

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

01/14/2020

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 let those present in the Pledge of Allegiance.

2. Roll Call

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

Absent: None

Non-Voting: Village Manager David Fieldman, Village Attorney Enza Petrarca, 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 Tully 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.

3. Proclamations

A. Civil Rights Day – Mayor Barnett read a proclamation declaring January 20, 2020, as Civil Rights Day in the Village of Downers Grove and encouraged tolerance and acceptance of differences of all residents in the Village of Downers Grove.

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4. Minutes of Council Meetings

MIN 2020-8466 – A. Minutes: Council Minutes – January 7, 2020

Motion: Commissioner José moved to approve the minutes 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.

There were no comments.

6. Consent Agenda

BIL 2020-8468 - A. Bills Payable: No. 6502, January 14, 2020

RES 2019-8463 - B. Resolution: Authorize an Agreement with Hey and Associates for Engineering and Survey Services

Summary: This awards a contract for engineering services to Hey and Associates, Inc., Chicago, IL, in the amount of \$203,357.00 for engineering services for Phase 2 of the drainage and stormwater master plan. This includes a 10% contingency.

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND HEY AND ASSOCIATES, INC.

RESOLUTION 2020-05

RES 2019-8462 - C. Resolution: Authorize an Extension to a Contract with Elmhurst Chicago Stone Company

Summary: This authorizes a contract extension with Elmhurst Chicago Stone Company, Elmhurst, IL, for supply of ready-mix concrete until December 31, 2020. The contract price shall increase by 2%, which is an increase of \$298.00 for a total not-to-exceed amount of \$15,198.00.

A RESOLUTION AUTHORIZING EXECUTION OF AN EXTENSION TO THE CONTRACT BETWEEN THE VILLAGE OF DOWNERS GROVE AND ELMHURST CHICAGO STONE COMPANY

RESOLUTION 2020-06

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MIN 2020-8465 - D. Minutes: Note Receipt of Minutes of Boards and Commissions**Summary:** Plan Commission – December 2, 2019; Environmental Concerns Commission – December 12, 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

ORD 2019-8447 - A. Ordinance: Amend Class “O” Outdoor Liquor License Provisions**Summary:** This amends Class “O” outdoor liquor license provisions.

AN ORDINANCE AMENDING CLASS “O” OUTDOOR LIQUOR LICENSE PROVISIONS

ORDINANCE NO. 5808

Motion: Commissioner José moved to adopt "An Ordinance Amending Class “O” Outdoor Liquor License Provisions," as presented. Commissioner Earl seconded the motion.**Votes:** Yea: Commissioners José, Earl, Gray, Kulovany, Sadowski-Fugitt, Walus; Mayor Barnett

Nay: None

Mayor Barnett declared the motion carried.

8. First Reading

ORD 2019-8439 - A. Ordinance: Authorize Special Uses to Provide Off-Site Parking over 1,000 Feet Away from the Use Served and Establish an Accessory Use before the Principal Use is Established at 4110 Finley Road

Stan Popovich, Director, Community Development, presented information regarding this item. This concerns property at 4110 Finley Road that is an undeveloped vacant parcel. Bridge Development Partners previously constructed three buildings north of the site at the corner of Lacey and Finley Road. This proposal is to construct a parking lot at the subject site to serve building three that is approximately 2,000 feet away, and this requires a special use under the provisions of the Zoning Ordinance. All the zoning requirements such as setback and landscaping are met under this proposal. A detention basin is included on the site to cover stormwater from the parking lot. After consulting with DuPage County and with Public Works there would be a one-way into the lot, and a one-way out of the lot. The Village and DuPage County reviewed the proposal with regard to traffic, and there were some recommendations from the DuPage Department of Traffic, as well as recommendations from staff. Mr. Popovich explained that there would be minimal impact on the traffic system. The petitioner’s work operates in waves where the impact on traffic is spread around over peak hours. The turn lanes into the parking lot help with that limited impact to the traffic system on Finley. Any queuing of cars would occur inside the property and not out onto Finley Road. There will also be

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a connection between buildings 2 and 3 that will limit traffic between those two buildings on the road network as well.

The Comprehensive Plan refers to this area as being office corporate campus or sites benefiting from proximity to the highway. He said the Plan Commission reviewed this petition at its December 2 meeting and found that the special use standards have been met. He indicated that Mark Hauser and his team from Bridge Development were present to respond to any questions.

Commissioner Hose asked, with regard to traffic and the intersection of Belmont/Ogden/Warrenville/Finley, the extent to which the Village can have any impact on the County to conduct a study on how we might provide better performance at that intersection. It is already bad. This won't make it perhaps measurably worse but ordinarily the Village would do a traffic study of a particular area and take appropriate action; however, with the County and the State involved at that intersection, he asked if there has been any conversation with either one of those agencies.

Village Manager Dave Fieldman replied that there have been conversations over several years started by Downers Grove staff. He indicated that DuPage County is moving forward with a formal study of the area mentioned, including Cross Street. The Village has received comments, questions and concerns from people working in those office buildings on the north side of Warrenville Road. The Village also revisited it with the approval of the Green Bay packaging building, so conversations have been ongoing. The Council has commissioned an informal study, and is moving toward a more formalized phase one study of improvements that could be made throughout that system to better manage traffic in general.

Commissioner Kulovany said he had similar questions and also about the intersection of Belmont and Ogden. Even though it's a State and County issue, it impacts our residents in a big way because they really have no other choice. He hopes the residents do not think the Village has its eyes closed to this issue. It impacts our quality of life.

Mayor Barnett commented that traffic is on everyone's mind with this issue and there seems to be a disconnect between perception, reality and technical elements. He asked about Belmont and the office park. He wants to understand more what they think the effects are on the people at the office park. He asked if there are estimated gaps in truck traffic and whether there will be actual material effects that people will feel and realize as they attempt to leave all those business entities north on Lacey Drive.

Mr. Fieldman responded to the Mayor that staff would get a specific written response to those questions from the petitioner by next week.

ORD 2019-8395 - B. Ordinance: Vacate a Certain Portion of a Public Alley Right-of-Way (A Portion of a Public Alley Adjacent to and in between the Properties Located at 304 Prairie Avenue and 4736 and 4740 Florence Avenue)

Mr. Popovich presented this request for an alley vacation at 304 Prairie Avenue, 4736 and 4740 Florence Avenue. Two petitioners have requested portions of the alleys for the 4740 properties on Florence. He explained how the alley would be split between the 304 Prairie and 4736 properties. The majority of the vacation will go to the 304 Prairie property. Mr. Popovich noted that the Plan Commission considered this petition at its December 2 meeting and found that the proposal met the requirements for the alley vacation policy.

Mr. Fieldman said that the Village charges for the value of the land to be vacated based on a per-acre charge that the Village made in 2014. The policy allows the petitioner to present additional information for Council information establishing the value. He said the staff recommendation is to charge in accordance to

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the Village's policy for the last five years.

Commissioner Earl said that previously, the Village did not charge for vacations at all.

Mr. Fieldman said the previous way of calculating the land value was based on the assessed value of the land of the petitioner. Before that no dollar amounts were charged at times, and policy then evolved.

1. Paul Lagno, 304 Prairie Avenue, said he does not see the connection between the park and school donations and the 2003 Resolution for alley vacations. He thinks the 2003 Resolution is what they should go to and determine the fair market value the Village is selling. He thinks they should allow vacation to be at a reasonable price. According to the Resolution \$545,000 in that area is not fair.

2. Brent Miller, 4736 Florence, said that the picture that was shown was not accurate. The two stacked rectangles represent the split.

9. Manager's Report

Mr. Fieldman said the next Coffee With The Council will be held at the Downers Grove Library on Saturday, January 18, 2020, at 9:00 a.m.

10. Attorney's Report

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

1. An ordinance authorizing special uses to provide off-site parking over 1,000 feet away from the use served and establish an accessory use before the principal use is established at 4110 Finley Road
2. An ordinance vacating a certain portion of a public alley right-of-way (a portion of a public alley adjacent to and in between the properties located at 304 Prairie Avenue and 4736 and 4740 Florence Avenue)

11. Mayor and Council Member Reports

Commissioner Kulovany announced that on Wednesday January 22, the Downers Grove Historical Society is hosting an event. Amy Gassen will present the "Historic Home Program" which is an honorary program, and Mr. Popovich will also be presenting the Village's official landmarking program. Tickets can be obtained through the Facebook page or the Downers Grove Historical Society site.

Commissioner Sadowski-Fugitt reported on a presentation at the Public Library by Therese Malinowski, a Downers Grove South student, who created a data base for high school seniors or anybody who is planning on going to college about how certain colleges handle sexual assault and harassment on campus. She created a website by herself and collected all the data. Her project has now been taken up by the Illinois Coalition Against Sexual Assault. She recommended that people look for the project, called Project Dandelion, and especially give Ms. Malinowski credit for all the work she did to put this database together.

Commissioner Walus said that in addition to Coffee with the Council at the Library on Saturday, there is a presentation by Watts of Love at 11:30 a.m. They are a local volunteer organization involved with providing global solar lighting to people who are in impoverished areas.

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Mayor Barnett said that next Monday is Civil Rights Day. He encouraged all residents and businesses to reflect on the importance of civil rights and commit ourselves to regularly asking whether our words and actions are improving the feeling that people of all stripes and colors are welcome and valued in our community. There are many ways that people can feel less than welcomed and sometimes they're not even recognized by people who put them in that position. He encouraged everyone to take stock of what you say and what you do both personally and professionally. The single biggest thing we can do is ensure that all people are treated equally.

12. Adjournment

Mayor Barnett asked for a motion to adjourn into Executive Session.

Motion: Commissioner José moved to adjourn into Executive Session pursuant to Section 2(c)(1) of the Illinois Open Meetings Act to consider personnel matters. Commissioner Earl seconded the motion.

Mayor Barnett declared the motion carried by voice vote and the meeting adjourned into Executive Session at 7:28 p.m.

Respectfully submitted,

Megan Miles

Village Clerk