

**VILLAGE OF HINSDALE
BOARD OF TRUSTEES MEETING
February 5, 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 February 5, 2008 at 7:33 P.M

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

Absent: Trustee Smith.

Also Present: Village Attorney Ken Florey, Village Manager Dave Cook, Assistant Village Manager/Director of Administration Doug Cooper, Police Chief Brad Bloom, Deputy 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: Pam Lannom of The Hinsdalean and Amy Deis representing The Doings.

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 January 8, 2008 Special Meeting of the Board of Trustees and the November 29th, 2007 Closed Session minutes. Seconded by Trustee Orlor. Passed on roll call vote. Trustees Follett, Cauley, Orlor, Williams and Schultz voted Aye. Nays: None. Absent: Trustee Smith.

CITIZENS' PETITIONS

Kim Angelo of 525 E. Third Street spoke regarding resident mistrust of the Village Board and their ability to run a utility. He noted errors in Channel 6 telecasting and suggested that the middle school initiative has been advocated by Board members for up to two years ago. Additionally, he does not believe that the task force recruitment process is open or fair.

Karl Weber of 321 E. First Street addressed the Board stating that he felt the Board was about to make a legal mistake regarding Item #8. Mr. Weber asked each Trustee and President Woerner individually if the Village still had an ordinance in place permitting a single building PUD. He then confirmed that we do not and stated that passing item #8 would be a clear violation of the Village Code because the PUD for Grace Church consists of a single building. He also noted that there is no public amenity, as required by the Code.

VILLAGE PRESIDENT'S REPORT

President Woerner read a letter dated January 30, 2008 from Anna Harkins, Deputy Chief of the Civil Bureau, saying that she had completed the investigation of the complaint regarding the Closed Session Meeting of October 30th, 2007 and found no evidence of any violations. She said the motion to go into Closed Session was proper and that it appears that nothing was discussed in the Closed Session that did not relate to the conditions under which Mr. Nelson might or might not be disciplined or terminated. President Woerner said that this complaint has now been reviewed by both the State of Illinois and to DuPage County and both have found it to have no basis.

CONSENT AGENDA

At President Woerner's request, Trustee Williams presented the following Consent Agenda items for approval.

ITEMS RECOMMENDED BY THE ZONING & PUBLIC SAFETY COMMITTEE

Item #1: Move to **Approve an ordinance approving site plans and exterior appearance plans for modifications to a commercial building at 8 E. First Street.** (Omnibus vote) (Ordinance #O2008-03)

Item #2: Move to **Approve an ordinance approving a special use permit for a physical fitness facility for the property known as 10 East Hinsdale Avenue (Plan Commission Case No. A-17-2007).** (Omnibus vote) (Ordinance #O2008-04)

Item #3: Move to **Approve referral to the Plan Commission of a Text Amendment to Section 11-503E(o) of the Village Zoning Code – Authorized Variations/Building Coverage.** (Omnibus vote)

Item #4: Move to **Approve an ordinance authorizing the vacation of a certain portion of an unimproved alley situated west of and adjoining 630**

South Bodin Street in the Village of Hinsdale. (Omnibus vote) (Ordinance #O2008-05)

ITEMS RECOMMENDED BY THE ADMINISTRATION & COMMUNITY
AFFAIRS COMMITTEE

Item #5: Move to **Waive competitive bidding and award a contract to MIC Construction for an amount not to exceed \$25,200.00 for the construction of a windbreak at the West Hinsdale Train Station.** (Omnibus vote)

Item #6: Move to **Approve a change order for Washington Street Parking Lot Signage in the amount of \$1,911.00.** (Omnibus vote)

Item #7: Move to **Approve revised by-laws of the Gateway Special Recreation Association.** (Omnibus vote)

Item #8: Move to **Approve an ordinance amending Subsection 3-9-3a of the Hinsdale Village Code regarding the license fees for the Katherine Legge Memorial Lodge** (Omnibus vote) (Ordinance #O2008-06)

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

ADMINISTRATION AND COMMUNITY AFFAIRS

ACCOUNTS PAYABLE

Trustee Schultz moved the **Approval and payment of the Accounts Payable for the period of January 18, 2008 through February 1, 2008 in the aggregate amount of \$794,195.73 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 Follett.

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

ZONING AND PUBLIC SAFETY

MAP AMENDMENT AT 108, 114, 130 EAST FIRST STREET

Trustee Follett moved to **Approve an ordinance approving a map amendment for the properties located at 108, 114, and 130 East First Street (Plan Commission Case No. A-29-2007) (Ordinance #O2008-07)**. Seconded by Trustee Schultz. Passed on roll call vote. Trustees Follett, Cauley, Orler, Williams and Schultz voted Aye. Nays: None. Absent: Trustee Smith.

SPECIAL USE PERMIT AND PLANNED DEVELOPMENT AT 108, 114, 120 AND 130 EAST FIRST STREET

Trustee Schultz moved to **Approve a Special User Permit, Planned Development, Site Plan and Exterior Appearance Plan for the properties located at 108, 114, 120 and 130 East First Street (Plan Commission Case No. A-29-2007) (Ordinance #O2008-08)**. There was a discussion about whether this site is a single building, not covered under the Village Code as a PUD, or multiple buildings. Trustee Follett suggested that the site holds several buildings, which are attached and Village Attorney Florey agreed. Passed on roll call vote. Trustees Follett, Orler, Williams and Schultz voted Aye. Nays: Trustee Cauley. Absent: Trustee Smith.

ENVIRONMENT AND PUBLIC SERVICES

Trustee Williams moved to **Waive competitive bidding and award the 402 Briargate Terrace water main replacement to Riccio Construction Corporation in the amount of \$36,300**. Seconded by Trustee Follett. Trustee Cauley expressed concern about waiving the competitive bidding and Village Manager Cook replied that they had received three quotes and this was the lowest of the three. He explained that waiving competitive bidding meant they did not have a formal notification. Passed on roll call vote. Trustees Follett, Cauley, Orler, Williams and Schultz voted Aye. Nays: None. Absent: Trustee Smith.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

None.

STAFF REPORTS

None.

CITIZENS' PETITIONS

Nancy Chapa of 318 S. Garfield Avenue said she would not speak because she had deferred her time to Karl Weber earlier in the meeting.

Tricia Montgomery of 416 N. County Line Road said that there had been a fictitious posting on Hinsdale Talks and a supposed posting by a Village Trustee. She said that something should be done about this because it is a concern and a violation. She asked that this issue be investigated.

Kim Angelo of 525 E. Third Street read comments from Trustee Smith, which he said were written February 4th in response to Laurie McMann's questions about when the Trustees learned of Mr. Schultz's alleged pseudonym. Trustee Smith said he learned last Friday in Hinsdale Talks and he called President Woerner on Saturday morning. Mr. Woerner said Trustee Schultz had denied the allegations and said a neighbor had hacked into his computer and set him up. Mr. Woerner told Trustee Smith that he didn't think the matter needed to be discussed by the Village Board, but Trustee Smith disagrees. Trustee Smith suggests this is serious misconduct by a public official and proposed that we hold a public hearing. He said the most troubling allegation is the anonymous, threatening and intimidating e-mail from No-Cave. He advised that Trustee Schultz should seek his own legal counsel – a policy that was imposed on Mr. Nelson.

Bob Neiman of 326 N. Garfield said that he could not support the electric utility referendum because of his mistrust of the Village government. He suggested that this Board had abused its power in the past nine months. He said the Board President decided to sue him and 59 other residents, and then gloated to the press after having a sheriff appear on his doorstep. He suggested that the government should have used its power to meet with the 60 residents and to meet with Tom Nelson to seek solutions. He said he has now learned that a Trustee has sent intimidating e-mails and web postings under a pseudonym and will not fess up. He asked that the Board not engage in further abuses of power, but talk through this new problem here and now with no more lawyers, no more trials and no more fees. He asked Trustee Schultz to give us a logical explanation.

TRUSTEES COMMENTS

Trustee Schultz said that it is not his intent now or going forward to discuss this politically-motivated attack and he will not be diverted from his service to the Village residents, and he plans to focus his efforts on the real issues facing this community.

Trustee Orler asked that they be allowed to focus on the real problems of the Village such as streets and sewers and suggested that this was a politically-motivated publicity stunt.

Trustee Cauley asked Trustee Orler why he didn't make the same speech before the Nelson hearing and suggested that this was a serious matter that should be investigated.

ADJOURNMENT

Trustee Schultz moved to adjourn the meeting. Seconded by Trustee Orler. Passed on voice vote.

Meeting adjourned at 8:05 P.M.

ATTEST: _____
Barbara J. Grigola, Village Clerk