

**VILLAGE OF HINSDALE
BOARD OF TRUSTEES MEETING
May 20, 2008**

The Hinsdale Village Board of Trustees meeting was called to order by President Michael Woerner in Memorial Hall of the Memorial Building on Tuesday, May 20, 2008 at 7:35 P.M

Present: President Michael Woerner, Trustees Jean Follett, Tom Cauley, Cindy Williams, Bob Schultz and Mike Smith.

Absent: Trustee Vic Orler.

Also Present: Village Attorney Ken Florey, Village Manager Dave Cook, Assistant Village Manager/Director of Administration Doug Cooper, Police Chief Brad Bloom, Fire Chief Mike Kelly, Director of Parks and Recreation, Carrie Haupert, Director of Community Development Tim Bleuher, and Village Clerk Barb Grigola.

Also Present: Alexa Jenner of Suburban Life, Amy Deis of The Doings and Chris Martin of the Chicago Tribune.

PLEDGE OF ALLEGIANCE

President Woerner asked Brownie Troop #272 to lead those in attendance in the recitation of the Pledge of Allegiance, followed by the Troop reciting their Girl Scout pledge.

PROCLAMATION REGARDING BROWNIE TROOP #272

President Woerner read a proclamation of appreciation for Hinsdale Brownie Troop #272 for their service to the community and their commitment to Girl Scouting. He then presented each member of the Troop with a certificate.

APPROVAL OF MINUTES

No minutes.

REMOVAL OF ITEM 10A OF THE AGENDA

President Woerner advised that he had removed Item 10a, the Ogden Avenue Corridor Plan, from tonight's agenda and asked that the Citizens' hold their comments on this item until the end of the meeting.

CITIZENS' PETITIONS PERTAINING TO ITEMS ON THE AGENDA

Kim Angelo of 525 East 3rd Street asked that the Board clarify its policy on referral fees paid to third party vendors or professional help, saying that it raises a red flag when there is only one option on a contract. He suggested that the Village adopt a policy prohibiting such relationships in the future and requiring disclosure of past or ongoing financial considerations. Secondly, Mr. Angelo requested that Trustee Williams explain why she had characterized ComEd's concessions as a pittance at the time of the last referendum and then two weeks ago as a significant concession, asking if there had been improvements we aren't aware of. Finally, he objected to having items on the Consent Agenda that have not come up for a vote on the committee level.

VILLAGE PRESIDENT'S REPORT

President Woerner said that when he started as President, he pledged to make the Board less reactive and more proactive. One such initiative was the development of a strategic plan for Hinsdale, so they reached out to the entire community asking citizens for ideas. The Ogden Avenue Corridor Committee, created well over a year ago, was one result of this strategic process, and they have had many meetings to solicit public opinion. Because of feedback from citizens who would like more time to respond to the Ogden Avenue Corridor plan, however, he has decided to defer any action until the June 17th Board Meeting. He requested that any residents who have specific actionable ideas or changes to the plan contact Dave Cook via e-mail at dcook@villageofhinsdale.org.

President Woerner read an e-mail from 37 couples, requesting a delay in the vote because they have serious reservations about the plan, particularly regarding zoning, and because many of them have not been able to download the plan. Village Manager Cook said that copies of the plan would be available at the library and Village Hall. President Woerner advised that this plan does not attempt to make zoning code changes, but simply to protect the west end of the corridor the way the Overlay District has protected the east end, such as in the Dunkin' Donuts and McDonald's buildings. President Woerner read from a correspondence from the owner of the Amlings property, who said the plan's rezoning would result in damage to their property values and suggested that the change was not the will of the majority, but a concession to a single Village Board Member. The owners believe that a mixed-use facility on the property would be more desirable for the Village and nearby residents than single family housing.

Trustee Cauley objected, saying that President Woerner read a letter from a developer and did not read the approximately 500 letters from residents on the other side of the issue. He said that there are 4 or 5 things that people take issue with, such as the West Ogden Avenue overlay and the sidewalks. He believes that

this plan was designed to be a rezoning document. He said that people are also concerned with the plan's suggestion to rezone the northwest corner of Ogden and Madison from a residential property to make it an office corridor, which no one supports except this Board and developers. He stated that people do not think the overlay is designed to help residents nor do they want it rezoned.

There was a discussion about the implications of approving the plan. Trustee Cauley feels that developers would point to the plan to support their mixed use or office building developments, while Village Manager Cook said the plan has no teeth until or if it is codified in the Zoning Code.

APPOINTMENTS TO COMMITTEES AND COMMISSIONS

President Woerner submitted the following names for approval to various committees and commissions:

Finance Commission: Arjun Aggarwal, Steven Wagner and Adam Waldo
Plan Commission: Matthew Kluchenek and Lisa Moore
Parks & Recreation Commission: John Deppe and Jeff Curran
Board of Fire and Police Commissioners: Margaret Woulfe Arens
Design Review Commission: Jan Grisemer reappointed and Frank Gonzales to a new opening.

Trustee Follett moved to **approve these appointments**. Seconded by Trustee Cauley. Passed on roll call vote. Trustees Follett, Cauley, Williams, Schultz and Smith voted Aye. Nays: Trustee Schultz. Absent: Orlor.

CONSENT AGENDA

President Woerner presented the following Consent Agenda items for approval.

ITEMS RECOMMENDED BY THE ZONING & PUBLIC SAFETY COMMITTEE

Item #1: Move to **Approve the denial of a permit fee waiver for Grace Episcopal Church**. (Omnibus vote)

ITEMS RECOMMENDED BY THE ENVIRONMENT & PUBLIC SERVICES COMMITTEE

Item #2: Move to **approve a contract change order for the South Washington Water Main Replacement in the amount of \$532.00**. (Omnibus vote)

Trustee Smith moved to approve the **Consent Agenda as presented**. Seconded by Trustee Cauley. Passed on omnibus roll call vote. Trustees Follett, Cauley, Williams, Schultz, and Smith voted Aye. Nays: None. Absent: Trustee Orler.

ADMINISTRATION AND COMMUNITY AFFAIRS

ACCOUNTS PAYABLE

Trustee Follett moved the **Approval and payment of the Accounts Payable for the period of May 2, 2008 through May 16, 2008 in the aggregate amount of \$744,845.85 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk**. Seconded by Trustee Cauley.

Passed on roll call vote. Trustees Follett, Cauley, Williams, Schultz, and Smith voted Aye. Nays: None. Absent: Trustee Orler.

ZONING AND PUBLIC SAFETY

President Woerner explained that he had deferred the vote on the Ogden Avenue Corridor Plan until the June 17th meeting of the Board of Trustees.

Trustee Smith advised that the committee had a lengthy discussion regarding the residential fire sprinkler recommendation from Fire Chief Kelly. He asked that residents let the Board of Trustees know if they have any opinions on this issue.

ENVIRONMENT AND PUBLIC SERVICES

No reports.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

Trustee Williams advised that she, Trustee Cauley and Village Attorney Florey met with Mr. Balough regarding his credentials, skills and experience dealing with the ICC (Illinois Commerce Commission), and they were satisfied that he is qualified. Mr. Balough explained to them that he does not post that background on his website because it is a marketing tool for his other legal business, and those looking to retain him for ICC business are not likely to look at this website. Trustee Williams explained that this evening's vote is only to retain Mr. Balough to accompany them for a meeting with the ICC. Trustee Cauley agreed that we should

retain Mr. Balough for this purpose. He said that he did meet with other attorneys who have more experience with the ICC than Mr. Balough, but that they are considerably more expensive.

Trustee Williams move to **Approve a fee services agreement between the Village of Hinsdale and Richard C. Balough.** Seconded by Trustee Cauley.

There was a discussion about whether Mr. Balough was necessary for this first meeting with the ICC, whether the threat of suing ComEd would deter them from improving our service, and the estimated total cost of pursuing this action.

Trustee Smith asked why there were no minutes from the task force's meetings. Village Attorney Florey advised that the task force is not a formally-appointed committee and is therefore not subject to the Open Meetings Act. It was pointed out that the public was invited to these meetings and the agenda was posted.

Trustee Williams promised to spend no more than is required for Mr. Balough to attend the ICC meeting and come back and report to the Board. She also advised, in reply to Mr. Angelo's query, that no one is getting referral fees, but that his suggested policy is a good idea. Trustee Cauley noted that Mr. Balough is getting \$275 per hour while the other attorneys he spoke to charge in the \$600 to \$750 range.

Passed on roll call vote. Trustees Follett, Cauley, Williams, Schultz and Smith voted Aye. Nays: None. Absent: Trustee Orler.

President Woerner asked Trustee Cauley to be part of this Electric Commission and he agreed.

STAFF REPORTS

APPROVAL OF FRATERNAL ORDER OF POLICE AGREEMENT

Village Manager Cook advised that the Village and the Fraternal Order of Police union (FOP) have reached a tentative agreement and outlined some of the key points of the deal. He noted that this is the first five-year contract we have negotiated with the FOP and that their health insurance plan is now in line with all the other Village employees.

Trustee Cauley moved to Approve an agreement between the Illinois Fraternal Order of Police Labor Council and the Village of Hinsdale for May 1, 2008 through April 30, 2013. Seconded by Trustee Follett. Passed on roll call vote. Trustee Follett, Cauley, Williams, Schultz and Smith voted Aye. Nays: None. Absent: Trustee Orler.

POOL OPENING

Director of Parks and Recreation Haupert announced that the pool opens this weekend on Saturday.

CITIZENS' PETITIONS PERTAINING TO ANY VILLAGE ISSUE

None.

TRUSTEES COMMENTS

Trustee Smith asked the date of the ICC meeting, and Village Manager Cook answered it would be June 11th in Springfield.

ADJOURNMENT

Trustee Follett moved to adjourn to Closed Session not to reconvene into Open Session under Section 5 ILCS 120/2 (11) for the purpose of discussing litigation. Seconded by Trustee Cauley. Passed on roll call vote. Trustees Follett, Cauley, Williams, Schultz, Cauley and Smith voted Aye. Nays: None. Absent: Trustee Orlor.

Meeting adjourned at 8:50 P.M.

ATTEST: _____
Barbara J. Grigola, Village Clerk