



Meeting Minutes

Village of Downers Grove – Council Meeting

Council Chambers

October 05, 2021

7:00 PM

1. Call to Order

Mayor Barnett called to order the Village Council meeting at 7:00 p.m. and led those in the room in the Pledge of Allegiance to the Flag. He explained the protocol for the meeting and the guidelines to submit public comment.

2. Roll Call

Council Attendance (Present): Mayor Barnett, Commissioner José, Commissioner Walus, Commissioner Sadowski-Fugitt, Commissioner Kulovany, Commissioner Gilmartin, Commissioner Glover

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

3. Minutes of Council Meetings

MIN 2021-9129- A. Minutes: Village Council Meeting Minutes –September 21, 2021

***MOTION:** To adopt the meeting minutes of the September 21, 2021 meeting as presented.*

***RESULT:** Motion carried unanimously by voice vote.*

***MOTIONED TO APPROVE:** Commissioner José*

***SECONDED BY:** Commissioner Walus*

***AYES:** Commissioners José, Walus, Glover, Gilmartin, Kulovany, Sadowski-Fugitt, Mayor Barnett*

***NAYES:** None*

4. Mayor's Report

Materials to be Placed on File: 1300 Restaurant Corp., d/b/a Omega Restaurant – Application to Upgrade Liquor License

Pursuant to Section 3-12 of Downers Grove Liquor Control Ordinance: a public hearing for a liquor license application may be waived if the current license holder requests a change in license classification. The application must be placed on file for a minimum of 2 weeks, subject to public comment prior to the issuance of a new license. Village has received an application from 1300 Restaurant Corp, DBA Omega Restaurant – Application to upgrade from their current beer and wine only license to a full alcohol liquor license. Placed on file Tuesday, October 5, 2021.

5. Proclamation – Fire Prevention Week

Scott Spinazola - Fire Chief, Dan Tasso – Deputy Fire Chief and Robert Pekelder – Deputy Fire Chief, were present to accept the proclamation.

Chief Spinazola approached the podium: Fire Prevention Week was established to commemorate the Great Chicago Fire of 1871. Over the years the National Fire Protection Agency and Fire Service have used Fire Prevention Awareness Week to champion fire safety messages, to prevent fire and save lives. This year the campaign is learn the sounds of fire safety: recognize different sounds and alerts safety devices make when there is a fire or carbon monoxide hazard. In-person Night at the Firehouse will be held on October 6, 2021 at 6:30pm at Station 5, located at 6701 Main St. There Annual Silent Parade is October 8, 2021 at 7pm beginning at Hinsdale Fire Dept. proceeding west through Downers Grove on Maple Ave & 55th Street, ending in Lisle.

6. Public Comment

Vishal Thakkar, owner of Holiday Inn Express at 3031 Finley Rd:

- Not in favor of plan for DuPage PADS to acquire and turn Red Roof Inn hotel located at 1113 Butterfield Rd into homeless shelter.
- Homelessness needs to be addressed; but not in the business corridor of Downers Grove.
- Requests relocation of PADS to another area.

Jim: Kelly, resident of Downers Grove:

- Not in agreement to allow DuPage PADS to acquire Red Roof Inn hotel.
- Was homeless and experience with DuPage County PADS was not good.
- Requesting PADS is audited by Village to ensure PADS administration is ethical and has control.
- Requests a solution for the homeless that is long term and protects the community.

Vishal Thakkar:

- Protecting the community is reason for his concern.
- Loves the development that has happened within the Butterfield corridor; does not want to see it destroyed.
- The business corridor is a paradise of Downers Grove; wants PADS hotel elsewhere.

Jim Kelly:

- If PADS hotel project is allowed in Downers Grove there must be rules, regulations, restrictions, and auditing.

Bonnie Brown, resident of 940 Maple Ave, Marquis on Maple:

- Concerns about parking deck involving car racing at night; noise issues homeless people congregating.
- Requesting decks 4 and 5 are shut down permanently unless there is an event in the Village.

Sue Farley:

- Concerned about Facility Replacement and Sustainability Plan (FRSP) and the Village Council voted in favor of using the same architect and construction company that were selected for previous FRSP plans to build the new civic center; attended FRSP meetings with other constituents in Jan and Feb 2020 and the people of Downers Grove requested the plan have a heavy emphasis on being “green”; same companies selected for the project to save money and there has been no mention in the plan for the building to focus on any of the “green energy focused ideas”.
- Concerned Downers Grove is lagging behind other communities in DEI efforts.

Mayor Barnett - Wanted to clarify a few things:

- The previous Village Council and the current Village Council intends for the new civic center to be as green as possible, zero net carbon footprint discussed; no design in place at this point.
- Village is mid-stream in a DEI program that follows the leadership of White House; modeled after their system and process; incorrect to say the Village is lagging in process.

Paul Scout, member of Unity Partnership and DuPage County Chapter NAACP:

- Event coming up – “Faith in Blue” at Islamic Center of Naperville on Ogden Ave, on Thursday, Oct 7, the sheriff, State’s attorney and several police leaders in area are invited; extended invitation to Chief Gillette to attend; intention is to build relationships with law enforcement in area.
- Requested the Village website be updated with where the Village is with its DEI efforts.

Donald Stapleton, resident of 940 Maple Ave, Marquis on Maple

- Agrees with Bonnie Brown regarding parking deck concerns; circumstances are severe - ramps of parking deck are a loud raceway at night; vehicles and motorcycles with loud exhaust systems; skateboarding loud; requesting help to quiet the noise.

Mayor Barnett - Regarding parking deck:

- Have had parking deck problem in the past and the Village took to enforcement and closing some of the deck; reopened the deck when activity stopped; will consider this seriously and will address.
- Wants all to remember parking deck is open and available to the public and there is noise associated with living in a downtown area; will ensure people follow laws.

7. Consent Agenda

COR 2021-9113 — B. Claims Ordinance: No. 6427, Payroll – September 10, 2021

BIL 2021-9114 — A. Bills Payable: No. 6620 – October 05, 2021

MIN 2021-9124 — C. Minutes: Note Receipt of Boards and Commissions Meeting Minutes

Summary: Note Receipt of Boards and Commissions Meeting Minutes: Foreign Fire Tax Insurance Board, 6-24-21; Library Board of Trustees, 8/25/21 and 9/7/21

RES 2021-8913 — D. Resolution: Appropriating \$500,000.00 of Rebuild Illinois Funds for the Village's Share of the Fairview Avenue Local Agency Functional Overlay (LAFO) Project **RES #2021-56**

Summary: This resolution appropriates \$500,000.00 of Rebuild Illinois funds for the Village share of the Fairview Avenue Local Agency Functional Overlay (LAFO) project.

MOT 2021-9083 — E. Motion: Award a Multi-Year Contract to Ltyx, Inc. of San Diego, CA, for Upgrades to the Driver Safety Program (DriveCam) in the Amount of \$181,677.37, which Includes a 10% Contingency

Summary: The motion awards a multi-year contract to Ltyx, Inc. of San Diego, CA for upgrades to the Driver Safety Program (DriveCam) in the amount of \$181,677.37, which includes a 10% contingency.

RES 2021-9084 — F. Resolution: Authorizing the Participation in the ComEd Green Region Program and Accepting the Receipt of a Grant in the amount of \$10,000.00 for the Installation of the Public Works Rain Garden and Natural Areas Project **RES #2021-57**

Summary: This resolution authorizes the participation in the ComEd Green Region Program and accepting the receipt of a grant in the amount of \$10,000.00 for the installation of the Public Works rain garden and Natural Areas Project

RES 2021-9133 — G. Resolution: Authorize an Agreement with Water Resources Incorporated in the Amount of \$53,825.00 for the Purchase of Water Meters **RES #2021-58**

Summary: This resolution authorizes an agreement with Water Resources Incorporated in the amount of \$53,825.00 for the purchase of water meters.

MOT 2021-9138 — H. Motion: Authorize a Contract with HBK Water Meter Service, Inc. for the Removal and Testing of Residential Water Meters for a Total Not-to-Exceed Amount of \$82,418.78, which Includes a 20% Contingency.

Summary: This motion authorizes a contract with HBK Water Meter Service, Inc. for the removal and testing of residential water meters for a total not-to-exceed amount of \$82,418.78, which includes a 20% contingency.

MOT 2021-9132 — I. Motion: Award a Contract for Surveying Services to Engineering Resource Associates, Inc. of Warrenville, Illinois, in the Amount of \$28,900.00 for Various 2022 Community Investment Program (CIP) Projects

Summary: This motion awards a contract for surveying services to Engineering Resource Associates, Inc. of Warrenville, Illinois in the amount of \$28,900.00 for various 2022 Community Investment Program (CIP) projects.

MOT 2021-9131 — J. Motion: Authorize the Purchase of Sophos Central Intercept X Advanced with XDR Software Subscriptions from CDW Government LLC of Vernon Hills, Illinois, in the Amount of \$49,464.32 which includes 350 Workstation and 50 Server Licenses along with Installation Services for Three Years

Summary: A motion is requested to authorize the purchase of Sophos Central Intercept X Advanced with XDR software subscriptions, including 350 workstation and 50 server licenses along with installation services for three years from CDW Government LLC of Vernon Hills, Illinois in an amount of \$49,464.32.

RES 2021-9117 — K. Resolution: Approve the Renewal Agreement with Blue Cross/Blue Shield of Illinois for Medical Claim Administration Services **RES #2021-59**

Summary: This resolution authorizes the approval of the renewal agreement with Blue Cross/Blue Shield of Illinois for medical claim administration services.

RES 2021-9118 — L. Resolution: Authorize the Renewal Agreement with Blue Cross/Blue Shield of Illinois for Stop Loss Insurance Coverage **RES #2021-60**

Summary: This resolution authorizes the renewal agreement with Blue Cross/Blue Shield of Illinois for Stop Loss Insurance Coverage.

RES 2021-9119 — M. Resolution: Authorize an Agreement with Blue Cross/Blue Shield of Illinois for Group Life Insurance **RES #2021-61**

Summary: This resolution authorizes an agreement with Blue Cross/Blue Shield of Illinois for Group Life Insurance.

RES 2021-9120 — N. Resolution: Authorize an Agreement with Blue Cross/Blue Shield of Illinois for Long Term Disability Benefits **RES #2021-62**

Summary: This resolution authorizes an agreement with Blue Cross/Blue Shield of Illinois for Long Term Disability Benefits

RES 2021-9122 — O. Resolution: Authorize a Claims Administrative Agreement with Professional Benefit Administrators **RES #2021-63**

Summary: This resolution authorizes a Claims Administrative Agreement with Professional Benefit Administrators.

RES 2021-9121 — P. Resolution: Authorize a Renewal Agreement with Humana for Medicare Advantage Insurance for Retirees Over 65 **RES #2021-64**

Summary: This resolution authorizes a Renewal Agreement with Humana for Medicare Advantage Insurance for

Retirees Over 65.

RES 2021-9130 — Q. Resolution: Amending the Employee Administrative Rules and Regulations (Personnel Manual) **RES #2021-65**

Summary: This resolution amends the Employee Administrative Rules and Regulations (Personnel Manual)

RES 2021-9104 — R. Resolution: Accept and Abrogate Certain Public Easements at 824 63rd Street
RES #2021-66

Summary: This resolution accepts and abrogates certain public easements at 824 63rd Street.

RES 2021-9139 — S. Resolution: Authorize an Addendum to the Agreement with FGM Architects for an Additional \$17,000.00 for a Total Amount Not-to-Exceed of \$52,000.00 **RES #2021-67**

Summary: This resolution authorizes an addendum to the agreement with FGM Architects for an additional \$17,000.00 for a total amount not-to-exceed of \$52,000.00.

Dallas, Texas, in a total not-to-exceed amount of \$68,021.50 to provide NFIRS reporting data analysis software

***MOTION:** To adopt all items on the Consent Agenda as presented*

***RESULT:** Motion carried unanimously by voice vote.*

***MOTIONED TO APPROVE:** Commissioner Hosé*

***SECONDED BY:** Commissioner Walus*

***AYES:** Commissioners Hosé, Walus, Glover, Gilmartin, Kulovany, Sadowski-Fugitt, Mayor Barnett*

***NAYES:** None*

8. Active Agenda

ORD 2021-9085 — A. Ordinance: Creating a Salon Liquor License Classification

Summary: This ordinance creates a Salon Liquor License Classification.

***MOTION:** To adopt an ordinance creating a salon liquor license classification, as presented.*

ORD #5880

***RESULT:** Motion carried unanimously roll call.*

***MOTIONED TO APPROVE:** Commissioner Hosé*

***SECONDED BY:** Commissioner Walus*

***AYES:** Commissioners Hosé, Walus, Glover, Gilmartin, Kulovany, Sadowski-Fugitt, Mayor Barnett*

***NAYES:** None*

ORD 2021-9135 — B. Ordinance: Eliminating the Restriction on Liquor Licenses Issued to Establishments Selling Gasoline

Summary: An ordinance eliminating the restriction on Liquor Licenses issued to establishments selling gasoline.

MOTION:** To adopt an ordinance eliminating the restriction on liquor licenses issued to establishments selling gasoline, as presented. **ORD #5881

***RESULT:** Motion carried unanimously roll call.*

***MOTIONED TO APPROVE:** Commissioner Hosé*

***SECONDED BY:** Commissioner Walus*

***AYES:** Commissioners Hosé, Walus, Glover, Gilmartin, Kulovany, Sadowski-Fugitt, Mayor Barnett*

***NAYES:** None*

ORD 2021-9136 — C. Ordinance: Amending Liquor Delivery Restrictions

Summary: An ordinance amending liquor delivery restrictions.

Mayor Barnett: Change driven by need to come into compliance with State law.

MOTION: *To adopt an ordinance amending liquor delivery restrictions, as presented. ORD #5882*

RESULT: *Motion carried unanimously roll call.*

MOTIONED TO APPROVE: *Commissioner Hosé*

SECONDED BY: *Commissioner Walus*

AYES: *Commissioners Hosé, Walus, Glover, Gilmartin, Kulovany, Sadowski-Fugitt, Mayor Barnett*

NAYES: *None*

9. First Reading

RES 2021-9110 — A. Resolution: Approve the Final Plat of Subdivision for 2751-2761 Ogden Avenue

Summary: This resolution approves the final plat of subdivision for 2751-2761 Ogden Avenue.

ORD 2021-9107 — B. Ordinance: Amending the Zoning Ordinance to Designate the Property at 2751-2761 Ogden Avenue as Planned Unit Development #65 and Authorize a Hotel and Restaurant Development

Summary: An ordinance amending the Zoning Ordinance to Designate the Property at 2751-2761 Ogden Avenue as Planned Unit Development #65 and Authorize a Hotel and Restaurant Development.

ORD 2021-9108 — C. Ordinance: Rezoning Certain Property Located at 2751-2761 Ogden Avenue

Summary: An ordinance rezoning certain property located at 2751-2761 Ogden Avenue.

ORD 2021-9109 — D. Ordinance: Authorizing a Special Use for Lot 2 of the Ogden & Walnut Resubdivision to Permit a Restaurant with Drive-Through

Summary: This ordinance authorizes a special use for Lot 2 of the Ogden & Walnut Resubdivision to permit a restaurant with drive-through.

Stan Popovich, Community Development Director, gave a [presentation](#) on *First Reading items A – D. 2751-2761 Ogden Ave at corner of Walnut and Ogden. Property currently one lot. Proposal divides into 3 lots. Lot 1 for hotel site; lot 2 for restaurant site; lot 3 a detention lot for stormwater. Two options for lot 2: a sit down restaurant or a drive-through restaurant. One entrance off Walnut; right-in, right-out. Petitioner has provided access point to connect to Park District future development off Ogden. Petitioner will stripe two outbound lanes, northbound lanes of Walnut; one left turn, one right turn and one lane going southbound onto Walnut. Sidewalk around site, sidewalk connecting Ogden to future Park District development; internal pedestrian circulation. Drive through proposal: Circulation the same with drive through lane going clockwise around building. Petitioner unsure whether it will be a drive through or not and is requesting “special use” at this time. Pedestrian circulation around site remains the same and internal circulation will change to accommodate drive through. Plan Commission recommended approval to the Village Council.*

Mayor and Commissioner Comments/Questions

Commissioner Sadowski-Fugitt: Appreciates extensive wetlands review and native plant options; asked why wetland mitigation was not proposed as part of the improvements.

Mr. Popovich: Showed where wetland area was on plan; not a lot of space adjacent to parking to provide significant mitigation; detention basin will have numerous plantings; wetland professional felt would provide comparable mitigation; Village allows people to pay into DuPage County wetland bank.

Duffey Phelps, VP of Development with Holiday Properties: Thank you to Village planning staff for time spent fine tuning plan; Burlington Station is a prior project he worked on in Downers Grove; wants to recreate that success and

be pillar of community and give back. Regarding the wetlands, this is impacting less than 1/10 of an acre; received notification from Army Corp – they have accepted jurisdiction and have approved development on the property.

Commissioner Sadowski-Fugitt: Thinks plan looks great; in line with Village's Comprehensive Plan for what Village looks for in that kind of site – especially knowing what is coming with the Park District.

Commissioner Gilmartin: Thank you for continued investment in DG. Sports tourism largest growing part of tourism industry; will be a good start.

Commissioner Kulovany: Likes continued investment; wetlands mitigation shows good stewardship; could be another fine example of cooperating with another taxing body (Park District); our plans and the economic development benefit that comes from this type of project marries well with the Park District plans of an active but passive park environment; two units cooperating for the betterment of Village.

Commissioner Gilmartin: Asked if there is a sense of which way restaurant will go.

Mr. Phelps: Would prefer a breakfast, lunch, and dinner facility for hotel and Park District amenity in the future; goal for more of a sit-down restaurant; keeping flexible for possible fast casual.

MOT 2021-9116 — E. Motion: Approve a Two-Year Agreement with Minuteman Security Technologies for a Total Cost of \$226,684.53 to Purchase an Automated License Plate Reader Camera System

Summary: This motion approves a two-year agreement with Minuteman Security Technologies for a total cost of \$226,684.53 to purchase an Automated License Plate Reader Camera System.

MOT 2021-9115 — F. Motion: Approve a 5 Year Agreement with Axon Enterprise, Inc. in the amount of \$698,841.20 for the Purchase and Servicing of Body Worn Cameras, Squad Car Cameras and a Cloud Based Digital Video System for Police Department Interview Rooms and Evidence Management

Summary: This motion approves a 5 year agreement with Axon Enterprise, Inc. in the amount of \$698,841.20 for the purchase and servicing of body worn cameras, squad car cameras and a cloud based digital video system for Police Department interview rooms and evidence management.

Shannon Gillette, Police Chief, gave a description and overview of *First Reading items E – F*. Request to purchase body-worn cameras as part of integrated system that includes squad car cameras and PD interview rooms. Request to purchase automated license reader system.

Body cameras: February 2021, Governor Pritzker signed into law the Criminal Justice Reform Bill, aka Safety Act, which requires the Village to implement body cameras by 01/01/2024. Part of long-range planning; Village Council directed staff to implement body cameras as soon as possible. Police Department supports use of body worn cameras; goal to implement the cameras two years ahead of required date. PD currently operates 21 squad cameras in patrol fleet; provided by Panasonic, accompanied by physical server to manage collected data from squad cars. The current squad cameras nearing end of life and the physical server was scheduled for replacement in 2021.

Video Monitored Interview Rooms: Village has 3 video monitored interview rooms for criminal investigations; cameras provided by Axon Enterprises Inc.; accompanied by cloud based digital evidence repository provided by Axon. This system houses interview room videos and other digital evidence collected by PD. Competitive selection process held.

Staff recommends entering a five year agreement with Axon Enterprises Inc. to integrate all major Police Department camera systems into one platform; agreement includes product installation, programming, maintenance, warranty services, equipment repair, replacement, and future upgrades. Agreement provides complete replacement of body cameras at year 2.5 and at year 5; provides for complete replacement of squad car cameras in year 5. The total for agreement is \$698,841.00 or just under \$140,000.00 annually. Body worn cameras: \$397,767.00 or \$79,500.00 annually. Staff recommends the use of the Asset Forfeiture Fund for this purchase. Current annual cost for operation of squad car cameras, interview rooms and digital evidence storage is about \$30,000. The significant increase in cost

is mostly attributed to the purchase and servicing of body worn cameras and the increase in cloud storage for that data. Illinois statutes for retention of images on body worn cameras must be retained for a period of 90 days. After 90 days recordings made with body worn cameras must be destroyed unless part of the recording relates to an officer complaint; police use of force; an incident in which death or great bodily harm happened to any person in the video; the encounter resulted in detention or arrest, or the video has evidentiary value in a criminal investigation. Regarding Freedom of Information Act (FOIA) for the Illinois Statute – recordings made with body worn cameras are not subject to disclosure under FOIA except in part when recordings related to the filing of an officer complaint; discharge of a firearm; other use of force, arrest or detention; law enforcement action resulting in death or great bodily harm. If approved next steps: coordinating delivery and installation of equipment; update department procedures related to use of system; provide staff training. Goal to implement system by second quarter of FY22.

Mayor and Commissioner Comments/Questions

Mayor Barnett: About \$110k per year increase as opposed to recent history; asked if 90 days mentioned is statutory minimum and if there is local control providing for a range within the period;

Chief Gillette: No local control; statutory 90 days disposal unless certain criteria is met; will research to make sure that we cannot enact a rule to maintain the files for less time.

Commissioner Gilmartin: Confirmed the new system is all cloud based storage; asked why cameras are replaced in 2 1/2 years.

Chief Gillette: Due to elements, body cameras and squad cameras experience a lot of damage – weather and day to day use by Police Officer; agreement preschedules replacement off cameras under the technical assurance plan – will be replaced with upgraded versions if available.

Commissioner Sadowski-Fugitt: Asked if the Chief has any sense that technology will get better down the road or be less costly.

Chief Gillette: Doesn't know because we have never used body cameras.

Village Manager, Dave Fieldman : DuPage Mayors and Managers conference group wrote white paper on this topic; costs have come down and technology has improved greatly as more providers have entered into the business area; 2 ½ year time frame is good because both the Village and Axon will re-evaluating the technology at that time

Shannon Gillette, Police Chief presented request to purchase a fixed location automated license plate reader system (LPR). The Village has experienced increase in potentially violent crimes including car-jacking, armed robberies, burglaries and vehicle thefts. The Police Department currently operates a limited mobile automated license plate reader system which includes license reader cameras installed on one Police Department vehicle used primarily for parking enforcement; current system was provided by Minuteman Technologies Inc. and has been in place for about 10 years. Staff satisfied with Minuteman services and recommends expanding use to include fixed location license plate readers. Village conducted competitive selection process; staff recommends entering into agreement with Minuteman Technologies to purchase the fixed location automated LRP system. Agreement terms: fixed location license plate readers to be installed at 18 key entrances to the Village; cameras read license plates of vehicles that pass through these locations; system software interfaces with law enforcement databases providing real time alerts to Police Department of stolen motor vehicles and other alerts detected by system. Key operational aspects of system: type of data collected – photo of license plate and in most cases the rear of vehicle; logs license plate number, the date, time, location and camera ID number. How data used: detected license plate automatically cross referenced with law enforcement data bases; if vehicle is stolen or entered into system in regards to ongoing investigation, notification “hit” will be received; alerts may be received by email, text on department issued phone, or pop up notification on officer computer screen; provides real time information for patrol officers to direct police response; timely response may reduce likelihood of a crime being committed; may aid in recovering stolen vehicles and apprehension of offenders; provide real time alerts for license plates associated with missing or endangered persons; may provide invaluable leads for investigators to aid in follow up of violent crimes; can identify where criminal entered and exited the Village before and after committing a crime. System integrity: each user has a unique

password protected login; use of system tracked through robust audit trail; policy use of system restricted to law enforcement purposes; program monitored by lieutenant of investigations who is member of PD command staff. No state law specifying limits on data retention for automated license plate readers. Current PD policy limits data retention to 6 months; after 6 months data is automatically purged from LPR system. Web data is subject to FOIA; license plate data may be subject to disclosure under FOIA “when compiled without possibility of attribution to any person”. Would not release LPR data that reveals personal data of any kind, but may be required to release a compiled list of license plates detected by the system if requested. Proposed agreement: Two year period; total cost of \$226,684.00; year one total \$215,971.00 including bulk of initial hardware purchase, installation, software, annual camera connection fee, system monitoring and maintenance. Year 2 total is \$10,712.00 including annual camera connection fee, system monitoring. Estimate cost in subsequent years between \$10k \$20k annually. Five year total cost estimated at \$257k to \$287k. About mid-range of staff estimate in long range planning process. Staff recommends the use of asset forfeiture for this purpose. If approved, next steps: coordinating delivery, installation of equipment, update PD policies and procedures related to use of system, staff training. Goal is to implement system by the second quarter of FY22.

Mayor and Commissioner Comments/Questions

Commissioner Hosé: 6 month limit on purging data – asked if data includes any hits.

Chief Gillette: Current policy is all data is purged after 6 months; can be different policies put into place for what happens to data for a legitimate hit; current operations use that data as part of case report, so it is not an issue to purge from LPR system. If approved, policy will be reviewed for different time limits for different aspects of system.

Commissioner Hosé: Asked how current 6 month limitation arrived at.

Chief Gillette: A wide range of retention policies across the country from a month up to several years; discussions with investigations division decided 6 months is reasonable period to not compile so much data within the Police Department and to respect privacy of individuals to purge data from system; but long enough that if crime pattern is established there is enough data for criminal investigation.

Commissioner Kulovany: Asked if audit system is robust enough to be able to consider chain of custody for offloading data.

Chief Gillette: If put into case file it becomes permanent part of records management system and audit trail within system notifies lieutenant of investigation or administrator who accessed or downloaded it.

Commissioner Sadowski-Fugitt: Concerned with what happens when a patrol officer receives a notification from a “hot list” such as violent offender, wants to make sure a process is in place and no one is injured while we are “hot on the trail”. Concerned about someone being harmed that was not part of the offense.

Chief Gillette: Training protocol and use of system is that any hit received on LPR must be independently verified by the officer. Officer also has to have probable cause and legal basis to make the traffic stop.

Mayor Barnett: This is not too different from current verification process in place with existing equipment.

Chief Gillette: Example is that a hit of a stolen car may be just a stolen license plate. Officers must independently verify it is a stolen vehicle; officers trained to understand how to read printouts and can decipher if there is probable cause based on initial information received.

Commissioner Gilmartin: Cameras are designed to protect stolen vehicles/license plates; crimes that occur often happen with stolen vehicles; asked if system also looking for vehicles that are not stolen, but may belong to people who are suspected of committing a crime or belonging to someone police might be looking for.

Chief Gillette: Investigators have option of creating a “hot list file” to enter into system and are able to share information on crimes that surpass Village borders.

Commissioner: Asked if a hit enough for probable cause.

Chief Gillette: Always has to be independently verified by the officer and department.

Commissioner Gilmartin: Asked if cameras capture plate numbers as they leave.

Chief Gillette: Will look at technical specifications on exact placement of it, but that is the general idea.

Commissioner Hosé: Asked about cause to make a stop: hit seen by officer, officer independently verifies it, at that point cause would exist to stop the vehicle; asked if an independent traffic violation would be needed.

Chief Gillette: Likely, yes it would be enough, but depends on the crime under investigation.

Commissioner Hosé: Gave example of officer getting hit, independently verifies the existence of stolen car in the Village – asked if it is enough to make a stop.

Chief Gillette: Yes it is.

Mayor Barnett: Clarification: This is an automation leveraging from an existing process. A plate can be identified any number of ways from any number of agencies, in or outside of Downers Grove, today. That information is made available to different agencies in different ways. Some have automated systems, some have partial automated systems and some have none. This is an automation of the process of getting those numbers into the system. Receiving the information from other agencies in a more automated way, or identifying them in a more blanketed automated fashion, is a technology leverage – not necessarily a new process or policy for Downers Grove.

Chief Gillette: Correct. Mayor Barnett:

Mayor Barnett: This is an opportunity to increase safety to residents and officers. Remote notice allows more intentional deliberate engagement on part of officers as opposed to being more reactionary.

Chief Gillette: Agreed; as stated in his presentation when referring to a stolen vehicle “a hit” provides a patrol officer, and rest of team, an opportunity to be proactive as opposed to possibly responding to a burglary on the back end and trying to trace back the steps of the criminal’s path.

Mayor Barnett: Questioned if there a sense from other surrounding municipalities about hit rates or frequencies; mentioned Elmhurst and LaGrange being as close in proximity to interstate as Downers Grove is; is a curiosity thing more than a policy question.

Chief Gillette: Officer: Will inquire.

Mayor Barnett: Had an administrative questioned if LRP sessions/discussion could be linked to this meeting.

Manager Fieldman: Staff would be happy to link that information.

Commissioner Gilmartin: Asked if there is any data of how this has helped in catching stolen vehicles or reducing crime.

Chief Gillette: Can inquire.

Commissioner Rich: Intrigued by real time nature of this; being able to capture whereabouts of stolen vehicle/stolen plates entering the Village and if criminal is unsuccessful at carjacking or robbery from someone’s driveway, we have 2 pieces of information to stolen vehicles and know where they are coming in and where they are going.

Chief Gillette: Village initiated an investigation we can enter the hot list immediately and it can be available to any

other agency sharing the system.

Commissioner Walus: Fellow Council members asked her questions; thanked the Chief for his feedback, thoughts and all the information.

Chief Gillette: Thanked his staff for all the work and research they did to make this possible.

ORD 2021-9137 — G. Ordinance: Providing for the Regulation of and Application for Small Wireless Facilities

Summary: This ordinance provides for the regulation of and application for small wireless facilities. Aligns with state law and FCC regulations.

10. Manager's Report

There was no Manager's Report.

11. Attorney's Report

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

1. An ordinance amending the Zoning Ordinance to designate the property at 2751-2761 Ogden Avenue as Planned Unit Development #65 and authorize a hotel and restaurant development.
2. An ordinance rezoning certain property located at 2751-2761 Ogden Avenue.
3. An ordinance authorizing a special use for Lot 2 of the Ogden & Walnut resubdivision to permit a restaurant with drive-through.
4. An ordinance providing for the regulation of and application for small wireless facilities

12. Mayor and Council Member Reports

Commissioner Leslie: Youth Outlook Opening of Drop in Center at the First United Methodist Church for 12-20 year olds. Opening Thursday, October 14th. Drop in Center runs 6:30pm – 9pm.

Commissioner Nicole: Sign up is still open for the Grove Express 5K Run and Walk on Thursday, November 25th, Thanksgiving morning at 8:30am. Signup at groveexpress.com

Commissioner Chris: Thank you to the Scouts for attending the meeting.

13. Adjournment

MOTION: *To adjourn the October 5, 2021, Village Council meeting.*

RESULT: *Motion carried unanimously by voice vote.*

MOTIONED TO APPROVE: *Commissioner José*

SECONDED BY: *Commissioner Walus,*

AYES: *Commissioners José, Walus, Glover, Gilmartin, Kulovany, Sadowski-Fugitt, Mayor Barnett*

NAYES: *None*

Mayor Barnett declared the motion carried by voice vote and the meeting adjourned at 8:30 p.m.

Respectfully submitted,

Rosa Berardi
Village Clerk