

**VILLAGE OF HINSDALE
SPECIAL MEETING OF THE
VILLAGE BOARD OF TRUSTEES
November 15, 2010**

The special meeting of the Hinsdale Village Board of Trustees was called to order by President Tom Cauley in Memorial Hall of the Memorial Building on Monday, November 15, 2010 at 7:33 p.m.

Present: President Tom Cauley, Trustees J. Kimberley Angelo, Bob Saigh, Laura LaPlaca, Doug Geoga and Bob Schultz

Absent: Trustee Cindy Williams

Also Present: Village Attorney Ken Florey, Village Manager Dave Cook, Assistant Village Manager/Director of Finance Darrell Langlois, Director of Community Development/Building Commissioner Robb McGinnis, Director of Economic Development Tim Scott, Director of Public Services George Franco, Village Forrester John Finnell and Deputy Village Clerk Christine Bruton

Also Present: Pam Lannom – The Hinsdalean

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Trustee LaPlaca moved to **approve the minutes of the Regular of Meeting of November 2, 2010, the Closed Session Meeting of February 1, 2010, the Closed Session Meeting of February 16, 2010, the Closed Session Meeting of May 18, 2010 and the Closed Session Meeting of September 20, 2010.** Trustee Schultz seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: Trustee Williams

Motion carried.

CERTIFICATE OF APPRECIATION – VILLAGE TREASURER

President Cauley read and presented a Certificate of Appreciation to retiring Village Treasurer Mr. Gerry Fink.

APPOINTMENTS

Historic Preservation Vice-Chairman

President Cauley introduced the item and asked for a **motion to approve the appointment of Mr. Steven Arens to Vice-Chairman of the Historical Preservation Commission.** So moved by Trustee Saigh, seconded by Trustee Angelo.

AYES: Trustees Angelo, Saigh, LaPlaca, Geoga, Schultz
NAYS: None
ABSTAIN: None
ABSENT: Trustee Williams

Motion carried.

Village Treasurer

President Cauley asked for a **motion to appoint the Director of Finance, Darrell Langlois, as Village Treasurer.** So moved by Trustee Angelo, seconded by Trustee Saigh.

AYES: Trustees Angelo, Saigh, LaPlaca, Geoga, Schultz
NAYS: None
ABSTAIN: None
ABSENT: Trustee Williams

Motion carried.

CITIZENS' PETITIONS

None.

VILLAGE PRESIDENT'S REPORT

President Cauley reported that the sales tax referendum passed on November 2nd by a 17% margin of victory. He thanked John Karstrand for heading up the citizen's group. He thanked those residents who gave their time, hosted events and emailed neighbors: Ed Barrow, Neale Byrnes, Tom Massouras, Bruce Melton, Bill Seith, Pat Bruder, Adam Waldo, Greg Spitzer, Andy Blankenburg, Kathy Adelman, Andy Williams, Bill Moucka, Chris Elder and Doug & Chris Sink. He thanked Village staff: Dave Cook, Darrell Langlois, Tim Scott and George Franco. He thanked the Trustees, especially Trustees Geoga and LaPlaca. He also thanked The Hinsdalean and Suburban Life, commenting that their support was instrumental in helping to pass the referendum.

Regarding the Garfield Road construction project, President Cauley stated that it is complete except for the striping and landscaping. The Village will now begin to work on implementing the master infrastructure plan with monies made possible by the sales tax increase. Moving forward, the Village will work closely with contractors to ensure projects are done as quickly as possible to minimize disruption to residents. Additionally, the Village will complete the engineering work well in advance to ensure the best price for the work. On the financial side, the sales tax increase does not go into effect until July 2011, and first receipts will not be realized until October 2011. This year we put aside \$500,000 from the corporate fund, next year we want to set aside one million dollars, but that will require more budget cuts. By 2014-2015, as existing debts retire, we should have \$1.5 million for infrastructure projects. He stated the Village will aggressively pursue grant opportunities. He also noted that the Board will continue to explore other options such as low interest loans and bonds.

CONSENT AGENDA

President Cauley read the Consent Agenda as follows:

Items Recommended by Environment & Public Services Committee

Item A: **Resolution for the 2010 50/50 Sidewalk Program Contract Change Order Number 1 to Change the Retainage for the Construction Completed to Date from Ten (10%) Percent to Two (2%) Percent.**

Item B: **Resolution for the Garfield Street Construction Observation Services Change Order Number 1 in the Amount of \$17,727.86 to SEC Group, Inc.**

Item C: **Award a Contract to Provide Decorative Lighting for Holiday Season 2010 to Bright Ideas, Inc. in the Amount of \$11,598**

Items Recommended by Zoning & Public Safety Committee

Item D: **Ordinance Approving Site Plans and Exterior Appearance Plans for Modifications to a Commercial Building at 20 W. Hinsdale Avenue**

Trustee Saigh moved **to approve the Consent Agenda, as presented.** Trustee Angelo seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: Trustee Williams

Motion carried.

ADMINISTRATION AND COMMUNITY AFFAIRS

Trustee Saigh moved **Approval and Payment of the Accounts Payable for the Period of October 29, 2010 through November 12, 2010 in the aggregate amount of \$874,160.15 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee Angelo seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: Trustee Williams

Motion carried.

ENVIRONMENT AND PUBLIC SERVICES

Presentation - Ordinance Regarding Tree Protection and Preservation

President Cauley introduced the item by referencing a memo from the Village Attorney which raises the question as to whether or not the Village of Hinsdale, as a non-home rule community, has the statutory authority to prohibit so called landmark trees from being removed from private property. He believes this can be referred to EPS, but more research should be done as to the legality. Trustee LaPlaca noted that the EPS Committee has discussed this at a number of meetings without benefit of the attorney's memo. She agreed that this needs to be looked into, but the Ordinance before the Board tonight has been studied by the Beautification Task Force over several months. They have used Glenview's as a model; this is not a prohibition on tree removal, the owner would just need a permit to do so and would be required to replace the tree or pay on a scale. An expert from the Morton Arboretum spoke to the EPS Committee and addressed the legality issue stating that in her experience there has never been a successful challenge to an ordinance of this nature. New regulations

found in the proposed ordinance would tighten and clarify the rules to protect trees on public property, including the protection of trees during construction. The protection of trees on private property is currently unregulated. The Committee felt residents are concerned and interested in this. This specifically addresses landmark trees—those of a certain size, dimension and species. For a resident to remove these trees they would have to apply for a permit, the Village would determine the fee based on a table in the ordinance or provide a recommendation to plant replacement trees. Diseased trees or trees causing danger would not be regulated by this ordinance.

Trustee LaPlaca explained that EPS also discussed funding and enforcement. Staff analyzed options, but a final decision was not reached. Some funding or all funding could come thru assessed penalties; the current budget might prohibit hiring. The conclusion of EPS is that this ordinance would help to provide the community with the mindset that trees are valued and to think before removing a tree. Public input would be invaluable in moving forward, and it would be appropriate to have public meetings at the EPS level. This is a municipal code ordinance, therefore, public hearings not required.

Ms. Candy Cleveland, member of the Beautification Task Force, commented that she would have concerns about legality, however, there are communities going forward with these kinds of regulations. She stated that 63% of the people who responded to the 2020 Survey supported a comprehensive plan. She believes it is an untenable position to not protect these trees.

Dr. Joe Ryne, Chair of the Beautification Task Force, gave a power point presentation wherein he outlined the importance of protecting our assets and preserving the character of Hinsdale. He reported staggering numbers of trees lost to Dutch elm disease and noted that the Emerald ash borer is an impending problem. He talked about inoculation, the 50/50 tree planting program, construction damage, debris and compaction. He believes that at the very least, we need to enact the construction part of this ordinance, because the Village is not currently doing a good job of protecting trees. It is our responsibility to protect the irreplaceable investment that is our tree inventory.

Village Attorney Florey pointed out that most of what is in the ordinance is good and cleans up the public property aspect, but he wants to look into the regulation of tree removal on private property. Discussion followed regarding how best to promote a culture in the Village that values and saves its trees. Trustee Geoga cautioned against an administrative situation that would require discretionary decisions or would be laborious and bureaucratic. He also expressed concern regarding limitations on non-home rule jurisdictions; he would like to know what is permitted before more time is spent on the matter. Ms. Cleveland commented that she has observed a lot of destruction in public and private areas. Discussion followed regarding raising

awareness and the education of the public as to tree protection. Trustee Saigh commented that there is a powerful mindset about private property, noting that it has slowed individual homeowner participation in local historic preservation, and that local tree preservation could have a similar fate. President Cauley recommended this discussion be continued at the next meeting when more information will be available.

ZONING AND PUBLIC SAFETY

No report.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

Economic Development Commission Update

Economic Development Director Tim Scott reported that the public hearing for the projecting signs and administrative approval text amendment would be conducted at the next Plan Commission meeting. He is working to button up the holiday promotion and holiday lighting will be installed by the end of the week.

STAFF REPORTS

None.

CITIZENS' PETITIONS

None.

TRUSTEE COMMENTS

Trustee Schultz inquired as to whether Trustee Angelo's economic development task force meetings would be held in the Village offices and would comply with the Open Meetings Act. Trustee Angelo assured him that when they begin to meet, they will comply with the Open Meetings Act.

ADJOURNMENT

There being no further business before the Village Board of Trustees, and no need for a Closed Session, Trustee LaPlaca **moved to adjourn the meeting of November 15, 2010.** Trustee Saigh seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: Trustee Williams

Motion carried.

Meeting adjourned at 8:37 p.m.

ATTEST: _____
Christine M. Bruton, Deputy Village Clerk