

**VILLAGE OF HINSDALE
MINUTES OF THE MEETING OF THE
VILLAGE BOARD OF TRUSTEES
April 5, 2011**

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, April 5, 2011 at 7:30 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, Building Commissioner Robb McGinnis, Darrell, Police Chief Brad Bloom, Fire Chief Mike Kelly, Director of Economic Development Tim Scott, Director of Parks & Recreation Gina Hassett and Deputy Village Clerk Christine Bruton

Also Present: Dennis Jacobs – Patch.com, Pam Lannom – The Hinsdalean

APPROVAL OF MINUTES

Trustee Saigh suggested a change to the language of the minutes, the Board concurred. Trustee Saigh moved **to approve the minutes of the Regular Meeting of March 15, 2011, as amended and the minutes of the Closed Session of December 14, 2010.** Trustee LaPlaca seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Williams

Motion carried.

CITIZENS' PETITIONS

Mr. Eric Johnson of 609 S. Jackson Street addressed the Board in his capacity as an AYSO board member, regarding the proposed settlement with the contractors who did the work at Veeck Park. He is concerned about the speed with which the Board is proceeding to get the work done; he believes alternative ideas to get rid of the spoils should be investigated. He also noted that AYSO has offered significant funds to the Village to

improve the fields at Veeck Park. He asked that the Board consider waiting to take action on this matter.

Bethany Priester of 539 Highland Road expressed dissatisfaction with Clark-Dietz. She asked the Board to remove the excess dirt and make the park what it is meant to be.

VILLAGE PRESIDENT'S REPORT

No report.

CONSENT AGENDA

President Cauley read the consent agenda as follows:

Items Recommended by Zoning & Public Services Committee

- a) **Ordinance Amending Title 9 (Building Regulations), Chapter 1 (Administrative Provisions), Section 4 (Permit Fees) Subsection B5 (Building Permit Fees), of the Village of Hinsdale Municipal Code**
- b) **Approve the Purchase of a Parking Fee Pay Box for the West Hinsdale Train Station in the Amount not to Exceed \$9,590 to Total Parking Solutions**
- c) **Approve the Purchase of a 2011 Chevy Tahoe 4 x 2 for \$26,242 Under the Terms of the Suburban Purchasing Cooperative to Currie Motors of Frankfort, Illinois**
- d) **Approve a Contract Renewal for the Prosecution of Local Ordinance Offenses to Ms. Linda Pieczynski**
- e) **Resolution Approving and Authorizing the Execution and Attestation of a Transferee Assumption Agreement (Item taken separately)**
- f) **Resolution Approving a Second Amendment to the Development Agreement Between the Village of Hinsdale and Inland Opportunity Hinsdale Hamptons L.L.C. for the Hamptons of Hinsdale Property (Item taken separately)**

Trustee LaPlaca moved to **approve the Consent Agenda, as presented**. Trustee Saigh seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Williams

Motion carried.

ADMINISTRATION AND COMMUNITY AFFAIRS

Accounts Payable

Trustee Schultz moved **Approval and Payment of the Accounts Payable for the Period of March 5, 2011 through April 1, 2011 in the aggregate amount of \$854,923.61 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.

Adoption of FY 2011-12 Annual Performance Budget

Trustee Saigh moved the **Adoption of FY 2011-12 Annual Performance Budget.** Trustee Angelo seconded the motion. Trustee Schultz suggested that the \$35,000 budgeted for a walking path at Veeck Park might be money better spent on other improvements. **Ms. Bethany Priestler, Hinsdale resident,** commented that people walk the park already without a path.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Williams

Motion carried.

Approval of the FY 2011-12 Pay Plan and the Revised Pay Plan Policy in the Village's Personnel Policy

President Cauley introduced the item explaining that the step system for employees is being changed to a merit system. Trustee Angelo moved **Approval of the FY 2011-12 Pay Plan and the Revised Pay Plan Policy in the Village's Personnel Policy.** Trustee Saigh seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Williams

Motion carried.

Approval to Waive the Formal Competitive Bid Process and Award a Contract in the Amount of \$23,360 to Proven Business Systems for the Purchase of Three (3) Toshiba E-Studio 3530C Color Copiers including “Re-Write” Software

Trustee LaPlaca moved **Approval to Waive the Formal Competitive Bid Process and Award a Contract in the Amount of \$23,360 to Proven Business Systems for the Purchase of Three (3) Toshiba E-Studio 3530C Color Copiers including “Re-Write” Software**. Trustee Saigh seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Williams, Geoga, Schultz
NAYS: None
ABSTAIN: None
ABSENT: None

Motion carried.

Approve a Request from the Hinsdale American Legion Post 250 to Conduct the Annual Memorial Day Parade with Village Services Provided

Trustee LaPlaca moved to **Approve a Request from the Hinsdale American Legion Post 250 to Conduct the Annual Memorial Day Parade with Village Services Provided**. Trustee Saigh seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Williams, Geoga, Schultz
NAYS: None
ABSTAIN: None
ABSENT: None

Motion carried.

Resolution Adopting an Identity Protection Policy

President Cauley explained that this resolution is mandated by State law to protect social security information. Trustee LaPlaca moved to approve a **Resolution Adopting an Identity Protection Policy**. Trustee Saigh seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Williams

Motion carried.

Approval of a Request from the Economic Development Commission to Display Additional Banners to Generate Awareness for it's 'Customer Appreciation Celebration'

Trustee Saigh moved **Approval of a Request from the Economic Development Commission to Display Additional Banners to Generate Awareness for it's 'Customer Appreciation Celebration'**. Trustee LaPlaca seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Williams

Motion carried.

Ordinance Amending Title 5 (Police Regulations), Chapter 7 (Dogs, Cats, and Other Animals), Section 5-7-7 (Prohibited Areas) of the Village Code of Hinsdale

President Cauley introduced the item and explained that that Parks & Recreation is recommending that dogs be allowed in Village parks if leashed, however not allowed on athletic fields or in children's play areas and owners would continue to be required to clean up after their dogs. Trustee Geoga asked Chief Bloom to advise. Chief Bloom said dogs are currently allowed at KLM, with restrictive hours and places. The Police Department does receive complaints that dogs in other parks are running loose or interfering with organized events. He provided complaint statistics and stated that he would not feel comfortable with unleashed dogs. He remarked that he will always recommend the safest course of action, and there is some risk bringing dogs into parks. However, there are some safety measures in this ordinance, but it will be more difficult to enforce. Discussion followed and it was noted that there are often dogs in the parks at soccer games and other events in the parks. Director of Park & Recreation Gina Hassett stated that the onus is on dog owners to know the laws. Trustee Saigh asked Village Attorney Ken Florey about liability. Mr. Florey explained that the Village is protected by

tort immunity but that would not prevent the Village from being sued. Trustee Geoga considered who the parks are for when determining that he would not be in favor of adopting this ordinance. President Cauley referenced the installation of signage and that allowing dogs may result in a lot more dogs in the parks. **Mr. Glen Bjorkman of 923 S. Bruner** commented to the Board that parks are for people and wondered why dogs should be allowed. Trustee Schultz said most people are responsible for their pets; the problem is off-leash dogs. He also noted that surrounding communities permit dogs on leash in their parks. Trustee Saigh commented this is a quality of life question and thinks we should try this. Trustee Angelo believes residents have an idea about where dogs can be and liberalizing will create more confusion. **Trustee Schultz moved to approve Ordinance Amending Title 5 (Police Regulations), Chapter 7 (Dogs, Cats, and Other Animals), Section 5-7-7 (Prohibited Areas) of the Village Code of Hinsdale, for a one-year trial period.** Trustee Saigh seconded the motion.

AYES: Trustees Saigh, LaPlaca, Schultz

NAYS: Trustees Angelo, Geoga and President Cauley

ABSTAIN: None

ABSENT: Trustee Williams

Motion failed.

ENVIRONMENT AND PUBLIC SERVICES

Resolution Authorizing and Approving a Landscape and Grading Agreement between the Village of Hinsdale, the John Burns Construction Co., and Clark Dietz, Inc.

President Cauley explained that because this proposed settlement has legal implications he wants to discuss it in closed session. He does not intend for this to be outside the public eye, but there is the need for a legal discussion with the Village attorney, any other types of comments can be made before or after. He went on to explain that this proposed solution has been reached over an extended period of time. Trustee LaPlaca has been working with these parties for a long time trying to resolve the issues without litigation. We have a problem with the excess dirt that will cost approximately \$81,000 to remove.

Trustee LaPlaca provided historical background to explain the Village's current position. She explained that the final landscaping and grading of the berms and the small soccer field needs to be completed. There has been an ongoing dirt issue, although a significant amount of dirt has been removed. Some of the dirt would have been used as fill around the tank, however, gravel was required to provide appropriate support. Clark-Dietz took responsibility, that is how they were drawn in for landscaping. There is a lot of debris in the remaining dirt. The Village approached John Burns, Inc., the contractor, who have agreed it is their responsibility to remove debris and rubble from the dirt to make it

suitable for landscaping. The location of the berms has been reviewed at length based on various factors and are currently situated where they will remain. It is optimal to install the landscape materials within the next month to month and half. The opportunity to talk to AYSO came to her today, however this item has been on EPS agendas for the last six to nine months. Trustee Schultz noted this matter went to the Plan Commission and doesn't believe they approved these berms. Trustee LaPlaca commented that she does not know if the berm drawings were part of that approval. President Cauley stated that he always defaults to spending time if necessary, but there are timing issues in that if we don't seed the soccer field by May 1st it may not be usable in the fall.

Mr. Eric Johnson pointed out that just because the soccer field is seeded is no guarantee that it would be ready in the fall because of unforeseen weather conditions. He stated that AYSO doesn't need Veeck east now. Discussion followed regarding field usage, location of berms and removal of dirt.

Motion for Closed Session

Trustee LaPlaca moved to **adjourn the meeting into Closed Session under: 5 ILCS 120/2(c)(11) Litigation, filed or pending before a court or administrative tribunal or when an action is probably or imminent to reconvene into Open Session.** Trustee Saigh seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Williams

Motion carried.

The meeting was adjourned at 8:35 p.m. into closed session. President Cauley reconvened open session at 9:02 p.m.

President Cauley announced that it is the consensus of the Board that there is too much dirt, and although costly to remove, the Village will explore some options to remove all or most of the dirt. The matter will be tabled until we can do something acceptable for residents without breaking the back of the Village.

ZONING AND PUBLIC SAFETY

No report.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

None.

STAFF REPORTS

None.

CITIZENS' PETITIONS

Mr. Harry Priester asked the Board when residents will know what the next steps will be at Veeck Park. President Cauley responded that he would report on the matter at the next Board meeting in April.

TRUSTEE COMMENTS

None.

ADJOURNMENT

There being no further business before the Village Board of Trustees and no need for a Closed Session, Trustee Schultz **moved to adjourn the meeting of April 5, 2011.** Trustee LaPlaca seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Williams

Motion carried.

Meeting adjourned at 9:05 p.m.

ATTEST: _____
Christine M. Bruton, Deputy Village Clerk