

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE MEETING
May 21, 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 21, 2019 at 7:33 p.m., roll call was taken.

Present: Trustees Matthew Posthuma, Scott Banke (following Oath of Office), Luke Stifflear, Gerald J. Hughes, Laurel Haarlow, 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 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 May 7, 2019**

Following changes to the draft minutes, Trustee Hughes moved to **approve the draft minutes of the regular meeting of May 7, 2019, as amended**. Trustee Byrnes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

OATH OF OFFICE AND SEATING OF VILLAGE BOARD MEMBER

President Cauley made farewell remarks for former Trustee Chris Elder stating he was born and raised in Hinsdale, and served on the Village Board for eight years. He stated that, in his view, he was the perfect Trustee. He was always prepared, and willing to give his time and energy where needed. He took the concerns of residents seriously, listened to all points of view, and was open to changing his mind. He was respectful of residents, staff and Board members. He will be missed.

Trustee Hughes added that he will personally miss working with Trustee Elder, as they have worked together for 10 years on this Board and the Finance Commission. He did so much work behind the scenes. He thanked him for his time with the Village.

President Cauley introduced Trustee-elect Mr. Scott Banke, stating he has lived in Hinsdale since 1990, and volunteered his time and energy for various causes and organizations. He served on the Parks & Recreation Commission for seven years, the Board of Police and Fire Commissioners, and served on the Village Board for six months. He is excited to have him back. President Cauley administered the oath of office to Mr. Banke.

Trustee Banke took his seat at the dais.

VILLAGE PRESIDENT'S REPORT

President Cauley announced his Committee appointments for the next two years, noting that the current chairs of those Committees have agreed to continue.

He also reported that Trustee Hughes and Finance Director Darrell Langlois have been working to develop financial information that is more digestible by the Village Board. A schedule has been provided to the Board at the dais. This is not in lieu of the quarterly report, but in addition. He described the information on the schedule; including estimated actuals, estimated annual projection based on performance to date, and revenue and expense summaries. He summarized the contents of the report and pointed out notable information.

Trustee Hughes made a suggestion for future reports; President Cauley added that if any Trustee had any ideas to forward them to Mr. Langlois. Trustee Hughes asked that this report be put on the Village website.

CITIZENS' PETITIONS

None.

FIRST READINGS – INTRODUCTION

Administration & Community Affairs (Chair Hughes)

- a) **Approve the blanket purchase orders for Fiscal Year 2019-2020 totaling \$590,096 and waiving the competitive bidding requirements where applicable**

Trustee Hughes introduced the item and explained this is an annual housekeeping matter; the Board approves spending to individual vendors where in the aggregate the amount could be over the Village Manager's spending authority. This prevents the Board from having to approve these payments individually.

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

Environment & Public Services (Chair Byrnes)

- b) **Approve a lobbying services agreement with Chris Nybo LLC, 444 Mitchell Avenue, Elmhurst, through December 31, 2019**

Trustee Byrnes introduced the item for lobbying services related to HB 3172 that introduces the sharing of sales tax revenue. It would be harmful for Hinsdale to split Oasis sales tax

revenue with Western Springs. The lobbyist will assist in preventing the bill from going to the Senate. If the bill is squashed in the next month or so, the agreement can be cancelled. Trustee Hughes referenced the false claim of Western Springs regarding their providing services relative to the Oasis. President Cauley confirmed that Burr Ridge is also claiming a right to share Oasis revenue. Village Manager Gargano explained that legislative sessions end May 31, and will start again in the fall, but this could come up in veto session. It was confirmed that Western Springs hired a lobbyist to advance this issue. The Board agreed to move this item to the consent agenda of their next meeting.

Zoning and Public Safety (Chair Stifflear)

- c) **Approve an Ordinance Amending Title 5 (“Police Regulations”), Chapter 7 (“Dogs, Cats, and other Animals”), Section 5-7-10 (“Restraint”) and Section 5-7-11 (“Impoundment”) of the Village Code of Hinsdale Related to Leashing Dogs and Impounding Dangerous or Vicious Dogs Pending Investigation** (*Discussion Item – May 7, 2019*)

Trustee Stifflear introduced the item that was discussed by the Board at their last meeting. The ordinance introduces two changes to the Village code; to require restraint by leash in the public right-of-way, and impoundment until DuPage County Animal Control completes a review. Resident feedback was solicited; no one has opposed impoundment following an attack on a person, but there were differing opinions on the leash requirement.

Ms. Lisa Vaughn of 116 S. Adams addressed the Board. She described the attack last year of an unleashed dog on her dog. The owners of the dog were sorry and volunteered to pay the vet bills, but the owner continued to walk the dog off-leash. They then called the police and reported the incident; there have been multiple incidents with this dog. She believes Village ordinances should be strengthened to allow police to enforce safety for residents.

Mr. Chris Vaughn of 116 S. Adams addressed the Board. He added the owner of the dog in the incident his wife described believed he had the dog under voice control. About a dozen of his neighbors met with President Cauley, Police Chief King and the States Attorney to discuss this issue, he thanked these individuals for listening to them. He believes the proposed ordinance is a smart law and not out of the ordinary. He added that by ordinance or policy the Police should be required to report these types of incidents to DuPage Animal Control. In this way, restrictions can be placed on dogs earlier, before additional incidents can occur.

Trustee Hughes said he leaned in favor of this change, but wanted to hear more. He had no idea what the feedback would be, but thinks the Board has heard 10 to 1 in favor of this ordinance from residents. In the hierarchy of the things the Board works to preserve, real and perceived safety is at the top. Feeling safe is really important, and therefore is in favor of this ordinance. He would like the monthly Police report to include dog incidents. He suggested that this reporting, as well as the ordinance, address attacks on other animals, not just people.

Trustee Byrnes struggles with the wording regarding the Police Chief’s role in these incidents. President Cauley responded this ordinance will allow the Police Chief to determine if the dog should remain impounded until the DuPage Animal Control review. Chief King elaborated stating DuPage County Animal Control can control the environment, in terms of fences, collars, removing the dog from the County, and putting dogs down. Trustee Banke said it seems impetus for enforcement will result impoundment, but what will

happen if an officer sees someone walking their dog off-leash? Chief King explained this is an ordinance violation, and there is a ticket and a fine associated with the offense. President Cauley noted that residents can still let their dogs off-leash at Katherine Legge Memorial Lodge (KLM), as permitted by ordinance. Chief King added that 10 municipalities were surveyed; Clarendon Hills and Burr Ridge allow voice control, but the other eight require leashing.

Trustee Posthuma added that the leash can be 10' feet long, which still gives the dog plenty of room to walk around. Trustee Stifflear echoed Trustee Hughes remarks noting that some people are afraid of dogs, and an unleashed dog is frightening. This shouldn't be the case. Residents who were opposed to this ordinance had well laid out arguments, but he puts more weight on the fact that others may be in fear. He asked how this will be enforced and how residents will be informed of the new regulation. Chief King said it is a three step process; education, warning and enforcement. Trustee Haarlow pointed out that the owner who is willing to pay hundreds of dollars in veterinary bills, might not find a ticket meaningful persuasion. Chief King explained that the ticket is still important because it establishes a record with the County in the event there are multiple incidents. An accumulation of data will assist the County in making a determination. He added that the Village can ask the County to do a safety assessment, too.

President Cauley encouraged residents to report these incidents to the Police Department. He added the Village controls the process now, not the owner.

Trustee Hughes made specific suggestions for changes to the language of the ordinance; which included expanding the criteria as included, but not limited to, remove the corporate limits language, and add attacks on humans or other animals. Trustee Banke also suggested that this information be provided to residents every time a dog is registered. Ms. Gargano agreed, and added staff can do a mailing to registered dog owners, and post it to the website.

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

CONSENT AGENDA

Administration & Community Affairs (Chair Hughes)

- a) Trustee Hughes moved **Approval and payment of the accounts payable for the period of May 8, 2019 to May 21, 2019, in the aggregate amount of \$903,807.55 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee Byrnes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

SECOND READINGS / NON-CONSENT AGENDA – ADOPTION

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** (*First Reading – May 7, 2019*)

Trustee Byrnes introduced the item and moved to **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 Hughes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

- 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** (*First Reading – May 7, 2019*)

Trustee Byrnes introduced the item for a new owner's representative for the remainder of the deck project, and added that Mr. Creech is very knowledgeable.

Trustee Byrnes moved to **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 Banke seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

- 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** (*First Reading – May 7, 2019*)

Trustee Byrnes introduced the item and moved to **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 Banke seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

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** *(First Reading – May 7, 2019)*

Trustee Stifflear introduced the item and recapped the requests included in the fourth major adjustment. He noted the Plan Commission voted 6-0 to recommend approval.

Trustee Stifflear moved to **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 Hughes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

- e) **Approve a Referral to Plan Commission for Review and Consideration of an Ordinance Amending Section 11-603 (Planned Developments), and to Section 11-604 (Site Plan Review) of the Hinsdale Zoning Code Relative to Adjustments to Planned Developments and Site Plans** *(Non-consent/Second Reading – March 19, 2019)*

Trustee Stifflear introduced the item and explained the catalyst for this revision was the number of minor changes to site plans from Hinsdale Meadows. The Board felt that some were so minor in nature that they needn't come to the Board, but could be approved administratively. The Board, staff and the Village Attorney have reviewed the language of the proposed ordinance, and Trustee Stifflear thinks it is in decent shape. He noted that any minor change could only be approved administratively following review by the Chair of the Zoning & Public Safety Committee (ZPS), the Chair of the Plan Commission, the Community Development Director and the Village Manager.

Trustee Stifflear moved to **Approve a Referral to Plan Commission for Review and Consideration of an Ordinance Amending Section 11-603 (Planned Developments), and to Section 11-604 (Site Plan Review) of the Hinsdale Zoning Code Relative to Adjustments to Planned Developments and Site Plans.** Trustee Hughes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

DISCUSSION ITEMS

a) ERP update

Assistant Village Manager Emily Wagner reported staff has been working hard for the past five months, starting with a new chart of accounts, which is the backbone of the system. Mr. Langlois and staff are working with the chart in a test environment. Additionally, the new system uses pin numbers for each address; staff is entering and verifying every property line by line. Staff and Baecore are reviewing all processes; billing, Accounts Receivable and Payroll to make sure they will be correct. She confirmed that bills paid to Baecore to date match the contract and are slightly ahead of budget.

b) Sterigenics

Trustee Stifflear assured residents the Village of Hinsdale is committed to public safety and keeping the seal order against Sterigenics Willowbrook in effect. At this point, the facility remains closed. On May 8, Willowbrook, Burr Ridge, Darien, Indian Head Park and Hinsdale delivered a joint letter to Attorney General Kwame Raoul and DuPage County State's Attorney Robert Berlin opposing any settlement to lift the seal order, or allow the use of ethylene oxide (ETO) in these communities. On May 10, the Village filed a petition to intervene with DuPage County regarding the People of Illinois vs. Sterigenics, which will be heard on July 18.

He reported the U.S. Environmental Protection Agency will host an open house and community meeting on Wednesday, May 29 in Burr Ridge to update the community on their work regarding Sterigenics and ETO. He encouraged interested residents to attend this meeting.

Finally, he explained that the community of Burr Ridge has assembled an Environmental Quality Commission in order to keep the Sterigenics matter on the right track. He said the commission is composed of residents and Trustees from Burr Ridge as well as residents, scientists and community leaders from surrounding communities, including Hinsdale. Currently, the Commission has primarily focused on reviewing submitted legislation and providing feedback to legislators. He believes when communities work together on a matter such as this, all have a stronger voice at the State and Federal level. The reason Hinsdale does not have a task force, is because we are participating with Burr Ridge.

He referenced a memo to the Board this week about lobbying services contracted by Burr Ridge at \$5,000/per month through the end of the year. If any other community wants to join, they can. Darien has not joined, and Willowbrook has a separate lobbying effort. He doesn't think Hinsdale should join because of the cost, and because the matter is already on the top of legislative agendas. Further, the strongest opposition can be made by residents contacting their State legislators. Trustee Byrnes added the Sterigenics matter has the full authority of the IEPA and the Governor's support. Ms. Gargano added that when she was recently in Springfield, she spoke with State Representative Deanne Mazzochi who is working to draft the legislation. Leaders in the Illinois House and Senate are aware of this issue and are responding.

Trustee Hughes commented that hiring a lobbyist is a good idea is one question, contributing is another question, and wondered if Hinsdale should be a good neighbor and help pay the way. Trustee Stifflear responded stating that he could change his recommendation on participating in the future, but wants to see what comes out of the legislative session ending May 31 first before considering our path. He added that Burr Ridge chose the lobbyist without

any input from Hinsdale, and he would be more comfortable participating in the cost after an interview or review of the lobbyist. Trustee Hughes added that if Hinsdale is benefiting from the work of the lobbyist, we should consider helping out if that makes sense.

c) Recycling update

Management Analyst Jean Bueche reported that all residents have received a postcard from Republic Services outlining the composting program and an option to upgrade resident's recycling toter. This information is also on the website.

DEPARTMENT AND STAFF REPORTS

- a) Treasurer's
- b) Fire
- c) Community Development
- 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 on various matters; all Sterigenics information is posted on the Village website; HB 3127 is in the Senate Executive Committee; the Village issued a press release announcing that May is Historic Preservation Month, and there is a mobile app called Historical Tourist: Hinsdale, that provides a guided tour into Hinsdale's history; the pool opens on May 25, other summer Parks & Recreation events include Taco Tuesday and Summer Brew and Q; the Memorial Day Parade is Monday, May 27, Village offices are closed; Metra has a new revised weekday schedule starting Monday, June 3, the 4:50 p.m. outbound train will arrive in Hinsdale at 5:16 p.m. instead of 5:29 p.m.; Columbia Avenue residents met with staff and tollway representatives to work through resident issues.

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 Stifflear moved to **adjourn the regularly scheduled meeting of the Hinsdale Village Board of Trustees of May 21, 2019**. Trustee Byrnes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Meeting adjourned at 8:49 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk