

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE MEETING
May 7, 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, May 7, 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 Emily Wagner, Finance Director Darrell Langlois, Police Chief Brian King, Fire Chief John Giannelli, Director of Community Development/Building Commissioner Robb McGinnis, Director of Public Services George Peluso, Village Engineer Dan Deeter, Recreation Supervisor Sammie Hanzel and Village Clerk Christine Bruton

PLEDGE OF ALLEGIANCE

President Cauley led those in attendance in the Pledge of Allegiance.

APPROVAL OF MINUTES

a) **Special Meeting of April 23, 2019**

Following changes to the draft minutes, Trustee Elder moved to **approve the draft minutes of the regular meeting of April 2, 2019, as amended.** Trustee Ripani seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

b) **Closed Session of March 5, 2019 and Closed Session of April 23, 2019**

There being no changes to the draft minutes, Trustee Elder moved to **approve the draft minutes of the Closed Session of March 5, 2019 and Closed Session of April 23, 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.

PROCLAMATION – BUILDING SAFETY MONTH

President Cauley read the Building Safety Month Proclamation.

VILLAGE PRESIDENT’S REPORT

President Cauley said tonight we say goodbye to Trustee Michael Ripani, who served a two-year term on the Village Board. He thanked Mr. Ripani for his willingness to serve, and for providing his valuable skills as a lawyer, reviewing an endless stream of contracts. Many of those contracts are complicated and the work is tedious. The Board truly appreciates the time and effort put forth to serve our community.

Three trustees were elected in April; congratulations to Trustee Luke Stifflear, Mr. Scott Banke and Ms. Laurel Haarlow. He explained that Mr. Banke is unable to be sworn in until May 21, and Trustee Elder has graciously agreed to sit on the Board until then.

President Cauley congratulated Trustee Stifflear on his re-election and congratulated the residents of Hinsdale on their wisdom in deciding to re-elect Trustee Stifflear. He has been an extremely valuable member of the Village Board, and as Chair of the Zoning & Public Safety Committee (ZPS) he has dealt with some of the more complicated and potentially contentious issues that face this Board. Trustee Stifflear has spearheaded ‘smart development’ in Hinsdale that balances a thriving vital community with new developments, and the interest of residents to preserve the unique character of Hinsdale.

Ms. Laurel Haarlow grew up in Hinsdale and has a deep commitment to her home town. She has volunteered her time to a long list of Hinsdale organizations that have helped strengthen and preserve our community. She will bring a unique perspective and balance to Board. She is a landscape architect, and active in historic preservation. He looks forward to her taking the lead on preservation and architectural issues that come before the Board in the form of exterior appearance and site plan review.

OATH OF OFFICE AND SEATING OF VILLAGE BOARD MEMBERS

President Cauley administered the Oath of Office to re-elected Trustee Luke Stifflear and newly elected Trustee Laurel Haarlow.

Trustee Ripani said he moved to Hinsdale in 2003, and found it a friendly town, which only got better as he got more involved in the community. Hinsdale is a wonderful town to live in, and added volunteering will enrich your life.

ADJOURNMENT SINE DIE

Trustee Elder moved **to adjourn the meeting of May 2, 2017, sine die.** Trustee Hughes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

CALL TO ORDER - RECONVENE

Following the seating of the newly elected members of the Village Board, the regularly scheduled meeting of the Hinsdale Village Board of Trustees was reconvened by President Tom Cauley in Memorial Hall of the Memorial Building on Tuesday, May 7, 2019 at 7:51 p.m.

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

Absent: None

CITIZENS' PETITIONS

None.

FIRST READINGS – INTRODUCTION

Environment & Public Services (Chair Byrnes)

- a) **Award the engineering services for design of the E. Chicago Avenue Drainage Corridor Project to HR Green, Inc. in the amount not to exceed \$133,400**

Trustee Byrnes introduced the item to design the East Chicago project to alleviate flooding in this area by installing a retention system. The funding for the project will come from the tollway in conjunction with the widening of the tollway. The tollway is invested in solving existing flooding issues because of their impact on the proposed extension.

President Cauley added the tollway has their own water retention issues, and agreed to a \$2.1 million expenditure to correct the problem. Village Engineer Dan Deeter explained that storm sewers will be installed on Orchard and Elm, and at the low point in that area a storm sewer will be installed in those back yards. Trustee Hughes suggested this be communicated to area residents as soon as possible. Mr. Deeter explained the project will be designed this year, and construction will not begin until 2020. Ms. Gargano assured the Board staff will meet with residents when the design is firm. She added there will be some disruption to the commuter lot, as well.

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

- b) **Approve a professional services agreement with HR Green to provide owner's representative services for the parking deck project at a cost not to exceed \$70,738**

Trustee Byrnes introduced the item recommending Mr. Scott Creech of HR Green to serve as the owner's representative for the parking deck project. President Cauley feels

comfortable with this appointment as HR Green has been very responsive and provided excellent service on previous projects.

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

- c) **Approve the North Madison Street Flood Project (East) to Burke LLC in an amount not to exceed \$520,760, and confirm acceptance of bids received from Kensington Hinsdale Building, LLC in the amount not to exceed \$771,600**

Trustee Byrnes introduced the item which is in regards to Madison Street flooding problems. He noted the sum of the east and west Madison projects are over budget, but added the Chicago Avenue and north Madison projects are watershed events for the Village, inasmuch as Madison was considered unsolvable because there was nowhere to put the water until the Kensington project, and the east portion was too expensive. Village Engineer Dan Deeter explained the overage is due to the necessary addition of piers under the inlet structures on Madison, to accommodate poor soils. This was not originally budgeted, but will prevent the sewer from sinking, and will function for decades to come. President Cauley pointed out that in general the roadwork over the last several years has come in under budget. These multimillion storm water issues effect many residents, and the Village is fortunate to get help from the tollway and Kensington school to solve these ongoing problems.

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

Zoning and Public Safety (Chair Stifflear)

- d) **Approve an Ordinance approving a fourth major adjustment to a Planned Development – Hinsdale Meadows (Southeast corner of 55th Street and County Line Road) – Hinsdale Meadows, LLC**

Trustee Stifflear introduced the fourth major adjustment to Hinsdale Meadows, the planned development of 55th & County Line Road, a 64-unit age targeted community. This major adjustment will add a single-family ranch plan which is 2,576” square feet, add an additional option for a dormer detail about the garage for the existing Hampton ranch plan, offer additional lap siding to the approved shingle siding, and add three additional color options. At the April 2, 2019 Village Board meeting, the Board was willing to approve the dormer issue, but forwarded the remainder of the requests to the Plan Commission. At their meeting of April 10, the Plan Commission voted unanimously to recommend approval by the Village Board of the remaining modifications.

Mr. Mike Balas, representing Hinsdale Meadows, reported they have a couple new contracts with the spring season, and the models have been well received. He explained that some of the lots in the development won't accommodate the larger ranch model. Trustee Stifflear noted the idea is to give consumers more choices.

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

CONSENT AGENDA

Administration & Community Affairs (Chair Hughes)

- a) Trustee Stifflear moved **Approval and payment of the accounts payable for the period of April 24, 2019 to May 7, 2019, in the aggregate amount of \$609,232.20 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 Posthuma, Elder, Stifflear, Hughes, Haarlow and Byrnes

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

The following items were approved by omnibus vote:

b) **Approve the FY 2019-2020 Village Pay Plan (First Reading – April 23, 2019)**

Environment & Public Services (Chair Byrnes)

- c) **Approve the award of Tree Pruning Bid #1655 to Nels J. Johnson Tree Experts Inc. for tree pruning services in the amount not to exceed the budgeted amount of \$73,906**
- d) **Waive the competitive bidding requirement in favor of the Northwest Municipal Conference Joint Purchasing Program – Contract #161 with Standard Equipment Company and approve the purchase of a new combination Vector truck not to exceed \$346,890**
- e) **Award the contract for engineering review services to James J. Benes and Associates, Inc. for an amount not to exceed \$45,000**

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

SECOND READINGS / NON-CONSENT AGENDA – ADOPTION

Administration & Community Affairs (Chair Hughes)

- a) **Approve an Agreement and Grant a Recreation License to the Hinsdale Platform Tennis Association (HPTA) (First Reading – April 23, 2019)**

Trustee Hughes introduced the item and explained that since the first reading, the language and understanding of how to manage the \$15,000 annual capital fund, which will be a joint bank account at Republic Bank of Hinsdale, has been updated. Also, the timing on our initial subsidy payment to HPTA in the first year will be earlier than in the future because of start-up needs. Moving forward, the payment will be made in September. HPTA has

committed to getting advance deposits from members, too. Finance Director Darrell Langlois said the budget does not reflect this arrangement, but the capital is included. Trustee Hughes asked Mr. Langlois for an accounting of revenues and expenses. He referenced the importance of the project time line and an April 1st start, so as to be ready for the following paddle season.

Trustee Hughes moved to **Approve an Agreement and Grant a Recreation License to the Hinsdale Platform Tennis Association (HPTA)**. Trustee Elder seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

President Cauley thanked Ms. Alice Waverley, Trustee Hughes and Mr. Langlois for their time. He thanked HPTA members for their patience moving through the process, but believes this is a great way to organize our affairs.

- b) **Approve a policy and guidelines for requests to name newly acquired parkland, park amenities and buildings** (*Discussion – March 19, 2019, Second Reading – April 23, 2019*)

Trustee Hughes introduced and indicated this document indicates that parks and fields will not be sectioned off or subdivided by naming individual playing fields or surfaces.

Ms. Waverly, Chair of the Parks & Recreation Commission, explained there is a separate policy for park bench donations, and there is no issue differentiating these requests from those addressed by the naming policy. Some concern had been raised by Former Trustee Ripani about maintenance expenses and that a major donation should be more than 50% of the cost. Trustee Hughes cautioned that some decisions should be made upon review, and a policy cannot address every possibility. Some judgement will be required.

Trustee Hughes moved to **Approve a policy and guidelines for requests to name newly acquired parkland, park amenities and buildings**. Trustee Elder seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Environment & Public Services (Chair Byrnes)

- c) **Approve awarding Bid Group 1 for excavation and storm water management for the parking deck project to Lima Excavating in an amount not to exceed \$1,914,400**
d) **To reject all competitive bids for plumbing for the parking deck project**

President Cauley said the two EPS items regarding the parking deck will not be addressed tonight, but forwarded to the next meeting of the Board. Lima Excavating has said they will honor their bid for another two weeks, and better information will be available on the other deck items at that time.

DISCUSSION ITEMS

a) Dog restraint and confinement ordinance

President Cauley began discussion stating this relates to an event that happened last year. A woman walking her dog was attacked by two dogs belonging to her neighbor, and sustained serious injuries. The Village has met with the DuPage County prosecutor and the situation is under control, but there is a flaw in our ordinance. Following an incident such as this, our Police Department can pick up the dog; however, unless the dog is rabid, the owner can retrieve the dog immediately. This ordinance changes that so that if a dog attacks a person, the dog will be impounded until a determination is made on the viciousness. Currently, the ordinance states that dogs have to be leashed or under voice control, but staff is suggesting leashes be required in the public right-of-way.

Trustee Elder said he would let his dog out unleashed late in the evening. He is not opposed to this ordinance but is reluctant to penalize good dogs, and suggested with the attack President Cauley described, the owner was not around.

Mr. Bryan Freel of 325 Adams, addressed the Board stating that dog attacked his dog, too. He believes all dogs should be leashed as there is always the possibility of a problem without physical restraint. He also commented on the anxiety caused when an individual encounters an unleashed dog. Chief King added that DuPage County Animal Services will make the determination of whether or not a dog is vicious, usually within three weeks of the impoundment. He stated these types of incidents are relatively rare, but this allows the Village to take action based on circumstances.

Trustee Elder agreed it makes sense to be safer, and Trustee Byrnes added most of the dogs he sees are on leashes. Trustee Hughes cautioned that people may feel strongly about this and suggested getting information from other communities. It was noted the ordinance is still a working draft, but the actual language will be provided to the Board at the time of a first reading of the item.

DEPARTMENT AND STAFF REPORTS

- a) Engineering
- b) Parks & Recreation
- c) Economic Development
- d) Police

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

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 May 7, 2019.** Trustee Hughes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Meeting adjourned at 8:33 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk