

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETING
April 18, 2023**

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, April 18, 2023 at 7:00 p.m. Roll call was taken.

Present: President Tom Cauley, Trustees Matthew Posthuma, Laurel Haarlow, Luke Stifflear, Michelle Fisher, Neale Byrnes, and Scott Banke

Absent: None

Also Present: Village Manager Kathleen A. Gargano, Assistant Village Manager Andrianna Peterson, Police Chief Brian King, Fire Chief John Giannelli, Director of Community Development Robb McGinnis, Finance Director Alison Brothen, Director of Public Services George Peluso, Human Resources Director Tracy McLaughlin, Village Planner Bethany Salmon, Village Engineer Matthew Lew, Management Analyst Alex Snyder, Village Clerk Emily Tompkins

Present electronically: Parks and Recreation Superintendent Mike Hayes

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

a) **Special meeting of April 3, 2023**

Trustee Haarlow asked that the minutes be amended to reflect that the April 3, 2023 meeting was a special meeting.

Trustee Posthuma moved to **approve the minutes of the special meeting of April 3, 2023, as amended.** Trustee Haarlow seconded the motion.

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

NAYS: None

ABSTAIN: Trustee Banke

ABSENT: None

Motion carried.

VILLAGE PRESIDENT'S REPORT

President Cauley reported that changes to parking in the Village parking deck will be considered by the Village Board during the month of May.

President Cauley also reported Hinsdale Restaurant Week will continue through April 24 and Hinsdale in Lights, an immersive light show exhibit featuring the Village's historic 150 years, will be at Immanuel Hall from April 20-23.

President Cauley introduced new Management Analyst, Alex Snyder.

PROCLAMATION

a) Building Safety Month

CITIZENS' PETITIONS

None.

FIRST READINGS – INTRODUCTION

Administration & Community Affairs (Chair Posthuma)

a) Approve the 2023 Pay Plans for Full-time, Part-time, Public Services and Seasonal employees effective May 1, 2023 – April 30, 2024.

Trustee Posthuma introduced the item. He explained the Village has several Pay Plans; a pay plan for full-time hourly and salaried employees, a pay plan for year-round part-time employees, a pay plan for hourly employees in the Public Services Department and a pay plan for seasonal employees. These proposed Pay Plans, incorporate a 2.75% across the board increase adjustment to most of salary ranges. He explained this is consistent with the collective bargaining agreement with the FOP, which contains a 2.75% increase effective May 1, 2023. Trustee Posthuma stated there are a few grades that do not need an adjustment to starting salary or top salary based on market analysis. He explained the pay plan for seasonal employees is not being adjusted as it was adjusted last fall.

The Board agreed to move this item forward to the consent agenda at their next meeting.

b) Approve an agreement with JLD Consulting Group, LLC to provide lobbying services through the end of August, 2023 at a cost not to exceed \$33,000, with an option to extend the agreement under the same terms for an additional six months to the end of February, 2024.

Trustee Posthuma introduced the item. He stated JLD Consulting Group, LLC provides lobbying services related to the Tollway expansion project and other matters as needed. The Village has contracted with JLD Consulting since 2021. The most recent agreement with the JLD Consulting Group expired on November 30, 2022 and services have been provided monthly under the Village Manager's authority. The proposed agreement includes services for a six-month period from March 1, 2023 through the end of August 2023, with an option to extend the agreement under the same terms for an additional six months to the end of February 2024. The agreement allows either party to terminate the agreement with 30-day notice. He explained the monthly cost would be \$5,500 and is reflected in the budget.

The Board agreed to move this item forward to the consent agenda at their next meeting.

Environment & Public Services (Chair Byrnes)

c) Award the construction contract for the ARPA Drainage Improvements to Swallow Construction Corporation in the amount not to exceed \$777,259.

Trustee Byrnes introduced the item. He explained in June 2022, the Village was awarded two drainage grants through the DuPage County Stormwater Management Municipal ARPA Grant

Program. The grants are allocated for two drainage improvement projects on Charleston Road and Grant Street, and the grants will fund a portion of the improvement construction cost. Storm sewer and drainage structures will be constructed at both locations. Trustee Byrnes explained the bid exceeded the Village project, but enough funding exists from DuPage County and other 2023 water capital project savings to balance the project budget.

President Cauley stated concrete price increases elevated the cost of this project and concrete prices and may not come down prior to the date the grant contribution must be submitted for reimbursement to DuPage County. He recommended moving forward to avoid losing the grant contribution.

The Board agreed to move this item forward to the consent agenda at their next meeting.

d) Award a professional services contract to HR Green, Inc., for American Rescue Plan Act (ARPA) Drainage Improvements construction observation services in the amount not to exceed \$54,955.

Trustee Byrnes introduced the item. He stated this item is for construction observation for the ARPA Drainage Improvements. He explained HR Green, Inc., has previously completed the related feasibility study and design engineering, and has satisfactorily preformed these services for many other Village projects. The cost is within budget.

The Board agreed to move this item forward to the consent agenda at their next meeting.

e) Award the construction contract for the 2023 Resurfacing Program to Schroeder Asphalt Services, Inc., (Schroeder) in the amount not to exceed \$878,000.

Trustee Byrnes introduced the item. He stated the purpose of the Annual Resurfacing Program was to continue to improve the quality of Hinsdale's roads. Due to expected material and labor inflation trends, this project was split into two bids. While Schroeder Asphalt Services, Inc. was the lowest bidder for both projects, the total bid exceeded budget. Trustee Byrnes stated the decision was made to not repave Veeck Park as BNSF planned to do various landscaping projects around the pedestrian bridge. He explained by excluding the Veeck Park parking lot, all other streets would be resurfaced and remain in budget. He stated the percentage of good and excellent roads in Hinsdale is 82% and completing the resurfacing would maintain or exceed this rating.

The Board agreed to move this item forward to the consent agenda at their next meeting.

Zoning and Public Safety (Chair Stifflear)

f) Approve an Ordinance Approving a Major Adjustment to the Exterior Appearance and Site Plan for Changes to an Existing One-Story Building and Surrounding Property – Normandy Remodeling – 222 E. Ogden Avenue; or Refer the request for a Major Adjustment to the Exterior Appearance and Site Plan Review for Changes to the Site Plan and Building Elevations for Normandy Remodeling at 222 E. Ogden Avenue to the Plan Commission for further hearing and review.

Trustee Stifflear introduced the item. He stated the applicant, Normandy Remodeling, requests approval of a Major Adjustment to an Exterior Appearance and Site Plan Review approved by Ordinance No. O2022-14 to allow for various changes to the site plan and building elevations

located at 222 E. Ogden Avenue in the B-3 District. The existing 1.35-acre site is non-conforming with respect to several bulk requirements, such as parking lot setbacks and required parking spaces. On June 14, 2022, by Ordinance No. O2022-14, the Village Board approved an Exterior Appearance and Site Plan Review for Normandy Remodeling to allow for various improvements. Normandy Remodeling determined that the original addition was larger than what they needed and is proposing to scale back the size of the addition that was previously approved. Trustee Stifflear stated surrounding properties include multi-tenant office buildings, medical offices, a physical fitness facility and gas station. He explained the Board, by ordinance duly adopted, may grant approval for a Major Adjustment without referral to the Plan Commission upon finding that any changes in the site plan as approved will be consistent with the concept and intent of the previously approved site plan. If the Board determines that a Major Adjustment is not consistent with the concept and intent of the site plan as approved, then the Board will refer the request to the Plan Commission for further consideration and review in accordance with the procedures listed in Section 11-604(E).

President Cauley noted that Plan Commission Chair, Steve Cashman, did not think it was necessary to refer the request back to the Plan Commission.

Mr. Dave Mitchell, Normandy remodeling, explained the proposed changes. He stated there will be an ADA ramp added to the front façade of the building, handicapped access in the rear, parking spaces reduced to 68 from 70, EV car chargers, three foot high light bollards to illuminate the rear parking, reduced basement size, landscaping in the rear perimeter where the light bollards are located, modified light fixtures on the front elevation, raised height of the screen on the roof for the mechanical equipment, a window added to the rear where the larger addition would have been and changes in some materials used. He stated the biggest change is the size of the addition being reduced from 8,453 square feet to 1,695 square feet.

Trustee Banke questioned how Village staff would monitor landscaping to make sure that is installed as the Board had approved. President Cauley stated the landscaping is as important as the building.

Trustee Fisher requested mature, salt resistant plants be used and the landscaping be complimentary to what neighboring businesses have.

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

g) Approve a temporary use permit for an outdoor dining area to be located within two (2) parking spaces for Giuliano's Pizza at 40 Village Place from May 15, 2023 to August 15, 2023, subject to conditions to be set forth by the Building Commissioner.

Trustee Stifflear introduced the item. He stated the applicant, Giuliano's Pizza, had submitted a Temporary Use Permit application requesting approval to allow for an outdoor dining to be located within two (2) of the four (4) parking spaces in front of their business located at 40 Village Place. The property is located in the B-2 Central Business District. Last year the applicant was approved for a similar request with a tent. This year, the applicant is proposing to instead use umbrellas to provide shade to customers. Trustee Stifflear explained that seven circular planters will be installed on the perimeter of the outdoor dining area by the Village as part of the outdoor

dining program approved in 2022. Four rectangular planters on site owned by the restaurant will be moved to create a barrier for the outdoor dining area on the north side.

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

h) Approve an Ordinance amending the Village Code and Zoning Ordinance Of Hinsdale, Illinois Relative to Group Homes.

Trustee Stifflear introduced the item. He explained the Consent Decree requires certain actions be taken by the Village Board related to its policies and procedures. Within 120 days of entry of the Consent Decree, the Village is required to amend the Village Code to clarify that group homes serving persons with disabilities shall be a permitted use in any residential zoning district provided that the number of unrelated residents in the home does not exceed the Village's limit on unrelated residents for persons without a disability as outlined in Section II.7 and 8.

The Board agreed to move this item forward for a second reading.

CONSENT AGENDA

Administration & Community Affairs (Chair Posthuma)

- a) Trustee Fisher moved to **Approve payment of the accounts payable for the period of March 30, 2023 through April 12, 2023 in the aggregate amount of \$680,084.03 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee Banke seconded the motion.

AYES: Trustees Posthuma, Haarlow, Stifflear, Fisher, Byrnes, Banke

NAYS: None

ABSTAIN: None

ABSENT: None

The following items were approved by omnibus vote:

Administration & Community Affairs (Chair Posthuma)

- b) Approve an Ordinance amending various sections in Title 3 (Business and License Regulations), Chapter 3 (Liquor Control) of the Village Code of Hinsdale, Illinois relative to Class A3 (Packaged Sales at Boutiques) liquor licenses. (*First Reading – April 3, 2023*)
- c) Waive the competitive bidding process and approve the purchase of proprietary software and information technology security managed services from Ascend Technologies of Chicago, IL at a cost not to exceed \$21,073.20. (*First Reading – April 3, 2023*)
- d) Waive the competitive bidding process and approve a contract with Scarlett Entertainment to provide a projection mapping event for the Village's 150th Anniversary, at a cost not to exceed \$29,000. (*First Reading – April 3, 2023*)

Environment & Public Services (Chair Byrnes)

- e) Award a professional services contract to Christopher B. Burke Engineering, Ltd. (CBBEL), for 2023-2024 Development Reviews in an amount not to exceed \$175,000. (*First Reading – April 3, 2023*)

- f) Reject all February 15, 2023 submitted bids for the Elm Street Sidewalk Project and review re-submitted bids at a future Board Meeting. (*First Reading – April 3, 2023*)

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

AYES: Trustees Posthuma, Haarlow, Stifflear, Fisher, Byrnes, Banke

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried

SECOND READINGS / NON-CONSENT AGENDA – ADOPTION

Zoning and Public Safety (Chair Stifflear)

- a) **Waive the competitive bidding requirement in favor of the Sourcewell Purchasing Agreement, contract 113021-OKC-1 with Pierce Manufacturing; and Approve the purchase of a Pierce Enforcer Pumper from MacQueen Emergency Group in an amount not to exceed \$840,000. (First Reading – April 3, 2023)**

A motion was made by Trustee Stifflear to Waive the competitive bidding requirement in favor of the Sourcewell Purchasing Agreement, contract 113021-OKC-1 with Pierce Manufacturing; **and** Approve the purchase of a Pierce Enforcer Pumper from MacQueen Emergency Group in an amount not to exceed \$840,000., Trustee Banke seconded the motion.

AYES: Trustees Posthuma, Haarlow, Stifflear, Fisher, Byrnes, Banke

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried

- b) **Approve a Resolution authorizing a Settlement Agreement between the Village of Hinsdale and Crown Castle Fiber, LLC relative to small wireless facilities, and approving certain waivers and modifications to Village codes, regulations and design standards regarding small wireless facilities. (First Reading – April 3, 2023)**

Trustee Stifflear explained this item was discussed in detail at the April 3, 2023, Village Board of Trustees meeting and there were no changes to the Settlement Agreement. He noted that there are terms in the Settlement Agreement that provide that the Village of Hinsdale can test equipment with a consultant approved by Crown Castle and that the Village will test the equipment.

Mr. Jeff Woolley, Hinsdale resident, expressed concerns regarding property values and health and safety related to 5G.

Mr. Ray Cesca, 46 Mockingbird Lane, spoke of public safety and health concerns related to 5G and radiation.

Ms. Yanna Dykstra, Hinsdale resident, spoke of safety and health concerns related to 5G.

Theresa, Hinsdale resident, spoke of safety and health concerns related to 5G.

Ms. Mary Claire Malloy, Hinsdale resident, spoke of concern regarding property values, health and safety concerns and aesthetic concerns related to 5G.

Ms. Heidi Hanson, Western Springs resident, spoke of concerns regarding radiation and radio frequency limits and regulations.

Ms. Nancy Perlman, spoke of working to stop legislation related to 5G and safety and health concerns related to radio frequency limits.

Mr. Michael Wilson, Hinsdale resident, spoke of health and safety concerns related to 5G and questioned the number of poles.

Ms. Ray Mugnolo, Hinsdale resident, spoke of health and safety concerns related to 5G and questioned the number of poles.

President Cauley explained he and Trustee Stifflear worked on opposing the State law along with Village Manager, Kathleen Gargano. He stated he was in favor of signing the Settlement Agreement with Crown Castle so the Village can retain limited control over pole location and aesthetics and have the ability to test radiofrequency.

Trustee Stifflear stated he has been working on putting together design standards since 2012. He said voting against the Settlement Agreement would cost the tax payers a substantial amount of money.

Trustee Byrnes stated he was glad the Village would be able to do testing and was looking forward to seeing the results.

A motion was made by Trustee Posthuma to Approve a Resolution authorizing a Settlement Agreement between the Village of Hinsdale and Crown Castle Fiber, LLC relative to small wireless facilities, and approving certain waivers and modifications to Village codes, regulations and design standards regarding small wireless facilities, Trustee Banke seconded the motion.

AYES: Trustees Posthuma, Haarlow, Stifflear, Fisher, Byrnes, Banke

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried

President Cauley reiterated that the Village will test to make sure the radio frequency is compliant with the federal government's standard.

Environment & Public Services (Chair Byrnes)

c) Adopt a Village Complete Streets Policy (Policy) to strengthen upcoming federal funding grant applications for Village transportation projects. (First Reading – March 7,2023)

A motion was made by Trustee Byrnes to Adopt a Village Complete Streets Policy (Policy) to strengthen upcoming federal funding grant applications for Village transportation projects, Trustee Banke seconded the motion.

AYES: Trustees Posthuma, Haarlow, Stifflear, Fisher, Byrnes, Banke

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried

DISCUSSION ITEMS

a) Tollway Update

DEPARTMENT AND STAFF REPORTS

a) Fire

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

CITIZENS' PETITIONS

Mr. Michael Wilson returned to the podium to ask why Crown Castle needs to approve the consultant that will test the radio frequency and questioned the number of poles.

President Cauley explained it is a standard provision in a contract to make sure the consultant doing the testing is qualified.

TRUSTEE COMMENTS

Trustee Haarlow commented in 2019 there were hundreds of spray-painted dots marking potential places for poles to be placed. She explained with this Settlement Agreement there would only be two new poles. She stated she believes the Settlement Agreement is a good deal given the circumstances. She expressed concerns regarding health but stated the agreement was not the way to address those concerns.

ADJOURNMENT

There being no further business before the Board, President Cauley asked for a motion to adjourn the meeting. Trustee Banke moved to adjourn the meeting. Trustee Byrnes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Meeting adjourned at 9:26 p.m.

ATTEST: _____
Emily Tompkins, Village Clerk