

Meeting Minutes

Village of Downers Grove - Council Meeting

Betty Cheever Council Chambers
February 11, 2025
06:00 PM

1. Call to Order

Pledge of Allegiance to the Flag

2. Roll Call

Council Attendance (Present): Mayor Barnett, Commissioner José, Commissioner Sadowski-Fugitt, Commissioner 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. Minutes of Council Meetings

MIN 2024-10511 A. Minutes: Village Council Meeting Minutes - February 4, 2025

MIN 2025-10699 B. Minutes: Meeting Minutes of Joint Meeting of the Village Council and the Library Board of Trustees - February 3, 2025

MOTION: To **Adopt Village Council Meeting Minutes of February 4, 2025 and the Meeting Minutes of Joint Meeting of the Village Council and the Library Board of Trustees of February 3, 2025**, as presented.

RESULT: Motion carried unanimously by voice vote.

MOTIONED TO APPROVE: Commissioner José

SECONDED BY: Commissioner Sadowski-Fugitt

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

NAYES: None

4. Public Comments

Janet Winningham, a resident, expressed concerns about the removal of parking in the downtown area as a part of the Guiding DG planning process. She also requested the Village sponsor public candidate forums for the upcoming municipal election.

5. Consent Agenda

BIL 2024-10631 A. Bills Payable: No. 6854 - February 11, 2025

RES 2025-10672 B. Resolution: Appoint Tom Powers as Deputy Village Clerk

RESOLUTION 2025-15

A RESOLUTION APPOINTING TOM POWERS AS DEPUTY VILLAGE CLERK FOR THE VILLAGE OF DOWNERS GROVE

MOT 2025-10683 C. Motion: Approve a Contract to USA Fire Protection of Lake Forest, IL, for the Parking Deck Fire Sprinkler Replacement Project

MOT 2025-10685 D. Motion: Approve a Contract with Engineering Resource Associates, Inc. of Warrenville, IL, for Engineering Services for the Hummer Park Box Culvert Replacement Final Design

RES 2025-10690 E. Resolution: Authorize the Purchase of Three (3) Police Department Vehicles and Certain Equipment

RESOLUTION 2025-16

A RESOLUTION AUTHORIZING THE PURCHASE OF REPLACEMENT VEHICLES AND CERTAIN EQUIPMENT

MOT 2025-10689 F. Motion: Authorize the Purchase of Six (6) Public Works Department Vehicles

RES 2025-10686 G. Resolution: Approve the First Extension to the Contract with T and T Landscape Construction, Inc. for Sod Installation and Restoration

RESOLUTION 2025-17

A RESOLUTION AUTHORIZING EXECUTION OF A FIRST EXTENSION TO THE CONTRACT BETWEEN THE VILLAGE OF DOWNERS GROVE AND T AND T LANDSCAPE CONSTRUCTION, INC.

MOTION: To **Adopt the Consent Agenda of the February 11, 2025 Village Council Meeting**, as presented.

RESULT: Motion carried unanimously by voice vote.

MOTIONED TO APPROVE: Commissioner José

SECONDED BY: Commissioner Sadowski-Fugitt

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

NAYES: None

6. Active Agenda

ORD 2025-10679 A. Ordinance: Imposing a Municipal Grocery Retailers' Occupation Tax and a Municipal Grocery Service Occupation Tax

MOTION: To adopt ***AN ORDINANCE AMENDING THE DOWNERS GROVE MUNICIPAL CODE BY THE ADOPTION OF CHAPTER 21, ARTICLE XIV IMPOSING A MUNICIPAL GROCERY RETAILERS' OCCUPATION TAX AND A MUNICIPAL GROCERY SERVICE OCCUPATION TAX***, as presented. **ORDINANCE 6098**

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

Village Council Comments

Commissioner Gilmartin explained this is a wash and will not affect Downers Grove residents alone, but also those who visit Downers Grove and patronize its establishments. He said he will support this.

7. First Reading

ORD 2025-10687 A. Ordinance: Vacating a Portion of an Unimproved Public Right-of-Way
Adjacent
to and between 5241 Lyman Avenue and 831 Maple Avenue

Community Development Director Stan Popovich presented Items A and B via PowerPoint.

Village Council Comments

Commissioner Hosé suggested not only waiving the fee for the Park District but also for the private property owner, adding that the Village policy on alley vacations should be updated. Commissioner Tully shared the history of the Village's policy and suggested any policy revisions should have a more comprehensive review. Mayor Barnett expressed discomfort with vacating the alley for a fee and asked who made the decision to split the alley 16 feet down the middle. Mr. Popovich explained that it was done at the request of the petitioner and owner of 5241 Lyman. Commissioner Gilmartin raised concerns about the Village giving away land, asking if it was to generate tax revenue, to which Commissioner Hosé responded that if the Village had no use for it, it made sense to give it away without fees. Bill McAdam, Executive Director of the Downers Grove Park District, explained their interest in the land for future use. Commissioner Tully stressed the need for a broader discussion, at a later time, about giving away Village assets at no cost. Manager Fieldman shared the policy-making efforts from years prior on this subject, and explained that it could be a part of upcoming LRP discussions. He clarified that the land's value is based on market prices, and was reduced by $\frac{1}{3}$ due to a utility easement on the property. Commissioner Davenport agreed with the Park District's need for the land to prevent potential issues with neighboring structures and suggested either the proposed plan or giving all the land to the Park District.

The Petitioner, and owner of the property at 5241 Lyman, explained that the Park District was not maintaining the alley area, which consisted of dirt and some grass, so since he had been taking care of it, he decided to petition for it. He said he paid the fees involved with this and would like to revisit the discussion about waiving fees in the future.

Commissioner Davenport explained that there is an advantage with this when it comes to placement of accessory structures. He said he would be willing to entertain the idea of waiving the fees in the future as well.

MOT 2025-10703 B. Motion: Approval of a Fee Waiver for a Vacated Right-of-Way

ORD 2025-10698 C. Ordinance: Amending Chapter 5 of the Downers Grove Municipal Code to

Prohibit Cat Declawing in the Village of Downers Grove

RES 2025-10697 D. Resolution: Supporting Further Legislative Action to Ban Cat Declawing in the State of Illinois

Village Manager Dave Fieldman presented items C and D.

Village Council Comments

Commissioner Sadowski-Fugitt reminded all that she brought this forward because there was a bill in the House that had died and now there were efforts to bring it forward again. She explained it is similar to what the Village did in the Puppy Mill discussions and how the Village was a leader with that. She reviewed the effects that declawing has on cats and explained that there are many alternatives to declawing that can be explored.

Commissioner Gilmartin expressed support for both the ordinance, banning cat declawing, and the resolution, supporting further legislative action at the State level. He said he viewed it as an extension of the Village's work on puppy mills, calling the practice outdated and inhumane. Commissioner Tully supported adopting an ordinance and not the resolution at this time, but had concerns about enforcement. He suggested waiting to see what the State does before implementation. Commissioner Sadowski-Fugitt agreed with this approach and shared that she believed enforcement would not be an issue. Commissioner José supported Commissioner Tully's view, seeing the ordinance as effective on its own.

Commissioner Davenport asked if the proposed Village ordinance is in alignment with the Senate bill. Village Attorney Petrarca confirmed it was. Commissioner Davenport emphasized the need to take a leadership role by passing the ordinance. Mayor Barnett disagreed with previous remarks and shared he does not believe this to be within the scope of the Village. Commissioner Gilmartin argued that the law would prevent potential future issues, and said while he valued the resolution, he agreed with focusing on the ordinance. Commissioner Davenport agreed with Commissioner Tully's previous suggestion of passing the ordinance with a future effective date. Mayor Barnett agreed to continue reviewing the matter. Commissioner Sadowski-Fugitt noted local veterinary support, while Mayor Barnett viewed the issue as broader. Manager Fieldman confirmed only the ordinance would be presented next week. The Council agreed to repeal the Village ordinance if the State passes a similar law, upon Attorney Petrarca's recommendation.

8. Attorney's Report

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

1. An ordinance vacating a portion of an unimproved public right-of-way adjacent to and between 5241 Lyman Avenue and 831 Maple Avenue.
2. An ordinance amending Chapter 5 of the Downers Grove Municipal Code to prohibit cat declawing in the Village of Downers Grove.

9. Mayor's Report

There was no Mayor's Report.

10. Council Member Reports

Commissioner Gilmartin apologized for leaving the Joint Meeting with the Library Board early on February 3rd and said he watched the rest of the meeting. He expressed support for the idea of a joint sub-committee, consisting of members from each of the boards, making recommendations with a clear path forward, to allow for a process with meaningful input. He said he disagreed with comments made by members of the Village Council that if the subcommittee lists pros and cons, it will lead to recommendations and will take away from the Council's authority. He disagreed that anything more than fact-finding by the subcommittee would take authority away from the Council and opined that this process will actually give the Council the information it needs to use its authority to make decisions. He expressed his concern about comments made at the meeting, by Council members, that made this seem less collaborative than it should be.

Commissioner José said that analysis and expertise does not require recommendations. He said he thinks a list of attributes and pros and cons is subjective and so are recommendations. He said this idea is handcuffing the committee. He said certain things are only within the purview of the Village Council. He expressed his disappointment with his colleague's report. The Mayor said he did not want a rehashing of past meetings to happen at current Village Council meetings and shared that he disagreed with many things that were said by Commissioner Gilmartin. Commissioner Gilmartin explained he made his comments at this time because he had to leave the joint meeting early.

11. Manager's Report

REP 2025-10681 A. Guiding DG: Comprehensive Plan and Related Projects - Active
Transportation Plan Alternatives

Mr. Popovich presented the Active Transportation Plan Alternatives via PowerPoint. Aaron Tully and Jackson Marvel, consultants with Baxter and Woodman, participated electronically to address any of the Council's concerns and questions.

Village Council Comments

Commissioner José questioned the undetermined facility type on 67th Street. Manager Fieldman said the staff perspective on this is a preference of shared use paths and unprotected bike lanes.

Commissioner Sadowski-Fugitt expressed a preference for the staff option and opposed using sharrows, as she believes they do not enhance safety. She suggested if they are used, they should only be used on quiet residential streets. She also recommended including the "What's Possible" data as an appendix in the final plan to show how decisions were made. She raised concerns about several of the Main Street crossings and how they would be handled, especially north to south, and she was interested in potential solutions. Manager Fieldman agreed with the value of the "What's Possible" data and supported including it as an appendix. Mr. Marvel explained that most of those intersections are controlled by DuPage County, which would require collaboration between the Village and County, and listed potential solutions. Mayor Barnett asked if DuDOT has accommodated similar issues before. Manager Fieldman shared that recent discussions with DuPage County about the Oxford and Main intersection show progress on implementing improvements suggested by Baxter and Woodman.

Commissioner José said he wants to go with the staff option, with the addition of sharrows. He said he agrees with adding the What's Possible as an appendix, which can be used with future decision making efforts. He thanked staff and the consultant for the work done.

Mayor Barnett inquired about the intersection improvements and asked for an explanation, in lay terms, if this was referring to bump outs, pavement markings, and branding to make pedestrians feel welcome. Manager Fieldman explained that striping would be branded with something to identify the Village, while adhering to regulations, explaining that further details would be included in the full draft plan. Mr. Marvel explained that as depicted on the improvements map, the striping of the crosswalks would change to a higher value depending on the intersection. He explained the map also depicts ADA curb ramps that need to be updated, noting that the Village has already updated 70% of curb ramps. Mayor Barnett expressed support for bump outs, branded crosswalks, and enhanced lighting to improve pedestrian visibility. Manager Fieldman noted that staff is working with Baxter and Woodman on standardized crosswalks.

Commissioner Davenport said this would help to create a distinct Downers Grove look. He shared support for the staff recommendations plus sharrows, and requested the "What's Possible" appendix. Commissioner Gilmartin emphasized the importance of pedestrians being welcome and drivers being aware of pedestrians. He asked for the consultant's comments on the benefits of sharrows. Mr. Tully explained that sharrows had been reconsidered, since the start of this process, due to constraints - i.e. street trees and parking. He shared that studies have shown the benefits of sharrows with things such as improving connectivity, access, and safety; particularly when they are paired with adjustments like reduced speeds and better lighting. Commissioner Gilmartin shared his support for sharrows, but advocated for sharrow placement outside the "door zone" of parked cars for the safety of the bikers.

Commissioners Gilmartin and Tully agreed on keeping the "What's Possible" as an appendix. Commissioner Gilmartin asked Manager Fieldman if there was any value to adding verbiage about possible funding efforts for future improvements to the What's Possible appendix. Manager Fieldman replied sharing the verbiage about funding could be added. Commissioner Tully shared support for keeping the appendix and was open to using sharrows selectively, to enhance the staff's recommendations.

Commissioner Gilmartin said it appeared the north side of town was sharrows-heavy and shared that he would like to see more of them on the south side.

Commissioner Glover agreed with the staff recommendation, plus the sharrows in the areas that are shown, especially in the areas that connectivity just stops. He is good with keeping the What's possible in as an appendix.

Mayor Barnett said if sharrows are used in conjunction with reduced speeds, increased fines and enhanced lighting, then he is good with it. He thinks there is a long term cultural benefit with the sharrows that he can get behind, but he is worried about motorists.

Manager Fieldman said he thinks the Council is giving a preview to what the final draft plan looks like.

Commissioner Gilmartin said part of what the sharrows option showed to him were longer stretches. He explained the longer the stretch the more there is a direct path. He said he thinks if bicycling becomes easier, more people will do it. Commissioner Davenport said that is a benefit of the sharrows, they are just paint on the street and can be undone if they do not work. He said coupled with the other tools

mentioned, he thinks they will work. Commissioner Gilmartin said he does not want sharrows to just be something to apply by paint casually.

Commissioner Davenport asked about the difference between just the staff recommendation and staff recommendations with sharrows. Mr. Popovich provided clarification. Commissioner Davenport said he wants to stick with what is being proposed and then progress from there.

Manager Fieldman said once a plan is in place, it will be reassessed in 2-3 years.

Commissioner José highlighted the Mayor's comment that this will be a culture shift for both bicyclists and motorists, especially since COVID, with drivers being angrier and more impatient. He said he hopes the culture change is real and significant.

Commissioner Glover asked about lighting and said in the staff recommendation there wasn't much lighting mentioned in the Rogers neighborhood area. He said he wants to see more there because it is a connection from downtown to the Fairview corridor. Mr. Popovich clarified that the Streetscape plan and the Intersection Improvement plans will be combined when presented again.

Manager Fieldman said there is enough Council direction for Baxter and Woodman to put together a complete draft plan for Council review.

Mr. Popovich provided an overview of the next steps before the discussion concluded.

REP 2025-10704 B. Guiding DG: Comprehensive Plan and Related Projects - Discussion of Outdoor Dining Programmatic Elements

Village Manager Fieldman presented this item via PowerPoint and started the discussion about Outdoor Dining Programmatic Elements.

Commissioner Glover suggested continuing the current temporary outdoor dining setup in 2025. With regard to the proposed plan, he shared he would like to see more flexible outdoor dining areas added to the establishments that appear to lose all of their outdoor dining space. He emphasized that investing in these spaces would benefit future businesses. Mayor Barnett agreed with Commissioner Glover on using on-street parking for the 2025 outdoor dining season. Manager Fieldman asked the Council to weigh in on the possibility of adding additional flexible dining spaces, in excess of the four already in the plan. Commissioner Sadowski-Fugitt shared she was comfortable with the fees but for the 2025 outdoor dining season, recommended a trial run of the 2026 plan by barricading the proposed flexible amenity areas for outdoor dining. She also raised concerns about a possible loss of seating in the 2026 plan for Pine Cone Cottage and Orange and Brew. Mr. Popovich clarified that Pine Cone Cottage would still have their seating in the alley and Orange and Brew's seating area would move to the west, closer to the Library entrance.

Commissioner Tully spoke of the progress on outdoor dining in Downers Grove, and advocated for even more flexibility with the flexible amenity spaces. He also supported the idea of adding more options. He said he was fine with a transitional period and wanted to support business requests, like whether they prefer using parking spaces for tables. Commissioner José favored keeping outdoor dining as it has been in 2025 and limiting the flexible amenity areas to the four already in the plan, though he is open to expanding flexible spaces in the future. He opposed parklets, due to aesthetic and safety reasons and said he preferred making decisions now without a trial run.

Commissioner Glover highlighted the loss of space for some restaurants under the plan. Commissioner Gilmartin agreed on finding ways to provide more space for those affected and expressed concerns about a trial run in 2025. He said he wanted to explore additional flexible space options and asked Manager Fieldman about private outdoor dining spaces and if the current rules apply that says the spaces allowed for outdoor dining had to be less than those allowed for indoor dining. Manager Fieldman said the situation is that permanent privately owned outdoor dining spaces have coincidentally been less than what the establishments have inside. He said it is not required but that is the way it has worked out. Commissioner Gilmartin shared that it feels off to not have the same requirement when a permit is being issued. He asked Commissioner Glover about the viability of using the train station plaza for outdoor dining. Commissioner Glover noted that for the restaurants on the opposite side of the street, it would be impractical. Commissioner José shared that he hopes the train station plaza could offer more expansion opportunities in the future.

Commissioner Davenport said he likes the proposal but has concerns about the timing of the work going forward and does not want there to be any temporary on-street dining in 2026. He explained he thinks that the Village should continue with the 2024 program in 2025, and regarding a trial run, it should have been discussed sooner. He said he wants to make sure the Village's costs are covered on this. Manager Fieldman said Staff researched this and 200 to 220 staff hours will be needed for this. He reviewed last year's fees which were about \$88 an hour for staff time. He said this was run past the Finance Director and the Village thinks the fees line up. Commissioner Davenport said this is 200-220 staff hours that could be used on other things. He said he thought this would be over by now and is happy to get outdoor dining out of the street. He said he does not like parklets. He said he thinks the flexible amenity areas do what is needed and wants to see how they play out before considering additional flexible amenity spaces. He said regarding parking, he wants to see data of summer versus winter and asked for the data the EDC has, so it can be used during planning purposes. He said the first course of business should be how to make best use of the parking in the downtown area, explaining there is plenty of parking, so the loss of 17 parking spaces is a reasonable trade for the benefits of this. He said he likes the proposal.

Commissioner Glover shared that most restaurant groups he is aware of would not choose a location that does not have an outdoor dining option.

Mayor Barnett said he wants to understand how the Village is going to transition. He said they need to be very public with the process. Manager Fieldman explained that this will be difficult because the Village's budgeting process is not conducive to having the flexible amenity spaces built by the 2026 outdoor dining season, but he assured the Mayor that Staff would look at all options to get this done. Mayor Barnett said he is supportive of using all flexible amenity spaces. He explained that the use of flexible amenity space is being used by other communities, and it is not new, adding that he is all in to start getting bids now on them. Manager Fieldman asked for clarification because the team is running out of time with the 2025 season already upon them. He asked which members of the Council were on board to go with more than four flexible amenity spaces. Commissioners Glover, Gilmartin and Mayor Barnett were in favor. Commissioner José said if what is talked about means adding something on Main Street, near Wells Street Popcorn, he could get on board with it. Mr. Popovich reviewed the four flexible amenity areas on the plan.

Mayor Barnett spoke about fees paid by establishments covering some of the cost. He asked about the four foot clear path requirement (on the sidewalk) for wheelchairs, strollers, etc., and said he wants to

work on some efforts to help establishments adhere to this rule. Manager Fieldman said this has been a continuous challenge and the solution involves continued enforcement by the Village.

Manager Fieldman said he has good direction from the Council. He corrected himself with a response given earlier to Commissioner Gilmartin's question regarding the number of outdoor dining spaces allowed needing to equal less than indoor dining spaces. Manager Fieldman clarified it is in the general part of it, not just the public.

Public Comments

Clorinda Greco, resident and business owner, received confirmation that restaurant owners are charged by the square footage used in front of their restaurants for outdoor dining. She requested the Council consider a dry run of the new plan in 2025, as suggested by Commissioner Sadowski-Fugitt.

Janet Winningham returned to the podium and expressed her disappointment with the loss of parking in the downtown area and shared disappointment that the taxpayers are being required to support the enrichment of private businesses.

12. Adjournment

MOTION: To **Adjourn the February 11, 2025, 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 8:37 p.m.

Respectfully submitted,

Rosa Berardi
Village Clerk