

**MINUTES  
VILLAGE OF HINSDALE  
ZONING AND PUBLIC SAFETY COMMITTEE  
MONDAY, APRIL 28, 2014  
MEMORIAL HALL  
7:30 p.m.**

**Present:** Chairman Saigh, Trustee Haarlow, Trustee Angelo, Trustee Elder

**Absent:** None

**Also Present:** Kathleen Gargano, Village Manager, Robert McGinnis, Director of Community Development/Building Commissioner, Brad Bloom, Police Chief, Rick Ronovsky, Fire Chief

Chairman Saigh called the meeting to order at 7:30 p.m. and summarized the agenda.

**Minutes – February 2014**

Trustee Haarlow moved to approve the minutes as amended for the February 24, 2014 meeting. Second by Trustee Angelo. Motion passed unanimously.

**Monthly Reports – February & March 2014**

**Fire Department**

Chief Ronovsky commented on the number of emergency incidents this year that totaled about 100 more than the three year average. Chief Ronovsky advised that the increase appears due to a more severe winter and an increase in automatic aid responses to cover neighboring towns as several communities are currently having mechanical issues with their aerial ladders. Chief Ronovsky updated the members on the status of our new fire engine. The new fire engine is due to be completed around the middle of May.

Chairman Saigh inquired about how the winter weather affected our fire apparatus.

**Police Department**

Chief Bloom asked if the Committee Members had any questions of the February or March monthly report. Trustee Haarlow asked about the number of people who had signed up for the new Blockwatch program. Chief Bloom said about 20 residents had signed up and provided a brief overview of the program.

**Community Development**

Robert McGinnis briefly commented on permit revenue and building activity for February and March. He stated that even excluding the permit for the Adventist Cancer Treatment Center, revenues were strong and had exceeded budget expectations

**Request for Board Action**

**Recommend Approval of an Ordinance Amending Sections 9-1-4 (Permit Fees) and 9-1-7 (Standards and Conditions Applicable to All Work) of the Village Code of Hinsdale Relative to Building Permit Fees, Terms and Extensions**

Chairman Saigh introduced this item and gave a brief history on the item as well as the intent for the changes.

Robert McGinnis stated that the primary driver behind the change was the lack of administrative remedy available within the ordinance as presently drafted. He stated that affording someone the ability to seek administrative relief prior to tickets being written and issued put the Village in a better position once the case got to court.

He added that other proposed changes included a mandatory "check-in" or update evidenced by inspections or at a minimum, an email update on progress. If in the event, no work was evidenced and no update was given, the Village would consider the permit expired. Several communities have similar requirements including Oak Brook and DuPage County. In the event a permit expires, it would have to be renewed at full fees, but in no case for a term longer than 24 months without Committee appearance and approval.

Another change was in the term of the permit. Given that the lion's share of new homes takes longer than a year to construct, applicants would be encouraged to apply for an 18 month permit at 150% fees at the outset rather than a 12 month term. They would be afforded a 6 month extension at 150% base fees for cause, but in no event could the term exceed 24 months. If the work was still not finished at the end of the 24 month period, the applicant would have the ability to do a mailing as is presently required for new construction, and make an appearance before Committee who would have the authority to extend the permit beyond the 24 months for cause.

In the event that an applicant knew before the permit was issued that construction could not be completed within 24 months, they would have the ability to appear before Committee and make the case for a longer term.

He added that much of the goal here was to keep fees revenue neutral and not be punitive.

Trustee Haarlow asked for clarification on the 90 day permit expiration qualification. Robert McGinnis stated that presently, the model code allows the Building Official to consider a permit expired after 6 months of inactivity. Adding this 90 requirement to the code tightens up that timeframe and affords us the opportunity to take action, if appropriate, prior to waiting that additional 90 days before taking action.

Chairman Saigh asked for a motion. Trustee Elder made a motion to recommend Approval of an Ordinance Amending Sections 9-1-4 (Permit Fees) and 9-1-7 (Standards and Conditions Applicable to All Work) of the Village Code of Hinsdale Relative to Building Permit Fees, Terms and Extensions. Second by Trustee Haarlow. Motion passed unanimously.

**Recommend Approval for a Temporary Use at 336 E. Ogden Avenue for a Period 4/9/14 thru 10/31/14 Subject to Conditions to be Set Forth by the Building Commissioner**

Chairman Saigh introduced the item and summarized the request. He introduced Bill Hogan of Good Earth Greenhouse who stated that this was the fourth year at the Village and that things had gone well with their site on the Napleton property.

Chairman Saigh asked about the greenhouse and if the weather and winds had created a problem in the past. Mr. Hogan stated that they did have a problem with wind one year, but it was at a different site and that this site was somewhat protected by the existing building.

Chairman Saigh asked for a motion. Trustee Haarlow made a motion to recommend Approval for a Temporary Use at 336 E. Ogden Avenue for a Period 4/9/14 thru 10/31/14 Subject to Conditions to be Set Forth by the Building Commissioner. Second by Trustee Angelo. Motion passed unanimously.

**Recommend Approval to Renew a One Year Agreement to Prosecute Local Ordinance Violations to Ms. Linda Pieczynski**

**The current contract with Linda Pieczynski, Village Prosecutor of our field court cases, will expire on May 31, 2014.**

Chief Bloom stated in summary that Ms. Pieczynski has worked under contract with the Village since 1984. Our police officers and code enforcement personnel have indicated that the consistency of prosecution and availability of Attorney Pieczynski has benefited the Village greatly in the presentation of court cases. Moreover, Ms. Pieczynski is a recognized expert in municipal code enforcement having written books and lectured Nationally on the topic. Chief Bloom stated he is recommending that the Village renew the contract, effective from June 1, 2014 through May 31, 2015, the hourly fee of \$140 and the rate per court session of \$185. The contract rates are unchanged from our current agreement.

Trustee Elder made a motion to recommend that the Village Board renew the contract of Attorney Linda Pieczynski for the period of June 1 2014 through May 31, 2015 for the prosecution of ordinance violations. Second by Trustee Angelo. Motion passed unanimously.

**Recommend Approval to Purchase one (1) Ford Police Interceptor Utility Vehicle Under the Terms of the Suburban Purchasing Cooperative from Currie Motors for \$26,615 with the Purchase contingent Upon the Approval of the FY 14/15 Village Budget**

Chief Bloom stated in summary that the Police Department seeking to replace one (1) unmarked squad car in accordance with the Village's Vehicle Replacement Policy, which states that unmarked patrol vehicles are replaced every eight (8) years. Unmarked vehicle #35 is scheduled for that replacement. This vehicle currently has approximately 62,000 miles and has been designated to be repurposed to replace the meter enforcement vehicle which is becoming mechanically unreliable. Chief Bloom further stated that the Police Department has budgeted \$113,000 in line item #1211-7902 in the unapproved FY14/15 budget to replace three squads and have specifically budgeted \$29,000 to replace this vehicle.

Chief Bloom is recommending the purchase of one Ford Police Interceptors Utility vehicles under the terms of the Suburban Purchasing Cooperative from Currie Motors of Frankfort IL. The cost per vehicle is \$26,615 in total.

Trustee Haarlow made a motion to recommend that the Village Board purchase one (1) Ford Police Interceptor utility vehicles under the terms of the Suburban Purchasing Cooperative from Currie Motors for \$26,615 with the purchase contingent upon the approval of the FY 14/15 Village budget. Second by Trustee Angelo. Motion passed unanimously.

**Recommend Approval of an Ordinance Declaring Rescue Engine 1011 as Surplus after June 1, 2014 and Authorize the Village Manager to Sell it to command Fire Apparatus of Lancaster, PA for \$44,000**

Chairman Saigh introduced this item. Chief Ronovsky stated that with the purchase of our new fire engine, we are replacing our 1997 Rescue Engine 1011. At this time, the Fire Department maintains 2 pumping fire engines and an aerial ladder with a pump. With the delivery of the new fire engine and having a 2000 model fire engine the Fire Department is requesting to dispose of Rescue Engine 1011.

Fire Department members researched trading the vehicle in with the purchase of the new fire engine or selling it outright. After reviewing the trade in value and results of two apparatus brokers looking at the vehicle, it was determined that the most economical way to dispose of the rescue engine was to sell it outright. Chief Ronovsky provided supporting documentation and recommended to the members to sell rescue engine 1011 to Command Fire Apparatus of Lancaster, PA for \$44,000. Command Fire Apparatus offered the highest price for the rescue engine. Additionally, it was discussed that the sale would not occur until mid-June as the new fire engine needs to be delivered and placed into service first. Trustee Elder made a motion to recommend Approval of an Ordinance Declaring Rescue Engine 1011 as Surplus after June 1, 2014 and Authorize the Village Manager to sell it to command Fire Apparatus of Lancaster, PA for \$44,000. Second by Trustee Angelo. Motion passed unanimously.

## **Discussion Items**

### **Water Main/Fire Hydrant Flow Testing**

Chief Ronovsky reported to the members that the proposed FY2014-15 Budget included re-establishing the water main/fire hydrant flow testing program. Chief Ronovsky reviewed the goals of the program advising the members that this will begin sometime in June or July and that we will start advising Village residents now on the program. It was also discussed about the concerns of discolored water and what residents should do.

### **Temporary Signage on Village Right-of-Way**

Chairman Saigh introduced the item and stated that he understood that there was someone that wanted to speak on the item and barring any objections, moved the item up on the agenda.

Robert McGinnis provided some background on the item and the complaints that had been received. He stated that the Code strictly prohibits signage on the parkway and that there had been a zero tolerance policy on this. The complaint was primarily focused on estate sales and the fact that the party hosting the sale was bringing in product from out of town and merchandising that product at the sale. He went on to state that in this specific case, the party hosting the sale had complained that the signs that disappeared were valuable and that she wanted them back. The problem was that no one knew who took them. He added that the principal reason for bringing this as a discussion item was to confirm that the Committee was comfortable with staff enforcing the ordinance as written.

Trustee Angelo asked what standing the original complainant had to complain about the signs. Robert McGinnis stated only that they lived on County Line and was upset about the traffic tie ups during the event.

Chief Bloom stated that typically the complaints received are about commercial signage on the parkways. He added that typically the residents are fairly good about the charitable signs and not for profit signs but that there has been a proliferation of the commercial signs within the last few years and that the code does not differentiate between these.

Trustee Angelo added that there are lots of these types of signs around town already and does not see that there should be any dispensation on any of them.

Chairman Saigh asked if citations are ever issued for these types of signs. Chief Bloom stated that with most of the commercial enterprises, the party knows better, in that in many of those cases local ordinance citations are issued. He went on to state that in many cases, where the signs are tied to a local activity or event that those parties simply are unaware of the law or cannot discern the right of

way from private property. In those cases, they generally try and educate those parties rather than issue citations.

Chairman Saigh introduced Susie Marcus and stated that he had circulated her email to the rest of the Committee members so that they could be somewhat up to speed on the item. Ms. Marcus stated that the signs that were taken were expensive and that she would like them back. She stated that she had filed a complaint with the police department. There was discussion on where the signs were posted and when.

Chief Bloom restated that the signs could not be placed on the parkway and that they had to be on private property. He added that the ordinance could be changed, but that it could get murky and that the best approach was to enforce the ordinance uniformly.

### **Adjournment**

With no further business to come before the Committee, Chairman Saigh asked for a motion to adjourn. Trustee Elder made the motion. Second by Trustee Angelo. Meeting adjourned at 8:35PM.

Respectfully Submitted,

Robert McGinnis, MCP  
Director of Community Development/Building Commissioner