

**VILLAGE OF HINSDALE  
VILLAGE BOARD OF TRUSTEES  
MINUTES OF THE MEETING  
July 17, 2012**

The regularly scheduled meeting of the Hinsdale Village Board of Trustees was called to order by President Tom Cauley in Memorial Hall of the Memorial Building on Tuesday, July 17, 2012 at 7:30 p.m.

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

Absent: Trustees Christopher Elder and William Haarlow

Also Present: Village Manager Dave Cook, Chief of Police Brad Bloom, Director of Community Development Robb McGinnis, Director of Public Services George Franco, Assistant Village Engineer Al Diaz and Village Clerk Christine Bruton

**PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF MINUTES**

The approval of minutes was deferred to the next regularly scheduled meeting because two trustees were absent at the June 19, 2012 meeting and there are two absent trustees at tonight's meeting.

**CITIZENS' PETITIONS**

**Ms. Angi Courtney of 715 S. Monroe** addressed the Board regarding the proposed stop sign at 8<sup>th</sup> and Monroe. She described at length a recent accident of a boy on his bike at that intersection and her distress that her daughter witnessed the accident. She implored the Board to do something about this dangerous intersection and is in support of a stop sign at this intersection.

**Mr. Mike Neiman of 737 S. Monroe** stated that in the five years he has lived in Hinsdale he has witnessed lots of accidents at 8<sup>th</sup> and Monroe. It is his opinion there should be some kind of flashing sign at this location to let people know there has been a change. He read a letter from his daughter to the Village Board recommending a four-way stop at this intersection.

## **PUBLIC HEARING FOR ANNUAL APPROPRIATIONS ORDINANCE**

President Cauley introduced the item stating the hearing has been properly noticed and filed and that this matter is brought before the Board annually. The purpose of the item is to adjust the budget. He opened the hearing and asked if anyone wanted to speak to this matter. Hearing no comments, he asked for a motion to close the hearing. Trustee Saigh moved **to close the PUBLIC HEARING FOR ANNUAL APPROPRIATIONS ORDINANCE**. Trustee LaPlaca seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Haarlow

Motion carried.

## **PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS ON THE PROPOSAL TO SELL BONDS OF THE VILLAGE IN THE AMOUNT OF NOT TO EXCEED \$5,000,000 FOR CERTAIN PUBLIC INFRASTRUCTURE PROJECTS, INCLUDING, BUT NOT LIMITED TO, ACQUISITION AND CONSTRUCTION OF IMPROVEMENTS TO MUNICIPAL ROADS AND STREETS, ACCESS ROADS, BRIDGES AND SIDEWALKS; WASTE DISPOSAL SYSTEMS; AND WATER AND SEWER LINE EXTENSIONS, WATER DISTRIBUTION AND PURIFICATION FACILITIES, STORM WATER DRAINAGE AND RETENTION FACILITIES, AND SEWAGE TREATMENT FACILITIES WITHIN THE VILLAGE**

President introduced the item and explained that the purpose of these bonds are to finance certain public infrastructure projects; the approving ordinance was adopted on June 19<sup>th</sup>. President Cauley opened the public hearing and asked for comments. There being no comments or written testimony, he asked for a motion to close the public hearing. Trustee Saigh moved **to close the PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS ON THE PROPOSAL TO SELL BONDS OF THE VILLAGE IN THE AMOUNT OF NOT TO EXCEED \$5,000,000 FOR CERTAIN PUBLIC INFRASTRUCTURE PROJECTS, INCLUDING, BUT NOT LIMITED TO, ACQUISITION AND CONSTRUCTION OF IMPROVEMENTS TO MUNICIPAL ROADS AND STREETS, ACCESS ROADS, BRIDGES AND SIDEWALKS; WASTE DISPOSAL SYSTEMS; AND WATER AND SEWER LINE EXTENSIONS, WATER DISTRIBUTION AND PURIFICATION FACILITIES, STORM WATER DRAINAGE AND RETENTION FACILITIES, AND SEWAGE TREATMENT FACILITIES WITHIN THE VILLAGE**. Trustee LaPlaca seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Haarlow

Motion carried.

## VILLAGE PRESIDENT'S REPORT

No report.

## CONSENT AGENDA

President Cauley read the Consent Agenda as follows:

### Items Recommended by Zoning & Public Safety Committee

- a) Ordinance Approving a Special Use Permit to Allow Real Estate Offices with a Maximum of Four (4) Agents at 23 N. Lincoln Street (Omnibus vote) (O2012-30)
- b) Ordinance Approving Site Plans and Exterior Appearance Plans for Modifications to an Office Building at 22 N. Elm (Omnibus vote) (O2012-31)
- c) Approve a Waiver of Fees in the Amount of \$850, Plus All Building Permit Fees be Granted for the Plan Commission Application Required at 22 N. Elm, The Hinsdale Humane Society (Item taken separately)
- d) Ordinance Approving a Special Use Permit to Operate a Private Middle School at 125 S. Vine Street (Omnibus vote) (O2012-32)
- e) Ordinance Amending the Planned Development for Adventist Hinsdale Hospital Related to the Replacement of Existing Cellular Antenna and Associated Equipment on the Existing Smoke Stack at 120 North Oak Street (Omnibus vote) (O2012-33)
- f) Approval of an Intersection Study and Recommendation of an Ordinance to Install a Multi-way Stop Sign at Monroe and Eighth Streets (Item taken separately)
- g) Approval of Annual Membership Fees to the DuPage Metropolitan Enforcement Group in the Amount of \$13,000 for the Purpose of Providing Local Law Enforcement Assistance in Undercover Narcotics Investigation (Omnibus vote)

Trustee LaPlaca asked that Item C be removed from the Consent Agenda for separate discussion. Trustee Geoga asked that Item F be removed. Trustee Saigh moved to **approve the Consent Agenda, as amended**. Trustee Angelo seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Haarlow

Motion carried.

**Item C: Approve a Waiver of Fees in the Amount of \$850.00, Plus All Building Permit Fees be Granted for the Plan Commission Application Required at 22 N. Elm, The Hinsdale Humane Society**

Trustee LaPlaca said she would be inclined to approve, but is concerned about consistency in waiving fees. President Cauley feels we should have a policy regarding waiving fees, and if the criteria is an offsetting benefit to the Village, this does not meet that standard. Trustee LaPlaca remarked there should be a give and take between the agencies. Trustee Geoga noted that all such groups have a compelling story, but the Board does not want to be in the position of making comparative judgments. He would like to stick to policy moving forward. Trustee Saigh moved to **Approve a Waiver of Fees in the Amount of \$850.00, Plus All Building Permit Fees be Granted for the Plan Commission Application Required at 22 N. Elm, The Hinsdale Humane Society.** Trustee Angelo seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Haarlow

Motion carried.

**Item F: Approval of an Intersection Study and Recommendation of an Ordinance to Install a Multi-way Stop Sign at Monroe and Eighth Streets**

Trustee Geoga commented that he understands the tragic nature of the accident and the arguments advanced tonight, but he noted that in his time on the Board he has observed that everybody feels a stop sign is warranted on their corner. Once a sign is installed, it is permanent, there is no further review. In his opinion, if we really want to address safety we should consider cell phone use. President Cauley stated that he agrees with Trustee Geoga in general, but if you ask residents which are the dangerous intersections, this one gets named. Upon the question of Trustee LaPlaca, Chief Bloom stated that a solar powered stop sign was being installed and should really stand out. Additionally, there will be a sign at the crest of the hill that says

'stop ahead'. Hopefully this will mitigate people speeding down that hill. Rear end accidents seldom result in serious injury, but right angle accidents do. He believes this is the only way to appreciably improve safety at this intersection. Trustee Saigh moved **Approval of an Intersection Study and Recommendation of an Ordinance to Install a Multi-way Stop Sign at Monroe and Eighth Streets.** Trustee LaPlaca seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Haarlow

Motion carried.

## **ADMINISTRATION AND COMMUNITY AFFAIRS**

### **Accounts Payable**

Trustee LaPlaca noted the large dollar amount of the warrant but explained that it includes a number of capital projects, road projects and DuPage Mayor and Manager dues. President Cauley noted that additionally there was only one meeting this month. Trustee LaPlaca moved **Approval and Payment of the Accounts Payable for the Period of June 12, 2012 through July 6, 2012 in the aggregate amount of \$1,737,061.95 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee Saigh seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Haarlow

Motion carried.

### **Approval of Appropriation Ordinance**

President Cauley introduced this item and explained that it relates to the Public Hearing held this evening. Trustee Geoga moved to **approve the Appropriation Ordinance.** (O2012-34) Trustee Saigh seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Haarlow

Motion carried.

## **ENVIRONMENT AND PUBLIC SERVICES**

### **Award Bid #1525 for the Service of Replacement of Village Hall and Memorial Hall Storm Window Replacement to Kramer Window Company in the Amount of \$29,977.00**

President Cauley introduced the item. Director of Public Services George Franco had no additional comments. Trustee Saigh moved to **Award Bid #1525 for the Service of Replacement of Village Hall and Memorial Hall Storm Window Replacement to Kramer Window Company in the Amount of \$29,977.00.** Trustee Angelo seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Haarlow

Motion carried.

### **Reject the Bid from Oosterbann and Sons for the Service of Exterior Painting of Village Hall in the Amount of \$115,111.00 and Seek New Bids**

President Cauley introduced the item explaining that the budget for this item was \$90,000, only one bid was returned and it was in excess of this amount. This action will reject that bid and go back to bid. Mr. Franco explained that some of the painting companies wanted between 15-20% of the amount of the bid prior to starting work because of the size of the project, their upfront expense is an overextension. Mr. Cook concurred stating that it is hard for smaller firms to carry the cost. The Board agreed to pre-pay a percentage of the bill to solicit more bids. Mr. Franco noted that a lot of contractors already have their schedules, but hopefully someone will get to this. Trustee Angelo moved to **Reject the Bid from Oosterbann and Sons for the Service of Exterior Painting of Village Hall in the Amount of \$115,111.00 and Seek New Bids.** Trustee LaPlaca seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Haarlow

Motion carried.

**Approve the Request from PirTano Construction Company, Inc. to  
Change the Woodlands Phase 1 Project's Daily Start Time  
from 8:00 a.m. to 7:00 a.m.**

President Cauley opened discussion by stating that construction companies frequently make this request, why not just change the start time to 7:00 a.m.? Trustee LaPlaca commented that EPS is going to consider changing the contract start time for the 2013 season, but in some neighborhoods a 7:00 a.m. start time might not be ok. She noted that in conjunction with the Woodlands project, there was one resident who was not in favor of an earlier start. Trustee Angelo moved to **Approve the Request from PirTano Construction Company, Inc. to Change the Woodlands Phase 1 Project's Daily Start Time from 8:00 a.m. to 7:00 a.m.** Trustee Saigh seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Haarlow

Motion carried.

**Approve a Resolution Approving and Accepting a Plat of Subdivision to  
Re-subdivide the Properties Commonly Known as 312 and 318 N. Oak  
Street, in the Village of Hinsdale, County of DuPage**

President Cauley introduced the item. Trustee LaPlaca moved to **Approve a Resolution Approving and Accepting a Plat of Subdivision to Re-subdivide the Properties Commonly Known as 312 and 318 N. Oak Street, in the Village of Hinsdale, County of DuPage.** Trustee Saigh seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Haarlow

Motion carried.

**Approve a Resolution for the 2012 Reconstruction Project Contract  
Change Order Number 1 in the amount of \$13,609.00 to John Neri  
Construction Company, Inc.**

President Cauley began discussion on change orders in general. He asked Trustees how they feel, but stated that he thinks engineering should sign off that they reviewed a change order and that it is a reasonable request. Trustee LaPlaca noted that the Village Manager has the authority to approve any change order below \$10,000.00, but when there are a series of change orders that exceed that limit, they come to the Board, however, after the fact. Mr. Cook's concern, said Trustee LaPlaca, is that contractors will stop work if the change order is not approved. Board approval is a statutory requirement, but after the fact it becomes perfunctory. She suggests that EPS fine tune this system. President Cauley commented because we are a public body, we have a contingency built in; maybe contractors think this is a factor in their bid. He would like engineering to write a memo regarding contractor change orders. Mr. Cook explained that we do that, and further, there is a lot of give and take between the Village and the vender on change orders. President Cauley would like the process formalized. Assistant Village Engineer Al Diaz explained that a letter comes from the consultant explaining the need for the change order, but it is not included in the packet. He also explained that many times service lines are not located on the plans, JULIE marks the lines, but even then it could be as much as four feet off. Mr. Cook pointed out that on Washington specifically; the lines were not straight, but rather at angles. Mr. Jeff Ziegler from Benes & Associates commented further that when marking water service lines, electronic instruments are used, but unfortunately they track on anything metallic in the ground and it can alter the marking. It is not anyone's fault; it just isn't an exact science. He assured the Board that a change order is not a hand out to contractors and the hired professional engineers represent the interests of the Village. He cautioned the Board regarding the expense of delaying the contractors and noted Village staff is extremely good at cost effective turnaround of these issues. President Cauley wants proper documentation and protection of contingency funds. Trustee Angelo wants accountability. Trustee Geoga would like the policy to further address the approval of aggregated change orders. Trustee LaPlaca moved to **Approve a Resolution for the 2012 Reconstruction Project Contract Change Order Number 1 in the amount of \$13,609.00 to John Neri Construction Company, Inc.** Trustee Saigh seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Haarlow



Motion carried.

**Approve a Resolution for the Chestnut Street Construction Contract  
Change Order Number 4 in the Amount of \$35,506.93 to Martam  
Construction, Inc.**

President Cauley introduced the item. Mr. Cook explained that this is five different items; water valve, curb and gutter, storm sewers, and a brick sanitary manhole replacement. Trustee Geoga asked if we anticipate these kinds of costs in discussion of local drainage solution. Mr. Diaz explained that it was determined that the original location of the sewer in the alley was not effective and needed to be moved to be effective. In another instance, they were counting on using the existing shut off valve, but found it had to be relocated. Mr. Ziegler stated that his company has solved a lot of local problem drainage areas and that they rely on resident input as to where water stands. However, people don't always show up to meetings and may not articulate well. These circumstances affect the accuracy of solution plans. Discussion followed regarding the specific changes on this project. President Cauley doesn't want to miss these things next time and suggested a more proactive approach to investigation of the scope and cost of these projects before they are approved. Trustee Geoga commented that he hopes we are setting a tone and defining a process so that future neighborhood projects like this are approved on a fair and equitable basis. Trustee LaPlaca moved to **Approve a Resolution for the Chestnut Street Construction Contract Change Order Number 4 in the Amount of \$35,506.93 to Martam Construction, Inc.** Trustee Saigh seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Haarlow

Motion carried.

**Approve a Resolution for the 2012 Resurfacing Project Construction  
Observation Contract Change Order Number 1 in the amount of \$24,484.00  
to James J. Benes & Associates, Inc.**

President Cauley introduced the item explaining that the project included a series of streets and the addition of Alternate F, Monroe Street was not in the original scope of work. Mr. Ziegler noted that the contract on this project covers the base bid, not the alternatives. Discussion followed regarding what was included on the

bid for Alternate F. Trustee LaPlaca moved to **Approve a Resolution for the 2012 Resurfacing Project Construction Observation Contract Change Order Number 1 in the amount of \$24,484.00 to James J. Benes & Associates, Inc.** Trustee Saigh seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Haarlow

Motion carried.

### **ZONING AND PUBLIC SAFETY**

Trustee Saigh noted the next regularly scheduled meeting scheduled of the ZPS Committee is July 23<sup>rd</sup>. Trustee Geoga noted that the next ACA meeting is August 6<sup>th</sup>, and Trustee LaPlaca stated the next EPS meeting will be held on August 13<sup>th</sup>.

### **REPORTS FROM ADVISORY BOARDS AND COMMISSIONS**

No reports.

### **STAFF REPORTS**

No reports.

### **CITIZENS' PETITIONS**

None.

### **TRUSTEE COMMENTS**

Trustee LaPlaca noted the recent water main break on Pamela Circle. Mr. Franco stated that the main is fixed and now we are waiting for hole to settle. This is funded through the operations budget.

Trustee Saigh mentioned the Village efforts regarding the heat wave and the protection of newly planted trees. Mr. Franco stated that Morton Arboretum information is posted on the website. Trustee LaPlaca said the Village is working diligently to save the trees in conjunction with the Woodlands project, but the trees are very stressed.

## ADJOURNMENT

There being no further business before the Board, President Cauley asked for a motion to adjourn. Trustee Geoga **moved to adjourn the meeting of July 17, 2012.** Trustee LaPlaca seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustees Elder and Haarlow

Motion carried.

Meeting adjourned at 9:06 p.m.

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