

**VILLAGE OF HINSDALE
MINUTES OF THE MEETING OF THE
VILLAGE BOARD OF TRUSTEES
February 21, 2017**

The regularly scheduled meeting of the Hinsdale Village Board of Trustees was called to order by Village President Tom Cauley in Memorial Hall of the Memorial Building on Tuesday, February 21, 2017 at 7:52 p.m., roll call was taken.

Present: President Tom Cauley and Trustees Christopher Elder, Neale Byrnes, Luke Stifflear, Gerald J. Hughes, Laura LaPlaca and Scott Banke

Absent: None

Also Present: Village Manager Kathleen A. Gargano, Assistant Village Manager/Finance Director Darrell Langlois, Assistant Village Manager/Director of Public Safety Brad Bloom, Police Chief Kevin Simpson, Fire Chief John Giannelli, Director of Community Development/Building Commissioner Robb McGinnis, Director of Public Services George Peluso, Village Engineer Dan Deeter, Interim Parks & Recreation Manager Heather Bereckis, Village Planner Chan Yu, Administration Manager Emily Wagner, Management Analyst Jean Bueche, Superintendent of Public Services Ralph Nikischer, and Village Clerk Christine Bruton

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

There being no changes or corrections to the draft minutes, Trustee Hughes moved to **approve the minutes of the regular meeting of February 7, 2017, as presented.** Trustee Elder seconded the motion.

AYES: Trustees Elder, Byrnes, Stifflear, Hughes and LaPlaca

NAYS: None

ABSTAIN: Trustee Banke

ABSENT: None

Motion carried.

CITIZENS' PETITIONS

None.

VILLAGE PRESIDENT'S REPORT

No report.

FIRST READINGS - INTRODUCTION

Administration & Community Affairs (Chair Hughes)

- a) **Approve the new Early Bird fee structure for Platform Tennis, effective September 1, 2017**

Trustee Hughes introduced the item and explained that early bird registration had been implemented for pool registrations to incent people to get their passes early. The Parks & Recreation Commission looked at this issue with paddle tennis in the hopes it would get people to pay in a more timely way. This is one tool to do a better job.

The Board agreed to move this item to the consent agenda of their next meeting.

Environment & Public Services (Chair LaPlaca)

- b) **Award bid #1624 for Landscape Maintenance Services to A&B Landscaping in an amount not to exceed \$118,770.60**

Trustee LaPlaca introduced the item stating A&B Landscaping was the low bid, and well below the budgeted amount. Director of Public Services George Peluso spoke with the vendor to make sure they understood the requirements of right-of-way mowing and the Woodlands rain gardens, and their references were positive. Mr. Peluso pointed out that there were issues with A&B last time they worked in Hinsdale as a result of staffing issues; they have assured us they are properly staffed now.

The Board agreed to move this item to the consent agenda of their next meeting.

- c) **Award the contract for construction of the 2017 Reconstruction Project to A-Lamp Concrete Contractors in an amount not to exceed \$710,580**

Trustee LaPlaca introduced this item and noted it came in under budget, and will therefore allow the Village the opportunity to do additional patching of segments of Chicago Avenue. Village Engineer Dan Deeter commented the worst sections of Chicago Avenue will be patched to delay reconstruction of the entire area. There are other roads being considered, as well.

The Board agreed to move this item to the consent agenda of their next meeting.

- d) **Award the engineering services for construction observation of the 2017 Reconstruction Project to K-Plus Engineers in an amount not to exceed \$38,800**

Trustee LaPlaca commented it is normal protocol for the Village to award observation to the company that did the reconstruction, which is the case here.

The Board agreed to move this item to the consent agenda of their next meeting.

- e) **Approve an Ordinance Amending Title 7, Chapter 2 of the Hinsdale Village Code, "Trees and Shrubs" regarding Use of Tree Funds**

Trustee LaPlaca introduced the item stating that Village Forester John Finnell talked to her about the idea of working with high school staff to create a walking guide of trees in the community. It would include pictures and a key; the pictures would be drawn by art students in Hinsdale, and the full size artwork could be used in other places in the Village.

It would be a pedestrian friendly book and the map would be on line and could be downloaded. The printing costs would be \$2,000 to \$4,000. Currently, the Village has \$23,000 in the tree fund. This item would change the language in the code to allow an expenditure of this nature.

The Board agreed to move this item to the consent agenda of their next meeting.

Zoning & Public Safety (Chair Stifflear)

- f) **Approve an Intergovernmental Agreement (IGA) with Community Consolidated School District 181 for Temporary Parking during Hinsdale Middle School Construction (HMS)**

Trustee Stifflear noted this is a first read for temporary parking during HMS construction, and has nothing to do with the parking garage. The temporary parking will be located at the current soccer field west of Washington, between Second and Third Streets. District 181 will install the parking lot which will include 133 spaces for Village use. The school is responsible for construction and maintenance, the Village will enforce parking regulations and pay box revenues belong to the Village. The soccer field will be restored after construction. The IGA prohibits contractors from parking in this temporary lot, however, Assistant Village Manager Brad Bloom said alternative parking for contractors is still being worked out.

The Board agreed to move this item to the consent agenda of their next meeting.

- g) **Approve the increase in the number of sworn police officers by one headcount from 25 to 26 with the plan to revert back to 25 at an appropriate time**

Trustee Stifflear introduced the item and explained that Police Chief Simpson is asking for a staff increase of one person in anticipation of future retirements. This is a temporary circumstance, the cost of which is partially offset by a reduction in overtime expenses. President Cauley pointed out that when an officer retires, it takes a full year to get someone ready. Police Chief Kevin Simpson added they want to avoid being short-handed, and also avoid too much overtime for officers on 12 hour shifts.

The Board agreed to move this item to the consent agenda of their next meeting.

CONSENT AGENDA

Administration & Community Affairs (Chair Hughes)

- a) Trustee LaPlaca moved **Approval and payment of the accounts payable for the period of February 8, 2017 through February 21, 2017, in the aggregate amount of \$751,002.84 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, Byrnes, Stifflear, Hughes, LaPlaca and Banke

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

The following items were approved by omnibus vote:

- b) **Approve amendments to the FY 2016-2017 Pay Plan to include the Creation of an HR/Payroll Specialist position and the Creation of a Parks & Recreation Coordinator position** (*First Reading – February 8, 2017*)

Environment & Public Services (Chair LaPlaca)

- c) **Award the contract for construction of the 2017 Resurfacing Project to A-Lamp Concrete Contractors, Inc. in an amount not to exceed \$2,093,814.25** (*First Reading – February 8, 2017*)
- d) **Award the engineering services for construction observation of the 2017 Resurfacing Project to HR Green, Inc. in an amount not to exceed \$147,187** (*First Reading – February 8, 2017*)
- e) **Award the engineering services for design of the 2018 Resurfacing Project to GSG Consultants in an amount not to exceed \$30,780** (*First Reading – February 8, 2017*)
- f) **Award the engineering services for design of the 2018 Reconstruction Project to GSG Consultants in an amount to exceed \$51,960** (*First Reading – February 8, 2017*)

Zoning & Public Safety (Chair Stifflear)

- g) **Authorize a Hardship Permit Extension as set forth in 9-1-7(B)(4) for a period of six (6) months at fifty percent (50%) of the original base permit fee for 722 S. Lincoln** (*First Reading – February 8, 2017*)

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

AYES: Trustees Elder, Byrnes, Stifflear, Hughes, LaPlaca and Banke

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

SECOND READINGS / NON-CONSENT AGENDA - ADOPTION

Administration & Community Affairs (Chair Hughes)

- a) **Approve an Ordinance Amending Title 3, Chapter 3 of the Village Code of Hinsdale Related to Classification and Number of Liquor Licenses** (*First Reading – January 24, 2017*)

Mr. Mark Maritote, owner of the Village Cellar, addressed the Board regarding his reasons for making this request. He noted that liquor tastes have changed in the four years he has been in business. Wine sales have ebbed, and scotch, bourbon and whiskey are now more popular. He explained that a shot is 1.5 oz. and 40% alcohol by volume; a 5 oz. pour of wine contains more liquor as American wines are 13-15% liquor per volume. He wants to

be able to compete with similar businesses in neighboring towns. Trustee Byrnes asked if there have been any overconsumption issues, to which Mr. Maritote replied there have not. President Cauley asked if tastings are offered. Mr. Maritote explained that he has done tastings for promotional vodkas, but if tastings were 'free' he would have 20 open bottles of bourbon, which would be uneconomical for a small business such as his. He pointed out that 85% of his sales are retail. He said he is trying to get new faces into his store.

Trustee Banke stated he is opposed to this request because it provides a fundamental vehicle to alter how alcohol is handled in the Village. He is fearful that adaptations to the code would facilitate the opportunity to have bars, which is not something people want in the Village. Mr. Maritote replied his business is mostly retail, and this request would not change that; no one leaves his business drunk. Trustee Banke said he isn't worried about Mr. Maritote's business, but rather the path this ordinance would create. Further, the bars that exist in town are restaurants and serve food.

Trustee LaPlaca moved to **Approve an Ordinance Amending Title 3, Chapter 3 of the Village Code of Hinsdale Related to Classification and Number of Liquor Licenses, to allow 3 oz or two shots to be served.** Trustee Byrnes seconded the motion.

Trustee Byrnes believes there are many people in town who would want this type of service, and if he thought this would disturb the peace and tranquility, he would not support it. Trustee Hughes stated he is not in favor, because we tried to simplify the code, and it is becoming clear it is hard to know where the line is for an infinite number of classes. Further, standards of practice with respect to liquor acknowledge a difference between wine and beer and hard alcohol. He believes a restaurant serving food has a greater latitude of serving alcohol. Trustee LaPlaca pointed out that it is inconsistent and inequitable to offer a supplemental A4 license to allow the service of hard alcohol for some Class A licenses, and not all of them. She also reminded the Board that the Village Attorney provided a legal opinion that would allow the Board to limit the number of this type of license issued.

AYES: Trustees Byrnes and LaPlaca

NAYS: Trustees Elder, Stifflear, Hughes and Banke

ABSTAIN: None

ABSENT: None

Motion denied.

Environment & Public Services (Chair LaPlaca)

- b) **Approve a Resolution Authorizing the Use of Moon Lights at 630 S. Oak Street**
(Discussion Item – February 8, 2017)

Trustee LaPlaca moved to **Approve a Resolution Authorizing the Use of Moon Lights at 630 S. Oak Street.** Trustee Elder seconded the motion.

AYES: Trustees Elder, Byrnes, Stifflear, Hughes, LaPlaca and Banke

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

- c) **Approve a Resolution Authorizing Early Start Time for NICOR Invest in IL - CBD** (*Discussion Item – February 8, 2017*)

Trustee LaPlaca noted the start time for the main artery and in the Central Business District would be 7:00 a.m., otherwise the start time in the residential areas would be 8:00 a.m. Village Engineer Dan Deeter reported NICOR has approved this arrangement; they will begin work the end of this week, or early next week. They do not have a definitive start date for work on the main artery, but it will take several weeks to complete.

Trustee LaPlaca moved to **Approve a Resolution Authorizing Early Start Time for NICOR Invest in IL – CBD**. Trustee Byrnes seconded the motion.

AYES: Trustees Elder, Byrnes, Stifflear, Hughes, LaPlaca and Banke

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Zoning & Public Safety (Chair Stifflear)

- d) **Approve a Letter of Commitment with School District 181 regarding a proposed parking deck in the Central Business District** (*First Reading – February 8, 2017*)

Trustee Stifflear moved to **Approve a Letter of Commitment with School District 181 regarding a proposed parking deck in the Central Business District**. Trustee Banke seconded the motion.

AYES: Trustees Elder, Byrnes, Stifflear, Hughes, LaPlaca and Banke

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

- e) **Approve an Ordinance Amending Chapter 3 (“Single-Family Residential Districts”), Section 3-106 (“Special Uses”), of the Hinsdale Zoning Code to Authorize Planned Developments as a Special Use in Single-Family Residential Zoning Districts** (*First Reading – February 8, 2017*); and
- f) **Approve an Ordinance Approving a Planned Development Concept Plan and a Special Use Permit – 55th Street/County Line Road – Hinsdale Meadows Venture, LLC** (*First Reading – February 8, 2017*)

Trustee Stifflear introduced these items that are the approval of a text amendment to authorize planned developments as a special use, and another to approve the concept plan for the Hinsdale Meadows development. If the Board approves these items, the project will go back to the Plan Commission for detailed plan review; home size, building materials, fences, etc. Following that process, these matters would come back to the Village Board for final approval. He noted that when the Board reviewed these items at their meeting two weeks ago, they agreed on the lacrosse field as a public benefit, age-targeted, but noted the ZPS Committee would still like to revisit this issue, no bedrooms and half baths only in the basement, fee in lieu of the best management practices (BMP) requirement,

modifications to the Homeowners Association (HOA) covenants regarding recreation equipment, and there was no agreement on price or density.

Trustee Hughes began discussion stating he is leaning in favor of this proposal. He is willing to agree to relief of zoning controls because of the benefit to the Village. The benefit to the Village is this project; the lacrosse field is a minor additional benefit. The benefit is additions to increased empty-nester housing stock that is in demand. The cost of changing the zoning is anything that threatens, or damages or unduly changes the character of Hinsdale. Our community is not overly dense, diverse architecture, walkable, no gated communities and multi-generational. This is the lens through which we look at this project. With respect to an age-targeted product, he has no concerns with the legality, but with the principles, however, there is no data to support an adverse impact on the schools. In fact, District 181 is not concerned, and District 86 has not provided feedback. There is an issue with cost, he objects to codifying an exception to a multi-generational community. He believes it weakens the sense of community, and wondered why the Village would create a part of Hinsdale where people have zero vested interest in the schools.

Aesthetically, a lot of scrutiny of the detailed plan will be necessary, and is the next step. He noted that size of units, price and density are at odds. The benefit would be greater if the units were smaller, but smaller units at a smaller cost will result in a higher density. Discussion followed regarding the age-targeted issue; the question was posed that if there is no assurance these properties will go to empty nesters, does that justify the zoning change. Trustee Hughes commented there are too few downsizing properties in Hinsdale, if the supply is increased, that would be substantial progress in letting people stay in Hinsdale. He doesn't believe the Board should overly scrutinize the price and size and density, but leave that to the professionals; he believes this project is close and comparable to other area projects.

President Cauley commented this product doesn't look like empty nester housing. The Board keeps seeing the same drawings. Trustee LaPlaca commented the Board never asked for cluster homes. She believes the Board should respect the recommendation of the Plan Commission, and the community has asked for this.

Mr. Jerry James commented on the size of the units; each has three bedrooms. The two bedrooms upstairs are for guests, but the first floor is where people will spend their time. Mr. James said the geometry of the site constrains them, because of narrowness of the lot, and the fixed infrastructure. He stated they looked at a modest increase of 59 units to 64, which would reduce the price point. Mr. Ed James noted the only place to take five single family homes and make four duets is along County Line Road. Mr. Jerry James added no one would notice the difference between the duets and the single family homes by sight. He added that the additional duets would reduce the price of the duets to the low \$800,000 range. Discussion followed regarding where single family homes could be converted to duets. President Cauley asked for the cost information to change the infrastructure to locate the duets by the pond, not along County Line Road. Trustee Banke commented age-targeted housing is marketing, but age-restricted housing is planning. Mr. Jerry James explained the Fair Housing Act does not allow marketing age-restricted housing, if you are going to change that in 18-24 months. He reiterated that the data they have collected over the thousands of homes they have built supports that there is no influx of school age children; it is self-selecting. Trustee Banke expressed concern regarding setting precedent for other properties, but Trustee LaPlaca pointed out there is the 20 acre limitation, and therefore this is the only parcel that fits.

Mr. James agreed to provide the Village staff with the 64 unit plans tomorrow, and will investigate the cost of changing the infrastructure by the pond.

Further action on these items was postponed until the next meeting of the Village Board.

DISCUSSION ITEMS

2016 Integrated Pest Management Report

Mr. Ralph Nikischer, Superintendent of Public Services and Pest Management Coordinator addressed the Board. He explained he is required to give the annual report in order to provide residents with the opportunity to comment. He stated the IPM was adopted in 1995, in order to promote public health, safety and welfare and to minimize reliance on chemicals. He said the Village utilizes best practices, and described the four step process used to comport with this plan. He noted no chemicals were used in 2016, and recommends continued evaluation for a recommendation in September 2017. Additionally, emerald ash borer and elm preservation efforts will continue. He would like to be more proactive in the sustainable landscaping areas in the Woodlands and will apply a pre-emergent treatment. Clarke Environmental Mosquito Management, Inc. will maintain their current favorable pricing for catch basin treatment. The full IPM report is on the Village website.

DEPARTMENT AND STAFF REPORTS

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

The report(s) 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

Village Manager Gargano informed the Board that Mr. Nikischer will be moving to California, and thanked him for his 10 years of service to the Village. Mr. Nikischer thanked the Board for the opportunities he found in Hinsdale, and hopes to be back in Illinois someday.

Ms. Gargano introduced Ms. Jean Bueche, the new Management Analyst, replacing Suzanne Ostrovsky who accepted a promotional opportunity.

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 into closed session. Trustee Stifflear **moved to adjourn the regularly scheduled meeting of the Hinsdale Village Board of Trustees of November 1, 2016 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 probable or imminent, and not to reconvene.** Trustee Elder seconded the motion.

AYES: Trustees Elder, Byrnes, Stifflear, Hughes, LaPlaca and Banke

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Meeting adjourned at 9:44 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk