



# Meeting Minutes

Village of Downers Grove - Council Meeting

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Council Chambers

November 19, 2024

07:00 PM

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## 1. Call to Order

Pledge of Allegiance to the Flag

## 2. Roll Call

**Council Attendance (Present):** Mayor Barnett, Commissioner José, Commissioner Sadowski-Fugitt, Commissioner Gilmartin, Commissioner Glover, Commissioner Tully (Electronic Attendance), Commissioner Davenport

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

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

**MOTION:** To Allow Electronic Attendance for the November 19, 2024, Village Council Meeting.

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

**MOTIONED TO APPROVE:** Commissioner José

**SECONDED BY:** Commissioner Sadowski-Fugitt

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

**NAYES:** None

## 3. Proclamations

- A. Hunger and Homelessness Awareness Week
- B. Small Business Saturday

Mayor Barnett read both proclamations. He spoke briefly about the themes of both proclamations and said that this is a good time of year to think about ways to support the community.

## 4. Minutes of Council Meetings

**MIN 2024-10223** — A. Minutes: Village Council Meeting Minutes – November 12, 2024

**MOTION:** To adopt *The Meeting Minutes of the November 12, 2024, Village Council Meeting*, as presented.

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

**MOTIONED TO APPROVE:** Commissioner José

**SECONDED BY:** Commissioner Sadowski-Fugitt

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

**NAYES:** None

## 5. Presentations

### A. Recognition Presentations

Fire Chief Scott Spinazola shared that the MABAS Humanitarian Award was being presented to Lieutenant Andrew Hoff. He introduced Chief Patrick Hardin, from MABAS Illinois, who shared a brief overview of Lieutenant Hoff's career and what he has done for the MABAS organization. Chief Hardin presented the Humanitarian Service Award to Lieutenant Hoff for outstanding service and action during and after Hurricane Helene. He also presented Mayor Barnett and Chief Spinazola with a MABAS Humanitarian Award for the Village of Downers Grove.

Downers Grove Police Chief Mike DeVries announced that Officer Samantha Glynn would be receiving the Public Safety Champions Award from the DuPage Railroad Safety Council. He introduced Lanny Wilson and Deborah Hare, Chairman and Vice Chairman of the Railroad Council. Mr. Wilson shared a brief history of the organization and the organizations work to make railroads safer. He introduced Deborah Hare, who shared the story of the call that Officer Glynn responded to. She then presented Officer Glynn with the Public Sector Champion Award to recognize her efforts.

Public Works Director Scott Vasko shared that Stormwater Administrator Julie Lomax would be receiving an award and provided an overview of what she has done for the Village. He introduced Sarah Hunn, the Awards Chair of the Illinois Association of Stormwater and Floodplain Managers. She presented the Floodplain Manager of the Year Award to Julie Lomax and shared some of Ms. Lomax's accomplishments.

Mayor Barnett said these team members are a great example of the hard work that takes place in Downers Grove.

### 6. Public Comments

Robin Tryloff, a resident, expressed that she, and many people in the audience, strongly oppose the Library Board Advisory Referendum. She also expressed that she, and many people in the audience, request that the 6 lots, located at the corner of Saratoga and Warren, be removed from the Future Land Use Map to be discussed in the Comprehensive Plan discussion.

Mayor Barnett recommended residents hold their comments regarding the Prince Pond area until after the staff presentation at the end of the meeting.

Rich Kulvany, Director of the Downers Grove Historical Society and previous Village Council Member, thanked the community for their attendance at the 5th Annual History on Tap celebration that took place on Thursday night.

Laura Kamedulski, a resident, expressed her opposition to the Library Board Advisory Referendum.

Ed Pawlik, a resident, expressed his opposition to the Library Board Advisory Referendum.

Marshall Schmidt, a resident, expressed his opposition to the Library Board Advisory Referendum.

Janet Whittingham, resident, expressed her opposition to the Library Board Advisory Referendum.

David Rose spoke about political economic affairs and shared how they relate to Village business.

Clorinda Greco, a local business owner, spoke about parking issues in downtown Downers Grove. She suggested the Council look at parking before making any other decisions.

Carissa Doherty, a resident, expressed her opposition to the Library Board Advisory Referendum.



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**RES 2024-10584** — H. Resolution: Approve an Addendum to a Contract with ABC Automotive Electronics

**Summary:** This resolution authorizes an amendment to the contract for vehicle up fitting services for Village vehicles with ABC Automotive Electronics, of Forest Park, IL, in the amount of \$240,750.13 (which includes a 5% contingency), increasing the total contract amount from \$238,232.86 to \$478,982.99.

**RESOLUTION 2024-86****A RESOLUTION AUTHORIZING EXECUTION OF AN ADDENDUM TO A CONTRACT BETWEEN THE VILLAGE OF DOWNERS GROVE AND ABC AUTOMOTIVE ELECTRONICS****MOT 2024-10591**— I. Motion: Approve an Agreement with Solaris Roofing Solutions Inc. of Elburn, IL for the Roof Replacement of the Public Works Cold Storage Garage

**Summary:** This motion approves a contract with Solaris Roofing Solutions Inc. of Elburn, IL for the roof replacement of the Public Works cold storage garage in the amount of \$67,000.

**MOTION:** To adopt *The Consent Agenda of the November 19, 2024*, as presented.

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

**MOTIONED TO APPROVE:** Commissioner José

**SECONDED BY:** Commissioner Sadowski-Fugitt

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

**NAYES:** None

**8. Active Agenda****MOT 2024-10470** — A. Motion: Estimate the 2024 Aggregate Tax Levy for the Village of Downers Grove

**Summary:** This motion estimates the 2024 Aggregate Tax Levy for the Village of Downers Grove.

**MOTION:** To adopt a motion *To find and determine that the aggregate tax levy for the Village of Downers Grove, as defined in the Illinois Truth in Taxation Law, estimated to be necessary to be raised by taxation for 2024 upon the taxable property in Downers Grove is \$31,067,576.70. This amount is based upon an estimated levy of \$4,058,169 for corporate and police; \$2,935,500 for fire; \$5,423,632 for police pension; \$5,076,208 for fire pension; \$6,426,713 for library operating; \$1,368,825 for Refunding Bonds 2014 Series debt service; \$515,600 for Refunding Bonds 2015 Series debt service; \$177,800 for Refunding Bonds 2016 Series debt service; \$485,600 for Stormwater Bonds 2019 Series debt service; \$1,831,997.70 for Refunding Bonds 2020 Series debt services, and \$2,229,475 for Facility & Stormwater Bonds 2022 Series debt services.*

*The estimated levy for Special Service Area #6, Fairview Fire Protection District Special Service Area, is \$113,057 and the estimate levy for Special Service Area # 11, Downtown Downers Grove is \$425,000. The estimated levies are \$0 for the following Special Service Areas: Area #4, Green Acres; Area #5, Atwood; Area #7, Dunham Subdivision; Area #8, Nelson Meadow Subdivision; Area #9, 35th & Saratoga Subdivision; Area #10 Bridgepoint Downers Grove Subdivision, Area #12, Fairview Ridge Subdivision and Area #13, Kapovich Subdivision.*

*A public hearing will be held on these proposed levies on December 3, 2024 at 7:00 p.m. at the Downers Grove Civic Center. The adoption of the proposed levies have been scheduled for December 10, 2024 at 7:00 p.m. in the Betty Cheever Village Council Chambers. Staff is also directed to prepare ordinances to abate certain 2024 tax levies.*

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

**MOTIONED TO APPROVE:** Commissioner José

**SECONDED BY:** Commissioner Sadowski-Fugitt

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

**NAYES:** None

**Public Comment**

David Rose asked spoke of the EDC Budget presentation at the November 12<sup>th</sup> meeting and asked where

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information could be found on the EDC's accomplishments and why they are in need of a new staff member.

Commissioner Sadowski Fugitt shared that the monthly and yearly KPI reports could be found on the EDC Website (dgedc.com) in the Data Center.

## 9. First Reading

**ORD 2024-10566** — A. Ordinance: Authorizing a Special Use to Establish an Accessory Use Before the Principal Use is Established at 3131 Finley Road

**Summary:** This ordinance approves a Special Use to establish an accessory use before the principal use is established at 3131 Finley Road.

Community Development Director Stan Popovich presented and explained that this is a petition for a special use of an accessory use of a parking lot before the establishment of the principal use of 3131 Finely Rd. He explained the history of the approval of an accessory use parking lot, parking islands and some landscaping with the condition that if a user was not found, it would need to be restored to green space. Mr. Popovich shared that there have been two extensions to the special use and the petitioner is requesting a new special use without the restrictions, as the property is more marketable with a parking lot to heavy office users. He explained that the Planning and Zoning Commission approved this item with two conditions: 1) Give the property owner two years to construct or find a tenant for the space, and 2) Approve a one year extension. Mr. Popovich shared that staff recommends approval without the two recommended conditions due to the administrative burden they would have on staff and the cost associated with the demolition of the existing parking lots.

### Public Comments

Janet Whittingham spoke about accountability and her opposition to the approval of this item.

Marshall Schmidt, resident, spoke about his experience with a special use and opined that developers should be held to the same standards as residents.

### Village Council Comments

Commissioner Gilmartin asked what was in place prior to the parking lot. Mr. Popovich said there was a building and a parking lot. Mayor Barnett clarified the building was a restaurant.

Commissioner Tully said that he is familiar with this property and shared its history. He said this is not comparable to a residential property situation. He said this is likely to be a future win-win for both parties.

Commissioner Sadowski-Fugitt expressed that she is struggling with this item. She said she is open to more discussion on this and certain conditions. She said she does not see a benefit to keeping this as impervious surface, if it is not necessary, and would prefer returning it to green space.

Commissioner Davenport expressed that this owner could do some sort of lot consolidation to maintain the paving and then down the road split it again. He said he needs to think about this more.

Commissioner José said his initial inclination was that some restrictions may be good to place on this item, but he is willing to entertain the conversation of an outside limit. He also opined that it would be wasteful and redundant to turn it into green space and then have someone turn it into a parking lot again in the future. He too shared he wanted to think about this more.

Commissioner Glover asked if the separate parcel was currently for sale or lease.

Mr. Popovich shared his thought the whole site is being marketed, but he deferred the response to the petitioner.

Mayor Barnett said he would like this to turn into something useful. He shared that he cannot imagine the Village requiring the owner to tear this parking lot out now, for someone to turn around and put a parking lot

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back in.

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**ORD 2024-10548** — B. Ordinance: Adopting the Fiscal Year 2025 Budget in Lieu of Passage of an Appropriation Ordinance

Manager Fieldman shared that the budget is available on the Village website, and has been since October. He highlighted the following 4 key points about the Budget:

- The FY 2025 Budget has a sustainable General Fund with revenues slightly greater than expenses and an ending fund balance within recommended levels.
- The total Property Tax Levy increase of 3.6% is driven entirely by required Public Safety Pension Fund contributions.
- The Public Safety Pension Stabilization account lessens the Property Tax Levy over the next five years and smooths the increases over that time to lessen the increase for any particular year during the five year span.
- This Budget continues investment in the Village's infrastructure systems and has dedicated over \$25 million for this purpose.

Manager Fieldman noted that questions about the Budget were answered by staff and published on the Village website with this meeting's agenda materials.

**Public Comments**

David Rose asked for attention to be called to the State of Illinois mandating that pension funds be fully funded by municipalities by 2040. He asked what the financial implications of this would be on Village residents.

**Village Council Comments**

Mayor Barnett asked Manager Fieldman to reach out to the EDC for additional commentary on the Budget that includes annual report information. He also asked that we put add a link to the Budget FAQ page and link it to the EDC website. In response to Mr. Rose's question, he explained the efforts of the Village to soften the curve of growth on the pension requirements. He explained that over 60% of taxes collected are funding the pensions and that there is an enormous burden of the Village to sustain economic growth to fund most of the services the Village provides.

**10. Attorney's Reports**

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

1. An ordinance authorizing a special use to establish an accessory use before the principal use is established at 3131 Finley Road.

**11. Mayor's Report**

Mayor Barnett spoke of the Panera Bread incident. He shared there is a press release available for those who would like more information. He explained that the behavior exhibited is not acceptable in Downers Grove and the Village reacted quickly and took this matter seriously.

**12. Council Member Reports**

Commissioner Tully wished residents, staff, and the Council a Happy Thanksgiving and said he is looking forward to the Grove Express 5k. He said there is much to be thankful for in Downers Grove, as seen in the recognition presentations earlier in the evening.

Commissioner Gilmartin echoed the Happy Thanksgiving wishes. He noted that the Downers Grove FISH Pantry is seeking donations. He shared that people can drop off donations at 4341 Saratoga Ave on Tuesday from 8:30 to 10:30 a.m. and also from 5:00 to 6:00 p.m., on Thursday from 8:30 to 10:30 a.m., and

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on Friday from 10:30 to 11:30 a.m. He said that customers of the pantry can pick up on Tuesday between 4:00 and 6:00 p.m. and Friday between 8:30 and 11:30 a.m.

Commissioner Hosé wished all a Happy Thanksgiving and reminded all about the Downers Grove Tree Lighting to take place on November 29th at 4:30 p.m. at the Main Street Train Station. He shared his thanks to all that were involved in the recognition presentation earlier in the meeting. He further stated that there is so much to be thankful for in Downers Grove and the presentations were so inspiring and humbling. He thanked the first responders for their work.

Commissioner Sadowski-Fugitt echoed the Thanksgiving wishes. She also spoke of the FISH Pantry and reminded all that they not only accept canned food, but also accept fresh food and monetary donations. She addressed the Panera incident and emphasized the importance of speaking out against hate speech. She encouraged all to look into resources for bystander intervention training and offered her assistance to anyone interested in taking the training.

Mayor Barnett added to the conversation, and shared that the FISH Pantry and West Suburban Food Party (among others) work hard to provide opportunities to obtain fresh produce. He shared that funding the organizations monetarily is a big help as well.

Commissioner Davenport also spoke about the FISH pantry and the types of donations that are appreciated. He encouraged people to make an effort to support this organization in the spirit of Thanksgiving. He shared his excitement about the Grove Express 5K to place on Thanksgiving morning and spoke of the scholarships that are funded by donations to the Grove Express.

**MOT 2024-10501** — A. Motion: Discuss the Topic of an Advisory Referendum Question Concerning the Library Board of Trustees

**MOTION:** To adopt a motion for staff to place **A RESOLUTION INITIATING THE SUBMISSION OF A PUBLIC QUESTION TO SOLICIT RESIDENT INPUT REGARDING THE DOWNERS GROVE PUBLIC LIBRARY** on the December 3, 2024, Village Council Meeting Agenda

**RESULT:** Motion passed 4:3

**MOTIONED TO APPROVE:** Commissioner Davenport

**SECONDED BY:** Commissioner Glover

**AYES:** Commissioners Davenport, Glover, Tully, Mayor Barnett

**NAYES:** Commissioners Hosé, Sadowski-Fugitt, Gilmartin

Commissioner Davenport presented the New Business Item regarding the Library Board Advisory Referendum. He shared that the Library Board is a six member board, as mandated by State Law. He said this is the only board that the Village Council appoints and has no control over. He spoke about Trustee appointments and a lack of transparency with the selection process taking place during Executive Session meetings. He shared the reason he is bringing this forward is because he believes that decisions about policy, personnel, and the spending of taxpayer money should be made by elected officials who are directly accountable to the public. The Commissioner read his own quote from the April 16, 2024 Council meeting that said "...I am most interested in the Library Board of Trustees becoming an elected body directly accountable to the voters, as is the case with most Library Boards in the State of Illinois." He expressed that after the removal of a Trustee from the Library Board, he needed time to be objective and let things settle. Further stating, that he did not realize that it took 5 months to put an advisory referendum item on the ballot. He explained that the Village only has until December 9th to submit this to be on the ballot. He also shared that most libraries in Illinois have elected boards. He shared his opinion that there are reasonable arguments for maintaining the status quo and shared his appreciation for the points made by the public at this meeting. Commissioner Davenport expressed that he is truly interested in hearing from all residents, whether their opinions are for or against this. He directed staff to prepare a resolution for the December 3, 2024 Village Council Meeting with an advisory referendum question to read something along the lines of "Shall the Downers Grove Public Library become an independent unit of government with an elected board of trustees?".

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Commissioner Sadowski-Fugitt asked if there had ever been a ballot initiative brought forward with no background information. She shared her concern with the fact that there are two Priority Action items on the back burner due to lack of staff time. She opined that there is not enough time to properly educate people on this before putting it on the ballot and asked what benefit this would bring. She reminded all that the Library Board of Trustees selection process has been changed to include the entire Council and not just the Mayor. She expressed her opinion that this is irresponsible government procedure and this is not the way to accomplish this. Commissioner Sadowski-Fugitt suggested before moving this forward, the Village hold community meetings similar to Guiding DG, with several sessions to have thoughtful discussions. She said she has no interest in moving this forward.

Commissioner Glover said he understands there is hesitation on this item but opined that it is long overdue. He referenced residents expressing that they want to be involved in the process of selecting the Library Board members and they have requested transparency. The Commissioner said he thinks the Village Council owes it to the community to have a Library Board that consists of members reflective of the community.

Commissioner Sadowski-Fugitt clarified that this conversation is regarding the non-binding referendum question and not the merits of the question at hand.

Commissioner José opined there not enough information available to make an informed decision. He spoke of the Council Questions that were submitted and highlighted that the Staff responses indicated that more information was needed. He said this is talking about pulling entities apart and no studies have been done to weigh the benefits of it. The Commissioner said ballot questions in the past have been the result of multi-year processes and long range planning efforts. He shared his thought that there needs to be an education process before putting this question on a ballot. He expressed he does not think this is an exercise of efficient government and he thinks the Village needs to do the work before this question is asked.

Commissioner Tully noted that this item is not to approve a resolution, or put anything directly on the ballot, but rather to allow potential future action on the subject. He said he looks forward to discussing this further, and supports hearing more from staff, the Council, and the community. He said he supports Commissioner Davenport's motion to put this on the December 3, 2024, Village Council Meeting Agenda.

Commissioner Gilmartin asked if this would appear on First Reading or Active Agenda.

Village Attorney Enza Petrarca clarified this would be on the Active Agenda.

Commissioner Gilmartin said before the public is asked to answer this question on the ballot, it is the Village Council's obligation and responsibility to answer many of the questions they have. He said asking the public to weigh in on a topic they have little to no information on is wrong, and noted that the video gaming advisory referendum question was put on the November ballot to increase voter responses - he asked why the November ballot does not apply to this referendum question. He said this would put unnecessary pressure on the library and Village staff, and asked if there had been nonbinding referendum questions in the past from the Council that did not derive from a topic that was discussed at length. The Commissioner said to be clear, regardless of the outcome, the Village can take no action on the results and the Library must make a motion at their Board meeting formally. He said this effort rises to the level of a Priority Action Item, and spoke of existing priority action items that have been put on hold to give staff the time to focus on things that are more important. He further stated that he disagrees that this would not take much staff time, and would rather staff spend the time on items that are already on the plate first. He said until recently, the Village has been following the incorrect practice of having only the Mayor select Library Board candidates. He said the new practice of having the entire Council involved in the selection of the most recent 2 appointments of Trustees is evidence that the new practice seems to be working. The Commissioner opined that before considering structural changes, the Council needs to focus on doing its part correctly. He spoke of local libraries turning over to library districts, sharing that most of those that transitioned did so prior to 1993. He then spoke of the affects this could have on resident taxes due to additional expenses the Library could incur. Commissioner Gilmartin asked what the impact of this would be on the Village. He then spoke about the referendum question itself and said it is misleading, inaccurate, and also incorrectly implies that without direct electability, there is no accountability to the public. He opined that the Village Council's ability to



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appoint and remove Library Board members does apply to the accountability those members have. He said the Downers Grove Public Library is a nationally recognized library, that has shown its accountability just as the Village does. The Commissioner expressed his opinion that putting this on the ballot now would create confusion and insinuate that the current structure is incompetent. He shared that this is a poor use of time and he does not support moving it forward.

Mayor Barnett said yes, a question about the consolidation of government bodies had been asked before, and without much prior discussion. He said the Council has the authority to put referendum questions on the ballot, and he supports Commissioner Davenport's motion to put this on an agenda. The Mayor shared that there will be more conversation at the next Village Council Meeting, as there will be time to gather more information. He said it is not unreasonable to periodically raise questions about government structure.

Commissioner Sadowski-Fugitt said the Village is responsible for answering questions because the Village Council falls under the Village. She said she is concerned that this is a situation of people taking the library for granted until it is gone. She opined that more communication needs to be had with the library, suggesting that the library would like to have more communication with the Village so that they can work better together. She suggested that the issue may lie with the Village, and not the Library, further sharing that the Village could be a better partner to the library. The Commissioner spoke about past hate speech and how inaction against it is enabling it. She shared that she does not want to ask Village staff to take this on. She suggested having future conversations with residents, but she does not think putting the library under another line of attack is the right step forward in the middle of the Village's Comprehensive Planning process.

Commissioner José responded to the Mayor's comment about government consolidation and shared that going back about 10 years, there had been conversations during the long range planning process, so this is not a foreign topic. He said it is right to conduct the candidate interviews during executive session, further sharing that he thinks the new appointment process has help to improve the process. The Commissioner said if the Village Council is going to have this conversation, it should be had with the library as well. He said the hard work needs to be done first, and he is not willing to sacrifice time that has already been dedicated to other things and delay current schedules. He opined that this is too large of a question to simply put on a ballot with no context and suggested this be taken up after the next election, by the next Council, and discussed in depth until the November 2026 election.

Commissioner Davenport said if he would not have brought this up, then it would never have been discussed. He said one possibility is to have a page on the website dedicated to this, similar to the video gaming referendum. He said he thinks the voting public is a lot smarter than they have been given credit for at this meeting.

Commissioner José said there is a difference between smart and informed.

Commissioner Davenport said the people that are making decisions about how money is spent are being elected. He said he loves the Downers Grove Library and would not have voted on the removal of the Library Board Trustee if he did not. He said he does not want to bring problems to the Library Board, further sharing that this is a question that needed to be asked and he trusts that the public can educate themselves, as they do with any other election. The Commissioner expressed that there is no way for things to be discussed if they are never brought up. He shared that he did not bring this forward last week because there would not be enough votes, so he waited until this week so all of the Commissions could participate in the discussion and vote.

Commissioner José shared a differing opinion as to why this was not brought up at the last meeting, and noted that this could have been brought up in ways other than as a New Business Item on a Council Agenda.

Commissioner Tully said the Council received notice on November 4th that this item would be on a future agenda.

Commissioner Gilmartin shared that it is the nature of the item that is of concern, not the fact that it is being brought up. He said he just does not think it is something that needs to be focused on right now. He said

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the compressed time frame is forcing the Council and Staff to take time away from being dedicated to other things.

Mayor Barnett said there will have to be a vote by the Council on whether this will be put on an agenda item for the December 3<sup>rd</sup> meeting. He suggested wrapping this debate up and voting.

After a vote was taken, Mayor Barnett spoke about the process for the Managers Report discussion. He called for a 5-10 minute recess at 9:45 p.m. to reconvene at the other end of the Council Chambers for the Guiding DG discussion. He welcomed all in attendance to join.

### **13. Manager's Report**

**REP 2024-10571** — A. Report: Guiding DG: Comprehensive Plan and Related Projects - Comprehensive Plan Goals and Recommendations Follow-Up

The meeting reconvened at 9:53 p.m.

Mayor Barnett said that this portion of the meeting would be graphic driven and due to technical issues, a smaller screen would be used to display the graphics. He said that the order of this portion of the meeting would be changed to accommodate the people in attendance to discuss the area of Saratoga and Warren.

Mr. Popovich introduced Josh Koonce with Houseal Lavigne. Mr. Koonce explained the background for this portion of the meeting and explained that the land use framework is the center piece of the Comprehensive Plan. He further explained this is the foundation for future decision making and is a guiding map for the Village Council and Staff to use as decisions are made. He shared that the Land Use Map influences where and how the Village wants to grow and shared the existing Land Use Map – which could also be accessed on Guidingdg.com website. He explained that the land use framework and zoning designations work together to make sure the Village can implement its future land use. Mr. Koonce reviewed the land use influences, which included: existing land use, limited land for new development, three commuter stations, the 2017 Comprehensive Plan, the Village's position in the region and neighborhood characteristics. He turned the presentation over to Mr. Popovich.

Mr. Popovich reviewed the area around Saratoga and Warren and explained that the current zoning for this area is DT (Downtown Transition) and has been that for many years. He reviewed the building height and set back regulations and allowable uses in the area. He shared that there are no proposed developments for this location and that the Village is not considering rezoning the properties - the conversation simply about the Future Land Use Map. He explained that this is a guiding document, much like the Comprehensive Plan itself. Mr. Popovich shared that it does not provide any regulatory requirements and that the Future Land Use Map currently shows the area as single family detached zoning, and there is a misalignment between the map and existing zoning. He said the purpose of the discussion is to align the land use and the zoning, further explaining that the zoning is DT Mixed Residential, which provides a variety of housing types near transit centers.

Mayor Barnett underscored that the uses and physical elements (in terms height of buildings and setbacks) that exist today are the same as they were in 2005, and that is not changing. He explained that there is an issue with the alignment between the wording on a map and the zoning ordinance. He clarified that there are currently no plans of a development or apartment building to go into that area. The Mayor said that the 35 feet height restriction is consistent with the surrounding residential area.

Commissioner Sadowski-Fugitt asked why this realignment was not done in 2017, and why it is being done now.

Manager Fieldman said this was an oversight in 2017. He said if this would have been found in 2017, they would have had the same discussion they are having now then.

#### **Public Comment**

Ian Ogden shared his concern about overdevelopment in the Village.

John Ladone, a resident, spoke of his past efforts and work with the Village to rezone the 6 lots in the Prince Pond area to residential. He spoke of the Special Service Area (SSA) and the stake that Prince Pond residents have in the game. He addressed Mayor Barnett and spoke of zoning, asking if the downtown line could be moved from east of Saratoga and south of Warren. He asked that Prince Pond be kept as single family residential.

Scott Richards, a resident, shared his concern with overdevelopment in the Village. He asked if the Village is planning to redevelop the area that Oak Trace Towers is located in.

Marshall Schmidt spoke in opposition to putting a multi-family building at the corner being discussed. He said the Village Council has the power to change the zoning and not the land use. He spoke of other situations like this and asked the Village Council to preserve the Prince Pond neighborhood.

Robin Tryloff shared her support of Mr. Schmidt's comments. She said the residents are asking for these properties to be removed from the Future Land Use Map.

An unnamed resident asked the Council to use their hearts in their decision making regarding this area. She asked the Council to stop with the overdevelopment in the Village.

An unnamed resident spoke against this and he wants the neighborhood to remain the same and rezone this to be what it used to be. He explained that they do not want to see more developments.

Kim Ogdon, a resident, spoke of her time working with Betty Cheever on saving the brick streets. She asked the Village Council to see the value in the Prince Pond neighborhood.

Danielle Burgadine, a resident, noted that this is a draft Land Use Map and now is the opportunity to have their voices heard. She asked the Village Council to allow residents to keep their current zoning situation.

Sean Raines requested the Council keep the zoning the same as it currently is.

Mrs. Raines said her biggest concern is that the residents would be forced to sell because of eminent domain.

John Landone clarified that there are 4 different owners of the properties on the corner that is being discussed.

An unnamed resident spoke against this item and said the Village Council should be thinking long term, questioning if they want Downers Grove to be a city or suburb. He suggested taking a step back and looking at future value.

### **Village Council Comments/Questions**

Mayor Barnett asked if any of the residents in the audience own the properties being discussed and they want to start the process of changing their current zoning, they could meet with Village staff after the meeting to lead them through the process. He further explained that if no change is made to the zoning of those properties, and one of those property owners decides to sell, a multi-family unit could potentially be built on those properties.

Commissioner Sadowski-Fugitt said this is challenging and she has concerns about that corner being mixed use. She shared she is slightly uncomfortable with keeping this corner in the plan. She clarified that the Village Council is not in the pocket of developers and this neighborhood has important character that should be preserved. She spoke of the possibility of having duplexes in the future land use of this area, further sharing that she would support single family attached or single family detached. She expressed that she is not interested in changing the character of that neighborhood and would be interested in furthering the zoning conversation. The Commissioner spoke of eminent domain and that she is not interested in that as an option.

Commissioner Hosé spoke also against eminent domain. He said that homeowners can go through a process to rezone their own property and shared his opinion that the Future Land Use Map should match the underlying zoning. He pointed out that what an area is currently zoned at does not mean it is the correct zoning – things can change over time. He said what he takes away from this, is that the Council needs to have a larger conversation about what this zoning needs to be.

Commissioner Gilmartin said in the Fairview area planning efforts, streets are being used as dividers, if possible. He said he appreciates the desire to match the underlying zoning in this area, but thinks the future zoning is where the Village Council wants it to be for this area. He said if there is an ability to make this single-family, he is in agreement with it.

Commissioner Glover asked Staff if this is zoned at DT, would the Downtown Design Guidelines need to be abided by in this area.

Manager Fieldman said it would depend on the type of building proposed.

Mr. Popovich clarified that the Downtown Design Guidelines would not apply to single-family homes.

Commissioner Glover said if a developer were to build a multi-family unit, than the Village Council would have some kind of control.

Commissioner Davenport said the Prince Pond area is a treasure. He shared that he spent some time on the Historic Preservation and Design Review Board, and suggested that the residents in this area come together and make this neighborhood a Historic District. He shared his concern that some of the residents in this area do not know their current zoning, and it makes him wonder if there are other parts of town that should be evaluated like this area. The Commissioner said he is open to discussing whether the current zoning is appropriate for this area.

Commissioner Tully thanked the residents in attendance for coming and expressing their views and concerns. He said the processes with zoning and future land use are good because it causes the Village Council to look at where things are and where they are going. He said in these processes, sometimes things are identified that need to be fixed. The Commissioner shared that things have changed since 2005, so he is perfectly happy to revisit the underlying zoning.

Mayor Barnett said he is not in the mindset of ruling out something other than single family in this area. He said there are other things like duplexes that exist – and they can be built to fit into the neighborhood. He said he is open to the idea of this not being DT zoning, but he is not convinced that the only way to preserve this area is to make sure it is only zoned for single family use.

Manager Fieldman asked Mr. Koonce when the next time a new map, with updates, could be presented.

Mr. Koonce said it can be updated as many times as needed and quickly.

Manager Fieldman said that Staff would put forward some options for the Council to consider regarding the Land Use Map. He said this will come forward as part of the Comprehensive Plan update.

Mayor Barnett said the structure of the meeting would be shifted again, to accommodate additional public comment.

Commissioner Gilmartin asked for perspective from Staff on a Future Land Use Map not matching the current zoning.

Manager Fieldman said the short answer is that alignment makes it easier. He said that Staff would work to prepare a longer answer about this topic.

#### **Additional Public Comment**

An unnamed resident asked how this was an oversight in 2017.

Manager Fieldman reiterated that it did not come up in 2017, but if it had, the very same discussion would have happened to make sure there was a policy in place.

An unnamed resident said that he and his neighbors around Prince Pond understand that this area is zoned DT and R5-A, which allows for heavy density. He said his understanding is that with this change, the area would be full blown downtown zoning and that would bring a different level of complexity. He spoke of the red coloring on the map being downtown zoning for the entire area of Prince Pond.

The Council clarified that is not what is happening. Mayor Barnett said there will be no change to zoning. The only area that is zoned Downtown Transition, is the area including the lots that are being discussed at this meeting.

Mr. Popovich explained that downtown zoning is a mix.

Mayor Barnett said the red coloring on the map represents the downtown, which has three different zoning classes in it right now including: Downtown Core, Downtown Business, and Downtown Transition (around the perimeter of the downtown). He said there is no suggestion being made to change the area being discussed from DT to DB.

Commissioner Davenport clarified that the map is trying to capture general residential versus downtown - it does not things include the specific breakdowns of each category of downtown zoning. He said the nuances can be seen in the actual zoning map.

Mayor Barnett said that Staff will work on getting clearer and better graphics, but it is important to note that there was never a proposal to change the DT zoning to DB zoning.

An unnamed resident said she got a letter in her mailbox that showed the red zoning going past her house, so she was misinformed. She said the graphics need to be better.

Mayor Barnett said it is the law to notify residents about those kinds of changes.

Commissioner Gilmartin suggested that a new color band be used going forward to avoid confusion.

Manager Fieldman said it is important to have some alignment between land use colors and zoning colors. He said staff is going to ask Houseal Lavigne to work to continue using the traditional land use coloring, but make distinctions to avoid confusion.

Mayor Barnett said that some of the accusations about the Village and Council made during the public comments, were incorrect. He explained that the Village staff and the Village Council must follow the law, and they take public input and concerns seriously. He encouraged the residents to attend the next meeting and to keep the line of communication open.

Mr. Koonce presented via PowerPoint again and said there are not too many areas of change in the Future Land Use Map. He said with limited areas to grow outwards, there is not much that could be changed in the Village. He spoke of two areas of change: 1) The area located just south of the industrial park at Curtiss and Walnut – the 2017 Plan called for this area to be an office corporate campus and the new Future Land Use calls for it to be a single family attached and multi-family, and 2) The area north of 39th Street, on the eastern side of the Village – the 2017 Plan identified this area as institutional and in the Future Land Use Map calls for it to be single family.

Commissioner Gilmartin said he thinks the north of 39th Street makes sense to be single family attached and multi-family, so he is comfortable with that. He shared he would like to understand more about the area that was corporate and is now single family attached and multi-family.

Mr. Popovich said a lot of the single family homes in the Village are being sold individually and people are not consolidating properties to create the possibility of larger developments. He said there was interest by the people along Maple Avenue, specifically the north side, about townhomes (something on a residential scale)

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as opposed to buying acreage and converting it to office use. He also added that there is also some well established multi-family in the area as well.

Commissioner Gilmartin asked what the zoning is currently.

Mr. Popovich said this area is currently unincorporated Downers Grove, but if it were to be annexed, it would come in zoned as R-1 and it could be rezoned to R-3 or R-4. He said all annexations come in as the most restrictive zoning type and get rezoned based on their setbacks.

The Council agreed with both recommendations.

Commissioner Davenport asked if there were any other areas of discussion.

Mr. Koonce said the other areas were routine changes and largely built on the current land use in the Village.

Commissioner Davenport mentioned the area in the northwest part of town, west of the Belmont Golf Course, as an area of concern for him that he would like to hear more about. He asked if the area north of Route 88 belonged to the Morton Arboretum in Lisle, and he also spoke of Hidden Lake Forest Preserve.

Mr. Popovich said yes, the area north of Route 88 is the Morton Arboretum, but a portion is within the Downers Grove boundaries.

Mr. Koonce explained that the next steps include work on the focus areas and the core elements of the plan.

Manager Fieldman asked the Council to confirm that the changes made by staff on the Goals and Recommendations were correct.

The Council concurred.

#### **14. Adjournment**

Mayor Barnett called motion to adjourn the meeting.

***MOTION: To Adjourn the November 19, 2024, Village Council Meeting.***

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

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

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

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

***NAYES: None***

The meeting adjourned at 11:31 p.m.

Respectfully Submitted,

Rosa Berardi  
Village Clerk