

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE MEETING
March 20, 2018**

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, March 20, 2018 at 7:30 p.m., roll call was taken.

Present: Trustees Michael Ripani, Luke Stifflear, Gerald J. Hughes, Matthew Posthuma, Neale Byrnes and President Tom Cauley

Absent: Trustee Christopher Elder

Also Present: Village Manager Kathleen A. Gargano, Assistant Village Manager/Finance Director Darrell Langlois, Assistant Village Manager/Director of Public Safety Brad Bloom, Police Chief Brian King, Fire Chief John Giannelli, Director of Public Services George Peluso, Director of Community Development/Building Commissioner Robb McGinnis, Village Engineer Dan Deeter, Administration Manager Emily Wagner, Management Analyst Jean Bueche 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 March 6, 2018**

Following suggested changes to the draft minutes, Trustee Hughes moved to **approve the draft minutes of the Regular Meeting of March 6, 2018, as amended.** Trustee Byrnes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Elder

Motion carried.

CITIZENS' PETITIONS

None.

VILLAGE PRESIDENT'S REPORT

No report.

FIRST READINGS – INTRODUCTION

Administration & Community Affairs (Chair Hughes)

- a) **Approve the Engagement Letter from Chapman and Cutler, LLP for bond counsel services in the amount of \$33,000 for the proposed 2018 General Obligation Bonds (Sales Tax Alternate Revenue Source)**

Trustee Hughes introduced the item and the next stating both are our customary advisors and the Village has had good service with these firms.

The Board agreed to move this item to the Consent Agenda of their next meeting.

- b) **Approve the Engagement Letter from Speer Financial, Inc. to act as Municipal Advisor for the proposed 2018 General Obligation Bonds (Sales Tax Alternate Revenue Source) in the amount of \$41,250**

The Board agreed to move this item to the Consent Agenda of their next meeting.

Environment and Public Service (Chair Byrnes)

- c) **Approve an agreement with Doherty and Associates to provide Owners Representative services for Phase II design and construction of a parking deck at a cost not to exceed \$60,900**

Trustee Byrnes introduced the item which is an agreement for Mr. John Doherty to continue in his role as consultant for the Village. He has a wealth of experience in this area; this is a small expense in comparison to the cost of the deck.

The Board agreed to move this item to the Consent Agenda of their next meeting.

- d) **Award the Contract for Construction of the 2018 North Infrastructure Project to John Neri Construction Company, Inc. in the amount not to exceed \$7,356,648**

Trustee Byrnes introduced the item which is the award of a contract to cover roadwork on the north side of town. Neri was the low bidder, and has successfully done a variety of construction for the Village.

The Board agreed to move this item to the Consent Agenda of their next meeting.

Director of Public Services George Peluso added the bid opening for the south side project is next week. Ms. Gargano said the first reading of the south side project will be at the April 3rd meeting, however, when the packet is prepared some of the materials may not be finalized and therefore may not be included. Staff does not want to delay the start of the project, and will forward the missing materials to the Board as soon as they are available.

- e) **Award the Contract for Engineering Services for Construction Observation of the 2018 North Infrastructure Project to GSG Consultants, Inc., in the amount not to exceed \$284,780**

Trustee Byrnes introduced the item, stating GSG Consultants did the 2017 observation, and that all went very smoothly. He added their bid is in line with others.

The Board agreed to move this item to the Consent Agenda of their next meeting.

Zoning and Public Safety (Chair Stifflear)

- f) **Approve the increase in the number of sworn Firefighter/Paramedics by two personnel from 15 to 17 with the intent to revert back to 15 at the appropriate time after the retirement of two Fire Department employees**

Trustee Stifflear introduced and explained this is a temporary staffing increase as two firefighters will be retiring. This request is being made in order to provide the department with adequate time for candidates to schedule and obtain their Basic Operations Firefighter Certification. This will be an additional cost of \$48,000, but the alternative overtime without full staffing would be a cost of \$96,000. Fire Chief John Giannelli asked the Board for permission to expedite the hiring process without benefit of final approval. The Board agreed to the request. It was noted that fire school training is in the budget. The Board agreed to move this item to the Consent Agenda of their next meeting.

CONSENT AGENDA

Administration & Community Affairs (Chair Hughes)

- a) Trustee Hughes noted that the electric and internet bills relative to the community pool caught his attention as that facility is closed. Staff will check the facilities seasonally to make sure we are being billed accurately. Trustee Hughes moved **Approval and payment of the accounts payable for the period of March 7, 2018 to March 20, 2018, in the aggregate amount of \$852,010.25 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee Posthuma seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Elder

Motion carried.

The following items were approved by omnibus vote:

Environment and Public Service (Chair Brynes)

- b) **Approve a Highway Authority Agreement and Environmental Indemnity Agreement with Speedway, LLC for 50 S. Garfield Street (First Reading – March 6, 2018)**
- c) **Approve the Professional Engineering Services for The Pines/Birchwood Avenue Drainage Study in the amount not to exceed \$13,900 awarded to Christopher B. Burke Engineering, Ltd. (First Reading – March 6, 2018)**
- d) **Approve a construction change order for the parking deck electrical and fire suppression systems totaling \$72,070 as quoted by Bulley and Andrews (First Reading – March 6, 2018)**
- e) **Approve an Ordinance Authorizing the Vacation of a Certain Portion of an Unimproved Alley Situated East of and Adjoining 845 S. Thurlow Street in the Village of Hinsdale, DuPage and Cook Counties, Illinois**

- f) **Approve the award of Tree Maintenance Bid #1641 to Steve Piper and Sons for tree maintenance services in the amount not to exceed the budgeted amount of \$84,157**
- g) **Award Trees R Us, Inc. the elm inoculation in the bid comparison amount of \$12.05 per inch not to exceed the proposed budgeted amount of \$105,105 and the ash tree trunk injection in the bid comparison amount of \$6.29 per inch not to exceed the proposed budgeted amount of \$7,579; TruGreen LP the ash tree soil injection in the bid comparison amount of \$1.10 per inch not to exceed the proposed budgeted amount of \$8,299**
Zoning and Public Safety (Chair Stifflear)
- h) **Approve an Ordinance approving an application relative to the installation of Small Cell Equipment on an existing Utility Pole in the Right-of Way – Mobilitie, LLC**

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

AYES: Trustees Ripani, Stifflear, Hughes, Posthuma and Byrnes
NAYS: None
ABSTAIN: None
ABSENT: Trustee Elder

Motion carried.

SECOND READINGS / NON-CONSENT AGENDA – ADOPTION

Environment and Public Service (Chair Byrnes)

- a) **Approve a Resolution Authorizing Execution of a Contract Extension Agreement between the Village of Hinsdale and Allied Waste Services for the Collection and Disposal of Solid Waste, Landscape Waste, and Recyclable Materials; and**
- b) **Approve a Resolution Authorizing Execution of a Contract between the Village of Hinsdale and Allied Waste Services for the Collection and Disposal of Solid Waste, Landscape Waste, and Recyclable Materials; and**
- c) **Approve an Ordinance Amending Various Sections of Title 4 (Health and Sanitation), Chapter 3 (Solid Waste, Landscape Waste, and Recycling) of the Hinsdale Village Code Relative to Solid, Landscape, and Recyclable Waste Collection Services (First Reading – March 6, 2018)**

Trustee Byrnes introduced the resolution to extend the existing contract to November 1st to allow residents to be informed of the new contract, the resolution executing the new five year contract with Allied Waste, and the ordinance to increase the fees for scavengers. Trustee Byrnes noted the Trustees informally voted against a proposed amnesty day. Trustee Hughes was surprised by this because a poll of residents indicated that 53% would like an amnesty day. The discussion that following indicated this would be at an additional cost of .90/per month for all residents, and 47% of residents would be required to pay for something they might not want. Additionally, concern was expressed that this might bring people from outside the community scavenging through Hinsdale. Administration Manager

Emily Wagner explained the survey asked residents to rank services; there was no explanation of possible costs.

Trustee Byrnes moved to **Approve a Resolution Authorizing Execution of a Contract Extension Agreement between the Village of Hinsdale and Allied Waste Services for the Collection and Disposal of Solid Waste, Landscape Waste, and Recyclable Materials.** Trustee Posthuma seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Elder

Motion carried.

Trustee Byrnes moved to **Approve a Resolution Authorizing Execution of a Contract between the Village of Hinsdale and Allied Waste Services for the Collection and Disposal of Solid Waste, Landscape Waste, and Recyclable Materials.** Trustee Posthuma seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Elder

Motion carried.

Trustee Byrnes moved to **Approve an Ordinance Amending Various Sections of Title 4 (Health and Sanitation), Chapter 3 (Solid Waste, Landscape Waste, and Recycling) of the Hinsdale Village Code Relative to Solid, Landscape, and Recyclable Waste Collection Services.** Trustee Posthuma seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Elder

Motion carried.

Zoning and Public Safety (Chair Stifflear)

- d) **Approve an Ordinance Approving a Major Adjustment to a Planned Development – Hinsdale Meadows (Southeast Corner of 55th Street and County Line Road) - Hinsdale Meadows, LLC (First Reading – March 6, 2018)**

Trustee Stifflear introduced the item and stated that in December 2017, the Board approved a planned unit development which included exterior materials primarily of stucco and brick. The developer has requested changes to the exterior materials and architectural aspects of the buildings, including changes to window styles, the addition of dormers and new building models. These changes are requested due to input from potential customers

and local real estate brokers. The decision before the Board is whether these changes are consistent with the original detailed plan, but if the changes are not in substantial conformity with the approved detail plan, this request would be referred back to the Plan Commission for their review. Since the first reading of this matter, there have been discussions with Plan Commission members and the Chair, who noted that a material amount of discussion was focused on building materials and elevations. If this is sent back to the Plan Commission there will be a public meeting instead of a public hearing the second week of April. The Village Board will have a second reading on the item at their April 17th meeting.

Mr. Jerry James, Edward R. James Homes, LLC, addressed the Board and noted the revised exhibits and the sample building materials. The stucco and red brick are gone, and replaced with Hardie board shake siding that is maintenance free, and a brick color that coordinates with the stone. Mr. James reviewed the side by side examples of the elevations, and noted the changes on each, but reminded the Board that the substance, form and mass of the buildings have not changed. He also stated that the aesthetic changes are appropriate for the siding and stone, and that the new materials are at least as expensive as the old choice, and more labor intensive. They added a cottage style elevation so as to offer their customers more choices.

Mr. James is hopeful to resolve this as soon as possible because people need to decide when to put their own homes on the market. He understands the Board must be respectful of all people, but their reputation is on the line; customers are telling them what they want, and are anxious to get going. He is concerned about disturbing the confidence of the buyer, and does not want to send the wrong message with more approvals and going backwards. People want to see the models; they would like to get permits. They are taking reservations from people, but there is competition in the market, and he can't take a signed contract without Board approval.

President Cauley said the Board wants this project to move forward, and the changes look good, but the Chair of the Plan Commission is adamant that these are real changes. The process is as important as the result. This is a big development, and steps will be taken to expedite the process. He added the Board values the work the Plan Commission does, but will try to fast track the process to meet the needs of all parties. Mr. James said he is concerned about the customers, and is concerned the Plan Commission could tear this apart; there is the subjective element and personal preference. Trustee Stifflear believes this is a much better product, and thinks it will do fine with the Plan Commission. Mr. James is concerned about promoting these elevations with customers, when there is the risk of a negative Plan Commission review. He appreciates the offer of a special meeting and expedited plan review.

Trustee Hughes said he was concerned about these changes at the first reading, but less so now that the color of the brick is consistent with the stone. He added the drawings illustrate these are the same homes; a smart buyer saw an opportunity for a facelift and a better result. He can't imagine that the Plan Commission won't approve this; in fact he sees value here because the builder is being responsive to the market and Hinsdale residents. He suggested approving this and going to the Plan Commission for advice. Trustee Stifflear suggested the new materials be provided to the Plan Commission in advance of their first meeting so any suggestions or additional requests can be incorporated before their meeting. President Cauley cautioned against 'handcuffing' the Plan Commission. It was confirmed that the review at the Plan Commission would be a

public meeting, and as such require no legal notice and mailing. Staff will check to see about scheduling a special meeting for the Plan Commission and the Village Board to move this matter forward as quickly as possible.

Trustee Stifflear moved to **Refer to Plan Commission for further hearing and review of a Major Adjustment to a Planned Development – Hinsdale Meadows (Southeast Corner of 55th Street and County Line Road) - Hinsdale Meadows, LLC.** Trustee Ripani seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Elder

Motion carried.

- e) **Approve an Ordinance Approving Exterior Appearance Plans for Front and Rear Building Façade Work – 36 E. Hinsdale Avenue** (*First Reading – March 6, 2018*)

Trustee Stifflear introduced the item which is a request for a separate entrance to the second floor of the building. He noted this item received unanimous approval at the February 14, 2018 meeting of the Plan Commission. The Board had no material changes at their first reading of the item.

Trustee Stifflear moved to **Approve an Ordinance Approving Exterior Appearance Plans for Front and Rear Building Façade Work – 36 E. Hinsdale Avenue.** Trustee Byrnes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Elder

Motion carried.

- f) **Refer to the Plan Commission for further hearing and review of a Third Major Adjustment to a Site Plan and Exterior Appearance Plan for Site Plan Changes to the property located at 830 N. Madison Street – Salt Creek Club** (*First Reading – March 6, 2018*)

Trustee Stifflear introduced the item and explained that the second major adjustment was approved in 2016, but when the work was inspected by staff in 2017, there were several inconsistencies and changes from the approved plans. The Board determined these changes are not substantially consistent with the original detail plan, and as such is required to send the matter back to the Plan Commission.

Trustee Stifflear moved to **Refer to the Plan Commission for further hearing and review of a Third Major Adjustment to a Site Plan and Exterior Appearance Plan for Site Plan Changes to the property located at 830 N. Madison Street – Salt Creek Club.** Trustee Ripani seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Elder

Motion carried.

DISCUSSION ITEMS

a) **Liquor license request from Harry & Eddies**

President Cauley introduced the item and confirmed that the request from Harry & Eddies is for the same license type as Cine's, the space the new restaurant will occupy. Mr. Brian Goewey, representing Harry & Eddies, addressed the Board. He said their restaurant group operates five other restaurants in the western suburbs. This will be an American supper club concept; they are doing some remodeling, and will pay homage to the history of building. Theirs is a chef driven, heavy food focus model. They hope to be open by the middle of May. Board members had no concerns regarding this liquor license request. Village Manager Gargano explained no action is required of the Board, as one Class B license will replace the other.

b) **Liquor license request from Walgreens**

President Cauley introduced the item and noted that Walgreens currently holds an A1-Packaged License for beer and wine, and are asking for an A2 license to sell liquor, too. Whole Foods is the other business in town with an A2 license. This request was presented in 2012 and taken up by the Administration & Community Affairs Committee (ACA). Committee members were concerned about high school kids stealing hard liquor, and the management of sales to minors. It was never discussed by the Village Board at that time.

Ms. Irene Bahr, outside liquor council for Walgreens, addressed the Board and introduced Mr. Rich Bundschuh, store manager, and Mr. Teddy Baric, district manager. She distributed information to the Board that illustrated some general Walgreens history, and the floor plan of adult beverage merchandising in Hinsdale. She explained that they are familiar with all requirements and restrictions in the Village code and will comply with all of them. They will not stock the smaller sized bottles, and will limit the alcohol to 5% or less of shelf space. They have had a liquor license in Hinsdale since 2010, and there have been no violations of liquor or tobacco sales. They plan to add an additional nine square feet to the existing space allocated for beer and wine sales; and they will do no tastings. She described the controls in place for the sale of alcohol at other Walgreens locations, and the thorough training of employees. They have security cameras, and will move one to the alcohol aisle.

Mr. Bundschuh explained that the cash registers prompt the operator to card whenever anything age-restricted is being purchased. Additionally, employees participate in all State and local required training modules.

Ms. Bahr concluded that she hopes Walgreens has earned the trust and confidence of the Board that they know how to deal with a controlled product.

Trustee Ripani stated he would support this request; Walgreens has good controls in place, and he appreciates the convenience for residents to have two geographically separate locations for residents to make this type of purchase. Ms. Bahr added this is an accommodation for customers, as people don't choose Walgreens as their first choice for alcohol purchases. Trustee Hughes added he sees no new risks with this request; Trustee

Posthuma is comfortable with the request of this institutional vendor. Trustee Byrnes agreed as this is a valuable business for Hinsdale. Trustee Stifflear is still on the fence regarding this request.

Ms. Gargano explained an ordinance would be brought to the Board for their consideration that reflects the increase in the number of permitted licenses in the A2 license class.

c) Hinsdale Middle School early construction start time request

Assistant Village Manager/Director of Public Safety Brad Bloom reported a meeting was held today with the deck team. In addition to Trustee Byrnes, Ms. Gargano and Mr. Bloom, the team has been expanded to include Fire Chief John Giannelli, Assistant Chief Tim McElroy, Village Engineer Dan Deeter, Director of Community Development Robb McGinnis and Director of Public Services George Peluso. They reviewed the time line and will have their first meeting with Wight and Company, who have been retained by the Village to provide design and construction management services, on Thursday. By May 15, 2018, they expect to have an idea of final design costs, and costs for options, such as pre-cast materials, asphalt and strengthening the top level of the deck to support more weight. Trustee Byrnes added they want to make sure all options are understood up front.

Mr. Bloom added the middle school has asked for an additional 90 days of early start time; it was noted there have been no complaints from neighbors. It was noted that permission for the early start is revocable if need be. The Board agreed to continue the early start time.

d) Update on proposed I-294 Tollway expansion

President Cauley reported on Thursday of last week, Tollway Authority representatives met with residents located on Mills, Harding, First Street, Bittersweet, Columbia, and Springlake, whose properties will be directly affected by the moving of the I-294 soundwall. State Representatives Chris Nybo and Patti Bellock were also in attendance. He reiterated the Village's position which is Hinsdale does not want the soundwall to move at all. With respect to whether or not a resident wants the tollway to buy their home, the Village has been very cautious about getting in that discussion, and will not make any decisions or recommendations on this matter. He does not understand why the Tollway is planning seven lanes through Hinsdale, and Representatives Nybo and Bellock are equally concerned. However, if new soundwalls are constructed, they should utilize better technology and materials. The Village is still working to minimize any lost revenue from the removal of the Oasis. With respect to the parks, a railway shoefly is planned for Veeck Park, the Village is working to minimize any permanent or temporary easements.

DEPARTMENT AND STAFF REPORTS

- a) Fire
- b) 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.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

No reports.

OTHER BUSINESS

None.

NEW BUSINESS

None.

CITIZENS' PETITIONS

None.

TRUSTEE COMMENTS

Trustee Hughes recently became aware of a problem with reoccurring storm water backups in the area of Orchard and Oak Streets. Neighbors are very concerned because of possible sewage in that storm water backup. He reported that remedies are being discussed, more fact finding needs to take place, but he wants to make sure it is on the Board's radar, and assure residents the Village is looking into the situation.

ADJOURNMENT

There being no further business before the Board, President Cauley asked for a motion to adjourn. Trustee Elder moved to **adjourn the regularly scheduled meeting of the Hinsdale Village Board of Trustees of March 20, 2018**. Trustee Hughes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Elder

Motion carried.

Meeting adjourned at 9:08 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk