

**VILLAGE OF HINSDALE  
VILLAGE BOARD OF TRUSTEES  
MINUTES OF THE MEETING  
November 17, 2015**

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, November 17, 2015, at 7:34 p.m.

Present: President Tom Cauley, Trustees J. Kimberley Angelo, Luke Stifflear, Laura LaPlaca and Bob Saigh

Absent: Trustees Christopher Elder and Gerald J. Hughes

Also Present: Village Manager Kathleen A. Gargano, Assistant Village Manager/Finance Director Darrell Langlois, Police Chief Brad Bloom, Deputy Police Chief Kevin Simpson, Fire Chief Rick Ronovsky, Director of Public Services George Peluso, Director of Community Development Robb McGinnis, Director of Parks & Recreation Gina Hassett, Village Engineer Dan Deeter, Village Planner Chan Yu and Economic Development Coordinator/Human Resources Administrator Emily Wagner

**PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF MINUTES**

**Meeting of November 3, 2015**

Trustee LaPlaca moved to **approve the draft minutes of the regularly scheduled meeting of November 3, 2015, as presented.** Trustee Saigh seconded the motion.

**AYES:** Trustees Angelo, LaPlaca, Saigh and President Cauley

**NAYS:** None

**ABSTAIN:** Trustee Stifflear

**ABSENT:** Trustees Elder and Hughes

Motion carried.

**Committee of the Whole of October 19, 2015**

Trustee Saigh made a correction to the draft minutes. Trustee LaPlaca moved to **approve the draft minutes of the Committee of the Whole of October 19, 2015, as amended.** Trustee Saigh seconded the motion.

**AYES:** Trustees Angelo, Stifflear, LaPlaca, Saigh

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Hughes

Motion carried.

## **CITIZENS' PETITIONS**

None.

## **VILLAGE PRESIDENT'S REPORT**

President Cauley thanked Adventist Hinsdale Hospital for paying half the cost to bury the overhead lines north of the Oak Street Bridge. The total cost for that project was \$62,000.

## **POLICE DEPARTMENT LIFE SAVING AWARD – OFFICER KEVIN BERLAND**

President Cauley announced the officer being honored this evening is Kevin Berland who has been with the Hinsdale Police force since March of 2013. He read a summary of the incident wherein Officer Berland arrived at an accident scene and applied a tourniquet to the victim which saved his life. President Cauley said that Officer Berland went above and beyond the call of duty. Chief Bloom and Deputy Chief Kevin Simpson presented Officer Berland with the lifesaving award.

## **FIRST READINGS - INTRODUCTION**

### **Administration & Community Affairs (Chair Hughes)**

- a) 2015 Tax Levy Documents
  - i) Approval of an Ordinance Levying Taxes for Corporate Purposes for the Fiscal Year of the Village of Hinsdale, Illinois, commencing on May 1, 2015 and ending on April 30, 2016
  - ii) Resolution abating the tax hereto levied for the year 2015 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
  - iii) Resolution abating the tax hereto levied for the year 2015 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
  - iv) Resolution abating the tax hereto levied for the year 2015 to pay the principal of and interest on \$5,000,000 General Obligation Bonds (Alternate Revenue Source), Series 2012A, of the Village of Hinsdale, DuPage and Cook Counties, Illinois
  - v) Resolution abating the tax hereto levied for the year 2015 to pay the principal of and interest on \$2,710,000 General Obligation Refunding Bonds (Library Fund

- Tax Alternate Revenue Source), Series 2013A, of the Village of Hinsdale, DuPage and Cook Counties, Illinois
- vi) Resolution abating the tax hereto levied for the year 2015 to pay the principal of and interest on \$2,025,000 General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source), Series 2014A, of the Village of Hinsdale, DuPage and Cook Counties, Illinois
  - vii) Resolution abating the tax hereto levied for the year 2015 to pay the principal of and interest on \$5,000,000 General Obligation Bonds (Alternate Revenue Source), Series 2014B, of the Village of Hinsdale, DuPage and Cook Counties, Illinois
  - viii) Approval of an Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning on May 1, 2015 and ending on April 30, 2016, in and for the Village of Hinsdale Special Service Area No. 9-Localized Drainage Solution

President Cauley explained the Board approves these tax levy items annually; it is the mechanism by which property taxes are allocated. Mr. Langlois explained it is a two-step process. On November 3<sup>rd</sup> the Board adopted the maximum levy as required by law; tonight's item is the actual levy document. Additionally, there are a series of resolutions to abate the taxes on bond issues. The last item is for Special Service Area 9, a water improvement project. This is year eight out of ten for this item.

The Board agreed to move this forward for a second reading.

- b) Approve an Ordinance Amending Various Sections of the Village Code of Hinsdale Relative to Business Licensing and Registration Requirements and Late Fees
- c) Approve an Ordinance Amending Section 6-1-4 (License Fees) of the Village Code of Hinsdale Relative to Vehicle License Fees
- d) Approve an Ordinance Amending Section 6-7-3, Parking Restrictions; Metered Spaces, of the Village Code of Hinsdale
- e) Approve an Ordinance Amending Title 9 (Building Regulations), Chapter 9 (Fire Code), Section 9-9-2 (Amendments, Revisions and Changes) Relative to Fire Inspection Fees
- f) Approve an Ordinance Amending Title 4 (Health and Sanitation), Chapter 1 (General Health Regulations), Section 4-1-9 (Ambulance and Life Support Service Fees)
- g) Approve an Ordinance Amending Section 5-5-4, False Alarms, of the Village Code of Hinsdale
- h) Approve an Ordinance Amending Various Section Related to Business Licensing and Creating a New Chapter 16 (General Contractor Licensing) of Title 3 (Business and License Regulations) of the Village Code of Hinsdale
- i) Approve an Ordinance Amending Title 7 (Public Ways and Property) by Adding a New Chapter 7 (Commercial Filming, Photography, and Taping Activities) of the Village Code of Hinsdale Relative to Commercial Filming, Photography and Taping Activities within the Village
- j) Approve an Ordinance to Amending Title 3 (Business and License Regulations) Chapter 3 (Liquor Control) of the Village Code of Hinsdale relative to an Updated Liquor Code

President Cauley explained the previously listed items were addressed at a Committee of the Whole meeting and a number of fees were changed. He provided

an overview of the various fee changes. The licensing of home based businesses is eliminated; it is difficult to enforce and provides only about \$5,000 in revenue. The late fee to those businesses required to obtain a license will be increased and will make up the difference in lost revenue from the home based businesses. The vehicle sticker fee will increase by \$10; the Class B truck license fee will increase by \$40. Liquor license fees will increase; parking citations will increase to recoup the cost to administer the ticket, and ambulance fees are increasing. The Village will begin to license General Contractors for an annual fee of \$250.00. Commercial filming will also be codified.

On the matter of commercial filming fees, Trustee LaPlaca referenced an article she saw in Hinsdale Living Magazine that talked about how lucrative it is for residents to do commercial filming. She recommended staff take a closer look at the recommended fees. Trustee Stifflear commented the filming can be intrusive for residents, and can result in costs to the Village. He wondered what other municipalities charge for this activity. Residents were encouraged to come to the next meeting to talk about fees.

The Board discussed the new Liquor Code. President Cauley remarked that many years ago Hinsdale did not allow liquor sales, but as more types of businesses came forward a new license class was created for almost each new business. Moving forward we would like not to have to pass an ordinance for each new liquor license applicant. Trustee LaPlaca elaborated stating this re-write was a clarification of the code; making the code less cumbersome and eliminating redundancies. Staff worked with Village legal counsel on the project. Ms. Mallory Maluzzi, from Klein Thorpe & Jenkins, provided an overview of the liquor code revision process to date and noted this is a brand new code. She also noted that the Board will still approve an increase in the number of licenses issued per class by ordinance. Ms. Maluzzi clarified the inclusion of consumption hours and packaged sale hours for the restaurant classification. It was noted that the service hours included in the liquor code were not changed, but will be taken up separately due to strong feelings on this issue.

With respect to General Contractor licensure, President Cauley remarked this will provide more enforcement muscle for the Village and the fee will cover the cost of administering the licensing.

The Board agreed to put these items on the Consent Agenda of their next meeting.

#### **Environment & Public Services (Chair LaPlaca)**

- k) Approve an Ordinance for the Vacation of an Alley at 741 S. Monroe Street  
President Cauley introduced the item stating this is not a through alley and this is the standard process for these types of applications.  
The Board agreed to put this item on the Consent Agenda of their next meeting.

#### **Zoning & Public Safety (Chair Saigh)**

- l) Approve a Referral to the Plan Commission of a Text Amendment to remove the business licensing of home occupations from the Zoning Code  
President Cauley explained this is the text amendment that will remove the licensing of home based businesses from the zoning code.

The Board agreed to refer the matter to the Plan Commission.

## **CONSENT AGENDA**

### **Administration & Community Affairs (Chair Hughes)**

#### **Accounts Payable**

Trustee Saigh moved **approval and payment of the accounts payable for the period of November 4, 2015 through November 17, 2015 in the aggregate amount of \$2,981,269.12 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee LaPlaca seconded the motion.

**AYES:** Trustees Angelo, Stifflear, LaPlaca, Saigh

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Hughes

Motion carried.

The following items were approved by omnibus vote:

- a) **Approve an Ordinance Authorizing the Disposal of Personal Property Owned by the Village of Hinsdale O2015-39** (*First Reading – November 3, 2015*)
- b) **Approve a License Agreement between the Village of Hinsdale and the Hinsdale Swim Club for the 2016 through 2018 seasons** (*First Reading – November 3, 2015*)
- c) **Approve a Resolution Authorizing Waiver of Construction Noise Hours Limitations Pursuant to Section 9-12-2 of the Village Code of the Village of Hinsdale – AMITA Health and Hinsdale Hospital R2015-25** (*First Reading – November 3, 2015*)

#### **Zoning & Public Safety (Chair Saigh)**

- d) **Enter into an Intergovernmental Agreement with DuPage County in order to recover costs associated with Hinsdale's move to a new 9-1-1 dispatch service provider** (*First Reading – November 3, 2015*)

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

**AYES:** Trustees Angelo, Stifflear, LaPlaca, Saigh

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Hughes

Motion carried.

## **SECOND READINGS / NON-CONSENT AGENDA - ADOPTION**

### **Administration & Community Affairs (Chair Hughes)**

#### **Waive a First Reading and Approve an Ordinance Amending Section 3-3-5 (Local Liquor Licenses) of the Village Code of Hinsdale Relative to Allowing Extended Hours on November 25, 2015**

President Cauley introduced the item and said the first reading was waived because it was discussed at the last Board meeting and because of the timing of the item relative to the holiday.

Trustee LaPlaca moved to **Approve an Ordinance Amending Section 3-3-5 (Local Liquor Licenses) of the Village Code of Hinsdale Relative to Allowing Extended Hours on November 25, 2015.** Trustee Saigh seconded the motion.

Board discussion followed. Ms. Patricia Vlahos, Fuller House, addressed the Board explaining that the day before Thanksgiving is popular for families and friends, most people don't have work or school. They are asking for the extra hour so as to treat it like a normal weekend evening. Mr. Doug Fuller addressed the Board and reiterated her remarks.

Trustee LaPlaca commented there haven't been any issues with Fuller House or any other restaurant in town. It's a holiday night and she doesn't believe the extra hour will be problematic. She noted that people may elect to dine in other communities instead of coming to Hinsdale; she said this is a one-time issue and doesn't have a problem with the request. Ms. Vlahos noted the kitchen would be open later to allow people to eat.

Trustee Saigh stated that he was initially inclined to approve this request, but has since had discussions with people who have expressed some anxiety on the matter. He takes to heart the words of the Police Chief who is charged with enforcing the law and doing so in a way that is advantageous to the community at large. He is open to something like this in the future but doesn't have a feeling that this is the right time. Chief Bloom explained he is not opposed to changing the liquor code hours overall, but cited research that indicates more alcohol is consumed on this day than all other holidays. There is the highest number of fatalities as well. He does not believe it is a good idea to carve this one day out when we know that there is a high propensity for alcohol abuse.

Trustee Angelo pointed out it is a family and friends day, many people don't get in town till later and the normal dinner hour doesn't apply. For those who do work on Thursday, this may be the only chance to socialize. There doesn't seem to be any indication of a developing bar scene. Additionally, a case could be made that staying open another hour might be advantageous to having people go further away and keep driving.

Ms. Vlahos asked the Board if there is anything she can do make them feel more comfortable; extensive cab outreach or passing free food. Mr. Fuller wants to be able to compete with other Villages.

President Cauley appreciates Ms. Vlahos offer to do more to 'protect' her customers, but this approval would apply to all businesses in town. Discussion followed regarding a thirty minute extension, but no action was taken on that suggestion.

Trustee Stifflear stated he cannot support this as a matter of public policy. Ms. Vlahos explained their 'last call' policies. Attorney Maluzzi confirmed the restaurant can stay open to serve food as long as they want.

President Cauley called the question.

**AYES:** Trustees Angelo and LaPlaca

**NAYS:** Trustees Stifflear and Saigh

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Hughes

Motion denied.

**Zoning & Public Safety (Chair Saigh)**

**Approve an Ordinance Approving a Major Adjustment to a Site Plan/Exterior Appearance Plan at 10 Salt Creek Lane – Med Properties**

*(First Reading – October 7, 2015)*

President Cauley reminded the Board this was the Trex screening matter. Trustee LaPlaca moved to **Approve an Ordinance Approving a Major Adjustment to a Site Plan/Exterior Appearance Plan at 10 Salt Creek Lane – Med Properties**. Trustee Saigh seconded the motion.

**AYES:** Trustees Angelo, Stifflear, LaPlaca, Saigh

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Hughes

Motion carried.

**Approve an Ordinance Approving a Major Adjustment to a Site Plan/Exterior Appearance Plan at 12 Salt Creek Lane – Med Properties**

*(First Reading – October 7, 2015)*

Trustee Saigh moved to **Approve an Ordinance Approving a Major Adjustment to a Site Plan/Exterior Appearance Plan at 12 Salt Creek Lane – Med Properties**. Trustee LaPlaca seconded the motion.

**AYES:** Trustees Angelo, Stifflear, LaPlaca, Saigh

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Hughes

Motion carried.

**Approve an Ordinance Approving Site Plan and Exterior Appearance Plan for New Telecommunications Antennas and Related Equipment at 120 N. Oak Street – SprintCom Inc. at Adventist Hinsdale Hospital** *(First Reading – October 7, 2015)*

Trustee LaPlaca moved to **Approve an Ordinance Approving Site Plan and Exterior Appearance Plan for New Telecommunications Antennas and Related Equipment at 120 N. Oak Street – SprintCom Inc. at Adventist Hinsdale Hospital.** Trustee Saigh seconded the motion.

**AYES:** Trustees Angelo, Stifflear, LaPlaca, Saigh  
**NAYS:** None  
**ABSTAIN:** None  
**ABSENT:** Trustees Elder and Hughes

Motion carried.

**Approve an Ordinance Approving an Exterior Appearance Plan for Façade Improvements to a Commercial Building at 50 S. Washington Street**  
*(First Reading – November 3, 2015)*

Trustee LaPlaca moved to **Approve an Ordinance Approving an Exterior Appearance Plan for Façade Improvements to a Commercial Building at 50 S. Washington Street.** Trustee Saigh seconded the motion.

**AYES:** Trustees Angelo, Stifflear, LaPlaca, Saigh  
**NAYS:** None  
**ABSTAIN:** None  
**ABSENT:** Trustees Elder and Hughes

Motion carried.

**Approve an Ordinance Approving a Major Adjustment to a Planned Development to Allow Expansion of a Private School to a Maximum Enrollment of Ninety (90) Students - 125 S. Vine Street – Vine Academy at Zion Lutheran Church**  
*(First Reading – November 3, 2015)*

Trustee LaPlaca moved to **Approve an Ordinance Approving a Major Adjustment to a Planned Development to Allow Expansion of a Private School to a Maximum Enrollment of Ninety (90) Students - 125 S. Vine Street – Vine Academy at Zion Lutheran Church.** Trustee Saigh seconded the motion.

**AYES:** Trustees Angelo, Stifflear, LaPlaca, Saigh  
**NAYS:** None  
**ABSTAIN:** None  
**ABSENT:** Trustees Elder and Hughes

Motion carried.

## **DISCUSSION ITEMS**

### **Oak Street Bridge Update and Temporary Fencing – Engineering**

Village Engineer Dan Deeter reported the project is on track and the bridge is expected to open the first week of December. The contractor is pouring the final pavement for north and south Oak Street this week. Mr. Deeter referenced the materials provided to the Board in their packet for the mandatory fencing along the parapet walls. The permanent custom fencing will not be ready for the bridge opening, so a temporary fence of chain link will be installed. He noted that wreaths will be up for the holiday season on the chain link fence. Trustees have pictures of both the chain link fence and the final fence for visual review. He noted it is mandatory the fence is up for the safety of the trains and confirmed the temporary fencing will be attached to the same anchors installed on the parapet wall for the permanent fence.

### **Community House – Renovation proposal**

Ms. Jenny Fabian, Executive Director of the Community House, addressed the Board. She stated the Community House is a non-profit in Hinsdale that offers a wide variety of services and recreation opportunities for the community. They are seeking feedback from the Board for a building project they are contemplating which will allow them to expand their arts programming. Currently, the back patio is tented for this purpose, but they would like to enclose the patio and build a four-season atrium at this location. This new addition will allow for additional arts programming, but could also be opened to Robbins Park as a pavilion for performances a few times per year. Mr. Bruce George, architect for the project, illustrated the existing site and the proposed addition. They would build an indoor/outdoor structure on the existing terrace. They are aware the proposed building encroaches on the property line and will require some variation relief. However, what they would prefer is a deed agreement for the property that would eliminate the FAR relief they will have to request. This would allow them to flatten the grade and provide retaining walls and the ability to perhaps extend the stage to make it more presentable. They would also like to bend the existing gravel path and create a flat seating area. He acknowledged a water problem on the property; there is soggy and sponginess after any rain. They would work with the Village to add storm sewers and make it usable.

Mr. George said they are before the Board this evening for guidance and whether the Village would work with the Community House to overcome zoning issues. He summarized as follows: zoning approval for use of an outdoor venue for entertainment purposes, deeding over 600 square feet of property or another legal solution to work in FAR guidelines, grading to create the space for outdoor seating, storm water remediation, front and side yard relief and confirmation of a parking agreement for the use of the extension lot.

Mr. Bill Kasinski, Community House Chairman of the Board, reiterated their excitement for the future and thanked the Board for their input and recommendations.

President Cauley thanked Mr. Kasinski and Mr. George for asking for feedback before going through a formal process. He expressed his concerns regarding deeding land to anybody, particularly parkland; parking for people who are there for uses unrelated to the Community House and the potential for noise from an open air pavilion in a dense residential area. He commented that setbacks and FAR can be handled by staff and the Plan Commission through customary process. Trustee Stifflear agreed, and noted the required flexibility on variances is being considered because the request comes from the Community House. With respect to the bending of the existing gravel path, he cautioned against infringement on playing fields. It was confirmed that the proposed planned seating for this area is temporary and removable. Trustee LaPlaca suggested the coordination of Community House activities and the use of the playing fields is an administrative issue that would need to be addressed. Regarding the parking, Mr. McGinnis said further research would need to be done to find a parking agreement, if one exists, but there could be some information from the County recording. Trustee Angelo reiterated noise concerns for area residents and suggested that the water and drainage issues in the area might be more problematic than are anticipated because of the ground material. Trustee Saigh made note of the protectiveness of this Board of Hinsdale's limited open space. Discussion followed regarding deeding of property and FAR approvals.

### **Wrought Iron Fences – Historical Preservation Commission (HPC)**

Mr. John Bohnen and Mr. Frank Gonzalez, commissioners on the Historic Preservation Commission (HPC), addressed the Board regarding what they believe is a fence situation creeping through the community and the unintended consequences as a result. He noted that the municipal code states that fence variations must be granted by the Zoning Board of Appeals, and is predicated on proving hardship, but having reviewed these cases, he finds there is no consistency. He believes the parameters in the code regarding fences should be changed. He provided Lake Forest and Winnetka fence codes for the Boards review. The Board expressed concerns that front yards will disappear, hardscape would be increased thereby reducing greenery, and possible aesthetic issues. Mr. Bohnen will bring back illustrations and examples to the Board for consideration. President Cauley commented there is enough interest in this issue to take it a step further.

### **DEPARTMENT AND STAFF REPORTS**

- a) Treasurer's Report
- b) Public Services
- c) Engineering
- d) Police
- e) Fire

The reports listed above were provided to the Board. There were no additional questions regarding the contents of the department and staff reports.

**REPORTS FROM ADVISORY BOARDS AND COMMISSIONS**

No reports.

**OTHER BUSINESS**

None.

**NEW BUSINESS**

None.

**CITIZENS' PETITIONS**

None.

**TRUSTEE COMMENTS**

None.

**ADJOURNMENT**

There being no further business before the Board, President Cauley asked for a motion to adjourn. Trustee Angelo **moved to adjourn the meeting of the Hinsdale Village Board of Trustees of November 17, 2015.** Trustee LaPlaca seconded the motion.

**AYES:** Trustees Angelo, Stifflear, LaPlaca and Saigh

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Hughes

Motion carried.

Meeting adjourned at 9:23 p.m.

ATTEST: \_\_\_\_\_  
Christine M. Bruton, Village Clerk