

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE SPECIAL MEETING
March 22, 2017**

The specially 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 Wednesday, March 22, 2017 at 7:30 p.m., roll call was taken.

Present: President Tom Cauley and Trustees Christopher Elder, Neale Byrnes, Luke Stifflear, and Scott Banke

Absent: Trustees Gerald J. Hughes and Laura LaPlaca

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, Deputy Police Chief Tom Lillie, Fire Chief John Giannelli, Director of Community Development/Building Commissioner Robb McGinnis, Director of Public Services George Peluso, Village Engineer Dan Deeter, Village Planner Chan Yu, Administration Manager Emily Wagner, Management Analyst Jean Bueche, 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 Elder moved to **approve the minutes of the regular meeting of March 7, 2017, as presented.** Trustee Byrnes seconded the motion.

AYES: Trustees Elder, Byrnes, Stifflear and Banke

NAYS: None

ABSTAIN: None

ABSENT: Trustees Hughes and LaPlaca

Motion carried.

CITIZENS' PETITIONS

None.

VILLAGE PRESIDENT'S REPORT

President Cauley reported that he and Assistant Village Manager/Director of Public Safety Brad Bloom were attending a meeting tomorrow with Governor Rauner's policy director on

infrastructure, who oversees the tollways, and the Executive Director of the tollway. This is a fairly high level meeting and hopefully the Village will get some answers.

President Cauley also remarked, with respect to the recent armed robbery at Razny Jewelers, he has received questions from residents regarding Police Department response time, and policy with respect to the Middle School.

Police Chief Kevin Simpson responded by acknowledging the impact on the community; this was a very severe, violent crime, which this community is not accustomed to. He asked the Board to understand he can report some information, but the main priority is to protect the integrity of investigation. Regarding District 181, there is a crisis plan and protocol that is followed. The incident commander does a risk assessment to determine if any action is warranted. That protocol was followed; within minutes of arrival on the scene the offenders had fled by vehicle. There was no doubt about this; however, if there had been any threat to the community or school, action would have taken place. Chief Simpson reported the Hinsdale Police Department has a great relationship with the school districts, and District 181 personnel reached out to us. It was confirmed there was an incident, and no need to lock down or shelter in place. Their policies dictate how they communicate this information to staff and parents.

The response time in this incident was two minutes and thirty seconds; some aspects of the 911 call are still being reviewed. Regarding the release of security camera footage, the Police Department tries to balance the risk and the benefit. The media may sensationalize the video, but the information was valuable to identify suspects; from an investigative standpoint, they would not have the leads they do otherwise.

The Union Church and preschool took action on their own to lock down, the Police Department did not contact them to do that. Chief Simpson assured the Board the entire process will be evaluated, and if a mistake was made, he will admit it, but the priority is to investigate the crime.

FIRST READINGS - INTRODUCTION

Administration & Community Affairs (Chair Hughes)

a) Approve the FY 2017-18 Annual Performance Budget

President Cauley introduced the item, noting the draft budget document has been on the website since March 10th, and that the joint meeting to review the budget held by the Committee of the Whole and the Finance Commission was held on March 14th.

Trustee Elder complemented staff on the quality of the budget document.

The Board agreed to move this item forward for a Second Reading at their next meeting.

Environment & Public Services (Chair LaPlaca)

b) Award the contract construction of the 2017 Watermain Project to J. Condon Sewer Service in an amount not to exceed \$345,679

Village Engineer Dan Deeter explained this contract was included in the resurfacing project, which the Board approved. To get the lowest prices, these items are bid separately, and the Village was waiting for the IEPA water permit. A-Lamp is doing the resurfacing. Ten bids were received, this is the lowest. J. Condon has worked for the Village before, and work was done satisfactorily.

The Board agreed to move this item to the Consent Agenda of their next meeting.

c) Approve the Public Services staffing reorganization plan

Village Manager Gargano stated this issue was covered in general at the Committee of the Whole meeting, and Trustees have received a memo regarding this reorganization. She explained that, in general, as positions become vacant, department staffing is reviewed. When the Superintendent of Public Services left, it was an opportunity to promote two people in the department. The new positions are Roadway Supervisor and horticultural technician. Mr. John Finnell, the current Village Forester, will be the Superintendent of Forestry and Parks. Discussion followed regarding the quality of person to replace the former Superintendent of Public Services and the definition of salaried employees. Public Service Director George Peluso stated he believes this reorganization will improve service in the Central Business District.

The Board agreed to move this item to the Consent Agenda of their next meeting.

Ms. Gargano stated she would like to promote and advertise for the new position prior to final approval of the plan; the Board agreed.

Zoning & Public Safety (Chair Stifflear)

d) Approve a Referral to Plan Commission for Review and Consideration of a Text Amendment to Section 5-105(C), to allow Educational Services with a Special Use permit in the B-2 Central Business District (but not on the first floor of any structure in the B-2) and B-3 General Business District

Trustee Stifflear introduced the item and explained that educational facilities are not permitted on the first floor; however, musical tutoring has been permitted by exception. This text amendment will provide for a more flexible range of educational classes allowed. A special use permit will provide for controlling intensity of use. Trustee Stifflear recommended that the Plan Commission look closely at the language for educational services, and codify as much as possible.

Director of Community Development Robb McGinnis confirmed an applicant would still need permission for a special use.

The Board agreed to move this item forward for a Second Reading at their next meeting.

e) Approve a Referral to Plan Commission for Review and Consideration of a Text Amendment to Section 9-104 of the Hinsdale Zoning Code as it relates to Regulation of the Location of Secondary Access Drives to Commercial Properties

Trustee Stifflear introduced the item and reminded the Board that last summer a request from the business located at 120 E. Ogden for a driveway to exit south onto Fuller Street, resulted in significant resident opposition. This text amendment would prohibit any such driveway to a residential street, minimizing traffic with an eye to safety.

The Board agreed to move this item forward for a Second Reading at their next meeting.

f) Approve an Ordinance for a Second Major Adjustment to a Site Plan and Exterior Appearance Plan for the Addition of New Telecommunication Associated Equipment at 339 W. 57th Street

Trustee Stifflear introduced the item and reminded the Board they had approved site plans for this in 2016; later that year the Board approved a major adjustment for additional equipment. This is a second request to install three additional remote radio units on the water tower.

Mr. Tony Phillips, from SAC Wireless, representing ATT&T, explained this request is a technology upgrade. These radio units used to be ground units, but this resulted in too much latency and reduced quality of service. If the radios are located behind the antennas, this results in better service for everyone. He also noted this installation will not be seen from the ground. The Board agreed it was not necessary to refer this back to the Plan Commission. Trustee Stifflear asked Mr. Phillips to provide plans for future enhancements, whether that will be a distributed antenna system, or small cell technology.

The Board agreed to move this item forward for a Second Reading at their next meeting.

g) Approve an Ordinance Amending Section 9-1-7 of the Village Code of Hinsdale Related to Building Permit Extensions

Trustee Stifflear introduced the item and commented the Board has discussed this in the past. A current permit allows 12-24 months for construction, but situations continue to arise where developers run over the allotted time. The Board agrees an extension should be granted, and this item will allow staff to give permission for the extension administratively. The Board will be notified through Manager's Notes. He described the appropriate monetary motivation to complete. Mr. McGinnis added that neighbor notification through a certified mailing is also required. Trustee Stifflear pointed out the maximum cap is 24 months, and at that point it would no longer be an administrative approval. The applicant would have to go before the Board.

Discussion followed regarding whether the fees are enough to incent a developer or homeowner to complete on time.

The Board agreed to move this item forward for a Second Reading at their next meeting.

h) Approve an Ordinance Amending Title 6 ("Motor Vehicles and Traffic") of the Village Code of Hinsdale in Relation to Size, Weight and Load Limitations for Motor Vehicles

Deputy Police Chief Tom Lillie explained this item will implement a new Chapter 18 of the Village code. This will address permits for oversize or overweight vehicles. The current ordinance is complex; this will simplify, and include new signage to protect local roadways by adding the allowable registered weight, to avoid having to weigh the truck.

Chief Simpson added this is in part at the direction of the Board who were concerned about damage to the roads as a result of construction trucks. He noted the Village has a third party that currently does permitting, staff would take this over and save this expense.

President Cauley commented that not weighing the trucks makes sense. Deputy Chief Lillie explained the weight designation on the license plate, which would indicate a violation without weighing. Chief Simpson added this is a comprehensive approach, will control cut-through traffic, and allow all officers to ticket. He noted this information will be on-line and vendors will be well aware of where they can and cannot go. He will work with the Building Department to proactively reach out to vendors. Special notification will be made to the Middle School for upcoming construction.

The Board agreed to move this item forward for a Second Reading at their next meeting.

i) Approve a permit for a temporary use at 336 E. Ogden Avenue for the period of April 1, 2017 to October 31, 2017, subject to conditions to be set forth by the Building Commissioner

Trustee Stifflear introduced the item, noting that the Board has approved this request for the past seven years. The request is from Good Earth Greenhouse; they will sell plants,

containers and garden items. The request has been amended to go through July 5th only, because of the anticipated construction of the new Land Rover dealership. Mr. McGinnis added that realistically the construction on the dealership will not begin till later in the fall. The Board agreed to move this item to the Consent Agenda of their next meeting.

CONSENT AGENDA

Administration & Community Affairs (Chair Hughes)

- a) Approval and payment of the accounts payable for the period of March 8, 2017 through March 21, 2017, in the aggregate amount of \$753,098.68 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.
The Trustee who reviewed the warrant was absent; the item will be approved at the next meeting of the Board.
- b) *Item b removed from the agenda prior to publication*

The following items were approved by omnibus vote:

Environment & Public Services (Chair LaPlaca)

- c) Waive the competitive bid process and award year one of a three year contract with Clarke Environmental Mosquito Management, Inc. for annual mosquito abatement services in an amount not to exceed \$55,496 (*First Reading – March 7, 2017*)

Zoning & Public Safety (Chair Stifflear)

- d) 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 – 330 Chestnut Street (*First Reading – March 7, 2017*)
- e) Approve an Ordinance Amending Title 6 (“Motor Vehicles and Traffic”), Chapter 17 (“Seizure and Impoundment of Motor Vehicles”) of the Village Code in Relation to Motor Vehicle Seizure and Impoundment Administrative Hearings (*First Reading – March 7, 2017*)

Trustee Banke moved to approve the Consent Agenda, as presented. Trustee Byrnes seconded the motion.

AYES: Trustees Elder, Byrnes, Stifflear and Banke

NAYS: None

ABSTAIN: None

ABSENT: Trustees Hughes and LaPlaca

Motion carried.

SECOND READINGS / NON-CONSENT AGENDA - ADOPTION

Zoning & Public Safety (Chair Stifflear)

- a) **Approve an Ordinance Amending Section 5-105 ("Special Uses") of the Hinsdale zoning code to Allow Pet Hospitals, Boarding Kennels and Grooming Services as a Special Use in B-1 Community Business Zoning Districts; and**
Approve an Ordinance Approving a Special Use Permit for the Operation of a Pet Hospital, Boarding Kennel and Grooming Service in the B-1 Community Business Zoning District at 722-724 N. York Road – Hinsdale Animal Hospital (First Reading – March 7, 2017)

Trustee Stifflear introduced the item and described the approval process. He noted this applicant is concurrently moving through the Plan Commission and Zoning Board of Appeals, but will return to the Board separately following those hearings. The matter before the Board tonight was referred to the Plan Commission on January 10, 2017, with instructions to address three issues; the outdoor dog walking area, building height, and to restrict the use to stand alone buildings only. These matters have been addressed, and the Plan Commission approved the item (7-0). During the public hearing, however, an area resident expressed concern regarding odor caused by animal waste and soundproofing of the building. These matters were addressed by the applicant at the first reading of these items at the Board meeting of March 7th.

Ms. Jennifer London, 628 N. York Road, wanted the Board to review so she can understand how the applicant addressed waste disposal and noise level, as she and her husband were unable to attend the last meeting of the Board. President Cauley replied stating the applicant was not indifferent to Mr. & Mrs. London's concerns, and had provided a comprehensive explanation of the remedies which are available on-line and can be viewed at her convenience.

The Board determined that disposal of bagged waste in the appropriate receptacle would be sufficient. The other option is to dispose of the waste through the sanitary sewers, but the Board was concerned about unintended consequences with this method. He added the applicant has agreed to rough in the flushing system, in the event there were any complaints of smell. He also pointed out the current hospital is much closer to area homes, and there has never been any complaints regarding odor. Mrs. London complained that the dumpsters by her home are emptied at 5:00 a.m.; President Cauley stated that is a separate issue that can be addressed.

With respect to the noise, she stated that dogs in her neighborhood are used to each other, and therefore do not bark at each other, but all the additional dogs going to the hospital will create an issue. Trustee Stifflear explained that the dogs at the hospital would not be walked outside, and that the applicant had provided a very technical response at the last meeting with respect to the soundproofing of the building.

Mr. Andrew London, 628 N. York Road, addressed the Board and commented that he thinks global warming will be an issue because the 75 dogs the new hospital can accommodate will create a significant amount of waste. He also commented that in his opinion the customary 250' foot requirement for notification of public hearings is not a wide enough net. He also complained that the proposed fencing relative to the parking area is insufficient. There is a lot of traffic on York Road and the animals might get off leash.

President Cauley pointed out that this is not a final action on the project; traffic was discussed.

Mr. Mike Matthys, architect for the project, addressed the Board in response to the London's concerns. With respect to possible noise problems, he pointed out that the outdoor area has been eliminated, and provided a technical description of the construction of the building walls, which will result in a noise rating equivalent to or less than conversational sound. He pointed out that windows are less soundproof, but these are thermal windows that include an air space, and will have a film applied to them to further control sound. These are recommended by the glass manufacturer because they will retain their insular quality. He said the last measure taken is the installation of sound absorbing panels in interior spaces, which 'take the bark down'. He also noted the kennel rooms are located on the west or rear side of the building; the number of windows has been reduced. He said they could reduce them further, but would like to maintain a certain level of natural light.

Trustee Elder moved to **Approve an Ordinance Amending Section 5-105 ("Special Uses") of the Hinsdale zoning code to Allow Pet Hospitals, Boarding Kennels and Grooming Services as a Special Use in B-1 Community Business Zoning Districts; and to Approve an Ordinance Approving a Special Use Permit for the Operation of a Pet Hospital, Boarding Kennel and Grooming Service in the B-1 Community Business Zoning District at 722-724 N. York Road – Hinsdale Animal Hospital.** Trustee Banke seconded the motion.

AYES: Trustees Elder, Byrnes, Stifflear and Banke

NAYS: None

ABSTAIN: None

ABSENT: Trustees Hughes and LaPlaca

Motion carried.

b) **Approve an Ordinance Approving a Second Major Adjustment to a Planned Development for Signage Replacement at 119, 120 and 135 N. Oak Street – AMITA Health (First Reading – March 7, 2017)**

Trustee Stifflear introduced the item noting the Board referred this item to the Plan Commission in December 2016. The Plan Commission requested changes to eight (8) of the sixteen (16) signs.

Trustee Elder moved to **Approve an Ordinance Approving a Second Major Adjustment to a Planned Development for Signage Replacement at 119, 120 and 135 N. Oak Street – AMITA Health.** Trustee Banke seconded the motion.

AYES: Trustees Elder, Byrnes, Stifflear and Banke

NAYS: None

ABSTAIN: None

ABSENT: Trustees Hughes and LaPlaca

Motion carried.

c) **Approve an Ordinance Approving a Variation Relative to Construction of a New Middle School at 100 S. Garfield Street, Hinsdale, Illinois – Community Consolidated School District #181 – Case Number V-07-16 (First Reading – March 7, 2017)**

Trustee Stifflear introduced the item and reviewed the approval process. This item is in regards to the request for an increase in Floor Area Ratio (FAR) to 0.64 instead of the allowable 0.50. The current middle school is 112,000' square feet; the proposed school will be 137,000' square feet. The Zoning Board of Appeals is not authorized to approve a request for an increase in FAR. The ZBA met on February 2, 2017, where they agreed the applicant had meet all criteria for approval and have therefore recommended this item to the Village Board (7-0).

Trustee Byrnes moved to **Approve an Ordinance Approving a Variation Relative to Construction of a New Middle School at 100 S. Garfield Street, Hinsdale, Illinois – Community Consolidated School District #181 – Case Number V-07-16**. Trustee Banke seconded the motion.

AYES: Trustees Elder, Byrnes, Stifflear and Banke

NAYS: None

ABSTAIN: None

ABSENT: Trustees Hughes and LaPlaca

Motion carried.

d) **Approve an Ordinance Approving a Site Plan and Exterior Appearance Plan for a New Middle School at 100 S. Garfield Street, Hinsdale, Illinois – Community Consolidated School District #181 – Case Number A-41-2016 (First Reading – March 7, 2017)**

Trustee Stifflear introduced the item stating the Plan Commission approved this item on January 19, 2017 (7-0), contingent on approval of a variance by the Zoning Board of Appeals, which was granted on February 2, 2017. He explained the Plan Commission had asked for several items, which have been addressed. The only remaining open item is a safety issue on Washington Street with respect to the loading dock.

Mr. Paul Wiese, representing the Middle School, addressed the Board and explained that they have investigated various solutions, but are recommending bollards mounted at the driveway entrance. The bollards will have an electric eye located 3.5' feet up from the base of the bollard that will activate caution lights. The lights will remain activated until any vehicle has moved into the parking area. The school has agreed to install the system. There will be two bollards located behind the Washington Street curb; any break of the beam will cause the lights to go off. Discussion followed regarding other options and the possibility of children playing with the lights. Trustee Stifflear suggested lights on both sides of the driveway; Mr. Wiese indicated this could be accommodated.

Trustee Banke moved to **Approve an Ordinance Approving a Site Plan and Exterior Appearance Plan for a New Middle School at 100 S. Garfield Street, Hinsdale, Illinois – Community Consolidated School District #181 – Case Number A-41-2016**. Trustee Elder seconded the motion.

AYES: Trustees Elder, Byrnes, Stifflear and Banke

NAYS: None

ABSTAIN: None

ABSENT: Trustees Hughes and LaPlaca

Motion carried.

e) **Approve an Ordinance Approving a Design Review Permit for Canopies on Property Located at 210 E. Ogden Road – Shell Gas Station (First Reading – March 7, 2017)**

Trustee Stifflear introduced the item, and explained that because this property is located in the design review overlay district, the Plan Commission did not have final authority on the matter. The Plan Commission reviewed the item, however, and unanimously approved the request.

Trustee Byrnes moved to **Approve an Ordinance Approving a Design Review Permit for Canopies on Property Located at 210 E. Ogden Road – Shell Gas Station**. Trustee Elder seconded the motion.

AYES: Trustees Elder, Byrnes, Stifflear and Banke

NAYS: None

ABSTAIN: None

ABSENT: Trustees Hughes and LaPlaca

Motion carried.

DISCUSSION ITEMS

Robert Crown potential map amendment

Mr. R. J. McMahon, CEO of the Robert Crown Center, addressed the Board. He stated the Robert Crown Center has been located at 21 Salt Creek since 1974. He explained the Center used to be a field trip destination, but now 75% of the programs are delivered in the schools. Their Board has recently changed the business model to provide 100% on-site delivery of programs. As a result, they want to pursue a zoning change for this building and would like Trustee feedback. The building is currently zoned IB in the middle of O3, R5 and R6 districts. They would like to match their zoning with the surrounding uses. President Cauley asked if their intent is to sell the property or to repurpose the building. Mr. McMahon said they want to sell the building; it was noted the design of the current building is very user specific. President Cauley asked if rezoning from IB to O3 would result in changes to the density or possible size of a new building. Mr. McGinnis said he would look into this and report back. President Cauley and Trustee Stifflear remarked they have no issues with the request. Mr. McGinnis pointed out there would be a public hearing at the Plan Commission following a referral by the Board. Trustee Stifflear described the meeting process. It was noted the building could be vacant for some time; Mr. McMahon confirmed they would vacate in the fall and move to a leased space.

The Board agreed that Mr. McMahon should move forward as planned.

DEPARTMENT AND STAFF REPORTS

- a) Police
- b) Fire
- c) Public Services
- d) Engineering

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

None.

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 specially scheduled meeting of the Hinsdale Village Board of Trustees of March 22, 2017 into closed session under 5 ILCS 120/2(c)(2)** Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees, and 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 and Banke

NAYS: None

ABSTAIN: None

ABSENT: Trustees Hughes and LaPlaca

Motion carried.

Meeting adjourned at 8:59 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk