

**VILLAGE OF HINSDALE  
VILLAGE BOARD OF TRUSTEES  
MINUTES OF THE MEETING  
May 1, 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, May 1, 2018 at 7:33 p.m., roll call was taken.

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

Absent: Trustee Gerald J. Hughes

Also Present: Village Manager Kathleen A. Gargano, Attorney Tom Bayer, Assistant Village Manager/Finance Director Darrell Langlois, Assistant Village Manager/Director of Public Safety Brad Bloom, Police Chief Brian King, Fire Captain Kevin Votava, 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 17, 2018**

Following corrections to the draft minutes, Trustee Elder moved to **approve the draft minutes of the Regular Meeting of April 17, 2018, as amended.** Trustee Ripani seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustee Hughes

Motion carried.

**CITIZENS' PETITIONS**

None.

## VILLAGE PRESIDENT'S REPORT

President Cauley reported on a memorandum from Administration Manager Emily Wagner regarding vacancies in the Central Business District (CBD). He is happy to report the vacancy rate is 3.7% which is very low. It was 12.4% in 2015, and as high as 13.7% in 2014. Gateway Square is 100% occupied, and although there are still some vacant store fronts, this is still great news.

### APPOINTMENTS TO BOARDS AND COMMISSIONS

President Cauley asked for a motion to reappoint the following individuals as noted.

#### Plan Commission

Mr. Steve Cashman re-appointed as Chair to a 3-year term through April 30, 2021  
Mr. Scott Peterson re-appointed to a 3-year term through April 30, 2021

#### Finance Commission

Mr. Adam Waldo re-appointed as Chair to a 3-year term through April 30, 2021

#### Zoning Board of Appeals

Mr. Robert Neiman re-appointed as Chair to a 3-year term through April 30, 2021

Trustee Elder moved to **Approve the appointment(s) to Village Boards and Commissions, as recommended by the Village President.** Trustee Byrnes seconded the motion. Trustee Byrnes remarked on how great it is that these people continue their service to the Village.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustee Hughes

Motion carried.

## FIRST READINGS – INTRODUCTION

### Administration & Community Affairs (Chair Hughes)

- a) **Approve an Ordinance Proposing the Establishment of Special Service Area 14 in the Village of Hinsdale, and Providing for a Public Hearing and Other Procedures in Connection Therewith**

President Cauley introduced the item which relates to efforts to pay for the new parking deck. When the Hinsdale Middle School decided to build a new school, their plans called for the elimination of 50 parking spaces in the Washington Street lot. This would have exacerbated an existing parking problem. By February 2017, meetings were held to discuss two options to remedy the problem; a larger deck under the surface lot that would halve approximately 189 spaces, or a smaller deck that would go only part way under the

school's surface lot and would have approximately 118 spaces. The estimate for the large deck was \$4.53 million and the smaller was \$2.78 million. The February meetings indicated it was unanimous among merchants and residents that the Village needed a parking deck for the CBD, and discussions focused on which size deck would meet these needs. At that time, staff believed, as did President Cauley, that the smaller deck was sufficient and also less expensive. Although there is evidence that parking is at capacity at certain times of the day, there is no hard evidence to support that the smaller deck would be sufficient to eliminate the parking problem. All of the merchants, and most residents, who attended the meetings wanted the larger deck. At a public meeting in February, President Cauley said he stated the Village would likely seek to have an SSA of the merchants in the CBD to help pay the difference between the cost of the small and large deck. One merchant stated she had no problem with the SSA as long as the additional spaces for the larger deck were devoted to merchant's employees and their customers. In August 2017, the estimate for the large deck increased from \$4.5 million to \$7.6 million. Discussions were reopened, but the near unanimous view was to continue with the larger deck.

The Village is borrowing the money to pay for the deck, but will have to pay roughly \$70,000 per year on that debt. This is the cost difference between the two decks. The SSA will defray that cost difference; the remainder of the debt service will be paid from the Village's usual revenue streams. If the SSA passes, that \$70,000 will be shared among 82 CBD parcels bounded by Hinsdale Avenue, Garfield, Second Street and Grant Street. The average cost per merchant will be \$60 per month; we understand the Chamber of Commerce supports the SSA. The merchants have the right to oppose the SSA, however, if not approved the Village will be unable to pay all the debt service from existing revenue streams, in part because of extensive road work. The plan in that case would be to make a substantial portion of the deck available for commuters to offset the cost. President Cauley outlined the lengthy approval process for the SSA ending with the final approval of the tax levy in November. He noted that if it passes, payments would start in 2019.

Discussion followed. It was pointed out there are over 148 people on the waiting list for the main commuter lot and is comprised of Hinsdale residents only. It is up to the business community to decide what they want to do. President Cauley added when the lot is built, the initial plan is that merchant's employees and customers will park for free; the cost of the SSA is less than the current cost of merchant parking.

Mr. John Berger from the Chamber of Commerce, addressed the Board and said they have reviewed the documents and the history. The Chamber supports the SSA and is ready to field questions from merchants.

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

**b) Approve a Fifth Term Extension of the Recreational License Agreement with the Hinsdale Paddle Tennis Association (HPTA)**

President Cauley introduced the item and reported that Trustee Hughes believes there has been progress with the HPTA, but would like more time to finalize the details.

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

**Environment & Public Services (Chair Byrnes)**

**c) Approve Amendment to Multi-County Municipality Intergovernmental Agreement (IGA) Under the Metropolitan Water Reclamation District of Greater Chicago Watershed Management Ordinance**

Trustee Byrnes introduced the item and explained that historically the Village has had an IGA with the Metropolitan Water Reclamation District of Greater Chicago, whereby the Village administers the DuPage County Stormwater and Flood Plain Ordinance in the DuPage and Cook County portions of Hinsdale. This means that any new developments with stormwater management issues have to get a permit from DuPage County and the Metropolitan Water Reclamation District of Greater Chicago. This amendment clarifies that these issues will now be solely addressed by the DuPage County Ordinance, and will streamline the permitting process.

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

**d) Approve an Intergovernmental Agreement (IGA) between the Village of Hinsdale and the County of DuPage, Illinois for the implementation of the National Pollution Discharge Elimination System Program in the Salt Creek and Des Plaines River watersheds**

Trustee Byrnes introduced the item, and explained the Village has an IGA with DuPage County, wherein we are permitted by the IEPA to discharge water from our storm sewers, but requires we must develop, implement and enforce prescribed stormwater management measures to reduce the discharge of pollutants. DuPage County partners with the Village for control measures; for example the County does annual testing for pollutants, which results in significant cost savings to the Village. Recently, the IEPA has required that these informal partnerships between DuPage County and its municipalities must be formalized. This agreement has been reviewed and approved by our environmental consultants Huff & Huff, and our legal consultant Klein Thorpe Jenkins. Trustee Byrnes added that DuPage County's help is invaluable.

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

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

**e) Approve an Ordinance Approving a Special Use Permit to Operate a Physical Fitness Facility (Yoga Studio) in the B-2 Central Business Zoning District at 45 S. Washington Street – Inner Jasmine Yoga and Wellness**

Trustee Stifflear introduced the item. The applicant plans to open a Yoga studio on the third floor at 45 S. Washington, just south of Jade Dragon. This commercial building is surrounded by B2 CBD parcels on all sides. The proposed space has been vacant for 2-3 years, but was formerly the Hinsdale Athletic Club. The Plan Commission recommended approval by a vote of 6-0.

Ms. Katya Sedelnik, owner applicant, addressed the Board. She explained she has been teaching for over six years and needs a space meet the needs of her students and business. Classes will be held one evening a week, but she might add a second evening depending on demand and growth. Classes would be during the week at 9:00 and noon, and Saturday. The class schedule is secondary to workshops and programs, which are limited to 12 persons, and no weights or loud music are used that might disturb other tenants. There would potentially be one class during peak parking time, at noon. Ms.

Sedelnik believes most of the participants at this time would be walking to class on their lunch hour.

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

f) **Approve an Ordinance Approving and Accepting a Final Plat of Subdivision – Kensington School (540 West Ogden Avenue\*); and**

Trustee Stifflear introduced the item and noted the preliminary plat was approved at the last meeting of the Board, and that the final plat provides much greater detail. The southern half of the lot will be eight code compliant R4 residential lots. The entrance into the new cul de sac will be on Monroe Street and commonly known as Kensington Way.

The final plat proposes to amend the zoning designation from R4 Residential to O2 Office District for the 1.74 acres on the northern portion of the property facing Ogden Avenue. This parcel is bordered by other O2 and R4 properties. He referenced the Village subdivision regulations found in Section 11-1-12(G) that address land dedication and contribution standards for subdivision of a property. To meet this requirement, this proposal grants the Village an irrevocable easement for water drainage and a water storage vault on the Kensington school property. The easement is approximately 23,000' square feet. The installation of a public storm water vault on the applicant's property provides a material benefit to the Village as it will alleviate the severe flooding on Madison Street. This is a benefit to the immediate neighborhood, but also the 5,000 vehicles per day that utilize Madison Street, that has been shut down during excessive rains. Additionally, because the vault and drainage will not be constructed to withstand any structural weight, this ensures the easement space above the vault will remain green space even if Kensington School were to leave. Last month the Plan Commission recommended approval of the Final Plat of subdivision by a unanimous vote of 6-0.

President Cauley is in favor of fixing the storm water problems in the area as this has been a public safety problem for many years. He reported the number of hours Madison Street has been closed over the last several years as a result of flooding, including most recently for eight hours in February 2018. This is a major route through the Village, and he believes this is the only way to solve the problem. Trustees agreed this is a great plan to solve this problem.

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

g) **Approve an Ordinance Approving a Special Use Permit to Operate a Child Daycare Facility in the O-2 Limited Office Zoning District at 540 W. Ogden Avenue – Kensington School\*); and**

Trustee Stifflear introduced the item which is a special use permit to provide a full day preschool program. He described the hours of operation and the enrollment. He pointed out the need of the community for this type of use was not unanimous at the Plan Commission or the Village Board, but the majority agrees it is. The Plan Commission recommended approval by a unanimous vote of 6-0.

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

h) **Approve an Ordinance Approving a Site Plan and Exterior Appearance Plan for a Child Daycare Facility – Kensington School – 540 W. Ogden Avenue**

Trustee Stifflear explained the exterior appearance includes Colonial architecture that relates to buildings in the area. The materials will be 100% red brick masonry with white trim and a grey shingled roof. He described the proposed landscape buffering on the property, and noted the parking lot lighting fixtures are consistent with residential style

lighting. Village code permits three stories in the O2 district, the planned building will be a one-story building, or approximately 23' feet in height.

With respect to the site plan, the Plan Commission was tough on the applicant to deliver a code compliant product, which this is. It includes 39 parking spaces, and a refuse space to the interior side yard. The site plan also includes a loading space for truck delivery along the west side of the building, which the applicant has stated is not necessary for their operation. The applicant and the neighborhood may be better served if this area is preserved as green space. The Plan Commission thinks the loading space is too big, although code compliant, and recommends using it as green space. The Plan Commission recommended approval by a unanimous vote of 6-0.

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

*(The following item taken out of order)*

**Approve a Referral to Plan Commission for Review and Consideration of an Ordinance Amending the Hinsdale Zoning Code, Chapter 6 (Office Districts), Section 6-111 (Bulk, Space and Yard Requirements) to Change Certain Height, Bulk, Yard and Coverage Requirements for O-2 Zoning District Lots Adjoining Three or More Lots with Single-Family Detached Dwellings**

Trustee Stifflear introduced the item and explained this matter is referred by staff in response to residents' concerns that if Kensington School left, a more intense use could come in. He explained that because of the storm water vault and easement, no other structure would be supported on that property. This item is a referral to the Plan Commission for an amendment to the zoning code, Chapter 6 (Office Districts), Section 6-111 (Bulk Space and Yard Requirements) to change certain height, bulk, yard and coverage requirements in the O2 zoning district for lots adjoining three or more lots with single-family detached dwellings. This will limit the maximum structure height from 40' feet to 25' feet; front yard setbacks increased from 25' feet to 32.5' feet, side yard setbacks increased from 10' feet to 13' feet; and rear yard setbacks increased from 20' feet to 26' feet. Additionally, floor area ratio (FAR) would be decreased from 50% to 25%. The purpose of the ordinance is to make O2 lots by residential district less intensive uses.

Mr. Chuck Marlas, applicant, addressed the Board and said one of the proposed side yard setbacks might be in conflict, and that he has concerns about vehicular access to his property. Trustee Stifflear referenced IDOT restrictions on Ogden Avenue and that the applicant has requested language be developed to protect property access.

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

i) **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 explained that the 2017 final inspection on a second amendment to the site plan and exterior appearance plan at the Salt Creek Club by staff found changes made were that not consistent with the approved plan. The Board concluded that the 10 changes were not in substantial conformity with the approved plan, and therefore required further review by the Plan Commission. Following their review, the Plan Commission recommended approval by a unanimous vote of 6-0.

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

**j) Approve an Ordinance Approving Exterior Appearance Plans Related to Telecommunications Equipment Upgrades - T-Mobile Central, LLC - 339 W. 57th Street**

Trustee Stifflear introduced the item related to telecommunication equipment upgrades at the water tower at Hinsdale Central. This property is in the IB Institutional Building District. There are no changes to the subject property elevation and minimum code requirements will not be affected. Public meeting notice requirements have been satisfied. T-Mobile is requesting approval to replace four existing antennas and add four new remote radio units. The purpose of the new equipment is to improve network coverage.

Ms. Amanda Wegrzyn, of NTP Wireless, addressed the Board and explained the new equipment is about a foot larger than the existing equipment, and the amplifiers are approximately the size of a pizza box. She confirmed there would be no visible difference from the ground. Trustee Stifflear said the Plan Commission recommended approval by a unanimous vote of 6-0.

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

**k) Approve a Referral to Plan Commission for Review and Consideration of an Ordinance Amending the Hinsdale Zoning Code, Chapter 6 (Office Districts), Section 6-111 (Bulk, Space and Yard Requirements) to Change Certain Height, Bulk, Yard and Coverage Requirements for O-2 Zoning District Lots Adjoining Three or More Lots with Single-Family Detached Dwellings**

*(Item previously taken.)*

## CONSENT AGENDA

### Administration & Community Affairs (Chair Hughes)

- a) Trustee Stifflear moved **Approval and payment of the accounts payable for the period of April 18, 2018 to April 27, 2018, in the aggregate amount of \$1,250,048.67 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, Posthuma and Byrnes

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustee Hughes

Motion carried.

*The following items were approved by omnibus vote:*

### Zoning and Public Safety (Chair Stifflear)

- b) **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** *(First Reading – April 17, 2018)*
- c) **Approve the purchase of one (1) 2018 Ford Interceptor SUV from Currie Motors of Frankfort, Illinois in the amount of \$27,802**

**d) Approve an Ordinance Authorizing the Sale by Auction or Disposal of Personal Property Owned by the Village of Hinsdale**

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

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustee Hughes

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 (Mac Strategies) in an amount not to exceed \$6,500 per month for the period of May 1, 2018 through May 31, 2018 for lobbyist services related to the Illinois State Toll Highway Authority (Tollway) expansion project**

President Cauley introduced the item and explained this is an item to approve the monthly contract for lobbyist services, but added this may be the last month this will be before the Board.

Trustee Elder moved to **Approve a month to month contract with Mac Strategies Group, Inc., Chicago, Illinois (Mac Strategies) in an amount not to exceed \$6,500 per month for the period of May 1, 2018 through May 31, 2018 for lobbyist services related to the Illinois State Toll Highway Authority (Tollway) expansion project.** Trustee Ripani seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustee Hughes

Motion carried.

**DISCUSSION ITEMS**

**a) Update on proposed I-294 Tollway expansion no report**

President Cauley stated he had nothing further to report at this time.

**b) Preliminary drainage improvements - Madison Street**

President Cauley introduced the discussion item by stating his concern is that if this \$1 million dollar improvement occurs, will it be effective in preventing future closing of Madison Street. He concedes there could still be some standing water, but the Village would like assurances with respect to road closure. Mr. Jeff Julkowski of Christopher B. Burke Engineering, Ltd.

(CBBEL) addressed the Board. He stated that CBBEL is still looking at a couple of alternatives to optimize the system, but with respect to the storm activity reported in the last five years, both alternatives would be effective in eliminating the road closures and the standing water. He explained that the heavy rains that come in quick bursts are more difficult to handle, for example, a 100-year storm. In that case, because of the age of the infrastructure in Hinsdale, there would be water problems throughout town, but Madison Street would be the most robust system in the Village. The problem exists because about 20 acres of property floods to Madison where all the water drains into a 15" inch pipe that has back-pitched the wrong way. Essentially, the plan is to build a bigger pipe and drain it to the Kensington vault to hold it, where it will then drain to Ogden Avenue. As part of the design, soil borings are being done to check soil condition. This information will allow CBBEL to evaluate and recommend the part of the design that will address the back-pitching. He added that problem is less likely with a bigger pipe. Mr. Julkowski stated the opportunity to address the solution with the developer creates the most effective way to correct this problem. Village Manager Gargano said staff has directed that this be designed in such a way that if in the future we were to get IDOT permits to move water under Ogden, which time will not permit with the Kensington time table, this will allow for that capability. Mr. Julkowski explained that it would be less expensive to put in a bigger pipe, but that would require acquiring permits and easements from the Institute of Basic Life Principles (IBLP). Director of Public Services George Peluso stated that when the preliminary phase is closer, staff will communicate project details with area residents. Ms. Gargano said the formal design proposal will be on the next agenda for Board approvals. She also stated that in anticipation of this project, funding is included in the next debt issuance. Assistant Village Manager/Finance Director Darrell Langlois explained that this item is not in this year's budget, but he will be able to appropriate the bond funds in July.

**c) Request for early construction start hours – South Infrastructure Project**

Director of Public Services George Peluso said this is the same request as usual to begin work at 7:00 a.m. instead of 8:00 p.m. He noted there were no complaints last year. The Board had no objections to the request. President Cauley suggested we change the ordinance to match practice.

**DEPARTMENT AND STAFF REPORTS**

- a) Treasurer's Report
- b) Parks & Recreation

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 Stifflear reported the Historic Preservation Commission is having a special meeting tomorrow at 5:00 p.m. Landmark Illinois is making a presentation about how to move our community forward with landmarking homes. Trustees Byrnes and Posthuma will be attending.

**ADJOURNMENT**

There being no further business before the Board, President Cauley asked for a motion to adjourn to Closed Session. Trustee Stifflear moved to **adjourn the regularly scheduled meeting of the Hinsdale Village Board of Trustees of May 1, 2018 into closed session under 5 ILCS 120/2(c)(11) Litigation, filed or pending before a court or administrative tribunal or when an action is probable or imminent, not to reconvene into open session.** Trustee Elder seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustee Hughes

Motion carried.

Meeting adjourned at 8:40 p.m.

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