

Meeting Minutes
Village of Downers Grove - Council Meeting

Betty Cheever Council Chambers

December 09, 2025

07:00 PM

1. Call to Order

Pledge of Allegiance to the Flag

2. Roll Call

Council Attendance (Present): Mayor Barnett, Commissioner Sadowski-Fugitt, Commissioner Gilmartin, Commissioner Tully, Commissioner Davenport, Commissioner Sarver (remote), Commissioner Roe

Council Attendance (Not Present): none

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

A. Motion: Allowing for Electronic Participation for the December 9, 2025 Village Council Meeting

MOTION: Allowing for Electronic Participation for the December 9, 2025, Village Council Meeting.

RESULT: Motion carried unanimously by roll call vote.

MOTIONED TO APPROVE: Commissioner Tully

SECONDED BY: Commissioner Sadowski-Fugitt

AYES: Commissioners Tully, Sadowski-Fugitt, Roe, Davenport, Gilmartin and Mayor Barnett

3. Minutes of Council Meetings

MIN 2024-10541 A. Minutes: Village Council Meeting Minutes - December 2, 2025

MOTION: To adopt the **Village Council Meeting Minutes of December 9, 2025**, as presented.

RESULT: Motion carried unanimously by roll call vote.

MOTIONED TO APPROVE: Commissioner Tully

SECONDED BY: Commissioner Sadowski-Fugitt

AYES: Commissioners Tully, Sadowski-Fugitt, Roe, Sarver, Davenport, Gilmartin and Mayor Barnett

4. Public Comments

Mayor Barnett explained the public comment process.

Barnali Khuntia, resident, spoke about the New Business Item. She reassured Mayor Barnett that immigrants are very wise and will not have a false sense of security.

Laura Kamedulski, resident, spoke in favor of the New Business Item and noted that other communities are passing resolutions to limit what ICE and Border Patrol can do within our communities. She stressed that ICE should not be allowed to take people into custody without due process.

Laura Temple, resident, said she agreed with the previous speaker. She is happy to see the New Business Item on the agenda for reconsideration.

Janet Winningham, resident, said though she supports the New Business Item, the language in the resolutions should be phrased in a fashion that's consistent with what the Village can accomplish. She expressed the need to manage expectations and cautioned against using the word "ensure" because the Village cannot "ensure" the safety of community members by having a Village Police Officer present in these situations - they can only monitor the situation, which hopefully deters bad behavior.

5. Consent Agenda

BIL 2025-10856 A. Bills Payable: No. 6912 - December 9, 2025

RES 2025-11013 B. Resolution: Authorize and Extend the Contract with TPI Building Code Consultants, Inc. for Residential Permit Review Services

RESOLUTION 2025-79

A RESOLUTION AUTHORIZING EXECUTION OF AN EXTENSION TO THE CONTRACT BETWEEN THE VILLAGE OF DOWNERS GROVE AND TPI BUILDING CODE CONSULTANTS, INC.

MOT 2025-11031 C. Motion: Approve an Agreement with Lakeside Consultants for Residential Permit Review Services

RES 2025-11012 D. Resolution: Approve an Agreement with Genuine Parts Company D/B/A NAPA for Fleet Parts and Inventory Program Services

RESOLUTION 2025-80

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND GENUINE PARTS COMPANY D/B/A NAPA

MOTION: To approve the **Consent Agenda of December 9, 2025**, as presented.

RESULT: Motion carried unanimously by roll call vote.

MOTIONED TO APPROVE: Commissioner Tully

SECONDED BY: Commissioner Sadowski-Fugitt

AYES: Commissioners Tully, Sadowski-Fugitt, Roe, Sarver, Davenport, Gilmartin and Mayor Barnett

6. Active Agenda

ORD 2025-11004 A. Ordinance: Amending the 2026 Water Rate

MOTION: To adopt **AN ORDINANCE AMENDING THE 2026 WATER RATE**, as presented. **ORDINANCE 6165**

RESULT: Motion carried unanimously by voice vote.

MOTIONED TO APPROVE: Commissioner Tully

SECONDED BY: Commissioner Sadowski-Fugitt

AYES: Commissioners Tully, Sadowski-Fugitt, Roe, Sarver, Davenport, Gilmartin and Mayor Barnett

PUBLIC COMMENT

Evan King, resident, expressed concerns with the water rate and stormwater increases. He shared he felt the fees seem disproportionate and unsustainable and asked the Council to consider the pace of the increases and other alternatives.

VILLAGE COUNCIL COMMENTS

Commissioner Davenport asked Staff to provide the background on the reasons for the increases. Manager Fieldman explained that the rising costs are tied to maintaining the system, including water main replacements and rehabilitation of wells and storage tanks. He added that the water fund is supported solely by revenue from ratepayers.

Commissioner Tully stated that the Village purchases its water supply and discussed the Village's investment in infrastructure and system maintenance. He explained that providing a key service to the community requires sustained investment, noting that flooding issues were once significant but have been mitigated through improvements to the stormwater system. He added that the rates reflect the costs necessary to ensure effective, efficient, and reliable service to residents.

Commissioner Davenport added that these are obligations over which the Village has limited discretion. He noted that without rate increases, the Village would have to borrow funds and incur interest costs. He emphasized that the Council does not take these decisions lightly and periodically reviews the rates to reassess needs.

Mayor Barnett stated that the Village strives to be transparent. He explained that approximately every three years, Staff reviews long-term projections and adjusts rates accordingly. Mayor Barnett then asked whether the 2024 Water Rate Study could be linked to the agenda or meeting minutes. Manager Fieldman responded that it could, and that the link would be added either to the agenda or to a prominent location on the Village's website.

Commissioner Gilmartin asked if this is a rate the Village raises every year.

Manager Fieldman said not necessarily, but to keep up with inflationary costs and maintenance activity, it does happen just about each year.

ORD 2025-11005 B. Ordinance: Amending the 2026 Stormwater Utility Rate

MOTION: To adopt **AN ORDINANCE AMENDING THE 2026 STORMWATER UTILITY RATE, Village Council Meeting**, as presented. **ORDINANCE 6166**

RESULT: Motion carried unanimously by roll call vote.

MOTIONED TO APPROVE: Commissioner Tully

SECONDED BY: Commissioner Sadowski-Fugitt

AYES: Commissioners Tully, Sadowski-Fugitt, Roe, Sarver, Davenport, Gilmartin and Mayor Barnett

MOT 2025-11009 C. Motion: Authorize the Annual 2026 Funding to the Downers Grove Economic Development Corporation

MOTION: to adopt a motion **Authorizing the Annual 2026 Funding to the Downers Grove Economic Development Corporation**, as presented.

RESULT: Motion carried unanimously by roll call vote.

MOTIONED TO APPROVE: Commissioner Tully

SECONDED BY: Commissioner Sadowski-Fugitt

AYES: Commissioners Tully, Sadowski-Fugitt, Roe, Sarver, Davenport, Gilmartin and Mayor Barnett

MOT 2025-11010 D. Motion: Authorize the Annual 2026 Funding to the Downtown Management Organization

MOTION: To adopt a motion **Authorizing the Annual 2026 Funding to the Downtown Management Organization**, as presented.

RESULT: Motion carried unanimously by roll call vote.

MOTIONED TO APPROVE: Commissioner Tully

SECONDED BY: Commissioner Sadowski-Fugitt

AYES: Commissioners Tully, Sadowski-Fugitt, Roe, Sarver, Davenport, Gilmartin and Mayor Barnett

ORD 2025-11008 E. Ordinance: Amending the Employee Administrative Rules and Regulations of the Village of Downers Grove, Illinois

MOTION: To adopt **AN ORDINANCE AMENDING THE EMPLOYEE ADMINISTRATIVE RULES AND REGULATIONS OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS**, as presented. **ORDINANCE 6167**

RESULT: Motion carried unanimously by roll call vote.

MOTIONED TO APPROVE: Commissioner Tully

SECONDED BY: Commissioner Sadowski-Fugitt

AYES: Commissioners Tully, Sadowski-Fugitt, Roe, Sarver, Davenport, Gilmartin and Mayor Barnett

ORD 2025-11023 F. Ordinance: Amending Certain Fire Code Provisions

MOTION: To adopt **AN ORDINANCE AMENDING CERTAIN FIRE CODE PROVISIONS**, as presented. **ORDINANCE 6168**

RESULT: Motion carried unanimously by roll call vote.

MOTIONED TO APPROVE: Commissioner Tully

SECONDED BY: Commissioner Sadowski-Fugitt

AYES: Commissioners Tully, Sadowski-Fugitt, Roe, Sarver, Davenport, Gilmartin and Mayor Barnett

7. First Reading

RES 2025-10971 A. Resolution: Approve a Boundary Line Agreement Between The Village of Downers Grove and The Village of Westmont

Community Development Director Stan Popovich presented the item via PowerPoint. He explained the purpose of boundary line agreements and shared a map illustrating the boundary lines. He also outlined the changes included in the updated agreement.

VILLAGE COUNCIL COMMENTS

Commissioner Gilmartin asked if the boundary line is only determining unincorporated properties and where they might fall should they become annexed into the Village. Mr. Popovich confirmed that information. The Commissioner also confirmed that no properties were being annexed. Mr. Popovich confirmed.

ORD 2025-11026 B. Ordinance: Approve a Special Use for 535 Ogden Avenue to Permit a Drive-Through

ORD 2025-11029 C. Ordinance: Approve a Redevelopment Agreement with Indvestia, LLC for the Property Located at 535 Ogden Avenue

Community Development Director Stan Popovich presented Items B & C via PowerPoint. He provided details about the plans of the location and the redevelopment agreement. He noted that the Planning and Zoning Commission recommended approval of this petition.

VILLAGE COUNCIL COMMENTS

Commissioner Davenport stated that he reviewed the plans and was encouraged that the existing entrance and exit would remain unchanged, noting that this should minimize impacts on

the surrounding neighborhood. He added that because a Traffic Study is required, he would feel more comfortable with the proposed relocation of the order board after receiving an opinion from the Traffic Engineers to ensure there are no issues with vehicle stacking or queuing. He also expressed appreciation for the improved aesthetics and commented that this is a strong proposal.

Commissioner Sarver said she was a member of the bank that was previously at this location. She added that even though there was never an issue with traffic, she is concerned about what may happen if this location is turned into a popular drive-through coffee shop - like the 7-Brew in Naperville.

Manager Fieldman said Staff would be asking the petitioner to get the updated opinion from the traffic engineer on the queuing. He assured the Council that the queuing and operational impacts of the coffee shop have been a major part of the review process. Manager Fieldman invited the petitioner, Mr. Mehta with Indevestia, LLC, to speak.

Mr. Mehta addressed the Council and assured them that the proposed coffee shop would not be a 7-Brew, noting instead that it would be another national chain whose business model encourages customers to come inside and enjoy their coffee. He stated that approximately 1,800 square feet of the space would be dedicated to customer seating. He added that he believes the establishment will serve as a great gathering place for the community.

Commissioner Roe asked if the change in the drive-thru is because of the set-back. He also asked about the hours of operation and how the lighting and sound will be handled. Mr. Mehta said that the results of a lighting study that had already been conducted have already been provided. He added that fencing currently exists where the property backs up to a residential area, and it will be replaced with a higher fence, with the very tall hedges remaining in place.

Commissioner Tully referred to the Municipal Code and noted that this fits the Comprehensive Plan Guidelines. He also shared that the Special Use is in line with the Code as well. He said he has not seen any evidence to date to say that this development will be any different from the bank that was there. He added that if there are any adjustments necessary, the Village Council could put some conditions on the property in place, to ameliorate any concerns about the health, safety and general welfare of the persons in the vicinity.

Village Council Meeting Minutes

December 09, 2025

Commissioner Gilmartin asked for confirmation that the existing structure was being reused. Mr. Mehta confirmed.

Mayor Barnett asked for confirmation that the demolition of part of the old building and the reconstruction process would occur on-site. Mr. Mehta confirmed.

Manager Fieldman thanked the EDC team for their work on this.

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 approving a Boundary Line Agreement between the Village of Downers Grove and the Village of Westmont.
2. An ordinance approving a Redevelopment Agreement with Investia, LLC for the property located at 535 Ogden Avenue.

9. Manager's Report

There was no Manager's Report.

10. Mayor's Report

RES 2025-11033 A. Resolution: Appointing and Reappointing Members to Village Boards and Commissions

Village Clerk Rosa Berardi read the following Boards and Commissions appointments into the Record:

BOARD OF FIRE AND POLICE COMMISSIONERS

Reappoint Jillian Mikrut, as Chair, to a three-year term expiring on August 31, 2028
 Reappoint Daniel Bondavalli to a three-year term expiring on August 31, 2028\

COMMUNITY EVENTS COMMISSION

Reappoint Michelle Lytle to a three-year term expiring on August 31, 2028
 Appoint Greg Elisha to a three-year term expiring on August 31, 2028

ENVIRONMENTAL CONCERNS COMMISSION

Reappoint Lisa Dantoft to a three-year term expiring on August 31, 2028
 Appoint Gabriella Baldassari to a three-year term expiring on August 31, 2028

HISTORIC PRESERVATION AND DESIGN REVIEW BOARD

Reappoint Mary Purcell to a three-year term expiring on August 31, 2028

Reappoint Alicia Ciuffini-Kemp to a three-year term expiring on August 31, 2028

Appoint Ashton Brooks to a three-year term expiring on August 31, 2028

HUMAN SERVICES COMMISSION

Reappoint Mark Skerjan to a three-year term expiring on August 31, 2028

Appoint Tammi Karam to a three-year term expiring on August 31, 2028

LIQUOR COMMISSION

Reappoint Rob Johnson, as Chair, to a three-year term expiring on August 31, 2028

Reappoint Amy Kastory to a three-year term expiring on August 31, 2028

PLANNING AND ZONING COMMISSION

Reappoint Kal Patel to a three-year term expiring on August 31, 2028

Reappoint Katherin Frankovic to a three-year term expiring on August 31, 2028

Appoint Enrique Martinez to a three-year term expiring on August 31, 2028

Appoint Kirra Wolf to a one-year term expiring on August 31, 2026

STORMWATER AND FLOOD PLAIN OVERSIGHT COMMITTEE

Reappoint Kathryn Richert to a three-year term expiring on August 31, 2028

TECHNOLOGY COMMISSION

Appoint Kristina Paschall, as Chair, to a four-year term expiring on August 31, 2029

Appoint Samuel Juett to a one-year term expiring on August 31, 2026

Appoint Daniel Hintz to a two-year term expiring on August 31, 2027

Appoint Karen Snell to a two-year term expiring on August 31, 2027

Appoint Michael Steffes to a three-year term expiring on August 31, 2028

Appoint Paul Wojturski to a three-year term expiring on August 31, 2028

Appoint Jason O'Malley to a four-year term expiring on August 31, 2029

TRANSPORTATION AND PARKING COMMISSION

Reappoint Matthew Novak, as Chair, to a three-year term expiring on August 31, 2028

Reappoint Alek Gasiel to a three-year term expiring on August 31, 2028

Reappoint Jeremy Shiliga to a three-year term expiring on August 31, 2028

Appoint Isaac Hulbert to a two-year term expiring on August 31, 2027

MOTION: To adopt **A RESOLUTION TO APPOINT AND REAPPOINT MEMBERS TO VILLAGE BOARDS AND COMMISSIONS**, as presented. **RESOLUTION 2025-81**

RESULT: Motion carried 6-1 by roll call vote.

MOTIONED TO APPROVE: Commissioner Tully

SECONDED BY: Commissioner Gilmartin

AYES: Commissioners Tully, Gilmartin, Roe, Sarver, Davenport and Mayor Barnett

NAYES: Commissioner Sadowski-Fugitt

VILLAGE COUNCIL COMMENTS

Mayor Barnett noted that pursuant to Illinois State Law he reappointed ***Tim Nash to a three-year term to the Fire Pension Board.*** He explained that the process appointing members to

the Fire Pension Board was similar to that of the Library Board of Trustees, which is different from the process of appointing to other Village Boards and Commissions. The Mayor also explained that over the past six months, the Village Council also reinstated Council liaisons to other boards/commissions and other governing bodies. The Mayor read the following Village Council liaison appointments into the record: ***Martin Tully to the Downtown Management***

Corporation, Rob Roe to the Library Board of Trustees, Leslie Sadowski-Fugitt to the Downers Grove Park District, Tammy Sarver to School District 58, Mike Davenport to School District 99, and Chris Gilmartin to continue to be the liaison to the Economic Development Corporation.

Commissioner Gilmartin thanked all the community members who are willing to serve their community and noted that the Council will be having a Boards and Commissions discussion in the next few months.

Commissioner Tully seconded Commissioner Gilmartin's comments.

Mayor Barnett thanked his colleagues for their help in this process. He called out Commissioner Gilmartin for his work on reviving the Technology Committee.

11. Council Member Reports**A. New Business**

MOT 2025-11034 1. Motion: Proposal to Monitor U.S. Border Patrol and Immigration and Customs Enforcement (ICE) Activities

Commissioner Sadowoski-Fugitt explained that this was initially brought forth at the November 18, 2025 Village Council meeting and anyone interested in watching that meeting can find it on YouTube. She said she reviewed the language of the previously drafted resolutions with Commissioner Roe. They changed the language, in hopes that the Council could come to an agreement and move forward with this. She noted that this would not move forward until it is reviewed by many attorneys and provided details about the language in the resolutions.

Commissioner Roe explained why he would be changing his vote on this. He said he did a deep dive on this, and as an attorney, he wanted to look into the legal authority piece of it. He spoke in detail about court cases involving legal authority and concluded that the Village absolutely has the authority to move forward with this because ICE is creating a risk in the Village beyond what can be handled at this time. He asked the Council to agree to this New Business Item and then work with Staff on the wording. He noted that earlier in the day, the

State had enacted additional guardrails and rules on this topic, which he then outlined for the Council.

Commissioner Davenport stated that he intends to support moving this forward, but remains opposed to any language that ensures community members that their constitutional rights will not be violated, because this is not a promise that the Village can keep. He opined that the language used should be more simply stated - the Village seeks to clarify the policy guiding the actions the Village may undertake when civil immigration enforcement activities are taking place in Downers Grove. He shared his concerns regarding disallowing the use of Village owned properties to be used for enforcement activities. He added that further discussion is needed on directing police officers on how to respond to documented calls for service; the Village's ability, or lack thereof, to require federal officials who are conducting immigration enforcement in the Village to present a warrant and display agency issued identification; and requiring ICE agents to remove face coverings. Commissioner Davenport then proposed that a fourth item be added: prohibiting the use of Village managed data systems or platforms to support civil immigration enforcement, noting that such actions would be in violation of the Trust Act. Lastly, he noted that any resolution adopted should incorporate the legislation recently passed by the State and include the statement: "Nothing herein shall be construed as an intent to interfere with lawful judicial warrants, criminal law enforcement, the Trust Act, or the Safety Act."

Commissioner Tully said he emphasizes the sentiments behind this. He spoke of the appropriate role of local government and the parameters of what the Village can and cannot do. He said other municipalities have taken action both ways - he said there is a difference of opinion in local government. Commission Tully noted that this has to do with whether the actions taking place are enforceable or not enforceable. He said the Council is given requests on matters by the DuPage Mayor and Managers that affects the well-being of Village residents and he does not remember the last time the Council has considered these requests - noting he will be bringing forth a new business in January. He said if going down this path, it should be done with more frequency with other legislation suggestions from the DuPage Mayor and Managers Commission.

Commissioner Gilmartin said he didn't want to repeat what Commissioner Davenport said, but he is interested in adding the pieces about data usage and discussions on proper identification. He said he sees things differently than Commissioner Tully because we are a Home Rule Municipality, and that makes the Village's authority very broad. He noted that what is being proposed is not intended to directly stop this activity and shared his opinion that the Village is not under obligation to support what federal organizations are pushing forward. Commissioner Gilmartin said he does not see these resolutions as symbolic, but rather as taking ownership of the community. He said the Council can talk about what goes into this, but he wants to move forward. If adopted by the Council, the Commissioner said he hopes he is still with the Village when the day comes that this needs to be repealed.

Village Council Meeting Minutes

December 09, 2025

Commissioner Sarver thanked Commissioner Roe and Commissioner Sadowski-Fugitt for bringing this forward again. She agreed that this is something that more lawyers need to look at and she hopes that this continues to evolve.

Commissioner Sadowski-Fugitt spoke to the Village being a Home Rule community. She shared she does not agree with Commissioner Tull and sees passing this resolution because the community members have constitutional rights. She said his argument is fundamentally different and this is something that is unique and unprecedented. She also said she lends her support to Commissioner Davenport's data idea. The Commissioner spoke to ICE staging on Village property and said her understanding is that the Village would be able to issue a parking

ticket if they are on Village property, and that would be the only form of documentation to prove they were in Downers Grove.

Commissioner Davenport said regardless of the Council's stance on this, there needs to be a good plan in place when these things happen. He said policy needs to be in place and fundamentally that is his goal.

Mayor Barnett said he did not want to repeat what he said the last time this was discussed, but shared that he disagrees with the first point of the New Business item because he doesn't feel it's realistic. He said the courts are in charge and they are unsettled at this point. He also shared his disagreement with the second issue - because he does not think the police department has ever refused going out on a call that has been immigration related. The Mayor said he agrees with the third item. He said he disagrees with Commissioner Tully on the comment about the DuPage Mayors and Managers requests, because the Village has been demonstrating its support of the requests when many written statements were issued during COVID on Black Lives Matter. He added that many proclamations have also been issued on many different situations.

Commissioner Gilmartin asked the Mayor if what he said about the courts being unsettled included these resolutions, that are narrow in scope in restricting and documenting, or was he referring to the cases where excessive force was used or people were being detained illegally. Mayor Barnett said it's about what the local government can and cannot do, and as decisions are made, he is more interested in moving forward.

There was a discussion between the Council and Staff about the motion to be voted on.

Commissioner Sadowski-Fugitt motioned to approve the motion as listed below. Commissioner Roe seconded the motion.

Manager Fieldman said that staff had the direction they needed to proceed with their work and this topic would be back on the agenda for discussion in January.

MOTION: To Direct Staff to Take Appropriate Actions in Support of the Discussion on this Topic.

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

MOTIONED TO APPROVE: Commissioner Sadowski-Fugitt

SECONDED BY: Commissioner Roe

AYES: Commissioners Sadowski-Fugitt, Roe, Sarver, Davenport and Gilmartin

NAYES: Commissioner Tully and Mayor Barnett

Mayor Barnett asked if there were any other Commissioner Reports.

Commissioner Davenport encouraged all drivers to be kind and cautious of walkers and cyclists because the roads have been impassable.

Commissioner Gilmartin thanked the Social Studies Department of Downers Grove South for inviting the Council to a discussion about what it is like being in Local Government.

12. Adjournment

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

MOTION: To convene the December 9th, 2024 Village Council meeting into closed session pursuant to section 2(C)(1) of the Illinois Open Meetings Act to consider the appointment, employment compensation, discipline, performance or dismissal of specific employees of the Village.

RESULT: Motion carried unanimously by roll call vote.

MOTIONED TO APPROVE: Commissioner Tully

SECONDED BY: Commissioner Sadowski-Fugitt

AYES: Commissioners Tully, Sadowski-Fugitt, Roe, Sarver, Davenport, Gilmartin and Mayor Barnett

NAYES: None

The meeting convened into Executive Session at 8:22 p.m.

Respectfully Submitted,

Rosa Berardi

Village Clerk