

**VILLAGE OF HINSDALE  
VILLAGE BOARD OF TRUSTEES  
MINUTES OF THE MEETING  
February 19, 2019**

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, February 19, 2019 at 7:30 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, Assistant Village Manager/Director of Public Safety Brad Bloom, Assistant Village Manager/Finance Director Darrell Langlois, Police Chief Brian King, Deputy Chief of Police Tom Lillie, Director of Community Development/Building Commissioner Robb McGinnis, Administration Manager Emily Wagner 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 5, 2019**

There being no changes to the draft minutes, Trustee Elder moved to **approve the draft minutes of the regular meeting of February 5, 2019, as presented.** 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 meetings of November 20, 2018 and February 5, 2019**

There being no changes to the draft minutes, Trustee Elder moved to **approve the draft minutes of the closed session meetings of November 20, 2018 and February 5, 2019, as presented.** Trustee Ripani seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

**NON-CONSENT AGENDA – ADOPTION – Sterigenics**

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

- a) **Adopt a Resolution Stating the Position of the Village of Hinsdale Board of Trustees Regarding Sterigenics, Willowbrook, Illinois, and authorize the Village Attorney to seek intervention in the pending litigation against Sterigenics brought by the Illinois Attorney General and the Du Page County State's Attorney; and**

**Approve a Proposal for Professional Industrial Hygiene and Risk Assessment Services Hazard Assessment and Ambient Air Sampling – Ethylene Oxide with GHD Services, Inc., Little Rock, Arkansas in an amount not to exceed \$25,000; and**

**Approve a professional services contract with Lucie Fraiser Toxicology Consulting LLC., Fayetteville, Arkansas to interpret the data provided by the GHD Services on a time and materials basis**

President Cauley introduced the item stating he had written to Sterigenics and the Environmental Protection Agency (EPA) in October 2018. However, after he found out his law firm is representing Sterigenics, he recused himself from further activities, and gave authority to Trustee Stifflear, as Chair of the Zoning And Public Safety Committee, to represent the Village's interests.

Trustee Stifflear said staff has been working diligently on this issue, but emphasized that Sterigenics is located in Willowbrook, and is outside the authority of the Village. On Friday, February 15, the Illinois EPA issued a seal order that halted operations at Sterigenics. They were in court today to get relief; and will get a ruling tomorrow. This matter is not concluded; the Village of Hinsdale must stay vigilant to ensure the safety of its residents. The items before the Board will allow the Village to provide the greatest amount of influence over elected officials at both the State and Federal levels, and the greatest amount of information specific to Hinsdale. These items include engaging the services of an air sampling firm, utilizing the services of a toxicologist to interpret air sampling data, adopting a resolution advocating for the permanent closure of Sterigenics, and joining a lawsuit against Sterigenics filed by the Illinois Attorney General and the DuPage County State's Attorney. Hinsdale will then be a party to the lawsuit and as a result will have a seat at the table regarding any settlement discussions.

**Mr. Irfan Ibrahim of 216 S. Bodin Street** addressed the Board and thanked them for their public service. He recapped the ethaline oxide report. He said there are 6,500 members of the Stop Sterigenics group. He has reviewed the steps the Village will be taking. He recommends a Hinsdale citizen task force be formed to provide oversight and checks and balances. There should be a town hall meeting following the testing conducted by the Village. He believes 40% of Hinsdale residents are affected by the gas.

Trustee Hughes asked if there is a sense of cost with respect to the contract with the toxicologist. The fee is \$250.00 per hour, stated Village Manager Kathleen A. Gargano, but there is no way to determine total cost until the data is collected. Trustee Stifflear added it is benefit to use the firms that Willowbrook and Burr Ridge are using because of familiarity.

Trustee Stifflear moved to **Adopt a Resolution Stating the Position of the Village of Hinsdale Board of Trustees Regarding Sterigenics, Willowbrook, Illinois, and authorize the Village Attorney to seek intervention in the pending litigation against Sterigenics brought by the Illinois Attorney General and the Du Page County State's Attorney; and Approve a Proposal for Professional Industrial Hygiene and Risk Assessment Services Hazard Assessment and Ambient Air Sampling – Ethylene Oxide with GHD Services, Inc., Little Rock, Arkansas in an amount not to exceed \$25,000; and Approve a professional services contract with Lucie Fraiser Toxicology Consulting LLC., Fayetteville, Arkansas to interpret the data provided by the GHD Services on a time and materials basis.** Trustee Elder seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

Discussion followed regarding the suggestion of a citizen task force. Trustee Stifflear suggested waiting to get the results and analysis of testing before dedicating resources.

### **CITIZENS' PETITIONS**

None.

### **VILLAGE PRESIDENT'S REPORT**

No report.

### **FIRST READINGS – INTRODUCTION\*\***

#### **Administration & Community Affairs (Chair Hughes)**

- a) **Approve an Ordinance Amending Title 3 (“Business and License Regulations”), Chapter 3 (“Liquor Control”), Section 3;-3-11 (“Classification of Local Liquor Licenses”) and Section 3-3-12 (“Term; Fees”) of the Village Code of Hinsdale Related to Classification of and Fees for Local Liquor Licenses**

Trustee Hughes introduced the item explaining this is primarily a housekeeping item. There are two items to be changed. The first is in regards to Class D Special Event licenses. By ordinance, there are 12 events permitted per year, but the Village has learned that the Community House has far more than this number. To be fair to others in this Class, this item proposes adding a per event fee after the first 12, and to require reporting to the Village. Additionally, there will be specific event restrictions primarily related to minors to provide extra measures of safety. The second change pertains to the fee for a Class C Personal Service license. Currently, the fee is \$2,000 which is the same as a restaurant serving beer and wine. The Personal Service use is significantly less intense, and one of these license holders brought the disparity to the attention of staff. This item

would reduce the fee for a Class C license to \$750.00. Trustee Hughes noted there are currently only three Class C license holders.

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

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

b) **Approve an Ordinance Amending Section 6-12-3 of the Village Code of Hinsdale relative to stop signs**

Trustee Stifflear introduced the item stating that Deputy Police Chief Tom Lillie has been working on this since June 2018. These issues usually come to the Board on a one-off basis, but this item addresses 13 uncontrolled intersections. Nine of these intersections are located east of County Line Road in the northeast quadrant of the Village. He added this request is driven by resident requests. He referenced the packet which illustrates accidents in the last five years; the crash site data warrants stop signs. He feels that in the last 5-7 years there has been a marked increase in the number of people who do not stop at intersections without a sign. He explained that each intersection has been checked for volume of traffic, site lines, resident input and crash data. He speculated that the reason there are more accidents is due to poor site lines as a result of yard sizes in this area. Deputy Chief Lillie added the reactionary time to see drivers on the approach to the intersection is reduced. It was added that a slightly longer transit time is a small price to pay for safety, and could discourage cut-through traffic. Trustee Stifflear noted the average speed in this area is 28 mph; residents are not slowing down at these intersections. Trustee Byrnes commented the report presented to the Board is very comprehensive, and he does not believe yield signs are as effective. Trustee Hughes asked about cars parked too close to the corner. Deputy Chief Lillie said State law requires cars park 30' feet from a traffic sign. President Cauley suggested 'no parking here to corner' signs be installed where necessary.

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

c) **Approve an Ordinance Amending Title 5 ("Police Regulations") Chapter 3 ("Misdemeanor Offenses"), Section 5.1 ("Sale or distribution of tobacco to minors, by minors or at institutions serving minors") of the Village Code of Hinsdale in regard to E-Cigarettes and Alternative Nicotine Products**

Trustee Stifflear introduced the item which is an amendment of police regulations regarding sale of tobacco to minors. Included definition of tobacco; e-cigarettes will be the same as regular tobacco. Police Chief Brian King added this is a housekeeping item.

The Board agreed to move this item to the Consent agenda of 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 6, 2019 to February 19, 2019, in the aggregate amount of \$815,519.53 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.

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

- b) **Waive competitive bidding and award renewal of contract #1624 for Landscape Maintenance to A&B Landscaping and Tree Service, Inc. in an amount not to exceed \$137,160**

Trustee Byrnes introduced the item that is the second option to renew of a three-year contract for maintenance of public green spaces and the Woodlands rain gardens. Prices have been kept constant, and they have done a good job.

Trustee Byrnes moved to **Waive competitive bidding and award renewal of contract #1624 for Landscape Maintenance to A&B Landscaping and Tree Service, Inc. in an amount not to exceed \$137,160.** Trustee Elder seconded the motion.

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

Motion carried.

**SECOND READINGS / NON-CONSENT AGENDA – ADOPTION**

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

- a) **Approve an Ordinance approving a second major adjustment to a site plan and exterior appearance plan for property located at 330 Chestnut – Hinsdale Land Restoration and Preservation, LLC** (*First Reading – February 5, 2019*)

Trustee Stifflear introduced the item that is a second reading for a request for a two-story accessory structure at the new office building west and behind Kramer's. The Zoning Board of Appeals (ZBA) granted six variations on this matter, and the Plan Commission unanimously recommended approval.

Trustee Stifflear moved to **Approve an Ordinance approving a second major adjustment to a site plan and exterior appearance plan for property located at 330 Chestnut – Hinsdale Land Restoration and Preservation, LLC.** Trustee Hughes seconded the motion.

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

Motion carried.

b) **Approve an Ordinance approving a Design Review Permit for Illuminated Ground Sign and Wall Sign on Property located at 718 N. York Road – Kouris MD Cosmetic Plastic Surgery (First Reading – February 5, 2019)**

Trustee Stifflear introduced the item which is a request for an illuminated sign similar to the type of sign previously approved for the new animal hospital. This is located in the design overlay district, so this Board has the final vote. He noted the sign is code compliant and was approved by the Plan Commission.

Trustee Stifflear moved to **Approve an Ordinance approving a Design Review Permit for Illuminated Ground Sign and Wall Sign on Property located at 718 N. York Road – Kouris MD Cosmetic Plastic Surgery.** Trustee Elder seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

c) **Approve a Resolution of the Village of Hinsdale, DuPage and Cook Counties, Illinois, Supporting I-294 Central Tri-State Travel Demand Findings to Add a Full Interchange at 31<sup>st</sup> Street and Oppose any Off or On Ramps to or from 55<sup>th</sup> Street**

Trustee Stifflear introduced the item and explained the Village does not have final authority in this matter, but can provide an opinion to the Tollway Authority.

The Village staff participated in a Travel Demand Analysis as part of the I-294 Tollway widening project. The study findings included three possible scenarios pertinent to Hinsdale; 1) a partial interchange at 55<sup>th</sup> Street, including an exit ramp from southbound I-294; 2) a full interchange at 31<sup>st</sup> Street and I-294; and 3) a modified full interchange at Cermak Road. Staff, in conjunction with Western Springs, recommends that this Board oppose any access from 55<sup>th</sup> Street, and fully support the full interchange at 31<sup>st</sup> Street. He noted that Hinsdale has advocated for ramps at 31<sup>st</sup> Street since the mid-1980's to alleviate traffic backups on eastbound Ogden Avenue and southbound York Road. This would also likely reduce the cut through traffic at Graue Mill. These recommendations would be included in any formal agreement with the Tollway Authority. President Cauley elaborated stating that ramps on 55<sup>th</sup> Street would increase traffic on 55<sup>th</sup> Street east of County Line Road by 21%, and increase traffic on County Line Road by 17%. However, exchanges on 31<sup>st</sup> Street would have the opposite effect, and would decrease traffic on York Road by 20% and on Ogden Avenue by 4%. He noted that because of the distance of Cermak Road to Hinsdale, there is no measurable impact. This is before the Board tonight for final approval because the Tollway Authority wants an answer immediately.

Trustee Stifflear moved to **Approve a Resolution of the Village of Hinsdale, DuPage and Cook Counties, Illinois, Supporting I-294 Central Tri-State Travel Demand Findings to Add a Full Interchange at 31<sup>st</sup> Street and Oppose any Off or On Ramps to or from 55<sup>th</sup> Street.** Trustee Elder seconded the motion.

Village Manager Gargano commented it does not appear the Tollway has a firm position on this matter, and has no plans at this time. Assistant Village Manager/Director of Public

Safety Brad Bloom added the Tollway is soliciting opinions from most DuPage County towns.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

### **DISCUSSION ITEMS**

a) **Village Welcome sign**

Administration Manager Emily Wagner addressed the Board regarding the status of the welcome sign for Ogden Avenue. Staff got three quotes, the lowest is \$17,372, and is within the Village Manager's spending authority. Discussion followed regarding maintenance. Ms. Wagner will report to the Board as to whether the sign is powder coated. She added that Economic Development Coordinator Anna Martch has been working with the County to move their sign, and is meeting with them next week to determine location.

### **DEPARTMENT AND STAFF REPORTS**

a) **Treasurer's Report**

b) **Fire**

c) **Public Services**

The report(s) listed above were provided to the Board. Trustee Hughes asked Assistant Village Manager/Finance Director Darrell Langlois to summarize the Treasurer's Report for the Board. Mr. Langlois said most major revenue sources are performing well, and trending positive. Staff is trying to finalize the draft budget, and six month projections will improve. The State is still holding back 5% of income tax income, but will still be \$63,000 over budget. Interest income is becoming more meaningful again, and will result in a \$150,000 increase. Utility tax revenues from natural gas, electric, telecommunications and water, in the aggregate, are trending flat. For several years the Finance Commission has been focusing on the erosion of telecommunications tax income, likely a result of more internet based communications. They recommend predicting a 6% decline next year. Ms. Gargano added she has brought this to the attention of the DuPage Mayors and Managers, who will do a study to determine the regional affect to see if legislators can be approached to address the matter. Mr. Langlois reported permit revenues will be between \$250,000-\$300,000 over budget; because of year to year fluctuation, the Finance Commission has recommended reporting a three-year average next year. Fines are up 10%.

On the expense side, due to the turnover in the Police Department, overtime will be over budget by approximately \$200,000. He believes most of this will be offset by salary savings in the Police Department and other areas throughout the Village.

Trustee Hughes remarked that the Board has a much tighter control over expenses than in years past, but there must be continued vigilance.

## 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 February 19, 2019.** Trustee Hughes seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

Meeting adjourned at 8:30 p.m.

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