

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE SPECIAL MEETING
February 15, 2018**

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 Thursday, February 15, 2018 at 7:30 p.m., roll call was taken.

Present: Trustees Christopher Elder, Michael Ripani, Luke Stifflear, Gerald J. Hughes (*electronic attendance*), Matthew Posthuma, Neale Byrnes and President Tom Cauley

Absent: None

Also Present: Village Manager Kathleen A. Gargano (arrived at 7:43 p.m.), Village Attorney Lance Malina, Assistant Village Manager/Finance Director Darrell Langlois, Assistant Village Manager/Director of Public Safety Brad Bloom, Police Chief Brian King, Fire Chief John Giannelli, Director of Public Services George Peluso, Director of Community Development/Building Commissioner Robb McGinnis, Village Planner Chan Yu 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 February 6, 2018**

President Cauley asked that more detail be included in the minutes for the Trustees comments on the item regarding 640 Mills Street. Clerk Bruton will revisit the video recording for these comments, and resubmit the minutes for approval at the next meeting of the Village Board.

CITIZENS' PETITIONS

None.

VILLAGE PRESIDENT'S REPORT

None.

FIRST READINGS – INTRODUCTION**

Administration & Community Affairs (Chair Hughes)

- a) **Approve a street closure on Chicago Avenue and Burlington Drive from Washington Street to Garfield Street on the following Sundays: June 17, 2018, August 12, 2018 and October 7, 2018 for a FuelFed coffee and classic car event**

Trustee Elder introduced the item which is an approval for three events this year. These are open to the public, the Board approved two last year and they were well received. He added that there was discussion last year on the fact that these are technically for profit events, but the organization attempts to operate as a non-profit. The Board had expressed concern about this last year. Ms. Lorraine Hughes, Vice-President of FuelFed, Inc. addressed the Board and explained that they are technically an S corporation because of operations and costs, however, their only revenues are membership dues and are used to operate the club.

Trustee Byrnes noted one of the dates is Father's Day, but there is no anticipated conflict. The Board agreed to move this item forward to the consent agenda of their next meeting.

Environment and Public Service (Chair Byrnes)

- b) **Approval and agreement with Wight and Company to provide design and construction management services to build a parking deck per the terms of the contract for a cost not to exceed \$1,058,653**

Trustee Byrnes introduced the item noting this is a significant project for the Village. District 181 contracted Cordigan Clark and Bulley and Andrews as their architect and contractor, respectively. In order to provide the Village with greater cost control and accountability, the Village has contracted their own firms. They have theirs for the school; the Village has theirs for the deck. He noted that Mr. John Doherty, the Village's owner representative has been invaluable through this process. The Village Attorney and Mr. Doherty have fully reviewed the materials, and Wight is the clear choice. Wight's proposal was within the budget provided by the Concord Group, who reviewed the parking deck budget.

The Board agreed to move this item forward for a second reading at their next meeting.

- c) **Approve an Intergovernmental Agreement (IGA) between the Village of Hinsdale and Community Consolidated District 181, for the construction and maintenance of a parking deck**

Trustee Byrnes introduced the item and explained this agreement defines the responsibility of the Village and the school with respect to the parking deck and the new school, and related costs. District 181 was going to build an asphalt surface lot, but with the proposal of the deck any additional cost above that of the surface lot would fall to the Village. The original estimate for the surface lot was underbid at \$1,308,000; a more accurate cost is \$2,200,000, therefore, the Village would pay an additional \$901,000 for the difference. The agreement addresses the condition of the site following school construction, it must be construction ready. It is anticipated it will be turned over to the Village on approximately February 25, 2019; the Village has six months to complete the deck. The agreement also addresses such things as school district activities, utilities, snow removal, maintenance, and security.

President Cauley added he has been a proponent of the parking deck, in part, because of resident complaints that there is insufficient parking available. This is a once in a lifetime opportunity to solve the parking problems. Additionally, it is not completely underground, because of the slope on Garfield, will not be unsightly, and is close to the central business district. The original middle school project called for the elimination of 50 parking spaces; it was important not to lose these. The useful life of the deck is 40 years; this agreement addresses the financial arrangements for the next 20 years, to be revised at the conclusion of that time period. There will be 133 spots on the upper level for school use, and 186 on the lower level for Village use. District 181 will pay the Village annually \$143/per spot for maintenance of the upper deck. The agreement clarifies the requirements relative to the condition of the site when it is handed off to the Village.

Ms. Gargano said the school will approve this agreement on February 26th; final approval by the Village Board will be March 5th or 6th.

The Board agreed to move this item forward for a second reading at their next meeting.

Zoning and Public Safety (Chair Stifflear)

d) Approve an Ordinance Approving Withdrawal of an Historic Landmark Designation for 244 East First Street – HPC Case No. 10-2017

Trustee Stifflear introduced the item which relates to the withdrawal of a local landmark designation. This property is located in an R1 single family and Robbins Park historic district. The homeowner had the home landmarked in 2002, which was done voluntarily; they never took advantage of any tax freeze option. It is a significant home built by Shepley, Rutan and Coolidge and the only remaining example in Hinsdale. The Historic Preservation Commission (HPC) conducted a public hearing on this matter. It was stated the property taxes are \$40,000, and there is no mortgage. The applicants and their relatives want the home remodeled not torn down, and will not market it as a tear down. The real estate agent reported the reasons they have lost buyers.

Following deliberation, the HPC voted 4-0 to deny the homeowners request, there was one abstention and one absent. They were sympathetic to the applicant, but did not believe the home was marketed to the fullest extent, as it is listed privately, nor did the homeowner submit any financial information to prove financial hardship. Trustee Stifflear commented that the code does not define or address health conditions or financial hardship, but he believes the Furey's should be taken at their word for the hardship.

Mr. Bob Schultz, 733 S. Grant Street, addressed the Board stating the Fureys cannot be here tonight, but there is a letter in the Board packet from Mr. Furey explaining their situation and his intention to keep the house from being torn down, and a letter has been provided by their attorney to attest to the financial situation. The HPC was concerned about other property the Furey's own. Mr. Schultz clarified they are the 1/7th owner of a house in Wisconsin, and own an old family farm in Pennsylvania. He addressed the marketing of the property stating that they have listed privately because the home would not be available for house walks or open houses because of Mrs. Furey's health. He pointed out that there are 59 homes listed in Hinsdale on the private network. Although they are not on such websites as Zillow, any real estate agent should know to check the private network. There has been no discussion with potential buyers about tearing down the home. The home is approximately 5,000' square feet, very few upgrades have been made and will require a major rehab which is why buyers are cautious. Mr. Schultz said

they need to sell the home; Mrs. Furey is very ill, and they need to find something more suitable for her care. It costs about \$8,000/per month to keep the house going, they are anxious to move on, and the hardship keeps growing the longer they have to wait. He described the delays since the matter was brought to the Village in October 2017. He asked the Board if they could waive a second reading on this matter.

Mr. Schultz elaborated on the benefits of listing on the private market, stating it doesn't accumulate time, so it doesn't look like a home has been around too long. He also indicated that removing the landmarking would give a buyer some flexibility in terms of cost effective materials for exterior renovation.

Ms. Anne Furey Schultz clarified that their family is absolutely committed to doing whatever the can to assure the house is not torn down, but any stipulations attached to the home will force them to take much less than the house is worth. Mr. Schultz added the home is being sold 'as is'.

Trustee Hughes apologized for the lengthy process, and stated he is in support of removing the designation. He believes there are two steps to evaluate this matter; the provisions of the code for standards to remove the landmark status, and other facts for the Board to exercise their judgment. The code addresses financial hardship, which was included for circumstances such as this. He, too, believes the Board should take residents at their word with respect to financial hardship, to preserve privacy. The Furey situation passes the test in terms of the code. This has been bumped to the Board because of what is at stake with the home; the Board wants to protect and preserve this home. It is worth talking about a provision to prevent a tear down.

Discussion followed regarding possible restrictions to prevent tearing down the home, but Mr. Schultz expressed concern that with any cloud on the title, buyers will be reluctant. He believes there would be incentive to the next buyer to re-landmark the property because of the tax advantages.

President Cauley said he believes the Board intends not to hold the Fureys to the landmarking, but wants to consider ways to preserve the house. Mr. Schultz pointed out that the home is in a preservation district, and an owner would have to go to the Historic Preservation Commission for a demolition permit. President Cauley clarified, such vote by HPC is only a recommendation for the Robbins Park Historic District. The landmark status of the individual home can restrict demolition. Mr. Malina added that because the program is the Village's own, the Village can remove or not remove, or completely or partially lift the landmark status.

Trustee Stifflear added we have a common interest to preserve the house. He acknowledged an older home takes longer to market. He believes if the Board doesn't try to save the house, they are wasting their time with historic preservation. He added the Board approved a brick paver street in this area, which is a value to residents on this street. He suggested some type of covenant to prevent a tear down for a period of time, or a restriction to keep 75% of the walls, or a benefit beyond taxes, such as floor area ratio (FAR) relief.

The Board agreed to move this item forward for a second reading at their next meeting.

CONSENT AGENDA

Administration & Community Affairs (Chair Hughes)

- a) Trustee Ripani moved **Approval and payment of the accounts payable for the period of February 7, 2018 to February 15, 2018, in the aggregate amount of \$695,746.48 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.

The following items were approved by omnibus vote:

Environment and Public Service (Chair Brynes)

- b) **Award Extension of Contract #1582 for Tree Pruning to Trees R Us, Inc., in an amount not to exceed \$73,906**
- c) **Award Extension of Contract #1624 for Landscape Maintenance Services to A&B Landscaping and Tree Service, Inc., in an amount not to exceed \$135,145**

Trustee Byrnes moved **to approve the Consent Agenda, as presented.** 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

Administration & Community Affairs (Chair Hughes)

- a) **Approve the FY2018-19 through FY2022-23 Capital Improvement Plan (CIP)** (*First Reading – Committee of the Whole January 9, 2018*)

Trustee Elder introduced the item and explained the joint meeting between the Committee of the Whole and the Finance Commission was the first reading on the CIP. Department heads walked the Board through proposed capital expenditures. He noted that Village Board approval is still required for all items that exceed \$20,000. Assistant Village Manager/Finance Director Darrell Langlois added these items will be included in the draft budget and executed next year.

Trustee Elder moved to **Approve the FY2018-19 through FY2022-23 Capital Improvement Plan (CIP).** Trustee Byrnes seconded the motion.

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

Motion carried.

Zoning & Public Safety (Chair Stifflear)

- b) **Approve an Ordinance amending Section 6-106 (“Special Uses”) of the Hinsdale Zoning Code to allow Automobile Driving Instruction as a Special Use in the O-2 Limited Office Zoning District; and**

Approve an Ordinance approving a special use permit for the provision of Automobile Driving Instruction Services in the O-2 Limited Office Zoning District at 7 N. Grant Street – Responsible Driver (First Reading – February 6, 2018)

Trustee Stifflear introduced the item. In November 2017, the Village Board referred this matter to the Plan Commission for a public hearing. The hearing was held on January 10, 2018, and was approved by a unanimous vote of 8-0. The first reading by the Village Board was February 6, 2018, and there were no additional questions from the Board or input from residents.

Trustee Elder moved to **Approve an Ordinance amending Section 6-106 (“Special Uses”) of the Hinsdale Zoning Code to allow Automobile Driving Instruction as a Special Use in the O-2 Limited Office Zoning District; and Approve an Ordinance approving a special use permit for the provision of Automobile Driving Instruction Services in the O-2 Limited Office Zoning District at 7 N. Grant Street – Responsible Driver.** Trustee Posthuma seconded the motion.

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

Motion carried.

- c) **Approve an Ordinance Amending Section 5-105 (“Special Uses”) of the Hinsdale Zoning Code to Allow Automobile Driving Instruction as a Special Use in the B-1 Community Business Zoning District; and**

Approve an Ordinance approving a special use permit for the provision of Automobile Driving Instruction Services in the B-1 Community Business Zoning District at 1 Grant Square – Top Driver (First Reading – February 6, 2018)

Trustee Stifflear introduced the item which is like the previous item, but this one is located in the B-1 District, and excludes the first floor of the building. He recapped the approval process and noted there were no additional questions at the first reading.

Trustee Stifflear moved to **Approve an Ordinance Amending Section 5-105 (“Special Uses”) of the Hinsdale Zoning Code to Allow Automobile Driving Instruction as a Special Use in the B-1 Community Business Zoning District; and Approve an Ordinance approving a special use permit for the provision of Automobile Driving**

Instruction Services in the B-1 Community Business Zoning District at 1 Grant Square – Top Driver. Trustee Elder seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

DISCUSSION ITEMS

a) Update on proposed I-294 Tollway expansion

President Cauley stated there is nothing new to report on the Tollway expansion

DEPARTMENT AND STAFF REPORTS

a) Fire

The report(s) listed above were provided to the Board. There were no additional questions regarding the content 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

President Cauley recognized the exceptional work of the Public Services department with respect to the 14' inches of snowfall last week. They worked 12 hour shifts for five nights and days. The Fire and Police Departments were also involved, making this a team effort. He recalled a couple of years ago during a snowstorm, when there were truck and plow break downs. The Board has since invested significant money in improved equipment, and it has paid off. A Combination of hard work and better equipment resulted in smooth snow removal. Village Manager Gargano

added that one of the roadway supervisors stopped by her office to say thank you for the equipment. Staff is happy it was available, and grateful for the Village's investment.

ADJOURNMENT

There being no further business before the Board, President Cauley asked for a motion to adjourn. Trustee Elder moved to **adjourn the specially scheduled meeting of the Hinsdale Village Board of Trustees of February 15, 2018**. Trustee Byrnes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Meeting adjourned at 8:31 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk