



Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

December 3, 2024

07:00 PM

1. Call to Order

Pledge of Allegiance to the Flag

2. Roll Call

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

Council Attendance (Not Present): None.

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

3. Proclamations

A. Giving Tuesday

Mayor Barnet spoke of the proclamations he reads at this time of year and he encouraged everyone to find ways to give back to their community.

4. Minutes of Council Meetings

MIN 2024-10487 — A. Minutes: Village Council Meeting Minutes – November 19, 2024

MOTION: To adopt The Meeting Minutes of the November 19, 2024, Village Council Meeting, 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

5. Public Hearing

PUB 2024-10471 — A. Public Hearing: 2024 Tax Levy

Mayor Barnett called the Public Hearing to order at 7:06 p.m. and explained the Public Hearing process.

Manager Fieldman presented via PowerPoint and explained that the 2024 Tax Levy had recently been presented and discussed at past Village Council meetings. He provided a brief overview of the increase in the 2024 Tax Levy and explained that it computed to an average of approximately \$28 per residential property paid to the Village yearly. He shared a slide that provided a breakdown of the percentage/dollar amounts of tax dollars the Downers Grove homeowner pays to the different units of government.

Mayor Barnett reiterated that the 2024 Tax Levy had been discussed previously at other Village Council meetings and that is why there are no comments or questions by the Council.

Mayor Barnett adjourned the Public Hearing at 7:11 p.m.

6. Public Comment

Mayor Barnett explained the procedure for public comment. He shared that the next time the Prince Pond area would be discussed is at the December 16th Planning and Zoning Commission meeting. He also explained that the library Board item would be moved to First Reading, from the Active Agenda, and that public comment regarding the library could be made at that time.

Robin Tryloff, a resident, spoke of the historic nature of the Prince Pond neighborhood and requested that the six lots near Saratoga and Warren be removed from the current DT zoning district and rezoned to match the remainder of the neighborhood.

Caroline Mangan, a resident, echoed Ms. Tryloff's comments and expressed her opposition for future development in the Prince Pond area. She also spoke of a goose problem the Prince Pond residents faced the year prior, which has since been resolved.

Howard Hanson, a resident, expressed concern about the intersection at Maple and Carpenter. He asked the Council to consider replacing the existing stop signs with LED-lit stop signs, similar to those at Forest and Prairie. He also requested that the Police Department monitor the intersection to prevent drivers from rolling through the four-way stop.

John Le Donne, a resident, spoke his concern with the current zoning of the six lots in the Prince Pond area designed as DT and requested they be rezoned to match the rest of the neighborhood. He also shared his difficulty in understanding the different zoning classifications on the future land use map.

Ken Hammer, a resident, requested that the six lots in the Prince Pond area are rezoned to match the rest of the neighborhood. He also spoke of his past participation in the early stages of Historic Landmark Program with his home.

Clorinda Greco, a business owner, spoke about concerns with parking in the downtown area. She requested a trial run for year round outdoor dining and urged that future developments be limited in the downtown to maintain green space.

David Rose, a resident, expressed concerns about the Village Council's actions regarding new developments in the Village and their lack of action on environmental sustainability.

7. Consent Agenda

COR 2024-10256 — A. Claim Ordinance: No. 6579 - November 15, 2024

BIL 2024-10257 — B. Bills Payable: No. 6840 - December 03, 2024

RES 2024-10592 — C. Resolution: Approve an Agreement with F.H. Paschen, S.N. Nielson & Associates, LLC for the

Redesign and Construction Services for Downers Grove Fire Station #3

Summary: This resolution authorizes the execution of the agreement between the Village and F.H. Paschen, S.N. Nielson & Associates, LLC for redesign and construction services for Downers Grove Fire Station #3.

RESOLUTION 2024-87

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND F.H. PASCHEN, S.N. NIELSON & ASSOCIATES, LLC

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MOTION: To adopt **The Consent Agenda of December 3, 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

8. Active Agenda

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

Summary: This ordinance adopts the Fiscal Year 2025 Budget in lieu of passage of an Appropriation Ordinance.

MOTION: To adopt **AN ORDINANCE ADOPTING THE FISCAL 2025 BUDGET IN LIEU OF IN LIEU OF PASSAGE OF AN APPROPRIATION**, as presented. **ORDINANCE 6062**

RESULT: Motion carried unanimously by roll call vote.

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

Ken Hammer returned to the podium and expressed his concerns about the pension funds and a probable shortfall of contributions.

Village Council Comments/Questions

Commissioner Hosé asked staff for confirmation that the Fire Pension Boards have been consolidated statewide and asked if this is also the case with regard to the Police Pension Boards.

Manager Fieldman said yes to the Fire Pension Boards being consolidated statewide, but only in terms of managing the investment side only. He said the state was in the process of consolidating Police Pension Boards statewide at this time.

Commissioner Hosé explained that the Village monitors what is going on with the investments and the percentage of funding regularly. The Boards all have their own actuaries that determine mortality tables and things of that nature which plays into the funding level of each of the pension funds. He said the Village is doing everything it needs to do under State law.

Commissioner Gilmartin added that, as a Council, a decision was made to leverage additional dollars to smooth out the taxpayer contributions. He said that Village staff does a good job monitoring this and that the Council has been frugal.

Commissioner Tully said everything that is being done has been done since 2001 and there are no shortfalls, the Village is meeting all requirements of the State law.

Mayor Barnett mentioned the Village Budget book, located on the Village website, and explained there is a section that provides more detail on the Village's contributions.

ORD 2024-10566 — B. 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.

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MOTION: To adopt an ordinance **AUTHORIZING A SPECIAL USE TO ESTABLISH AN ACCESSORY USE BEFORE THE PRINCIPAL USE IS ESTABLISHED AT 3131 FINLEY ROAD, as presented. ORDINANCE 6063**

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

ORD 2024-10477 — C. Ordinance: Vacating a Certain Portion of Public Right of Way in the Village of Downers Grove (Alley to the North of 814-818 Ogden Avenue)

Summary: This ordinance vacates a certain portion of public right of way in the Village of Downers Grove (Alley to the north of 814-818 Ogden Avenue).

MOTION: To adopt **AN ORDINANCE VACATING A CERTAIN PORTION OF PUBLIC RIGHT-OF-WAY IN THE VILLAGE OF DOWNERS GROVE (ALLEY TO THE NORTH OF 814-818 OGDEN AVENUE)**

RESULT: This motion was not voted on.

MOTIONED TO APPROVE: Commissioner José

SECONDED BY: Commissioner Glover

MOTION: To Table Items C through F on the December 3, 2024 Active Agenda to a date uncertain.

RESULT: Motion carried 5-2 by roll call vote.

MOTIONED TO APPROVE: Commissioner José

SECONDED BY: Commissioner Sadowski-Fugitt

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

NAYES: Commissioners Davenport, Glover

PUBLIC COMMENT

Brandon Thiele expressed his concerns with this establishment's drive-through having an exit onto a residential street. He expressed he does not think this is consistent with other establishments located on Ogden Avenue with drive-through lanes.

Rob Rowe, resident, spoke in opposition of this item.

Paul Quillia, a resident, expressed his concerns with proposed hours of operation of this establishment. He said the conflict with the Village's curfew of minors, adding this is a concern because a majority of the employees at this establishment will be under 18.

VILLAGE COUNCIL COMMENTS/QUESTIONS

Commissioner Tully clarified that this item is specifically talking about the alley vacation and he is in full support of it, as it is consistent with the Village's Vacation Policy.

Manager Fieldman spoke of Village Policy, stating that this (vacation) item requires 6 affirmative votes for the vacation to pass.

Mayor Barnett said he is planning on voting against this, not because he is anti-Andys, but because there is a large chunk of public funding involved in this development. He said he would have liked to have seen the developer accommodate the Council's requests for traffic studies, etc.

Commissioner Sadowski-Fugitt said she has been struggling with this item. She expressed she wanted to see an option with the entrance and exit onto Elm Street, rather than Washington, because there is a business located adjacent to it already. She added that she also wanted to see another option, with a more accessible drive-thru. She concurred with Mayor Barnett, stating she is uncomfortable with giving \$1.5 million to a company that did not provide the Council with the additional options they asked for.

Commissioner José said he has very few concerns with regard to this item. He said this is a very good project and in terms of traffic, this developer has done more than what is usually done to accommodate the Council's requests. He

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provided the examples of blocking the turns onto Washington and discouraging turns onto Elm. He said he had few concerns with regard to this project, however, given the current circumstances with the Council's opinions, he made a motion to table items C, D, E and F. Commissioner Sadowski-Fugitt seconded the motion.

Commissioner Tully asked if staff recommended the tabling of these items to a certain date or to a date uncertain.

Manager Fieldman recommended tabling to a date uncertain.

A vote was taken (listed above) on the motion **To Table Items C through F on the December 3, 2024 Active Agenda to a Date Uncertain**. The motion passed with a roll call vote of 5-2.

Commissioner Tully further explained that without an affirmative vote on the Vacation of the Alley, there was no reason to vote on the rest of the items. This is why they were tabled.

ORD 2024-10475 — D. Ordinance: Rezoning Certain Property Located at 814-818 Ogden Avenue and 4244 Elm Street

Summary: This ordinance rezones certain property located at 814-818 Ogden Avenue and 4244 Elm Street.

MOTION: To Table Items C through F on the December 3, 2024 Active Agenda to a date uncertain.

RESULT: Motion carried 5-2 by roll call vote.

MOTIONED TO APPROVE: Commissioner José

SECONDED BY: Commissioner Sadowski-Fugitt

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

NAYES: Commissioners Davenport, Glover

ORD 2024-10476 — E. Ordinance: Authorizing a Special Use for 814-818 Ogden Avenue and 4244 Elm Street to Permit a Side-By-Side Drive-Through

Summary: This ordinance authorizes a Special Use for 814-818 Ogden Avenue and 4244 Elm Street to permit side-by-side drive through.

MOTION: To Table Items C through F on the December 3, 2024 Active Agenda to a date uncertain.

RESULT: Motion carried 5-2 by roll call vote.

MOTIONED TO APPROVE: Commissioner José

SECONDED BY: Commissioner Sadowski-Fugitt

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

NAYES: Commissioners Davenport, Glover

ORD 2024-10483 — F. Ordinance: Approving a Redevelopment Agreement with Downers Grove Equity Group, LLC

Summary: This ordinance approves a redevelopment agreement between the Village of Downers Grove and Downers Grove Equity Group, LLC.

MOTION: To Table Items C through F on the December 3, 2024 Active Agenda

RESULT: Motion carried 5-2 by roll call vote.

MOTIONED TO APPROVE: Commissioner José

SECONDED BY: Commissioner Sadowski-Fugitt

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

NAYES: Commissioners Davenport, Glover

ORD 2024-10582 — G. Ordinance: Repealing Ordinance No. 6003 Establishing Video Gaming Regulations

Summary: This ordinance repeals the ordinance establishing Video Gaming Regulations.

MOTION: To adopt an AN ORDINANCE REPEALING ORDINANCE NO. 6003 ESTABLISHING VIDEO GAMING REGULATIONS, as presented ORDINANCE 6068

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

Village Council Comments/Questions

Commissioner Tully complemented his colleagues on the approach to this controversial issue and their work to identify what this would look like for the community.

Commissioner Davenport agreed.

RES 2024-10593 — H. Resolution: Initiate the Submission of a Public Question to Solicit Resident Input Regarding the Downers Grove Public Library – **Mayor Barnett moved this item to the First Reading portion of the agenda.**

9. First Reading

RES 2024-10593 — H. Resolution: Initiate the Submission of a Public Question to Solicit Resident Input Regarding the Downers Grove Public Library – **Mayor Barnett moved this item from the Active Agenda to the First Reading portion of the agenda.**

Public Comment

Mayor Barnett reviewed the process for public comment once more.

Kylie Spahn, a resident, expressed her opposition to this matter and shared her reasoning as to why the current appointment process is necessary.

Elliot Spiegel, a resident, expressed his opposition to this and shared his experiences with the library.

Gloria Walsh, a resident, expressed her opposition to this and shared her wishes that Village Council work with the library, rather than moving forward with the referendum.

Ed Pawlik, a resident, expressed his concerns with this matter and suggested the Village Council hold periodic joint sessions with the Library Board.

Amanda ReCupido, board member of the Downers Grove Public Library Foundation, expressed concerns about this and spoke about the Foundation's mission to support and strengthen the library.

Laura Kamedulski, a resident, expressed her opposition to this matter and said this should be considered more carefully.

Paul Drabik, a resident, commended the Village Council for bringing this item forward, suggesting that the people of Downers Grove should have a voice in managing the institution that they pay taxes for. He spoke of what he considered the unfair removal of Library Board Trustee Bill Nienburg.

Eileen Briner, a resident, spoke in favor of an elected board and expressed her concerns with the current appointment process.

Carol Graczyk, a resident, expressed her opposition to this item and noted the positives of the library as it is.

Jorge Moré, a resident, expressed his opposition to this matter.

Hillary Denk, a expressed her opposition to this matter.

Meghan Jacobson, a resident, expressed her opposition to this and asked several questions regarding the financial impacts this would have on the library and the residents. She also asked how the library would benefit from this.

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Anne Wick, a resident, expressed her opposition to the matter and requested the Council take additional time to discuss this before putting it on the ballot.

Laura Temple, a resident, concurred with Ms. Wick and shared the large volume of rEmarks that were left by the public regarding this item. She requested the Council hold off on this matter.

Ian Ogden, a resident, said he is not taking a side on the matter, but noted that the Council is not in a position to take action on this after the people have cast their votes. He cautioned the Council that there is not point to this and it only serves to cause a divide among the public.

David Rose, a resident, returned to the podium and said it would be useful for the Council to distinguish the difference between a binding and non-binding referendum. He also asked for an explanation on the difference between spring vs. fall elections.

Janet Whittingham, a resident, expressed her opposition to the matter.

Scott Hudson, a resident, expressed his opposition to the matter, but stated that if the referendum does take place, the vote should be taken during an election with a larger turnout.

Matt Topic, Downers Grove Library Board President, spoke on behalf of the Board and shared the potential impact this could have on the library. He said he had hoped for better collaboration on the Council's part. He acknowledged the Library staff for their work throughout the tough times over the last couple of years.

Village Council Comments/Questions

Commissioner Gilmartin reviewed a list of services that the Village provides for the library and asked if the Village charges the library for those services.

Manager Fieldman said no.

Commissioner Gilmartin shared that he asked staff the following question: If the library were to become its own district, how would it affect the costs for both the library and Village of Downers Grove? He shared that the answer from staff was: The cost impacts cannot be determined at this time, as there are no specific proposed operational changes. Although, it should be noted that if there is a change in the way the Library Board of Trustees is selected, or a change in the form of government of the library, the Village of Downers Grove could continue to provide services to the library in a manner similar to how these services are currently provided. Commissioner Gilmartin then asked for clarification that this means that the Village of Downers Grove would continue to provide similar services to the current situation and that the library would not be charged for those services.

Manager Fieldman said that would be up to the Council and the Library Board. They could seek intergovernmental agreements.

Commissioner Gilmartin asked if this is done with any other organization.

Manager Fieldman said that Village staff will look into that question.

Commissioner Gilmartin asked how the Tax Levy, specifically the Property Tax Levy, would be affected if the library were converted to a district. He spoke about tax caps and asked, if the library would be subject to tax caps if it is spun off.

Village Attorney Enza Petrarca said it would be subject to tax caps. She explained if it were converted to a district, it would have a maximum tax rate, not to exceed the greater of 0.15% of the value of all taxable property in the Village, or the last rate levied by the Village for library purposes.

Commissioner Gilmartin asked if that currently exists.

Attorney Petrarca said no, the library currently benefits from the Village's Home Rule status.

Commissioner Glover asked if the Library's cost for electricity is passed onto the residents of Downers Grove.

Manager Fieldman said it is part of the ComEd Franchise Agreement. He said the cost of electricity, for government buildings that are not receiving direct bills, are paid for by other electric customers (all rate payers) within the Village's boundaries.

Commissioner Sadowski-Fugitt asked if that includes commercial or just residential.

Manager Fieldman said he thinks that it is all rate payers.

Commissioner Tully spoke to the greatness of the Downers Grove Library. He spoke about being a part of the appointment process to the Library Board and shared that he had a hand in appointing many of the Library Board Trustees that were at the Village Council meeting that evening. The Commissioner clarified that the Library item voted on at the last meeting was just to move the item forward to have this conversation. He said he appreciates the civil remarks made by the public, but he does not appreciate comments made by people that are spreading falsehoods. He explained that this is an issue of governance and the reasons this was brought forward were explained by Commissioner Davenport at the last meeting. He opined it is reasonable to ask if the Library Board members should be elected to a body that spends over \$6 million in taxpayer dollars. Commissioner Tully said the people have spoken on this, but explained that an advisory referendum would effect no change on the library. He shared that it would begin the discussion on what an elected board would look like. He said that each option should be explored more robustly and that the cost may outweigh the benefits, but that is yet to be determined. To Commissioner Davenport's point, Commissioner Tully shared that he hopes the library would be interested in this. He said this is not inappropriate or nonsensical, further explaining that the library is a semi-autonomous municipal corporation for which the Village must approve the budget and levy, but yet does not establish it. He said there is nothing rushed or sneaky about this matter and he does not think it is fair for people to be challenged for even considering to talk about it. The Commissioner encouraged dialogue among the Village Council and the Library Board of Trustees. He said he is prepared to meet as soon as anyone else is ready to do so.

Commissioner José spoke about his opposition (and that of another current Council member) to the appointment of Art Jaros to the Library Board. He said he does not want to lose focus on the fact that a lot of information still needs to be gathered about this topic and he would like to collaborate with the library, if the Council is afforded more time. He spoke of transparency in government and the decision making process, adding that the Village does not know what type of impact this would have on the library financially. He said there is a lot of detailed work that should be part of the conversation between the Village Council and Library Board, in addition to the community as a whole. He shared that there are a large number of boards that are appointed. Commissioner José added that before he voting on this matter, he would like more information and said he thinks residents deserve that information as well. He shared concerns about Village staff and the Council's bandwidth at this time. He said he hopes to get additional information and start this conversation, but he does not think it is possible to gather all of the information necessary to make the necessary decision in time to place this on the April ballot.

Commissioner Glover said he appreciates every one who has shared their perspectives on this item over the past few weeks. He said he agrees with a lot of what was said at this meeting. He clarified that the Village Council does recognize the successes of the library and shared his opinion that this is a discussion of governance. He stated that in his opinion, this is a question of principal that deserves consideration by the Council, the library, and the voters of Downers Grove. Commissioner Glover shared his hope that the Village Council can get a better grasp on some of the areas of concern that the public and his peers may have, but also expressed that he sees the value in exploring an elected board. He said he has trust in the community, and though this may seem rushed to some, it was mentioned long before the last couple of meetings. The Commissioner expressed that he thinks the discussion needs to be had and he looks forward to continuing it.

Commissioner Sadowski-Fugitt shared that there has been a list of candidates for the Village Council in place since before Thanksgiving. Those candidates will appear on the April election ballot, which gives the public an opportunity to do their research. She noted that this item matter is still being discussed and it is not known yet if it will be on the ballot, which is unfair to the public. She opined that there are pros and cons to an elected board, so this is a valid conversation to be had. The Commissioner shared the attacks the library has faced over the past two years, starting with a Drag Queen Bingo event, adding that this matter has had a negative affect on the morale of the Library staff since it was brought forth. The Commissioner then shared two audio clips, including negative and explicit content.

The first was a clip from a podcast run by a candidate for Commissioner of the Village Council, where he spoke negatively about a future Library staff member. The second was a threatening voicemail left by an anonymous person for Commissioner Sadowski-Fugitt after the removal of Trustee Nienburg from the Library Board. Commissioner Sadowski-Fugitt shared that she has received other threats, in addition to this one, adding that the Library staff and Library Board members have received them as well. She expressed that the best way to deal with the harmful actions that have been taken is not with a proclamation, but with consistent action. She said she is not suggesting that the referendum should not be discussed, but rather that the Council work with the Library Board of Trustees and Library staff to find out where there have been shortfalls. She spoke of how she related to the comments of a speaker from NAMI that was at the Grove Foundation Grant Award Ceremony the night before this meeting. She shared that she is in a position to help make life better for people who have struggled, and also that the Library staff and the library Board help to ensure that everyone has equal access to learning and resources, and that everyone feels a sense of belonging in the community. The Commissioner shared that said she does not think Commissioner Davenport put this matter forward with ill will. She shared that her intention is to emphasize the impacts that the last two years have had on the library and the community.

Commissioner Gilmartin thanked Commissioner Sadowski-Fugitt for her comments. He said the possibility of placing this referendum on the ballot has raised many concerns, especially given the lack of public engagement involved. He opined that by putting this on the April ballot would not allow this matter the proper type of consideration that has been given to other items in the past. He reiterated that the Village Council would have no actionable authority with the outcome of this referendum, adding that the addition of this matter to the Council's agenda would divert Village staff and Council resources away from other things like Priority Action Items. He said there is no conversation to be had about the costs to the library if this occurs, because they will obviously increase. He expressed that though he sees the benefits of the current structure, he is open to a discussion about the pros and cons of the Library Board becoming an elected board. He said this approach leaves the library, the Council, and residents with almost nothing to move forward on. He questioned if anyone could truly understand the impacts this would have in this short time. He said even if the results are a clear yes or no, the Council could not interpret those results without a longer discussion and this would continue build a wedge between the Council and the Library Board. He agreed with Commissioner Sadowski-Fugitt and said a reset is needed. He expressed that the idea of collaboration and discussions with the library is needed, but he does not think they are possible with the referendum hanging over their heads. Commissioner Gilmartin opined that the referendum question is loaded and has consequences. He said he thinks there is a better way to go about this than the referendum and that includes a reset to tone things down.

Commissioner Davenport said that during a Council meeting in April of 2024, he shared that he intended to advocate for action to make the Library Board an elected board, so this was not something new. He said Commissioner Tully did a good job of recapping what he said in April. He spoke of other elected boards in nearby communities and further stated that the language of the referendum is not set in stone. He shared that he was not trying to simplify the language on the referendum question to make things less clear, but rather to provide an option to make it an elected board without changing the current structure. He shared that like Commissioner Sadowski-Fugitt, there were many negative things said to him during the pandemic (while he served on the school board). The Commissioner said he wants to have more discussions, and there is now more time to do so with the news that the referendum question is not due to the County until January. He said the reason for bringing the matter up this way, was to discover whether or not the community wanted to move forward with these discussions. He said he regrets that this has caused distress, but this is a tough thing that needs to be dealt with.

Mayor Barnett said he appreciates the passion that people feel for the library. He said there are three reasons people visit downtown Downers Grove: the train, the library and the post office. He recognized that libraries across the country are under attack. He said that if the voters say no to this question, it would answer the same questions that are regularly received. He shared there are multiple ways forward, and he addressed concerns with a possible yes referendum question outcome by stating that the Library Board can become an elected board without making changes to anything but the selection process. The Mayor shared that the Village of Downers Grove is not trying to defund the library and make taxes go up, and he is disappointed with some of the public comments made just to wind people up. He said digging into these details is a lot of work and if residents do not want it, then there is no point in moving forward. He opined that the best path forward is established through a multiple referendum process, adding that the spring election is a municipal election and a good time for the referendum question to be on the ballot. He shared that as property taxes continue to increase, and questions arise about the local library, taxpayers deserve to have their voices heard. Mayor Barnett said that he does not think any unit of government should be subject to PTEL. He

shared that he supports the right of voters to weigh in on this issue, but he will also defend and protect the library in this process. He said he is not supportive of a complete separation of the Village and the Library.

Commissioner Hosé clarified that for the Village Council to keep the Library Board as a component unit, while having an elected Board, there would need to be action in Springfield. He said if the Village Council chooses to go forward without providing more information, they are doing a disservice to voters. He said he would like more time for people to be able to make an informed decision.

Mayor Barnett agreed and asked how far the Village Council wants to go if the community does not even want this.

Commissioner Sadowski-Fugitt said she has advocated for more conversation about items like this and this is not the first time this has happened. She shared that she has suggested forums for items the Village Council can not act on, but knows residents find important. She said she herself would prefer to be elected in a November General Election rather than an April Consolidated Election, so she is not interested in putting this on a ballot with a low-turnout election. She said the Village Council is not representative of what this community is. She encouraged the Council to consider everything happening around this matter.

Commissioner Gilmartin said it is important to remember that the new appointment process for the members of the Library Board is different than it has been in the past and there is a reason for that. He said the Council members that are in support of making the Library Board an elected board are saying that there are problems with the library. He thinks the Council needs to see those problems are fixed. He shared that this matter should involve more than a simple conversation

Mayor Barnett said that he is not pointing to any particular issues with the Library, as mentioned by Commissioner Gilmartin. He shared that for almost two decades there have been constant requests from the public that there be more transparency with the selection process, or that they have more input in the process.

Commissioner Gilmartin spoke of the history of this item and said he does not buy the notion that this is a simple question. He said he spent a lot of time researching this topic, and that found many libraries that have converted to districts, did so before 1993. He said he needs to see real data about how many library conversions happen every year. He shared the example of Pittsfield, IL, and said in a conversation with the Pittsfield Library Director, he learned why they benefitted from splitting from the Village of Pittsfield. He further explained that the Pittsfield Library and Village of Pittsfield did not have the same relationship and benefits shared by the Village of Downers Grove and the Downers Grove Public Library. The Commissioner shared that during his research, most of the library conversions to districts had to do with annexing and not electability.

Mayor Barnett clarified that he does not think the best course forward is the creation of a district.

Commissioner Sadowski-Fugitt asked if the Village was to move towards the Village of Aurora model that was never passed, how would the accountability structure work. She said she has concerns that there would be more conflicts between the Village and library in terms of budget and other things. She said more conversations are worth having.

Commissioner Gilmartin explained that given time and a conversation, the library could provide more information and further these conversations. He emphasized that that more time is needed.

Mayor Barnett called for a recess at 10:24 pm.

The meeting reconvened at 10:36 pm.

ORD 2024-10568 — A. Ordinance: Approving an Amendment to Planned Unit Development #66 to Permit Construction of a 138-Residential Unit Apartment Building

ORD 2024-10567 — B. Ordinance: Authorizing a Special Use for 750 Curtiss Street to Permit Construction of a 138-Residential Unit Apartment Building

Manager Fieldman explained that items A-B have to do with zoning for Lot 2 of the Civic Center Project. He introduced Community Development Director Stan Popovich to present the items.

Mr. Popovich presented via PowerPoint and provided an overview of the proposed project at 750 Curtiss Street. He shared the site plans and building details. He explained that the proposal is consistent with the Comprehensive Plan, adding that the Planning and Zoning Commission found the standards for the PUD and Special Use had been met and recommended approval.

VILLAGE COUNCIL COMMENTS/QUESTIONS

Commissioner Sadowski-Fugitt said she appreciates the fact that the key terms are the same as they were during the last discussion, adding that she is also pleased with the images and renderings. She said she is interested in supporting this moving forward because this is closer to the look the Council was looking for to begin with.

Commissioner José said the Special Use and PUD met all the standards and he likes the look of the building and has liked the renderings since the beginning. However, he shared his concern with a number of the people that will be constructing the building, which is why he will be voting against this item.

Commissioner Tully commended Village staff on an excellent job with contract negotiations. He said he is pleased with this and plans to support this item.

Commissioner Davenport said he plans to support this. He said the standards have been met and nothing has been changed substantially. He shared he thinks it aligns with the Downtown Design Guidelines well, adding his appreciation of the design of the west side of the building with precast panels that have a stamped brick pattern.

Commissioner Gilmartin asked what the word sub-edge referred to.

Mr. Popovich said in the 2017 Comprehensive Plan there were different functional sub-areas and that is the downtown edge sub-area.

Commissioner Gilmartin then received confirmation that this property is zoned DT/PUD, and asked if the Special Use allows for the height.

Mr. Popovich clarified that it is the PUD that allows for the height.

Commissioner Gilmartin said the plans look great and he looks forward to supporting this item.

ORD 2024-10581 — C. Ordinance: Approving a Redevelopment and Land Purchase Agreement between the Village of Downers Grove and LCI Development Partners, LLC

Manager Fieldman provided a few key points about the redevelopment agreement. He shared the sale and redevelopment of Lot 2 is projected to generate \$15 million over the next 20 years to help pay down bonds for the Civic Center project. He explained the projected revenue is in line with the Village's financial plan, and the key terms of the redevelopment agreement are exactly as discussed previously, when the key terms were renegotiated.

ORD 2024-10549 — D. Ordinance: 2024 AGGREGATE TAX LEVY ORDINANCE

ORD 2024-10550 — E. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2024 and Ending on the Thirty-First Day of December 2024 for Village of Downers Grove Special Service Area #4 (Green Acres Subdivision)

ORD 2024-10551 — F. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2024 and Ending on the Thirty-First Day of December 2024 for Village of Downers Grove Special Service Area #5 (Atwood Subdivision)

ORD 2024-10552 — G. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2024 and Ending on the Thirty-First Day of December for the Village of Downers Grove Special Service Area #6 (Fairview Fire Protection District)

ORD 2024-10553 — H. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January

2024 and Ending on the Thirty-First Day of December 2024 for Village of Downers Grove Special Service Area #7 (Dunham Subdivision)

ORD 2024-10554 — I. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2024 and Ending on the Thirty-First Day of December 2024 for Village of Downers Grove Special Service Area #8 (Nelson Meadow Subdivision)

ORD 2024-10555 — J. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2024 and Ending on the Thirty-First Day of December 2024 for Village of Downers Grove Special Service Area #9 (35th & Saratoga Subdivision)

ORD 2024-10556 — K. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January, 2024 and Ending on the Thirty-First Day of December 2024 for Village of Downers Grove Special Service Area #10 (Bridgepoint Downers Grove Subdivision)

ORD 2024-10557 — L. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2024 and ending on the Thirty-First Day of December 2024 for Village of Downers Grove Special Service Area #11 (Downtown Downers Grove)

ORD 2024-10558 — M. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2024 and Ending on the Thirty-First Day of December 2024 for Village of Downers Grove Special Service Area #12 (Fairview Ridge Subdivision)

ORD 2024-10559 — N. Ordinance: Levying of Taxes for the Fiscal Year Commencing on the First Day of January 2024 and Ending on the Thirty-First Day of December 2024 for Village of Downers Grove Special Service Area #13 (Kapovich Subdivision)

ORD 2024-10560 — O. Ordinance: Abating a Portion of the 2024 Tax Levy Related to the General Obligation Refunding Bonds, Series 2014

ORD 2024-10561 — P. Ordinance: Abating a Portion of the 2024 Tax Levy Related to the General Obligation Refunding Bonds, Series 2015

ORD 2024-10562 — Q. Ordinance: Abating a Portion of the 2024 Tax Levy Related to the General Obligation Refunding Bonds, Series 2016

ORD 2024-10563 — R. Ordinance: Abating a Portion of the 2024 Tax Levy Related to the General Obligation Bonds, Series 2019

Summary: This ordinance abates a portion of the 2024 tax levy related to the general obligation bonds, series 2019.

ORD 2024-10564 — S. Ordinance: Abating a Portion of the 2024 Tax Levy Related to the General Obligation Refunding Bonds, Series 2020

ORD 2024-10565 — T. Ordinance: Abating a Portion of the 2024 Tax Levy Related to the General Obligation Bonds, Series 2022

Village Council Comments/Questions

Manager Fieldman explained that Items D-T under the First Reading portion of the agenda have to deal with the Budget and the Property Tax Levy. He further provided details about Items E-L, the Tax Levies for the Village's Special Service Areas. He explained this information has been presented several times at previous Council meetings. He said he was happy to answer any questions the Council may have.

10. 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:

Council Minutes

Village of Downers Grove

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1. An ordinance requesting the permission of a Planned Unit Development Amendment #66 to permit the construction of a 138-residential unit apartment building at 750 Curtiss Street.
2. An ordinance approving a special use to establish an accessory use before the principal use is established at 3131 Finley Road.
3. An ordinance approving the Redevelopment and Land Purchase Agreement between the Village of Downers Grove and LCI Development Partners, LLC for the property located at 750 Curtiss Street (Civic Center Lot 2).
4. An ordinance approving the 2024 Aggregate Tax Levy Ordinance.
5. An ordinance approving the levying of taxes for the Fiscal Year commencing on the first day of January, 2024 and ending on the thirty-first day of December, 2024 for Village of Downers Grove Special Service Area #4 (Green Acres Subdivision).
6. An ordinance approving the levying of taxes for the Fiscal Year commencing on the first day of January, 2024 and ending on the thirty-first day of December, 2024 for Village of Downers Grove Special Service Area #5 (Atwood Subdivision).
7. An ordinance approving the levying of taxes for the Fiscal Year commencing on the first day of January, 2024 and ending on the thirty-first day of December, 2024 for Village of Downers Grove Special Service Area #6 (Fairview Fire Protection District).
8. An ordinance approving the levying of taxes for the Fiscal Year commencing on the first day of January, 2024 and ending on the thirty-first day of December, 2024 for Village of Downers Grove Special Service Area #7 (Dunham Subdivision).
9. An ordinance approving the levying of taxes for the Fiscal Year commencing on the first day of January, 2024 and ending on the thirty-first day of December, 2024 for Village of Downers Grove Special Service Area #8 (Nelson Meadow Subdivision).
10. An ordinance approving the levying of taxes for the Fiscal Year commencing on the first day of January, 2024 and ending on the thirty-first day of December, 2024 for Village of Downers Grove Special Service Area #9 (35th & Saratoga Subdivision).
11. An ordinance approving the levying of taxes for the Fiscal Year commencing on the first day of January, 2024 and ending on the thirty-first day of December, 2024 for Village of Downers Grove Special Service Area #10 (Bridgepoint Downers Grove Subdivision).
12. An ordinance approving the levying of taxes for the Fiscal Year commencing on the first day of January, 2024 and ending on the thirty-first day of December, 2024 for Village of Downers Grove Special Service Area #11 (Downtown Downers Grove).
13. An ordinance approving the levying of taxes for the Fiscal Year commencing on the first day of January, 2024 and ending on the thirty-first day of December, 2024 for Village of Downers Grove Special Service Area #12 (Fairview Ridge Subdivision).
14. An ordinance approving the levying of taxes for the Fiscal Year commencing on the first day of January, 2024 and ending on the thirty-first day of December, 2024 for Village of Downers Grove Special Service Area #13 (Kapovich Subdivision).
15. An ordinance abating a portion of the 2024 Tax Levy related to the General Obligation Refunding Bonds, Series 2014.
16. An ordinance abating a portion of the 2024 Tax Levy related to the General Obligation Refunding Bonds, Series 2015.
17. An ordinance abating a portion of the 2024 Tax Levy related to the General Obligation Refunding Bonds, Series 2016.
18. An ordinance abating a portion of the 2024 Tax Levy related to the General Obligation Refunding Bonds, Series 2019.
19. An ordinance abating a portion of the 2024 Tax Levy related to the General Obligation Refunding Bonds, 2020.
20. An ordinance abating a portion of the 2024 Tax Levy related to the General Obligation Bonds, Series 2022.

11. Mayor's Report

RES 2024-10594 — A. Resolution: Appointing and Reappointing Members to Village Boards and Commissions

MOTION: To adopt a **RESOLUTION APPOINTING AND REAPPOINTING MEMBERS TO VILLAGE BOARDS AND COMMISSIONS**, as presented. **RESOLUTION 2024-89**

RESULT: Motion carried unanimously by roll call..

MOTIONED TO APPROVE: Commissioner José

SECONDED BY: Commissioner Sadowski-Fugitt

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

NAYES: None

Mayor Barnett explained that Village Board and Commission appointments are generally made in August/September, but there were a few that fell behind. He also said it was worth mentioning that historically the Council avoids having to appoint members during the period between the time candidates file packets for the upcoming April election and the election itself.

Village Clerk Rosa Berardi read the following resolution appointing members to Village Boards and Commissions:

STORMWATER AND FLOOD PLAIN OVERSIGHT COMMITTEE

Appoint Theresa Roupp to a three-year term expiring August 31, 2027

COMMUNITY EVENTS COMMISSION

Appoint Michelle Lytle to a one year term expiring August 31, 2025

PLANNING AND ZONING COMMISSION

Appoint Jeanne Eberhardt to a three-year term expiring August 31, 2027

Village Council Comments/Questions

Commissioner Gilmartin welcomed the new members of the boards and commissions.

Mayor Barnett also thanked the new members and said the Council is appreciative of their willingness to serve.

Commissioner Tully said the name for this period of time is the Marilyn Schnell Rule, adding that he wanted to give credit where credit is due.

12. Council Member Reports

Commissioner Sadowski-Fugitt said the Grove Foundations Annual Grant Ceremony was the night before this meeting and that \$13,000 in grants were given to local non-profits. She thanked Commissioner Davenport for attending the ceremony.

Commissioner Tully shared his thanks for the Mayor's proclamation on Giving Tuesday and urged residents to give to non-profits in town.

Commissioner José thanked those who attended the Tree Lighting on Friday, November 29th, adding that it was a great event.

13. Manager's Report

REP 2024-10570 — A. Guiding DG: Comprehensive Plan and Related Projects - Environmental Sustainability Plan Draft Vision, Goals and Recommendations

This item was not discussed due to the lengthy meeting.

14. Adjournment

Mayor Barnett called for motion to adjourn the meeting.

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MOTION: *To Adjourn the December 3, 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, Davenport, Tully, Glover, Gilmartin, Mayor Barnett*

NAYES: *None*

The meeting adjourned at 10:52 p.m.

Respectfully Submitted,

Rosa Berardi
Village Clerk