

**VILLAGE OF HINSDALE  
VILLAGE BOARD OF TRUSTEES  
MINUTES OF THE MEETING  
November 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, November 21, 2017 at 7:30 p.m., roll call was taken.

Present: President Tom Cauley and Trustees Christopher Elder, Michael Ripani, Luke Stifflear, Gerald J. Hughes, Matt Posthuma and Neale Byrnes

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, Village Attorney Michael Marrs, Police Chief Brian King, 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**

a) **Regular Meeting of November 7, 2017**

Following suggested changes to the draft minutes, Trustee Hughes moved **to approve the draft minutes from the Regular Meeting of November 7, 2017, as amended.** Trustee Elder seconded the motion.

**AYES:** Trustees Elder, Ripani, Stifflear, Hughes, Posthuma and Byrnes

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

**CITIZENS' PETITIONS**

None.

## VILLAGE PRESIDENT'S REPORT

President Cauley reported regarding the Tollway Authority's plan to widen I-294 stating the Village has been waiting for a design plan for some time, and hopes to have this information by early next year. He assured residents that the Village remains committed to protecting their interests against the potential impact this project may have on our community. He commented that the need for the \$4 billion expansion of I-294 has not been appropriately researched; in fact, the proposal is based on a current problem that occurs four hours a day during the morning and evening rush hours. The plan is a guess for future transportation needs. The State of Illinois is in financial crisis and he believes there could be a better use of the money.

Given that the Tollway Authority is determined to widen I-294, the Village wants to ensure the least amount of damage and disruption to Hinsdale. Three things were made clear to the Tollway Authority; do not move the sound walls in Hinsdale or Western Springs; preserve the revenue stream from the Oasis; and preserve or improve the sound levels from the expanded tollway. Item 6i, on our agenda tonight, is an agreement with W-T Engineering Services. The Village has proactively hired their own engineering firm to design a plan that will accommodate the Tollway's proposed plan that complies with all laws and best practices for lane width. Our engineer designed two plans that do not move the sound walls; one is six regular lanes and the other is five lanes and a flex lane for buses and emergency vehicles. Village Manager Kathleen A. Gargano, Assistant Village Manager Brad Bloom and President Cauley met with Mr. Bob Schillerstrom, Tollway Board Chairman, and gave him a PowerPoint presentation showing him the tollway can be expanded to six lanes without moving the sound walls in either Hinsdale or Western Springs. The engineer's detailed drawings were also made available to Tollway Authority engineers for their review. The Tollway's response will determine if we have a fight on our hands or not. The Board is committed to do everything possible to ensure the expansion of the tollway does not encroach on Hinsdale homes and parks.

## FIRST READINGS - INTRODUCTION

### Administration & Community Affairs (Chair Hughes)

- a) **Approve an Ordinance Levying Taxes for Corporate Purposes for the Fiscal Year of the Village of Hinsdale, Illinois Commencing on May 1, 2017 and Ending on April 30, 2018 in the aggregate amount of \$12,090,836**

Trustee Hughes explained that Items A through H relate to the annual process levying taxes and abating the taxes for specific purposes; specifically bonds and Special Service Area #9 (SSA). Assistant Village Manager/Finance Director Darrell Langlois noted the Village has two active SSA's, however, the taxes have already been levied on SSA #13 for the Woodlands. Mr. Langlois explained that the public library levy amount is still tentative, but they will consider this within the next day or two.

The Board agreed to move these items forward for a second read.

- b) **Approve a Resolution abating the tax hereto levied for the year 2017 to pay the principal of and interest on \$3,500,000 General Obligation Bonds (Waterworks and Sewerage System Alternate Revenue Source), Series 2008C, of the Village of Hinsdale, DuPage and Cook Counties, Illinois**
- c) **Approve a Resolution abating the tax hereto levied for the year 2017 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**

- d) **Approve a Resolution abating the tax hereto levied for the year 2017 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**
- e) **Approve a Resolution abating the tax hereto levied for the year 2017 to pay the principal of and interest on \$2,025,000 General Obligation Bonds (Waterworks and Sewerage System Alternate Revenue Source), Series 2014A, of the Village of Hinsdale, DuPage and Cook Counties, Illinois**
- f) **Approve a Resolution abating the tax hereto levied for the year 2017 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**
- g) **Approve a Resolution abating the tax hereto levied for the year 2017 to pay the principal of and interest on \$9,775,000 General Obligation Bonds (Alternate Revenue Source), Series 2017A, of the Village of Hinsdale, DuPage and Cook Counties, Illinois**
- h) **Approve an Ordinance Levying Taxes for Special Service Area (SSA) Number 9 for the amount of \$5,155**
- i) **Approve an agreement with W-T Engineering Services to review the proposed Illinois State Toll Highway Authority (Tollway) design and the development of an alternate design at an hourly rate of \$200 plus expenses**

Trustee Hughes introduced the item and noted that President Cauley had summarized this item earlier in his remarks. He noted that the cost of the engineering services exceeds the Village Manager's authority to approve, and therefore requires Board approval.

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

- j) **Approve Authorizing the Village Manager to negotiate the terms of an agreement with Wight Construction Services to Perform Construction and Construction Management services for a parking deck, with terms subject to the approval of the Village Board of Trustees**

Trustee Hughes explained this item relates to construction management services for the parking deck, and is about getting the right arrangement and quality of counsel and assistance for the Village. The Village realizes the complexity of the project; there are a lot of numbers involved and how things are categorized drives cost sharing. This is not about the lowest cost option, but rather the quality and nature of relationships.

Trustee Byrnes explained that as we moved further along with the project its significance became apparent. It is important to the Board, to residents, the school and the business community; and it is in the best interest of the Village to contract directly with a firm who specializes in parking deck construction. Mr. John Doherty, the Village's owners representative on this project, helped evaluate firms and develop costs for construction and construction management services. After consideration in terms of cost control, accountability, and responsiveness to the Village, Wight Construction Services seemed like they offered best overall service. It was noted that construction services are considered professional services, and a Request for Proposal (RFP) is not required. President Cauley reiterated parking deck construction is a specialized area. He added the two best companies were interviewed, and now the Village Manager can negotiate the terms of the agreement. Following the negotiation, the matter will come back to the Board for approval. The Board agreed to move this item forward for a second reading.

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

- k) Approve an Ordinance Approving a Detailed Plan for a Planned Development, Associated Waivers and Variations, and other Related Documents, and Approving and Authorizing Execution of a Redevelopment Agreement – Hinsdale Meadows (Southeast Corner of 55<sup>th</sup> Street and County Line Road) – Edward R. James Partners, LLC; and**
- l) Approve an Ordinance Approving a Plat of Subdivision - Hinsdale Meadows (Southeast Corner of 55<sup>th</sup> Street and County Line Road)**

Trustee Stifflear introduced the item stating it pertains to approvals of the detailed plan for the Hinsdale Meadows development. He explained this is the last stage in a long process. He explained that the concept of a Planned Unit Development (PUD) is to provide zoning relief to meet specific needs of the Village and provides tangible benefits versus a strict application of the zoning code. These benefits generally include; delivery of a product in high demand and not otherwise available in the community, more green space and park space, and contribution of a public benefit.

By way of review, Trustee Stifflear explained that in March 2017, the Village Board approved a text amendment to allow a PUD as a special use in single family residential districts. The Board also approved the project concept plan, the first in a three part process. The concept plan specified the project would be age-targeted, would contain 64 total units, there would be no recreational devices in the project and basement bathrooms would be half baths only. The concept plan was approved by a vote of 5-1. The developer then put together a detailed plan that includes specific drawings, landscape and engineering plans and elevations. The Plan Commission, on August 9<sup>th</sup> and September 13<sup>th</sup>, reviewed the application, the site plan and plat of subdivision, the landscape plan, engineering and storm water report, building elevations and floor plans, KLM park improvement plans, and the traffic study. They did not opine on the Homeowners Association (HOA) document, the development agreement or the easement agreements which will allow access to RLM. The Village attorney and Trustee Posthuma have reviewed these materials and suggested changes. The developer is asking for other waivers, which the Board will review individually this evening.

Village Attorney Michael Marrs referenced the table of compliance included in the Board materials that shows the differences between R-2 standards, which is the underlying zoning on this property, and what is proposed for the development. One of the purposes of a PUD is to provide zoning flexibility necessary because of the increased density inherent in a PUD, and the ability to grant waivers. In this case, one issue was the existing public improvements on the property from ten years ago when the Sedgwick development was proposed. These were never accepted by the Village, and in some cases installed under engineering standards that have since changed. Of course, the developer was concerned about costs to remove the existing improvements, and the Village was concerned about improvements that were not up to standards, but Mr. Marrs reported that the issues have been resolved, with compromises on both sides. There were extensive discussions about the HOA declarations that apply to the developer and future homeowners. There are specific provisions that cannot be amended without Village approval, to ensure the vision of the Board and their wishes remain in place going forward.

Trustee Stifflear addressed the public benefit aspect of the project and noted there will be two parks created in the development and KLM fields will be leveled, but the largest benefit

is the 42 duplexes or duets with a starting price in the low \$800,000. This will serve and target empty nesters, and provide housing options that currently do not exist.

The Board discussed the following requests for waivers and matters of concern:

1. The applicant is requesting a 25' setback from the street instead of the required 30' for seven buildings on Hanna Lane. These units will back up to 55<sup>th</sup> Street, and the reduced front yard setback will provide these residences the greatest distance from 55<sup>th</sup> Street. The Board is concerned that this will crowd the front streetscape and questioned whether empty-nesters will be concerned about an extra five feet in their backyard.

Mr. Jerry James, representing Edward R. James Partners, LLC, explained to the Board that there are some engineering concerns with grade that also drive the request, but stated they would not recommend the 25' foot setback if they thought it would create a corridor effect. There is a lot of street traffic on 55<sup>th</sup> Street, and five feet will positively impact the noise level for these homes. Additionally, the additional space in the back of the homes will provide the opportunity for supplemental landscaping, giving these residences more privacy both visually and in terms of sound.

It was concluded that the engineers for both parties will review this issue and provide additional information to the Board.

2. The applicant is requesting permission to use trusses for the floors and ceiling versus sawn lumber. It was noted that our code does not allow for trusses, but they can be a less expensive option. Trustee Stifflear explained that in a fire situation, trusses are less safe than sawn lumber, but the applicant will mitigate these risks by installing sprinkler systems. The Board expressed concern that while sprinklers can suppress fires, when they malfunction there is water in the house. Fire Chief John Giannelli said flooding has been an issue with sprinkler systems, but that usually happens because a contractor has incorrectly installed or maintained the system. He discussed fire department response times and the risks of engineered lumber. Chief Giannelli added the sprinkler will put the fire out 80% of the time. The Board agreed that, while they want to keep the cost of these units down, this is a life safety issue. The cost of a sprinkler system is approximately \$12,000, but is more than offset by the cost savings of using trusses. The Board agreed to grant permission to use trusses, but a sprinkler system would be required.
3. The applicant is requesting permission to allow sump pumps to drain directly into the storm water system. Village Engineer Dan Deeter explained that sump pumps are generally a nuisance discharge, but in a rain event they discharge the same water that eventually ends up in the storm water system. He believes that for overall maintenance of the roads, public service operations and icing, it is more convenient to discharge into the storm system to be directly carried away to the detention basin. He explained that best management practices, initiated by DuPage County, recommend a certain size French drain, which is a clean rock system. This system helps restore water into the water table before going into the sewers. However, staff is supportive of the applicant's request, and the Board concurred.
4. Trustee Stifflear began by stating with respect to vinyl or wood windows, the developer has agreed to provide this as a choice to the homebuyer. Mr. James clarified that it would be a choice on the single-family homes only, and vinyl would be used on the duets. He confirmed this is, in part, a cost consideration, as wood windows can be

\$23,000 - \$40,000 more expensive. However, vinyl windows have come a long way, and are more attractive and have better efficiencies than before. He has used vinyl on very expensive properties and has not had any complaints. He added that customers care about total cost, and are more interested in upgraded interior finishes. People are concerned that the window product is durable, energy efficient, and aesthetically attractive. He added that any wood or vinyl window can deteriorate. Trustee Stifflear added that staff is ok with the use of vinyl windows, but local architects were split. Discussion followed. The Board agreed to the use of vinyl windows.

5. Trustee Stifflear reported that upon review, Trustee Posthuma noted a preponderance of front-loaded garages on three duets on Hanna Lane, resulting in 12 garage bays in a row. These are not as aesthetically pleasing as a side-loaded garage. The applicant has provided an alternative plan, turning some of the garages to the side, but these slightly impose on the parks. The Board agreed this was an acceptable alternative. It was noted that Unit 43B was not adjusted because of engineering problems due to the grade of the unit. Mr. James thanked the Board for their input on this issue, and agreed this was a positive change.
6. Trustee Stifflear introduced the matter of fencing on 55<sup>th</sup> Street, stating that all have agreed that cedar fencing will be used. Mr. James explained that the existing wrought iron fence will be replaced with board on board cedar, and arborvitae will be planted on the outside of the fence. He wants people to see landscaping not hardscaping. The cedar will provide a better sound buffer and sense of privacy than the wrought iron. It was pointed out that the plants will grow to a height of 8-10' feet. Mr. James stated he would like to make the fence 8' feet tall, but will look at a 6' foot option. President Cauley and the Board instructed him to install the 8' foot fence because of improved sound buffering at that height. Regarding fencing on County Line Road, Director of Community Development Robb McGinnis confirmed the plans indicate the existing wrought iron fencing will remain. Discussion followed regarding fabric fencing; Mr. James said this will not be used except on the RML parking lot side and it is the responsibility of the HOA to maintain.
7. Trustee Stifflear said the last item of concern is in regards to the declaration which states that no recreational devices are allowed on any private property. However, the HOA has complete control over the two pocket parks, and the Village has no veto rights. He wants to confirm there is a meeting of the minds that there will be no recreational devices anywhere in the entire 24 acres of property. All were in agreement.

Trustee Byrnes asked about the pricing of the duets. Mr. James stated the opening price will be close as close to \$800,000 as possible. His team is going through specifications to strike a balance between price point and delivering a home, inside and out, that is consistent with the character the Board, Plan Commission and residents are looking for.

President Cauley wanted to confirm the situation as it relates to the infrastructure. There exists infrastructure that is 10 years old; there are differences between what the current code requires and this existing infrastructure, but the Village will take ownership of this infrastructure. Mr. James said this is correct. However, they will televise all the lines, except for sewer lines in use by RML, verify appropriate slopes for drainage, and clear any debris that may be in the lines. They have agreed to a 3" sub-grade of new binder on the roads, but will replace a road whenever it is warranted. These systems will perform to

Village standards. He commented on the good working relationship between his engineer and the Village engineers, but it was confirmed that the decision maker is the Village engineer. He added there are defined standards, but performance is the litmus test. Mr. Marrs added the redevelopment agreement provides that no public developments will be accepted except by resolution of the Board. Mr. McGinnis explained the Village won't accept public improvements until the development is nearly complete.

Mr. James stated his appreciation to the President, Board, staff and Hinsdale community for the privilege of providing this benefit in Hinsdale. He is committed to working with the Board and addressing any concerns moving forward.

Trustee Stifflear asked about a construction schedule, to which Mr. James replied that they have begun some preliminary work including testing and televising lines. They are already fielding calls from interested residents, and hope to be signing contracts by the Superbowl, if not sooner.

The Board agreed to move both Hinsdale Meadows items forward for a second reading at their next meeting.

## CONSENT AGENDA

### Administration & Community Affairs (Chair Hughes)

- a) Trustee Stifflear moved **Approval and payment of the accounts payable for the period of November 8, 2017 to November 21, 2017, in the aggregate amount of \$2,872,796.73 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, Ripani, Stifflear, Hughes, Posthuma and Byrnes

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

- b) Trustee Hughes moved **Approval of a Recreational License Agreement-Fourth Term Extension with the Hinsdale Platform Tennis Association (HPTA) (First Reading – November 7, 2017).** Trustee Elder seconded the motion.

**AYES:** Trustees Elder, Ripani, Stifflear, Hughes, Posthuma and Byrnes

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

## SECOND READINGS / NON-CONSENT AGENDA - ADOPTION

### Zoning & Public Safety (Chair Stifflear)

- a) **Approve a Referral to Plan Commission for Review and Consideration of a Text Amendment to Section 6-106 ('Special Uses'), to allow automobile driving instruction**

**as a Special Use in the O-2 Limited Office Zoning District** (*First Reading – November 7, 2017*)

- b) **Approve a Referral to Plan Commission for Review and Consideration of a Text Amendment to Section 5-105 ('Special Uses'), to allow automobile driving instruction as a Special Use in the B-1 Community Business Zoning District** (*First Reading – November 7, 2017*)

Trustee Stifflear introduced Items A & B, which are referrals to the Plan Commission for text amendments to allow driving schools in the O-2 and B1 districts. Following a public hearing at the Plan Commission, they will come back to the Board for final approvals. There were no additional questions or concerns from the Board on these matters.

Trustee Elder moved to **Approve a Referral to Plan Commission for Review and Consideration of a Text Amendment to Section 6-106 ('Special Uses'), to allow automobile driving instruction as a Special Use in the O-2 Limited Office Zoning District.** Trustee Stifflear seconded the motion.

**AYES:** Trustees Elder, Ripani, Stifflear, Hughes, Posthuma and Byrnes

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

Trustee Byrnes moved to **Approve a Referral to Plan Commission for Review and Consideration of a Text Amendment to Section 5-105 ('Special Uses'), to allow automobile driving instruction as a Special Use in the B-1 Community Business Zoning District.** Trustee Elder seconded the motion.

**AYES:** Trustees Elder, Ripani, Stifflear, Hughes, Posthuma and Byrnes

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

- c) **Approve an Ordinance approving a Site Plan and Exterior Appearance Plan for an exterior addition for Green Goddess Boutique – 52 S. Washington Street** (*First Reading – November 7, 2017*)

Trustee Stifflear introduced the item which is a request for a small exterior addition to the façade of the building. There were no additional questions or concerns from the Board on these matters.

Trustee Elder moved to **Approve an Ordinance approving a Site Plan and Exterior Appearance Plan for an exterior addition for Green Goddess Boutique – 52 S. Washington Street.** Trustee Byrnes seconded the motion.

**AYES:** Trustees Elder, Ripani, Stifflear, Hughes, Posthuma and Byrnes  
**NAYS:** None  
**ABSTAIN:** None  
**ABSENT:** None

Motion carried.

- d) **Approve an Ordinance approving a Special Use Permit to operate an Animal Humane Society in the IB District and Concurrent Site Plan and Exterior Appearance Plan Approval for an Exterior Addition – Hinsdale Humane Society – 21 Salt Creek Lane (First Reading – November 7, 2017)**

Trustee Stifflear introduced the item which is a special use permit to operate an animal Humane Society in the former Robert Crown Center. There were no additional questions or concerns from the Board on these matters.

Trustee Elder moved to **Approve an Ordinance approving a Special Use Permit to operate an Animal Humane Society in the IB District and Concurrent Site Plan and Exterior Appearance Plan Approval for an Exterior Addition – Hinsdale Humane Society – 21 Salt Creek Lane.** Trustee Ripani seconded the motion.

**AYES:** Trustees Elder, Ripani, Stifflear, Hughes, Posthuma and Byrnes  
**NAYS:** None  
**ABSTAIN:** None  
**ABSENT:** None

Motion carried.

## DISCUSSION ITEMS

- a) **Construction update**

Trustee Byrnes said construction is finalized for this year. He will go over next year's projects with Public Services staff and report in December. The goal is to finish everything next year, if possible.

- b) **Update on proposed I-294 Tollway expansion**

This matter was addressed during the Village President's report.

## DEPARTMENT AND STAFF REPORTS

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

The report(s) listed above were provided to the Board. There were no additional questions regarding the content of the department and staff reports.

Administration Manager Emily Wagner reminded residents that because of the Thanksgiving holiday, garbage pickup would be on Friday instead of Thursday. She also mentioned that following Board approval, Class B Restaurants would be allowed to serve alcohol until 11:30 p.m. on the Wednesday before Thanksgiving.

### REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

No reports.

### OTHER BUSINESS

None.

### NEW BUSINESS

None.

### CITIZENS' PETITIONS

None.

### TRUSTEE COMMENTS

Trustee Hughes commented that the Christmas lights in the Central Business District look great. Director of Public Services George Peluso confirmed that they were turned on a couple days earlier than usual, and that they have received compliments from many business owners. Trustee Hughes commented it would be a good idea to think about formalizing the turning on of lights, but not to do so too early in the season.

### ADJOURNMENT

There being no further business before the Board, President Cauley asked for a motion to adjourn. Trustee Elder moved to **adjourn the regularly scheduled meeting of the Hinsdale Village Board of Trustees of November 21, 2017**. Trustee Hughes seconded the motion.

**AYES:** Trustees Elder, Ripani, Stifflear, Hughes, Posthuma and Byrnes

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

Meeting adjourned at 8:54 p.m.

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