



Meeting Minutes

Village of Downers Grove – Council Meeting

Council Chambers

August 2, 2022

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,

Council Attendance (Remote): Commissioner Glover

Council Attendance (Not Present): none

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

MOT 2022-9517— A. Motion: Allowing for Electronic Participation for the August 2, 2022 Village Council meeting.

Summary: This motion allowed for Commissioner Glover to participate via electronic participation in the August 2, 2022 Village Council Meeting.

MOTION: To allow electronic participation for the August 2, 2022 Village Council Meeting, as presented.

RESULT: Motion carried unanimously by roll call.

MOTIONED TO APPROVE: Commissioner José

SECONDED BY: Commissioner Walus

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

NAYES: None

3. Minutes of Council Meetings

MIN 2021-9549 — A. Minutes: Village Council Meeting Minutes – July 19, 2022

Summary: Village Council Meeting Minutes – July 19, 2022

MOTION: To adopt the meeting minutes of the July 19, 2022 Village Council meeting, as presented and the

RESULT: Motion carried unanimously by roll call.

MOTIONED TO APPROVE: Commissioner José

SECONDED BY: Commissioner Walus

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

NAYES: None

4. Consent Agenda

BIL 2022-9533 — A. Bills Payable: No. 6678 - August 2, 2022

Summary: No. 6678 - August 2, 2022

COR 2022-9536 — B. Claims Ordinance: No. 6467, Payroll - July 1, 2022 and July 15, 2022

Summary: No. 6467, Payroll - July 1, 2022 and July 15, 2022

MOT 2022-9483 — C. Motion: Approve a Contract with John Neri Construction Co., Inc. of Addison, IL, for the Wisconsin Avenue Drainage Improvement Project (SW-080) in the Amount of \$808,173.71, Which Includes a 5% Contingency

Summary: This motion awards a contract for the Wisconsin Avenue Drainage Improvement Project (SW-080) to John Neri Construction Co., Inc. of Addison, IL in the amount of \$808,173.71, which includes a 5% contingency.

MOT 2022-9544 — D. Motion: Approve a Contract with Mauro Sewer Construction of Des Plaines, IL, for the Otis/Florence/Grant Drainage Improvement Project (SW-096) for a Total Amount Not-to-Exceed \$661,350.90, Which Includes a 5% Contingency

Summary: This motion approves a contract with Mauro Sewer Construction of Des Plaines, IL for the Otis/Florence/Grant Drainage Improvement project for a total not-to-exceed \$661,350.90, which includes a 5% contingency.

RES 2022-9557 — E. Resolution: Approve an Agreement with Engineering Resource Associates, Inc. in the Amount of \$109,568.00 for Engineering Consulting **RES 2022-63**

Summary: This motion approves a contract with Engineering Resource Associates, Inc. in the amount of \$109,568.00 for Engineering Consulting.

RESOLUTION 2022-63

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND ENGINEERING RESOURCE ASSOCIATES

MOT 2022-9554 — F. Motion: Approve a Contract with Chicagoland Paving Contractors, Inc. of Lake Zurich, IL, for the Katrine Well House Pavement Improvements for a Total Amount Not-to-Exceed \$117,600.00, Which Includes a 5% Contingency

Summary: This motion approves a contract with Chicagoland Paving Contractors, Inc. of Lake Zurich, IL, for the Katrine Well House Pavement Improvements for a total amount not-to-exceed \$117,600.00, which includes a 5% contingency.

RES 2022-9555 — G. Resolution: Authorize a Renewal Quotation and Addendum with Environmental Systems Research Institute, Inc. of Redlands, CA, in the Amount of \$15,800.00 for the Annual Maintenance Agreement of ArcGIS **RES 2022-64**

Summary: This resolution authorizes a renewal quotation and addendum with Environmental Systems Research Institute, Inc. (ESRI) of Redlands, California in the amount of \$15,800.00 for the annual maintenance agreement of ArcGIS.

RESOLUTION 2022-64**A RESOLUTION AUTHORIZING EXECUTION OF A RENEWAL QUOTATION AND ADDENDUM BETWEEN THE VILLAGE OF DOWNERS GROVE AND ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC.**

MOT 2022-9556 — H. Motion: Approve the Purchase of Hardware and Software from Sentinel Technologies, Inc. of Downers Grove, IL, in the Amount of \$208,527.00 for the Virtual Server Infrastructure Replacement

Summary: Approve the purchase of hardware and software from Sentinel Technologies, Inc. of Downers Grove, IL, in the amount of \$208,527.00 for the virtual server infrastructure replacement.

MOT 2022-9560 — I. Motion: Approve a Contract with Roofs Inc. of Lyons, IL, for the Roof Replacement of the Storage Garage Located East of the Fleet Maintenance Building in in the Amount of \$137,500.00, Which Includes a 10% Contingency.

Summary: Approve a Contract with Roofs Inc. of Lyons, IL, for the roof replacement of the storage garage located east of the fleet maintenance building in in the amount of \$137,500.00, which includes a 10% contingency.

MOT 2022-9561 — J. Motion: Approve a Contract with Roofs Inc. of Lyons, IL for the Roof Replacement at Fire Station #1 in the Amount of \$159,500.00, Which Includes a 10% Contingency

Summary: This motion approves a contract to Roofs Inc. of Lyons, IL for roof replacement at Fire Station #1 in the amount of \$159,500.00, which includes a 10% contingency.

RES 2022-9559 — K. Resolution: Approve an Amendment to the Purchase Agreement with JX Peterbilt for One Peterbilt 348 Snow Plow Truck, Increasing the Total Not-to-Exceed Amount to \$166,858.21 **RES 2022-65**

Summary: This resolution approves an amendment to the purchase agreement with JX Peterbilt of Bolingbrook, IL, for one Peterbilt 348 Plow Truck, increasing the total not-to-exceed amount to \$166,858.21.

RESOLUTION 2022-65**A RESOLUTION AUTHORIZING EXECUTION OF AN AMENDMENT TO THE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND PETERBILT ILLINOIS D/B/A JX TRUCK CENTER**

***MOTION:** To adopt all items on the Consent Agenda, 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*

5. Active Agenda

There were no Active Agenda items.

6. First Reading

ORD 2022-9547 — A. Ordinance: Annexing 3859 Douglas Road to the Village of Downers Grove, Illinois

ORD 2022-9548 — B. Ordinance: Rezoning Certain Property Located at 3859 Douglas Road

Stan Popovich, Community Development Director, presented items A and B via a [PowerPoint presentation](#). He said that the property, located in the northeastern corner of the Village at Douglas and 39th Street, consisted of two lots located adjacent to the Village - to the south and to the east of the subject property. He said that in addition to the annexation, the petitioner requested rezoning of the property from R1 to R2 and that was consistent with the surrounding zoning classifications and lot sizes. Mr. Popovich concluded by stating that the Plan Commission

recommended approval.

7. Attorney's Report

Village Attorney Enza Petrarca stated that pursuant to Section 2.5 of the Downers Grove Municipal Code, the following were presented for Village Council consideration:

1. An ordinance annexing 3859 Douglas Road to the Village of Downers Grove, Illinois.
2. An ordinance rezoning certain property located at 3859 Douglas Road.

Mayor Barnett stated that generally speaking annexations were welcome additions to the Village and the Village seeks these opportunities to include others in the Downers Grove community.

8. Public Comment

There was no public comment.

9. Mayor's Report

RES 2022-9563— A. Resolution: Appointing and Reappointing Members to Boards and Commissions.

SUMMARY: This resolution appoints Daniel M. Bondavalli to a three-year term on the Board of Fire and Police Commissioners expiring on August 31, 2025

RESOLUTION 2022-66

A RESOLUTION APPOINTING AND REAPPOINTING MEMBERS TO VILLAGE BOARDS AND COMMISSIONS

Village Clerk Rosa Berardi read the following appointment:

Board of Fire and Police Commissioners: Appoint Daniel M. Bondavalli for a three year term ending August 31, 2025.

Mayor Barnett said this was generally done in August/September, but one board was struggling for a quorum so that was why there was only one appointment made at the meeting. He said to expect to see more appointments/reappointments in the coming weeks.

MOTION: *To adopt A RESOLUTION APPOINTING AND REAPPOINTING MEMBERS TO VILLAGE BOARDS AND COMMISSIONS, as presented.*

RESULT: *Motion carried unanimously by roll call.*

MOTIONED TO APPROVE: *Commissioner José*

SECONDED BY: *Commissioner Walus*

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

NAYES: *None*

10. Council Member Reports

Commissioner Sadowski-Fugitt reminded everyone about the Grove Foundation's 29th Annual Golf Outing on Saturday, September 10th. She said registration would be available at the event and online through the [Grove Foundation's website](#).

Mayor Barnett called for a brief recess and stated that the meeting would resume in the Committee Room where the Manager's Report would be presented.

11. Manager's Report

INF 2022-9553 — A. Information: 2021-2023 Long Range Planning - Water Fund Sustainability and Parking Fund Sustainability

Village Manager Dave Fieldman presented an update to the 2021-2023 Long Range Plan (LRP). The update was regarding the Water Fund and Parking Fund. Manager Fieldman started by stating that the key elements of the Long Range Plan were strategic goals, key trends and issues that affect the long term, strategies and solutions that were put in place to address the issues identified, and the Council's work plan. Manager Fieldman reviewed the dates of this year's LRP discussions including June 21st, August 2nd (rescheduled from July 19th), and there would be an additional meeting on August 16th to go through and update the priority action items. That meeting would reflect the Council's action plan for the next year. He stated that the discussion regarding the Water Fund and Parking Fund were to identify issues that affect the two funds now and for several years to come. The group was to identify the process and schedule to address the issues in the future.

Manager Fieldman stated that the Village was in the process of bond issuance for the new facility project and as a part of the process the Village received their financial rating by S&P Global. That rating was a AAA rating – the highest rating possible. He noted that the current report and those dating back to 2013 had positive commentary about LRP planning and how the Village combined strategic elements with financial realities and budgeting. He said he was proud to be a part of the process.

Water Fund: Manager Fieldman started the discussion about the Water Fund and talked about trends and issues. He spoke of the impact of the recently approved state of Illinois Lead Service Line Replacement and Notification Act. He said the law intended to have the operators of public water supply identify all lead service lines and replace them over time. He reviewed the timeline to identify and replace the lines, which needed to be completed by 2044. Manager Fieldman noted that the law encouraged all municipalities to contract with minority and women owned businesses as part of any work that gets done under the Act. He added that the Act also required all public water service operators to replace both sections of service line, the public and private sections (private section is from a main water line valve to the home); however, there was the option to charge residents for the private section of the water line. He said that residents could sign a waiver to forgo having the line to their home replaced. Manager Fieldman estimated there were between 1500 and 3000 lead service lines, which meant they would replace between 90 and 180 services per year, from 2027 through 2044 and that would equal approximately \$2 million a year. He stated the current replacement cost per line were estimated to be \$3000-\$4000 for public and \$3000-\$5000 for the private section. Manager Fieldman stated the proposed strategy and solution was to have a Council policy discussion on whether or not to charge residents and since the law is in place it will be on a Village Council Meeting agenda to get the Council's decision. He said that staff is securing a consultant to assist with completed the inventory by April of 2024 and after that staff would prepare a replacement plan. He said that starting with the 2023 and through the 2025 budget years, staff would need to budget around \$200K per year in order to be compliant with the Act. He that staff would pursue federal and state grants as part of the strategy. Manager Fieldman said he wanted to make sure that the Council understood the issue and supported the strategy. He added that Public Works Director Andy Sickich was present to answer any technical questions.

Mayor Barnett said they would not discuss the details of the replacement plan and budgeting beyond 2025 until later down the road. He said for now the priority was to do a survey and amend codes.

Commissioner Gilmartin asked about the likelihood of receiving federal or state grants to start the process.

Manager Fieldman expressed they did not know for sure but knew the federal government has made money available for those types of programs before and the Village has also participated in the Illinois EPA Loan Interest Loan System for improvements of the water system. He said that money was still be available, and they could apply to use it for this type of work as long as EPA approved it. Manager Fieldman added that low interest loans provided through the State could be forgivable loans, but the State of IL has not published the administrative rules or the programs that go along with it. He said staff is waiting on the details but expect that most of the communities within DuPage County are anticipating some money will be made available. He continued by saying that staff is looking for

issues related to whether it will be need-based and may be divereted into areas outside of the Village of Downers Grove.

Commissioner Gilmartin asked for clarification that the lead service lines discussed had nothing to do with the Village's water mains, but they had to do with the water lines from the main to individual houses (up to 3,000 that currently have lead lines.

Manager Fieldman confirmed that was correct.

Mayor Barnett said the issue would affect not just the Village of Downers Grove, but every municipality, and that there were three states with the new mandate. He said his gut suggested that there would not be enough federal money for all the municipalities in state. He continued by saying there are other communities that have far more of a funding need that the Village of Downers Grove does right now. Mayor Barnett said there are three states involved and there will be limits on federal money, so it was likely the Village would have to figure their way through it.

Commissioner Gilmartin asked if they had a sense of where the Village sat in terms of the number of lead service lines compared to other municipalities.

Mayor Barnett said age of construction would play a role in it – of the 18,000 parcels in the Village, there are as many as 3,000 parcels needing lead line replacement. He further stated that Cook County and the City of Chicago will be in a tough spot.

Commissioner Gilmartin said there was a lot of new construction turnover and he assumed those lines had been replaced.

Manager Fieldman said the numbers presented included approximately 40 lead service line replacements yearly for new houses and new additions. He said within DuPage County, Downers Grove was on the high end when it came to the size and age of the community.

Commissioner Gilmartin asked in the case of a residential tear down and rebuild, if the resident was responsible for the private side of the lines.

Manager Fieldman said building codes and health codes require line replacement. When the lines need to be replaced, they must be built to modern standards for materials. Those line replacements go all the way to the water main.

Commissioner Gilmartin asked when it comes to those replacements, is the Village responsible for the public half of the replacements.

Manager Fieldman said no.

Commissioner Walus asked if the Village chose not to charge residents for the private line replacements, would the private and public numbers be added together. She also asked if a resident signed a waiver and chose not to replace their lines and decided to install their own type of water filter, does staff know what kind it would need to be, the cost for it, and what else would be involved.

Manager Fieldman answered yes, they would add the private and public together and said he could get some information on the water filter but did not think it was as significant of a cost as replacing the private water lines.

Mr. Sikich concurred with Manager Fieldman.

Commissioner Hose asked how often the filter would need to be replaced and said he was in full support of the strategies and solutions and thinks that federal and state grants should be pursued. He further stated that between the potential of the health implications that could occur if the water system was not maintained properly and penalizing

people that bought historic homes by making them incur the cost, he had no interest in charging the residents,. Commissioner Hose said he felt this is something the Village need to do. .

Manager Fieldman stated would get information on the filters to him.

Mayor Barnett asked how confident staff was in the 1500 to 3000 number estimate of lead service lines.

Manager Fieldman said they were pretty confident, but would inform the Council if the number changes.

Commissioner Kulovany said he was interested in information on how effective the filters were. He said 22 years was a long time and wondered if there was technology that would allow them to coat the lines.

Manager Fieldman said it was considered in the lobbying efforts when the law was being drafted but he did not think it made it into the law but said he would double check.

Mayor Barnett asked if the Village decided to pick up the cost of the private lines, did the Village have the ability to override the waiver.

Attorney Petrarca and Manager Fieldman stated that the waiver would be required because the Village would need to physically enter the home.

Manager Fieldman said it was a key component of the Act. He added that they would provide additional information. He also stated that he would provide additional information and would package it with the information that was asked about the filters. Manager Fieldman said that it will come up pretty quickly as an agenda item.

Parking Fund: Manager Fieldman proceeded to discuss the Parking Fund. He stated that the Village owned and operate 10 commuter parking lots at the Main Street, Belmont and Fairview Train Stations. He said the Parking Fund is used to account for all the costs of owning and maintaining those lots. He said in 2020, they saw a dramatic decrease in usage due to the pandemic and were still experiencing a decrease in commuter parking units because commuting habits have changed since the pandemic. He said they were seeing the decrease in daily fees and quarterly permits. Manager Fieldman said for the first time in his 17 years working at the Village, they were rapidly working their way through the wait lists for quarterly permits. He said on a typical day the parking lots there would be around 30-40% occupancy at any one of their parking lots. Manager Fieldman said the revenue supported the Parking Fund and if the decline continued, they would end up with a negative cash balance by the end of 2023. He said the Village would continue to maintain the parking deck, but were in a position to defer maintenance on the surface lots for a couple of years. He spoke of the General Fund and Parking Fund supporting each other in order to reduce an administrative transfer from the General Fund to the Parking Fund. This would mean decreasing the expenses in the Parking Fund and increasing them in the General Fund, Manager Fieldman said they would continue to monitor the parking system usage over the next year. He said staff would develop a financial operations plan for the Parking Fund and entire commuter parking system. He said staff will keep an eye on commuter patterns and see how the parking lots will be used over the next year, as staff doesn't believe things have normalized yet. He also said that that Lot L, which included approximately 88 spaces, would be taken out of the equation due to the new facility being built, so staff will keep an eye on how that affects the system.

Commissioner Kulovany said he was most intrigued by the parking permits. He said a lot of people keep their permits even after they don't used them anymore, so he would be interested to know how that would be handled and the best way to solve it. He suggested finding technological ways to keep up with the permits. Commissioner Kulovany knows that there has been a reshuffling of the deck and people are finally moving up on the wait lists.

Manager Fieldman said there is still a considerable waitlist for Main Street still. He said the oversell rate was a key component of how they managed it over the years and that rate has slowly been increasing and has been working just fine. He said that the oversell rate would continue to be a major component. Manager Fieldman said that Metra had a major role in determining those types of things.

Commissioner Kulovany asked if Metra provided any parking or ridership projections for the next few years.

Manager Fieldman said Metra provided the Village with monthly reports, but staff can double check to see if they had projections. He said he assumes they are projecting a return but is unsure when it will level off.

Commissioner Kulovany said the permanence of people working remotely versus going to the office, or those that only go to the office on Mondays and Fridays and work from home the other days is the reality. He said he isn't sure how to capture the real data.

Manager Fieldman said when they built the system, the commuters were on a predictable five day a week system, but now it suggested people stayed home on Mondays and Fridays and commuted on Tuesday, Wednesday, and Thursday.

Mayor Barnett said the Village is committed to maintaining the assets the Village owns. He said even with changes, the Village have to find a solution because they cannot allow things to deteriorate. He said they can let things go for a bit but in 2023-2024 there will have to be decisions made. Mayor Barnett asked Manager Fieldman to give broader details to the Council on the process.

Manager Fieldman said Village Attorney Enza Petrarca was the Village contact for BNSF and has been for many years. He said she has set up meetings where they talk through things and sometimes approve changes. Sometimes changes are formal with changes in Governmental Agreements and sometimes it has been changes to pricing that are just agreed upon.

Mayor Barnett asked how many IGAs were existing and how many the Village could walk away from.

Manager Fieldman said one of the challenges to the system is that there are different property owners. We own some of the properties, there are property that Metra controls, and there are some properties that belong to the BNSF Railroad. He said Metra was a big supporter of helping maintain the parking lots and on occasion has given significant grants to pay for capital costs, especially for reconstruction. Manager Fieldman said in exchange for Metra funding, the Village has agreed to maintain a certain number of spaces throughout the entire campus. Additionally, the Village also agreed to certain pricing. He concluded by stating it is a complex system of ownership, pricing, and funding and Attorney Petrarca had been on top of this for many years.

Commissioner Walus asked how often maintenance was done on the parking deck.

Manager Fieldman responded that they maintain the deck every year. He said it would be the same for the new Village Hall and police station. He said they did major work on the deck in the last couple years.

Mr. Sikich said there would be work done this year and more major work to be done in 2024 and 2025.

Manager Fieldman said that work would be detailed out in the 2023 and 2024 Budgets.

Mayor Barnett said like any other asset the Village has kept the Parking Deck maintained over the years. He gave examples of the fencing at the top and a switch to LED lighting. The Mayor said those were things that should not be ignored.

Commissioner Kulovany said about four years ago Metra once gave a presentation about capital improvements they intended to make over a few years. He suggested checking to see if they would be willing to do another open house and go over what they intended to do, what was accomplished and what they were yet to do. Commissioner Kulovany spoke of issues that could occur months from now, when there is inclement weather, and said he wanted us to be in front of that.

Manager Fieldman said they would leave what had been discussed in the draft report and the final report for the update would come to the Council the Friday before the next meeting set for August 16th.

Jim Kelly, resident, asked if some of the lots that were not being used could be rented out on a weekend basis for events to bring in revenue.

Manager Fieldman said they already allow parking in certain parking lots on the weekends and evenings and also work with community members and not-for-profit organization to all them to use the parking lots for events. He gave examples of the Rotary Grove Fest and Oktoberfest.

David Rose, resident, asked for an explanation of the oversell rate and process.

Manager Fieldman explained if the Village had a parking lot with 100 spaces, they may sell 125 quarterly permits, with the overall oversell rate of 25%, with the idea that the lot would never 100% occupied on any given day.

12. Adjournment

Mayor Barnett asked for a motion to adjourn the meeting.

***MOTION:** To adjourn the August 02, 2022, Village Council meeting.*

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

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

***SECONDED BY:** Commissioner Walus*

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

***NAYES:** None*

Mayor Barnett declared the motion carried by voice vote and the meeting adjourned at 7:53 p.m.

Respectfully submitted,

Rosa Berardi
Village Clerk