

VILLAGE OF HINSDALE
ZONING AND PUBLIC SAFETY COMMITTEE MINUTES
Wednesday, March 4, 2009
Memorial Hall
7:30 p.m.

Present: Chairman Smith, Trustee Connor, Trustee Follett,
Trustee Cauley

Absent: None

Also Present: Village Manager Dave Cook, Police Chief Bradley Bloom, Fire Chief Michael Kelly, Community Development Director Tim Bleuher, Director Tim Bleuher, Building Commissioner Robert McGinnis

Chairman Smith called the meeting to order at 7:34 p.m.

Minutes

The Committee reviewed the minutes from the January 5, 2009 meeting. Trustee Follett moved to approve the minutes as submitted. Trustee Cauley seconded and motion carried unanimously.

Monthly Reports

Chief Kelly reviewed reports from December and January and highlighted some of the fire incidents that occurred in January.

Chief Bloom asked if the Committee had any questions on the Police Department's monthly reports from December or January. Chief Bloom stated that the Police Department had altered its practice of issuing parking meter warnings on actual ticket forms. First time meter violators now receive a postcard noting the warning violation and directing parkers to longer term parking areas. Chief Bloom stated that we are also looking into putting a map with store directories on the postcard. The change came as a result of comments made from a merchant at a Board meeting.

Chief Bloom reported that the Police Department has received the AED units that were donated by a resident, and are in the process of training personnel and deploying the units in marked squad cars. The AED program should be active in the next month, and at that time all marked squad cars will be equipped with AED's.

Chief Bloom reported that the Police Department is working with Madison School to enhance their drop-off and pick-up traffic safety plans. Recommendations have been submitted from the school and the police department is waiting for the School District to respond to the plan.

Director Bleuher gave an overview of the monthly reports for December and January and noted that the revenue, with the exception of January, was relative to

seasonal conditions and the holidays. Director Bleuher did make mention of the high number of building inspections completed each of these months which were conducted by three dedicated staff members. There were no questions about the reports from any Committee member.

Ordinance for Site Plan and Exterior Appearance Plans for Modifications to an Office Building at 534 W. Chestnut

Director Bleuher provided a brief summation of the progress of this application and that he believed that the proposed fencing along the western property line was the remaining issue of discontent between the property owner and some residents.

Chairman Smith asked the property owner to update the Committee on his position with the fence and any progress made in working with the neighbors. The property owner and his general contractor presented a sample of the proposed fencing that was designed in respect to the direction of the Plan Commission and they verified the location on the property and that it would begin at the northwest corner of the building and fall short of the public sidewalk along Chestnut ending at the north line of the existing parking area along the west property line.

The property owner stated that he has been treated unjustly throughout the process and that he continues to give but the neighbors continue to want more than he is willing to provide. He went on to state that he was making over a one-million dollar investment in the property and that he has rights as a property owner and that the fence is allowable per the Village's Zoning Code and follows the exact directive of the Plan Commission.

The Committee reviewed the site plan and questioned the property owner and his general contractor to verify the location of the proposed fence.

Trustee Connor read aloud the recommendation of the Plan Commission that dealt with the requirement of replacing landscaping that might be removed because of the placement of the fence and verified that this would be done through the ultimate staff approval of the building permit.

Kevin Hayes, resident, presented his standing on the lack of communication between his group and the former general contractor for the project and claimed that work was being done without their approval or input.

Trustee Follett and Connor informed Mr. Hayes that the applicant has rights as a property owner and that this current application comes after the fact that the applicant had a previously approved plan that he put to the wayside in order to revise his plans and work with the affected residents.

Trustee Connor made a proposal to both parties that the fence end twenty-five feet from the public sidewalk along Chestnut. The property owner stated that he would agree to this proposed location.

Trustee Follett motioned to approve the application with the caveat that the fence located along the west property line end twenty-five feet short of the public sidewalk. Trustee Connor seconded. Motion passed unanimously.

Ordinance Amending Title 9 (Building Regulations), Chapter 1 (Administrative Provisions), Section 1 (Permits Required) and Section 4, (Permit Fees) for Work Done Without Permits

Chairman Smith provided a brief summation of the proposal by staff to increase fees associated with work without appropriate building permits. No discussion. Trustee Follett motioned for approval with Trustee Cauley seconding the motion. Motion passed unanimously.

Approve a Waiver of Fees be Granted for the Permit Extension Required to Complete Work at 204 N. Adams

Chairman Smith asked Building Commissioner Robb McGinnis to confirm the request was based on economic conditions. Commissioner McGinnis confirmed the request and added that it was unusual in that the party requesting the waiver was private and not a not-for-profit entity which has been the case in the past.

Chairman Smith asked if a one-year time period was adequate for building permits here in the Village with respect to single-family homes. Commissioner McGinnis responded by saying that a lot of residential builders have voiced to him and his staff that they would prefer a longer period of time because of the scope and detailing that single-family homes typically require here in the Village.

Trustee Follett asked Commissioner McGinnis to bring back to the Committee a newly drafted building permit whose life cycle would accommodate typical residential build-outs.

Trustee Cauley motioned to deny the application with Trustee Connor seconding the motion. Denied unanimously.

Approve a Waiver of Fees be granted for the Permit Extension Required to Compete Work at 347 E. Hickory

Commissioner McGinnis provided a brief overview of the request to waive fees by the property's builder.

Michael Faligario, builder, stated that the property owner had undergone some economic hardships which further delayed the project moving forward.

Commissioner McGinnis quoted title nine of the municipal code which covered assessed fees.

Trustee Connor made a motion to deny the application with Trustee Follett seconding the motion. Denied unanimously.

Consideration of Regional Transit Authority (RTA) Downtown Planning Grant and Required Village Contribution

Chairman Smith made note that the application for the RTA grant was discussed at the last Board meeting and that it was not appropriate at this time because of the overriding budget constraints.

Director Bleuher reaffirmed that because the Village was pulling the application for the grant that it would not be detrimental toward applying again at a future date when the Village is fiscally balanced.

Trustee Cauley made motion for denial with Trustee Connor seconding the motion. Unanimously denied.

Ordinance to Approve a Text Amendment to Sections 5-102G (Permitted Uses) and 9-105 (Off Street Loading) of the Hinsdale Zoning Code as it relates to Bulk Regulation and Loading Zone Requirements in the B-2 and B-3 Business Districts

Chairman Smith made an opening remark toward a statement made that this Committee was holding up the application for the development proposal at First and Garfield. Chairman Smith gave a history with respect to the progress of the application emphasizing that there was no action or counter action by the Committee to delay. Chairman Smith also noted that he had spoke with President Woerner about the current application before the Committee and that there were two options; one being to approve the Plan Commission recommendations and two to send it back to the Plan Commission.

Chairman Smith asked the applicant if they had any opening remarks. Richard Gammonley, property owner and applicant, stated that he requested their approval based on the information before them and previous discussion at the Plan Commission level.

Trustees Cauley, Follett and Connor provided conversation in reaffirming the thorough discussion that occurred at the Plan Commission level. Trustee Cauley made note that the Commission was viewed as a non-entity because of past positioning by the Board and that their opinion and position should be respected by the Board.

Trustee Follett responded that she had only disagreed with the Plan Commission's position the last two months and that the text amendments before them had to be considered with respect to the overall district and not in light of the development proposal for First and Garfield. Trustee Follett went on to say that no property in the downtown district, if redeveloped, would be able to accommodate a semi-truck turnaround area and that this current zoning requirement has to be viewed practically.

Trustee Cauley noted that the Plan Commission had advocated access to the subject site from a public alley. The Committee members noted that the zoning code does not allow for this.

Trustee Connor recommended that the text amendments before them this evening should be moved on to the Board level for full discussion by all Board members as this was a very contentious issue and all opinions should be discussed. Trustee Connor also noted that he would be voting in line with Trustee Follett's position on providing truck turn-around areas in the downtown business district.

Chairman Smith stated that he felt both applications from the applicant, text amendments and site plan/exterior review, should be reviewed together and not separately. Chairman Smith cited a section of the zoning code related to concurrent applications. Trustee Cauley confirmed that it would provide more clarity if both applications were reviewed together.

Trustee Connor suggested that the Committee make a separate motion on each item and discuss at the Board level together.

Trustee Follett asked Director Bleuher if the Plan Commission had closed the public hearing. Director Bleuher confirmed that it had been closed.

Chairman Smith stated that he would like to review the traffic study and have the R-5 regulations as proposed sent back to the Plan commission in order to clarify.

Village Manager Cook responded by providing the original proposed language for the regulation and that the Plan Commission had only added two words.

Trustee Connor stated that this Committee was an advisory body and that the application before them should move on to the Board and if the Board of Trustees decides that the application should be referred again to the Plan Commission than let it happen at that level.

Trustee Follett made mention that tonight was not the appropriate forum for public comment and that most of the comment would most likely be repetitive.

Committee members discussed how exactly to vote on the items in order for them to be fully discussed at the Board level.

John Bohnen, resident, stated that he had filed an appeal to the court in Wheaton and that the appeal before the Committee was hijacked by the Village Manager and Village Attorney.

Mr. Gammonley asked the Committee members to review the tape from the last Plan Commission meeting as the Commissioners were asked by both attorneys if they knew what they were voting on and the Commission responded that they did. Mr. Gammonley went on to say that the traffic study was completed for the site plan/exterior appearance review and not the text amendments before the Committee.

Trustee Cauley suggested that the Committee send the text amendments forward with no vote in order for them to be decided upon separately at the Board level but in addition to the other application for site plan/exterior appearance review.

The Committee members agreed to move the application forward with no formal vote.

Approve an Ordinance to Declare Village Property as Surplus

Chief Bloom stated that the police department is seeking permission to declare surplus firearms that have been accumulated by the police over the past 20 years. Chief Bloom stated that many of the firearms were taken in as evidence, lost and found or turned in by residents for safe keeping, along with several of the firearms that were once Village owned. Chief Bloom stated that competitive bids would be sought from licensed law enforcement firearms dealers and the proceeds of the sale would be used to purchase an ultra-sonic weapons cleaner.

Trustee Follett moved to recommend that the Village Board approve an ordinance authorizing the sale and/or disposal of items of personal property owned by the Village of Hinsdale. Trustee Cauley seconded. Motion approved unanimously.

Hinsdale Central High School Bike and Walk to School Day

Residents Matt Moran and Mary Ann Romanelli provided an overview to the Bike and Walk to School Day set for May 19th at Hinsdale Central High School and the background work that led to the establishment of that day. Chief Bloom committed that his department would work with the group in order to make the event successful.

Review of Fiscal Year 2009-10 Draft Budget

Police Department

Chief Bloom presented the Police Department FY09/10 to the Committee. In summary Chief Bloom stated that minus capital, the budget consists of 89.9% personnel costs. The budget calls for the elimination of one full-time receptionist; replacing the full-time community service officer with a part-time position; replacing the full-time investigations administrative technician with a part-time position, and the elimination of one full-time police officer.

Additionally, all out of state conferences have been removed and in-state conferences have been reduced. Overtime which is down substantially during the current fiscal year's budget due to rescheduling and only allowing permanent overtime has been reduced by \$30,000 in next year's budget. Chief Bloom stated that almost every non-personnel line item has been reduced. Overall, less capital the budget has increased by only \$204,430 with pension costs accounting for \$266,000.

Chief Bloom indicated that the number of sworn officers has remained static since 1989 and advised the Committee that, in reviewing our manpower allocation report for 2009, the ratio of officers to population is one officer per 675 residents. This ratio would be the highest compared to the surrounding communities and the second highest ratio compared to the 13 communities the Village has in the past designated as comparable communities.

Fire Department

Chief Kelly provided the Committee with an overview of the draft 2009-10 budget for the Fire Department.

Community Development

Director Bleuher highlighted his department's cutting back on staff and operational items.

Trustee Follett noted that there were no additions or monies set aside for technology. Director Bleuher responded that he had updated the technology for the day to day operations since he began his position with the Village and that his department should be able to get through this next fiscal year as they stand.

Trustee Follett asked Director Bleuher about the status of obtaining G.I.S. for the Village. Director Bleuher responded that they had applied for start up money in order to initiate the system through the Federal stimulus application as a back up if the Village could not support start up at this time. Village Manager Cook reaffirmed to the committee that there was money set in the budget for G.I.S.

Trustee Follett motion to adjourn. Trustee Conner seconded and motion passed unanimously. The meeting adjourned at 10:20 p.m.

Respectfully Submitted

Timothy Bleuher
Director of Community Development