

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

October 13, 2020

7:00 PM

Due to the COVID-19 pandemic, Public comment will be taken electronically and in person. To submit a comment electronically, please click on the “Submit Public Comment” link on the Current Week’s Meeting page of the Village website any time before or during the meeting. Thank you.

1. Call to Order

Mayor Robert Barnett called to order the Village Council meeting at 7:01 p.m. and led the assembly in the Pledge of Allegiance to the Flag. He explained the protocol for the meeting.

2. Roll Call

Council Attendance: Mayor Barnett, Commissioner Hosé, Commissioner Earl, Commissioner Walus, Commissioner Sadowski-Fugitt, Commissioner Kulovany, Commissioner Gray

Absent: None

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

3. Proclamations

A. National Pharmacist’s Month

Mayor Barnett read a proclamation proclaiming the month of October as National Pharmacist’s Month.

Ms. Breanna Failla, on behalf of the American Pharmacists Association Academy of Student Pharmacists with Midwestern University, thanked the council for the proclamation and for recognizing the services that pharmacists provide to the community.

B. Arts DuPage Month

Mayor Barnett read a proclamation proclaiming the month of October as Arts DuPage Month, recognizing the importance of art in the Downers Grove community and asked the community to celebrate, seek and promote arts in their village.

4. Minutes of Council Meetings

MIN 2020-8691 - B. Minutes: Council Minutes – October 6, 2020

Motion: Commissioner Hosé moved that the Council adopt the minutes of the October 13, 2020 meeting, as presented. Commissioner Earl seconded the motion.

Mayor Barnett declared the motion carried by voice vote.

5. Public Comments

Mr. David Rose discussed his need to respond to remarks of Council, specifically Council’s interpretation that the goal of environmental sustainability means doing some kind of council-defined improvement whenever possible, using the word “sustainable” in what amounts to a political deceptive manner. Council’s response that “Its not our

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problem; it's beyond our control" reflects Council's "conveniently narrow and politically conservative interpretation" of its responsibilities. Mr. Rose asked who does Council believe is responsible and why does Council not feel obliged to take steps to encourage unnamed parties to act. He pointed out the Council not having to act on Commissioner Sadowski-Fugitt's comment on looking into the energy consumed by the way the Village is living. Regarding Council providing its environment improvement report from 10 years ago, Mr. Rose, indicated it was a "nice to have; not a need to know" document. He discussed that with the pandemic less money becomes available in the budget which translates into less funds to collect data pertinent to the issue of sustainability and asked if that was the reason why the ECC (Environmental Concerns Committee) was put on hold. Mr. Rose voiced additional concerns regarding the environment and Council's continued pursuit of economic growth. He urged Council to treat sustainability as part of Council's fiduciary responsibility to the Village.

Commissioner José responded that Mr. Rose was entitled to his opinion on the definition of sustainability. He did not appreciate Mr. Rose's comments that commissioners were politically deceptive or otherwise and reminded him that the Council has taken steps to improve things and reminded him that some of the topics mentioned were not the purview of the Council and would be better addressed with state or federal officials. Commissioner José supported continued economic growth in the village and encouraged state and federal officials to partner with the Village to mitigate environmental impacts of the growth.

Mr. James Kelly, a South Elgin resident, and a former homeless individual, spoke of seeing a truck distributing food to the homeless in Downers Grove, which was impressive. He discussed the significant cost to being homeless and trying to survive when the shelters were not open. He discussed the personal challenges he faced, specifically since the pandemic hit, and the fact that a new category of homeless in the Village has been created due to the pandemic and those individuals that once supported the community were not able to. He asked Council to recognize and address the matter sooner than later, explaining his own personal experience. He asked them to work with the Village's churches, businesses, and him, if necessary, to address this human issue.

6. Consent Agenda

BIL 2020-8689 – A. Bills Payable: No. 6554 – October 13, 2020

MOT 2020-8678 – B. Motion: Authorize a Collective Bargaining Agreement with the International Association of Firefighters Union, Local 3234

Summary: This authorizes a collective bargaining agreement with the International Association of Firefighters Union, Local 3234

RES 2020-8627 – C. Resolution: Establish an Amended Policy of the Village Council with regard to Fee Waivers

Summary: This establishes an amended policy of the Village Council with regard to fee waivers

A RESOLUTION ESTABLISHING AN AMENDED POLICY OF THE VILLAGE COUNCIL WITH REGARD TO FEE WAIVERS

RESOLUTION 2020-46

RES 2020-8685 – D. Resolution: Execute an Extension to the contract with Mid American Water

Summary: This executes and extension to the contract with Mid American Water

A RESOLUTION EXECUTING AN EXTENSION TO THE CONTRACT WITH MID AMERICAN WATER

RESOLUTION 2020-47

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MIN 2020-8692 – E. Minutes: Note Receipt of Minutes of Boards and Commissions**Summary:** Human Service Ad Hoc Committee - August 25, 2020**Motion:** Commissioner José moved that the Council adopt the Consent Agenda as presented. Commissioner Earl seconded the motion.

Commissioner Kulovany extended his appreciation to the Village’s award-winning fire department for their willingness to work with the Village.

Mayor Barnett declared the motion carried by voice vote.

7. Active Agenda

ORD 2020-8673 – A. Ordinance: Rezone Certain Property located at 5117 Fairview Avenue**Summary:** This rezones certain property located at 5117 Fairview Avenue

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 5117 FAIRVIEW AVENUE

ORDINANCE 5826

Motion: Commissioner José moved that the Council adopt the “An Ordinance to Rezone Certain Property located at 5117 Fairview Avenue”, as presented. Commissioner Earl seconded the motion.

Commissioner Earl thanked the petitioner for moving the building a bit, for including native plantings in the landscape plan, and for assistance with the stormwater storage.

Commissioner Kulovany echoed the same comments.

Mayor Barnett declared the motion carried by voice vote.

ORD 2020-8672 – B. Ordinance: Amend Zoning Ordinance of the Village of Downers Grove, Illinois to Designate the Property at 5117 Fairview Avenue as a Planned Unit Development #62 and Authorize an 18-Unit Multi-Family Residential Development**Summary:** This amends the zoning ordinance of the Village of Downers Grove, Illinois to designate the property at 5117 Fairview Avenue as a planned unit development #62 and authorize an 18-unit multi-family residential development

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS TO DESIGNATE THE PROPERTY AT 5117 FAIRVIEW AVENUE AS A PLANNED UNIT DEVELOPMENT #62 AND AUTHORIZE AN 18-UNIT MULTI FAMILY RESIDENTIAL DEVELOPMENT

ORDINANCE 5827

Motion: Commissioner José moved that the Council adopt “An ordinance amending the Zoning Ordinance of the Village of Downers Grove, Illinois to designate the property at 5117 Fairview Avenue as a Planned Unit Development #62 and authorize an 18-Unit Multi-Family residential development”, as presented. Commissioner Earl seconded the motion. No comments were received.

Mayor Barnett declared the motion carried by voice vote.

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8. First Reading

ORD 2020-8671 – A. Ordinance: Amend Zoning Ordinance Provisions

Community Development Director Stan Popovich explained this item involves text amendments, the first being Tattoo and Body Piercing establishments. Recently, the courts determined that tattoos and body piercing were considered free speech under the First Amendment and the Village's prohibition of the same could be a violation of that law. Staff was proposing to allow such businesses in the manufacturing zoning districts similar to other personal improvement services. Other text amendments reviewed previously included accessory structures which Mr. Popovich pointed out that some townhome developments were now placing hot tubs and other additional structures on flat roofs, which would be included in the provisions. Shared driveways, he explained, discussed where owners can or cannot replace shared driveways. Non-conforming accessory structures (detached garages) were also being reviewed where owners want to add onto them but it becomes a challenge. In the zoning ordinance the text explained what an owner could and could not do.

At its September 14, 2020 meeting, Mr. Popovich said the Plan Commission reviewed such provisions and recommend approval.

Asked what were the prior issues with the tattoo/piercing shops, Mr. Popovich recalled the concern, back when the zoning ordinance was being amended in 2014, was behaviors that might have been occurring in such establishments. The change that took place to limit such establishments occurred in 2015.

RES 2020-8684 – B. Resolution: Extend and Amend Resolution No. 2020-35 and Certain Emergency Orders regarding Outdoor Dining and Liquor Provisions.

Mr. Popovich explained the proposal for this resolution would be to allow private property owners to extend outdoor dining through March 15, 2021 and then start back in the normal routine in 2021. Using outside structures would need a permit. Public property would remain the same through November 15, 2020. Staff was also looking to find more 15-minute parking spaces in the downtown area for carry-out opportunities. Liquor provisions would also extend similarly.

Commissioner José believed this was a balanced proposal presented by staff and safety was being addressed, while supporting the businesses.

Commissioner Kulovany inquired of staff about the business owners and their thoughts on the current seating.

In response, Deputy Village Manager Michael Baker reported that at the last Downtown Management board meeting, a couple of the board members who were also restaurant owners, discussed the challenges of sustaining outdoor dining given the cold weather coming up. Most owners planned to utilize carry-outs along with their indoor dining. Available heating units were discussed and their safety concerns.

9. Manager's Report

Village Manager Dave Fieldman announced the Village received a Cares Act grant in the amount of \$2.54M Dollars, which reimbursed the Village for expenses incurred due to the pandemic, mainly for police, fire, and payroll expenses. This was the Village's Tier 1 response to the pandemic. Words of appreciation followed from staff, commissioners, as well as comments on the frugality of the Village during the pandemic, which was a positive.

Mayor Barnett reminded commissioners that while it was a positive, there were still challenges ahead.

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12. 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 amending certain zoning provisions

11. Mayor and Council Member Reports

Mayor Barnett invited commissioners to provide their comments/thoughts.

Commissioner Gray recapped some of the issues that were already addressed but raised discussion about how young people were doing. Under a program called The Dolls (non-profit girls fast-pitch softball program), Commissioner Gray, noted the group was having a fundraiser for their softball program. Contact Deedee Schaefer, 630-204-8273. He supported active activities for the youth.

Commissioner Kulovany reminded the residents to rake leaves away from their street drains. He reminded residents that the BonField Express organization, which provide scholarships, is looking for people to sign up for a virtual walk/run.

Commissioner Sadowski-Fugitt announced a Women 100 Strong event is scheduled for October 17, 2020, 2:00 pm to 5:00 pm along with a Women's March in the Village. Final meeting place to be announced on the Facebook Event page and Downers Grove Patch. All are welcome with masks.

12. Adjournment

Mayor Barnett asked for a motion to adjourn the meeting.

Motion: Commissioner Hosé made a motion to adjourn the meeting. Commissioner Earl seconded the motion.

Mayor Barnett declared the motion carried and the meeting adjourned at 7:43 p.m.

Respectfully submitted,

Megan Miles

Village Clerk