

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE MEETING
January 18, 2022**

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, January 18, 2022 at 7:00 p.m., roll call was taken.

Present: President Tom Cauley, Trustees Luke Stifflear, Michelle Fisher and Neale Byrnes

Absent: Trustees Matthew Posthuma, Laurel Haarlow and Scott Banke

Also Present: Village Manager Kathleen A. Gargano, Assistant Village Manager/Director of Public Safety Brad Bloom, Police Chief Brian King Assistant to the Village Manager Trevor Bosack, Director of Community Development Robb McGinnis, Director of Public Services George Peluso, Village Planner Bethany Salmon

Present electronically: Fire Chief John Giannelli, Assistant Fire Chief Jon Carlson, Finance Director Andrea Lamberg, Superintendent of Parks & Recreation Heather Bereckis, HR Director Tracy McLaughlin

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

a) **Regular Meeting of January 4, 2022**

Trustee Byrnes moved to **approve the minutes of the regular meeting of January 4, 2022, as presented.** Trustee Fisher seconded the motion.

AYES: Trustees Stifflear, Byrnes and President Cauley

NAYS: None

ABSTAIN: Trustee Fisher

ABSENT: Trustees Posthuma, Haarlow and Banke

Motion carried.

VILLAGE PRESIDENT'S REPORT

President Cauley reported the Burns Field ice rink is open, the warming hut is open on weekends. He recommended residents check the Village website and social media for updates. He also reported area COVID-19 statistics, noting the DuPage County 7-day rolling positivity rate is up slightly from his last report.

CITIZENS' PETITIONS

Ms. Lee Ann McKay addressed the Board regarding Firefighter Nicole Hladek. She described the difficulties she has experienced as a woman working for the Chicago Fire Department. As a result, she believes there is a 'cultural problem' on the Hinsdale Fire Department, and hopes the Board will address this problem.

President Cauley responded stating that what happened to Nicole was tragic and he expressed his sympathy for Nicole's family, friends and co-workers. She committed suicide almost two years ago on July 21, 2020. The following day President Cauley hired a former federal prosecutor to investigate her employment and each firefighter was interviewed. The family did not want to be interviewed, nor was the suicide note provided despite multiple requests. The independent, reputable law firm he hired published a 36-page report that is covered by attorney-client privilege. President Cauley said he would like to provide the report to the family and the public, but has been advised not to. However, following taking out the names of persons and removing the conclusion, he would give the family the factual findings in the report. Whether the report is made public should be decided by the family and their attorney. The report contains personal information about Nicole, and the Village wants to respect her privacy. He asked any person present to make themselves available to the investigator if they have more information. He asked that people reserve judgment until they see the report. He stated that if something was missed in the report, please come back so we can discuss the omission. The family's attorney will decide about making the report public. The conclusion of the report was that no one acted inappropriately, and all proper procedures were followed. Accusations against the Hinsdale Fire Department were refuted by the report. However, President Cauley reiterated the Village wants a complete and full investigation.

Ms. Sharon Zaba, Nicole's mother, explained that when the family was contacted by the investigator, she had lost her daughter and did not trust someone the Village hired. It was a horrible emotional time, but at that point in time she trusted no one.

President Cauley explained it is common to hire an outside party in a case like this. He suggested she look at the name of the investigator and decide for herself if they are reputable. He is not faulting the family for not talking to the investigator, but as a result the Village did not have the benefit of their input. He again urged the family that if they see flaws or inconsistencies in the report, please come back and the investigation would be reopened if necessary. Ms. Zaba said our firefighters saw the suicide note and knew what it said. President Cauley said he was unaware of this, and it is his understanding the note is in possession of the Downers Grove Police Department and would not be released, but these are the facts we are looking for.

Mr. Brian Kulaga, Cicero firefighter and uncle of the deceased, addressed the Board and acknowledged that the Board did their due diligence, but stated the report is flawed, and the firefighters lied in the report. He believes Nicole was bullied and harassed.

Ms. Nicole Kiernicki, Chicago firefighter, described her unfortunate experiences as a woman in the Chicago Fire Department. She feels that Nicole could not have left Hinsdale because she would have been labeled a problem, nor does she believe the report is the truth.

Ms. Ivet Guzman, Chicago firefighter, said she too has been harassed as a female firefighter. She asked the Board to look into the culture of the Hinsdale Fire Department and reopen the case. President Cauley said he understands that these types of harassments occur, but it did not happen here. His goal is to get it right.

Ms. Louise Kulaga, aunt to the deceased, hopes the report reveals how Nicole's feelings changed about her job at the end of her time in Hinsdale following a change in shift assignment. She also believes there is a cultural problem. It isn't about the Board, it's about fixing the cultural problem.

Mr. Daniel Zaborowski, husband and plaintiff in the lawsuit against the Village, addressed the Board stating if the Village is offering to make report available, he will speak to his attorney. Their attorney advised them not to talk to the investigator that was hired by Hinsdale for Hinsdale. It is logical and customary for them to have their own legal counsel. A judge will decide that the people who worked with Nicole will be questioned in a discovery phase. President Cauley said he understands that was the advice of their attorney, but his only point was to get as much information as possible from all sources. He assured Mr. Zaborowski and the family that the Village will contact their attorney tomorrow regarding the release of the report.

FIRST READINGS – INTRODUCTION

Environment & Public Services (Chair Byrnes)

- a) **Award Year 2 Elm Tree Treatment Contract to Kinnucan Tree Experts and Landscape Company in the bid comparison amount of \$11.42 per inch not to exceed the CY2022 budgeted amount of \$113,491.96**

Trustee Byrnes introduced the item to award the second year of a two year contract to inoculate Village elm trees. This is the same price as last year.

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

- b) **Award Year 2 of Tree Maintenance Contact #1675 to Steve Piper and Sons for tree maintenance services in the amount not to exceed the CY2022 budgeted amount of \$67,000**

Trustee Byrnes introduced the item to award the second year of a two year contract for tree maintenance in the Village. The vendor works with Superintendent of Parks & Forestry John Finnell to provide these services.

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

CONSENT AGENDA

Administration & Community Affairs (Chair Posthuma)

- a) Trustee Stifflear moved **Approval and payment of the accounts payable for the period of December 31, 2021 through January 12, 2022 in the aggregate amount of \$1,183,350.70 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee Fisher seconded the motion.

AYES: Trustees Stifflear, Fisher, Byrnes and President Cauley

NAYS: None

ABSTAIN: None

ABSENT: Trustees Posthuma, Haarlow and Banke

Motion carried.

SECOND READINGS / NON-CONSENT AGENDA – ADOPTION

Environment & Public Services (Chair Byrnes)

- a) **Approve the purchase of a 2023 Peterbilt Model 548 through the Sourcewell Purchasing Agreement #060920-PMC, Bolingbrook, IL in the amount of \$220,283.64 (First Reading – January 4, 2022)**

Trustee Byrnes introduced the item and explained that following the first reading discussion, the Board elected to order only one of the scheduled replacement vehicles. Roadway truck #5, will be kept as backup, and not be auctioned until the new truck arrives next year.

Trustee Byrnes moved to **Approve the purchase of a 2023 Peterbilt Model 548 through the Sourcewell Purchasing Agreement #060920-PMC, Bolingbrook, IL in the amount of \$220,283.64.** Trustee Fisher seconded the motion.

AYES: Trustees Stifflear, Fisher, Byrnes and President Cauley

NAYS: None

ABSTAIN: None

ABSENT: Trustees Posthuma, Haarlow and Banke

Motion carried.

Zoning & Public Safety (Chair Stifflear)

- b) **Approve an Ordinance Approving a Special Use Permit to Operate a Physical Fitness Facility (Martial Arts Studio) in the B-1 Community Business Zoning District at 777 N. York Road, Unit 21 (IJKLM,LLC d/b/a Premier Marital Arts) (First Reading – January 4, 2022)**

Trustee Stifflear introduced the item for a martial arts studio in the Gateway Shopping Center. Per Village code, a martial arts studio is considered a physical fitness facility and requires a special use permit in the B1 zoning district. The proposed project is fully code compliant otherwise. There are no changes to the exterior of the building, and the Plan Commission voted unanimously to recommend approval.

Trustee Stifflear moved to **Approve an Ordinance Approving a Special Use Permit to Operate a Physical Fitness Facility (Martial Arts Studio) in the B-1 Community Business Zoning District at 777 N. York Road, Unit 21 (IJKLM,LLC d/b/a Premier Marital Arts).** Trustee Byrnes seconded the motion.

AYES: Trustees Stifflear, Fisher, Byrnes and President Cauley

NAYS: None

ABSTAIN: None

ABSENT: Trustees Posthuma, Haarlow and Banke

Motion carried.

c) **Approve an Ordinance Approving a Final Plat of Subdivision (820 N. County Line Road)** *(First Reading – January 4, 2022)*

Trustee Stifflear introduced the item stating the applicant has a 17,684' square foot property, the subdivision would create two code compliant lots larger than required by code in the R-4 residential district. The lot off County Line Road has a code compliant single-family home on the property, the second lot off Jefferson is vacant with no current plans for development. The Plan Commission unanimously recommended approval of the final plat of subdivision.

Trustee Stifflear moved to **Approve an Ordinance Approving a Final Plat of Subdivision (820 N. County Line Road)**. Trustee Fisher seconded the motion.

AYES: Trustees Stifflear, Fisher, Byrnes and President Cauley

NAYS: None

ABSTAIN: None

ABSENT: Trustees Posthuma, Haarlow and Banke

Motion carried.

DISCUSSION ITEMS

a) **Tollway update**

b) **Tollway Flooding Event June 26, 2021**

Assistant Village Manager/Director of Public Safety Brad Bloom reported there are no updates at this time for either tollway matter.

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 reports.

CITIZENS' PETITIONS

None.

TRUSTEE COMMENTS

Trustee Fisher has been out to the Burns Field skating rink many times this year and complimented Public Services staff on the condition of the ice rink and warming hut.

ADJOURNMENT

There being no further business before the Board, President Cauley asked for a motion to adjourn. Trustee Byrnes moved to **adjourn the regularly scheduled meeting of the Hinsdale Village Board of Trustees of January 18, 2022.** Trustee Stifflear seconded the motion.

AYES: Trustees Stifflear, Fisher, Byrnes and President Cauley

NAYS: None

ABSTAIN: None

ABSENT: Trustees Posthuma, Haarlow and Banke

Motion carried.

Meeting adjourned at 7:51 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk