

**VILLAGE OF HINSDALE  
BOARD OF TRUSTEES MEETING  
March 20, 2007**

The Hinsdale Village Board of Trustees meeting was called to order by President Woerner in the Old Board Room of the Memorial Building on Tuesday March 20, 2007 at 7:37 P.M.

Present: President Michael Woerner, Trustees Coleman Tuggle, Cindy Williams, Michael Smith, Vic Orlor, Laura Johnson and Jean Follett.

Absent: None

Also Present: Village Attorney Ken Florey, Village Manager Dave Cook, Assistant Village Manager/Director of Administration Doug Cooper, Police Chief Brad Bloom, Fire Chief Pat Kenny, Director of Public Services George Franco, Director of Parks and Recreation Carrie Haupt, Director of Community Development Tim Bleuher and Deputy Village Clerk Christine Bruton

Also Present: Eric Martin of The Doings, Christine Martin, freelance writer for the Chicago Tribune and Brian Boyle 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 March 6, 2007 Village Board of Trustees meeting minutes. Seconded by Trustee Johnson.

**AYES:** Trustees Tuggle, Williams, Smith, Orlor, Johnson, Follett

**NAYS:** None

**ABSENT:** None

Motion carried.

**CITIZENS' PETITIONS**

**Attorney Matthew Kline**, representing Passero Builders and Traq 3D, the health fitness center requesting permission to locate on the second floor of 111 South Lincoln addressed the Board. He stated that this item was considered at the ZPS meeting, but feels that inaccurate information has been given to that committee. In the matter of parking, he believes this business will have less of an impact than a retail space. Mr. Kline provided

information about Traq 3D and the services they provide; he feels Traq 3D is a positive economic development and an appropriate use at this location. Regarding the issue of permitted uses, he is of the belief that B-2 and O-2 permitted and special uses are allowed on the second floor at this location. Trustee Williams stated that she believed the original understanding was that the second floor would be office space.

**Mr. Bill Passero** addressed the Board regarding his 111 South Lincoln property noting the dual zoning on the second floor, stating this is consistent with existing downtown second floor uses. He believes Traq 3D is a unique facility and not a high traffic facility; the parking impact would be no more than an office space.

**Mr. Mark Tazelaar, 1125 North Madison**, expressed his concerns regarding the Flagg Creek Reclamation surcharge. He would like it placed on a committee agenda for discussion.

**Bob Saigh, 210 S. Lincoln**, expressed concern with the traffic generated by Traq 3D in his historic neighborhood. Regarding misrepresentation, he said his comments at last night's EPS meeting were well grounded in published documents and Village materials. He has an overriding concern with the PUD process.

#### **APPOINTMENTS TO BOARDS, COMMISSIONS & TASK FORCES**

President Woerner introduced the item stating that this Task Force is an outcome of the Strategic Planning process. The new task force will be the Central Business District, Northtown and Parking Task Force. He outlined the directives of the SEG groups and the resulting priorities. He has put together a committee of 25 people, chaired by Mr. David Friedman. Trustees Orlor and Follett will be on the task force, including members Ardie Baroni, Beth Barrow, John Bell, Christine Callahan, Julia Crnovich, Chuck Forster, John Iwanski, Jeanie James, Matt Joyce, Jeff Keller Mary Klingenberer, Angie Lee, Bob Lennox, Marilyn Mead, Ed McCarthy, Jim McMahan, Katie McMillan, Gary Peart, Ric Pena, Eric Pitcher, Karl Weber and Mary Williams. President Woerner asked for a motion to approve these appointments. Trustee Smith moved to **Approve the Appointments to the CBD, Northtown and Parking Task Force**. Trustee Johnson seconded the motion.

**AYES:** Trustees Tuggle, Williams, Smith, Orlor, Johnson, Follett

**NAYS:** None

**ABSENT:** None

Motion carried.

## VILLAGE PRESIDENT'S REPORT

President Woerner welcomed everyone to the newly redecorated Board room which was originally dedicated on July 4, 1928. He suggested a rededication in July 2008 when the library would be done: an eighty year celebration.

## CONSENT AGENDA

President Woerner presented the following Consent Agenda items for approval except the item authorizing the Village Manager to negotiate a lease with the Hinsdale Community House regarding the Hinsdale Youth Center Facility which will be addressed separately.

### Items Recommended by the Administration & Community Affairs Committee

- Item #1: Move to approve a **Revised Fee Increases for KLM Lodge** (Omnibus vote)
- Item #2: Move to approve a **License Agreement between the Hinsdale Tennis Association (HTA) and the Village of Hinsdale**. (Omnibus vote)
- Item #3: Move to approve **Baird and Warner – Sidewalk and Parking Space Closure – Spring Garden Plant Sale** (Omnibus vote)
- Item #4: Move to approve **Hinsdale Historical Society – Use of Public Right of Way – Park and Fourth and Fifth Streets Triangle for Registration/Staging Area** (Omnibus vote)
- Item #5: Move to approve the **Banner Request of the Hinsdale Humane Society – Annual Pet Walk for Burlington & KLM Parks** (Omnibus vote)
- Item #6: Move to approve the **Banner Request of the Hinsdale Hospital Foundation – Digital Technology Awareness** (Omnibus vote)
- Item #7: Move to approve the **Banner Request of the Hinsdale Central Football Club – Miscellaneous Events** (Omnibus vote)
- Item #8: Move to approve a **Purchase Order to Chicagoland Pool Management for the removal of and installation of two Raypack Commercial Heater pool heaters at a cost not to exceed \$12,950** (Omnibus vote)
- Item #9: Move to approve a **Resolution Change Order – Board Room Renovation Project – to AVI Audiovisual, Inc. in the Amount of \$10,580.00** (Omnibus vote) (R-2007-5 - RES BK #5)

Item #10: Move to approve a **Request from Hinsdale Humane Society to Utilize KLM Park and the North Pavilion on June 3, 2007 for their Annual Pet Walk** (Omnibus vote)

Item #11: Move to approve a **Request from Hinsdale Hospital to Utilize Burlington Park on August 27, 2007 for their Annual Ice Cream Social** (Omnibus vote)

Item #12: Move to approve a **Request from RML Specialty Hospital to Utilize the KLM Parking Lot on May 19, 2007 for overflow parking related to the Health Fair, based on availability** (Omnibus vote)

Items Recommended by the Zoning & Public Safety Committee

Item #13: Move to approve an **Ordinance Approving a Special Use Permit for an on-site Dry Cleaning Plant at 410 Chestnut Street** (Omnibus vote) (O-2007-22 – Page 117).

Item #14: Move to approve an **Ordinance Approving Site Plans and Exterior Appearance Plans for Modifications to a Commercial Building at 24 West Chicago Avenue** (Omnibus vote) (O-2007-23 – Page 122).

Item #15: Move to approve an **Ordinance Approving Site Plans and Exterior Appearance Plans for Modifications to an Office Building at 22 North Lincoln Street** (Omnibus vote) (O-2007-24 – Page 127).

Item #16: Move to approve an **Ordinance Approving Site Plans and Exterior Appearance Plans for Modifications to a Commercial Building at 44 - 46 Harrison Place** (Omnibus vote) (O-2007-25 – Page 131).

Item #17: Move to approve an **Ordinance Approving Site Plans and Exterior Appearance Plans for Modifications to a Commercial Building at 410 Chestnut Street** (Omnibus vote) (O-2007-26 – Page 135).

Item #18: Move to approve the **Amendment to the Development Agreement for the Hampton's of Hinsdale** (Omnibus vote)

Item #19: Move to approve an **Ordinance Amending the Municipal Code Regarding the Requirement for Grading Permits for any Land Disturbing Activities** (Omnibus vote) (O-2007-27 – Page 139).

Item #20: Move to approve a **Referral to Plan Commission - Text Amendment to the Zoning Code for R-1, R-2, R-3 and R-4 Single-Family Residential Districts to Place a Maximum Total Lot Coverage for all Impervious Surface** (Omnibus vote)

Trustee Tuggle provided background information on the item regarding Land Disturbing Activities stating that a lot of time has been spent trying to find solutions to the storm water drainage problems and as a result this Ordinance proposes that the Village get more

involved in major landscaping. The staff will use their discretion to water runoff and maintenance of existing grade. Historically, the Village has not wanted to be back yard police, but because of recent flooding, we need to look more closely at back yards. Concerns moving forward are implementation and how to educate the citizenry.

Trustee Orler moved to approve the **Consent Agenda for March 20, 2007**. Trustee Follett seconded the motion.

**AYES:** Trustees Tuggle, Williams, Smith, Orler, Johnson, Follett

**NAYS:** None

**ABSENT:** None

Motion carried.

### **Item Taken Separately**

Authorize the Village Manager to enter into negotiations with the Hinsdale Community House regarding the Lease of the Hinsdale Youth Center Facility

Trustee Follett began the discussion by expressing concern regarding the Village space shortage, lack of a space utilization plan and what the expanded services and hours are going to be in light of the fact that this is not a good location to service this age group. Village Manager Dave Cook said the lease has been five year terms in the past including a sixty day termination clause. Community House Director Theresa Forthofer, addressed the Board stating there are not many changes to continuing services, the expected expansion at the Community House location because of the gym and extension of summer hours to start earlier in the day at about 10:00 a.m. She further stated that the Community House is open and supportive of the Village needs.

Trustee Johnson moved to **Authorize the Village Manager to enter into negotiations with the Hinsdale Community House regarding the Lease of the Hinsdale Youth Center Facility**. Trustee Smith seconded the motion.

**AYES:** Trustees Tuggle, Williams, Smith, Orler, Johnson, Follett

**NAYS:** None

**ABSENT:** None

Motion carried.

## **ADMINISTRATION AND COMMUNITY AFFAIRS**

### **ACCOUNTS PAYABLE**

Trustee Follett moved the **Approval and payment of the Accounts Payable for the period of March 2, 2007, through March 16, 2007, in the aggregate amount of \$628,168.69 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 Tuggle.

**AYES:** Trustees Tuggle, Williams, Smith, Orler, Johnson, Follett

**NAYS:** None

**ABSENT:** None

Motion carried.

### **Items not on Agenda**

1. Trustee Johnson stated that at the end of the budget process we had asked the Finance Commission to make a determination regarding the importance of maintaining a certain percentage in the reserve fund. They have reviewed the 25% targeted amount and have concluded the Village should maintain this level. Today's level is 20%, reflecting a steady decline since 2002 when the reserve fund was at 49%.
2. Trustee Johnson reported regarding the concerns with temporary signage. Assistant Village Manager Doug Cooper did a review and it has been determined that we will continue as we have been which is code compliant.

## **ZONING AND PUBLIC SAFETY**

Item #1: Proposal to Waive Competitive Bids and Approve Purchase of a Replacement Parking Citation Software and Enforcement System from T2 Systems for \$69,047.00

President Woerner introduced the item. Trustee Tuggle reported that the ZPS Committee voted 3-1 in favor of approving the item at last night's meeting. Chief Bloom described the current system: it is a 15 year system and the software license has just expired. Due to defective handheld readers there are too many hand written tickets which result in errors. The recommended system would allow the Police and Village to access the same information allowing people the convenience to pay their tickets on the weekends at the police station. This is the first phase; they would like to add enhancements in the future.

Trustee Williams is objecting to this because we already have an effective system and business owners repeatedly report that the climate in the CBD is on the decline due to the tickets. She disagrees with the idea that more tickets is better. Additionally, the proposal asks for \$50,000 unbudgeted money. To write more tickets to generate an offsetting revenue source is not a good idea.

President Woerner feels that parking is a problem and its enforcement will not go away. He noted that 1,900 tickets were written in January and February 2007 and during the same time period in 2006, 3,087 tickets were written.

Chief Bloom remarked that this system will allow officers to write construction site tickets and tickets for parking issues outside the CBD, and will help with the shuffling problem because of the sophisticated tracking capabilities of the system. This system

will also assist in gathering information on parking patterns. Chief Bloom said they are reprioritizing the budget to pay for this important system.

Trustee Smith moved to approve a **Proposal to Waive Competitive Bids and Approve Purchase of a Replacement Parking Citation Software and Enforcement System from T2 Systems for \$69,047.00**. Trustee Tuggle seconded the motion.

**AYES:** Trustees Tuggle, Smith, Orlor, Johnson, Follett

**NAYS:** Trustee Williams

**ABSENT:** None

Motion carried.

Item #2: Referral to Plan Commission - Case A-02-2007 – Applicant: Passero Properties and TRAQ 3D – Request: Major Adjustment to PUD for Lifestyle Housing to Allow a Physical Fitness Facility on a Portion of the Second Floor of the Mixed Use Building

Trustee Tuggle recapped the discussion at last night's EPS meeting resulting in a 3-1 nay vote to decline moving it ahead. He recommends tabling this item until all concerns are clarified. Trustee Follett seconded the motion.

**AYES:** Trustees Tuggle, Orlor, Johnson, Follett

**NAYS:** Trustees Williams, Smith

**ABSENT:** None

Motion carried.

Trustee Tuggle referred to the Foxford project, stating that the Plan Commission has had four extensive hearings and they approved the proposal. The ZPS voted 4-0 in favor of this project. The Village Board of Trustees will have an opportunity to vote at the second meeting in April or the first meeting of May.

## **ENVIRONMENT AND PUBLIC SERVICES**

### **SPECIAL SERVICE AREAS #9, #10, #11 AND #12**

Trustee Orlor introduced the item and opened discussion remarking that these are the result of an effort to find a solution to flooding on private property. There are 75 areas in the Village that are naturally low-lying, but the problem has been exacerbated by building footprints and landscaping issues. The proposed Special Service Areas allow the residents of the affected property parcels a 10 or 15 year period to pay for the solution. He described the procedures for implementation: send certified letters to property owners, schedule a public hearing after which there is a sixty day period of time for residents to bring back a petition of opposition. A majority of parcel owners and a majority of

registered voters are required to stop the SSA. The ordinances before the Board tonight allow the Village to move forward with establishing the SSA's and scheduling the public hearing.

Board discussion followed noting there are potentially 70-100 different SSA areas. The SSA's do not conflict or impact the long-term storm water management plan. All of the homes in these SSA's currently experience serious flooding, but the existing sewers can handle the rerouted water. The Village would be responsible for maintenance. The Public Hearing would be held on April 17<sup>th</sup> Board meeting.

Trustee Johnson expressed concern that the opposition process would be too difficult for a lay person to navigate and recommended that we provide materials to residents to assist them should they elect to file an opposition. Attorney Florey stated that we would generally not give legal advice to residents on this matter but we can give people a packet of forms and provide basic education.

**Item #1: Ordinance Proposing the Establishment of Special Service Area No. 9 (Localized Drainage Solutions Program) in the Village of Hinsdale and Providing for a Public Hearing for its Establishment.** (O-2007-28 – Page 156) Trustee Johnson moved to approve SSA #9. Trustee Tuggle seconded the motion.

**AYES:** Trustees Tuggle, Williams, Smith, Orler, Johnson, Follett

**NAYS:** None

**ABSENT:** None

Motion carried.

**Item #2: Ordinance Proposing the Establishment of Special Service Area No. 10 (Localized Drainage Solutions Program) in the Village of Hinsdale and Providing for a Public Hearing for its Establishment.** (O-2007-29 – Page 162) Trustee Johnson moved to approve SSA #10. Trustee Tuggle seconded the motion.

**AYES:** Trustees Tuggle, Williams, Smith, Orler, Johnson, Follett

**NAYS:** None

**ABSENT:** None

Motion carried.

**Item #3: Ordinance Proposing the Establishment of Special Service Area No. 11 (Localized Drainage Solutions Program) in the Village of Hinsdale and Providing for a Public Hearing for its Establishment.** (O-2007-30 – Page 168) Trustee Johnson moved to approve SSA #11. Trustee Tuggle seconded the motion.

**AYES:** Trustees Tuggle, Williams, Smith, Orler, Johnson, Follett

**NAYS:** None

**ABSENT:** None

Motion carried.

**Item #4: Ordinance Proposing the Establishment of Special Service Area No. 12 (Localized Drainage Solutions Program) in the Village of Hinsdale and Providing for a Public Hearing for its Establishment.** (O-2007-31 – Page 173) Trustee Johnson moved to approve SSA #12. Trustee Tuggle seconded the motion.

**AYES:** Trustees Tuggle, Williams, Smith, Orler, Johnson, Follett

**NAYS:** None

**ABSENT:** None

Motion carried.

President Woerner thanked Trustee Orler and members of the EPS for their efforts to solve decades of neglect.

#### **REPORTS FROM ADVISORY BOARDS AND COMMISSIONS**

Trustee Follet said the Preservation Awards Program will take place at 7:00 p.m. on May 1, 2007 before the Village Board meeting.

#### **STAFF REPORTS – none**

#### **CITIZENS' PETITIONS**

**Bob Saigh, 210 S. Lincoln,** asked for clarification or explanation as to what does tabling the Passero Properties and TRAQ 3D – Request: Major Adjustment to PUD for Lifestyle Housing thing mean. Attorney Florey explained the item will be tabled until any problems are resolved, and then it will be put back on an agenda at President Woerner's discretion.

The Board discussed the original motion to table which did not outline the parameters or definition of tabling an item. Since questions have been raised regarding the process and the application, Trustee Smith moves to reconsider the motion. Attorney Florey indicated that since he did not make the original motion or second to table, he cannot make a motion to reconsider. Trustee Johnson moves to reconsider the motion to table the Passero Properties item. There is no second from the Board, the motion dies.

Mr. Saigh asked how the public would stay advised if the item is put back on a Village Board agenda. This item will be added to the email notification list.

**ADJOURNMENT**

Trustee Smith moved to adjourn the meeting into closed session for the purposes of discussing pending litigation and personnel matters, not to reconvene in open session. Seconded by Trustee Follett.

**Ayes:** Tuggle, Williams, Smith, Orlor, Johnson and Follett

**Nays:** None

**Absent:** None

Motion carried.

Meeting adjourned at 9:44 p.m.

ATTEST: \_\_\_\_\_  
Christine M. Bruton, Deputy Village Clerk