

**VILLAGE OF HINSDALE  
VILLAGE BOARD OF TRUSTEES  
MINUTES OF THE MEETING  
September 1, 2020**

The regularly scheduled meeting of the Hinsdale Village Board of Trustees (conducted electronically) was called to order by Village President Tom Cauley on Thursday, September 1, 2020 at 7:33 p.m., roll call was taken.

Present: President Tom Cauley

Participating by telephone: Trustees Matthew Posthuma, Scott Banke, Luke Stifflear, Gerald J. Hughes, Laurel Haarlow and Neale Byrnes

Absent: None

Participating by telephone: Village Manager Kathleen A. Gargano, Assistant Village Manager/Director of Public Safety Brad Bloom, Police Chief Brian King, Finance Director Darrell Langlois, Director of Community Development/Building Commissioner Robb McGinnis, Director of Public Services George Peluso, Village Engineer Dan Deeter, Village Planner Chan Yu, Superintendent of Parks & Recreation Heather Bereckis and Village Clerk Christine Bruton

**VILLAGE PRESIDENT - INTRODUCTION**

*“Good evening. On May 29, 2020, Governor Pritzker entered the latest in a string of emergency declarations related to the COVID-19 pandemic. In light of that declaration, and consistent with various Executive Orders entered by the Governor, and the recent amendments made to the Open Meetings Act in Public Act 101-640, I find that it is not practical or prudent to conduct an in-person meeting, and this Open Regular Meeting of the President and Board of Trustees of the Village of Hinsdale is therefore being conducted remotely.*

*Public Act 101-640 allows public bodies to meet remotely during public health disasters, so long as the public is able to monitor the meeting, and certain other conditions are met.*

*Public comment is permitted during the Citizen’s Petitions portions of the meeting. When we get to those portions of the meeting, I will ask persons wishing to make public comment to identify themselves.”*

**APPROVAL OF MINUTES**

a) **Regular Meeting of August 11, 2020**

There being no changes to the draft minutes, Trustee Posthuma moved to **approve the draft minutes of the regular meeting of August 11, 2020, as presented.** Trustee Haarlow seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

## VILLAGE PRESIDENT'S REPORT

No report.

### APPOINTMENTS TO BOARDS OR COMMISSIONS

President Cauley recommended the following individuals for reappointment, and added that he appreciates residents who volunteer to serve, especially those individuals who serve multiple terms.

#### Economic Development Commission

Mr. Michael Kiyosaki re-appointed to a 3-year term through April 30, 2023

#### Finance Commission

Mr. Charlie Russ re-appointed to a 3-year term through April 30, 2023

Mr. David Risinger re-appointed to a 3-year term through April 30, 2023

#### Historic Preservation Commission

Ms. Shannon Weinberger re-appointed to a 3-year term through April 30, 2023

Trustee Byrnes moved to **approve the appointments to boards or commissions as recommended by the Village President.** Trustee Banke seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

### CITIZENS' PETITIONS

None.

### FIRST READINGS – INTRODUCTION

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

- a) **Approve the request for a Third Major Adjustment to the Site Plan to permit approval of an access drive between 300 and 336 E. Ogden Avenue for the Land Rover/Jaguar dealership; OR**

**Refer the request to the Plan Commission for further hearing and review**

Trustee Stifflear introduced the item that is the third major adjustment for Land Rover to retroactively approve an access drive between the old and new facility. In February 2018, the Board approved the exterior appearance and site plan to convert the old GM facility to the new dealership. In 2019, the first major adjustment was to include Jaguar, and the second was for fence and landscaping changes. The Village forester confirmed that the final requirement of the landscaping plan was completed, and a permanent Certificate of Occupancy was issued last week. Following the second major adjustment in 2019, Land

Rover installed a 6' foot blacktop driveway between 300 and 336 E. Ogden Avenue. Trustee Stifflear said it is unusual for two properties to have an access drive between them, but there is nothing in the code to prohibit it. Additionally, the Fire Department supports the access drive because it provides access to the east side of the building that otherwise would not exist.

With respect to process, he stated the Board could either move the matter forward for a second reading, or refer the matter to the Plan Commission for further hearing and review. He reported Director of Community Development Robb McGinnis has talked to Plan Commission Chair Steve Cashman, who does not believe the Plan Commission would have anything to add to this discussion.

**Mr. Kevin Jacobs** of Bill Jacobs Land Rover addressed the Board. He explained his family currently has a business mainly located in Naperville, where they sell pre-owned high-end plug-in electric vehicles. They want to expand this business into the 300 E. Ogden building, noting this is still theirs via a lease. This would be another way to sell more cars, providing more tax revenue to Hinsdale. He noted there is not a huge volume of vehicles, as they are still building the business. He anticipates sales at about 50 cars per month, but does not really know. He also plans to sublet to an outside company to provide new vehicle detailing and pictures. That aspect of the business is very important to promote as many on-line sales as possible. The access drive will eliminate the need for any vehicles to go on Ogden Avenue or through the neighborhood. Mr. Jacobs reported he is still in negotiations with the property owner regarding building and property details.

President Cauley remarked this has less to do with the access drive proposal, and more to do with the use of 300 E. Ogden. Village officials did not want Land Rover to leave the Village, and created a tax agreement to keep them in Hinsdale, but he does not want that property to be a vehicle storage facility only. There should be another sales tax revenue generating business in the building. The agreement states that no later than 90 days, Land Rover shall vacate or use as a business. He said he has no problem conceptually, but he does not want Land Rover cars parked there as a parking lot. His first thought was the access drive was a precursor to a parking lot.

Mr. Jacobs stated he understands, and knows these are the terms of the agreement; however, the business he is describing is a different company with its own dealership license. Technically, a separate ownership. President Cauley wants assurance it will not be a storage site. Mr. Jacobs said they might ask employees to park there, but there is no intent for it be a storage lot. Trustee Stifflear added the storage of vehicles is not a permitted use per the zoning code. Mr. McGinnis confirmed a new dealership is a permitted use in the B3. Mr. Jacobs said there are four years left on the current lease, but they are trying to extend the length of the lease. He added that if an unrelated business went into the 300 E. Ogden site, they would be open to eliminating the drive, but would leave that up to the new business and the Village. Discussion followed regarding regulating language to address President Cauley's concern.

Assistant Village Manager/Director of Public Safety Brad Bloom said the Village received an email at 7:38 p.m. from Mr. Ed Wavak and Mr. Junguo Bian requesting this matter be sent to the Plan Commission. Trustees agreed to forward the matter as a second reading, noting neighbors can make any comments they would like at that time.

Mr. Jacobs confirmed that all employees currently park on the lot, but estimated there would be about six people parking at the new business at 300 E. Ogden.

Discussion followed regarding the collection of sales tax from out of State sales. Trustee Stifflear described his experience, and suggested this be reviewed. Finance Director Darrell Langlois said he would like to research this.

**Mr. Scott Selfridge**, representing Land Rover, explained sales tax collection for out of State sales depends on the relationship Illinois has with the specific State.

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

b) **Approve the issuance of a purchase order to AXON Enterprise Inc. in the amount of \$24,384.00 for eight Conductive Energy Weapons (TASER 7), Holsters, and qualification/duty cartridges**

Trustee Stifflear introduced the item to purchase eight new tasers and ancillary equipment for the Police Department. Currently, the department is using 2002 model tasers, four were purchased in 2012 and are inoperable, and the other four are being phased out because they are no longer technically supported. Staff is recommending replacement of the entire inventory so the units are standard for operations and training purposes. Usually the purchase falls under the threshold for the CIP, but due to the deferral of 2020 projects, there are funds available for this purchase. This is a single source item, and not out for bid. Police Chief Brian King said he would try to get money from the sale of the four remaining operable units, but since they are not supported, he is not hopeful. This item is not in the budget because they normally replace the units as they break, but there were four this year.

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

## **CONSENT AGENDA**

### **Administration & Community Affairs (Chair Hughes)**

- a) Trustee Byrnes moved **Approval and payment of the accounts payable for the period of August 8, 2020 through August 28, 2020, in the aggregate amount of \$1,141,718.46 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee Hughes seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

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

- b) **Award Holiday Lighting & Decorating Bid #1673 to McFarlane Douglass & Companies, for Village holiday lighting and decorating in the base bid amount of \$21,995 with the intention to utilize the full budget of \$28,000 for purchasing of replacement light strands**

President Cauley introduced the item and acknowledged the Village is trying to keep costs down, but he sees this as a benefit to the Village and the business community, and recommends spending the money. Trustee Byrnes said this is the same contractor as last year. Trustee Hughes recalls when LED lights became available we would purchase the lights, and asked where are we in terms of inventory. Director of Public Services George

Peluso said we have enough lights for the entire town, this item will allow money to replace broken lights. He does not think the full amount will be used for replacement, but he would like to add more lights. President Cauley suggested using the budget for additional lighting; Mr. Peluso said he would keep the Board apprised in Manager's Notes. Discussion followed regarding when to turn on the lights; noting the businesses in the CBD like the lights on earlier and later than the holiday season, per the Chamber of Commerce. They believe it provides a nice feeling to the otherwise dark business district. Mr. Peluso said they request the lights be on for 'Black Wednesday'. However, the lights in Burlington Park are more 'holiday' oriented and can be turned on after Thanksgiving.

Trustee Byrnes moved to **Award Holiday Lighting & Decorating Bid #1673 to McFarlane Douglass & Companies, for Village holiday lighting and decorating in the base bid amount of \$21,995 with the intention to utilize the full budget of \$28,000 for purchasing of replacement light strands.** Trustee Hughes seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

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

### **Administration & Community Affairs (Chair Hughes)**

- a) **Approve a Resolution Authorizing the Village Manager to Submit an Application for Corona Virus Relief Funds Provided to DuPage County Under the Corona Virus Aid, Relief And Economic Security Act ("Cares Act")** (*First Reading – July 16, 2020*)

Trustee Hughes introduced the item and noted the Board passed an IGA in July with DuPage County to access COVID relief funds. The next step is to authorize entering an application that requires a resolution of the Board.

Trustee Hughes moved to **approve a Resolution Authorizing the Village Manager to Submit an Application for Corona Virus Relief Funds Provided to DuPage County under the Corona Virus Aid, Relief and Economic Security Act ("Cares Act").** Trustee Byrnes seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

### **DISCUSSION ITEMS**

- a) Parking deck update  
Mr. Bloom said there is no update at this time.
- b) Tollway update  
Mr. Bloom said there is no update at this time.

c) Title 14 Historic Preservation draft

It was noted there is nothing new to present at this time, staff continues to work on the recommendations made previously by the Board.

**DEPARTMENT AND STAFF REPORTS**

- a) Parks & Recreation
- b) Engineering
- c) 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**

Trustee Hughes referenced a petition to stop the removal of the dam at Graue Mill, and asked the Village Manager to find out where Oak Brook stands on this matter. Ms. Gargano said she would get back to the Board with this information.

**ADJOURNMENT**

There being no further business before the Board, President Cauley asked for a motion to adjourn. Trustee Byrnes moved to **adjourn the regularly scheduled meeting of the Hinsdale Village Board of Trustees of September 1, 2020.** Trustee Banke seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried.

Meeting adjourned at 8:10 p.m.

ATTEST: \_\_\_\_\_

Christine M. Bruton, Village Clerk