

**VILLAGE OF HINSDALE
BOARD OF TRUSTEES MEETING
JANUARY 20, 2009**

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 20, 2009 at 7:31 P.M.

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

Absent: Trustee Orler.

Also Present: Village Attorney Ken Florey, Village Manager Dave Cook, Director of Community Development Tim Bleuher, Director of Public Services George Franco and Village Clerk Barb Grigola.

Also Present: Amy Deis and Rob Siebert of The Doings and Chris Martin of the Chicago Tribune.

PLEDGE OF ALLEGIANCE

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

CITIZENS' PETITIONS PERTAINING TO ITEMS ON THE AGENDA

Karl Weber of 219 E. First Street said to remember that this building is on an alley, so there is no need to cross the public way to get in or out.

John Bohnen of 230 E. First Street asked for the opportunity to speak later regarding the development at 111 S. Lincoln.

Nancy Chapa of 318 S. Garfield said that the decision on 111 S. Lincoln leaves the Village vulnerable to a lawsuit saying that it's bad legislative zoning; that the Village has failed to ask for something in return, such as a blinking stop sign to help with student crossing; and that the Village was doing sloppy legal work on this project.

Attorney Matt Klein said that it was shame that Village policy decisions have become hostage to the threat of legislation by a small number of people. He stated

that the building conforms to all requirements for B2 zoning except for the rear parking. At the time of the building's construction, Mr. Passero sought to provide the lifestyle housing that the Village said it wanted and that the building was completed with every effort to conform to every Village regulation at the time. He asked that Dr. Harnois be allowed to continue to practice in Hinsdale.

Julie Crnovich of 122 E. Third Street asked if there was any way to require 111 S. Lincoln to get parking permits since the building is going to make parking more inconvenient for others.

VILLAGE PRESIDENT'S REPORT

President Woerner praised and thanked the Public Works Department for their efforts responding to rain, sleet, snow and ice in the month of December, saying that they logged 789 overtime hours dealing with all the weather-related problems in the month.

He invited residents to attend a Special Board Meeting this coming Saturday, January 24, at 10:00 A.M. to discuss whether to put something on the ballot regarding the infrastructure.

President Woerner proposed a parking meter amnesty, offering a 50% discount to anybody who pays off their parking tickets. He also proposed that the Village bag the parking meters for the remainder of this year to help the downtown businesses.

CONSENT AGENDA

President Woerner presented the following Consent Agenda items for approval.

ITEMS RECOMMENDED BY ENVIRONMENT AND PUBLIC SERVICES

Item #1: Move to **Disapprove a request from John Burns Construction Company to change Veeck Park CSO Project's daily start time from 8:00 A.M. to 7:00 P.M.** (Omnibus vote)

Item #2: Move to **Waive the competitive bidding process and award a bid for emergency storm sewer lining for the 100 block of South Stough Street and at 345 Forest Road to Visi-Sewer of Illinois, LLC in the amount of \$33,280.00.** (Omnibus vote)

Trustee Smith requested that Item 6c concerning the discontinuance of water service be pulled from the Consent Agenda. Trustee Follett moved to approve the above two items. Seconded by Trustee Cauley. Passed on 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 January 2, 2009 through January 16, 2009 in the aggregate amount of \$896,353.97 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.

ENVIRONMENT AND PUBLIC SERVICES

DISCONTINUANCE OF WATER SERVICE

There was a discussion about Item 6c, discontinuance of water service. Trustee Cauley noted that the EPS approved it unanimously and that the resident can request a hearing before the water is turned off. He also noted that the Village was indemnified by Flagg Creek, so we cannot be sued, and that we will not turn off the water at a certain temperature to prevent pipes freezing. Trustee Follett moved to **Approve an intergovernmental agreement between the Village of Hinsdale and the Flagg Creek Water Reclamation District for the discontinuance of water service.** Seconded by Trustee Cauley. Passed on roll call vote. Trustees Follett, Cauley, Williams, Schultz and Smith voted Aye. Nays: None. Absent: Trustee Orler.

PLANNED DEVELOPMENT AT 111 SOUTH LINCOLN

Trustee Smith moved to **Approve the Zoning & Public Safety Committee's recommendation to Approve an ordinance Approving a Major Adjustment to the Planned Development for the Property Located at 111 South Lincoln Street.** Seconded by Trustee Cauley.

The Village Attorney cautioned that if this motion is passed, the Board would be approving a planned development that was rendered illegal, similar to the Garfield project. There was a lengthy discussion about this motion. There were differing opinions about the legal issues involved.

CITIZENS' PETITIONS REGARDING 111 S. LINCOLN STREET

John Bohnen of 230 East First Street said Mr. Passero is just trying to get clearance to put Dr. Harnois in his building and he disagreed with the Village Attorney's opinion that this is a new planned development.

Julie Crnovich of 122 E. Third Street said that she attended the Plan Commission hearing and the ZPS meeting on this subject and feels the Village Attorney should have expressed his concerns earlier. She noted that a waiver for the loading dock was not on this application and worries that, if approved, it could be challenged.

Attorney Matt Klein and Bill Passero, owner of 111 S. Lincoln, said that at the time the building was constructed, it was granted a certificate of compliance and there is now a change of interpretation and policy. They asked that the Village not delay its decision so that Dr. Harnois can keep her practice in the Village. They noted that either option before the Board would allow Dr. Harnois to occupy the building but that the first option (to revoke the planned development) would cost Mr. Passero \$100,000.

There was continued discussion among the Trustees about the legal issues and about whether to approve the first option, revoking the planned development, because it would generate \$100,000 for the Village.

Trustee Smith's motion passed on roll call vote. Trustees Follett, Cauley and Smith voted Aye. Trustees Williams and Schultz voted Nay. Absent: Trustee Orler.

ZONING AND PUBLIC SAFETY

No reports.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

None.

STAFF REPORTS

Village Manager Cook reported that the draft budget for FY2009-2010 was completed and that, after much hard work by the department heads in these difficult financial times, they had arrived at a balanced budget. He said they estimated a nearly \$1.0 million fall-off in revenues instead of the usual 4% increase. He outlined a number of cost-cutting measures instituted to compensate for the

reduced anticipated revenues. These include cutting 5 full-time positions, a wage freeze for management personnel, cutting weekly hours from 40 to 37.5, a voluntary separation plan, limiting professional services and legal costs and the elimination of some programs, such as the summer concert. He said they are also limiting capital purchases and deferring maintenance on Village buildings and equipment.

CITIZENS' PETITIONS

None.

TRUSTEE'S COMMENTS

Trustee Schultz expressed concern that President Woerner's proposal to bag the parking meters would result in a loss of about \$200,000 in revenues from parking meters and tickets. Village Manager Cook promised to look into that and noted that it would cost more to chalk the tires than to have meters. President Woerner said the intent was to help the merchants.

Trustee Schultz also said it was unfortunate in these tough economic times that the Board chose the option that gave up \$100,000 in revenue for fear of litigation.

ADJOURNMENT

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

Meeting adjourned at 9:04 P.M.

ATTEST: _____
Barbara J. Grigola, Village Clerk