

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE MEETING
February 7, 2012**

The regularly scheduled meeting of the Hinsdale Village Board of Trustees was called to order by President Tom Cauley in Memorial Hall of the Memorial Building on Tuesday, February 7, 2012 at 7:31 p.m.

Present: President Tom Cauley, Trustees Christopher Elder, J. Kimberley Angelo, William Haarlow, Doug Geoga, Laura LaPlaca, Bob Saigh

Absent: None

Also Present: Village Manager Dave Cook, Police Chief Bradley Bloom, Attorneys Lance Malina and Mallory Milluzzi and Village Clerk Christine Bruton

Also Present: Reporters from the Suburban Life, Hinsdalean and Patch.com

PLEDGE OF ALLEGIANCE

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

MINUTES

Trustee Geoga made corrections to the minutes. Trustee Elder moved **to approve the minutes of the regular meeting of the Village Board of Trustees from January 24, 2012, as amended.** Trustee LaPlaca seconded the motion.

AYES: Trustees Elder, Angelo, Haarlow, Geoga, LaPlaca

NAYS: None

ABSTAIN: Trustee Saigh

ABSENT: None

Motion carried.

CITIZENS' PETITIONS

None.

VILLAGE PRESIDENT'S REPORT

None.

CONSENT AGENDA

President Cauley read the Consent Agenda as follows:

Items Recommended by Administration & Community Affairs Committee

- a) Agreement with Sikich LLP for Audit Services for Fiscal Years ending April 30, 2012 and April 30, 2013
- b) Recreation Agreement with Hinsdale Tennis Association for a Period of One Year at the Rate of \$7,700.00

Trustee Angelo commented on Item A, stating he had been contacted by Mike Ripani, an attorney and former member of the ZBA, who raised concerns about the limited liability provisions in the agreement. Trustee Angelo conferred with Trustee Geoga who explained that in his experience this provision is reasonable in an engagement of this size. Trustee LaPlaca moved to **approve the Consent Agenda, as presented**. Trustee Angelo seconded the motion.

AYES: Trustees Elder, Angelo, Haarlow, Geoga, LaPlaca, Saigh

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

ADMINISTRATION AND COMMUNITY AFFAIRS

Accounts Payable

Trustee Angelo moved **Approval and Payment of the Accounts Payable for the Period of January 21, 2012 through February 3, 2012 in the aggregate amount of \$626,416.83 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk**. Trustee Elder seconded the motion.

AYES: Trustees Elder, Angelo, Haarlow, Geoga, LaPlaca

NAYS: None

ABSTAIN: Trustee Saigh

ABSENT: None

Motion carried.

ENVIRONMENT AND PUBLIC SERVICES

Graue Mill Flood Control Grant Request

President Cauley opened discussion explaining that following the July 2010 floods, the Graue Mill Homeowners Association has been working with their consultant, Christopher B. Burke Engineering, Ltd., and DuPage County to develop a grant application to the Federal Emergency Management Administration (FEMA) for the design and construction of flood control measures in and around the Graue Mill area. The engineers estimate for the design and construction of this project is \$2 million. The grant application must be submitted to FEMA by February 8th. The FEMA grant would be for 75% of the project cost, the remaining 25%, to be paid by local sources. DuPage County has agreed to pay 75% of the local funding costs which leaves approximately \$120,000 to be funded by the Village and Graue Mill residents. Graue Mill residents are requesting that the Village pay 80% and each dwelling unit will pay \$99.00. If the residents picked up the entire unfunded portion, the cost for each dwelling unit would be \$500.00.

Mr. Peter Schroat, President of the Graue Mill Homeowners Association, addressed the Board and stated that, as part of the community, Graue Mill residents are asking for financial support. He confirmed that President Cauley's reporting of the numbers was correct. He referenced the information that had been included in the Trustees' packets and asked them to consider their situation

Mr. Thomas Burke, of Christopher Burke Engineering, addressed the Board and explained that although the original deadline for submission was June 2012, it has moved to February 8th because FEMA contacted them that a different grant fell through and money is now available. As available funds are distributed on a first come, first serve basis, they would like to take full advantage of this opportunity. Mr. Burke summarized the recommendations for the area that include grading, berms, downspouts, upgrading pumps, condo improvements, redirecting some water to Salt Creek, compensatory storage, and raising the utilities above the flood plain. He noted that support from the DuPage Forest Preserve District will provide land for excavation, which is very fortunate.

Discussion followed regarding having to make this decision so quickly. Mr. Burke explained that the Village has to be the applicant and that all monies need to be accounted for in the application. Trustee LaPlaca noted that the DuPage County Board doesn't meet until February 14th, and there would be no firm commitment from them until then, however, Mr. Cook stated that he had spoken to Mr. Tony Charlton, Director, DuPage County, who assured him that the County is comfortable moving forward. President Cauley commented that the Village can be the applicant without supplying funding. Mr. Shroat informed the Board that last night the Graue Mill board voted to fund 50% of the \$120,000, reducing the request to the Village. Upon questioning, Mr. Shroat said he did not know if Graue Mill would file without Village funding and it was determined that there was not enough time to properly notice a meeting of their board to make such a determination.

Mr. Larry Klinger, Graue Mill resident, said that within the first 2 weeks after the flood residents paid \$2 million dollars out of pocket. Graue Mill residents assumed that some funding would come from the Village; they are residents of Hinsdale, too. They supported the sales tax referendum. This project won't start till FEMA releases the funds and that can take up to 12 months. Mr. Klinger confirmed that the \$2 million dollars he referenced was indeed out of pocket and included no insurance reimbursement. Mr. Klinger outlined the flooding concerns that have come up since the mid-80's.

Trustee Elder asked what happens if the project goes over budget? Mr. Burke said the estimates are solid and there is some cushion to cover future construction costs. He also explained this project is designed to handle a July 2010-type event, not greater than that. Trustee Elder said the Board has been given little information with a short time to make a decision, taking our roles as stewards seriously, he cannot vote to approve this kind of expenditure without more information. Trustee Angelo pointed out that Woodlands residents will pay \$15,000 over the next ten years to remedy their issues and that if he were a Woodlands resident this would not seem commensurate. Trustee Haarlow commented that he understands the Graue Mill board had very little time to react; to secure these funds, but feels that this Board is boxed into a tough spot. He wants to be supportive, but struggles to understand why they would approve \$250.00 and not \$500.00. Trustee Geoga stated that as a steward of Village finances, there are some problems that are not the fiscal responsibility of the Village to address. If this is a Village issue, he does not subscribe to the notion that flooding is flooding; drainage problems are a combination of factors. This is a development that is on the edge of a river and not a remedial responsibility of the Village. If one accepts the idea this is a municipal responsibility, this must be considered within the context of our infrastructure plan; this is a lot of money. We ask residents suffering from infrastructure inadequacies to be patient as we generate incremental funds, there is no process to push this to the top of the priority list. He cannot escape the fact that this is not a Village issue and there are competing demands for infrastructure dollars. Trustee LaPlaca agreed with the issues raised regarding competing infrastructure needs; this is a large amount of money to direct away from those issues. She reported candid conversations with Mr. Klinger on Friday from Mr. Cook's office regarding the issues that have been raised tonight by the Board. She is surprised that Graue Mill is not willing to make a \$500.00 payment and to assume that the Village Board would take on this obligation was a risky bet. Trustee Saigh commented that he supports everyone's positions and lamented the lack of time and the inability to explore other options. He thought it was unusual that the Village would fund a portion of the engineering study, but it was an exceptional situation, however, that didn't mean the Village would fund solutions for the long run. The Board has had to tighten their belts, and address these problems on an equitable basis. Village Attorney Lance Malina explained no formal motion is necessary to not spend the money.

Mr. John Donaker, 1413 Burr Oak Court, commented to the Board about their appalling lack of understanding about Graue Mill. Those residents suffered severely from this flood,

but the Board is now portraying this as a \$250.00 issue. They are at a point in time to meet a deadline, there are lots of moving parts, but they will get this project funded.

Janet Mose, 1151 Indian Trail, reported that she was totally flooded out of her unit; she lost her entire home, not just a basement. She provided history on the flood plain issue, stating that all units submerged were supposed to be built 18" higher, it was the responsibility of Village inspectors to have found this. She stated emphatically that Graue Mill is part of Hinsdale.

President Cauley said he appreciates that Graue Mill residents are part of Hinsdale. He stated that this Board runs a tight ship and does not have money like this on a three day notice for these funds. If there were unlimited funds, the Board would do this. The Board does their best to prioritize the needs of the whole Village. Trustee LaPlaca said if there was any way that Graue Mill could commit to the whole amount the Village would help to to facilitate submitting the application tomorrow, additionally, this does not preclude making a request for financial assistance at a future date.

Ms. Rosemary Tine, Graue Mill resident, asked what would have been the lead time needed for this type of request. President Cauley explained the process.

ZONING AND PUBLIC SAFETY

No report.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

None.

STAFF REPORTS

Trustee LaPlaca stated there will be a meeting on February 16th at 7:00 p.m. regarding Phase I engineering in the Woodlands.

CITIZENS' PETITIONS

None.

TRUSTEE COMMENTS

None.

ADJOURNMENT

There being no further business before the Village Board of Trustees, President Cauley asked for a motion to adjourn. Trustee Saigh **moved to adjourn the meeting of February 7, 2012.** Trustee Elder seconded the motion.

AYES: Trustees Elder, Angelo, Haarlow, Geoga, LaPlaca, Saigh

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Meeting adjourned at 8: 45 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk