



# Meeting Minutes

Village of Downers Grove - Council Meeting

**Council Chambers**

**June 01, 2021**

**07:00 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 Sadowski-Fugitt, Commissioner Kulovany, Commissioner Gilmartin, Commissioner Glover

**Council Attendance (Absent):** Commissioner Walus

**Non-Voting:** Village Manager Dave Fieldman, Deputy Village Manager, Mike Baker, Village Attorney Enza Petrarca; Community Development Director Stan Popovich; Public Works Director Andy Sikich and Village Clerk Rosa Berardi

## 3. Public Comments

Mayor Barnett invited public comment for non-agenda items.

The following members of the community spoke of the benefits that allowing video gaming would bring to the Village and requested the Village Council consider allowing it within the Village:

- Bob Taft, 2707 63<sup>rd</sup> St, owner of Q Pub and Grill in the Meadowbrook Shopping Center
- James Weyrick, owner of Downers Grove Sand Club

## 4. Proclamation

A. Proclamation: Pride Month

- Mayor Barnett shared his comments on equal rights and civil rights and proceeded to read a proclamation. The proclamation was presented to the members of EQDG.

## 5. Minutes of Council Meetings

MIN 2021-8980 — A. Minutes: Meeting Minutes May 18, 2021

**Motion:** To adopt the meeting minutes of the May 18, 2021 meeting as presented.

**RESULT:** Motion carried unanimously.

**MOTION TO APPROVE:** Commissioner José

**SECONDED BY:** Commissioner Sadowski-Fugitt

**AYES:** Commissioner Glover, Commissioner Gilmartin, Commissioner Kulovany, Mayor Barnett

**NAYES:** None

## 6. Consent Agenda

**BIL 2021-8982** — A. Bills Payable: No. 6596 - June 1, 2021

**COR 2021-8983** — B. Claims Ordinance: No. 6411- Payroll, May 7, 2021

**MOT 2021-8988** — C. Motion: Award a Three-Year Contract for Storm Sewer Maintenance Services in the Amount of \$796,952.50 to National Power Rodding Corporation of Chicago, Illinois

**Summary:** This awards a three-year contract for Storm Sewer Maintenance Services to National Power Rodding Corporation of Chicago, Illinois in the amount of \$796,952.50

**RES 2021-8987** — D. Resolution: Authorize an Amendment to Existing Contract in the Amount of \$36,005.76 with Lakeshore Recycling Systems of Morton Grove, Illinois for Three Additional Residential Street Sweeping Cycles

**Summary:** This authorizes an amendment to an existing contract in the amount of \$36,005.76 with Lakeshore Recycling Systems of Morton Grove, Illinois for three additional residential street sweeping cycles: **RES 2021-37**

**RES 2021-8961** — E. Resolution: Authorize the Execution of a Second Amendment to an Integrated Supply Agreement with Genuine Parts Company/National Auto Parts Association (NAPA) for Fleet Parts and Inventory Program Services.

**Summary:** This authorizes the execution of a second amendment to an integrated supply agreement between the Village of Downers Grove and Genuine Parts Company/National Auto Parts Association (NAPA): **RES 2021-38**

**MIN 2021-8981** — F. Minutes: Note Receipt of Boards and Commissions Meeting Minutes

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

**RESULT:** Motion carried unanimously.

**MOTIONED TO APPROVE:** Commissioner Hosé

**SECONDED BY:** Commissioner Sadowski-Fugitt

**AYES:** Commissioner Glover, Commissioner Gilmartin, Commissioner Kulovany, Mayor Barnett

**NAYES:** None

## 7. Active Agenda

### 8. First Reading

**ORD 2021-8965**— A. Ordinance: Approve a Zoning Ordinance Text Amendment to Allow for Drive-Through Medical Facilities as a Special Use in the O-R-M Zoning District

**Summary:** This approves a Zoning Ordinance text amendment to allow for drive-through medical facilities as a Special Use in the O-R-M Zoning District.

**ORD 2021-8966** — B. Ordinance: Approve the Special Use to Operate a Drive-Through Medical Facility at

2205 Butterfield Road

Community Development Director, Stan Popovich, used a slide presentation and summarized [ORD 2021-8965](#) and [ORD 2021-8966](#) pertaining to the property at 2205 Butterfield Road. This special use request would allow for a drive-through medical facility in the O-R-M district. He referenced the O-R-M properties currently in the area and located the site on the map for the Commissioners. Director Popovich reported there were no proposed changes to the access points on the property or exterior changes as it relates to circulation and parking. The same parking would be used. Three lanes would be used with the fourth lane to be modified to allow for staff to travel in and out of the building. A movable storefront system is planned for the winter months to allow for outdoor services/drive-up services for medical issues/items and to be protected from the outside elements. As reviewed by the Planning Commission previously, the proposal met the requirements of the Village's Comprehensive Plan.

Mayor Barnett commented on the events over the past year have created a need for drive-thru medical facilities and this is an example of how Ordinances evolve and change with the time. He invited Commissioner comments.

Commissioners José thanked Edward Elmhurst for bringing such a forward-thinking proposal to the Village and he is in full support of it.

Commissioner Kulovany agreed with Commissioner José stating that the business will fit right in and there is plenty of room for the medical facility and thanked Edward Elmhurst for their investment in Downers Grove.

Mayor Barnett asked if the Fire Department needed to review the proposal.

Director Popovich relayed that he will have to confirm whether a sprinkler is required and will provide the Mayor with a response next week.

**ORD 2021-8989** — C. Ordinance: Amend Provisions of Chapter 3 of the Downers Grove Municipal Code Regarding Delivery Service and Establishing "Pick-Up" Liquor Sales for Certain License Classifications

Village Attorney Enza Petrarca recalled that the State passed a law allowing cocktails-to-go, which allowed all establishments with a Liquor License to offer cocktails-to-go on a pick-up and delivery basis. Because these licenses expire tomorrow, she reported the State of IL extended the date of expiration to January 2024 to continue such sales. Also, the same law allows municipalities to establish stricter regulations upon the sales. Attorney Petrarca proceeded to explain some of the main differences between the State and the proposed ordinance is that only the pick-up, not the delivery, of cocktails-to-go would be allowed; only certain license classifications - mainly restaurant classifications - are allowed; the cocktail-to-go would only be allowed if ordered in conjunction with a food order.

#### Mayor and Commissioner Questions/Comments

Mayor Barnett: Is Liquor Commissioner; law was changed regarding liquor sales due to responding to the pandemic; assisted businesses/restaurants in a challenging situation; to-go sales were encouraged; continuance of finding ways to assist restaurants and their ability to expand the appeal of their restaurant business is important.

Sadowski-Fugitt: Asked why delivery of beer and wine was allowed but not cocktails.

Attorney Petrarca explained in more detail, noting much of it depended on the license classification, but the main point is that a drink cannot be mixed, sealed and delivered. Only sealed prepared alcohol can be delivered. The license classifications that are allowed to deliver alcohol, do not have the capability to allow for the consumption of alcohol at their establishment/stores, i.e. Binny's.

Mayor Barnett explained that the restrictions are mainly in place because of the carding process.

Kulovany: Much of this is about compromise.

### Public Comment

John Abraham, resident, asked for clarification from Attorney Petrarca as to why it would be OK for the public to be allowed to pick up a mixed drink when it is unlawful to drive with open alcohol.

Attorney Petrarca explained that there are restrictions the drink must be sealed and placed in the trunk of the car.

**MOT 2021-8990** — D. Motion: Approve the Final Design for the Construction of a Sidewalk on Norfolk Street from Saratoga Avenue to Main Street

Public Works Manager Andy Sikich used a slide presentation and to discuss the installation of a sidewalk plan near District 58 school as directed by Village Council. The first project would be in the Kingsley School neighborhood and will include the construction of a sidewalk on the south side of Norfolk from Saratoga to Main Street in 2021. He noted the site's location on the overhead map. A timeline of events was briefly explained. Mr. Sikich proceeded to review his sidewalk PowerPoint presentation and discussed various sidewalk options, with estimated costs, for the Council to consider. A summary of Mr. Sikich's neighborhood meeting also followed.

### Mayor and Commissioner Questions/Comments

Hosé: Believed Options 2 and 4 were out, as he did not want snow piling up on the carriage walks; Option 3 had no volunteers for easements, which left Option 1 for both blocks; any trees cut down should be replaced with new trees.

Commissioner Gilmartin also concurred for option 1 for both blocks.

Commissioner Sadowski-Fugitt: Inquired about the actual impact of snow on existing carriage walks; favored Option 4 for both sides of the street; wanted to preserve the existing trees.

Commissioner Kulovany: Preferred option 3; carriage walks are too close to streets and dangerous; favored asking the residents to reconsider the easements - believed it would be safer in the long run; carriage walks are too close to streets and dangerous; questioned where the County will place the crosswalk (on Norfolk or Oxford) citing a couple of scenarios; asked if we have any input.

Director Sikich stated we do have input but the location of the crosswalk will be the County's decision.

Commissioner Glover supported both Options 4 and 1 for both blocks.

Mayor Barnett supported Option 1, explaining it gave the Council the opportunity to solidify with the neighborhoods and schools that walking was important, but at the same time separated pedestrians from traffic and was better than Option 4.

### Public Comment

Ms. Cheryl Avery, 1103 Norfolk Street, opposed the construction of sidewalks; did not support cutting down the trees; shared concern about her bioswale and driveways being affected.

Mr. Jose, 1109 Norfolk Street, supported the construction of sidewalks and preferred Option 1; he emphasized that the Village repair any brick driveways ruined during the construction process.

Mr. Tom Kaplan, owns a brick driveway; understood the safety aspect of the sidewalk plan; requested quality workmanship take place and that his driveway be returned correctly.

Ms. Janice Fellows, 1127 Norfolk Street, supported Option 1; wants the replanting of trees to keep the neighborhood feel; did not agree with Option 3 and noted she didn't think her neighbors would either; concerned about drainage issues and wants staff to meet with homeowners to address any drainage issues.

An unidentified resident supported option 4 and stated that tree roots are important to assist with proper drainage; mature trees increase property value.

#### Mayor and Commissioner Questions/Comments

Gilmartin: Asked what percentage of the sidewalk across the two blocks would meander into the carriage walk.

Director Sikich: Estimated anywhere from 30% to 40%; if trees are planted, individual locations would be reviewed and possibly placing some on personal property.

Kulovany: Asked about cost difference to plant seven-inch caliper trees versus the Village's standard two inch trees; has Village ever planted trees on private property.

Director Sikich: Needed to review the costs; smaller caliper trees tended to grow better and faster; didn't recall the Village planting trees on private property.

Kulovany: Suggested entering into a tree agreement with the property owners and they be responsible for watering the trees.

Manager Fieldman indicated that staff would get "creative" and all options would be reviewed and on the table; trees are important to the residents and staff understands that.

Hosé: Asked staff if a re-design of the parkway could be considered as part of the sidewalk project.

Manager Fieldman: Relayed that he would need direction from the Council; would call for shift in policy-making; costs would differ greatly than what staff was expecting

Council member consensus was the redesign of the parkway would not be cost efficient.

#### Public Comment

A resident voiced concern [inaudible] regarding redesign of parkways.

#### Mayor and Commissioner Questions/Comments

Mayor Barnett acknowledged that the re-design probably would not be feasible and would increase the cost of the project significantly.

Director Sikich explained he would work with each of the property owners to ensure that their current drainage systems were not made worse by the project.

Mayor Barnett shared some of the history behind this project, recalling the sidewalk matrix from 30 years ago.

Manager Fieldman appreciated the input and would prepare a draft motion for next week's council meeting.

## 9. Manager's Report

## 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 approving a Zoning Ordinance text amendment to allow for drive-through medical facilities as a Special Use in the O-R-M Zoning District.
2. An ordinance approving a Special Use to operate a drive-through medical facility at 2205 Butterfield Road.
3. An ordinance amending the provisions of Chapter 3 of the Downers Grove Municipal Code regarding delivery service and establishing "pick-up" liquor sales for license classifications.

## 11. Mayor and Council Member Reports

Commissioner Sadowski-Fugitt wished everyone a Happy Pride Month and shared some of the history behind what started out as a protest in 1969 (Stonewall riots) had turned into a celebration today; describe meaning of the colors of the Pride flag; announced local artists painting windows in the downtown celebrating Pride Month; details followed on establishments that will be offering special Pride items/products; the library hosting a virtual event entitled "Pronouns Matter – beyond He and She"; A Pride in the Parking Lot event to be held by the First United Methodist Church (Maple Avenue) on June 6<sup>th</sup> from 1:00 p.m. to 4:00 p.m.; a Youth Outlook drop-in center will open in the Village this fall offering support for youth, parents and community education.

Commissioner Glove said that he would like on EQDG Pride to send an artist his way to decorate windows on his business.

Commissioner Gilmartin thanked the Mayor and EQDG Pride, the businesses and those residents who worked diligently to plan the Pride Month activities. He encouraged everyone to support/participate in the events because it raises awareness and funding for the youth outlook who have touch many lives. He is proud to live in such a welcoming community.

Commissioner José thanked the Mayor for the proclamation and for recognizing Pride Month and stated that it not only raises awareness to the community, but welcomes diverse individuals and families.

## 12. Adjournment

**Motion:** To convene into Executive Sesiion pursuant to Section 2.C.2 of the Open Meetings Act to consider collective negotiating matters between the Village and its employees or their representatives.

**RESULT:** Motion carried unanimously to convene into Executive Session at 8:23 p.m.

**MOTIONED TO APPROVE:** Commissioner José

**SECONDED BY:** Commissioner Sadowski-Fugitt

**AYES:** Commissioner Glover, Commissioner Gilmartin, Commissioner Kulovany, Mayor Barnett

**NAYES:** None

Council Minutes

Village of Downers Grove

June 1, 2021

Respectfully submitted,

Rosa Berardi  
Village Clerk