

**VILLAGE OF HINSDALE  
VILLAGE BOARD OF TRUSTEES  
MINUTES OF THE MEETING  
March 1, 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, Luke Stifflear, Michelle Fisher, Neale Byrnes and Scott Banke

Absent: Trustee Laurel Haarlow

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

Present electronically: 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 15, 2022**

Trustee Posthuma moved to **approve the minutes of the regular meeting of February 15, 2022, as amended.** Trustee Stifflear seconded the motion.

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

**NAYS:** None

**ABSTAIN:** Trustee Banke

**ABSENT:** Trustee Haarlow

Motion carried.

**OATH OF OFFICE – POLICE DEPARTMENT**

President Cauley introduced Hinsdale's two newest Police Officers, Thelonious Hicks and Jonathon Wheaton, both of whom were hired in August 2021 and graduated from Macon County Law Enforcement Academy. He administered the Oath of Office to both, and offered congratulations on behalf of the Board.

## VILLAGE PRESIDENT'S REPORT

President Cauley reminded residents that vehicle stickers are now on sale and available online, in person, or via mail. The ice rink is officially closed, the Parks & Recreation summer program guide will be online on March 14, and early bird pool passes go on sale April 1.

Regarding COVID-19, President Cauley reported the mask mandate in Illinois has been rescinded. As a result, masks will no longer be required inside most businesses. Some institutions will be allowed to enact their own mask requirements, and mask requirements remain in place for public and federal transportation, airports, train stations and bus station. The Illinois Department of Public Health is reporting DuPage County's 7-day rolling positivity rate is at 3.0%, continuing to decline. He reported other area statistics.

## CITIZENS' PETITIONS

**Mr. Bill Haarlow, 144 E. Sixth Street**, addressed the Board regarding the poor condition of Sixth Street. He asked the Board to consider moving up the repair, as the condition of the street is severely deteriorated. Director of Public Services George Peluso stated engineering is scheduled for 2023, with work to begin in 2024. He said it could possibly be advanced by one year. Mr. Haarlow added that he hopes the intersection of Sixth and Park will be restored to brick so it is like the others in this district, and in the spirit of Historic Preservation.

## FIRST READINGS – INTRODUCTION

### Environment & Public Services (Chair Byrnes)

**a) Approve an Intergovernmental Agreement (IGA) between the Village of Hinsdale and the Illinois Tollway Authority ('Tollway') to construct an Emergency Water Interconnect and Provide Water System Maintenance**

Trustee Byrnes introduced the item and explained this is an Intergovernmental Agreement (IGA) between the Village and the Illinois Tollway to construct an emergency water system interconnect between Hinsdale and Western Springs. The cost of the project is \$1.1 million, toward which the Tollway will provide \$500,000. The project will commence in 2022, and be completed in 2023.

President Cauley talked about the give and take between the Tollway and the Village as a result of the expansion of the Tollway. The Tollway will rebuild restaurants on both sides of the roadway, and because they will need Hinsdale water, they have agreed to share the cost for the water system. This is the result of working collaboratively with the Tollway, and a good outcome for the Village. He thanked Assistant Village Manager Brad Bloom, Village Manager Kathleen Gargano, and Attorney Bill Ryan for all their time working with the Tollway.

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

### Zoning & Public Safety (Chair Stifflear)

**b) Approve Ordinance Approving an Exterior Appearance and Site Plan Review for Changes to Existing Parking Lot Light Poles - 137 S. Garfield Avenue – the Union Church of Hinsdale**

Trustee Stifflear introduced the item and pointed out that over the past several years, as a result of new construction projects, such as Land Rover and the new Humane Society, the Village has made improvements in the area of exterior lighting. The lights are shorter, and

shields protect neighbors from light pollution. The Union Church parking lot has 10 light poles. The applicant wants to improve the lights by replacing the existing bulbs with energy efficient LED light fixtures. There is no change in the height or the number of existing poles. There are residential homes to the south and east of the property, and IB District properties to the north. The Plan Commission held a public hearing on the matter on February 9, 2022, and there was input from residential neighbors. Many of the requests from the neighbors and subsequent recommendations of the Plan Commission have been incorporated into the application. These include two light shields on each light fixture, the lights will be dimmed to a minimum of 0.5 foot candles after installation if there are neighbor objections, and the lights will come on at 5:30 p.m. The property to the immediate east of the parking lot belongs to Ms. Nancy Cox. There are large arborvitae in this area with the exception of a 50" foot section. The applicant has agreed to remove the pines that are there and replace with arborvitae. The formal landscape plan has not been submitted yet. President Cauley noted the Board is sensitive to residents who don't get what they're promised. Trustee Stifflear suggested holding back cash, and Director of Community Development Robb McGinnis said the bond will serve this purpose.

Mr. Matt Klein, attorney for the applicant explained that the current lighting is orange and bright, the proposed LED lighting is creamier and softer. Trustee Stifflear noted the foot candles at the property line are zero. It was explained that the current lighting is code compliant, but the applicant is trying to reduce energy use to take advantage of a ComEd program that will pay a substantial part of the cost to upgrade.

Discussion followed regarding the installation of trees. The Board agreed that input from Village Forester John Finnell would be provided by the second reading.

**Ms. Nancy Cox, 127 E. Third Street**, stated she would like the existing arborvitae matched, and she would be happy to work with the Village arborist toward a satisfactory solution.

Regarding when the lights would be turned off, Mr. Klein said they will be turned off at 9:30 p.m., except for occasional church activities and special services.

Village Planner Bethany Salmon confirmed that the monument sign turns off 9:00 p.m. Mr. Klein said the light poles might be on a separate timer. He estimates there may be as many as seven meetings a year, not including holidays, where the lights would be on later, but the light level is reduced by half with the new lights. Discussion followed regarding whether or not to include a limit on the number of late meetings allowed in the ordinance, and whether a turn-off time means anything if there are unidentified exceptions.

The applicant agreed to add 10 to a reasonable number to be included in the ordinance for the number of allowable exceptions to the lighting being turned off at 9:30 p.m.

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

## CONSENT AGENDA

### Administration & Community Affairs (Chair Posthuma)

- a) Trustee Posthuma moved **Approval and payment of the accounts payable for the period of February 10, 2022 through February 23, 2022 in the aggregate amount of \$747,063.19 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, Stifflear, Fisher, Byrnes and Banke  
**NAYS:** None  
**ABSTAIN:** Trustee  
**ABSENT:** Trustee Haarlow

Motion carried.

*The following items were approved by omnibus vote:*

- 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 (First Reading February 15, 2022)**

**Zoning & Public Safety (Chair Stifflear)**

- c) **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 (First Reading February 15, 2022)**

Village Manager Kathleen Gargano outlined the changes included in this version of the ordinance that are a result of a resident request; provide the name of the applicant and any other involved parties, the exact location of a proposed facility, notice requirements and posted signage at the intended site.

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

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

Motion carried.

**SECOND READINGS / NON-CONSENT AGENDA – ADOPTION**

**Administration & Community Affairs (Chair Posthuma)\***

- a) **Approve the Annual Appropriation Ordinance for the year January 1, 2022 to December 31, 2022 (First Reading February 15, 2022)**

Trustee Posthuma introduced the item to approve the appropriation ordinance as required by State statute that approves the Village's legal spending authority.

Trustee Posthuma moved to **Approve the Annual Appropriation Ordinance for the year January 1, 2022 to December 31, 2022.** Trustee Banke seconded the motion.

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

Motion carried.

**Environment & Public Services (Chair Byrnes)**

- b) **Reject the bid submittal from Semmer Landscape LLC and authorize the rebid of Bid #1863 – Landscape Maintenance Services**

Trustee Byrnes introduced the item to reject a bid and authorize rebidding the landscape maintenance services, as only one bid was received. It was noted that labor costs have gone up considerably. Director of Public Services George Peluso said a new bid will be brought to the Board in April as a second reading, so that mowing can begin as scheduled in April. Trustee Byrnes moved to **Reject the bid submittal from Semmer Landscape LLC and authorize the rebid of Bid #1863 – Landscape Maintenance Services.** Trustee Fisher seconded the motion.

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

Motion carried.

**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 (First Reading February 15, 2022)**

Trustee Stifflear introduced the item for a referral to the Plan Commission to consider 12 age-restricted lifestyle housing units presented by Holladay Properties. At the last meeting of the Board, the applicant summarized the proposal that will utilize the existing building. They held two neighborhood meetings to gather neighbor input, and this input has been incorporated in the design. The project will be age-restricted, there will be a limit on short-term rentals, and restrictions on what is allowed on balconies. The map amendment will change the property from an IB to an O1 District, which is a more restrictive zoning district.

Mr. Mike O'Connor from Holladay Properties thanked the Board for considering this proposal. Trustee Stifflear asked that the Plan Commission consider changing the code to allow 8" foot wide parking spaces, instead of 9" feet as required by code. With regard to the three different green spaces, he would ask the Plan Commission to review these, as a fire pit is proposed on the south side across from residential properties.

Trustee Stifflear moved to **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 Banke seconded the motion.

**AYES:** Trustees Posthuma, Stifflear, Fisher, Byrnes and Banke

**NAYS:** None

**ABSTAIN:** Trustee

**ABSENT:** Trustee Haarlow

Motion carried.

d) **Approve a Referral to the Plan Commission for Consideration of a Map Amendment, Planned Development Concept Plan, and Special Use Permit for Hinsdale Senior Residences by Ryan Companies** (*First Reading – July 13, 2021*)

Trustee Stifflear introduced the item for a senior living facility to be located on the 32 acres of land commonly referred to as the IBLP property. At the first reading of this item on July 13, 2021, President Cauley stated, and the Board generally agreed, they would not be supportive of the project unless the total number of units was decreased to 200 or lower, and a third lane was put on Ogden Avenue to mitigate any additional traffic making a left off Adams onto Ogden Avenue.

Trustee Stifflear acknowledged the emails the Board has received regarding this matter. The applicant is seeking a referral to the Plan Commission for a map amendment to change 7.5 acres of land on the northwest corner of Adams and Ogden from IB to R2, and a concurrent planned development concept plan, special use permit, and site plan and exterior appearance review for a 200 unit senior living facility on approximately 32 acres of land along Ogden Avenue on both the east and west side of Adams. The application requires four affirmative votes for referral. Trustee Stifflear noted this project was referred to the Plan Commission in 2020, but the applicant withdrew the application following several public hearings and material changes to the original concept plan. The applicant submitted a revised plan, but withdrew this plan, too, as they did not receive positive feedback from the Board. Since the last submittal, the applicant has reduced the total number of units from 267 to 200. The one-story villas have been reduced from 27 units in 11 buildings, to 20 units in 10 buildings. Additionally, this application gives the Village approximately 12 acres to be designated as parkland.

President Cauley commented that if the property was never developed it would be okay with him. However, the landowner has the right to develop the property in ways that could result in a taller, more dense development than is currently being proposed, and would likely create far greater traffic problems. He added that the duplexes on the east side of Adams were not the focus of conversation in July 2021, but noted they would be 10 single-story, low rise buildings. He pointed out that, other than a small strip along Route 83, this property is not zoned residential, and while it is easier to say no to all proposed developments, it is risky considering what can be built by right. He believes it is his job to bring to the Board and community the best option. This is not the same proposal as was first brought to the Board; it is 20-25% smaller. In July, the focus was density and traffic. Ryan has reduced the number of units to 200. With respect to traffic, he referenced the Eve Assisted Living project which has produced no traffic impact. Although there are fewer units in that facility, the Ryan project is on a much bigger property, resulting in about six beds per acre. The Board insisted on a middle lane on Ogden.

Without IDOT approval, there will be no development. Other turn lanes on Ogden work well. He understands residents want to see this vacant property stay vacant, but he believes this proposal is a good option.

Mr. Dave Erickson, Ryan Companies, summarized for the Board stating that since meeting last July, the density has decreased from 245 units to 200 units, the building size is decreased by 45,000' square feet, the building is reduced from three stories to one story fronting Ogden Avenue. He noted that the project is contingent on IDOT approval of a third lane on Ogden Avenue; there will be no development without the third lane. The park size is increased, and the setbacks have been increased from 182' to 197' feet.

Trustee Stifflear described the process, noting this is a concept plan. There would be at least four to six months of hearings before the project could come back to the Board for final approval.

**Mr. Bob Ludwig, 541 Bonnie Brae Road**, addressed the Board stating they are afraid of the bogey man. He does not feel that Ryan has communicated with residents, and if people are going to use the park they will park on Bonnie Brae. He said the villas east of Adams are not code compliant, and doesn't feel it is fair to change the zoning, because he believes this will adversely affect Bonnie Brae home values.

President Cauley noted the only specifics discussed with Ryan and IBLP were the use and size of the buildings, this is a first conversation, nothing has been approved yet. Discussion followed regarding the impact of the villas on the area. It was pointed out they will be low rise, no kids, and less traffic. Further, they are being designed to look like single-family homes

**Mr. Dan Hemmer, 424 Glendale**, was concerned that he only had a week to look at the new plans. He stated he represents several hundred people. The use and scale and impact on homes and traffic is the problem, and all other Ryan developments are in commercial districts. He doesn't believe the applicant has demonstrated a need for senior housing. He thinks a Department of Motor Vehicles (DMV) facility would be more desirable than a senior use.

**Mr. Bob Lindgren, 1020 Birchwood Road, Oak Brook**, addressed the Board stating the effect on Oak Brook is more severe. He is concerned about Ogden Avenue traffic, but also the access to the property. He believes this should be tightly controlled. He is not convinced that dual left turn lanes will solve the problem. He also commented the property floods regularly, and stays flooded regularly. He commented that the proposed parkland is an insult or a joke.

**Eric Missil, 3 Cheval Drive, Oak Brook**, made a PowerPoint presentation to the Board. He commented that this is the fourth time this project is before the Village. Residents are fed up and tired. He believes the Board has fiduciary responsibility and must protect safety. He stated no one wants a building this big. He outlined the accident history of Adams and Monroe on Ogden. He believes a middle lane is not sufficient to protect the public. Further, he believes the park is not a public benefit because there is too much water, and no one will use the park. He called the park a 'public subsidy'.

**Mr. Steve Carlson, 16 Bonnie Brae Road**, endorsed the comments of the previous speakers. He understands that our Fire Department makes multiple visits per week to Manor Care, and expressed concern about the impact of another senior facility on this resource.

President Cauley agreed this is a consideration, and this issue would remain 'on our radar'.

**Mr. Khaldoon Shakir, 543 Bonnie Brae**, addressed the Board and expressed his concern about area flooding. He believes a bigger building and more people, will force all the water to his property. Additionally, he believes that a senior facility will generate a great deal of traffic, and will look like an apartment building. This will adversely affect property values.

President Cauley explained there will be an opportunity to solve water problems, and cited the improvements on Madison Street as a result of the Kensington development. Additionally, DuPage County would also be involved in flood mitigation.

Mr. Shakir responded stating he is not opposed to the property being developed as long as it remains R2 zoning.

The Board agreed to carry this matter over to their next scheduled meeting.

### DISCUSSION ITEMS

a) **Tollway update**

Assistant Village Manager/Director of Public Safety Brad Bloom reported the Tollway is finalizing plans for the removal of the Oasis overpass.

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

Mr. Bloom reported some claims have been denied, all are being handled on a case by case basis.

### DEPARTMENT AND STAFF REPORTS

a) Community Development

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 Stifflear moved to **adjourn the regularly scheduled meeting of the Hinsdale Village Board of Trustees of March 1, 2022**. Trustee Byrnes seconded the motion.

**AYES:** Trustees Posthuma, Stifflear, Fisher, Byrnes and Banke

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustee Haarlow

Motion carried.

Meeting adjourned at 9:33 p.m.

ATTEST: \_\_\_\_\_  
Christine M. Bruton, Village Clerk