

# Meeting Minutes

Village of Downers Grove - Council Meeting

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Council Chambers

May 4, 2021

7:00 PM

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## 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 Earl, Commissioner Kulovany, Commissioner Walus, Commissioner Sadowski-Fugitt, Commissioner Gray

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

**MOT 2021-8943** – A. Motion: Allow Electronic Participation for the May 4, 2021 Village Council Meeting

## 3. Minutes of Council Meetings

**MIN 2021-8938** - A. Minutes: Village Council Meeting Minutes – April 20, 2021

**Motion:** Commissioner José made a motion that Council adopt the minutes of the April 20, 2021 meeting, as presented. Commissioner Earl seconded the motion.

**Votes: Yea:** Commissioner José, Commissioner Earl, Commissioner Gray, Commissioner Kulovany, Commissioner Sadowski-Fugitt, Commissioner Walus, Mayor Barnett

**Nay:** None

Mayor Barnett declared the motion carried.

## 4. Consent Agenda

**COR 2021-8939** - A. Claims Ordinance: No. 6407 – April 9, 2021

**BIL 2021-8940** - B. Bills Payable: No. 6590 – May 4, 2021

**RES 2021-8942** - C. Resolution: Approve Amendment No. 2 to the Master Agreement with ACLARA Technologies, LLC to Upgrade the Automated Meter Reading (AMR) Software in the Amount of \$45,299.10, which Includes a 10% Contingency

**Summary:** This action authorizes an Amendment No. 2 to the Master Agreement with ACLARA Technologies, LLC to upgrade the Automated Meter Reading (AMR) software in the Amount of \$45,299.10, with 10% contingency.

**A RESOLUTION APPROVING AMENDMENT NO. 2 TO MASTER AGREEMENT  
WITH ACLARA TECHNOLOGIES, LLC**

**RES 2021- 31**

**RES 2021-8949** - D. Resolution: Approve Amendment No. 1 to Software License Agreement and Maintenance Agreement with ACLARA Technologies, LLC in the Amount of \$27,220.48

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**Summary:** This action approves Amendment No. 1 to Software License Agreement and Maintenance Agreement with ACLARA Technologies, LLC in the amount of \$27,220.48

**A RESOLUTION APPROVING APPROVES AMENDMENT NO. 1 TO SOFTWARE LICENSE AGREEMENT AND MAINTENANCE AGREEMENT WITH ACLARA TECHNOLOGIES, LLC**  
**RES 2021- 32**

**MOT 2021-8912** - E. Motion: Authorize the Execution of a Three-Year Contract with M.E. Simpson, Co., Inc. in the Amount of \$207,651.25 for Water Distribution Valve Assessment Services

**Summary:** This authorizes the execution of a three-year contract with M.E. Simpson, Co., Inc. in the amount of \$207,651.25 for Water Distribution Valve Assessment Services.

**MIN 2021-8950** – F. Minutes: Note Receipt of Boards \and Commissions Meeting Minutes

**Motion:** Commissioner José moved that the Council adopt the Consent Agenda as presented. Commissioner Earl seconded the motion.

**Votes: Yea:** Commissioner José, Commissioner Earl, Commissioner Gray, Commissioner Walus, Commissioner Kulovany, Commissioner Sadowski-Fugitt, Commissioner Walus, Mayor Barnett

**Nay:** None

Mayor Barnett declared the motion carried unanimously.

## 5. Active Agenda

**ORD 2021-8928** – A. Ordinance: Amendment to Ordinance No. 3996 to Modify the Compensation of the Mayor and the Village Council

**Summary:** This ordinance amends Ordinance No. 3996 to modify the compensation of the Mayor and the Village Council.

**AN ORDINANCE AMENDING ORDINANCE NO. 3996 TO MODIFY THE COMPENSATION OF THE MAYOR AND THE VILLAGE COUNCIL**  
**ORDINANCE 5866**

**Motion:** Commissioner José moved that the Council adopt an ordinance amending Ordinance No. 3996 to modify the compensation of the mayor and the Village Council as presented. Commissioner Earl seconded the motion.

**Votes: Yea:** Commissioner José, Commissioner Earl, Commissioner Gray, Commissioner Walus, Commissioner Kulovany, Commissioner Sadowski-Fugitt, Mayor Barnett

**Nay:** None

Mayor Barnett declared the motion carried unanimously.

## 6. Motion to Adjourn Sine Die (without Date)

**Motion:** Commissioner Hosé made a motion to adjourn sine die. Commissioner Earl seconded the motion.

**Votes: Yea:** Commissioner Hosé, Commissioner Earl, Commissioner Gray, Commissioner Kulovany, Commissioner Sadowski-Fugitt, Commissioner Walus, Mayor Barnett

**Nay:** None

Mayor Barnett declared the motion carried unanimously.

## 7. Swearing-in Ceremony of Commissioners

Honorable Judge Ann Celine Walsh, with the DuPage County Circuit Court, swore in Commissioner Greg Hosé.

Honorable Judge David W. McKeague with the U.S. Court of Appeals, 6<sup>th</sup> Circuit, swore in Commissioner Chris Gilmartin.

Honorable Judge Ann Celine Walsh, with the DuPage County Circuit Court, swore in Commissioner Danny Glover.

## 8. Roll call

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

## 9. Public Comments

Deputy Village Manager, Mike Baker, reported that a number of comments were received via email from Mr. David Rose, which were circulated and published in advance of the meeting. The questions related to demographics within the Village. A number of questions were also received from Mr. Rose after the first question was published regarding policing. All will be incorporated as part of the meeting's public record.

## 10. Mayor's Report

Mayor Barnett extended appreciation and thanks to Commissioners Gray and Earl for their service to the community and wished both of them well. He offered congratulations to Commissioners Hosé, Gilmartin and Glover and welcomed them to the Village Council. He spoke of the trust the Village Council has from the community and the Council as a whole, will do all it can do to ensure the success of its newest members.

## 11. Council Member Reports

Commissioner Glover thanked the residents for electing him and giving him the opportunity to serve the Village in his role as Commissioner; he thanked the community for believing in him. He stated that he believes future opportunities exist with this board. He thanked former Commissioners Earl and Gray for their work and service to the Village. Commissioner Glover shared his readiness to work for the Village.

Commissioner Gilmartin thanked the Mayor, Commissioners and staff for welcoming him to the Village Council. He believes this Council will set the right vision, identify the right priorities and make the correct decisions for the Village to emerge stronger, vibrant and inclusive. He also thanked former Commissioners Gray and Earl for their service. He congratulated Commissioner Hosé and Commissioner Glover. He shared a brief summary as to why he moved to the Village. Words of appreciation were expressed to his wife, his children, and to those family members who traveled to be in attendance. Commissioner Gilmartin also thanked his colleague, friends and the

residents of Downers Grove. He commits to earn the trust of all as Commissioner and will do all it takes to make Downers Grove a better place to live.

Commissioner José welcomed new Commissioners Gilmartin and Glover to the Council and also thanked former Commissioners Earl and Gray for their service to the Village. He shared some of the challenges from the pandemic as well as some initiatives that were coming down the road. Commissioner José thanked the residents for placing their trust in him again. He said the Village Council is ready to tackle many issues and get to work.

Commissioner Kulovany welcomed the new Commissioners and Commissioner José on his reelection. He thanked former Commissioners Gray and Earl for their services and commented on how all of the Commissioners got along even though there may have been differences voiced. He believed it allowed the Council to focus on its decisions in an objective way and he believed the new Commissioners share that same spirit.

Commissioner Sadowski-Fugitt also congratulated Commissioner José and welcomed the new Commissioners Gilmartin and Glover. She spoke about the difficulty of campaigning during the pandemic and stated she looks forward to working with the new Commissioners. She thanked former Commissioners Earl and Gray for their services, wishing them a farewell but not a good-bye. Sadowski-Fugitt thanked those residents who participated in the Country in the Park event and wished all the moms a Happy Mother's Day.

Commissioner Walus thanked former Commissioners Earl and Gray for their services. She emphasized the need to work together and work toward a common vision on behalf of all residents. She stated that sitting at the dais requires teamwork, the ability to work toward a common vision on behalf of all the residents. She stated she is looking forward to coming together with the returning Commissioners and she is looking forward to working with Commissioners Gilmartin and Glover.

## 12. Adjournment

**Motion:** Commissioner José made a motion to adjourn the meeting. Commissioner Walus seconded the motion.

**Votes: Aye:** Commissioner José, Commissioner Walus, Commissioner Glover, Commissioner Gilmartin, Commissioner Kulovany, Commissioner Sadowski-Fugitt, Mayor Barnett

**Nay:** None

Mayor Barnett declared the motion carried and the meeting adjourned at 7:28 p.m.

Respectfully submitted,

Rosa Berardi

Village Clerk



Agenda Section	Agenda Item	Comment	Commenter
Comments of a General Nature		<p>Has the village ever done social scientific research investigating the perception non-white individuals living in the Chicago area but outside the village have of Downers Grove?</p> <p>Specifically, do they view DG as a desirable place to live, shop, dine, etc.? If not, why not?</p>	David Rose
Active Agenda	Active A. ORD 2021-8928 An ordinance amending Ordinance No. 3996 to modify the compensation of the Mayor and the Village Council.	<p>If you are going to invoke cost of child care as justification for increasing member compensation, please provide actual evidence? What then justifies the increase for a member with no or adult children? Point being: As a justification for increasing member compensation, why and how is one's family situation relevant?</p> <p>What does the phrase "in an amount equal to the mode of the pay increase received by the non- bargaining unit employees of the Village for such year" mean in practice? Has that rate ever been negative? such as in response to tax revenue drops from the pandemic?</p> <p>If council influences the rate of increase to which its own compensation is linked, as may be the case in the proposed ordinance, should the rate of increase not be linked to something council doesn't influence? Why not link the rate to something more appropriate as a measure of doing public service, such as the rate of increase (decrease?) in social security payment to senior citizens?</p>	David Rose
Comments of a General Nature		<p>Demographics of DG</p> <p>I have come across in reports produced by the village tabulated information describing the distribution of residents by racial/ethnic and income grouping.</p> <p>Does the village or county possess cross tabulated information on residents? In particular, does the village have</p> <p>a) cross tabulated numbers for race/ethnicity of residents by type of residence in which they reside? What is the village cross tab compared to the county?</p> <p>b) cross tabulated numbers for race/ethnicity of residents by (personal or household) income group to which they belong? What is the village cross-tab compared to county?</p> <p>Is the information collected solely as part of census data, or more frequently? If more frequently, who collects and disseminates it?</p> <p>Presuming such information exists, when and how often is it made available for public scrutiny? What entity makes it available? In what form?</p>	David Rose

<p>Comments of a General Nature</p>		<p>Several policing questions:  +++++  Policing and foot chases  “Stop or I’ll shoot” is such an accepted notion in the US that we can see the practice of police shooting at a person running away from them in such examples as the beloved movie “It’s a Wonderful Life” and not think twice about it. In particular, we don’t think twice about the aptness of the practice and what circumstances if any differentiate between when police shooting at someone running away is and is not appropriate.</p> <p>Does the DG police force have information regarding the relative frequency of situations nationwide and in IL in which police are chasing an individual on foot and the person fires at the police while s/he is running away but not looking in the direction in which s/he is firing? Of those situations in which the person being chased fires while running away, how many such instances result in injury or death to a police officer or anyone else?</p> <p>If the former seldom happens and if the latter happens even less often, what is the rationale underlying police shooting first, leaving many people these days to ask uncomfortable questions later?</p> <p>Such as the fundamental uncomfortable question: If the operative assumption by police is that a person fleeing their presence does so because s/he guilty of something, does (actual or suspected) possession of a gun by the person fleeing currently serve as sufficient grounds allowing police to fire at that individual ... regardless of anything else? What if the person fleeing has a legal right to carry a weapon?</p> <p>Does anyone on the DG police force know if police in other nations follow practices similar to those in the US? If the practices differ across nations, what do police in the rest of world do if an individual tries to run/drive away?</p> <p>_____</p> <p>Police body cameras  Do I understand correctly that a law recently passed in IL requires police to wear body cameras by 2025 (or so)?</p> <p>Are DG police presently equipped with body cameras? If not, when will they be?</p>	<p>David Rose</p>
		<p>Does the new state law specify policy regarding police use of the body camera? Does an individual municipality have discretion within the law’s language on body camera usage by members of its police force? If so, how will that policy be decided in DG? How much input will residents (be able to) have?</p> <p>_____</p> <p>Nuanced policing and improving relations within and between communities  I know from personal conversation that people of color can be as concerned for their safety when in white-majority suburbs as white people can be when they travel to parts of cities in which whites are not the majority.</p> <p>If a frequent operative assumption of police is that a person of color is guilty of something simply because of their color, what steps can (and should) police and municipal leaders, including here in DG, take to facilitate discussion between white and non-white citizens and between citizens and police to help both police and citizens of every color be more nuanced in their thinking?</p> <p>Will we see authorities in DG facilitate such discussions?</p> <p>If council is unwilling or unable to facilitate, what entity does council hope will bear that responsibility?</p>	