

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

9/03/2019

7:00 PM

In order to give as many visitors as possible an opportunity to speak and in the interest of adjourning the meeting by 9:00 p.m., please limit your comments to 5 minutes in length, unless further time is granted by Council. Thank you.

1. Call to Order

Mayor Robert Barnett called the regular meeting of the Village Council of the Village of Downers Grove to order at 7:00 p.m. in the Council Chambers of the Downers Grove Village Hall.

Pledge of Allegiance to the Flag

Mayor Barnett led those present in the Pledge of Allegiance to the Flag.

2. Roll Call

Council Attendance (Present): Commissioner Walus, Commissioner Earl, Commissioner Sadowski-Fugitt, Commissioner Kulovany, Commissioner Gray, Commissioner Hosé; Mayor Barnett

Absent: None

Non-Voting: Village Manager David Fieldman, Village Attorney Enza Petrarca, Deputy Village Clerk Megan Miles

The Council meeting is broadcast over the local FM radio station, WDGC. In addition, a tape recording and videotape of the meeting are being made using Village-owned equipment. The videotape of the meeting will be used for later rebroadcast of the Council meeting over the Village cable television Channel 6.

The Council will follow the rules of conduct for this meeting as provided in Sec. 2.5 of the Downers Grove Municipal Code. These offer the public the opportunity to comment at several points in the meeting. First, immediately following approval of the minutes of past meetings, an opportunity will be given for public comments and questions of a general nature. If a public hearing is scheduled for this meeting, an opportunity is given for public comments and questions related to the subject of the hearing. Finally, an opportunity is given for public comments and questions on items appearing on the Consent Agenda, the Active Agenda and the First Reading.

The Mayor stated that at the appropriate time the presiding officers will ask if there are any comments from the public. Individuals wishing to speak should raise their hand to be recognized and, after acknowledgment from the presiding officer, approach the microphone and state their name. Remarks should be limited to five minutes, and individuals are asked to refrain from making repetitive statements.

Mayor Barnett said there are agendas located on either side of the Council Chambers, and he invited the audience to pick up an agenda and follow the progress of the Council meeting.

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3. Minutes of Council Meetings

MIN 2019-8288 — A. Minutes: Council Minutes – August 20, 2019

Motion: Commissioner José moved to approve the minutes as presented. Commissioner Earl seconded the motion.

Mayor Barnett declared the motion carried by voice vote.

4. Mayor's Report

RES 2019-8303 — A. Resolution: Appoint and Reappoint Members to Boards and Commissions

Summary: This confirms the following appointment and reappointments to Village Boards and Commissions:

A RESOLUTION APPOINTING AND REAPPOINTING
MEMBERS TO VILLAGE BOARDS AND COMMISSIONS
RESOLUTION 2019-61

ARCHITECTURAL DESIGN REVIEW BOARD

Reappoint Liz Chalberg and Ken Lerner to three-year terms expiring August 31, 2022

Appoint Don Renner to a three-year term expiring August 31, 2022

COMMUNITY EVENTS COMMISSION

Appoint Michael Puzen to a three-year term expiring August 31, 2022

ENVIRONMENTAL CONCERNS COMMISSION

Reappoint Melissa Ellis to a three-year term expiring August 31, 2022

Appoint Lisa Dantoft, Sue Farley, and Ken Kuchar to three-year terms expiring August 31, 2022

FIRE PENSION BOARD

Reappoint Jeff Kuchta to a three-year term expiring August 31, 2022

Appoint Ellen Ludwig to a three-year term expiring August 31, 2022

LIBRARY BOARD

Reappoint Dave Humphreys to a six-year term expiring August 31, 2025

Appoint Barnali Khuntia to a six-year term expiring August 31, 2025

LIQUOR COMMISSION

Reappoint Jim Krusenoski to a three-year term expiring August 31, 2022

Appoint Rob Johnson to a three-year term expiring August 31, 2022

PLAN COMMISSION

Reappoint Michael Boyle, Zelina Johnson, and Michael Maurer to three-year terms expiring August 31, 2022

Appoint Matthew Dmytryszyn and Kal Patel to three-year terms expiring August 31, 2022

POLICE PENSION BOARD

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Reappoint Bill Nienburg and Norm Sidler to two-year terms expiring August 31, 2021

STORMWATER AND FLOOD PLAIN OVERSIGHT COMMITTEE

Reappoint Mark Scacco to a three-year term expiring August 31, 2022

Appoint Kelly Borman and Joseph Iovenelli to three-year terms expiring August 31, 2022

TECHNOLOGY COMMISSION

Appoint Humza Raj to a four-year term expiring August 31, 2023

TRANSPORTATION AND PARKING COMMISSION

Appoint Derek Carlson and Matthew Novak to three-year terms expiring August 31, 2022

Appoint Timothy Carter as Chair to a three-year term expiring August 31, 2022

ZONING BOARD OF APPEALS

Reappoint Jeanne Eberhardt to a three-year term expiring August 31, 2022

Motion: Commissioner Hosé moved to adopt "A Resolution Appointing and Reappointing Members to Village Boards and Commissions" as presented. Commissioner Earl seconded the motion.

Mayor Barnett declared the motion carried by voice vote.

5. Public Comments

This is the opportunity for public comments.

1. Chris Fosnaugh, a 27-year resident of the Village, stated that he fears for his safety because of his neighbors' property located at 1111 Blanchard Street, which is west from his property. Mr. Fosnaugh said that in June 2017, a mature maple tree lost most of its leaves and its bark. He said four neighboring properties are also concerned about their health and safety in case this tree should fall. The tree is approximately 75' tall. He referenced an aerial photo in the handout he distributed to the Council which depicts the tree trajectory should it fall. Mr. Fosnaugh said his home is in the trajectory of this large tree. In spring 2018, storms caused branches to fall onto his property as well as on the power lines. Power was lost. He made calls to various agencies with no resolution stating he and neighbors have communicated with many government agencies, and there is still no resolution. He was told that the Village has no jurisdiction over private property trees. He canvassed his neighborhood people and learned that homeowners insurance has no jurisdiction over dead tree damage. He also contacted the DuPage County Health Department and they also have no jurisdiction. The property owner at 1111 Blanchard is well known to the Village. Mr. Fosnaugh said that the Village Forester has no jurisdiction as to trees on private property. Mr. Fosnaugh noted that while he was sitting in his sunroom trying to read a book he said he felt threatened and called the police. They directed him to the Desk Sergeant who told him the police had no authority over this matter, but referred him to Code Enforcement. Mr. Fosnaugh said his last call was to ComEd who informed him that they have no regulations requiring the owner to remove the tree. In canvassing the neighborhood, he obtained signatures of people who want to see something done. The owner of the property is well known because he does not care for his property. Mr. Fosnaugh asked that the Village Council create an ordinance that will cover this problem to improve the health and safety of residents, children, and senior citizens.

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Mayor Barnett thanked Mr. Fosnaugh for the information and said that the Village Council would review the information. He said that the Council will review this after discussing this further with staff as well.

Mr. Fosnaugh asked if the Village Council can authorize an ordinance, and the Mayor said they don't necessarily know if they have the power to create the ordinance. If it is beyond the Village's scope staff will contact him.

2. Dave Pepalis resides west of 1111 Blanchard at 1119 Blanchard. The resident has a pattern of not complying with ordinances. This has been going on for seven years.

Mr. Fosnaugh pointed out the signatures from neighbors in the packet. He noted his property and is respectful of the neighbor's property.

Mayor Barnett sad that the Village Council would review the information.

3. Amelia Coppolillo, 4237 Lindley, said the property at 898 Ogden Avenue has been neglected particularly the fencing on their property and the fence is filled with rust, nails and rotted wood. Complaints to the owner are ignored. The property is an example of 30 years of neglect. When the property was rebuilt a few years ago it was cleared out, but it is now neglected again. She asked what the neighbors do when notices are ignored.

Mayor Barnett replied that there is a process to follow. He suspects that there is a process already in play. He noted that a legal process has to be followed. Compliance with Village Code can take a long time.

Ms. Coppolillo said that there is a business on the property that is making money. She said it should be a privilege to do business in Downers Grove, and the process is ridiculous. Mayor Barnett said that it involves the Courts and the Village cannot direct their pace.

4. Rose Kraft, 1110 Warren, said she's been talking about Oak Tree Towers for several years, and nothing is being done about this. People come in their rooms and steal things from her at night. The police department is not helping at all. It's been going on for 22 years. She claims physical abuse at Oak Tree Towers.

6. Consent Agenda

BIL 2019-8299 — A. Bills Payable: No. 6476, September 3, 2019

COR 2019-8301 — B. Claims Ordinance: No. 6327, Payroll, August 16, 2019

MOT 2019-8293 — C. Motion: Award a Three-Year Contract in the Amount of \$75,025.00 to Water Services Company, Elgin, Illinois, for Water Meter Testing and Repair

Summary: This awards a three-year contract for water meter testing and repair to Water Services Company, Elgin, Illinois in the amount of \$75,025.00.

MOT 2019-8293 — D. Motion: Award \$64,716.00 to Mid-American Water, Aurora, Illinois, for the Purchase of Fire Hydrants

Summary: This awards a contract for the purchase of fire hydrants to Mid-American Water, Aurora, Illinois, in the amount of \$64,716.00.

RES 2019-8280 — E. Resolution: Authorize a License Agreement with SprintCom, Inc. to Install, Maintain and Operate Antenna Equipment on Village Property

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Summary: A resolution has been prepared authorizing approval of a License Agreement with SprintCom, Inc. d/b/a Sprint to install, maintain and operate antenna equipment on Village property located at 6705 Main Street.

A RESOLUTION AUTHORIZING EXECUTION OF A LICENSE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE, AND SPRINTCOM, INC. TO INSTALL, MAINTAIN AND OPERATE ANTENNA EQUIPMENT ON VILLAGE PROPERTY (6705 MAIN STREET)

RESOLUTION 2019-62

MIN 2019-8305 — F. Minutes: Note Receipt of Minutes of Boards and Commissions

Summary: Fire Pension Board - May 9, 2019; Library Board of Trustees - July 24, 2019

Motion: Commissioner José moved to adopt the Consent Agenda as presented. Commissioner Earl seconded the motion.

Mayor Barnett declared the motion carried by voice vote.

7. Active Agenda

8. First Reading

ORD 2019-8304 – A. Ordinance: Amend Raffle License Provisions

Village Manager Dave Fieldman explained that this amends the raffle license provisions. It is a housekeeping item to comply with State law. He said there is no significant change to raffle license provisions.

INF 2019-8297 — B. Information: Discussion to Consider Zoning Regulations Cannabis Based Businesses

Mr. Fieldman introduced Stan Popovich, Director, Community Development, and Police Chief Shanon Gillette. He said this is not a discussion of the legal possession or use of cannabis in Downers Grove as the State of Illinois has already made possession or use of cannabis legal with limitations.

Stan Popovich, Director, Community Development, explained he would provide information regarding cannabis business descriptions, Illinois licensing requirements, the statues of other DuPage County municipalities, mapping out a zoning idea, and public safety impacts. He then described types of cannabis businesses, and showed a slide with specifics for each business classification.

Dispensary: A dispensary is similar to a retail sales establishment and would be a location where people could purchase cannabis. Potential impacts of this business would be an odor as you walk past the location, similar to what you would experience walking past a fast food location. Parking would be similar to a fast food business in that it would be an in-and-out situation. Sales would vary, and some states have erroneously estimated the sales amount. Mr. Popovich said the annual sales estimate could be between \$7-10 million, with a potential sales tax revenue at 2% of \$140,000-\$200,000.

Cultivation: This type of business would involve growing and processing the cannabis with no on-site sales. It is an industrial use for growing the product, which could then be wholesaled to dispensaries. This business could include processing the cannabis as well as transportation elements. Warehouses could be up to 210,000 square

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feet in size with an impact similar to an industrial manufacturing type of use. It could also require the use of larger trucks, inside employees, but no in-and-out foot type of traffic that a dispensary would bring.

Processor: Mr. Popovich explained that this business would convert the raw product into a final product and there would be no on-site sales of the product. It would be similar to a limited industrial use.

Transporter: This business would not include on-site sales, and would primarily transport the cannabis between other cannabis businesses. It serves more like a trucking/transportation terminal and the effect might be a resultant fuel odor where there are many trucks or vehicles present.

Craft Grower: Mr. Popovich said this category of business is a smaller sort of all of the afore-mentioned businesses. In this situation they grow and process the cannabis, sell it to dispensaries and also have on-site sales. This is a smaller scale item, which might be as large as 14,000 square feet.

As for licensing, Mr. Popovich said that the Village is in the Chicago/Naperville/Elgin region with a total of 80 licenses available for that particular region. As for other DuPage County municipalities only Villa Park has opted in at this point and the other communities are still in the discussion phase at this time.

Mr. Popovich said for tonight's meeting staff developed a "Zoning Idea." He said State law specifies that dispensaries have to be at least 1,500 feet from each other. It also allows municipalities to impose the hours of operations. Looking at what limitations were established by the State, staff reviewed what could be added and they immediately removed residential and institutional zoning from consideration. In addition they established 1,000 feet as the distance from a daycare, school or park. They then determined that a cannabis dispensary is more of a retail site and should be limited to the B-2 or B-3 districts, while all other types of cannabis businesses would be relegated to industrial uses in the ORM and M-1 M-2 districts. As to how many permits would be available in the Village, staff's zoning idea would limit those permits to three. He then displayed a map prepared by GIS staff showing the cannabis related uses and limited dispensary locations as defined by staff's "zoning idea." Increasing the separation to 1,300 feet would be between approximately Butterfield Road and 75th Street. Mr. Popovich explained that this "zoning idea" provides a starting off point for Council to begin its discussions.

Mr. Fieldman clarified that 1,000 feet is similar to a residential block, and 1,300 feet is a quarter of a mile. These are traditional zoning references.

Chief of Police Shanon Gillette addressed first the public safety impact of zoning cannabis-based businesses in the Village. These potential impacts are derived from a report by the Colorado Association of Chiefs of Police prepared in 2015 reviewing the first three years of legalized recreational cannabis use in the State of Colorado. The Illinois Association of Chiefs of Police has followed this legislation closely and the first potential impact discussed relates to DUI enforcement. There is a potential for increase in local incidents of DUIs, as well as a potential increase in contributing to the delinquency of minors. Having a dispensary in the Village could create easier access for underage consumption. In addition, there is a potential for a rise in trafficking of legitimately purchased cannabis that is sold on a local black market. Chief Gillette pointed out that dispensaries are a potential target for burglaries due to the nature of the inventory and the amount of cash that could be present on site in the business. He pointed out that marijuana is still illegal at the federal level, and cannabis cash-based businesses could be targets for armed robberies.

Chief Gillette noted that the Downers Grove Police Department currently conducts undercover compliance checks for liquor and tobacco licensees to monitor their compliance with age restrictions, and to enforce violations when a vendor sells to a minor. He stated that additional resources would be required of the Police Department to develop policies and conduct compliance checks at Downers Grove dispensaries. He noted that security plans need to be established and monitored for each business.

Chief Gillette then addressed State law requirements that restricted access areas are limited to registered agents, as well as a variety of other inspectors and agency representatives. Businesses must store and dispense all cannabis in a restricted vaulted area when the business is closed. There are regulations as to the type of alarms at entry

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points, as well as lighting and panic alarm buttons. Power outages have to be addressed with a backup power supply system. There must be controls to monitor agents and currency to prevent the diversion, theft or loss of cannabis from the business. In addition, between the entrance and limited access area there must be a locked door or barrier, as well as cameras, motion detectors, servers and video storage capabilities. Businesses have to utilize a licensed private security contractor, and the business must possess a plan for record keeping and inventory including communication with the State police regarding the disposal of cannabis.

Mr. Fieldman then provided a brief summary of the previous presentations. He noted that it is a zoning discussion. Staff provided information about the different types of businesses, the impacts on the Village, staff's zoning idea, zoning out cannabis based businesses, or municipalities placing limitations on the number of licenses in its area, similar to the number of liquor licenses allowed.

Mayor Barnett asked whether the Council had any questions.

Commissioner Sadowski-Fugitt asked whether any side products of the manufacturing process could pose a public health danger.

Mr. Popovich said he wasn't aware of any research that has been done.

Commissioner Sadowski-Fugitt then asked about odor control.

Mr. Popovich replied that some control could be accomplished through a filtered HVAC system.

Mr. Fieldman added that the idea of Special Use allows the Council to place conditions upon the operation, and that can be put into the approval.

Commissioner Sadowski-Fugitt asked if there is any data between 2017-2019, and if any of the anticipated issues decreased.

Chief Gillette replied that there is a wide-range of quality of the data. It is hard to predict the impact, but there is no definite prediction of the impact. The data is still emerging.

Mr. Fieldman said another benefit of the Special Use process is that during the process the Council would get a much better understanding and be able to determine the likely impacts on the Village.

Commissioner José thanked staff for its work on the presentation. He thinks the idea is a good one, and he supports a proposal. He said that 1,000 feet distance is 10 times the requirements of a liquor store. Regulations are common sense.

Commissioner Kulovany asked for clarification that this proposal would not allow consumption on-site. Mr. Fieldman said that was not in consideration.

Commissioner Walus noted when the 18th amendment was repealed in 1933 there was no way to test it. She asked if there is any testing system in the works that would help the public safety sector.

Chief Gillette said he heard that there is something in Canada, but not here.

Commissioner Walus then referenced the 1,300-foot option for separation and would be more in favor of zoning in ORM, M-1 and M-2 zoning rather than B- class licenses.

Commissioner Earl agreed with Commissioner Walus. She doesn't want zoning in the B class. The 1,300 feet is also what she asked for and is only interested in the dispensing and not any other auxiliary uses.

Commissioner Gray thanked staff for presenting some of the public safety issues. He asked what Chief Gillette's biggest concerns would be.

Chief Gillette said he covered that in his bullet points, beginning with the variety of potential increases in use and other subsequent safety issues.

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Commissioner Gray said he still is wrapping his head around the 1,000 feet or 1,300 feet. He said he can't look at this without thinking of a retail location. If things are on the fringe or the outskirts that is a consideration.

Commissioner José asked whether ORM districts allow retail sales.

Mr. Popovich said the only retail is larger restaurants, although there are not a lot there.

Commissioner José then asked if this would cause issues with other uses.

Mr. Fieldman said they are on solid ground with State law.

Commissioner Kulovany stated that he is not a big fan of marijuana, as he's seen it do some damaging things to people close to him; however, people are still going to purchase it even if they have to drive a ways. The Commissioner said that if they have an opportunity for retail sales, Downers Grove is a frugal government and doesn't have much fat to cut. He said 1,300 feet resonates with him, and he is comfortable with those areas. He is taking a practical and pragmatic view, but is opposed to businesses where they consume the product on-site.

Commissioner Sadowski-Fugitt said she leans toward the 1,000 feet because it provides more opportunity on 75th Street. She is not interested in on-site consumption. Odor is a number one issue of concern for her and she'd like to see it taken care of from a business perspective.

Mayor Barnett asked Chief Gillette about enforcement issues and the bullet points listed, saying it seems that the dispensary issues and DUI enforcement issues are directly related to what regulations the Village establishes. He noted that the Village could still see a burden from other communities and Chief Gillette said that is a definite possibility.

The Mayor then asked if there is any requirement for pre-plan elements, and Mr. Fieldman and Village Attorney Enza Petrarca said they believe the Village does have the ability to do so.

Mayor Barnett asked Mr. Popovich about a transporter/processor and is there such a thing as a regional distributor.

Mr. Popovich said that's the cultivator option.

Mr. Fieldman said it is not a normal warehousing and transportation issue. They would have special transportation licenses.

Mayor Barnett asked for clarification that the act does not allow the Village to impose a fee for the license, and Village Attorney Petrarca said that was correct.

The Mayor clarified then that the only option is for a tax and Mr. Fieldman said that was correct, but they would also get retail sales back from the State regardless if this is zoned or not.

Commissioner Earl asked for clarification that the Village would still get 2% even if they opt out.

Mr. Fieldman responded that the Village would get the tax from the State that it collects and distributes to municipalities, whether they opt in or out of zoning. Mr. Fieldman said there is another tax that the State puts on cannabis businesses based on the potency and concentration. The State takes that revenue and there is then a distribution to municipalities on a per capita basis.

Village Attorney Petrarca said that the Village could get up to 5%.

Commissioner Gray then asked about the \$300,000 in revenue potentially. He said the best-case scenario could possibly be 50% or \$150,000. He said it feels like a lot of uncertainty and he doesn't know what the unseen costs look like.

Commissioner Earl asked where the numbers are and what they are based upon.

Commissioner Gray said they are just general figures and not based upon any specific business.

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Commissioner Earl said then that they could go with the total ban and wait and see what other communities do. She is still willing to talk about the ban.

Commissioner Gray said he is willing to talk about that as well.

Mayor Barnett said he is not interested in an outright ban right now, but is interested in 1,000 feet. They will have to get to a spot where they are comfortable. He doesn't see this as a financial decision. In his mind it is unrelated to finances.

Commissioner Walus said she is desperate for community feedback. She asked that the public please engage them and let them know how they feel.

Mr. Fieldman said that the next steps are to direct staff to prepare amendments to the Zoning Ordinance for consideration by the Plan Commission at a public hearing, with input, and then obtain a recommendation from the Commission. He said that some Council members are in favor of the idea as put forth by staff including non-residential, 1,000 feet separation, Special Uses, etc. Some Council members also consider the 1,300-foot separation. He is asking if Council is in a position to direct staff to prepare amendments for the Plan Commission to hold a hearing.

Commissioner Kulovany said yes, he thinks they are, as it would give them three more times to discuss this.

Commissioner Sadowski-Fugitt said she believes they are ready.

Commissioner Walus said she agrees, but wants to be sure they are not bound to move forward on any one particular thing.

Commissioner Gray said he is ready.

Commissioner Earl said she would prefer to take out the retail use; she does not support preparing amendments to the Zoning Ordinance.

Commissioner José said yes.

Mayor Barnett said yes to the 1,000 and 1,300 feet.

Mr. Fieldman said everyone understands this is not a final decision and the staff will continue to communicate to the Council and the public.

9. Manager's Report

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

1. An ordinance amending raffle license provisions

10. Council Member Reports

Commissioner Sadowski-Fugitt said that Oktoberfest from District 58 is next weekend.

Commissioner José said the Grove Foundation is holding its golf event this Saturday. More information can be found at GroveFoundation.org.

Commissioner José also announced the 43rd annual Fine Arts Festival will be held this weekend.

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Commissioner Earl announced that Friends of the Edwards House Historic Home Tour is coming up September 14.

Mr. Fieldman said that the discussion on the Village's Long- Range Facilities Plan continues beginning with a tour of the Village's police station. He asked everyone to meet in the lobby of the police station.

Mayor Barnett called for a recess after which discussion on the 2019-2021 Long Range Plan will take place.

11. Manager's Report – Committee Room

INF 2019-8271 – A. Information 2019-2021 Long Range Plan

Mayor Barnett reconvened the meeting at 8:18 p.m. It began with a tour of the police station starting in the lobby. Deputy Village Manager Mike Baker, Chief Gillette and Deputy Chief McGreal conducted the tour that later extended to Village Hall. Mr. Baker talked about six areas of deficiencies. Chief Gillette led the tour to the investigations area, touring the interview rooms as well as the evidence rooms. He noted that the size of these rooms was too small.

Chief Gillette explained the sally port and booking areas, and the issues they present, as well as roll call issues. A video of the sally port was shown by Deputy Chief McGreal, explaining they could not go into that area because there was a detainee present. On the lower level ADA inefficiencies were noted. Additional problems included roof leaks. After touring the garage area, the tour concluded and moved on to Village Hall including a tour of the ballroom area, and garage area. The group returned to the Committee Room at 9:12 p.m. to continue discussing the Long Range Plan.

Mr. Baker reviewed the Long Range Plan schedule and Facility Plan history. He noted that the Facility Plan is intended to provide answers to five questions. What improvements should be made to Village Hall and the Police Station, since they have significant deficiencies? If the Council selects replacement, where should the new building be located? How much will the improvements cost? What revenue sources will the Village use to pay for these costs? What other issues should be addressed in conjunction with the improvements to the facilities? He noted recent discussions about the property at the intersection of Washington and the railroad tracks, as well as discussion of the Civic Center property as a resource for downtown parking improvements. Answers to these questions will assist in the development of the actual plan.

He said they would start at the beginning of the project with a detailed explanation of the issues. They will also explore a wide range of options, and then begin work on a facilities sustainability plan in December 2019. Mr. Baker said staff is seeking the Council's reply to the question of whether they support the proposed approach and schedule, and if they don't, what part would they change and why.

Mayor Barnett asked whether anyone had questions on what they saw in the tour or what was mentioned in the process.

Commissioner Sadowski-Fugitt replied with a question as to what has been done in the past on the facilities, and are there security issues or ease of use issues on what would be an ideal location.

Mr. Fieldman replied that in the history of facility planning, they looked at other locations. Ideas have been explored at various levels in terms of existing buildings or vacant, underutilized areas. There are some advantages to various locations, but not to a high degree. Location would not be affecting response times for the administrative people.

Commissioner Sadowski-Fugitt referenced Village Hall and asked what the core use of this building was and the value of staying at this location. Would there be a negative or positive impact if they left this location.

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Mr. Fieldman replied that day-to-day activities are included, involving staff-to-staff interactions, or staff to residents, and public meetings. Staff works anywhere and works remotely. He said that some of the rooms are regularly booked for Board and Commission meetings.

Commissioner Earl said that the Police Department can go anywhere but the Village Hall should be centrally located in the downtown, according to a Plan Commission review. The public use aspect could be useful in other ways to the community if built right and located centrally.

Mr. Fieldman explained that they have 50-60 employees located in the existing Village Hall. There has been no one particular choice but there are all sorts of tradeoffs.

Commissioner José said if they consider two new facilities rather than one, that's going to create some financial difficulty. Also, if they moved entirely out of the downtown area they'd lose the opportunity to create a TIF and use that revenue to help finance the building.

Mr. Fieldman said there was a lot in that comment and the answer to his statements is yes.

Commissioner Sadowski-Fugitt said even though they have done this before it is never bad to repeat it again for the public or Council. Things can shift dramatically in a year or two and she wants to make sure they are doing it in a very structural way. She would lean toward keeping the facilities on the existing property, as there is something to be said for being in the heart of the Village.

Mr. Fieldman verified that she then would want only the options related to the existing property. Commissioner Sadowski-Fugitt said she is also good with the timeline.

Commissioner Kulovany said after sitting in this room a number of evenings over the last four years he's come to an opinion that's almost 180 degrees opposite. He said they have asked developers to come and put in a new development with some kind of transit-oriented aspect, or medical office building. The Village has an 8.1-acre space they have been dealing with and the Village has said that the developer can do whatever they want as long as they carve out half of the space for the Village. Commissioner Kulovany said he thinks the Civic Center property is some of the most expensive property in Downers Grove and they should build a durable building and not repurpose. He is an historic preservationist so he knows a little bit about what he's talking about. The existing Village Hall and Police Department are not suited for repurposing. He thinks they should build something of quality that will last and not have to be rebuilt every 50 years. He wants to avoid having them move twice. He thinks they should go to a developer with the 8.1 acres and build townhomes on the existing property.

Mr. Fieldman said Commissioner Kulovany favors anything except Civic Center property.

Commissioner Gray said he is catching up on the history and favors starting at the beginning. From what he has seen, one of the notes he's made is that there was enough information that they can start from the beginning without starting completely over. There is enough here so they don't have to go back. He keeps hearing in his head the law of diminishing returns. When you throw good money at a bad situation that's hard, so he would like to see the one option of a new facility on this location. He has had enough time in the Village to see enough of the area to favor with the December 2019 date and a discussion of using the existing property.

The Manager asked if anyone is interested in maintenance and renovation and the Council responded no, and no to an addition.

Commissioner Walus said starting at the beginning of the project signals to her exploring both topics on this site and options on other locations. She sees "where" as the beginning.

Mr. Fieldman said that starting at the beginning means that all Council understand in depth what the issues are, and then taking the community with them.

Commissioner Walus sees beginning in December 2019 but she is torn on using the current property versus elsewhere. She would like to explore location options, and engage the community like they did the last time.

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Commissioner José said he agrees with Commissioner Kulovany on many of his thoughts. He said they have talked the issue to death and the community has been engaged many times. They should pick up where they left off. He is not interested in moving off of this property. He sees one building here and for economic reasons wants to leave it here. They would lose the option of the TIF if they move from this property. He sees moving as detrimental to the community in terms of engagement and in terms of where the community expects their seat of government to be, and in economic terms as well. He would like to start work now. He would pick up where they left off and start as soon as possible instead of waiting until December 2019.

Commissioner Kulovany asked about how to create a TIF for the property.

Mr. Fieldman explained the TIF situation. There are certain limitations on the use of TIF increments for the use of public buildings.

Commissioner Earl discussed an older plan, and said she would like to explore a wide range of options that could include adding property to the existing site. She wants to begin at the beginning and she is fine with December.

Mayor Barnett said he would like them to pick up where they left off. The Village has talked about it for a long time as a Village but they need to be a current and informed as possible. He thinks there should be some involvement of the community at large. If they are looking to do this, everyone involved in making the decision has to be fully current. As to exploring a long range of options, the Mayor said he knows Commissioner José is right from a financial standpoint and unless they found some financial reason that proved it would be better, he has no interest in moving.

Commissioner Kulovany asked to modify his answer to include “if TIF available.”

Commissioner Earl said she thinks the term “sustainability” is too vague.

Commissioner Barnett shared Commissioner José’s urgency, but he is happy to stick with the December 2019 date.

The Mayor called for public comments.

1. Willis Johnson said that perhaps the Village might want to look at changing the zoning. He doesn’t see transitions being part of this. They have apartment buildings across the railroad tracks and on the other side of Curtiss. It would seem there was no reason why they couldn’t go beyond three stories on this property. He is in favor of going outside of the downtown if necessary, as the property is very valuable. It would be more convenient if located in the area near the underpass. He doesn’t know what redesign of Washington crossing would do to make the crossing effective. It would require less traffic, and it would make more sense to have Village Hall and the Police Department located someplace else. He would be in favor of going 70’ in height on the existing site.

Mr. Fieldman said they won’t constrain the discussion based on zoning, but will look at options.

Mr. Johnson said that he didn’t think townhomes would be appropriate.

2. Todd Paradis asked how many accidents occur at Washington Street. He takes the train every day and it’s an inconvenience for three or four minutes, but he doesn’t know that they’ve seen the full impact of transportation yet given that the apartments at Main and Maple are still in their lease-out phase. He thinks the Village has to move forward and do something, as they have just had to put out money for maintenance.

Commissioner José said that Burlington Station is fully leased, and Main and Maple is close to full occupancy.

3. David Rose is troubled by financing issues. Based on the tour, the problem is a fluctuation of use of Village Hall and equivalent in the Police Station. Mr. Fieldman said at one point they were in a design situation with an architect for a combined Village Hall, open to all options for financing.

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Mayor Barnett said that the residents pay through taxes about 25% of the Village's operating expenses, but we rely on people other than our residents to pay for core services.

Commissioner José noted that TIF dollars are still tax dollars.

Commissioner Earl said that they are sitting on the land, and if they sell off a portion of property and develop it the taxes can be recaptured.

Mr. Rose talked of City of Chicago parking meters and the Skyway that are no longer public domains. His concern is they are not collecting taxes.

Commissioner Kulovany said that incremental taxes were allocated to the Village.

Mr. Fieldman said staff looks at revenue sources and financial tools and presents them to the Council. The plan needs to be sustainable. They've established a Major Building Fund to cover maintenance.

Commissioner Gray asked what stopped them from getting the last deliverables.

Mr. Fieldman responded that the developer stopped and the money stopped too.

Mr. Baker commented that they maintained some of those plans.

Dave Humphreys said that the Village is going to benefit immensely from the savings of personnel time as well as other kinds of efficiencies. He doesn't see the TIF as an issue. As to the location, as a symbol and available center of the Village as well as its convenience, he thinks the downtown location is the best.

Mr. Rose asked what would happen if the facilities need to be abandoned.

Mr. Fieldman said demolition and relocation would be line items in the plan.

In further response to Mr. Rose, Mayor Burnett said that operations would be worked out, but there is no answer yet.

Mr. Fieldman said that some replacement plans called for them not to temporarily relocate. Others called for other types of relocation. It depends upon building design.

Commissioner Sadowski-Fugitt said she thinks critically of what they are doing with the tax base. If they have more land than they need they should consider development such as townhomes or apartment buildings for the tax base. They should not be afraid to raise taxes and must think about future planning. Otherwise they are doing a long-term disservice to the residents.

Commissioner Kulovany said that the value of the land makes the point to move forward quickly because we are in a robust economy. He would hate to have to sell this property off during a recession.

11. Adjournment

There being no further discussion or comments, Mayor Barnett asked for a motion to adjourn.

Motion: Commissioner José moved to adjourn. Commissioner Earl seconded the motion.

Mayor Barnett declared the motion carried by voice vote and the meeting adjourned at 10:14 p.m.

Respectfully submitted,

April Holden

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Village Clerk