

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
REGULAR L MEETING OF THE
May 3, 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, March 1, 2022 at 7:00 p.m., roll call was taken.

Present: President Tom Cauley, Trustees Matthew Posthuma, Laurel Haarlow, Luke Stifflear, Michelle Fisher (*arr. 7:20*), and Neale Byrnes

Absent: Trustee Scott Banke

Also Present: Village Manager Kathleen A. Gargano, Assistant Village Manager/Director of Public Safety Brad Bloom, Police Chief Brian King, Deputy Chief Tom Lillie, Director of Community Development Robb McGinnis, Village Planner Bethany Salmon, Acting Finance Director Alison Brothen, Assistant to the Village Manager Trevor Bosack, HR Director Tracy McLaughlin, and Village Clerk Christine Bruton

Present electronically: Fire Chief John Giannelli, Superintendent of Parks & Recreation Heather Bereckis

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

a) **Special Meeting of April 26, 2022**

Trustee Posthuma moved to **approve the minutes of the special meeting of April 26, 2022, as amended**. Trustee Byrnes seconded the motion.

AYES: Trustees Posthuma, Stifflear, Byrnes and President Cauley

NAYS: None

ABSTAIN: Trustee Haarlow

ABSENT: Trustees Fisher and Banke

Motion carried.

VILLAGE PRESIDENT'S REPORT

President Cauley announced Hinsdale restaurant week is May 13 – May 22. A list of participating restaurants can be found at hinsdaledining.com. The Memorial Day Procession will begin at 10:00 a.m. at Third Street and Washington at 10:00 a.m. on Monday, May 30. Work on Garfield Street began this week and will continue throughout the summer. Updates will be posted on the Village website.

CITIZENS' PETITIONS

Ms. Kelly Staver of 115 Fuller Road addressed the Board regarding her property that is located south of the commercial property at 110 E. Ogden Avenue. She stated that she and her husband have filed an appeal with the Zoning Board of Appeals that is currently pending. She stated they were not pleased with the new two-story building, but felt the existing screening would block their view. She referenced zoning code Section 11-606 that regulates exterior appearance, that would protect them, but the full screening on their property was removed. The Certificate of Zoning states if there is new information or changes, the certificate can be rescinded. The ZBA has said that no Certificate of Occupancy will be issued without landscaping or screening between properties. They have not ruled yet, and are waiting to see if the owner will plant sufficient screening. She is requesting the Village require adequate screening as stated in the ordinance.

Director of Community Development Robb McGinnis said the matter is up for status with the ZBA this month, and notice had been sent to the 110 E. Ogden property owners to clarify.

President Cauley said this is a ripeness issue, but an occupancy permit can be held back if necessary.

FIRST READINGS – INTRODUCTION

Zoning & Public Safety (Chair Stifflear)

- a) **Approve a temporary use permit to allow for a tent and an outdoor dining area to be located within two (2) parking spaces for Giuliano's Pizza at 40 Village Place from May 23, 2022 to August 22, 2022, subject to conditions to be set forth by the Building Commissioner**

Trustee Stifflear introduced the item for a temporary use permit Giuliano's Pizza to allow for a tent and an outdoor dining area to be located within two parking spaces from May 23 to August 22, and be open Tuesday through Sunday from 4:00 p.m. to 9:00 p.m. During COVID the Village relaxed many of its outdoor dining restrictions including allowing tents on the public right-of-way. The Board referred to the Plan Commission for review the new rules regarding this type of outdoor dining, however, these rules do not permit tents. The difference in this case is that the tent would be solely located on private property. The proposed tent will be 15' feet x 15' feet, and house two circular tables, and two rectangular tables to seat 24 customers. No signage or outdoor heaters are proposed. Trustee Stifflear explained tents are considered a temporary use by code, and the Village Manager has the authority to grant permission for up to 10 days. The Village Board has the authority to grant the use of tents for longer than 10 days, and the Board has the authority to identify any other conditions or restrictions it deems appropriate.

Ms. Cathy Weisz, business owner, addressed the Board stating she feels like their request is an exception because the tent would be on private property. She added that the outdoor tent dining provided the last two years was well received by their customers. She believes the tent creates a more pleasant dining experience, and is more cosmetically appealing given their business is located in an alley. She believes that allowing the tent is a departure, but the inside looks like what belongs in Hinsdale. They do not anticipate using lights, and the seating will be wooden chairs. Discussion followed regarding the color of the tent. She has a new white one, and is not sure if black is available, but is concerned it might be too hot.

The Board agreed to move this matter to the Consent Agenda of their next meeting.

b) Approve an Ordinance Designating 121 S. County Line Road as a Historic Landmark – The Bagley House

Trustee Stifflear introduced the item to approve designating the home at 121 S. County Line Road a local historic landmark. The home was built in 1894 and designed by Frank Lloyd Wright (FLW). The home includes an octagonal library, an open first floor and a deep porch.

Ms. Jean Follett, representing homeowners Ms. Safina Uberoi and Mr. Lucas Ruecker, addressed the Board stating this is very early Frank Lloyd Wright, as he was only 26 years old when he designed this building. She provided background on the Bagley family, who were the original owners of the home. The homes original siding is covered, but the owners plan to restore the exterior to its original shingles. She noted the octagonal library predates the one at FLW's house in Oak Park.

Trustee Stifflear made reference to Title 14 and incentives for home preservation. Village Planner Bethany Salmon said staff will make sure the homeowners are aware of available incentives.

Ms. Follett explained that landmark designation will prevent the demolition of the property.

Trustee Stifflear noted the Historic Preservation Commission reviewed this request on April 6, and determined this property met the standards necessary for historic landmarking. They recommended approval 6-0. President Cauley remarked that when this property went on the market, he received hundreds of emails from all over the country to preserve this home.

Ms. Uberoi said they own a FLW home in Cincinnati, so they are familiar with the challenges of this kind of restoration. She believes these homes become touchpoints for communities. They would not have found out about Mrs. Bagley without the house. There is history in these buildings that is relevant to the community.

President Cauley thanked the homeowners stating their efforts are appreciated.

The Board agreed to move this matter to the Consent Agenda of their next meeting.

c) Approve an Ordinance Approving a Special Use Permit to Operate an Automotive Repair Shop in the B-1 Community Business Zoning District at 5837 S. Madison Street (Samir And Ghada Sharabatee, D/B/A Hinsdale Discount Tires And Automotive, Inc.)

Trustee Stifflear introduced the item to approve a special use for an automotive repair shop. The 29,000' square foot building has been vacant since 2019. Prior to the vacancy there was an automotive repair business at the location, but under the code the special use expires after six months. He added the previous use likely predates the 1989 code.

The proposed business is part of a larger zoning lot that includes a 9,203' square foot multi-tenant shopping center. Townhomes in the R-5 District are located to the north and south across 59th Street. Apartment buildings are located to the east in the R-6 district. Across Madison Street to the west are single-family detached homes located in unincorporated DuPage County.

Trustee Stifflear noted the proposed hours of operation, and that 52 parking spaces would be required, depending on the possible uses of the vacant tenant spaces, but this would be the future issue.

The Plan Commission held a public hearing on February 9. Members of the Golfview Hills Homes Association, raised concerns about the proposed business, including the existing condition of the property, limiting parking, and the appropriateness of the use. The Plan Commission agreed with these concerns, however, recommended approval 6-0 with conditions. These conditions have been added to the draft ordinance and include locating dumpsters in the rear fenced enclosure, business operations and parking be limited to Parcel 1, no outdoor storage, existing signage removed, painting, and replacing the fencing. Since the Plan Commission meeting, the signage has been removed, and the applicant has agreed to all recommended conditions, except they believe the fence just needs to be repainted not replaced.

Mr. Wade Joyner, attorney for the applicant, addressed the Board and thanked Village Planner Bethany Salmon for her help bringing this forward to the Plan Commission and Village Board. He summarized proposed changes to the building. They will replace the green trim with white, and the fence will be power-washed, slats will be replaced and re-stained, but it appears to be structurally sound. The landlord has agreed do a lot of landscaping. President Cauley asked about removing the existing canopies. Mr. Joyner explained this is a landlord issue. President Cauley asked staff to get information regarding the cost of removal, adding there may be scrap value, and it might produce additional parking. Mr. Joyner described the configuration of the parking that will be in the designated area. Drop off and pick up will be on the east side of the building. Discussion followed regarding parking.

Mr. Ronald Hanson, President of the Golfview Hills Homes Association, addressed the Board. He said he remembers JMS, the former automotive business, as a small, low-impact operation. He told the Board that the applicants Franklin Park operation is unattractive with tires and drums stored in view. He suggested that the proposed use is inappropriate for this location. He thinks the proposed hours are ok, but is concerned about increased traffic and parking.

The Board compared Fuller's in the CBD to this proposal. President Cauley said the goal is to have a successful business, the restrictive conditions will be part of the special use permit. The Board agreed to move this matter forward for a second reading at their next meeting.

CONSENT AGENDA

The following items were approved by omnibus vote:

Administration & Community Affairs (Chair Posthuma)

- a) **Approve the 2022 Pay Plans for Full-time, Part-time, Public Services and Seasonal employees effective May 1, 2022 - April 30, 2023 (First Reading – April 26, 2022)**

Environment & Public Services (Chair Byrnes)

- b) **Award the contract for construction of the 2022 Resurfacing Project to M&J Asphalt Paving Company, Inc. in an amount not to exceed \$719,599 (First Reading – April 26, 2022)**

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

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Banke

Motion carried

SECOND READINGS / NON-CONSENT AGENDA – ADOPTION

None.

DISCUSSION ITEMS

a) Tollway update

Assistant Village Manager/Director of Public Safety Brad Bloom stated there are no updates at this time.

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 into Closed Session. Trustee Stifflear moved to **adjourn the regularly scheduled meeting of the Hinsdale Village Board of Trustees of March 15, 2022 into closed session under 5 ILCS 120/2(c)(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees, and not to reconvene into Open Session.** Trustee Posthuma seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Banke

Motion carried.

Meeting adjourned to closed session at 8:06 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk