

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE SPECIAL MEETING
February 28, 2013**

The special meeting of the Hinsdale Village Board of Trustees was called to order by President Tom Cauley in Memorial Hall of the Memorial Building on Thursday, February 28, 2013 at 7:30 p.m.

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

Absent: Trustee Laura LaPlaca

Also Present: Assistant Village Manager Darrell Langlois, Director of Community Development Robb McGinnis, Chief of Police Brad Bloom and Village Clerk Christine Bruton

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Trustee Saigh moved to **approve the minutes of the regularly scheduled meeting of February 19, 2013**. Trustee Elder seconded the motion.

AYES: Trustees Elder, Angelo, Geoga, Saigh

NAYS: None

ABSTAIN: Trustee Haarlow

ABSENT: Trustee LaPlaca

Motion carried.

CITIZENS' PETITIONS

None.

VILLAGE PRESIDENT'S REPORT

President Cauley reported that Hinsdale Police Chief Brad Bloom has been selected by the board of the Illinois State Crime Commission to receive the prestigious 2013

Police Chief of the Year Award. He listed Chief Blooms many impressive activities in his field and offered his congratulations on behalf of the Board.

Secondly, the bond ratings from Standard & Poors and Fitch, in connection with the library bond issue, have come back. Once again the Village has received a AAA rating from both rating agencies. Both reports complement the Village on its fiscal responsibility. This means the library bonds will receive the lowest possible tax rate which translates to savings to the taxpayers of Hinsdale.

CONSENT AGENDA

President Cauley read the Consent Agenda as follows:

Items Recommended by Zoning & Public Safety Committee

- a) Permit for Outdoor Seating for Cine Restaurant Located at 29 East First Street for May 1, 2013 through April 31, 2014 (Omnibus vote)
- b) Ordinance Providing for an Amnesty Program for Certain Parking Violations of the Village Code of Hinsdale (Omnibus vote) (O2013-05)

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

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee LaPlaca

Motion carried.

ADMINISTRATION AND COMMUNITY AFFAIRS

Accounts Payable

Trustee Geoga moved **Approval and Payment of the Accounts Payable for the Period of February 16, 2013 through February 22, 2013 in the aggregate amount of \$93,222.95 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee Elder seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee LaPlaca

Motion carried.

ENVIRONMENT AND PUBLIC SERVICES

No reports.

ZONING AND PUBLIC SAFETY

Approve a Permit for a Temporary Use to Operate Certain Events, including Yoga, Dance and Similar Type Instructional Classes as well as Private, Social and Organizational Events at 302 S. Grant Street for the period of 3/8/13 through 7/8/13

President Cauley introduced the item stating that residents who live near Immanuel Hall have expressed concerns regarding the current use of the facility. Investigation has revealed that certain uses, such as yoga classes and wedding receptions, may not be covered by the current ordinance that sets forth the permitted uses of Immanuel Hall. The Hinsdale Historical Society acknowledges that some of the current uses of Immanuel Hall are not contemplated by the current ordinance, and it plans to bring a request to the Board in April to amend the ordinance to allow the additional uses. In the meantime, the Hinsdale Historical Society has requested a temporary use to continue the current uses of Immanuel Hall until they can prepare to present their case to amend the relevant ordinance. President Cauley pointed out the matter before the Board this evening is not a hearing on the issue of whether the ordinance should be amended. Further, it is unfair to residents and the Historic Society to get into the substantive arguments for that hearing at this time. He urged the Board to focus on the temporary use. President Cauley also explained that because Trustee Saigh is involved with Immanuel Hall he has agreed to recuse himself on this issue. He is not legally required to do so and his recusal in no way suggests that actions he has taken as Chair of the Zoning & Public Safety Committee concerning Immanuel Hall were somehow inappropriate.

Ms. Cindy Klima, President of the Hinsdale Historic Society, addressed the Board. She thanked the Board for their consideration and explained that the temporary use permit will allow them to honor previously scheduled activities. She stated that they recognize both the urgency and the concerns. She explained that they are a small, volunteer only, not-for-profit organization and they need time to review this issue and find a long term solution. Without the temporary permit, the Historical Society would experience significant financial hardship and would be open to legal action as a result of broken contracts. Ms. Klima assured the Board they will work closely with the Village and the neighborhood. She clarified that that events under contract are non-profit meetings, weddings and private parties. The HHS board has not met yet to determine whether or not these current activities even require the special use modification.

Ms. Sandy Williams, 415 S. Garfield, addressed the Board stating that in 1998 Immanuel Hall was owned by a Montessori school and the property included a parking lot with dumpsters. As the first preservation effort in the Village, it is now a single historic structure surrounded by green space with less traffic than in 1998. She believes historic buildings are important, but they have to earn their keep. She hopes the Board will grant this temporary use to HSS.

Mr. Doug Bemiss, 220 S. Grant Street, addressed the Board stating the application before the Board fails on its facts, citing Village code §11-602 regarding undo adverse impact on adjacent property. He believes the building is operated as a business in a residential district. As such, over 100 parking tickets have been issued on their block in the last 2 years. He stated there was a 40th birthday party at Immanuel Hall this past weekend and described what he deemed to be the unacceptable activities he observed there. All visitors to Immanuel Hall have to park in the street; he and his wife have been complaining since 2010. He stated it is the Villages job to adhere to its code; it is not his job to enforce the code.

Ms. Amy Lewis, 222 E. Sixth Street, commented that over the last several years there has been a reduction in the places in town for various organizations can conduct meetings. Fees have been raised and even District 181 won't rent to groups without insurance. Immanuel Hall serves an important service in the community.

President Cauley reiterated the only issue before the Board tonight is the temporary permit, not the underlying issues. Trustee Elder commented there are potentially valid arguments on both sides, however, he is not prepared at this time to decide right or wrong. He needs time as does HHS. Trustee Geoga stated he agrees with that perspective, Mr. Bemiss's claims require an interpretation and judgment. However, that is not the issue before Board, further, the authority to grant a temporary use rests squarely with this Board. Trustee Angelo believes it makes sense to give HSS time to look into this matter. Trustee Haarlow commented that given the status of HSS as a non-profit, it is inappropriate to expect a turnkey reply.

Trustee Elder moved to **Approve a Permit for a Temporary Use to Operate Certain Events, including Yoga, Dance and Similar Type Instructional Classes as well as Private, Social and Organizational Events at 302 S. Grant Street for the period of 3/8/13 through 7/8/13.** Trustee Angelo seconded the motion.

AYES: Trustees Elder, Angelo, Haarlow, Geoga

NAYS: None

ABSTAIN: None

ABSENT: Trustee LaPlaca

Motion carried.

Trustee Saigh noted that the ZPS meeting will be held on March 18th to accommodate the school calendar. Trustee Geoga noted the next ACA meeting will be this coming Monday.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

None.

STAFF REPORTS

None.

CITIZENS' PETITIONS

Mr. John Bohnen, 230 E. First Street, announced that Ms. Sandy Williams, former Hinsdale Historical Society president, has authored a new book on Hinsdale. He said the text is well-written, there are new pictures and there will be a book signing at Immanuel Hall this Sunday. Proceeds go to Hinsdale Historic Society. All are welcome.

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 special meeting of February 28, 2013.** Trustee Saigh seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee LaPlaca

Motion carried.

Meeting adjourned at 8:02 p.m.

ATTEST: _____

Christine M. Bruton, Village Clerk