

**VILLAGE OF HINSDALE  
VILLAGE BOARD OF TRUSTEES  
MINUTES OF THE MEETING  
September 17, 2019**

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, September 17, 2019 at 7:33 p.m., roll call was taken.

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

Absent: Trustee Gerald J. Hughes

Also Present: Village Manager Kathleen A. Gargano, Village Attorney Michael Marrs, Assistant Village Manager/Director of Public Safety Brad Bloom, Assistant Village Manager Emily Wagner, Police Chief Brian King, Fire Chief John Giannelli, Finance Director Darrell Langlois, Director of Community Development Robb McGinnis, Director of Public Services George Peluso, 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 September 3, 2019

There being no changes to the draft minutes, Trustee Posthuma moved to **approve the draft minutes of the regular meeting of September 3, 2019, as presented.** Trustee Banke seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustee Hughes

Motion carried.

**VILLAGE PRESIDENT'S REPORT**

No report.

## OATH OF OFFICE – FIRE DEPARTMENT PERSONNEL

President Cauley introduced new Firefighter/Paramedic Nicole Hladik and her family. He read her biography and administered the oath of office.

## CITIZENS' PETITIONS

None.

## FIRST READINGS – INTRODUCTION

### Administration & Community Affairs (Chair Hughes)

- a) **Approve an Ordinance Amending Title 3 (Business and License Regulations), to Add a New Chapter 19 (Motor Fuel Tax) of the Village Code of Hinsdale**

President Cauley introduced the item explaining this is a \$.03/per gallon tax on gasoline sold in Cook County recently approved by the State legislature. The only two gas stations that would qualify are located at the Oasis, and as such would likely have the least impact on Hinsdale residents. It is estimated this would result in approximately \$125,000 of revenue annually. He pointed out that as a non-home rule community, there are a very limited number of ways to increase taxes, and that property tax increases during his time in office have gone to fund pensions. Finance Director Darrell Langlois stated there is a small administration fee, but otherwise the Village will realize the full \$.03 cents.

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

- b) **Approve an Agreement with Ryan and Ryan to provide legal assistance in negotiating and drafting an Intergovernmental Agreement (IGA) with the IL Tollway to lease and redevelop the Tollway Oasis**

President Cauley introduced the item stating that Mr. Bill Ryan is one of the best attorneys he has worked with, and has done an outstanding job working with the tollway on the Intergovernmental Agreement (IGA) agreement. He is available and knowledgeable, and for these reasons President Cauley is a proponent of giving Mr. Ryan the leeway to work on the IGA for the Oasis, and does not think a cap is necessary. Mr. Ryan confirmed he has a great deal of experience in this area, and has represented over 100 cases against the tollway and the Illinois Department of Transportation (IDOT).

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

- c) **Approve the issuance of a blanket purchase order in the amount of \$25,000 to J.S. White & Associates, LLC for accounting services**

President Cauley introduced the item and explained the Finance Department has a difficult time keeping part-time people, and are down people now. He explained the delta between this purchase order for outsourced accounting services is advantageous, because if we had a part-time person it would have been \$35,300. He noted this is a stop-gap measure; he and Finance Director Darrell Langlois and Village Manager Kathleen Gargano have been discussing various ways to handle retention issues. Mr. Langlois commented this is for core services, but long-term they are still short at least 40 hours per month. This is a solution through the end of December; they will have a recommendation for the best

staffing solution at that time. Trustee Stifflear pointed out this will likely be a challenge after December, too.

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

**Zoning & Public Safety (Chair Stifflear)**

d) **Approve an Ordinance Amending Section 9-12-3 (Fences) of the Village Code of Hinsdale Relative to the Maximum Height of Fences on Certain Residential Lots**

Trustee Stifflear introduced the item that applies only to single-family homes bordering the tollway, and only at the rear of these properties. This would allow an increase in the fence height from 8' feet to 10' feet. President Cauley reported he has talked to these residents, and this is what they want. Village Manager Gargano said this will create a dual barrier from the sound tollway traffic. The tollway will pay for these fences even if it is two feet higher. In terms of process, a Title 9 amendment to the municipal code does not require review by the Plan Commission.

The Board agreed to move the item forward for a Second Reading at their next meeting.

e) **Approve an Ordinance Amending Title 3 (Business and License Regulations) to add a new Chapter 20 (Adult-Use Cannabis) of the Village Code of Hinsdale Prohibiting Adult –use Cannabis Business Establishments within the Village**

Trustee Stifflear introduced the item stating in June 2019 the State signed into law a bill for the recreational use of cannabis that will go into effect January 1, 2020. The Village cannot restrict private possession or use, but can, through local zoning ordinances 'opt out' and prohibit all cannabis related establishments or businesses within the Village. He explained many communities are reviewing this matter in terms of potential tax revenue. He believes the revenue estimates are inflated. In 2014, medical marijuana was legalized in Illinois, and the Village of Hinsdale determined these facilities could not be located in the proximity of residential districts, day care facilities and schools. However, these proximity restrictions have been lifted by the State. While it is unlikely a dispensary would open limited to medical use only, the Village needs to consider whether zoning restrictions are appropriate as medical dispensaries cannot be prohibited outright. Trustee Byrnes pointed out the Village could opt back in, but Trustee Banke feels strongly this should not be pursued.

The Board agreed to move the item forward for a Second Reading at their next meeting.

f) **Move the Request for A Major Adjustment to a Planned Development for Site Plan and Exterior Plan Changes for a second reading; or Move to Refer the request to the Plan Commission for further hearing and review**

Trustee Stifflear introduced the item that addresses new street lights and landscape lighting in Graue Mill. If the Board believes this to be in substantial conformance with the original planned unit development (PUD), the matter can be moved forward for a second reading, otherwise it can be referred to the Plan Commission for further review. He noted the original PUD was approved 45 years ago, and the property is located in the R-5 zoning district. The request is to replace the existing street lights and landscape lights, and increase the height of both. He pointed out that the Request for Board Action (RBA) indicates lighting color temperature will be at 4,000 kelvin, but since the RBA was drafted it has been improved to 3,000 kelvin, which is the recommended level in the current draft to the lighting ordinance. All the requests are code compliant, and Plan Commission Chair

Steve Cashman does not believe the Plan Commission would have material input on this matter.

**Mr. John Romanelli, President of Graue Mill Homeowners Association (HOA)**, addressed the Board stating the existing system is in dire need of repair. Fifteen years ago they purchased all the replacement parts from the manufacturer, but they are no longer made. He believes this is a safety issue now. The HOA formed an Architectural Control Committee that reviewed 300 different styles of fixtures. The fixture they are recommending is already at use in the Village at 40 S. Clay. President Cauley stated he is not inclined to refer to this to the Plan Commission, as it has been vetted by the Graue Mill HOA and is code compliant. Trustee Stifflear agreed, and added the kelvin is in line with Village standards.

The Board agreed to move the item forward for a Second Reading at their next meeting.

### **CONSENT AGENDA**

#### **Administration & Community Affairs (Chair Hughes)**

- a) Trustee Haarlow moved **Approval and payment of the accounts payable for the period of September 4, 2019 to September 17, 2019, in the aggregate amount of \$3,958,799.04 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, Banke, Stifflear, Haarlow and Byrnes

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustee Hughes

Motion carried.

*The following items were approved by omnibus vote:*

#### **Environment & Public Services (Chair Byrnes)**

- b) **Award Holiday Lighting & Decorating Bid #1663 to McFarlane Douglass & Companies, for Village holiday lighting and decorating in the base bid amount of \$23,495 with the intention to utilize the full budget of \$28,000 for purchasing of replacement light strands**
- c) **Approve the Illinois Department of Transportation (IDOT) Resolution pertaining to Village work within the IDOT right-of-way in Hinsdale for the years 2019 and 2020**  
With respect to the holiday lighting item, President Cauley noted the bids came in under budget, but the remaining dollars budgeted will be used to buy more lights, if needed. Trustee Byrnes moved to **approve the Consent Agenda, as presented.** Trustee Posthuma seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustee Hughes

Motion carried.

## SECOND READINGS / NON-CONSENT AGENDA – ADOPTION

### Zoning and Public Safety (Chair Stifflear)

- a) **Approve an Ordinance approving a Second Major Adjustment to a Planned Development Final Plan, Site Plan and Exterior Appearance Plan for a new illuminated Ground Sign at 10 N. Washington Street – Eden Hinsdale, LLC** (*First Reading – August 6, 2019*)

Trustee Stifflear introduced the item and explained that this was not included on the last agenda for Board approval because the Plan Commission had not formally approved their findings and recommendations. Following Plan Commission review, the sign was moved to a different location, made smaller, and with less illumination.

Trustee Stifflear moved to **Approve an Ordinance approving a Second Major Adjustment to a Planned Development Final Plan, Site Plan and Exterior Appearance Plan for a new illuminated Ground Sign at 10 N. Washington Street – Eden Hinsdale, LLC**. Trustee Banke seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustee Hughes

Motion carried.

- b) **Approve an Ordinance Amending Section 11-603 (Planned Developments), and to Section 11-604 (Site Plan Review) of the Hinsdale Zoning Code Relative to Adjustments to Planned Developments and Site Plans** (*First Reading – August 6, 2019*)

Trustee Stifflear introduced the item that has been in the works for several months to change the definition of a major adjustment and what qualifies as a minor adjustment for planned unit developments and site plans. This will allow staff to approve minor adjustments, with additional review by the Plan Commission Chair and the Chair of the Zoning and Public Safety Committee. The Plan Commission changed the original recommendation regarding changes in the location of fencing or screening, an increase of impervious surface or significant changes in a landscape plan. All these were made more restrictive.

Trustee Stifflear moved to **Approve an Ordinance Amending Section 11-603 (Planned Developments), and to Section 11-604 (Site Plan Review) of the Hinsdale Zoning Code Relative to Adjustments to Planned Developments and Site Plans**. Trustee Posthuma seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustee Hughes

Motion carried.

**DISCUSSION ITEMS**

**a) Parking deck update**

Mr. Bloom said the project is on schedule, and the storm water trap will be delivered by the end of the month.

**b) Tollway update**

Mr. Bloom said they have begun clearing trees at Veeck and Peirce Parks. At the next Board meeting, staff will bring forward the Tollway request for an exception to work hours to install a fiber optic line. This is overnight work.

**DEPARTMENT AND STAFF REPORTS**

- a) Public Services
- b) Economic Development
- c) Fire

The report(s) listed above were provided to the Board. There were no additional questions regarding the content of the department and staff reports.

President Cauley asked about the Madison Street drainage project, to which Director of Public Services George Peluso replied the street is being milled tomorrow and paved on Thursday. The drainage system is expected to be operational by the end of October.

**REPORTS FROM ADVISORY BOARDS AND COMMISSIONS**

No reports.

**OTHER BUSINESS**

None.

**NEW BUSINESS**

None.

**CITIZENS' PETITIONS**

None.

**TRUSTEE COMMENTS**

None.

## ADJOURNMENT

There being no further business before the Board, President Cauley asked for a motion to adjourn to Closed Session. Trustee Stifflear moved to **adjourn the regularly scheduled meeting of the Hinsdale Village Board of Trustees of September 17, 2019 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, not to reconvene into open session.** Trustee Posthuma seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustee Hughes

Motion carried.

Meeting adjourned at 8:11 p.m.

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