

**VILLAGE OF HINSDALE
REGULAR MEETING OF THE
VILLAGE BOARD OF TRUSTEES
March 6, 2018**

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, March 6, 2018 at 7:33 p.m., roll call was taken.

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

Absent: None

Also Present: Village Manager Kathleen A. Gargano, Village Attorney Michael Marrs, 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 Engineer Dan Deeter, Village Planner Chan Yu, Superintendent of Forestry John Finnell, 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 February 6, 2018**

Following corrections to the draft minutes, Trustee Elder moved to **approve the draft minutes of the Regular Meeting of February 6, 2018, as amended.** Trustee Byrnes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

b) **Closed Session Meeting of February 6, 2018**

There being no changes or corrections to the draft minutes, Trustee Hughes moved to **approve the draft minutes of the Closed Session Meeting of February 6, 2018, as presented.** Trustee Elder seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

c) **Special Meeting of February 15, 2018**

Following corrections to the draft minutes, Trustee Hughes moved to **approve the draft minutes of the Special Meeting of February 15, 2018, 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 the status of the tollway expansion project. On August 2, 2016, Village Manager Kathleen A. Gargano, Assistant Village Manager/Director of Public Safety Brad Bloom and he met with Chairman Schillerstrom at the tollway's offices. They told him then, and have several times since then, that Hinsdale does not want the sound walls moved because that would adversely affect park land and reduce home values. Despite the Village's alternative suggestions, Mr. Schillerstrom was adamant that the tollway would be widened uniformly from 95th Street to Balmoral, because to do otherwise would create bottlenecks.

Last week the tollway authority met with area fire chiefs, who were shown a map that indicates they plan not to widen the tollway uniformly after all. In fact, the only area to be widened to seven lanes is through Hinsdale. There has been no explanation nor any plan or study from Mr. Schillerstrom as to how this will alleviate congestion. President Cauley explained that based on the plan that was originally shared with the Village for a six lane expansion, the Village hired an engineer who was able to design a roadway that did not move the sound walls in either Hinsdale or Western Springs. This is a \$4 billion dollar project that includes a bus lane to O'Hare airport which makes no sense

Yesterday, residents that will lose part of their property received letters from the tollway. There will be a meeting on March 15th at Union Church to talk about moving the sound wall. He urged all residents to attend the meeting to oppose this project. It is a waste of taxpayer money.

Approve an Ordinance Approving Withdrawal of an Historic Landmark Designation for 244 East First Street – HPC Case No. 10-2017 (First Reading – February 15, 2018)

President Cauley thanked Trustee Elder for his help in reaching an accommodation with the Furey family regarding their request to remove the landmark status from their home at 244 E. First Street. The final ordinance provides that no demolition permit will be issued on the property on or before September 30, 2018. The ordinance also provides incentive to a purchaser to renovate the property by waiving Historic Preservation Commission review. He referenced a side letter which is an agreement between the Fureys and the Village that they will not apply for a permit to demolish the building on or before September 30th. Further, they agree to attempt to sell on a publicly listed market no later than April 1, 2018 until the property is sold to a buyer who intends to renovate the property or until September 30th. The rationale is the Village cannot be in a position, when there are health or financial issues, to lock up the property indefinitely. The best we can do as a Village is to let people know the house is available to be rehabilitated. At some point the Fureys need to be free to sell the property.

Trustee Stifflear commented that these residents never took advantage of any tax benefit, if they had he would view this situation differently. With respect to timing, he added that the Historic Preservation Commission (HPC) did a good job illustrating that it can take as long as 18-24 months to sell an historic home, this ordinance provides for one full selling season. He wants preservationists in the community to know the Board is trying to balance the needs of the resident and the community. Trustee Hughes said he believes this restriction on the property is commensurate with any benefit to residents; we worked hard on a compromise to find reasonable restrictions. Trustee Posthuma pointed out the inconsistencies in the code regarding provisions for financial withdrawal with respect to landmarking and certificates of appropriateness. He believes that moving forward these provisions should be harmonized and one should not be more stringent than the other. President Cauley said the Board should look at this again this summer, when there isn't a case before the Board. Trustee Stifflear added that the Board should consider the relaxation of certain codes, perhaps floor area ratio (FAR) or rear yard setback restrictions to encourage residents to landmark their homes. President Cauley said people want to add on and modernize, and if we want to keep these homes we need to address this.

Trustee Hughes moved to **Approve an Ordinance Approving Withdrawal of an Historic Landmark Designation for 244 East First Street – HPC Case No. 10-2017, and the entering into a side letter with the Fureys concerning the removal of the landmark designation and agreements on conditions for the accommodations.** Trustee Elder seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

FIRST READINGS – INTRODUCTION

Environment and Public Service (Chair Byrnes)

a) Approve a Highway Authority Agreement and Environmental Indemnity Agreement with Speedway, LLC for 50 S. Garfield Street

Trustee Byrnes introduced the item and explained that an old storage tank on this property had leaked, but the affected area has been paved. The Illinois Environmental Protection Agency (IEPA) does not feel there is any danger in leaving the soil as it is. The Highway Authority Agreement and the environmental indemnity agreement will memorialize the situation and protect the Village. These documents have been reviewed by Huff & Huff, our environmental consultant, and the Village Attorney. Discussion followed regarding what might happen if Speedway, LLC. went out of business, or if something happened down the line. Village Attorney Michael Marrs explained the indemnification is indefinite.

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

b) Approve the Professional Engineering Services for The Pines/Birchwood Avenue Drainage Study in the amount not to exceed \$13,900 awarded to Christopher B. Burke Engineering, Ltd.

Trustee Byrnes introduced the item explaining there is a severe water problem in this area, and Christopher B. Burke Engineering will be hired to study the continued flooding in this area.

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

c) Approve a Resolution Authorizing Execution of a Contract Extension Agreement between the Village of Hinsdale and Allied Waste Services for the Collection and Disposal of Solid Waste, Landscape Waste, and Recyclable Materials; and

d) Approve a Resolution Authorizing Execution of a Contract between the Village of Hinsdale and Allied Waste Services for the Collection and Disposal of Solid Waste, Landscape Waste, and Recyclable Materials; and

e) Approve an Ordinance Amending Various Sections of Title 4 (Health and Sanitation), Chapter 3 (Solid Waste, Landscape Waste, and Recycling) of the Hinsdale Village Code Relative to Solid, Landscape, and Recyclable Waste Collection Services (Discussion Item – February 6, 2018)

Trustee Byrnes introduced the three items related to the Village waste hauling contract; the first item is an extension of the old contract to allow time to notify residents of changes in their service, the second item approves the new contract with Allied Waste Services that includes new features and pricing, and the third item is a change to scavenger fees which brings us in line with other area communities.

Features of the new agreement include a senior discount for back door pick up. The default for refuse pickup will be curbside, but residents can opt for back door pickup. With respect to an annual clean up or amnesty day, the fee would be \$.90 per household. Trustee Byrnes explained that he polled the Environment and Public Safety Committee (EPS) regarding an amnesty day, and they are 3-1 against it. Trustee Hughes commented that he was the vote in favor of an amnesty day because he has friends on the north shore that think it is advantageous, and he suggested staff get more information on this subject.

Administration Manager Emily Wagner noted that based on results of the survey last year, residents want an amnesty day.

Discussion followed regarding the methods by which to inform residents of the new contract, including the Village website, eHinsdale, rotary luncheons and press releases. Additionally, the contractor will send a mailer to every household.

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

f) Approve a construction change order for the parking deck electrical and fire suppression systems totaling \$72,070 as quoted by Bulley and Andrews

Trustee Byrnes introduced the item and explained with respect to the electrical system, the Village could tie into a shared panel with the middle school, but by having our own panel, the Village can take advantage of our existing franchise agreement with ComEd. It is anticipated that the panel will pay for itself with annual savings. If, however, the Village elects to charge a fee for the parking in the deck, then we will have to pay for the electricity, but it will take a couple of years before that would be determined. He also commented this scenario would eliminate any problems that could arise with two government agencies and one bill. Regarding fire suppression, the Village will save on the construction costs of connecting directly to the water main, and share the costs of a fire sprinkler pump that will serve both the middle school building and parking deck.

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

Zoning and Public Safety (Chair Stifflear)

g) Approve an Ordinance Approving a Major Adjustment to a Planned Development – Hinsdale Meadows (Southeast Corner of 55th Street and County Line Road)- Hinsdale Meadows, LLC

Trustee Stifflear introduced the item which is a major adjustment to the Hinsdale Meadows development. In December 2017, the Village Board approved a planned unit development for a 64-unit residential, age-targeted community. The final approval included exterior materials primarily consisting of stucco and brick. The developer is requesting permission to substitute Hardie board siding and stone as the primary exterior materials in lieu of the stucco and brick. It is his understanding that if they were only changing materials, this could move quickly, but now there are site line and exterior elevation changes. This request is the result of recommendations from local brokers and potential customers. Trustee Stifflear noted that he had conversations with two local residential architects and both believe the new materials are consistent with or better than the previously approved materials. If this Board thinks the new materials are in conformity with the detailed plan previously approved, this matter can move forward for a second reading. Otherwise, it would be referred back to the Plan Commission for a public hearing.

Mr. Jerry James, of Edward R. James Partners, addressed the Board and reiterated these changes are the result of feedback from brokers and customers. He reported that 45% of the single family properties are committed, and of those 2/3 are Hinsdale residents. He stated they are always open to change, and will be able to offer greater diversity with the new elevations. He explained that the materials will provide architectural integrity, but no change to the mass, coverage or height of the buildings. President Cauley said because this is a planned development the Village has some control over this, but the Board needs to be sensitive about what the Plan Commission approved. It is more than just a change in materials. The question is whether it is different enough that it should be reviewed, and

does it change the character of what was approved. Mr. James stated the floor plans and roof lines are not changing in any substantive way. Director of Community Development Robb McGinnis confirmed that the Plan Commission reviewed the individual elevations and designs in depth. The Board reviewed PowerPoint illustrations of the changes on each new elevation. Discussion followed regarding the changes.

Trustee Stifflear asked that should this move forward for a second reading, Mr. James should provide the Board with side by side renderings of each elevation. He will show this to Plan Commission Chairman Steve Cashman and the two local architects who initially reviewed the plans for their feedback. Mr. James stated they will bring samples of the materials to the next meeting, as well.

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

h) Approve an Ordinance approving an application relative to the installation of Small Cell Equipment on an existing Utility Pole in the Right-of Way – Mobilitie, LLC

Trustee Stifflear introduced the item which is a request to install a distributed antenna system (DAS), on an existing utility pole at the high school in the public right-of-way near the pool and gymnasium on south Grant Street. This site has been identified as capacity deficient and this installation will improve cellular and 911 connectivity. He explained that while Federal and State law provides the right for carriers to use the public right-of-way, local municipalities have rights to review the aesthetics of the antenna and related equipment to minimize the effect on the surrounding neighborhood.

Ms. Michele Rowland, Mobilitie Network Real Estate Specialist, addressed the Board and explained this site was chosen because there was a need. They have been working with Village Planner Chan Yu on the aesthetics; the new equipment will be painted to match the existing pole. The distribution box will be installed at 11' feet high, and is about the size of a shoebox. The installation will take only a few hours, there no underground wires, and will be done when school is not in session. As of right now, this is the only identified site. She explained that this is technically not a DAS, which would allow for multiple carriers, this is only for Sprint. There is only one antenna per pole; this installation targets wireless data. The Board agreed this is not an invasive location. Discussion followed regarding legislation with the governor that will impact municipal rights.

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

i) Approve an Ordinance Approving Exterior Appearance Plans for Front and Rear Building Façade Work – 36 E. Hinsdale Avenue

Trustee Stifflear introduced the item which pertains to the old Verizon store. This is a two-story commercial building located in the B2 Central Business District. The proposed plan includes a new front entry alcove on the east corner for direct access to the second floor. This will allow separate entrance to both floors and will improve the prospects of leasing the spaces. This will not change the building dimensions, height, setbacks or FAR. The applicant is also requesting a change to the entrance on the back of the building to remove an existing blue overhead door and infill it with matching brick, and replace an existing 3' foot wide rear door with a 5' foot wide aluminum door and black awning. The Plan Commission reviewed this matter on February 14, 2018, and recommended unanimously to approve the exterior appearance plan application.

Mr. Shaun Blomquist, architect for the project, clarified that the elevator can be entirely contained within the building, and no bump-out will be required at the rear elevation.

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

j) Approve an Ordinance approving a Third Major Adjustment to a Site Plan and Exterior Appearance Plan for Site Plan Changes to the Property located at 830 N. Madison Street – Salt Creek Club

Trustee Stifflear introduced the item and provided background on the matter stating the planned development project was approved in 2006. In 2015, the first major adjustment was approved to build a new clubhouse. In January 2016 a second major adjustment was approved to make changes to the clubhouse, including removal of existing stone, windows, the addition of HVAC vents, a sliding patio door system and a backup generator. During staff's review of the work done for the second major adjustment, it was found that the work was not consistent with approvals. This third major adjustment will address this work that is already constructed. He noted each of the changes from the original approvals, all are code compliant, but include, among others, the relocation of a paver patio and canopy, relocation of certain parking spaces, a wider asphalt driveway and the addition of a storage shed. At this point, the Board can determine these changes are not in substantial conformity with the original detail plan and send this back to the Plan Commission for review, or that these changes are substantially consistent and treat this as a first read.

Mr. Rick Alas, past president of the Salt Creek Club, and Board member Bob Crane addressed the Board. Mr. Alas said he and Mr. Crane have been involved in this six year process, he acknowledges the changes, and stated they hope to resolve these with the Village. Mr. Crane explained the rationale for some of the changes that were made during the building process. Discussion followed. President Cauley cautioned against circumventing the process, minor changes are not a problem, but a list of 10 is more substantial. However, if the Board thinks the changes are minor and in substantial conformity to what was originally approved, the Board can approve, but this does not look like what the Plan Commission approved. President Cauley is reluctant to send the matter back, and Trustee Elder added some of the changes are inconsequential, but not all of them. The Board agrees the Plan Commission will likely approve these changes.

Trustee Stifflear stated that Village Board finds that this request is not in substantial conformity with the site plan and **moved that this request be referred to the Plan Commission for further review.** Trustee Elder seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

CONSENT AGENDA

Administration & Community Affairs (Chair Hughes)

- a) Trustee Elder moved **Approval and payment of the accounts payable for the period of February 16, 2018 to March 6, 2018, in the aggregate amount of \$871,320.46 as set forth**

on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk. Trustee Ripani 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:

- b) **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 (*First Reading – February 15, 2018*)**
- c) **Approve an Ordinance Authorizing the Sale by Auction or Disposal of Personal Property Owned by the Village of Hinsdale**

Environment and Public Service (Chair Brynes)

- d) **Waiving formal bid process and approving purchase of a water response trailer to Advantage Trailer in the amount not to exceed \$22,024*****
- e) **Approve the award of Custodial Services Bid #1639 to Eco-Clean Maintenance, Inc., for custodial services within Village facilities, for year one in the amount not to exceed \$74,184*****

Trustee Elder **moved to approve the Consent Agenda, as presented.** Trustee Byrnes 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 a month to month contract with Mac Strategies Group, Inc., Chicago, Illinois in an amount not to exceed \$6,500 per month for the period of February 28, 2018 through March 31, 2018 for lobbyist services related to the Illinois State Toll Highway Authority expansion project (*Discussion – January 9, 2018*)**

Assistant Village Manager/Director of Public Safety Brad Bloom explained staff feels the lobbyist is still providing a benefit and meeting with decision makers in the legislature.

Trustee Hughes **moved to Approve a month to month contract with Mac Strategies Group, Inc., Chicago, Illinois in an amount not to exceed \$6,500 per month for the period of February 28, 2018 through March 31, 2018 for lobbyist services related to**

the Illinois State Toll Highway Authority expansion project. Trustee Elder seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Environment and Public Service (Chair Byrnes)

- b) **Approve an Intergovernmental Agreement (IGA) between the Village of Hinsdale and Community Consolidated District 181, for the construction and maintenance of a parking deck (First Reading – February 15, 2018)**

Trustee Byrnes introduced the item, stating there have been no new developments, and District 181 has signed off on the agreement.

Trustee Elder moved to **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 Ripani seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

- c) **Approval of an 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. (First Reading – February 15, 2018)**

Trustee Byrnes introduced the item which is an agreement with Wight & Company to design and manage construction of the parking deck. The first meeting with Wight was held last week, it went well and we will continue to meet as needed. They have six months to design the deck, before going to bid. When the construction ready site is turned over in about a year, the Village will have six months to build the deck. Trustee Stifflear asked if there was risk involved in completing within that time frame. Mr. Steve Collins, from "Wight and Company, said the only risk is weather, but it is minimal. He stated the plan will be such that that period of time is more than adequate. He added there is some work that can be done in the winter should it be ready earlier than anticipated.

Trustee Byrnes moved **Approval of an 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 Posthuma seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

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** (*First Reading – February 15, 2018*)
Item taken out of order, previously addressed.

DISCUSSION ITEMS

a) IPM Report Presentation

Superintendent of Forestry John Finnell addressed the Board and provided brief summary of the Integrated Pest Management (IPM) report that was adopted in 1995 to promote public health, safety and welfare in green spaces and minimize the use of chemicals. He explained that the Village uses best management practices first, and chemical applications are always the last resort. He explained that the process has been developed with input from residents. The elements of Hinsdale’s IPM program include turf maintenance, prairie maintenance, tree preservation, mosquito abatement and sustainable landscapes. He noted that Hinsdale has a unique healthy elm population tracked since 1955. The Village already overseeds turf, does prescribed burns, and pro-actively injects elm and ash trees on a three-year cycle. Currently, most tree losses are the life process of the tree.

Ms. Ruta Jensen of 215 N. Grant Street addressed the Board stating she appreciates the Board’s efforts to promote health, safety and welfare, but doesn’t think the public always knows what this is. She doesn’t believe the Village always uses the least toxic pesticides and thinks the condition of all areas should be monitored three times a year, not once. She believes good record keeping is essential so it can be evaluated. She acknowledged that staffing is a problem. She expressed concern that current documentation is insufficient to keep the program on track when there is a staff change. She specifically noted that the chemical Tri-Power is used, and she outlined the dangers of this usage.

Trustee Hughes commented that if the Village is not doing what is in the plan, the Board should be informed in a timely way, and recommended a mid-year check-in.

b) 2018 Roadway Construction Update

No additional update provided.

c) Update on proposed I-294 Tollway expansion

Item discussed under Presidents Report.

DEPARTMENT AND STAFF REPORTS

- a) Community Development
- b) Economic Development
- c) Parks & Recreation
- d) Public Services

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

Ms. Gargano updated the Board regarding vehicle stickers, stating they went on sale March 1st and the new ability to purchase online is very successful. More stickers have been sold online than in person at Village hall.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

No reports.

OTHER BUSINESS

None.

NEW BUSINESS

None.

CITIZENS' PETITIONS

None.

TRUSTEE COMMENTS

None.

ADJOURNMENT

There being no further business before the Board, President Cauley asked for a motion to adjourn. Trustee Elder moved to **adjourn the regularly scheduled meeting of the Hinsdale Village Board of Trustees of March 6, 2018.** 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 9:30 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk