

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE MEETING
April 17, 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, April 17, 2018 at 7:45 p.m., roll call was taken.

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

Absent: Trustee Neale Byrnes

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 Brian King, Fire Chief John Giannelli, Director of Public Services George Peluso, Director of Community Development/Building Commissioner Robb McGinnis, Village Planner Chan Yu, Village Engineer Dan Deeter, 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) **Meeting of April 3, 2018**

Following a suggested change to the draft minutes, Trustee Elder moved to **approve the draft minutes of the Regular Meeting of April 3, 2018, as amended.** Trustee Posthuma seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Byrnes

Motion carried.

b) **Public Meeting of February 21, 2017**

There being no changes to the draft minutes, Trustee Hughes moved to **approve the draft minutes of the Public Meeting of February 21, 2017, as presented.** Trustee Elder seconded the motion.

AYES: Trustees Elder, Stifflear, Hughes and President Cauley

NAYS: None

ABSTAIN: Trustees Ripani and Posthuma

ABSENT: Trustee Byrnes

Motion carried.

CITIZENS' PETITIONS

Mr. John Bauschard of 132 E. Fifth Street, addressed the Board regarding the construction of a new home at 120 E. Fifth Street that will include changing the location of the existing driveway. Currently, the driveway exits onto Sixth Street, but the new owner wants to change it to Fifth Street. On April 4, 2018, the Historic Preservation Commission (HPC) reviewed the plan and agreed that access to the public right-of-way should not be granted on Fifth Street. He reported the Village is still entertaining plans at the staff level to put the driveway on Fifth Street. He believes this will be detrimental to his property because a retaining wall will be installed in front of his house, and further, that the Village appears to be compromising and settling for plans being aggressively pushed by the developer. Mr. Bauschard estimates the retaining wall will be three feet tall and approximately 15-20 feet in length on the public right-of-way in front of his house. He doesn't know why the new owner wants it there. Trustee Stifflear disclosed that Mr. Bauschard had approached him on this, and just does not want a retaining wall in front of his house. Director of Community Development Robb McGinnis pointed out that Village code states the opinion of the HPC is non-binding and advisory only. President Cauley said the Board will look into this matter.

VILLAGE PRESIDENT'S REPORT

President Cauley reported regarding a house fire last week at 329 E. Sixth Street. Fortunately no one was in the house; unfortunately this is one of oldest homes in Hinsdale. Fire Chief John Giannelli said 107 firefighters from fire companies from 24 different towns assisted in fighting the fire. He described how the fire found its way through void spaces throughout the 8,000' square foot older home from the second floor to the roof. The family pet was rescued and there were no reports of any injured firefighter.

Chief Giannelli said our firefighters did a great job fighting the fire and keeping the damage to a minimum. Salvage covers were used during the event, and our men went back that night, checked on the homeowner, and helped take property out of house late into the evening. Additionally, they checked the house throughout the evening to make sure there was no rekindle. He thanked the Police Department and Public Services and Community Development staff for their help. President Cauley added our Fire Department can be counted on for extra effort, and on behalf of the Board thanked them for their exceptional work.

APPOINTMENTS TO BOARDS AND COMMISSIONS – ZONING BOARD OF APPEALS

President Cauley thanked Mr. Marc Connelly for many years of service on the Zoning Board of Appeals, and added that after 10 years, he has elected not to be reappointed. He asked for a motion to approve the appointment of Mr. Tom Murphy, and outlined his background and qualifications. Trustee Elder moved **to approve the appointment as recommended by President Cauley**. Trustee Ripani seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Byrnes

Motion carried.

FIRST READINGS – INTRODUCTION

Zoning and Public Safety (Chair Stifflear)

- a) **Approve a Resolution Approving a Temporary Use and Related License and Indemnification Agreement for Outdoor Seating for 2018 for Casa Margarita at 25 E. Hinsdale Avenue**

Trustee Stifflear introduced the item and explained this is in regards to the restaurant located at the train station and an outdoor seating request that includes 14 tables and 28 chairs. This is the same as the last two years, and runs from April 1st to October 31st. There were walkway concerns when it was first brought forward two years ago, but those have been remedied and there have been no complaints.

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

Village Manager Kathleen Gargano reminded the Board that tables will be out before the final approval; the Board had no objections.

CONSENT AGENDA

Administration & Community Affairs (Chair Hughes)

- a) Trustee Posthuma moved **Approval and payment of the accounts payable for the period of March 31, 2018 to April 17, 2018, in the aggregate amount of \$980,186.14 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 and Posthuma

NAYS: None

ABSTAIN: None

ABSENT: Trustee Byrnes

Motion carried.

The following items were approved by omnibus vote:

- b) **Approve a Resolution Expressing the Intent of the Village to Reimburse Capital Expenditures from Proceeds of an Obligation** (*First Reading – April 3, 2018*)
- c) **Approve a Second Amendment to the Land Rover Hinsdale, LLC Economic Development and Sales Tax Revenue Sharing Agreement** (*First Reading – April 3, 2018*)

Environment and Public Service (Chair Brynes)

- d) **Award the contract for engineering services for construction observation of the 2018 South Infrastructure Project to GSG Consultants, Inc. in the amount not to exceed \$262,600 (First Reading – April 3, 2018)**
- e) **Award year two of the three year contract with Clark Environmental Mosquito Management, Inc. for annual mosquito abatement services in an amount not to exceed \$55,496**
- f) **Award year two of the three year contract #1625 to Al Warren Oil at the rate of Oil Price Information Service plus \$0.0225 for the purchase of gasoline and diesel**
- g) **Award the contract for engineering review service to James J. Benes and Associates, Inc. for an amount not to exceed \$45,000**

Zoning and Public Safety (Chair Stifflear)

- h) **Approve a Resolution approving a Consolidation Plat for property commonly known as 120 North Garfield Street in the Village of Hinsdale, County of DuPage (First Reading – April 3, 2018)**

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

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Byrnes

Motion carried.

SECOND READINGS / NON-CONSENT AGENDA – ADOPTION

Administration & Community Affairs (Chair Hughes)

- a) **Approve an Ordinance Authorizing the issue of not to exceed \$20,000,000 General Obligation Bonds (Sales Tax Alternate Revenue Source) for the purpose of paying the costs of certain public infrastructure projects in and for the Village (First Reading – April 3, 2018)**

Trustee Hughes introduced this item and the following two stating they have all been previously discussed, and there have been no changes.

Trustee Hughes moved to **Approve an Ordinance Authorizing the issue of not to exceed \$20,000,000 General Obligation Bonds (Sales Tax Alternate Revenue Source) for the purpose of paying the costs of certain public infrastructure projects in and for the Village.** Trustee Elder seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Byrnes

Motion carried.

- b) **Approve the FY2018-2019 Annual Performance Budget** (*First Reading – April 3, 2018*)
Trustee Hughes moved to **Approve the FY2018-2019 Annual Performance Budget**.
Trustee Elder seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Byrnes

Motion carried.

- c) **Approve the FY2018-2019 Pay Plan** (*First Reading – April 3, 2018*)
Trustee Hughes moved to **Approve the FY2018-2019 Pay Plan**. Trustee Elder seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Byrnes

Motion carried.

Environment and Public Service (Chair Brynes)

- d) **Award the contract for construction of the 2018 South Infrastructure Project (with Alternate #1, Hinsdale Avenue replaced in Concrete), to G & M Cement Construction, Addison, IL, in the amount not to exceed \$6,649,391.37** (*First Reading – April 3, 2018*)
President Cauley introduced the item, and explained that this approval includes alternative one, that was Hinsdale Avenue be replaced with concrete instead of asphalt. Trustee Elder moved to **Award the contract for construction of the 2018 South Infrastructure Project (with Alternate #1, Hinsdale Avenue replaced in Concrete), to G & M Cement Construction, Addison, IL, in the amount not to exceed \$6,649,391.37**. Trustee Posthuma seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Byrnes

Motion carried.

Zoning and Public Safety (Chair Stifflear)

- e) **Approve an Ordinance approving a Major Adjustment to a Site Plan and Exterior Appearance Plan for property located at 722-724 N. York Road - Hinsdale Animal Hospital** (*First Reading – April 3, 2018*)

Trustee Stifflear introduced the item and recapped that the item was originally approved in August 2017. At the first reading of this item, this Board agreed that the changes included in this major adjustment, primarily due to the fire code, are in substantial conformity with the original approval and therefore would not require further review by the Plan Commission. Trustee Stifflear moved to **Approve an Ordinance approving a Major Adjustment to a Site Plan and Exterior Appearance Plan for property located at 722-724 N. York Road - Hinsdale Animal Hospital**. Trustee Elder seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Byrnes

Motion carried.

- f) **Approve an Ordinance approving a Major Adjustment to a Site Plan and Exterior Appearance Plan for property located at 21 Salt Creek Lane - Hinsdale Humane Society** (*First Reading – April 3, 2018*)

Trustee Stifflear introduced the item and noted the original plan was approved by the Village Board in November 2017. At the first reading of this item, this Board agreed that the changes included in this major adjustment, primarily due to the fire code, are in substantial conformity with the original approval and therefore would not require further review by the Plan Commission. It was noted that these changes were necessary once renovations began on the existing building.

Trustee Stifflear moved to **Approve an Ordinance approving a Major Adjustment to a Site Plan and Exterior Appearance Plan for property located at 21 Salt Creek Lane - Hinsdale Humane Society**. Trustee Elder seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Byrnes

Motion carried.

- g) **Approve an Ordinance approving a Plat of Subdivision Kensington School (540 W. Ogden Avenue)** (*First Reading – April 3, 2018*); and
h) **Approve an Ordinance amending the Official Zoning Map of the Village of Hinsdale relative to the Rezoning of property located at 540 W. Ogden Avenue** (*First Reading – April 3, 2018*)

Trustee Stifflear introduced the two second reading items for Kensington School which are for a preliminary plat of subdivision and a map amendment. This property is the old Amlings site. It is approximately four acres and is zoned R4. This property has been vacant for 10 years. This proposal would split the north 1.75 acres from the south 2.25 acres and rezone the north portion O2 for the construction of a Kensington School facility. The south portion would be built with 8 code compliant single family homes on a dedicated cul de sac. Trustee Stifflear noted that a site plan and exterior appearance plan has been

submitted to the Plan Commission, and was reviewed last week, but those are not the matters before the Board at this time. Relative to the preliminary plat and map amendment, he reminded the Board that the Plan Commission held two public hearings and a neighborhood meeting to review these items. Concerns voiced at those meetings were school operations, traffic, parking and uncertainty surrounding any future use of the property. The Plan Commission recommended approval with a vote of 4-3.

He noted that at the April 3, 2018 Village Board meeting, staff was asked to provide additional data on traffic changes since the parking lease with Hinsdale Orthopedics and Manor Care was terminated. Unfortunately, local construction projects prevented gathering accurate before and after counts. He pointed out that this plat is a preliminary plat and more general in nature with regard to distance and legal requirements. If the Board approves this tonight, the Board will see the final plat and exterior appearance and special use approvals at their May 1st meeting.

Mr. Chuck Marlas, of Kensington School, added there have been no changes in the past two weeks.

Mr. Dirk Landis of 618 W North addressed the Board and made two points; 1. The gentleman who is a builder who stated at the last meeting that he has no interest in the property really does; and 2. Concern that if the school doesn't work, anything allowed in the O2 could go in. President Cauley responded staff is working on this with Village attorneys, and are considering an O2A zoning district which would limit how the property is developed. He noted that this project will include putting a tank underground to store water run-off. This is an opportunity to fix a problem, and could limit what could be built on the lot. President Cauley assured Mr. Landis that the Board will find a way to provide residents assurance these concerns will be addressed. Mr. Landis said traffic should be controlled, too. President Cauley said the Board members all share that concern.

Mr. Jim Byczek of 326 N. Monroe addressed the Board stating he is favor of this project and believes it is a great use of the property. He reiterated that his brother, Mr. Joe Byczek, has no interest in this project. Mr. Jim Byczek is in the real estate business and has looked at this property; he stated that single family homes adjacent to Ogden Avenue and Manor Care are not feasible. President Cauley added the Board is not taking anybody's word on that, the Village has been trying to get single family homes on this property for 12 years. He reiterated that the school will be a single story building, and a good buffer.

Mr. Chris Schramko of 544 W. North Street addressed the Board with concerns that changing the zoning on this parcel may have an impact on other R4 zoned sites on Ogden Avenue. He mentioned the former Hinsdale Animal Hospital property. President Cauley stated that property will remain R4; the owners came to the Board to request a zoning change and the Board said no. He added that one of the problems with the Amlings property is the office across the street and other area commercial enterprises. Mr. Schramko thinks this will set a precedent; moreover, what happens if the school closes, some of the permitted uses are less desirable. President Cauley said this is being addressed. Trustee Stifflear pointed out that if Manor Care was going to build today, they would be short 60+ parking spaces. The same would be true of the Amlings property, if a more intense use wanted to occupy the space. It wouldn't work. He added that this Board takes changing zoning very seriously, but the fact that this property has been vacant for so long is impactful. Mr. Schramko stated he is not in favor of the project.

Mr. Chuck Marlas added he tried to acquire the Institute of Basic Life Principles (IBLP) property, but could not because of traffic, but noted that IB is the most restrictive zoning classification. He added he is happy to make any concession to the zoning ordinance to see this project through.

Trustee Hughes said he is in favor of this proposal. He commented on what the reasons to vote against it might be, and concluded that the code provides for map amendments, the project provides value to the community, and the traffic impact to the area is modest. With respect to this operation failing, he just doesn't see it. The business has been in operation since 1969. He believes Hinsdaleans do use this type of facility, and it will provide an option for people to find the right environment for their child. Trustee Posthuma is also in favor of the project; he believes it is a great opportunity to deal with a long term eyesore. The school is a great transitional use; low impact and little risk. Trustee Ripani is not in favor, because he has seen no real proof there is need in the community. There have been comments made by the applicant and residents at the Plan Commission, but no hard facts. He needs more proof to approve changing the code. Trustee Elder is in favor of the project, and agrees with the remarks of Trustees Hughes & Posthuma. He noted the Elmhurst school is full, and believes this is a good transition between Ogden and the residential properties. Trustee Stifflear said he is in favor of the project, and reiterated that in the case of the Hinsdale Animal Hospital property, he would say no to a map amendment, but the 10 year vacancy is a material difference, and meets the standards in the code to make a map amendment. Additionally, the surrounding properties are not residential. He said he is sympathetic to residents about traffic concerns, but this will be minimal.

Trustee Stifflear moved to **Approve an Ordinance approving a Plat of Subdivision Kensington School (540 W. Ogden Avenue) and Approve an Ordinance amending the Official Zoning Map of the Village of Hinsdale relative to the Rezoning of property located at 540 W. Ogden Avenue.** Trustee Elder seconded the motion.

AYES: Trustees Elder, Stifflear, Hughes and Posthuma

NAYS: Trustee Ripani

ABSTAIN: None

ABSENT: Trustee Byrnes

Motion carried.

- i) **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 and reminded the Board of discussions on March 20, 2018 regarding plans to replace the proposed stucco and brick with hardie board and stone. Although the Board was favorable to the changes, they agreed these changes met the standards of a major adjustment, and therefore required another review by the Plan Commission. The Plan Commission met last week, they heard all the details and recommended Board approval by a vote of 6-0.

Trustee Stifflear moved to **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 Elder seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Byrnes

Motion carried.

- j) **Approve the purchase of one Power Loader and Power Cot from Stryker Medical, 1901 Romence Road Parkway, Portage, Michigan in an amount not to exceed \$48,503.86**

Trustee Stifflear introduced the item and explained that it is before the Board as a second reading because it was discussed at the capital planning meeting with the Finance Commission. It was approved with the budget in April 2017. Included with the price of the ambulance, is \$48,000 for additional equipment. This money is paid to a different vendor and is above the Village Manager's authority to approve. He noted the Village will receive a \$15,000 grant reimbursement from IRMA for a net cost of \$33,000. He was initially concerned about the cost, but this item is part of IRMA's risk prevention initiative as lifting and moving patients in and out of the ambulance is one of the most frequent causes of loss for IRMA communities. This purchase will allow Hinsdale to directly reduce our risk associated with worker's compensation costs, which averages \$16,000/per year for IRMA communities. In that sense, there is a two year payback for this item that follows best practices.

Fire Chief Giannelli added the ambulance will also need radios and lettering, but will still come in under budget. Assistant Village Manager/Finance Director Darrell Langlois added that in addition to the grant credit, the Village will trade in the old ambulance, so everything is within budget.

Trustee Elder moved to **Approve the purchase of one Power Loader and Power Cot from Stryker Medical, 1901 Romence Road Parkway, Portage, Michigan in an amount not to exceed \$48,503.86.** Trustee Posthuma seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Byrnes

Motion carried.

DISCUSSION ITEMS

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

President Cauley reported on the walk through the parks with staff, Trustee Byrnes, Tollway and BNSF representatives. Although there has been no movement from the Tollway on how wide the road will be, they are cooperating with the park issues, baseball fields, and soccer fields. He addressed both temporary and permanent easements. There is the temporary easement for the shoofly in Veeck Park. The Tollway will permanently take the sloped property in Peirce Park, but will make some improvements that will result in 15' feet of more usable land. It will be more attractive, and the Little League fields on the east will still be

usable. The work will be organized so as not to occur during baseball season. The wall will be rebuilt in early spring and early fall. It has also been suggested that the new wall be built before removing the old one, and then building the roadway. With respect to the Oasis, it will exist on both sides of the road, thereby maintaining existing revenues. This is encouraging, but still not completely resolved.

Assistant Village Manager/Director of Public Safety mentioned upcoming Tollway public meetings, and one that is still being scheduled with Hinsdale.

DEPARTMENT AND STAFF REPORTS

- a) Public Services
- b) Engineering
- c) Community Development
- d) 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

Trustee Hughes reported meeting with Orchard Street residents prior to this meeting to discuss the nature and severity of their storm water related issues. He believes it was a productive meeting. The Village will conduct a hydrology study to get some data and some information about potential options for the Board to consider.

He also reported that negotiations with the Hinsdale Paddle Tennis Association (HPTA) are continuing now that their season is over. He believes they are well organized to take on management of the entire program. They have details for their budgets, and are moving closer toward new operations and leasing of the paddle hut. He hopes by July or August there will be a draft agreement and proposal.

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 April 17, 2018.** Trustee Hughes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Byrnes

Motion carried.

Meeting adjourned at 9:00 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk