

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETING
September 20, 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, September 20, 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 Scott Banke

Absent: None

Also Present: Village Manager Kathleen A. Gargano, Assistant Village Manager Andrianna Peterson, Police Chief Brian King, Finance Director Alison Brothen, Village Planner Bethany Salmon 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 September 6, 2022**

Trustee Posthuma moved to **approve the minutes of the regular meeting of September 6, 2022, as amended.** Trustee Banke seconded the motion.

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

NAYS: None

ABSTAIN: Trustee Banke

ABSENT: None

Motion carried.

VILLAGE PRESIDENT'S REPORT

President Cauley recognized the work of the Police Department with respect to an incident last Tuesday when a 12-year old was shot in the head on Chicago's west side. A police helicopter tracked the offenders exiting on First Avenue and proceeding westbound on 47th Street. Hinsdale police attempted to stop the car at 47th and County Line Road, pursuit finally terminated on East Avenue in LaGrange. Three people were taken into custody, two have been charged with attempted murder. The quick arrest of these individuals was the result of the decisive action and professionalism routinely exhibited by our Police Department personnel. President Cauley stated the Village Board appreciates our Police Department's commitment to maintaining safety in our community, and is extremely grateful for their fine police work in this case.

President Cauley asked that a videotape of Chicago Police Chief of Detectives Brendan Deenihan was played. Chief Deenihan described the incident and the apprehension and thanked Hinsdale

police officers for their work. Three suspects are in custody, but he asked for help from the public for more information on the case.

President Cauley announced the Citizens Police Academy sign up has begun. This is a free 11-week program designed to give residents and citizens working in Hinsdale a better understanding of law enforcement and the Hinsdale Police Department. Classes will be held on Wednesday evenings from September 28 through December 14 beginning at 6:30 p.m. More information is available on the Village website.

The second annual Health and Wellness week begins September 17 through September 25, various vendors will participate and more information is available on the Village website.

President Cauley introduced the subject of the Illinois SAFE-T Act which was passed into law on January 13, 2021, effective January 2023. He is concerned about the increase in crime in Hinsdale. There are more home burglaries, more car thefts, and more criminals coming into our town with guns. The crime in Chicago is out of control. Hinsdale property values are tied to the vibrancy of Chicago, and their issues find their way into the suburbs. He referenced remarks made by the CEO of the McDonald's Corporation who believes the city of Chicago is in crisis, and reported violent crime, homelessness issues and overdoses are happening in their restaurants. Overall crime in the city is up 38% in 2022 over 2021. He also reported the exodus of big companies formerly headquartered in Chicago, including Boeing, Caterpillar, and Citadel.

President Cauley believes the SAFE-T Act contains provisions that will exacerbate crime in Hinsdale, Chicago and all over Illinois. The first provision is for a citation in lieu of an arrest. People yelling in restaurants or someone camped in your front lawn can no longer be removed by the police. The second provision states that detention shall only be imposed for a real and present threat to an individual, or if there is a flight risk.

CITIZENS' PETITIONS

Mr. William Boesen of 717 S. 8th Street, addressed the Board to recommend a traffic study and a stop sign in his neighborhood. He believes there is a public safety concern because of proximity to Madison School and the speed and volume of cars. Police Chief Brian King said they will install counters and check volumes. President Cauley assured Mr. Boesen the Village will look into this.

FIRST READINGS – INTRODUCTION

Environment & Public Services (Chair Byrnes)

- a) **Award year three of contract #1673 for holiday lighting & decorating to McFarlane Douglass & Companies, in the amount of \$32,535**

Trustee Byrnes introduced the item for holiday lighting in the central business district and Memorial Park. Last year the fountain design was updated and well was received. The Economic Development Commission (EDC) has asked for upgrades for this year that were not included in the FY2022 budget. The additional lighting will be over budget. The EDC is funded by food and beverage taxes that are currently trending over budget, and will likely cover the overage.

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

b) Award Bid #1690 – Well #2 Inspection and Repair to Municipal Well & Pump, in the amount of \$104,545

Trustee Byrnes introduced the item to inspect Well #2, and repair if needed. He explained that we need to maintain the three wells as a backup water supply. Inspection and maintenance is done every six years to keep the wells operational. Well #2 was last inspected in 2016. The contractor quoted \$77,000 for the inspection, the remainder would be used if needed for repair. In the past, we have not needed it, but we must take the possibility into account.

President Cauley added that to the extent that we may lose pressure when painting the water tower, we will rely on these wells.

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

PRESENTATION FROM DUPAGE COUNTY STATES ATTORNEY

(Item taken out of order)

President Cauley introduced States Attorney Bob Berlin and added that he had talked about the SAFE-T Act with respect to criminal trespass and detention of people who have committed serious crimes earlier in the meeting.

Mr. Berlin thanked President Cauley and the Board and began his remarks by saying there is a lot of misinformation in the public and he would like to clarify what the Act states and what the implications will be. He said in the cases of Class B and Class C misdemeanors, the police shall issue a citation in lieu of custodial arrest unless the individual is a threat to the community or if there is an obvious mental health or flight risk issue. Unfortunately, there is no definition in the law as to what is an obvious threat to the community. This is causing a great deal of concern, and a number of lawsuits have been filed from different counties to try to get it changed. States Attorneys on both sides of the aisle have provided the language to cure the conflicting provisions of the Act. He believes we need a robust preventative detention statute. He said New Jersey enacted a similar law in 2017, but judges have discretion in each case, and that is what Illinois States Attorneys are asking for here.

With respect to the cash bail law, there are a number of provisions that conflict in the law. Generally, the law states they can detain only when a person is a clear threat to an individual or a flight risk. However, in other limited cases a person can be detained if they are a threat to the community. He described incidents where a person is not a physical threat, as the law stipulates, but a threat nonetheless. Additionally, there are serious felonies where the only way a person can be detained is if they are a flight risk. He pointed out it is rare to be able to prove someone is intentionally planning flight. A record of not showing up to court dates is no longer a factor.

He did point out there are some good provisions in the area of domestic violence. He acknowledged that they do not want to detain because someone can't afford bail, but there has to be a balance between the right of someone to post bail and the safety of the public. Mr. Berlin believes if this law goes into effect it will adversely impact public safety. Following a question from President Cauley, Mr. Berlin confirmed that passing a resolution would be helpful to send a message to lawmakers.

Zoning & Public Safety (Chair Stifflear)

c) Approve an Ordinance Amending Various Sections in Title 6 (Motor Vehicles and Traffic), Chapter 6 (Stopping, Standing and Parking) of the Village Code of Hinsdale Relative to Parking

Trustee Stifflear introduced the item that was a discussion item at the last Board meeting. The Village manages four commuter lots; the Washington lot, the Highlands, West Hinsdale and the Chestnut Street lot. In response to reduced parking demand, and Metra's ridership statistics that are consistent with a 3-day work week, staff is recommending a number of changes regarding rates and times of parking, generally creating consistency with respect to fees and times. The following changes are proposed: the resident-only restriction would be removed for the Washington lot, continue to offer 6-month commuter and merchant permits, convert from merchant to commuter spaces on the north side of the main depot on Burlington Drive, provide commuters the option to pay a daily parking fee using a smart phone application, standardize commuter lot hours, converting 56 of the 82 spaces in the Robbins Park parking lot for use by Hinsdale Central students, and provide for online sales of parking permits. .

President Cauley reported he received a call from Community House Executive Director Dan Janowick. Mr. Janowick said the Community House leases 13 spaces in their lot to Hinsdale Central students, and is concerned the Village will be doing the same. He offered to stop leasing to Hinsdale Central students, but is concerned about parking overflow for events they conduct during the week. He suggested the Village phase this in. Trustee Haarlow said she has attended events at the Community House during the day where parking has spilled into the surrounding streets. Police Chief King said they have looked at the spillover parking, and it rarely exceeds 26 spaces. President Cauley is in favor of phasing this in.

Trustee Stifflear said we are seeing people coming back to the office, and as a result these new parking regulations might have to change in a few years. He wondered if we make this easier for residents who want daily passes. Trustee Fisher said a lot of folks like the hang tag in the morning rush. Chief King said different day passes would be feasible at the software end, but could create some hurdles for enforcement. He will look into this before the second reading. Discussion followed regarding usage of the lower level of the parking deck. It was noted that Metra required some commuter parking in the parking deck in order to receive funding from them. There were also some questions about the phone app, and a QR code vs. preloading.

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

d) Approve an Ordinance Amending Section 6-12-3 ('Schedule B; Two-way Stop Intersections') and (Schedule D; Four-way Stop Intersections") of the Village Code of Hinsdale

Trustee Stifflear introduced the item that will change a 2-way stop to a 4-way stop at North Oak Street and The Lane. This request originated with area residents and the D181 crossing guard. The Police did a traffic study and determined that 85% of the volume at this intersection is from vehicles going north/south on Oak Street. Historically this has always been the case, and there is no record of why the stop signs were installed as they are. Staff is recommending this intersection be converted to a 4-way stop as it meets the guidelines of the Manual on Uniform Traffic Control Devices (MUTCO).

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

e) Approve an Ordinance Amending Section 6-12-3 ("Schedule B; Two-way Stop Intersections") and 6-12-4 ("Schedule IV; Yield Right-of-way Streets") of the Village Code of Hinsdale

Trustee Stifflear introduced the item to convert three intersections from yield signs to 2-way stop signs at Fourth & Bodin (north and southbound), Stough and Fourth (east and westbound), and Third & Park (north and southbound). Review of these intersections was requested by residents, and although the traffic volume is light, there are limited sight lines that warrant the proposed conversion.

In 2021 the Board approved 2-way stop signs at Bruner and Hickory, however due to a driveway on Hickory that is very close to the intersection, Public Services staff installed the two stop signs on Bruner for north/south traffic instead of east/west traffic. This ordinance memorializes this change. Trustee Haarlow described the unusual configuration at this intersection. Chief King stated he would ask Deputy Chief Lillie to change the rationale in the Request for Board action (RBA) memo to match what happened at this intersection. The Board agreed to move this forward for a Second reading at their next meeting.

f) **Approve Payment to T-2 Systems, Indianapolis, Indiana in an amount not to exceed \$24,908.38 for citation management software**

Trustee Stifflear introduced the item to approve a payment for citation management software. This vendor has been the Village provider since 2016. The amount is \$600 more than was budgeted, but there are sufficient funds in the parking account to cover the additional amount. The Board agreed to move this item to the Consent agenda of their next meeting.

CONSENT AGENDA

Administration & Community Affairs (Chair Posthuma)

- a) Trustee Byrnes moved to **Approve payment of the accounts payable for the period of September 1, 2022 through September 9, 2022 in the aggregate amount of \$827,791.18 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:

Environment & Public Services (Chair Byrnes)

- b) **Approve an Intergovernmental Agreement (IGA) with the Illinois Tollway Authority to design, construct, and landscape an underground storm water detention system on Tollway owned property located in the 600 block of Harding Road (First Reading – September 6, 2022)**
- c) **Waive the formal bidding process and award the proposal for the scheduled SCADA System upgrades to Concentric Integration in an amount not to exceed \$24,950**
- d) **Approve the proposal from Warehouse Direct Office Interiors for the replacement of Public Services office furniture in the amount of \$23,779.84**

- e) **Award Bid #1689 to National Power Rodding Inc. in the amount of \$54,296.90 and perform additional sewer cleaning, televising, and root cutting services not to exceed the budgeted amount of \$60,000**

Trustee Banke moved to **approve the Consent Agenda, as presented.** Trustee Byrnes 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 the issuance of a blanket purchase order in the amount of \$35,000 to Sportskids Inc. for recreation programming services**

Trustee Posthuma introduced the item explaining that the Parks & Recreation Department uses this company for their recreation programs. Currently, the Village has spent \$15,000, but the fall season is coming and staff anticipates costs will exceed the Village Manager's spending authority. He noted the cost of services are fully offset by program fees.

Trustee Posthuma moved to **Approve the issuance of a blanket purchase order in the amount of \$35,000 to Sportskids Inc. for recreation programming services.** Trustee Banke seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Environment & Public Services (Chair Byrnes)

- b) **Waive the competitive bidding process and accept a proposal from Oak Brook Mechanical Services, Inc., in the amount of \$21,890 for an emergency repair to remove and replace the heating and cooling coils in the Memorial Building air handler unit**

Trustee Byrnes introduced the item to authorize payment for the unbudgeted expense of repairs to the heating and cooling system of the Memorial Building. He noted a claim will be submitted for the leaking incident.

Trustee Byrnes moved to **Waive the competitive bidding process and accept a proposal from Oak Brook Mechanical Services, Inc., in the amount of \$21,890 for an emergency repair to remove and replace the heating and cooling coils in the Memorial Building air handler unit.** 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)

- c) **Approve an Ordinance Approving a Special Use Permit and Concurrent Site Plan and Exterior Appearance Plan Approval to Redevelop an Existing Building with a New Pet Hospital/Veterinary Clinic – Vetchart, LLC - 101 W. Chestnut Street** *(First Reading – September 6, 2022)*

Trustee Stifflear introduced the item that is a second reading for a new veterinary clinic. He noted there are no residential properties within 250' feet of the proposed business, and there is more than enough parking. On the west side of the building the applicant will construct a loading space, an outdoor animal enclosure, a parklet for employee use, five fiberglass planter boxes, and a dumpster enclosure. Following a public hearing on August 10, the Plan Commission unanimously recommended approval by the Village Board. Board concerns regarding animal relief were addressed at the first reading on September 20.

Trustee Stifflear moved to **Approve an Ordinance Approving a Special Use Permit and Concurrent Site Plan and Exterior Appearance Plan Approval to Redevelop an Existing Building with a New Pet Hospital/Veterinary Clinic – Vetchart, LLC - 101 W. Chestnut Street**. Trustee Banke seconded the motion.

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

Motion carried.

- d) **Approve an Ordinance Creating a New Part II Historic Overlay District (HOD) in Article VIII (Overlay Districts) of the Hinsdale Zoning Code to Establish a Historic Preservation Overlay District, making related Zoning Code Changes, and Amending Various Provisions of Title 14 (Historic Preservation) of the Village Code of Hinsdale relative to the Historic Preservation Overlay District; and**

Approve an Ordinance Amending the Official Zoning Map of the Village of Hinsdale to Create a New Historic Overlay Zoning District *(First Reading – September 6, 2022)*

Trustee Stifflear introduced the item that will create a Historic Overlay District (HOD) and provide for historic preservation incentives. There were eight Committee of the Whole meetings on this matter from May 2021 to January 2022. The matter was referred to the Plan Commission for a public hearing. At the first reading of this matter, Village Planner Bethany Salmon and Village Attorney Michael Marrs provided a detailed summary of the changes and recommendations. There was no material discussion by the Board at that time. Trustee Stifflear moved to **Approve an Ordinance Creating a New Part II Historic Overlay District (HOD) in Article VIII (Overlay Districts) of the Hinsdale Zoning Code to Establish a Historic Preservation Overlay District, making related Zoning Code**

Changes, and Amending Various Provisions of Title 14 (Historic Preservation) of the Village Code of Hinsdale relative to the Historic Preservation Overlay District; and Approve an Ordinance Amending the Official Zoning Map of the Village of Hinsdale to Create a New Historic Overlay Zoning District. Trustee Banke seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Trustee Stifflear thanked Ms. Salmon and members of the Historic Preservation Commission for their hard work on this initiative.

DISCUSSION ITEMS

a) **Tollway update**

There is nothing new to report at this time.

b) **Mouse Motors – McLaren Dealership**

Mr. Mike Marzano, representing Mouse Motors, addressed the Board and thanked staff for their help bringing this matter to the Board. The property is located at 2 Salt Creek, and because of zoning requirements regarding parking, they are hesitating to pull the trigger. They want to make a case that the parking required by code would not be necessary, as they are providing parking in a different way.

President Cauley clarified that this is the vacant lot kitty-corner from the Chase Bank. Trustee Stifflear pointed out they would require a map amendment for this location from O-3 to B-3, in addition to the parking deficiency.

Mr. Marzano explained theirs is a changing model for dealerships. There will not be used cars in a parking lot. They want to build a beautiful building to fit in the area. Theirs is a low intensity use, possibly 10 people a day. They are targeting 300 cars sold per year including used vehicles. He believes their business will compliment existing dealerships. He noted that except for the parking, this would be a code compliant project.

President Cauley said that while there is a parking deficiency this is a unique business, not standard retail, and is not contiguous to any residences. He doesn't see a parking deficiency, and believes this is the best revenue for the Village and a low intensity use. He agrees that having more of these kinds of dealerships supports them all.

Trustee Banke pointed out that McLaren is an important name in Formula One racing, and bringing it to our town indicates good things for the age demographic of the community, and is almost a branding move for the Village.

The Board expressed no opposition to this proposal, but President Cauley noted they would have to go through the process. It was confirmed that a traffic study would likely be required by the Plan Commission.

DEPARTMENT AND STAFF REPORTS

No 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 Posthuma moved to **adjourn the regularly scheduled meeting of the Hinsdale Village Board of Trustees of September 20, 2022.** Trustee Byrnes seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Meeting adjourned at 8:28 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk