

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE MEETING
December 11, 2012**

The regularly scheduled meeting of the Hinsdale Village Board of Trustees was called to order by President Tom Cauley in Memorial Hall of the Memorial Building on Tuesday, December 11, 2012 at 7:30 p.m.

Present: President Tom Cauley, Trustees Christopher Elder, J. Kimberley Angelo, William Haarlow, Doug Geoga, Laura LaPlaca and Bob Saigh

Absent: None

Also Present: Village Manager Dave Cook, Assistant Village Manager/Finance Director Darrell Langlois, Director of Parks & Recreation Gina Hassett, Chief of Police Brad Bloom, Fire Chief Rick Ronovsky and Village Clerk Christine Bruton

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

After clarifications were made to the draft minutes, Trustee Elder moved **to approve the minutes of the regularly scheduled meeting of November 20, 2012, as amended.** Trustee Saigh seconded the motion.

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

NAYS: None

ABSTAIN: Trustee Haarlow

ABSENT: None

Motion carried.

CITIZENS' PETITIONS

None.

VILLAGE PRESIDENT'S REPORT

President Cauley announced that Sergeant Peter Jirasek will be retiring from the Village after 30 years of service. Sergeant Jirasek served as one of the Police Departments first DARE Officers and served as a Crime Prevention Officer prior to being promoted to Sergeant. Following his promotion, Sergeant Jirasek oversaw the Field Training Officer program. Sergeant Jirasek has built many solid relationships in the community and will be missed by the community and his co-workers. He plans to continue teaching criminal justice classes on the collegiate level. Congratulations to Sergeant Jirasek on his long and successful career.

President Cauley also acknowledged that on October 25, 2012, the DuPage Chiefs of Police Association recognized Hinsdale Police Chief Bradley Bloom with its annual 'Police Leadership Award'. This award is an annual recognition by the association for an individual who has demonstrated exemplary leadership. The recommendation for this award was made by State's Attorney Robert Berlin, who cited Chief Bloom's accomplishments in developing progressive programs within his community which have targeted safe teen driving behaviors (Alive at 25), as well as a program called STAAT (Stop Teen Alcohol Abuse Together) targeted for building a cooperative relationship with parents and teens to reduce the incidence of alcohol use by teens in the community. This award recognizes these accomplishments, amongst many others including his leadership as President of the DuPage Chiefs of Police Organization from September 2011 to September 2012, his dedicated work as a long-standing member of the DuPage County Emergency Telephone System Board, and his volunteer participation as an executive member of the Family Shelter Service of DuPage County. President Cauley congratulated Chief Bloom.

President Cauley also commended Village Engineer Dan Deeter and Village Manager Cook for their work to receive another Federal grant through the DuPage Mayors and Managers annual surface transportation fund. Two were applied for; the one for South Madison was approved. This road work is a \$392,000.00 project, and the Village received \$274,000.00. The money will not be awarded until 2018.

CONSENT AGENDA

President Cauley read the Consent Agenda as follows:

Items Recommended by Zoning & Public Safety Committee

- a) Approval of Temporary Parking Restrictions (No Parking 6 am to 9 am) on the East Side of Garfield Between Hinsdale and First Avenues (Omnibus vote)
- b) Ordinance to Declare Personal Property of the Village as Surplus and Sell it at Public Auction (Omnibus vote) (O2012-57)

Items Recommended by Administration & Community Affairs Committee

- c) Ordinance Levying Taxes for Corporate Purposes for the Fiscal Year of the Village of Hinsdale, Illinois, commencing on May 1, 2012 and ending on April 30, 2013 (Omnibus vote) (O2012-58)
- d) Resolution abating the tax hereto levied for the year 2012 to pay the principal of and interest on \$4,000,000 General Obligation Bonds (State Shared Income Alternate Revenue Source), Series 2003, of the Village of Hinsdale, DuPage and Cook Counties, Illinois (Omnibus vote) (R2012-22)
- e) Resolution abating the tax hereto levied for the year 2012 to pay the principal of and interest on \$3,045,000 General Obligation Bonds (Library Fund Tax Alternate Revenue Source), Series 2006, of the Village of Hinsdale, DuPage and Cook Counties, Illinois (Omnibus vote) (R2012-23)
- f) Resolution abating the tax hereto levied for the year 2012 to pay the principal of and interest on \$3,500,000 General Obligation Bonds (Water and Sewerage Systems Alternate Revenue Source), Series 2008, of the Village of Hinsdale, DuPage and Cook Counties, Illinois (Omnibus vote) (R2012-24)
- g) Resolution abating the tax hereto levied for the year 2012 to pay the principal of and interest on \$1,425,000 Taxable General Obligation Bonds (Alternate Revenue Source), Series 2011, of the Village of Hinsdale, DuPage and Cook Counties, Illinois (Omnibus vote) (R2012-25)
- h) Resolution abating the tax hereto levied for the year 2012 to pay the principal of and interest on \$5,00,000 General Obligation Bonds (Alternate Revenue Source), Series 2012A, of the Village of Hinsdale, DuPage and Cook Counties, Illinois (Omnibus vote) (R2012-26)
- i) Ordinance For the Levy and Assessment of Taxes for the Fiscal Year Beginning on May 1, 2012 and ending on April 30, 2013, in and for the Village of Hinsdale Special Service Area No. 9-Localized Drainage Solution (Omnibus vote) (O2012-59)
- j) Ordinance Amending Subsection 7-4B-2(A) of the Village Code of Hinsdale Regarding Water Rates (Omnibus vote) (O2012-60)
- k) Ordinance Authorizing the Disposal of Personal Property Owned by the Village of Hinsdale (Omnibus vote) (O2012-61)
- i) Approval of the Construction of an Ice Rink at Melin Park by Hinsdale Residents (Omnibus vote)
- j) Approval of a Portable Soccer Goal & Education Policy (Omnibus vote)

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

AYES: Trustees Elder, Angelo, Haarlow, Geoga, LaPlaca, Saigh

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

ADMINISTRATION AND COMMUNITY AFFAIRS

Accounts Payable

Trustee Haarlow moved **Approval and Payment of the Accounts Payable for the Period of November 11, 2012 through December 7, 2012 in the aggregate amount of \$2,764,179.09 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 Elder, Angelo, Haarlow, Geoga, LaPlaca, Saigh

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

ENVIRONMENT AND PUBLIC SERVICES

No report.

ZONING AND PUBLIC SAFETY

Ordinance Amending Title 6, Rules of the Road, and Chapter 11, Penalties of the Village Code, Regarding Distracted Driving

President Cauley introduced the item. Chief Bloom began discussion by stating there are 600 accidents per year in the Village and it can't be determined how many are the result of being distracted. However, his officers say it's significant and this is supported by Federal studies; people can't pay attention to the road and perform tasks at the same time, it creates a danger. The research is very clear on this. He stated that this ordinance mirrors the proposed State law for the definition of distracted driving, which he read. He clarified that this ordinance does not make cell phone talking while driving illegal, but if a person commits a traffic violation while on the phone, they can be ticketed for the distraction. The ticket would be a parking type ticket with an automatic fee and no court date. He said the most frequent result of distracted driving is drifting out of the lane, officers don't write this unless it's a DUI, but this would allow them to ticket. He is hoping to raise peoples understanding that they can't successfully multitask; this will require education. He believes it is a fair and even handed approach to the problem. He

explained that a lane violation ticket would be challenged in court, would raise a lot of complaints and would result in a mark on a person's driver's license, this is a less punitive measure as well as a first step toward educating the public and addressing the problem. Further, the officer would have the choice to issue a citation for distracted driving and a moving violation, if applicable.

Trustees expressed concern that there could be abuse by the police officers, that there is too much discretion in the ordinance; that this could be viewed as harassment or simply a revenue grab. Some felt that the police should use the existing motor vehicle code and ticket the actual infraction. Trustee Saigh concurred with Chief Bloom that the distraction issue is serious and is in favor of Hinsdale taking a strong stand and getting ahead of the curve. He trusts our officers to be discreet when issuing these citations and believes it is appropriate for the police to look at this as a serious safety issue.

Trustee LaPlaca suggested that the next six months be an enforcement only trial and the fee be waived. This could be an educational period and could generate good will. Trustee Geoga commented that he went to Chief Bloom and asked him if he would support a ban on cell phones, but the Chief explained this was problematic when surrounding communities don't have the same law. Trustee Geoga stated that he appreciates the intent, but doesn't believe this will encourage people to put down their cell phones. Trustee Saigh reiterated by saying this is an obvious and global problem; he doesn't see the problem with the language or the wisdom of, in effect, putting our heads in the sand. This is an appropriate mechanism to help ensure the public safety.

Trustee Haarlow commented that this ordinance doesn't commit the officer to issuing the ticket, there is latitude and discretion. He finds compelling the argument that is 'driving under the influence of the cell phone'. Chief Bloom stated that his officers stop 4,000 cars a year, 50% get citations. He trusts the discretion of his officers. He knows there have been a lot of close calls with pedestrians as a result of distracted driving and this is an effective tool for his officers. Discussion followed. Trustee Elder stated he now sees the educational benefit, still has some concerns with the broad language, however has been moved to see some benefit. Trustee Saigh moved to approve the **Ordinance Amending Title 6, Rules of the Road, and Chapter 11, Penalties of the Village Code, Regarding Distracted Driving**. Trustee Elder seconded the motion.

AYES: Trustees Elder, Haarlow, LaPlaca, Saigh

NAYS: Trustees Angelo and Geoga

ABSTAIN: None

ABSENT: None

Motion carried.

Trustee LaPlaca moved **to approve a six month phase in period for the ticketing of distracted driving.** Trustee Elder seconded the motion. Trustee Saigh remarked that this is a very generous time frame; he was thinking that 60-90 days would be sufficient. Chief Bloom stated he is concerned that a warning will not be as effective as a \$75.00 fine. Discussion followed, the Board agreed to a six month phase in, drivers will be stopped for the underlying root cause, but will be informed there will be the potential additional fine. Trustee Angelo hopes at the end of the six month phase, this could be revisited. President Cauley asked Chief Bloom to report back at that time on whether it's working or whether there are lots of complaints. Chief Bloom pointed out this is a policy decision; therefore, no vote was taken on the motion before the Board.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

EPS – Trustee LaPlaca reported that the Oak Street Bridge meeting went well; upon receipt of State approval on the environmental report a public hearing will be scheduled in January. Work on Phase II will begin next year.

ZPS – Trustee Saigh reported there will be no meeting in December. The Yankee Peddler exterior appearance matter will be heard by the Plan Commission and expedited directly to the Village Board in January.

STAFF REPORTS

Mr. Cook noted comments on the draft calendar have been received. The calendar will be finalized and published this week. He reminded the Board that their first meeting next year will be January 8th.

CITIZENS' PETITIONS

None.

TRUSTEE COMMENTS

None.

ADJOURNMENT

There being no further business before the Board and no need for a closed session, President Cauley asked for a motion to adjourn. Trustee Elder **moved to adjourn the meeting of December 11, 2012.** Trustee Haarlow seconded the motion.

AYES: Trustees Elder, Angelo, Haarlow, Geoga, LaPlaca, Saigh

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Meeting adjourned at 8:28 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk