

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE MEETING
August 10, 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, August 10, 2021 at 7:33 p.m., roll call was taken.

Present: President Tom Cauley, Trustees Matthew Posthuma, Laurel Haarlow (*by telephone*), Luke Stifflear, Neale Byrnes, and Scott Banke

Absent: Trustee Michelle Fisher

Also Present: Village Manager Kathleen A. Gargano, Assistant Village Manager/Director of Public Safety Brad Bloom, Finance Director Andrea Lamberg, Director of Community Development Robb McGinnis, HR Director Tracy McLaughlin, Village Planner Bethany Salmon, Village Clerk Christine Bruton

Present by phone: Police Chief Brian King, Fire Chief John Giannelli Director of Public Services George Peluso, Village Engineer Dan Deeter, and Heather Bereckis

PLEDGE OF ALLEGIANCE

President Cauley led those in attendance in the Pledge of Allegiance.

APPROVAL OF MINUTES

a) **Regular Meeting of July 13, 2021**

There being no changes to the draft minutes, Trustee Posthuma moved to **approve the draft minutes of the regular meeting of July 13, 2021, as presented.** Trustee Banke seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Fisher

Motion carried.

VILLAGE PRESIDENT'S REPORT

President Cauley noted that the Village Board will approve refinancing certain bonds to take advantage of very low interest rates. The bond sale occurred earlier today and resulted in savings in excess of \$180,000 over the remaining 10-year term of the debt. He reported that this is due to Hinsdale's AAA rating. He pointed out that less than 10% of Illinois municipalities receive a AAA rating from Standard & Pools.

Regarding COVID-19, he reported area statistics, and that the DuPage County 7-day rolling positivity rate is on the rise.

CITIZENS' PETITIONS

Item taken out of order – none.

FIRST READINGS – INTRODUCTION

Administration & Community Affairs (Chair Posthuma)

- a) **Approve a Whistleblower Policy to be in compliance with two new pieces of legislation in Illinois, both which went into effect July 1, 2021**

There was no discussion or action by the Board; the matter was postponed to a later date.

CONSENT AGENDA

Administration & Community Affairs (Chair Posthuma)

- a) Trustee Banke moved **Approval and payment of the accounts payable for the period of July 12, 2021 through August 6, 2021 in the aggregate amount of \$2,860,543.77 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee Byrnes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Fisher

Motion carried.

The following items were approved by omnibus vote:

- b) **Approve an Ordinance Amending Various Sections of the Village Code of Hinsdale Relative to the Committee of the Whole (First Reading – July 13, 2021)**
Environment & Public Services (Chair Byrnes)
- c) **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 (First Reading – July 13, 2021)**
- d) **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 (First Reading – July 13, 2021)**
- e) **Approve an Ordinance Authorizing the Vacation of a Certain Portion of an Unimproved Alley Situated South of and adjoining 740 West Hinsdale Avenue in the Village of Hinsdale, DuPage and Cook Counties, Illinois at a purchase price of \$11,500**

- f) **Award year two of contract #1672 for street sweeping services to Lake Shore Recycling Systems not to exceed the budgeted amount of \$60,750**

Trustee Posthuma moved to **approve the Consent Agenda, as presented.** Trustee Banke seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Fisher

Motion carried.

SECOND READINGS / NON-CONSENT AGENDA – ADOPTION

Administration & Community Affairs (Chair Posthuma)

- a) **Approve an Ordinance Amending Subsection 7-4B-2(A) of the Village Code of Hinsdale regarding Water Rates** (*First Reading – July 13, 2021*)

Trustee Posthuma introduced the item indicating the Village's desire to create an additional dependable revenue source to repair and replace water infrastructure. He explained the modification to the rates that include increases as well as decreases. The minimum use fee is replaced by a flat \$15.00 fixed fee, and the regular rate is reduced from \$8.25 to \$8.00 per unit. To offset these reductions, larger water users will see increased fees.

Trustee Posthuma moved to **Approve an Ordinance Amending Subsection 7-4B-2(A) of the Village Code of Hinsdale regarding Water Rates.** Trustee Byrnes seconded the motion.

Village Manager Kathleen Gargano complemented and thanked Finance Director Lamberg and her staff, Consultant Dave Vanorsdell, former Trustee Jerry Hughes, Trustee Matt Posthuma, and Finance Commissioners Chris Elder and Rob D'Arco for their time and effort on the water rate ordinance.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Fisher

Motion carried.

- b) **Accept the Village's Management Letter, Comprehensive Annual Financial Report and Single Audit for the Fiscal Year ended December 31, 2020** (*First Reading – July 13, 2021*)

Trustee Posthuma introduced the item noting that the auditors, Sikich LLP, provided 'clean' audit reports finding no misstatements or deficiencies. He thanked Finance Director Andrea Lamberg and staff for a job well done.

Trustee Posthuma moved to **Accept the Village's Management Letter, Comprehensive Annual Financial Report and Single Audit for the Fiscal Year ended December 31, 2020.** Trustee Banke seconded the motion.

AYES: Trustees Posthuma, Haarlow, Stifflear, Byrnes, Banke
NAYS: None
ABSTAIN: None
ABSENT: Trustee Fisher

Motion carried.

- 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** (*First Reading – July 13, 2021*)

Trustee Posthuma introduced the item to refinance a 2012 bond issue. He explained there is a \$3 million dollar balance on the existing bonds. The refinancing will not extend the term of the bond issue, but payments will be reduced. The bond sale was earlier today, and the Village will realize a \$184,000 savings over the term of the bonds. The interest rate is .93%. Trustee Posthuma moved to **Approve an ordinance authorizing and providing for the issuance of \$2,655,000 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 Banke seconded the motion.

AYES: Trustees Posthuma, Haarlow, Stifflear, Byrnes, Banke
NAYS: None
ABSTAIN: None
ABSENT: Trustee Fisher

Motion carried.

- d) **Approve an Ordinance Pertaining to the Coronavirus Local Fiscal Recovery Fund for the Village of Hinsdale**

Trustee Posthuma introduced the item that appears without benefit of a first reading due to time sensitivity. The Federal American Rescue Plan Act (ARPA) funds can be requested on the State of Illinois portal through September 30, 2021. Approval of the Ordinance will demonstrate full compliance with the grant program.

Trustee Posthuma moved to **Approve an Ordinance Pertaining to the Coronavirus Local Fiscal Recovery Fund for the Village of Hinsdale.** Trustee Banke seconded the motion.

AYES: Trustees Posthuma, Haarlow, Stifflear, Byrnes, Banke
NAYS: None
ABSTAIN: None
ABSENT: Trustee Fisher

Motion carried.

Environment & Public Services (Chair Byrnes)

- e) **Approve the Tollway pedestrian bridge design aesthetic enhancements in an amount not to exceed \$38,400 (IGA approved on May 18, 2021)**

Trustee Byrnes introduced the item that will confirm the design enhancements and cost as approved and estimated in the Intergovernmental Agreement (IGA) with the tollway to have the walkway on the Hinsdale side of the bridge the same color as the Oak Street bridge walls. Trustee Byrnes moved to **Approve the Tollway pedestrian bridge design aesthetic enhancements in an amount not to exceed \$38,400**. Trustee Banke seconded the motion.

AYES: Trustees Posthuma, Haarlow, Stifflear, Byrnes, Banke
NAYS: None
ABSTAIN: None
ABSENT: Trustee Fisher

Motion carried.

Zoning & Public Safety (Chair Stifflear)

- f) **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**

Trustee Stifflear introduced the item that appears without a first reading due to time constraints. The matter is to consider a temporary use permit for a Rainbow Cone food truck to operate for a 5-day period at the Fruit Store parking lot. Currently, there are no stand-alone brick and mortar ice cream retailers in the central business district. Toni's Café and Café La Fortuna both serve ice cream, but the applicant would only operate during hours when these stores are closed. Rainbow Cone will use electricity from the Fruit Store, so there will be no generator noise; the truck is stationary and would serve walk-up customers only. If permitted, the applicant would like to play low level music within the Village noise restrictions. Trustee Stifflear pointed out that the Village Manager has the authority to issue temporary permits for specific uses; however, food trucks are not identified as a permitted temporary use. The Village Board has the authority to issue such permits and may impose restrictions. The applicant would collect sales tax, including the Village's 1% sales tax, but collection of the Village's 1% food and beverage tax may be a challenge, so staff is exploring the idea of a daily flat fee for food trucks. He also noted that mobile food sales are currently permitted at Uniquely Thursdays and the Farmers Market. Mr. John Buonavolanto, applicant, addressed the Board stating they started Rainbow Cone last year because of the pandemic. They do not want to take anything away from anyone else, but are looking into making a relationship. Their goals are to generate revenue through the truck, provide brand recognition, and test new markets for future brick and mortar stores.

President Cauley said this is a one-off, but if other requests come forward, the Board should consider an ordinance. He believes it is most important that the food truck does not take business away from existing businesses, and that it will operate safely. It was pointed out that Rainbow Code advertises organically on social media, and have a loyal following. President Cauley appreciates this will generate more foot traffic in town, Assistant Village Manager/Director of Public Safety Brad Bloom pointed out that the truck will be located in a recessed area, allowing plenty of room for lines to form safely.

Trustee Stifflear moved to **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.** Trustee Banke seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Fisher

Motion carried.

- g) **Approve an Ordinance Amending Title 5 (“Police Regulations”), Chapter 7 (“Dogs, cats, and other animals”), Section 5-7-1 (“Definitions”) of the Village Code of Hinsdale**

Trustee Stifflear introduced the item that will clean up a language discrepancy in the code. In June 2019, an ordinance was adopted that restricted dogs requiring they be on physical leash. The code used to say ‘under control, including verbal command’. The definition of restrained was not corrected, and still includes this language. The ordinance before the Board will change the definition to requiring a leash. This appears as a second read only, as the ordinance was already approved in 2019.

Trustee Stifflear moved to **Approve an Ordinance Amending Title 5 (“Police Regulations”), Chapter 7 (“Dogs, cats, and other animals”), Section 5-7-1 (“Definitions”) of the Village Code of Hinsdale.** Trustee Posthuma seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Fisher

Motion carried.

DISCUSSION ITEMS

- a) Tollway update
Mr. Bloom stated there was no update at this time.

DEPARTMENT AND STAFF REPORTS

- a) Community Development
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

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 Banke moved to **adjourn the regularly scheduled meeting of the Hinsdale Village Board of Trustees of August 10, 2021.** Trustee Byrnes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Fisher

Motion carried.

Meeting adjourned at 8:02 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk