

**VILLAGE OF HINSDALE  
VILLAGE BOARD OF TRUSTEES  
MINUTES OF THE SPECIAL MEETING  
July 16, 2020**

The specially scheduled meeting of the Hinsdale Village Board of Trustees (conducted electronically) was called to order by Village President Tom Cauley in Memorial Hall of the Memorial Building on Thursday, July 16, 2020 at 6:30 p.m., roll call was taken.

Present: President Tom Cauley

Participating by telephone: Trustees Matthew Posthuma, Scott Banke, Luke Stifflear, Gerald J. Hughes, Laurel Haarlow and Neale Byrnes

Absent: None

Participating by telephone: Village Manager Kathleen A. Gargano, Village Attorney Michael Marrs, Assistant Village Manager/Director of Public Safety Brad Bloom, Fire Chief John Giannelli, Deputy Police Chief Tom Lillie, Finance Director Darrell Langlois, Director of Community Development/Building Commissioner Robb McGinnis, Director of Public Services George Peluso, Village Engineer Dan Deeter, Village Planner Chan Yu, Superintendent of Parks & Recreation Heather Bereckis and Village Clerk Christine Bruton

**VILLAGE PRESIDENT - INTRODUCTION**

*“Good evening. On May 29, 2020, Governor Pritzker entered the latest in a string of emergency declarations related to the COVID-19 pandemic. In light of that declaration, and consistent with various Executive Orders entered by the Governor, and the recent amendments made to the Open Meetings Act in Public Act 101-640, I find that it is not practical or prudent to conduct an in-person meeting, and this Open Regular Meeting of the President and Board of Trustees of the Village of Hinsdale is therefore being conducted remotely.*

*Public Act 101-640 allows public bodies to meet remotely during public health disasters, so long as the public is able to monitor the meeting, and certain other conditions are met.*

*Public comment is permitted during the Citizen’s Petitions portions of the meeting. When we get to those portions of the meeting, I will ask persons wishing to make public comment to identify themselves.”*

**APPROVAL OF MINUTES**

a) **Regular Meeting of June 16, 2020**

There being no changes to the draft minutes, Trustee Posthuma moved to **approve the draft minutes of the regular meeting of June 16, 2020, as presented.** Trustee Hughes seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

## VILLAGE PRESIDENT'S REPORT

President Cauley reported that the Village parking deck is now open and available for use, and will solve a 30-year old parking problem in the Central Business District (CBD). The location is ideal; it is a short walk to shops and restaurants, is unobtrusive and blends with its surroundings. He thanked the Village Board and staff in all departments for the success of this project.

The proposed development of the Institute of Basic Life Principles (IBLP) property by the Ryan Company is conducting community meetings to address resident concerns. These meetings will be held on August 4 from 5:00 – 8:00 p.m. at the Community House. Interested parties should pre-register if they want to attend. There is more information on the Village website.

The State of Illinois has announced that the original four regions for COVID-19 management have been broken down into 11 areas. Hinsdale is now included in DuPage County and will be measured with Kane County, instead of Cook County. He reported the positivity rate is rising only slightly, and he encouraged social distancing and wearing masks.

Metra will begin construction on August 1 on the West Hinsdale train platforms and the station will close temporarily for 2-4 months, depending on weather. As ridership is significantly lower due to COVID, this will impact far fewer commuters. He noted there will be an increase in the sounding of the train horn as mandated by law.

The Hinsdale Meadows development contribution was to be new regraded lacrosse fields at KLM. They have enough soil to begin the project, and work is expected to start July 20 and be completed the week of August 17.

## PROCLAMATION

President Cauley announced that July is Parks & Recreation Month, and read the Village proclamation.

## CITIZENS' PETITIONS

None.

## FIRST READINGS – INTRODUCTION

### Administration & Community Affairs (Chair Hughes)

- a) **Accept the Village's Comprehensive Annual Financial Report (CAFR) and Management Letter for the Eight Months ended December 31, 2019**

Trustee Hughes introduced the item that is approved annually, but because of the change to the fiscal year, this is for an 8-month period only. This is a non-controversial and routine item. He worked with Finance Director Darrell Langlois regarding language used comparing 8 months to 12 months.

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

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

Trustee Hughes introduced the item, and explained that in October 2019, the Board approved an increase in the motor fuel tax of \$.03 per gallon in Cook County. This tax primarily

impacted the gas station on the tollway. This ordinance will clarify the language to match that of the State of Illinois.

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

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

- c) **Approve a Resolution Approving the 2020 Watermain Project Phase 1 Contract Change Order Number 1 in the amount of \$17,750 to John Neri Construction Company, Inc.**

Trustee Byrnes introduced the item that is a change order to a project that was approved in May 2020. Part of the project is to connect the water mains under the railroad tracks, however, with underground work there are often surprises. In this case, use of an auger for the drilling was not sufficient, and some very large rocks had to be removed by hand. Although the increased cost of labor was significant, the contractor was able to realize savings in other areas. The net cost and savings result in the change order before the Board. The Board agreed to move this item to the consent agenda of their next meeting.

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

- d) **Approve the issuance of a blanket purchase order in the amount of \$27,000 to Chicago Parts and Sound/PDS for the installation of equipment in new squad cars**

Trustee Stifflear introduced the item and explained the Board previously approved the purchase of the three new vehicles, one of which needed to be replaced ahead of schedule because it was in an accident. This expense is the cost of moving certain equipment to the new vehicles. He noted this would have fallen within the Manager's authority to approve, but because of the third vehicle, this approval appears before the Board. He noted that IRMA covered \$7,000 of the cost of the vehicle.

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

- e) **Approve the Plan Commission recommendation regarding the Consideration of a Village-wide temporary moratorium not to exceed 180-days on the issuance of any demolition permit or other building or zoning approvals involving the demolition of any single family home or building within the Village that either has landmark status or is one of the homes within the Village deemed to be historically "significant" or "contributing" in the 1999 Hinsdale Reconnaissance Survey**

Trustee Stifflear introduced the item reminding the Board that following the receipt of applications for demolition for three historically significant homes earlier this year, the Historic Preservation Commission (HPC) asked the Board to consider a moratorium. In March, the Village Board agreed to move this matter to the Plan Commission for review of a Village-wide moratorium on residential demolition. The Plan Commission held three meetings on this subject, and 315 pages of public comment were read into the record. On June 30, the Plan Commission voted 4-2 not to impose a Village-wide moratorium on demolition. Their Findings and Recommendations indicate little support for a Village-wide moratorium, or the use of the 1999 Reconnaissance survey. They would recommend that if a moratorium is instituted it is applied only to the Robbins Park Historic District and Central Business District, and that a new historic survey by an independent expert be done to evaluate those districts. Their reasoning to not recommend the moratorium is that current ordinances provide for landmarking, and there is a non-binding process for Certificates of Appropriateness already in place. They concluded that property rights outweigh the benefits of a moratorium.

However, they recommended the Board consider code changes to preserve historic homes, and focus on incentives not property restrictions.

Trustee Stifflear reported that by his tally feedback indicated there were approximately 116 in favor and 161 against the moratorium, but if the realtors and builders, and persons whose address was not disclosed were removed from the count, opinion is more evenly split.

President Cauley explained that because of COVID-19 this process took longer than he anticipated. The purpose of the moratorium was to provide time to address Title 14, and headway has been made on Title 14. He suggested not pursuing the moratorium, and devoting resources to Title 14. The demolition portion is on the agenda for discussion; he recommends fashioning a good document, but not having a first reading until meetings are live, if possible.

Trustee Banke asked how many people would be impacted by a moratorium at this time. Village Planner Chan Yu said there are two demolition applications pending for properties located in Robbins. Trustee Banke believes the moratorium is appropriate, and a reasonable time frame should be established. He understands property rights are involved, but he does not want this to go by wayside, specifically in the historic districts. He would support a moratorium for historically significant homes in the Robbins district. He firmly believes these homes should be preserved to maintain the character of Hinsdale. Mr. Yu confirmed the two outstanding permits are both contributing significant structures in Robbins. Trustee Byrnes agrees with moving forward with Title 14; he is afraid a moratorium will adversely affect residents. Trustee Hughes said he agrees with the Plan Commission recommendation, and is in favor of incentives as a tool rather than restrictions. He is glad the Village went through the process, a de facto moratorium was an unfortunate consequence. This is a highly contentious issue, and the community is split. However, he rejects the idea from the absolutist property rights camp that the Village has no right to impose restrictions, and to do so is a 'taking'. There are few communities that have no restrictions, and Hinsdale has significant zoning restrictions already in place. Additionally, the Illinois Municipal Code permits restrictions on demolition to promote historic preservation. Any solution must be workable, and must accomplish the goal of saving homes, it must be clear not arbitrary, and fair. The macro drivers of this issue are cultural trends, taste and behavior; there appears to have been a cultural shift. The economic drivers at work here tilt in favor teardowns. With respect to being clear and not arbitrary, there must be consensus on which homes to save, but he believes to rely on a committee judgement is a mistake. It is not right to put the burden of these decisions on a small group of homeowners. He would recommend a trial period with respect to any new processes to see if homes are actually saved, if not, let it go. He recommends a referendum to hear from residents if they are willing to put Village money toward this problem. Trustee Posthuma added that, in effect, the moratorium has already happened. This matter was initiated in March, and by the time there is a second reading on this, it will be almost 180 days. He is not in favor of any additional moratorium time, as progress has been made toward defining incentives. We need public input at a public meeting. There are strong views on both sides, but if equally split, he leans toward the people who actually own the homes, and their financial situations, for example people who are retiring.

Trustee Haarlow agreed, noting almost six months has passed since this was introduced in March. She also agrees that it is most effective to devote our energies to the details of Title 14. There is a good discussion going on, and public opinion so far is helpful. She believes the Board should keep the ball rolling and come up with constructive changes to Article 14.

Trustee Byrnes underscored that if the Board is serious money will have to be spent, and he doesn't think 7% tax relief is enough to get the job done. He agrees with the need for a referendum. President Cauley added the purpose of the moratorium was lost, as many residents did not understand the moratorium was not to be in place in perpetuity, but he agreed a tie goes to the property owner. He again stated the focus should be on Title 14. Trustee Stiffler asked staff to determine how many of the 500 homes identified in the Reconnaissance survey are still standing. There was no public comment on this matter. The Board agreed to move this item forward for a second reading at their next meeting.

Trustee Haarlow called the Board's attention to the 2007 Granacki survey, and wondered why this more recent survey was not used. Mr. Yu explained the Granacki survey only addressed contributing properties, and the other was more complete as it included significant properties as well. Village Attorney Michael Marrs added the Granacki survey only included the Robbins area.

## CONSENT AGENDA

### Administration & Community Affairs (Chair Hughes)

- a) Trustee Haarlow moved **Approval and payment of the accounts payable for the period of June 15, 2020 to July 14, 2020, in the aggregate amount of \$3,291,461.97 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee Stifflear seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

## SECOND READINGS / NON-CONSENT AGENDA – ADOPTION

### Administration & Community Affairs (Chair Hughes)

- a) **Approve a Quote and Master Agreement from Avolin, LLC for software license fees, hosting and maintenance on the Village's financial accounting applications in the amount of \$89,469.68 (First Reading – June 16, 2020)**

Trustee Hughes introduced the item explaining this is the renewal of a software license that will be replaced by the new ERP. The final contract is available at this time. Finance Director Darrell Langlois added there are no changes, and the contract is subject to attorney review. Trustee Hughes moved to **Approve a Quote and Master Agreement from Avolin, LLC for software license fees, hosting and maintenance on the Village's financial accounting applications in the amount of \$89,469.68.** Trustee Posthuma seconded the motion.

**AYES:** Trustees Posthuma, Banke, Stifflear, Hughes, Haarlow and Byrnes  
**NAYS:** None  
**ABSTAIN:** None  
**ABSENT:** None

Motion carried.

- b) **Approve an Intergovernmental Agreement (IGA) with DuPage County for certain COVID related reimbursable expenses** and cook one motion

Trustee Hughes explained that this item and the following enables the Village to receive COVID-19 relief funds distributed by Cook and DuPage Counties. Mr. Bloom added the counties require a quick turnaround for processing. President Cauley added there is no reason not to do this. Ms Gargano confirmed, and added these Intergovernmental Agreements have been reviewed by the Village attorney.

Trustee Hughes moved to **Approve an Intergovernmental Agreements (IGA) with DuPage and Cook Counties for certain COVID related reimbursable expenses.**

**AYES:** Trustees Posthuma, Banke, Stifflear, Hughes, Haarlow and Byrnes  
**NAYS:** None  
**ABSTAIN:** None  
**ABSENT:** None

Motion carried.

- c) **Approve an Intergovernmental Agreement (IGA) with Cook County for certain COVID related reimbursable expenses**

This item was addressed with the previous matter.

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

- d) **Approve an Ordinance approving an Exterior Appearance and Site Plan for Expansion and Redevelopment of an Existing Building – 908 N. Elm Street** (*First Reading – June 16, 2020*)

Trustee Stifflear introduced the item that was unanimously approved by the Plan Commission following Board approval of a 1% increase in FAR to enclose the entrance of an existing medical office building. There were no changes to building height, setbacks or lot coverage. There were no material questions from the Village Board at the first reading.

Trustee Stifflear moved to **Approve an Ordinance approving an Exterior Appearance and Site Plan for Expansion and Redevelopment of an Existing Building – 908 N. Elm Street.** Trustee Byrnes seconded the motion.

**AYES:** Trustees Posthuma, Banke, Stifflear, Hughes, Haarlow and Byrnes  
**NAYS:** None  
**ABSTAIN:** None  
**ABSENT:** None

Motion carried.

- e) **Approve an Ordinance approving an Exterior Appearance and Site Plan to redevelop and improve an existing office building at 32 Blaine Street** (*First Reading – June 16, 2020*)

Trustee Stifflear introduced the item that was unanimously recommended by the Plan Commission to improve the existing building; interior stairs, exterior stairs, porch, siding, driveway and landscaping. There is no change to height, setbacks or lot coverage. The proposed color scheme is included with this second reading. There were no material questions from the Village Board at the first reading.

Trustee Stifflear moved to **Approve an Ordinance approving an Exterior Appearance and Site Plan to redevelop and improve an existing office building at 32 Blaine Street.** Trustee Banke seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

- f) **Approve the waiver of Certificate of Appropriateness application requirement for plans for a proposed replacement structure, and waive the requirement for further consideration of a Certificate of Appropriateness for Demolition; or Approve the waiver of Certificate of Appropriateness application requirement for plans for a proposed replacement structure, with or without conditions; or Affirm the Historic Preservation Commission’s decision to deny the waiver of Certificate of Appropriateness requirement for plans for proposed replacement structure**

Trustee Stifflear introduced the item that pertains to the home designed by R. Harold Zook located at 444 E. Fourth Street. In 2017, the homeowner wanted to relocate the house and subdivide the property, this request was denied by the Village Board 6-0. He then sought to demolish the house, and went through the Historic Preservation Commission and was denied a Certificate of Appropriateness. The homeowner did not apply for a demolition permit within the prescribed 12 months. He is now asking the Board to waive the new 2019 code requirement that applications for demolition in the historic Robbins district must be accompanied by plans for a new structure. This request was denied by the Historic Preservation Commission on July 1, (5-0). Therefore, before the Board is an appeal of that decision. Trustee Stifflear added the homeowner did not apply for a demolition permit since 2017 because he has been actively marketing the home since then.

Trustee Stifflear reviewed the three options before the Board, but noted that with all three the homeowner would ultimately be able to tear down the house, and noted that logic would indicate that the HPC will always deny a Certificate of Appropriateness to demolish an historic home. Discussion followed regarding the process in each scenario.

Mr. Matt Bousquette, homeowner, was on the line and addressed the Board stating he owns the property and 444 E. Fourth Street, and 448 E. Fourth Street, where he resides. He explained he had the opportunity to demolish the home in 2017, but instead opted to aggressively list the property for sale; the home has been on the market since that time, and despite offering the property at land value alone, he has been unable to sell the home. He

respectfully requests the Board waive the requirement to go back to the Historic Preservation Commission with drawings for a new home on the property. He intends to tear down the house, but has no intention to build another structure. He will use the property as a side yard. The home was on the market for almost three years, but is not now. He stated hoping to sell it was expensive, so in January and February he prepared the paperwork to demolish, which was brought forward in March.

President Cauley asked about the offer to purchase made by Mr. Bousquette's neighbors three years ago. Mr. Bousquette said that, unfortunately, the group never contacted his broker, and when the meeting ended, the LLC making the offer was dissolved. He recalls only two people toured the house in three years. He explained that the water was turned off following frozen pipes that burst two years ago, but all other utilities are still on. He reported there has been deterioration in the interior primarily due to the burst water pipes, but he chose not to invest in ripping out the walls and replacing the copper plumbing. He confirmed he has no plans to market the lot when the house is gone, and has no landscape plan for the property at this time. He said he would entertain an offer, but is suspect of suggestions of an offer at this time. The For Sale signage was posted on Woodside and on Fourth Street, and the property was advertised nationally and internationally on luxury and historic home sites. Trustee Banke said tearing down a Zook house is a painful process; the Board is presented with a circumstance where they can prolong the process or pull off the BandAid. It is hard to just let it be torn down. Mr. Bousquette said he understands, but no one has spent more time, effort or money trying to save this house than he has. Unfortunately, economics and the market place have spoken; he is sorry no one was interested in the home, and no one has tried to help him save it.

Trustee Stifflear said this is a difficult process, as this house is close to the heart of many in the community, however, Mr. Bousquette is the property owner, and his rights outweigh those without any money it. He recommends a second reading in August and a vote to waive the requirement for additional plans, and waive the requirement to return to the HPC for a Certificate of Appropriateness. This follows the two reading process, and allows one last opportunity for the community to preserve the home. Trustee Haarlow pointed out there have been no For Sale signs on the property in several weeks, however, there is an active listing on line for the lot. Mr. Bousquette said he took the home off the market in December 2019, that is why there are no signs. He would not undermine his own efforts to sell the house. He added he marketed the property for three years, if there was interest in the home, anyone could have looked at it, or made an offer on something, but they did not. In June 2018 it was listed for \$2,850,000, he reduced the price as the value of the land declined. The lowest price was about \$50-\$55 per square foot on a 50,000' square foot lot. He confirmed he would entertain a 'real' offer, but added he would not be fooled by a false offer again that cost the Parkers and likely the Village, the house.

Trustee Haarlow said she spoke with one of the people that made the offer in 2017, who indicated it was a strong offer, and they had a check cut to convey the seriousness of the offer. Mr. Bousquette clarified that that offer was never communicated to the broker or the homeowner. That offer was developed by the head of the HPC and given to the Village President, but no one ever spoke to him or his broker, or asked to tour the house in the three years since those hearings.

President Cauley recommended moving the item forward for a second reading. Discussion followed regarding the need for a second reading. Trustee Stifflear said it allows more time



for an offer to be made. Mr. Bousquette added it takes a while to tear down a home, if someone showed up in the interim to buy the house he would of course, sell it. The Board agreed to move this item forward for a second reading at their next meeting. Mr. Bousquette thanked the Board, and stated if anybody has a legitimate offer, please contact him, he is willing to talk.

## DISCUSSION ITEMS

### a) **Parking deck update**

Assistant Village Manager/Director of Public Safety Brad Bloom reported the parking deck is open, but still waiting to be completed are the installation of the plants and trees, and modifications to curbing.

### b) **Tollway update – Pedestrian Bridge design**

Mr. Bloom began discussion stating the new pedestrian bridge will be relocated adjacent to 47<sup>th</sup> Street. In a conference call with Western Springs. Hinsdale staff, Trustee Byrnes and Plan Commission Chair Steve Cashman participated and two design options were reviewed. The preferred option is a bow truss style, however, the additional cost to the Village would be \$100,000. Trustee Byrnes clarified he is not asking for the additional money, but he has concerns about the aesthetics of the bridge. Tollway representatives explained that the Pratt option is a pre-fab option, and is the least expensive. Improvements since the last meeting include a modified Pratt design, where the fencing is more like the Oak Street bridge. Additionally, the entrances in Western Springs and Hinsdale now include stone pillars with the Village logos, at no cost to the Villages. Trustee Byrnes recommends going with the bridge with the modifications to the Pratt option, but to have it painted black. Western Springs favors the Pratt design, too.

Ms. Nicole Nutter, representing the Tollway Authority addressed the Board. She explained the maintenance on the painted bridge, stating the tollway will paint the bridge the first time, but all subsequent painting is the responsibility of the Villages. This is an upgraded option at no cost, but any other upgrades are local costs. Trustee Byrnes said the stone pillars are an improvement as is the elimination of chain link fencing at the entrances. Discussion followed regarding painting and the physical dimensions of the bridge. Trustee Haarlow asked about safety; Ms. Nutter replied the Tollway will use the best State and Federal safety standards. She noted the new bridge will be constructed prior to the removal of the old bridge. They would like everything finalized by end of August to stay on schedule. The Board agreed to move forward with the painted Pratt design.

### c) **Chamber of Commerce street closure request– Sidewalk Sale July 25-26**

Mr. Bloom said the Village has received a request from the Chamber of Commerce to close the street for the Sidewalk Sale. They believe if the street is closed merchants can provide better social distancing and better displays. The logistics have been discussed with Police Chief King. President Cauley is worried about carryout and outdoor seating for restaurants; he does not want to inhibit their business. Deputy Police Chief Tom Lillie explained the road would be closed for setup at 8:00 a.m., and reopened by 4:00 p.m., instead of 5:00 p.m. to reduce the impact on the restaurants. President Cauley said his concerns are alleviated, and the Board agreed to the street closure as proposed.

**d) Chamber of Commerce request for changes regarding the Hinsdale Fine Arts Festival**

Mr. Bloom reported the Chamber of Commerce wants to reschedule the Fine Arts Festival to August 14-17 in Burlington Park. The Chamber is reducing the number of vendors to provide social distancing, and will work with Chief King on other details. The Board had no objections to the Chamber request.

**a) Title 14 Historic Preservation draft**

President Cauley began discussion on this more comprehensive draft, asking to focus only on the issue of demolition of historically significant properties in Robbins and the CBD. He believes everyone agrees it is better to have incentives, not restrictions. There seems to be agreement on waiving fees for the Plan Commission and Zoning Board of Appeals applications, an expedited approval process, and zoning relief if possible. He introduced the concept of a 'kitty' funded by penalties for code violations, and private funding for a particular home or project. Many properties are already not code compliant, and would benefit from different setback rules, and the elimination of floor area ratio (FAR) restrictions. A tax rebate has been suggested, as well as a referendum to consider funding mechanisms to truly gauge resident interest in preservation. He believes there needs to be a period where a demolition is stalled. The purpose of that time is to work with owners to help with marketing, etc. and allow Village review. After that time, the applicant can do what they want. Mr. Marrs added he has been looking at incentives in Illinois and around the country, and saw tax programs, and easement donations. He suggested having a trained person on staff who understands the options for funding sources from County, State and Federal programs and can direct homeowners. Trustee Byrnes thinks the 7% tax rebate good idea, although not a significant amount of money for someone who wants to renovate a kitchen, for example. There should be a clause that allows individuals to demonstrate undue hardship for an exemption from the 180 days. President Cauley explained the Board would impose the 180-day restriction only if appropriate, on a case by case basis, it is not automatic. Mr. Marrs confirmed that is the intent.

Trustee Stifflear pointed out that when a demolition permit application comes to the Village, the house has already changed hands, the process of saving the home has to happen before it sells. If a developer already has the property, they will wait out the 180 days. He suggested the Village require that contributing homes must be marketed by a reputable local realtor for 12 months as a restriction on the deed. Mr. Marrs stated he is not familiar with that type of restriction, but will explore what kind of restrictions can be put on a deed. Trustee Stifflear said in conversation with Historic Preservation Commissioner Michele Fisher, she reported that type of deed is in place in Chicago preservation districts. Discussion followed regarding marketing requirements and deed restrictions.

Trustee Banke suggested making a distinction between homeowners and builders making application, and finding a way to discourage builders from buying an historic property and scraping it. Trustee Posthuma said it is ok for the Village to give back its share of the property tax dollars, but additional financial incentives beyond that should be put to a vote by residents. He suggested only giving money to homeowners in situations that will change the behavior, further suggesting a different process for existing owners and new owners. Provide no benefit to a buyer without a restriction on tearing down the

property. Existing owners could get a restoration benefit for a remodel, but not automatically because they have an historic property. Trustee Hughes said focus on root cause of issue, and set up an environment where it is a good deal to invest in an older home. He recommended a trial effort. If in four years, for example, not one home is saved, the Village has to acknowledge it doesn't work. He cautions against keeping in force a nuisance process; base the renewal of the program on success. Trustee Stifflear said Hinsdale is not willing to impose restrictions on property rights, but pointed out there are certain districts in other areas and parts of the country that simply do not allow historic properties to be demolished.

Ms. Gargano said the Historic Preservation Commission has worked on these issues and has compiled information from other north shore communities. Mr. Marrs said he will look at that information again.

### **DEPARTMENT AND STAFF REPORTS**

- a) Parks & Recreation
- b) Engineering
- 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.

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

No reports.

### **CITIZENS' PETITIONS**

None.

### **TRUSTEE COMMENTS**

Trustee Haarlow added with respect to the prior discussion about incentives, she would suggest a penalty idea. If people who own old homes allow the interior to really deteriorate, is there anything the Village can do. Can they be fined, and if so, could that money go to aid other people for preservation. President Cauley noted recent homes that were demolished were reported to have had those types of issues. He cautioned that even if the Village imposed a fine, a judge would likely not allow it, as there are limits to what we can fine people for with respect to the interior of their homes. She has noticed homes that are vacant and recently sold or for sale with open windows, for example, and she believes this is intentional. Mr. Marrs said he will look into this.

## ADJOURNMENT

Trustee Hughes moved to **adjourn the specially scheduled meeting of the Hinsdale Village Board of Trustees of July 16, 2020 into closed session under 5 ILCS 120/2(c)(11) litigation, filed or pending before a court or administrative tribunal or when an action is probable or imminent, and not to reconvene.** Trustee Byrnes seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

Adjourned to Closed Session at 9:05 p.m.

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