

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE MEETING
July 13, 2021**

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, July 13, 2021 at 7:30 p.m., roll call was taken.

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

Absent: None

Also Present: Village Manager Kathleen A. Gargano, Police Chief Brian King, Fire Chief John Giannelli, Finance Director Andrea Lamberg, Director of Community Development Robb McGinnis, Director of Public Services George Peluso, Village Engineer Dan Deeter, Village Planner Bethany Salmon, HR Consultant Tracy McLaughlan, 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 June 15, 2021

Trustee Posthuma moved to approve minutes of the regular meeting of June 15, 2021, as presented. Trustee Banke seconded the motion.

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

NAYS: None

ABSTAIN: Trustee Haarlow

ABSENT: None

Motion carried.

VILLAGE PRESIDENT'S REPORT

President Cauley noted tonight will be the first of two readings on the newest Ryan Companies application for the redevelopment of the IBLP site on the north side of Ogden, and on and around Adams Street. The Board has received a concept plan only; many of the details raised by Board members and residents would be addressed during the lengthy and thorough review of the Plan Commission. He briefly described the proposal, noting that the property is partly zoned IB-Institutional Buildings, and R2 single-family residential. If the Board determines the Ryan application merits further consideration, the Board can refer the matter to the Plan Commission, where there will likely be several more meetings that will provide the opportunity for public input. The Board would vote to refer on this on August 10. He noted the emails that have been received regarding this application, and that most are opposed to the project primarily because of density and traffic. He explained that at the August meeting, a vote of four Board members shall be

necessary to summarily deny the application, and further this has the same legal effect as a denial after a public hearing. He believes addressing the issues of density and traffic should be taken up before moving this forward, and matters such as the donation of parkland and drainage can be addressed afterwards.

Last Friday he sent a letter to residents that may have been impacted by the flooding event of June 25. This letter is on the Village website along with all communication received from the Tollway on this matter. Staff is working with the Tollway to restore infrastructure, roads and sidewalks and to ensure residents are adequately compensated. Both the Village and the Tollway continue to investigate the flooding, and the Tollway is monitoring the work zone, televising the Village's stormwater management system, and repairing related infrastructure. He provided contact information for residents who believe their property has been impacted by the June 26 flooding event, and noted this information is on the Village website.

The Tollway Deputy Chief of Program Implementation Lanyea Griffin, and Tollway Representative John Sadler are in attendance tonight for residents that may have specific concerns regarding the claims process or what is being done to address what occurred.

He also noted that residents with other drainage concerns, not related to the Tollway, should reach out to Public Services staff for assistance.

President Cauley noted the water rate increase item on the Board agenda tonight. He explained this matter is a continuation of a Committee of the Whole discussion, and that members of the Finance Commission, former Trustee Jerry Hughes and Trustee Matt Posthuma have been working with staff to determine a stable rate structure to fund the expenses of maintaining the water system. He thanked Finance Commission members Adam Waldo, Chris Elder and Rob D'Arco for their help with tonight's recommendation.

He provided updated COVID-19 statistics, noting the numbers are slightly up since his last report, but the State remains open.

APPOINTMENTS TO BOARDS AND COMMISSIONS

President Cauley recommended the following re-appointments:

Finance Commission

Mr. Adam Waldo re-appointed to a 3-year as Chair through April 30, 2024

Historic Preservation Commission

Mr. Frank Gonzalez re-appointed to a 3-year term through April 30, 2024

Ms. Alexis Braden re-appointed to a 3-year term through April 30, 2024

Plan Commission

Mr. Steven Cashman re-appointed to a 3-year as Chair through April 30, 2024

Ms. Anna Fiascone re-appointed to a 3-year term through April 30, 2024

Trustee Stifflear moved to **approve the appointment to the Plan Commission as recommended by the Village President.** Trustee Fisher seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

PROCLAMATION – Parks & Recreation

President Cauley read the proclamation naming July the Parks & Recreation month in the Village of Hinsdale.

CITIZENS' PETITIONS

None.

FIRST READINGS – INTRODUCTION

Administration & Community Affairs (Chair Posthuma)

a) **Approve an Ordinance Amending Subsection 7-4B-2(A) of the Village Code of Hinsdale regarding Water Rates**

Trustee Posthuma introduced the item that will create additional reserves to replace aging water infrastructure. He explained that over the years, as rates were increased, people used less water, and based on rainfall, water usage fluctuates. For these reasons, water rates are not dependable. The proposed ordinance will create a more stable and reliable money source for water system maintenance. This matter was discussed at the Committee of the Whole in March, and there have been a number of discussions since then including former Trustee Jerry Hughes, Village staff, Finance Directors Langlois and Lamberg, Consultant Dave Vanorsdell, and the Finance Commission.

The water rate study conducted in 2018 indicated declining revenue, and over the last four years, there has been a shortfall of \$706,000. Following review, a fixed fee is recommended. This will be a \$15.00 bi-monthly fee. The variable water rate will be reduced from \$8.25 per unit to \$8.00 per unit. These two changes will result in an approximate 1% increase per month to the user for a typical bill. This is a minimal impact on low usage and average households. Trustee Posthuma explained that a premium rate of \$12.38 will be charged for usage over 100 units per bi-monthly billing cycle.

President Cauley added the Village does not raise fees because we can, but we have been struggling to fund the water system for years. The water system should be self-sustaining. The proposed ordinance adjusts fees to get to the number we need and no more. Care has been taken not to disproportionately impact people who do not use as much water, and the money goes directly to the water system.

Trustee Byrnes expressed concern regarding lost revenue from the elimination of the current minimum \$27.52 bi-monthly fee for up to three units of water, but Trustee Posthuma said this is offset by the new \$15.00 fixed fee. Discussion followed regarding compensating fees.

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

b) **Accept the Village's Management Letter, Comprehensive Annual Financial Report and Single Audit for the Fiscal Year ended December 31, 2020**

Trustee Posthuma introduced the item regarding the annual audit conducted by the outside accounting firm, Sikich, LLP. He noted the additional challenge for the Finance Department to complete this process following the retirement of former Finance Director Darrell Langlois, and complemented Finance Director Andrea Lamberg for completing the audit on time. He noted Sikich provided a clean audit opinion, with no material issues. Also provided this year

was a single audit, required when government funds over \$750,000 have been received. The audit opines as to whether or not the municipality has complied with the Federal requirements.

Ms. Lamberg thanked her staff, and particularly Assistant Finance Director Alison Brothen, who did the brunt of the audit work this year during the transition. She said it would not have gone as well without Ms. Brothen.

Discussion followed regarding the length of time the Village has used Sikich for the audit, but it was noted that the partners are rotated regularly.

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

- c) **Approve an ordinance authorizing and providing for the issuance of approximately \$3,095,000 General Obligation Bonds (Sales Tax Alternate Revenue Source), Series 2021, for the purpose of refunding certain alternate bonds of the Village, providing for the pledge of certain revenues to the payment of said bonds and the levy and collection of taxes to pay said bonds if the pledged revenues are insufficient to make such payment and authorizing the sale of said bonds to the purchaser thereof**

Trustee Posthuma introduced the item that is an opportunity to refinance bonds originally issued in 2012 to take advantage of lower interest rates. There is \$3,000,000 left on this issue, the refinancing will not extend the length of the payments, but will result in annual savings of \$15,000, and a net savings of \$154,000 for the life of the issue.

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

- d) **Approve an Ordinance Amending Various Sections of the Village Code of Hinsdale relative to the Committee of the Whole**

Trustee Posthuma introduced this housekeeping item and explained the Village Attorney found a stray reference in the code that states the Village President should preside at Committee of the Whole (COW) meetings. The Board adopted a policy for the COW that eliminated the monthly meetings of the three standing committees of the Board, and the chair of each committee will preside at the meeting. This ordinance will correct the discrepancy in the code and codify Village policy. He noted that because no action is taken by the Board at Committee of the Whole meetings, there are no issues with prior meetings.

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

Environment & Public Services (Chair Byrnes)

- e) **Award the contract for engineering services for construction observation of the Chicago Avenue Resurfacing project to HR Green, Inc. in the amount not to exceed \$103,888**

Trustee Byrnes introduced the item for engineering services and construction observation for the re-paving of Chicago Avenue. This contract is within the budget, and according to Village practice, HR Green did the design services and it is best for them to do the observation, as well.

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

- f) **Approve payment to West Central Municipal Conference (WCMC) Suburban Tree Consortium (STC) for tree supply and planting services for spring 2021 in the amount of \$59,081, and to authorize the expenditure of funds not to exceed the approved 2021 budgeted amount of \$89,375**

Trustee Byrnes introduced the item to make the payment to WCMC for tree supply and planting services. A purchase order was not issued this year by mistake, and this item will rectify the error, and authorize the additional budgeted amount for this year without coming back to the Board for approval.

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

Zoning & Public Safety (Chair Stifflear)

- g) **Approve a referral for consideration by the Plan Commission of a Map Amendment and concurrent Planned Development Concept Plan, Special Use Permit, and Site Plan and Exterior Appearance Review for Hinsdale Senior Residences by Ryan Companies; or**

Deny a referral of a Map Amendment and concurrent Planned Development Concept Plan, Special Use Permit, and Site Plan and Exterior Appearance Review for Hinsdale Senior Residences by Ryan Companies**

Trustee Stifflear introduced the item that is a proposal for a senior living facility to be located at the IBLP property. He knows there is a great deal of interest in this project, and acknowledged the Board has received and has had the opportunity to review all emails received from area neighbors. The applicant is seeking a referral for consideration by the Plan Commission for a map amendment to change 7.5 acres from IB zoning to more restrictive R2 zoning, a concurrent planned development concept plan, a special use permit, and site plan and exterior appearance review. He provided background on the two previous iterations of this project, both of which were ultimately withdrawn by the applicant. This proposal includes a reduced total number of units from 267 to 245. The one-story villas have been reduced from 27 to 20 overall with fewer buildings. The size of the main facility has been reduced by 40,000' square feet with a reduction in the number of units. This application also includes the dedication of 12 acres of parkland. He added this is a well put together application that includes a great deal of detail for a concept plan.

Trustee Stifflear said Village Planner Bethany Salmon will provide a presentation illustrating what can be built on this property by right, with limited input from Village and the Board. He also pointed out that much of the correspondence received on this matter wants the Board to preserve the existing R2 zoning, without acknowledging that 7.5 acres of the property is zoned IP – Institutional Building. Following this presentation, the applicant will review the new application, followed by resident questions.

Ms. Salmon addressed the Board providing a current property overview which is 32.6 acre parcel that includes a 7.5 acre IB Institutional Buildings district, and an R2 Single Family residential district. The existing land use consists of undeveloped open space, tributary and pond, and the IBLP institutional building. In the R2 district, permitted uses are single-family homes, and special uses could be public utility stations, and planned developments. In the IB district permitted uses are; any governmental activity or service conducted within a building owned or leased by a public body, publicly owned parks, playgrounds, forest preserves, botanical and zoological gardens, arboreta, conservatories, recreation areas, and other open areas, parking lots owned or leased by the Village, any existing non-conforming use established prior to the adoption of the code and listed as a special use, and personal wireless serves antennas. Special uses are schools, libraries, youth centers, membership organizations and associated daycares, museums and art galleries, planned developments, and personal wireless service antennas. She reviewed the bulk regulations for both zoning districts, including lot area and dimensions, required yards and setbacks,

floor area ration (FAR), building height and elevation. She explained that these were used by staff to determine what would be code compliant on these lots. On the west site, six single family homes and a four-story 125,000' - 150,000' square foot 'commercial' building. She compared this conceptually to a Walgreens, a Best Buy or Trader Joe's in terms of size. On the east side, where there are 10 proposed buildings, the bulk regulations would allow for 10 code compliant lots.

She noted the challenges of the R2 zoning in this area, and pointed out that Manor Care and Eve Assisted Living are both located in R5 zoning districts.

Trustee Byrnes said a DMV wouldn't work in this area because of volume of traffic, but asked what recourse the Village would have. Ms. Salmon explained that with any development, the Village has some level of review, but the scrutiny is less in terms of public hearings and process.

President Cauley does not believe that many of the permitted uses are interested in this lot. He sees this as a 'theoretical threat'. Trustee Banke recommends staying focused on what is being presented.

Mr. Dave Erickson from Ryan Companies addressed the Board, stating they first came to the Village 19 months ago, and have listened to the input of neighbors and the Board. Notable changes in this proposal include the 40,000' square foot reduction in the main building, the reduction of units from 267 to 245, enhanced building layout, and increased setbacks on Ogden Avenue from 114' feet to 181' feet that result in a much smaller appearance of the building from Ogden Avenue. On Adams Street, setbacks have been increased from 50' feet to 87' feet. He talked about the partnership with District 86. Their vision is mentorship and internships for students. He also noted that membership fees would be waived for Hinsdale residents for one year.

Regarding current zoning, he explained that the proposed building is 309' square feet less than what is permitted in the IB zoning district. The number of units has been reduced to 245 units on 20 acres. He pointed out that this is significantly fewer units and much less dense than currently at Manor Care and Eve Assisted Living. He made note of this for purposes of perspective. If the property was zoned R5, 352 units would be permitted.

With respect to traffic, their engineer has determined there would be significantly more trips with an office building and single-family homes, than a senior living facility. He explained that senior living is a low traffic use in peak hours.

He explained that the IDOT standards for intersection improvements are not warranted, but they will work with IDOT on this matter. He noted the parking provided for the facility exceeds code requirements. Storm water management for Oak Brook and Hinsdale will have to meet all County requirements, and will result in an overall improvement over current storm water management.

Regarding community benefits, he described the 12 acres to be dedicated to the Village that will include a pedestrian path, 10 public parking spaces, and connect to Bonnie Brae Road, providing a park north of Ogden where currently none exists. Additionally, the project will create construction jobs, and 100 permanent jobs when the facility opens. This is a \$100 million private investment, that will pay property taxes, where currently no taxes are paid. There will be no additional children in the schools, but significant additional revenue will be realized by the schools.

Mr. Erickson said they are proud to present this plan, they believe it has been improved significantly, and is respectful to neighbors. He would like to get the application in the

process to get detailed feedback from the Plan Commission and the public. A third open house to discuss the plan will be scheduled.

President Cauley commented that this may be an appropriate use of the property if less traffic is generated, but he doesn't think the reduction is enough. He believes the problem at Ogden and Adams is unworkable, and should be solved before moving forward. He thinks the number of units should be reduced to 200. He added the cost of the IBLP property drives the density; reduce the cost, reduce the density. Trustee Banke suggested that perhaps there should be access to Ogden independent from Adams Street. Mr. Erickson explained they have approached IDOT with this request, but IDOT will not allow another curb cut.

Trustee Posthuma pointed out that other Ryan developments have been less than 200 units. Mr. Erickson explained that the cost of the land is market driven, and the number of units is regulated by area zoning. The number of units in their facilities across the county range between 130-280 units. He explained that this is a bigger piece of property than most. He addressed the purpose behind the request for a reduction in the number of units. Is it because of the traffic or the look of the building? He reiterated that senior housing is a low traffic use, and that the number of units will not impact traffic.

Trustee Posthuma said he thinks the use is a good one, and the opportunity for a park is a good use. Trustee Haarlow agrees, and added that a home built on the R2 lots at Route 83 and Ogden Avenue would be a hard sell. Having all three levels of senior care is a good benefit, and the proposed park donation is a good option. Trustee Byrnes likes the park, and the tax benefits of a senior living facility, but is concerned about the traffic, and wondered if we could get a read on where IDOT might land on this issue. Trustee Banke agreed that the benefits of senior living are appropriate because there will be no burden on the schools, and the tax revenues are good. He also noted the Board will have a level of control on the project, but he is concerned about density and traffic on Adams.

Trustee Stifflear suggested the Village hire a traffic consultant, or one that works with IDOT, to provide an expert opinion on the traffic problem, as opposed to someone hired by the applicant. Perhaps an expert can help with a solution. Discussion followed, staff will facilitate a meeting with IDOT as quickly as possible.

Mr. Eric Missil, 3 Cheval Drive, Oak Brook, made a Powerpoint presentation to the Board indicating a possible alternative solution for parking and traffic flow for the proposed Ryan Development. He also indicated his dissatisfaction with Ryan Companies follow through, community outreach, and the inadequate reduction in the number of units proposed. He believes the public benefits are for their use, and the internship proposal is their way of getting cheap labor.

Mr. Armando Travelli, 521 Bonnie Brae Road, agrees with President Cauley's assessment of the Adams traffic problem, but thinks there should be a third lane on Ogden Avenue. He acknowledged the advantage for schools in terms of taxes, but doesn't think those residents will support a school referendum because they won't be invested in the schools.

Mr. Robert Ludwig, 541 Bonnie Brae Road, addressed the Board to suggest a different approach. He respects the Board's service and the work they have done, and also Mr. Erickson for his attempts to talk to the community. He believes the IBLP property is the gateway to Hinsdale, and a treasure for the western suburbs. He has been thinking about the possibility of what it could be, but he does not have the solution. He said there are

alternatives; the Board should consider something like Lake Shore Drive. He admonished the Board to leave a suitable legacy to the Village of Hinsdale.

Mr. Rich Kozarits, Marcus & Millichap, addressed the Board stating he works for the national commercial real estate company that has been retained to market the IBLP property. He said he is a former Hinsdale resident. He understands these residents thoughts, and respects their right to opine. He explained that Marcus & Millichap received multiple offers for apartment buildings, medical offices, and commercial and retail developments, but they steered them away, because there was no indication of support. They interviewed several senior living offers, and chose Ryan Companies carefully. He suggested this is not about price, and the land is the cheapest part of the deal. The property is under contract for what the market will bear. He also indicated that his company will actively pursue a buyer for the property.

CONSENT AGENDA

Administration & Community Affairs (Chair Posthuma)

- a) Trustee Stifflear moved **Approval and payment of the accounts payable for the period of June 14, 2021 through July 9, 2021 in the aggregate amount of \$1,218,315.48 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee Banke seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

The following items were approved by omnibus vote:

- b) **Approve an Ordinance Amending Various Sections in Title 3 (Business and License Regulations), Chapter 3 (Liquor Control) of the Village Code relative to alcoholic liquor and licenses** (*First Reading – June 15, 2021*)

Environment & Public Services (Chair Byrnes)

- c) **Approve a resolution approving the 2022 S. Garfield Reconstruction Project contract amendment and change order in the amount not to exceed \$49,882 to Rempe-Sharpe & Associates** (*First Reading – June 15, 2021*)

Zoning & Public Safety (Chair Stifflear)

- d) **Approve a temporary increase in Police Officer staffing** (*First Reading – June 15, 2021*)

Trustee Byrnes moved to **approve the consent agenda, as presented.** Trustee Fisher seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

SECOND READINGS / NON-CONSENT AGENDA – ADOPTION

Administration & Community Affairs (Chair Posthuma)

- a) **Approve an Ordinance Authorizing Transfers of Appropriations within Departments and Agencies of the Village** *(First Reading – June 15, 2021)*

Trustee Posthuma introduced the item that is corporate financial housekeeping required by the State of Illinois to balance budget line item amounts.

Trustee Posthuma moved to **Approve an Ordinance Authorizing Transfers of Appropriations within Departments and Agencies of the Village**. Trustee Banke seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Zoning & Public Safety (Chair Stifflear)

- b) **Approve a temporary use permit to allow the Rainbow Cone food truck to operate out of The Fruit Store parking lot located at 26 W. 1st Street for a 5-day period from August 18, 2021 to August 22, 2021, subject to conditions to be set forth by the Building Commissioner**

This item was not addressed by the Board. The item will appear on the August 10 agenda, providing time to determine if there would be any impact on local businesses.

DISCUSSION ITEMS

- a) **Tollway update** – No update at this time.

DEPARTMENT AND STAFF REPORTS

- a) **Engineering**

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 report.

CITIZENS' PETITIONS

None.

TRUSTEE COMMENTS

Trustee Stifflear thanked Village Manager Kathleen Gargano and staff for their hard work and professionalism during the flooding of June 26. He received only positive feedback from many residents.

ADJOURNMENT

There being no further business before the Board, President Cauley asked for a motion to adjourn. Trustee Banke moved to **adjourn the regularly scheduled meeting of the Hinsdale Village Board of Trustees of July 13, 2021**. Trustee Byrnes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Meeting adjourned at 9:31 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk