

**VILLAGE OF HINSDALE
BOARD OF TRUSTEES MEETING
April 17, 2007
Memorial Hall**

The Hinsdale Village Board of Trustees meeting was called to order by President Woerner in Memorial Hall of the Memorial Building on Tuesday April 17, 2007 at 7:34 P.M.

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

Absent: Trustee Coleman Tuggle

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

Also Present: Christine Martin, freelance writer 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 April 3, 2007 Board of Trustees minutes. Seconded by Trustee Johnson. Passed on roll call vote. Trustees Smith, Orlor, Johnson and Follett voted Aye. Nays: None. Absent: Trustees Tuggle and Williams.

CITIZENS' PETITIONS

None.

PROCLAMATION CROSSING GUARD APPRECIATION DAY

President Woerner read a proclamation declaring April 17th, 2007 Crossing Guard Appreciation Day in Hinsdale. Trustee Follett moved to **Approval of National Crossing Guard Day**. Seconded by Trustee Johnson. Passed on roll call vote. Trustees Williams, Smith, Orlor, Johnson and Follett voted Aye. Nays: None. Absent: Trustee Tuggle. President Woerner introduced and thanked Mary Ann Romanelli, who discussed the national conference she recently attended regarding training people on safe routes to school. Trustee Follett also praised Mary Ann's efforts.

APPOINTMENTS TO BOARDS, COMMISSIONS AND TASK FORCES

Trustee Smith moved to **Approve the appointment of Kate McMillan to the Economic Development Commission through April 30, 2009.** Seconded by Trustee Johnson. Passed on roll call vote. Trustees Williams, Smith, Orler, Johnson and Follett voted Aye. Nays: None. Absent: Trustee Tuggle.

VILLAGE PRESIDENT'S REPORT

President Woerner said that the renovation of the Board Room is finished and announced that the meetings can now be telecast live on Channel 6. Trustee Smith, Village Manager Cook and Assistant Manager Cooper were thanked for their efforts on the renovation.

PUBLIC HEARINGS REGARDING SPECIAL SERVICE AREAS

President Woerner advised that there would be four public hearings to discuss special service areas to address the flooding issues in the Village. He introduced Assistant Village Manager Cooper who explained the legal process, saying that residents involved would have a 60 day period to object to the special service area.

SPECIAL SERVICE AREA NUMBER 9

President Woerner opened the Public Discussion regarding Special Service Area Number 9, which includes 328 E. 8th, 327 E. 9th, 828 S. Oak, 836 S. Oak, 844 S. Oak and 220 E. 7th. After Assistant Village Manager Cooper outlined the details of the Special Service Area, the floor was opened to public comment.

Joe Mansell of 836 South Oak Street said that for 26 of the 27 years he's lived in his home he had no flooding problems. Since the building of a new, larger home at 828 South Oak and the elevation of that lot and the increase in its impervious land coverage, he has experienced severe flooding problems. He feels the builder should have to solve the problem. He asked the Village for help correcting this problem and was advised that his only recourse was to file a lawsuit. He said that he supports the SSA, but he feels it is unfair to ask that the homeowners who did not cause the problem to pay to fix the problem. He would like to see the Village Code changed and enforced to require homes that cause new flooding problems to be responsible for correcting them.

Trustee Smith moved to adjourn the Public Hearing on Special Service Area Number 9. Seconded by Trustee Orler. Passed on roll call vote. Trustees Williams, Smith, Orler, Johnson and Follett voted Aye. Nays: None. Absent: Trustee Tuggle.

SPECIAL SERVICE AREA NUMBER 10

President Woerner opened the Public Discussion on Special Service Area Number 10, which includes homes on Briargate, Londonderry, Canterbury and The Pines. After Assistant Village Manager Cooper outlined the details of the Special Service Area, the floor was opened to public comment.

Don Sweet of 814 The Pines said he had very minor flooding until a new house was built on Canterbury a few years ago. He now has a foot of water in his back yard, and said his insurance company has reduced the value of the home based on the flooding. He said he is in favor of the project.

Kurt Grimm of 824 The Pines said he agreed with Mr. Sweet and that he also experienced flooding after the construction of the new house on Canterbury. He is against the SSA because he feels that the developer should take the responsibility, and if that isn't possible, the Village should.

Frae McGuire of 401 Canterbury said she has had a problem almost since they moved in. She feels that the cost should be shared equally within the area. She asked why the Village allows new houses to be elevated, since each time a new construction is elevated, it causes more flooding.

Anna Marie Bensdale of 402 Briargate echoed the other speakers saying that her home has experience flooding only since new homes were built in the area. She has had numerous floods in her basement and garage. She also said that last December she had severe flooding and property damage from a broken Village water main that is 18 inches from her basement. She said her insurance company has paid for only a small part of her losses and the Village has not taken responsibility for either the flooding or the water main break. She feels the SSA is not fair and the Village should take responsibility.

Caryn Yarbrough of 417 Canterbury asked why the home next to her is not in the special service area. She said the home next to her is 50% larger and higher and there is an incredible amount of run off from that home.

Charlie Calcaterra of 422 Briargate said that his is the property at the top of the hill and that they are against the SSA because he feels the Village should pay for the repairs out of the general budget. He also said that he bought a house on the top of the hill so that he would not have flooding problems. He feels that people who bought at the bottom of the hill knew that water runs down and made that decision when they purchased the property. He doesn't feel that he should have to pay for their decision.

Trustee Orler moved to adjourn the Public Hearing on Special Service Area Number 10. Seconded by Trustee Johnson. Trustee Follett pointed out that there are 75 out of 6000 service areas with flooding problems, which is why they chose not to cover it in the general budget. Passed on roll call vote. Trustees Williams, Smith, Orler, Johnson and Follett voted Aye. Nays. None. Absent: Trustee Tuggle.

SPECIAL SERVICE AREA NUMBER 11

President Woerner opened the Public Discussion on Special Service Area Number 11, which includes four homes at 15 & 17 Orchard and 8 and 14 S. Oak. After Assistant Village Manager Cooper outlined the details of the Special Service Area, the floor was opened to public comment.

Ed O'Hara of 15 Orchard Place said that he had five feet of water in his basement last October and that insurance paid only a small part of the \$75,000 in damages. He is willing to pay for a portion of the project, but feels that the water is coming from a wider area than just the four homes and that more neighbors should be included in the cost.

John Wood of 8 South Oak concurred with Mr. O'Hara that the water is coming from a broader geographic area and that more people should be included in the cost. He stated the water problem is global and it is being treated locally. He also feels that the problem has occurred because of the tremendous development in Hinsdale recently.

Mr. Cooper represented his mother, Sharon Cooper, of 17 Orchard Place. He said he is a landscape architect and does not feel confident that a local solution will help this global problem. He said the Village has a responsibility for this, since roads and parking lots are the largest contributor to impervious surfaces, though new construction has also contributed. He hopes the Village finds a solution that is fair to all.

Tim Lubenow of 14 South Oak said he objects to paying this large a proportion. He said we didn't have this problem 17 years ago when he moved in and attributes it to lax oversight from Village zoning. He suggested that we try to pass the tax referendum again.

Trustee Follett moved to adjourn the Public Hearing on Special Service Area Number 11. Seconded by Trustee Smith. Passed on roll call vote. Trustees Williams, Smith, Orler, Johnson and Follett voted Aye. Nays: None. Absent: Trustee Tuggle.

SPECIAL SERVICE AREA NUMBER 12

President Woerner opened the Public Discussion on Special Service Area Number 12, which includes three homes on Fuller and two on Elm. After Assistant Village Manager Cooper outlined the details of the Special Service Area, the floor was opened to public comment.

Lori Halligan of 234 Fuller Road attributed the flooding problem to builders who damaged the area during construction. She questioned why the Village can't issue a stop work order when the work creates an imminent hazard or damage to property and require the builder to repair the damage. She said they did not have a significant problem before the builder damaged this area.

Karen Burns of 612 North Elm stated that the Village intends to pay for the repair of the public easement and the Special Service Area would pay for the drainage repair on private property. She suggested that the repair be two-phased with the Village repairing the public area first.

Trustee Williams moved to adjourn the Public Hearing on Special Service Area Number 12. Seconded by Trustee Smith. Passed on roll call vote. Trustees Williams, Smith, Orlor, Johnson and Follett voted Aye. Nays: None. Absent: Trustee Tuggle.

Trustee Orlor said the Board shares the residents' frustration in trying to find a solution to this problem. He stated that the ZPS will be taking on the zoning issues such as impermeable surfaces. He explained that they did not want to throw this issue into the courts, so they had three options: 1) do nothing, 2) have the Village pay for everything, or 3) establish special service areas and let the residents decide. He said the cost to fix all 75 areas identified would be about \$10 million dollars and the Village simply doesn't have that kind of money. He said that we can't even keep up the repair of the streets, saying we only have about \$1.0 million for discretionary spending each year. He advised that there is a master plan to solve the problem on the public surfaces, such as the increasing the capacity of storm sewers.

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 a purchase order in the amount of \$13,543 to Park and Recreation Supply Inc. for the purchase of playground equipment and to approve a purchase order in the amount of \$12,882 to Reil Construction, Inc. for excavation and installation of equipment.** (Omnibus vote)

ITEMS RECOMMENDED BY THE ENVIRONMENT & PUBLIC SERVICES COMMITTEE

Item #2: Move to **Award Bid 1411, Grounds Maintenance to Spring Green Lawn Care for a total of \$41,580.** (Omnibus vote)

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

ADMINISTRATION AND COMMUNITY AFFAIRS

ACCOUNTS PAYABLE

Trustee Smith moved the **Approval and payment of the Accounts Payable for the period of March 30, 2007 through April 13, 2007 in the aggregate amount of \$713,153.63 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 Johnson. Passed on roll call vote. Trustees Williams, Smith, Orlor, Johnson and Follett voted Aye. Nays: None. Absent: Trustee Tuggle.

FISCAL YEAR 2007-2008 PERFORMANCE BUDGET

President Woerner noted that the Community Development Department consists of ten people and issued 1,452 permits and performed 6,542 inspections in the last fiscal year.

Cooper submitted the Fiscal 2007-2008 Performance Budget. Total revenues increased \$1.5 million from the original budget, with approximately \$1.0 million from a rebate from the Water Commission. The Village expenditures remain nearly the same – up from \$29.4 to \$29.5 million. The reserve level improved from 25.03% to 26.41% with the majority of the increase coming from additional revenues from building permits and anticipated revenues from The Hinsdale Club development. He noted that we are in good shape to achieve the 25% reserve fund goal.

Trustee Johnson moved **the Adoption of the Fiscal 2007-2008 Performance Budget**. Seconded by Trustee Smith. Passed on roll call vote. Trustees Williams, Smith, Orlor, Johnson and Follett voted Aye. Nays: None. Absent: Trustee Tuggle.

LEASE AGREEMENT WITH THE COMMUNITY HOUSE

Trustee Johnson moved to **Approve a lease agreement between the Village of Hinsdale and the Community House**. Seconded by Trustee Orlor. Passed on roll call vote. Trustees Williams, Smith, Orlor, Johnson and Follett and President Woerner voted Aye. Nays: None. Absent: Trustee Tuggle.

ZONING AND PUBLIC SAFETY

Trustee Orlor moved to **Adopt an ordinance approving special use permits for a planned development and hotel, site plans, exterior appearance plans, tentative plat of subdivision, development concept plan and detailed plan and necessary modifications/waivers associated with the planned development of the redevelopment of a portion of The Hinsdale Office Park as The Hinsdale Club (Plan Commission Case No A-28-2006)**. Seconded by Johnson.

Bruce Goldsmith of Dykema law firm representing the developers of the proposed Hinsdale Club outlined the plans for the proposed Hinsdale Club on Ogden. The plan proposes demolishing six office buildings and replacing them with a mixed-use development. He advised that they have had a number of meetings with residents, consultants Houseal Levine and Village staff, discussing issues such as density, impact of traffic, height of the buildings, appearance of parking sites, storm water management, economic impact and kinds of uses. He said the revised plan they are proposing addresses the concerns raised in these meetings. He said the revised plans include: heights down to 6-7 stories (from 12), density down to 27 residential units, retail of over 50,000 square feet and an added 25,000 square feet of office space. He stated that all the streets would be private and maintained by the owner's association.

Trustees discussed the proposal at length, covering the following issues:

- Concern about approving this plan without a development agreement in place
- Whether the development would deliver the taxes anticipated
- The likelihood of attracting an upscale hotel on the site
- Whether there would be any restrictions on types of tenants, such as banks or big box stores
 - Village Manager Cook said Code allows banks in this O-3 District.
 - Mr. Goldsmith said the store depths would not be desirable to big box stores.
- Impact on the private Road D, owned by Graue Mill
 - Village Manager Cook stated they are investigating taking over Road D to alleviate maintenance concerns.
- Timeline for approval of the development plan
- Gateway signage and the possibility of promoting the business district downtown

Trustee Orlor cited the resident survey results that showed strong support for empty-nester housing (75%). He also noted that the Village only collected \$4.2 million in property tax. This development is projected to generate \$1.1 million in tax revenues, which would have a significant impact on our ability to fund projects such as street repairs, sidewalks, decorative street lamps and Dutch elm tree treatments.

Passed on roll call vote. Trustees Williams, Smith, Orlor, Johnson and Follett voted Aye. Nays: None. Absent: Trustee Tuggle.

ENVIRONMENT AND PUBLIC SERVICES

Trustee Orlor announced that changes to the leaf program would be discussed at the meeting on May 14th.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

No reports.

STAFF REPORTS

No reports.

CITIZENS' PETITIONS

None.

ADJOURNMENT

Trustee Williams moved to adjourn the meeting to Closed Session for the purposes of discussing personnel not to reconvene in Open Session. Seconded by Trustee Orlor. Passed on roll call vote. Trustees Williams, Smith, Orlor, Johnson and Follett voted Aye. Nays: None. Absent: Trustees Tuggle.

Meeting adjourned at 10:15 P.M.

ATTEST: _____
Barbara J. Grigola, Village Clerk