

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE MEETING
November 20, 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, November 20, 2012 at 7:30 p.m.

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

Absent: Trustee William Haarlow

Also Present: Village Manager Dave Cook, Assistant Village Manager/Finance Director Darrell Langlois, Director of Community Development Robb McGinnis, Director of Parks & Recreation Gina Hassett, Director of Public Services George Franco, Director of Economic Development Tim Scott, Chief of Police Brad Bloom, Fire Chief Rick Ronovsky and Village Clerk Christine Bruton

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Trustee Saigh moved to **approve the minutes of the regularly scheduled meeting of November 6, 2012.** Trustee Elder seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Haarlow

Motion carried.

CITIZENS' PETITIONS

None.

VILLAGE PRESIDENT'S REPORT

President Cauley reported there have been complaints that business signs around town, particularly in our central business district, do not conform to the zoning code. A review of the code indicated that a very high percentage of signs, particularly window signs do not conform to the code. Merchants are entitled to two signs and three if the Plan Commission approves. We need to take a look at the sign and awning ordinance to make sure it is clear and not unduly restrictive, and therefore enforceable. Merchants complain that the sign approval process is too long and complicated, and can take five meetings over three months just to change the color of a sign. The Village has made some strides toward simplifying and streamlining the sign review process by giving the chairperson of the Plan Commission the ability to approve code compliant signs. Our goal is to create clear and simple procedures and still preserve the character of the Village, but not scare away merchants because the process is too daunting. One thought is to develop a menu of signs, awnings and fixture types that are pre-approved and if selected they can be approved administratively. If someone wants something special or different, they can do that, but they would have to go through the regular process with the Plan Commission and the Village Board. President Cauley believes that in order to create ordinances that the business community and residents can embrace, all interested commissions will need to weigh in. He thinks it makes sense to start with the Economic Development Commission, let them write the ordinance and then have various other commissions review the document before it goes to the Village Board. The goal is to produce code that is enforceable, provides a reasonably quick and easy process and will preserve the look of the central business district.

CONSENT AGENDA

President Cauley read the Consent Agenda as follows:

Items Recommended by Zoning & Public Safety Committee

- a) Ordinance Approving Site Plans and Exterior Appearance Plans for Installation of an Ornamental Aluminum Fence at 40 S. Clay (Omnibus vote) (O2012-50)
- b) Ordinance Amending Article XI ("Zoning Administration and Enforcement"), Section 11-604 ("Site Plan Review"), of the Hinsdale Zoning code as it Relates to Site Plan Approvals (Omnibus vote) (O2012-51)
- c) Ordinance Amending Article IX ("District Regulations of General Applicability") Section 9-106 ("Signs") of the Hinsdale Zoning Code as it Relates to Political Signs (Item taken separately) (O2012-52)
- d) Ordinance Approving a Major Adjustment to a Planned Development to Allow a Music School and Tutoring Service at 125 S. Vine Street (Omnibus vote) (O2012-53)

Items Recommended by Environment & Public Services Committee

- e) Ordinance Approving and Accepting a Plat of Dedication and Authorizing Acceptance of Other Improvements, Including Certain Water Main Improvements and an Indemnity and Release Agreement Related to Same – Hamptons of Hinsdale (Omnibus vote) (O2012-54)
- f) Resolution for the 2012 Resurfacing Project Contract Change Order Number 1 in the Amount of \$13,256.84 Reduction to Pirtano Construction Company, Inc. (Omnibus vote) (R2012-18)
- g) Resolution for the 2012 Reconstruction Project Contract Change Order Number 2 in the Amount of \$62,020.94 Reduction to John Neri Construction Company, Inc. (Omnibus vote) (R2012-19)
- h) Resolution for the Woodlands Phase 1 Project Contract Change Order Number 2 in the Amount of \$50,159.33 Reduction to Pirtano Construction Company, Inc. (Omnibus vote) (R2012-20)
- i) Resolution for the Woodlands Phase 1 Construction Observation Contract Change Order Number 1 in the Amount of \$32,583.75 to HR Green, Inc. (Omnibus vote) (R2012-21)
- j) Award Bid #1530 for the Services of Inspection and Repair of Well #5 to Municipal Well and Pump in the comparison bid amount of \$39,688.00 (Omnibus vote)

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

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Haarlow

Motion carried.

**Ordinance Amending Article IX
("District Regulations of General Applicability") Section 9-106 ("Signs")
of the Hinsdale Zoning Code as it Relates to Political Signs**

President Cauley introduced the item stating that State law has changed and municipalities can no longer restrict the length of time people display political signs. This ordinance addresses that change, requires that all signs be 4" square in size and allows only one sign per candidate per yard. Trustee Geoga explained that his concern isn't specific to the proposed change. He stated that political content is the most protected form of free speech under Federal and State constitutions; if we are to

regulate political speech, there needs to be a compelling reason. The reason for the zoning code is that they are unattractive and a blight. However, if you drive around the Village there is a proliferation of lawn signs about extracurricular and school activities, but there is no category for those signs in the code. He doesn't object to them, most people don't, so he concludes it isn't really the signs, it must be the content of the political signs we object to. Discussion followed with respect to kinds of signs and number allowed per yard. The Board agreed to remove the section of the ordinance limiting the number of signs allowed per yard. Trustee Geoga moved to approve an **Ordinance Amending Article IX ("District Regulations of General Applicability") Section 9-106 ("Signs") of the Hinsdale Zoning Code as it Relates to Political Signs, as amended.** Trustee LaPlaca seconded the motion.

AYES: Trustees Geoga, LaPlaca, Saigh and President Cauley

NAYS: Trustees Elder and Angelo

ABSTAIN: None

ABSENT: Trustee Haarlow

Motion carried.

ADMINISTRATION AND COMMUNITY AFFAIRS

Accounts Payable

Trustee Elder moved **Approval and Payment of the Accounts Payable for the Period of November 1, 2012 through November 12, 2012 in the aggregate amount of \$3,423,109.47 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee Geoga seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Haarlow

Motion carried.

Ordinance Amending Subsection 3-3-5A of the Village Code of Hinsdale Related to Class A Permitted Alcohol Liquor Sale Hours

President Cauley introduced the item stating that a request had come from the Shell station to allow alcohol sales on Sunday at 10:00 a.m. instead of noon which would be

consistent with neighboring communities. ACA agreed with the request and felt the hours should be consistent and uniform for all Class A liquor licensees. Therefore, Sunday sales will be from 10:00 a.m. to 8:00 p.m. and 7:00 a.m. to 10:00 p.m. the rest of the week. Trustee LaPlaca moved to approve an **Ordinance Amending Subsection 3-3-5A of the Village Code of Hinsdale related to Class A Permitted Alcohol Liquor Sale Hours.** (O2012-55) Trustee Geoga seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Haarlow

Motion carried.

Ordinance Providing for the Issuance of Approximately \$1,575,000 Special Service Area Number Thirteen Bonds, Series 2012B, and Providing for the Levy and Collection of a Direct Annual Tax for the Payment of the Principal of and Interest on Said Bonds, and Authorizing the Deposit of Taxes to Pay said Bonds into a Designated Escrow Account

President Cauley explained these bonds fund the Woodlands infrastructure work. He said the good news is when we projected bond issuance we assumed a 5% interest rate, because these are not general obligation bonds, but secured bonds and are somewhat less desirable. However, we secured a 2.669% interest rate which is a savings of \$163.00 per home for each resident in the Woodlands. Trustee Geoga noted that the ordinance approves a purchase document, a service agreement, etc. and he feels all elements of issue are in order. Trustee Geoga moved to approve **Ordinance providing for the Issuance of Approximately \$1,575,000 Special Service Area Number Thirteen Bonds, Series 2012B, and Providing for the Levy and Collection of a Direct Annual Tax for the Payment of the Principal of and Interest on Said Bonds, and Authorizing the Deposit of Taxes to Pay Said Bonds into a Designated Escrow Account.** (O2012-56) Trustee Elder seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Haarlow

Motion carried.

Authorize Staff to Proceed with the Issuance of a Request for Proposal for a Comprehensive Water Meter and Meter Reading System Replacement Project at an Estimated Cost of \$1.9 million and to Authorize Staff to Arrange for Debt Financing of the Project

President Cauley stated that with respect to this item Assistant Village Manager/Finance Director Darrell Langlois informed the Board that that unaccounted for water should be between 10-15%, however, ours is between 20-30%, resulting in a significant loss of revenue. Additionally, the life expectancy of a water meter is 15-20 years after which time they slow down; most of ours are 25+ years old. Additionally, we have an antiquated system of meter reading; the Village contracts one man to read all the meters, whereas most communities have progressed to a radio reader system. The water meters need to be replaced. This matter was discussed at the Finance Commission and ACA Committee where it was the concluded that the preference would be a more comprehensive water meter program. The estimated cost for this project is \$1.9 million, which would require a bond issue to fund. This is about \$225,00 per year with an estimated payback of 2-1/2 to 3 years. Before the Board tonight is a request for approval to go out to bid. Trustee Geoga moved to **Authorize Staff to Proceed with the Issuance of a Request for Proposal for a Comprehensive Water Meter and Meter Reading System Replacement Project at an Estimated Cost of \$1.9 million and to Authorize Staff to Arrange for Debt Financing of the Project.** Trustee Saigh seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Haarlow

Motion carried.

Award of Bid to Phillips Electric, Inc. in the amount of \$16,668.00 for KLM Paddle Court Electrical Repairs

President Cauley introduced the item and explained that when the paddle courts were installed in 2003 the electrical system was not encased and the erosion of the wires over time has created a public safety issue. He reminded the Board that when the Village built the new courts there was a \$30,000.00 shortfall. The Village understands this money would be made up with lifetime memberships, fees and contributions. Mr. Bill O'Brien from the Hinsdale Paddle Tennis Association addressed the Board stating that HPTA has recently contacted current players for annual past due payments and has also sent out over 200 solicitation letters asking people to purchase lifetime memberships There have only been two responses so far,

but it is still early. Mr. O'Brien confirmed that HPTA is committed to resolve the \$30,000.00 debt. President Cauley responded stating we are in this together, but he would like to see HPTA press this. Trustee Geoga thanked him for his response and cooperation. Trustee LaPlaca confirmed that the expense before the Board is the Village's maintenance obligation. Trustee Geoga moved to **Award of Bid to Phillips Electric, Inc. in the amount of \$16,668.00 for KLM Paddle Court Electrical Repairs.** Trustee Saigh seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Haarlow

Motion carried.

ENVIRONMENT AND PUBLIC SERVICES

Trustee LaPlaca stated that Wednesday, November 28th will be the final Oak Street Bridge Community Working Group meeting to be held at 7:00 p.m. in Memorial Hall. There will be a presentation from Clark-Dietz, Inc. and review IDOT comments on the project. She hopes to have the final public meeting in December.

ZONING AND PUBLIC SAFETY

Trustee Saigh stated the next ZPS meeting will be next Monday. They will discuss a proposed ordinance from Chief Bloom dealing with distracted driving.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

None.

STAFF REPORTS

None.

CITIZENS' PETITIONS

None.

TRUSTEE COMMENTS

Trustee LaPlaca noted this week the State of Illinois approved a tweeting of traffic conditions to notify people where there are traffic problems. Trustee Angelo reported that a gigantic turkey was sited crossing the road.

ADJOURNMENT

President Cauley asked for a motion to adjourn into Closed Session and not reconvene. Trustee Geoga **moved to adjourn the meeting of November 20, 2012 into Closed Session under 5 ILCS 120/2(c)(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees, and not to reconvene.** Trustee Elder seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Haarlow

Motion carried.

Meeting adjourned at 8:15 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk