

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE SPECIAL MEETING
August 6, 2019**

The specially 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, August 6, 2019 at 7:31 p.m., roll call was taken.

Present: Trustees Matthew Posthuma, Scott Banke, Luke Stifflear, Laurel Haarlow, Neale Byrnes, and President Tom Cauley

Absent: Trustee Gerald J. Hughes

Also Present: Village Manager Kathleen A. Gargano, Assistant Village Manager/Director of Public Safety Brad Bloom, Assistant Village Manager Emily Wagner, Assistant Finance Director Alison Brothen, Police Chief Brian King, Fire Chief John Giannelli, Director of Community Development Robb McGinnis, Director of Public Services George Peluso, Village Planner Chan Yu, Management Analyst Jean Bueche 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 July 16, 2019**

Following changes to the draft minutes, Trustee Posthuma moved to **approve the draft minutes of the regular meeting of July 16, 2019, as amended.** Trustee Banke seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Hughes

Motion carried.

VILLAGE PRESIDENT'S REPORT

None.

CITIZENS' PETITIONS

None.

FIRST READINGS – INTRODUCTION

Administration & Community Affairs (Chair Hughes)

a) **Accept and Place on File the Post-Issuance Tax Compliance Report**

President Cauley introduced the item explaining this is an annual report to certify the Village is in compliance with tax laws.

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

b) **Approve and Award a contract to Orbis Solutions of Aurora, IL to provide information technology (IT) support services for an annual cost not to exceed \$164,928**

President Cauley introduced the item. Mr. Brad Miller, President of Orbis Solutions, addressed the Board. He stated they have been a service provider in this industry since 2003, and have taken care of Burr Ridge and various other municipalities in the area. President Cauley mentioned that he had wondered if the Village should hire a full-time IT staff person. However, was persuaded otherwise because one person would not be able to provide continuous service, for example, in the event of illness. Mr. Miller added they operate out of Aurora, and can provide someone on site, and are able to bring in other resources. President Cauley added the biggest users of IT are the Fire and Police Departments; those are 24-hour services. Assistant Village Manager/Director of Public Safety Brad Bloom said several vendors were reviewed, representatives from each department participated in the interviews. Orbis was the unanimous recommendation from staff. Trustee Banke asked about Service Level Agreements (SLA); it was reported these terms are being finalized.

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

c) **Approve a naming request for the Hinsdale Platform Tennis hut in honor of Bill O'Brien, as petitioned by the Hinsdale Platform Tennis Association (HPTA)**

President Cauley introduced the item. Mr. Marty Brennan, president of HPTA, addressed the Board. He spoke glowingly about Mr. Bill O'Brien, stating this is a way to recognize a remarkable individual who has had a positive effect on many families and individuals in this community. Mr. O'Brien introduced paddle tennis to Hinsdale and this area. He is about building community and fostering relationships. He is a selfless individual who has volunteered thousands of hours for the community and has been an ambassador for paddle tennis.

Mr. Charlie Usher, of 324 Radliffe, addressed the Board stating Mr. O'Brien taught him the game 27 years ago, and then how to coach and run tournaments. He believes he is a tremendous attribute to the community.

President Cauley added the Parks & Recreation Commission unanimously approved this recommendation.

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

Environment & Public Services (Chair Byrnes)

d) **Approve and award a competitive bid for plumbing for the parking deck project to CR Leonard Plumbing and Heating at a cost not to exceed \$207,000**

Trustee Byrnes introduced the item and reminded the Board that the first plumbing bids were rejected because they were too high. Following changing some of the materials to

PVC, this was re-bid and the Village received a competitive bid, but \$7,000 over budget. Mr. Scott Creech, Village owner's representative, has reviewed the bid and determined CR Leonard Plumbing & Heating to be a qualified bidder.

President Cauley added the \$7,000 over budget will be covered by the GMAX contingency of \$373,000.

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

e) **Approve entering into the State of Illinois contract, Central Management Services, Fleet Fuel Card Services CMS57903500 through WEX Bank for unleaded fuel**

Trustee Byrnes introduced the item that recommends no longer buying unleaded fuel in bulk. There is a slight cost increase in fuel, but the costs of maintenance, insurance and operator training will be eliminated. He noted going forward, this will free-up \$100,000 in capital funds, and many municipalities are signing up for this system. President Cauley noted some of this was thrust upon us because of the condition of the existing tank, but he understands from an internal control point of view this is a better system. Village Manager Kathleen Gargano recognized Finance Director Darrell Langlois and Public Services Director George Peluso and their staffs who resolved the problem on the same day with no interruption in fuel supply to users.

Mr. Peluso explained staff is still looking at possible locations for an above ground diesel tank to accommodate fire trucks around the Public Services facility. He anticipates bringing this matter to the Board in the fall. Discussion followed regarding possible sites and advantages to relocation.

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

f) **Approve and Award a contract for Quality Control/Quality Assurance (QA/QC) testing services for the parking deck project to SMC Material Testing of Arlington Heights at a cost not to exceed \$28,255**

Trustee Byrnes introduced the item to provide independent testing of the deck that is outside the scope of the contract with Wight. The Village has to do our own testing for proper control. Mr. Creech explained materials are tested; those things you can't see by eyeballing. He explained with vertical construction, it is typical to have an outside consultant. They statistically check concrete, check welds, asphalt, soils, and compaction. He assured the Board it is an important step. If it doesn't pass, it has to be taken out; the contractor responsible for all costs involved in resolving the situation.

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

Zoning and Public Safety (Chair Stifflear)

g) **Approve an Ordinance Amending Section 11-603 (Planned Developments), and to Section 11-604 (Site Plan Review) of the Hinsdale Zoning Code Relative to Major and Minor Adjustments to Planned Developments and Site Plans**

Trustee Stifflear introduced the item that addresses changing the definition of a major adjustment, and what qualifies as a minor adjustment. This change will prevent the Village Board from having to approve minor changes. This was reviewed by the Plan Commission in April 2019, and they requested the following three items be included as major adjustments: 1) a change in the location of fencing or screening; 2) an increase in the impervious surface of a site plan, and; 3) significant changes to the landscape plan. He also explained the ordinance maintains oversight protection by requiring any administrative

approvals to be approved by the Chairs of the Zoning & Public Safety (ZPS) Committee and Plan Commission.

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

h) **Approve an Ordinance approving a Second Major Adjustment to a Planned Development Final Plan, Site Plan and Exterior Appearance Plan for a new Illuminated Ground Sign at 10 N. Washington Street – Eve Assisted Living**

Trustee Stifflear introduced the item for a new illuminated ground sign at Eve Assisted Living. This property is zoned R5, but is surrounded by other zoning districts, including R4 Single family residential. Ground signs are not permitted in the R5 zoning district. The Plan Commission reviewed this matter in March. There were four separate meetings on this item. Following material input from surrounding neighbors, the sign was ultimately relocated from the northeast corner of the property. The size of the sign was also reduced. Following these modifications, the Plan Commission unanimously approved the request. The building materials used for the sign will match the existing structure, and the green space will remain as is on the northeast corner.

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

i) **Approve a Resolution Approving the Study of a Potential Intergovernmental Agreement with Willowbrook, Burr Ridge and Darien (Sterigenics Property)**

Trustee Stifflear introduced the item that is a resolution to provide staff the authority to study a potential Intergovernmental Agreement (IGA) with Willowbrook, Burr Ridge and Darien to explore feasibility options regarding the Sterigenics property in Willowbrook. Sterigenics was closed with a Seal Order in February 2019. Since then Sterigenics filed an application with the State for a construction permit to install new equipment that would bring the facility into compliance with the regulations of the Matt Haler Act. This is being reviewed by the Illinois Environmental Protection Agency (IEPA).

Trustee Stifflear explained this resolution does not authorize any expenditure of funds, but simply provides staff the authority to work with these other communities for a solution, including the potential of taking the property. The Village is taking a proactive position in teaming with other municipalities to influence legislation and ensure Sterigenics does not reopen.

Mr. Frank Trilla, Mayor of Willowbrook, addressed the Board and thanked them for their consideration of this resolution; he appreciates Hinsdale's support and help.

Trustee Posthuma agreed this is a serious issue and supports continuing to work with neighboring communities and legislators, but believes purchasing a property outside Hinsdale is not a good use of Village funds at this time.

Trustee Stifflear reported on a meeting he attended last Thursday; his expectations were exceeded by how prepared and technical the information was that was provided.

Mr. Trilla added they have no idea about the expenditure of money, or if they will get to that step. This resolution is preliminary and the consideration of the Hinsdale Board is appreciated. President Cauley asked Mr. Trilla about the proposed 87' foot tall stack that would spread emissions further than the current 60' foot stack. Mr. Trilla stated they are steadfast against giving an inch over what they have, and will not approve an 80' foot stack.

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

CONSENT AGENDA

Administration & Community Affairs (Chair Hughes)

- a) Trustee Banke moved **Approval and payment of the accounts payable for the period of July 17, 2019 to August 6, 2019, in the aggregate amount of \$1,610,589.89 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee Posthuma seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Hughes

Motion carried.

The following items were approved by omnibus vote:

- b) **Approve an Ordinance Amending Subsection 3-3-13A of the Village Code of Hinsdale Related to the Number of Liquor Licenses** (*First Reading – July 16, 2019*)
- c) **Approve an Ordinance Authorizing the Sale by Auction or Disposal of Personal Property Owned by the Village of Hinsdale**

Environment & Public Services (Chair Byrnes)

- d) **Award the design engineering services for the 2020 Infrastructure Project to HR Green, Inc. in the amount not to exceed \$141,870** (*First Reading – July 16, 2019*)

Zoning and Public Safety (Chair Stifflear)

- e) **Approve an Ordinance Amending Sections 6-12-3 (“Schedule III; Stop Intersections”) and 6-12-4 (“Schedule IV; Yield Right of Way Intersections”) of the Village Code of Hinsdale** (*First Reading – July 16, 2019*)
- f) **Approve an Intergovernmental Police Service Assistance Agreement with the Metropolitan Emergency Response & Investigation Team (MERIT) of DuPage County**

Ms. Gargano explained that relative to Item F, the Village has an existing agreement; this is a formality because the name of the agency has changed.

Trustee Haarlow moved to **approve the Consent Agenda, as presented.** Trustee Stifflear seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Hughes

Motion carried.

SECOND READINGS / NON-CONSENT AGENDA – ADOPTION

Administration & Community Affairs (Chair Hughes)

- a) **Approve an Ordinance Amending Various Sections of the Village Code of Hinsdale Relative to the Village’s Fiscal Year** (*First Reading – July 16, 2019*)

President Cauley introduced the item that amends the Village code relative to the designation of the fiscal year, from starting on May 1 to January 1. Although there will be challenges in 2019, the ‘stub’ year, there are future benefits to making this change.

Trustee Banke moved to **Approve an Ordinance Amending Various Sections of the Village Code of Hinsdale Relative to the Village’s Fiscal Year**. Trustee Posthuma seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Hughes

Motion carried.

- b) **Approve an Ordinance Authorizing Transfers of Appropriations within Departments and Agencies of the Village** (*First Reading – July 16, 2019*)

President Cauley introduced the item that is housekeeping required by State law.

Trustee Stifflear moved to **Approve an Ordinance Authorizing Transfers of Appropriations within Departments and Agencies of the Village**. Trustee Banke seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Hughes

Motion carried.

- c) **Approve a Resolution Authorizing Submission, by the Village of Hinsdale, of an Open Space Lands Acquisition and Development (OSLAD) Grant Application**

President Cauley introduced the item that is a grant application relating to the swimming pool. Ms. Gargano referenced the pool audit that will be provided to the Board, but explained the grant needs to be submitted now to meet the deadline; therefore, this item is presented without a first reading. Staff hopes to defray some of the structural and maintenance costs with grant funds, rather than the operating budget. In addition to an authorizing ordinance from the Village Board, the Village has received letters of support from Representative Mazzochi, Senator Glowiak and Senator Durbin. LaGrange Park has also written their support as they are a high user of neighbor passes. Mr. Bloom recognized the efforts of Superintendent of Parks & Recreation Heather Bereckis to complete this application in short order. President Cauley added that she has been accepted to the Illinois Parks & Recreation Association (IPRA) Leadership Academy, which is also a feather in her cap. He explained that serious work is required for the pool, and the audit will illustrate the work requirements.

He explained the work will be done in phases to spread the costs over four years, but he believes a good public pool is a valuable amenity to the community. Ms. Gargano explained that an outside firm has made these recommendations, and that Mr. Peluso and Ms. Bereckis's staff have done a lot of work to make sure the pool is operational.

Trustee Banke moved to **Approve a Resolution Authorizing Submission, by the Village of Hinsdale, of an Open Space Lands Acquisition and Development (OSLAD) Grant Application.** Trustee Posthuma seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Hughes

Motion carried.

Environment & Public Services (Chair Byrnes)

- d) **Approve accepting the Guaranteed Maximum Price (GMAX) of Total Costs Including Contingency \$8,465,329** (*First Reading – June 18, 2019*)

Trustee Byrnes introduced the item noting that the bulk of the bidding for trade contracts is complete. Cost will not exceed this amount, but qualifiers such as weather or the demands of D181 may impact these numbers. This amount includes a contingency of \$373,000. It was noted that unused contingency funds will be refunded to the Village. Ms. Gargano added staff is cognizant of the fact that school is starting, and are working to make this as smooth as possible.

Trustee Byrnes moved to **Approve accepting the Guaranteed Maximum Price (GMAX) of Total Costs Including Contingency \$8,465,329.** Trustee Banke seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Hughes

Motion carried.

Zoning and Public Safety (Chair Stifflear)

- e) **Approve an Ordinance Approving A Second Major Adjustment to a Planned Development Final Plan, Site Plan And Exterior Appearance Plan for an Emergency Backup Generator at 306 West 4th Street – St. Isaac Jogues Parish** (*First Reading – July 16, 2019*)

Trustee Stifflear introduced the item that is a request to install an emergency gas generator at St. Isaac Jogues. The generator is well hidden, and the sound levels will be within maximums allowed in residential neighborhoods. Scheduled testing also meets residential requirements.

Trustee Stifflear moved to **Approve an Ordinance Approving A Second Major Adjustment to a Planned Development Final Plan, Site Plan And Exterior Appearance Plan for an Emergency Backup Generator at 306 West 4th Street – St. Isaac Jogues Parish.** Trustee Posthuma seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Hughes

Motion carried.

f) **Approve an Ordinance Approving an Exterior Appearance Plan for Facade Improvements at 24 W. Hinsdale Avenue** *(First Reading – July 16, 2019)*

Trustee Stifflear introduced the item which is façade improvements to the old Hartley's bicycle shop that is being converted to a clothing store. The proposed changes will not affect the building height, setbacks or lot coverage. The Plan Commission held a public hearing on June 12, there were no public comments; the Plan Commission unanimously recommended approval. He noted that the Historical Preservation Commission and the Plan Commission approved the proposed signage for the property.

Trustee Stifflear moved to **Approve an Ordinance Approving an Exterior Appearance Plan for Facade Improvements at 24 W. Hinsdale Avenue**. Trustee Banke seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Hughes

Motion carried.

g) **Approve a Referral to Plan Commission for Review and Consideration of an Ordinance Amending Sections 9-101(D)(9), 9-104(H)(2)(h) and 12-206, relating to the definitions of the lighting regulations**

Trustee Stifflear introduced the item that is a referral to the Plan Commission for a full review and public hearing, and therefore does not require a first reading. He explained our current lighting regulations are outdated, this will update and correct. Staff recommends review of the amount of energy used, units of illuminance and color temperature. Additionally, staff suggests automated light dimming switches as mandatory, and restrictions on time and when lights must be dimmed.

Trustee Stifflear moved to **Approve a Referral to Plan Commission for Review and Consideration of an Ordinance Amending Sections 9-101(D)(9), 9-104(H)(2)(h) and 12-206, relating to the definitions of the lighting regulations**. Trustee Posthuma seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Hughes

Motion carried.

DISCUSSION ITEMS

a) Parking deck update

Mr. Bloom explained that weekly meetings have been added with Wight and D181 for a smooth transition. Today's meeting addressed traffic management and safety in order to keep construction vehicles away from students as much as possible. The first part of the project will be to put in the storm water detention, but the sheet pilings against the school need to be removed first. This should be done by August 20, school will start August 23. Plans for the dump sites with the tollway are being finalized. He noted there is a dedicated section on the Village website for updates.

DEPARTMENT AND STAFF REPORTS

- a) Treasurer's Report**
- b) Economic Development**
- c) Fire**
- d) 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.

Ms. Gargano reported that relative to Sterigenics, the motion to intervene was approved; all the Villages will file briefs on August 23. Sterigenics has to August 30 to file their response. The matter will be heard by Judge Fullerton on September 6. She also acknowledged that State Representative Deanne Mazzochi has been a critical leader in addressing these issues; she is working on behalf of Hinsdale and the greater community.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

No reports.

OTHER BUSINESS

None.

NEW BUSINESS

None.

CITIZENS' PETITIONS

None.

TRUSTEE COMMENTS

None.

ADJOURNMENT

There being no further business before the Board, President Cauley asked for a motion to adjourn to Closed Session. Trustee Stifflear moved to **adjourn the specially scheduled meeting of the Hinsdale Village Board of Trustees of August 6, 2019 into closed session under 5 ILCS 120/2(c)(11) litigation, filed or pending before a court or administrative tribunal or when an action is probable or imminent, not to reconvene into open session.** Trustee Banke seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Trustee Hughes

Motion carried.

Meeting adjourned at 8:35 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk