

**VILLAGE OF HINSDALE
BOARD OF TRUSTEES MEETING
January 22, 2008
Memorial Hall**

The Hinsdale Village Board of Trustees meeting was called to order by President Michael Woerner in Memorial Hall of the Memorial Building on Tuesday January 8, 2008 at 7:31 P.M

Present: President Michael Woerner, Trustees Jean Follett, Tom Cauley and Cindy Williams.

Absent: Trustees Vic Orlor, Bob Schultz and Michael Smith.

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

Also Present: Alexa Jenner of Suburban Life, Chris Martin, freelance reporter for the Chicago Tribune and Pam Lannom of The Hinsdalean.

PLEDGE OF ALLEGIANCE

President Woerner led those in attendance in the recitation of the Pledge of Allegiance.

APPROVAL OF MINUTES

Trustee Follett moved approval of the minutes of the December 13, 2007 and January 14, 2007 Special Meetings of the Board of Trustees. Seconded by Trustee Cauley. Passed on roll call vote. Trustees Follett, Cauley and Williams and President Woerner voted Aye. Nays: None. Absent: Trustees Orlor, Schultz and Smith.

SWEARING IN OF FIREFIGHTER/PARAMEDIC

President Woerner swore in Brian Madden as Firefighter/Paramedic for the Village of Hinsdale.

CITIZENS' PETITIONS

Sam Eddins of 202 E. Fourth Street asked if the procedural rules outlined in Agenda Item 13A apply only to appeals under the building code, and not the zoning code. Attorney Florey replied that was correct.

Mr. Eddins then asked if an appeal could be filed under either the building code or the zoning code, does the rule prevent filing an appeal under the zoning code if it goes to the building code process. Attorney Florey replied that he did not think there could be such a case.

Kim Angelo of 525 E. Third Street believes that Agenda items as listed are so vague that it is unlikely a citizen could speak about them prior to the meeting and asked if it would be fair to allow comments at the following meeting. He said the Agenda is not posted until Friday and does not provide enough detail, saying he felt it was the Board's intention to keep residents in the dark as long as possible.

APPOINTMENTS TO DOWNTOWN LAND PLANNING TASK FORCE

President Woerner proposed the following nine people for the Village Downtown Land Planning Task Force: Trustee Vic Orlor as Chairman, School Board 181 Member Kevin Hanrahan as Vice Chairman and residents David Bossy, Susan Dunphy, Dave Friedman, Nickie Giannoipoulos, Jeanie Janes, Philip Moriarity and Karl Weber. He cited their varied civic, business and educational backgrounds as providing a well-round task force.

Trustee Cauley moved to **Approve these appointments to the Land Planning Task Force.** Seconded by Trustee Follett. Passed on roll call vote. Trustees Follett, Cauley and Williams and President Woerner voted Aye. Nays: None. Absent: Trustees Orlor, Schultz and Smith.

VILLAGE PRESIDENT'S REPORT

President Woerner said the holiday programs designed to get people into the central business district, funded by the recent 1% sales tax on food and restaurants, were hugely successful. There was a lot of positive feedback for the program's carriage rides, ice sculptures, gingerbread cookies, carolers, Distinctly Hinsdale shopping bags and especially the Secret Shopper Awards. He hopes when the December 2007 sales tax is reported that it will exceed the previous December's record revenue of \$274,000.

President Woerner advised that former President Faulstich commissioned a study in 2001 to see how well we communicate with residents, and he has asked the same task force to update their report. He is looking for places to improve, such as e-mail, quarterly news letters, television coverage, website, etc.

CONSENT AGENDA

President Woerner presented the following Consent Agenda items for approval.

ITEMS RECOMMENDED BY THE ADMINISTRATION & COMMUNITY AFFAIRS COMMITTEE

Item #1: Move to **Approve the 2008 IPM Plan and Treatment of weed control with the pesticide TriPower.** (Omnibus vote)

Item #2: Move to **Approve the 20% reimbursement of the 402 Briargate Terrace Drainage Project in the amount of \$2,320.00.** (Omnibus vote)

Item #3: Move to **Approve a resolution approving certain contract change order with A & R Cement, Inc. for the 2007 New Sidewalk Program in the amount of \$744.20.** (Omnibus vote)

Item #4: Move to **Award a Bid to McCann Equipment for tractor backhoe/loader in the amount of \$58,931.** (Omnibus vote)

Item #5: Move to **Approve waiving permit renewal fees for the Hinsdale Public Library.** (Omnibus vote)

Trustee Cauley moved to approve the above items. Seconded by Trustee Follett. Passed on omnibus roll call vote. Trustees Follett, Cauley and Williams and President Woerner voted Aye. Nays: None. Absent: Trustees Orlor, Schultz and Smith.

ADMINISTRATION AND COMMUNITY AFFAIRS

ACCOUNTS PAYABLE

Trustee Williams moved the **Approval and payment of the Accounts Payable for the period of January 4, 2008 through January 18, 2008 in the aggregate amount of \$847,254.07 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 and Williams and President Woerner voted Aye. Nays: None. Absent: Trustees Orlor, Schultz and Smith.

ZONING AND PUBLIC SAFETY

No reports.

ENVIRONMENT AND PUBLIC SERVICES

Trustee Follett moved to **Approve an agreement for professional services for a capacity, management, operations and maintenance plan and design of wet weather facilities with Huff and Huff, Inc. in the amount of \$359,725.** Seconded by Trustee Williams. Trustee Cauley initiated a discussion about why we were not getting competitive bids. Village Manager Cook explained that timing was an issue; that this firm had come in under estimate last time; and that this firm had been selected in a previous competitive bidding process. Trustee Follett explained that this work was the result of our recent settlement with Flagg Creek to manage our storm water and that the timing was very tight because we just got the approval from the state on the tenth of this month. She also suggested that this firm has background knowledge of the

project and it would cost more for another firm to get up to speed. Attorney Florey advised that a recent change in the Professional Services Selection Act in Illinois law does not allow a municipality to use price as a criterion when selecting architects or engineers, so competitive pricing bids would not be allowed anyway.

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

Trustee Follett advised that the Woodlands drainage project would be discussed at the February EPS meeting.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

Trustee Williams explained that the February 5th referendum was the second step in a three step process and would allow the Village to negotiate with ComEd to acquire their system. She said that the process was begun to reduce the high percentage of outages in Hinsdale relative to the average ComEd customer. She advised that there were a number of ways for residents to educate themselves prior to the referendum vote. The Town Hall meeting last week is running on Channel 6 and can be accessed on the website. There will be a second Town Hall Meeting on February 2nd open to residents and ComEd to talk about the referendum and there will be a variety of mailers and public service announcements on Channel 6. She advised that The Hinsdalean and The Doings had both endorsed the referendum, and she read a letter from the President of the Hinsdale Chamber of Commerce who also endorsed it. She welcomed residents to contact her, other Trustees or Village Staff if they have any questions about the referendum.

STAFF REPORTS

RESOLUTION ADOPTING PROCEDURAL RULES FOR APPEALS PURSUANT TO SECTION 9-1-14

Village Manager Cook explained that The Van Wormers had filed an appeal of the building code violations they received. He explained that under the current Village Code they have a right to appeal their building violation tickets directly to the Board of Trustees. The proposed resolution would adopt procedural rules to allow for a Hearing Officer to conduct the appeal hearing. The ruling of the hearing officer would then be sent to the Board for approval or reversal.

After a discussion, the Board decided they would conduct the hearing themselves as provided for in the Code to save legal costs, rather than move to adopt the proposed resolution. A decision was made to conduct the hearing before the regular Board of Trustees Meeting on February 19th.

INTRODUCTION OF THE FISCAL YEAR 2008-2009 ANNUAL BUDGET

Village Manager Cook introduced the suggested 2008-2009 Village Operating Budget for the Board's review. He noted that this is the most bare-bones budget he's seen in his 18 years with the Village and that several discretionary items had been deferred or removed. He advised that there would be a review process with the ZPS, the Finance Commission and other committees weighing in before it comes before the full Board on April 1st or 15th. Residents may obtain a copy of the budget online or from the Village Clerk or the Library.

APPROVAL OF THE 2008 VILLAGE BOARD GOALS

At President Woerner's request, Village Manager Cook outlined the following 10 recommended Village Board Goals for 2008, which were culled from recommendations from the Board, Staff and citizens.

1. Update the master infrastructure plan with a sound financial plan that includes passage of the 1% non-home rule sales tax referendum.
2. Passage of the second Electrical referendum question and continuation of improving Hinsdale's electrical reliability.
3. Work collaboratively with District 181 on a potential plan for a new Hinsdale Middle School and an acceptable redevelopment plan for the HMS property.
4. Complete negotiations with Cook County Forest Preserve for use of Duncan Field.
5. Successfully negotiate a new collective bargaining agreement with the patrol officers.
6. Continue work on major infrastructure projects including the Woodlands Project, Storm Water Master Plan and the Wet Weather Overflow Tank.
7. Hold Memorial Hall 80th celebration and involve diverse community participation.
8. Complete and Codify the Ogden Avenue Corridor Plan.
9. Resolve outstanding litigation matters.
10. Reinstitute the Communications Task Force to review and supplement their recommendations from 2001.

After a discussion, Trustee Cauley moved to **Approve the Village Board Goals for 2008**. Seconded by Trustee Williams. Passed on roll call vote. Trustees Follett, Cauley and Williams and President Woerner voted Aye. Nays: None. Absent: Trustees Orler, Schultz and Smith.

CITIZENS' PETITIONS

Michelle Heinz of 116 S. Vine said that she lives next door to the property coming before the Board in Agenda Item 13a and handed a statement and photos to Village Manager Cook.

Tom Heinz of 116 S. Vine said he was in agreement with his wife's statement.

Karl Weber of 219 East First St asked if resolution # 13a is dead and asked questions about the rules' interpretation. President Woerner replied that the Board would hear their appeal, and

Village Attorney Florey said that those rules would be revamped afterwards. Mr. Weber commented that the Van Wormer business had been closed too long to reopen and that the building needed a great deal of repair in violation to our Village Code. He asked how a hearing could then approve it. Trustee Cauley explained that the hearing is to rule on the building code violations, not on reopening the business.

Kim Angelo of 525 E. Third Street said that had he known that Trustee Williams was planning to speak on the electric commission, he would have spoken earlier. He suggested that he was on the receiving end of intentional censorship and the exclusion of residents' participation for Channel 6. He said that the Town Hall meeting was basically an infomercial and that anyone who works was excluded from viewing it on Channel 6 because of the hours it airs. He noted that last night's Park & Rec meeting went black; the November 6th Board Meeting video was inadvertently destroyed, and the Village website was down for a few days last week. He stated that, given these cumulative glitches and mishaps, how can you expect such an incompetent management to run an electric utility. He further stated that it was truly discomfiting to imagine the massive cash flow and potential for patronage from a Village-run electric utility. He said the Village's phone survey last autumn showed that 56% of residents don't trust the Village to run an electric utility when they can't even fix the streets. He said that while the rate issue may seem compelling, the reliability runs both ways. He concluded by saying that he hopes the Village refocuses on the issues that face the Village as we stand on the precipice of this \$80 million gambit to force ComEd's cooperation.

Nancy Chapa of 318 S. Garfield Avenue asked how many residents applied for the task force approved tonight. Village Manager Cook replied that there were 13 applicants. Ms. Chapa noted that the application requested background information, such as education, village activities and work history, and stated that two weeks ago she requested that the Village Board provide residents with the same information about themselves. She said only Trustees Cauley and Smith had the courtesy to reply to her. Ms. Chapa then asked whether and how residents would be notified of the task force's meetings. President Woerner replied that Rita DuChateau of District 181 would be posting the agenda and that it is a legal requirement to notify residents of the meetings. Ms. Chapa asked why the task force is subject to the Open Meetings Act. Village Manager Cook replied that all Board-appointed bodies are subject to the Open Meetings Act. Ms. Chapa asked if this included the Northtown/Central Business District/Parking Task Force. To which Trustee Follett replied that all agendas are posted on the website. Ms. Chapa asked if the task force's meeting minutes had been posted and Trustee Follett replied that the task force minutes have not been posted. Ms. Chapa further commented that she sees the same faces and names all the time, for example on the North Town/Central Business/Parking Task Force. She said she had not seen any minutes for this task force, so it must not be subject to the Open Meetings Act. President Woerner replied that it was a large task force and anyone who wanted to be on it was allowed to be on it. Ms. Chapa noted that there are about 5,000 households in Hinsdale and she doesn't think people should be double-dipping on multiple task forces, citing as an example Jeff Finley, who serves on four different bodies. President Woerner invited Ms. Chapa to join his task force, however, she declined.

President Woerner noted that a lot of times, the same people volunteer and that Mr. Finley could use some help on the electric commission.

TRUSTEES COMMENTS

Trustee Williams responded to Mr. Angelo's remarks about why the Village can't pave the streets by saying that we do not have the money. She explained that we spend about \$1.2 million a year on improving the roads, and studies show that we need to spend three times that to do it. She said they had proposed the local sales tax to fund repair of the roads.

Trustee Williams further noted that the electric commission would have money because our feasibility studies and ComEd's own admissions show that ComEd is taking profits out of Hinsdale and putting them into other municipalities. If we ran our own utility, we could put those profits back into Hinsdale. She also noted that while Mr. Angelo requested patience with ComEd, Hinsdale residents had been patient with ComEd over the years and ComEd had not responded to our problems. She advised that over 4,000 communities across the country successfully run their own systems. She noted as an example that Naperville has decreased their outages to under a half an outage per resident per year without increasing rates. Trustee Williams further noted that we are not asking for \$80 million in this referendum; the vote simply gives the Village the ability to negotiate with ComEd on the value of the ComEd system.

Mr. Angelo requested the opportunity to respond to Trustee Williams comments. President Woerner replied that Citizens' Petitions were over, but Mr. Angelo could comment at the next Board meeting or at the February 2nd Town Hall.

ADJOURNMENT

Trustee Follett moved to adjourn the meeting, Seconded by Trustee Williams. Passed on voice vote.

Meeting adjourned at 8:51 P.M.

ATTEST: _____
Barbara J. Grigola, Village Clerk