that this checks all the necessary boxes for him.

Commissioner Gilmartin said he agrees with many of his colleagues, and he also thanked Midwestern University for their continued investment in the community. He shared that he thinks this will be a great addition to the community, and that Midwestern University has done a good job redeveloping the former Fry's building, especially given its unique shape. He said he is still reviewing these plans, but he thinks that the additional green space is also an asset for the community. Commissioner Gilmartin asked if this will be intended for pet boarding. Representatives of Midwestern University said it would not be.

Commissioner Tully explained that there is no special use involved in this because it is a PUD. He read from the municipal code and said that this is consistent with the Comprehensive Plan and that the DT Design Guidelines do not apply here. Commissioner Tully spoke of this being a challenging building and that this is the best use possible. He thanked Midwestern for their partnership in the community, and said this traffic will not come close to the traffic of the Fry's first opening.

Mayor Barnett said that most of the land use questions that come before them tend to be regulatory in nature. He said the Village Council and staff are trying to make sure that development is conducive to the Village. The Mayor responded to a public comment made earlier and stressed that every community has their own brand. He said all should be proud that Downers Grove is one of the homes of Midwestern University. He suggested that everyone look up the University to learn more about it.

ORD 2024-10371 — C. Ordinance: Authorizing a Special Use for 5230 Walnut Avenue to Permit a Vehicle Body and Paint Shop

Village Council Comments/Questions

Mr. Zawila, Village Planning Manager, presented again via PowerPoint. He provided details about the special use and the location, and further stated that the existing building will be renovated as part of this project. He showed drawings and provided details about the improvements. He said this follows the Comprehensive Plan recommendations and that the Plan Commission recommended approval at their May 6, 2024, meeting.

Commissioner Davenport received confirmation that the petitioner currently has another facility in the industrial park. He asked if there was a history of complaints, to which Mr. Zawila said no.

Commissioner Davenport asked if what they were going to be doing in this facility mirrors what they are currently doing. Mr. Zawila said that is correct, just in a larger space.

Commissioner Tully explained that this project requires a special use and referenced the municipal code. He said he does not believe that the proposed use will be detrimental to the area, as it is .4 miles from the previous location on Thatcher. With regard to Commissioner Davenport's inquiry about any complaints, Commissioner Tully said he does not think anyone knew about the previous location until this came up. He noted that environmental issues are regulated by the State with regard to the spray booth, and he assumes they already have one at the location on Thatcher. He said there is no evidence that there will be a different impact on the community, other than what is currently going on in the same spot. Commissioner Tully said he does not have any issues with this as currently presented.

Commissioner Hosé said that most of the regulations on this would take place from the State's perspective. He asked if there were any complaints with regard to their licensure or any other regulation they would have to comply with.

Jason said that during the Plan Commission hearing, the petitioner testified that they did not have any active or previous complaints.

Commissioner Gilmartin thanked the petitioner for their continued support in our community and he said he supports this.

Mayor Barnett echoed Commissioner Gilmartin and stressed that the Council and Village staff work hard to create an environment that is appealing for families, business and schools. He said the Village competes with other communities and it is important to create a community that is vibrant and growing, one where people want to make investments. He thanked everyone that has invested in the community and thanked the petitioner.

11. Manager's Report

There was no Manager's Report.

12. Attorney's Report

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

1. An ordinance approving certain amendments to Planned Unit Development #57, located at 3300 Finley Road.
2. An ordinance authorizing a special use for 5230 Walnut Avenue to permit a vehicle body and paint shop.

13. Mayor's Report

There was no Mayor's Report.

14. Council Member Reports

Commissioner Davenport said that Rotary Fest begins on Thursday June 20th and encouraged all to attend.

Commissioner Sadowski-Fugitt wished all a happy Pride Month and provided some history about it. She spoke about the windows of the businesses in the downtown that are decorated in honor of it, and asked all to consider the importance of Pride month to the people that celebrate it. She spoke about EQDG and shared details about Pride Fest, taking place on June 8th, from noon to 3 p.m. Commissioner Sadowski-Fugitt spoke of a partnership between EQDG and the Transformative Justice Law Project and explained they are working on an initiative to help transgender individuals in Downers Grove, and neighboring communities, cover the high costs of changing their names. She explained that EQDG will help fund the court fees on a first come first serve bases. She suggested anyone interested in more information visit eqdg.org/initiatives. The Commissioner explained her goal is to build an inclusive, committed community, one that will no require monthly recognitions. She told to the LGBTQ+ community members that she takes every opportunity in her role as Village Commissioner to move closer to achieving that goal, thanking those that have felt safe with sharing their stories with her, which has made her a better more empathetic person.

Commissioner Tully reminded everyone that there are 16 days left until Rotary Grove Fest.

Commissioner Gilmartin wished all a happy Pride Month and thanked the Mayor for the proclamation. He said he hopes that the LGBTQ members of the community feel seen this month and beyond.

Commissioner Hosé thanked the Mayor for the proclamation and said that the Downers Grove North and South High school band students will be traveling to Germany at the end of the week to play at a number of concerts there. He said they would be holding a practice concert at Fishel Park on Friday, June 7th at 7 p.m.. He said his daughter plays the base clarinet and will be traveling with the group. Commissioner Hosé asked everyone to come out to support the kids.

Council Minutes

Village of Downers Grove

June 04, 2024

15. Adjournment

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

MOTION: *To convene into closed session pursuant to Section 2(C)(3) of the Illinois Open Meetings Act, to consider the selection of a person to fill a public office as defined in the 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 José*

SECONDED BY: *Commissioner Sadowski-Fugitt*

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

NAYES: *None*

Respectfully Submitted,

Rosa Berardi
Village Clerk