

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE MEETING
February 15, 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, February 15, 2022 at 7:00 p.m., roll call was taken.

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

Absent: Trustee Scott Banke

Also Present: Village Manager Kathleen A. Gargano, Assistant Village Manager/Director of Public Safety Brad Bloom Police Chief Brian King, Director of Community Development Robb McGinnis, Director of Public Services George Peluso, Village Planner Bethany Salmon, Fire Chief John Giannelli, Finance Director Andrea Lamberg, Village Clerk Christine Bruton

Present electronically: Assistant to the Village Manager Trevor Bosack, 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 February 1, 2022**

Trustee Posthuma moved to **approve the minutes of the regular meeting of February 1, 2022, as presented.** Trustee Byrnes seconded the motion.

AYES: Trustees Posthuma, Haarlow, Fisher, and Byrnes

NAYS: None

ABSTAIN: Trustee Stifflear

ABSENT: Trustee Banke

Motion carried.

VILLAGE PRESIDENT'S REPORT

President Cauley reported vehicle stickers go on sale March 1. He said the stickers have been improved, the new ones are removable. All details are on the Village website.

Regarding COVID-19, the news is good. The 7-day rolling positivity continues to drop and is at 5.3%. Due to the decline in positivity rates, the Governor recently announced that the statewide indoor mask mandate will be lifted effective Monday, February 28, 2022. There are exceptions where Federal laws supersede. D181 made masks optional, but D86 still requires them. Other COVID statistics were reported.

PUBLIC HEARING - APPROPRIATIONS

President Cauley opened the Public Hearing for the 2022 Appropriations ordinance, which is conducted annually per State statute. The hearing notice was published in The Hinsdalean on February 3, 2022, and has been available for public inspection. The document mirrors the 2022 budget. In addition, there is a contingency line item in each department budget. The contingencies are set using historical percentages, and are included to ensure the Village has legal spending authority in the case of unforeseen situations or emergencies. The Library appropriations are set by the Library Board and are included per State statute. Appropriations total \$54,983,643 and represent the Village and Library legal spending authority for 2022.

He asked if there was anyone wanting to speak to this matter. Hearing none, Trustee Byrnes moved **to close the Public Hearing on the Appropriations Ordinance**. Trustee Stifflear seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Banke

Motion carried.

President Cauley declared the public hearing adjourned.

CITIZENS' PETITIONS

None.

FIRST READINGS – INTRODUCTION

Administration & Community Affairs (Chair Posthuma)*

- a) **Approve the Annual Appropriation Ordinance for the year January 1, 2022 to December 31, 2022**

Trustee Posthuma introduced the item just covered by President Cauley in the public hearing. This ordinance provides legal spending authority for the year, and is adopted in accordance with State statutes.

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

- b) **Approve change orders totaling \$45,873 related to the reconstruction and renovation of the paddle tennis hut located at Katherine Legge Memorial Park to the Red Feather Group**

Trustee Posthuma introduced the item. He explained the Red Feather Group is doing the work on the renovation of the paddle tennis hut. The project is substantially completed, but some change orders have occurred during the course of construction for such things as the HVAC system, gas line, plumbing, and design engineering costs. This is no cost to the Village because, per the agreement, the Hinsdale Paddle Tennis Association (HPTA) pays all

expenses in excess of the budgeted amount. The original contract award plus change orders equals \$396,873, the budgeted cost for this project is \$400,000.

Mr. Marty Brennan, former HPTA president, addressed the Board saying the dedication and grand opening of the facility was December 3, 2021. The new hut is terrific and is an improved asset for the Village.

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

Zoning & Public Safety (Chair Stifflear)

- c) **Approve a Referral for Consideration by the Plan Commission of a Text Amendment to allow for Lifestyle Housing as a Special Use in the O-1 District, a Planned Development Concept Plan, and a Special Use Permit to allow for a Planned Development and Lifestyle Housing in the O-1 District for Vine Street Station and a concurrent Major Adjustment to the Zion Lutheran Church Planned Development**

Trustee Stifflear introduced the item that is a referral to Plan Commission for further review. The proposed plan includes 12 age-targeted housing units and a major adjustment to the existing Zion Lutheran Church PUD. The application is submitted by Holladay Properties Services Midwest and Zion Lutheran Church. The applicant will utilize the existing building, with no additional increases to the footprint or square footage of the property. There is no increase to the current non-conforming aspects of the property. Trustee Stifflear outlined the approval process, noting this is a referral only of a concept plan. The map amendment would change this from the IB district to the O1, which is a more restrictive zoning district, and consistent with the properties to the north. The applicant hosted two neighbor meetings last fall for feedback.

Mr. Drew Mitchell, from Holladay Properties, addressed the Board, stating they have been working on this project for a year. As a resident, he is impressed with the rigorous entitlement process. His firm specializes in transformative projects that can salvage a building for a use that makes sense for today. He believes there are many empty nesters looking for this type of project. This will be a tasteful, low density multifamily product, and as a 55 and older building, there will be no impact to schools. Two neighborhood meetings were held, and he reported concerns; limiting short term rentals, traffic impact, pricing, property values, parking, duration of project, and landscaping.

Mr. Chris Walsh, project architect, made a Powerpoint presentation and illustrated other projects by Holladay as well as the proposed site and area zoning. They plan to introduce a public space, a pocket park, to be privately maintained. This will increase the permeable area in a wet part of town. They will not increase the non-conformities that already exist with the school building. There will be 25 parking spaces for 12 units. They do not want to expand the building, but will ask for balconies. The elevator shaft will extend about 5' feet onto the roof, but will be screened. There will be 6 units per floor, including 1,235' square foot two bedroom units, and 1,575' square foot three bedroom units. The projected price point will be between \$600,000 and \$900,000. They will keep the existing architectural details, but remove glass block windows and add balconies.

President Cauley stated he appreciates the reuse of buildings. This project manages density and parking. The height is ok, except for the elevator shaft. He would be in favor of the referral, but wants to give residents another chance to provide input.

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

d) **Approve an Ordinance Approving a Lot Width Variation at 5515 & 5517 S. Elm Street, he refenced Hinsdale, Illinois – Berger - ZBA Case V-08-21**

Trustee Stifflear introduced the item to approve a request for a variation granting relief from the minimum lot width requirement. This matter was heard by the Zoning Board of Appeals (ZBA), and recommended Board approval by a vote of 6-1. The Board approved a change several years ago that if the variation is more than 10% over what is permitted, the matter must come to the Village Board for final approval. The property is made up of two underlying lots of record located in the R3 single-family residential zoning district. Both underlying lots are non-conforming lots of record because they are 60' feet wide, instead of 70' feet, as required by code. The applicant seeks a 10' foot reduction in the required lot width for each of the two existing lots of record that comprise the property. The applicant purchased the property in 1971, and in the past has used the property as a single zoning lot in that the lots were held in common ownership. Until the buildings were razed in 2015, there was a single-family home on the north lot, and a garage on the south lot.

Mr. Matthew Klein, attorney for the homeowners, addressed the Board, stating these two lots are zoned R3, the code requires 70' feet for the lot width. These lots were created in 1922 as 60' foot lots. He noted that every lot on the east side of Elm Street on this block is 60' feet wide. All these lots are non-conforming, but they can still have a new house. He believes the Berger's two lots should be able to be used like all the other lots in this area. It is more consistent with the neighborhood to divide the lots, as the current 37,000' square foot lot is out of character and four times the size of buildable lots in Hinsdale

Trustee Stifflear referenced other cases like this, and President Cauley pointed out the Board consistently denies these request. The ZBA approved the Mills Street case, but the Board reversed that decision and denied the request. He does not believe there is a distinction between this case and Mills case. The policy of the Village is to not create more non-conforming lots. Discussion followed. President Cauley reiterated that this Board has been consistent, and this would cause an increase of density in the Village. He understands the equity argument, but thinks the Board has an obligation to prevent being sued, and to apply the rules the consistently.

Mr. Klein said 87% of the lots in R1 are non-conforming, there is no likelihood that those lots will be combined to bring them into conformity. The Village has made a decision to allow the non-conformities to exist, and Mills is a different zoning district.

Trustee Stifflear said the zoning code governs decisions moving forward. He appreciates the equitable argument, but the law must be consistently applied.

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

e) **Approve an Ordinance Amending Various Sections of the Village Code of the Village of Hinsdale Relative to the Permitting, Regulation and Deployment of Small Wireless Facilities, Utility Noise and Construction of Utility Facilities in the Right-of-Way**

Trustee Stifflear introduced the item to amend the code regarding small wireless facilities. He noted certain Federal and State regulations that take priority over Village ordinances, and that the State of Illinois signed into law the Small Wireless Facilities Deployment Act which states villages must allow small wireless facilities in the public right-of-way with limited restrictions from local governments. Cellular projects cannot be turned down for safety reasons, but the Village has rights with respect to construction safety, aesthetics or design standards. The Village's written design standards can be amended by the Village Manager, and does not require Board approval. Based on changes the State made last year to the

Small Wireless Facilities Deployment Act, input from residents, and collaboration with other neighboring communities, there are 12 changes proposed to the Hinsdale ordinance. As COVID-19 wanes, the Village expects to receive applications. The following 12 changes make the ordinance more user friendly: zoning districts where antenna can be prohibited on private property, required structural analysis, require smallest visual profile, additional information requirements, notice to residents, consideration of alternate locations if a new pole is proposed, co-location costs constraints, compliance reporting for radio frequency, annual certification regarding insurance coverage and use of equipment, review by Historic Preservation Commission for historic districts, prohibit placement in front of historic landmarks, and adding noise limitations.

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

CONSENT AGENDA

Administration & Community Affairs (Chair Posthuma)

- a) Trustee Fisher moved **Approval and payment of the accounts payable for the period of January 27, 2022 through February 9, 2022 in the aggregate amount of \$966,524.67 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee Posthuma seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Banke

Motion carried.

The following items were approved by omnibus vote:

- b) **Approve an Intergovernmental Agreement between the City of Chicago and the Village of Hinsdale authorizing the Village of Hinsdale's participation as a member of the Midway Noise Compatibility Commission (MNCC) (First Reading – February 1, 2022)**
- c) **Approve an Intergovernmental Agreement between the City of Chicago and the Village of Hinsdale authorizing the Village of Hinsdale's participation as a member of the O'Hare Noise Compatibility Commission (ONCC) (First Reading – February 1, 2022)**

Environment & Public Services (Chair Byrnes)

- d) **Approve the purchase of a 2022 Carlton 7500 Stump Grinder with trade-in from Alexander Equipment Company of Lisle, IL in an amount not to exceed \$54,900**

Zoning & Public Safety (Chair Stifflear)

- e) **Approve the purchase through the Suburban Purchasing Cooperative of one new 2022 Ford Explorer from Curry Motors in Frankfort, Illinois, in an amount not to exceed \$33,094**
- f) **Approve payment to Currie Motors, Frankfort, Illinois for the purchase of two new patrol fleet vehicles in the amount of \$71,820**

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

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Banke

Motion carried.

SECOND READINGS / NON-CONSENT AGENDA – ADOPTION

None.

DISCUSSION ITEMS

a) Tollway update

b) Tollway Flooding Event June 26, 2021

Assistant Village Manager/Director of Public Safety Brad Bloom reported continued progress on paying claims. He also mentioned there will be an IGA with the Tollway on the next Board agenda.

DEPARTMENT AND STAFF REPORTS

a) Parks & Recreation

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

None.

ADJOURNMENT

There being no further business before the Board, President Cauley asked for a motion to adjourn. Trustee Fisher moved to **adjourn the regularly scheduled meeting of the Hinsdale Village Board of Trustees of February 15, 2022.** Trustee Byrnes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Banke

Motion carried.

Meeting adjourned at 8:37 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk