



## Meeting Minutes

Village of Downers Grove – Council Meeting

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Council Chambers

July 12, 2022

7:00 PM

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### 1. Call to Order

Mayor Pro Tem José 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):** Commissioner José, Commissioner Walus, Commissioner Sadowski-Fugitt, Commissioner Kulovany, Commissioner Gilmartin, Commissioner Glover

**Council Attendance (Not Present):** Mayor Barnett

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

### 3. Minutes of Council Meetings

**MIN 2022-9525** — A. Minutes: Village Council Meeting Minutes - July 05, 2022

**Summary:** Village Council Meeting Minutes - July 05, 2022

***MOTION:** To adopt the meeting minutes of the July 5, 2022 meeting, as presented.*

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

***MOTIONED TO APPROVE:** Commissioner Walus*

***SECONDED BY:** Commissioner Sadowski-Fugitt*

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

***NAYES:** None*

### 4. Consent Agenda

**BIL 2022-9506** — A. Bills Payable: No. 6674 - July 12, 2022

**Summary:** No. 6674 - July 12, 2022

**MOT 2022-9520** — B. Motion: Approve a Contract with Schroeder Asphalt Services, Inc. of Huntley, Illinois, in the Amount of \$73,150.00 for 2022 Fall Roadway Patching (CIP Project ST-004D)

**Summary:** This motion approves a contract with Schroeder Asphalt Services, Inc. of Huntley, Illinois in the amount of \$73,150.00 for 2022 Fall Roadway Patching (CIP Project ST-004D).

**RES 2022-9530** — C. Resolution: Approve a 3-Year Agreement with Target Solutions Learning, LLC in the Amount of \$22,721.19 for Fire Department Training and Asset Management Software

**Summary:** This resolution approves a 3-year agreement with Target Solutions Learning, LLC, d/b/a Vector Solutions, in the amount of \$22,721.19 for Fire Department training and asset management software.

### **RESOLUTION 2022-58**

#### **A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND TARGET SOLUTIONS LEARNING, LLC D/B/A VECTOR SOLUTIONS**

**MOT 2022-9527** — D. Motion: Approve the Purchase of Network Switch Replacements for the Public Works Facility from Sentinel Technologies, Inc. of Downers Grove, Illinois, in the Amount of \$23,974.44

**Summary:** This motion approves the purchase of network switch replacements for the Public Works Facility from Sentinel Technologies, Inc. of Downers Grove, Illinois in the amount of \$23,974.44.

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

***RESULT:** 6-0 by roll call*

***MOTIONED TO APPROVE:** Commissioner Walus*

***SECONDED BY:** Commissioner Sadowski-Fugitt*

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

***NAYES** none*

## **5. Active Agenda**

**MOT 2022-9528** — A. Motion: Approve an Amendment to the Total Project Budget for the Facilities Replacement and Sustainability Plan and Authorize the Expenditure of the FF&E and other Soft Costs Allowances and the Owner's Contingency Consistent with the Approved Design Development Plans

**Summary:** This motion approves an amendment to the total project budget for the Facilities Replacement and Sustainability Plan and authorize the expenditure of the FF&E and other soft costs allowances and the owner's contingency consistent with the approved design development plans.

### **Public Comment**

Joe Phillips, 840 Jay Drive, thanked Village Manager Dave Fieldman and Village staff for running the community well. Mr. Phillips said that the community was not aware of the Facilities Replacement and Sustainability Plan (FRSP). He stated he did not believe the Village met its fiduciary responsibility in letting the community know that \$60.4 million dollars was being spent on a project he believed the public wasn't even aware of.

**Mayor Pro Tem José** stated that while there may not be a single expenditure in the Village's yearly budget that is \$60.4 million, the typical yearly expenditures are around the \$100 million mark.

Mr. Phillips stated that he didn't believe the FRSP documents included all of the costs. He expressed disappointment in the money being used to fund the project.

### **Village Council Comments/Questions**

**Mayor Pro Tem José** stated that the Council had been talking about the challenges with the current Village Hall and Police Station since he moved to Downers Grove in 2007. He stated that staff put together a document with a list of fourteen different occasions over the past year when the FRSP was discussed. Further stating that the public was welcomed to attend all of the meetings listed. That document was included on the [Village's website](#). Mayor Pro Tem José said all 3 times he ran for his position on the Council, he spoke about the need to replace the facilities as part of his campaign. He continued by saying it was also one of the first issues discussed when he joined the Village Council in 2013 and the Council had been talking about it ever since. He expressed that any allegation of dishonesty was false. He said if people did not know the project was happening, then they were not paying attention. He said though it is an expensive project, there was a substantial down payment and the bonds that would be used to fund the project would be financed over 30 years; much like a mortgage when a home is purchased. Mayor Pro Tem José

said the contingency was in line with what the Village professionals told them and with his own experience in construction. He stated the Council went out to referendum in 2014 and did not need to because Downers Grove is a Home Rule community. He stated that the community has said time and again that the facilities problem needed to be solved and now was the time to solve the problem. Mayor Pro Tem José said the Village Hall and Police Station buildings were not going to get any better with age and that this project needed to be completed. He thanked everyone, including Village Council members and staff that had any role in the project in years past.

**Commissioner Sadowski-Fugitt** stated that the Village website had a [Facility Replacement and Sustainability Plan page](#) that included planning documents related to the project dating back to 2012. She said there were [documents](#) that included a breakdown of the cost of the plan linked to the page. Commissioner Sadowski-Fugitt stated if anyone had trouble finding them, to reach out and she would help them. She said she echoed everything Mayor Pro Tem José said. Commissioner Sadowski-Fugitt said the project needed to get done and she was excited to see it move it forward.

***MOTION:** To adopt a motion to amend the Total Project Budget for the Facilities Replacement and Sustainability Plan to \$60,426,027 consistent with the Updated Financial Plan and to authorize expenditures of the FF&E and other soft cost allowances and the owner's contingency consistent with the approved Design Development Plans, as presented.*

***RESULT:** 6-0 by roll call*

***MOTIONED TO APPROVE:** Commissioner Walus*

***SECONDED BY:** Commissioner Sadowski-Fugitt*

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

***NAYES** none*

**RES 2022-9529** — B. Resolution: Approve an Amendment to Exhibit A of the AIA A133 Agreement Between the Village of Downers Grove and Leopardo Companies, Inc. as Construction Manager/Constructor for the Facilities Replacement and Sustainability Plan **RESOLUTION 2022-59**

**Summary:** This resolution approves an amendment to Exhibit A of the AIA A133 Agreement between the Village of Downers Grove and Leopardo Companies, Inc., as Construction Manager/Constructor for the Facilities Replacement and Sustainability Plan.

### **Public Comment**

No public comment.

### **Village Council Comments/Questions**

No council comment.

***MOTION:** To adopt A RESOLUTION AUTHORIZING EXECUTION OF AN AMENDMENT TO EXHIBIT A OF THE AIA A133 AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND LEOPARDO COMPANIES, INC AS CONSTRUCTION MANAGER/CONSTRUTOR, as presented. **RESOLUTION 2022-59***

***RESULT.** 6-0 by roll call*

***MOTIONED TO APPROVE:** Commissioner Walus*

***SECONDED BY:** Commissioner Sadowski-Fugitt*

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

***NAYES** none*

**RES 2022-9523** — C. Resolution: Approve an Intergovernmental Lease Agreement Between the Village of Downers Grove and Board of Education of Downers Grove Grade School District No. 58 for Office Space Within the Village Hall/Police Station Combined Facility as Part of the Facilities Replacement and Sustainability Plan **RESOLUTION 2022-60**

**Summary:** This resolution approves an Intergovernmental Lease Agreement between the Village of Downers Grove and the Board of Education of Downers Grove Grade School District No. 58 for office space within the Village Hall/Police Station combined facility as part of the Facilities Replacement and Sustainability Plan.

**Public Comment**

No public comment.

**Village Council Comments/Questions**

**Mayor Pro Tem Hosé** thanked School District 58 for their partnership in the new building. He said the School District and Village had 80% shared taxpayers and both entities operating out of the same building provided a big savings for all taxpayers. Mayor Pro Tem Hosé stated this was an exercise in getting to smaller government and would be a positive for everyone.

***MOTION:** To adopt a RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND BOARD OF EDUCATION OF DOWNERS GROVE GRADE SCHOOL DISTRICT 58, as presented. RESOLUTION 2022-60*

***RESULT:** 6-0 by roll call*

***MOTIONED TO APPROVE:** Commissioner Walus*

***SECONDED BY:** Commissioner Sadowski-Fugitt*

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

***NAYES** none*

**MOT 2022-9500** — D. Motion: Authorizing Staff to Pursue Traffic Safety Improvements on Main Street and Highland Avenue Near Downers Grove North High School

**Summary:** This motion authorizes staff to pursue traffic safety improvements on Main Street and Highland Avenue near Downers Grove North High School.

**Public Comment**

No public comment.

**Village Council Comments/Questions**

**Commissioner Kulovany** said there was a lot of back and forth regarding the safety of bike lanes at the previous meeting. He said he felt that in order for bike lanes to work in Downers Grove, suburban drivers would have to drive differently. He explained that he was an Uber driver for several years and he had to learn how to drive differently. He said that drivers needed to make complete stops, behind the line, at stop signs. He said before making right turns, drivers needed to check for bikers in their rearview mirrors, as bikers could be approaching them from behind on the right. Commissioner Kulovany reiterated it would be a learning curve and the Village needed to do the best they could to help educate people.

**Commissioner Gilmartin** said he wanted to make sure it was understood the motion they were voting on was to allow staff to move forward in the planning process. Staff come back to Council with a final plan for approval. He said the Council shared a concern about traffic diversion, but based on the analysis provided, he felt more comfortable supporting it. Commissioner Gilmartin said one of the first good steps they could do as a Village, was to encourage non-motorized transportation. He said safety was something the Village took very seriously, and their efforts were in line with that. Commissioner Gilmartin stated it was important for staff to continue to look into all the traffic safety improvement options possible. He continued by stating it was something the Council would ultimately make a final vote on in the future. He said he would be voting yes for this item.

**Mayor Pro Tem Hosé** thanked staff and School District 99 for their hard work. He admitted he did not like the road diet concept in the beginning, but after looking at studies and the overall safety of the area, he did not see how they could not move forward with this item.

***MOTION:** To adopt a motion to authorize staff to pursue traffic safety improvements on Main Street and Highland Avenue near Downers Grove North High School, as presented.*

***RESULT:** 6-0 by roll call*

***MOTIONED TO APPROVE:** Commissioner Walus*

***SECONDED BY:** Commissioner Sadowski-Fugitt*

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

*NAYES none*

## 6. First Reading

**ORD 2022-9519** — A. Ordinance: Amending Certain Sections of Chapter 14 of the Municipal Code Concerning Traffic Control Provisions at Certain Intersections

Andy Sikich, Public Works Director, presented Item A which included several proposed traffic control revisions recommended by the Transportation and Parking Commission at their June meeting. He said the first item concerned two intersections along Franklin Street at Elm Street and Washington Street. The recommendation was that both intersections be converted to all way stops for pedestrian safety associated with the park entrance and school crossing. The second item concerned the intersection at Lyman Avenue and Kenyon Street. The intersection currently had no traffic control and the recommendation was to make it an all way stop. The last recommendation was also an all way stop at the intersection of Grant Street and Douglas Road, which currently had a two-way stop control. Mr. Sikich added that staff had received resounding support from the neighborhood for the Grant Street and Douglas Road recommendation.

### Public Comment

No public comment.

### Village Council Comments/Questions

**Commissioner Gilmartin** agreed with all of the recommendations and said he fully supported the item. He said it was important to add stop signs to all of the intersections mentioned.

**Commissioner Kulovany** agreed with the recommendations and supported the item. He said two-way stops and three-way stops could be confusing, especially where there was pedestrian and school traffic.

**Mayor Pro Tem José** agreed with the recommendations. He stated he did not live far from some of those intersections and was happy to see them coming forward.

**ORD 2022-9541** — B. Ordinance: Authorizing the Extension of Special Use Ordinance No. 5817 to Permit an Accessory Parking Lot Use Before the Principal Use is Established at 3131 Finley Road to July 7, 2023

Stan Popovich, Community Development Director, presented Item B stating it involved a Special Use Permit at 3131 Finley Road. He used a PowerPoint presentation to show visuals of the site which included the Executive Towers building and a former restaurant site. He said in 2020, prior to the pandemic, the owner of the Executive Towers building purchased the former restaurant property and built a parking lot on the site. The parking lot was completed in July of 2021. Mr. Popovich stated that office usage had gone down since the pandemic and the owner was not able to meet the tenant density requirements of the ordinance. The owner requested a one-year extension to the ordinance in order to meet the tenant usage requirement.

### Public Comment

Executive Vice President Bill Elwood with CBRE, Commercial Real Estate Company, said he had been leasing in the market for 35 years and had leased in excess of 4 million square feet in Downers Grove. He said he had convinced their client to purchase the property pre-COVID because of the parking. He said he felt things were still shaking themselves out since the pandemic as it related to office usage. He said that State Farm left the asset and T-Mobile then occupied the building because it had the parking to accommodate their staff and other future building occupants. He said it remained vacant because other tenants hadn't populated the building. Mr. Elwood stated that though tenant density was currently an issue, he was confident that the parking needs of T-Mobile and future tenants would be met. Mr. Elwood assured the Council that the owner of the property did not intend to keep the lot if it remained vacant but was asking for the extension to see if things would play out in their favor.

### Village Council Comments/Questions

**Commissioner Kulovany** asked Mr. Popovich to clarify for the public, what would happen next year if they still had not found tenants to occupy the building.

Mr. Popovich stated there would be an opportunity for another one-year extension, but if not, they would have to construct a principal use on the property or return it to green and open space.

**Mayor Pro Tem José** said he believed the standard was met and looked forward to approving the item.

### **7. Manager's Report**

There was no Manager's Report.

### **8. Attorney's Report**

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

1. An ordinance approving an amendment to Chapter 14 of the Municipal Code concerning traffic control provisions at certain intersections.
2. An ordinance authorizing the extension of Special Use Ordinance No. 5817 to permit an accessory parking lot use before the principal use is established at 3131 Finley Road to July 7, 2023.

### **9. Public Comments**

Tom Schroder, 4815 Forest Avenue, spoke about an organization located in Downers Grove called Watts of Love, founded by Nancy Economou. He spoke of their efforts to bring solar lights to Africa. The solar lights cost \$50 each and the organization accepts monetary donations. Mr. Schroder explained there were millions of 10 to 12-year old girls in Africa being sold as slaves and brides for \$50, the same cost of a light. He then talked about a short movie they filmed while they were in Africa, which aired at the Cannes Film Festival and won three awards. He played a short preview clip from the movie.

Nancy Economou, Founder and CEO of Watts of Love, stated she had just gotten back from Malawi, Africa. She spoke about an African Chief that reversed over 5000 child bride marriages and explained the child marriages were a direct result of the poverty situation there. She said over the years Watts of Love had delivered over 80,000 lights in 52 different countries. She said bringing the solar powered lights to the residents in those countries saved them money they would otherwise have spent on batteries. The money saved on purchasing batteries was then spent on other expenses, which could then materialize into additional financial growth. Ms. Economou said she wanted to let the people of Downers Grove know what amazing things were coming out of a small town outside of Chicago.

**Mayor Pro Tem José** thanked her for telling them about her work and said they would help ensure everyone in Downers Grove knew about it. He quoted Gandhi, saying, "The true measure of any society can be found in how it treats the most vulnerable." He said Ms. Economou was elevating all of society with her work.

George Swimmer, resident and founding member of the DuPage Railroad Safety Council since 1994, thanked the Fire Department, Good Sam Hospital, helicopter crew, and Lutheran General Hospital for treating his wife when she had a stroke. He stated they had her in the ambulance, to the hospital, flown to another hospital, and in surgery all within a few hours. He reported she was doing well. Mr. Swimmer spoke of the work done on the Belmont underpass years ago. He also spoke about trains getting longer and slower, which could affect EMS vehicles waiting to cross train tracks.

David Rose, resident, spoke of what he believed to be hypocrisy in the verbiage of the Pledge of Allegiance. He also spoke about gun control and racism.

**10. Mayor's Report**

There was no Mayor's Report.

**11. Council Member Reports**

There were no Council Member Reports.

**12. Adjournment**

Mayor Pro Tem José asked for a motion to adjourn the meeting.

***MOTION:** To adjourn the July 12, 2022, Village Council meeting.*

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

***MOTIONED TO APPROVE:** Commissioner Walus*

***SECONDED BY:** Commissioner Sadowski-Fugitt*

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

***NAYES** none*

Mayor Pro Tem José declared the motion carried by voice vote and the meeting adjourned at 8:00 p.m.

Respectfully submitted,

Rosa Berardi  
Village Clerk