

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE MEETING
December 8, 2020**

The regularly scheduled meeting of the Hinsdale Village Board of Trustees (conducted electronically) was called to order by Village President Tom Cauley on Tuesday, December 8, 2020 at 7:39 p.m., roll call was taken.

Present: President Tom Cauley

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

Absent: None

Present: Village Manager Kathleen A. Gargano, Assistant Village Manager/Director of Public Safety Brad Bloom and Village Clerk Christine Bruton

Participating electronically: Police Chief Brian King, Fire Chief John Giannelli, Finance Director Darrell Langlois, Director of Community Development/Building Commissioner Robb McGinnis, Director of Public Services George Peluso, Superintendent of Parks & Recreation Heather Bereckis, Village Engineer Dan Deeter

VILLAGE PRESIDENT - INTRODUCTION

“Good evening. On September 18, 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. 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. If anyone wishing to speak has difficulty connecting to the meeting with ZOOM, please call Assistant Village Manager Brad Bloom at 630.789.7007.”

APPROVAL OF MINUTES

a) Regular Meeting of November 17, 2020

There being no changes or corrections to the draft minutes, Trustee Posthuma moved to **approve the draft minutes of the regular meeting of November 17, 2020, as presented.** Trustee Banke 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 Hinsdale, like other local governments, have experienced reduced revenues because of the pandemic. In 2020, Hinsdale experienced a \$1.9 million shortfall due to the decline in sales tax revenues, food and beverage tax revenues, parking fines and fees, and interest income. Even though this is a significant decline, as a result of the conservative budgeting of the Village Board, the Village can address this with no impact to core services in the Police and Fire Departments and Public Services. The Village received Coronavirus Aid, Relief and Economic Security (CARES) Act funding of \$800,000 from DuPage and Cook Counties, and a \$100,000 reimbursement from the Federal Emergency Management Agency (FEMA). The Village reduced their operating costs by \$480,000, and reduced the transfer from the general fund to the Master Infrastructure Plan (MIP) fund by \$200,000. Despite this MIP reduction, the Village will still proceed with 2021 work on Eighth Street and Chicago Avenue.

Annual 2020 maintenance has been deferred to 2021, and will be deferred to 2022, unless revenues rebound in the first quarter. We have cut back transfers to the capital reserve fund, apart from MIP projects, for such things as vehicle replacement, roof repairs, and park equipment, from \$1.2 million to \$625,000. He noted that the operating reserve is at 32%, which is higher than the 25% recommended by rating agencies. He concluded stating the Village is in good shape at the end of this year, despite a \$940,000 shortfall below what was budgeted for 2020. However, the Village will finish key projects, including the ERP computer system, pool improvements, Police body cameras, the pedestrian walkway, and replacement of defibrillators throughout the Village. The Village will continue to budget conservatively and cut back on expenses.

President Cauley reported that COVID-19 Region 8 remains in Tier 3 mitigation, the area is still at a 13% positivity rate. He reported other county statistics.

APPROVAL OF SALARY INCREASE - VILLAGE MANAGER

President Cauley introduced the item, stating Village Manager Kathleen A. Gargano has done an outstanding job, and has not had a salary increase since 2017. Before the Board this evening, is a 2.25% increase, bringing her salary to \$205,306.33 per year.

Trustee Stifflear noted three years without an increase is unprecedented, and going forward she should not be overlooked.

Trustee Byrnes moved to **approve a 2.25% increase in the Village Manager's salary to \$205,306.33 per year.** Trustee Haarlow seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

CITIZENS' PETITIONS

President Cauley confirmed there were no persons on the line waiting to speak, nor had the Village Clerk received any written communication.

FIRST READINGS – INTRODUCTION

Environment & Public Services (Chair Byrnes)

a) Approve a Resolution for Improvement Under the Illinois Highway Code – Chicago Avenue Resurfacing Project

Trustee Byrnes introduced this item and the following two items, explaining these are resolutions for Motor Fuel Tax (MFT) funds for maintenance road projects; \$398,000 for Chicago Avenue; \$995,000 for Eighth Street; and \$400,000 for various other streets. Discussion followed regarding the Eighth Street project in terms of concrete or asphalt bids, noting the \$995,000 is for asphalt. Director of Public Services George Peluso said not much additional effort is required to bid the project both ways in order to test the market. He remarked that the COVID-19 economy should produce a competitive market. The Board agreed to move this item to the Consent agenda of their next meeting.

b) Approve a Resolution for Improvement Under the Illinois Highway Code – Eighth Street Reconstruction Project

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

c) Approve a Resolution for Improvement Under the Illinois Highway Code – Third, Eighth Maple, Quincy, Washington, York, Phillippa, Robbins Parking Lot

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

Zoning & Public Safety (Chair Stifflear)

d) Approve an Ordinance Approving a Special Use Permit and Concurrent Site Plan and Exterior Appearance Plan Approval to Construct a New Two-story Bank with 2 Drive-thru Lanes – Lakeside Bank – 222 E. Ogden Avenue

Trustee Stifflear introduced the item suggesting this matter will have two conversations, one regarding special uses along Ogden Avenue, the other regarding the specifics of this application. He referenced the Request for Board Action (RBA) that states a bank is a permitted use in B-3, and a special use permit is required for a drive-through. This is incorrect, banks are a special use in the B-3, with or without a drive-through. The macro question is do we permit by affirmative ordinance non-sales tax generating businesses in the B-3 on Ogden Avenue. There are many currently permitted uses in that area that don't generate sales tax, any of these businesses could buy the existing building, and operate a permitted use, with no constraints from the Board or staff. If the Board does not approve this request, we turn away a several million dollar improvement to this property. The Plan Commission process was a mistake, as banks are not permitted. In 2008, the Napleton's, then owners of the GM training facility, proposed a bank for the property. As of 2005, code did not allow banks on the first floor in the Central Business District (CBD) on Ogden Avenue. The Napleton's appealed, however, the Illinois Supreme Court upheld the Village's position. This is a policy matter that needs to be addressed. Banks are not allowed in the B-3 at all, however, they are allowed in conjunction with a drive through, but only as a special use. Discussion followed regarding the overall use of the large space and the permitted uses that could be put in, if we forego Lakeside's proposed improvements. President Cauley said he is loath to tell businesses what to do, but a big bank doesn't seem to make sense in a modern environment. He does not see a community need, and thinks the Board should strongly consider putting in a revenue generating business. Trustee Byrnes agreed. Trustee Hughes

added the Board needs more time to think this through, to consider alternatives and present in January, he also recommended examining whether anything else needs to be addressed. Trustee Stifflear suggested getting away from the Standard Industrial Classification (SIC) code, and looking at other attributes. Trustee Byrnes wondered what other municipalities have done to address this problem. Trustee Banke said more research needs to be done, but agrees we don't have a lack of banks in town. He believes the Board has an obligation to generate revenue when possible. Trustee Haarlow concurs, especially in light of the lack of revenue from the Oasis at this time.

Mr. Peter Coules, attorney for the applicant, stated the property has been on the market a long time, and no retail business has looked at it. There are safety concerns as the property is close to significant traffic. This will be a \$2.5 million building, the Village will see property tax revenues increase. There is not enough parking onsite for stores, and a bank is a good neighbor as they are closed at night and on Sundays. A retail operation might get push back from neighbors.

From a process standpoint, Trustee Stifflear recommends putting together an action plan for how to move forward with the corridor. Mr. Coules noted the previous Ogden Avenue Corridor Plan that contemplates the points he has raised. Trustee Stifflear said we will review that study. Mr. Coules expressed concern because his client is under contract, and this matter will not be decided for us long as 5-6 months. Trustee Hughes said the background is important, and the Board needs all the input. Trustee Stifflear said the Board will do their due diligence; the proposal before the Board looks good, but the use is a problem at this point.

CONSENT AGENDA

Administration & Community Affairs (Chair Hughes)

- a) Trustee Byrnes moved **Approval and payment of the accounts payable for the period of November 16, 2020 through December 4, 2020, in the aggregate amount of \$1,039,355.76 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee Hughes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Environment & Public Services (Chair Byrnes)

- b) **Award engineering services for the South Garfield 2022 Reconstruction Project to Rempe-Sharpe & Associates, Inc. in an amount not to exceed \$226,807 (First Reading – November 17, 2020)**

President Cauley introduced the item and Trustee Hughes moved to **Award engineering services for the South Garfield 2022 Reconstruction Project to Rempe-Sharpe & Associates, Inc. in an amount not to exceed \$226,807.** Trustee Banke 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 an Ordinance Levying Taxes for Corporate Purposes for the Fiscal Year of the Village of Hinsdale, Illinois Commencing on January 1, 2020 and Ending on December 31, 2020 in the aggregate amount of \$ 14,071,013 (*First Reading – November 17, 2020*)**

Trustee Hughes introduced Items a-g stating these are housekeeping items regarding bond issuances. Finance Director Darrell Langlois confirmed the library did not change from the recommended levy

- b) **Approve a Resolution abating the tax hereto levied for the year 2020 to pay the principal of and interest on \$5,000,000 General Obligation Bonds (Alternate Revenue Source), Series 2012A, of the Village of Hinsdale, DuPage and Cook Counties, Illinois (*First Reading – November 17, 2020*)**
- c) **Approve a Resolution abating the tax hereto levied for the year 2020 to pay the principal of and interest on \$2,710,000 General Obligation Refunding Bonds (Library Fund Tax Alternate Revenue Source), Series 2013A, of the Village of Hinsdale, DuPage and Cook Counties, Illinois (*First Reading – November 17, 2020*)**
- d) **Approve a Resolution abating the tax hereto levied for the year 2020 to pay the principal of and interest on \$2,025,000 General Obligation Bonds (Waterworks and Sewerage System Alternate Revenue Source), Series 2014A, of the Village of Hinsdale, DuPage and Cook Counties, Illinois (*First Reading – November 17, 2020*)**
- e) **Approve a Resolution abating the tax hereto levied for the year 2020 to pay the principal of and interest on \$5,000,000 General Obligation Bonds (Alternate Revenue Source), Series 2014B, of the Village of Hinsdale, DuPage and Cook Counties, Illinois (*First Reading – November 17, 2020*)**
- f) **Approve a Resolution abating the tax hereto levied for the year 2020 to pay the principal of and interest on \$9,775,000 General Obligation Bonds (Alternate Revenue Source), Series 2017A, of the Village of Hinsdale, DuPage and Cook Counties, Illinois (*First Reading – November 17, 2020*)**
- g) **Approve a Resolution abating the tax hereto levied for the year 2020 to pay the principal of and interest on \$20,000,000 General Obligation Bonds (Alternate Revenue Source), Series 2018A, of the Village of Hinsdale, DuPage and Cook Counties, Illinois (*First Reading – November 17, 2020*)**

Trustee Hughes read and moved to approve Items a-g. Trustee Banke seconded the motion.

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

Motion carried.

h) Approve the Issuance of Blanket Purchase Orders Totaling \$104,600 (First Reading – November 17, 2020)

Trustee Hughes introduced the item and explained this is an adjustment of reoccurring payments, as some amounts change from estimates through the year.
Trustee Hughes moved to **Approve the Issuance of Blanket Purchase Orders Totaling \$104,600.** Trustee Banke seconded the motion.

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

Motion carried.

i) Approve the CY2021 through CY2025 Capital Improvement Plan (First Reading - Committee of the Whole - December 3, 2020)

Trustee Hughes introduced this item and the next stating these had been discussed at the Committee of the Whole (COW) held on December 3, with input from the Finance Commission. There was good discussion, and there were no changes to the draft documents. The Finance Commissioners and the Board asked for quarterly updates next year as the fiscal situation develops during 2021.
Trustee Hughes moved to **Approve the CY2021 through CY2025 Capital Improvement Plan, and Approve the CY2021 Annual Performance Budget.** Trustee Banke seconded the motion.

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

Motion carried.

j) Approve the CY2021 Annual Performance Budget (First Reading - Committee of the Whole - December 3, 2020)

Item addressed above.

k) Approve the Annual Meeting Schedule 2021

Trustee Hughes introduced the item explaining this is the customary approval of next year's meeting schedule for the Village Board and other Commissions.

Trustee Hughes moved to **Approve the Annual Meeting Schedule 2021**. Trustee Byrnes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Zoning & Public Safety (Chair Stifflear)

I) Approve a Resolution of the Village of Hinsdale Authorizing the Tolling of Small Wireless Facility Applications under a Declaration of a State of Emergency

Trustee Stifflear introduced the item and noted there was no first reading on this item due to timing constraints. This resolution authorizes the tolling of small wireless applications under a declaration of a state of emergency; the Village can hit the pause button on previously agreed time parameters, specifically the shot clock provision requiring staff to reply to applications within 30 days. He noted that Clarendon Hills and Western Springs have received 5G applications, however, Hinsdale has not. This resolution memorializes the rights of the Village until such time as the COVID declarations expire or are repealed by the Governor.

President Cauley added there is a need to try to proceed carefully with these things, as staff is under a lot of pressure already dealing with COVID-19. The Village has been working with Western Springs to deal with this, and they have already passed a similar initiative. Village Manager Gargano confirmed that Clarendon Hills adopted their resolution last night.

Trustee Byrnes added that the extra time is welcome as residents are very concerned about this issue, and Trustee Posthuma added that if Hinsdale didn't take these measures, and surrounding communities have, it might encourage applications in Hinsdale.

Trustee Stifflear moved to Approve a Resolution of the Village of Hinsdale Authorizing the Tolling of Small Wireless Facility Applications under a Declaration of a State of Emergency. Trustee Haarlow seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried

DISCUSSION ITEMS

a) Tollway update

Trustee Byrnes reported that with respect to the design of the pedestrian bridge, Western Springs has agreed to vertical pickets painted black, and will share future maintenance costs. The Board agreed this is a good outcome.

DEPARTMENT AND STAFF REPORTS

- a) Engineering
- b) 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

None.

CITIZENS' PETITIONS

None.

TRUSTEE COMMENTS

None.

ADJOURNMENT

There being no further business before the Board, President Cauley asked for a motion to adjourn. Trustee Hughes moved to **adjourn the regularly scheduled meeting of the Hinsdale Village Board of Trustees of December 8, 2020**. Trustee Banke seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Meeting adjourned at 8:43 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk