

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE MEETING
May 19, 2009**

The Hinsdale Village Board of Trustees regularly scheduled meeting was called to order by President Tom Cauley in Memorial Hall of the Memorial Building on Tuesday, May 19, 2009 at 7:32 p.m.

Present: President Tom Cauley, Trustees J. Kimberley Angelo, Bob Saigh, Laura LaPlaca, Doug Geoga and Bob Schultz

Absent: Trustee Cindy Williams

Also Present: Village Attorney Ken Florey, Village Manager Dave Cook, Assistant Village Manager/Director of Finance Darrell Langlois, Director of Community Development Tim Bleuher, Police Chief Brad Bloom, Fire Chief Michael Kelly and Deputy Village Clerk Christine Bruton

Also Present: Christine Martin with the Tribune, Don Grigas with Suburban Life, Christie Cuthbert with The Hinsdalean and Amy Deis representing The Doings

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Trustee Geoga noted a grammar correction to the minutes and Trustee Saigh stated that he had provided the Clerk with similar changes. Trustee Schultz moved **approval of the Regular Meeting of May 5, 2009 minutes of the Village Board of Trustees, as amended.** Trustee Saigh seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: Trustee Williams

Motion carried.

CITIZENS' PETITIONS

Anne Czarnecki and Christina Thomas, representatives from Ronald McDonald Charities, told the Board about the Hoops for the House event to be held at Grant Square on Sunday, June 28th. They are raising money to fund a new Ronald McDonald House in downtown Chicago closer to Children's Memorial Hospital. They will be able to serve 86 families at the new location. She invited people to be involved and support the good work of the Ronald McDonald Charities.

Jan Anderson, Executive Director Hinsdale Chamber of Commerce, explained the details of the 3/50 project, which is an effort to support local businesses. Hinsdale is the first Illinois Chamber of Commerce to participate. She invited the Village and the Economic Development Commission to partner with the Chamber in this campaign to strengthen efforts to support local businesses.

Bethany Priester, 539 Highland, referenced an email that she had sent to the Trustees earlier today. She raised three concerns with respect to Veeck Park. 1.) When was the chlorine pipe running down Highland Road approved by the Village Board and when would residents be notified? 2.) The Board should complete the report of resident Sam Eddins on this matter. 3.) Why hasn't Flagg Creek stopped charging Hinsdale residents the \$8.00 surcharge? Further, she complained that there has been no resident input on this matter. This is very serious to her and she is concerned that the chlorine pipe poses a possible health hazard. Also, as stated in her email, she stated that she does not think Mr. Cook's contract should be renewed because she believes he has been dishonest and vague regarding the Veeck Park Project.

President Cauley stated that due to the relocation of the disinfecting facility, which was done in response to resident concern, the pipe needed to be rerouted in order to provide effective sanitation. However, he did agree that the Board should have been notified of the change.

Mr. Bill Seith, Village Attorney for environmental matters and the Flagg Creek lawsuit, addressed the Board. He commented that this isn't a new issue to the Board or the Village and has been discussed extensively at many meetings. He noted that the chlorine line is a disinfection line and the chemical used is actually called sodium hypochlorite. He introduced Mr. Steve Dalton from Clark Dietz, Inc. to provide information to the Board and residents. Mr. Dalton explained that last summer the initial plan was presented to the Board and Plan Commission. At that time there were two buildings for the project, one a screening building at the northeast corner of Veeck Park, the other a disinfection building at the northwest corner of the park. At public meetings, people said they didn't want the storage of chemicals close to residents, and the Board's directive was to combine the two buildings at the northeast corner. The application point for the disinfectant needs to be as far upstream as possible to be effective and would be at County Line Road. The strip of land along the tracks that was originally going to be used to bury the line belongs to the Burlington Northern. This discovery was made after the two buildings were combined.

Trustee LaPlaca said the Plan Commission was told the chlorine would be introduced at the northwest corner; she does not recall any discussion of moving it. Trustee Geoga remembered discussion that the distance from the northwest corner was adequate. Mr. Dalton confirmed that was the discussion at that time. Trustee Angelo noted a fact sheet for the EPS Committee that was authored by the IEPA. President Cauley asked if the proposed line is safe and will it damage property values. Mr. Dalton assured the Board that they are cognizant of safety and are proceeding cautiously. The underground pipe is eight-inch PVC, and within that pipe runs a smaller pipe containing the chemical. If the smaller pipe leaked it would go into the larger pipe and into the sewer. Following the application of the chemical there is a flushing process that takes approximately 45 minutes; when the disinfection cycle is complete, only water remains in the smaller pipe. This chemical is essentially household bleach, of the same strength as used in a pool. Mr. Dalton reiterated that the initial concept had the introduction of the chemical at a different location. Further into the design, they had to move it because there wouldn't be enough time for the chemical to perform its job if it were moved closer. The depth of the pipe on the north side of Highland Road varies between 3-4 feet and would be detected by JULIE like any other Village utility. There will be manholes on the road for maintenance.

Trustee LaPlaca was appalled that this change was not discussed in a public forum. Trustee Schultz commented that this chemical is pumped thru the pipes only in a storm water event. Mr. Seith stated that memos are generated on a weekly basis from the staff and the engineering team; these memos can be provided to the Board of Trustees. This is a large project with technical issues that come along. Mr. Dalton said that at this time he can't think of an alternative to Highland Road; however, before the pipe goes in he will research this. He confirmed that the chemical will only be in the pipe during a storm event, which occurs approximately 4-6 times a year.

Regarding the \$8.00 surcharge, Mr. Seith explained that we don't have a finalized agreement with Flagg Creek because of the resolution of flow issues on 55th Street. Last fall Flagg Creek determined that the high school is a large contributor to storm water issues; however, they don't know how much of a contributor. Their engineers are preparing a report expected by late June or July to resolve all remaining flow issues. The fee will be phased out when Veeck Park is completed. Regarding the calculations of Sam Eddins, Mr. Seith stated they had a four and half hour meeting with Mr. Eddins last November. They went through all his calculations, and Mr. Seith said there were significant misunderstandings on Mr. Eddins' part. He noted that there is over 100 years of combined experience on the engineering team servicing this project.

President Cauley directed the engineers to review the situation and advise the Board whether there were any alternative configurations for the placement of the chlorine line and the introduction point of the chlorine.

Diane Barrett, District 86 School Board member, commented on the proposal to install cell antennas on the Village water tower located in close proximity to Hinsdale Central high school and referenced the last time this issue came before the Board. The School Board voted no to allowing the Village to use an easement on its property to install cell antenna on the water tower

because of the safety issue. In the last two weeks, this matter has resurfaced. President Cauley said this has not been presented to the Board yet.

Kathy Gartlan, 616 S. Lincoln, addressed the Board regarding the antenna issue. She went to the high school and looked at the water tower placement. It is very close to the school and would create a safety issue for the students and staff. Currently, installed cell towers in Clarendon Hills have cables, wires and warning signs that radio frequency emissions may exceed safe levels.

VILLAGE PRESIDENT'S REPORT

President Cauley talked about the road resurfacing plan and spending \$1.6 million of stimulus money. Work will start in August and finish by November. He commented that some residents will be disappointed that their streets aren't being addressed, but the Village will make a start on certain high-priority streets whose pavement has failed. If bids come in lower than anticipated, more streets may be added. He read the list of streets to be repaired in 2009.

President Cauley reported being contacted by David Crane, the CEO of Hinsdale Hospital. They would like to make changes to their structure. This will be an opportunity to implement a pre-review program; Mr. Crane, Trustee LaPlaca, staff and residents will meet to discuss the plans in an informal setting. This will be a start to removing misunderstandings and rancor from redevelopment proposals.

PROCLAMATION EMERGENCY MEDICAL SERVICES (EMS) WEEK

President Cauley read the Emergency Medical Services Week proclamation.

APPROVAL OF 3rd ADDENDUM TO EMPLOYMENT AGREEMENT BETWEEN THE VILLAGE MANAGER AND THE VILLAGE OF HINSDALE

President Cauley introduced the item and noted there was a change to the term of the contract. Trustee Schultz moved to **APPROVAL OF 3rd ADDENDUM TO EMPLOYMENT AGREEMENT BETWEEN THE VILLAGE MANAGER AND THE VILLAGE OF HINSDALE**. Trustee LaPlaca seconded the motion. President Cauley stated that if the Board needed to discuss this item, they could do so in closed session. Trustee Angelo moved to adjourn to closed session to discuss the employment agreement of the village manager. There was no second, the motion failed. President Cauley asked the Clerk to call the question.

AYES: Trustees Angelo, Saigh, LaPlaca, Geoga, Schultz
NAYS: None

ABSTAIN: None
ABSENT: Trustee Williams

Motion carried.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Trustee Cauley read the following appointments:

Design Review Commission

Linda Nason McElherne, reappointed for a 3-year resident term

Richard Olsen, reappointed for a 3-year architect term

Finance Commission

Stephanie Kushner reappointed for a 3-year term

Mohammed Maali appointed for a 3-year term

Park & Recreation - Scott Banke appointed for a 3-year term

Board of Fire & Police Commissioners - Robert Juckniess appointed to a 3-year term

Police Pension Fund - Bill Moucka reappointed for a 2-year term

Trustee LaPlaca moved to **approve the appointments as presented by President Cauley.**

Trustee Saigh seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: Trustee Williams

Motion carried.

CONSENT AGENDA

Items Recommended by Zoning & Public Safety

- a) Ordinance Approving a Design Review Permit for Site Plan and Exterior Appearance Plan Modifications for 920 N. York Road (Omnibus vote) O2009-30
- b) Ordinance Approving Site Plans and Exterior Appearance Plans for An Existing Parking Lot Located at 50 S. Garfield Street (Omnibus vote) O2009-31
- c) Ordinance Amending Title 7 (Public Ways and Properties), Chapter 1 (Streets and Sidewalks), Section 2 (Construction Requirements), of the Village Code of Hinsdale (Omnibus vote) O2009-32
- d) Ordinance Amending Title 9 (Building Regulations), Chapter 1 (Administrative Provisions), Section 5 (Public Property Damage Escrow), and Section 7, Permit Time Limit, of the Village Code of Hinsdale (Omnibus vote) O2009-33
- e) Approval of a Request by the Hinsdale Chamber of Commerce for Street Closure and Event Support for the Annual Fine Arts Festival (Omnibus vote)

- f) Approval of a Request by the Hinsdale Chamber of Commerce for Supplemental Banner Placement for Event Support (Omnibus vote)
- g) Approval of a request by the Hinsdale Chamber of Commerce to Close Chicago Avenue from Garfield to Washington During Requested Times to Provide Even Support for the Farmer's Market (Omnibus vote)
- h) Approval to Purchase Two Replacement Marked Squad Cars through State of Illinois Contract (Omnibus vote)
- i) Refer to Plan Commission a Request for a Text Amendment to Section 5-105 (Special Uses) of the Hinsdale Zoning Code to Allow Drive-Thrus as Special Uses in the B-1, Community Business District (Omnibus vote)

President Cauley read the consent agenda. Trustee Angelo moved to **approve the Consent Agenda as presented**. Trustee Schultz seconded the motion. President Cauley asked about Item i) as it relates to drug stores. Trustee Schultz explained that Item i) refers the matter back to the Plan Commission as it merits further discussion because the concept of a drive-thru drug store is new. Trustee LaPlaca noted that the proposed text amendment limits drive-thrus to the B-1 district and will bring the code up to current business practices and supports economic development. Trustee Angelo stated that when he saw the drawings he felt comfortable with the proposal.

AYES: Trustees Angelo, Saigh, LaPlaca, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: Trustee Williams

Motion carried.

ADMINISTRATION AND COMMUNITY AFFAIRS

Trustee Schultz **moved Approval and Payment of the Accounts Payable for the period of May 1, 2009 through May 15, 2009 in the aggregate amount of \$883,826.81 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk**. Trustee Saigh seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: Trustee Williams

Motion carried.

ENVIRONMENT AND PUBLIC SERVICES

Trustee LaPlaca stated that the Village will be going out for bids for roads in failed or poor condition using \$700,000 in Village Capital Projects funds, and that the Village might be able to add more if they come in under budget. In the matter of the North Washington Street brick paving, a letter will be sent to residents. The project has merits; however, at the present time the street needs sewer separation and significant underground work. As those projects are not currently scheduled, it makes no sense to install pavers until the underground issues are addressed. Additionally, we do not have the \$250,000 to spend on the project. She thanked residents for their input, but the project needs to be aside for now. Trustee Schultz clarified that the residents understood that the underground work needed to be done first. Trustee LaPlaca noted that different people might be living in those homes when the work can actually be done.

ZONING AND PUBLIC SAFETY

No report.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

No report.

STAFF REPORTS

No report.

CITIZENS' PETITIONS

None.

TRUSTEE COMMENTS

None.

ADJOURNMENT

President Cauley stated we have need for a closed session to see the presentations of three legal firms and read the following motion: **to adjourn the meeting into Closed Session under Section 5 ILCS 120/2(c)(1) appointment, employment and compensation of employees and legal counsel not to reconvene into Open Session.** So moved by Trustee Angelo. Trustee LaPlaca seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Geoga, Schultz

NAYS: None

ABSENT: Trustee Williams

Motion carried.

Meeting adjourned at 8:49 p.m.

ATTEST: _____
Christine M. Bruton, Deputy Village Clerk